CITY OF KYLE

PLANNING & ZONING COMMISSION REGULAR MEETING



Kyle City Hall, 100 W. Center Street, Kyle, TX 78640 The public can watch remotely at: Spectrum 10; https://www.cityofkyle.com/kyletv/kyle-10-live. One or more members of the governing body may participate in the meeting by videoconference pursuant to Section 551.127, Texas Government Code, provided that a quorum of the governing body will be present at Kyle City Hall.

Notice is hereby given that the Planning and Zoning Commission of the City of Kyle, Texas will meet at 6:30 PM on October 12, 2021, at Kyle City Hall, 100 W. Center Street, Kyle, TX 78640, 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.

Post this 8th day of October, 2021, prior to 6:30 pm

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

A.Planning and Zoning Commission Meeting Minutes - August 24, 2021 (special called meeting and workshop), and September 14, 2021 (regular meeting).

4. Citizen Comments

A.Citizen Comment Period. The Planning and Zoning Commission welcomes comments from Citizens early in the agenda of regular meetings. Speakers are provided with an opportunity to speak during this time period on any agenda item or any other matter concerning city business, and they must observe the three-minute time limit. Members of the public that wish to provide citizen comment have the following options:

• In-Person at Kyle City Hall, 100 W. Center Street

5. Consent

A.Kyle Towne Center Replat of Lots 6, 14, 15, 16, 17, 19, 20 & 21 (SUB-21-0213) 28.399 acres; 6 commercial lots for property located in Kyle Towne Center.

Staff Proposal to P&Z: Approve the Replat.

6. Consider and Possible Action

- A.CTX Park Final Plat (SUB-21-0192) 1.105 acres; 1 commercial lot for property located at 1850 Goforth Road.
- B. Consider a request by Garofolo Properties, LLC to construct an approximately 1,650 square foot drive thru car wash, associated dumpster enclosure and site plan for property located at 1051 E. FM 150, within the FM 150 East overlay district. (Scrubs Car Wash CUP-21-0033)

7. General Discussion

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

8. Staff Report

A.Staff Report by William Atkinson, City Planner.

9. Adjournment



CITY OF KYLE, TEXAS

Minutes

Meeting Date: 10/12/2021 Date time:6:30 PM

Subject/Recommendation: Planning and Zoning Commission Meeting Minutes - August 24, 2021 (special called

meeting and workshop), and September 14, 2021 (regular meeting).

Other Information: See attached.

Legal Notes: N/A

Budget Information: N/A

ATTACHMENTS:

Description

- ☐ August 24, 2021 Special Called Meeting
- ☐ August 24, 2021 Workshop
- ☐ September 14, 2021 Regular Meeting

SPECIAL CALLED MEETING OF THE PLANNING AND ZONING COMMISSION

The Planning and Zoning Commission of the City of Kyle, Texas met in a special called meeting on August 24, 2021, at 6:30 P.M. in a hybrid setting with the following people present:

Madam Chair, Michele Christie
Vice-Chair, Alex Guerra
Commissioner, Paul Scheibmeir (Virtual)
Commissioner, Patricia Snidow
Commissioner, Matt Chase
Commissioner, Brandon James
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 a roll call. Commissioners McCall 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 citizens comment period at 6:30 P.M.

CONSIDER AND POSSIBLE ACTION

CONSIDER A REQUEST FOR A COMPREHENSIVE PLAN AMENDMENT TO ADD WAREHOUSE 'W' AND CONSTRUCTION MANUFACTURING 'CM' ZONING DISTRICTS TO THE 'REGIONAL NODE' LAND USE DISTRICT IN THE COMPREHENSIVE PLAN, IN THE CITY OF KYLE, TEXAS. (CARAWAY CATTLE CO. FAMILY PARTNERSHIP – Z-21-0087)

Madam Chair Christie opened the public hearing at 6:31 P.M. and called for comments. There were no comments. Madam Chair Christie closed the public hearing at 6:31 P.M.

Commissioner Scheibmeir moved to approve with the condition that it is added as conditional within the comprehensive plan. Vice-Chair Guerra seconds the motion. All votes aye. Motion carried.

ADJOURN

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

The Planning and Zoning Commission spo	ecial called meeting adjourned at 6:47 P.M.
Prepared by Debbie A. Guerra	Madam Chair Michele Christie

WORKSHOP MEETING OF THE PLANNING AND ZONING COMMISSION

The Planning and Zoning Commission of the City of Kyle, Texas met in a workshop meeting on August 24, 2021, at 6:35 P.M. hybrid meeting with the following people present:

Madam Chair, Michele Christie Vice-Chair, Alex Guerra Commissioner, Paul Scheibmeir Commissioner, Brandon James Commissioner, Patricia Snidow Commissioner, Matthew Chase

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 6:48 P.M.

ROLL CALL OF COMMISSION

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

CITIZENS COMMENTS

Madam Chair Christie opened the citizens comment period at 6:48 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 6:48 P.M.

GENERAL DISCUSSION

DISCUSSION REGARDING CODE CHANGES TO SEC. 11-176, SECTION 11-177, SECTION 41-136, SECTION 53-33 (CHART 4), SECTION 53-143 AND PROVIDE DIRECTION TO STAFF TO PURSUE CODE AMENDMENTS.

Discussion only.

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

Coordinating with the Communication's Department relating to workshop/public hearings for the Future Land Use Map.

Feedback regarding in-person / hybrid meetings for P&Z.

ADJOURN

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

The Planning and Zoning Commission work	ashop meeting adjourned at 8:17 P.M.
Prepared by Debbie A. Guerra	Madam Chair Michele Christie

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 14, 2021, at 6:30 P.M. in a hybrid setting with the following people present:

Madam Chair, Michele Christie Vice-Chair, Alex Guerra Commissioner, Paul Scheibmeir (Virtual) Commissioner, Patricia Snidow Commissioner, Matt Chase Commissioner, Brandon James 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 a roll call. Commissioners McCall was absent.

MINUTES

PLANNING AND ZONING COMMISSION MINUTES – JULY 27, 2021, AND AUGUST 10, 2021.

Vice-Chair Guerra moved to approve the minutes. Commissioner Chase seconds the motion. All votes' aye. Motion carried.

CITIZENS COMMENTS

Madam Chair Christie opened the citizens comment period at 6:31 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 citizens comment period at 6:31 P.M.

CONSENT

PLUM CREEK PHASE 2, SECTION 3&4 PRELIMINARY PLAN (SUB-21-0183) 155.04 ACRES; 399 SINGLE FAMILY LOTS AND 24 OPEN SPACE LOTS FOR PROPERTY LOCATED OFF OF FM 2770 AND KOHLER'S CROSSING.

KOHLER'S CROSSING LOTS 1-4 – PRELIMINARY PLAN (SUB-21-0193) 15.499 ACRES; 4 LOTS FOR PROPERTY LOCATED AT 2600 KOHLER'S.

Commissioner Chase moved to approve the consent agenda. Commissioner James seconds the motion. All votes' aye. Motion carried.

ZONING

CONSIDER A REQUEST BY RPC KYLE, LLC AND KYLE 120 LLC (Z-21-0088) TO ASSIGN ORIGINAL ZONING TO APPROXIMATELY 318 TOTAL ACRES (PUD ZONING – 256 ACRES TO SINGLE FAMILY ATTACHED 'R-1-A' (43.92 TO APARTMENTS RESIDENTIAL-3 'R-3-3') (18.38 ACRES TO RETAIL SERVICE DISTRICT 'RS') FOR PROPERTY LOCATED AT 700 BUNTON LANE AND 800 BUNTON LANE, IN HAYS COUNTY, TEXAS.

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

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

CONSIDER AND POSSIBLE ACTION

CONSIDER A REQUEST TO CONSTRUCT APPROXIMATELY 7,620 SQUARE FOOT CONVENIENCE STORE, ASSOCIATED FUEL PUMPS & CANOPY AND A 3,900 SQUARE FOOT CARWASH FOR PROPERTY LOCATED AT 1805 W. FM 150 WITHIN THE REBEL DRIVE OVERLAY DISTRICT. (OLD STAGECOACH C-STORE – CUP-21-0034)

Commissioner Chase moved to approve the request and give City staff authority to approve the fuel canopy. Commissioner Snidow seconds the motion. All votes aye. Motion carried.

CONSIDER A REQUEST TO CONSTRUCT APPROXIMATELY 15,000 SQUARE FOOT PET PARADISE FACILTIY, A BUSINESS THAT OFFERES LUXURY PET BOARDING, GROOMING, DAY CAMP AND VETERINARY CARE LOCATED AT 2361 KOHLER'S CROSSING WITHIN THE I-35 OVERLAY DISTRICT. (PET PARADISE – CUP-21-0034)

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

GENERAL DISCUSSION

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

Vice-Chair Guerra would like to see a zoning overlay name change from Rebel Dr. To Veterans Drive.

STAFF REPORT

STAFF REPORT BY WILLIAM ATKINSON, CITY PLANNER.

Howard J. Koontz's last day with the City of Kyle was on September 10th.

Mr. Atkinson asked the Commission to let him know if anyone would like to attend the APA conference this fall in Ft. Worth.

Working with Administration regarding Comprehensive Plan.

Madam Chair Christie addressed the Commission and Staff by giving her resignation to the Planning and Zoning Commission.

ADJOURN

With no further business to discuss, Comm Snidow seconds the motion. All votes' aye	missioner James moved to adjourn. Commissioner e. Motion carried.
The Planning and Zoning Commission reg	gular called meeting adjourned at 7:46 P.M.
Prepared by Debbie A. Guerra	Madam Chair Michele Christie



CITY OF KYLE, TEXAS

Citizen Comment Information

Meeting Date: 10/12/2021 Date time:6:30 PM

Subject/Recommendation: Citizen Comment Period. The Planning and Zoning Commission welcomes comments from Citizens early in the agenda of regular meetings. Speakers are provided with an opportunity to speak during this time period on any agenda item or any other matter concerning city business, and they must observe the three-minute time limit. Members of the public that wish to provide citizen comment have the following options:

• In-Person at Kyle City Hall, 100 W. Center Street

Other Information:	
Legal Notes:	
Budget Information:	

ATTACHMENTS: Description

No Attachments Available



CITY OF KYLE, TEXAS

Kyle Towne Center Replat of Lots 6, 14, 15, 16, 17, 19, 20 & 21 (SUB-21-0213)

Meeting Date: 10/12/2021 Date time:6:30 PM

Subject/Recommendation: Kyle Towne Center Replat of Lots 6, 14, 15, 16, 17, 19, 20 & 21 (SUB-21-0213) 28.399

acres; 6 commercial lots for property located in Kyle Towne Center.

Staff Proposal to P&Z: Approve the Replat.

Other Information: See attached.

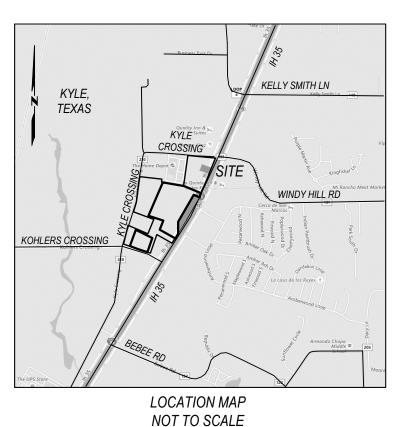
Legal Notes: N/A

Budget Information: N/A

ATTACHMENTS:

Description

□ Replat



135 KYLE CROSSING LOT 6. LTD., A TEXAS LIMITED PARTNERSHIP 135 KYLE CROSSING LOT 15, LTD., A TEXAS LIMITED PARTNERSHIP 135 KYLE CROSSING LOT 16, LTD., A TEXAS LIMITED PARTNERSHIP 135 KYLE CROSSING LOT 19, LTD., A TEXAS LIMITED PARTNERSHIP 135 KYLE CROSSING LOT 20, LTD., A TEXAS LIMITED PARTNERSHIP 135 KYLE CROSSING LOT 21, LTD., A TEXAS LIMITED PARTNERSHIP

DEVELOPER: 135 KYLE CROSSING LTD. 500 W 5TH ST. AUSTIN, TX 78701

ACREAGE: 28.399 ACRES

SURVEY: THOMAS G. ALLEN SURVEY NO. 1, ABSTRACT NO. 26, HAYS CO., TX

TOTAL LOTS: 6

USE: RESTAURANT / RETAIL

DATE: SEPTEMBER 20, 2021

SURVEYOR: TOMMY P. WATKINS, R.P.L.S. CUNNINGHAM-ALLEN, INC. 3103 BEE CAVE ROAD, STE. 202 AUSTIN, TEXAS 78746 512-327-2946 O 512-327-2973 F

ENGINEER: RICHARD G. COUCH, P.E. CUNNINGHAM-ALLEN, INC. 3103 BEE CAVE ROAD, STE. 202 AUSTIN, TEXAS 78746 512-327-2973 F 512-327-2946 O

SURVEYOR'S NOTES:

BEARINGS ARE BASED ON THE TEXAS COORDINATE SYSTEM OF 1983, SOUTH CENTRAL ZONE (NAD_83 (2011)).

ALL EASEMENTS OF WHICH THE SURVEYOR IS AWARE ARE EITHER SHOWN OR NOTED ON THIS FINAL PLAT.

ADJOINER INFORMATION NOTED HEREON WAS OBTAINED FROM HAYS COUNTY CENTRAL APPRAISAL DISTRICT CURRENT APPRAISAL DISTRICT MAPS.

THIS SUBDIVISION LIES WITHIN THE CORPORATE LIMITS OF THE CITY OF KYLE.

