

# 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 November 9, 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.**

Posted this 5th day of November, 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 - October 12, 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. Trails at Windy Hill Phase 6 - Final Plat (SUB-20-0146) 28.573 acres; 127 residential lots, 1 open space lot, 1 drainage easement, right-of-way and right-of-way dedication for property located off Windy Hill Rd. and Mathias.

Staff Proposal to P&Z: Approve the final plat.

B. Trails at Windy Hill Phase 7 - Final Plat (SUB-20-0148) 18.412 acres; 86 residential lots; 1 open space lot, 1 utility lot, right-of-way and right-of-way dedication for property located off Windy Hill Road and Mathias.

Staff Proposal to P&Z: Approve the final plat.

C. Cool Springs Subdivision Phase 3 - (SUB-21-0208) 26.82 acres; 102 residential lots for property located off Cool Springs Boulevard.

Staff Proposal to P&Z: Approve the final plat.

D. 6 Creeks Phase 1, Section 13A, 13B, 14A & 14B - Preliminary Plan (SUB-21---) 99.37 acres; 295 single family lots located northwest of Six Creeks Boulevard and N. Old Stagecoach Road.

Staff Proposal to P&Z: Approve the preliminary plan.

## **6. Consider and Possible Action**

A. Consider an amendment to Sec. 41-136 to allow utility lots and an amendment to Sec. 53-143 (Townhomes) within the City of Kyle in Hays County, Texas.

- Public Hearing

B. Consider a request to remove 2 specimen Live Oak trees (#206 & 207) and replace on site with 36, 3" caliper oak trees in addition to the minimum required trees per Chapter 54. The project is located at 1081 Four Seasons Farm Boulevard and is zoned R-2 (duplex zoning).

C. Consider a request to remove 1 specimen Live Oak tree (#1344, 37" Caliper) and replace on alternate site with 25, 3" caliper Live Oak trees per Chapter 54. The project is located at the southwest corner of IH-35 and Kohler's Crossing, and is zoned both R-3-3 and RS (dual zoning).

## **7. General Discussion**

A. Discussion regarding Nomination(s)/Election(s) of Planning and Zoning Chair and Vice-Chair.

B. 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: 11/9/2021**

**Date time:6:30 PM**

**Subject/Recommendation:** Planning and Zoning Commission Meeting Minutes - October 12, 2021 (Regular Meeting).

**Other Information:** See attached.

**Legal Notes:** N/A

**Budget Information:** N/A

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### ATTACHMENTS:

#### **Description**

- ☐ Minutes - October 12, 2021

## **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 October 12, 2021, at 6:30 P.M. in a hybrid setting with the following people present:

Acting Chair, Alex Guerra  
Commissioner, Megan McCall  
Commissioner, Patricia Snidow  
Commissioner, Matt Chase  
Commissioner, Brandon James  
City Planner, William Atkinson  
Planning Technician, Debbie A. Guerra

### **CALL MEETING TO ORDER**

Acting Chair Guerra called the meeting to order at 6:30 P.M.

### **ROLL CALL OF COMMISSION**

Acting Chair Guerra called for a roll call. Commissioners No one was absent.

### **MINUTES**

#### **PLANNING AND ZONING COMMISSION MINUTES – AUGUST 24, 2021 (SPECIAL CALLED AND WORKSHOP MEETING), AND SEPTEMBER 14, 2021 (REGULAR MEETING).**

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

### **CITIZENS COMMENTS**

Acting Chair Guerra 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. Acting Chair Guerra closed the citizens comment period at 6:31 P.M.

### **CONSENT**

#### **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.**

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

### **CONSIDER AND POSSIBLE ACTION**

#### **CTX PARK – FINAL PLAT (SUB-21-0192) 1.105 ACRES; 1 COMMERCIAL LOT FOR PROPERTY LOCATED AT 1850 GOFORTH ROAD.**

Commissioner Chase moved to approve the plat with two conditions to be resolved between staff and the applicant, surveyor change the Planning Director signature block to the Planning & Zoning Commission Chairperson. Additionally, the 5' ROW dedication needs to be shown on the plat. Commissioner Snidow seconds the motion. All votes aye. Motion carried.

**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)**

Commissioner James moved to approve the request. Commissioner Chase seconds the motion. All votes aye. Motion carried.

**GENERAL DISCUSSION**

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

Commissioner Snidow would like to have conversation relating to the definitions for manufactured housing, M-2 and M-3 zoning districts.

**STAFF REPORT**

**STAFF REPORT BY WILLIAM ATKINSON, CITY PLANNER.**

Mr. Atkinson asked the Commission to let him know if anyone would like to attend the APA conference virtually.

Also, Mr. Atkinson mentioned that there are no workshops scheduled for the fourth Tuesday in November and December due to the holidays.

**ADJOURN**

With no further business to discuss, Commissioner Chase moved to adjourn. Commissioner Snidow seconds the motion. All votes' aye. Motion carried.

The Planning and Zoning Commission regular called meeting adjourned at 6:47 P.M.

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Prepared by Debbie A. Guerra

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Acting Chair Alex Guerra



# CITY OF KYLE, TEXAS

## Citizen Comment Information

**Meeting Date: 11/9/2021**

**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

## Trails at Windy Hill Phase 6 - Final Plat (SUB-20-0146)

**Meeting Date: 11/9/2021**

**Date time:6:30 PM**

**Subject/Recommendation:** Trails at Windy Hill Phase 6 - Final Plat (SUB-20-0146) 28.573 acres; 127 residential lots, 1 open space lot, 1 drainage easement, right-of-way and right-of-way dedication for property located off Windy Hill Rd. and Mathias.

Staff Proposal to P&Z: Approve the final plat.

**Other Information:** See attachments.

**Legal Notes:** N/A

**Budget Information:** N/A

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### ATTACHMENTS:

#### **Description**

- 1445 Approval Letter from Hays County
- Final Plat





**Hays County Development Services**  
P.O Box 1006 San Marcos TX 78667-1006  
2171 Yarrington Road San Marcos TX 78666  
512-393-2150 / [www.hayscountytexas.com](http://www.hayscountytexas.com)

October 06, 2021

Howard Koontz  
Director of Planning  
City of Kyle

**Re: Trails at Windy Hill, Phase 6, Final (PLN-1599-NP)**

Mr. Koontz,

The Hays County Development Services staff has had an opportunity to review the aforementioned subdivision for compliance with Hays County subdivision and development regulations. Hays County staff has no further review comments at this time.

Pursuant to the Interlocal Cooperation Agreement between Hays County and the City of Kyle for subdivision regulation within the extraterritorial jurisdiction of the City of Kyle, please move forward with approval of the plat as submitted.

If you have any questions please let me know.

Regards,

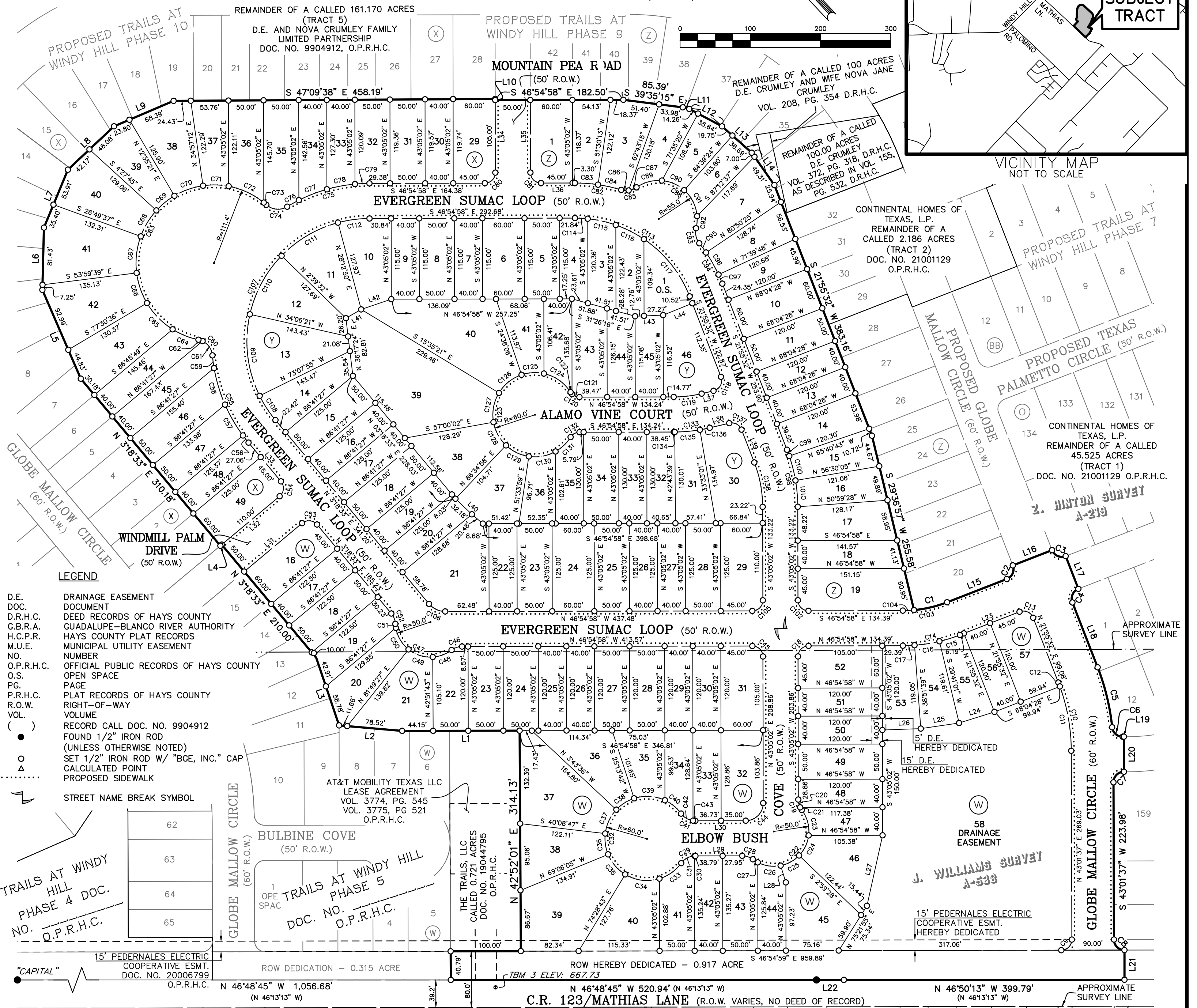
*Marcus Pacheco*

Marcus Pacheco  
Director  
Hays County Development Services

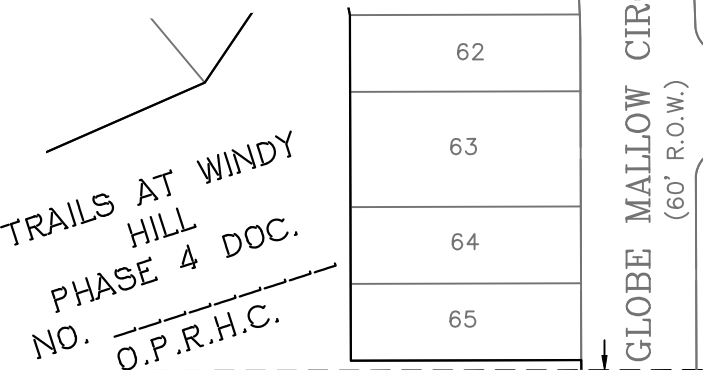
**BENCHMARKS:**

**BENCHMARK #1** MAG NAIL W/BGE INC. SHINER SET AT THE INTERIOR CORNER OF A PAINTED CHEVRON IN TRIUMPH ROAD AT ITS INTERSECTION WITH WINDY HILL ROAD APPROXIMATELY 1,000 FEET SOUTHWEST OF THE INTERSECTION OF WINDY HILL ROAD AND MATHIAS LANE.  
 GRID NORTHING: 13925622.51  
 GRID EASTING: 2345795.99  
 ELEVATION: 663.93' (NAVD-88)

**BENCHMARK #3** MAG NAIL W/BGE INC. SHINER SET AT THE INTERIOR CORNER OF A PAINTED CHEVRON IN DRIVEWAY THAT ABUTS THE NORTHEASTERLY END OF MATHIAS LANE FOR ACCESS TO A CELL TOWER, BEING APPROXIMATELY 2,650 FEET SOUTHEAST OF THE INTERSECTION OF WINDY HILL ROAD AND MATHIAS LANE.  
 GRID NORTHING: 13924487.97  
 GRID EASTING: 2348483.39  
 ELEVATION: 667.73' (NAVD-88)



- LEGEND**
- D.E. DRAINAGE EASEMENT
  - DOC. DOCUMENT
  - D.R.H.C. DEED RECORDS OF HAYS COUNTY
  - G.B.R.A. GUADALUPE-BLANCO RIVER AUTHORITY
  - H.C.P.R. HAYS COUNTY PLAT RECORDS
  - M.U.E. MUNICIPAL UTILITY EASEMENT
  - NO. NUMBER
  - O.P.R.H.C. OFFICIAL PUBLIC RECORDS OF HAYS COUNTY
  - O.S. OPEN SPACE
  - P.G. PLAT RECORDS OF HAYS COUNTY
  - P.R.H.C. RIGHT-OF-WAY
  - R.O.W. VOLUME
  - ( ) RECORD CALL DOC. NO. 9904912
  - FOUND 1/2" IRON ROD (UNLESS OTHERWISE NOTED)
  - SET 1/2" IRON ROD W/ "BGE, INC." CAP
  - CALCULATED POINT
  - PROPOSED SIDEWALK
  - STREET NAME BREAK SYMBOL



15' PEDERNALES ELECTRIC COOPERATIVE ESMT. DOC. NO. 20006799 O.P.R.H.C.  
 ROW DEDICATION - 0.315 ACRE  
 ROW HEREBY DEDICATED - 0.917 ACRE  
 C.R. 123/MATHIAS LANE (R.O.W. VARIES, NO DEED OF RECORD)

LAND USE SCHEDULE		
DESCRIPTION	NO.	ACREAGE
RESIDENTIAL	127	19.182 AC.
RIGHT-OF-WAY	-	6.204 AC.
OPEN SPACE	1	0.108 AC.
DRAINAGE EASEMENT	1	2.162 AC.
RIGHT-OF-WAY DEDICATION	-	0.917 AC.
<b>TOTAL</b>	<b>129</b>	<b>28.573 AC.</b>

STREET NAMES			
STREET	R.O.W. WIDTH	Q. LENGTH	STREET CLASSIFICATION
ALAMO VINE COURT	50 FT.	307 FT.	LOCAL
ELBOW BUSH COVE	50 FT.	468 FT.	LOCAL
EVERGREEN SUMAC LOOP	50 FT.	2,783 FT.	LOCAL
GLOBE MALLOW CIRCLE	60 FT.	574 FT.	MINOR COLLECTOR
MOUNTAIN PEA ROAD	50 FT.	143 FT.	LOCAL
WINDMILL PALM DRIVE	50 FT.	148 FT.	LOCAL
<b>TOTAL LINEAR FEET</b>		<b>4,423 FT.</b>	

**BEARING BASIS:**  
 BEARING ORIENTATION IS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE 4204, NAD83. COMBINED SCALE FACTOR = 0.9999091101

A FIFTEEN (15) FOOT M.U.E. IS HEREBY DEDICATED ADJACENT TO ALL STREET ROW, 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.

**OWNERS:** CONTINENTAL HOMES OF TEXAS, L.P.  
 ADDRESS: 10700 PECAN PARK BLVD, SUITE 400 AUSTIN, TX, 78750  
 PHONE: (512) 345-4663 FAX: \_\_\_\_\_

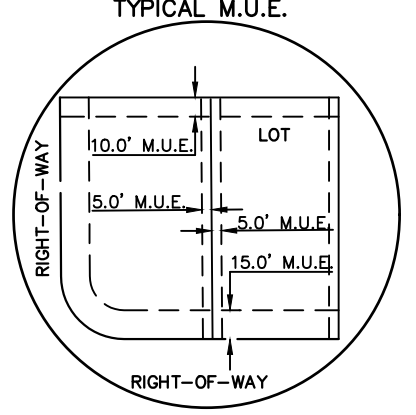
**ACREAGE:** 28.573 ACRES  
**SURVEY:** Z. HINTON SURVEY, ABSTRACT NO. 219 & JONATHAN WILLIAMS SURVEY, ABSTRACT NO. 538

**NUMBER AND ACREAGE BY LOT TYPE:**  
 RESIDENTIAL: 127 LOTS/19.182 ACRES  
 OPEN SPACE: 1 LOT/0.108 ACRE  
 DRAINAGE EASEMENT: 1 LOT/2.162 ACRES  
 RIGHT-OF-WAY: 6.204 ACRES  
 RIGHT-OF-WAY DEDICATION: 0.917 ACRE

**PLAT PREPARED:** 04/23/2020

**SURVEYOR:** BGE, INC. (JONATHAN O. NOBLES, RPLS)  
 PHONE: (512) 879-0441 FAX: \_\_\_\_\_

**ENGINEER:** BGE, INC. (TIMOTHY M. HOLLAND, PE)  
 PHONE: (512) 879-0433 FAX: \_\_\_\_\_



# FINAL PLAT TRAILS AT WINDY HILL PHASE 6

A SUBDIVISION OF 28.573 ACRES OF LAND LOCATED IN THE Z. HINTON SURVEY, ABSTRACT NO. 219 AND JONATHAN WILLIAMS SURVEY, ABSTRACT NO. 538 HAYS COUNTY, TEXAS

**BGE, Inc.**  
 101 West Louis Henna Blvd., Suite 400  
 Austin, TX 78728  
 Tel: 512-879-0400 • www.bgeinc.com  
 TBPELS Registration No. F-1046  
 TBPELS Licensed Surveying Firm No. 10106502

**SHEET 1 OF 3**

LINE TABLE			LINE TABLE			LOT AREA TABLE			LOT AREA TABLE			LOT AREA TABLE			LOT AREA TABLE			LOT AREA TABLE					
NUMBER	BEARING	DISTANCE	NUMBER	BEARING	DISTANCE	LOT	BLOCK	SQUARE FEET	LOT	BLOCK	SQUARE FEET	LOT	BLOCK	SQUARE FEET	LOT	BLOCK	SQUARE FEET	LOT	BLOCK	SQUARE FEET			
L1	N 46°54'58" W	167.34'	L23	N 68°04'28" W	91.19'	16	W	7,302	38	W	7,682	29	X	7,144	1	Y	4,694	24	Y	7,500	1	Z	7,054
L2	N 41°50'42" W	90.18'	L24	S 64°13'20" E	52.82'	17	W	4,900	39	W	13,287	30	X	4,786	2	Y	4,733	25	Y	6,250	2	Z	5,397
L3	N 24°31'18" E	101.69'	L25	S 55°09'08" E	55.10'	18	W	6,125	40	W	8,624	31	X	5,973	3	Y	4,889	26	Y	5,000	3	Z	7,170
L4	N 86°41'27" W	2.50'	L26	S 48°53'17" E	54.75'	19	W	6,380	41	W	5,960	32	X	5,969	4	Y	4,666	27	Y	5,000	4	Z	5,614
L5	N 19°48'52" E	137.82'	L27	S 55°44'22" W	102.93'	20	W	6,656	42	W	5,411	33	X	4,923	5	Y	5,750	28	Y	6,250	5	Z	4,866
L6	N 44°37'49" E	88.68'	L28	N 25°59'07" E	25.09'	21	W	8,855	43	W	6,688	34	X	5,368	6	Y	6,900	29	Y	7,452	6	Z	4,464
L7	N 65°38'28" E	89.30'	L29	N 46°54'58" W	66.73'	22	W	5,696	44	W	4,774	35	X	7,548	7	Y	4,600	30	Y	9,486	7	Z	7,871
L8	N 89°58'11" E	90.24'	L30	S 46°54'58" E	71.73'	23	W	6,000	45	W	9,931	36	X	6,567	8	Y	5,750	31	Y	6,136	8	Z	5,697
L9	S 69°56'55" E	92.20'	L31	N 86°41'27" W	107.50'	24	W	6,000	46	W	8,029	37	X	5,446	9	Y	4,600	32	Y	5,232	9	Z	5,069
L10	S 43°05'02" W	1.63'	L32	S 86°41'27" E	107.50'	25	W	4,800	47	W	4,340	38	X	8,452	10	Y	7,381	33	Y	5,200	10	Z	7,200
L11	S 33°11'23" E	9.50'	L33	N 03°18'33" E	72.06'	26	W	4,800	48	W	4,790	39	X	6,716	11	Y	7,680	34	Y	6,500	11	Z	6,000
L12	S 18°51'22" E	52.89'	L34	N 43°05'02" E	103.37'	27	W	6,000	49	W	6,000	40	X	9,195	12	Y	8,015	35	Y	4,767	12	Z	4,800
L13	S 05°08'49" E	56.44'	L35	S 43°05'02" W	103.37'	28	W	6,000	50	W	4,800	41	X	11,291	13	Y	10,116	36	Y	4,375	13	Z	4,800
L14	S 08°06'13" W	56.30'	L36	S 46°54'58" E	48.30'	29	W	4,800	51	W	4,800	42	X	9,486	14	Y	6,458	37	Y	7,237	14	Z	6,177
L15	S 68°04'28" E	91.19'	L37	N 60°04'28" W	17.41'	30	W	4,800	52	W	7,152	43	X	8,719	15	Y	6,250	38	Y	8,062	15	Z	5,507
L16	S 68°04'28" E	60.00'	L38	S 60°04'28" E	28.66'	31	W	7,152	53	W	6,003	44	X	6,220	16	Y	5,000	39	Y	21,714	16	Z	5,402
L17	S 21°55'32" W	50.00'	L39	S 21°55'32" W	50.24'	32	W	7,597	54	W	5,400	45	X	6,612	17	Y	5,000	40	Y	16,068	17	Z	7,140
L18	S 21°55'32" W	99.08'	L40	N 04°28'11" W	52.63'	33	W	5,154	55	W	5,328	46	X	7,175	18	Y	6,250	41	Y	5,331	18	Z	5,855
L19	S 46°58'23" E	1.77'	L41	S 76°41'58" E	25.12'	34	W	4,598	56	W	4,800	47	X	6,435	19	Y	5,000	42	Y	4,676	19	Z	9,448
L20	S 43°01'37" W	50.00'	L42	S 65°35'27" E	45.30'	35	W	5,690	57	W	7,152	48	X	5,002	20	Y	5,059	43	Y	6,640			
L21	S 43°09'47" W	42.32'	L43	S 48°59'01" E	40.03'	36	W	7,886	58	W	94,163	49	X	7,452	21	Y	11,409	44	Y	4,825			
L22	N 46°52'05" W	38.95'	L44	S 68°57'01" E	44.87'	37	W	12,162						22	Y	5,000	45	Y	4,632				
														23	Y	6,250	46	Y	8,192				

CURVE TABLE					
NUMBER	ARC LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD DISTANCE
C1	48.64'	175.00'	15°55'29"	S 60°06'44" E	48.48'
C2	23.56'	15.00'	90°00'00"	N 66°55'32" E	21.21'
C3	23.56'	15.00'	90°00'00"	S 23°04'28" E	21.21'
C4	23.56'	15.00'	90°00'00"	S 66°55'32" W	21.21'
C5	88.14'	330.00'	15°18'10"	N 29°34'37" E	87.88'
C6	22.04'	15.00'	84°12'05"	S 04°52'21" E	20.11'
C7	23.56'	15.00'	90°00'00"	S 88°01'37" W	21.21'
C8	23.55'	15.00'	89°56'36"	S 01°56'41" E	21.20'
C9	23.58'	15.00'	90°03'23"	N 88°03'19" E	21.22'
C10	99.44'	270.00'	21°06'05"	N 32°28'34" E	98.88'
C11	93.52'	270.00'	19°50'41"	N 33°06'16" E	93.05'
C12	5.92'	270.00'	1°15'24"	N 22°33'14" E	5.92'
C13	23.56'	15.00'	90°00'00"	N 23°04'28" W	21.21'
C14	83.09'	225.00'	21°09'30"	S 57°29'43" E	82.62'
C15	30.47'	225.00'	7°45'30"	S 64°11'43" E	30.44'
C16	36.04'	225.00'	9°10'38"	S 55°43'40" E	36.00'
C17	16.58'	225.00'	4°13'23"	S 49°01'40" E	16.58'
C18	23.56'	15.00'	90°00'00"	S 88°05'02" W	21.21'
C19	16.09'	25.00'	36°52'12"	S 24°38'56" W	15.81'
C20	11.55'	25.00'	26°27'50"	S 29°51'07" W	11.44'
C21	4.54'	25.00'	10°24'22"	S 11°25'01" W	4.53'
C22	142.89'	50.00'	163°44'23"	N 88°05'02" E	98.99'
C23	38.33'	50.00'	43°55'28"	N 28°10'34" E	37.40'
C24	32.18'	50.00'	36°52'14"	N 68°34'25" E	31.62'
C25	30.47'	50.00'	34°54'55"	S 75°32'00" E	30.00'
C26	33.58'	50.00'	38°28'38"	S 38°50'14" E	32.95'
C27	8.34'	50.00'	9°33'09"	S 14°49'21" E	8.33'
C28	16.09'	25.00'	36°52'12"	N 28°28'53" W	15.81'
C29	23.55'	25.00'	53°58'05"	N 73°54'01" W	22.69'
C30	1.21'	25.00'	2°46'59"	N 48°18'28" W	1.21'
C31	22.33'	25.00'	51°11'06"	N 75°17'30" W	21.60'
C32	301.53'	60.00'	287°56'10"	S 43°05'02" W	70.59'
C33	38.73'	60.00'	36°59'08"	S 82°23'30" E	38.06'
C34	50.66'	60.00'	48°22'38"	S 39°42'36" E	49.17'
C35	38.14'	60.00'	36°25'12"	S 02°41'19" W	37.50'
C36	30.32'	60.00'	28°57'18"	S 35°22'34" W	30.00'
C37	38.14'	60.00'	36°25'12"	S 68°03'49" W	37.50'
C38	30.32'	60.00'	28°57'18"	N 79°14'57" W	30.00'
C39	45.00'	60.00'	42°58'31"	N 43°17'02" W	43.96'
C40	30.21'	60.00'	28°50'54"	N 07°22'20" W	29.89'
C41	23.55'	25.00'	53°58'05"	S 19°55'56" E	22.69'
C42	20.27'	25.00'	46°27'27"	S 16°10'36" E	19.72'
C43	3.28'	25.00'	7°30'39"	S 43°09'39" E	3.27'
C44	39.27'	25.00'	90°00'00"	N 88°05'02" E	35.36'
C45	23.56'	15.00'	90°00'00"	N 01°54'58" W	21.21'
C46	16.09'	25.00'	36°52'12"	N 65°21'04" W	15.81'

CURVE TABLE					
NUMBER	ARC LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD DISTANCE
C47	108.18'	50.00'	123°57'55"	S 21°48'12" E	88.28'
C48	29.01'	50.00'	33°14'40"	S 67°09'50" E	28.61'
C49	36.97'	50.00'	42°21'57"	S 29°21'31" E	36.13'
C50	36.46'	50.00'	41°47'02"	S 12°42'58" W	35.66'
C51	5.73'	50.00'	6°34'16"	S 36°53'37" W	5.73'
C52	16.09'	25.00'	36°52'12"	N 21°44'39" E	15.81'
C53	23.56'	15.00'	90°00'00"	N 41°41'27" W	21.21'
C54	23.56'	15.00'	90°00'00"	N 48°18'33" E	21.21'
C55	136.58'	225.00'	34°46'51"	S 20°41'59" W	134.50'
C56	12.94'	225.00'	3°17'45"	S 04°57'26" W	12.94'
C57	50.84'	225.00'	12°56'50"	S 13°04'44" W	50.74'
C58	54.53'	225.00'	13°53'06"	S 26°29'42" W	54.39'
C59	18.27'	225.00'	4°39'09"	S 35°45'50" W	18.27'
C60	31.98'	25.00'	73°16'55"	N 01°26'57" E	29.84'
C61	25.82'	25.00'	59°10'42"	N 08°30'03" E	24.69'
C62	6.15'	25.00'	14°06'14"	N 28°08'24" W	6.14'
C63	408.63'	111.41'	210°09'02"	S 69°53'00" W	215.15'
C64	39.88'	111.41'	20°30'43"	S 24°56'09" E	39.67'
C65	52.83'	111.41'	27°10'11"	S 01°05'42" E	52.34'
C66	45.73'	111.41'	23°30'57"	S 24°14'52" W	45.41'
C67	52.83'	111.41'	27°10'03"	S 49°35'22" W	52.33'
C68	43.49'	111.41'	22°21'51"	S 74°21'19" W	43.21'
C69	33.16'	111.41'	17°03'07"	N 85°56'12" W	33.03'
C70	43.49'	111.41'	22°21'51"	N 66°13'43" W	43.21'
C71	36.64'	111.41'	18°50'34"	N 45°37'31" W	36.47'
C72	55.77'	111.41'	28°41'01"	N 21°51'43" W	55.19'
C73	4.82'	111.41'	2°28'43"	N 06°16'51" W	4.82'
C74	31.98'	25.00'	73°16'55"	S 41°40'57" E	29.84'
C75	123.34'	225.00'	31°24'26"	N 62°37'11" W	121.80'
C76	19.01'	225.00'	4°50'31"	N 75°54'09" W	19.01'
C77	42.94'	225.00'	10°56'04"	N 68°00'52" W	42.87'
C78	40.73'	225.00'	10°22'18"	N 57°21'41" W	40.67'
C79	20.65'	225.00'	5°15'33"	N 49°32'45" W	20.65'
C80	23.56'	15.00'	90°00'00"	N 88°05'02" E	21.21'
C81	23.56'	15.00'	90°00'00"	S 01°54'58" E	21.21'
C82	66.96'	225.00'	17°03'04"	N 38°23'26" W	66.71'
C83	33.07'	225.00'	8°25'12"	N 42°42'23" W	33.04'
C84	33.89'	225.00'	8°37'53"	N 34°10'50" W	33.86'
C85	22.68'	25.00'	51°58'51"	S 55°51'19" E	21.91'
C86	10.57'	25.00'	24°14'00"	S 41°58'54" E	10.50'
C87	12.11'	25.00'	27°44'51"	S 67°58'19" E	11.99'
C88	133.26'	55.00'	138°49'27"	N 12°26'01" W	102.97'
C89	38.36'	55.00'	39°57'35"	N 61°51'57" W	37.59'
C90	35.13'	55.00'	36°35'33"	N 23°35'23" W	34.53'
C91	42.32'	55.00'	44°04'58"	N 16°44'53" E	41.28'
C92	17.46'	55.00'	18°11'20"	N 47°53'02" E	17.39'

CURVE TABLE					
NUMBER	ARC LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD DISTANCE
C93	22.68'	25.00'	51°58'51"	S 30°59'17" W	21.91'
C94	66.48'	225.00'	16°55'40"	N 13°27'42" E	66.23'
C95	16.34'	225.00'	4°09'43"	N 07°04'43" E	16.34'
C96	36.04'	225.00'	9°10'38"	N 13°44'53" E	36.00'
C97	14.09'	225.00'	3°35'20"	N 20°07'52" E	14.09'
C98	83.09'	225.00'	21°09'30"	N 32°30'17" E	82.62'
C99					

STATE OF TEXAS §  
COUNTY OF HAYS §

KNOW ALL MEN BY THESE PRESENTS:

THAT CONTINENTAL HOMES OF TEXAS, L.P. BEING THE OWNER OF A 45.525 ACRE TRACT OF LAND SAVE AND EXCEPT A 0.721 ACRE TRACT OF LAND AND THE OWNER OF A 2.186 ACRE TRACT OF LAND, BOTH AS CONVEYED TO THEM BY SPECIAL WARRANTY DEED RECORDED IN DOC. NO. 21001129 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, DOES HEREBY SUBDIVIDE 18.412 ACRES OF LAND OUT OF THE JONATHAN WILLIAMS SURVEY, ABSTRACT NO. 538 AND THE Z. HINTON SURVEY, ABSTRACT NO. 219, BOTH SITUATED IN HAYS COUNTY, TEXAS, IN ACCORDANCE WITH THE ATTACHED MAP OR PLAT SHOWN HEREON, PURSUANT TO CHAPTER 212 AND 232 OF THE TEXAS LOCAL GOVERNMENT CODE, TO BE KNOWN AS:

TRAILS AT WINDY HILL PHASE 6

AND DOES HEREBY DEDICATE TO THE PUBLIC THE USE OF THE STREETS AND EASEMENTS SHOWN HEREON, SUBJECT TO ANY EASEMENTS AND/OR RESTRICTIONS HERETOFORE GRANTED AND NOT RELEASED.

