

# CITY OF KYLE

## PLANNING & ZONING COMMISSION REGULAR MEETING

Kyle City Hall, 100 W. Center Street, Kyle, TX 78640; OR  
via RingCentral (512) 236-5023 Meeting ID 149-379-6361

SPECIAL NOTE: Pursuant to the March 16, 2020 proclamation issued by Governor Abbott, this meeting will be held in-person and by videoconference in order to advance the public health goal of limiting face-to-face meetings (also called 'social distancing') to slow the spread of COVID-19. Some Planning and Zoning Commission members will be present in the chamber while others will attend the meeting via videoconferencing. This meeting may also be viewed live online at

<https://www.cityofkyle.com/kyletv/kyle-10-live> OR  
Spectrum10.



Notice is hereby given that the Planning and Zoning Commission of the City of Kyle, Texas will meet at 6:30 PM on October 13, 2020, at Kyle City Hall, 100 W. Center Street, Kyle, TX 78640; OR via RingCentral (512) 236-5023 Meeting ID 149-379-6361, for the purpose of discussing the following agenda.

**NOTE: There may be a quorum of the City Council of Kyle, Texas present at the meeting who may participate in the discussion. No official action will be taken by the City Council members in attendance.**

Posted this 9th day of October, 2020, prior to 6:30 P.M.

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1. **Call Meeting To Order**
  2. **Roll Call**
  3. **Minutes**

A.Planning and Zoning Commission meeting minutes for August 11, 2020, September 8, 2020 and September 22, 2020.

#### **4. Citizen Comments**

A. Members of the public that wish to provide citizen comment must submit the online registration form found at: <https://www.cityofkyle.com/council/citizen-comment-sign> to attend virtually. Registration must be received by 12 p.m. on the day of the meeting.

#### **5. Nomination(s) for Chair and Vice-Chair**

#### **6. Consent**

A. Cool Springs Phase 2, Amended Plat (SUB-20-0140) 48.326 acres; 191 residential lots, 1 drainage easement and 1 open space/park lot for property located off of E. RR 150 and Cool Springs Boulevard.

Staff Recommendation to P&Z: Approve the amended plat.

B. 150 Business Park Replat of Lot 2 of the Warren Subdivision and Lot 1 of FM 150 and IH-35 Subdivision (SUB-19-0099) 12.688 acres of land; 4 lots located near the southeast corner of IH-35 and Hill Street.

Staff Proposal to P&Z: Approve the replat.

#### **7. Zoning**

A. Consider a request by KCW Interests 3, LLC, Whited Enterprises, LLC D/B/A Vision Partners and FHC Consolidated - Zoning (Z-20-0063) to rezone approximately 2.4 acres of land from Multi-Family Residential-3 'R-3-3' to Residential Condominium District 'R-1-C' for property located at 104 Creekside Trail, in Hays County, Texas.

- Public Hearing
- Recommendation to City Council

B. Consider a request by Covey Fund I, LP (Z-20-0064) to assign original zoning to approximately 2.67 acres of land from Agriculture 'AG' to Retail Service District 'RS' for property located at 1805 W. RR 150, in Hays County, Texas.

- Public Hearing
- Recommendation to City Council

#### **8. Consider and Possible Action**

A. Consider a request to construct a convenience store with additional commercial space totaling 7,575 square feet, a matching fuel canopy and dumpster enclosure for property located at 2709 E. FM 150, at the intersection of E. FM 150 and Heidenreich Lane in the overlay district. (FM 150 Retail Center - CUP-20-0026)

B. Consider a request by Burleson Real Estate LLC to remove an existing 30 inch diameter Cottonwood tree and mitigate it with twenty 3 inch caliber new trees on property located at 1206 N. Burleson Road.

#### **9. General Discussion**

A. Discussion only regarding Planning and Zoning Commission request for future agenda items.

**10. Staff Report**

A. Staff Report by Howard J. Koontz, Director of Planning and Community Development.

**11. Adjournment**



# CITY OF KYLE, TEXAS

## Minutes

**Meeting Date: 10/13/2020**

**Date time:6:30 PM**

**Subject/Recommendation:** Planning and Zoning Commission meeting minutes for August 11, 2020, September 8, 2020 and September 22, 2020.

**Other Information:** See attached.

**Legal Notes:** N/A

**Budget Information:** N/A

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### ATTACHMENTS:

#### **Description**

- August 11, 2020
- September 8, 2020
- September 22, 2020

## **REGULAR CALLED MEETING OF THE PLANNING AND ZONING COMMISSION**

The Planning and Zoning Commission of the City of Kyle, Texas met in a regular called meeting on August 11, 2020 at 6:30 P.M. in person and virtually with the following persons present:

Madam Chair, Michele Christie  
Vice-Chair, Tim McHutchion  
Commissioner, Priscilla Harrell

Lisa Crane  
Leslie Crane  
Clint Nolen

Commissioner, Paul Scheibmeir  
Commissioner, Alex Guerra  
Commissioner, Rebecca Voss  
Planning Director, Howard J. Koontz  
City Planner, William Atkinson  
Planning Technician, Debbie A. Guerra

Mike Wills

### **CALL MEETING TO ORDER**

Madam Chair Christie called the meeting to order at 6:32 P.M.

### **ROLL CALL OF COMMISSION**

Madam Chair Christie called for roll call. Commissioner McCall was absent.

### **MINUTES**

#### **PLANNING AND ZONING COMMISSION MEETING MINUTES FOR JULY 28, 2020.**

Commissioner Harrell moved to approve the minutes. Vice-Chair McHutchion seconds the motion. All votes aye. Motion carried.

### **CITIZENS COMMENTS**

Madam Chair Christie opened the citizens comment period at 6:34 P.M. and called for comments on items not on the agenda or posted for public hearing. There were no comments. Madam Chair Christie closed the public hearing at 6:34 P.M.

### **CONSENT**

**SHEERGHAR SUBDIVISION (SUB-20-0128) 4.18 ACRES; 1 COMMERCIAL LOT FOR  
PROPERTY LOCATED AT 1450 E. RR 150.**

**STAFF PROPOSAL TO P&Z: APPROVE THE PLAT.**

**PLUM CREEK PHASE 2, SECTION 1 – FINAL PLAT (FP-16-015) 67.636 ACRES; 202  
SINGLE FAMILY LOTS, 1 ACCESS EASEMENT, 1 AMENITY CENTER, 1  
DRAINAGE EASEMENT, 1 WASTEWATER, DRAINAGE AND UTILITY EASEMENT,  
1 WATER EASEMENT, 1 OPEN SPACE AND 17 OPEN SPACE** Item # 1

**AND LANDSCAPE LOTS FOR PROPERTY LOCATED ON THE NORTHEAST CORNER OF KOHLER'S CROSSING AND SANDERS.**

**STAFF PROPOSAL TO P&Z: APPROVE THE SITE PLAN.**

Commission Scheibmeir pulled item 5B (Plum Creek Phase 2, Section 1 – Final Plat (SUB-16-015) from the consent agenda for discussion.

Vice-Chair McHutchion moved to approve item 5A Sheerghar Subdivision (SUB-20-0128). Commission Harrell seconds the motion. All votes aye. Motion carried.

**PLUM CREEK PHASE 2, SECTION 1 – FINAL PLAT (FP-16-015) 67.636 ACRES; 202 SINGLE FAMILY LOTS, 1 ACCESS EASEMENT, 1 AMENITY CENTER, 1 DRAINAGE EASEMENT, 1 WASTEWATER, DRAINAGE AND UTILITY EASEMENT, 1 WATER EASEMENT, 1 OPEN SPACE AND 17 OPEN SPACE AND 17 OPEN SPACE AND LANDSCAPE LOTS FOR PROPERTY LOCATED ON THE NORTHEAST CORNER OF KOHLER'S CROSSING AND SANDERS.**

**STAFF PROPOSAL TO P&Z: APPROVE THE SITE PLAN.**

Commissioner Scheibmeir stated that there is a discrepancy with the setback easement on page 1 and page 3. William Atkinson, City Planner stated that he will coordinate with the engineer to make the correction.

Commissioner Scheibmeir made a motion to approve the site plan with the condition that the correction is made prior to Friday, August 14<sup>th</sup>. Commissioner Guerra seconds the motion. All votes aye. Motion carried.

**ZONING**

**CONSIDER A REQUEST BY LC 2012 INVESTMENTS, LP. A TEXAS LIMITED PARTNERSHIP (Z-20-0057) TO ASSIGN ORIGINAL ZONING TO APPROXIMATELY 15.48 ACRES FROM AGRICULTURE 'AG' TO RETAIL SERVICE DISTRICT 'RS' AND TO ASSIGN ORIGINAL ZONING TO APPROXIMATELY 12.25 ACRES OF LAND FROM AGRICULTURE 'AG' TO MULTI-FAMILY RESIDENTIAL-3 'R-3-3' FOR PROPERTY LOCATED ON THE SOUTHWEST CORNER OF KOHLER'S CROSSING & I-35 FRONTAGE ROAD, IN HAYS COUNTY, TEXAS.**

Madam Chair Christie called for comments for or against the request at 6:40 P.M. Lisa and Leslie Crane, owners asked for a favorable recommendation. Clint Nolen, agent stated he is available to answer any questions. Madam Chair Christie closed the public hearing at 6:41 P.M.

Commissioner Voss moved to approve the request. Commissioner Harrell seconds the motion. All votes aye. Motion carried.

**CONSIDER A REQUEST BY KY-TEX PROPERTIES, LP (Z-20-0060) TO REZONE APPROXIMATELY 6.67 ACRES OF LAND FROM PUD (SINGLE FAMILY ATTACHED DISTRICT 'R-1-A') TO PUD (RETAIL SERVICE DISTRICT 'RS') & REZONE APPROXIMATELY 8.20 ACRES FROM PUD (SINGLE FAMILY ATTACHED DISTRICT 'R-1-A') TO A PLANNED UNIT DEVELOPMENT 'PUD' (SINGLE FAMILY RESIDENTIAL DISTRICT 3 'R-1-3') FOR PROPERTY LOCATED**

**WITHIN THE 800 BLOCK OF REBEL DRIVE, NORTH OF GREGG CLAKE PARK, IN HAYS COUNTY, TEXAS.**

Madam Chair Christie opened the public hearing at 6:50 P.M. and called for comments for or against the request. There were no comments. Madam Chair Christie closed the public hearing at 6:50 P.M.

Commissioner Scheibmeir moved to approve as recommended by staff R-1-A, R-1-3 and recommend Community Commercial 'CC' instead of Retail Service District 'RS'. Vice-Chair McHutchion seconds the motion. All votes aye. Motion carried.

**CONSIDER AND POSSIBLE ACTION**

**CONSIDER A REQUEST TO CONSTRUCT THREE (3) RETAIL BUILDING 1 APPROXIMATELY 7.379 SQ. FT. BUILDINGS 3 AND 4 APPROXIMATELY 5.301 SQ. FT.) FOR PROPERTY LOCATED WITHIN THE IH-35 OVERLAY DISTRICT. (340 E. RR 150 – 150 BUSINESS PARK)**

Vice-Chair McHutchion moved to approve the request. Commissioner Voss seconds the motion. All votes aye. Motion carried.

**GENERAL DISCUSSION**

**DISCUSSION ONLY REGARDING PLANNING AND ZONING COMMISSION REQUEST FOR FUTURE AGENDA ITEMS.**

Vice-Chair McHutchion mentioned he would like to see tools in the tool kit when it comes to zoning.

Commissioner Scheibmeir asked Mr. Koontz if he's had feedback from City Council regarding the Comprehensive Plan. Mr. Koontz stated that he hasn't received any feedback from City Council.

**STAFF REPORT**

**STAFF REPORT BY HOWARD J. KOONTZ, DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT.**

- Training opportunity coming up by the South West Chapter of APA.
- The next Planning and Zoning meeting will be a workshop on August 25, 2020.

**ADJOURN**

With no further business to discuss, Commissioner Harrell moved to adjourn. Commissioner Voss seconds the motion. All votes aye. Motion carried.

The Planning and Zoning Commission special called meeting adjourned at 7:12 P.M.

## **REGULAR CALLED MEETING OF THE PLANNING AND ZONING COMMISSION**

The Planning and Zoning Commission of the City of Kyle, Texas met in a regular called meeting on September 8, 2020 at 6:30 P.M. in person and virtually with the following persons present:

Madam Chair, Michele Christie  
Vice-Chair, Tim McHutchion  
Commissioner, Megan McCall  
Commissioner, Paul Scheibmeir  
Commissioner, Alex Guerra  
Commissioner, Rebecca Voss  
Planning Director, Howard J. Koontz  
City Planner, William Atkinson  
Planning Technician, Debbie A. Guerra

Hugo Elizondo, Jr.

### **CALL MEETING TO ORDER**

Madam Chair Christie called the meeting to order at 6:30 P.M.

### **ROLL CALL OF COMMISSION**

Madam Chair Christie called for roll call. Commissioner Harrell was absent.

### **CITIZENS COMMENTS**

Madam Chair Christie opened the citizens comment period at 6:30 P.M. and called for comments on items not on the agenda or posted for public hearing. There were no comments. Madam Chair Christie closed the public hearing at 6:31 P.M.

### **CONSENT**

**BUNTON CREEK SUBDIVISION PHASE 3 – FINAL PLAT (SUB-19-0066) 18.739 ACRES; 65 SINGLE FAMILY LOTS AND 4 OPEN SPACE LOTS FOR PROPERTY LOCATED OFF OF BUNTON LANE AT THE INTERSECTION OF WINDING CREEK ROAD AND TREETTA TRAIL**

**STAFF PROPOSAL TO P&Z: APPROVE THE FINAL PLAT.**

**CROSSWINDS SUBDIVISION PHASES 3-5 PRELIMINARY PLAN (SUB-20-0123) 233.774 ACRES; 734 RESIDENTIAL LOTS, 1 PARK LOT, 1 SCHOOL LOT, 1 WASTEWATER EASEMENT LOT, 1 PUBLIC UTILITY EASEMENT LOT, 3 SIDEWALK EASEMENT AND PUBLIC UTILITY LOTS, 2 DRAINAGE EASEMENT AND PUBLIC UTILITY LOTS AND 8 DRAINAGE EASEMENT, SIDEWALK, ACCESS EASEMENT AND PUBLIC UTILITY LOTS FOR PROPERTY LOCATED OFF OF WINDY HILL ROAD, EAST OF DACY LANE.**

**STAFF PROPOSAL TO P&Z: APPROVE THE PRELIMINARY PLAN.**



Vice-Chair McHutchion moved to approve the consent agenda. Commission McCall seconds the motion. All votes aye. Motion carried.

## **ZONING**

**CONSIDER A REQUEST BY JOHN H. SPOONER REVOCABLE TRUST (Z-20-0061) TO ASSIGN ORIGINAL ZONING TO APPROXIMATELY 128.58 ACRES OF LAND FROM AGRICULTURE 'AG' TO SINGLE FAMILY RESIDENTIAL-3 'R-1-3' AND APPROXIMATELY 30.27 ACRES OF LAND TO RESIDENTIAL TOWNHOME 'R-1-T' AND APPROXIMATELY 20.37 ACRES OF LAND TO COMMUNITY COMMERCIAL 'CC' FOR PROPERTY LOCATED OFF OF E. POST ROAD, JUST NORTH OF QUAIL RIDGE SUBDIVISION, IN HAYS COUNTY, TEXAS.**

Madam Chair Christie called for comments for or against the request at 6:33 P.M. There were no comments. Madam Chair Christie closed the public hearing at 6:33 P.M.

Commissioner Scheibmeir moved to approve the request. Vice-Chair McHutchion seconds the motion. All votes aye. Motion carried.

**CONSIDER A REQUEST BY DACY LANE LLC (Z-20-0062) TO REZONE APPROXIMATELY 4.66 ACRES OF LAND FROM RETAIL SERVICE DISTRICT 'RS' TO RESIDENTIAL CONDOMINIUM DISTRICT 'R-1-C' FOR PROPERTY LOCATED ON BEBEE ROAD, JUST WEST OF DACY LANE, IN HAYS COUNTY, TEXAS.**

Madam Chair Christie opened the public hearing at 6:48 P.M. and called for comments for or against the request. There were no comments. Madam Chair Christie closed the public hearing at 6:48 P.M.

Vice-Chair McHutchion moved to approve the request. Commissioner Voss seconds the motion. All votes aye. Motion carried.

## **CONSIDER AND POSSIBLE ACTION**

**CONSIDER A REQUEST TO CONSTRUCT A 4,993 SQUARE FOOT CONVENIENCE STORE AND FUEL CANOPY LOCATED AT 18720 IH-35, WITHIN THE I-35 OVERLAY DISTRICT. (QUICK TRIP – CUP-20-0027)**

Commissioner Voss moved to approve the request. Commissioner Guerra seconds the motion. All votes aye. Motion carried.

## **STAFF REPORT**

None

## **GENERAL DISCUSSION**

**DISCUSSION ONLY REGARDING PLANNING AND ZONING COMMISSION REQUEST FOR FUTURE AGENDA ITEMS.**

None.

**INTRODUCTION OF THE STATE PLANNING CONFERENCE REGISTRATION AND SCHEDULING.**

Mr. Koontz stated that the State conference will be held virtually on October 5<sup>th</sup> and October 9<sup>th</sup>.

**BEGIN PLANNING PROCESS FOR THE INITIATION OF A 2010 COMPREHENSIVE PLAN FUTURE LAND USE AMENDMENT.**

Discussion only.

- Public Workshop
- Draft potential maps in front of public late October, early November
- Participation by call in
- Workshop scheduled for September 22<sup>nd</sup>
- City Council in December for approval

**ADJOURN**

With no further business to discuss, Vice-Chair McHutchion moved to adjourn. Commissioner Voss seconds the motion. All votes aye. Motion carried.

The Planning and Zoning Commission special called meeting adjourned at 7:51 P.M.

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Prepared by Debbie A. Guerra  
Christie

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Madam Chair Michele

## **WORKSHOP CALLED MEETING OF THE PLANNING AND ZONING COMMISSION**

The Planning and Zoning Commission of the City of Kyle, Texas met in a workshop called meeting on September 22, 2020 at 6:30 P.M. in person and virtually with the following persons present:

Madam Chair, Michele Christie  
Vice-Chair, Tim McHutchion  
Commissioner, Megan McCall  
Commissioner, Priscilla Harrell  
Commissioner, Paul Scheibmeir  
Commissioner, Alex Guerra  
Commissioner, Rebecca Voss  
Planning Director, Howard J. Koontz  
City Planner, William Atkinson  
Planning Technician, Debbie A. Guerra

### **CALL MEETING TO ORDER**

Madam Chair Christie called the meeting to order at 6:30 P.M.

### **ROLL CALL OF COMMISSION**

Madam Chair Christie called for roll call. No one was absent.

### **CITIZENS COMMENTS**

Madam Chair Christie opened the citizens comment period at 6:30 P.M. and called for comments on items not on the agenda or posted for public hearing. There were no comments. Madam Chair Christie closed the public hearing at 6:31 P.M.

### **GENERAL DISCUSSION**

#### **DISCUSSION OF RE-APPOINTMENTS.**

Commissioner's McCall, Christie and McHutchion expressed that they would like to serve another term.

#### **UPDATE TO THE 2010 COMPREHENSIVE PLAN FUTURE LAND USE MAP; DISCUSSION OF CONSTRAINTS AND OPPORTUNITY, AND HOW THEY AFFECT THE MAPPING PROCESS.**

Discussion only, no action taken.

### **ADJOURN**

With no further business to discuss, Vice-Chair McHutchion moved to adjourn. Commissioner Harrell seconds the motion. All votes aye. Motion carried.

The Planning and Zoning Commission special called meeting adjourned at 8:32 P.M.

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Prepared by Debbie A. Guerra  
Christie

Madam Chair Michele



# CITY OF KYLE, TEXAS

## Citizen Comment Information

**Meeting Date: 10/13/2020**

**Date time:6:30 PM**

**Subject/Recommendation:** Members of the public that wish to provide citizen comment must submit the online registration form found at: <https://www.cityofkyle.com/council/citizen-comment-sign> to attend virtually. Registration must be received by 12 p.m. on the day of the meeting.

**Other Information:**

**Legal Notes:**

**Budget Information:**

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**ATTACHMENTS:**

**Description**

No Attachments Available



# CITY OF KYLE, TEXAS

## Cool Springs Phase 2, Amended Plat (SUB-20-0140)

**Meeting Date: 10/13/2020**  
**Date time: 6:30 PM**

**Subject/Recommendation:** Cool Springs Phase 2, Amended Plat (SUB-20-0140) 48.326 acres; 191 residential lots, 1 drainage easement and 1 open space/park lot for property located off of E. RR 150 and Cool Springs Boulevard.

Staff Recommendation to P&Z: Approve the amended plat.

**Other Information:** See attachments.

**Legal Notes:** N/A

**Budget Information:** N/A

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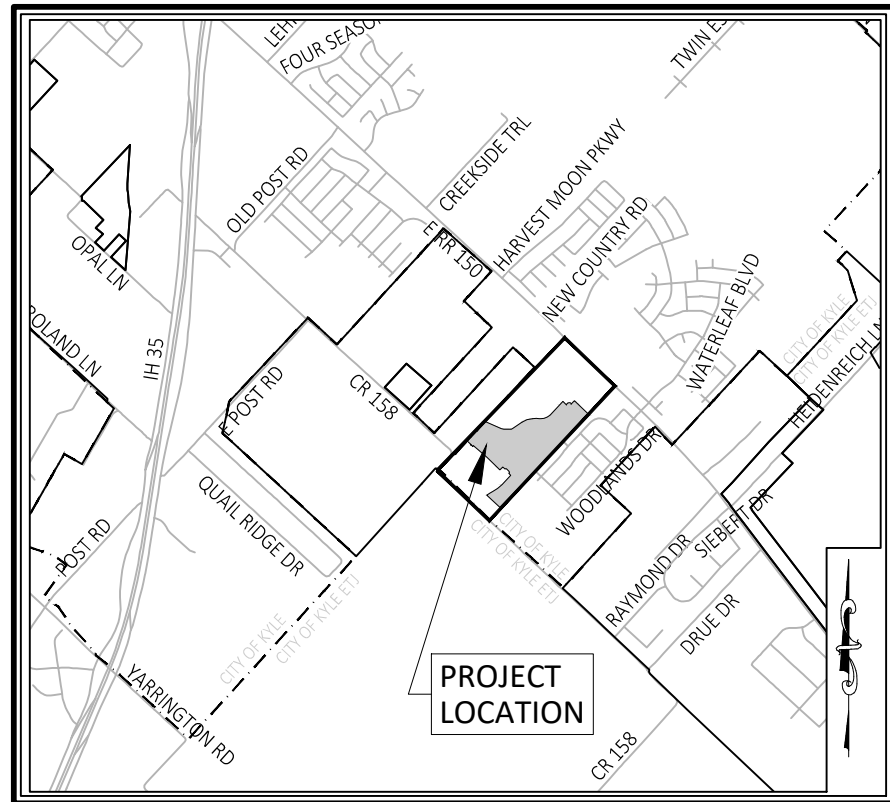
### ATTACHMENTS:

#### **Description**

□ Plat

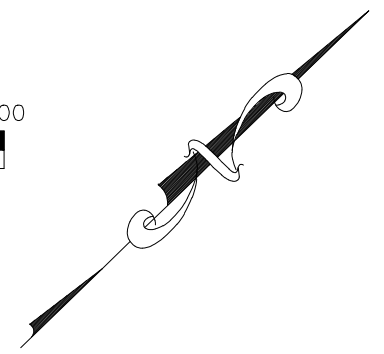
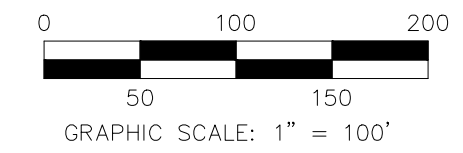
VICINITY MAP