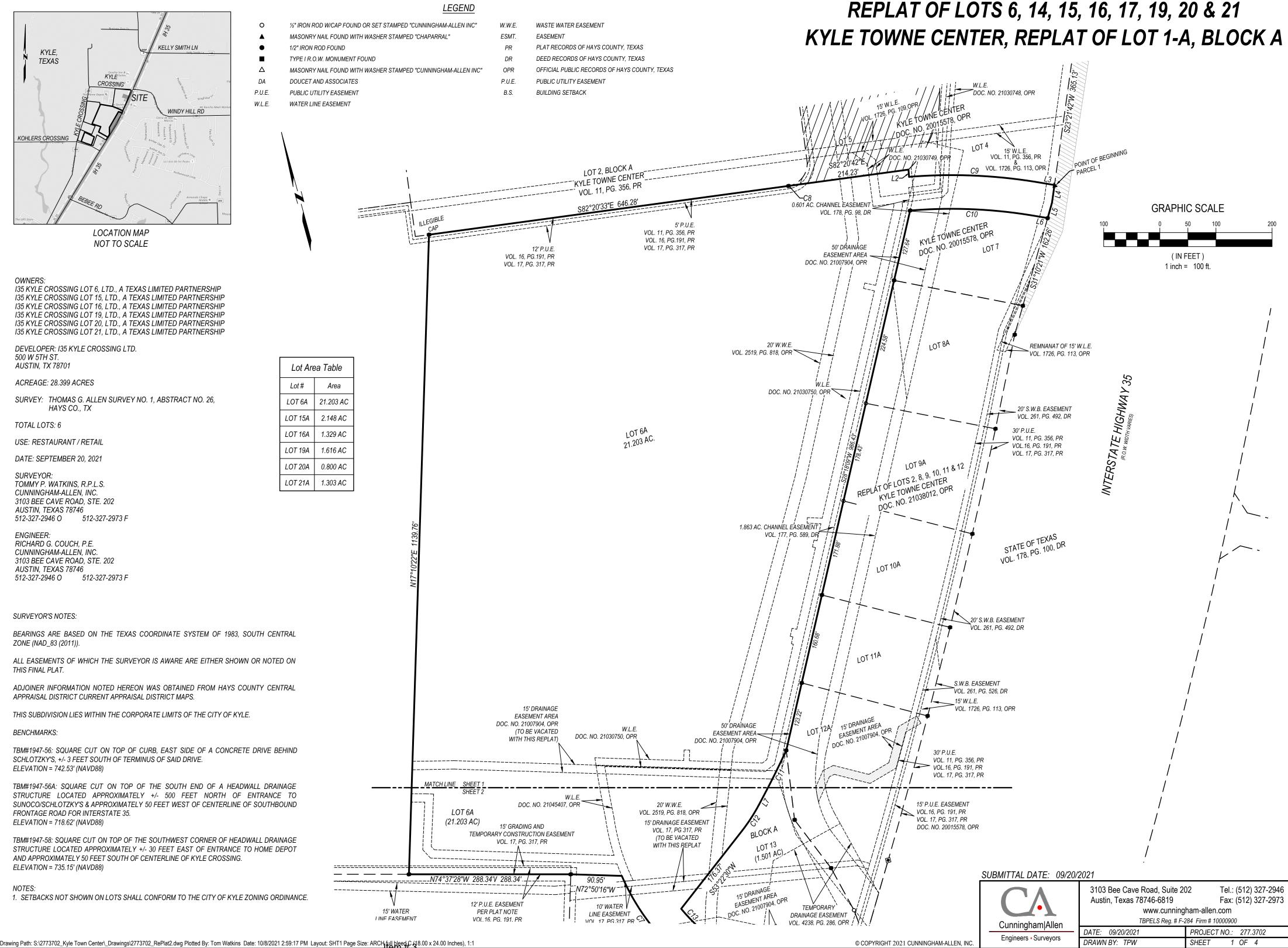
BENCHMARKS:

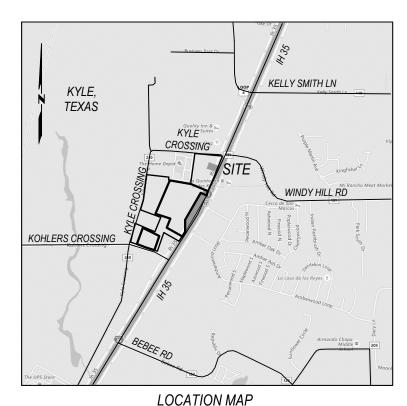
TBM#1947-56: SQUARE CUT ON TOP OF CURB, EAST SIDE OF A CONCRETE DRIVE BEHIND SCHLOTZKY'S, +/- 3 FEET SOUTH OF TERMINUS OF SAID DRIVE. ELEVATION = 742.53' (NAVD88)

TBM#1947-56A: SQUARE CUT ON TOP OF THE SOUTH END OF A HEADWALL DRAINAGE STRUCTURE LOCATED APPROXIMATELY +/- 500 FEET NORTH OF ENTRANCE TO SUNOCO/SCHLOTZKY'S & APPROXIMATELY 50 FEET WEST OF CENTERLINE OF SOUTHBOUND FRONTAGE ROAD FOR INTERSTATE 35. *ELEVATION* = 718.62' (*NAVD*88)

TBM#1947-58: SQUARE CUT ON TOP OF THE SOUTHWEST CORNER OF HEADWALL DRAINAGE STRUCTURE LOCATED APPROXIMATELY +/- 30 FEET EAST OF ENTRANCE TO HOME DEPOT AND APPROXIMATELY 50 FEET SOUTH OF CENTERLINE OF KYLE CROSSING. *ELEVATION* = 735.15' (*NAVD88*)

1. SETBACKS NOT SHOWN ON LOTS SHALL CONFORM TO THE CITY OF KYLE ZONING ORDINANCE.





NOT TO SCALE

		CUF	RVE TABLE		
CURVE	RADIUS	LENGTH	DELTA	CHORD BRG.	CHORD
C1	1550.07'	175.76'	6°29'49"	S23°42'06"W	175.67'
C2	1000.00'	26.66′	1°31'38"	N73°47′52″W	26.66′
C3	530.00'	17.99'	1°56'40"	S57°33'33"E	17.98'
C4	530.00'	110.11'	11°54'11"	S50°38'08"E	109.91'
C5	301.17'	54.89'	10°26'31"	S39°26′33″E	54.81'
C6	300.00'	12.59'	2°24'13"	N32°59'57"W	12.58'
C7	400.00'	165.83'	23°45'14"	N19°55′13″W	164.65'
C8	40.00'	1.61'	2°18'17"	S85°15'40"E	1.61'
C9	938.00'	233.37'	14°15'18"	S72°07'41"E	232.77'
C10	878.00'	221.43'	14°26'59"	N72°13'32"W	220.84'
C11	1705.00'	88.67'	2°58'47"	S41°44'58"W	88.66′
C12	315.00'	54.65'	9°56′27″	S48°24'17"W	54.58'
C13	340.00'	43.92'	7°24'04"	S28°05'48"E	43.89'
C14	240.00'	53.98'	12°53'12"	S38°14'26"E	53.87'
C15	470.00'	113.59'	13°50'51"	S51°36'28"E	113.32'

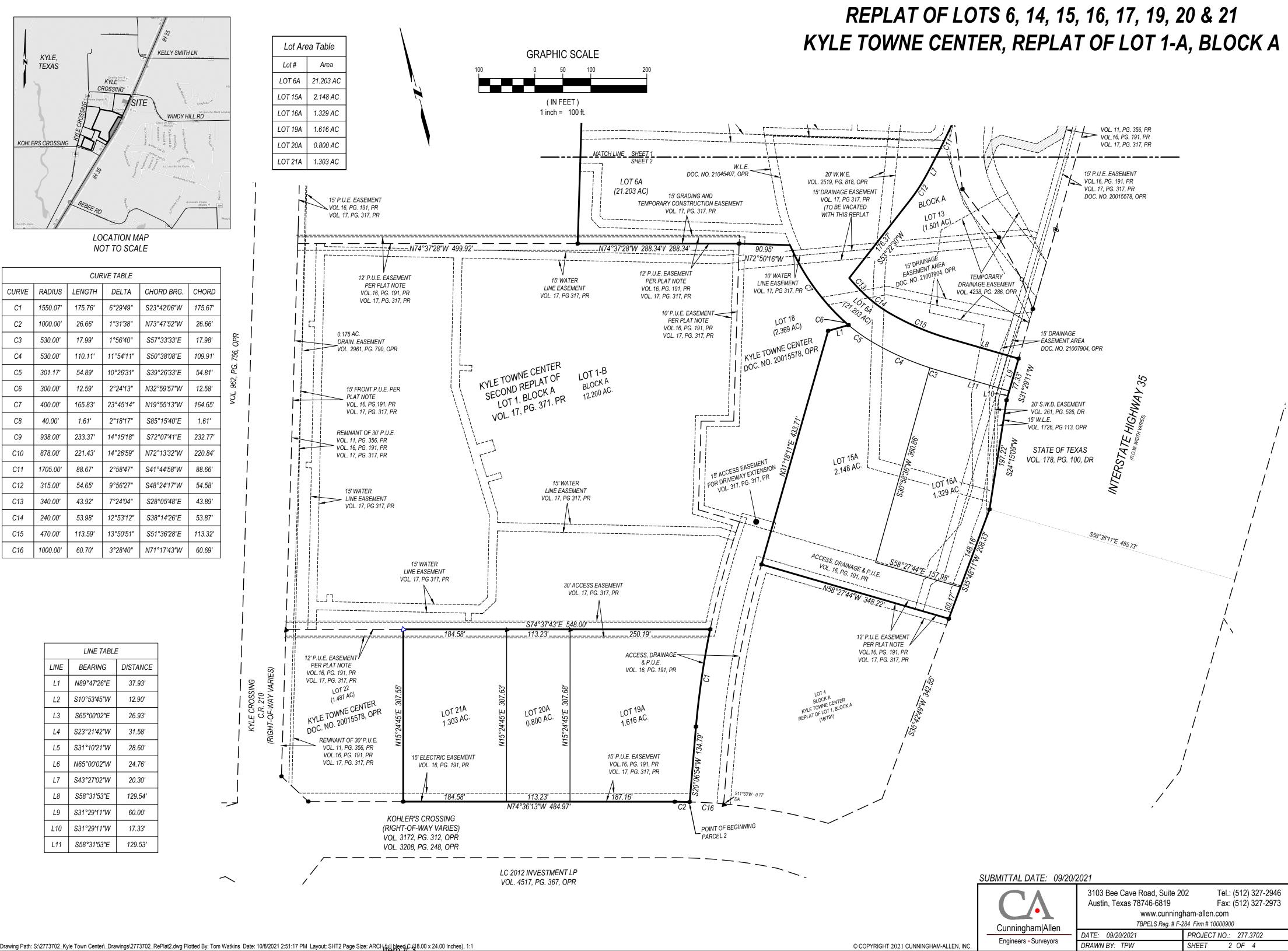
1000.00'

60.70'

3°28'40"

N71°17'43"W

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N89°47'26"E	37.93'
L2	S10°53'45"W	12.90'
L3	S65°00'02"E	26.93'
L4	S23°21'42"W	31.58'
L5	S31°10'21"W	28.60'
L6	N65°00'02"W	24.76'
L7	S43°27'02"W	20.30'
L8	S58°31'53"E	129.54'
L9	S31°29'11"W	60.00'
L10	S31°29'11"W	17.33'
L11	S58°31'53"E	129.53'



REPLAT OF LOTS 6, 14, 15, 16, 17, 19, 20 & 21 KYLE TOWNE CENTER, REPLAT OF LOT 1-A, BLOCK A

STATE OF TEXAS	}	
COUNTY OF HAYS	}	

KNOW ALL MEN BY THESE PRESENTS, THAT 135 KYLE CROSSING LOT 6, LTD., A TEXAS LIMITED PARTNERSHIP, A PARTNERSHIP ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF TEXAS, OWNER OF 15.857 ACRES OF LAND OUT OF THE THOMAS G. ALLEN SURVEY, ABSTRACT NO. 26, HAYS COUNTY, TEXAS, SAME BEING LOT 6, REPLAT OF LOT 1-A, BLOCK A, KYLE TOWNE CENTER SECOND REPLAT OF LOT 1, BLOCK A, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN DOCUMENT NUMBER 20015578, OFFICIAL PUBLIC RECORDS, HAYS COUNTY, TEXAS, AS CONVEYED TO IT BY DEED DATED JULY 24, 2020, AND RECORDED IN DOCUMENT NUMBER 20030759.

AND 135 KYLE CROSSING LOT 14, LTD., A TEXAS LIMITED PARTNERSHIP, A PARTNERSHIP ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF TEXAS, OWNER OF 5.346 ACRES OF LAND OUT OF THE THOMAS G. ALLEN SURVEY, ABSTRACT NO. 26, HAYS COUNTY, TEXAS, SAME BEING LOT 14, REPLAT OF LOT 1-A, BLOCK A, KYLE TOWNE CENTER SECOND REPLAT OF LOT 1, BLOCK A, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN DOCUMENT NUMBER 20015578, OFFICIAL PUBLIC RECORDS, HAYS COUNTY, TEXAS, AS CONVEYED TO IT BY DEED DATED JULY 24, 2020, AND RECORDED IN DOCUMENT NUMBER 20030788,

AND 135 KYLE CROSSING LOT 15, LTD., A TEXAS LIMITED PARTNERSHIP, A PARTNERSHIP ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF TEXAS, OWNER OF 1.402 ACRES OF LAND OUT OF THE THOMAS G. ALLEN SURVEY, ABSTRACT NO. 26, HAYS COUNTY, TEXAS, SAME BEING LOT 15, REPLAT OF LOT 1-A, BLOCK A, KYLE TOWNE CENTER SECOND REPLAT OF LOT 1, BLOCK A, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN DOCUMENT NUMBER 20015578, OFFICIAL PUBLIC RECORDS, HAYS COUNTY, TEXAS, AS CONVEYED TO IT BY DEED DATED JULY 24, 2020, AND RECORDED IN DOCUMENT NUMBER 20030789,

AND I35 KYLE CROSSING LOT 16, LTD., A TEXAS LIMITED PARTNERSHIP, A PARTNERSHIP ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF TEXAS, OWNER OF 0.734 ACRE OF LAND OUT OF THE THOMAS G. ALLEN SURVEY, ABSTRACT NO. 26, HAYS COUNTY, TEXAS, SAME BEING LOT 16, REPLAT OF LOT 1-A, BLOCK A, KYLE TOWNE CENTER SECOND REPLAT OF LOT 1, BLOCK A, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN DOCUMENT NUMBER 20015578, OFFICIAL PUBLIC RECORDS, HAYS COUNTY, TEXAS, AS CONVEYED TO IT BY DEED DATED JULY 24, 2020, AND RECORDED IN DOCUMENT NUMBER 20030790,

AND 135 KYLE CROSSING LOT 17, LTD., A TEXAS LIMITED PARTNERSHIP, A PARTNERSHIP ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF TEXAS, OWNER OF 1.341 ACRES OF LAND OUT OF THE THOMAS G. ALLEN SURVEY, ABSTRACT NO. 26, HAYS COUNTY, TEXAS, SAME BEING LOT 17, REPLAT OF LOT 1-A, BLOCK A, KYLE TOWNE CENTER SECOND REPLAT OF LOT 1, BLOCK A, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN DOCUMENT NUMBER 20015578, OFFICIAL PUBLIC RECORDS, HAYS COUNTY, TEXAS, AS CONVEYED TO IT BY DEED DATED JULY 24, 2020, AND RECORDED IN DOCUMENT NUMBER 20030794,

AND 135 KYLE CROSSING LOT 19, LTD., A TEXAS LIMITED PARTNERSHIP, A PARTNERSHIP ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF TEXAS, OWNER OF 1.422 ACRES OF LAND OUT OF THE THOMAS G. ALLEN SURVEY, ABSTRACT NO. 26, HAYS COUNTY, TEXAS, SAME BEING LOT 19, REPLAT OF LOT 1-A, BLOCK A, KYLE TOWNE CENTER SECOND REPLAT OF LOT 1, BLOCK A, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN DOCUMENT NUMBER 20015578, OFFICIAL PUBLIC RECORDS, HAYS COUNTY, TEXAS, AS CONVEYED TO IT BY DEED DATED JULY 24, 2020, AND RECORDED IN DOCUMENT NUMBER 20030800,

AND 135 KYLE CROSSING LOT 20, LTD., A TEXAS LIMITED PARTNERSHIP, A PARTNERSHIP ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF TEXAS, OWNER OF 1.158 ACRES OF LAND OUT OF THE THOMAS G. ALLEN SURVEY, ABSTRACT NO. 26, HAYS COUNTY, TEXAS, SAME BEING LOT 20, REPLAT OF LOT 1-A, BLOCK A, KYLE TOWNE CENTER SECOND REPLAT OF LOT 1, BLOCK A, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN DOCUMENT NUMBER 20015578, OFFICIAL PUBLIC RECORDS, HAYS COUNTY, TEXAS, AS CONVEYED TO IT BY DEED DATED JULY 24, 2020, AND RECORDED IN DOCUMENT NUMBER 20030801,

AND I35 KYLE CROSSING LOT 21, LTD., A TEXAS LIMITED PARTNERSHIP, A PARTNERSHIP ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF TEXAS, OWNER OF 1.139 ACRE OF LAND OUT OF THE THOMAS G. ALLEN SURVEY, ABSTRACT NO. 26, HAYS COUNTY, TEXAS, SAME BEING LOT 21, REPLAT OF LOT 1-A, BLOCK A, KYLE TOWNE CENTER SECOND REPLAT OF LOT 1, BLOCK A, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN DOCUMENT NUMBER 20015578, OFFICIAL PUBLIC RECORDS, HAYS COUNTY, TEXAS, AS CONVEYED TO IT BY DEED DATED JULY 24, 2020, AND RECORDED IN DOCUMENT NUMBER 20030802, ALL OF THE OFFICIAL PUBLIC RECORDS, HAYS COUNTY, DOES HEREBY SUBDIVIDE 28.398 ACRES OF LAND OUT OF THE ORIGINAL SURVEY, TO BE KNOWN AS THE

REPLAT OF LOT 6, 14, 15, 16, 17, 19, 20 & 21 KYLE TOWNE CENTER

IN ACCORDANCE WITH THE PLAT SHOWN HEREON, SUBJECT TO ANY AND ALL EASEMENTS OR RESTRICTIONS HERETOFORE GRANTED, AND DO HEREBY DEDICATE TO THE PUBLIC THE USE OF THE STREETS AND EASEMENTS SHOWN HEREON.