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

ADIB KHOURY, ASSISTANT SECRETARY  
CONTINENTAL HOMES OF TEXAS, L.P.  
10700 PECAN PARK BLVD. SUITE 400  
AUSTIN, TEXAS 78750

STATE OF TEXAS §  
COUNTY OF HAYS §

BEFORE ME, THE UNDERSIGNED AUTHORITY, PERSONALLY APPEARED ADIB KHOURY, ASSISTANT SECRETARY, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

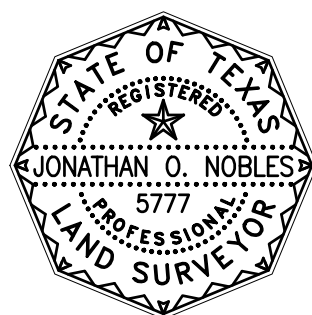
NOTARY PUBLIC, STATE OF TEXAS

PRINT NOTARY'S NAME  
MY COMMISSION EXPIRES \_\_\_\_\_

I, JONATHAN O. NOBLES, 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, AND THAT ALL NECESSARY SURVEY MONUMENTS ARE CORRECTLY SET OR FOUND AS SHOWN THEREON.

**PRELIMINARY, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT**

5/19/2021  
DATE



JONATHAN O. NOBLES, R.P.L.S.  
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5777  
BGE, INC.  
101 WEST LOUIS HENNA BLVD., SUITE 400  
AUSTIN, TEXAS 78728

STATE OF TEXAS §  
COUNTY OF HAYS §

I, THE UNDERSIGNED DIRECTOR OF THE HAYS COUNTY DEVELOPMENT SERVICES DEPARTMENT, HEREBY CERTIFY THAT THIS SUBDIVISION PLAT CONFORMS TO ALL HAYS COUNTY REQUIREMENTS AS STATED IN THE INTERLOCAL COOPERATION AGREEMENT BETWEEN HAYS COUNTY AND THE CITY OF KYLE FOR SUBDIVISION REGULATION WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF KYLE.

MARCUS PACHECO  
DIRECTOR, HAYS COUNTY DEVELOPMENT SERVICES

SEWAGE DISPOSAL/INDIVIDUAL WATER SUPPLY CERTIFICATION, TO-WIT:

NO STRUCTURE IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTED TO AN INDIVIDUAL WATER SUPPLY OR A STATE-APPROVED COMMUNITY WATER SYSTEM. DUE TO DECLINING WATER SUPPLIES AND DIMINISHING WATER QUALITY, PROSPECTIVE PROPERTY OWNERS ARE CAUTIONED BY HAYS COUNTY TO QUESTION THE SELLER CONCERNING GROUND WATER AVAILABILITY. RAIN WATER COLLECTION IS ENCOURAGED AND IN SOME AREAS MAY OFFER THE BEST RENEWABLE WATER RESOURCE.

NO STRUCTURE IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTED TO A PUBLIC SEWER SYSTEM OR TO AN ON-SITE WASTEWATER SYSTEM WHICH HAS BEEN APPROVED AND PERMITTED BY HAYS COUNTY DEVELOPMENT SERVICES.

NO CONSTRUCTION OR OTHER DEVELOPMENT WITHIN THIS SUBDIVISION MAY BEGIN UNTIL ALL HAYS COUNTY DEVELOPMENT PERMIT REQUIREMENTS HAVE BEEN MET.

MARCUS PACHECO  
DIRECTOR, HAYS COUNTY DEVELOPMENT SERVICES

ERIC VAN GAASBEEK, R.S., C.F.M.  
HAYS COUNTY FLOODPLAIN ADMINISTRATOR

TRAILS AT WINDY HILL PHASE 6 IS LOCATED ENTIRELY WITHIN THE BOUNDARIES AND SERVICE AREA OF GOFORTH SPECIAL UTILITY DISTRICT AND THE NORTH HAYS COUNTY M.U.D. NO. 1. WATER AND WASTEWATER SERVICE, AS REGULATED BY THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY, WILL BE PROVIDED TO ALL LOTS REQUIRING SERVICE THROUGH THE DISTRICT'S PUBLIC WATER AND WASTEWATER SYSTEM.

MARIO TOBIAS, GENERAL MANAGER  
GOFORTH SPECIAL UTILITY DISTRICT

DATE

KURT SELL, PRESIDENT  
NORTH HAYS COUNTY M.U.D. NO. 1

DATE

THIS PLAT WAS REVIEWED BY THE CITY OF KYLE PLANNING & ZONING COMMISSION,  
AND HEREBY APPROVED ON THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, A.D.

CITY OF KYLE, PLANNING & ZONING  
COMMISSION CHAIRPERSON

REVIEWED BY:

LEON BARBA, CITY ENGINEER

DATE

REVIEWED BY:

HARPER WILDER, DIRECTOR OF PUBLIC WORKS

DATE

GENERAL NOTES:

- THIS SUBDIVISION IS LOCATED WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF KYLE AND HAYS COUNTY.
- THIS SUBDIVISION IS LOCATED WITHIN THE BOUNDARY OF THE HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT.
- THIS SUBDIVISION DOES NOT LIE WITHIN THE BOUNDARIES OF THE RECHARGE ZONE OR THE CONTRIBUTING ZONE OF THE EDWARDS AQUIFER. THIS SUBDIVISION FALLS WITHIN THE PLUM CREEK GROUNDWATER CONSERVATION DISTRICT.
- THIS SUBDIVISION IS WITHIN UNSHADED ZONE "X" AS DELINEATED ON THE FLOOD INSURANCE RATE MAP FOR HAYS COUNTY, TEXAS AND INCORPORATED AREAS, MAP NUMBER 48209C0291F, AND 48209C0293F BOTH REVISED SEPTEMBER 2, 2005.
- ALL STREETS SHALL BE DESIGNED IN ACCORDANCE WITH APPLICABLE HAYS COUNTY REQUIREMENTS AND APPROVED BY THE HAYS COUNTY TRANSPORTATION DEPARTMENT AND UPON ACCEPTANCE SHALL BE DEDICATED TO THE COUNTY FOR MAINTENANCE.
- NO OBJECT INCLUDING FENCING OR LANDSCAPING WHICH WOULD INTERFERE WITH CONVEYANCE OF STORM WATER SHALL BE PLACED OR ERECTED WITHIN DRAINAGE EASEMENTS.
- GREENBELT/DRAINAGE EASEMENTS SHALL BE MAINTAINED BY THE HOME OWNERS ASSOCIATION.
- SIDEWALKS SHALL BE CONSTRUCTED ALONG BOTH SIDES OF EACH RESIDENTIAL STREET AND MAINTAINED BY THE ADJACENT PROPERTY OWNER. SIDEWALKS, PEDESTRIAN CROSSINGS AND OTHER PUBLIC AMENITIES THAT ARE TO BE DEDICATED TO HAYS COUNTY SHALL MEET OR EXCEED ALL 2010 ADA STANDARDS OF ACCESSIBILITY DESIGN AND ALL CURRENT FEDERAL AND STATE LAWS REGARDING ACCESS FOR PEOPLE WITH DISABILITIES FOR TITLE II ENTITIES.
- GAS IS PROVIDED BY CENTERPOINT ENERGY.
- TELEPHONE/CABLE PROVIDED BY FRONTIER.
- ELECTRICITY PROVIDED BY PEDERNALES ELECTRIC COMPANY.
- WASTEWATER SERVICES ARE PROVIDED BY NORTH HAYS COUNTY MUD #1 AND OPERATED BY GUADALUPE-BLANCO RIVER AUTHORITY OF TEXAS.
- WATER IS PROVIDED BY GOFORTH SPECIAL UTILITY DISTRICT.
- TYPICAL LANDSCAPE MAINTENANCE, CUTTING AND TRIMMING WITHIN THE SUBDIVISION, ALL EASEMENTS, DETENTION PONDS AND RIGHT OF WAYS TO THE PAVEMENT TO BE THE RESPONSIBILITY OF PROPERTY OWNERS AND/OR PROPERTY AND/OR HOME OWNERS ASSOCIATIONS.
- HAYS COUNTY IS NOT RESPONSIBLE FOR SIDEWALK MAINTENANCE. A FULLY EXECUTED LICENSE AGREEMENT MUST BE IN PLACE PRIOR TO CONSTRUCTION OF SIDEWALKS WITHIN HAYS COUNTY R.O.W.
- THE TOTAL NUMBER OF LOTS (RIGHT-OF-WAY DEDICATIONS NOT INCLUDED) IS 129. THE AVERAGE LOT SIZE IS 0.171 ACRE. THE NUMBER OF LOTS GREATER THAN 10 ACRES IS 0. THE NUMBER OF LOTS BETWEEN 5-10 ACRES IS 0. THE NUMBER OF LOTS BETWEEN 2-5 ACRES IS 1. THE NUMBER OF LOTS BETWEEN 1-2 ACRES IS 0. THE NUMBER OF LOTS SMALLER THAN 1 ACRE IS 128.
- POST-DEVELOPMENT CONDITIONS RUNOFF RATE SHALL BE NO GREATER THAN THE PRE-DEVELOPMENT CONDITION FOR 2, 5, 10, 25, AND 100 YEAR STORM EVENTS, PER HAYS COUNTY DEVELOPMENT REGULATIONS, CHAPTER 725, SUBCHAPTER 3.02. PRE AND POST DEVELOPMENT RUNOFF CALCULATIONS SHALL BE INCLUDED WITH THE CONSTRUCTION DRAWINGS FOR THIS SUBDIVISION.
- ALL CULVERTS, WHEN REQUIRED SHALL COMPLY WITH THE CURRENT HAYS COUNTY STANDARD, PER HAYS COUNTY DEVELOPMENT REGULATIONS, CHAPTER 705, SUBCHAPTER 8.03.
- THIS SUBDIVISION IS LOCATED IN HAYS COUNTY ESD 2 & 8.
- ABSTRACT LINES SHOWN HEREON ARE APPROXIMATE LOCATIONS SCALED FROM THE TEXAS GLO GIS DATA, THE PLAT OF COUNTRY ACRES SECTION ONE AND AS DESCRIBED ON THE ORIGINAL 33.99 AND 100 ACRE TRACTS OF LAND DESCRIBED IN VOLUME 155, PAGES 485 AND 532 OF THE DEED RECORDS OF HAYS COUNTY, TEXAS.
- POST-CONSTRUCTION STORMWATER CONTROL MEASURES SHALL HAVE A MAINTENANCE PLAN. THE MAINTENANCE PLAN MUST BE FILED IN THE REAL PROPERTY RECORDS OF HAYS COUNTY. THE OWNER OPERATOR OF ANY NEW DEVELOPMENT OR REDEVELOPMENT SITE SHALL DEVELOP AND IMPLEMENT A MAINTENANCE PLAN ADDRESSING MAINTENANCE REQUIREMENTS FOR ANY STRUCTURAL CONTROL MEASURES INSTALLED ON SITE. OPERATION AND MAINTENANCE PERFORMED SHALL BE DOCUMENTED AND RETAINED AND MADE VISIBLE FOR REVIEW UPON REQUEST.

IN ORDER TO PROMOTE SAFE USE OF ROADWAYS AND PRESERVE THE CONDITIONS OF PUBLIC ROADWAYS, NO DRIVEWAY CONSTRUCTED ON ANY LOT WITHIN THIS SUBDIVISION SHALL BE PERMITTED ACCESS ONTO A PUBLICLY DEDICATED ROADWAY UNLESS (A) A DRIVEWAY PERMIT HAS BEEN ISSUED BY THE TRANSPORTATION DEPARTMENT OF HAYS COUNTY AND (B) THE DRIVEWAY SATISFIES THE REQUIREMENT FOR DRIVEWAYS SET FORTH IN CHAPTER 721 OF THE HAYS COUNTY DEVELOPMENT REGULATIONS.

IN APPROVING THIS PLAT BY THE COMMISSIONERS COURT OF HAYS COUNTY, TEXAS, IT IS UNDERSTOOD THAT THE BUILDING OF ALL STREETS, ROADS, AND OTHER PUBLIC THOROUGHFARES DELINEATED AND SHOWN ON THIS PLAT, AND ALL BRIDGES AND CULVERTS NECESSARY TO BE CONSTRUCTED OR PLACED IN SUCH STREETS, ROADS, OR OTHER PUBLIC THOROUGHFARES, OR IN CONNECTION THEREWITH SHALL BE THE RESPONSIBILITY OF THE OWNER AND / OR THE DEVELOPER OF THE TRACT OF LAND COVERED BY THIS PLAT IN ACCORDANCE WITH THE PLANS AND SPECIFICATIONS PRESCRIBED BY THE COMMISSIONERS COURT OF HAYS COUNTY, TEXAS, AND THE COMMISSIONERS COURT OF HAYS COUNTY, TEXAS, ASSUMES NO OBLIGATION TO BUILD THE STREETS, ROADS, OR OTHER PUBLIC THOROUGHFARES SHOWN ON THIS PLAT OR OF CONSTRUCTING ANY BRIDGES OR CULVERTS IN CONNECTION THEREWITH.

STATE OF TEXAS §  
COUNTY OF HAYS §

I, ELAINE H. CARDENAS, COUNTY CLERK OF HAYS COUNTY, TEXAS DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT OF WRITING AND ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORD IN MY OFFICE ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, A.D., AT \_\_\_\_\_ O'CLOCK \_\_\_\_M. IN THE PLAT RECORDS OF HAYS COUNTY, TEXAS, IN

INSTRUMENT NUMBER \_\_\_\_\_

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

ELAINE H. CARDENAS, MBA, PhD  
COUNTY CLERK  
HAYS COUNTY, TEXAS

# FINAL PLAT TRAILS AT WINDY HILL PHASE 6

A SUBDIVISION OF 28.573 ACRES OF LAND  
LOCATED IN THE  
Z. HINTON SURVEY, ABSTRACT NO. 219 AND  
JONATHAN WILLIAMS SURVEY, ABSTRACT NO. 538  
HAYS COUNTY, TEXAS



**BGE, Inc.**  
101 West Louis Henna Blvd., Suite 400  
Austin, TX 78728  
Tel: 512-879-0400 • www.bgeinc.com  
TBPELS Registration No. F-1046  
TBPELS Licensed Surveying Firm No. 10106502



# CITY OF KYLE, TEXAS

## Trails at Windy Hill Phase 7 - Final Plat (SUB-20-0148)

**Meeting Date: 11/9/2021**  
**Date time:6:30 PM**

**Subject/Recommendation:** Trails at Windy Hill Phase 7 - Final Plat (SUB-20-0148) 18.412 acres; 86 residential lots; 1 open space lot, 1 utility lot, right-of-way and right-of-way dedication for property located off Windy Hill Road and Mathias.

Staff Proposal to P&Z: Approve the final plat.

**Other Information:** See attached.

**Legal Notes:** N/A

**Budget Information:** N/A

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### ATTACHMENTS:

#### **Description**

- Final Plat
- 1445 Approval letter from Hays County

**BENCHMARKS:**

**BENCHMARK #1** MAG NAIL W/BGE INC. SHINER SET AT THE INTERIOR CORNER OF A PAINTED CHEVRON IN TRIUMPH ROAD AT ITS INTERSECTION WITH WINDY HILL ROAD APPROXIMATELY 1,000 FEET SOUTHWEST OF THE INTERSECTION OF WINDY HILL ROAD AND MATHIAS LANE.

GRID NORTHING: 13925622.51  
 GRID EASTING: 2345795.99  
 ELEVATION: 663.93' (NAVD-88)

**BENCHMARK #3** MAG NAIL W/BGE INC. SHINER SET AT THE INTERIOR CORNER OF A PAINTED CHEVRON IN DRIVEWAY THAT ABUTS THE NORTHEASTERLY END OF MATHIAS LANE FOR ACCESS TO A CELL TOWER, BEING APPROXIMATELY 2,650 FEET SOUTHEAST OF THE INTERSECTION OF WINDY HILL ROAD AND MATHIAS LANE.

GRID NORTHING: 13924487.97  
 GRID EASTING: 2348483.39  
 ELEVATION: 667.73' (NAVD-88)



**LEGEND**

D.E.	DRAINAGE EASEMENT
DOC.	DOCUMENT
D.R.H.C.	DEED RECORDS OF HAYS COUNTY
G.B.R.A.	GUADALUPE-BLANCO RIVER AUTHORITY
M.U.E.	MUNICIPAL UTILITY EASEMENT
NO.	NUMBER
O.P.R.H.C.	OFFICIAL PUBLIC RECORDS OF HAYS COUNTY
O.S.	OPEN SPACE
P.E.C.	PEDERNALES ELECTRIC COOPERATIVE
PG.	PAGE
P.R.H.C.	PLAT RECORDS OF HAYS COUNTY
R.O.W.	RIGHT-OF-WAY
VOL.	VOLUME
W.L.E.	WATERLINE EASEMENT
( )	RECORD CALL DOC. NO. 9904912
●	FOUND 1/2" IRON ROD
○	(UNLESS OTHERWISE NOTED)
△	SET 1/2" IRON ROD W/ "BGE, INC." CAP
○	CALCULATED POINT
---	PROPOSED SIDEWALK
---	STREET NAME BREAK SYMBOL

ROW DEDICATION - 0.917 ACRE  
 (N 46°13'13" W)

TRAILS AT WINDY HILL PHASE 2  
 DOC. NO. 20050099  
 O.P.R.H.C.

**LAND USE SCHEDULE**

DESCRIPTION	NO.	ACREAGE
RESIDENTIAL	86	12.586 AC.
RIGHT-OF-WAY	-	3.206 AC.
OPEN SPACE	1	2.075 AC.
UTILITY	1	0.075 AC.
RIGHT-OF-WAY DEDICATION	1	0.470 AC.
<b>TOTAL</b>	<b>89</b>	<b>18.412 AC.</b>

**STREET NAMES**

STREET	R.O.W. WIDTH	LENGTH	STREET CLASSIFICATION
ARROYO SWEETWOOD CIRCLE	50 FT.	931 FT.	LOCAL
TEXAS PALMETTO CIRCLE	50 FT.	1,040 FT.	LOCAL
GLOBE MALLOW CIRCLE	60 FT.	585 FT.	MINOR COLLECTOR
<b>TOTAL LINEAR FEET</b>		<b>2,556 FT.</b>	

**BEARING BASIS:**  
 BEARING ORIENTATION IS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE 4204, NAD83. COMBINED SCALE FACTOR = 0.9999091101

A FIFTEEN (15) FOOT M.U.E. IS HEREBY DEDICATED ADJACENT TO ALL STREET ROW, 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.

**OWNERS:** CONTINENTAL HOMES OF TEXAS, L.P.  
 ADDRESS: 10700 PECAN PARK BLVD, SUITE 400  
 AUSTIN, TX, 78750  
 PHONE: (512) 345-4663 FAX: \_\_\_\_\_

**ACREAGE:** 18.412 ACRES  
**SURVEY:** Z. HINTON SURVEY, ABSTRACT NO. 219 & JONATHAN WILLIAMS SURVEY, ABSTRACT NO. 538

**NUMBER AND ACREAGE BY LOT TYPE:**  
 RESIDENTIAL: 86 LOTS/12.586 ACRES  
 OPEN SPACE: 1 LOT/2.075 ACRES  
 UTILITY LOT: 1 LOT/0.075 ACRES  
 RIGHT-OF-WAY: 3.206 ACRES  
 RIGHT-OF-WAY DEDICATION: 1 LOT/0.470 ACRE

**PLAT PREPARED:** 07/31/2020

**SURVEYOR:** BGE, INC. (JONATHAN O. NOBLES, RPLS)  
 PHONE: (512) 879-0441 FAX: \_\_\_\_\_

**ENGINEER:** BGE, INC. (TIMOTHY M. HOLLAND, PE)  
 PHONE: (512) 879-0433 FAX: \_\_\_\_\_

**BGE, Inc.**  
 101 West Louis Henna Blvd., Suite 400  
 Austin, TX 78728  
 Tel: 512-879-0400 • www.bgeinc.com  
 TBPELS Registration No. F-1046  
 TBPELS Licensed Surveying Firm No. 10106502

**SHEET 1 OF 3**

**FINAL PLAT**  
**TRAILS AT WINDY HILL PHASE 7**

A SUBDIVISION OF 18.412 ACRES OF LAND LOCATED IN THE Z. HINTON SURVEY, ABSTRACT NO. 219 AND JONATHAN WILLIAMS SURVEY, ABSTRACT NO. 538 HAYS COUNTY, TEXAS

**DETAIL FOR TYPICAL M.U.E.**

CURVE TABLE					
NUMBER	ARC LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD DISTANCE
C1	23.55'	15.00'	89°56'36"	N 01°56'41" W	21.20'
C2	23.56'	15.00'	90°00'00"	N 88°01'37" E	21.21'
C3	22.04'	15.00'	84°12'05"	N 04°52'21" W	20.11'
C4	88.14'	330.00'	15°18'10"	N 29°34'37" E	87.88'
C5	23.56'	15.00'	90°00'00"	N 66°55'32" E	21.21'
C6	23.56'	15.00'	90°00'00"	N 23°04'28" W	21.21'
C7	23.56'	15.00'	90°00'00"	S 66°55'32" W	21.21'
C8	48.64'	175.00'	15°55'29"	N 60°06'44" W	48.48'
C9	82.81'	410.00'	11°34'22"	N 16°08'21" E	82.67'
C10	101.28'	275.00'	21°06'05"	S 57°31'26" E	100.71'
C11	39.27'	25.00'	90°00'00"	N 66°55'32" E	35.36'
C12	39.27'	25.00'	90°00'00"	N 23°04'28" W	35.36'
C13	10.40'	15.00'	39°42'54"	S 87°55'56" E	10.19'
C14	147.86'	50.00'	169°25'49"	N 23°04'28" W	99.57'
C15	10.40'	15.00'	39°42'54"	S 41°46'59" W	10.19'
C16	10.40'	15.00'	39°42'54"	S 02°04'04" W	10.19'
C17	147.86'	50.00'	169°25'49"	N 66°55'32" E	99.57'
C18	10.40'	15.00'	39°42'55"	N 48°13'01" W	10.19'
C19	119.69'	325.00'	21°06'05"	S 57°31'26" E	119.02'
C20	23.56'	15.00'	90°00'00"	S 23°04'28" E	21.21'
C21	10.40'	15.00'	39°42'54"	S 87°55'56" E	10.19'
C22	147.86'	50.00'	169°25'49"	S 23°04'28" E	99.57'
C23	10.40'	15.00'	39°42'54"	S 41°46'59" W	10.19'
C24	10.40'	15.00'	39°42'54"	S 02°04'04" W	10.19'
C25	147.86'	50.00'	169°25'49"	S 66°55'32" W	99.57'
C26	10.40'	15.00'	39°42'54"	N 48°13'01" W	10.19'
C27	23.56'	15.00'	90°00'00"	N 66°55'32" E	21.21'
C28	23.56'	15.00'	90°00'00"	N 66°55'32" E	21.21'
C29	39.27'	25.00'	90°00'00"	S 23°04'28" E	35.36'
C30	39.27'	25.00'	90°00'00"	S 66°55'32" W	35.36'
C31	23.56'	15.00'	90°00'00"	N 23°04'28" W	21.21'
C32	53.25'	325.00'	9°23'18"	S 51°40'02" E	53.19'
C33	55.82'	325.00'	9°50'24"	S 61°16'53" E	55.75'
C34	10.62'	325.00'	1°52'23"	S 67°08'17" E	10.62'

CURVE TABLE					
NUMBER	ARC LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD DISTANCE
C35	9.15'	15.00'	34°57'43"	N 50°35'37" W	9.01'
C36	1.24'	15.00'	4°45'11"	N 30°44'09" W	1.24'
C37	46.13'	50.00'	52°51'54"	S 54°47'31" E	44.51'
C38	34.88'	50.00'	39°58'21"	N 78°47'22" E	34.18'
C39	38.59'	50.00'	44°13'09"	N 36°41'37" E	37.64'
C40	28.25'	50.00'	32°22'26"	N 01°36'10" W	27.88'
C41	8.35'	15.00'	31°52'48"	S 37°51'56" W	8.24'
C42	2.05'	15.00'	7°50'06"	S 57°43'23" W	2.05'
C43	45.63'	50.00'	52°17'36"	N 35°29'38" E	44.07'
C44	27.20'	50.00'	31°10'26"	N 06°14'23" W	26.87'
C45	36.78'	50.00'	42°09'07"	N 42°54'09" W	35.96'
C46	38.23'	50.00'	43°48'40"	N 85°53'03" W	37.31'
C47	6.76'	15.00'	25°49'11"	N 55°09'53" W	6.70'
C48	3.64'	15.00'	13°53'43"	N 35°18'25" W	3.63'
C49	45.46'	50.00'	52°05'20"	S 54°24'14" E	43.91'
C50	35.67'	50.00'	40°52'33"	N 79°06'50" E	34.92'
C51	34.13'	50.00'	39°06'40"	N 39°07'14" E	33.47'
C52	32.60'	50.00'	37°21'17"	N 00°53'16" E	32.02'
C53	8.35'	15.00'	31°52'48"	S 37°51'56" W	8.24'
C54	2.05'	15.00'	7°50'06"	S 57°43'23" W	2.05'
C55	45.63'	50.00'	52°17'36"	N 35°29'38" E	44.07'
C56	27.20'	50.00'	31°10'26"	N 06°14'23" W	26.87'
C57	36.78'	50.00'	42°09'07"	N 42°54'09" W	35.96'
C58	38.23'	50.00'	43°48'40"	N 85°53'03" W	37.31'
C59	2.68'	275.00'	0°33'34"	S 67°47'41" E	2.68'
C60	40.17'	275.00'	8°22'12"	S 63°19'48" E	40.14'
C61	58.42'	275.00'	12°10'19"	S 53°03'33" E	58.31'
C62	82.21'	330.00'	14°16'28"	N 30°05'27" E	82.00'
C63	5.92'	330.00'	1°01'42"	N 22°26'22" E	5.92'
C64	119.50'	260.00'	26°19'59"	S 60°04'59" E	118.45'
C65	23.25'	260.00'	5°07'21"	S 70°41'18" E	23.24'
C66	81.14'	260.00'	17°52'52"	S 55°51'25" E	80.81'
C67	38.39'	230.00'	9°33'50"	N 68°28'03" W	38.35'
C68	23.25'	245.00'	5°26'14"	S 70°31'52" E	23.24'

LINE TABLE		
NUMBER	BEARING	DISTANCE
L1	N 43°09'47" E	42.32'
L2	N 43°01'37" E	50.00'
L3	N 46°58'23" W	1.77'
L4	N 21°55'32" E	99.08'
L5	N 21°55'32" E	50.00'
L6	N 68°04'28" W	60.00'
L7	N 68°04'28" W	91.19'
L8	N 21°55'32" E	17.75'
L9	N 46°50'13" W	82.19'
L10	N 46°58'23" W	5.00'
L11	S 46°58'23" E	5.00'
L12	S 21°55'32" W	5.00'
L13	N 46°58'23" W	6.77'
L14	N 46°58'23" W	84.70'
L15	S 54°59'31" W	48.60'
L16	N 11°26'33" W	11.35'
L17	S 46°57'55" E	65.04'
L18	S 43°04'40" W	50.00'
L19	N 46°55'02" W	65.00'
L20	S 68°04'28" E	20.80'
L21	N 46°58'23" W	85.01'
L22	S 16°45'01" W	30.37'
L23	S 16°45'01" W	15.06'

LINE TABLE		
NUMBER	BEARING	DISTANCE
L24	N 43°05'01" E	20.00'
L25	S 46°54'59" E	44.99'
L26	S 73°14'59" E	31.37'
L27	S 16°45'01" W	20.00'
L28	N 73°14'59" W	33.94'
L29	S 14°31'37" W	15.01'
L30	S 21°55'32" W	15.06'
L31	N 14°38'02" E	15.01'
L32	S 73°14'59" E	29.12'
L33	N 14°31'37" E	18.86'
L34	S 47°43'55" W	1.51'
L35	S 46°54'59" E	29.35'
L36	S 47°43'55" W	15.05'
L37	S 68°04'28" E	22.66'

LOT AREA TABLE		
LOT	BLOCK	SQUARE FEET
1	BB	7,152
2	BB	4,800
3	BB	6,000
4	BB	7,200
5	BB	6,000
6	BB	7,066
7	BB	7,066
8	BB	6,000
9	BB	7,200
10	BB	6,000
11	BB	4,800
12	BB	7,152

LOT AREA TABLE		
LOT	BLOCK	SQUARE FEET
1	CC	7,152
2	CC	4,800
3	CC	6,000
4	CC	7,200
5	CC	6,000
6	CC	7,066
7	CC	7,066
8	CC	6,000
9	CC	7,200
10	CC	6,000
11	CC	4,753
12	CC	7,097

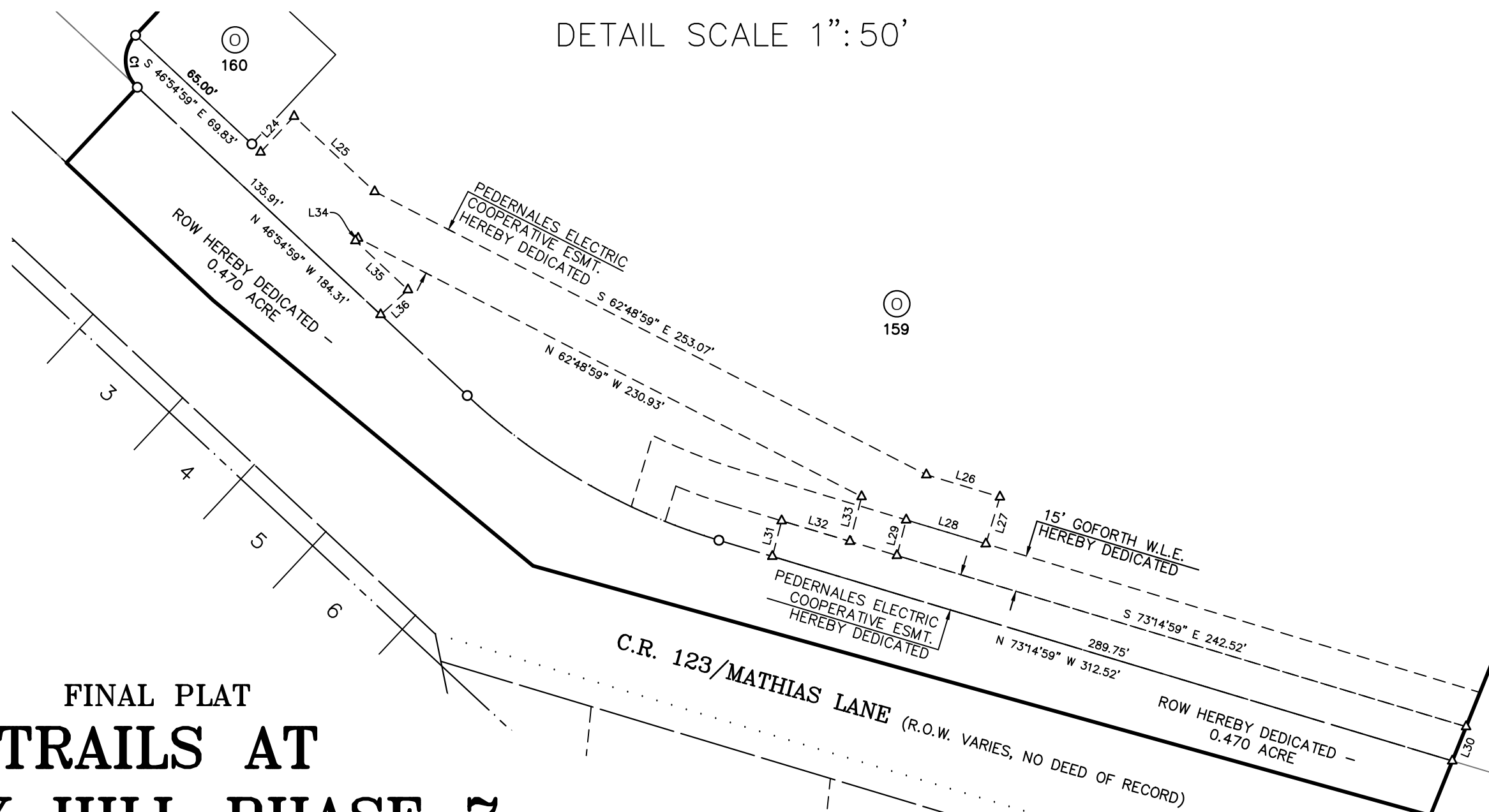
LOT AREA TABLE		
LOT	BLOCK	SQUARE FEET
20	Z	8,905
21	Z	5,772
22	Z	5,556
23	Z	6,641
24	Z	5,070
25	Z	4,861
26	Z	6,000
27	Z	7,200
28	Z	6,000
29	Z	4,800
30	Z	4,800
31	Z	6,000
32	Z	4,800

LOT AREA TABLE		
LOT	BLOCK	SQUARE FEET
110	O	7,379
111	O	6,000
112	O	4,800
113	O	6,000
114	O	6,000
115	O	4,800
116	O	5,798
117	O	10,745
118	O	8,140
119	O	6,072
120	O	4,794
121	O	6,000
122	O	6,000

LOT AREA TABLE		
LOT	BLOCK	SQUARE FEET
123	O	4,800
124	O	5,950
125	O	8,612
126	O	11,528
127	O	6,195
128	O	5,997
129	O	4,800
130	O	4,800
131	O	6,000
132	O	7,200
133	O	7,152
134	O	7,152
135	O	6,000

LOT AREA TABLE		
LOT	BLOCK	SQUARE FEET
136	O	4,800
137	O	6,000
138	O	6,000
139	O	4,800
140	O	5,798
141	O	10,745
142	O	8,140
143	O	6,072
144	O	4,794
145	O	6,000
146	O	6,000
147	O	4,800
148	O	5,722

LOT AREA TABLE		
LOT	BLOCK	SQUARE FEET
149	O	8,879
150	O	11,335
151	O	6,106
152	O	4,793
153	O	4,800
154	O	4,800
155	O	4,800
156	O	6,001
157	O	8,427
158	O	10,740
159	O	90,383
160	O	3,249



# FINAL PLAT TRAILS AT WINDY HILL PHASE 7

A SUBDIVISION OF 18.412 ACRES OF LAND  
LOCATED IN THE  
Z. HINTON SURVEY, ABSTRACT NO. 219 AND  
JONATHAN WILLIAMS SURVEY, ABSTRACT NO. 538  
HAYS COUNTY, TEXAS



**BGE, Inc.**  
101 West Louis Henna Blvd., Suite 400  
Austin, TX 78728  
Tel: 512-879-0400 • www.bgeinc.com  
TBPELS Registration No. F-1046  
TBPELS Licensed Surveying Firm No. 10106502

STATE OF TEXAS §  
 COUNTY OF HAYS §

KNOW ALL MEN BY THESE PRESENTS:

THAT CONTINENTAL HOMES OF TEXAS, L.P. BEING THE OWNER OF A 45.525 ACRE TRACT OF LAND SAVE AND EXCEPT A 0.721 ACRE TRACT OF LAND AND THE OWNER OF A 2.186 ACRE TRACT OF LAND, BOTH AS CONVEYED TO THEM BY SPECIAL WARRANTY DEED RECORDED IN DOC. NO. 21001129 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, DOES HEREBY SUBDIVIDE 18.412 ACRES OF LAND OUT OF THE JONATHAN WILLIAMS SURVEY, ABSTRACT NO. 538 AND THE Z. HINTON SURVEY, ABSTRACT NO. 219, BOTH SITUATED IN HAYS COUNTY, TEXAS, IN ACCORDANCE WITH THE ATTACHED MAP OR PLAT SHOWN HEREON, PURSUANT TO CHAPTER 212 AND 232 OF THE TEXAS LOCAL GOVERNMENT CODE, TO BE KNOWN AS:

TRAILS AT WINDY HILL PHASE 7

AND DOES HEREBY DEDICATE TO THE PUBLIC THE USE OF THE STREETS AND EASEMENTS SHOWN HEREON, SUBJECT TO ANY EASEMENTS AND/OR RESTRICTIONS HERETOFORE GRANTED AND NOT RELEASED. WITNESS MY HAND, THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, A.D.

