



June 14, 2017

Mr. Leon Barba
City of Kyle Engineer
100 W. Center St.
Kyle, TX 78640

CITY OF KYLE

JUN 16 2017

PLANNING DEPARTMENT

Re: Bunton Creek Phase 3
(Variance Request)

Mr. Barba,

Over the past several years, LGI Homes has been working towards the full development of the Bunton Creek Subdivision. To-date, each proposed unit was designed to the requirements outlined in the June 29th, 2004 Development and Settlement Agreement. We are currently proposing the development of the final unit, Phase 3. On April 30th, 2014, the City of Kyle Attorney issued a letter of clarification which specified that the Phase 3 area was not part of the agreement and therefore; must be designed to meet the rules and ordinances in effect at the time of development. Since this is the last area to develop, Phase 3 is bound by existing units with street extensions and the subdivision's outer property line. A preliminary layout and plat were created and submitted to the City for review. We tried to adhere to current code as much as possible but many areas are held to matching existing conditions at the perimeter. On April 27th, 2017, we met with City staff to discuss the best path for moving forward. We were directed to submit a list of the areas where we do not meet current code and request a variance to proceed with the proposed layout.

The items below are in conflict with the Code of Ordinances City of Kyle, Texas, April 2017, as such we request the granting of a variance for these items. Please see attached overall and site specific exhibits for further detail regarding the individual items enumerated below.

- 1) Code of Ordinances, Ch. 41, Art. 5, Sec. 41-137(k)(1) requires 60-foot Right-of-Way (ROW) width for Residential lanes. Treeta Trail does not comply with the ordinance mentioned above. The proposed road is bound by existing roads at both ends. Existing adjacent tie-ins are 50-foot ROW width. Treeta Trail has approximately 1,800 linear feet of constructed roadway. Our plans for Phase 3 propose a 50-foot ROW on the last remaining portion of Treeta Trail which is approximately 1,350 linear feet. To maintain continuity with existing development, we request a variance for this ROW width. (See Exhibit 1)

TBPE Firm Registration #470 | TBPLS Firm Registration #10028800

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- 2) Code of Ordinances, Ch. 41, Art. 5, Sec. 41-137(k)(1) requires 60-foot Right-of-Way (ROW) width for Residential lanes. Amy Drive does not comply with the ordinance mentioned above. The proposed road is bound by an existing road on east side. Existing adjacent tie-ins are 50-foot ROW width. Amy Drive has approximately 2,600 linear feet of constructed roadway. Our plans for Phase 3 propose a 50-foot ROW on the last remaining portion of Amy Drive which is approximately 802 linear feet. To maintain continuity with existing development, we request a variance for this ROW width. The remaining portion of Amy Drive is a dead end cul-de-sac and is proposed to be constructed with this phase. (See Exhibit 2)
- 3) Code of Ordinances, Ch. 41, Art. 5, Sec. 41-137(k)(1) requires 38-foot pavement width for Collector Streets. Winding Creek was considered a collector street in the Development Agreement and was constructed with a pavement width of 30-feet for approximately 490 linear feet. Existing adjacent tie-ins are 60-foot ROW with 30-foot pavement width. Our plans for Phase 3 propose a 60-foot ROW with 30-foot pavement width for the last remaining portion of Winding Creek which is approximately 230 linear feet. To maintain continuity with existing development and match existing conditions, we request a variance for this pavement width. (See Exhibit 3)
- 4) Code of Ordinances, Ch. 41, Art. 5, Sec. 41-137(h)(1) limits the length of dead-end roads with cul-de-sacs to 200-feet for residential zoning. Breanna Lane is a dead end road with a cul-de-sac measuring 513-feet. The proposed cul-de-sac configuration also follows the property line for the currently platted and built out Recreational Center lot. International Fire Code, Sec. D103.4 allows for dead-end access roads up to 750-feet. Given that the proposed residential block length is greater than 200-feet but less than the 750-feet, we request a variance for this residential block length. (See Exhibit 4)
- 5) Code of Ordinances, Ch. 41, Art. 5, Sec. 41-137(h)(1) limits the length of dead-end roads with cul-de-sacs to 200-feet for residential zoning. Amy Drive is a dead end road of approximately 802 linear feet with a cul-de-sac at the end. The proposed cul-de-sac configuration is bound by the property line for the currently platted and built out Recreational Center lot. In an effort to attempt to comply with current code, Amy Drive will be adjusted from its current state to include a fire apparatus turnaround at the approximate midblock distance and reduce the total length to a turnaround from 802 feet to 465 feet. International Fire Code, Sec. D103.4 allows for dead-end access roads in excess of 750-feet with special approval of the Fire Marshal. This turnaround will be consistent with International Fire Code, Sec. D103. With Fire Marshal approval, we request a variance for the block length on Amy Drive to exceed 750-feet (802-feet). (See Exhibit 5)
- 6) Code of Ordinances, Ch. 53, Art. 2, Div. 1, Sec. 53-33(k)(9) requires a minimum front width of 65-feet and minimum square footage of 6825- square feet per residential lot. With City Council approval up to 25% of residential lots may be smaller than 65-feet, but not less than 55-feet; up to 25% of residential lots may be smaller than 6825-square feet but not less than 5825-square feet with City Council approval. To maintain consistency with the adjacent properties, we request approval from the City Council to plat up to 25% of residential lots within the proposed subdivision to be smaller than 6825-feet or have front width less than 65-feet. (See Exhibit 6)

- 7) Code of Ordinances, Ch. 53, Art. 2, Div. 1, Sec. 53-33(k)(9) requires a minimum front width of 65-feet and minimum square footage of 6825- square feet per residential lot. Lot 11, Block E dimensions of 52-feet of front width and 112-feet of lot depth do not comply. The existing lot located adjacent to the The dimensions of this lot are bound on three sides by Breanna Lane, Winding Creek Road, and the existing adjacent lot. To maintain consistency with adjacent properties, we request a variance for this lot. (See Exhibit 6)

Bunton Creek Phase 3 is the final unit for the development of Bunton Creek subdivision. We are seeking approval for the above mentioned variances so that the preliminary plat can be approved and the unit can move forward with the development process. Civil design and construction plans are on hold due to the sensitive conflicts that are present within this unit.

If you have any questions or require additional information, please do not hesitate to contact our office at your earliest convenience.

Sincerely,
Pape-Dawson Engineers, Inc.


Jim Welch, P.E.
Sr. Project Manager

Attachments

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