IN WITNESS WHEREOF THE SAID PARTNERSHIP HAS CAUSED THESE PRESENTS TO BE EXECUTED BY ITS PARTNERSHIP TITLE, AND THEREUNTO DULY AUTHORIZED,

I35 KYLE CROSSING LOT 6, LTD., A TEXAS LIMITED PARTNERSHIP JEFFREY S. NEWBERG, EXECUTIVE VICE PRESIDENT EOP II SUB GP ONE, LLC

STATE OF TEXAS COUNTY OF HAYS

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON ______ BY ______, OF I35 KYLE CROSSING LOT 6, LTD.. A TEXAS LIMITED PARTNERSHIP, ON BEHALF OF SAID PARTNERSHIP.

NOTARY PUBLIC. STATE OF TEXAS

IN WITNESS WHEREOF THE SAID PARTNERSHIP HAS CAUSED THESE PRESENTS TO BE EXECUTED BY ITS PARTNERSHIP TITLE, AND THEREUNTO DULY AUTHORIZED,

135 KYLE CROSSING LOT 14, LTD., A TEXAS LIMITED PARTNERSHIP JEFFREY S. NEWBERG, EXECUTIVE VICE PRESIDENT EOP II SUB GP ONE, LLC

STATE OF TEXAS COUNTY OF HAYS

NOTARY PUBLIC, STATE OF TEXAS

IN WITNESS WHEREOF THE SAID PARTNERSHIP HAS CAUSED THESE PRESENTS TO BE EXECUTED BY ITS PARTNERSHIP TITLE, NAME, AND THEREUNTO DULY AUTHORIZED,

135 KYLE CROSSING LOT 15, LTD., A TEXAS LIMITED PARTNERSHIP JEFFREY S. NEWBERG, EXECUTIVE VICE PRESIDENT EOP II SUB GP ONE. LLC

STATE OF TEXAS COUNTY OF HAYS

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON ______ BY _____, OF I35 KYLE CROSSING LOT 15, LTD., A TEXAS LIMITED PARTNERSHIP, ON BEHALF OF SAID PARTNERSHIP.

NOTARY PUBLIC, STATE OF TEXAS

IN WITNESS WHEREOF THE SAID PARTNERSHIP HAS CAUSED THESE PRESENTS TO BE EXECUTED BY ITS PARTNERSHIP TITLE, NAME, AND THEREUNTO DULY AUTHORIZED,

135 KYLE CROSSING LOT 16, LTD., A TEXAS LIMITED PARTNERSHIP JEFFREY S. NEWBERG, EXECUTIVE VICE PRESIDENT EOP II SUB GP ONE. LLC

STATE OF TEXAS COUNTY OF HAYS

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON ______ BY ______, OF I35 KYLE CROSSING LOT 16, LTD., A TEXAS LIMITED PARTNERSHIP, ON BEHALF OF SAID PARTNERSHIP.

NOTARY PUBLIC, STATE OF TEXAS

IN WITNESS WHEREOF THE SAID PARTNERSHIP HAS CAUSED THESE PRESENTS TO BE EXECUTED BY ITS PARTNERSHIP TITLE, AND THEREUNTO DULY AUTHORIZED,

135 KYLE CROSSING LOT 17, LTD., A TEXAS LIMITED PARTNERSHIP JEFFREY S. NEWBERG, EXECUTIVE VICE PRESIDENT EOP II SUB GP ONE, LLC

STATE OF TEXAS COUNTY OF HAYS

NOTARY PUBLIC, STATE OF TEXAS

IN WITNESS WHEREOF THE SAID PARTNERSHIP HAS CAUSED THESE PRESENTS TO BE EXECUTED BY ITS PARTNERSHIP TITLE, NAME, AND THEREUNTO DULY AUTHORIZED.

135 KYLE CROSSING LOT 19, LTD., A TEXAS LIMITED PARTNERSHIP JEFFREY S. NEWBERG, EXECUTIVE VICE PRESIDENT EOP II SUB GP ONE, LLC

STATE OF TEXAS COUNTY OF HAYS

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON ______ BY ______, OF I35 KYLE CROSSING LOT 19, LTD., A TEXAS LIMITED PARTNERSHIP, ON BEHALF OF SAID PARTNERSHIP.

NOTARY PUBLIC, STATE OF TEXAS

IN WITNESS WHEREOF THE SAID PARTNERSHIP HAS CAUSED THESE PRESENTS TO BE EXECUTED BY ITS PARTNERSHIP TITLE, NAME, AND THEREUNTO DULY AUTHORIZED,

135 KYLE CROSSING LOT 20, LTD., A TEXAS LIMITED PARTNERSHIP JEFFREY S. NEWBERG. EXECUTIVE VICE PRESIDENT

STATE OF TEXAS }
COUNTY OF HAYS }

EOP II SUB GP ONE, LLC

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON ______ BY _____, OF I35 KYLE CROSSING LOT 20, LTD., A TEXAS LIMITED PARTNERSHIP, ON BEHALF OF SAID PARTNERSHIP.

NOTARY PUBLIC, STATE OF TEXAS

IN WITNESS WHEREOF THE SAID PARTNERSHIP HAS CAUSED THESE PRESENTS TO BE EXECUTED BY ITS PARTNERSHIP TITLE, NAME, AND THEREUNTO DULY AUTHORIZED,

I35 KYLE CROSSING LOT 21, LTD., A TEXAS LIMITED PARTNERSHIP JEFFREY S. NEWBERG, EXECUTIVE VICE PRESIDENT EOP II SUB GP ONE, LLC

STATE OF TEXAS ;

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON ______ BY _____ BY ______ BY ______ CROSSING LOT 21, LTD., A TEXAS LIMITED PARTNERSHIP, ON BEHALF OF SAID PARTNERSHIP.

NOTARY PUBLIC. STATE OF TEXAS

STATE OF TEXAS }
COUNTY OF HAYS }

THAT SOUTHSIDE BANK, A TEXAS STATE BANK, THE LIEN HOLDER OF THAT CERTAIN 28.399 ACRES OF LAND RECORDED DOCUMENTS NO. 20030759, 20030789, 20030790, 20030800, 20030801, 20030788, 20030794 AND 20030802, ALL OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS DO HEREBY CONSENT TO THE SUBDIVISION OF THAT CERTAIN 28.399 ACRES OF LAND SITUATED IN THE CITY OF KYLE, HAYS COUNTY, TEXAS, AND DO FURTHER HEREBY JOIN, APPROVE, AND CONSENT TO THE DEDICATION TO THE PUBLIC FOREVER USE OF THE STREETS, ALLEYS, EASEMENTS AND ALL OTHER LANDS INTENDED FOR PUBLIC DEDICATION AS SHOWN HEREON.

IN WITNESS WHEREOF THE LIENHOLDER, SOUTHSIDE BANK, A TEXAS STATE BANK, AS LENDER, HAS CAUSED THESE PRESENTS TO BE EXECUTED BY ITS PARTNERSHIP TITLE, NAME, AND THEREUNTO DULY AUTHORIZED,

PHYLLIS MILSTEAD, EXECUTIVE VICE PRESIDENT SOUTHSIDE BANK. A TEXAS STATE BANK

STATE OF TEXAS }
COUNTY OF HAYS }

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON ______ BY ______ BANK, A TEXAS STATE BANK.

NOTARY PUBLIC, STATE OF TEXAS

SUBMITTAL DATE: 09/20/2021



3103 Bee Cave Road, Suite 202 Tel.: (512) 327-2946 Austin, Texas 78746-6819 Fax: (512) 327-2973 www.cunningham-allen.com

www.cunningham-allen.com
TBPELS Reg. # F-284 Firm # 10000900

, OF SOUTHSIDE

DATE: 09/20/2021 PROJECT NO.: 277.3702

DRAWN BY: TPW SHEET 3 OF 4

Drawing Path: S:\2773702_Kyle Town Center_Drawings\2773702_RePlat2.dwg Plotted By: Tom Watkins Date: 10/8/2021 2:51:36 PM Layout: SHT3 Page Size: ARCH [iii] bleed C 4/3 8.00 x 24.00 Inches), 1:1

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FIELD NOTE DESCRIPTION

BEING A 28.399 ACRES TRACT OF LAND, AND BEING ALL OF LOTS 6, 14, 15, 16, 17, 19, 20 AND 21, KYLE TOWNE CENTER, REPLAT OF LOT 1-A, (KYLE TOWNE CENTER), ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN DOCUMENT NO. 20015578, OFFICIAL PUBLIC RECORDS HAYS COUNTY, TEXAS, SAID LOTS 6, 14, 15, 16, 17, 19, 20 AND 21, SAID LOTS BEING CONVEYED TO 135 KYLE CROSSING LOT 6, LTD, TO 135 KYLE CROSSING LOT 14, LTD, TO 135 KYLE CROSSING LOT 15, LTD, TO 135 KYLE CROSSING LOT 16, LTD, TO 135 KYLE CROSSING LOT 17, LTD, TO 135 KYLE CROSSING LOT 19, LTD, TO 135 KYLE CROSSING LOT 20, LTD, AND TO 135 KYLE CROSSING LOT 21, LTD, IN DEEDS RECORDED IN DOCUMENT NUMBERS 20030759, 20030788, 20030789, 20030790, 20030794, 20030800, 20030801 AND 20030802, ALL OF THE OFFICIAL PUBLIC RECORDS OF SAID COUNTY; SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

PARCEL 1 – 24.679 ACRES

BEGINNING, AT A 1/2 INCH IRON ROD WITH CAP STAMPED "CUNNINGHAM-ALLEN INC" FOUND IN THE WEST RIGHT-OF-WAY LINE OF INTERSTATE HIGHWAY NO. 35 FOR THE COMMON EAST CORNER OF SAID LOT 6 AND LOT 4, KYLE TOWNE CENTER; THENCE, WITH THE COMMON LINE OF SAID WEST RIGHT-OF-WAY LINE AND EASTERLY LINE OF LOT 6, THE FOLLOWING TWO (2) COURSES AND DISTANCES:

- I. SOUTH 23°21'42" WEST, A DISTANCE OF 31.58 FEET TO A POINT OF INTERSECTION IN SAID COMMON LINE:
- 2. SOUTH 31°10'21" WEST, A DISTANCE OF 28.60 FEET TO THE COMMON EAST CORNER OF SAID LOT 6 AND LOT 7, KYLE TOWNE CENTER:

THENCE, WITH THE EASTERLY LINE OF SAID LOT 6, SAME BEING COMMON WITH SAID LOT 7 AND LOTS 8A, 9A, 10A, 11A, AND 12A, REPLAT OF LOT 2, 8, 9, 10, 11 AND 12, KYLE TOWNE CENTER, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN DOCUMENT NO. 21038012, OF SAID OFFICIAL PUBLIC RECORDS, AND LOT 13, KYLE TOWNE CENTER, THE FOLLOWING FIVE (5) COURSES AND DISTANCES:

- NORTH 65°00'02" WEST, A DISTANCE OF 24.76 FEET TO THE BEGINNING OF A CURVE TO THE LEFT;
- 2. WITH SAID CURVE TO THE LEFT, HAVING A RADIUS OF 878.00 FEET, AN ARC LENGTH OF 221.43 FEET, A DELTA ANGLE OF 14°26'59", AND A CHORD WHICH BEARS NORTH 72°13'32" WEST, A DISTANCE OF 220.84 FEET TO A 1/2 INCH IRON ROD WITH CAP STAMPED "CUNNINGHAM-ALLEN INC" FOUND AT THE END OF SAID CURVE;
- 3. SOUTH 28°18'09" WEST, A DISTANCE OF 986.43 FEET TO 1/2 INCH IRON ROD WITH CAP STAMPED "CUNNINGHAM-ALLEN INC" FOUND AT THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT;
- 4. WITH SAID NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 1705.00 FEET, AN ARC LENGTH OF 88.67 FEET, A DELTA ANGLE OF 02°58'47", AND A CHORD WHICH BEARS SOUTH 41°44'58" WEST, A DISTANCE OF 88.66 FEET TO THE END OF SAID CURVE;
- 5. SOUTH 43°27'02" WEST, A DISTANCE OF 20.30 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT, SAME BEING THE COMMON EAST CORNER OF SAID LOT 6 AND LOT 14;
- THENCE. WITH THE COMMON LINE OF SAID LOT 14 AND LOT 13 THE FOLLOWING SIX (6) COURSES AND DISTANCES:
- 1. WITH SAID NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 315.00 FEET, AN ARC LENGTH OF 54.65 FEET, A DELTA ANGLE OF 09°56'27", AND A CHORD WHICH BEARS SOUTH 48°24'17" WEST, A DISTANCE OF 54.58 FEET TO THE END OF SAID CURVE:
- 2. SOUTH 53°22'30" WEST, A DISTANCE OF 176.37 FEET THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT;
- 3. WITH SAID NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 340.00 FEET, AN ARC LENGTH OF 43.92 FEET, A DELTA ANGLE OF 07°24'04", AND A CHORD WHICH BEARS SOUTH 28°05'48" EAST, A DISTANCE OF 43.89 FEET THE BEGINNING OF A CURVE TO THE LEFT:
- 4. WITH SAID CURVE TO THE LEFT, HAVING A RADIUS OF 240.00 FEET, AN ARC LENGTH OF 53.98 FEET, A DELTA ANGLE OF 12°53'12", AND A CHORD WHICH BEARS SOUTH 38°14'26" EAST, A DISTANCE OF 53.87 FEET TO THE BEGINNING OF A CURVE TO THE LEFT:
- 5. WITH SAID CURVE TO THE LEFT, HAVING A RADIUS OF 470.00 FEET, AN ARC LENGTH OF 113.59 FEET, A DELTA ANGLE OF 13°50'51", AND A CHORD WHICH BEARS SOUTH 51°36'28" EAST, A DISTANCE OF 113.32 FEET TO THE END OF SAID
- CURVE;
 6. SOUTH 58°31'53" EAST, A DISTANCE OF 129.54 FEET TO THE COMMON EAST CORNER OF SAID LOT 6 AND LOT 13, BEING IN SAID WEST RIGHT-OF-WAY LINE OF INTERSTATE HIGHWAY NO. 35;
- THENCE, WITH THE COMMON LINE OF SAID WEST RIGHT-OF-WAY LINE AND SAID LOTS 14, 15, 16 AND 17, THE FOLLOWING THREE (3) COURSES AND DISTANCES:
- 1. SOUTH 31°29'11" WEST, A DISTANCE OF 77.33 FEET TO A POINT OF INTERSECTION IS SAID COMMON LINE;
- 2. SOUTH 24°15'09" WEST, A DISTANCE OF 197.22 FEET TO A POINT OF INTERSECTION IS SAID COMMON LINE;
- 3. SOUTH 35°48'11" WEST, A DISTANCE OF 208.33 FEET TO A 1/2 INCH IRON ROD FOUND FOR THE COMMON WEST CORNER OF SAID LOT 17 AND LOT 4, BLOCK A, KYLE TOWNE CENTER, REPLAT OF LOT 1, BLOCK A, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 16, PAGE 191, OF THE PLAT RECORDS OF SAID COUNTY;
- THENCE, NORTH 58°27'44" WEST, WITH THE COMMON LINE OF SAID LOT 17 AND LOT 4, BLOCK A, A DISTANCE OF 348.22 FEET TO 1/2 INCH IRON ROD FOUND IN THE EAST LINE OF LOT 18, KYLE TOWNE CENTER FOR THE COMMON WEST CORNER OF SAID LOT 17 AND LOT 4, BLOCK A,;