\_\_\_\_\_  
 MATTHEW TRENNER, ASSISTANT SECRETARY  
 CONTINENTAL HOMES OF TEXAS, L.P.  
 10700 PECAN PARK BLVD. SUITE 400  
 AUSTIN, TEXAS 78750

STATE OF TEXAS §  
 COUNTY OF HAYS §

BEFORE ME, THE UNDERSIGNED AUTHORITY, PERSONALLY APPEARED MATTHEW TRENNER, ASSISTANT SECRETARY, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

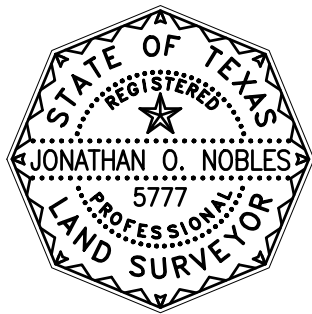
\_\_\_\_\_  
 NOTARY PUBLIC, STATE OF TEXAS

\_\_\_\_\_  
 PRINT NOTARY'S NAME  
 MY COMMISSION EXPIRES \_\_\_\_\_

I, JONATHAN O. NOBLES, 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, AND THAT ALL NECESSARY SURVEY MONUMENTS ARE CORRECTLY SET OR FOUND AS SHOWN THEREON.

\_\_\_\_\_  
 JONATHAN O. NOBLES, R.P.L.S.  
 REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5777  
 BGE, INC.  
 101 WEST LOUIS HENNA BLVD., SUITE 400  
 AUSTIN, TEXAS 78728

10/27/2021  
 DATE



STATE OF TEXAS §  
 COUNTY OF HAYS §

I, THE UNDERSIGNED DIRECTOR OF THE HAYS COUNTY DEVELOPMENT SERVICES DEPARTMENT, HEREBY CERTIFY THAT THIS SUBDIVISION PLAT CONFORMS TO ALL HAYS COUNTY REQUIREMENTS AS STATED IN THE INTERLOCAL COOPERATION AGREEMENT BETWEEN HAYS COUNTY AND THE CITY OF KYLE FOR SUBDIVISION REGULATION WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF KYLE.

\_\_\_\_\_  
 MARCUS PACHECO  
 DIRECTOR, HAYS COUNTY DEVELOPMENT SERVICES

SEWAGE DISPOSAL/INDIVIDUAL WATER SUPPLY CERTIFICATION, TO-WIT:

NO STRUCTURE IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTED TO AN INDIVIDUAL WATER SUPPLY OR A STATE-APPROVED COMMUNITY WATER SYSTEM. DUE TO DECLINING WATER SUPPLIES AND DIMINISHING WATER QUALITY, PROSPECTIVE PROPERTY OWNERS ARE CAUTIONED BY HAYS COUNTY TO QUESTION THE SELLER CONCERNING GROUND WATER AVAILABILITY. RAIN WATER COLLECTION IS ENCOURAGED AND IN SOME AREAS MAY OFFER THE BEST RENEWABLE WATER RESOURCE.

NO STRUCTURE IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTED TO A PUBLIC SEWER SYSTEM OR TO AN ON-SITE WASTEWATER SYSTEM WHICH HAS BEEN APPROVED AND PERMITTED BY HAYS COUNTY DEVELOPMENT SERVICES.

NO CONSTRUCTION OR OTHER DEVELOPMENT WITHIN THIS SUBDIVISION MAY BEGIN UNTIL ALL HAYS COUNTY DEVELOPMENT PERMIT REQUIREMENTS HAVE BEEN MET.

\_\_\_\_\_  
 MARCUS PACHECO  
 DIRECTOR, HAYS COUNTY DEVELOPMENT SERVICES

\_\_\_\_\_  
 ERIC VAN GAASBEEK, R.S., C.F.M.  
 HAYS COUNTY FLOODPLAIN ADMINISTRATOR

TRAILS AT WINDY HILL PHASE 7 IS LOCATED ENTIRELY WITHIN THE BOUNDARIES AND SERVICE AREA OF GOFORTH SPECIAL UTILITY DISTRICT AND THE NORTH HAYS COUNTY M.U.D. NO. 1. WATER AND WASTEWATER SERVICE, AS REGULATED BY THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY, WILL BE PROVIDED TO ALL LOTS REQUIRING SERVICE THROUGH THE DISTRICT'S PUBLIC WATER AND WASTEWATER SYSTEM.

\_\_\_\_\_  
 MARIO TOBIAS, GENERAL MANAGER  
 GOFORTH SPECIAL UTILITY DISTRICT

\_\_\_\_\_  
 DATE

\_\_\_\_\_  
 KURT SELL, PRESIDENT  
 NORTH HAYS COUNTY M.U.D. NO. 1

\_\_\_\_\_  
 DATE

THIS PLAT WAS REVIEWED BY THE CITY OF KYLE PLANNING & ZONING COMMISSION, AND HEREBY APPROVED ON THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, A.D.

\_\_\_\_\_  
 CITY OF KYLE, PLANNING & ZONING  
 COMMISSION CHAIRPERSON

REVIEWED BY:

\_\_\_\_\_  
 LEON BARBA, CITY ENGINEER

\_\_\_\_\_  
 DATE

REVIEWED BY:

\_\_\_\_\_  
 HARPER WILDER, DIRECTOR OF PUBLIC WORKS

\_\_\_\_\_  
 DATE

GENERAL NOTES:

1. THIS SUBDIVISION IS LOCATED WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF KYLE AND HAYS COUNTY.
2. THIS SUBDIVISION IS LOCATED WITHIN THE BOUNDARY OF THE HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT.
3. THIS SUBDIVISION DOES NOT LIE WITHIN THE BOUNDARIES OF THE RECHARGE ZONE OR THE CONTRIBUTING ZONE OF THE EDWARDS AQUIFER. THIS SUBDIVISION FALLS WITHIN THE PLUM CREEK GROUNDWATER CONSERVATION DISTRICT.
4. THIS SUBDIVISION IS WITHIN UNSHADED ZONE "X" AS DELINEATED ON THE FLOOD INSURANCE RATE MAP FOR HAYS COUNTY, TEXAS AND INCORPORATED AREAS, MAP NUMBER 48209C0291F, AND 48209C0293F BOTH REVISED SEPTEMBER 2, 2005.
5. ALL STREETS SHALL BE DESIGNED IN ACCORDANCE WITH APPLICABLE HAYS COUNTY REQUIREMENTS AND APPROVED BY THE HAYS COUNTY TRANSPORTATION DEPARTMENT AND UPON ACCEPTANCE SHALL BE DEDICATED TO THE COUNTY FOR MAINTENANCE.
6. NO OBJECT INCLUDING FENCING OR LANDSCAPING WHICH WOULD INTERFERE WITH CONVEYANCE OF STORM WATER SHALL BE PLACED OR ERRECTED WITHIN DRAINAGE EASEMENTS.
7. GREENBELT/DRAINAGE EASEMENTS SHALL BE MAINTAINED BY THE HOME OWNERS ASSOCIATION.
8. SIDEWALKS SHALL BE CONSTRUCTED ALONG BOTH SIDES OF EACH RESIDENTIAL STREET AND MAINTAINED BY THE ADJACENT PROPERTY OWNER. SIDEWALKS, PEDESTRIAN CROSSINGS AND OTHER PUBLIC AMENITIES THAT ARE TO BE DEDICATED TO HAYS COUNTY SHALL MEET OR EXCEED ALL 2010 ADA STANDARDS OF ACCESSIBILITY DESIGN AND ALL CURRENT FEDERAL AND STATE LAWS REGARDING ACCESS FOR PEOPLE WITH DISABILITIES FOR TITLE II ENTITIES.
9. GAS IS PROVIDED BY CENTERPOINT ENERGY.
10. TELEPHONE/CABLE PROVIDED BY FRONTIER.
11. ELECTRICITY PROVIDED BY PEDERNALES ELECTRIC COMPANY.
12. WASTEWATER SERVICES ARE PROVIDED BY NORTH HAYS COUNTY MUD #1 AND OPERATED BY GUADALUPE-BLANCO RIVER AUTHORITY OF TEXAS.
13. WATER IS PROVIDED BY GOFORTH SPECIAL UTILITY DISTRICT.
14. TYPICAL LANDSCAPE MAINTENANCE, CUTTING AND TRIMMING WITHIN THE SUBDIVISION, ALL EASEMENTS, DETENTION PONDS AND RIGHT OF WAYS TO THE PAVEMENT TO BE THE RESPONSIBILITY OF PROPERTY OWNERS AND/OR PROPERTY AND/OR HOME OWNERS ASSOCIATIONS.
15. HAYS COUNTY IS NOT RESPONSIBLE FOR SIDEWALK MAINTENANCE. A FULLY EXECUTED LICENSE AGREEMENT MUST BE IN-PLACE PRIOR TO CONSTRUCTION OF SIDEWALKS WITHIN HAYS COUNTY R.O.W.
16. THE TOTAL NUMBER OF LOTS (RIGHT-OF-WAY DEDICATIONS NOT INCLUDED) IS 88. THE AVERAGE LOT SIZE IS 0.169 ACRE. THE NUMBER OF LOTS GREATER THAN 10 ACRES IS 0. THE NUMBER OF LOTS BETWEEN 5-10 ACRES IS 0. THE NUMBER OF LOTS BETWEEN 2-5 ACRES IS 1. THE NUMBER OF LOTS BETWEEN 1-2 ACRES IS 0. THE NUMBER OF LOTS SMALLER THAN 1 ACRE IS 87.
17. POST-DEVELOPMENT CONDITIONS RUNOFF RATE SHALL BE NO GREATER THAN THE PRE-DEVELOPMENT CONDITION FOR 2, 5, 10, 25, AND 100 YEAR STORM EVENTS, PER HAYS COUNTY DEVELOPMENT REGULATIONS, CHAPTER 725, SUBCHAPTER 3.02. PRE AND POST DEVELOPMENT RUNOFF CALCULATIONS SHALL BE INCLUDED WITH THE CONSTRUCTION DRAWINGS FOR THIS SUBDIVISION.
18. ALL CULVERTS, WHEN REQUIRED SHALL COMPLY WITH THE CURRENT HAYS COUNTY STANDARD, PER HAYS COUNTY DEVELOPMENT REGULATIONS, CHAPTER 705, SUBCHAPTER 8.03.
19. THIS SUBDIVISION IS LOCATED IN HAYS COUNTY ESD 2 & 8.
20. ABSTRACT LINES SHOWN HEREON ARE APPROXIMATE LOCATIONS SCALED FROM THE TEXAS GLO GIS DATA, THE PLAT OF COUNTRY ACRES SECTION ONE AND AS DESCRIBED ON THE ORIGINAL 33.99 AND 100 ACRE TRACTS OF LAND DESCRIBED IN VOLUME 155, PAGES 485 AND 532 OF THE DEED RECORDS OF HAYS COUNTY, TEXAS.
21. LOT 161, BLOCK 0 TO BE DEDICATED TO NORTH HAYS COUNTY MUD #1.
22. POST-CONSTRUCTION STORMWATER CONTROL MEASURES SHALL HAVE A MAINTENANCE PLAN. THE MAINTENANCE PLAN MUST BE FILED IN THE REAL PROPERTY RECORDS OF HAYS COUNTY. THE OWNER OPERATOR OF ANY NEW DEVELOPMENT OR REDEVELOPMENT SITE SHALL DEVELOP AND IMPLEMENT A MAINTENANCE PLAN ADDRESSING MAINTENANCE REQUIREMENTS FOR ANY STRUCTURAL CONTROL MEASURES INSTALLED ON SITE. OPERATION AND MAINTENANCE PERFORMED SHALL BE DOCUMENTED AND RETAINED AND MADE VISIBLE FOR REVIEW UPON REQUEST.

GUADALUPE-BLANCO RIVER AUTHORITY NOTES:

1. THE GUADALUPE-BLANCO RIVER AUTHORITY (GBRA) IS HEREBY DEDICATED THE EASEMENTS AND RIGHTS-OF-WAY IN THE AREAS DESIGNATED ON THIS PLAT AS "SANITARY SEWER" FOR THE PURPOSE OF INSTALLING, CONSTRUCTING, RECONSTRUCTING, OPERATING, MAINTAINING, INSPECTING, REPAIRING, REMOVING, AND RELOCATING BURIED AND/OR EXPOSED SANITARY SEWER FACILITIES AND APPURTENANCES.
2. TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS, GBRA SHALL HAVE THE RIGHT TO REMOVE SAID LANDS OF ALL TREES OR PARTS THEREOF, OR ANY OTHER OBSTRUCTIONS WHICH MAY ENDANGER, OR INTERFERE WITH MAINTENANCE OF, THE FACILITIES AND APPURTENANCES.
3. OTHER UTILITIES, STRUCTURES, GRADING, DRAINAGE, DETENTION/RETENTION PONDS, LANDSCAPING, TREES, ROADS, PARKING LOTS, FENCES, WALLS, CONSTRUCTION OF ANY TYPE, OR ANY OTHER IMPROVEMENTS OR OBSTRUCTIONS, ARE NOT ALLOWED WITHIN GBRA EASEMENTS.
4. DESIGNS FOR ANY PROPOSED ALTERATIONS OR CROSSINGS OF GBRA EASEMENTS MUST BE APPROVED IN WRITING BY GBRA AND THE INSTALLATION OF SUCH MUST BE INSPECTED AND APPROVED BY GBRA.
5. MAINTENANCE OF EASEMENTS IS THE RESPONSIBILITY OF THE PROPERTY OWNER.
6. THE PROPERTY OWNER MUST INSTALL 16 FOOT GATES IN ANY FENCES THAT CROSS GBRA UTILITIES; GATES MUST BE CENTERED ACROSS GBRA UTILITIES.
7. CUSTOMER SANITARY SEWER SERVICES SHALL NOT BE INSTALLED WITHIN FENCED AREAS.

IN ORDER TO PROMOTE SAFE USE OF ROADWAYS AND PRESERVE THE CONDITIONS OF PUBLIC ROADWAYS, NO DRIVEWAY CONSTRUCTED ON ANY LOT WITHIN THIS SUBDIVISION SHALL BE PERMITTED ACCESS ONTO A PUBLICLY DEDICATED ROADWAY UNLESS (A) A DRIVEWAY PERMIT HAS BEEN ISSUED BY THE TRANSPORTATION DEPARTMENT OF HAYS COUNTY AND (B) THE DRIVEWAY SATISFIES THE REQUIREMENT FOR DRIVEWAYS SET FORTH IN CHAPTER 721 OF THE HAYS COUNTY DEVELOPMENT REGULATIONS.

IN APPROVING THIS PLAT BY THE COMMISSIONERS COURT OF HAYS COUNTY, TEXAS, IT IS UNDERSTOOD THAT THE BUILDING OF ALL STREETS, ROADS, AND OTHER PUBLIC THOROUGHFARES DELINEATED AND SHOWN ON THIS PLAT, AND ALL BRIDGES AND CULVERTS NECESSARY TO BE CONSTRUCTED OR PLACED IN SUCH STREETS, ROADS, OR OTHER PUBLIC THOROUGHFARES, OR IN CONNECTION THEREWITH SHALL BE THE RESPONSIBILITY OF THE OWNER AND / OR THE DEVELOPER OF THE TRACT OF LAND COVERED BY THIS PLAT IN ACCORDANCE WITH THE PLANS AND SPECIFICATIONS PRESCRIBED BY THE COMMISSIONERS COURT OF HAYS COUNTY, TEXAS, AND THE COMMISSIONERS COURT OF HAYS COUNTY, TEXAS, ASSUMES NO OBLIGATION TO BUILD THE STREETS, ROADS, OR OTHER PUBLIC THOROUGHFARES SHOWN ON THIS PLAT OR OF CONSTRUCTING ANY BRIDGES OR CULVERTS IN CONNECTION THEREWITH.

STATE OF TEXAS §  
 COUNTY OF HAYS §

I, ELAINE H. CARDENAS, COUNTY CLERK OF HAYS COUNTY, TEXAS DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT OF WRITING AND ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORD IN MY OFFICE ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, A.D., AT \_\_\_\_\_ O'CLOCK \_\_\_\_M. IN THE PLAT RECORDS OF HAYS COUNTY, TEXAS, IN

INSTRUMENT NUMBER \_\_\_\_\_

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

\_\_\_\_\_  
 ELAINE H. CARDENAS, MBA, PhD  
 COUNTY CLERK  
 HAYS COUNTY, TEXAS

FINAL PLAT  
**TRAILS AT  
 WINDY HILL PHASE 7**

A SUBDIVISION OF 18.412 ACRES OF LAND  
 LOCATED IN THE  
 Z. HINTON SURVEY, ABSTRACT NO. 219 AND  
 JONATHAN WILLIAMS SURVEY, ABSTRACT NO. 538  
 HAYS COUNTY, TEXAS



**BGE, Inc.**  
 101 West Louis Henna Blvd., Suite 400  
 Austin, TX 78728  
 Tel: 512-879-0400 • www.bgeinc.com  
 TBPELS Registration No. F-1046  
 TBPELS Licensed Surveying Firm No. 10106502





**Hays County Development Services**  
P.O Box 1006 San Marcos TX 78667-1006  
2171 Yarrington Road San Marcos TX 78666  
512-393-2150 / [www.hayscountytexas.com](http://www.hayscountytexas.com)

October 06, 2021

Howard Koontz  
Director of Planning  
City of Kyle

**Re: Trails at Windy Hill, Phase 7, Final (PLN-1600-NP)**

Mr. Koontz,

The Hays County Development Services staff has had an opportunity to review the aforementioned subdivision for compliance with Hays County subdivision and development regulations. Hays County staff has no further review comments at this time.

Pursuant to the Interlocal Cooperation Agreement between Hays County and the City of Kyle for subdivision regulation within the extraterritorial jurisdiction of the City of Kyle, please move forward with approval of the plat as submitted.

If you have any questions please let me know.

Regards,

*Marcus Pacheco*

Marcus Pacheco  
Director  
Hays County Development Services



# CITY OF KYLE, TEXAS

## Cool Springs Subdivision Phase 3 - (SUB-21-0208)

**Meeting Date: 11/9/2021**  
**Date time:6:30 PM**

**Subject/Recommendation:** Cool Springs Subdivision Phase 3 - (SUB-21-0208) 26.82 acres; 102 residential lots for property located off Cool Springs Boulevard.

Staff Proposal to P&Z: Approve the final plat.

**Other Information:** See attachments.

**Legal Notes:** N/A

**Budget Information:** N/A

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### ATTACHMENTS:

#### Description

□ Plat

**LEGEND**

- LOT BOUNDARY
- SUBDIVISION LINE
- - - ADJOINER PROPERTY LINE
- ROAD CENTERLINE
- - - BUILDING SETBACK LINE
- - - PUBLIC UTILITY EASEMENT
- ▨ RIGHT-OF-WAY TO BE DEDICATED
- 1/2" IRON ROD SET WITH PLASTIC CAP STAMPED "DOUCET"
- 5/8" IRON ROD FOUND WITH PLASTIC CAP STAMPED "ALCKENT MCMILLAN SURVEYOR RPLS 4341"
- ⊙ 1" IRON PIPE FOUND
- PUE PUBLIC UTILITY EASEMENT
- BSL BUILDING SETBACK LINE
- VOL. VOLUME
- PG. PAGE
- F.F.E. FINISHED FLOOR ELEVATION
- R.O.W. RIGHT-OF-WAY
- P.R.H.C.T. PLAT RECORDS, HAYS COUNTY, TEXAS
- O.P.R.H.C.T. OFFICIAL PUBLIC RECORDS, HAYS COUNTY, TEXAS
- ( ) CALLED ACREAGE
- Ac. ACRES

**COOL SPRINGS SUBDIVISION  
PHASE III  
HAYS COUNTY, TEXAS**

BENCHMARK NO. 250  
NORTHING: 13,898,213.25  
EASTING: 2,330,675.34  
ELEVATION: 681.69

BLUE SPRINGS PASS 60' R.O.W.

AMENDED COOL SPRINGS  
SUBDIVISION, PHASE 2  
DOC. NO. 20052969  
O.P.R.H.C.T.

FREDDIE LEE STURDIVANT  
CALLED 14.924 ACRES  
VOL. 4116, PG. 152,  
O.P.R.H.C.R.

COUNTY ROAD 158  
(VARIABLE WIDTH R.O.W.)  
(NO RECORD INFORMATION FOUND)

KINDER MORGAN PIPELINE BUFFER  
200.00'

HPGL

200.00'

0.2250 ACRE TO BE  
DEDICATED AS R.O.W.

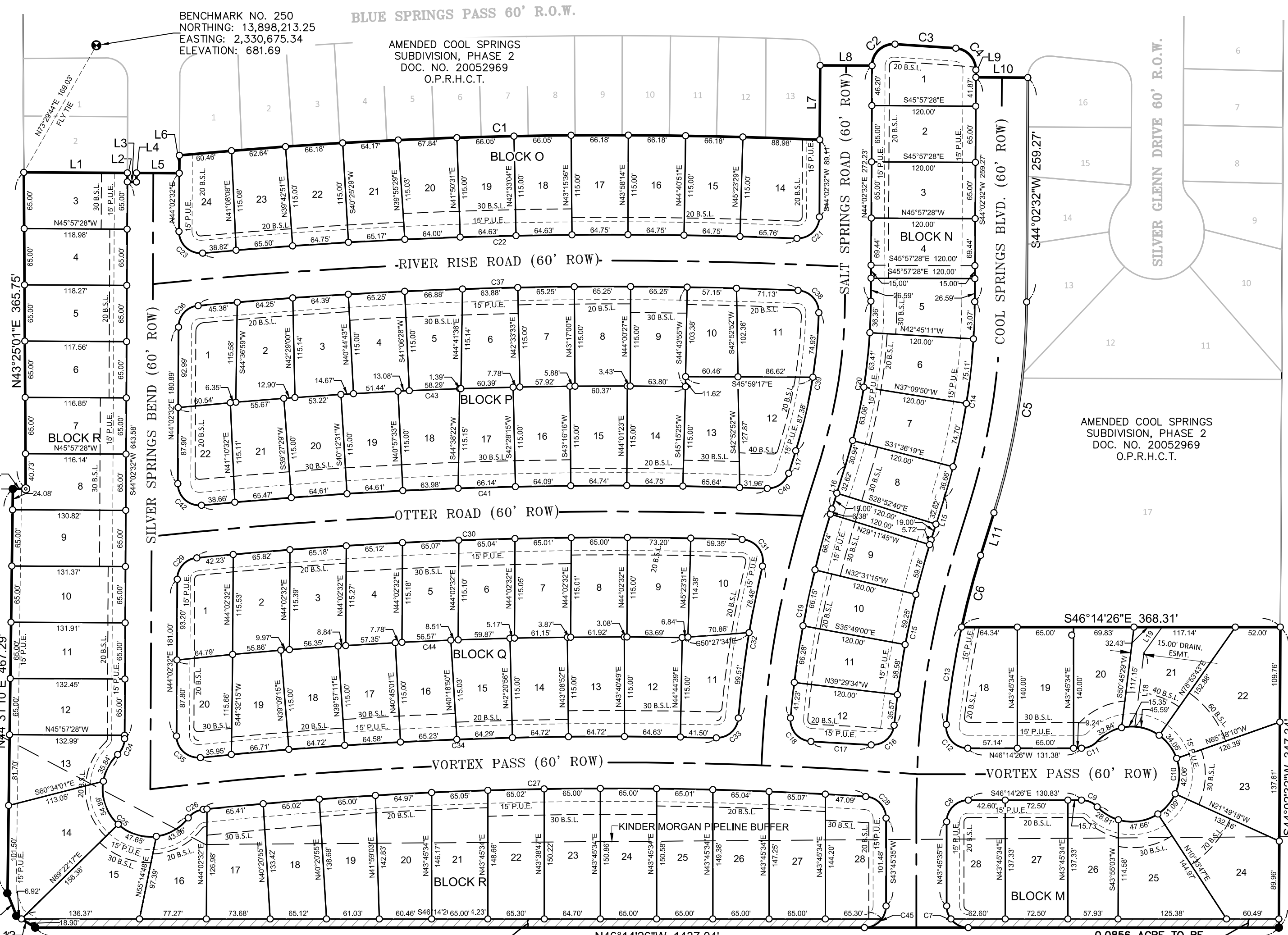
N46°14'26"W 1437.04'  
COUNTY ROAD 158  
(VARIABLE WIDTH R.O.W.)  
(NO RECORD INFORMATION FOUND)

0.0856 ACRE TO BE  
DEDICATED AS R.O.W.

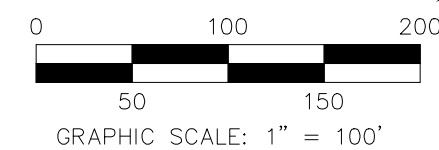
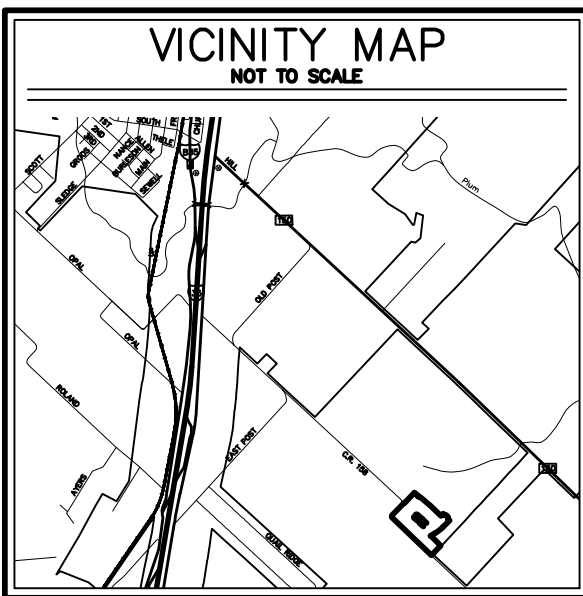
WOODLANDS PARK, PHASE 3  
DOC. NO. 17014029  
O.P.R.H.C.R.

AMENDED COOL SPRINGS  
SUBDIVISION, PHASE 2  
DOC. NO. 20052969  
O.P.R.H.C.T.

SILVER GLENN DRIVE 60' R.O.W.



**VICINITY MAP**  
NOT TO SCALE



**DA DOUCET & ASSOCIATES**  
Civil Engineering - Planning - Geospatial  
7401 B. Highway 71 W, Suite 160  
Austin, Texas 78735, Phone: (512)-583-2600  
www.doucetandassociates.com  
TBPEL Firm No.: 10105800  
TBPE Firm No.:-3937

Date: 10/04/2021
Scale: 1" = 100'
Drawn by: SWP
Reviewer: CT
Project: 1636-002
Sheet: 1 OF 3
Field Book: N/A
Party Chief: ADM
Survey Date: 06/19/2020

# COOL SPRINGS SUBDIVISION PHASE III HAYS COUNTY, TEXAS

PARCEL CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C1	740.91'	5,337.11'	7°57'14"	S47°37'49"E	740.32'
C2	40.64'	25.00'	93°09'01"	S89°22'58"E	36.31'
C3	70.46'	5,452.11'	0°44'26"	N42°25'23"W	70.46'
C4	37.40'	25.00'	85°42'29"	S01°11'22"W	34.01'
C5	247.43'	830.00'	17°04'49"	S52°34'56"W	246.51'
C6	85.76'	970.00'	5°03'57"	S58°35'22"W	85.74'
C7	39.27'	25.00'	90°00'01"	N01°14'25"W	35.36'
C8	39.27'	25.00'	89°59'59"	N88°45'35"E	35.36'
C9	20.32'	25.00'	46°34'03"	S22°57'25"E	19.76'
C10	262.19'	55.00'	273°08'06"	N43°45'34"E	75.63'
C11	20.32'	25.00'	46°34'03"	N69°31'27"W	19.76'
C12	41.71'	25.00'	95°35'08"	N01°33'08"E	37.04'
C13	114.04'	976.67'	6°41'23"	N52°41'24"E	113.97'
C14	229.54'	770.00'	17°04'49"	S52°34'56"W	228.69'
C15	218.90'	1,030.00'	12°10'36"	S55°02'02"W	218.49'
C16	38.74'	25.00'	88°47'49"	N86°39'24"W	34.98'
C17	69.54'	4,642.11'	0°51'30"	N42°57'45"W	69.54'
C18	40.43'	25.00'	92°39'24"	N02°56'07"E	36.17'
C19	246.59'	1,150.00'	12°17'09"	N54°58'46"E	246.12'
C20	193.77'	650.00'	17°04'49"	N52°34'56"E	193.05'
C21	40.27'	25.00'	92°17'36"	N89°48'42"W	36.06'
C22	687.41'	5,222.11'	7°32'32"	N47°39'33"W	686.92'
C23	41.66'	25.00'	95°28'21"	N03°41'39"W	37.00'
C24	20.40'	25.00'	46°45'03"	S67°25'03"W	19.84'
C25	181.93'	55.00'	189°31'27"	S04°14'10"E	109.62'
C26	20.56'	25.00'	47°06'39"	S75°42'13"E	19.98'
C27	766.71'	4,582.11'	9°35'14"	S47°21'17"E	765.81'
C28	37.79'	25.01'	86°33'26"	S00°27'01"W	34.30'
C29	36.68'	25.00'	84°04'28"	N86°04'46"E	33.48'
C30	631.03'	4,872.11'	7°25'15"	S48°10'23"E	630.59'

PARCEL CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C31	44.27'	25.00'	101°27'35"	S06°16'02"W	38.71'
C32	177.99'	1,210.00'	8°25'42"	S52°46'59"W	177.83'
C33	37.82'	25.00'	86°41'15"	N88°05'14"W	34.32'
C34	597.06'	4,642.11'	7°22'09"	N48°25'42"W	596.65'
C35	41.96'	25.00'	96°09'18"	N04°02'07"W	37.20'
C36	36.83'	25.00'	84°24'36"	N86°14'50"E	33.59'
C37	694.05'	5,162.11'	7°42'12"	S47°41'46"E	693.53'
C38	38.92'	25.00'	89°12'15"	S00°45'28"W	35.11'
C39	162.31'	590.00'	15°45'45"	S53°14'28"W	161.80'
C40	32.61'	25.00'	74°43'52"	N81°30'44"W	30.34'
C41	654.64'	4,932.11'	7°36'18"	N47°56'57"W	654.16'
C42	41.80'	25.00'	95°47'37"	N03°51'17"W	37.10'
C43	587.11'	5,047.11'	6°39'54"	N48°36'02"W	586.78'
C44	584.76'	4,757.11'	7°02'35"	N48°46'38"W	584.39'
C45	39.27'	25.00'	89°59'59"	S88°45'35"W	35.36'

PARCEL LINE TABLE		
LINE	BEARING	DISTANCE
L1	S45°57'28"E	119.69'
L2	S44°02'32"W	10.40'
L3	S45°57'28"E	10.50'
L4	N44°02'32"E	10.40'
L5	S45°57'28"E	49.50'
L6	N44°02'32"E	20.56'
L7	N44°02'32"E	86.04'
L8	S45°57'28"E	60.00'
L10	S45°57'28"E	60.00'
L11	S61°07'20"W	51.62'
L12	N14°18'02"W	25.83'
L13	N22°00'56"E	28.04'
L14	S46°41'38"E	14.93'
L15	S61°07'20"W	51.62'
L16	N61°07'20"E	51.62'
L17	S61°07'20"W	27.23'
L18	N50°45'29"E	86.19'
L19	N79°05'13"E	36.23'

**SURVEYOR'S CERTIFICATE:**

STATE OF TEXAS }  
COUNTY OF HAYS }

I, CHRISTOPHER W. TERRY, REGISTERED PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY THAT THIS PLAT AND ACCOMPANYING LEGAL DESCRIPTION OF EVEN DATE REPRESENT AN ACTUAL SURVEY PERFORMED ON THE GROUND UNDER MY SUPERVISION.

