

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 53 (ZONING) OF THE CITY OF KYLE, TEXAS, FOR THE PURPOSE OF REZONING APPROXIMATELY 57.26 ACRES OF LAND FROM RETAIL SERVICE DISTRICT 'RS' AND SINGLE FAMILY RESIDENTIAL-2 'R-1-2' TO PLANNED UNIT DEVELOPMENT 'PUD' FOR PROPERTY LOCATED OFF OF W. FM 150 AND OLD STAGECOACH ROAD, IN HAYS COUNTY, TEXAS. (KYLE MORTGAGE INVESTORS, LLC – Z-17-007); AUTHORIZING THE CITY SECRETARY TO AMEND THE ZONING MAP OF THE CITY OF KYLE SO AS TO REFLECT THIS CHANGE; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE; PROVIDING FOR SEVERABILITY; AND ORDAINING OTHER PROVISIONS RELATED TO THE SUBJECT MATTER HEREOF; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE WAS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KYLE, TEXAS, THAT:

SECTION 1. That the zoning district map of the City of Kyle adopted in Chapter 53 (Zoning) be and the same is hereby amended to rezone approximately 57.26 acres of land from Retail Service District 'RS' and Single Family Residential-2 'R-1-2' to Planned Unit Development 'PUD' for property located off of W. FM 150 and Old Stagecoach Road, as shown on the property location map labeled Exhibit B.

SECTION 2. That the City Secretary is hereby authorized and directed to designate the tract of land zoned herein as such on the zoning district map of the City of Kyle and by proper endorsement indicate the authority for said notation.

SECTION 3. If any provision, section, sentence, clause, or phrase of this Ordinance, or the application of same to any person or set of circumstances is for any reason held to be unconstitutional, void or invalid (or for any reason unenforceable), the validity of the remaining portions of this Ordinance or the application to such other persons or sets of circumstances shall not be affected hereby, it being the intent of the City Council of the City of Kyle in adopting this Ordinance, that no portion hereof or provision contained herein shall become inoperative or fail by reason of any unconstitutionality or invalidity of any other portion or provision.

SECTION 4. This Ordinance shall be published according to law and shall be and remain in full force and effect from and after the date of publication.

SECTION 5. It is hereby officially found and determined that the meeting at which this ordinance was passed was open to the public as required by law.

READ, CONSIDERED, PASSED AND APPROVED ON FIRST READING by the City Council of Kyle at a regular meeting on the _____ day of _____, 2017, at which a quorum was present and for which due notice was given pursuant to Section 551.001, et. Seq. of the Government Code.

READ, CONSIDERED, PASSED AND APPROVED ON SECOND AND FINAL READING by the City Council of Kyle at a regular meeting on the _____ day of _____, 2017, at which a quorum was present and for which due notice was given pursuant to Section 551.001, et. Seq. of the Government Code.

APPROVED this _____ day of _____, 2017.

R. Todd Webster, Mayor

ATTEST:

Jennifer Vetrano, City Secretary

EXHIBIT A

FIELD NOTES

BEING A 57.250 ACRE TRACT OUT OF THE SAMUEL PHARASS SURVEY, ABSTRACT NO. 360, SITUATED IN THE CITY OF KYLE, HAYS COUNTY, TEXAS, BEING THAT CERTAIN 57.260 ACRE TRACT CONVEYED TO KYLE MORTGAGE INVERSTORS, LLC, BY DEED RECORDED IN VOLUME 3416, PAGE 788, OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS; SAID 57.250 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at a 1/2-inch iron rod found in the southwest right-of-way line of Farm-to-Market Road 150 (80' r.o.w.), being the most easterly corner of Lot 52, Quail Meadows Subdivision, of record in Volume 7, Page 47, of the Plat Records of Hays, County, Texas, for the most northerly corner of said 57.260 acre tract and hereof;

THENCE, along southwest right-of-way line of Farm-to-Market Road 150, being the northeast line of said 57.260 acre tract, the following two (2) courses and distances:

- 1.) S46°07'14"E, a distance of 1415.02 feet to a TxDOT Type 1 monument found at the point of curvature of a curve to the left;
- 2.) Along said curve, having a radius of 5769.65 feet, a central angle of 00°57'00", an arc length of 95.68 feet, and a chord which bears S46°32'03"E, a distance of 95.67 feet to a 1/2-inch iron rod found at the most easterly corner of said 57.260 acre tract, being the most northerly corner of that certain remainder of 62.10 acres conveyed to Aus S T Kyle, Ltd., by Deed of record in Volume 2671, Page 863, of said Official Public Records, for the most easterly corner hereof;

THENCE, leaving said southwest right-of-way line, over and across said 62.10 acre tract, along the northeast and northwest lines of said remainder tract, being a southeast line of said 57.260 acre tract, the following two (2) courses and distances:

- 1.) S43°40'26"W, a distance of 425.25 feet to a 1/2-inch iron rod found, for an angle point;
- 2.) S46°20'02"E, a distance of 516.18 feet to a 1/2-inch iron rod found in the southeast line of said 62.10 acre tract and said 57.260 acre tract, being in the north line of that certain 10.00 acre tract conveyed to Mary Frances Edge, as Trustee of the Robert C. Edge, Sr. Revocable Living Trust, by Deed of record in Volume 4141, Page 679, of said Official Public Records, for an angle point;

THENCE, S35°58'21"W, along the north line of said 10.00 acre tract, being a southeast line of said 62.10 acre tract and said 57.260 acre tract, a distance of 507.36 feet to a 10-inch cedar fence post found at the northwest corner of said 10.00 acre tract, being the northeast corner of that certain 2.62 acre tract conveyed to Deanna K. and Alton E. Franke, by Deed of record in Volume 245, Page 347, of the Deed Records of Hays County, Texas, for an angle point;

THENCE, S52°54'07"W, along the north line of said 2.62 acre tract, being a southeast line of said 62.10 acre tract and said 57.260 acre tract, a distance of 402.46 feet to a 10-inch cedar fence post found at the northwest corner of said 2.62 acre tract, being in an east line of that certain 1971.29 acre tract conveyed to Blanco River Ranch Properties, LP, by Deed of record in Volume 5230, Page 583, of said Official Public Records, for the most southerly corner of said 62.10 acre tract, said 57.260 acre tract, and hereof;

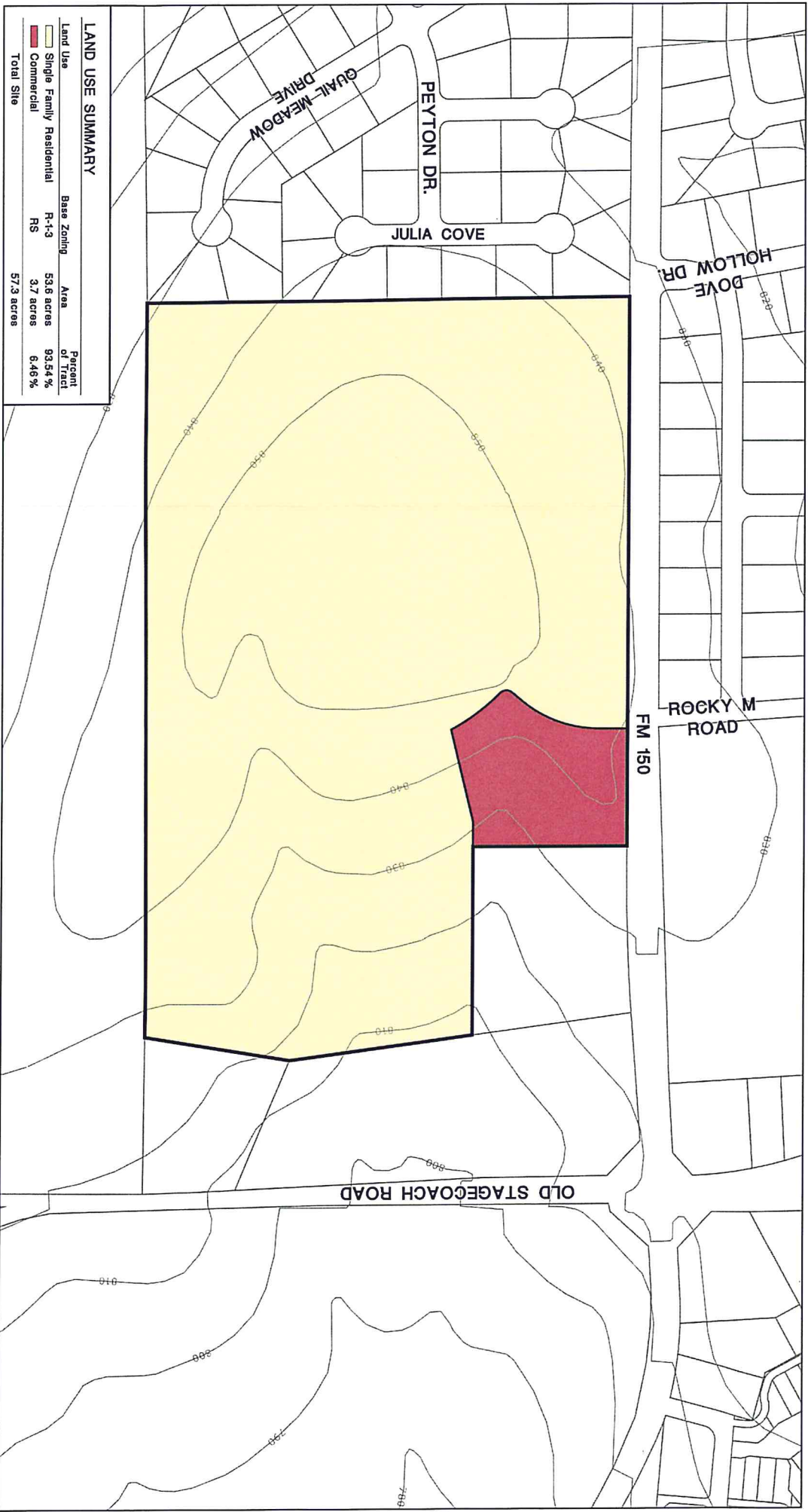
THENCE, along the east line of said 1971.29 acre tract, being the southwest line of said 62.10 acre tract and said 57.260 acre tract, the following three (3) courses and distances:

- 1.) N45°46'17"W, a distance of 135.70 feet to a 10-inch cedar fence post found, for an angle point;
- 2.) N46°30'02"W, a distance of 1445.81 feet to a 10-inch cedar fence post found, for an angle point;
- 3.) N45°53'38"W, a distance of 436.10 feet to a 1/2-inch iron rod found at the most westerly corner of said 62.10 acre tract and said 57.260 acre tract, being the most southerly corner of said Quail Meadows Subdivision, for the most westerly corner hereof;

THENCE, leaving the east line of said 1971.29 acre tract, along the southeast line of said Quail Meadows Subdivision, being the northwest line of said 62.10 acre tract and said 57.260 acre tract, the following three (3) courses and distances:

- 1.) N43°14'11"E, a distance of 609.58 feet to a 1/2-inch iron rod found, for an angle point;
- 2.) N42°48'41"E, a distance of 252.56 feet to a 1/2-inch iron rod found, for an angle point;
- 3.) N43°09'00"E, a distance of 467.68 feet to the **POINT OF BEGINNING**, and containing 57.250 acres (2,493,820 square feet) of land, more or less.

BEARING BASIS: TEXAS COORDINATE SYSTEM, NAD 83(2012A), SOUTH CENTRAL ZONE, REFERENCING THE LEICA SMARTNET REFERENCE NETWORK.



LAND USE SUMMARY

Land Use	Base Zoning	Area	Percent of Tract
Single Family Residential	R-1-3	53.6 acres	93.54 %
Commercial	RS	3.7 acres	6.46 %
Total Site		57.3 acres	

Kyle Mortgage Investors, LLC **Development Agreement**

SFC Planning, LLC
 Land Planning + Landscape Architecture + Community Branding
 AUSTIN, TEXAS
 512.242.2003 + 512.242.2703
 www.sfcplanning.com + info@sfcplanning.com

Exhibit B
Concept Plan

Scale: 1" = 250'

Date: January 17, 2017

North

SHEET FILE C:\Users\CEW\OneDrive\Projects\Austin\Stagecoach\A 3017-01-17.dwg
 The developer has reserved the right, without notice, to make changes to this map and other aspects of the project. This map is not to be used for any purpose not intended and to fulfill its marketing objective.

Exhibit B

Z-17-007 57 Acres on W RR 150

