

# 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

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**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

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### 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 special called meeting adjourned at 6:47 P.M.

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Prepared by Debbie A. Guerra

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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. Item # 1

The Planning and Zoning Commission workshop meeting adjourned at 8:17 P.M.

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Prepared by Debbie A. Guerra

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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 FACILITY, 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 10<sup>th</sup>.

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, Commissioner James moved to adjourn. Commissioner Snidow seconds the motion. All votes' aye. Motion carried.

The Planning and Zoning Commission regular called meeting adjourned at 7:46 P.M.

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Prepared by Debbie A. Guerra

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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:**

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**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

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**ATTACHMENTS:**

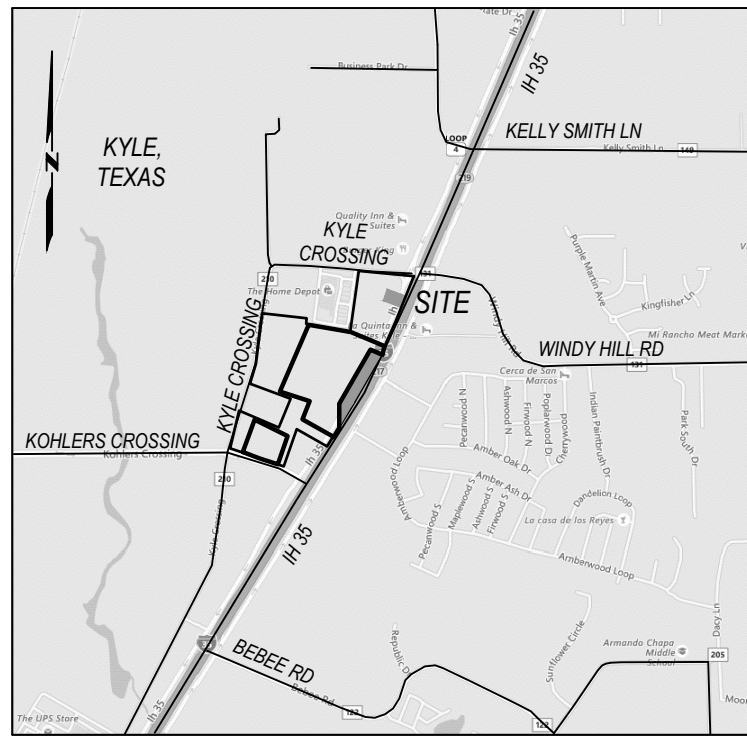
**Description**

☐ Replat

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

## LEGEND

- 1/8" IRON ROD W/CAP FOUND OR SET STAMPED "CUNNINGHAM-ALLEN INC"
- ▲ MASONRY NAIL FOUND WITH WASHER STAMPED "CHAPARRAL"
- 1/2" IRON ROD FOUND
- TYPE I R.O.W. MONUMENT FOUND
- △ MASONRY NAIL FOUND WITH WASHER STAMPED "CUNNINGHAM-ALLEN INC"
- DA DOUCET AND ASSOCIATES
- P.U.E. PUBLIC UTILITY EASEMENT
- W.L.E. WATER LINE EASEMENT
- W.W.E. WASTE WATER EASEMENT
- ESMT. EASEMENT
- PR PLAT RECORDS OF HAYS COUNTY, TEXAS
- DR DEED RECORDS OF HAYS COUNTY, TEXAS
- OPR OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS
- P.U.E. PUBLIC UTILITY EASEMENT
- B.S. BUILDING SETBACK



LOCATION MAP  
NOT TO SCALE

**OWNERS:**  
 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  
 512-327-2946 O 512-327-2973 F

**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)

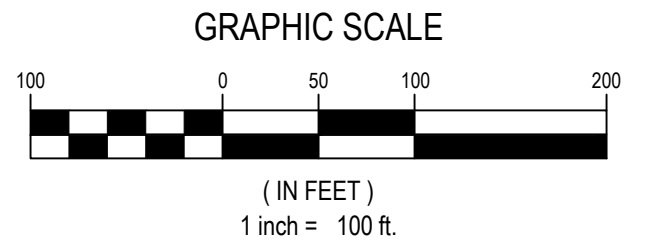
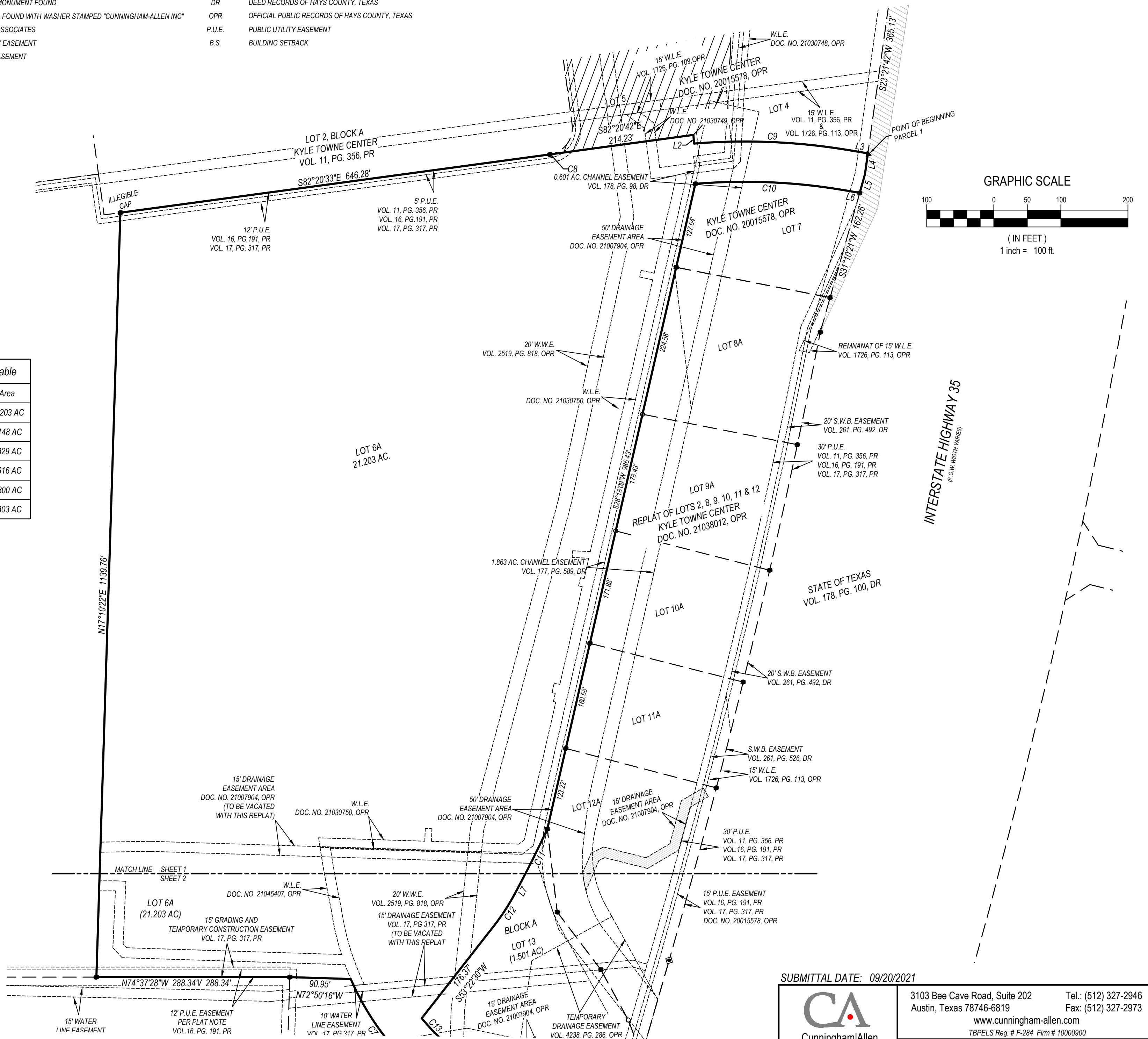
**TBM#1947-56A:** SQUARE CUT ON TOP OF THE SOUTH END OF A HEADWALL DRAINAGE STRUCTURE LOCATED APPROXIMATELY +/- 500 FEET NORTH OF ENTRANCE TO SUNOCO/SCHLOTZKY'S & APPROXIMATELY 50 FEET WEST OF CENTERLINE OF SOUTHBOUND FRONTAGE ROAD FOR INTERSTATE 35. ELEVATION = 718.62' (NAVD88)

**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)

**NOTES:**

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

Lot Area Table	
Lot #	Area
LOT 6A	21.203 AC
LOT 15A	2.148 AC
LOT 16A	1.329 AC
LOT 19A	1.616 AC
LOT 20A	0.800 AC
LOT 21A	1.303 AC



INTERSTATE HIGHWAY 35  
 (R.O.W. WIDTH Varies)

SUBMITTAL DATE: 09/20/2021

<p>Cunningham Allen Engineers • Surveyors</p>	3103 Bee Cave Road, Suite 202 Austin, Texas 78746-6819 www.cunningham-allen.com TBPELS Reg. # F-284 Firm # 10000900	Tel.: (512) 327-2946 Fax: (512) 327-2973
	DATE: 09/20/2021 DRAWN BY: TPW	PROJECT NO.: 277.3702 SHEET 1 OF 4



# 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 I35 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 I35 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 I35 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 I35 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 I35 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 I35 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,

I35 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 }

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON \_\_\_\_\_ BY \_\_\_\_\_ OF I35 KYLE CROSSING LOT 14, 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 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,

I35 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,

I35 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 }

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON \_\_\_\_\_ BY \_\_\_\_\_ OF I35 KYLE CROSSING LOT 17, 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 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,

I35 KYLE CROSSING LOT 20, 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 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 }  
COUNTY OF HAYS }

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON \_\_\_\_\_ BY \_\_\_\_\_ OF I35 KYLE 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 \_\_\_\_\_ OF SOUTHSIDE BANK, A TEXAS STATE BANK.