10/04/2021

CHRISTOPHER W. TERRY DATE  
REGISTERED PROFESSIONAL LAND SURVEYOR  
TEXAS REGISTRATION NO. 6649  
DOUCET & ASSOCIATES, INC.  
CTERRY@DOUCETENGINEERS.COM

**ENGINEER'S CERTIFICATION:**

STATE OF TEXAS }  
COUNTY OF HAYS }

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

10/04/2021

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

**OWNERS DEDICATION:**

STATE OF TEXAS  
COUNTY OF HAYS

THAT LENNAR HOMES OF TEXAS LAND AND CONSTRUCTION, LTD., BEING THE OWNER OF 26.82 ACRES OF LAND, BEING A PORTION OF 126.395 ACRES OF LAND CONVEYED IN DOCUMENT NUMBER 16042270, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, AND SAID SUBDIVISION HAVING BEEN APPROVED FOR SUBDIVISION PURSUANT TO THE PUBLIC NOTIFICATION AND HEARING PROVISIONS OF CHAPTER 212.014 OF THE LOCAL GOVERNMENT CODE, DO HEREBY SUBDIVIDE SAID 26.82 ACRES IN ACCORDANCE WITH THE MAP OR PLAT ATTACHED HERETO, TO BE KNOWN AS "COOL SPRINGS SUBDIVISION, PHASE III", AND DO HEREBY DEDICATE TO THE PUBLIC THE USE OF ALL STREET RIGHT-OF-WAYS AND EASEMENTS SHOWN HEREON, SUBJECT TO ANY EASEMENTS AND/OR RESTRICTIONS HERETO GRANTED AND NOT RELEASED.

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

\_\_\_\_\_  
LENNAR HOMES OF TEXAS LAND AND CONSTRUCTION, LTD TITLE

STATE OF TEXAS  
COUNTY OF HAYS

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

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

\_\_\_\_\_  
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

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

**BENCHMARK NOTE:**

CHISELED PLUS CUT IN THE CURB ON THE SOUTHWEST RIGHT-OF WAY OF BLUE SPRINGS PASS (60' RIGHT-OF-WAY) AND APPROXIMATELY 169 FEET FROM THE SOUTHWEST CORNER OF THE AMENDED COOL SPRINGS SUBDIVISION, PHASE 2. ELEV. = 681.69' (NAVD '88)

**SURVEY CONTROL:**

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

UNITS: U.S. SURVEY FEET.

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

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

**OWNER/DEVELOPER:**

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

**SURVEYOR:**

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

**ENGINEER:**

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

**UTILITIES:**

WATER: COUNTY LINE SUD

WASTEWATER: CITY OF KYLE

ELECTRIC: PEDERNALES ELECTRIC CO-OP

PHONE: VERIZON

GAS: TEXAS GAS SERVICE

EMERGENCY SERVICES: ESD#5

LOT SUMMARY	
TOTAL NUMBER OF BLOCKS	6
TOTAL NUMBER OF LOTS	102
DRAINAGE EASEMENT LOTS	0
LANDSCAPE LOTS	0
COMMERCIAL LOTS	0
OPEN SPACE/PARK LOTS	0
TOTAL OVERALL ACREAGE	26.82

STREET SUMMARY			
STREET NAME	R.O.W. WIDTH	SQUARE FEET	ACRES
RIVER RISE ROAD	60' R.O.W.	44,995	1.033
SILVER SPRINGS BEND	60' R.O.W.	49,582	1.138
OTTER ROAD	60' R.O.W.	42,204	0.969
SALT SPRINGS ROAD	60' R.O.W.	47,576	1.092
COOL SPRINGS BLVD	60' R.O.W.	61,669	1.416
VORTEX PASS	60' R.O.W.	67,559	1.551

**GENERAL NOTES:**

- ALL LOT BOUNDARY CORNERS, AND RIGHT-OF-WAY TANGENTS AND CURVES ARE MONUMENTED WITH CAPPED 1/2" IRON RODS STAMPED "DOUCET".
- ALL DISTANCES ANNOTATED ALONG CURVES SHOWN HEREON ARE ARC LENGTHS.
- ELEVATION DATUM AND BENCHMARK NOTE HEREON ARE PER COOL SPRINGS PHASE 1 PLAT RECORDED IN DOCUMENT NUMBER 18019192 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS.
- NO PORTION OF THIS PROPERTY (AS SHOWN HEREON) IS LOCATED WITHIN A DESIGNATED FLOODPLAIN ACCORDING TO THE FEMA F.I.R.M. PANEL NO. 48209C0405F, HAYS COUNTY, TEXAS, REVISED SEPTEMBER 2, 2005.
- THE ABOVE FLOODPLAIN STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR THE STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. THE ABOVE FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR OR ENGINEER.
- NO OBJECT INCLUDING SIGNAGE, BUILDING, ACCESSORY BUILDING, FENCING OR LANDSCAPING WHICH WOULD INTERFERE WITH EASEMENT ACCESS SHALL BE PLACED OR ERECTED WITHIN UTILITY EASEMENT(S).
- PROPERTY OWNERS SHALL ALLOW THE CITY ACCESS TO UTILITY EASEMENT(S) FOR INSPECTION, REPAIR, MAINTENANCE AND RECONSTRUCTION AS MAY BE NECESSARY.
- EACH PROPERTY OWNER OF A LOT ON WHICH DRAINAGE EASEMENT(S) IS PLATTED SHALL BE RESPONSIBLE FOR KEEPING GRASS AND WEEDS NEATLY CUT AND THE EASEMENT AREA FREE OF DEBRIS AND ALL TREE/BUSH RE-GROWTH. MAINTENANCE AND UPKEEP OF ALL STORM WATER FACILITIES IS THE RESPONSIBILITY OF EACH OWNER ON WHICH SUCH FACILITIES ARE LOCATED.
- OBSTRUCTIONS IN DRAINAGE EASEMENTS ARE PROHIBITED.
- NO PORTION OF THIS SUBDIVISION LIES WITHIN THE BOUNDARIES OF THE EDWARDS AQUIFER RECHARGE ZONE.
- NO PORTION OF THIS SUBDIVISION LIES WITHIN THE BOUNDARIES OF THE CONTRIBUTING ZONE OF THE BARTON SPRINGS SEGMENT OF THE EDWARDS AQUIFER.
- THIS SUBDIVISION LIES WITHIN THE CORPORATE LIMITS OF THE CITY OF KYLE.
- PRIOR TO CONSTRUCTION OF ANY IMPROVEMENTS ON LOTS IN THIS SUBDIVISION, SITE DEVELOPMENT PERMITS AND/OR BUILDING PERMITS WILL BE OBTAINED FROM THE CITY OF KYLE.
- ANY NEW ELECTRIC SERVICE SHALL BE UNDERGROUND.
- A FIFTEEN FOOT P.U.E. IS HEREBY DEDICATED ALONG ALL STREET R.O.W.'S, A FIVE FOOT P.U.E. IS HEREBY DEDICATED ALONG EACH SIDE LOT LINE AND A TEN FOOT P.U.E. IS HEREBY DEDICATED ADJACENT TO ALL REAR LOT LINES ON ALL LOTS.
- SIDEWALKS SHALL BE INSTALLED ON BOTH SIDES OF SUBDIVISION STREETS.
- ALL SETBACKS WILL COMPLY WITH THE KALOGRIDIS & KALOGRIDIS DEVELOPMENT AGREEMENT, SIGNED AND ACCEPTED ON JUNE 7, 2016, UNLESS THE CITY OF KYLE APPROVES WAIVERS FROM THESE REQUIREMENTS.
- SIGHT DISTANCE AT ALL INTERSECTIONS TO COMPLY WITH ORD. #439, ARTICLE V, SEC. 4 (m)(iv); KYLE CODE.
- CUL-DE-SACS ARE DESIGNED SO THAT STORMWATER DRAINAGE WILL BE CONTAINED WITHIN THE R.O.W. OF THE CUL-DE-SAC.
- SUBDIVISION COMPLIES WITH THE CITY OF KYLE ROADWAY PLAN.
- PARKLAND DEDICATION AND DEVELOPMENT FEE REQUIREMENTS WILL HAVE BEEN MET THROUGH DEDICATION AND DEVELOPMENT OF A PUBLIC PARK WITH LOT 21, BLOCK K, TO BE DEDICATED TO THE CITY OF KYLE, IN ACCORDANCE WITH THE COOL SPRINGS DEVELOPMENT AGREEMENT WITH THE CITY. UPON COMPLETION OF ROAD AND UTILITIES ON SILVER SPRINGS BEND AND EMERALD PASS, AND PRIOR TO ANY CERTIFICATE OF OCCUPANCY ISSUED ALONG THESE TWO ROADS, THE PARK, TRAILS, AND OTHER AMENITIES DESCRIBED IN THE COOL SPRINGS DEVELOPMENT AGREEMENT SHALL BE COMPLETED AND DEDICATED TO THE CITY.
- THERE WILL BE NO DRIVEWAY ENTRANCE OR EXIT ONTO COOL SPRINGS BLVD FROM ANY SINGLE FAMILY LOT. THOSE LOTS WITH DOUBLE FRONTAGE OR CORNER LOTS WILL BE PROVIDED ACCESS FROM ANOTHER STREET.
- MAINTENANCE OF EASEMENTS, DETENTION PONDS AND RIGHT OF WAYS TO THE PAVEMENT TO BE THE RESPONSIBILITY OF PROPERTY OWNERS AND/OR PROPERTY AND/OR HOMEOWNERS ASSOCIATIONS.
- SIDEWALKS, PEDESTRIAN CROSSINGS, AND OTHER PUBLIC AMENITIES THAT ARE TO BE DEDICATED TO THE CITY OF KYLE SHALL MEET OR EXCEED ALL 2010 ADA STANDARDS OF ACCESSIBILITY DESIGN AND ALL CURRENT FEDERAL AND STATE LAWS REGARDING ACCESS FOR PEOPLE WITH DISABILITIES FOR TITLE II ENTITIES.
- POST-CONSTRUCTION STORMWATER CONTROL MEASURES SHALL HAVE A MAINTENANCE PLAN. THE MAINTENANCE PLAN MUST BE FILED IN THE REAL PROPERTY RECORDS OF THE COUNTY IN WHICH THE PROPERTY IS LOCATED. THE OWNER OR OPERATOR OF ANY NEW DEVELOPMENT OR REDEVELOPED SITE SHALL DEVELOP AND IMPLEMENT A MAINTENANCE PLAN ADDRESSING MAINTENANCE REQUIREMENTS FOR ANY STRUCTURAL CONTROL MEASURES INSTALLED ON SITE. OPERATION AND MAINTENANCE PERFORMED SHALL BE DOCUMENTED AND RETAINED ON SITE, SUCH AS AT THE OFFICES OF THE OWNER OR OPERATOR, AND MADE AVAILABLE FOR REVIEW BY THE CITY.
- THIS PLAT HAS BEEN PREPARED IN ACCORDANCE WITH CITY REGULATIONS WITH CONSIDERATION OF WAIVERS APPROVED BY CITY COUNCIL ON OCTOBER 17, 2017.

**PLANNING AND ZONING COMMISSION CERTIFICATION:**

STATE OF TEXAS  
COUNTY OF HAYS

THIS FINAL PLAT HAS BEEN SUBMITTED AND CONSIDERED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KYLE, TEXAS, AND IS HEREBY APPROVED BY SUCH PLANNING AND ZONING COMMISSION.

DATED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20 \_\_\_\_

\_\_\_\_\_  
MICHELLE CHRISTIE  
MADAM CHAIR

\_\_\_\_\_  
COUNTY CLERK CERTIFICATION

STATE OF TEXAS  
COUNTY OF HAYS

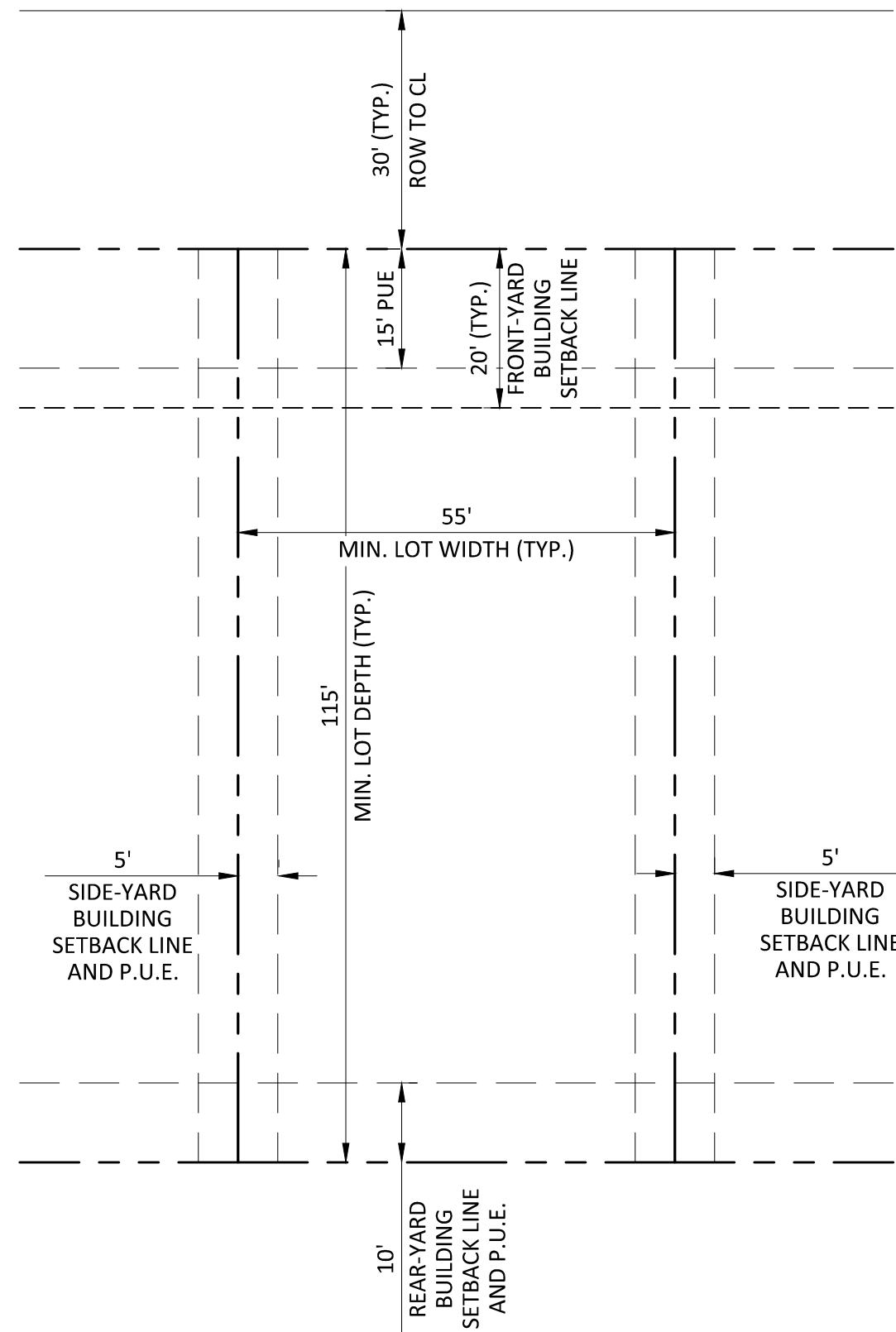
KNOWN ALL MEN BY THESE PRESENTS:

THAT \_\_\_\_\_, CLERK OF HAYS COUNTY COURT, DOES HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT OF WRITING AND CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORDS OF IN MY OFFICE ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 20 \_\_\_\_ A.D. IN THE PLAT RECORDS OF SAID COUNTY AND STATE IN PLAT CABINET \_\_\_\_\_, PAGE(S) \_\_\_\_ WITNESS MY HAND AND SEAL OF OFFICE, OF THE COUNTY CLERK OF SAID COUNTY ON THIS THE \_\_\_\_ DAY OF \_\_\_\_\_, 20 \_\_\_\_ FILED FOR RECORD AT \_\_\_\_ O'CLOCK \_\_\_\_ THIS THE \_\_\_\_ DAY OF \_\_\_\_\_, 20 \_\_\_\_ A.D.

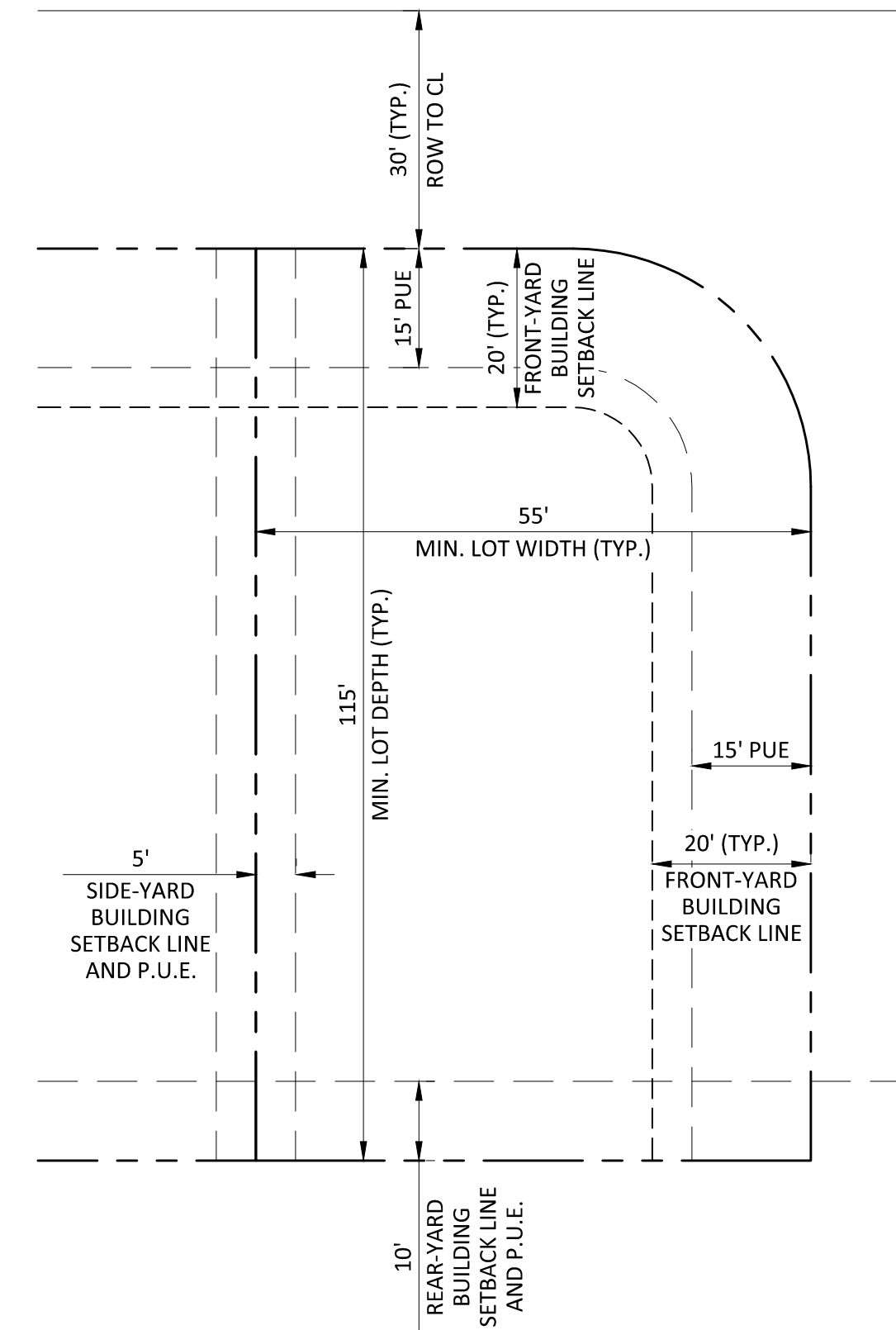
\_\_\_\_\_  
NAME: ELAINE HANSON CARDENAS, MBA, PHD  
COUNTY CLERK, HAYS COUNTY, TEXAS

 <b>DOUCET &amp; ASSOCIATES</b> Civil Engineering - Planning - Geospatial 7401 B. Highway 71 W, Suite 160 Austin, Texas 78735, Phone: (512)-583-2600 www.doucetandassociates.com TBPELS Firm No.: 10105800 TBPE Firm No.: F-3937	Date: 10/04/2021
	Scale: 1" = 100'
	Drawn by: SWP
	Reviewer: CT
	Project: 1636-002
	Sheet: 2 OF 3
	Field Book: N/A
	Party Chief: ADM
Survey Date: 06/19/2020	

AMENDED PLAT COOL SPRINGS SUBDIVISION  
 PHASE III  
 HAYS COUNTY, TEXAS



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



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

<b>DA DOUCET &amp; ASSOCIATES</b> Civil Engineering - Planning - Geospatial 7401 B. Highway 71 W, Suite 160 Austin, Texas 78735, Phone: (512)-583-2600 www.doucetandassociates.com TBPELS Firm No.: 10105800 TBPE Firm No.: F-3937	Date: 10/04/2021
	Scale: 1" = 100'
	Drawn by: SWP
	Reviewer: CT
	Project: 1636-002
	Sheet: 3 OF 3
	Field Book: N/A
Party Chief: ADM	
Survey Date: 06/19/2020	



# CITY OF KYLE, TEXAS

6 Creeks Phase 1, Section 13A,  
13B, 14A & 14B - Preliminary Plan  
(SUB-21---)

**Meeting Date: 11/9/2021**  
**Date time:6:30 PM**

**Subject/Recommendation:** 6 Creeks Phase 1, Section 13A, 13B, 14A & 14B - Preliminary Plan (SUB-21---) 99.37 acres; 295 single family lots located northwest of Six Creeks Boulevard and N. Old Stagecoach Road.

Staff Proposal to P&Z: Approve the preliminary plan.

**Other Information:** See attached.

**Legal Notes:** N/A

**Budget Information:** N/A

---

## ATTACHMENTS:

### **Description**

- 1445 Approval Letter from Hays County and Preliminary Plan



**Hays County Development Services**  
P.O Box 1006 San Marcos TX 78667-1006  
2171 Yarrington Road San Marcos TX 78666  
512-393-2150 / [www.hayscountytexas.com](http://www.hayscountytexas.com)

November 1st, 2021

William Atkinson  
City Planner  
City of Kyle

**Re: 6 Creeks, Ph 1, Sec 13A, 13B, 14A, and 14B, Preliminary (PLN-1742-NP)**

Mr. Atkinson,

The Hays County Development Services staff has had an opportunity to review the aforementioned subdivision for compliance with Hays County subdivision and development regulations. Hays County staff has no further review comments at this time.

Pursuant to the Interlocal Cooperation Agreement between Hays County and the City of Kyle for subdivision regulation within the extraterritorial jurisdiction of the City of Kyle, please move forward with approval of the plat as submitted.

If you have any questions please let me know.

Regards,

*Marcus Pacheco*

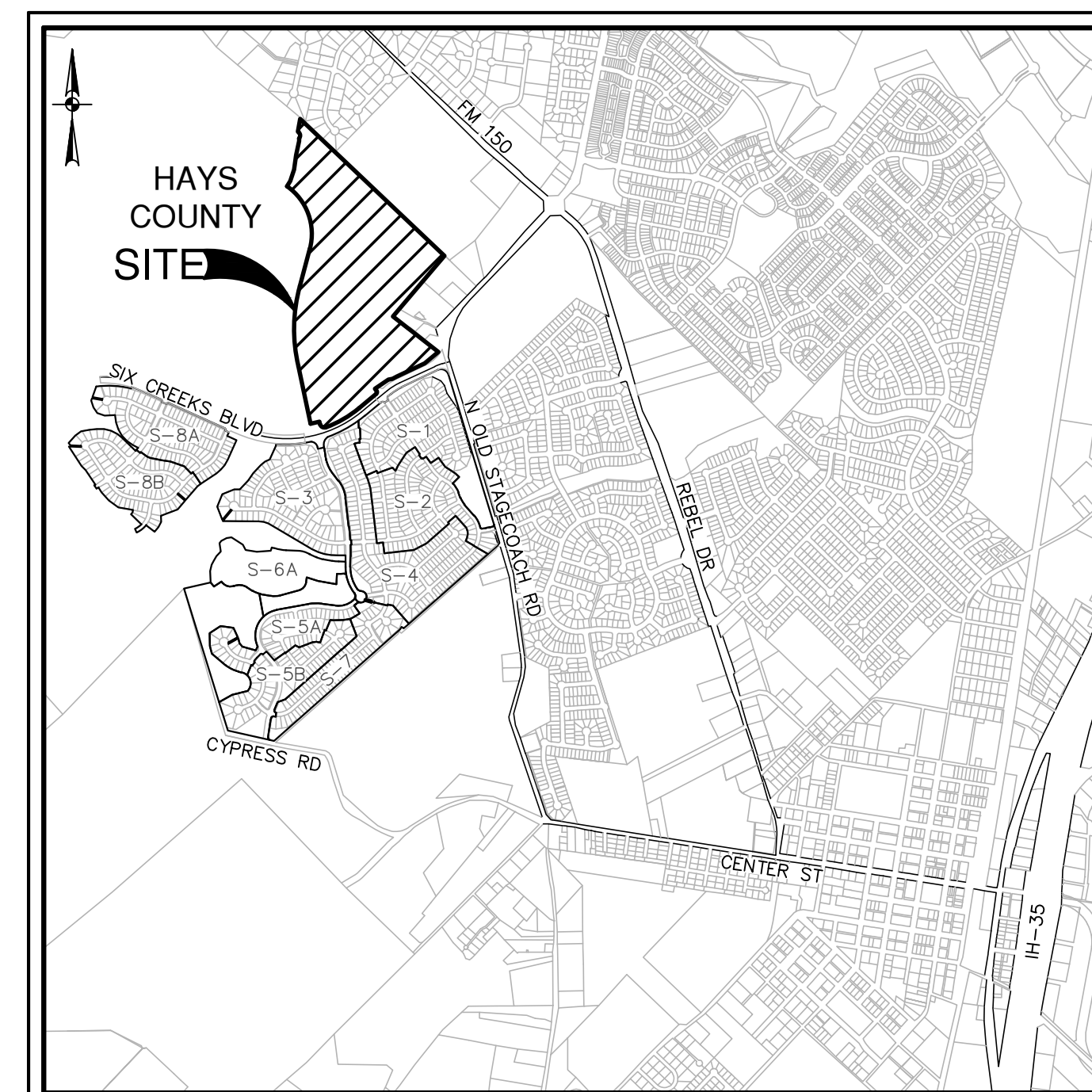
Marcus Pacheco  
Director  
Hays County Development Services

# 6 CREEKS-PHASE 1, SECTIONS 13A, 13B, 14A, & 14B HAYS COUNTY, TEXAS PRELIMINARY PLAN

LOT SUMMARY (6 CREEKS)								
SECTION	LAND USE	50' SINGLE FAMILY LOTS	55' SINGLE FAMILY LOTS	60' SINGLE FAMILY LOTS	65' SINGLE FAMILY LOTS	70'+ SINGLE FAMILY LOTS	GARDEN HOMES	TOTAL
1	RESIDENTIAL	73		37				110
2	RESIDENTIAL	88		33				121
3	RESIDENTIAL		50			53		103
4A	RESIDENTIAL			57				57
4B	RESIDENTIAL	59		32				91
5A	RESIDENTIAL		42			15		57
5B	RESIDENTIAL		33			22		55
6A	RESIDENTIAL						79	79
6B	AMENITY							0
7	RESIDENTIAL		69					69
8A	RESIDENTIAL		62			32		94
8B	RESIDENTIAL		58			31		89
9	RESIDENTIAL			102				102
10	RESIDENTIAL					72		72
11	RESIDENTIAL						71	71
12	RESIDENTIAL	83						83
13A	RESIDENTIAL				44			44
13B	RESIDENTIAL			79				79
14A	RESIDENTIAL				67			67
14B	RESIDENTIAL			103				103
15	RESIDENTIAL			81				81
16	RESIDENTIAL	118						118
17	RESIDENTIAL					56		56
18	RESIDENTIAL		92					92
18B	AMENITY							
19	RESIDENTIAL			64				64
20	RESIDENTIAL					75		75
21	RESIDENTIAL					58		58
TOTAL		421	406	588	111	414	150	2090
% TOTAL		20.1%	19.4%	28.1%	#DIV/0!	19.8%	7.2%	
MAX ALLOWED*		26%	22%	29%	N/A	N/A	7%	

\*PER BLANCO RIVER RANCH (PHASE ONE RESIDENTIAL AREA DE-ANNEXATION AND DEVELOPMENT AGREEMENT) AND SUBSEQUENT AMENDMENT(S)

\*\*LOT COUNT BASED ON A PLAT AND/OR PRELIMINARY PLAN SUBMITTED TO THE CITY OF KYLE. ALL OTHER LOT COUNTS ARE PROPOSED AND SUBJECT TO CHANGE. TOTAL LOT COUNT NOT TO EXCEED 2100 PER DEVELOPMENT AGREEMENT. LOT COUNT DOES NOT INCLUDE OPEN SPACE LOTS.