NOT TO SCALE



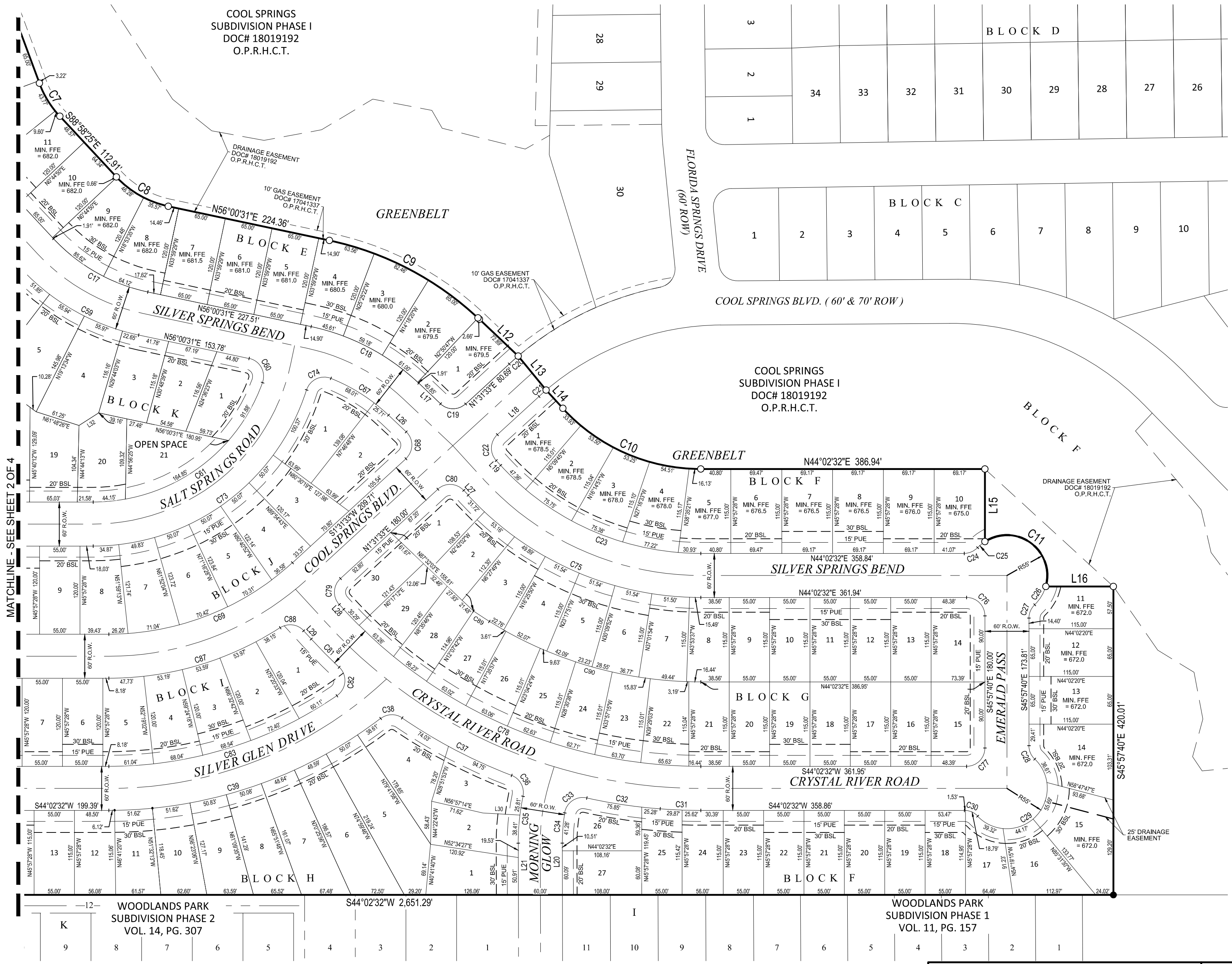
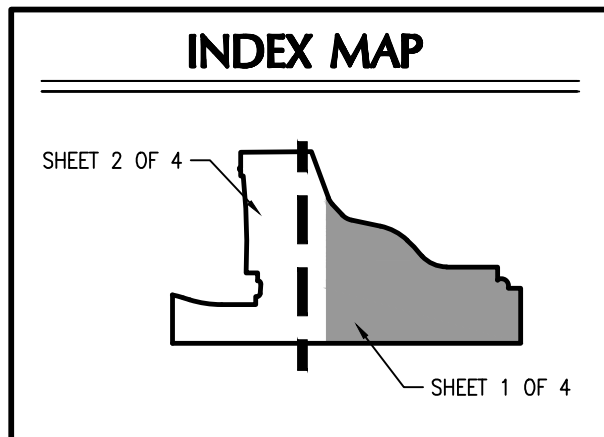
PROJECT LOCATION

AMENDED PLAT COOL SPRINGS SUBDIVISION  
PHASE II  
HAYS COUNTY, TEXAS



**LEGEND**

- LOT BOUNDARY
- SUBDIVISION LINE
- - - BUILDING SETBACK LINE
- - - PUBLIC UTILITY EASEMENT
- 1/2" IRON ROD SET WITH PLASTIC CAP STAMPED "DOUCET"
- 1/2" IRON ROD FOUND (UNLESS NOTED)
- PUE PUBLIC UTILITY EASEMENT
- BSL BUILDING SETBACK LINE
- VOL. VOLUME
- PG. PAGE
- F.F.E. FINISHED FLOOR ELEVATION
- R.O.W. RIGHT-OF-WAY
- P.R.H.C.T. PLAT RECORDS, HAYS COUNTY, TEXAS
- O.P.R.H.C.T. OFFICIAL PUBLIC RECORDS, HAYS COUNTY, TEXAS
- ( ) CALLED ACREAGE
- Ac. ACRES



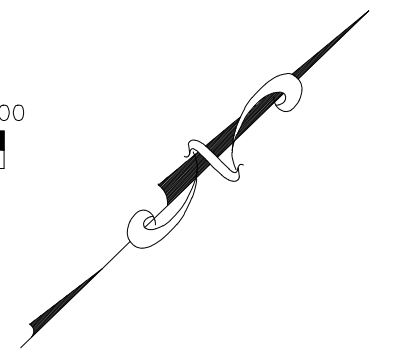
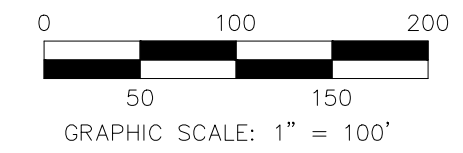
MATCHLINE - SEE SHEET 2 OF 4

**DA DOUCET & ASSOCIATES**  
Civil Engineering - Planning - Geospatial  
7401 B. Highway 71 W, Suite 160  
Austin, Texas 78735, Phone: (512)-583-2600  
www.doucetengineers.com  
TBPEL Firm #10105800 / TBPE Firm #3937

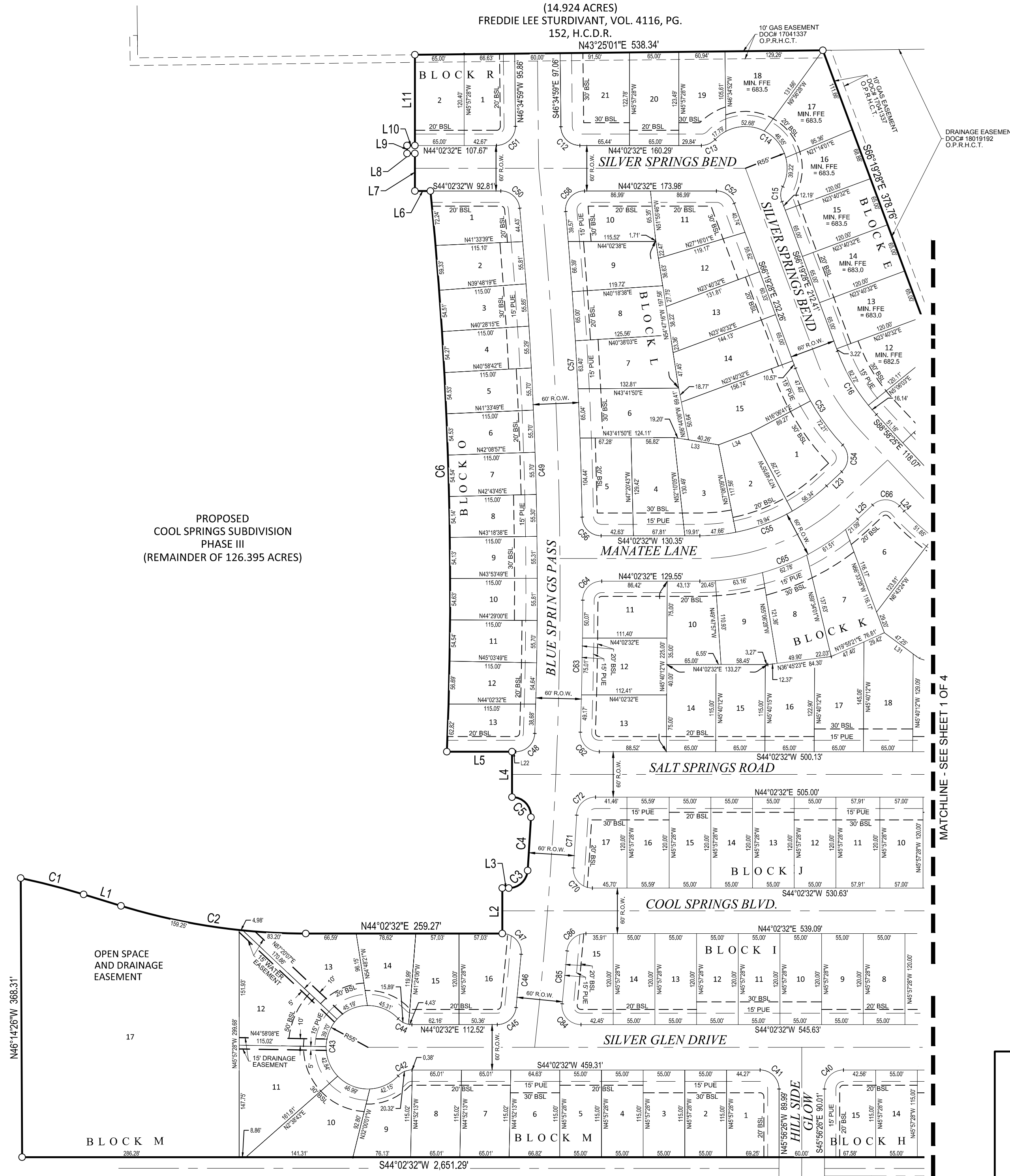
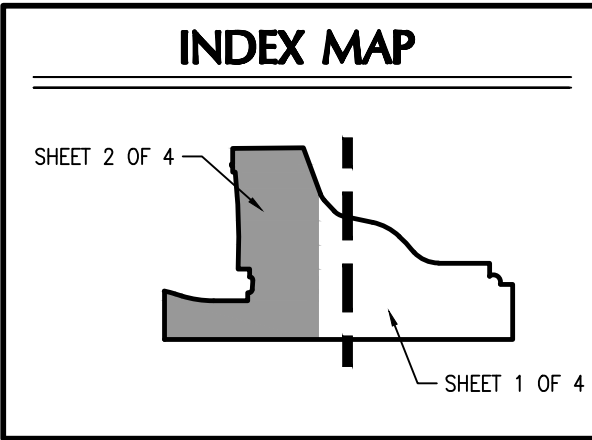
Date:	10/02/2020
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Drawn by:	SMR
Reviewer:	GC
Project:	1636-002
Sheet:	1 of 4
Field Book:	517
Party Chief:	AM
Survey Date:	3/25/19

# AMENDED PLAT COOL SPRINGS SUBDIVISION PHASE II HAYS COUNTY, TEXAS

(14.924 ACRES)  
FREDDIE LEE STURDIVANT, VOL. 4116, PG.  
152, H.C.D.R.  
N43°25'01"E 538.34'



LEGEND	
—	LOT BOUNDARY
—	SUBDIVISION LINE
- - -	BUILDING SETBACK LINE
- - -	PUBLIC UTILITY EASEMENT
○	1/2" IRON ROD SET WITH PLASTIC CAP STAMPED "DOUCET"
●	1/2" IRON ROD FOUND (UNLESS NOTED)
PUE	PUBLIC UTILITY EASEMENT
BSL	BUILDING SETBACK LINE
VOL.	VOLUME
PG.	PAGE
F.F.E.	FINISHED FLOOR ELEVATION
R.O.W.	RIGHT-OF-WAY
P.R.H.C.T.	PLAT RECORDS, HAYS COUNTY, TEXAS
O.P.R.H.C.T.	OFFICIAL PUBLIC RECORDS, HAYS COUNTY, TEXAS
( )	CALLED ACREAGE
Ac.	ACRES



PROPOSED  
COOL SPRINGS SUBDIVISION  
PHASE III  
(REMAINDER OF 126.395 ACRES)

MATCHLINE - SEE SHEET 1 OF 4

**Civil Engineering - Planning - Geospatial**  
7401 B. Highway 71 W, Suite 160  
Austin, Texas 78735, Phone: (512)-583-2600  
www.doucetengineers.com  
TBPELS Firm #10105800 / TBPE Firm #3937

Date:	10/02/2020
Scale:	1"=100'
Drawn by:	SMR
Reviewer:	GC
Project:	1636-002
Sheet:	2 of 4
Field Book:	517
Party Chief:	AM
Survey Date:	3/25/19



# AMENDED PLAT COOL SPRINGS SUBDIVISION PHASE II HAYS COUNTY, TEXAS

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD DIRECTION	CHORD LENGTH
C1	85.76	970.00	5°03'57"	N58°35'22"E	85.74
C2	247.43	830.00	17°04'49"	N52°34'56"E	246.51
C3	37.57	25.00	86°05'42"	N00°59'41"E	34.13
C4	70.46	5452.12	0°44'26"	N42°25'23"W	70.46
C5	40.65	25.00	93°09'53"	N89°22'32"W	36.32
C6	740.91	5337.11	7°57'14"	N47°37'49"W	740.32
C7	53.37	135.00	22°38'57"	S77°38'56"E	53.02
C8	82.51	135.00	35°01'04"	N73°31'03"E	81.23
C9	233.68	425.00	31°30'13"	N71°45'38"E	230.75
C10	211.33	255.00	47°29'02"	N67°47'02"E	205.33
C11	133.31	55.00	138°52'31"	N80°25'34"E	102.99
C12	39.00	25.00	89°22'29"	S88°43'46"W	35.16
C13	20.32	25.00	46°34'03"	N20°45'30"E	19.76
C14	156.25	55.00	162°46'06"	N78°11'32"E	108.76
C15	20.32	25.00	46°34'03"	S43°02'26"E	19.76
C16	96.85	245.00	22°38'57"	S77°38'56"E	96.22
C17	149.74	245.00	35°01'04"	N73°31'03"E	147.42
C18	167.70	305.00	31°30'13"	N71°45'38"E	165.60
C19	37.52	25.00	85°59'11"	N44°31'09"E	34.10
C20	16.32	430.00	2°10'28"	N02°36'47"E	16.32
C21	13.03	370.00	2°01'06"	S02°32'06"W	13.03
C22	39.27	25.00	90°00'00"	S43°28'27"E	35.36
C23	306.64	370.00	47°29'02"	N67°47'02"E	297.94
C24	20.32	25.00	46°34'03"	N20°45'30"E	19.76
C25	12.97	55.00	13°30'50"	N04°13'54"E	12.94
C26	29.51	55.00	30°44'34"	S14°45'54"E	29.16
C27	20.32	25.00	46°34'03"	S22°40'38"E	19.76
C28	20.32	25.00	46°33'55"	S69°14'37"E	19.77
C29	175.80	55.00	183°08'02"	S00°57'34"E	109.96
C30	20.32	25.00	46°33'47"	S67°19'33"W	19.76
C31	55.49	678.67	4°41'05"	S46°15'00"W	55.48
C32	101.14	678.66	8°32'18"	S52°28'53"W	101.04
C33	40.56	25.00	92°57'35"	S10°01'31"W	36.26
C34	41.28	245.00	9°39'10"	S41°16'52"E	41.23
C35	64.23	305.00	12°03'55"	N40°04'30"W	64.11
C36	35.32	25.00	80°56'24"	N74°30'45"W	32.45
C37	168.77	720.01	13°25'50"	S71°43'58"W	168.39
C38	31.32	25.00	71°46'28"	S42°33'39"W	29.31
C39	397.84	610.00	37°22'07"	S25°21'28"W	390.83
C40	39.26	25.00	89°58'58"	S00°56'57"E	35.35
C41	39.28	25.00	90°01'02"	N89°03'03"E	35.36
C42	20.32	25.00	46°34'03"	S20°45'30"W	19.76
C43	262.19	55.00	273°08'08"	S45°57'28"E	75.62
C44	20.32	25.00	46°34'03"	N67°19'33"E	19.76
C45	36.73	25.00	84°11'16"	N01°56'54"E	33.52

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD DIRECTION	CHORD LENGTH
C46	70.64	5452.11	0°44'33"	N40°31'00"W	70.64
C47	41.48	25.00	95°04'12"	N88°25'23"W	36.88
C48	38.40	25.00	87°59'52"	S00°02'35"W	34.73
C49	693.93	5452.11	7°17'33"	S47°36'07"E	693.46
C50	36.96	25.00	84°42'35"	N86°23'49"E	33.69
C51	39.54	25.00	90°37'31"	N01°16'14"W	35.55
C52	30.38	25.00	69°38'01"	N78°51'32"E	28.55
C53	119.62	305.00	22°28'13"	S77°33'35"E	118.85
C54	39.19	25.00	89°49'17"	S43°53'03"E	35.30
C55	183.94	245.00	43°00'56"	S22°32'03"W	179.65
C56	38.84	25.00	89°00'46"	S88°32'55"W	35.05
C57	403.85	5512.11	4°11'52"	N49°02'38"W	403.76
C58	41.53	25.00	95°11'06"	N03°33'01"W	36.92
C59	186.41	305.00	35°01'04"	N73°31'03"E	183.52
C60	42.62	25.00	97°40'14"	S75°09'22"E	37.64
C61	300.88	245.00	70°21'46"	S08°51'39"W	282.32
C62	40.13	25.00	91°57'44"	S89°58'36"E	35.96
C63	174.25	5512.12	1°48'40"	N44°54'04"W	174.24
C64	39.20	25.00	89°50'56"	N00°52'56"W	35.31
C65	228.98	305.00	43°00'56"	N22°32'03"E	223.64
C66	39.27	25.00	90°00'00"	N46°01'35"E	35.36
C67	93.72	245.00	21°55'03"	N76°33'27"E	93.15
C68	41.02	25.00	94°00'49"	S45°28'51"E	36.57
C69	274.56	370.00	42°30'58"	S22°47'02"W	268.30
C70	40.94	25.00	93°49'38"	N89°02'39"W	36.52
C71	69.81	5512.11	0°43'32"	N42°29'36"W	69.81
C72	37.92	25.00	86°53'54"	N00°35'35"E	34.39
C73	385.36	305.00	72°23'33"	N07°50'45"E	360.24
C74	40.99	25.00	93°56'43"	N18°37'20"E	36.55
C75	356.36	430.00	47°29'02"	N67°47'02"E	346.25
C76	39.27	25.00	89°59'49"	N89°02'26"E	35.35
C77	39.27	25.00	90°00'11"	S00°57'34"E	35.36
C78	546.97	660.00	47°29'02"	S67°47'02"W	531.45
C79	39.27	25.00	90°00'00"	N43°28'27"W	35.36
C80	39.27	25.00	90°00'00"	N46°31'33"E	35.36
C81	54.04	720.00	4°18'02"	S89°22'32"W	54.03
C82	44.69	25.00	102°25'32"	S41°33'43"E	38.97
C83	330.13	550.00	34°23'28"	S26°50'47"W	325.20
C84	41.76	25.00	95°41'47"	S88°06'35"E	37.07
C85	69.99	5512.10	0°43'39"	N40°37'31"W	69.99
C86	37.10	25.00	85°01'52"	N01°31'36"E	33.79
C87	246.63	430.00	32°51'46"	N27°36'38"E	243.27
C88	35.06	25.00	80°20'48"	N51°11'09"E	32.26
C89	25.66	595.91	2°28'02"	S77°11'46"W	25.66
C90	303.63	545.00	31°55'13"	N60°00'08"E	299.72

PARCEL LINE TABLE		
LINE	LENGTH	BEARING
L1	51.62	N61°07'20"E
L2	60.00	N45°57'28"W
L3	8.63	N44°02'32"E
L4	60.00	N45°57'28"W
L5	86.04	S44°02'32"W
L6	20.56	S44°02'32"W
L7	49.50	N45°57'28"W
L8	10.40	S44°02'32"W
L9	10.50	N45°57'28"W
L10	10.40	N44°02'32"E
L11	119.69	N45°57'28"W
L12	72.89	N87°30'44"E
L13	60.01	S85°20'08"E
L14	33.64	S88°28'27"E
L15	98.90	S45°57'28"E
L16	92.08	N44°02'20"E
L17	40.85	N87°30'44"E
L18	76.97	S01°31'33"W
L19	8.87	S88°28'27"E
L20	70.59	S46°06'27"E
L21	70.44	N46°06'27"W
L23	27.26	S01°01'35"W
L24	9.10	S88°58'25"E
L25	27.25	N01°01'35"E
L26	33.13	N87°30'44"E
L27	8.87	S88°28'27"E
L28	8.87	N88°28'27"W
L29	15.31	S88°28'27"E
L30	50.50	N47°16'11"E
L31	57.53	N80°21'54"E
L32	31.85	N11°38'14"E
L33	59.47	S53°29'05"W
L34	45.42	N23°08'54"E

**BENCHMARK NOTE:**

SQUARE CUT IN CENTERLINE OF HEADWALL ON THE SOUTH SIDE OF FM 150 APPROXIMATELY 12' NORTH OF THE NORTHWEST CORNER OF SUBJECT TRACT (126.395 ACRES).  
ELEV. = 667.47' (NAVD '88)

**SURVEY CONTROL:**

BASIS OF BEARINGS IS THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE [4204], NAD83 (2011), EPOCH 2010. ALL DISTANCES ARE SURFACE VALUES AND MAY BE CONVERTED TO GRID BY USING THE SURFACE ADJUSTMENT FACTOR OF 1.00009768.

UNITS: U.S. SURVEY FEET.

THE AREA CALCULATIONS SHOWN ARE CONVERTED FROM SQUARE FOOTAGE AND ARE NOTED FOR INFORMATIONAL PURPOSES ONLY.

THIS SURVEY DOES NOT IDENTIFY OR DELINEATE ANY SURFACE OR SUBSURFACE MINERAL RIGHTS, NOR DOES IT IDENTIFY ANY RIGHTS TO THE SURFACE RESULTING FROM SAID MINERAL RIGHTS.

**OWNER/DEVELOPER:**

LENNAR HOMES OF TEXAS  
LAND & CONSTRUCTION, LTD.  
13620 N. FM 620, BUILDING B, SUITE 150  
AUSTIN, TX 78717

MILESTONE COMMUNITY BUILDERS,LLC  
9111 JOLLYVILLE RD., SUITE 111  
AUSTIN, TX 78759

**SURVEYOR:**

GARRETT CAVAIUOLO, RPLS  
DOUCET & ASSOCIATES, INC.  
7401 B HIGHWAY 71 WEST, STE 160  
AUSTIN, TX 78735  
512.583.2600  
512.583.2601 (FAX)

**ENGINEER:**

THOMAS CURRAN, P.E.  
DOUCET & ASSOCIATES  
7401 B HIGHWAY 71 WEST, STE 160  
AUSTIN, TX 78735  
512.583.2600  
512.583.2601 (FAX)

**UTILITIES:**

WATER: COUNTY LINE SUD

WASTEWATER: CITY OF KYLE

ELECTRIC: PEDERNALES ELECTRIC CO-OP

PHONE: VERIZON

GAS: TEXAS GAS SERVICE

EMERGENCY SERVICES: ESD#5

LOT SUMMARY	
TOTAL NUMBER OF BLOCKS	11
TOTAL NUMBER OF LOTS	191
DRAINAGE EASEMENT LOTS	1
LANDSCAPE LOTS	0
COMMERCIAL LOTS	0
OPEN SPACE/PARK LOTS	1
TOTAL OVERALL ACREAGE	48.326

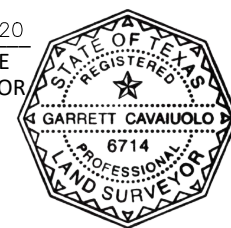
STREET SUMMARY			
STREET NAME	R.O.W. WIDTH	SQUARE FEET	ACRES
BLUE SPRINGS PASS	60' R.O.W.	77,283	1.774
SILVER SPRINGS BEND	60' R.O.W.	139,558	3.204
MANATEE LANE	60' R.O.W.	25,337	0.582
SALT SPRINGS ROAD	60' R.O.W.	56,373	1.294
COOL SPRINGS BLVD	60' R.O.W.	75,570	1.735
SILVER GLEN DRIVE	60' R.O.W.	2,749	0.063
CRYSTAL RIVER ROAD	60' R.O.W.	58,153	1.335
EMERALD PASS	60' R.O.W.	30,911	0.710
MORNING GLOW	60' R.O.W.	9,060	0.208
HILL SIDE GLOW	60' R.O.W.	7,168	0.165

**SURVEYOR'S CERTIFICATE:**

STATE OF TEXAS }  
COUNTY OF HAYS }

I, GARRETT CAVAIUOLO, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THIS PLAT WAS PREPARED FROM AN ACTUAL ON-THE-GROUND SURVEY MADE UNDER MY SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

10/02/2020  
DATE  
GARRETT CAVAIUOLO, R.P.L.S. #6714  
TEXAS REGISTERED PROFESSIONAL LAND SURVEYOR  
DOUCET & ASSOCIATES  
7401 B HIGHWAY 71 WEST  
AUSTIN, TX 78735  
512.583.2600

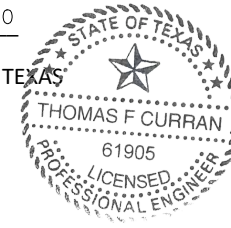


**ENGINEER'S CERTIFICATION:**

STATE OF TEXAS }  
COUNTY OF HAYS }

I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN THIS PLAT.

10/02/2020  
DATE  
THOMAS CURRAN, P.E. #61905  
REGISTERED PROFESSIONAL ENGINEER, STATE OF TEXAS  
DOUCET & ASSOCIATES  
7401 B HWY 71 WEST  
AUSTIN, TEXAS 78735  
(512) 583-2600



**REVIEWED BY CITY ENGINEER:**

STATE OF TEXAS }  
COUNTY OF HAYS }

I, THE UNDERSIGNED, CITY ENGINEER OF THE CITY OF KYLE, TEXAS, HEREBY CERTIFY THAT THIS SUBDIVISION PLAT CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION ORDINANCE AS AMENDED AND HEREBY RECOMMENDED APPROVAL.

NAME: LEON BARBA  
CITY OF KYLE ENGINEER

**REVIEWED BY DIRECTOR OF PUBLIC WORKS:**

STATE OF TEXAS }  
COUNTY OF HAYS }

I, THE UNDERSIGNED, DIRECTOR OF PUBLIC WORKS OF THE CITY OF KYLE, HEREBY CERTIFY THAT THIS SUBDIVISION PLAT CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION ORDINANCE AS AMENDED AND HEREBY RECOMMENDED APPROVAL.