THENCE, WITH THE COMMON LINE OF SAID LOT 18, LOT 17 AND LOT 15, THE FOLLOWING TWO (2) COURSES AND DISTANCES:

- 1. NORTH 31°18'11" EAST, A DISTANCE OF 433.71 FEET;
- 2. NORTH 89°47'26" EAST, A DISTANCE OF 37.93 FEET TO THE COMMON NORTH CORNER OF SAID LOT 18 AND LOT 15, SAME BEING IN THE SOUTHERLY LINE OF SAID LOT 14 AND AT THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT; THENCE, WITH THE SOUTH LINE OF SAID LOT 14 THE FOLLOWING FOUR (4) COURSES AND DISTANCES:
- 1. WITH SAID NON-TANGENT CURVE TO THE RIGHT, BEING COMMON WITH SAID LOT 18, HAVING A RADIUS OF 300.00 FEET, AN ARC LENGTH OF 12.59 FEET, A DELTA ANGLE OF 02°24'13", AND A CHORD WHICH BEARS NORTH 32°59'57" WEST, A DISTANCE OF 12.58 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT;
- 2. WITH SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 400.00 FEET, AN ARC LENGTH OF 165.83 FEET, A DELTA ANGLE OF 23°45'14", AND A CHORD WHICH BEARS NORTH 19°55'13" WEST, A DISTANCE OF 164.65 FEET TO THE END OF SAID CURVE:
- 3. NORTH 72°50'16" WEST, A DISTANCE OF 90.95 FEET TO A 1/2 INCH IRON ROD FOUND FOR A COMMON CORNER OF SAID LOT 18, LOT 14 AND LOT 1-B, BLOCK A, KYLE TOWNE CENTER, SECOND REPLAT OF LOT 1, BLOCK A, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 17, PAGE 317, OF SAID PLAT RECORDS;
- 4. NORTH 74°37'28" WEST, WITH THE COMMON LINE OF SAID LOT 14 AND LOT 1-B, A DISTANCE OF 288.34 FEET TO A 1/2 INCH IRON ROD WITH CAP STAMPED "CUNNINGHAM-ALLEN INC" FOUND FOR THE COMMON SOUTH CORNER OF SAID LOT 14 AND LOT 23. KYLE TOWNE CENTER:

THENCE, WITH THE WEST LINE OF SAID LOT 14 AND WEST AND NORTH LINE OF SAID LOT 6, THE FOLLOWING SEVEN (7) COURSES AND DISTANCES:

- 1. NORTH 17°10'22" EAST, DEPARTING THE NORTH LINE OF SAID LOT 1-B, WITH THE COMMON LINE OF SAID LOT 14 AND LOT 23, PASSING THE COMMON WEST CORNER OF SAID LOT 14 AND LOT 6 AT A DISTANCE OF 498.06 FEET AND CONTINUING WITH THE COMMON LINE OF SAID LOT 6 AND SAID LOT 23 FOR A TOTAL DISTANCE OF 1139.76 FEET TO 1/2 INCH IRON ROD FOUND IN THE SOUTH LINE OF LOT 2, BLOCK A, KYLE TOWN CENTER, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 11, PAGE 356, OF SAID PLAT RECORDS:
- 2. SOUTH 82°20'33" EAST, WITH THE COMMON LINE OF SAID LOT 2, BLOCK A, KYLE TOWNE CENTER, RECORDED IN VOLUME 11, PAGE 356, AND SAID LOT 6, A DISTANCE OF 646.28 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT;
- 3. WITH SAID NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 40.00 FEET, AN ARC LENGTH OF 1.61 FEET, A DELTA ANGLE OF 02°18'17", AND A CHORD WHICH BEARS SOUTH 85°15'40" EAST, A DISTANCE OF 1.61 FEET TO A COMMON CORNER OF SAID LOT 6 AND LOT 5, KYLE TOWNE CENTER;
- 4. SOUTH 82°20'42" EAST, DEPARTING THE SOUTH LINE OF SAID LOT 2, BLOCK A, WITH THE COMMON LINE OF SAID LOT 6 AND LOT 5, A DISTANCE OF 214.23 FEET TO A COMMON CORNER OF SAID LOT 6, LOT 5 AND LOT 4;
- 5. SOUTH 10°53'45" WEST, WITH THE COMMON LINE OF SAID LOT 6 AND LOT 4, A DISTANCE OF 12.90 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT:

REPLAT OF LOTS 6, 14, 15, 16, 17, 19, 20 & 21 KYLE TOWNE CENTER, REPLAT OF LOT 1-A, BLOCK A

- 6. CONTINUING WITH SAID COMMON LINE WITH SAID NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 938.00 FEET, AN ARC LENGTH OF 233.37 FEET, A DELTA ANGLE OF 14°15'18", AND A CHORD WHICH BEARS SOUTH 72°07'41" EAST, A DISTANCE OF 232.77 FEET TO THE END OF SAID CURVE;
- 7. SOUTH 65°00'02" EAST, CONTINUING WITH SAID COMMON LINE, A DISTANCE OF 26.93 FEET TO THE POINT OF BEGINNING CONTAINING 24.679 ACRES OF LAND WITHIN THESE METES AND BOUNDS.

PARCEL 2 – 3.720 ACRES

BEGINNING, AT THE COMMON SOUTH CORNER OF SAID LOT 19 AND LOT 18, BLOCK A, KYLE TOWNE CENTER, BEING IN A CURVE IN THE NORTH RIGHT-OF-WAY LINE OF KOHLER'S CROSSING:

THENCE, WITH THE COMMON LINE OF SAID NORTH RIGHT-OF-WAY LINE AND THE SOUTH LINE OF SAID LOTS 19, 20 AND 21, THE FOLLOWING TWO (2) COURSES AND DISTANCES:

- 1. WITH SAID CURVE TO THE LEFT, HAVING A RADIUS OF 1000.00 FEET, AN ARC LENGTH OF 26.66 FEET, A DELTA ANGLE OF 01°31'38", AND A CHORD WHICH BEARS NORTH 73°47'52" WEST, A DISTANCE OF 26.66 FEET TO A 1/2 INCH IRON ROD WITH CAP STAMPED "CUNNINGHAM-ALLEN INC" FOUND;
- 2. NORTH 74°36'13" WEST, A DISTANCE OF 484.97 FEET TO A 1/2 INCH IRON ROD WITH CAP STAMPED "CUNNINGHAM-ALLEN INC" FOUND FOR THE COMMON SOUTH CORNER OF SAID LOT 21 AND LOT 22, KYLE TOWN CENTER; THENCE, NORTH 15°24'45" EAST, DEPARTING SAID NORTH RIGHT-OF-WAY LINE WITH THE COMMON LINE OF SAID LOT 21 AND LOT 22, A DISTANCE OF 307.55 FEET TO MASONRY NAIL WITH ALUMINUM WASHER STAMPED "CUNNINGHAM-ALLEN INC", FOUND FOR THE COMMON NORTH CORNER OF SAID LOT 21 AND LOT 22, BEING IN THE SOUTH LINE OF LOT 1-B, BLOCK A, KYLE TOWNE CENTER, 2ND REPLAT OF LOT 1, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 17. PAGE 317. OF SAID OFFICIAL PUBLIC RECORDS;

THENCE, SOUTH 74°37'43" EAST, WITH THE COMMON LINE OF SAID LOTS 21, 20 AND 19 AND SAID SOUTH LINE OF LOT 1-B, A DISTANCE OF 548.00 FEET TO MASONRY NAIL WITH ALUMINUM WASHER STAMPED "CUNNINGHAM-ALLEN INC", FOUND IN THE CURVING WEST LINE OF SAID LOT 18 FOR THE COMMON EAST CORNER OF SAID LOT 19, AND SAID LOT 1-B; THENCE, WITH THE COMMON LINE OF SAID LOT 19 AND LOT 18 THE FOLLOWING TWO (2) COURSES AND DISTANCES:

- 1. WITH A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 1550.07 FEET, AN ARC LENGTH OF 175.76 FEET, A DELTA ANGLE OF 06°29'49", AND A CHORD WHICH BEARS SOUTH 23°42'06" WEST, A DISTANCE OF 175.67 FEET TO A 1/2 INCH IRON ROD WITH CAP STAMPED "CUNNINGHAM-ALLEN INC" FOUND:
- 2. SOUTH 20°06'54" WEST, A DISTANCE OF 134.79 FEET TO THE POINT OF BEGINNING CONTAINING 3.720 ACRES OF LAND WITHIN THESE METES AND BOUNDS.

GENERAL NOTES:

- 1. SIDEWALKS SHALL BE INSTALLED ON THE SUBDIVISION SIDE OF INTERSTATE HIGHWAY NO. 35. THOSE SIDEWALKS NOT ABUTTING A RESIDENTIAL, COMMERCIAL OR INDUSTRIAL LOT SHALL BE INSTALLED WHEN THE ADJOINING STREET IS CONSTRUCTED. WHERE THERE ARE DOUBLE FRONTAGE LOTS, SIDEWALKS ON THE STREET TO WHICH ACCESS IS PROHIBITED ARE ALSO REQUIRED TO BE INSTALLED WHEN THE STREETS IN THE SUBDIVISION ARE CONSTRUCTED.
- 2. OBSTRUCTIONS ARE PROHIBITED WITHIN DRAINAGE EASEMENTS.
- 3. UTILITY PROVIDERS:
 WASTEWATER CITY OF KYLE
 WATER MONARCH WATER COMPANY
- 4. PRIOR TO CONSTRUCTION OF ANY IMPROVEMENTS IN THIS SUBDIVISION, SITE DEVELOPMENT PERMITS AND BUILDING PERMITS WILL BE OBTAINED FROM THE CITY OF KYLE.
- 5. NO OBJECT, INCLUDING SIGNAGE, BUILDINGS, ACCESSORY BUILDINGS, FENCING OR LANDSCAPING WHICH WOULD INTERFERE WITH THE CONVEYANCE OF STORMWATER SHALL BE PLACED OR ERECTED WITHIN ANY DRAINAGE EASEMENTS WITHOUT THE PRIOR APPROVAL OF THE CITY OF KYLE.
- 6. EACH PROPERTY OWNER OF A LOT ON WHICH DRAINAGE EASEMENTS ARE PLATTED SHALL BE RESPONSIBLE FOR KEEPING GRASS AND WEEDS NEATLY CUT AND EASEMENT AREA FREE OF DEBRIS AND TREE/BRUSH REGROWTH.
- 7. OWNERS OF PROPERTY WITH DRAINAGE AND UTILITY EASEMENTS SHALL ALLOW ACCESS FOR INSPECTION, REPAIR, MAINTENANCE AND RECONSTRUCTION AS MAY BE NECESSARY.
- 8. PROPERTY LIES WITHIN THE BUNTON BRANCH OF THE PLUM CREEK WATERSHED.
- 9. THE PROPERTY OWNER(S) AND/OR THE PROPERTY OWNERS ASSOCIATION ARE SOLELY RESPONSIBLE FOR ANY AND ALL MAINTENANCE AND/OR REPAIRS TO ALL DRAINAGE EASEMENTS AND DETENTION/RETENTION PONDS WITHIN THE PROPERTY.
- 10. THIS REPLAT SUPERSEDES ALL PRIOR PLATS IN THEIR ENTIRETY WITH RESPECT TO THE LOTS CONTAINED HEREIN EXCEPT WITH RESPECT TO THOSE EASEMENTS SHOWN HEREON EXPRESSLY REFERENCING SUCH PRIOR PLATS.

REVIEWED BY:		
LEON BARBA, CITY ENGINEER	DATE	
REVIEWED BY:		
HARPER WILDER, DIRECTOR OF PUBLIC WORKS	S DATE	
STATE OF TEXAS } COUNTY OF HAYS }		
THIS FINAL PLAT HAS BEEN SUBMITTED TO AND KYLE, TEXAS, AND IS HEREBY APPROVED BY SU		
DATED THIS DAY OF, 20	0	
CHAIRPERSON		

THAT ELAINE H. CARDENAS. COUNTY CLERK OF HAYS COUNTY, TEXAS, DOES HEREBY CERTIFY THAT THE FOREGOING

_____, A.D., 20___, AT ___ O'CLOCK __.M. AND DULY RECORDED ON THE ____ DAY OF___

20___, AT ___ O'CLOCK __.M., IN THE PLAT RECORDS OF HAYS COUNTY AND STATE, IN DOCUMENT NUMBER

INSTRUMENT OF WRITING WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORD IN MY OFFICE ON THE

ELAINE H. CARDENAS, COUNTY CLERK HAYS COUNTY, TEXAS

STATE OF TEXAS }
COUNTY OF HAYS }

I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY, THAT THIS PLAT IS TRUE AND CORRECT, THAT IT WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND DURING THE MONTH OF MAY, 2019, AND MARCH, 2021 AND THAT ALL NECESSARY SURVEY MONUMENTS ARE CORRECTLY SET OR FOUND AS SHOWN THEREON.

TOMMY P. WATKINS
REGISTERED PROFESSIONAL LAND SURVEYOR

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.

RICHARD G. COUCH REGISTERED PROFESSIONAL ENGINEER NO. 87285

FLOODPLAIN NOTE:

THIS PROPERTY LIES IN A ZONE DEFINED AS "AREAS DETERMINED TO BE OUTSIDE 100-YEAR FLOODPLAIN" AS DEPICTED ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FLOOD INSURANCE RATE MAP FOR HAYS COUNTY, TEXAS AND INCORPORATED AREAS, PANEL MAP NUMBER 48209C0290F, EFFECTIVE SEPTEMBER 2, 2005.

SUBMITTAL DATE: 09/20/2021



3103 Bee Cave Road, Suite 202 Austin, Texas 78746-6819

DATE: 09/20/2021

DRAWN BY: TPW

Road, Suite 202 Tel.: (512) 327-2946 3746-6819 Fax: (512) 327-2973 www.cunningham-allen.com

PROJECT NO.: 277.3702

4 OF 4

TBPELS Reg. # F-284 Firm # 10000900

SHEET

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CITY OF KYLE, TEXAS

CTX Park - Final Plat (SUB-21-0192)

Meeting Date: 10/12/2021 Date time:6:30 PM

Subject/Recommendation: CTX Park - Final Plat (SUB-21-0192) 1.105 acres; 1 commercial lot for property

located at 1850 Goforth Road.

Other Information: Approve the plat with the following conditions to be addressed by staff:

- Change "Planning Director" signature block to "Planning & Zoning Commission

Chairperson" signature block.

- Add "5' ROW Dedication" to plat drawing.