NOTARY PUBLIC, STATE OF TEXAS

SUBMITTAL DATE: 09/20/2021

 <b>Cunningham Allen</b> Engineers • Surveyors	3103 Bee Cave Road, Suite 202 Austin, Texas 78746-6819 www.cunningham-allen.com TBPELS Reg. # F-284 Firm # 10000900	Tel.: (512) 327-2946 Fax: (512) 327-2973
	DATE: 09/20/2021	PROJECT NO.: 277.3702
DRAWN BY: TPW		SHEET 3 OF 4







# 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

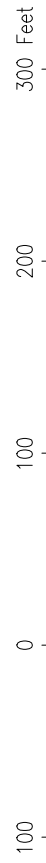
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**ATTACHMENTS:**

**Description**

- Final Plat

# CTX PARK



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 BOUNDINGS AS FOLLOWS:

COMMENCING at a 1/2" 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 1/2" 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 1/2" iron rebar with cap found at the north corner of said Central Texas tract, and from which a 1/2" 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 1/2" 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 74.99 feet to a 1/2" iron rebar with B&G Surveying cap set at the north corner of said 1.105 acre tract for the north corner hereof; THENCE over and across said Jansen tract the following four courses:

1. S 45° 17' 00" E a distance of 48.71 feet to a 1/2" iron rebar with B&G Surveying cap set for an angle point hereof;
2. S 72° 52' 52" E a distance of 167.31 feet to a 1/2" iron rebar with B&G Surveying cap set for an angle point hereof;
3. S 45° 17' 00" E a distance of 181.16 feet to a 1/2" iron rebar with B&G Surveying cap set at the east corner of said 1.105 acre 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, A FIVE (5) FOOT M.U.E. IS HEREBY DEDICATED ALONG EACH SIDE LOT LINE AND A TEN (10) FOOT M.U.E. IS HEREBY DEDICATED ADJACENT TO ALL REAR LOT LINES ON ALL LOTS.
- 2) WATER SERVICE WILL BE PROVIDED BY COUNTY LINE S.U.D.
- 3) WASTE WATER SERVICES WILL BE PROVIDED BY PEDERNALES ELECTRIC COOPERATIVE, INC.
- 4) ELECTRICITY WILL BE PROVIDED BY PEDERNALES ELECTRIC COOPERATIVE, INC.
- 5) PER SEC. 411-141, CITY OF KYLE ORDINANCE, ALL ELECTRICAL, TELEPHONE, CABLE TELEVISION, AND SIMILAR LINES SHALL BE PLACED UNDERGROUND. SUCH 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 KYLE CITY LIMITS.
- 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.
- 9) ALL SIDEWALKS SHALL BE A MINIMUM OF FOUR (4) FEET IN WIDTH AND BUILT IN COMPLIANCE WITH THE LATEST ADA STANDARDS. HANDICAP RAMPS ARE 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 WITHOUT 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 NEARLY CUT AND EASEMENT AREA FREE OF DEBRIS AND TREE/BRUSH REGROWTH TO THE PAVEMENT OF ANY ADJACENT STREET.
- 12) OWNER(S) OF PROPERTY WITH DRAINAGE AND UTILITY EASEMENT(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.

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

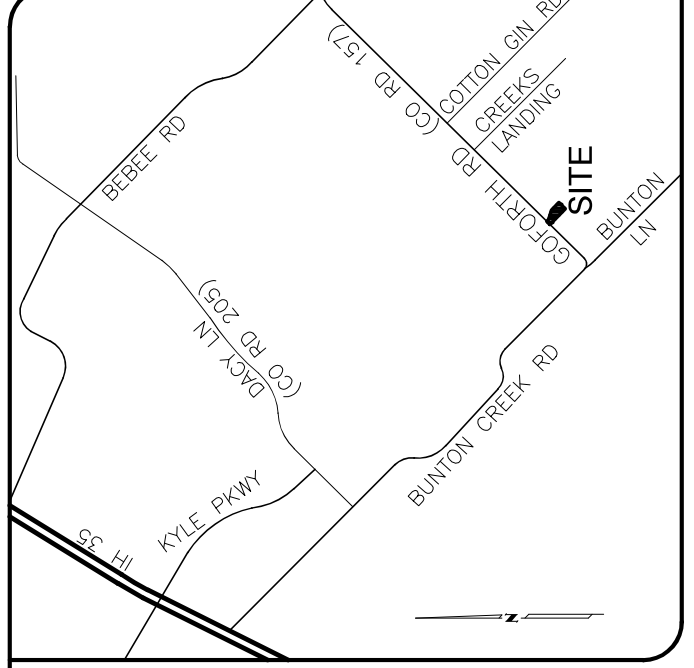
## RECORDING CERTIFICATION

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. \_\_\_\_\_.

Witness my hand and seal of office of the County Clerk, this the \_\_\_\_ day of \_\_\_\_\_ A.D. 2021.

Elaine Cardenas, County Clerk, Hays County, Texas

Notary Public, State of Texas



## VICINITY MAP

NOT TO SCALE

## LEGEND

- 1/2" REBAR FOUND
- 1/2" CAPPED REBAR SET
- 1/2" IRON PIPE FOUND
- CAPPED REBAR FOUND
- BUILDING LINE
- MUNICIPAL UTILITY EASEMENT
- DRAINAGE EASEMENT
- M.U.E.
- PER INST. 16043789
- PER INST. 19018791
- CONTROL MONUMENT
- CALCULATED FROM RECORD DATA
- RIGHT OF WAY
- PLACE OF BEGINNING
- MUNICIPAL UTILITY LINE
- POWER POLE
- BREAK IN SCALE
- CALCULATED POINT

## LINE TABLE

LINE	BEARING	DISTANCE
L1	N 44°43'00"E	74.99'
L2	S 45°17'00"E	48.71'

## SURVEY CONTROL DATA & BEARING BASIS

Texas State Plane Coordinate System, South Central Zone (Grid NAD '83)  
 Project control points were established using Trimble GPS on the VRS network.  
 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.

## SURVEY CONTROL MONUMENT

LCRA HARN PT Site ID: A490  
 N=13909285.34  
 E=2335952.16

## 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.

Dated this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Madam Chairperson of Planning & Zoning Commission

Reviewed by:

Leon Barbo, P.E.  
 City Engineer  
 100 West Center St.  
 Kyle, Texas 78640

Reviewed by:

Harper Wilder  
 Director of Public Works

STATE OF TEXAS

COUNTY OF HAYS

KNOW ALL MEN BY THESE PRESENTS

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 properly placed under my supervision.

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.

Victor M. Garza

Registered Professional Land Surveyor  
 No. 4740 - State of Texas

Date



**B & G SURVEYING, LLC**  
 FIRM REGISTRATION NO. 10085-00

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

JOB #: B1204920\_PLAT  
 DATE: 01/18/21  
 SCALE: 1" = 100'

Revised: 07/22/21



# 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

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### **ATTACHMENTS:**

#### **Description**

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



# CITY OF KYLE

## Community Development Department

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### 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

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

RE: Conditional Use Permit 1051 E RR 150

To whom it may concern,

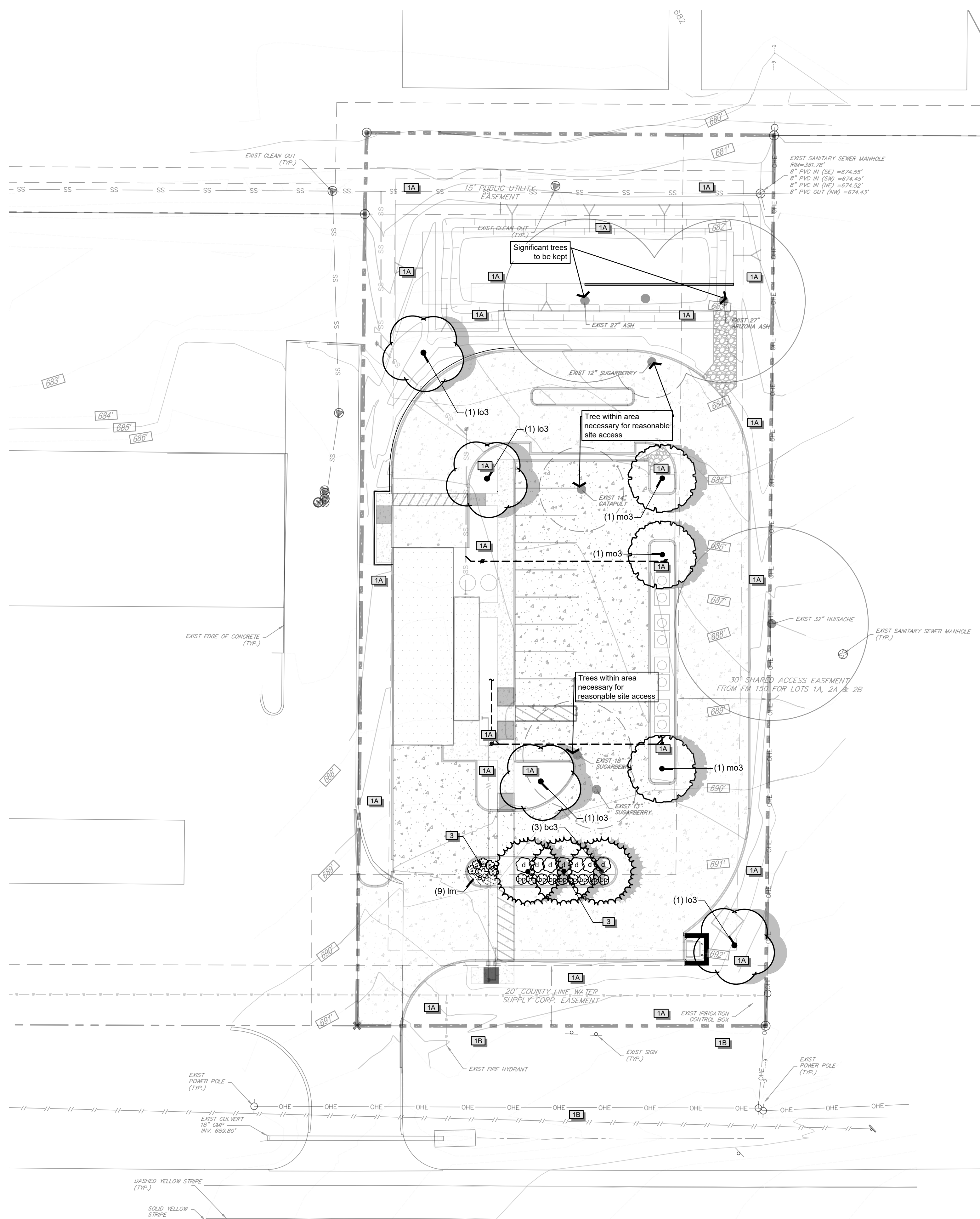
We are proposing a new drive thru car wash on the property listed above and will need a variance on the façade. The property is within the E FM 150 Overlay.

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.