NAME: HARPER WILDER  
DIRECTOR OF PUBLIC WORKS

**OWNERS DEDICATION:**

STATE OF TEXAS  
COUNTY OF HAYS

THAT MILESTONE COMMUNITY BUILDERS, LLC, BEING THE OWNER OF LOTS 2-5 AND 15-19, BLOCK E, LOTS 1, 10, AND 12, BLOCK F, LOT 5, BLOCK I, LOT 17, BLOCK J, LOT 1, 2, 7, 11, 12, 14, AND 16-20, BLOCK K, LOTS 1, 8, 11, AND 14, BLOCK L, LOTS 6 AND 7, BLOCK M, AND LOT 2, BLOCK R, ALL OUT OF 48.326 ACRES OF LAND, BEING A PORTION OF 126.395 ACRES OF LAND CONVEYED IN DOCUMENT NUMBER 16042270, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, AND SAID SUBDIVISION HAVING BEEN APPROVED FOR SUBDIVISION PURSUANT TO THE PUBLIC NOTIFICATION AND HEARING PROVISIONS OF CHAPTER 212.014 OF THE LOCAL GOVERNMENT CODE, DO HEREBY SUBDIVIDE SAID 48.326 ACRES IN ACCORDANCE WITH THE MAP OR PLAT ATTACHED HERETO, TO BE KNOWN AS "AMENDED COOL SPRINGS SUBDIVISION, PHASE 2", AND DO HEREBY DEDICATE TO THE PUBLIC THE USE OF ALL STREET RIGHT-OF-WAYS AND EASEMENTS SHOWN HEREON, SUBJECT TO ANY EASEMENTS AND/OR RESTRICTIONS HERETO GRANTED AND NOT RELEASED.

WITNESS MY HAND THIS THE \_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_\_\_.

GARRETT MARTIN  
PRESIDENT, MILESTONE COMMUNITY BUILDERS, LLC  
A TEXAS LIMITED LIABILITY COMPANY

STATE OF TEXAS  
COUNTY OF HAYS

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED \_\_\_\_\_ KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATIONS THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES ON: \_\_\_\_\_

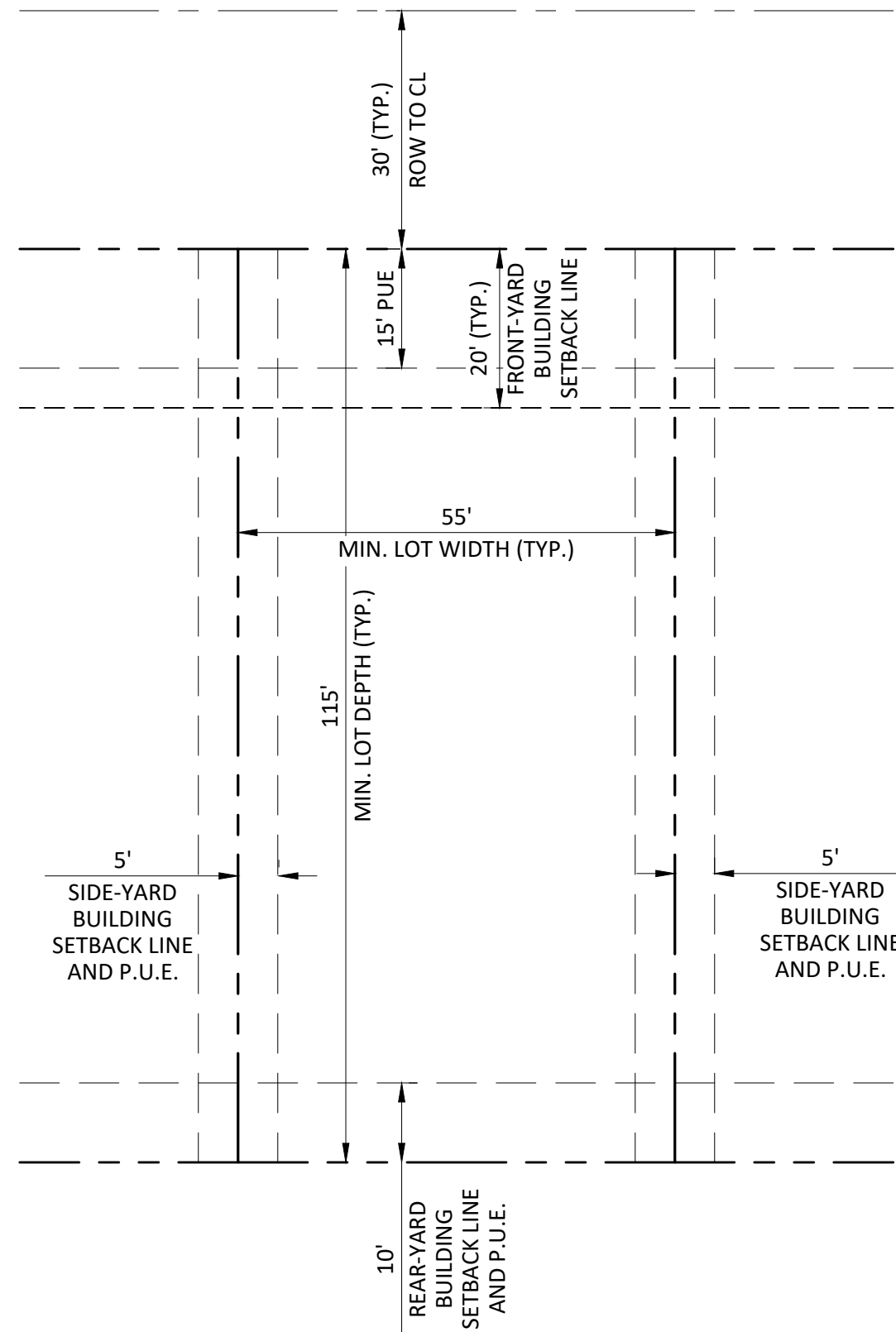
STATE OF TEXAS  
COUNTY OF HAYS

THAT LENNAR HOMES OF TEXAS LAND AND CONSTRUCTION, LTD, BEING THE OWNER OF 48.32

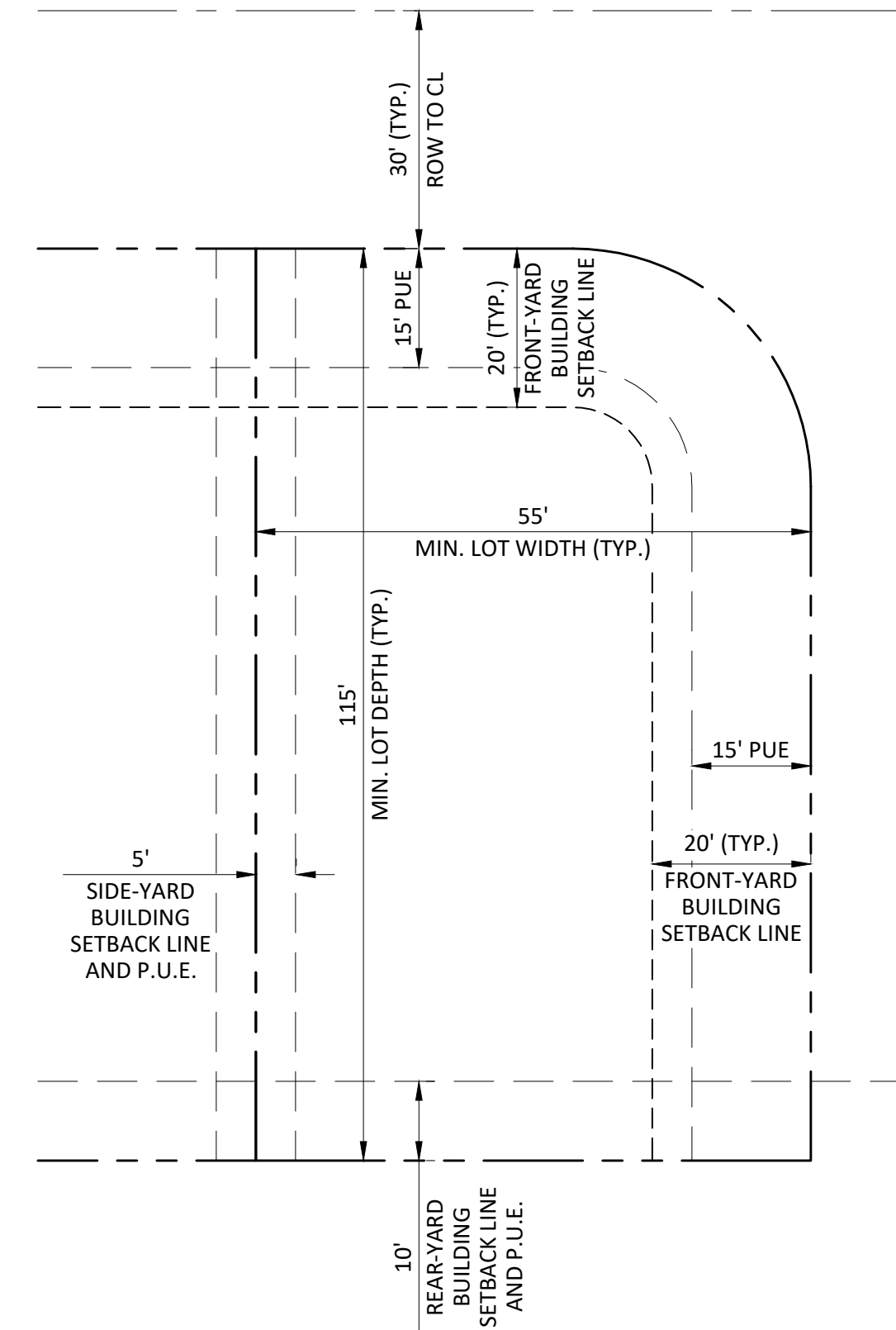
# AMENDED PLAT COOL SPRINGS SUBDIVISION

## PHASE II

HAYS COUNTY, TEXAS



TYPICAL LOT B.S.L. & P.U.E.  
ASSIGNMENT  
NOT TO SCALE



TYPICAL CORNER LOT B.S.L. & P.U.E.  
ASSIGNMENT  
NOT TO SCALE

**DA DOUCET & ASSOCIATES**  
Civil Engineering - Planning - Geospatial  
7401 B. Highway 71 W, Suite 160  
Austin, Texas 78735, Phone: (512)-583-2600  
www.doucetengineers.com  
TBPELS Firm #10105800 / TBPE Firm #3937

Date:	10/02/2020
Scale:	N/A
Drawn by:	GSP
Reviewer:	GC
Project:	1636-002
Sheet:	4 of 4
Field Book:	517
Party Chief:	AM
Survey Date:	3/25/19



# CITY OF KYLE, TEXAS

150 Business Park Replat of Lot 2  
of the Warren Subdivision and Lot 1  
of FM 150 and IH-35 Subdivision  
(SUB-19-0099)

**Meeting Date: 10/13/2020**

**Date time: 6:30 PM**

**Subject/Recommendation:** 150 Business Park Replat of Lot 2 of the Warren Subdivision and Lot 1 of FM 150 and IH-35 Subdivision (SUB-19-0099) 12.688 acres of land; 4 lots located near the southeast corner of IH-35 and Hill Street.

Staff Proposal to P&Z: Approve the replat.

**Other Information:** See attached.

**Legal Notes:** N/A

**Budget Information:** N/A

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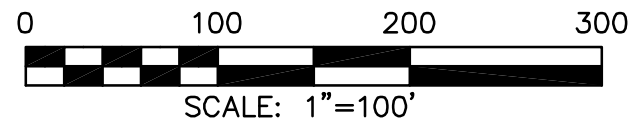
**ATTACHMENTS:**

**Description**

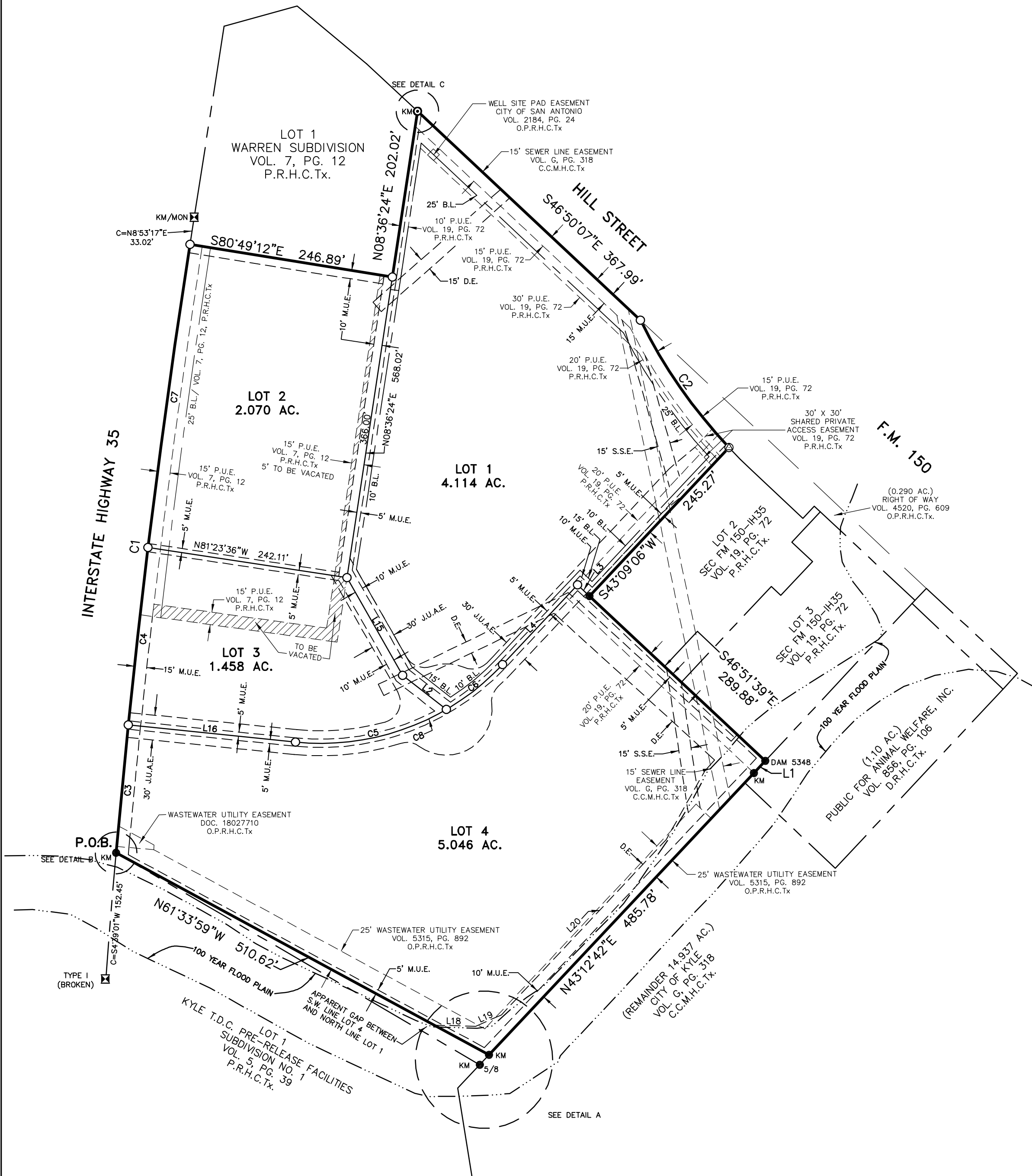
□ Plat



**150 BUSINESS PARK SUBDIVISION**  
 A REPLAT OF LOT 2 OF THE WARREN SUBDIVISION & LOT 1  
 OF THE SEC FM 150-IH35 SUBDIVISION & 7.027 ACRES OUT  
 OF THE Z HINTON SURVEY No. 12, ABSTRACT 220



BEARING BASIS:  
 TEXAS COORDINATE SYSTEM OF 1983 (NAD83)  
 SOUTH CENTRAL ZONE



- LEGEND**
- 1/2" STEEL PIN SET W/CAP MARKED 'LENZ & ASSOC.'
  - 1/2" STEEL PIN FOUND (UNLESS NOTED)
  - PIPE FOUND
  - CONC. ● 1/2" STEEL PIN FOUND IN CONC.
  - KM ● 5/8" STEEL PIN FOUND WITH ALUMINUM CAP MARKED KENT MCMILLAN
  - DAM 5348 ● 1/2" STEEL PIN FOUND WITH CAP MARKED DAM 5348
  - 5/8 ● 5/8" STEEL PIN FOUND WITH
  - TYPE I ● TYPE I TxDOT CONC. MONUMENT FOUND
  - BS/MON ☒ BOAT SPIKE FND IN CONC. MON.
  - KM/MON ☒ KENT MCMILLAN BRASS DISC FND IN CONC.
  - ⊗ MAG NAIL SET W/WASHER MARKED 'LENZ & ASSOC.'
  - P.U.E. PUBLIC UTILITY EASEMENT
  - M.U.E. MUNICIPAL UTILITY EASEMENT
  - S.S.E. SANITARY SEWER EASEMENT
  - D.E. DRAINAGE EASEMENT
  - J.U.A.E. JOINT USE ACCESS EASEMENT
  - B.L. BUILDING LINE
  - (BRG.~DIST.) RECORD CALL
  - D.R.H.C.Tx DEED RECORDS OF HAYS COUNTY, TEXAS
  - O.P.R.H.C.Tx OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS
  - P.R.H.C.Tx PLAT RECORDS OF HAYS COUNTY, TEXAS
  - C.C.M.H.C.Tx COUNTY COURT MINUTES OF HAYS COUNTY, TEXAS
  - P.O.B. POINT OF BEGINNING

**PUBLIC UTILITY INFORMATION**  
 THIS SUBDIVISION IS SERVICED BY THE FOLLOWING UTILITIES:

- WATER:**  
 CITY OF KYLE PUBLIC WORKS DEPT.  
 520 E. RR 150  
 KYLE, TEXAS 78640
- WASTEWATER:**  
 CITY OF KYLE PUBLIC WORKS DEPT.  
 520 E. RR 150  
 KYLE, TEXAS 78640
- ELECTRIC:**  
 PEDERNALES ELECTRIC COOP  
 1810 FM 150 WEST  
 KYLE, TEXAS 78640
- GAS:**  
 TEXAS GAS SERVICE  
 5613 AVENUE F  
 AUSTIN, TEXAS 78751
- PHONE:**  
 VERIZON WIRELESS  
 6601 FM 3237  
 WIMBERLEY, TEXAS 78676

**OWNERS:** TEXAS REALTY/RETAIL PARTNERS, INC.  
**ADDRESS:** 9811 S. INTERSTATE HIGHWAY 35  
BUILDING 3, SUITE 100  
AUSTIN, TEXAS 78744  
**TELEPHONE:** 512 280-5353

**ACREAGE:** 12.688 AC.  
**SURVEY:** Z. HINTON SURVEY, ABSTRACT 220  
**NUMBER OF LOTS AND PROPOSED USE:** 4 LOTS-MIXED USE  
**DATE:** OCTOBER 16, 2019  
**SURVEYOR:** TIMOTHY A. LENZ, R.P.L.S.  
LENZ AND ASSOCIATES  
**TELEPHONE:** 512 443-1174  
**FAX:** 512 443-1550

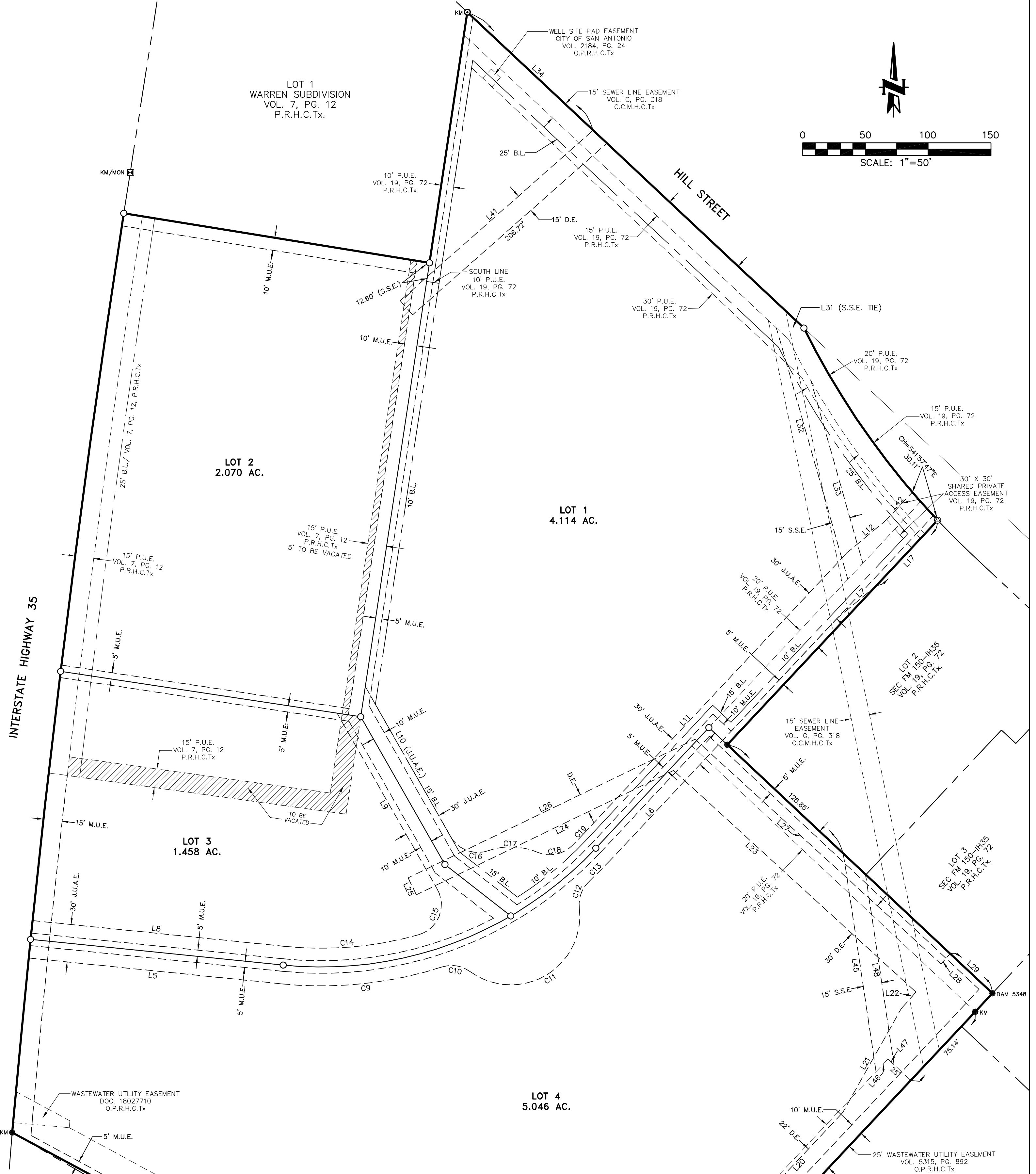
**ENGINEER:** HERMANN VIGIL, P.E.  
**TELEPHONE:** 512 326-2667

**FAX:** \_\_\_\_\_

<h2>150 BUSINESS PARK SUBDIVISION</h2>			
<b>SURVEYOR:</b> LENZ AND ASSOCIATES FIRM NO. 100290-00 4150 FREDRICH LANE, SUITE A1 AUSTIN, TEXAS 78744 TEL: (512) 443-1174	<b>OWNER:</b> TEXAS REALTY/RETAIL PARTNERS, INC. 9811 S. IH 35 BUILDING 3, SUITE 100 AUSTIN, TEXAS 78744 TEL: (512) 280-5353	<b>ENGINEER:</b> VIGIL AND ASSOCIATES FIRM REG. NO. F-4768 4005 BANISTER LANE SUITE 225-C AUSTIN, TEXAS 78704 TEL: (512) 326-2667	<b>SHEET</b> 2 of 4 DATE: 07/07/2020

**150 BUSINESS PARK SUBDIVISION**  
 A REPLAT OF LOT 2 OF THE WARREN SUBDIVISION & LOT 1  
 OF THE SEC FM 150-IH35 SUBDIVISION & 7.027 ACRES OUT  
 OF THE Z HINTON SURVEY No. 12, ABSTRACT 220

**EASEMENT  
 DETAILS**



**150 BUSINESS PARK SUBDIVISION**

<p><b>SURVEYOR:</b>                  LENZ AND ASSOCIATES                  FIRM NO. 100290-00                  4150 FREDRICH LANE,                  SUITE A1                  AUSTIN, TEXAS 78744                  TEL: (512) 443-1174</p>	<p><b>OWNER:</b>                  TEXAS REALTY/RETAIL                  PARTNERS, INC.                  9811 S. IH 35                  BUILDING 3, SUITE 100                  AUSTIN, TEXAS 78744                  TEL: (512) 280-5353</p>	<p><b>ENGINEER:</b>                  VIGIL AND ASSOCIATES                  FIRM NO. F-4768                  4005 BANISTER LANE                  SUITE 225-C                  AUSTIN, TEXAS 78704                  TEL: (512) 326-2667</p>	<p><b>SHEET</b>                  3 of 4                  DATE: 07/07/2020</p>
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**150 BUSINESS PARK SUBDIVISION**  
**A REPLAT OF LOT 2 OF THE WARREN SUBDIVISION & LOT 1**  
**OF THE SEC FM 150-IH35 SUBDIVISION & 7.027 ACRES OUT**  
**OF THE Z HINTON SURVEY No. 12, ABSTRACT 220**

FIELD NOTE DESCRIPTION OF 12.688 ACRES OUT OF THE Z. HINTON SURVEY NO. 12, ABSTRACT NO. 220, HAYS COUNTY, TEXAS, BEING ALL OF LOT 1, SEC FM 150-IH35 SUBDIVISION, RECORDED IN VOLUME 19, PAGE 72, AND ALL OF LOT 2, WARREN SUBDIVISION, RECORDED IN VOLUME 7, PAGE 12, BOTH OF THE PLAT RECORDS OF HAYS COUNTY, TEXAS, ALONG WITH ALL OF THAT CERTAIN 7.027 ACRE TRACT DESCRIBED IN A CORRECTION WARRANTY DEED TO TEXAS REALTY/RETAIL PARTNERS, INC. RECORDED IN DOCUMENT NUMBER 19035759 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS. THE SAID 12.688 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING FOR REFERENCE AT THE OSTENSIBLE NORTHERLY MOST CORNER OF THE SAID Z. HINTON SURVEY NO. 12, ABSTRACT NO. 220;