Legal Notes: N/A

Budget Information: N/A

ATTACHMENTS:

Description

☐ Final Plat

BEING 1.105 ACRES OF LAND, MORE OR LESS, OUT OF THE JOHN STEWART LEAGUE, ABSTRACT No. 14 IN HAYS COUNTY, TEXAS; SAME BEING OUT OF THAT CERTAIN 38.9 ACRE TRACT CONVEYED TO PEGGY LEHMAN JANSEN IN THE WARRANTY DEED RECORDED IN INSTRUMENT No. 16043789 OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS; SAID 1.105 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a ½" iron rebar with cap found in the southeasterly right of way of Goforth Road at the west corner of that certain 13.731 acre tract conveyed to Central Texas Sports Portfolio, L.P., in Special Warranty Deed recorded in Instrument No. 19018791, Official Public Records of said County; said ½" iron rebar found being the north corner of that certain 2.07 acre tract conveyed to Pedernales Electric Cooperative, Inc. in General Warranty Deed recorded in Instrument No. 9915016, Official Public Records of said County and from which the calculated intersection of the southeasterly right of way line of Goforth Road and the northeasterly right of way line of Bunton Lane, said calculated point being the west corner of said Pedernales tract bears: S 44* 43' 00" W a distance of 300.00 feet;

THENCE with the southeasterly right of way line of Goforth Road, N 44° 43′ 00" E (Bearing Basis) a distance of 675.00 feet to a ½" iron rebar found at the north corner of said Central Texas tract, and from which a ½" iron rebar found at the north corner of the aforementioned Jansen tract bears:

N 44° 43′ 00" E (Bearing Basis) a distance of 780.95 feet; said ½" rebar with cap found being the west corner of said 1.105 acre tract and the PLACE OF BEGINNING hereof;

THENCE along the southeast line of said Goforth Road and the northwest line of said Jansen tract, N 44° 43′ 00" E a distance of 78.71 feet to a ½" iron rebar with B&G Surveying cap set for an angle point hereof;

S 72° 52′ 52″ E a distance of 48.71 feet to a ½" iron rebar with B&G Surveying cap set for an angle point hereof;

S 75° 52′ 52″ E a distance of 167.31 feet to a ½" iron rebar with B&G Surveying cap set at the east corner of said 1.105 acre

N 44.42,00, E 102.96,

8 44.24,40. M

N 45.05'20" 42.24

N=13910972.50 E=2335659.41

P.O.B.

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CALLED 67.23 AC. INSTRUMENT 20045729 RANCH ROAD TALAVERA, LLC

.₽∠.6601

tract, for the east corner hereof;
4. S 44° 43′ 00″ W a distance of 152.50 feet to a 1/2″ iron rebar with B&G Surveying cap set in the northeast line of said Central Texas tract at the south corner of said 1.105 acre tract, for the south corner hereof, from which a 1/2″ iron rebar with cap found at the east corner of said Central Texas tract bears: S 45° 17′ 00″ E a distance of 324.70 feet;

THENCE with the northeast line of said Central Texas tract and the southwest line of said 1.105 acre tract, N 45° 17′ 00″ W a distance of 378.13 feet to the PLACE OF BEGINNING hereof, containing a calculated map area of 1.105 acres of land, more or less.

GENERAL NOTES

1) A FIFTEEN (15) FOOT MUNICIPAL UTILITY EASEMENT (M.U.E.) AND DRAINAGE EASEMENT IS HEREBY DEDICATED ADJACENT TO ALL STREET RIGHT OF WAYS, FIVE (5) FOOT M.U.E. IS HEREBY DEDICATED ADJACENT TO ALL REAR LOT

675.00'}

N 44.42,00. E

GOFORTH ROAD

<u>સં</u>

2) WATER SERVICE WILL BE PROVIDED BY COUNTY LINE S.U.D.
3) WASTE WATER SERVICES WILL BE PROVIDED BY THE CITY OF KYLE.
4) ELECTRICITY WILL BE PROVIDED BY PEDERNALES ELECTRIC COOPERATIVE, INC.
5) PER SEC. 41—141, CITY OF KYLE ORDINANCE, ALL ELECTRICAL, TELEPHONE, CABLE TELEVISION, AND SIMILAR LINES SHALL BE PLACED UNDERGROUND.
5) PER SEC. 41—141, CITY OF KYLE ORDINANCE, ALL ELECTRICAL, TELEPHONE, CABLE TELEVISION, AND SIMILAR LINES SHALL BE INSTALLED IN ACCORDANCE WITH THE REGULATIONS & REQUIREMENTS ESTABLISHED BY EACH UTILITY OR SERVICE COMPANY, AS APPLICABLE, AND CITY OF KYLE ORDINANCE.
6) THIS SUBDIVISION LIES WITHIN THE HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT.
7) THIS SUBDIVISION LIES WITHIN THE HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT.
8) PRIOR TO CONSTRUCTION OF ANY IMPROVEMENTS ON LOTS IN THIS SUBDIVISION, SITE DEVELOPMENT PERMITS AND BUILDING PERMITS WILL BE OBTAINED FROM THE CITY OF KYLE.

HANDICAP RAMPS ARE 9) ALL SIDEWALKS SHALL BE A MINIMUM OF FOUR (4) FEET I WIDTH AND BUILT IN COMPLIANCE WITH THE LATEST ADA STANDARDS. TO BE BUILT AS PART OF THE COMMERCIAL SITE CONSTRUCTION AND SHALL BE IN PLACE PRIOR TO COMMERCIAL SITE ACCEPTANCE.

10) NO OBJECTS, INCLUDING SIGNAGE, BUILDING, ACCESSORY BUILDING, FENCING OR LANDSCAPING WHICH WOULD INTERFERE WITH CONVEYANCE OF STORM WATER SHALL BE PLACED OR ERECTED WITHIN ANY DRAINAGE EASEMENT WITHOUT PRIOR APPROVAL OF THE CITY OF KYLE.

11) EACH PROPERTY OWNER OF A LOT ON WHICH DRAINAGE EASEMENT(S) ARE PLATTED SHALL BE RESPONSIBLE FOR KEEPING GRASS AND WEEDS NEATLY CUT AND EASEMENT AREA FREE OF DEBIRS AND TREE/BRUSH REGROWTH TO THE PAVEMENT OF ANY ADJACENT STREET.

12) OWNER(S) OF PROPERTY WITH DRAINAGE AND UTILITY EASEMENTS(S) SHALL ALLOW ACCESS FOR INSPECTIONS, REPAIR, MAINTENANCE AND RECONSTRUCTION AS MAY BE NECESSARY.

13) PLACEMENT OF FILL MATERIAL, OR STRUCTURES, OR CHANNEL MODIFICATIONS WITH 100—YEAR FLOOD PLAIN IS PROHIBITED WITHOUT PRIOR APPROVAL.

14) MAINTENANCE AND UPKEEP OF DETENTION BASINS AND RELATED APPURTENANCES SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNER. TYPICAL LANDSCAPE MAINTENANCE, CUTTING AND TRIMMING, WITH THE SUBDIVISION, ALL EASEMENTS, DETENTION PONDS AND RIGHTS OF WAY TO THE PAVEMENT TO BE THE RESPONSIBILITY OF PROPERTY OWNERS AND/OR HOME OWNERS ASSOCIATIONS.

15) ALL SETBACKS SHALL CONFORM TO THE CITY OF KYLE ZONING ORDINANCE.

SURVEYOR: B & G SURVEYING, LLC. PHONE: (512) 458-6969 HTTP://www.BANDGSURVEY.COM SURVEY: JOHN STEWART LEAGUE, A-14 OWNER(S): CTX Park, LLC
ADDRESS: 740 Willow Ridge Drive
San Marcos, TX 78666
PHONE: (512) 913-0579 TOTAL ACREAGE: 1.105 ACRES **DATE:** January 18, 2021 COMMERCIAL LOTS: 1 LAND USE TABLE: PHONE:

RECORDING CERTIFICATION

I, Elaine Cardenas, Clerk of Hays County, Texas, do hereby certify the foregoing instrument of writing, with its certificate of authentication, was filed for record in my office on the ___ day of ______ A.D. 2021 at ____ o'clock __ M., and duly recorded on the ___ day of ______ A.D. 2021 at _____ o'clock __ M. in the Plat records of said County and State in Document No. ____

day of Witness my hand and seal of office of the County Clerk, this the 2021.

A.D.

Elaine Cardenas, County Clerk, Hays County, Texas

OWNER'S CERTIFICATION

WIDTH PER HAYS CO. OFFICIAL

NO RECORDED R.O.W.

2 44.42,00" W 300.00"

KNOW ALL MEN BY THESE PRESENTS **~~** COUNTY OF HAYS STATE OF TEXAS

That CTX Park, LLC, owner of 1.105 acres, more or less, out of the John Stewart League, Abstract No. 14, in Hays County, Texas, conveyed in Document No. 21011388, Official Public Records of Hays County, Texas, same being out of that certain 38.9 acre tract conveyed to Peggy Lehman Jansen in the Instrument No 16043789, Official Records, Hays County, Texas; DO HEREBY SUBDIVIDE said 1.105 acres to be known as:

CTX PARK

subject to any easements or restrictions heretofore granted and not vacated or released and does hereby grant to the public the use of the streets, alleys, parks as shown hereon, and does hereby dedicated to the utility companies, their successors and assigns, their successors and assigns, their respective utility easement as shown hereon.

A.D., 20_ _day of WITNESS MY HAND, this the

Adam Couch, President CTX Park, LLC 740 Willow Ridge Drive San Marcos, Texas 78666

NOTARY'S CERTIFICATION

He did acknowledge to me for the purposes and THIS THE ___DAY OF Before me, the undersigned authority, on this day personally appeared _____, known by me to be the person whose name is subscribed to the forgoing instrument, and He did acknowledge to me that He executed the same in said capacity, for the purposes and considerations expressed therein: GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE

Notary Public, State of Texas

BEARING BASIS: N 44°43'00" E 1455.95' (calculated record distance 1455.92') along Goforth Road from north corner of 2.07 acre tract conveyed to Pedernales Electric Coop. per Instr. 9915016 to north corner of the remainder of 38.9 acres conveyed to Peggy Lehman Jansen per Instr. 16043789. State Plane Coordinate System, South Central Zone (Grid control points were established using Trimble GPS on /2" REBAR FOUND /2" CAPPED REBAR SE /2" IRON PIPE FOUND APPED REBAR FOUND PER INST. 16043789 PER INST. 19018791 CALCULATED FROM RECO CONTROL MONUMENT RICHT OF WAY VICINITY MAP LEGEND SURVEY CONTROL DATA & BEARING BASIS , • **þ**¢ LINE TABLE BEARING DISTANCE N 44'43'00"E 74.99' S 45'17'00"E 48.71' Project control pother VRS network. Texas Sta NAD '83) **SURVEY CONTROL MONUMENT**LCRA HARN PT Site ID: A490 N=13909285.34 E=2335952.16 \$. REMAINDER OF 38.9 AC. PEGGY LEHMAN JANSEN (INSTRUMENT 16043789) 324.70 45.17'00", W N=13910712.35 E=2335933.83 CENTRAL TEXAS SPORTS PORTFOLIO, L.P. {INSTRUMENT 19018791} 13.731 AC. Z CREEKS LANDING, SECTION 2 BOOK 8, PAGES 55-56 4.42,00,M 125.50 S 4517'00"E 181.16" 702.83 LOT 85 1.105 AC PEDERNALES ELECTRIC COOPERATIVE, INC. INSTRUMENT 9915016 2.07 ACRES N 4517'00" W N 4517'00" W 378.13' **BUNTON LANE** 100' CREEK SETBACK 12:52:52 161:31 CENTERLINE OF CREEK

SITE

DIRECTOR OF PLANNING CERTIFICATION

This final plat has been submitted to and considered by the Planning Department of the City of Kyle, Texas, and is hereby approved by the Planning & Zoning Commission.

day of Dated this

Commission Madam Chairperson of Planning & Zoning Reviewed by:

Date Leon Barba, r.L. City Engineer 100 West Center St. Date Harper Wilder Director of Public Works

Reviewed by:

That I, Victor M. Garza, a Professional Land Surveyor in the State of Texas, hereby certify that this plat complies with the survey related requirements of Ordinance #439 of the City Code of Kyle and further certify that this plat is true and correctly made and is prepared from an actual survey of the property made under my supervision on the ground and that the corner monuments were KNOW ALL MEN BY THESE PRESENTS COUNTY OF HAYS STATE OF TEXAS

No portion of the Subject Tract lies within the boundaries of the 100 year floodplain as delineated on Hays County Community Panel #48209C 0405 F dated September 2, 2005.

supervision on the ground and that t properly placed under my supervision.

Victor M. Garza Registered Professional Land Surveyor No. 4740 — State of Texas

Date



JOB #: B1204920_PLAT DATE: 01/18/21 SCALE: 1"= 100'

Revised: 07/22/21

B & G SURVEYING, LLC

WWW.BANDGSURVEY.COM 1404 West North Loop Blvd. Austin, Texas 78756 Office 512*458-6969



CITY OF KYLE, TEXAS

Scrubs Car Wash - Conditional Use Permit (CUP-21-0033)

Meeting Date: 10/12/2021 Date time:6:30 PM

Subject/Recommendation: Consider a request by Garofolo Properties, LLC to construct an approximately 1,650

square foot drive thru car wash, associated dumpster enclosure and site plan for property located at 1051 E. FM 150, within the FM 150 East overlay district. (Scrubs Car Wash -

CUP-21-0033)

Other Information: See attachments.

Legal Notes: N/A

Budget Information: N/A

ATTACHMENTS:

Description

- Summary Letter
- Landscape Plan
- Site Plan, Materials List & Dumpster Enclosure
- ☐ Colored Elevations
- □ Deed
- Landowner Authorization Letter



CITY OF KYLE

Community Development Department



MEMORANDUM

TO: Planning & Zoning Commission

FROM: Will Atkinson – City Planner

DATE: Tuesday, October 12, 2021

SUBJECT: Scrubs Car Wash – Conditional Use Permit (CUP-21-0033)

REQUEST

The applicant seeks to construct an approximately 1,650 square foot drive thru car wash, associated dumpster enclosure and site plan. The site is zoned for Retail Services. The building will have materials consisting of a mix of brown and tan rock water table on the east and west sides of the building. A mix of colored glass and pvc panels complete the remainder of the design. The dumpster enclosure will match the brown and tan rock water table.

LOCATION

The property is located at 1051 E FM 150, Kyle, TX 78640, approximately 220-feet southeast of the intersection of E FM 150 and Creekside Trail.



SEC. 53-483. – BUILDING FAÇADE 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.

OVERLAY DISTRICT

Sec. 53-892. - Districts and boundaries.

- (a) *Established*. Seven conditional use overlay districts are established as follows:
 - (6) 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

100 W. Center Street Kyle, Texas 78640 (512) 233-1144 Item # 5

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.

STAFF ANALYSIS

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

- 1. The proposed building somewhat meets the intent of the masonry façade of the walls for the Retail Services zoning standards for the building and site work (Sec. 53-483(1);
 - Exceptions include not wrapping the front face of the building (south facing), with the rock water table (flanking the car wash exit).
 - The east and west faces of the building exceed minimum requirements for Sec. 53-483(1).
- 2. The roof is designed to let natural light in and utilizes sky lights. It is the opinion of Staff that the roof is not required to meet Sec. 53-483(2).
- 3. Materials types and specific colors are available on the elevation sheet.
- 4. With the exception of the issue of the rock water table not flanking the car wash exit, the overall design aesthetic and color palette does match the current ideals within the E FM 150 Overlay standards in Sec. 53-483. The design is cohesive, and the applicant and staff worked together to bring a design forward to be largely compliant with Sec. 53-483.

The site plan shown as an exhibit is code compliant, and matches the proposed building for both the Retail Services zoning district. The building is largely compliant with the requirements for a minimum for Sec. 53-483. The Planning & Zoning Commission has the authority to approve designs that do not meet the requirements of the E FM 150 Overlay/53-483 but should be careful to ensure that such designs meet or exceed the intent of the overlay district.

RECOMMENDATION

Staff has reviewed the color elevations for compliance with the Sec. 53-483. Staff recommends approval of the conditional use permit (CUP-21-0033).

ATTACHMENTS

- 1. Summary Request Letter
- 2. Staff Memo
- 3. Landscape plan
- 4. Site Plan, Materials List & Dumpster Enclosure
- 5. Colored Elevations

- 6. Deed
- 7. Landowner Authorization Letter



158 G Street KERRVILLE, TX 78028 OFFICE: (830) 315-9033

FAX: (830) 315-2529

July	21.	2021
J G. ,	,	

RE: Conditional Use Permit 1051 E RR 150

To whom it may concern,

We are proposing a new drive thru car wash on the property listed above and will need a variance on the façade. The property is within the E FM 150 Overlay.