**LOCATION MAP**  
NOT-TO-SCALE

PREPARED FOR:

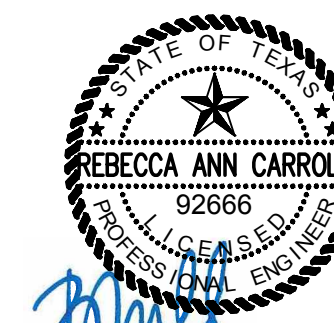
**HMBRR DEVELOPMENT, INC.**  
1011 N LAMAR  
AUSTIN, TEXAS 78703

OCTOBER 2021

10/15/2021

**PAPE-DAWSON ENGINEERS**

SAN ANTONIO | AUSTIN | HOUSTON | FORT WORTH | DALLAS  
2000 NW LOOP 410 | SAN ANTONIO, TX 78213 | 210.375.9000  
TBPE FIRM REGISTRATION #470 | TBPLS FIRM REGISTRATION #10028800



## SHEET INDEX

Sheet Description	Sheet No.
COVER SHEET	C0.00
SITE PLAN	C1.00
SITE PLAN	C1.01
LOT SUMMARY	C1.02
OVERALL STORMWATER PLAN	C2.00
OVERALL STORMWATER PLAN	C2.01
EXISTING DRAINAGE CONDITIONS	C2.02
OVERALL SANITARY SEWER PLAN	C3.00
OVERALL SANITARY SEWER PLAN	C3.01
OVERALL SANITARY SEWER PLAN	C3.02
OVERALL WATER DISTRIBUTION PLAN	C4.00
OVERALL WATER DISTRIBUTION PLAN	C4.01

**NOTES:**

- THIS PRELIMINARY PLAN HAS BEEN DEVELOPED TO COMPLY WITH THE REQUIREMENTS OF THE DEVELOPMENT AGREEMENT BETWEEN THE CITY OF KYLE AND THE PROPERTY OWNER APPROVED BY THE CITY OF KYLE CITY COUNCIL ON MAY 31, 2017 AND SUBSEQUENT AMENDMENT(S).
- THE LIMITS OF THIS PROJECT ARE IN ZONE X OF THE FEMA FLOODPLAIN MAP NO. 48209C0270F DATED SEPTEMBER 2, 2005.
- THIS SITE IS LOCATED WITHIN THE EDWARDS AQUIFER TRANSITION ZONE AND THE EDWARDS AQUIFER CONTRIBUTING ZONE WITHIN THE TRANSITION ZONE.
- THIS SITE IS LOCATED WITHIN HAYS COUNTY ESD #5 AND #9 AND LOCATED WITHIN THE BOUNDARY OF THE HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT.
- WATER SERVICE WILL BE PROVIDED BY THE CITY OF KYLE.
- ORGANIZED WASTEWATER SERVICE WILL BE PROVIDED BY THE CITY OF KYLE.
- UTILITY EASEMENTS SHALL BE IN ACCORDANCE WITH CITY CODE, SECTION 41-141 IN PLACE AS OF THE VESTING DATE OF MAY 16, 2017 OF THE BLANCO RIVER RANCH DE-ANNEXATION AND DEVELOPMENT AGREEMENT. A FIFTEEN (15) FOOT PUBLIC UTILITY EASEMENT IS DEDICATED BY PLAT ADJACENT TO ALL STREET RIGHT OF WAY, EXCEPT ADJACENT TO CORNER LOTS WHERE EASEMENT ADJACENT TO SIDE LOT IS 10', A FIVE (5) FOOT MUNICIPAL UTILITY EASEMENT IS DEDICATED BY PLAT AT EACH SIDE LOT LINE, AND A TEN (10) FOOT REAR MUNICIPAL UTILITY EASEMENT IS DEDICATED BY PLAT AT THE REAR LOT LINE OF EACH LOT.
- BUILDING SETBACKS SHALL COMPLY WITH EXHIBIT "D" OF THE BLANCO RIVER RANCH (PHASE ONE RESIDENTIAL AREA) DE-ANNEXATION AND DEVELOPMENT AGREEMENT.
- NO OBSTRUCTIONS ARE TO BE PLACED WITHIN DRAINAGE EASEMENTS.
- THOSE SIDEWALKS NOT ABUTTING A RESIDENTIAL, COMMERCIAL OR INDUSTRIAL LOT SHALL BE INSTALLED WHEN THE ADJOINING STREET IS CONSTRUCTED.
- THE MAINTENANCE OF SIDEWALKS WITHIN THIS PRELIMINARY PLAN SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNERS OR HOMEOWNER'S ASSOCIATION OR THEIR SUCCESSORS AND NOT THE RESPONSIBILITY OF THE CITY OF KYLE OR HAYS COUNTY.
- THE LOTS SHOWN HAVE ADEQUATE FRONTAGE TO ALLOW FOR COMPLIANCE WITH DRIVEWAY SPACING REQUIREMENTS.
- DRIVEWAYS SHALL COMPLY WITH CHAPTER 721 OF HAYS COUNTY DEVELOPMENT REGULATIONS, AND BE PERMITTED THROUGH THE TRANSPORTATION DEPARTMENT OF HAYS COUNTY UNDER CHAPTER 751.
- ALL ROADWAYS SHALL BE PUBLIC AND DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH APPLICABLE HAYS COUNTY STANDARDS.
- POST-CONSTRUCTION STORMWATER CONTROL MEASURES SHALL HAVE A MAINTENANCE PLAN. THE MAINTENANCE PLAN MUST BE FILED IN THE REAL PROPERTY RECORDS OF HAYS COUNTY. THE OWNER OPERATOR OF ANY NEW DEVELOPMENT OR REDEVELOPMENT SITE SHALL DEVELOP AND IMPLEMENT A MAINTENANCE PLAN ADDRESSING MAINTENANCE REQUIREMENTS FOR ANY STRUCTURAL CONTROL MEASURES INSTALLED ON SITE. OPERATION AND MAINTENANCE PERFORMED SHALL BE DOCUMENTED AND RETAINED AND MADE AVAILABLE FOR REVIEW UPON REQUEST.
- THIS SITE IS LOCATED WITHIN THE BARTON SPRINGS GROUNDWATER CONSERVATION DISTRICT.

APPROVED BY:

\_\_\_\_\_  
CITY OF KYLE-PLANNING AND ZONING CHAIR      DATE

\_\_\_\_\_  
CITY OF KYLE-CITY ENGINEER      DATE

\_\_\_\_\_  
CITY OF KYLE-DIRECTOR OF PUBLIC WORKS      DATE

OWNERS:	HMBRR DEVELOPMENT, INC. 1011 N LAMAR AUSTIN, TX 78703 PHONE: (512) 481-0303      FAX: (512) 481-0333
ACREAGE:	99.37 AC
SURVEY:	SAMUEL PHARASS 1/4 LEAGUE SURVEY NO. 14, ABSTRACT NO. 360
NUMBER OF LOTS AND PROPOSED LAND USE:	295 SINGLE FAMILY LOTS
DATE:	SEPTEMBER 2021
SURVEYOR:	PAPE-DAWSON ENGINEERS, INC. PHONE (210) 375-9000      FAX: (210) 375-9010
ENGINEER:	PAPE-DAWSON ENGINEERS, INC. PHONE: (210) 375-9000      FAX: (210) 375-9010

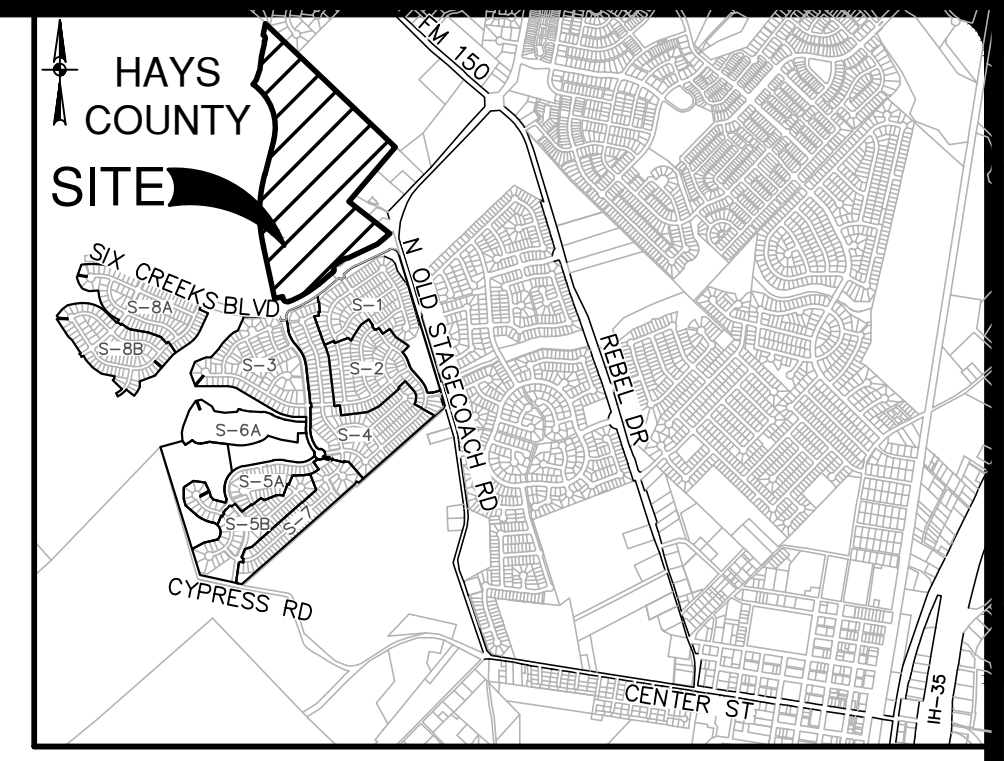
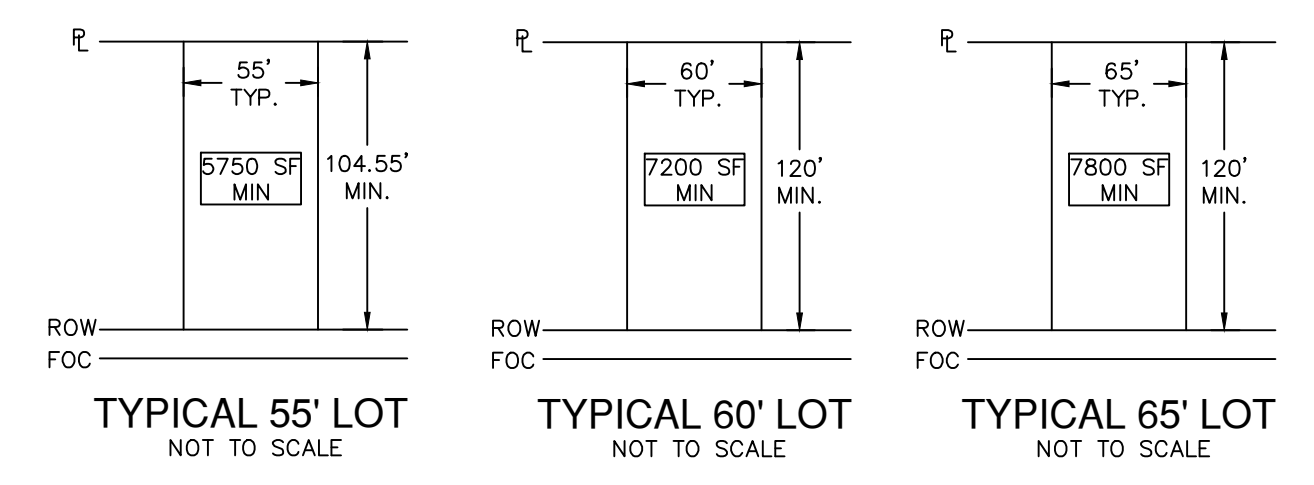
SHEET **C0.00**



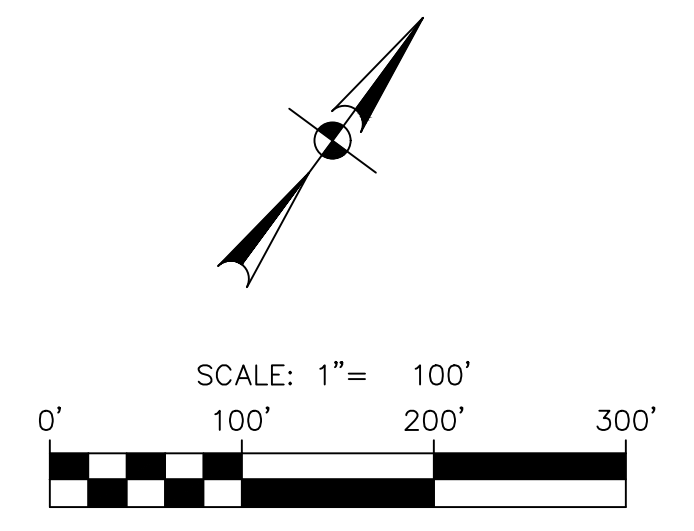
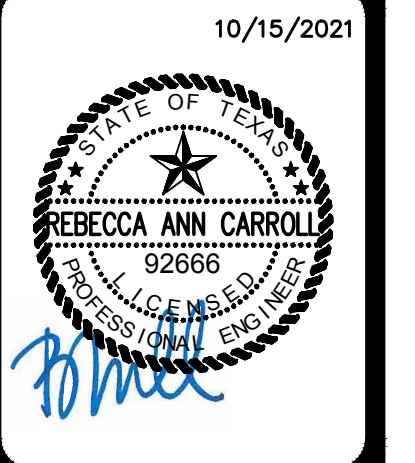
LIST OF ROADWAYS			
ROADWAY	DEVELOPMENT AGREEMENT CLASSIFICATION	TOTAL LENGTH (FT)	ROW WIDTH (FT)
RIO BLANCO WAY	RESIDENTIAL COLLECTOR	3,193	80
COLD RIVER RUN	RESIDENTIAL LANE	434	50
BLANCO FLATS RUN	RESIDENTIAL LANE	3,595	50
MUDDY CREEK WAY	RESIDENTIAL LANE	1,861	50
TUMBLING CREEK RUN	RESIDENTIAL LANE	4,159	50
STOCK POND TRAIL	RESIDENTIAL LANE	657	50
LANTANA DRIVE	RESIDENTIAL LANE	1,994	50
THISTLE PASS	RESIDENTIAL LANE	971	50
PRICKLY PEAR PASS	RESIDENTIAL LANE	1,950	50
MOCKINGBIRD CROSSING	RESIDENTIAL LANE	196	50
SANDY BANKS WAY	RESIDENTIAL LANE	594	50

LAND USE SUMMARY					
	SECTION 13A	SECTION 13B	SECTION 14A	SECTION 14B	TOTAL
RESIDENTIAL LOT ACREAGE	10.13	16.92	16.61	21.57	65.23
OPEN SPACE ACREAGE	0.97	4.49	0.00	4.64	10.10
ROW ACREAGE	4.00	6.65	5.13	8.26	24.04
TOTAL ACREAGE	15.10	28.06	21.74	34.47	99.37

NOTE: 6 CREEKS, SECTIONS 13A, 13B, 14A, AND 14B CONSISTS OF 295 SINGLE FAMILY LOTS AND 7 OPEN SPACE LOTS. THE AVERAGE LOT SIZE CAN BE FOUND IN THE TYPICAL LOT DETAILS BELOW.  
 LOT SIZES ARE AS FOLLOWS:  
 <1 AC 299 LOTS  
 1-2 AC 1 LOT  
 2-5 AC 2 LOTS  
 5-10 AC  
 >10 AC



NO.	REVISION	DATE
1	REVISED STREET, LOTS, AND EASEMENTS	09/08/21
2	STREET & LOTS	10/15/21



LEGEND:	
--- 960 ---	SECTION BOUNDARY
---	EXISTING CONTOUR
---	STREET CENTER LINE
---	PROPOSED CURB



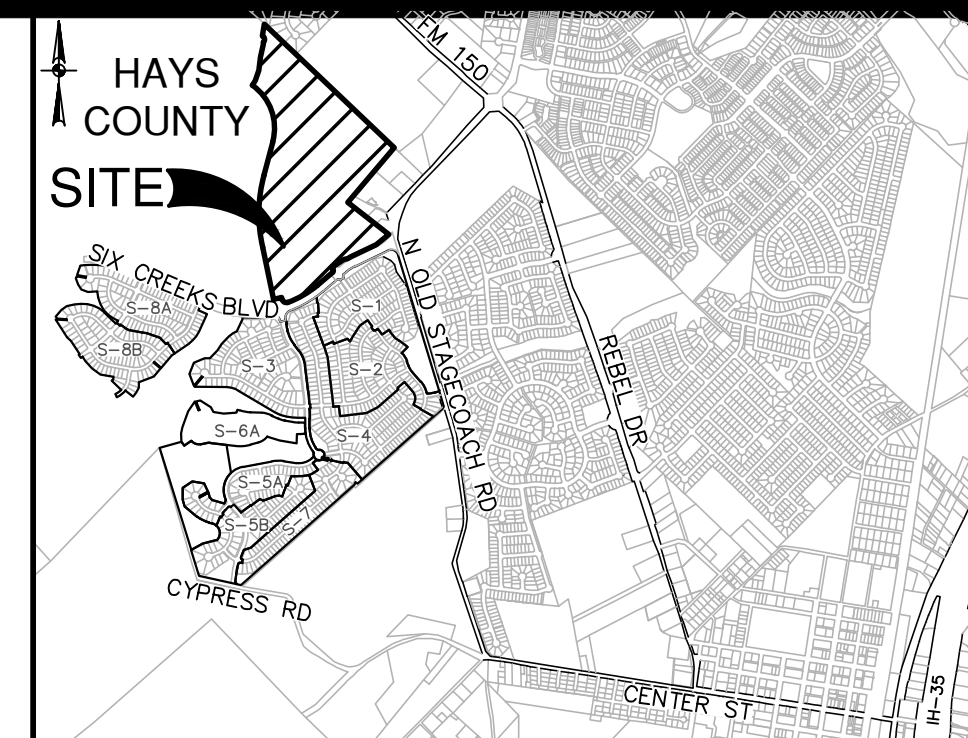
**PAPE-DAWSON ENGINEERS**  
 SAN ANTONIO | AUSTIN | HOUSTON | FORT WORTH | DALLAS  
 2000 HW LOOP 410 | SAN ANTONIO, TX 78213 | 210.375.9000  
 TEXAS PROFESSIONAL ENGINEERING FIRM REGISTRATION #10088890

**6 CREEKS-PHASE 1, SECTION 13A, 13B, 14A, & 14B**  
 HAYS COUNTY, TEXAS  
 PRELIMINARY PLAN  
 SITE PLAN

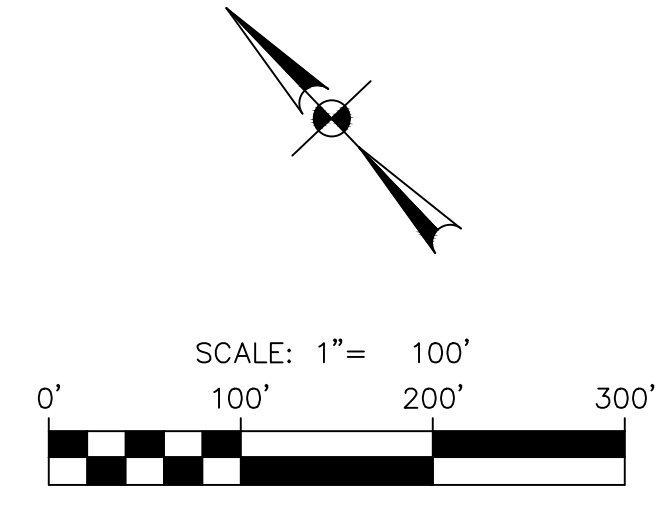
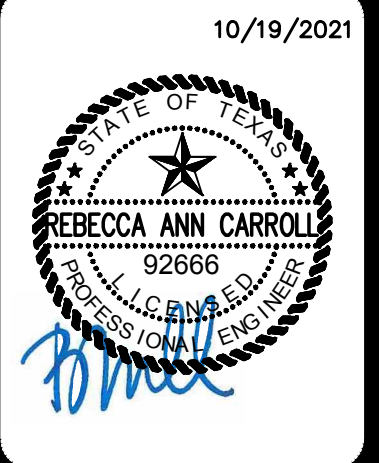
PLAT NO.	
JOB NO.	8141-34
DATE	MAY 2021
DESIGNER	JP
CHECKED	JP
SHEET	C1.00

DATE: Oct 15, 2021, 8:58PM User: JD\_Planification File: P:\31\13A\Design\6Creeks\PRE-SPR\13A.dwg  
 THIS DOCUMENT HAS BEEN PRODUCED FROM MATERIAL THAT WAS STORED AND/OR TRANSMITTED ELECTRONICALLY AND MAY HAVE BEEN INADVERTENTLY ALTERED. RELY ONLY ON FINAL HARDCOPY MATERIALS BEARING THE CONSULTANT'S ORIGINAL SIGNATURE AND SEAL. AERIAL IMAGERY PROVIDED BY GOOGLE/UNLESS OTHERWISE NOTED. Imagery © 2016, CAPOCO, Digital Globe, Texas Orthology Program, USDA Farm Service Agency.  
 Item # 6

Date: 04.19.2021 9:46am User: D. Blahy  
 File: P:\31\13A\Design\6Creeks\PRE\_SPB1.dwg



NO.	REVISION	DATE
1	REVISED STREET, LOTS, AND EASEMENTS	09/09/21
2	STREET CONNECTIONS & LOTS	10/19/21



**LEGEND:**

- SECTION BOUNDARY
- EXISTING CONTOUR
- STREET CENTER LINE
- PROPOSED CURB

**Pape-Dawson Engineers**  
 SAN ANTONIO | AUSTIN | HOUSTON | FORT WORTH | DALLAS  
 2000 HW LOOP 410 | SAN ANTONIO, TX 78213 | 210.375.9000  
 TPEE FIRM REGISTRATION #470 | TPEE FIRM REGISTRATION #1008880

**6 CREEKS-PHASE 1, SECTION 13A, 13B, 14A, & 14B**  
 HAYS COUNTY, TEXAS  
 PRELIMINARY PLAN  
 SITE PLAN

PLAT NO.	
JOB NO.	8141-34
DATE	MAY 2021
DESIGNER	JP
CHECKED	DRAWN JP
SHEET	C1.01

SECTION 13A

\* LOT WIDTHS ARE MEASURED AT THE FRONT BUILDING LINE PER THE BLANCO RIVER RANCH (PHASE ONE RESIDENTIAL AREA) DE-ANNEXATION AND DEVELOPMENT AGREEMENT. (REFERENCE EXHIBIT D, NUMBER 18)

LOT SUMMARY				
LOT	BLK	LOT WIDTH	LOT AREA	ROW FRONTAGE
1	A	75.00	8319 SF	65.10
2	A	65.00	8320 SF	65.00
3	A	65.06	9587 SF	60.82
4	A	65.00	9624 SF	64.19
5	A	92.68	13713 SF	97.29
6	A	65.81	20643 SF	46.88
7	A	73.16	15612 SF	68.93
8	A	65.08	12087 SF	70.63
9	A	65.05	12965 SF	60.78
10	A	65.02	11114 SF	63.30
11	A	65.00	10096 SF	65.00
12	A	65.00	9765 SF	65.00
13	A	65.00	9426 SF	65.00
14	A	65.00	9111 SF	65.05
15	A	65.00	9160 SF	65.76
16	A	N/A	42333 SF	1745.93
1	B	75.00	10253 SF	204.50
2	B	65.00	9080 SF	65.00
3	B	76.21	9411 SF	79.17
4	B	82.05	11475 SF	213.21
5	B	75.20	9627 SF	77.60
6	B	65.00	8358 SF	65.00
7	B	65.00	8267 SF	65.00
8	B	65.00	8387 SF	64.79
9	B	101.36	11104 SF	223.01
10	B	75.00	9491 SF	193.91
11	B	65.00	8207 SF	65.06
12	B	65.03	9205 SF	61.66
13	B	65.05	9896 SF	60.78
1	C	83.23	10145 SF	199.75
2	C	78.64	9066 SF	81.23
3	C	83.73	9585 SF	90.54
4	C	65.00	8137 SF	65.00
5	C	65.00	8137 SF	65.00
6	C	65.00	8137 SF	65.00
7	C	72.68	8768 SF	74.52
8	C	96.66	11467 SF	101.54
9	C	77.54	9457 SF	80.60
10	C	79.16	9396 SF	83.08
1	D	65.00	9179 SF	65.57
2	D	65.69	9363 SF	63.70
3	D	70.27	9373 SF	74.73
4	D	65.00	9373 SF	67.87
5	D	65.00	9429 SF	65.83
6	D	75.00	10004 SF	191.59

SECTION 13B

\* LOT WIDTHS ARE MEASURED AT THE FRONT BUILDING LINE PER THE BLANCO RIVER RANCH (PHASE ONE RESIDENTIAL AREA) DE-ANNEXATION AND DEVELOPMENT AGREEMENT. (REFERENCE EXHIBIT D, NUMBER 18)

LOT SUMMARY				
LOT	BLK	LOT WIDTH	LOT AREA	ROW FRONTAGE
11	C	70.00	8882 SF	192.38
12	C	60.00	7517 SF	60.00
13	C	60.00	7454 SF	60.00
14	C	70.00	8783 SF	188.11
15	C	95.56	15104 SF	88.33
16	C	60.02	8777 SF	56.89
17	C	60.02	8416 SF	57.24
18	C	60.00	7725 SF	59.20
19	C	60.00	7690 SF	59.33
20	C	60.02	8372 SF	57.24
21	C	60.04	8752 SF	55.74
22	C	77.70	9944 SF	195.80
7	D	72.31	8954 SF	188.40
8	D	60.00	7996 SF	60.39
9	D	60.00	8088 SF	60.39
10	D	60.00	8177 SF	60.00
11	D	59.96	8048 SF	65.63
12	D	71.74	13297 SF	54.97
13	D	60.69	10349 SF	50.98
14	D	60.00	8473 SF	61.67
15	D	60.00	8608 SF	60.00
16	D	60.00	8719 SF	60.00
17	D	60.00	8782 SF	63.67
18	D	61.93	8758 SF	59.86
19	D	53.82	13634 SF	38.94
20	D	53.82	12741 SF	38.94
21	D	55.74	11716 SF	46.13
22	D	60.00	9720 SF	67.69
23	D	60.00	10090 SF	60.00
24	D	60.00	9979 SF	60.35
25	D	60.00	7500 SF	60.39
26	D	60.00	7500 SF	60.39
27	D	60.00	7500 SF	60.00
28	D	60.00	7570 SF	54.77
29	D	70.00	7324 SF	185.73
30	D	60.00	8635 SF	60.00
31	D	60.01	9958 SF	58.63
32	D	60.04	14911 SF	56.42
33	D	N/A	80914 SF	19.79
1	E	55.00	7679 SF	55.00
2	E	60.00	7680 SF	60.00
3	E	60.00	7680 SF	60.00
4	E	60.00	7904 SF	59.29
5	E	60.00	7963 SF	59.33
6	E	60.00	8018 SF	59.34
7	E	60.00	8050 SF	59.35
8	E	60.08	9577 SF	55.15
9	E	70.14	12534 SF	65.48
10	E	N/A	141461 SF	1729.41
11	E	60.00	7500 SF	60.00
12	E	60.00	7500 SF	60.00
13	E	82.82	9954 SF	32.71
1	F	84.64	11477 SF	346.43
2	F	83.78	10489 SF	90.22
3	F	91.30	10150 SF	99.91
4	F	69.40	8148 SF	71.66
5	F	70.00	8800 SF	70.00
6	F	61.43	7699 SF	61.43
7	F	70.01	8851 SF	180.60
8	F	95.04	10628 SF	193.51
9	F	85.47	9628 SF	92.46
10	F	83.07	10733 SF	86.37
11	F	123.84	12917 SF	135.38
1	G	126.92	12714 SF	226.99
2	G	61.21	7569 SF	61.52
3	G	60.00	7500 SF	60.00
4	G	60.00	7500 SF	60.00
5	G	60.00	7937 SF	60.00
6	G	60.00	8811 SF	60.00
7	G	70.00	11337 SF	234.70
1	H	84.94	11614 SF	98.46
2	H	60.01	7947 SF	58.87
3	H	60.00	7629 SF	60.00
4	H	60.00	7629 SF	60.00
5	H	73.65	11730 SF	199.65
6	H	125.97	13508 SF	246.59
7	H	60.00	7620 SF	60.00
8	H	60.00	7608 SF	60.04
9	H	60.29	7669 SF	60.25
10	H	108.95	12022 SF	116.13
11	H	94.57	10824 SF	210.09

SECTION 14A

\* LOT WIDTHS ARE MEASURED AT THE FRONT BUILDING LINE PER THE BLANCO RIVER RANCH (PHASE ONE RESIDENTIAL AREA) DE-ANNEXATION AND DEVELOPMENT AGREEMENT. (REFERENCE EXHIBIT D, NUMBER 18)

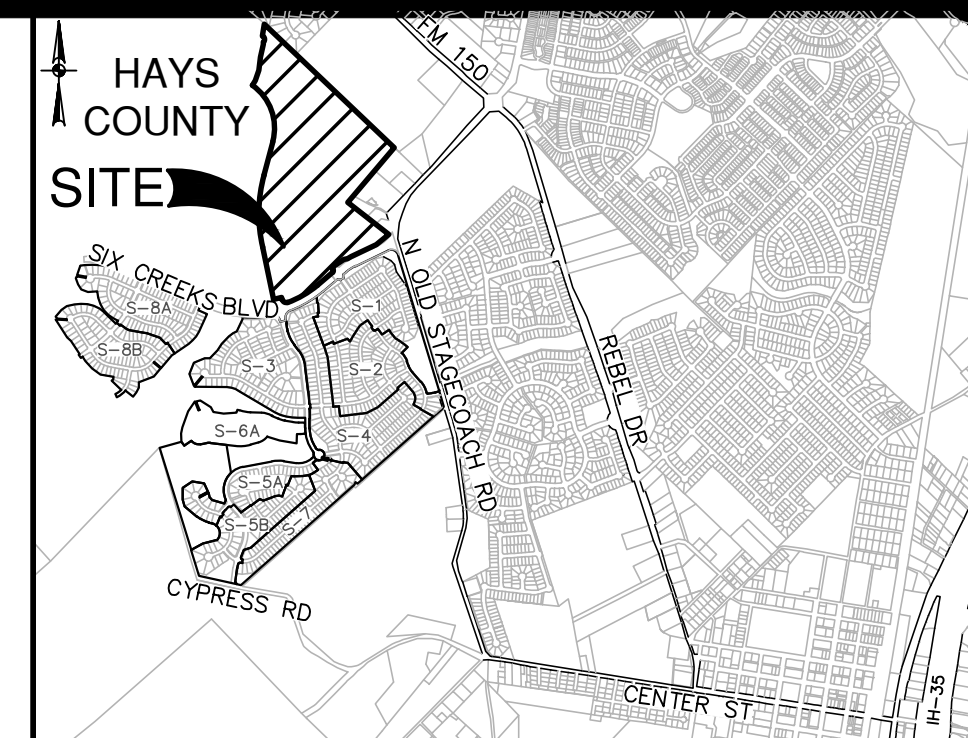
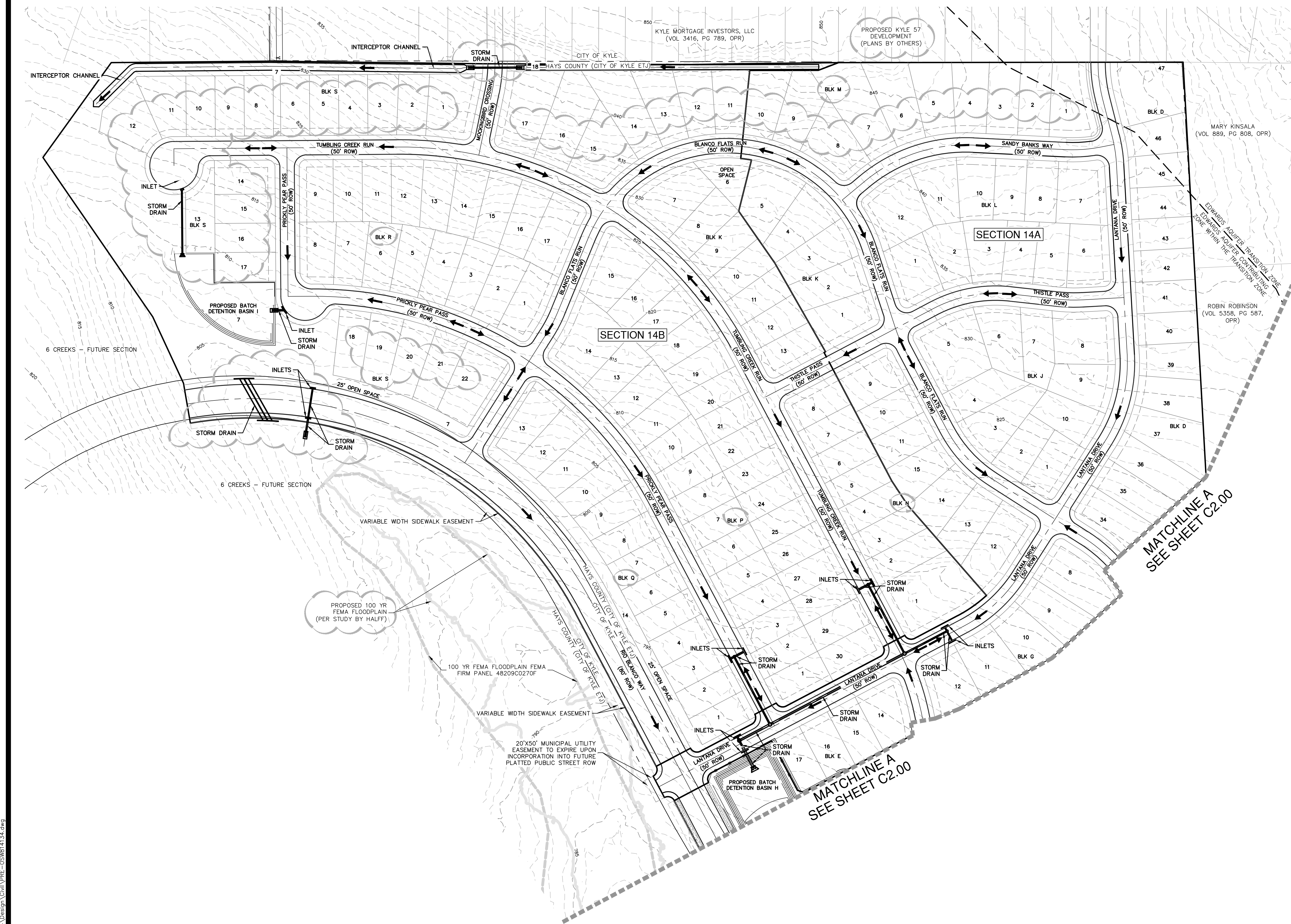
LOT SUMMARY				
LOT	BLK	LOT WIDTH	LOT AREA	ROW FRONTAGE
34	D	75.00	10986 SF	199.66
35	D	65.00	10495 SF	35.00
36	D	65.00	11651 SF	65.12
37	D	65.14	14448 SF	58.62
38	D	65.04	10056 SF	61.15
39	D	65.03	8805 SF	62.22
40	D	65.00	8042 SF	65.00
41	D	65.00	8045 SF	65.00
42	D	65.00	8048 SF	65.00
43	D	65.00	8051 SF	65.00
44	D	65.00	8055 SF	65.00
45	D	74.61	8266 SF	64.20
46	D	67.13	9202 SF	61.84
47	D	67.30	17416 SF	138.90
14	E	95.76	10742 SF	194.38
15	E	65.00	8125 SF	65.00
16	E	65.00	8125 SF	65.00
17	E	65.06	8073 SF	65.00
8	G	101.08	15673 SF	212.81
9	G	64.96	10705 SF	61.77
10	G	73.51	11035 SF	69.16
11	G	89.38	11594 SF	85.75
12	G	85.15	11185 SF	198.32
1	J	75.00	9732 SF	198.97
2	J	72.03	8902 SF	73.64
3	J	100.93	12957 SF	108.36
4	J	65.94	9549 SF	65.94
5	J	140.15	17838 SF	276.04
6	J	92.63	11343 SF	98.02
7	J	65.00	9954 SF	65.89
8	J	110.94	13596 SF	231.25
9	J	95.97	10336 SF	103.95
10	J	80.77	9727 SF	84.68
1	K	75.22	11388 SF	196.70
2	K	72.45	10317 SF	74.19
3	K	81.20	11366 SF	85.37
4	K	95.14	11952 SF	102.87
5	K	115.11	13445 SF	123.41
1	L	94.85	11724 SF	215.21
2	L	65.05	9675 SF	60.78
3	L	65.10	9711 SF	59.40
4	L	65.00	8283 SF	65.02
5	L	69.24	8773 SF	70.24
6	L	90.26	10965 SF	211.47
7	L	96.11	13040 SF	223.70
8	L	65.00	8253 SF	65.49
9	L	65.00	8247 SF	65.00
10	L	79.77	9676 SF	81.88
11	L	92.88	10306 SF	99.98
12	L	120.97	14667 SF	235.51
1	M	65.00	12853 SF	250.95
2	M	65.00	9890 SF	65.00
3	M	65.00	9679 SF	65.00
4	M	65.13	10293 SF	62.75
5	M	65.83	11432 SF	62.11
6	M	65.83	13423 SF	62.11
7	M	65.83	16859 SF	62.11
8	M	94.09	12403 SF	179.92
9	M	65.04	11047 SF	61.62
10	M	65.04	10365 SF	62.10
9	N	89.61	11153 SF	208.20
10	N	65.00	8125 SF	65.00
11	N	65.00	8316 SF	64.28
12	N	65.05	9415 SF	60.78
13	N	65.05	100015 SF	60.78
14	N	65.10	10405 SF	63.47
15	N	87.01	14853 SF	265.27