THENCE, S 12°02' W, A DISTANCE OF 9654 FEET TO A STEEL PIN FOUND WITH CAP MARKED KENT MCMILLAN ON THE CURVING EAST LINE OF INTERSTATE HIGHWAY 35 AT THE SOUTHWEST CORNER OF THE SAID 7.027 ACRE TRACT FOR THE PLACE OF BEGINNING OF THE HEREIN DESCRIBED TRACT;

THENCE, ALONG THE EAST LINE OF INTERSTATE HIGHWAY 35, WITH A CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 03°45'53", A RADIUS OF 11234.19 FEET, AN ARC OF 738.18 FEET AND A CHORD BEARING AND DISTANCE OF N 06°55'18" E, 738.05 FEET TO A STEEL PIN SET AT THE NORTHWEST CORNER OF THE SAID LOT 2;

THENCE, S 80°49'12" E, A DISTANCE OF 246.89 FEET TO A STEEL PIN SET ON THE WEST LINE OF THE SAID LOT 1 AT THE NORTHEAST CORNER OF THE SAID LOT 2;

THENCE, N 08°36'24" E, A DISTANCE OF 202.02 FEET TO AN IRON PIPE FOUND WITH CAP MARKED KENT MCMILLAN ON THE SOUTH LINE OF HILL STREET AT THE NORTHWEST CORNER OF THE SAID LOT 1;

THENCE, S 46°50'07" E, A DISTANCE OF 367.99 FEET ALONG THE SOUTH LINE OF HILL STREET TO A STEEL PIN SET;

THENCE, CONTINUING ALONG THE SOUTH LINE OF HILL STREET, WITH A CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 17°02'06", A RADIUS OF 630.00 FEET, AN ARC OF 187.31 FEET AND A CHORD BEARING AND DISTANCE OF S 34°48'54" E, 186.62 FEET TO A MAG NAIL SET WITH WASHER AT AN EXTERIOR CORNER OF THE SAID LOT 1;

THENCE, S 43°09'06" W, A DISTANCE OF 245.27 FEET TO A STEEL PIN FOUND AT AN INTERIOR CORNER OF THE SAID LOT 1;

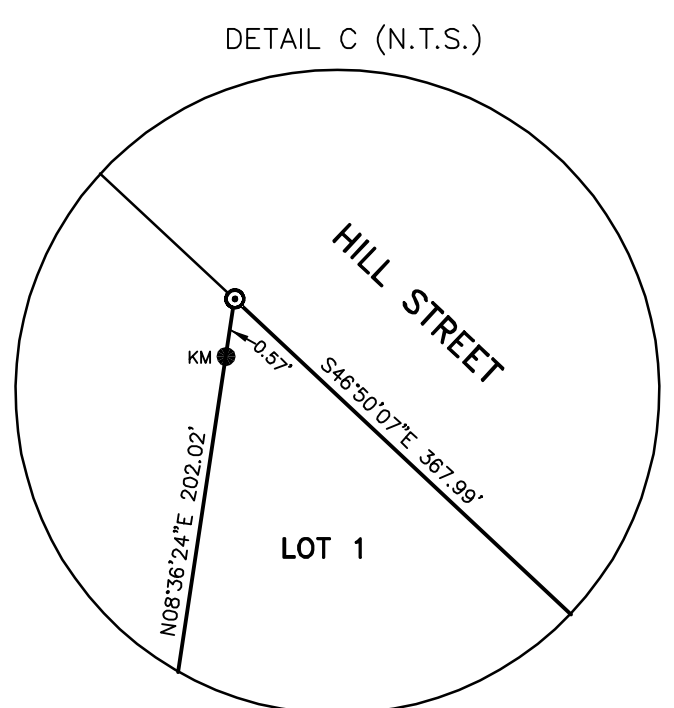
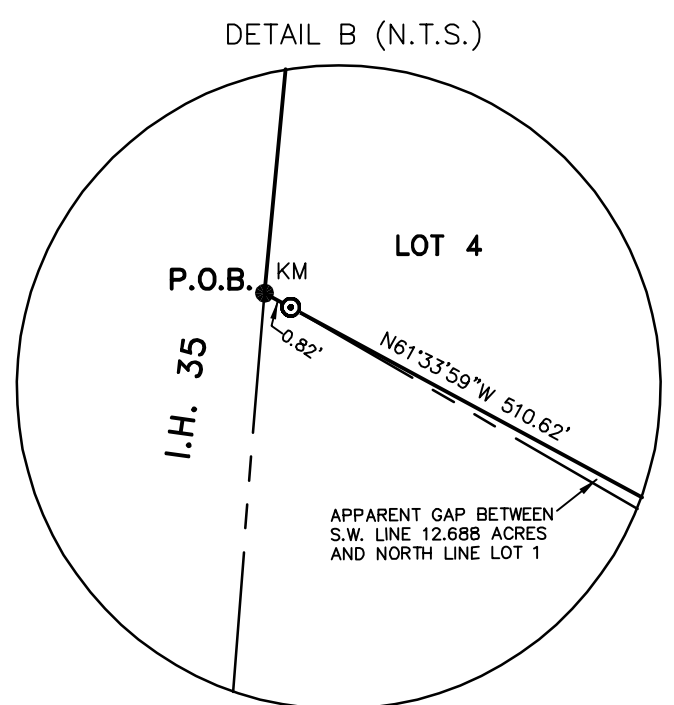
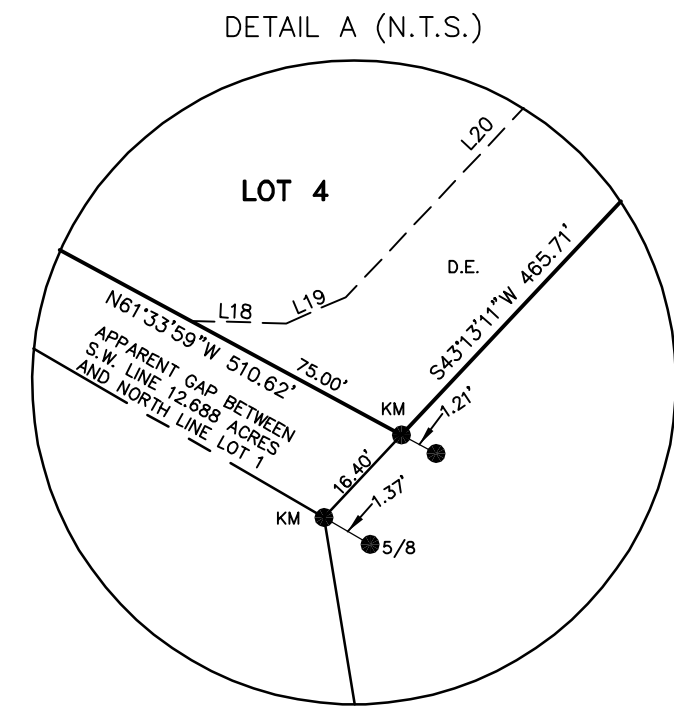
THENCE, S 46°51'39" E, A DISTANCE OF 289.88 FEET TO A STEEL PIN FOUND WITH CAP MARKED DAM 5348 AT AN EXTERIOR CORNER OF THE SAID LOT 1;

THENCE, S 43°01'31" W, A DISTANCE OF 20.06 FEET TO A STEEL PIN FOUND WITH CAP MARKED KENT MCMILLAN AT THE SOUTHERLY MOST CORNER OF THE SAID LOT 1, THE SAME BEING THE EASTERLY MOST CORNER OF THE SAID 7.027 ACRE TRACT;

THENCE, S 43°13'11" W, A DISTANCE OF 465.71 FEET TO A STEEL PIN FOUND WITH CAP MARKED KENT MCMILLAN AT THE SOUTHERLY MOST CORNER OF THE SAID 7.027 ACRE TRACT;

THENCE, N 61°33'59" W, A DISTANCE OF 510.62 FEET TO THE PLACE OF BEGINNING, CONTAINING 12.688 ACRES OF LAND, MORE OR LESS.

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S43°01'31"W	20.06'
L2	S84°10'19"E	202.47'
L2	S52°03'32"E	66.73'
L3	S46°51'39"E	20.00'
L4	N43°09'06"E	131.77'
L5	S84°10'19"E	202.46'
L6	N43°09'06"E	264.82'
L7	N50°09'54"E	40.95'
L8	S84°10'19"E	202.46'
L9	N29°39'34"W	161.40'
L10	S29°39'34"E	137.52'
L11	N43°09'06"E	308.79'
L12	N50°09'54"E	40.95'
L13	S79°50'39"E	19.04'
L14	N43°09'06"E	187.20'
L15	S29°39'34"E	135.48'
L16	S84°10'19"E	202.47'
L17	N43°09'06"E	71.58'
L18	S88°29'31"E	49.97'
L19	N66°15'05"E	33.78'
L20	N43°13'11"E	289.46'
L21	N29°23'36"E	95.14'
L22	N41°42'36"E	17.66'
L23	N47°34'43"W	261.87'
L24	S64°12'47"W	227.78'
L25	N25°47'13"W	15.00'
L26	N64°12'47"E	254.09'
L27	S47°34'43"E	265.66'
L28	N41°42'36"E	11.03'
L29	N46°51'39"W	46.22'
L30	N61°33'59"W	75.00'
L31	N89°56'04"W	21.95'
L32	S15°50'55"E	208.30'
L33	S15°50'55"E	150.78'
L34	S46°50'07"E	137.45'
L35	S47°02'39"E	169.12'
L36	S29°58'44"E	200.85'
L37	S08°24'00"E	60.63'
L38	S47°02'39"E	156.62'
L39	S29°58'44"E	195.74'
L40	S08°24'00"E	69.68'
L41	S48°32'35"W	205.31'
L42	N43°09'06"E	30.17'
L43	S79°50'39"E	56.22'
L44	N43°09'06"E	198.06'
L45	S08°32'35"E	175.82'
L46	N43°12'32"E	13.85'
L47	S46°46'49"E	6.67'
L48	N08°32'35"W	153.50'



CURVE TABLE					
CURVE	RADIUS	DELTA ANGLE	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	11234.19'	3°45'53"	738.18'	N06°55'18"E	738.05'
C2	630.00'	17°02'06"	187.31'	S34°48'54"E	186.62'
C3	11234.19'	0°47'20"	154.66'	N05°26'01"E	154.66'
C4	11234.19'	1°05'47"	215.00'	N06°22'34"E	215.00'
C5	300.00'	36°03'21"	188.79'	N77°48'00"E	185.69'
C6	300.00'	16°37'13"	87.02'	N51°27'43"E	86.72'
C7	11234.19'	1°52'46"	368.52'	N07°51'51"E	368.50'
C8	300.00'	52°40'34"	275.81'	N69°29'23"E	266.20'
C9	315.00'	23°36'08"	129.76'	N84°01'36"E	128.84'
C10	25.00'	53°58'05"	23.55'	S80°47'25"E	22.69'
C11	55.00'	132°50'37"	127.52'	N59°46'19"E	100.82'
C12	25.00'	53°58'05"	23.55'	N20°20'03"E	22.69'
C13	315.00'	4°09'59"	22.91'	N45°14'06"E	22.90'
C14	285.00'	21°35'22"	107.39'	N85°02'00"E	106.76'
C15	25.00'	103°53'52"	45.33'	N22°17'22"E	39.37'
C16	25.00'	79°30'16"	34.69'	S69°24'42"E	31.97'
C17	55.00'	42°03'58"	40.38'	S88°07'51"E	39.48'
C18	25.00'	67°22'48"	29.40'	N79°12'43"E	27.74'
C19	285.00'	2°22'13"	11.79'	N44°20'13"E	11.79'

<b>150 BUSINESS PARK SUBDIVISION</b>			
<b>SURVEYOR:</b> LENZ AND ASSOCIATES FIRM NO. 100290-00 4150 FREIDRICH LANE, SUITE A1 AUSTIN, TEXAS 78744 TEL: (512) 443-1174	<b>OWNER:</b> TEXAS REALTY/RETAIL PARTNERS, INC. 9811 S. IH 35 BUILDING 3, SUITE 100 AUSTIN, TEXAS 78744 TEL: (512) 280-5353	<b>ENGINEER:</b> VIGIL AND ASSOCIATES FIRM REG. NO. F-4768 4005 BANISTER LANE SUITE 225-C AUSTIN, TEXAS 78704 TEL: (512) 326-2667	<b>SHEET</b> 4 of 4 DATE: 07/07/2020



# CITY OF KYLE, TEXAS

KCW Interests 3, LLC, Whited Enterprises, LLC D/B/A Vision Partners and FHC Consolidated - Zoning (Z-20-0063)

**Meeting Date: 10/13/2020**  
**Date time:6:30 PM**

**Subject/Recommendation:** Consider a request by KCW Interests 3, LLC, Whited Enterprises, LLC D/B/A Vision Partners and FHC Consolidated - Zoning (Z-20-0063) to rezone approximately 2.4 acres of land from Multi-Family Residential-3 'R-3-3' to Residential Condominium District 'R-1-C' for property located at 104 Creekside Trail, in Hays County, Texas.

- Public Hearing
- Recommendation to City Council

**Other Information:** Please see attachments.

**Legal Notes:** N/A

**Budget Information:** N/A

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## ATTACHMENTS:

### **Description**

- Staff Memo
- Project Location Map
- Current Zoning Map
- Land Use Districts Map

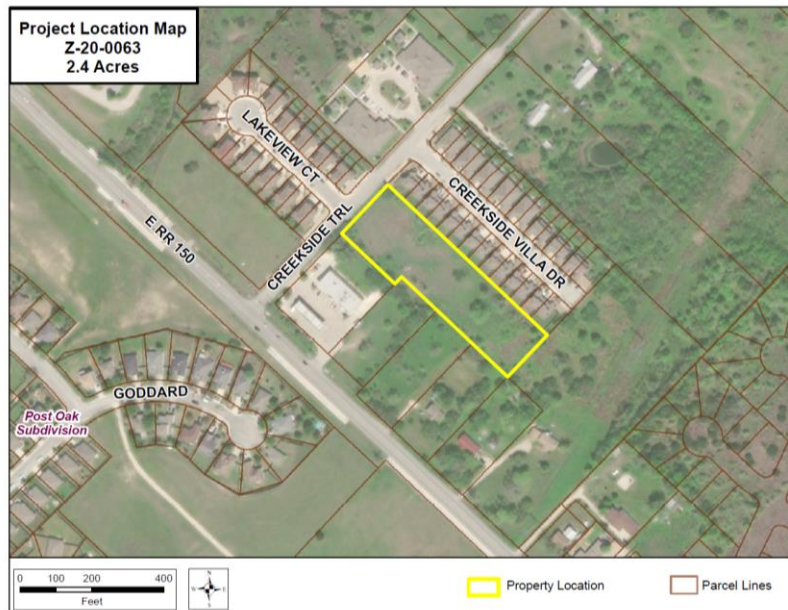


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<b>Property Location</b>	<b>Lot 2B of The Hill Replat of Lots 1 &amp; 2, Creekside Trail Kyle, Texas 78640</b>
<b>Owner</b>	<b>KCW Interests 3, LLC &amp; FHC Consolidated 19809 Lakehurst Loop Spicewood, TX 78669</b>
<b>Agent</b>	<b>Kelley Whited (member/owner)</b>
<b>Request</b>	<b>Rezone 2.36 Acres R-3-3 (Apartments Residential 3) to R-1-C (Residential Condominium District)</b>

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### Vicinity Map



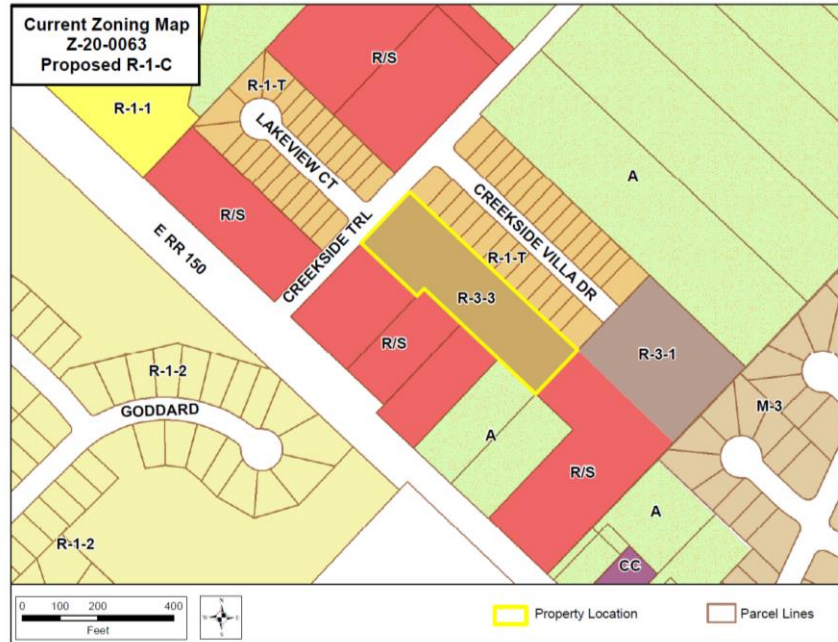
### Site Description

The site is located on one parcel, zoned for R-3-3 (Apartments Residential 3) and totaling 2.36 acres. The location is currently undeveloped, or considered a green field. To the north of the property are homes with zoning of R-1-T (Townhomes, Creekside Villa Drive). Northeast of the property is approximately 2.20 acres zoned for R-3-1 (Apartment Residential 1). To the east and southeast, lies property zoned for Retail/Services (R/S) and Agriculture (A). Immediately south are parcel zone for (R/S, Fuel and Convenience Store) and to the west, properties are zoned (R/S) and (R-1-T, Townhomes at Lakeview Court).

To the northwest lies a parcel zoned for (R/S) and is used as a senior assisted living facility. The proposed multifamily parcel (R-3-3) encompasses 2.36 acres.

The applicant seeks to rezone the property from “R-3-3” (Apartment Residential 3) to “R-1-C” (Residential Condominium District).

### Current Zoning



### R-3-3 (Apartment Residential 3)

#### **Sec. 53-292. – Purpose and Permitted uses.**

The multifamily residential district R-3-3 permits typical apartment development with buildings not exceeding three stories, nor more than 28 units per buildable acre, and with apartments or units having a minimum living area of 500 square feet; provided that not more than 25 percent of the units in any such apartment development or project shall have less than 750 square feet of living area.

#### **Requested Zoning**

### R-1-C (Residential Condominium District, R-1-C)

### **Sec. 53-172. - Purpose and permitted use.**

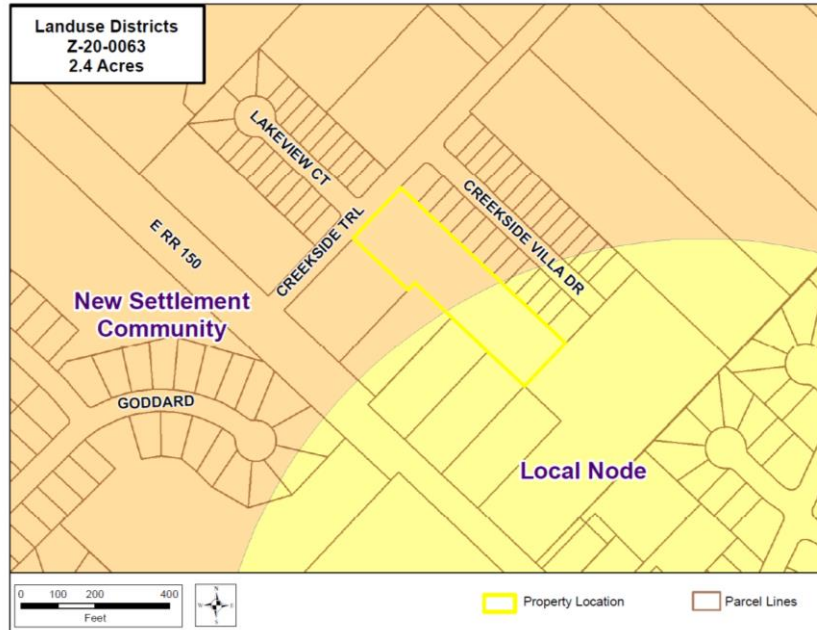
The residential condominium district R-1-C allows the establishment of a residential housing in compliance with the Texas Uniform Condominium Act, V.T.C.A., Property Code ch. 82, with individual apartments or units having a minimum of 500 square feet living area, inclusive of separate sleeping, living and kitchen facilities.

(Ord. No. 438, § 29(a), 11-24-2003)

### **Conditions of the Zoning Ordinance**

#### **Sec. 53-1205 Amendments**

- (d) *Referral of amendment to planning and zoning commission.* Upon its own motion, a request by the planning and zoning commission, or the receipt of an administratively complete petition and application to zone or rezone a lot, tract or parcel of land, which petition and application has been examined and approved as to form by the city manager, shall be referred to the planning and zoning commission for consideration, public hearing, and recommendation to the city council. The council may not enact a rezoning amendment until the planning and zoning commission has held a public hearing and made its recommendation to the city council, or has made a final vote on the matter without obtaining a majority, on the zoning or rezoning of the property.
- (e) *Action by the planning and zoning commission.* The planning and zoning commission shall cause such study and review to be made as advisable and required, shall give public notice and hold a public hearing as provided by state law, and shall recommend to the council such action as the planning and zoning commission deems proper...



### Comprehensive Plan Text

The subject site is located in both the “New Settlement Community” District and the “Local Node” District. The R-1-C zoning district is recommended conditionally in the “New Town Community” District and recommended in the Local Node.

#### Current Land Use Chart

##### New Settlement Community

Recommended Zoning Categories: O/I

Conditional Zoning Categories: E, R-1-A, R-1-1, R-1-2, R-1-3, **R-1-C**, R-1-T, R-2, T/U, UE, NC, CC, MXD, RS, W

##### Local Node

Recommended Zoning Categories: **R-1-C**, R-3-2, R-3-3, CC, NC, MXD

Conditional Zoning Categories: R-1-T, R-3-1, R/S

#### **Local Node**

##### ‘Character’:

Some Local Nodes occur at existing intersections, where a greater intensity of use should be fostered to take advantage of the benefits conferred by that intersection. Other Local Nodes are located at points where new corridors will create significant local intersections in the future. Local Nodes should be comprised of neighborhood-scale retail uses, small public gathering spaces, such as plazas, playgrounds, and trails, and some higher intensity residential opportunities where appropriate. Local Nodes should be designed to serve the local population living within or adjacent to the individual Node. For this reason, Local Nodes should provide goods and services that enhance convenience and, therefore, quality of life for local residents. A central gathering location should be created within each Local Node to foster a sense of community for the surrounding residents.

### Intent':

The anchor of each Local Node should be service retail, and, of all the Nodes, the Local Nodes should have the lowest level of non-residential development intensity. General goods and services required on a daily basis by residents should be located in Local Nodes, including small food markets, restaurants, banks, and small shops. These Nodes should be connected to the surrounding communities with sidewalks and trails to encourage walking, minimize traffic congestion, and increase safety.

### **Analysis**

The property requesting to be rezoned is sited in an area that is likely to develop from low intensity residential (Agriculture zoning) into a higher intensity area of commercial and residential activity, with the future growth along E FM 150 and Creekside Trail. The project associated with the requested zoning is roughly 300 feet north of the intersection of E FM 150 and Creekside Trail. The parcel is situated between the Speed In Food Mart and the existing townhome development on Creekside Villa Drive. Additionally, the City of Kyle shows Creekside Trail to be improved and extended across Plum Creek (to the north) in the future.

City of Kyle, Texas Mayor & Council Meeting – April 17, 2018 Per the 2017 Comprehensive Plan, the R-1-C zoning district is a recommended use in the Local Node. The site requesting to be rezoned straddles the Local Node and the New Settlement Community. Approximately half (1.18 acres) of the 2.36-acre site is inside the boundaries of the Local Node. This is important, because while the New Settlement Community does have a provision for condominium development, and there are times where this use would be appropriate. When reviewing the Comprehensive Plan staff also, when appropriate, considers the idea of a “fuzzy line” or rough boundary, relating to land use districts. The Local Node shown on the Comprehensive Plan is offset and to the east of the intersection

of Creekside Trail and E FM 150, when it should be centered on the intersection (current development proves this idea).

Another idea to consider, especially related to higher density areas (nodes), is the transect zone concept. This helps establish a standard “ramp up” from rural development to nodal development, regarding intensity of land use. Per the diagram below the proposed zoning change would fit into the “T4-General Urban Zone”, allowing for small-lot single family homes, apartments, mixed use, and locally run shops. This zone would also be where townhome development would begin to appear (Creekside Villa Drive & Lakeview Court). Currently, Creekside Trail is mostly somewhere between T2 & T3 zones (mostly 2 to 5-acre parcels, with a handful of 5+ acre parcels) and the T4 zone within 1,000 feet of the main intersection. This distance for the specific development pattern (T4 zone) on Creekside Trail is consistent with the range of the Local Node (1/4 to 1/6 of a mile).



Additionally, while condominium development typically has higher densities per acre generally, the limited acreage (2.36 acres) is really a small amount of land relating to this type of development. Typically, condominiums are built by larger scale developers, looking for larger tracts. The smaller size of the tract might indicate a developer who wants to hold onto the project for a substantial amount of time, to generate appropriate return on investment. This also suggests that the developer will place a higher priority on design and maintenance of the project, ensuring upkeep and maintaining property values.

As a side note, the amount of vehicular traffic generated and wastewater use per current infrastructure will not add likely be a significant burden on existing infrastructure, given the small geographical size of the parcel. Furthermore, compact and higher density development is, to a higher degree fiscally prudent, as opposed to single-family residential. Higher density development requires less public utilities to be installed/maintained and generally property tax revenue exceeds utility maintenance costs.