### PLANT SCHEDULE

TREES	CODE	COMMON NAME	BOTANICAL NAME	CONT	CAL	SIZE	QTY
	bc3	Bald Cypress	Taxodium distichum	-	3"Cal	6' H min	3
	lo3	Live Oak	Quercus virginiana	-	3"Cal	6' H min	4
	mo3	Monterey Oak	Quercus polymorpha 'Monterey'	-	3"Cal	6' H min	3
SHRUBS	CODE	COMMON NAME	BOTANICAL NAME	CONT	SIZE		
	bp	Blue Plumbago	Plumbago auriculata	5 gal			9
	d	Dwarf Palmetto	Sabal minor	5 gal			7
	s	Pink Salvia Greggii	Salvia greggii 'Pink'	5 gal			5
	so	Sotol	Dasyliion texanum	5 gal			1
GROUND COVERS	CODE	COMMON NAME	BOTANICAL NAME	CONT			
	lm	Lilyturf	Liriope muscari	1 gal		18" o.c.	9

### LANDSCAPE CALCULATIONS

LANDSCAPED AREA	REQUIRED	PROVIDED
• Total Site Area		39,872sf
• Landscaped Area (zoning:RS)	3,987sf(10%)	18,600sf
•• 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"+	54"	54"	--	-- (200%)
• 12"-Under 25"	--	--	--	-- (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

SCREENING	REQUIRED	PROVIDED
• Parking, Mechanical, Storage, etc.	25sf	25sf

STREET TREES	REQUIRED	PROVIDED
• Road Frontage (-If)	--	--

\*Not feasible due to utility easement conflicts

### REFERENCE NOTES SCHEDULE

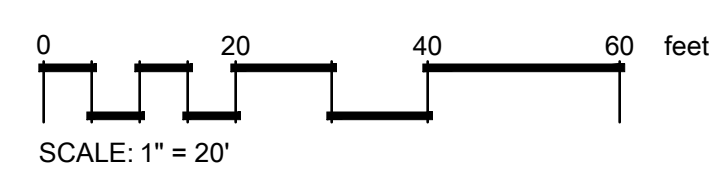
SYMBOL	DESCRIPTION
	Lawn, Sod
	Lawn, Hydromulch Seed
	Mulch

### TREE LIST

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 7.5 7 6 5 5, KEEP
1126 12" - SUGARBERRY 2-BOLES 8.5 7, REMOVE
1127 14" - CATALPA 2-BOLES 11 6, 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.



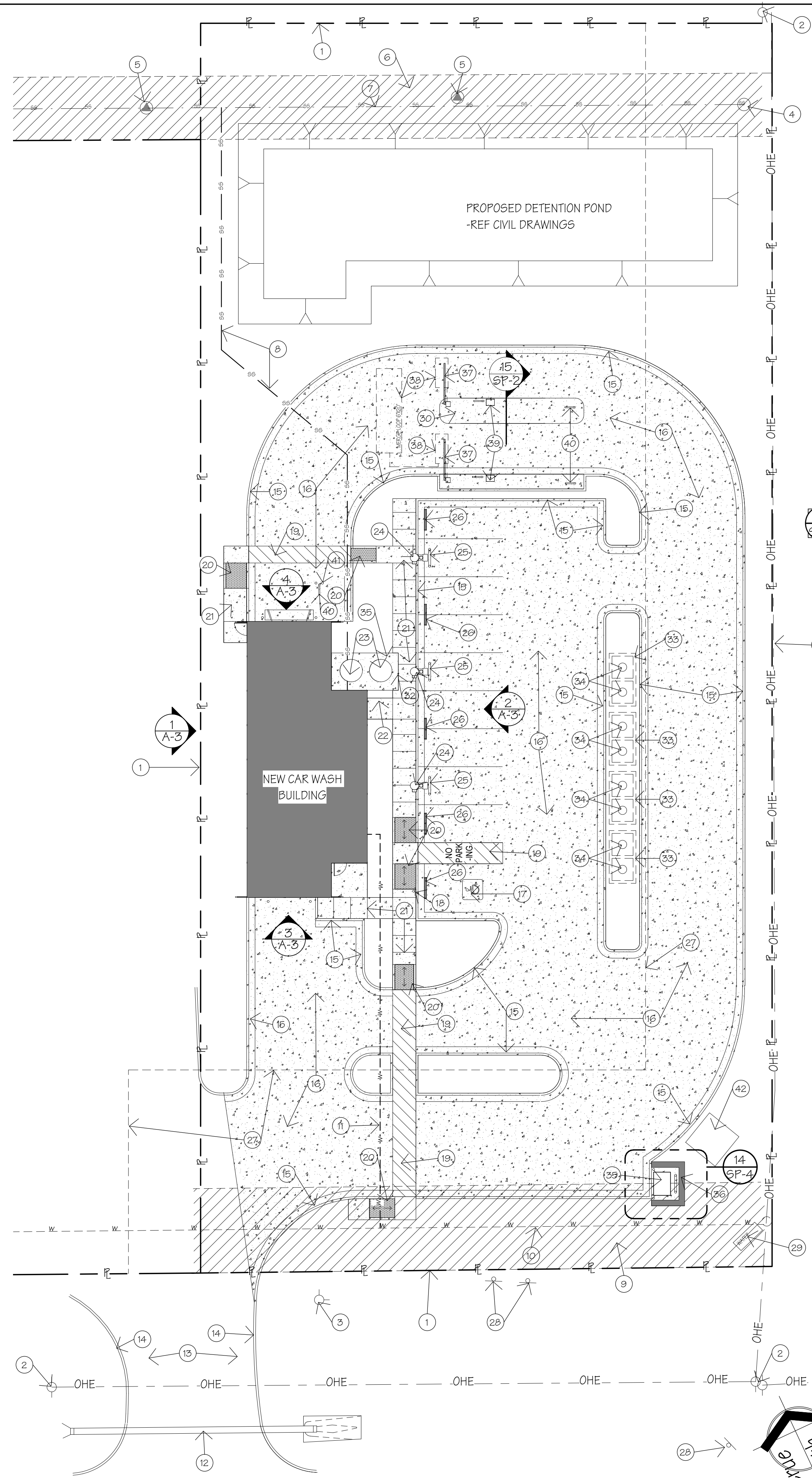
Date									
Description									
Rev									
Consultant Seal									
Company Name and Address									
William S. Blair (512) 522-8979 info@blairLA.com www.blairLA.com 100 Congress Ave. Ste 2000 Austin, TX 78701									
William S. Blair July 27, 2021									
Project Name and Address									
<b>Scrubs Car Wash</b> 102 Creekside Trail Kyle, Texas									
<b>Landscape Plan</b>									
Design By: Will Blair									
Checked By: xxx									
Issue Date: 06/30/2021									
Project Number: 21064-LP									
L1									
OF 2									



**Contractors:**  
 email info@blairLA.com with RFIs, submittals, & inspection scheduling.  
 Schedule inspections at least 2 weeks in advance  
 Item # 5

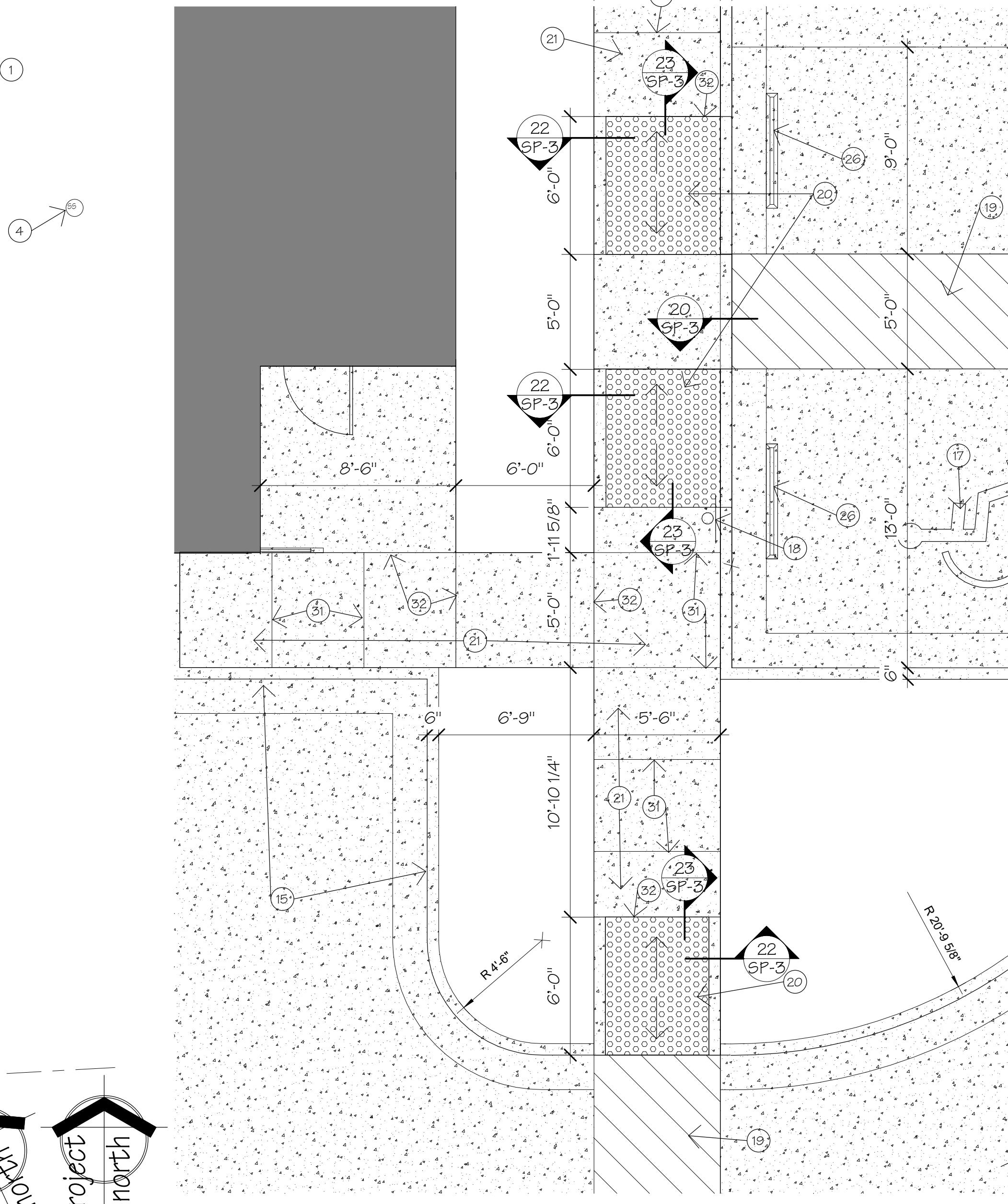
Know what's below.  
 Call before you dig.