SECTION 14B

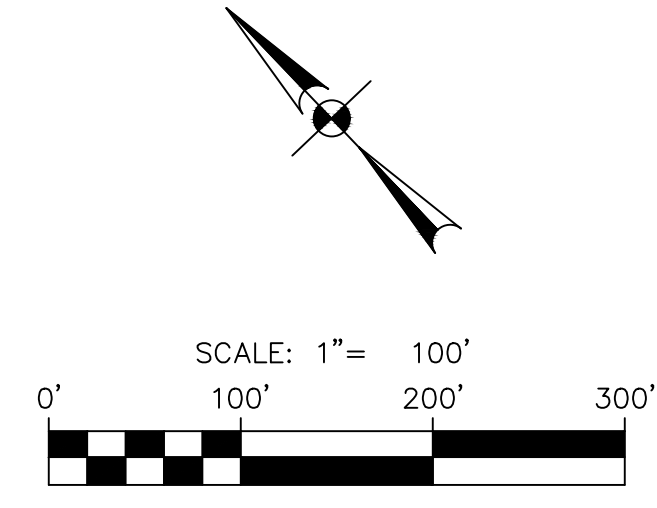
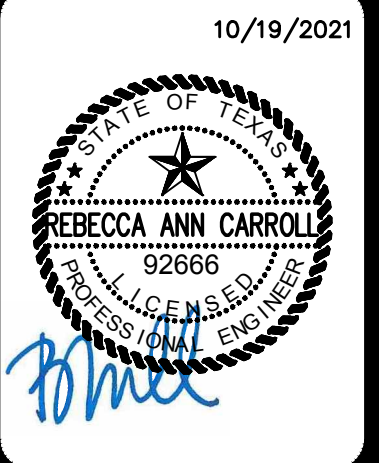
\* LOT WIDTHS ARE MEASURED AT THE FRONT BUILDING LINE PER THE BLANCO RIVER RANCH (PHASE ONE RESIDENTIAL AREA) DE-ANNEXATION AND DEVELOPMENT AGREEMENT. (REFERENCE EXHIBIT D, NUMBER 18)

LOT SUMMARY				
LOT	BLK	LOT WIDTH	LOT AREA	ROW FRONTAGE
6	K	101.32'	6834 SF	121.58
7	K	116.71'	15342 SF	277.17
8	K	60.01'	9121 SF	58.56
9	K	60.01'	8725 SF	58.56
10	K	60.01'	8333 SF	58.56
11	K	60.01'	8038 SF	58.56
12	K	60.01'	7858 SF	58.66
13	K	70.00'	8853 SF	191.92
11	M	60.05'	8851 SF	56.51
12	M	60.05'	9263 SF	56.51
13	M	60.05'	10487 SF	56.51
14	M	60.05'	14026 SF	56.51
15	M	100.95'	16890 SF	180.30
16	M	60.05'	15311 SF	73.09
17	M	60.00'	17153 SF	238.71
1	N	129.40'	22306 SF	114.40
2	N	60.00'	9129 SF	60.00
3	N	60.00'	8278 SF	60.00
4	N	60.00'	7676 SF	60.00
5	N	60.00'	7500 SF	60.00
6	N	60.00'	7500 SF	60.00
7	N	60.00'	7500 SF	60.00
8	N	70.00'	8702 SF	188.56
1	P	70.00'	8702 SF	188.56
2	P	60.00'	7500 SF	60.00
3	P	60.00'	7500 SF	60.00
4	P	60.00'	7500 SF	60.00
5	P	60.00'	7500 SF	60.00
6	P	60.00'	7500 SF	60.00
7	P	60.00'	7500 SF	60.00
8	P	60.00'	7500 SF	60.00
9	P	60.01'	7882 SF	59.29
10	P	60.01'	8199 SF	58.56
11	P	60.01'	8437 SF	58.56
12	P	60.01'	8837 SF	58.56
13	P	60.01'	9154 SF	58.56
14	P	102.53'	17131 SF	247.34
15	P	117.65'	14804 SF	269.49
16	P	67.60'	9354 SF	69.41
17	P	67.60'	9180 SF	69.41
18	P	67.60'	8813 SF	69.41
19	P	65.63'	8465 SF	60.00
20	P	60.00'	7719 SF	60.54
21	P	60.00'	7500 SF	60.00
22	P	60.00'	7500 SF	60.00
23	P	60.00'	7500 SF	60.00
24	P	60.00'	7500 SF	60.00
25	P	60.00'	7500 SF	60.00
26	P	60.00'	7500 SF	60.00

Date: Oct 10, 2021, 2:19pm User: D: Blahy  
 File: P:\BLA\13A\Design\Civil\PRE-C2\WB13A.dwg



NO.	REVISION	DATE
1	REVISED STREET, LOTS, DRAINS, AND EASEMENTS	09/09/21
2	REVISED STREET, LOTS, DRAINS, AND EASEMENTS	10/19/21



**LEGEND:**

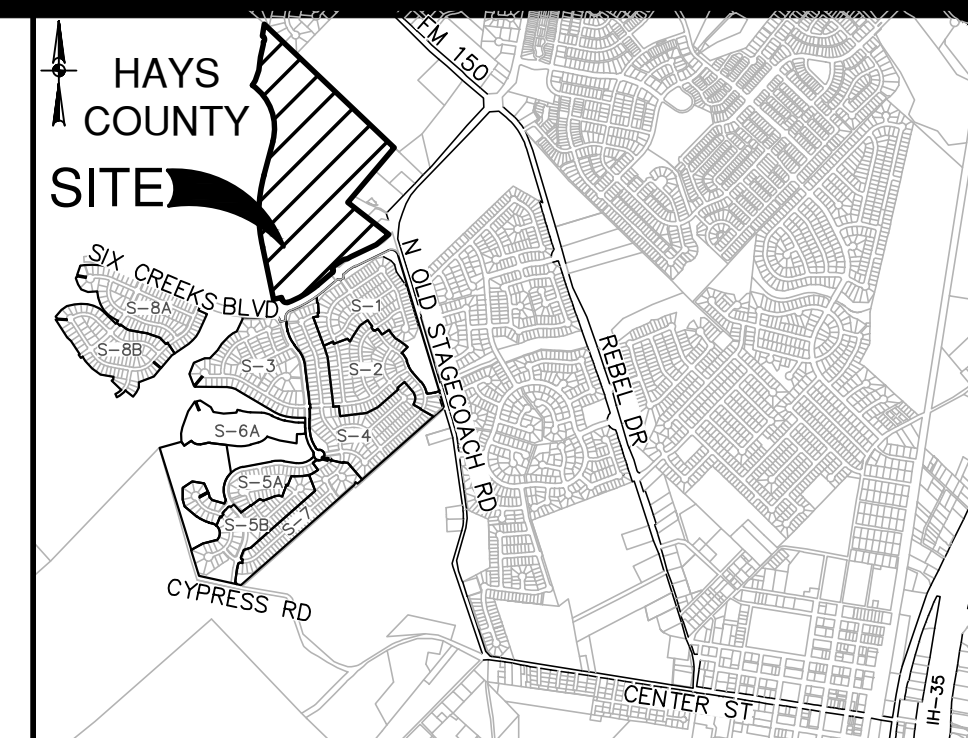
- SECTION BOUNDARY
- EXISTING CONTOUR
- STREET CENTER LINE
- PROPOSED CURB
- PROPOSED FLOW ARROWS

**PAPE-DAWSON ENGINEERS**  
 SAN ANTONIO | AUSTIN | HOUSTON | FORT WORTH | DALLAS  
 2000 HW LOOP 410 | SAN ANTONIO, TX 78213 | 210.375.9000  
 TPE FIRM REGISTRATION #470 | TPE FIRM REGISTRATION #1008880

**6 CREEKS-PHASE 1, SECTION 13A, 13B, 14A, & 14B**  
 HAYS COUNTY, TEXAS  
 PRELIMINARY PLAN  
 OVERALL STORMWATER PLAN

PLAT NO.	
JOB NO.	8141-34
DATE	MAY 2021
DESIGNER	JP
CHECKED	DRAWN JP
SHEET	C2.01

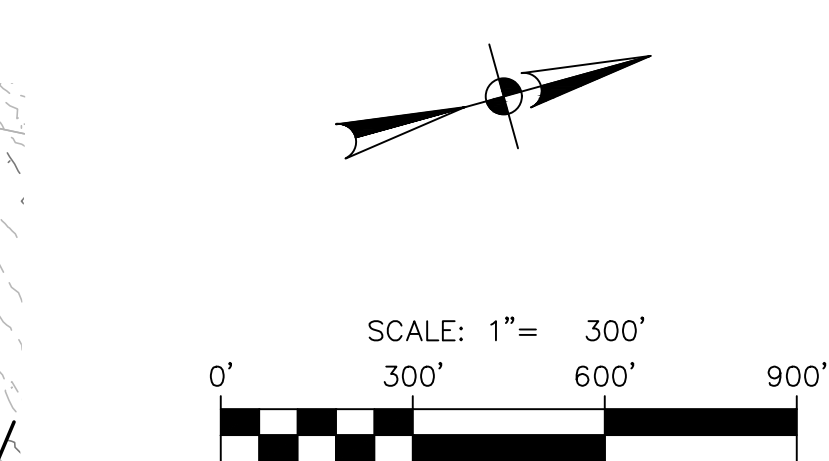
Date: Oct 19, 2021, 9:26am User: D. Blahy  
 File: P:\314\13A\Design\Civil\PRE-DRP\B13A.dwg



NO.	REVISION	DATE
1	REVISED STREETS, LOTS, AND CITY OF KYLE / HAYS COUNTY BOUNDARY LINE	09/09/21
2	WATERSHED PARAMETERS	10/19/21

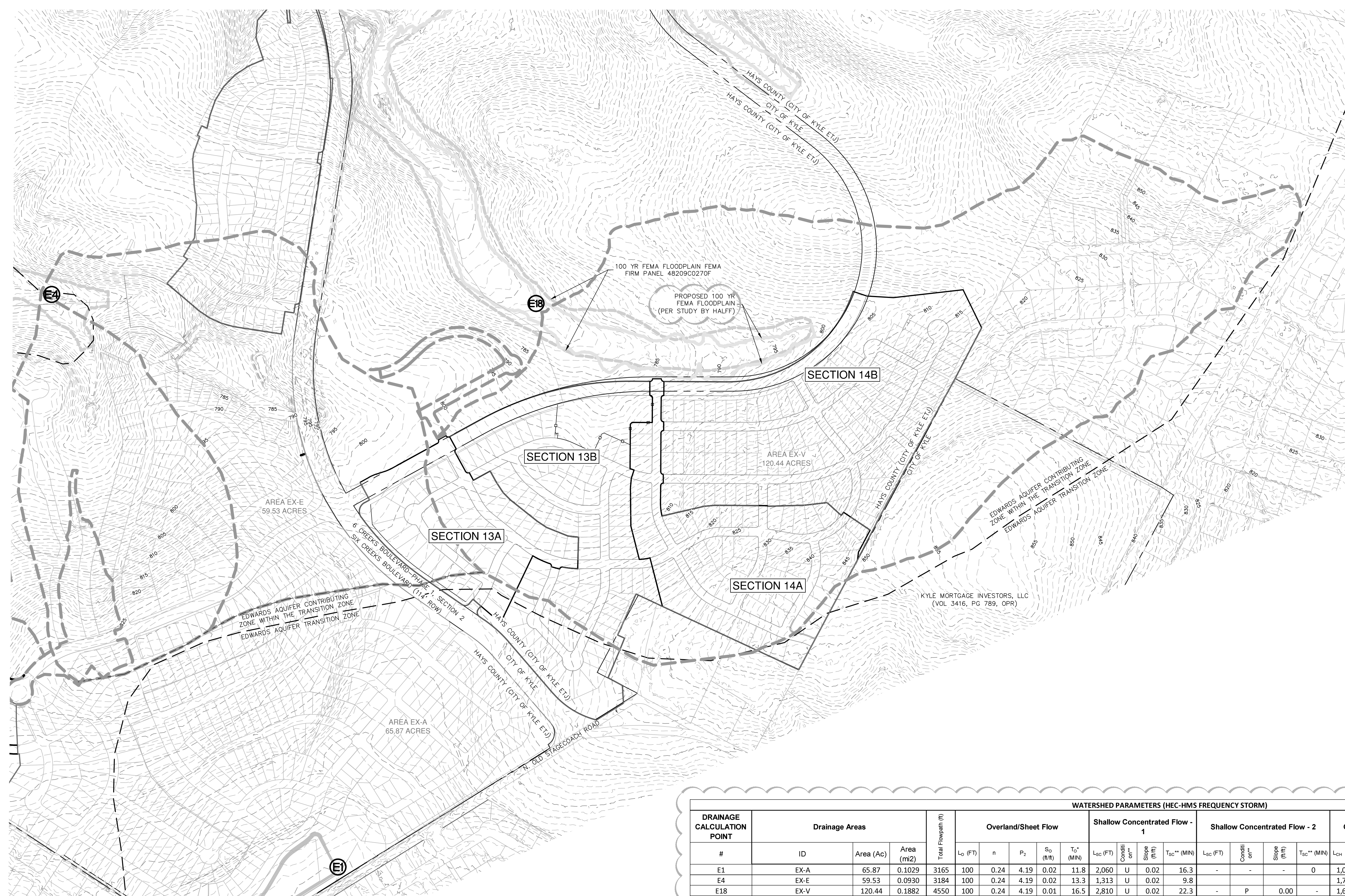


**PAPE-DAWSON ENGINEERS**  
 SAN ANTONIO | AUSTIN | HOUSTON | FORT WORTH | DALLAS  
 2000 HW LOOP 410 | SAN ANTONIO, TX 78213 | 210.375.9000  
 TPEE FIRM REGISTRATION #270 | TPEE FIRM REGISTRATION #1008880



**LEGEND:**

- SECTION BOUNDARY
- EXISTING 10' CONTOUR
- DRAINAGE AREAS
- DRAINAGE CALCULATION POINT
- 100-YEAR FEMA FLOODPLAIN

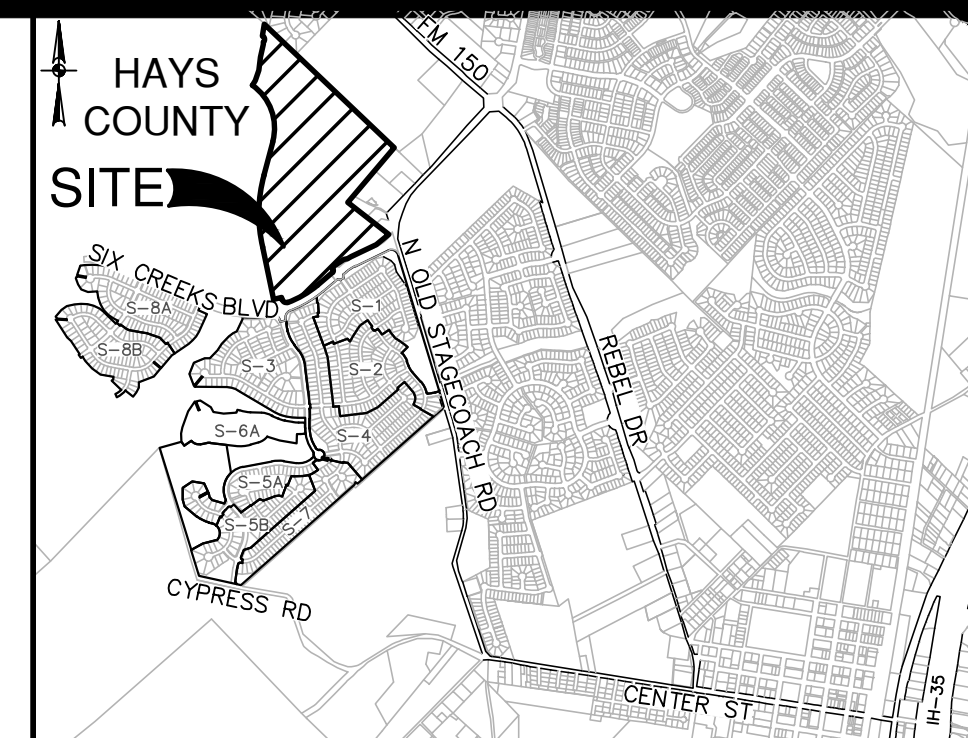
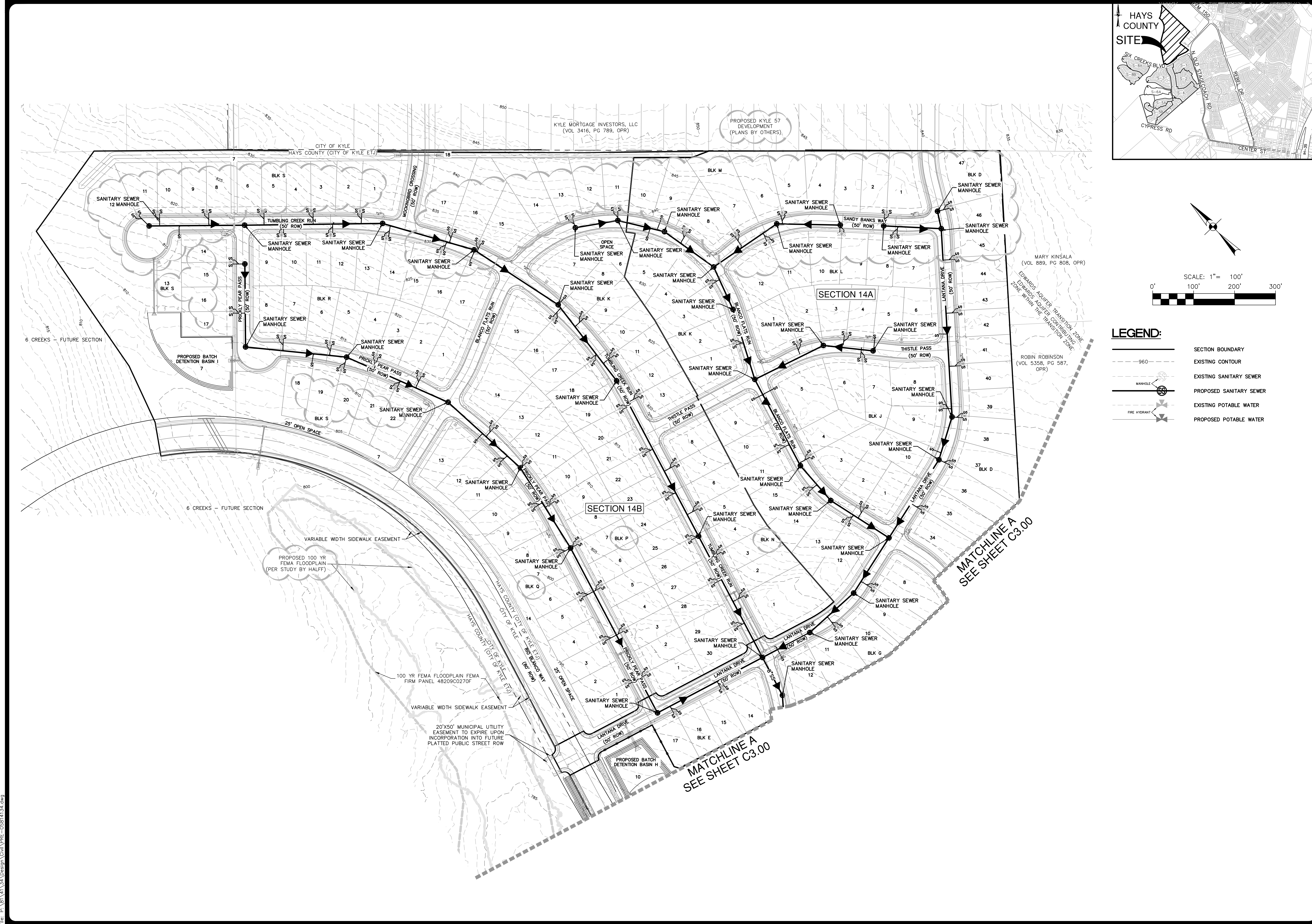


DRAINAGE CALCULATION POINT	WATERSHED PARAMETERS (HEC-HMS FREQUENCY STORM)																								
	Drainage Areas				Total Flowpath (ft)	Overland/Sheet Flow					Shallow Concentrated Flow - 1				Shallow Concentrated Flow - 2				Channelized Flow			Tc-TOT	SCS Transform Parameters		SCS Loss Parameters
	#	ID	Area (Ac)	Area (mi2)		L <sub>o</sub> (FT)	n	P <sub>2</sub>	S <sub>0</sub> (ft/ft)	T <sub>0</sub> * (MIN)	L <sub>sc</sub> (FT)	Conc'd <sup>1</sup> (ft/ft)	Slope (ft/ft)	T <sub>sc</sub> ** (MIN)	L <sub>sc</sub> (FT)	Conc'd <sup>2</sup> (ft/ft)	Slope (ft/ft)	T <sub>sc</sub> ** (MIN)	L <sub>ch</sub> (FT)	V <sub>ch</sub> (FPS)**	T <sub>ch</sub> (MIN)		Lag Factor	T <sub>1</sub> ** (MIN)	
E1	EX-A	65.87	0.1029	3165	100	0.24	4.19	0.02	11.8	2,060	U	0.02	16.3	-	-	-	0	1,005	6.00	2.8	30.91	0.60	18.54	3.10%	81.2
E4	EX-E	59.53	0.0930	3184	100	0.24	4.19	0.02	13.3	1,313	U	0.02	9.8	-	-	-	-	1,771	3.00	9.8	32.99	0.60	19.79	0.00%	81.1
E18	EX-V	120.44	0.1882	4550	100	0.24	4.19	0.01	16.5	2,810	U	0.02	22.3	-	P	0.00	-	1,640	6.00	4.6	43.27	0.60	25.96	0.00%	82.0

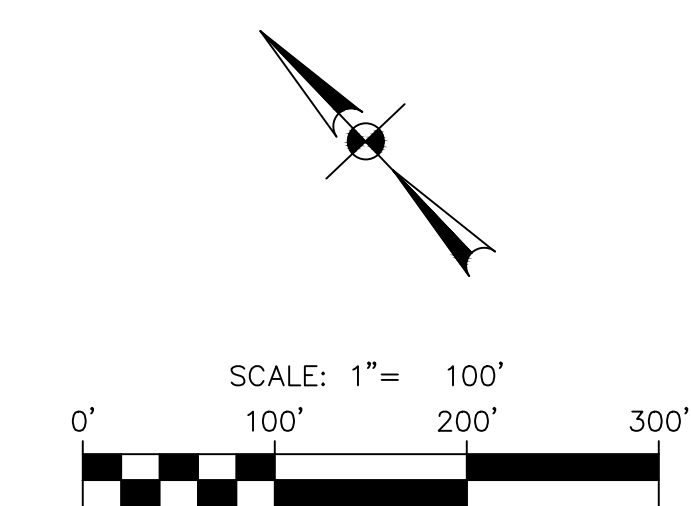
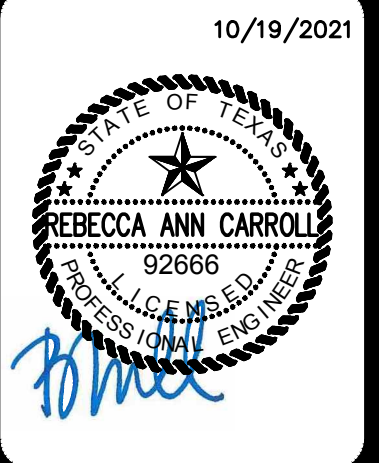
**6 CREEKS-PHASE 1, SECTION 13A, 13B, 14A, & 14B**  
 HAYS COUNTY, TEXAS  
 PRELIMINARY PLAN  
 EXISTING DRAINAGE CONDITIONS

PLAT NO. \_\_\_\_\_  
 JOB NO. 8141-34  
 DATE MAY 2021  
 DESIGNER JP  
 CHECKED DRAWN JP  
 SHEET C2.02

Date: Oct 19, 2021, 2:46pm User: D. Blahy  
 File: P:\31\1\31\Design\6 CREEKS - OSB\1334.dwg



NO.	REVISION	DATE
1	REVISED SEWER, STREETS, AND LOTS	09/09/21
2	REVISED SEWER, STREETS, AND LOTS	10/19/21



**LEGEND:**

- SECTION BOUNDARY
- EXISTING CONTOUR
- EXISTING SANITARY SEWER
- PROPOSED SANITARY SEWER
- EXISTING POTABLE WATER
- PROPOSED POTABLE WATER

**PAPE-DAWSON ENGINEERS**  
 SAN ANTONIO | AUSTIN | HOUSTON | FORT WORTH | DALLAS  
 2000 HW LOOP 410 | SAN ANTONIO, TX 78213 | 210.375.9000  
 TPE FIRM REGISTRATION #470 | TPE FIRM REGISTRATION #1008880

**6 CREEKS-PHASE 1, SECTION 13A, 13B, 14A, & 14B**  
 HAYS COUNTY, TEXAS  
 PRELIMINARY PLAN  
 OVERALL SANITARY SEWER PLAN

PLAT NO.	
JOB NO.	8141-34
DATE	MAY 2021
DESIGNER	JP
CHECKED	DRAWN JP
SHEET	C3.01





# CITY OF KYLE, TEXAS

## Utility Lots and Townhome Amendment

**Meeting Date: 11/9/2021**  
**Date time:6:30 PM**

**Subject/Recommendation:** Consider an amendment to Sec. 41-136 to allow utility lots and an amendment to Sec. 53-143 (Townhomes) within the City of Kyle in Hays County, Texas.

- Public Hearing

**Other Information:** See attachments.

**Legal Notes:** N/A

**Budget Information:** N/A

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### ATTACHMENTS:

#### **Description**

- Staff Memo
- Draft Amendment





# CITY OF KYLE

## Community Development Department

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### MEMORANDUM

**TO:** Planning & Zoning Commission

**FROM:** Will Atkinson – City Planner

**DATE:** Tuesday, November 9, 2021

**SUBJECT:** Creation of Utility Lots (Sec. 41-136(g)) and Revision to Sec. 53-143(5) *Garages*

### REQUEST

Consider request to create subsection “g” of Sec. 41-136 (Utility Lots) and revise Sec. 53-143(5)(a) *Garages* (Townhome zoning district) of the City of Kyle Subdivision Code and Zoning Code.

### SUMMARY OF THE AMENDMENTS

#### Regarding Sec. 41-136(g) (Utility Lots)

For some time, both the Public Works and Planning Department have had a shared interest in amending the City of Kyle’s subdivision code to include “utility lots”. Currently our development code requires the minimum lot dimensions to match those of the zoning district. This means non-standard lots such as landscaping areas, gas easements, parks, etc, must be at least the minimum of the zoning district, and remain largely uniform in design (same width front to back and parallel side lot lines). This requirement tends to cause issues for typical non-standard lots, that are in almost every subdivision, and are expected.

Other than the Planning Department, Public Works (streets, water & wastewater), has provided the most encouragement regarding introducing this amendment. It is quite often that Public Works will require water lines to be looped between adjacent cul-de-sacs. This helps keep the lines cleaner, while minimizing flushing of water lines (large waste of water and staff time). When Public Works requires the looping of the water lines, currently an easement is required. Such an easement will typically overlay one or two lots, and said owner’s tend not to enjoy any maintenance of the water lines within their property (occasionally the line has to be dug up).

To avoid interfering with private landowner's use and enjoyment of the property, the creation of subsection "g" will allow the city to have it's own lot dedicated for looping of water lines. Additionally, the ordinance would give the City authority to require the developer to install appropriate fencing, and protect the utilities from encroachment. For clarification purposes, both developers and the City will be able to enjoy the advantage that the creation of this subsection would allow.

### Regarding Sec. 53-143(5)(a) Garages

Per both the Planning Department's and City Council's push to encourage more diversification in housing types in Kyle, staff has recognized a reoccurring issue with design requirements of the R-1-T zoning district. The issue being that the minimum garage size requirement is four hundred eighty (480) square feet. As a side note, townhomes are defined as four attached, sided by side, single family residences.

Over the past couple of years, almost every time staff has encouraged the R-1-T zoning district, developers will look into it and turn it down due to the 480 square foot requirement. On it's own the large size of the garage is fine, however the minimum allowed dimensions on a townhome lot are 22-feet wide and 880 sq. ft and a maximum of 10 units per buildable acre. The code allows for some design to be front loaded, but to be able to comply with this requirement, the garage would take up almost all of the bottom floor and front face of the home. This, by default, would exclude a front door.

To better facilitate alley loaded design, or designs that reduce how much the garage door takes up of the front of the residence, staff is proposing eliminating both the requirement for garages and the minimum square footage rule. This will also reduce cost for construction. Additionally, staff is adding an allowance for alley loaded design, as Sec. 53-143(5)(a) doesn't currently allow for alley loaded design for the R-1-T district.

\*To allay concerns regarding keeping minimum parking ratios, each unit will still need to provide an appropriate number of parking spaces per unit (2 space minimum, and an additional .5 spaces per each bedroom above 2).

### **RECOMMENDATION**

Staff asks the Planning & Zoning Commission to support the code amendments by affirmative vote.

## **Sec. 41-136 – Lots.**

(g) Utility Lots. Utility lots may be platted within subdivisions and minimum standards for lot width, area and uniformity are not required, per the zoning district (example: municipal & private utility access, gas lines, overhead electrical lines, pocket parks, landscape lots, trail head access, areas for grouping of mailboxes). Placement of utility lots are conditional upon staff review, and subdivision design should only allow utility lots where necessary. Where space constraints do not allow for utility lots, city staff may require an easement of appropriate size with a screening fence or wall protecting the easement and utilities from encroachment.

## **Sec. 53-143. - Site development regulations.**

The site development regulations as set forth in this section shall be exclusively applicable to residential townhouses, district R-1-T, and in addition to those in chart 1 in [section 53-33\(k\)](#):

(1) *Density*. Maximum dwelling units per buildable acre is ten units.

(2) *Front yard*. There shall be a front yard having a depth of not less than 15 feet extending from the property line of each individual lot to the nearest line of:

- a. The curblineline of any driveway or parking area;
- b. Any wall of any structure; or
- c. The boundary line of the property included within the townhouse development whichever is closer.

(3) *Side yard*. No side yard shall be required for individual lots. There shall be a side yard setback of not less than 15 feet from the walls of any building, or accessory building, to the nearest boundary line of any property not included within the townhouse development.

(4) *Rear yard minimum setback*. There shall be a rear yard setback having a depth of not less than 15 feet from the rear most wall of the dwelling unit to the back property line, or, if a garage is at the rear of the property, 15 feet from the rear most wall of the dwelling to the nearest wall or roofline of the garage. No building or structure shall be located within 15 feet of the boundary line of any property not included within the townhouse development.

(5) *Garages*.

a. Garages are ~~required~~ [allowed](#) within the boundaries of the development site and must be one of the following designs:

1. Detached with a minimum setback of five feet from the front wall of the home facing front property line;
2. May be attached and must not protrude forward of the front or side wall of the home facing the front or any side property line; or

3. May be attached and meet minimum front setback requirements, but must face side property line.

4. May be at rear of residence, either attached or detached with garage opening facing the side or rear property line. If detached, the garage will follow Sec. 53-33(r) *Accessory Structures* regardless of setback requirements within this subsection.