### **Recommendation**

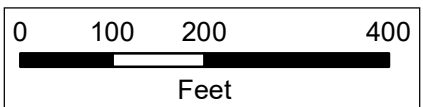
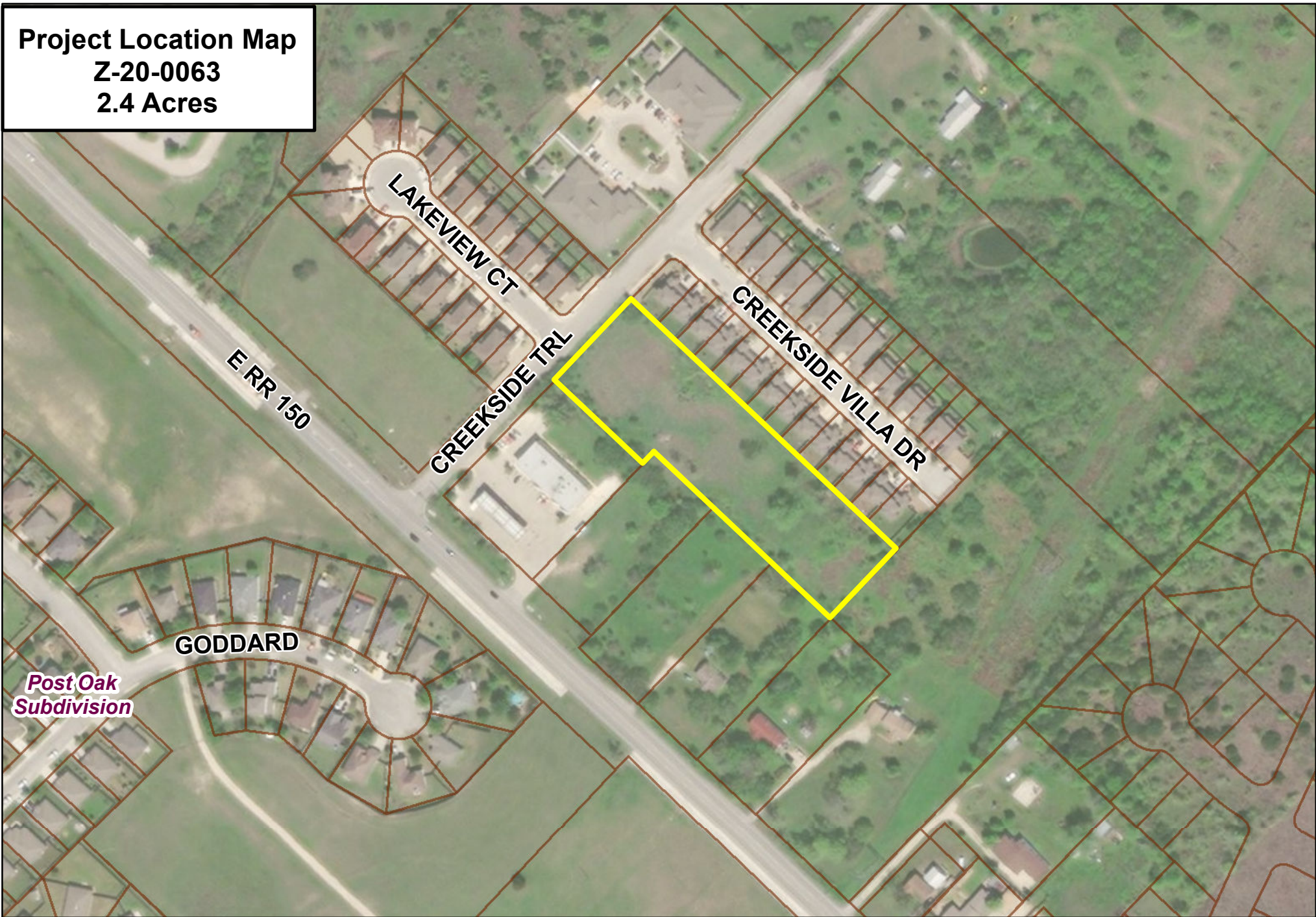
In conclusion, staff supports the rezoning from “R-3-3” (Apartment Residential 3) to R-1-C (Residential Condominium District) for the Dacy Village Lot 4 as requested. Staff asks the Planning & Zoning Commission to consider the request favorably and vote accordingly.

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### **Attachments**

- Application
- Location Map
- Existing Zoning Map
- Land Use Districts Map

**Project Location Map**  
**Z-20-0063**  
**2.4 Acres**

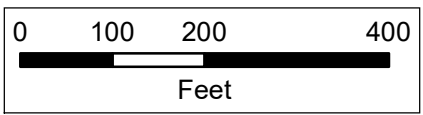
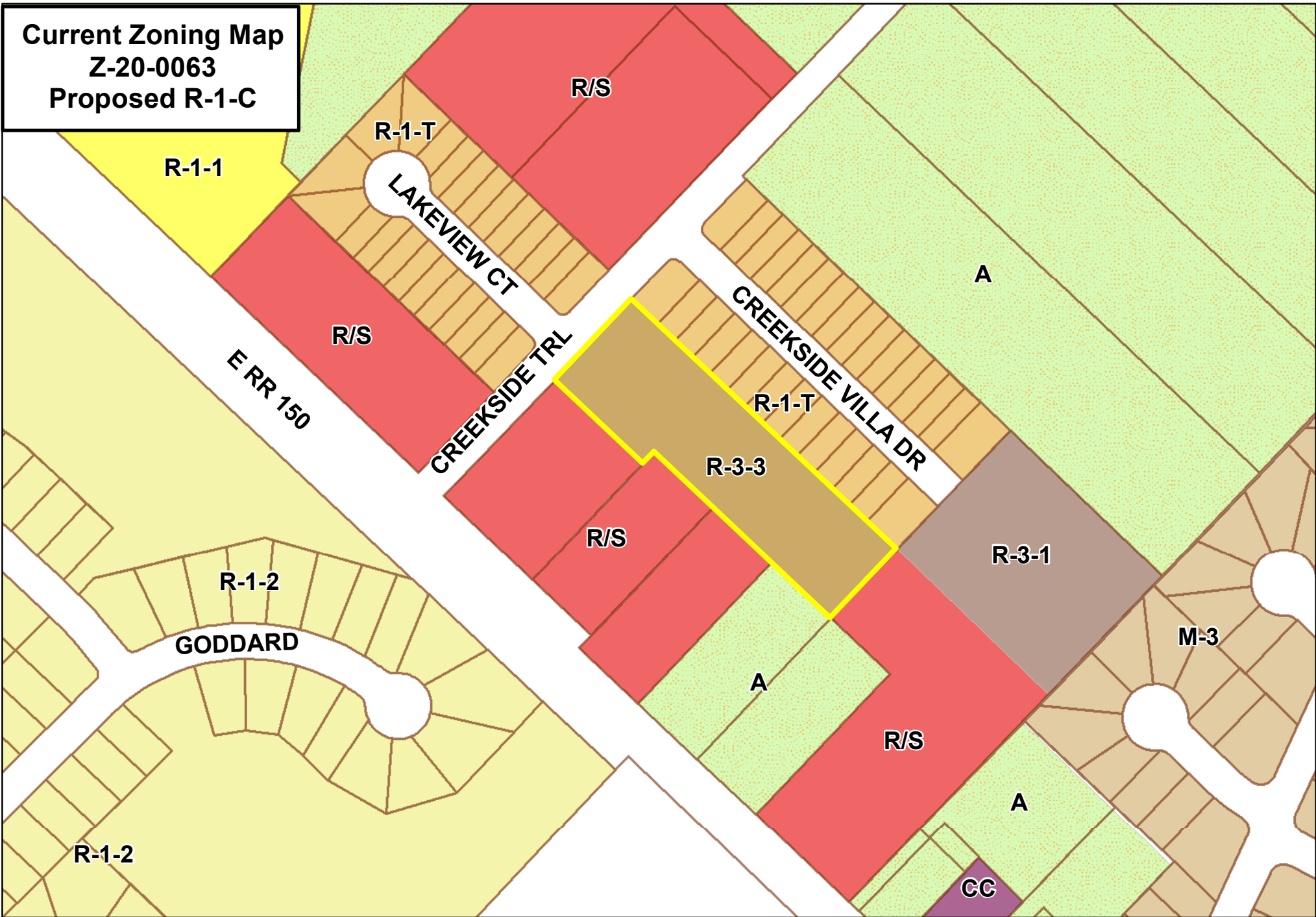


 Property Location  
Item # 5

 Parcel Lines



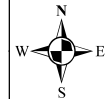
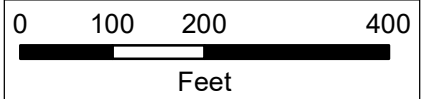
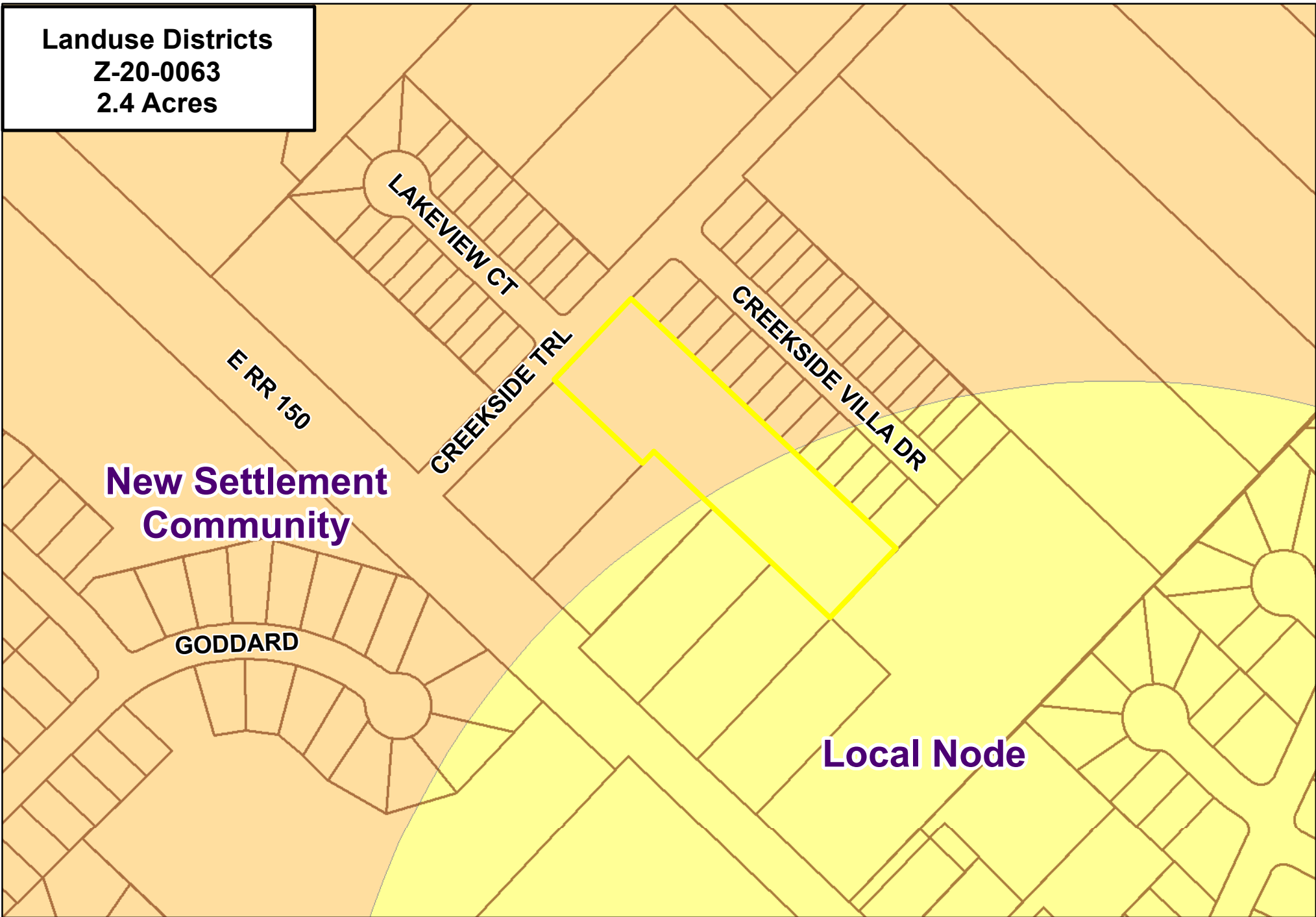
**Current Zoning Map  
Z-20-0063  
Proposed R-1-C**



 Property Location  
Item # 5

 Parcel Lines

**Landuse Districts**  
**Z-20-0063**  
**2.4 Acres**



 Property Location  
Item # 5

 Parcel Lines



# CITY OF KYLE, TEXAS

Covey Fund I, LP - Zoning (Z-20-0064)

Meeting Date: 10/13/2020  
Date time: 6:30 PM

**Subject/Recommendation:** Consider a request by Covey Fund I, LP (Z-20-0064) to assign original zoning to approximately 2.67 acres of land from Agriculture 'AG' to Retail Service District 'RS' for property located at 1805 W. RR 150, in Hays County, Texas.

- Public Hearing
- Recommendation to City Council

**Other Information:** Please see attachments.

**Legal Notes:** N/A

**Budget Information:** N/A

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## ATTACHMENTS:

### **Description**

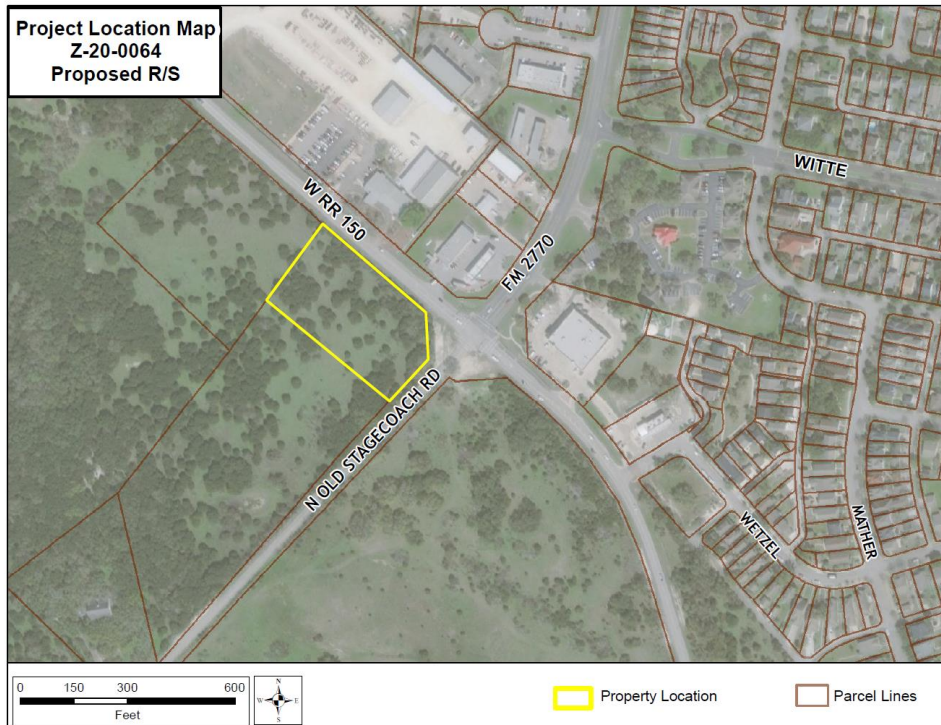
- Staff Memo
- Request Letter
- Project Location Map
- Land Use Districts Map
- Current Zoning Map

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<b>Property Location</b>	<b>1691 N. Old Stagecoach Rd, Kyle, Texas</b>
<b>Owner</b>	<b>Covey Fund I LP 2205 N. Lamar Blvd Unit 113 Austin, TX 78705</b>
<b>Agent</b>	<b>Connor Overby Atwell LLC 3815 S. Capital of Texas Hwy Ste. 300 Austin, TX 78704</b>
<b>Request</b>	<b>Rezone 2.67-Acres, Agriculture (A) to Retail Services (RS)</b>

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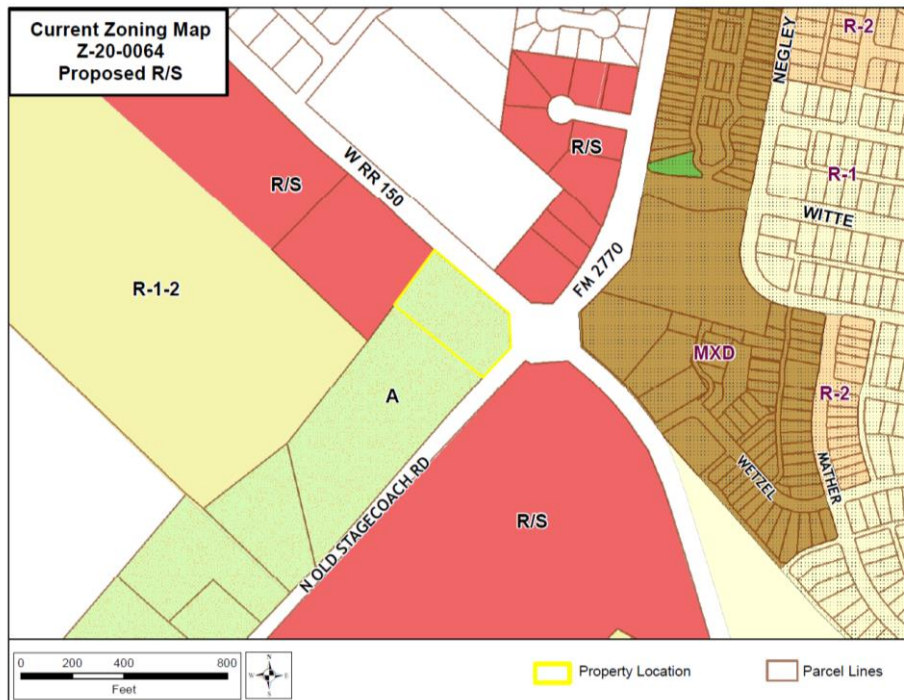
**VICINITY MAP**



## SITE DESCRIPTION

The parcel is generally at the west corner of the W FM 150 & FM 2770 intersection. The site is currently vacant (undeveloped) and zoned A (Agriculture). To the northwest is vacant land zoned RS. To the northeast and across W FM 150 is the local office for PEC (in the ETJ/no zoning), and a fuel station/convenience store (zoned RS). To the east, across the intersection is a Walgreens (zoned PC MXD). To the south, across N. Old Stagecoach Road, is vacant land zoned RS. To the southwest is vacant land zoned A (Agriculture).

The applicant is requesting the property to be partially rezoned. The overall 9.993-acres is currently zoned for Agriculture. The applicant is proposing a rezoning of the hard corner of W FM 150 and FM 2770, to RS (Retail Services) 2.67-acres.



### Existing

A (Agriculture) - allows farming, ranching, pasturage, detached single-family residences and related accessory structures, on a minimum one acre tract. Parks, playgrounds, greenbelts and other public recreational facilities, owned and/or operated by the municipality or other public agency are permitted.

## Proposed

RS (Retail Services) - General highway retail (broad amount of uses associated with RS, but compatible with surrounding development).

### **Retail & Services District R/S**

#### **Sec. 53-480. - Purpose and permitted uses.**

This district allows general retail sales of consumable products and goods within buildings of products that are generally not hazardous and that are commonly purchased and used by consumers in their homes, including most in-store retail sales of goods and products that do not pose a fire or health hazard to neighboring areas, e.g., clothing, prescription drugs, furniture, toys, hardware, electronics, pet supply, variety, department, video rental and antique stores, art studio or gallery, hobby shops and florist shops., and the retail sale of goods and products (in the following listed use areas) to which value has been added on site, including sales of goods and services outside of the primary structure as customary with the uses specifically listed, and the following: Any use permitted in CBD-1 or CBD-2 and RS districts as provided in section 53-1230.

### **CONDITIONS OF THE ZONING ORDINANCE**

#### Sec. 53-1205 Amendments

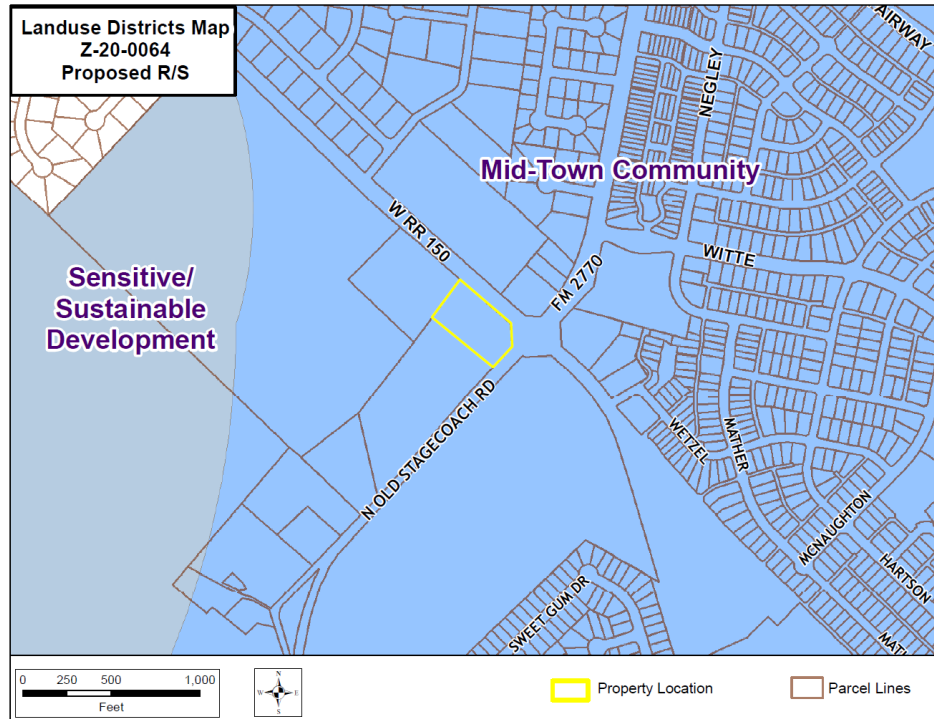
(d)

*Referral of amendment to planning and zoning commission.* Upon its own motion, a request by the planning and zoning commission, or the receipt of an administratively complete petition and application to zone or rezone a lot, tract or parcel of land, which petition and application has been examined and approved as to form by the city manager, shall be referred to the planning and zoning commission for consideration, public hearing, and recommendation to the city council. The council may not enact a rezoning amendment until the planning and zoning commission has held a public hearing and made its recommendation to the city council, or has made a final vote on the matter without obtaining a majority, on the zoning or rezoning of the property.

(e)

*Action by the planning and zoning commission.* The planning and zoning commission shall cause such study and review to be made as advisable and

required, shall give public notice and hold a public hearing as provided by state law, and shall recommend to the council such action as the planning and zoning commission deems proper...



## COMPREHENSIVE PLAN TEXT

The subject site is located in the “Mid-Town Community District”.

### Mid-Town Community District

Recommended: R-1-1, R-1-2, R-1-3, NC

Conditional: E, R-1-A, R-1-T, R-3-1, R-3-2, CC, **R/S**, MXD, O/I

## MID-TOWN COMMUNITY LAND USE DISTRICT

Character: The Mid-Town District contains sites of recent residential development in Kyle and will continue to predominantly feature residential uses. Those residential uses in this District are organized around the curvilinear streets of suburban neighborhood design, rather than the regular, rectilinear grid that

characterizes the Old Town District. The Plum Creek waterway flows through and adjacent to the Mid-Town District, offering opportunities for recreation and a responsibility for environmental conservation. This District has a neighborhood-oriented form built around shared spaces such as streets, yards, porches and common areas. Neighborhood legibility and continuity is enhanced through these shared spaces. Distinctive landscape forms, including creekways, vistas, and rolling hills, give identity to this District and should be preserved, protected, and incorporated into development plans.

Intent: The purpose of the Mid-Town District is to maximize the value capture of new residential development in Kyle. This District enjoys unusual proximity to amenities, such as open space, Downtown, commercial nodes, and transit options. The area is therefore well-positioned to define an economic and lifestyle pattern that is unique to Kyle. New development should accommodate low- to mid-density detached residential uses within the unique landscape forms that are present in the District. Higher density residential, attached residential, and non-residential projects like employment and retail sales should be considered based on their proximity to higher classification streets, higher capacity water and waste water availability, and likelihood of compatibility of adjacent uses. Legibility of neighborhood identity, definition, and transportation should be improved within the Mid-Town District through such elements as trails, sidewalks, signage, and interconnected shared spaces.

## **ANALYSIS**

The 2.67-acre site sits on the western corner of the intersection of W FM 150 and FM 2770. The site is near what is the existing edge of developed land within the northwestern portion of the City of Kyle. Most of this area is low density, rural, single-family residential, serviced by septic tank facilities, with the occasional commercial facility. To the southeast is higher density commercial and residential (Plum Creek), due to wastewater availability.

The applicant for the 2.67-acre parcel is requesting the RS zoning district. The RS zoning district is conditional in the Mid-Town land use district, as a majority of the uses existing/expected are single family residential. Secondly, smaller scale retail can be considered, especially those uses servicing the surrounding residential uses.



Currently, wastewater is unavailable to the tract. However, an agreement exists between the Blanco River Ranch, Kyle 57, Anthem Development, among other entities. The agreement will help provide much needed water service improvements and wastewater availability to this portion of Kyle. Additionally, this parcel is on the hard corner of two major roads and is appropriate for auto-centric uses that are typical of suburban surroundings.

Staff has reviewed the application and believes the RS zoning district is appropriate for the 2.67-acre site. Staff asks the Planning & Zoning Commission to vote to recommend approval of the zoning district, as presented.

---

### **Attachments**

- Application
- Letter of Explanation
- Location map
- Surrounding Zoning Map
- Land Use Districts Map



September 8, 2020

City of Kyle  
Planning Department  
100 W. Center Street  
Kyle, Texas 78640

Re: Zoning Change Request

City of Kyle:

Per the requirements of the City of Kyle, please accept this letter as our written request to have the referenced land located within the city limits changed from Agricultural zoning to Retail Services (R/S) zoning.