25 Reference Site Plan  
 SP-2 scale: 1/16" = 1'-0"

15 Drive-Through Island Curb Detail  
 SP-2 scale: 1 1/2" = 1'-0"



13 Reference Site Plan - Callout 1  
 SP-2 scale: 1/4" = 1'-0"

**keynotes**

as indicated by: ○ →

1. PROPERTY LINE.
2. EXISTING POWER POLE - PROTECT DURING CONSTRUCTION.
3. EXISTING FIRE HYDRANT - PROTECT DURING CONSTRUCTION.
4. EXISTING SANITARY SEWER MANHOLE - PROTECT DURING CONSTRUCTION.
5. EXISTING CLEAN OUT.
6. 15' PUBLIC UTILITY EASEMENT
7. EXISTING SANITARY SEWER LINE - REF. PLUMBING DRAWINGS
8. NEW SANITARY SEWER LINE - REF. PLUMBING DRAWINGS
9. 20' COUNTY LINE WATER SUPPLY CORP. EASEMENT
10. EXISTING WATER LINE - REF. PLUMBING DRAWINGS
11. NEW WATER LINE - REF. PLUMBING DRAWINGS
12. EXISTING CULVERT.
13. EXISTING CONCRETE APPROACH
14. EXISTING CONCRETE CURB AND GUTTER
15. NEW CONCRETE CURB AND GUTTER - REF. 13/SP-3
16. NEW CONCRETE PAVING - REF. CIVIL DRAWINGS
17. ACCESSIBLE SYMBOL PAINTED ON PARKING SURFACE - WHITE SYMBOL ON BLUE BACKGROUND - REF. 7/SP-3
18. HANDICAP SIGNAGE - REF. 5/SP-3
19. ACCESSIBLE ZONE ISLE STRIPING - 4" WIDE STRIPES - YELLOW.
20. ADA RAMP UP TO SIDEWALK - REF. 22/SP-3 & 23/SP-3
21. CONCRETE SIDEWALK - REF. 21/SP-3
22. EXTEND THE CONCRETE SIDEWALK TO BUILDING AT THIS LOCATION TO ACCOMMODATE FOR ACCESS TO POTENTIAL FUTURE RESTROOM.
23. WATER STORAGE TANKS - REF. EQUIPMENT DRAWINGS.
24. LOCATION OF VACUUM SYSTEM. - REF. EQUIPMENT DRAWINGS FOR MORE INFORMATION.
25. STEEL PIPE PARKING BARRIER IN FRONT OF VACUUM SYSTEMS - REF. 9/SP-4
26. CONCRETE WHEEL STOP - REF. 14/SP-3
27. 30' SHARED ACCESS EASEMENT FROM FM150 FOR LOTS 1A, 2A, & 2B
28. EXISTING SIGNAGE
29. EXISTING IRRIGATION CONTROL BOX
30. CONCRETE CURB AND ISLAND - REF. 15/SP-2
31. CONCRETE CONTROL JOINT - REF. 24/SP-3
32. CONCRETE EXPANSION JOINT - REF. 28/SP-3
33. PAIR OF 750 GALLON UNDERGROUND WATER TANKS AS PART OF PURCLEAN WATER RECOVERY SYSTEM - REF. ENGINEERING AND EQUIPMENT DRAWINGS.
34. MANHOLE ACCESS TO UNDERGROUND WATER TANK.
35. NEW TRASH CONTAINER
36. NEW TRASH COMPOUND - REF. SHEET SP-4
37. NEW AUTOMATIC GATE AS PART OF PAY STATION EQUIPMENT - REF. ELECTRICAL AND EQUIPMENT DRAWINGS
38. NEW SAFETY LOOPS FOR AUTOMATIC GATES - REF. ELECTRICAL AND EQUIPMENT DRAWINGS
39. NEW PAY STATION EQUIPMENT - REF. ELECTRICAL AND EQUIPMENT DRAWINGS
40. NEW CAMERA POST AS PART OF PAY STATION EQUIPMENT - REF. ELECTRICAL AND EQUIPMENT DRAWINGS
41. PROVIDE PIPE BOLLARDS AROUND CAMERA POST, AS NECESSARY FOR PROTECTION. REF. 8/SP-3
42. NEW TRANSFORMER AND ASSOCIATED CONCRETE PAD - REF. AND COORDINATE WITH MEP DRAWINGS

date:	issue:
07.21.2021	FOR CONSTRUCTION

NEW DEVELOPMENT FOR:  
**SCRUBS CAR WASH**  
 1051 E. RR 150  
 Kyle, Texas 78640

partnership, inc.  
 ARCHITECTS • INTERIORS • PLANNERS

REGISTERED ARCHITECT  
 W. Scott Schell  
 STATE OF TEXAS  
 71062  
 W. Scott Schell  
 July 21, 2021

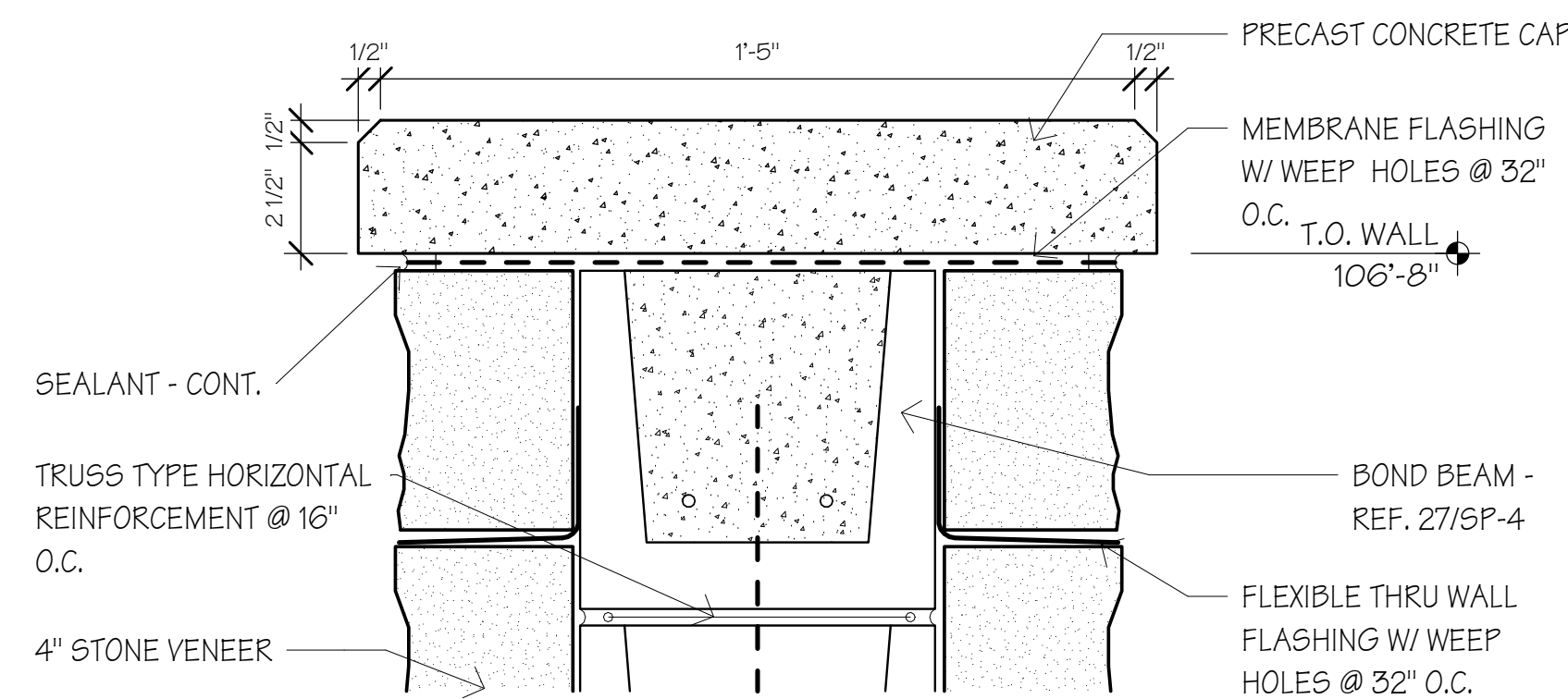
500 riverhill boulevard  
 kerrville, texas 78028-6539  
 806.794.4726  
 806.535.7570 (cell)