~~Each dwelling unit must have a garage, which must be designed and constructed with a minimum of 480 square feet per dwelling unit, and may be located on or reasonably adjacent to the development lot.~~

b. A minimum of two off-street parking spaces shall be provided for each living unit. All off-street parking and driveways shall be improved with all-weather asphalt, concrete, or paving stones, and in the case of open parking, curb and gutter.

c. No curblines of a driveway or parking area shall be less than five feet from the nearest boundary line of any property not within the townhouse development.

(6) *Approved materials.* All buildings and structures, garages, and/or accessory buildings constructed within this district must have all four sides composed of 100 percent brick, stone, hardiplank or other approved masonry product.



# CITY OF KYLE, TEXAS

## Four Season Farms Duplex Development - Tree Removal Request

**Meeting Date: 11/9/2021**  
**Date time:6:30 PM**

**Subject/Recommendation:** Consider a request to remove 2 specimen Live Oak trees (#206 & 207) and replace on site with 36, 3" caliper oak trees in addition to the minimum required trees per Chapter 54. The project is located at 1081 Four Seasons Farm Boulevard and is zoned R-2 (duplex zoning).

**Other Information:** See attached.

**Legal Notes:** N/A

**Budget Information:** N/A

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### ATTACHMENTS:

#### **Description**

- Staff Memo
- Request Letter
- Landscape Plan



# CITY OF KYLE

## Community Development Department

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### MEMORANDUM

**TO:** Planning & Zoning Commission

**FROM:** Will Atkinson – City Planner

**DATE:** Tuesday, November 9, 2021

**SUBJECT:** Four Seasons Farm Duplex Development – Tree Removal Request (SD-21-0091)

### REQUEST

Consider a request to remove 2 specimen Live Oak trees (#206 & 207) and replace on site with 36, 3” caliper oak trees in addition to the minimum required trees per Chapter 54. The project is located at 1081 Four Seasons Farm Boulevard, and is zoned R-2 (duplex zoning).

### SUMMARY OF THE AMENDMENTS

Sec. 54-12(c)(12) Specimen trees are defined as: “Trees with a diameter of 25 inches or greater, which must be relatively upright, sound, with a solid trunk having no extensive decay; have no more than one major and several minor dead limbs; have no major insect or pathological problems; have no major pruning deficiencies, i.e. topping; and have at least 75 percent of the critical root zone in a natural, undisturbed state.” Additionally, per Sec. 54-12(d)(5) requires all specimen trees removed to be replaced at a 2-1 ratio for caliper inch removed. To remove Tree #206 & #207, the Planning & Zoning Commission is required to approve the request.

Tree #206 is a Live Oak with a caliper of 26” (trunk diameter), and Tree #207 is a Live Oak with a caliper of 27” (trunk diameter). Per the arborist’s letter both trees are healthy and are not exempt from the Planning & Zoning Commission’s consideration. For Duplex #20 to be constructed, both trees will need to be removed, as the structure will occupy the same space as both trees.

The site plan was submitted for review prior to reducing the City’s tree requirement to 2” caliper trees. The applicant is vested for the earlier code and is replacing the total 106” caliper inches with 36, 3” caliper Live Oaks. The 36 Live Oaks (labeled “R”) are in

addition to the minimum tree requirements of 150 trees (2 per residential unit), totaling out at 186 trees on the overall site.

### **RECOMMENDATION**

Staff asks the Planning & Zoning Commission to support the request from the applicant by affirmative vote, as the site will be code compliant and the applicant is accounting for the two specimen trees removed.



## **TREE REPORT**

Regarding Lot 2E, Amended Plat of Lot 2 of the replat of Four Seasons Farm, Section III in Kyle, Texas

The heritage oak trees at the address of Lot 2E, Amended Plat of Lot 2 of the replat of Four Seasons Farm, Section III in Kyle, Tx have been evaluated and deemed viable trees for the foreseeable future. This includes trees numbered 206 and 207.

No hazards or dangerous branches were found on property, however deadwood may still fall naturally throughout the year because of inclement weather. Any pruning done should first address issues regarding dead wood.

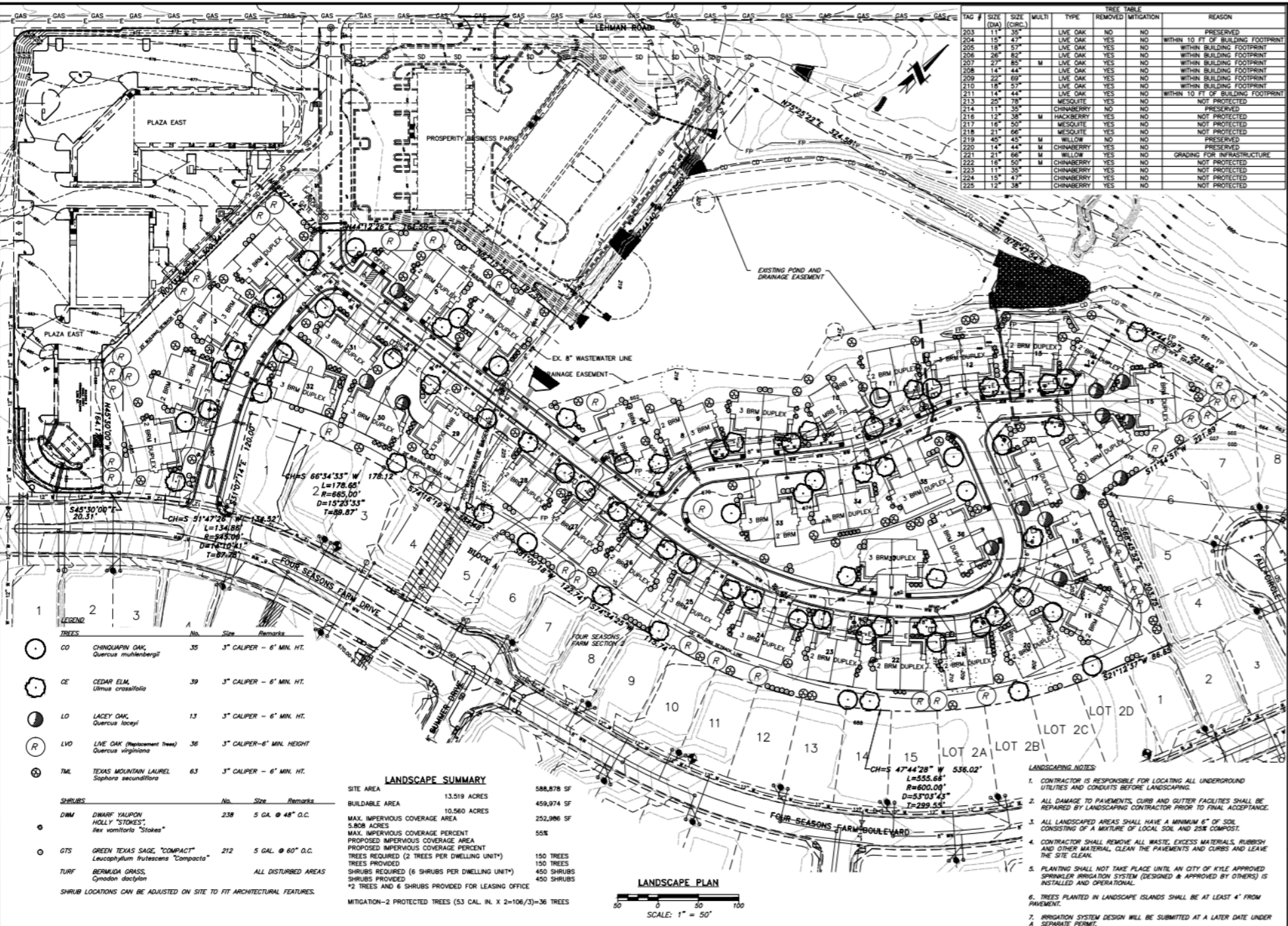
September 14th 2021

Philip Prukop

ISA Certified Arborist

ID# TX - 4735A





TAG #	SIZE (DBH)	SIZE (CHC.)	MULTI	TYPE	REMOVED	MITIGATION	REASON
203	11"	35"		LIVE OAK	NO	NO	PRESERVED
204	15"	47"		LIVE OAK	YES	NO	WITHIN 10 FT OF BUILDING FOOTPRINT
205	18"	57"		LIVE OAK	YES	NO	WITHIN BUILDING FOOTPRINT
206	26"	82"		LIVE OAK	YES	NO	WITHIN BUILDING FOOTPRINT
207	27"	85"	M	LIVE OAK	YES	NO	WITHIN BUILDING FOOTPRINT
208	14"	44"		LIVE OAK	YES	NO	WITHIN BUILDING FOOTPRINT
209	22"	69"		LIVE OAK	YES	NO	WITHIN BUILDING FOOTPRINT
210	18"	57"		LIVE OAK	YES	NO	WITHIN BUILDING FOOTPRINT
211	14"	44"		LIVE OAK	YES	NO	WITHIN 10 FT OF BUILDING FOOTPRINT
213	25"	78"		MESQUITE	YES	NO	NOT PROTECTED
214	11"	35"		CHINABERRY	NO	NO	PRESERVED
216	12"	38"	M	HACKBERRY	YES	NO	NOT PROTECTED
217	16"	50"		MESQUITE	YES	NO	NOT PROTECTED
218	21"	66"		MESQUITE	NO	NO	NOT PROTECTED
219	45"	45"	M	WILLOW	NO	NO	PRESERVED
220	14"	44"	M	CHINABERRY	YES	NO	PRESERVED
221	21"	66"	M	WILLOW	YES	NO	GRADING FOR INFRASTRUCTURE
222	18"	50"	M	CHINABERRY	YES	NO	NOT PROTECTED
223	11"	35"		CHINABERRY	YES	NO	NOT PROTECTED
224	15"	47"		CHINABERRY	YES	NO	NOT PROTECTED
225	12"	38"		CHINABERRY	YES	NO	NOT PROTECTED

Drawn on the ground by the designer and shall not be used as a field sketch.

1/2" scale does not measure 24x36" it has been modified.

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DATE: \_\_\_\_\_

REVISION DESCRIPTION: \_\_\_\_\_

NO. \_\_\_\_\_

SPRINT 21\_2023

**VIGIL & ASSOC.**  
 FIRM REGISTRATION NO. P-4788  
 P.O. BOX 103314, AUSTIN, TEXAS 78710-3314  
 TEL 512-328-2667

**LANDSCAPE PLAN**  
**FOUR SEASONS FARM DUPLEXES**  
 FOUR SEASONS FARM BOULEVARD  
 KYLE, TX 78640

APPROVED BY: \_\_\_\_\_  
 DRAWN BY: \_\_\_\_\_  
 DESIGNED BY: \_\_\_\_\_

Issued: 03 SEPTEMBER 21, 2021  
 Update P1: AUGUST 4, 2021  
 Update P2: MAY 14, 2021  
 DATE: JANUARY 7, 2021

SHEET: 23 OF 28

TREES			
LEGEND	No.	Size	Remarks
CO	35	3" CALIPER - 6' MIN. HT.	CHINQUAPIN OAK, <i>Quercus muhlenbergii</i>
CE	39	3" CALIPER - 6' MIN. HT.	CEDAR ELM, <i>Ulmus crassifolia</i>
LO	13	3" CALIPER - 6' MIN. HT.	LACEY OAK, <i>Quercus laceyi</i>
LVO	36	3" CALIPER-6' MIN. HEIGHT	LIVE OAK (Replacement Trees), <i>Quercus virginiana</i>
TML	63	3" CALIPER - 6' MIN. HT.	TEXAS MOUNTAIN LAUREL, <i>Sophora secundiflora</i>

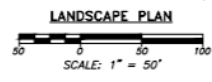
  

SHRUBS			
LEGEND	No.	Size	Remarks
DWM	238	5 GAL. @ 48" O.C.	DWARF YAUPOIN HOLLY 'STOKES', <i>Ilex vomitoria 'Stokes'</i>
GTS	212	5 GAL. @ 60" O.C.	GREEN TEXAS SAGE, 'COMPACT' <i>Leucophyllum frutescens 'Compacta'</i>
TURF			BERMUDA GRASS, <i>Cynodon dactylon</i> ALL DISTURBED AREAS

SHRUB LOCATIONS CAN BE ADJUSTED ON SITE TO FIT ARCHITECTURAL FEATURES.

**LANDSCAPE SUMMARY**

SITE AREA	13.519 ACRES	588,878 SF
BUILDABLE AREA	10.560 ACRES	459,974 SF
MAX. IMPERVIOUS COVERAGE AREA	5.808 ACRES	252,986 SF
MAX. IMPERVIOUS COVERAGE PERCENT		55%
PROPOSED IMPERVIOUS COVERAGE AREA		
PROPOSED IMPERVIOUS COVERAGE PERCENT		
TREES REQUIRED (2 TREES PER DWELLING UNIT*)		150 TREES
TREES PROVIDED		150 TREES
SHRUBS REQUIRED (6 SHRUBS PER DWELLING UNIT*)		450 SHRUBS
SHRUBS PROVIDED		450 SHRUBS
*2 TREES AND 6 SHRUBS PROVIDED FOR LEASING OFFICE		
MITIGATION-2 PROTECTED TREES (53 CAL. IN. X 2=106/3)=36 TREES		



- LANDSCAPING NOTES:**
- CONTRACTOR IS RESPONSIBLE FOR LOCATING ALL UNDERGROUND UTILITIES AND CONDUITS BEFORE LANDSCAPING.
  - ALL DAMAGE TO PAVEMENTS, CURB AND GUTTER FACILITIES SHALL BE REPAIRED BY LANDSCAPING CONTRACTOR PRIOR TO FINAL ACCEPTANCE.
  - ALL LANDSCAPED AREAS SHALL HAVE A MINIMUM 6" OF SOIL CONSISTING OF A MIXTURE OF LOCAL SOIL AND 25% COMPOST.
  - CONTRACTOR SHALL REMOVE ALL WASTE, EXCESS MATERIALS, RUBBISH AND OTHER MATERIAL, CLEAN THE PAVEMENTS AND CURBS AND LEAVE THE SITE CLEAN.
  - PLANTING SHALL NOT TAKE PLACE UNTIL AN CITY OF KYLE APPROVED SPRINKLER IRRIGATION SYSTEM (DESIGNED & APPROVED BY OTHERS) IS INSTALLED AND OPERATIONAL.
  - TREES PLANTED IN LANDSCAPE ISLANDS SHALL BE AT LEAST 4' FROM PAVEMENT.
  - IRRIGATION SYSTEM DESIGN WILL BE SUBMITTED AT A LATER DATE UNDER A SEPARATE PERMIT.

ILLUM # 0



# CITY OF KYLE, TEXAS

## Kalterra - Tree Removal Request

**Meeting Date: 11/9/2021**

**Date time:6:30 PM**

**Subject/Recommendation:** Consider a request to remove 1 specimen Live Oak tree (#1344, 37” Caliper) and replace on alternate site with 25, 3” caliper Live Oak trees per Chapter 54. The project is located at the southwest corner of IH-35 and Kohler’s Crossing, and is zoned both R-3-3 and RS (dual zoning).

**Other Information:** See attached.

**Legal Notes:** N/A

**Budget Information:** N/A

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### **ATTACHMENTS:**

#### **Description**

- Staff Memo
- Tree Report
- Site Plan
- Development Agreement



# CITY OF KYLE

## Community Development Department

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### MEMORANDUM

**TO:** Planning & Zoning Commission

**FROM:** Will Atkinson – City Planner

**DATE:** Tuesday, November 9, 2021

**SUBJECT:** Kalterra Multifamily Development – Tree Removal Request (SD-21-0115)

### REQUEST

Consider a request to remove 1 specimen Live Oak tree (#1344, 37” Caliper) and replace on alternate site with 25, 3” caliper Live Oak trees per Chapter 54. The project is located at the southwest corner of IH-35 and Kohler’s Crossing, and is zoned both R-3-3 and RS (dual zoning).

### SUMMARY OF THE AMENDMENTS

Sec. 54-12(c)(12) Specimen trees are defined as: “Trees with a diameter of 25 inches or greater, which must be relatively upright, sound, with a solid trunk having no extensive decay; have no more than one major and several minor dead limbs; have no major insect or pathological problems; have no major pruning deficiencies, i.e. topping; and have at least 75 percent of the critical root zone in a natural, undisturbed state.” Additionally, per Sec. 54-12(d)(5) requires all specimen trees removed to be replaced at a 2-1 ratio for caliper inch removed. To remove Tree #1344, the Planning & Zoning Commission is required to approve the request.

Tree #1344 is a Live Oak with a caliper of 37” (trunk diameter). Per the arborist’s letter the tree is healthy and are not exempt from the Planning & Zoning Commission’s consideration. For the multifamily project to be constructed, the tree will need to be removed, as the structure will occupy the same space as the Live Oak.

The site plan was submitted for review prior to reducing the City’s tree requirement to 2” caliper trees. The applicant is vested for the earlier code and is replacing the total 74” caliper inches with 25, 3” caliper Live Oaks. The 25 replacement trees will not be on site, nor does the site enable the minimum required trees required per the City of Kyle landscape code (155). Per Sec. 54-12(d)(7), the value of the 96 trees will be deposited

in the City of Kyle's Tree Fund, and the funds will be used to plant, irrigate, and amend soils on public property if necessary. The Planning Department will work with the Kyle PARD and the Finance Department to ensure an appropriate dollar amount is donated.

The reason only 84 trees can reasonably fit on the site, is due to the development agreement between the City of Kyle and the developer. The concept plan included in the agreement is being followed as close as possible in the site design. This in turn significantly limits the available area for trees to be planted.

\*Please note that 2 of the 4 trees in the arborist's report are exempt from preservation due to poor health, and 1 is being saved per the site design. The developer is only requesting removal of 1 specimen tree for the entire project.

### **RECOMMENDATION**

Staff asks the Planning & Zoning Commission to support the request from the applicant by affirmative vote, as the site layout is compliant per the development agreement and site constraints are limiting design alterations.

<b>Tree Number</b>	1341
<b>Tree Species</b>	Live Oak
<b>Diameter (DBH)</b>	32
<b>Multi Stem</b>	
<b>Condition</b>	Poor
<b>Notes</b>	poor structure, poor vigor, deadwood 30%-50%, 50% potential canopy, excessive decay, excessive cavities, excessive storm damage
<b>Summary</b>	Tree # 1341, a 32" Live oak, receives a poor overall condition rating attributed to excessive decay and cavities on main stem with excessive storm damage and inadequate visible reactionwood growth indicating reduced vigor and compromised structure. In comparison to other trees on site, canopy is sparse and deadwood is more significant. Tree is a poor candidate for preservation due to poor vigor and structure. The vigor could possibly be moderately improved with plant health care operations but structure will continue to decline. Recommend removal. By definition of "Specimen tree" by City of Kyle 5-12 Trees, this tree should not be considered a Specimen tree due to more than one major and several minor dead limbs and excessive decay along main trunk.

**Signature**



Signed 8/30/2021, 5:31:24 PM UTC



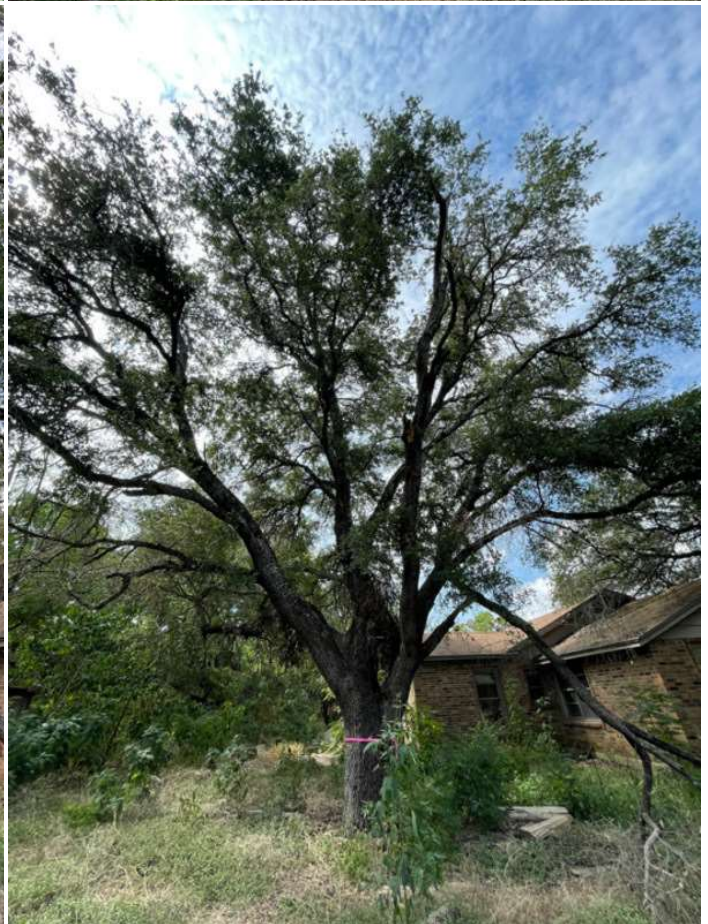
Photos



Tree Mann Solutions  
2812 Wooden Tower St.  
Pflugerville, Texas 78660



Item # 9

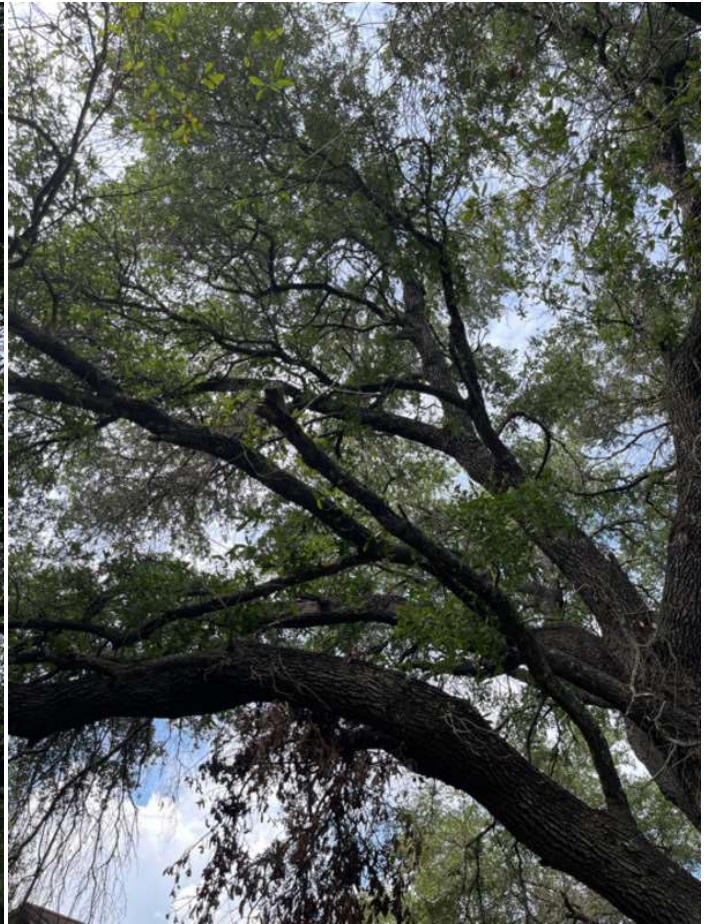


**Tree Mann Solutions**  
2812 Wooden Tower St.  
Pflugerville, Texas 78660



Item # 9

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**Tree Mann Solutions**  
2812 Wooden Tower St.  
Pflugerville, Texas 78660

<b>Tree Number</b>	1342
<b>Tree Species</b>	Live Oak
<b>Diameter (DBH)</b>	29.5
<b>Multi Stem</b>	
<b>Condition</b>	Fair
<b>Notes</b>	moderate decay, moderate cavities, deadwood 15%-30%, fair vigor, fair structure
<b>Summary</b>	Tree # 1342, a 29.5" Live oak, is in fair overall condition with fair structure and approximately 30% deadwood in interior canopy indicating fair vigor. Some previous improper pruning (heading/topping) cuts over structure that have turned into dead limbs. There is some moderate storm damage with shearing of minor limbs. but tree is a fair candidate for preservation. There is a large girdling root on the southern side of the trunk which appears to have moderate impact to overall tree health. Tree could benefit from removal of girdling root. Recommend deadwood removal, root collar excavation, deep root fertilization, surgical root pruning, removal of girdling root, mulching, and fencing prior to construction. Meets "Specimen tree" definition criteria per City of Kyle 54-12 Trees section.

**Signature**

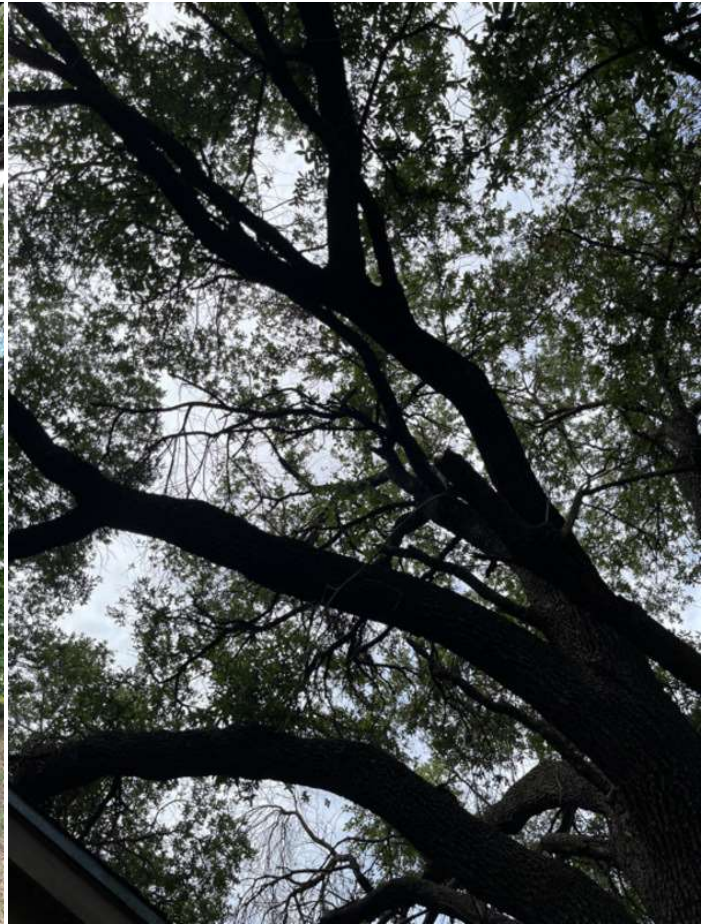


Signed 8/30/2021, 5:29:29 PM UTC



Photos





**Tree Mann Solutions**  
2812 Wooden Tower St.  
Pflugerville, Texas 78660

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**Tree Mann Solutions**  
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<b>Tree Number</b>	1344
<b>Tree Species</b>	Live Oak
<b>Diameter (DBH)</b>	37
<b>Multi Stem</b>	
<b>Condition</b>	Good
<b>Notes</b>	deadwood 30%-50%, excessive decay, excessive cavities, moderate storm damage, good structure, fair vigor
<b>Summary</b>	Tree # 1344, a 37" Live oak, is in good overall condition with good structure and fair vigor. Recommend deadwood removal, deep root fertilization, surgical root pruning, mulching, and fencing prior to construction. Meets "Specimen tree" definition criteria per City of Kyle 54-12 Trees section.

**Signature**



Signed 8/30/2021, 5:33:14 PM UTC



Photos



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2812 Wooden Tower St.  
Pflugerville, Texas 78660

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**Tree Mann Solutions**  
2812 Wooden Tower St.  
Pflugerville, Texas 78660

<b>Tree Number</b>	1355
<b>Tree Species</b>	Live Oak
<b>Diameter (DBH)</b>	41
<b>Multi Stem</b>	
<b>Condition</b>	Fair
<b>Notes</b>	fair structure, deadwood 30%-50%, excessive decay, excessive cavities, moderate storm damage, poor vigor, significant trunk lean, significantly unbalanced
<b>Summary</b>	Tree # 1355, a 41" Live oak, is in fair overall condition with poor structure and approximately 30% deadwood in interior canopy indicating fair vigor. Tree has excessive cavities and decay extending up main trunk from ground level with apparent adequate compartmentalization and ramshorn growth and significant lean and imbalance. Although the tree has fair vigor, structure is poor resulting in an overall fair condition rating and fair candidate for preservation. Due to poor structure, age of tree, and significant lean, recommend reducing or eliminating any impacts within root protection zone to avoid root damage which could compromise structure. Recommend deadwood removal, root collar excavation, deep root fertilization, surgical root pruning, mulching, and fencing prior to construction. By definition of "Specimen tree" by City of Kyle 54-12 Trees, this tree should not be considered a Specimen tree due to excessive cavities, decay, and lean.