The subject property is located at 1691 Old Stagecoach Road, on the Southwest corner of RM 150 and N. Old Stagecoach Road in Kyle, Texas, and has been identified by city officials as a future retail/services development opportunity. We share the city's vision for this land and have enjoyed a healthy business relationship on the acquisition and delivery of wet utilities.

Should the City of Kyle have any questions or concerns regarding this request please do not hesitate to contact me.

Sincerely,

Brett Findley  
Principal, Duncan Findley Group, LLC  
General Partner, Covey Fund I, LP

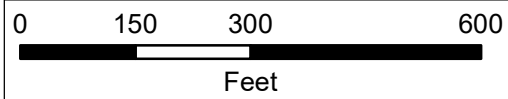
2205 N. Lamar Blvd  
Suite 113  
Austin, Texas 78705

Brett@duncanfindley.com



*Heather Bedwell*  
9.8.2020

**Project Location Map**  
**Z-20-0064**  
**Proposed R/S**



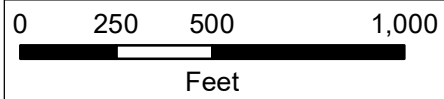
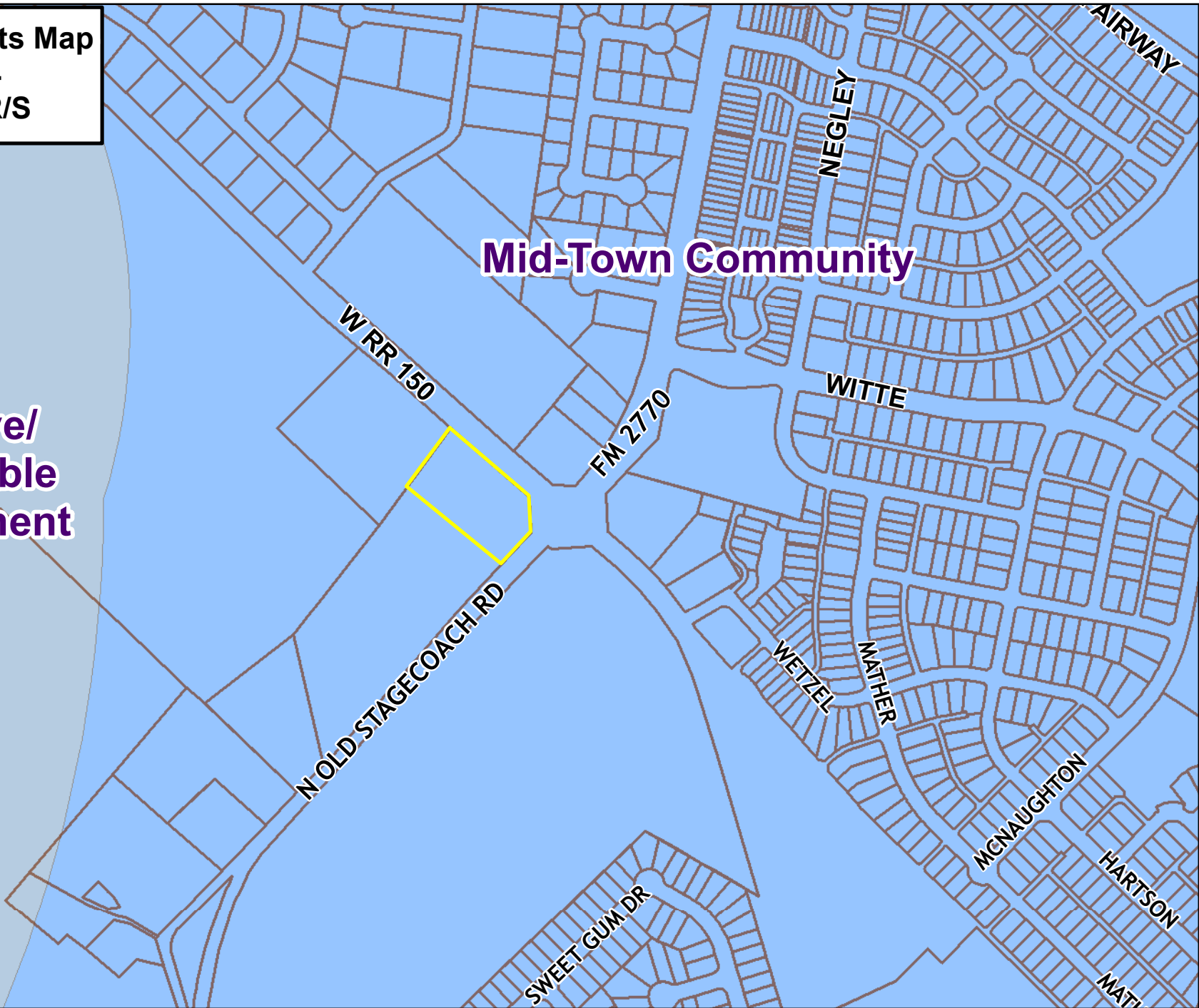
 Property Location  
Item # 6

 Parcel Lines

Landuse Districts Map  
Z-20-0064  
Proposed R/S

# Mid-Town Community

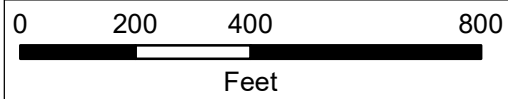
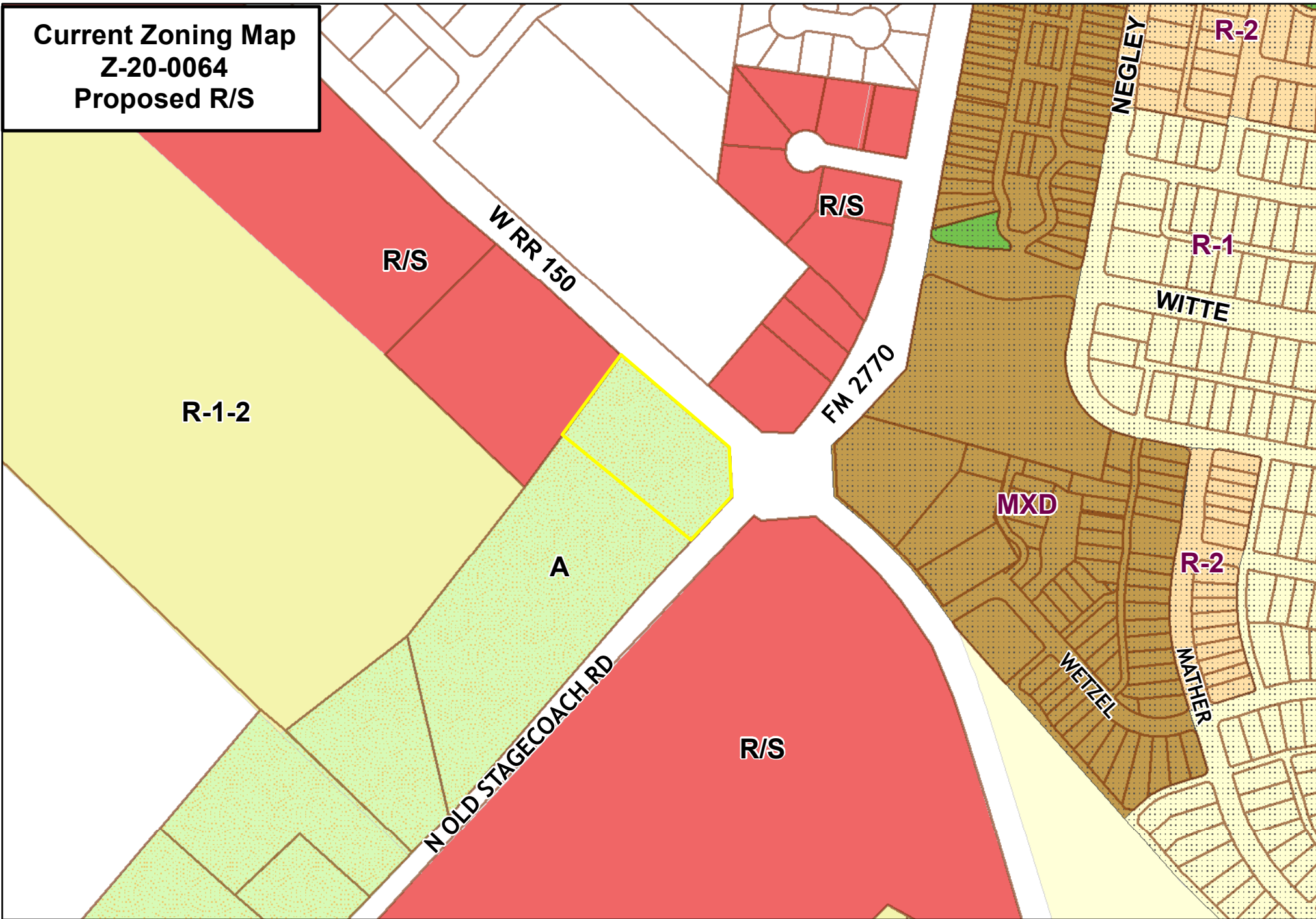
Sensitive/  
Sustainable  
Development



 Property Location  
Item # 6

 Parcel Lines

**Current Zoning Map  
Z-20-0064  
Proposed R/S**



 Property Location  
Item # 6

 Parcel Lines



# CITY OF KYLE, TEXAS

## FM 150 Retail Center - Conditional Use Permit (CUP-20-0026)

**Meeting Date: 10/13/2020**

**Date time: 6:30 PM**

**Subject/Recommendation:** Consider a request to construct a convenience store with additional commercial space totaling 7,575 square feet, a matching fuel canopy and dumpster enclosure for property located at 2709 E. FM 150, at the intersection of E. FM 150 and Heidenreich Lane in the overlay district. (FM 150 Retail Center - CUP-20-0026)

**Other Information:** See attachments.

**Legal Notes:** N/A

**Budget Information:** N/A

---

### **ATTACHMENTS:**

#### **Description**

- Staff Memo
- South & East Elevations
- North & West Elevations
- Fuel Canopy & Dumpster Enclosure
- Landscape Plan



# CITY OF KYLE

## Community Development Department



### MEMORANDUM

**TO:** Planning & Zoning Commission

**FROM:** William Atkinson – City Planner

**DATE:** Tuesday, October 13, 2020

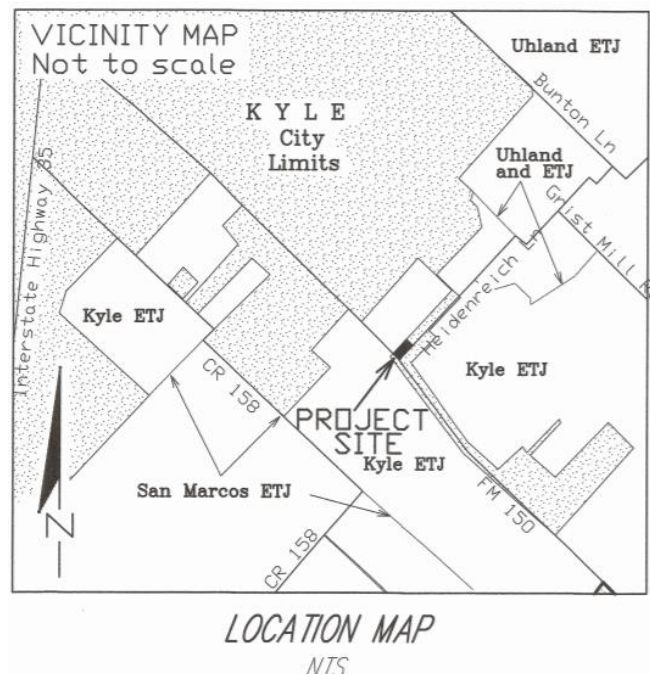
**SUBJECT:** Convenience Store & Fuel Canopy (CUP-20-0026)

### REQUEST

The applicant seeks to construct a convenience store with additional commercial space totaling 7,575 square feet, a matching fuel canopy and dumpster enclosure. The structure will consist of an exterior façade comprised of black bricks, tan stucco, bronze horizontal fiber cement board (hardie board), standing seam metal roof awnings, glass windows and doors.

### LOCATION

The property is located at 2709 E FM 150, at the north corner of the intersection of E FM 150 and Heidenreich Lane.



## **OVERLAY DISTRICT**

### **Sec. 53-892(a)(6) – Districts and Boundaries**

The FM 150 East conditional use overlay district (FM 150 East overlay district). The FM 150 East overlay district extends from the intersection of FM 150 East and IH 35 on the west to the city limit boundary on the east, and includes all real property within 400 feet of the outer most edge of the street right-of-way of FM 150 East.

## **TEXT OF THE ZONING ORDINANCE**

### **Sec. 53-896. - Standards for review.**

- (a) The planning and zoning commission shall determine whether the application and project is consistent and compliant with the terms and intent of this division, this chapter, chapter 32, article II, pertaining to the site development plan, and all other codes and ordinances of the city. The planning and zoning commission will determine if the proposed use, occupancy and structure will promote, preserve, and enhance, and will not damage or detract from the distinctive character of the community; will preserve and protect property values and taxable values; will not be detrimental or inconsistent with neighboring uses and occupancies; will not be detrimental to the general interests of the citizens; and will not be detrimental to the public health, safety and welfare. In conducting its review, the planning and zoning commission shall make examination of and give consideration to the traffic flow, development density, neighboring historical designs, neighboring uses, and elements of the application, including, but not limited to:
- (1) Height, which shall conform to the requirements of this chapter;
  - (2) Building mass, which shall include the relationship of the building width to its height and depth, and its relationship to the visual perception;
  - (3) Exterior detail and relationships, which shall include all projecting and receding elements of the exterior, including, but not limited to, porches and overhangs and the horizontal or vertical expression which is conveyed by these elements;
  - (4) Roof shape, which shall include type, form, and materials;
  - (5) Materials, texture, and color, which shall include a consideration of material compatibility among various elements of the structure;
  - (6) Compatibility of design and materials, which shall include the appropriateness of the use of exterior design details;
  - (7) Landscape design and plantings, which shall include lighting and the use of landscape details to highlight architectural features or screen or soften undesirable views;
  - (8) Vehicular and pedestrian access, which shall include location, width, and type of surface for all points of ingress and egress;
  - (9) Signage, which shall include, in addition to the requirements chapter 29, pertaining to signs, the appropriateness of signage to the building in relation



location, historical significance of the structure and neighboring structures, traffic visibility; obstruction of views from neighboring property;

- (b) The planning and zoning commission may request from the applicant such additional information, sketches, and data as it shall reasonably require. It may call upon experts and specialists for testimony and opinion regarding matters under examination. It may recommend to the applicant changes in the plans it considers desirable and may accept a voluntary amendment to the application to include or reflect such changes. The planning and zoning commission shall keep a record of its proceedings and shall attach to the application copies of information, sketches, and data needed to clearly describe any amendment to the application.
- (c) If the conditional use permit is granted by the planning and zoning commission, the applicant shall be required to obtain a building permit and/or a development permit, if required, provided all other requirements for a building permit and/or a development permit are met. The building permit and/or a development proposal as approved shall be valid from one year from the date of approval. The planning and zoning commission may grant an extension of the one-year limitation if sufficient documentation can be provided to warrant such an extension.

### **Sec. 53-483. - Building facade requirements.**

All new buildings constructed within the RS district shall comply with the following requirements:

- (1) The exterior walls facing front and side streets shall be constructed of at least 100 percent stone, brick, masonry, stucco, masonry veneer, or similar granular product excluding doorways and windows;
- (2) All roofs surfaces visible from the street shall be surfaced with metal, concrete, clay tile, or minimum of 25-year dimensional shingles;
- (3) Any variation requests to subsection (1) or (2) of this section must present actual technical drawings, and/or architectural plans and models and be approved by the planning and zoning commission;
- (4) It is recommended, but not required, that improvements to existing buildings in this district comply with subsections (1) or (2) of this section; and
- (5) Glare. No use or operation in an RS district may be located or conducted so as to produce intense glare or direct illumination across the bounding property line from a visible source of illumination nor may any such light be of such intensity as to create a nuisance or detract from the use and enjoyment of adjacent property.

(Ord. No. 438, § 42(d), 11-24-2003)

## **STAFF ANALYSIS**

Staff has reviewed the request and has made the following findings:

1. The proposed building largely meets the intent of the Retail Services zoning standards for the building and site work;
  - Typically cement board would not be considered, but House Bill 2439 allows developers to use materials as long as it meets the International Building Code.
  - This area of Kyle is not exempt under special areas of architectural appropriateness (no actual design standards in FM 150 East Overlay).
2. The architecture style of the building meets the requirements in the FM 150 East Overlay District;
3. Materials types and specific colors are available on the elevation sheet.
4. The overall design aesthetic and color palette exceeds the current ideals within the FM 150 East Overlay standard for the preferable appearance of the Kyle FM 150 East corridor.

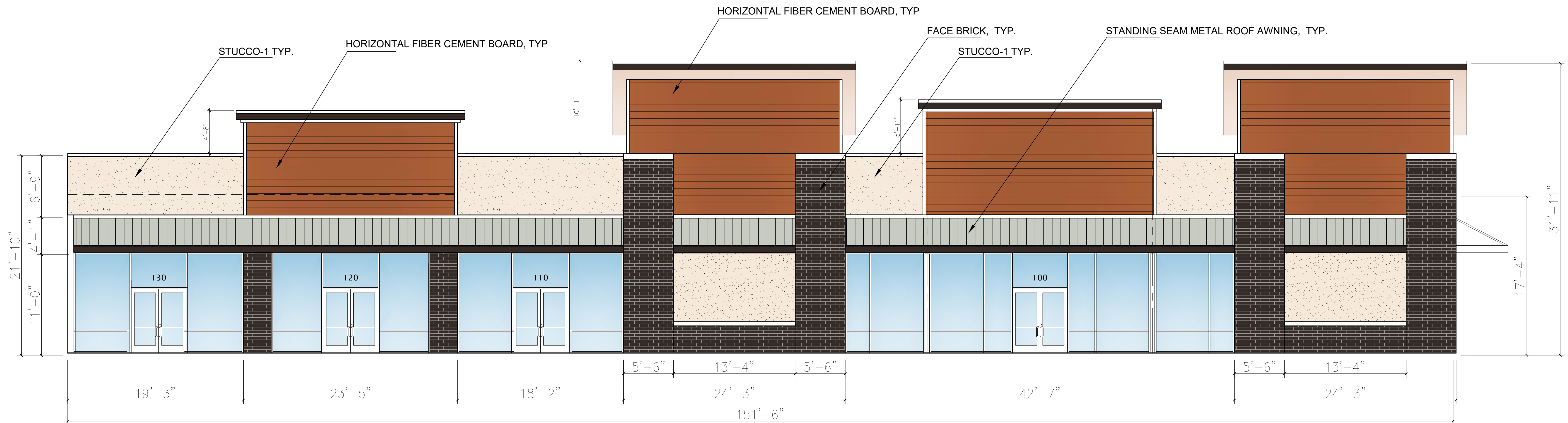
The site plan shown as an exhibit is code compliant, and matches the proposed fuel canopy and building improvements for both the Retail Services zoning district and the FM 150 East Overlay. The building meets and exceeds the requirements for a minimum of 100% masonry facing public ROW (all four sides have significant levels of masonry). The architectural design exceeds requirements in Sec. 53-483.

## **RECOMMENDATION**

Staff has reviewed the color elevations for compliance with the Sec. 53-483 (RS Building Facades) and Sec. 53-892(a)(6) (FM 150 East Overlay District), and the plans are compliant. Staff recommends approval of the conditional use permit (CUP-20-0026).

## **ATTACHMENTS**

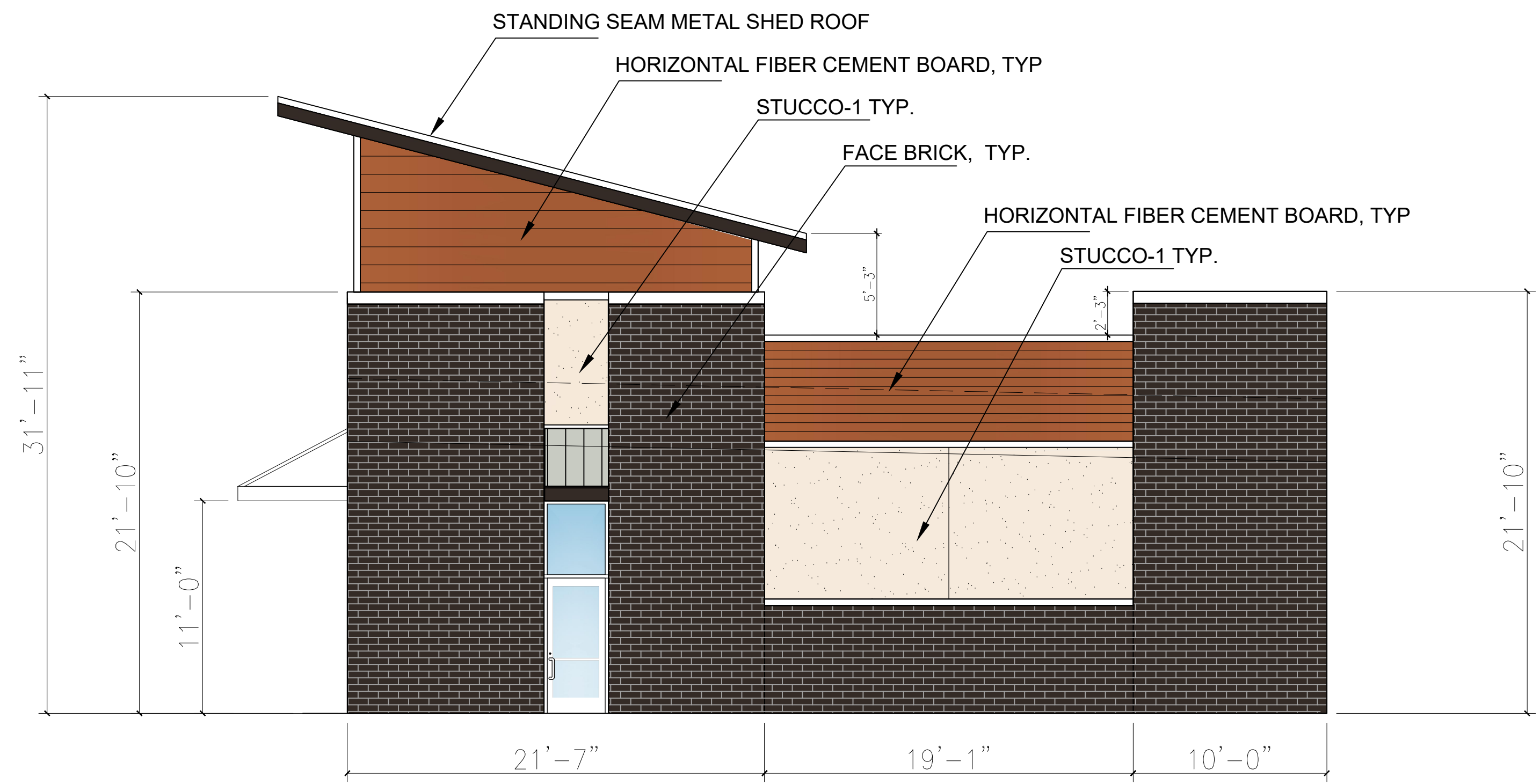
1. Exterior elevations
2. Landscape plan
3. Application submittal



**1 PLAN SOUTH ELEVATION**

3/16" = 1'-0"

NOTE: (PER SEC. 58-483.)  
ALL ROOF SURFACES VISIBLE FROM THE STREET  
SHALL BE SURFACED WITH METAL, CONCRETE,  
CLAY TILE, OR 25-YEAR DIMENSIONAL SHINGLES.



**2 PLAN EAST ELEVATION**

3/16" = 1'-0"

Tchen Architects

1303 ELM FOREST DRIVE  
CEDAR PARK, TEXAS 78613  
512.351.1801  
tchenarch@gmail.com

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written consent of the architect.  
©2019 TCHEN ARCHITECT

GENERAL NOTES:  
1. ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH ALL APPLICABLE LOCAL,  
STATE, AND NATIONAL CODES AND ORDINANCES AND ALL AUTHORITIES HAVING  
JURISDICTION OVER THE PROJECT.  
2. TCHEN ARCHITECTS SHALL NOT BE RESPONSIBLE OR LIABLE FOR ANY BUILDING  
VIOLATIONS OR FOR ANY COSTS INCURRED BY THE OWNER FOR OBTAINING PERMITS  
OR FOR SAFETY, PRECAUTIONS AND PROGRAMS RELATED TO THIS PROJECT.  
3. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE QUALITY OF WORKMANSHIP  
OR FOR THE DURABILITY OF THE PROJECT.  
4. DO NOT SCALE DRAWINGS FOR ANY DIMENSIONS. CONTACT ARCHITECT  
FOR ANY DIMENSIONS.  
5. USE ONLY CITY STAMPED & APPROVED DRAWINGS FOR CONSTRUCTION.

ISSUE DATE 09.21.2019

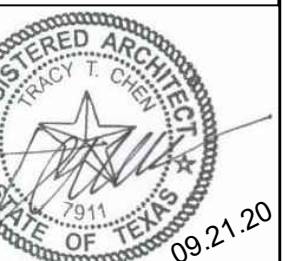
DRAWN BY

CHECKED BY

SCALE AS SHOWN

REVISIONS

I hereby certify that I am a licensed architect  
in the State of Texas, and that these plans  
have been prepared by me, or under my  
direct supervision, and to the best of my  
knowledge conform to applicable state and  
local building codes.