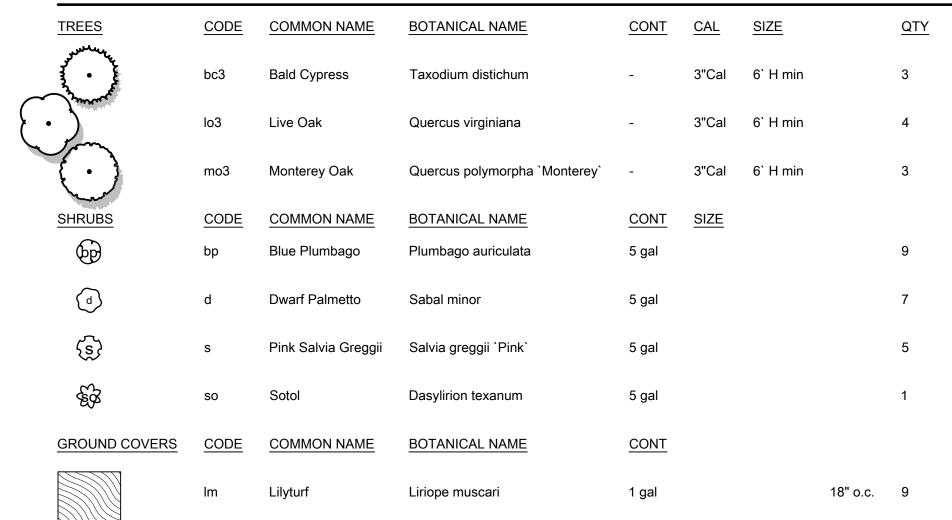
The Building Façade Requirements per section 53-483 require a full masonry front wall. The current face of our proposed building is a fixed glass wall system.

Kindest Regards,

Kimberlyn R. Galifaro

Kendnel Kasper Construction, Inc.





LANDSCAPE CALCULATIONS

LANDSCAPED AREA	REQUIRED	PROVIDI
Total Site Area		39,872s
Landscaped Area (zoning:RS)	3,987sf(10%)	18,600s
•• Trees (2 per 600sf)	13 (10 max)	10
•• Shrubs (4 per 600sf)	27 (30 max)	31
 Required landscape area: less than 	10,000 square feet :	

••• 1 three-inch tree & 3 one-gallon shrubs per 1,000 square feet •••• (maximum 10 trees and 30 shrubs) *Planting option: 4 four-inch trees or 3 four-inch to five-inch trees count as 5 three-inch trees

EXISTING TREES	TOTAL	KEPT	REMOVED	REQ. MITIGATION
Significant 25"+12"-Under 25"	54"	54"	"	" (200%)
	"	"	"	" (150%)

TOTAL: 108" of Mitigation

REPLACEMENT TREES Required caliper inches replaced =

108" Number & Size of replacement tree total:

0" by proposed trees 108 caliper inches of trees removed from this site are to be mitigated by a payment

*Not feasible due to utility easement conflicts

SCREENING • Parking, Mechanical, Storage, etc.	REQUIRED 25If	PROVIDED 25lf
STREET TREES	REQUIRED	PROVIDED
 Road Frontage (If)		

DESCRIPTION

REFERENCE NOTES SCHEDULE

Lawn, Sod

Lawn, Hydromulch Seed

Mulch

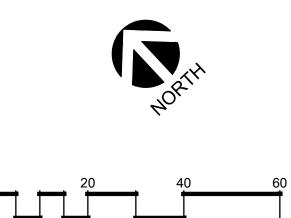
TREE LIST

1127 14" - CATALPA 2-BOLES 11 6, REMOVE

TAG | CALIPER | SPECIES | STATUS 1121 13" - SUGARBERRY, REMOVE 1122 18" - SUGARBERRY 3-BOLES 10 8 8, REMOVE 1123 32" - HUISACHE 5-BOLES 13 13 12 9 5, KEEP 1124 27" - ARIZONA ASH 4-BOLES 14 11 7 7, KEEP NO TAG 12" - PALM UNABLE TO MEASURE OR TAG, REMOVE 1125 27" - ASH 7-BOLES 8 8 7.5 7 6 5 5, KEEP 1126 12" - SUGARBERRY 2-BOLES 8.5 7, REMOVE

NOTES

- Contractor is responsible for verifying all plant and material quantities. Irrigation sleeves shall be run to all landscaped areas prior to concrete pour.
- Drip irrigation in all beds, & spray irrigation in all sod lawn areas.



SCALE: 1" = 20'

Contractors: email info@blairla.com with RFIs, submittals, & inspection scheduling. Item # 5 Call before you dig. Schedule inspections at least 2 weeks in advance

Checked By: xxxx Issue Date: 06/30/2021 Project Number: 21064-LP OF 2

Landscape Design By: Will Blair

BLAIR LANDSCAPE
ARCHITECTURE, LLC
QUALITY, INTEGRITY, RELIABILITY.

July 27, 2021 Project Name and Address

Scrubs Car Wash 102 Creekside Trail Kyle, Texas

LANDSCAPE PLANTING SPECIFICATIONS

1) Guarantee - All labor, materials and plants will be guaranteed for a period of twelve (12) months after the final acceptance of work by Owner. All plants that have died or are unhealthy shall be replaced no later than 30 days from the anniversary date of the final acceptance. This guarantee does not apply to plant material that dies due to abnormal freezes, hail, abnormal high winds, or other acts of God, vandalism or lack of normal maintenance and watering. This guarantee does not apply to annual

2) Contractor is 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. 3) Contractor is responsible for verification of the location of all underground utilities, repair to said utilities as a result of the work of the contractor shall be the responsibility

of the contractor. Refer to the drawing for any additional information 4) Contractor is responsible for maintaining positive drainage in all shrub and turf planting areas.

5) Tree pits are to be the same depth as the root ball and 24" wider. Prior to planting the tree pit should be filled with water to check for good drainage. If water does not drain the Contractor should check with the Landscape Architect to relocate the tree. 6) Trees should be positioned in the center of the tree pits, back filled with soil that was excavated from the pit until the surface is level with the surrounding area and the crown of the plant is at the finished grade. Build a water basin around the tree (36" dia.). Water until planting pit is soaked and soil has settled. Add soil necessary to bring soil level flush with surrounding ground. Fill the basin with three (3) inches of

7) All plant material shall conform to the standards of the latest edition of "American Standard for Nursery Stock" by The American Association of Nurserymen and "Grades and Standards" by The Texas Association of Nurserymen. A plant shall be dimensioned as it stands in its natural position. All plants shall be at least the minimum size indicated. Larger stock is acceptable at no additional cost, and providing that the larger plants will not be cut back to size indicated

8) It is the landscape contractor's responsibility to provide plants free of disease or pests.

Space specified quantity of plant materials to evenly fill designated areas, adjusting spacing indicated on the drawings as required. Landscape architect or owner to have final approval of locations of all trees, shrubs and groundcover beds. 10) Contractor is responsible for removing all clods, rocks, concrete, trash and any other debris from beds prior to adding soil ix or plant material.

11) All planting beds should have three (3) inches of compost tilled into them to a depth of six (6) inches. A three (3) inch layer of shredded hardwood bark mulch should be applied to all beds after planting is completed. Four (4) inch pots and ground cover may be planted through the mulch.

conditions (tools, open holes, et.) on a daily basis by the end of the work day. 13) Water all plantings in bed areas thoroughly on a daily basis until final acceptance.

12) Contractor is responsible for removal of trash and repair of hazardous "CINCH-TIE", "GRO-STRAIT". OR EQUAL FLEXIBLE RUBBEF TREE TIES IN FIGURE EIGHT **AERIAL GUY** FASHION. ATTACH TO STAKE CABLES TO CONNECT W/ TWO GALV. ROOFING NAILS. TRUNKS: 9 GA CABLE W/ CLEAR METAL T-POSTS. SET POSTS PLASTIC APPROXIMATELY 120 DEGREES **COATING THRU** 5/8" DIA. **RUBBER HOSE** TIE. FINISHED GRADE. ROOTBAL AVOID PLACING STAKES SEE PLANT PIT THRU ROOTBALL STAKING DETAIL SET ROOTBALL CROWN 1 1/2" HIGHER THAN THE SURROUNDING FÍNISHED GRADE. SLOPE BACKFILL AWAY FROM ROOTBALL FOR POSITIVE DRAINAGE. SHRUB AREAS KEEP TURF CLEAR FOR A 18' KEEP MULCH 6" — 8" RADIUS CIRCLE AROUND THE FROM BASE OF TREE. TREE. MULCH WITH A 3" THICK MULCH WATER WELL LAYER OF SHREDDED BARK. AREA TO 3" DEPTH. 6" HIGH WATER WELL AT SHRUB 1" TO ALLOW FOR MULCH. AREAS. FINISHED GRADE FINISHED GRAD AT LAWN. AT SHRUBS. M M M 15 24" 36" ROOTBALL 4 4 4 4 PLANT TABLETS AS NOTED OR SPEICIFIED. 2X ROOTBALL BACKFILL MIX, SEE NOTES AND SPECIFICATIONS. 32" AT 15 GALLON FIRMLY COMPACTED. 72" AT 36" BOX PLANT PIT DETAIL

TREE PLANTING MULTI-STAKE

Contractors: email info@blairla.com with RFIs, submittals, & inspection scheduling Schedule inspections at least 2 weeks in advance

14) To prepare turf areas treat them with a selective herbicide two weeks prior to sodding or seeding. Then rake area to remove stones, sticks and other debris. Add two (2) inches of topsoil to the turf area. Rake area to a finish grade (1" below walks and curbs)

15) If sodding is to take place the sod should be gathered and planted within a 48 hour period. Lay the sod to form a solid mass with tight fitting joints. Butt ends and sides of sod and offset joints in adjacent courses. Roll sod to ensure good contact with soil. If planting on a slope be sure to lay courses parallel to the contours and secure sod with pins if necessary. Site preparation and maintenance will be the same for hydromulching.

16) Water sod daily so as to not allow turf blades to wilt. If necessary water twice per day.

17) Apply slow release fertilizer 15-15-15 or equal at a rate of 2 lbs. per 100 s.f. to all turf or planted areas.

REFERENCE NOTE SPECIFICATIONS

LAWN AREAS - SOD / HYDROMULCH / SEED MIX 1A. Lawn, Bermuda "Tif 419" Sod. Provide spray irrigation. Temporary irrigation only within septic fields or Right of Way (R.O.W.). Pre emergent weed treatment recommended.

1B. Lawn, Bermuda "Blackjack" Hydromulch. Include Perennial Ryegrass if planted in cool season.

STEEL EDGE

2. Steel edge, 3/16" x 4" landscape edging as manufactured by Ryerson, or equal, dark green and furnished with steel stakes. Install edging in smooth curves free of kinks. Final height of edging to be 1" above height of soil mat of sod.

MULCHES / GRAVELS / RIVER ROCK / BOULDERS

3. Mulch, Native Hardwood. 3" deep with drip irrigation. Ensure that drip line is placed above rootballs

19) Contractor shall keep all construction areas and public streets free from accumulation of waste material. 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. All debris, trash and excess materials and equipment shall be removed from the site prior to final acceptance 20) Remove all tags, ribbons and wires from all newly installed plant material.

LANDSCAPE MAINTENANCE REQUIREMENTS

The owner shall be responsible for:

1) Regular maintenance of all required landscape areas and plant materials in a vigorous and healthy condition, free from diseases, pests, weeds, and litter. This maintenance shall include weeding, watering, fertilization, pruning, mowing, edging, mulching or other needed maintenance, in accordance with generally accepted horticultural practice. 2) The repair or replacement of required landscape structures (walls, fences, etc.) to a structurally sound condition.

3) The regular maintenance, repair, or replacement, where necessary, of any required screening or buffering

4) All open space areas that are to be preserved as natural plant communities shall be trimmed, at least once a year, of all exotic vegetation, lawn grasses, trash, or other debris. Natural area should be mulched, pruned and otherwise maintained so that plants are vigorous.

IRRIGATION SPECIFICATIONS

1) Irrigation contractor will provide pipes for sleeves and specify locations for placement of sleeves by general contractor prior to pouring concrete or laying asphalt. 2) Irrigation contractor will install all backflow prevention devices and all piping between the point of connection and the backflow preventer as per local governing authorities.

3) Find location of backflow preventer, and automatic controller location shall be approved by the owner's authorized representative.

4) 120 VAC electrical power source at controller location shall be provided by others. The irrigation contractor shall make the final connection from the electrical source to the controller.

5) All sprinkler heads shall be set perpendicular to finish grade unless otherwise specified.

6) The irrigation contractor shall flush and adjust all sprinkler heads and valves for optimum coverage with minimal overspray onto walks, streets, walls, etc.

7) Head location is the responsibility of the irrigation contractor, with the understanding that all landscape areas will receive adequate water to provide for vigorous growth of vegetation.

8) Irrigation contractor will replace or repair all items damaged by his work. 9) All work shall be installed in accordance with applicable codes and ordinances for the City of Kyle, Texas and the National Electrical Code and all governing

10) The irrigation contractor is responsible for reporting any deficiency in water pressure that would affect the operation of the irrigation system.

11) The irrigation contractor shall be a Registered Licensed Irrigator in the State of Texas. Contractor must conform to all codes as stated in section 34 of the Texas Water Code and TNRCC.

12) All remote control valves, gate valves, quick couplers and control wire and computer cable pull pints shall be installed in approved valve boxes.

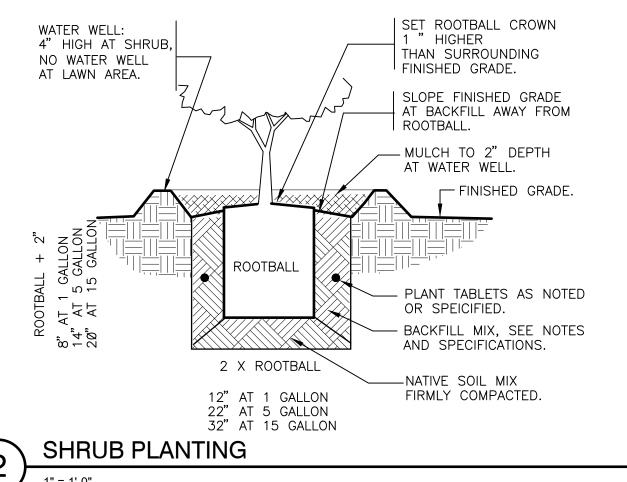
13) Irrigation Contractor shall procure all permits, licenses, and pay all charges and fees and give all necessary notices for the completion of work.

14) Contractor shall not disturb roots of existing trees. There shall be no machine trenching below the dripline of existing trees.

15) Extreme care shall be exercised in excavating and working near utilities. Contractor shall verify the location and condition of all utilities and be responsible for damage to any utilities.

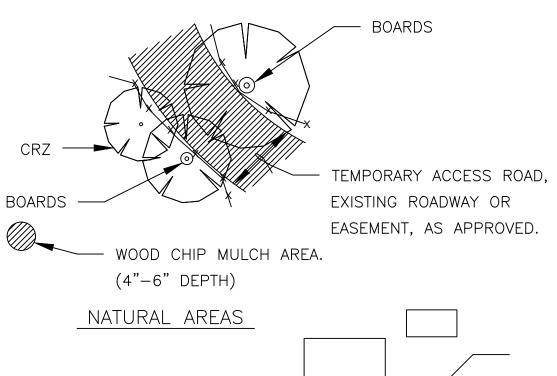
16) Contractor shall clearly mark all exposed excavations, materials, and equipment. Cover or barricade trenches when the contractor is not on the site. Take all necessary precautions to protect and prevent injury to any persons on the site. 17) All automatic irrigation systems shall be equipped with a controller of dual or multiple programming. Controllers shall have multiple cycle start capacity and a flexible calendar program, including the capacity of being set to water every five days. All automatic irrigation systems shall be equipped with a rain sensor shutoff device.