date:	project #
07.21.2021	07.2021

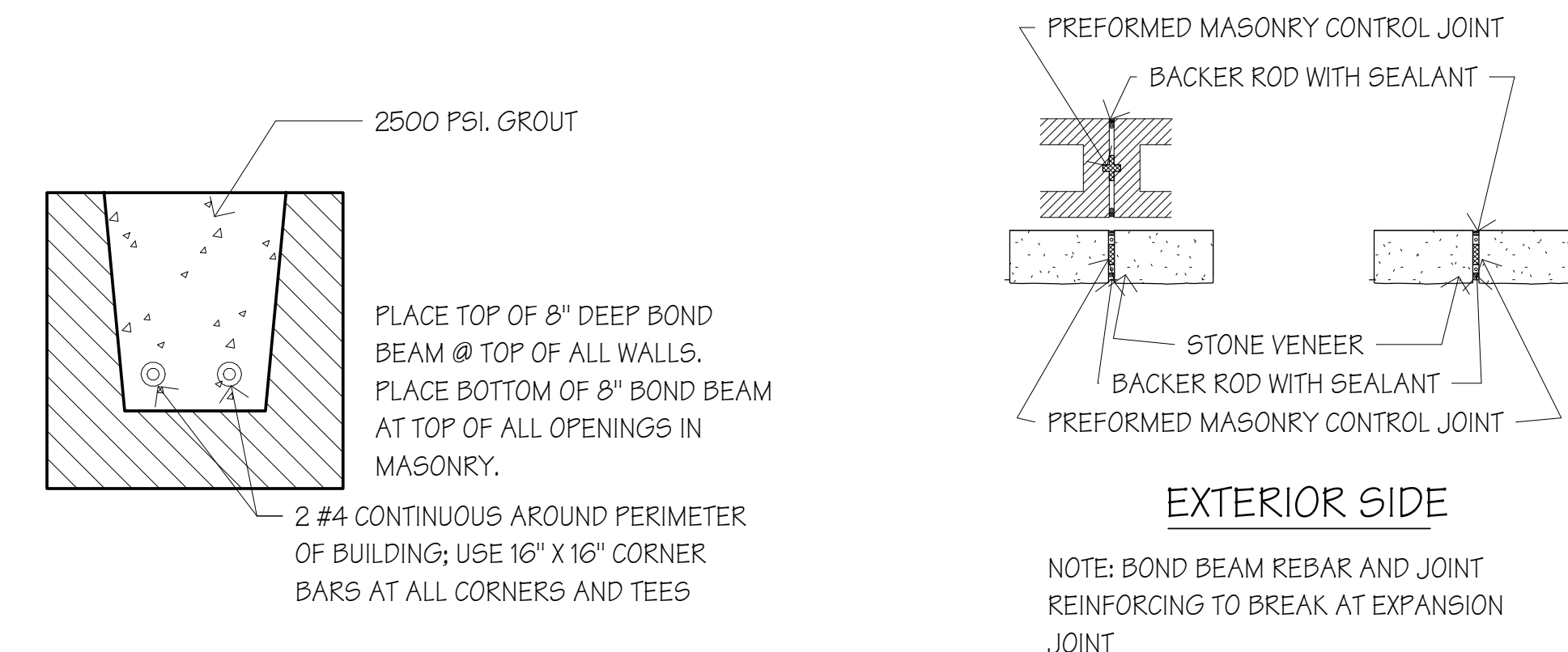
Reference Site Plan

sheet SP-2



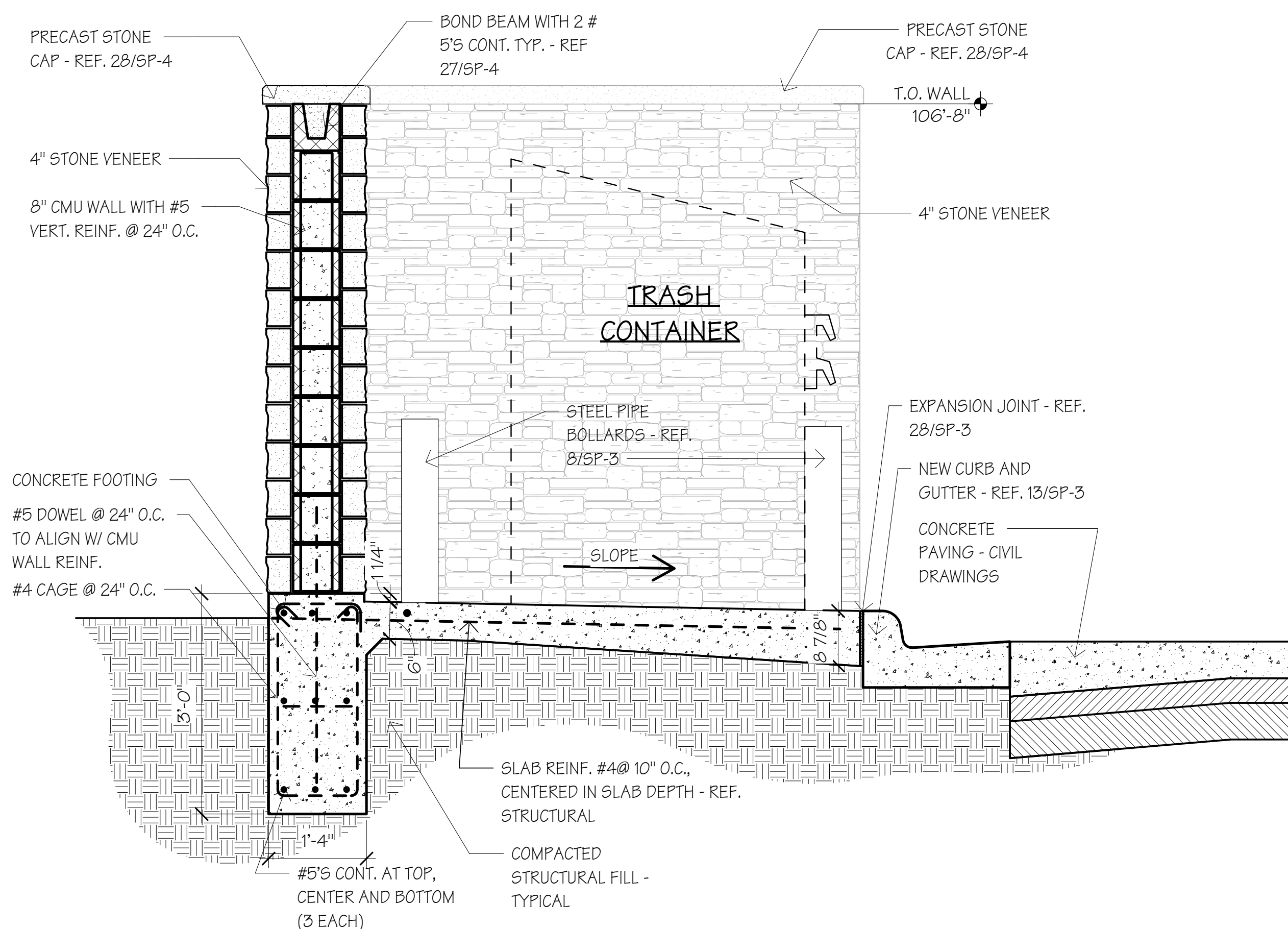


28 Concrete Cap Detail  
 SP-4 scale: 3" = 1'-0"

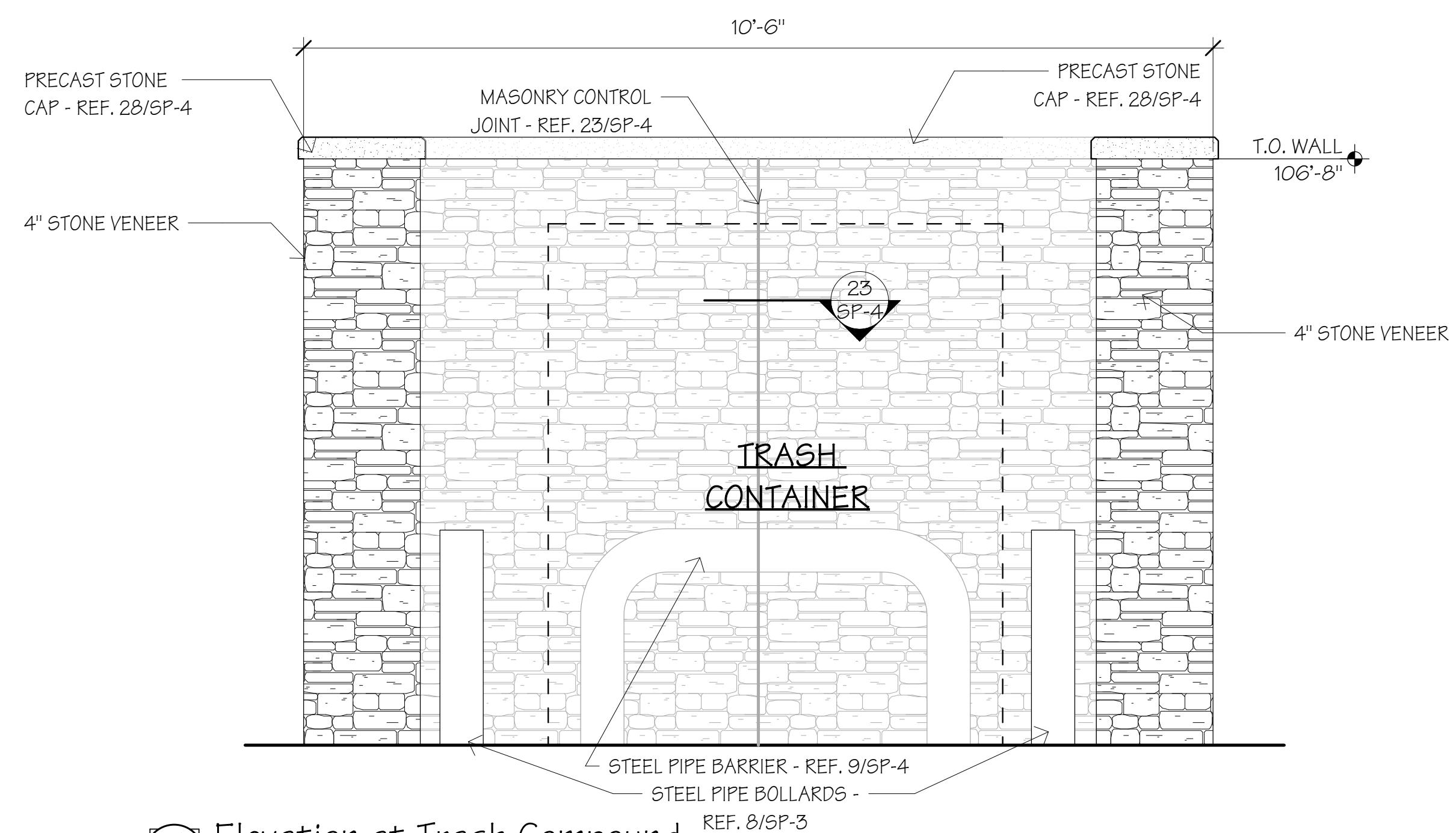


27 Bond Beam Detail  
 SP-4 scale: 3" = 1'-0"

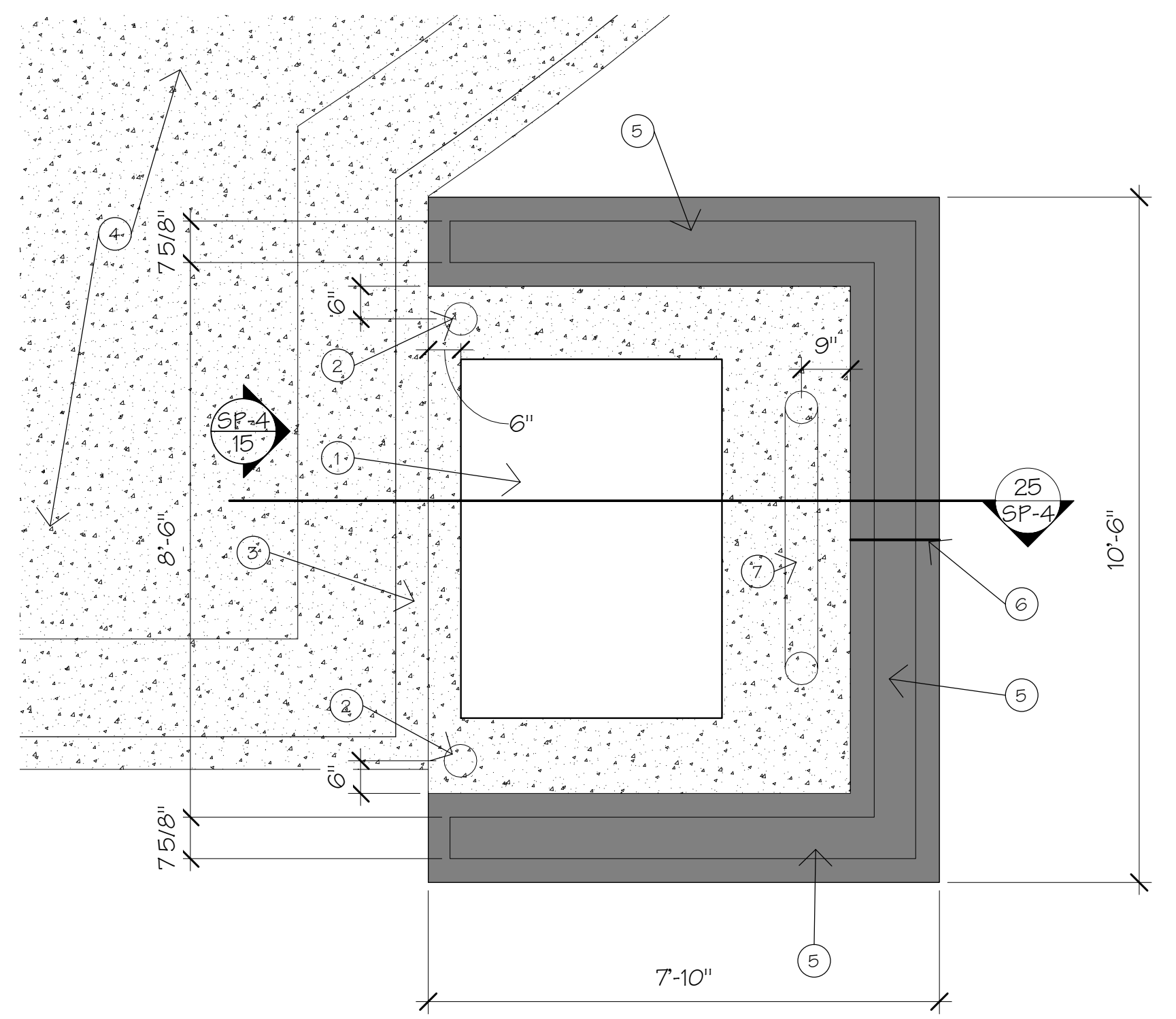
23 Masonry Control Joint Detail  
 SP-4 scale: 1" = 1'-0"



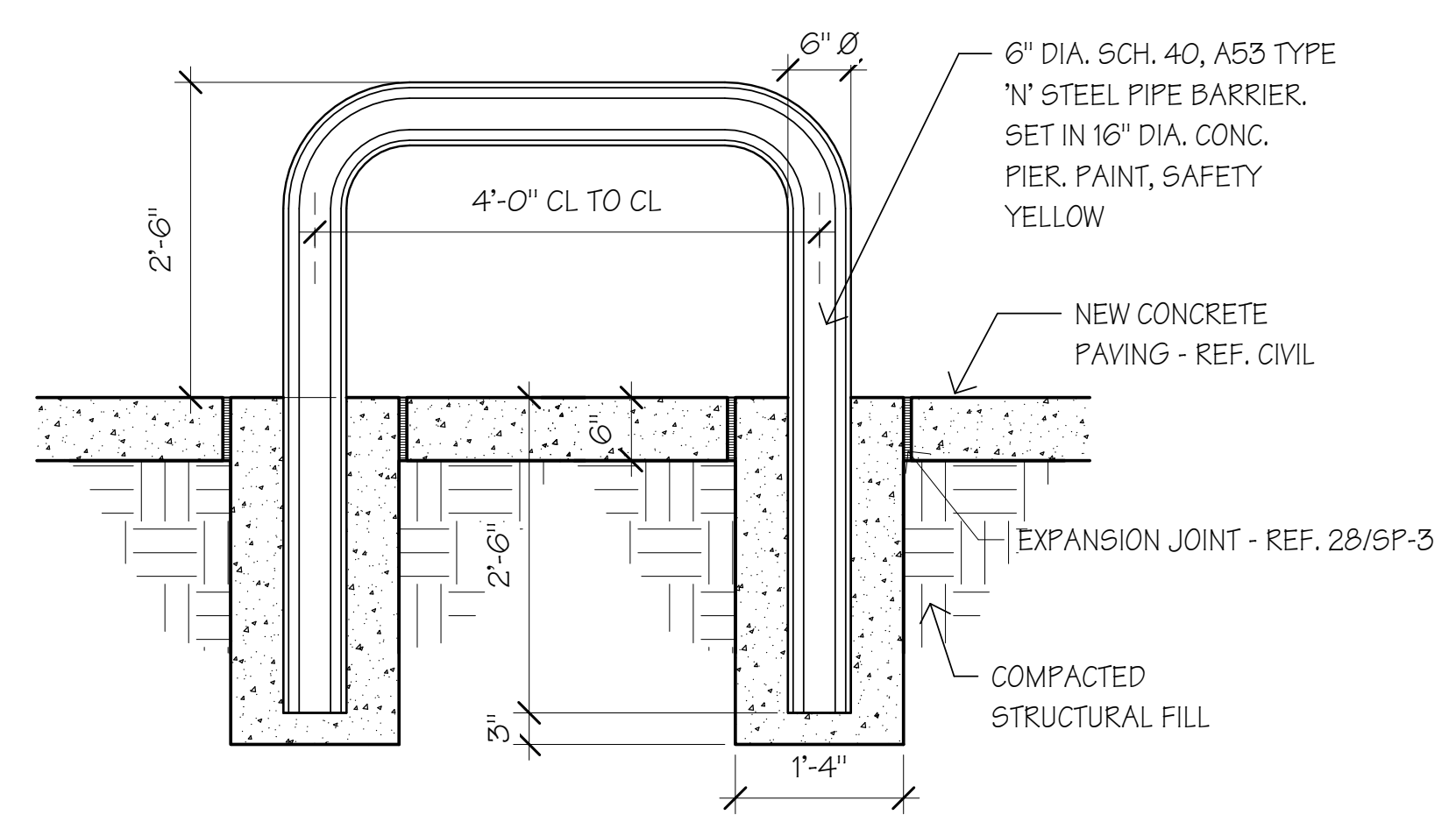
25 Section at Trash Compound  
 SP-4 scale: 3/4" = 1'-0"



15 Elevation at Trash Compound  
 SP-4 scale: 3/4" = 1'-0"



14 Enlarged Site Plan - Trash Compound  
 SP-4 scale: 1/2" = 1'-0"



9 Pipe Parking Barrier Detail  
 SP-4 scale: 3/4" = 1'-0"

- keynotes**  
 as indicated by: ○ →
1. NEW TRASH CONTAINER
  2. NEW STEEL PIPE BOLLARD - REF. 8/SP-3
  3. NEW CURB AND GUTTER - REF. 13/SP-3
  4. NEW CONCRETE PAVING - REF. CIVIL DRAWINGS
  5. NEW 8" CMU WALL WITH 4" STONE VENEER BOTH SIDES
  6. MASONRY CONTROL JOINT AT THIS LOCATION - REF. 23/SP-4
  7. STEEL PIPE BARRIER AT BACK OF DUMPSTER - REF. 9/SP-4

date:	issue:
07.21.2021	FOR CONSTRUCTION

NEW DEVELOPMENT FOR:  
**SCRUBS CAR WASH**  
 1051 E. RR 150  