LICENSE NUMBER 7911

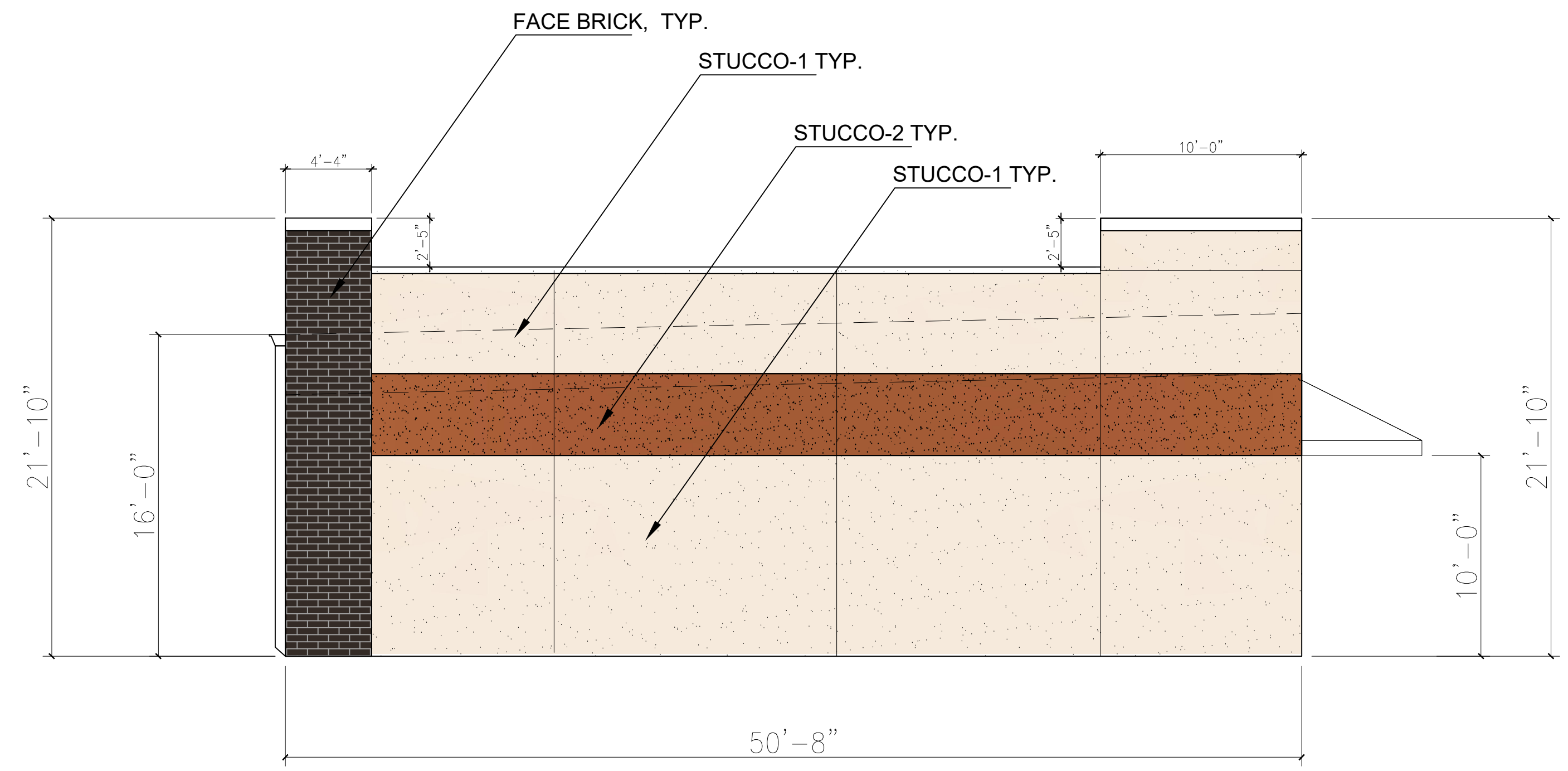
EXPIRATION DATE 01.31.2021

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PROJECT ADDRESS 2709 FM 150  
KYLE, TEXAS  
SHEET TITLE ELEVATIONS

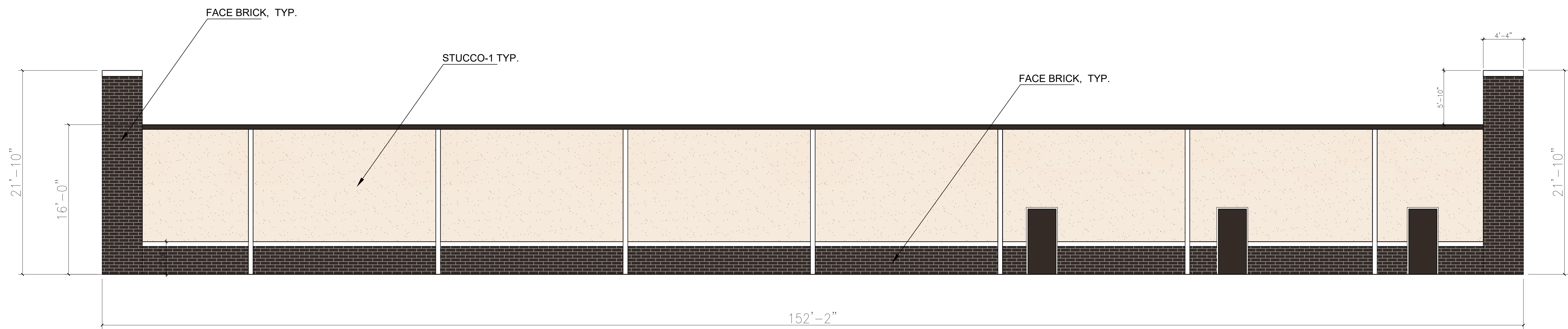
SHEET NUMBER

**A0-2.0**

NOTE: (PER SEC. 58-483.)  
 ALL ROOF SURFACES VISIBLE FROM THE STREET  
 SHALL BE SURFACED WITH METAL, CONCRETE,  
 CLAY TILE, OR 25-YEAR DIMENSIONAL SHINGLES.



**1** PLAN WEST ELEVATION  
 3/16" = 1'-0"



**2** PLAN NORTH ELEVATION  
 3/16" = 1'-0"

Tchen Architects

1303 ELM FOREST DRIVE  
 CEDAR PARK, TEXAS 78613  
 512.351.1801  
 tchenarch@gmail.com

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 herein constitute original and unpublished  
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 duplicated, used, or disclosed without  
 written consent of the architect.  
 ©2019 TCHEN ARCHITECT

GENERAL NOTES:  
 1. ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH ALL APPLICABLE LOCAL,  
 STATE, AND NATIONAL CODES AND ORDINANCE AND ALL AUTHORITIES HAVING  
 JURISDICTION OVER THE PROJECT.  
 2. TCHEN ARCHITECTS SHALL NOT BE RESPONSIBLE OR LIABLE FOR ANY BUILDING  
 OR FOR SAFETY, PRECAUTIONS AND PROGRAMS RELATED TO THIS PROJECT.  
 3. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE QUALITY OF WORKMANSHIP  
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 FOR ANY DIMENSIONS.  
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ISSUE DATE 09.21.2019

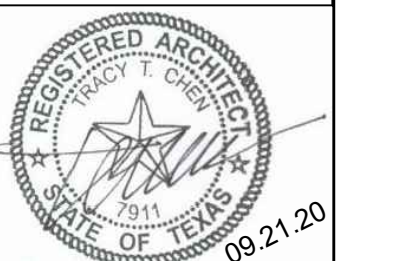
DRAWN BY

CHECKED BY

SCALE AS SHOWN

REVISIONS

I hereby certify that I am a licensed architect  
 in the State of Texas, and that these plans  
 have been prepared by me, or under my  
 direct supervision, and to the best of my  
 knowledge conform to applicable state and  
 the local building codes.



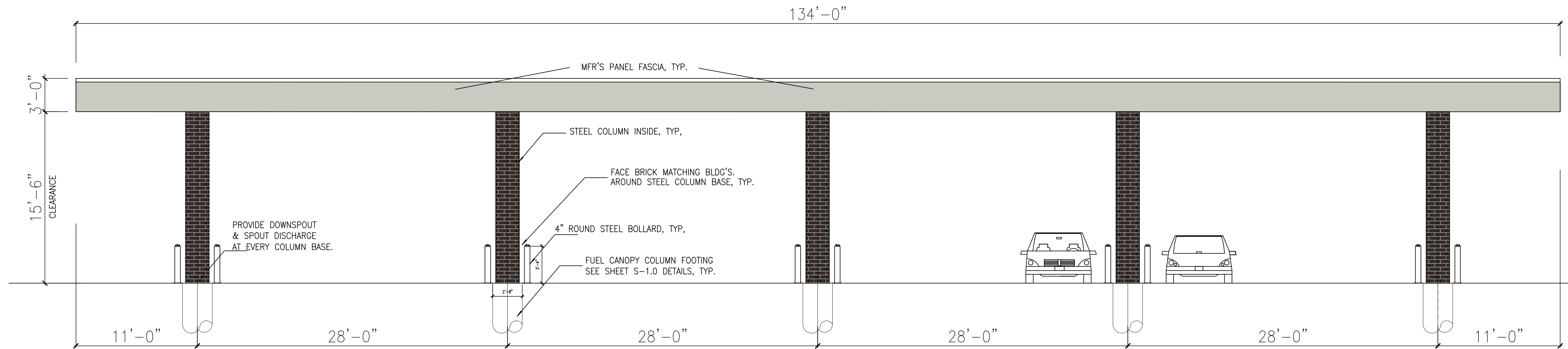
LICENSE NUMBER 7911

EXPIRATION DATE 01.31.2021

PROJECT NAME FM150 RETAIL CENTER  
 PROJECT ADDRESS 2709 FM 150  
 KYLE, TEXAS  
 SHEET TITLE ELEVATIONS

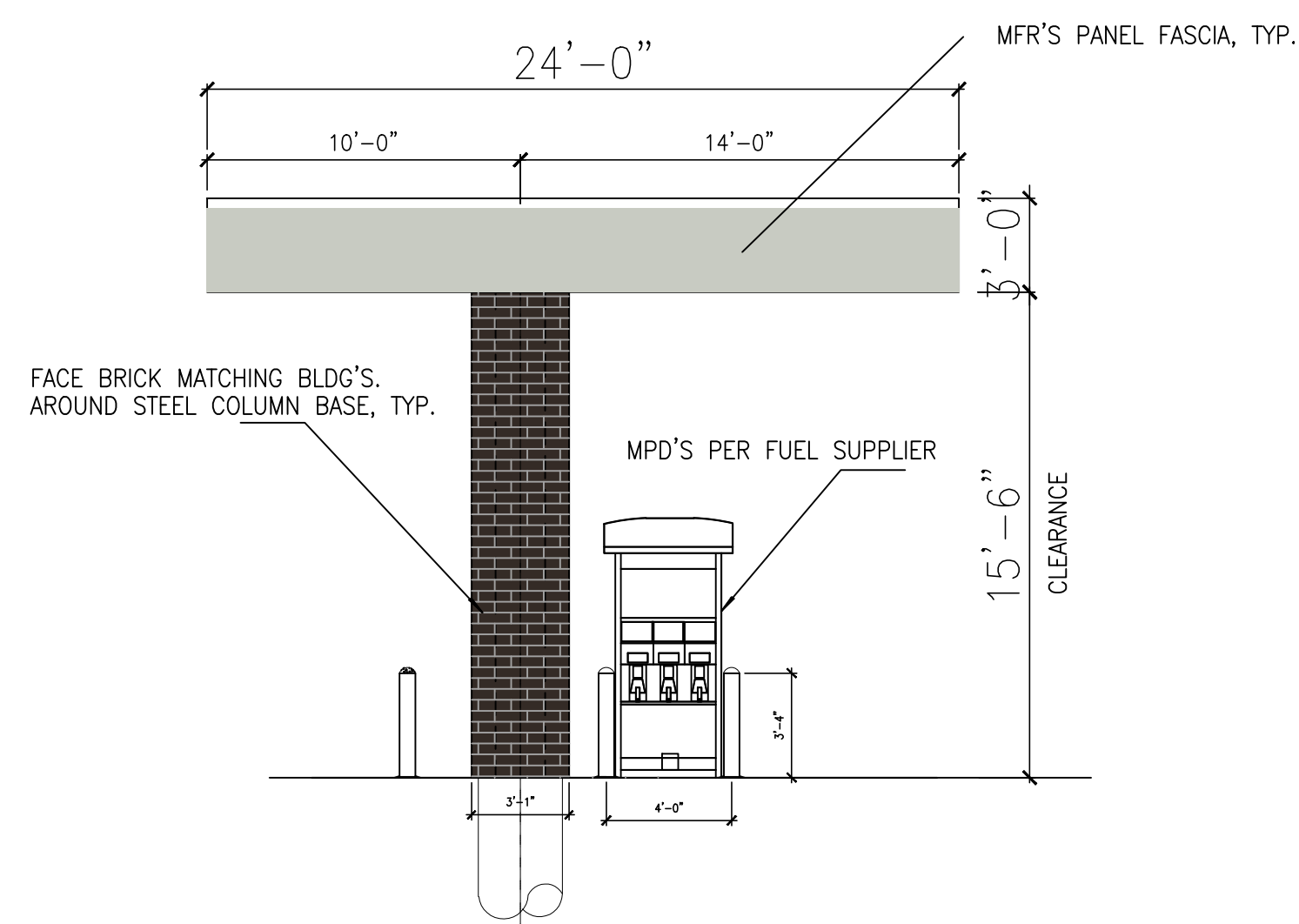
SHEET NUMBER

**A0-2.1**



**1 PLAN SOUTH ELEVATION**

3/16" = 1'-0"



**2 PLAN EAST ELEVATION**

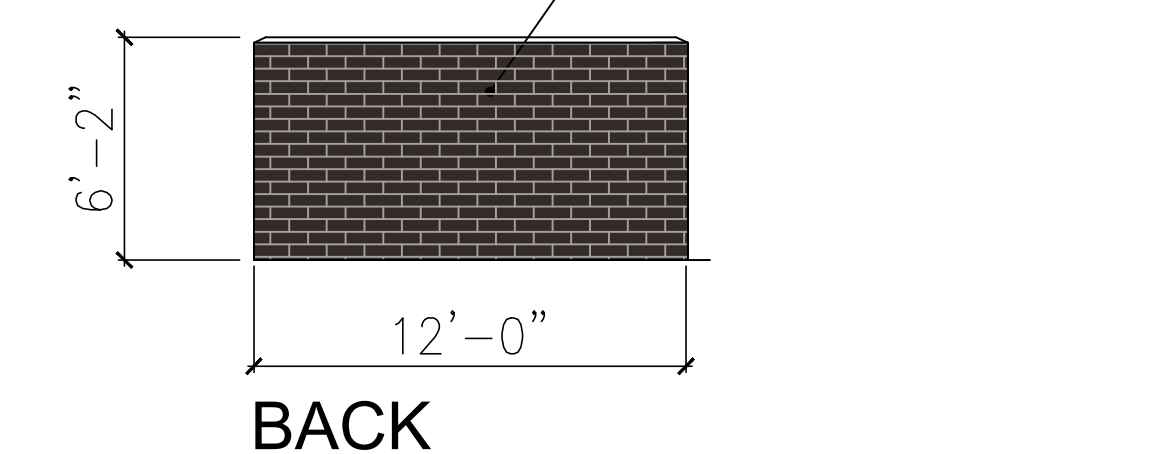
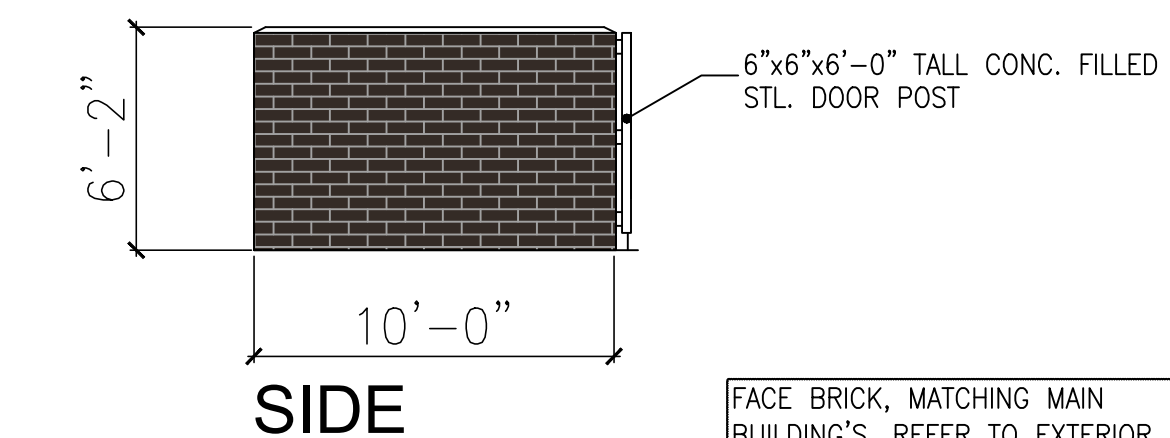
3/16" = 1'-0"

**CANOPY MATERIAL COLORS:**

- 1) FACE BRICK - DARK CHARCOAL COLOR FACE BRICK.
- 2) CANOPY SURFACE - MATCH FUEL BRAND SPECIFICATIONS.

**NOTE: (PER SEC. 58-483.)**

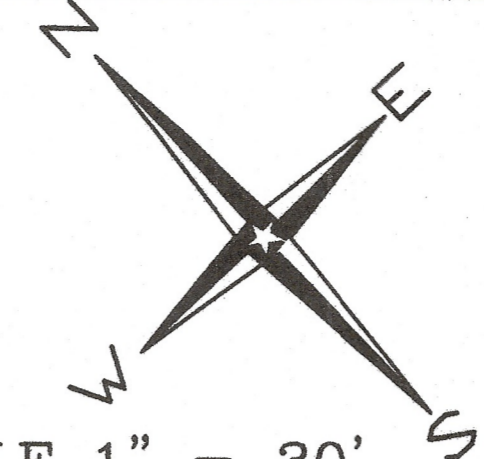
ALL ROOF SURFACES VISIBLE FROM THE STREET SHALL BE SURFACED WITH METAL, CONCRETE, CLAY TILE, OR 25-YEAR DIMENSIONAL SHINGLES.



**3 DUMPSTER ENCLOSURE**

3/16" = 1'-0"

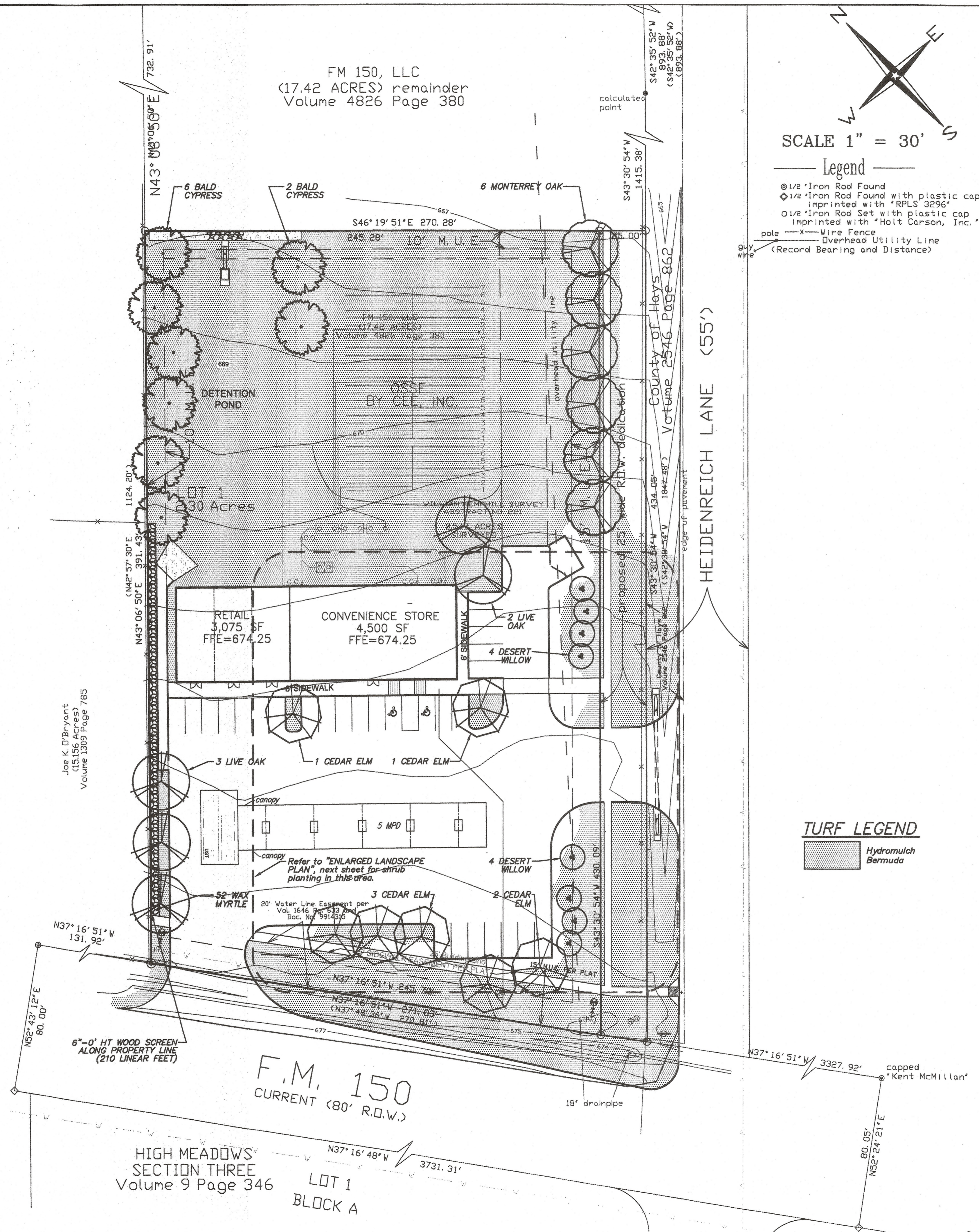
**MHB Landscape Architect**  
 544 military drive - canyon lake, texas 78133  
 ph. (512) 448-0137 fax (830) 935-2704  
 mhbla@gvtc.com



SCALE 1" = 30'

**Legend**

- ⊙ 1/2" Iron Rod Found
- ⊕ 1/2" Iron Rod Found with plastic cap imprinted with "RPLS 3296"
- ⊙ 1/2" Iron Rod Set with plastic cap imprinted with "Holt Carson, Inc."
- Wire Fence
- Overhead Utility Line
- (Record Bearing and Distance)



**TURF LEGEND**



**LANDSCAPE PLAN NOTES**

1. Contractor to verify all site dimensions and layout prior to the commencement of landscape construction. Any discrepancies between the drawings and the actual site conditions shall be brought to the attention of the Owner's Representative immediately.
2. Contractor is responsible for verification of the location all underground utilities. Repair to said utilities as a result of the work of the Contractor shall be the responsibility of the Contractor. **NOTE:** All existing and proposed utilities may not be shown on this plan.
3. Utilities may exist on site that were unknown during the development of this drawing. Contractor to notify the Owner's Representative immediately if the location of any proposed plant material conflicts with any site utility lines including but not limited to manholes, pull boxes, valve boxes, meters, transformers, etc. Do not plant a tree within 20 feet of the above-mentioned structures unless otherwise directed by the drawings. Failure to notify the Owner's Representative of such conflicts will result in the Contractor being responsible in replacing the affected plant material at the Owner's discretion.
4. Contractor is responsible for verification of all plant quantities based on the drawings and actual field conditions. Plant quantities have been provided for estimating purposes only. Contractor shall provide unit prices to the owner in case of any shortages, overages or revisions to the planting design.
5. Contractor shall supply nursery-grown trees (except for ball & burlap as approved by the Landscape Architect), shrubs, and ground covers of species, type and size as specified in the Plant List.
6. All plants shall be legibly labeled true to specified size and variety in accordance with Standardized Plant Names, American Joint Committee on Horticulture. Sizes must be in accordance with the American Association of Nurseryman Standards.
7. Irrigation system installation to be complete (with the exception of tree bubblers if applicable) prior to the installation of any plant material.
8. Contractor to remove all clods, rocks, concrete, trash and any other debris prior to installation of soil mix or plant material.
9. Contractor is responsible for removal of trash and repair of hazardous conditions (tools, open holes, etc.) on a daily basis by the end of the work day.
10. All planting beds shall be separated from turf areas by using 1/8" x 4" x 16" Colmet steel edging. Top steel edging to be flush with or below the surface of the sidewalk or curb.
11. Upon completion of construction and prior to final approval, Contractor shall thoroughly clean the site of all trash, spilled soil, and litter, etc. that has resulted from landscape construction operations. Repair all damage to finish grade including tailings from excavations, wheel ruts, etc. caused from construction.
12. Remove all tags, ribbons and wires from all newly installed plant material upon Owner's authorization.
13. Contractor to replace all materials which are dead, unhealthy, or unsightly (as determined by the Owner) with the cost of replacement to be at the Contractor's expense. Replacement material to be in accordance with the drawings and shall be warranted per the guarantee requirements stated herein.
14. All plant material to be guaranteed to remain alive and in healthy vigorous condition for a period of one year after acceptance by the Owner.
15. Warranty shall not include damage or loss of plants due to acts of God, acts of vandalism or negligence on the part of the Owner.

**LANDSCAPE IRRIGATION NOTE**

All new landscape planting is required to be irrigated. A landscape irrigation permit is required to be obtained from the Building & Permits Department.

**LANDSCAPE CALCULATIONS**

Landscape Area		
	Required	Provided
Total Site Area	N/A	97,701 S.F.
Landscape Area	9,770 S.F.	51,437 S.F.
Tree & Shrubs		
	Required	Provided
Trees (9,770/600 x 2)	33	33
Shrubs (9,770/600 x 4)	64	74

FM 150 GAS STATION  
 2709 E FM 150, KYLE  
 LANDSCAPE PLAN

SHEET NO.  
 13 OF 15



# CITY OF KYLE, TEXAS

## Tree Removal Request (Poco Loco)

Meeting Date: 10/13/2020

Date time: 6:30 PM

**Subject/Recommendation:** Consider a request by Burlison Real Estate LLC to remove an existing 30 inch diameter Cottonwood tree and mitigate it with twenty 3 inch caliber new trees on property located at 1206 N. Burlison Road.