18) Irrigation in Texas is regulated by the Texas Commission on Environmental Quality, www.tceq.texas.gov, (512) 239-1000



TREE PROTECTION FENCE LOCATIONS NO SCALE

LINEAR CONSTRUCTION THROUGH TREES



TREES NEAR CONSTRUCTION ACTIVITY - NECESSARY WORK AREA (WOOD CHIP MULCH) (4" TO 6" DEPTH) BLDG. \longleftarrow ADD BOARDS STRAPPED TO TRUNK WHEN FENCE INDIVIDUAL TREE WILL BE LESS THAN 5' FROM TRUNK. CRITICAL ROOT ZONE (CRZ) GROUP OF TREES RADIUS (1 FT. PER INCH OF TRUNK DIAMETER) — — FENCING AT CRZ. (TYP.) — FENCING AT CR7. NOTE: LIMITS OF MULCH AREAS AND DISTANCE FROM TRUNKS TO WORK/

OF THE FORESTRY MANAGER.

PERMEABLE PAVING AREAS SHALL BE SUBJECT TO THE APPROVAL

TREES IN PAVING AREA

FENCE AT CRZ PRIOR TO CLEARING,

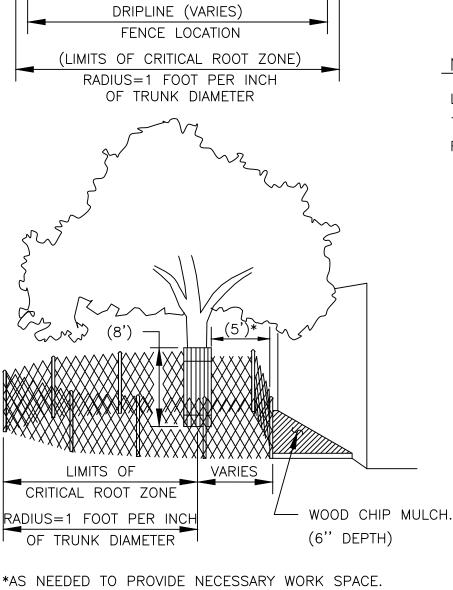
PERMEABLE PAVING AREA

FENCE LOCATION DURING

PERMEABLE PAVING

INSTALLATION.

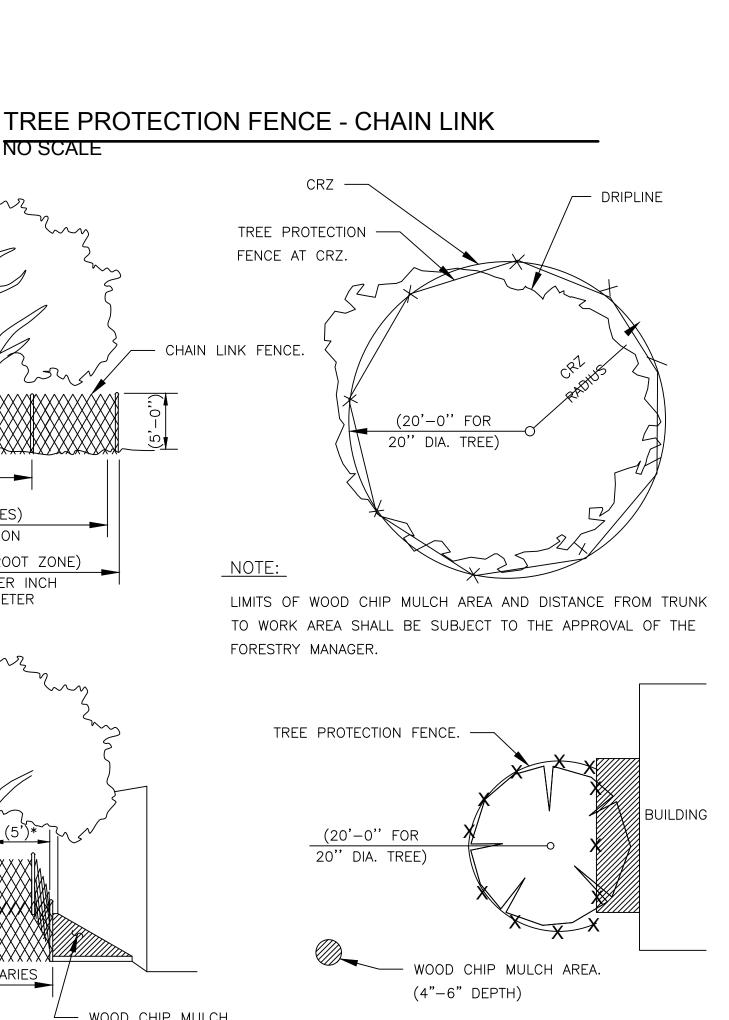
GRADING AND PAVING.



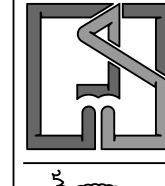
(10'-0'')

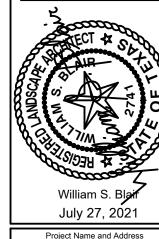
MAXIMUM

IF LESS THAN 5', THEN ADD BOARDS STRAPPED TO TRUNK.



BLAIR LAND ARCHITECTUF QUALITY, INTEGRITY, R





Wa

Scrubs Car \

Landscape Details & pecification

Design By: Will Blair Checked By: xxxx Issue Date: 06/30/202 Project Number: 21064-LP

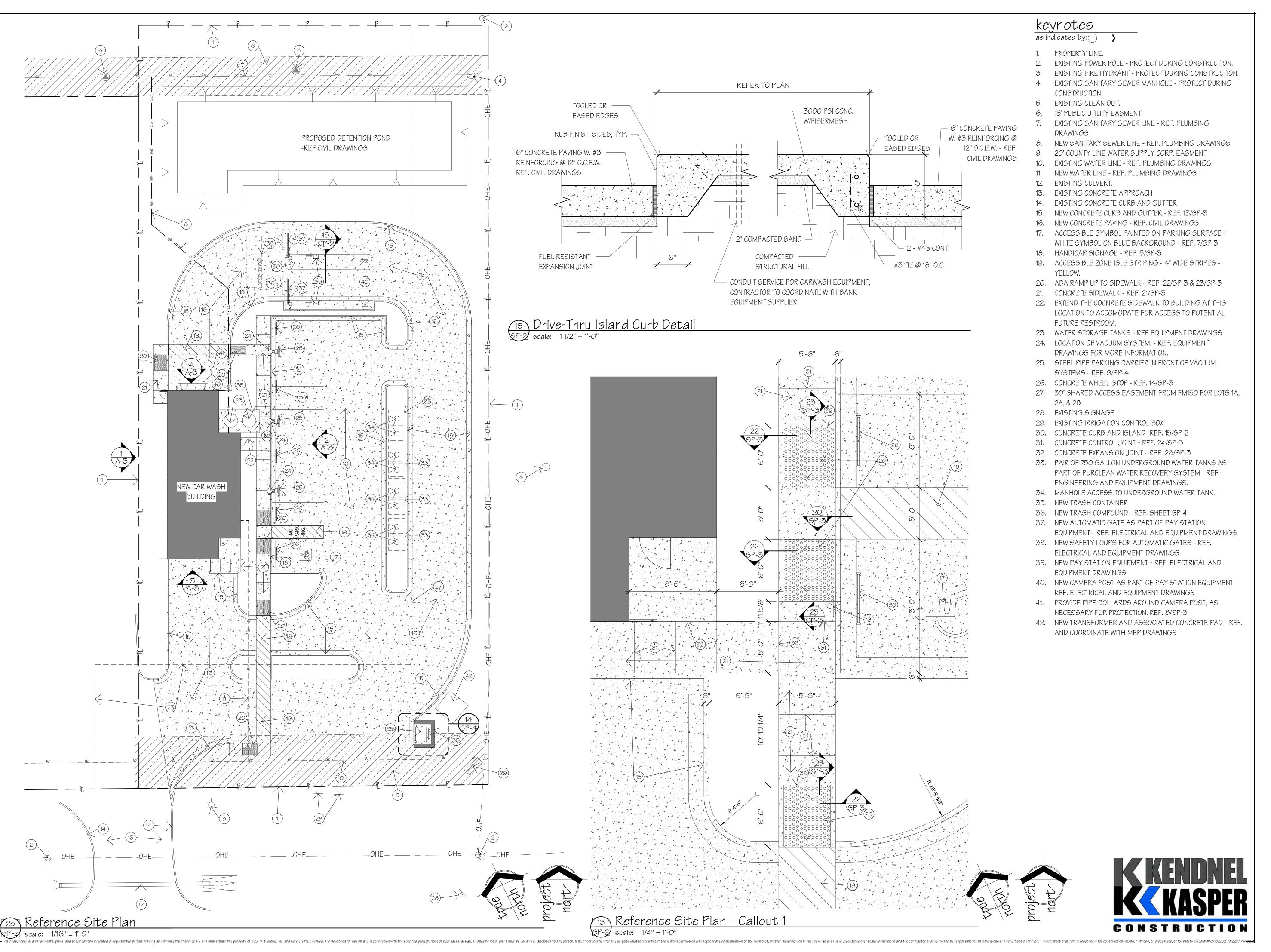
OF 2

Item # 5

LIMIT OF ---

CONSTRUCTION LINE

AS SHOWN ON PLAN.



date: issue: 07.21.2021 FOR CONSTRUCTIO

FOR: DEVELOPMENT partnership, inc

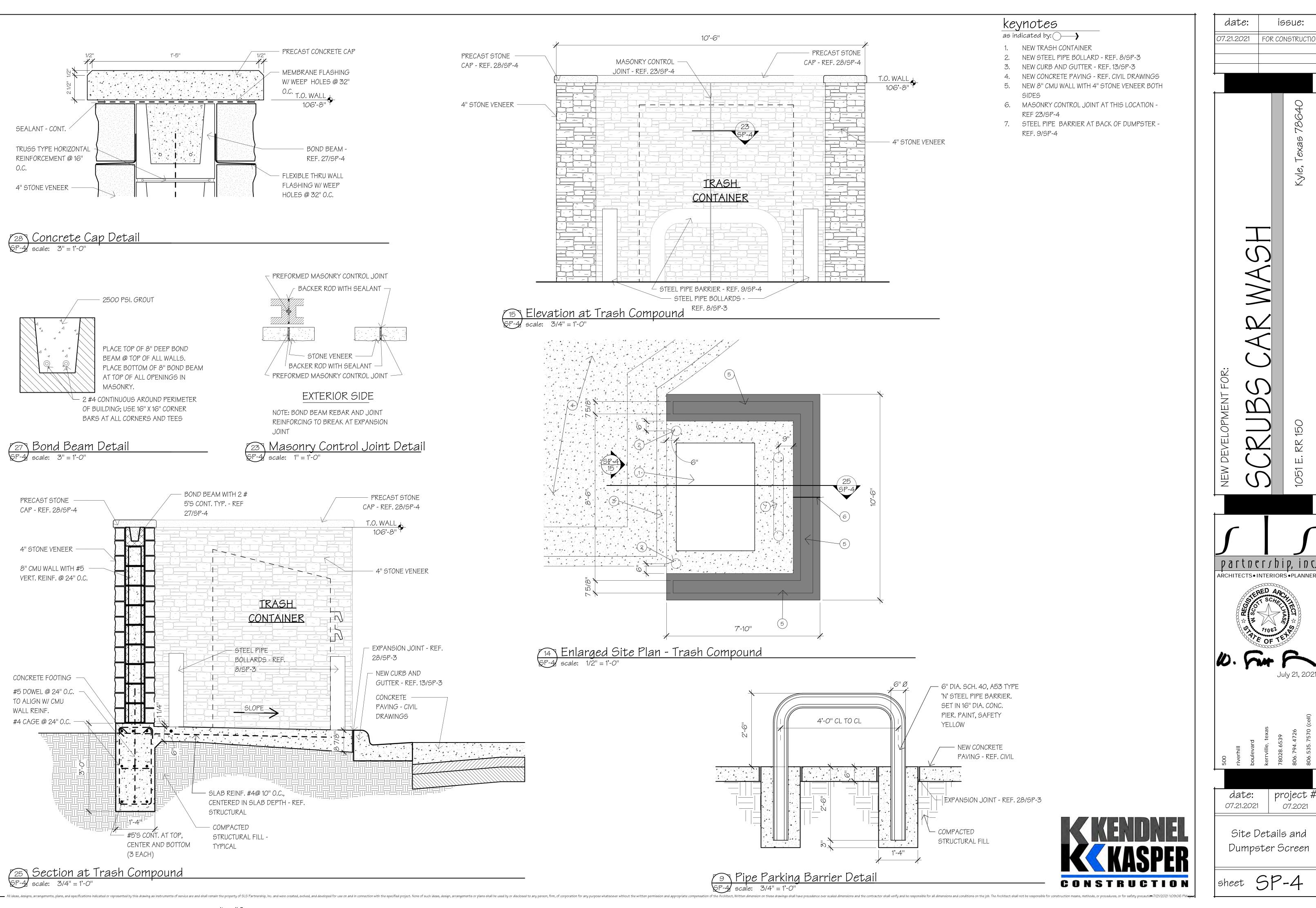
07.21.2021

Reference Site Plan

project#

07.2021

sheet SP-2



date:

issue:

project #

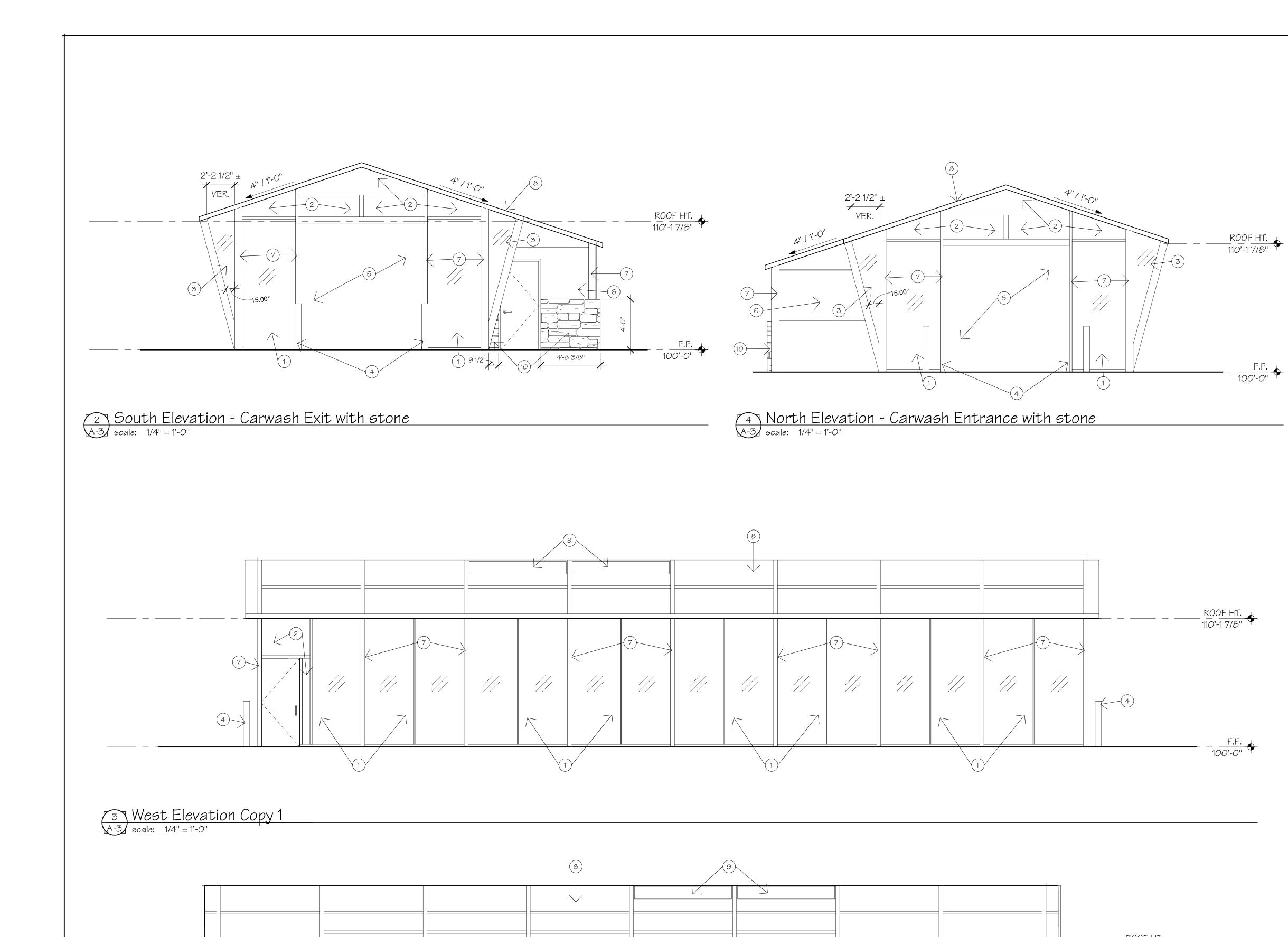
07.2021

Site Details and

Dumpster Screen

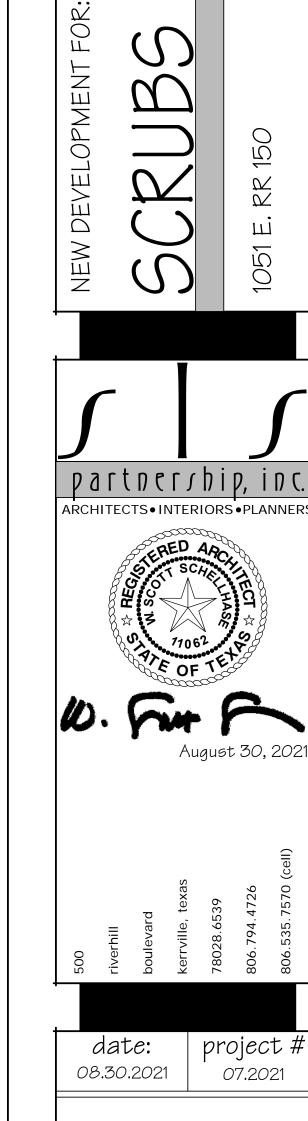
date:

07.21.2021



keynotes
as indicated by:

- 1. STOREFRONT SYSTEM, PART OF PRE-ENGINEERED BUILDING SYSTEM - REF. CCSI DRAWINGS FOR DETAILS,
- 2. TRANSOMS TO BE 10MM PVC PANELS, PART OF PRE-ENGINEERED BUILDING SYSTEM - REF. CCSI DRAWINGS FOR DETAILS, TYP.
- 3. ANGLED FACADE ELEMENT WITH FIXED GLASS, PART OF PRE-ENGINEERED BUILDING SYSTEM - REF. CCSI DRAWINGS FOR DETAILS, TYP.
- 4. PIPE BOLLARDS AT OVERHEAD DOORS AT CARWASH ENTRANCE/EXIT - REF. X/X
- 5. CARWASH BAY OPENING.
- EXTERIOR WALLS OF EQUIPMENT ROOM TO BE WHITE 10MM PVC PANELS, PART OF PRE-ENGINEERED BUILDING SYSTEM - REF. CCSI DRAWINGS FOR DETAILS, TYP.
- 7. 2 1/2" X 7 1/4" TUBULAR COLUMNS, PART OF PRE-ENGINEERED BUILDING SYSTEM - REF. CCSI DRAWINGS FOR DETAILS, TYP.
- 8. PRE-ENGINEERED ROOF SYSTEM WITH BRONZE POLYCARBONATE PANELS.-REF. CCSI DRAWINGS FOR DETAILS, TYP.
- 9. SKYLIGHT WINDOWS, PART OF PRE-ENGINEERED BUILDING SYSTEM - REF. CCSI DRAWINGS FOR DETAILS, TYP.
- 10. ROUGH ASHLAR STONE VENEER WAINSCOT UP TO 4' A.F.F.



Exterior Elevations

sheet

A-3

date:

issue:

08.30.2021 FOR CONSTRUCTION



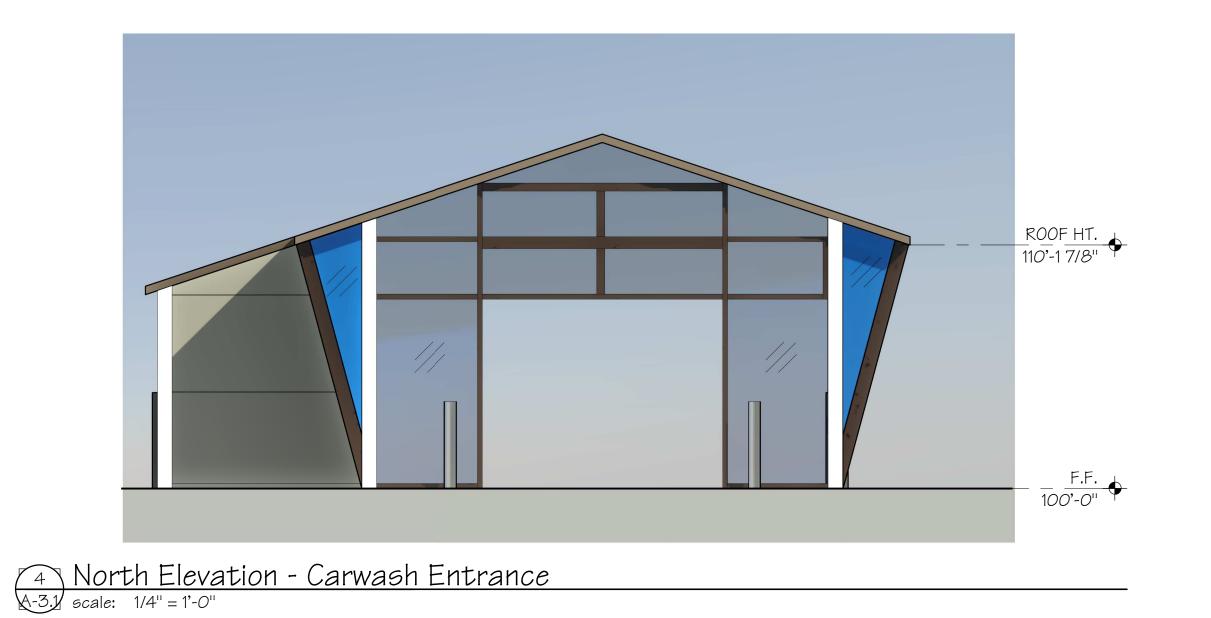
7

East Elevation with stone

A-3 scale: 1/4" = 1'-0"

4





ROOF HI.
107-17/8

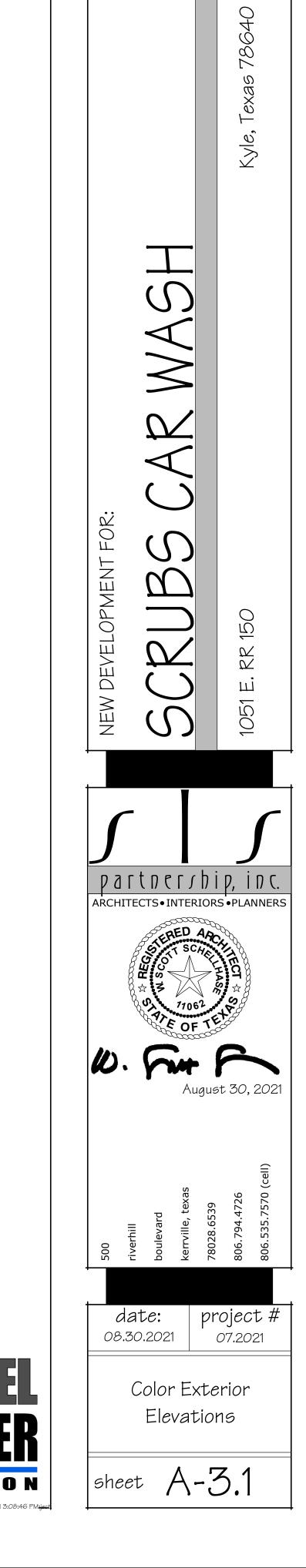
F.F.
100-0"

East Elevation
A-3.1 scale: 1/4" = 1'-0"



West Elevation

(-3) ecale: 1/4" = 1'-0"



date:

issue:

08.30.2021 FOR CONSTRUCTION

15/ITC/ 2011775 -COM/ LMB

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

SPECIAL WARRANTY DEED WITH VENDOR'S LIEN

Date:

 $March^{19}$, 2021 but to be effective March 23, 2021

Grantor:

SHEERGHAR INVESTMENT, INC.

Grantor's Mailing Address:

KyleTX 78610

Grantee:

GAROFOLO PROPERTIES LLC

Grantee's Mailing Address:

14305 Friendswood Lane Austin, Texas 78737

Consideration:

Cash and a note of even date executed by Grantee and payable to the order of PROSPERITY BANK in the principal amount of TWO HUNDRED SIX THOUSAND TWO HUNDRED FIFTY AND NO/100 DOLLARS (\$206,250.00). The note is secured by a first and superior vendor's lien and superior title retained in this deed in favor of PROSPERITY BANK and by a first-lien deed of trust of even date from Grantee to DAVID ZALMAN, trustee.

Property (including any improvements):

Lot 2A, RESUBDIVISION OF LOTS 1A AND 2A THE HILL REPLAT OF LOTS 1 AND 2, according to the map or plat thereof, recorded in Document No. 17016266, Plat

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

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KYPETX 18610

GAROFOLO PROPERTIES LLC

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14305 Friendswood Lane Austin, Texas 78737

Consideration:

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Property (including any improvements):

Lot 2A, RESUBDIVISION OF LOTS 1A AND 2A THE HILL REPLAT OF LOTS 1 AND 2, according to the map or plat thereof, recorded in Document No. 17016266, Plat Records, Hays County, Texas.

15/ITC/ 207/775 -COM/ LMB

Liens described as part of the Consideration and any other liens described in this deed as being either assumed or subject to which title is taken; validly existing easements, rights-of-way, and prescriptive rights, whether of record or not; all presently recorded and validly existing instruments, other than conveyances of the surface fee estate, that affect the Property; and taxes for 2021, which Grantee assumes and agrees to pay, and subsequent assessments for that and prior years due to change in land usage, ownership, or both, the payment of which Grantee assumes.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof when the claim is by, through or under Grantor but not otherwise, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

The vendor's lien against and superior title to the Property are retained until each note described is fully paid according to its terms, at which time this deed will become absolute.

PROSPERITY BANK, at Grantee's request, has paid in cash to Grantor that portion of the purchase price of the Property that is evidenced by the note. The first and superior vendor's lien against and superior title to the Property are retained for the benefit of PROSPERITY BANK and are transferred to PROSPERITY BANK without recourse against Grantor.

When the context requires, singular nouns and pronouns include the plural.

SHEERGHAR INVESTMENT, INC.

Name)

esictent (Capacity)

	STATE OF TEXA	AS)		
	COUNTY OF BE)		
Zu	This instr Ligar Male INVESTMENT, I	ument was acknown	wledge ice f said co	ed before me on March President (Capacity) rporation.	of SHEERGHAR
				Notary Public, State of Texas	TOU
	1000	LISA BEARD		My commission expires:	
		My Notary ID # 1022025 Expires August 1, 2023	110		

PREPARED IN THE OFFICE OF:

BASS & KARAM, PLLC 249 Moursund Blvd. San Antonio, Texas 78221

Tel: (210) 401-5297 Fax: (210) 401-4167

AFTER RECORDING RETURN TO:

GAROFOLO PROPERTIES LLC 14305 Friendswood Lane Austin, Texas 78737

THE STATE OF TEXAS COUNTY OF HAYS

I hereby certify that this instrument was FILED on the date and the time stamped hereon by me and was duly RECORDED in the Records of Hays County, Texas.

21014586 DEED 03/25/2021 01:44:58 PM Total Fees: \$34.00

Elaine H. Cárdenas, MBA, PhD, County Clerk Hays County, Texas

Eldin G Cardenas

LANDOWNER AUTHORIZATIONAND AFFIDAVIT OF OWNERSHIP

SUBJECT PROPERTY INFORMATION						
Subdivision Name, Block, Lot, or legal description if not subdivided: _THE HILL, Lot 2A						
# of lots (if subdivided): # of acres:#						
Site APN/Property ID #(s):						
Location: 1051 East FM 150, KYLE, TX 78640 County: Hays						
Development Name: Scrubs Carwash - Kyle, Texas						
OWNER						
Company/Applicant Name: Garofolo Properties, LLC.						
Authorized Company Representative (if company is owner): Peter Garofolo						
Type of Company and State of Formation: LLC, Texas						
Title of Authorized Company Representative (if company is owner): Member						
Applicant Address: 14305 Friendswood Ln, Austin TX 78737						
Applicant Fax:Applicant Phone:512-422-3335						
Applicant Phone: 512-422-3335 Applicant/Authorized Company Representative Email: garofolop@gmail.com						
Applicant/Authorized Company Representative Email: garofolop@gmail.com						
APPLICANT REPRESENTATIVE						
Check one of the following:						
I will represent the application myself; or						
X I hereby designate Kimberlyn Galifaro (name of project representative) to act in						
the capacity as the agent for filing, processing, representation, and/or presentation of this development						
application. The designated agent shall be the principal contact person for responding to all requests for						
information and for resolving all issues of concern relative to this application.						
I hereby certify that the above-named owner is the rightful owner of the Property. I am either the owner of the property identified above or a partner/manager/officer/director/member of the company who is authorized to act on behalf of the company. I further certify that the information provided herein and in the application for the development is true and correct. By signing below, I agree that the City of Kyle (the "City") is authorized and permitted to provide information contained within this application, including the email address, to the public. Owner's Signature: Date: 8/3/21 State of 1000 8 County of 4000 8						
This instrument was acknowledged before me on (date) by (name of authorized company representative) who is a(n) (member, manager, authorized officer, etc.) of (name of company), a (Texas) (limited liability company, corporation, partnership, etc.).						
SUBSCRIBED AND SWORN TO before me, this						
the 3^{ra} day of Aug , 2021 .						
Monico Hool O						
Monical Poster Scar My Commission Expires Notary Public's Signature						
10/07/2024 ID No. 132715258						
My Commission Expires						

PROJECT REPRESENTATIVE

Page 1 of 2 Item # 5

Representative Name: Kimberlyn Galifaro

Representative Address: 158 G Street, Kerrville, TX 78028

Representative Phone: (830) 315-9033

Representative Email: kimberlyng@kkasperconstruction.com

Representative's Signature: Date:



CITY OF KYLE, TEXAS

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

Meeting Date: 10/12/2021 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:	

ATTACHMENTS:

Description

No Attachments Available



CITY OF KYLE, TEXAS

Staff Report

Meeting Date: 10/12/2021 Date time:6:30 PM

Subject/Recommendation:	Staff Report by William Atkinson, City Planner.
Other Information:	
Legal Notes:	
Budget Information:	

ATTACHMENTS:

Description

No Attachments Available