 Kyle, Texas 78640

partnership, inc.  
 ARCHITECTS • INTERIORS • PLANNERS



W. Scott Schellert  
 July 21, 2021

500 riverhill boulevard  
 Kerrville, Texas 78028-6539  
 806.794.4726  
 806.535.7570 (cell)

date:	project #
07.21.2021	07.2021

Site Details and  
 Dumpster Screen

sheet SP-4



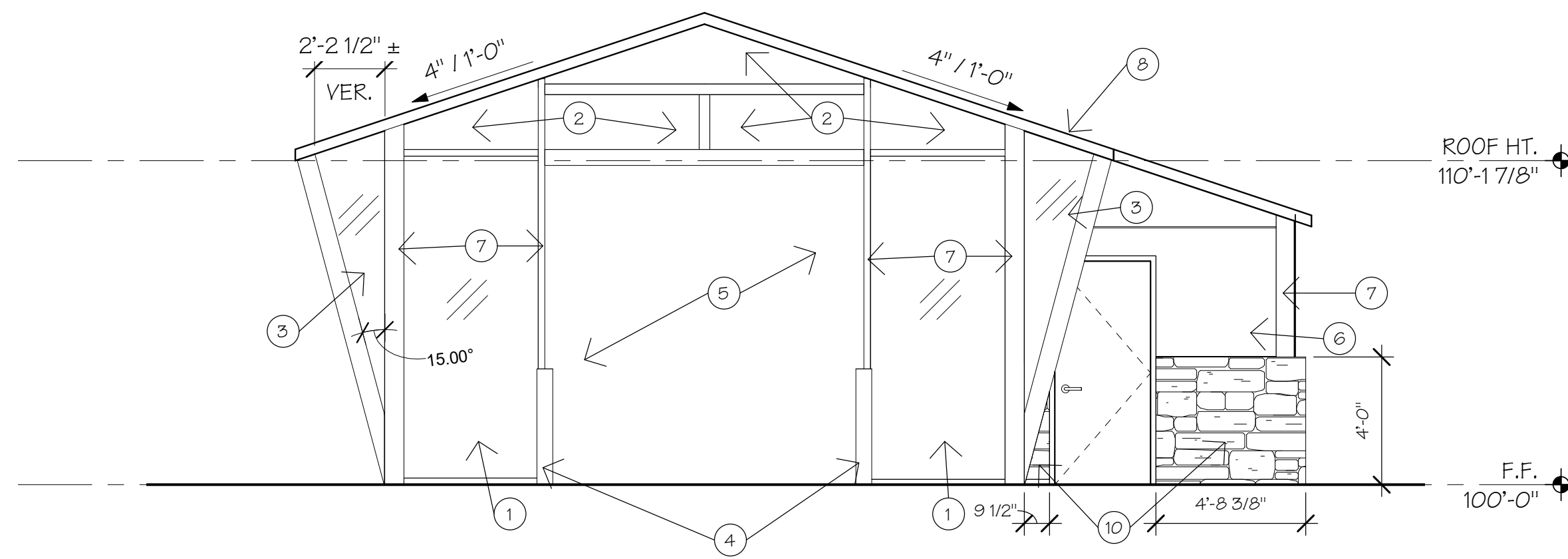
All ideas, designs, arrangements, plans, and specifications indicated or represented by this drawing are instruments of service and shall remain the property of SLS Partnership, Inc. and were created, evolved, and developed for use on and in connection with the specified project. None of such ideas, design, arrangements or plans shall be used by or disclosed to any person, firm, or corporation for any purpose whatsoever without the written permission and appropriate compensation of the Architect. Written dimension on these drawings shall have precedence over scaled dimensions and the contractor shall verify and be responsible for all dimensions and conditions on the job. The Architect shall not be responsible for construction means, methods, or procedures, or for safety precautions. 7/21/2021 1:29:08 PM