**Other Information:** See attachments.

**Legal Notes:** N/A

**Budget Information:** N/A

---

### ATTACHMENTS:

#### **Description**

- Staff Memo
- Request Letter
- Site Layout
- Landscape Plan



# CITY OF KYLE

## Community Development Department

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### MEMORANDUM

**TO:** Planning & Zoning Commission

**FROM:** William Atkinson – City Planner

**DATE:** Tuesday, October 13, 2020

**SUBJECT:** Consider Removal of Specimen Tree

### REQUEST

The applicant seeks approval to remove a 30-inch caliper Cottonwood tree to construct a 11,643 square foot convenience store with fuel station.

### LOCATION

The property is located at 1206 N. Burleson. The parcel is zoned Community Commercial, and currently has one single-family residence on site. Staff is currently reviewing the site plan for compliance.





## **Sec. 53-12 Trees (c)(9)**

*Specimen tree.* Trees with a diameter of 25 inches or greater, which must be relatively upright, sound, with a solid trunk having no extensive decay; have no more than one major and several minor dead limbs; have no major insect or pathological problems; have no major pruning deficiencies, i.e. topping; and have at least 75 percent of the critical root zone in a natural, undisturbed state.

## **TEXT OF THE ZONING ORDINANCE**

### **Sec. 54-12 Trees (d) Requirements**

(5) All reasonable efforts be made to save specimen trees. ("Reasonable effort" includes alternate building design, building location, parking area layout, parking area location, storm water management and equivalent or similar measures.) The removal of specimen trees, which for the purposes of these requirements are trees with 25-inch diameter or greater, must be specifically approved by the planning and zoning commission prior to any action being taken to remove the tree or to damage or disturb the tree in any way. Any specimen tree that is removed shall be replaced inch-for-inch (a ratio of two-to-one) regardless of the location on the site of the specimen tree. Replacement trees installed as a function of compensation for specimen tree removals are in addition to the minimum required tree density for the site.

## **STAFF ANALYSIS**

The Poco Loco proposed at 1206 N. Burleson is currently in review by city staff (site plan). The site is zoned Community Commercial (fuel station and convenience store are allowed), and the site is platted. The site plan review is step three (3) of four (4). Step four (4) will be review and approval of the building permits by the Building Department.

Chapter 54 of the City of Kyle development code, provides percentages of required landscape area per zoning district, number of trees, shrubs, etc. It also provides for appropriate tree protection requirements. The tree protection ordinance is broken into three (3) major tiers, based on caliper size (diameter of trunk).

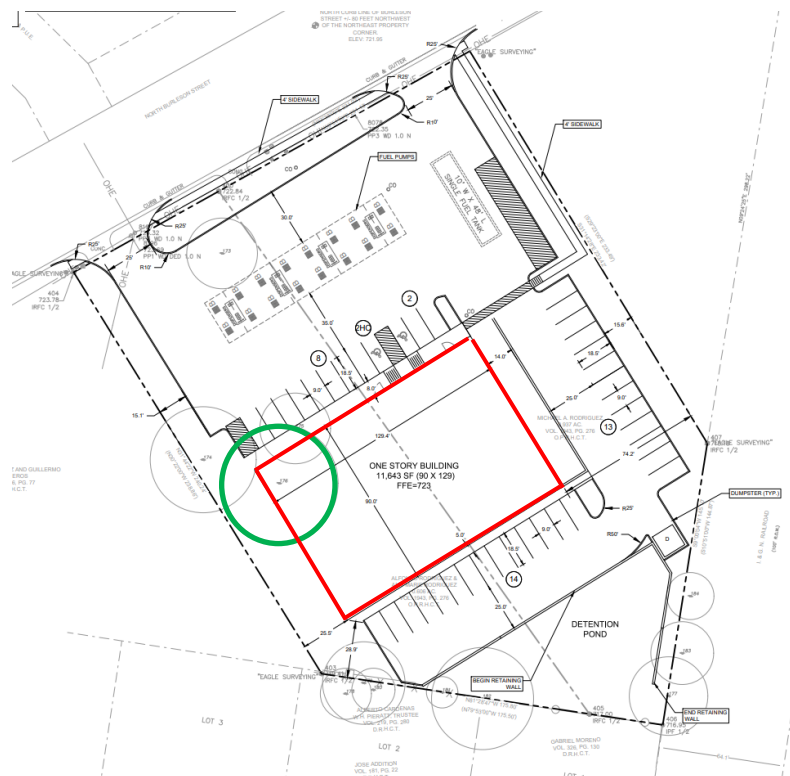
"Tier 1" - Less than 12 caliper inches = No required protection from removal.

"Tier 2" – Between 12 caliper inches and 25 caliper inches = Requires Planning Staff to approve removal and must be replaced with 1.5 caliper inches for every 1 caliper inch removed.

"Tier 3" – Above 25 caliper inches = Requires the Planning & Zoning Commission to approve removal of tree and requires a replacement of 2 caliper inches for every 1 caliper inch removed.

Per the Poco Loco site plan, a thirty (30) inch Cottonwood tree is proposed to be removed (green circle). The building is outlined in red. Staff worked with the developer/civil engineer to incorporate the tree into the site plan, rather than remove it. Due to certain Community Commercial zoning district requirements, parking area requirements limited where the building could be placed on site.

The Community Commercial zoning district requires that 70% of the parking be located behind the front building face. This design is intended to reduce the feel of an automobile centric site design (even for gas stations). At the same time, this requirement pushes the building forward, more than a developer may typically anticipate. For this specific site, this requirement pushes the building footprint into the drip line of the Cottonwood tree. The drip line is the edge of the canopy of the tree, where the widest point of the branches drip water. This is important, because in most cases the root ball of the tree matches the drip line, in diameter.



When working to protect a tree, one will do everything they can to not encroach into the root ball. The root ball helps stabilize the tree and draw nutrients into the tree, and help keep it healthy. When one begins to encroach into the root ball, it damages the tree and exposes it to elements that may sicken it and even causing the tree to die. In the case of the Poco Loco site plan, the building encroachment will require at least 50% of the root ball of the Cottonwood tree to be removed. This, undoubtedly, will cause significant damage to the tree, and likely require removal in the future.

As a mitigation effort, Sec. 54-12(d)(5) requires a replacement of value of 2-inches of tree, for every 1-inch removed. As the Cottonwood is approximately 30 caliper inches, they need to replace it with 60 caliper inches. As the City of Kyle's minimum caliper is 3-inches at time of planting, 20 replacement trees will be required in addition to the required amount



Burleson Real Estate LLC  
1206 N Burleson Street  
Kyle, TX 78640

September 10, 2020

City of Kyle Planning and Zoning Commission  
100 W Center Street  
Kyle, TX 78640

**RE: Tree Mitigation Request**

Dear P&Z Commission,

we are in the process of developing tract at 1206 N Burleson Street. Site layout productivity and efficiency requires removing an existing 30 inch diameter Cottonwood Tree. We have discussed alternative route with City Staff, Design Engineer, and Landscape Architect and decided to mitigate 30 inch Cottonwood with twenty 3" caliber new trees onsite.

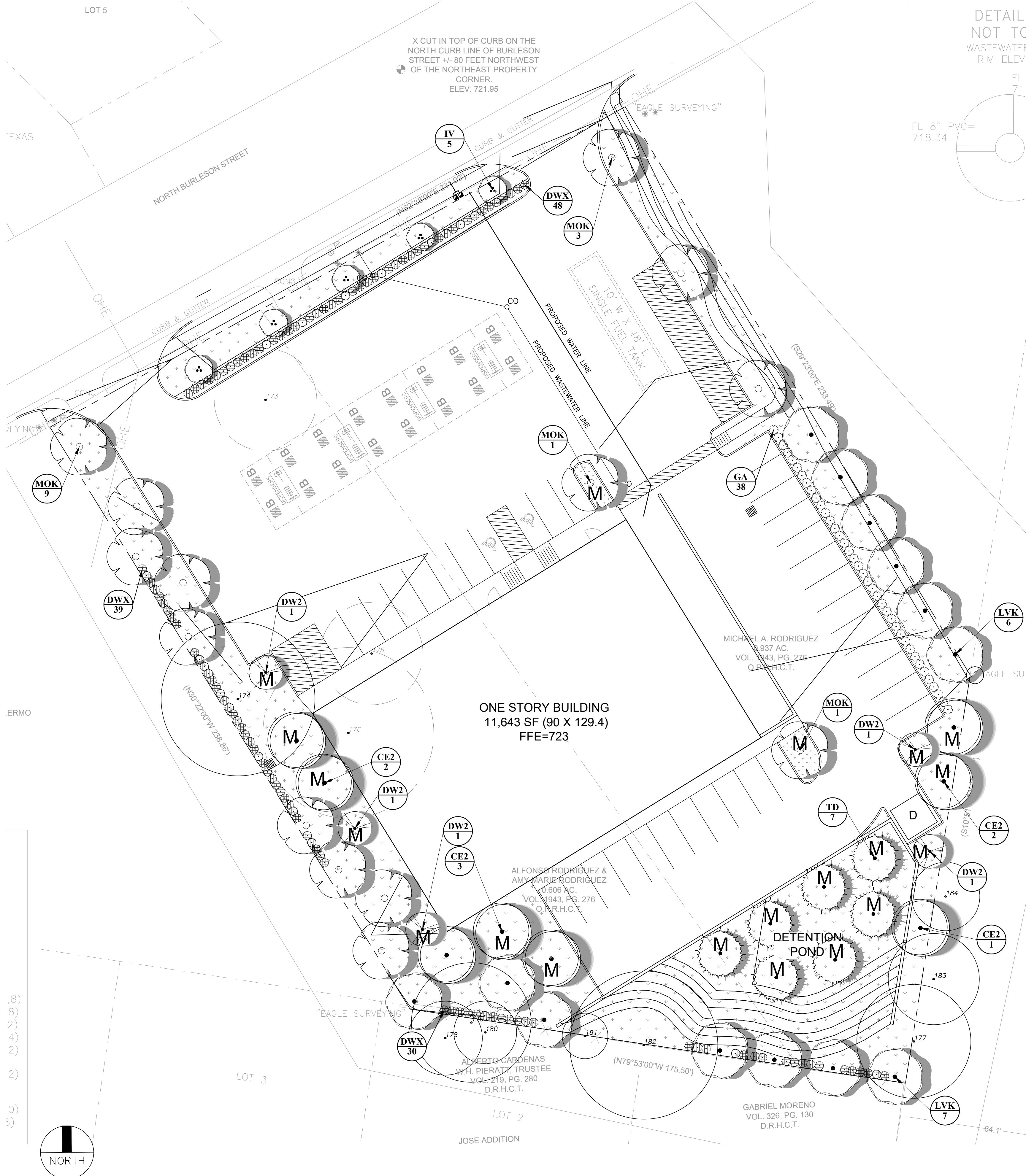
We would like permission to remove existing Cottonwood and mitigate it with twenty 3 inch caliber new trees.

We appreciate your consideration in this matter.

Sincerely,

Burleson Real Estate LLC





PLANT SCHEDULE

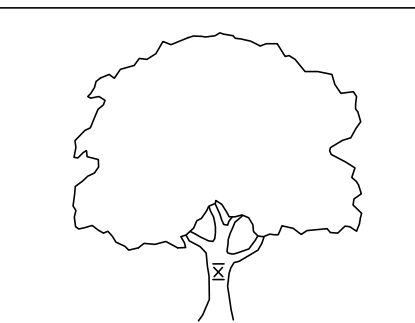
TREES	CODE	COMMON / BOTANICAL NAME	SIZE	CALIPER	QTY
	EX	Existing Tree to Remain			
	EX2	Existing Tree to be Removed			
	DW2	Desert Willow / <i>Chilopsis linearis</i> mitigation tree-not used for other landscape requirements	CONT.	3"Cal	5
	IV	Yaupon Holly / <i>Ilex vomitoria</i> street tree	CONT.	3"Cal	5
	LVK	Live Oak / <i>Quercus virginiana</i> buffer tree	CONT.	3"Cal	13
	MOK	Monterey Oak / <i>Quercus polymorpha</i> "Monterey" buffer tree; 2 trees are for parking lot compliance	CONT.	3"Cal	14
	TD	Bald Cypress / <i>Taxodium distichum</i> mitigation tree-not used for other landscape requirements	CONT.	3"Cal	7
	CE2	Cedar Elm / <i>Ulmus crassifolia</i> mitigation tree-not used for other landscape requirements	CONT.	3"Cal	8
SHRUBS	CODE	COMMON / BOTANICAL NAME	SIZE	QTY	
	GA	Glossy Abelia / <i>Abelia grandiflora</i> 36" o.c.	3 gal	38	
	DWX	Dwarf Wax Myrtle / <i>Mycna pusilla</i> 36" o.c.	3 gal	117	
GROUND COVERS	CODE	COMMON / BOTANICAL NAME	SIZE	QTY	
	BG	Bermuda Grass / <i>Cynodon dactylon</i>	hydro	17,769 sf	

GENERAL PLANTING NOTES

- THE GENERAL CONTRACTOR IS RESPONSIBLE FOR REMOVING ALL EXISTING VEGETATION (EXCEPT WHERE NOTED TO REMAIN). BEFORE STARTING WORK, THE LANDSCAPE CONTRACTOR SHALL VERIFY THAT THE GRADE OF ALL LANDSCAPE AREAS ARE WITHIN +/-.0.1' OF FINISH GRADE. THE LANDSCAPE CONTRACTOR SHALL NOTIFY THE OWNER IMMEDIATELY SHOULD ANY DISCREPANCIES EXIST. SEE SPECIFICATIONS FOR MORE DETAILED INSTRUCTION ON TURF AREA AND PLANTING BED PREPARATION.
- CONSTRUCT AND MAINTAIN FINISH GRADES IN LANDSCAPE AREAS AS SHOWN ON GRADING PLANS, AND CONSTRUCT AND MAINTAIN SLOPES AS RECOMMENDED BY THE GEOTECHNICAL REPORT. ALL LANDSCAPE AREAS SHALL HAVE POSITIVE DRAINAGE AWAY FROM STRUCTURES AT THE MINIMUM SLOPE SPECIFIED IN THE REPORT, AND AREAS OF POTENTIAL PONDING SHALL BE REGRADED TO BLEND WITH THE SURROUNDING GRADES AND ELIMINATE PONDING POTENTIAL. SHOULD ANY CONFLICTS AND/OR DISCREPANCIES ARISE BETWEEN THE GRADING PLANS, GEOTECHNICAL REPORT, THESE NOTES, AND ACTUAL CONDITIONS, THE CONTRACTOR SHALL IMMEDIATELY BRING SUCH ITEMS TO THE ATTENTION OF THE LANDSCAPE ARCHITECT, GENERAL CONTRACTOR, AND OWNER.
- ENSURE THAT THE GRADE IN SHRUB AREAS SHALL BE 3" BELOW FINISH GRADE AFTER INSTALLING SOIL AMENDMENTS, AND 1" BELOW FINISH GRADE IN SOD AREAS AFTER INSTALLING SOIL AMENDMENTS. MULCH COVER WITHIN 6" OF CONCRETE WALKS AND CURBS SHALL NOT PROTRUDE ABOVE THE FINISH SURFACE OF THE WALKS AND CURBS. MULCH COVER WITHIN 12" OF WALLS SHALL BE AT LEAST 3" LOWER THAN THE TOP OF WALL.
- INSTALL 5 OUNCE, WOVEN, NEEDLE-PUNCHED POLYPROPYLENE FABRIC (D&WITT "PRO-5" OR EQUAL) UNDER ALL MULCHED AREAS AND INDIVIDUAL TREE RINGS.
- INSTALL MULCH TOPDRESSING, TYPE AND DEPTH PER MULCH NOTE, IN ALL PLANTING BEDS AND TREE RINGS. DO NOT INSTALL MULCH WITHIN 6" OF TREE ROOT FLARE.
- INSTALL 14G, GREEN STEEL EDGING BETWEEN ALL PLANTING BEDS AND TURF AREAS, AND BETWEEN GROUNDCOVERS AND OTHER PLANTS (WHERE INDICATED ON THE PLAN).
- HYDROMULCH ALL DISTURBED AREAS OUTSIDE OF PROPERTY LIMITS (UNLESS SHOWN AS SOD).
- ALL PLANT LOCATIONS ARE DIAGRAMMATIC. ACTUAL LOCATIONS SHALL BE VERIFIED WITH THE LANDSCAPE ARCHITECT OR DESIGNER PRIOR TO PLANTING. THE LANDSCAPE CONTRACTOR SHALL ENSURE THAT ALL REQUIREMENTS OF THE PERMITTING AUTHORITY ARE MET (I.E., MINIMUM PLANT QUANTITIES, PLANTING METHODS, TREE PROTECTION METHODS, ETC.).
- THE LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR DETERMINING PLANT QUANTITIES; PLANT QUANTITIES SHOWN ON LEGENDS AND CALLOUTS ARE FOR GENERAL INFORMATION ONLY. IN THE EVENT OF A DISCREPANCY BETWEEN THE PLAN AND THE PLANT LEGEND, THE PLANT QUANTITY AS SHOWN ON THE PLAN (FOR INDIVIDUAL SYMBOLS) OR CALLOUT (FOR GROUNDCOVER PATTERNS) SHALL TAKE PRECEDENCE.
- NO SUBSTITUTIONS OF PLANT MATERIALS SHALL BE ALLOWED WITHOUT THE WRITTEN PERMISSION OF THE LANDSCAPE ARCHITECT. IF SOME OF THE PLANTS ARE NOT AVAILABLE, THE LANDSCAPE CONTRACTOR SHALL NOTIFY THE LANDSCAPE ARCHITECT IN WRITING (VIA PROPER CHANNELS).
- PLANTS MAY BE INSPECTED AND APPROVED OR REJECTED ON THE JOBSITE BY THE OWNER OR OWNER'S REPRESENTATIVE.
- THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL WORK SHOWN ON THESE PLANS FOR 90 DAYS BEYOND FINAL ACCEPTANCE OF ALL LANDSCAPE WORK BY THE OWNER. LANDSCAPE MAINTENANCE SHALL INCLUDE WEEKLY SITE VISITS FOR THE FOLLOWING ACTIONS (AS APPROPRIATE): PROPER PRUNING, RESTAKING OF TREES, RESETTLING OF PLANTS THAT HAVE SETTLED, MOWING AND AERATION OF LAWNS, WEEDING, RESEEDING AREAS WHICH HAVE NOT GERMINATED WELL, TREATING FOR INSECTS AND DISEASES, REPLACEMENT OF MULCH, REMOVAL OF LITTER, REPAIRS TO THE IRRIGATION SYSTEM DUE TO FAULTY PARTS AND/OR WORKMANSHIP, AND THE APPROPRIATE WATERING OF ALL PLANTINGS. THE LANDSCAPE CONTRACTOR SHALL MAINTAIN THE IRRIGATION SYSTEM IN PROPER WORKING ORDER, WITH SCHEDULING ADJUSTMENTS BY SEASON TO MAXIMIZE WATER CONSERVATION.
- SHOULD SEEDED AND/OR SODDED AREAS NOT BE COVERED BY AN AUTOMATIC IRRIGATION SYSTEM, THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR WATERING THESE AREAS AND OBTAINING A FULL STAND OF GRASS AT NO ADDITIONAL COST TO THE OWNER.
- TO ACHIEVE FINAL ACCEPTANCE AT THE END OF THE MAINTENANCE PERIOD, ALL OF THE FOLLOWING CONDITIONS MUST OCCUR:
  - THE LANDSCAPE SHALL SHOW ACTIVE, HEALTHY GROWTH (WITH EXCEPTIONS MADE FOR SEASONAL DORMANCY). ALL PLANTS NOT MEETING THIS CONDITION SHALL BE REJECTED AND REPLACED BY HEALTHY PLANT MATERIAL PRIOR TO FINAL ACCEPTANCE.
  - ALL HARDSCAPE SHALL BE CLEANED PRIOR TO FINAL ACCEPTANCE.
  - SODDED AREAS MUST BE ACTIVELY GROWING AND MUST REACH A MINIMUM HEIGHT OF 1 1/2 INCHES BEFORE FIRST MOWING. HYDROMULCHED AREAS SHALL SHOW ACTIVE, HEALTHY GROWTH. BARE AREAS LARGER THAN TWELVE SQUARE INCHES MUST BE RESEDED OR RESEEDED (AS APPROPRIATE) PRIOR TO FINAL ACCEPTANCE. ALL SODDED TURF SHALL BE NEATLY MOWED.
- ENSURE A MINIMUM OF 3' CLEARANCE AROUND ALL FIRE HYDRANTS.
- SEE SPECIFICATIONS AND DETAILS FOR FURTHER REQUIREMENTS.

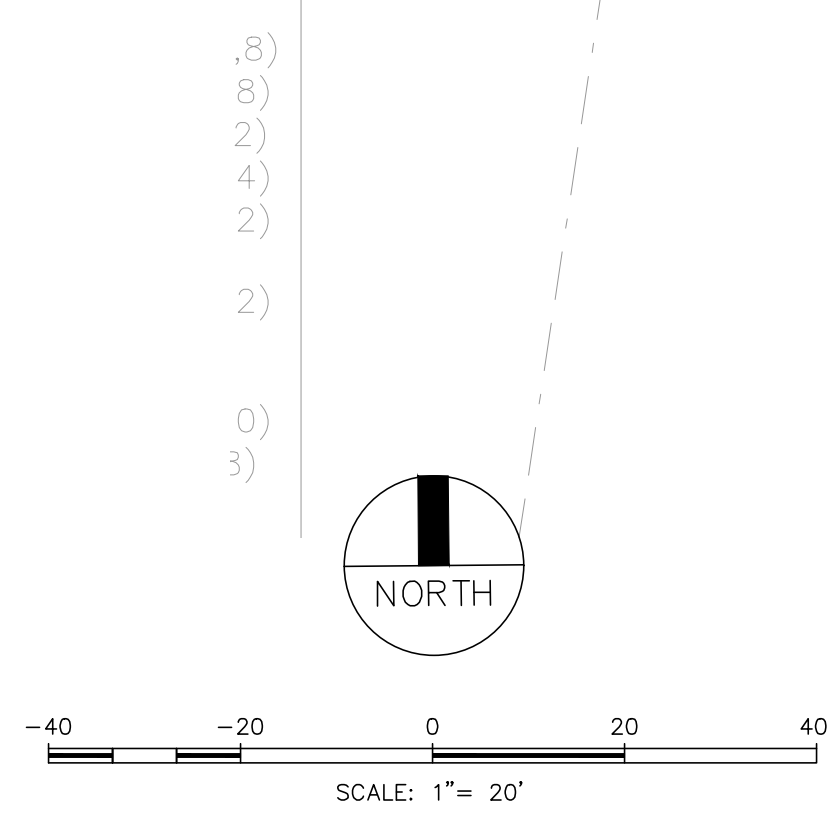
LANDSCAPE REQUIREMENTS - KYLE, TEXAS

SITE AREA:	67,201 SF
REQUIRED LANDSCAPE AREA:	16,800 SF (25%)
PROVIDED LANDSCAPE AREA:	19,001 SF (28%)
LANDSCAPE AREA REQUIREMENTS:	10 TREES REQUIRED 30 TREES PROVIDED 30 SHRUBS REQUIRED 155 SHRUBS PROVIDED
* DOES NOT INCLUDE MITIGATION TREES	
TOTAL TREES PROVIDED:	52 TREES
MINIMUM UNDERSTORY:	13 TREES (25%)
UNDERSTORY PROVIDED:	10 TREES (19%)
BUFFERYARDS:	7 TREES REQUIRED 7 TREES PROVIDED 30 SHRUBS REQUIRED 30 SHRUBS PROVIDED
SOUTHERN @ 175LF =	10 TREES REQUIRED 10 TREES PROVIDED 39 SHRUBS REQUIRED 39 SHRUBS PROVIDED
WESTERN @ 245LF =	9 TREES REQUIRED 9 TREES PROVIDED 38 SHRUBS REQUIRED 38 SHRUBS PROVIDED
EASTERN @ 235LF =	9 TREES REQUIRED 9 TREES PROVIDED 38 SHRUBS REQUIRED 38 SHRUBS PROVIDED



TREE LIST

TAG#	DESC.	DIA.
173	LIVE OAK	18M (10,8,8)
174	PECAN	27M (19,18)
175	LIVE OAK	18M (12,12)
176	COTTONWOOD	30M (23,14)
177	HACKBERRY	20M (14,12)
178	HACKBERRY	13
179	HACKBERRY	21M (15,12)
180	HACKBERRY	11
181	HACKBERRY	8
182	HACKBERRY	26M (21,10)
183	HACKBERRY	16M (8,8,8)
184	HACKBERRY	12M (9,6)
"M" DENOTES MULTI-TRUNK		



REVISIONS:	NO.	DATE	BY	DESCRIPTION

**POCO-LOCO SUPERMERCADO**  
1206 N BURLESON STREET KYLE, TX 78620  
LANDSCAPE PLANTING

**TERRA STUDIOS**  
LANDSCAPE ARCHITECTURE  
(512) 496-4989 - daniel.reece@gmail.com



**LP1**



# CITY OF KYLE, TEXAS

Discussion only regarding Planning and Zoning Commission request for future agenda items.

**Meeting Date: 10/13/2020**  
**Date time: 6:30 PM**

**Subject/Recommendation:** Discussion only regarding Planning and Zoning Commission request for future agenda items.

**Other Information:**

**Legal Notes:**

**Budget Information:**

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**ATTACHMENTS:**

**Description**

No Attachments Available



# CITY OF KYLE, TEXAS

Staff Report by Howard J. Koontz

Meeting Date: 10/13/2020

Date time: 6:30 PM

**Subject/Recommendation:** Staff Report by Howard J. Koontz, Director of Planning and Community Development.

**Other Information:**

**Legal Notes:**

**Budget Information:**

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**ATTACHMENTS:**

**Description**

No Attachments Available