date:	issue:
08.30.2021	FOR CONSTRUCTION

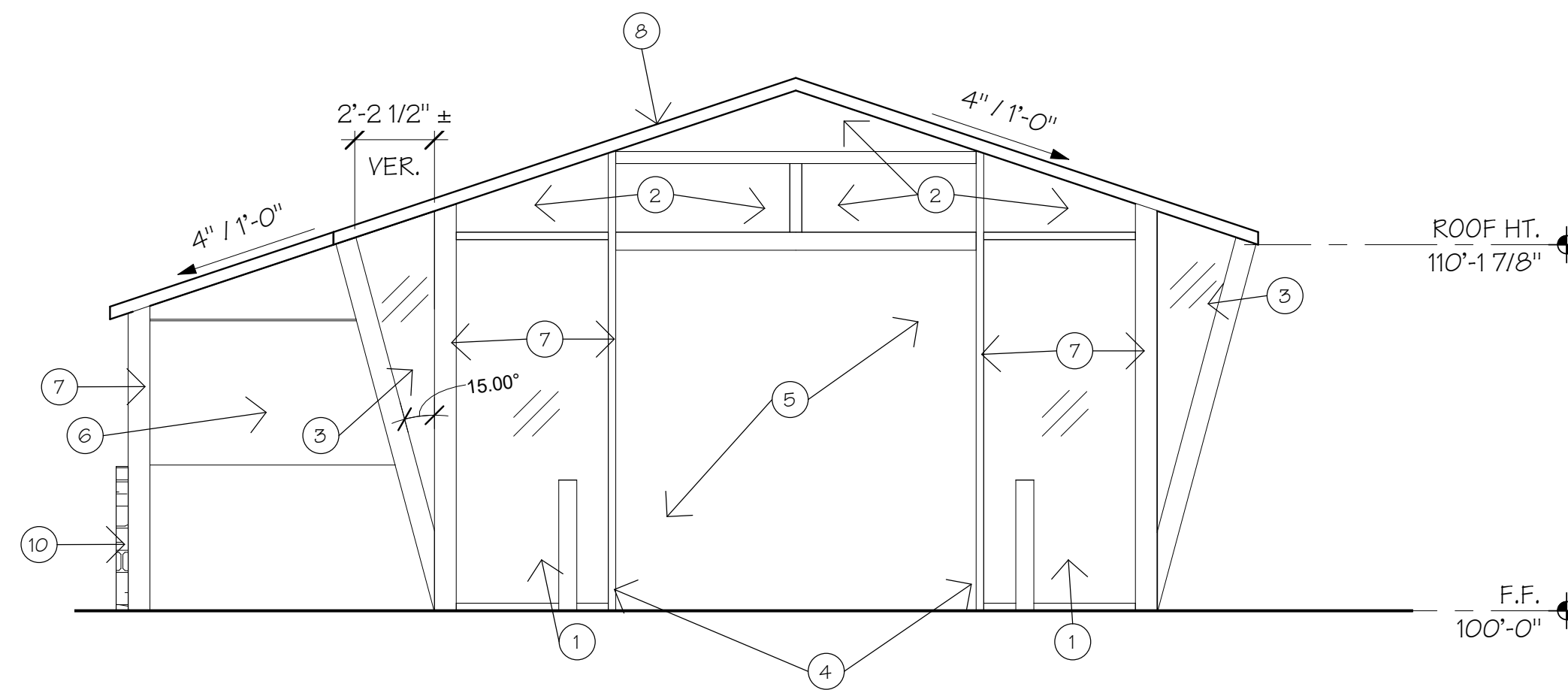
**keynotes**

as indicated by:

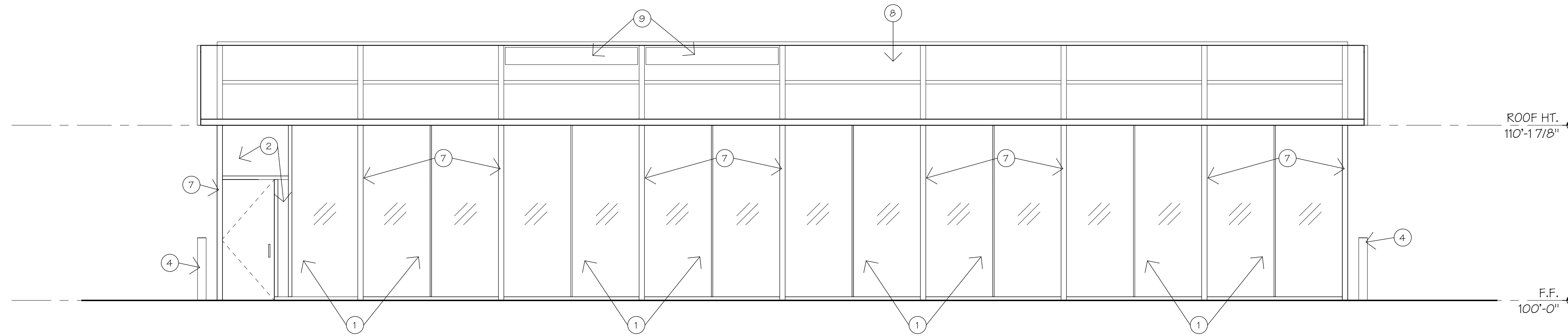
1. STOREFRONT SYSTEM, PART OF PRE-ENGINEERED BUILDING SYSTEM - REF. CCSI DRAWINGS FOR DETAILS, TYP.
2. TRANSOMS TO BE 10MM PVC PANELS, PART OF PRE-ENGINEERED BUILDING SYSTEM - REF. CCSI DRAWINGS FOR DETAILS, TYP.
3. ANGLED FACADE ELEMENT WITH FIXED GLASS, PART OF PRE-ENGINEERED BUILDING SYSTEM - REF. CCSI DRAWINGS FOR DETAILS, TYP.
4. PIPE BOLLARDS AT OVERHEAD DOORS AT CARWASH ENTRANCE/EXIT - REF. XX
5. CARWASH BAY OPENING.
6. 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.



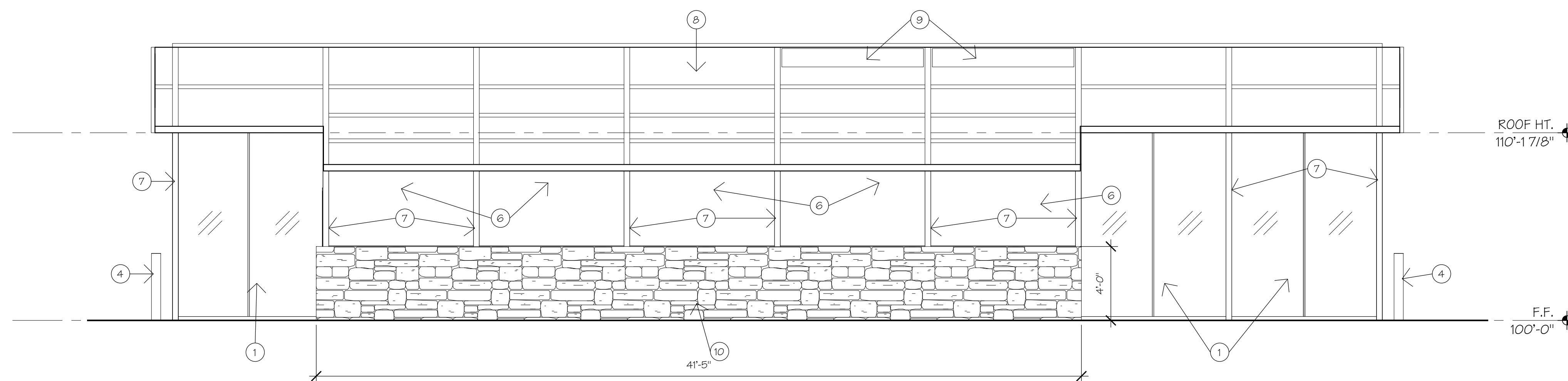
**2** South Elevation - Carwash Exit with stone  
A-3 scale: 1/4" = 1'-0"



**4** North Elevation - Carwash Entrance with stone  
A-3 scale: 1/4" = 1'-0"



**3** West Elevation Copy 1  
A-3 scale: 1/4" = 1'-0"



**1** East Elevation with stone  
A-3 scale: 1/4" = 1'-0"

NEW DEVELOPMENT FOR:

**SCRUBS CAR WASH**

Kyle, Texas 78640

1051 E. RR 150



*W. Scott Schell*  
August 30, 2021

500 riverhill boulevard  
kerrville, texas 78028-6539  
806.794.4726  
806.535.7570 (cell)

date:	project #
08.30.2021	07.2021

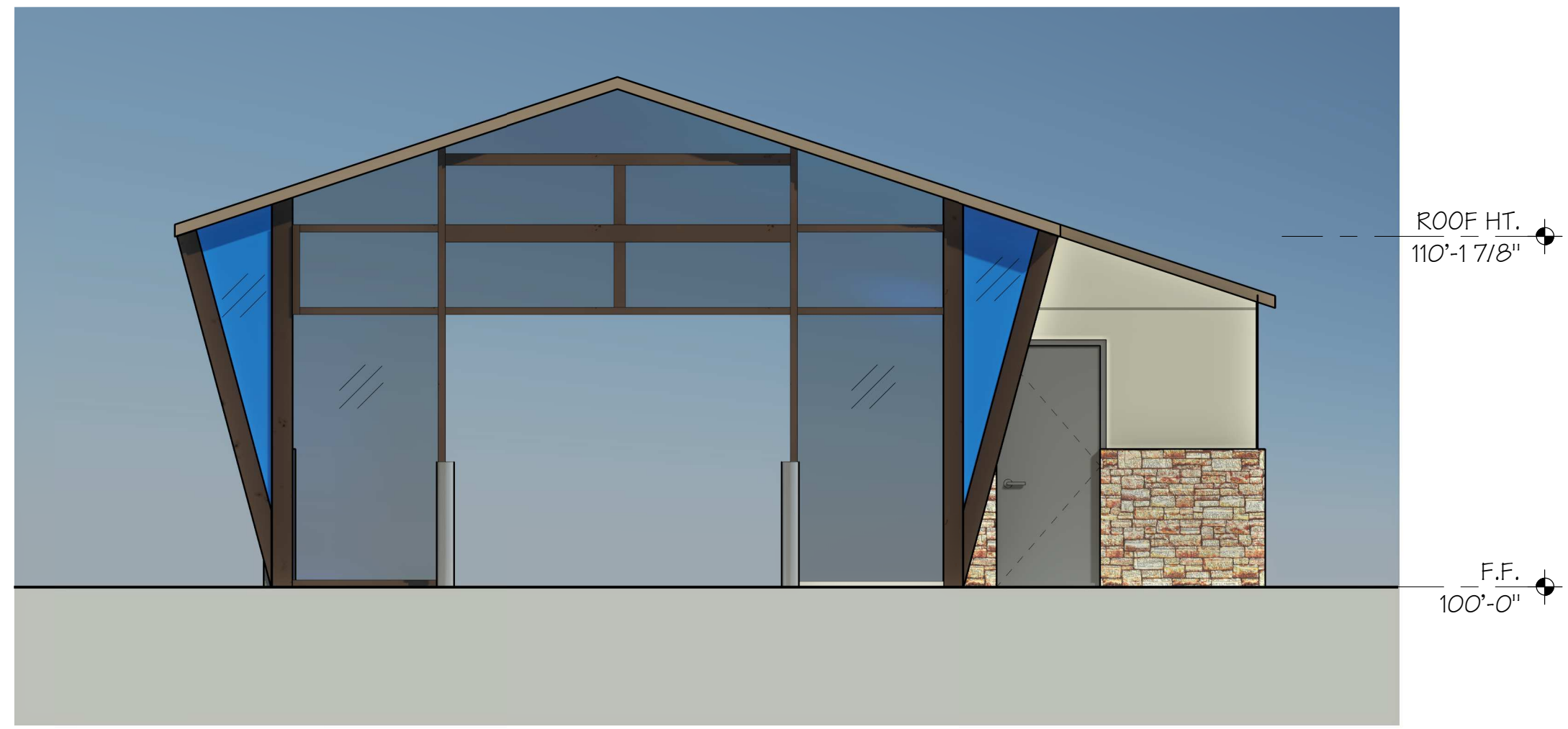
Exterior Elevations

sheet **A-3**

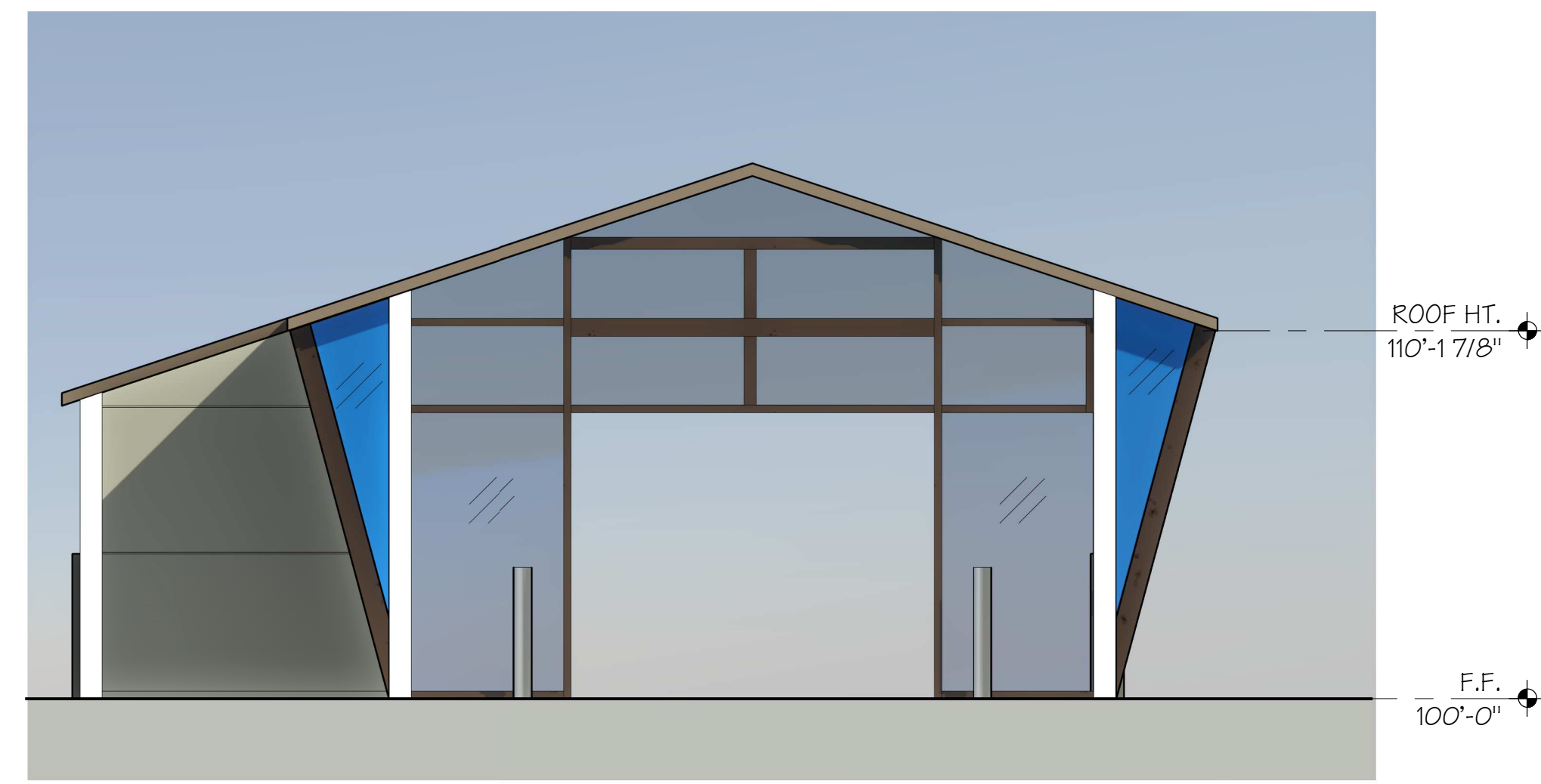


All ideas, designs, arrangements, plans, and specifications indicated or represented by this drawing are instruments of service and shall remain the property of SLS Partnership, Inc. and were created, evolved, and developed for use on and in connection with the specified project. None of such ideas, design, arrangements or plans shall be used by or disclosed to any person, firm, or corporation for any purpose whatsoever without the written permission and appropriate compensation of the Architect. Written dimension on these drawings shall have precedence over scaled dimensions and the contractor shall verify and be responsible for all dimensions and conditions on the job. The Architect shall not be responsible for construction means, methods, or procedures, or for safety precautions. 8/30/2021 2:10:01 PM

date:	issue:
08.30.2021	FOR CONSTRUCTION



3 South Elevation - Carwash Exit  
A-3.1 scale: 1/4" = 1'-0"



4 North Elevation - Carwash Entrance  
A-3.1 scale: 1/4" = 1'-0"



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



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

Kyle, Texas 78640

NEW DEVELOPMENT FOR:  
**SCRUBS CAR WASH**  
1051 E. RR 150

**S I S**  
partnership, inc.  
ARCHITECTS • INTERIORS • PLANNERS



*W. Scott Schell*  
August 30, 2021

500 riverhill boulevard  
kerrville, texas  
78028.6539  
806.794.4726  
806.535.7570 (cell)

date:	project #
08.30.2021	07.2021

Color Exterior Elevations

sheet A-3.1



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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 <sup>19</sup>\_\_, 2021 but to be effective March 23, 2021

Grantor: SHEERGHAR INVESTMENT, INC.

Grantor's Mailing Address:

102 Creekside Trl.  
Kyle TX 78610

15/ITC/ 2071775 -COM/ LMB

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 Records, Travis County, Texas



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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15/ITC/ 207/775 -COM/ LMB

Grantee: GAROFOLO PROPERTIES LLC

Grantee's Mailing Address:

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.

Reservations from Conveyance:

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.

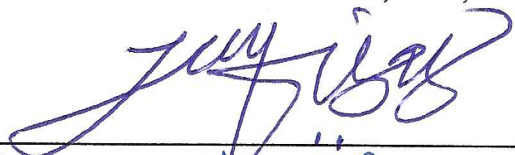
Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee 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.,

  
\_\_\_\_\_  
Zulfigar Maknoja (Name)  
vice President (Capacity)

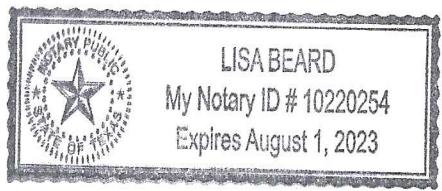
STATE OF TEXAS )

COUNTY OF BEXAR )

This instrument was acknowledged before me on march 19, 2021, by Zulfigar Makhojia (Name), Vice President (Capacity) of SHEERGHAR INVESTMENT, INC., on behalf of said corporation.

*[Handwritten Signature]*

\_\_\_\_\_  
Notary Public, State of Texas  
My commission expires: \_\_\_\_\_



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:

GAROFALO 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



LANDOWNER AUTHORIZATION AND 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: 0.916
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/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.

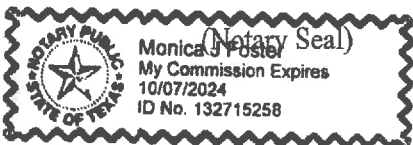
Owner's Signature: [Signature] Date: 8/3/21

State of TEXAS §
County of KYLE §


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 3rd day of Aug, 2021.

[Signature]
Notary Public's Signature
10/07/2024
My Commission Expires



PROJECT REPRESENTATIVE

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: 8/3/21



# 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:**

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**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:**

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**ATTACHMENTS:**

**Description**

No Attachments Available