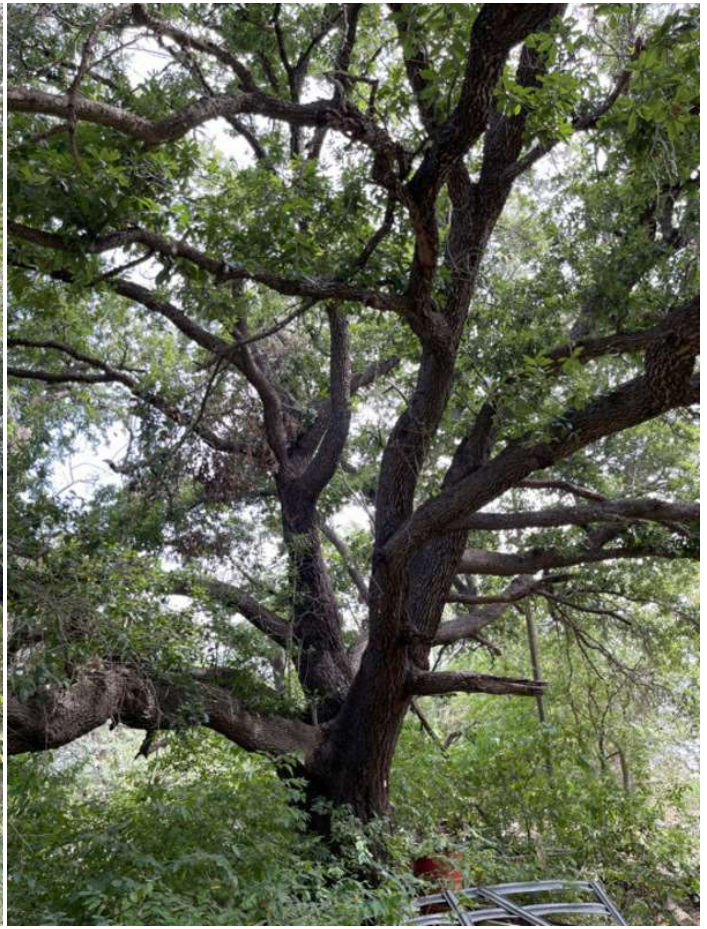
**Signature**



Signed 8/30/2021, 5:38:12 PM UTC



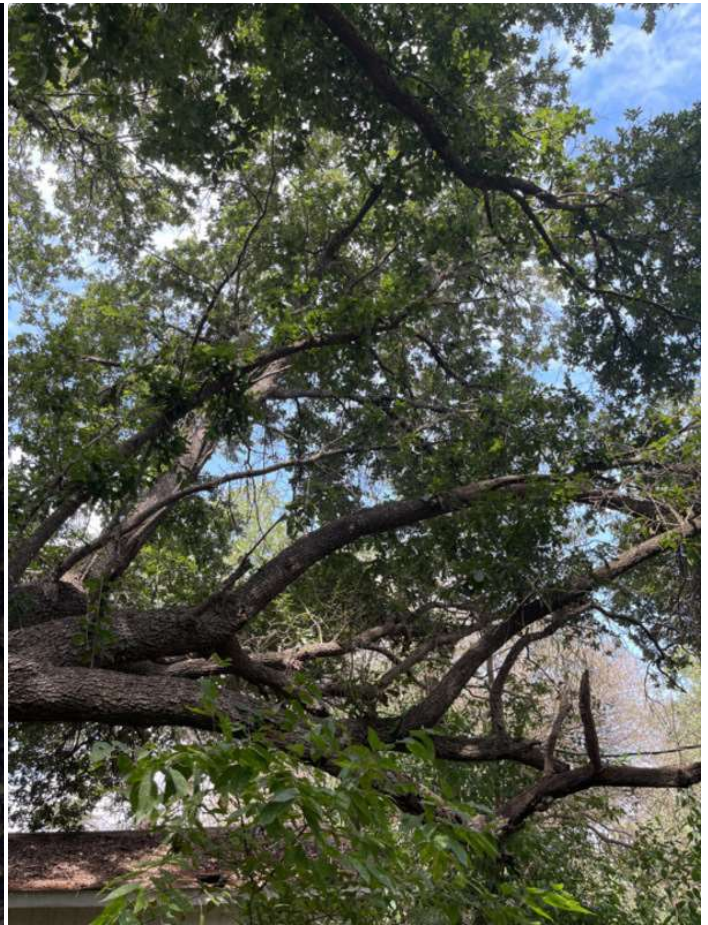
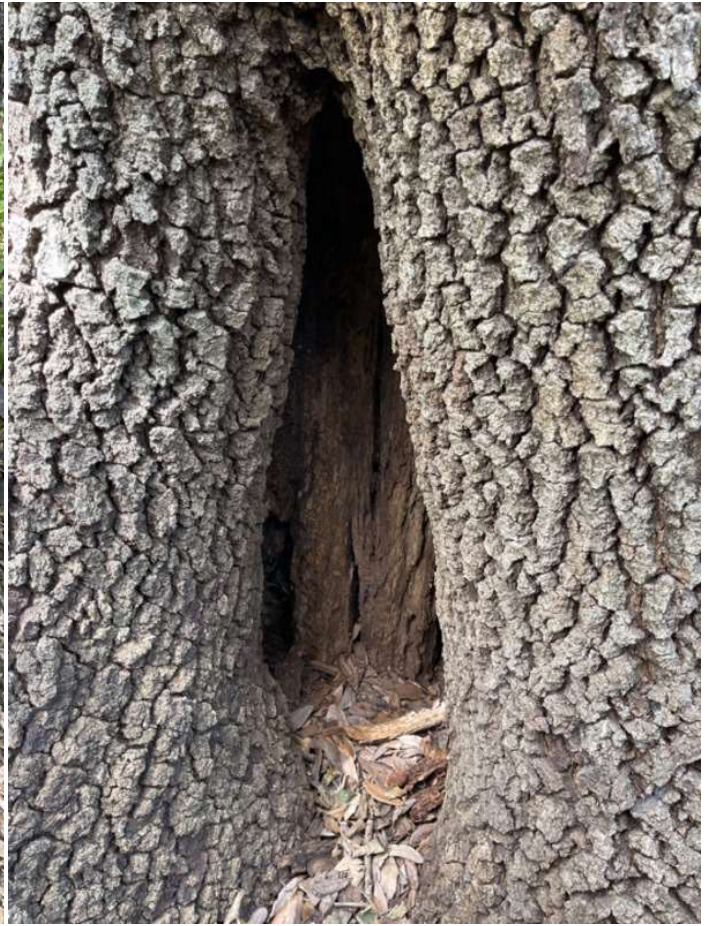
Photos



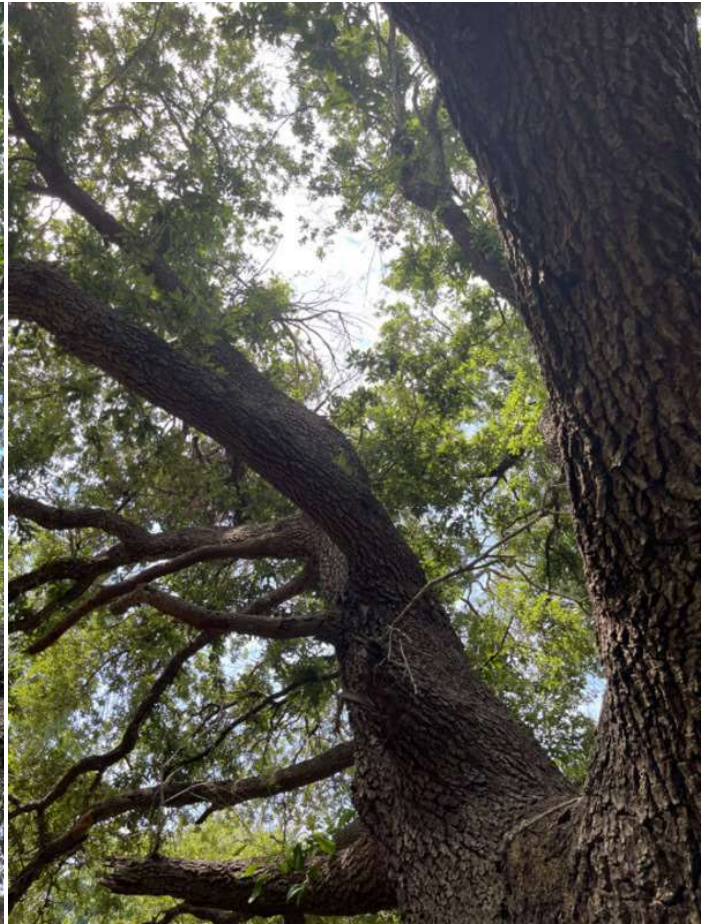
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Pflugerville, Texas 78660

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







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**GENERAL NOTES:**

- 1) CONTRACTOR IS RESPONSIBLE FOR OBTAINING THE DEMOLITION PERMIT FROM THE CITY OF KYLE PRIOR TO DEMOLITION OF THE SITE.
- 2) ALL INITIAL EROSION AND SEDIMENT CONTROL MEASURES MUST BE INSTALLED PRIOR TO ANY WORK INCLUDING DEMOLITION.
- 3) ALL CONSTRUCTION RELATED PERMITS DURING THE CONSTRUCTION PHASE OF THIS PROJECT ARE THE RESPONSIBILITY OF CONTRACTOR.
- 4) REMOVE SHRUBS AND TREES AS NOTED. GRUB OUT ROOTS AND STUMPS AND LEGALLY DISPOSE OF DEBRIS.

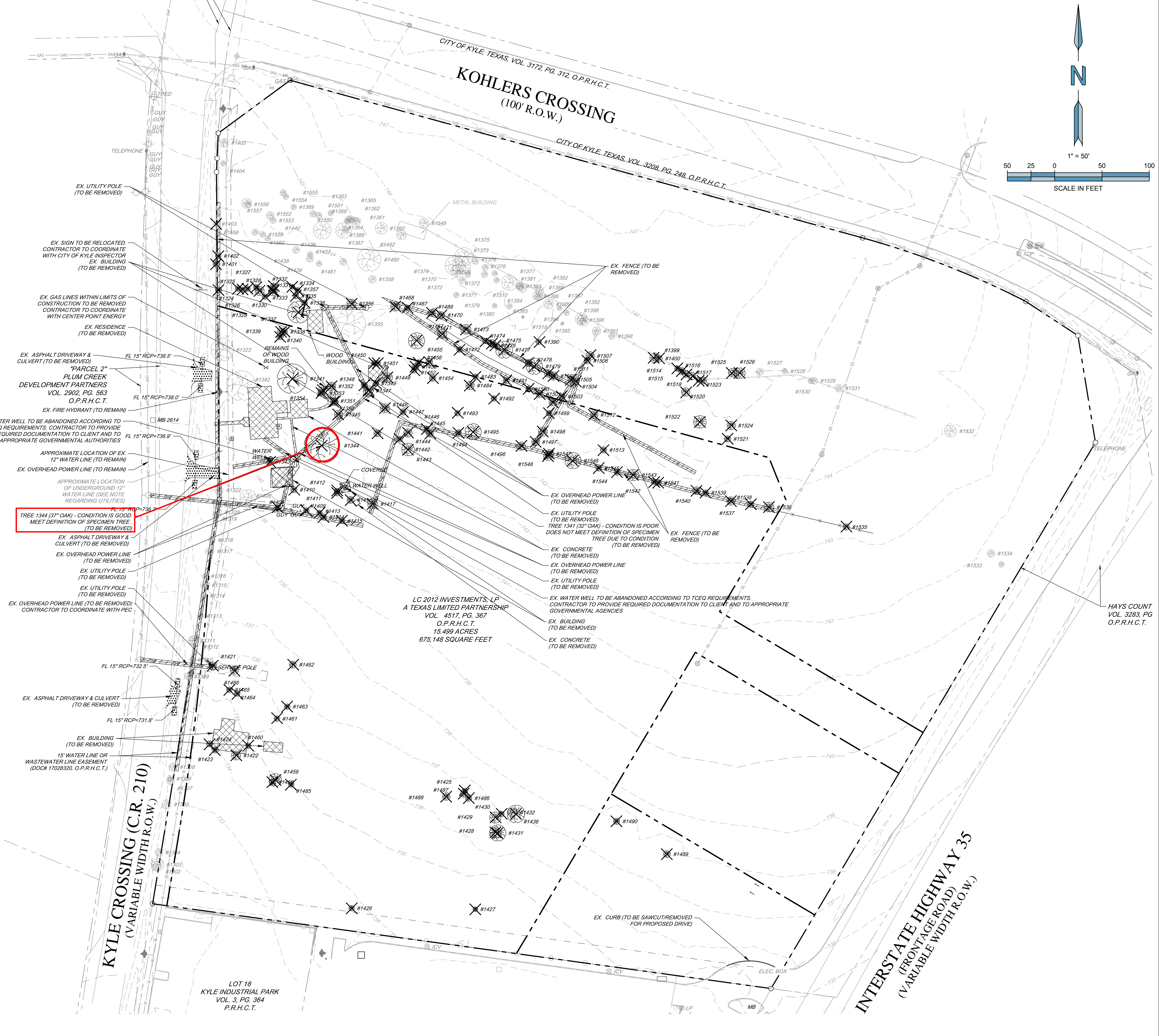
**DEMOLITION NOTES:**

- 1) ALL NEW WORK SHOWN IN THESE SHEETS MUST COMPLY WITH APPLICABLE STATE, FEDERAL, AND LOCAL BUILDING AND UTILITY INSTALLATION CODES.
- 2) ALL MATERIALS AND CONSTRUCTION METHODS MUST BE IN ACCORDANCE WITH TXDOT - S. AUSTIN AREA OFFICE STANDARD SPECIFICATIONS EXCEPT IN CASES WHERE, WITHIN THE CITY OF KYLE JURISDICTION, THE CITY STANDARD SPECIFICATIONS ARE MORE STRINGENT.
- 3) THERE MAY BE ADDITIONAL UTILITIES NOT SHOWN ON THESE PLANS. ENGINEER ASSUMES NO RESPONSIBILITY FOR LOCATIONS SHOWN, AND IT IS THE RESPONSIBILITY OF CONTRACTOR TO FIELD VERIFY THE LOCATIONS OF ALL UTILITIES WITHIN THE LIMITS OF CONSTRUCTION AND TO NOTIFY THE OWNER IN CASE OF DISCREPANCIES THAT AFFECT THE CONSTRUCTION PROJECT.
- 4) CONTRACTOR IS RESPONSIBLE FOR NOTIFICATION OF AND LIAISON WITH UTILITY COMPANIES IN THE PROCESS OF LOCATION AND RELOCATION OF AND TIE-IN TO PUBLIC UTILITIES.
- 5) CONTRACTOR IS RESPONSIBLE FOR ANY DAMAGE THAT MAY OCCUR TO ANY ADJACENT STRUCTURES OR PROPERTY, OR ANY EXISTING STRUCTURES WITHIN LIMITS OF CONSTRUCTION THAT ARE DESIGNATED ON THE PLANS TO REMAIN, AND SHALL REPAIR OR REPLACE SUCH DAMAGED PROPERTY TO THE PROPERTY OWNER'S SATISFACTION AT NO COST TO OWNER.
- 6) CONTRACTOR MUST NOT DEVIATE FROM THESE PLANS AND SPECIFICATIONS WITHOUT THE PRIOR WRITTEN CONSENT OF ENGINEER.
- 7) CONTRACTOR IS RESPONSIBLE FOR CONTACTING THE CITY OF KYLE AND ALL EXISTING UTILITY PROVIDERS BEFORE REMOVING ANY/ALL UTILITIES FROM THEIR EXISTING LOCATION ON THE SITE. THE CONTRACTOR MUST PERFORM ALL UTILITY DEMOLITION OR RELOCATION ACTIVITIES IN ACCORDANCE WITH THE EXISTING UTILITIES SPECIFICATIONS, MATERIALS, AND REQUIREMENTS.
- 8) CONTRACTOR SHALL CONSIDER COORDINATION ASPECTS OF CRANES AND CONSTRUCTION EQUIPMENT OPERATIONS DURING DEMOLITION ACTIVITY.
- 9) CONTRACTOR EQUIPMENT MUST NOT BE PARKED IN COUNTY, CITY OR STATE RIGHT-OF-WAY, AND MUST BE STORED WITHIN SITE.
- 10) CONTRACTOR SHALL COORDINATE WITH THE CITY OF KYLE AS REQUIRED DURING ALL DEMOLITION AND NEW CONSTRUCTION ACTIVITIES.
- 11) CONTRACTOR TO DISPOSE OF ANY HAZARDOUS MATERIALS IN STRICT ACCORDANCE WITH ALL APPLICABLE LOCAL, STATE, AND FEDERAL LAWS.
- 12) ALL ITEMS DESIGNATED FOR REMOVAL SHALL BE LEGALLY DISPOSED OF, OFF SITE.
- 13) CONTRACTOR TO CONTACT UTILITIES PROTECTION CENTER PRIOR TO ANY EXCAVATION.
- 14) CONTRACTOR TO POT HOLE EXISTING WATER LINE, UNDERGROUND ELECTRICAL LINES, GAS LINE, UNDERGROUND TELEPHONE, FIBER OPTIC, AND ANY OTHER UTILITY LINES WITHIN THE RIGHT OF WAY DURING DEMOLITION ACTIVITIES AND COORDINATE FIELD LOCATIONS AND DEPTHS OF THESE UTILITIES WITH ENGINEER FOR PROPOSED UTILITY CROSSINGS AND PROPOSED PAVEMENT OVER EXISTING LINES. THESE LINES MAY REQUIRE RELOCATION.
- 15) CONTRACTOR MUST BE FAMILIAR WITH AND FOLLOW ALL RECOMMENDATIONS GIVEN IN THE GEOTECHNICAL REPORT BY JTAOL ENGINEERING, PLLC DATED 01/19/2021 DURING DEMOLITION AND SITE CONSTRUCTION.

**EROSION CONTROL NOTES**

- (SEE ALSO EROSION CONTROL PLAN)
- 1) EROSION CONTROL DEVICES ARE TO BE INSTALLED PRIOR TO ANY CLEARING OR EARTHWORK OPERATIONS AND MUST BE MAINTAINED THROUGHOUT CONSTRUCTION AND UNTIL PERMANENT GROUND COVER IS ESTABLISHED IN ALL DISTURBED AREAS.
  - 2) CONTRACTOR MUST PROVIDE DUST CONTROL AND SHALL PROTECT ADJACENT PAVEMENTS FROM SOIL ACCUMULATION DURING CONSTRUCTION.
  - 3) ADDITIONAL EROSION CONTROL DEVICES MAY BE REQUIRED BY THE ENGINEER OR OTHER INSPECTORS AS DETERMINED BY FIELD CONDITIONS.

LEGEND	
	UTILITIES, FENCE, AND/OR WALL TO BE REMOVED AND/OR RELOCATED. SEE NOTE FOR DETAIL.
	BUILDING/CONCRETE TO BE REMOVED
	ASPHALT, GRAVEL, AND/OR CURB & GUTTER TO BE REMOVED
	TREES AND BRUSH TO BE REMOVED
	DEMOLISH STRUCTURES WITHIN THIS AREA PRIOR TO ALL OTHER DEMOLITION
	EXISTING FENCE
	PROPERTY LINE
	LIMITS OF CONSTRUCTION
	TREE PROTECTION FENCE
	EXISTING TREE TO BE REMOVED



ENGINEER:

**FORESITE group**

TBPE Firm No. F-12878  
 Foresite Group, LLC  
 100 NE Loop 410  
 Suite 1105  
 San Antonio, TX 78216  
 D/B/A Foresite Consulting Group of Texas, LLC.

770.368.1399  
 770.368.1944  
 www.foresitegroup.net

OWNER:

**KALTERRA**

1701 N. MARKET STREET, SUITE 325  
 DALLAS, TX 75202  
 P. (903) 360-1706

CONTACT: MR. CHASE WOOD

PROJECT:

**KALTERRA - KOHLERS KYLE**

SWC OF KOHLERS CROSSING & INTERSTATE 35  
 KYLE, HAYS COUNTY, TEXAS 78640

SEAL:

THESE PLANS WERE PREPARED UNDER THE SUPERVISION AND DIRECTION OF

CRAIG P. FLETCHER, PE #90940

THESE PLANS ARE RELEASED FOR INITIAL REVIEW PURPOSES ONLY.

REVISIONS	DATE

PROJECT MANAGER:	DN
DRAWING BY:	RA
JURISDICTION:	CITY OF KYLE, TX
DATE:	JULY 2021
SCALE:	AS SHOWN
TITLE:	

DEMOLITION PLAN

SHEET NUMBER: **C-0**

COMMENTS: NOT RELEASED FOR CONSTRUCTION

JOB/FILE NUMBER: 1415.002

F:\1415.002 SWC KOHLERS CROSSING & IH-35 (KYLE, TEXAS)\DWG\CONSTR\TCO-DEMOLITION PLAN.DWG

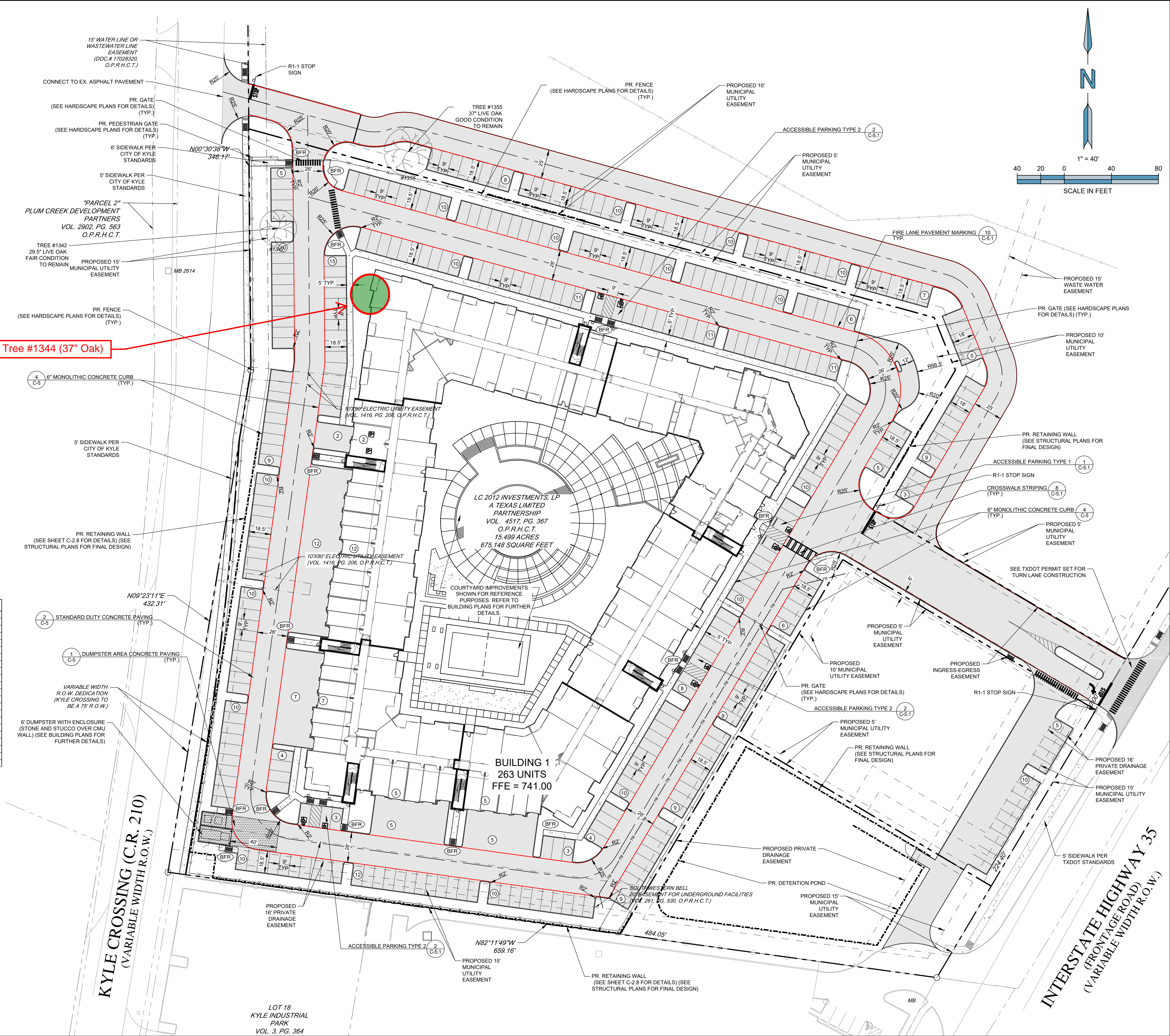


**GENERAL NOTES:**

- 1) ALL PROPOSED DIMENSIONS USED TO SHOW THE GEOMETRIC LAYOUT OF THE PROPOSED PARKING LOT ARE SHOWN AT THE FACE OF CURB. ALL PROPOSED DIMENSIONS USED TO SHOW THE GEOMETRIC LAYOUT OF THE PROPOSED BUILDING LOCATION ARE GIVEN AT THE OUTSIDE FACE OF THE BUILDING CORNERS. ALL CURB RADII ARE GIVEN AT THE FACE OF CURB.
  - 2) CONTRACTOR MUST NOTIFY ENGINEER OF ANY DISCREPANCIES BETWEEN THE EXISTING CONDITIONS IN THE FIELD AND THE SURVEY SHOWN ON THE PLANS BEFORE PROCEEDING WITH ANY NEW CONSTRUCTION.
  - 3) CONTRACTOR IS RESPONSIBLE FOR CORRECT HORIZONTAL AND VERTICAL ALIGNMENT OF ALL TIES BETWEEN PROPOSED AND EXISTING PAVEMENTS, CURB AND GUTTER, SIDEWALKS, WALLS, AND UTILITIES.
- SITE NOTES:**
- 1) TRACT IS ZONED: R-3-3 (RETAIL AND SERVICE DISTRICT WITH R-3-3 OVERLAY).
  - 2) SEE ARCHITECTURAL PLANS FOR BUILDING FLOOR PLAN DIMENSIONS, DOOR LOCATIONS, SITE LIGHTING PLAN, AND OTHER ARCHITECTURAL DETAILS.
  - 3) NO CERTIFICATE OF OCCUPANCY WILL BE ISSUED UNTIL ALL SITE IMPROVEMENTS HAVE BEEN COMPLETED ON THE SITE.
  - 4) HIGH INTENSITY LIGHTING FACILITIES MUST BE SO ARRANGED THAT THE SOURCE OF ANY LIGHT IS CONCEALED FROM THE PUBLIC VIEW AND DOES NOT INTERFERE WITH TRAFFIC. (SEE PHOTOMETRICS PLAN IN ARCH. PLANS).
  - 5) ALL BUFFERS, TREE SAVE AREAS, AND UNDISTURBED AREAS MUST BE CLEARLY IDENTIFIED BY FLAGGING AND/OR FENCING PRIOR TO COMMENCEMENT OF ANY LAND DISTURBANCE.
  - 6) NO OUTSIDE STORAGE IS PROPOSED. THIS INCLUDES SUPPLIES, VEHICLE, EQUIPMENT, PRODUCTS, ETC.
  - 7) SIGNS (LOCATION, NUMBER, AND SIZE) ARE NOT APPROVED UNDER THIS DEVELOPMENT PERMIT. A SEPARATE PERMIT IS REQUIRED FOR ON-SITE SIGNAGE.
  - 8) ALL PAVEMENT MARKINGS WITHIN CITY OF KYLE RIGHT-OF-WAY MUST BE IN ACCORDANCE WITH CITY OF KYLE SPECIFICATIONS.
  - 9) SUBGRADE TREATMENT SHALL EXTEND ONE (1) FOOT FROM BACK OF CURB.
  - 10) ALL CONSTRUCTION RELATED PERMITS DURING THE CONSTRUCTION PHASE OF THIS PROJECT ARE THE RESPONSIBILITY OF THE OWNER, HOWEVER A CONTRACTOR/DEVELOPER CAN DO PERMITTING WITH AGENT AUTHORIZATION.
  - 11) CONSTRUCTION TRAILERS ARE TO BE PERMITTED THROUGH THE BUILDING DEPARTMENT.
  - 12) ALL EROSION, SEDIMENT CONTROL AND TREE PROTECTION MEASURES MUST BE INSTALLED PRIOR TO ANY GRADING.
  - 13) CITY OF KYLE ACCEPTS NO RESPONSIBILITY FOR THE AMERICANS WITH DISABILITIES ACT (ADA), EXCEPT FOR NOTIFICATION REQUIREMENT. THE OWNER/DEVELOPER IS SOLELY RESPONSIBLE FOR COMPLIANCE FOR SAID ACT.
  - 14) ENGINEER CONTACT: CRAIG FLETCHER, P.E., (770) 368-1399.
  - 15) CONTRACTOR MUST COORDINATE WITH THE CITY/COUNTY JURISDICTION, WATER AND SEWER JURISDICTION, AND DEPARTMENT OF TRANSPORTATION INSPECTORS REGARDING ALL CERTIFICATE OF OCCUPANCY REQUIREMENTS AND COORDINATE WITH THE ENGINEER APPROXIMATELY 8 WEEKS PRIOR TO ANTICIPATED CERTIFICATE OF OCCUPANCY DATE REGARDING ANY ITEMS REQUIRING APPROVAL OR CERTIFICATIONS BY THE ENGINEER.
  - 16) NO FENCES, STRUCTURES, STORAGE OR FILL SHALL BE PLACED WITHIN THE LIMITS OF THE 100-YEAR FLOODPLAIN.

LEGEND	
	HEAVY DUTY CONCRETE PAVING
	STANDARD DUTY CONCRETE PAVING
	SIDEWALK CONCRETE PAVING
	PROPERTY LINE
	PARKING COUNT
	TRAFFIC SIGN
	RETAINING WALL (SEE STRUCTURAL PLANS FOR FINAL DESIGN)
	PROPOSED FENCE (SEE STRUCTURAL PLANS FOR FINAL DESIGN)

SITE DATA	
ZONING:	R-3-3 (RETAIL AND SERVICE DISTRICT WITH R-3-3 OVERLAY)
LAND USE DESIGNATION:	REGIONAL NODE
PARCEL IDENTIFICATION NUMBER:	R12682, R12683
TOTAL SITE AREA:	7.078 AC.
DISTURBED AREA:	7.056 AC.
PERVIOUS SURFACE AREA:	1.477 AC.
IMPERVIOUS SURFACE AREA:	5.60 AC.
PERCENT IMPERVIOUS COVER:	79.12%
BUILDING HEIGHT:	51 FT. - 0 IN.
NUMBER OF RESIDENTIAL UNITS:	263 UNITS
PARKING RATIO REQUIRED - R-3-3:	1.3 SPACES / UNIT
PARKING REQUIRED:	342 SPACES
PARKING PROVIDED:	
MF RES LOT GARAGE:	31
MF RES LOT TANDEM:	31
MF RES LOT SURFACE:	280
LOT 1 SURFACE:	62
LOT 2 SURFACE:	15
TOTAL:	419
ACCESSIBLE PARKING REQUIRED:	8 SPACES
ACCESSIBLE PARKING PROVIDED:	8 SPACES, 2 GARAGE SPACES



ENGINEER:

**FORESITE**  
group

TBPE Firm No. F-12878  
Foresite Group, LLC  
100 NE Loop 410  
Suite 1105  
San Antonio, TX 78216  
D/B/A Foresite Consulting Group of Texas, LLC.

o | 770.368.1399  
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w | www.foresitegroup.net

OWNER:

**KALTERRA**

1701 N. MARKET STREET, SUITE 325  
DALLAS, TX 75202  
P: (903) 360-1706

CONTACT: MR. CHASE WOOD

PROJECT:

**KALTERRA - KOHLERS KYLE**

SWC OF KOHLERS CROSSING & INTERSTATE 35  
KYLE, HAYS COUNTY, TEXAS 78640

SEAL:

THESE PLANS WERE PREPARED UNDER THE SUPERVISION AND DIRECTION OF  
CRAIG P. FLETCHER, PE #90940

THESE PLANS ARE RELEASED FOR INITIAL REVIEW PURPOSES ONLY.

REVISIONS	DATE

PROJECT MANAGER:	DN
DRAWING BY:	RA
JURISDICTION:	CITY OF KYLE, TX
DATE:	JULY 2021
SCALE:	AS SHOWN
TITLE:	

**SITE & PAVING PLAN**

SHEET NUMBER: **C-1**

COMMENTS: NOT RELEASED FOR CONSTRUCTION

JOB/FILE NUMBER: 1415.002

F:\1415.002 SWC KOHLERS CROSSING & IH-35 (KYLE, TEXAS)\DWG\CONSTR\1 SITE & PAVING PLAN.DWG



**DEVELOPMENT AGREEMENT**  
**ESTABLISHING DEVELOPMENT STANDARDS FOR THE AS YET UNNAMED**  
**SUBDIVISION/DEVELOPMENT (LOT \_\_)**

This Development Agreement Establishing Development Standards for the As Yet Unnamed Subdivision/Development (Lot \_\_) (the “Agreement”) is made and entered into effective as of the 18<sup>th</sup> day of August 2020 by and between the City of Kyle, Texas, a Texas home rule municipal corporation (the “City”) and Kalterra Capital Partners LLC, a Texas limited liability corporation (“the Developer”). The City and the Developer are sometimes referred to herein as the “Parties.” The Parties agree as follows.

**Section 1. Purposes; Consideration.**

- (a) The Developer is under contract to own that certain property located in Hays County, Texas, being more particularly described in Exhibit A attached hereto and incorporated herein for all purposes (the “Property”) and wishes to develop all or a portion of the Property for multi-family and Retail uses (the “Development”). The Developer desires to construct the Property as part of a master-planned mixed-use development with cohesive architectural materials and styles and desires that such development standards for the Development be binding on Developer’s successor and assigns. The Developer wishes to have certainty regarding the regulations that govern the development of the property and desires that the City be able to enforce the development standards set forth herein through its building permit, inspection, and certificate of occupancy processes by the agreement given that House Bill 2439 adopted in the 86<sup>th</sup> Legislative Session may limit the ability of cities to enforce certain development standards governing building materials by ordinance. The Developer agrees that the Property is an area of architectural significance and agrees to develop the Property in accordance with the I-35 Overlay District Development Standards (defined below) as modified by the Agreement.
- (b) The Property is located within the area that subject to the I-35 Overlay District Development Standards set forth in Section 53-899. City of Kyle Code of Ordinances as the same are in effect as of the date hereof (the “I-35 Overlay District Development Standards”) which is an area of architectural importance and significance to the City.
- (c) The Developer will benefit from the City enforcing the Development Standards and the process for enforcing such Development Standards set forth in Section 53-891 through 53-897 City of Kyle Code of Ordinances as the same are in effect of the date hereof (the “CUP Approval Process”) because it will be more efficient and cost-effective for compliance with such standards to be monitored and enforced through the City’s building permit, site development, and inspection process and will help ensure that the Development is built out as planned by the Developer. The Developer will further benefit from assurance as to the development standards for the Development. The City will benefit from the Agreement, having certainty that such Development Standards may be enforced by the City, preservation of areas of architectural significance in the City, and preservation of property values within the City.
- (d) The benefits to the Parties set forth in this Section 1, plus the mutual promises expressed herein, are good and valuable consideration for this Agreement, the sufficiency of which is hereby acknowledged by both Parties.

## Section 2. Base Zoning & Supplemental Zoning Standards.

- (a) Base Zoning – Any zoning, land use requirement or restriction shall conform to those requirements and/or standards of the base zoning detailed in Exhibit B – Zoning Exhibit.
- (b) Comprehensive Zone Standards – The following standard applies to all development within this Planned Development District:
  - a. Where not specified, development shall otherwise comply with the standards outlined in Chapter 53, Article II of the Kyle Texas Code of Ordinances.
- (c) Concept Plans – Development of any property within the boundaries of this Planned Development District shall generally conform with Exhibit C – Site Plan. If there is any conflict between the text of this ordinance and the concept plan, the text of this article controls.
  - a. *Conformance with preliminary plan.* Unless the Developer wishes to resubmit for preliminary plan processing, the final plat shall conform substantially to the preliminary plan as approved.
  - b. *Resubmission because of change or delay.* In the event that any of the following significant change conditions occur during the processing of a subdivision plat, the planning and zoning commission may recommend or council may require resubmission as a preliminary plan or final plat:
    - i. Any change that causes the preliminary plan to be significantly inconsistent with the city's master plan for the property.
    - ii. More than a 20 percent change in the overall concept or design of the development or layout of the lots.
    - iii. Any change in land use categories that total more than 20 percent of the land area.
    - iv. Any change in the total number of residential or nonresidential lots totaling more than 20 percent of the total number of lots for any individual category of lots.
    - v. Any change in classification of arterial or collector streets or in alignment of arterial or collector streets of more than 150 feet.
    - vi. Any change in parkland that totals more than 20 percent of the proposed parkland area.
    - vii. Any change in detention pond or drainage channel location by more than 150 feet.
    - viii. Any change in phase timing by more than one year.
    - ix. Any change that would require a variance from city regulations and/or this agreement.
- (d) Revision of final plat
  - a. If one or more of the following changes to the project has been made between the filing or approval of a preliminary plan and the filing or approval of a final plat, the concept plan and preliminary plan previously submitted to the city shall be submitted to the planning and zoning commission and council to ensure compliance with city regulations and/or this agreement.

The following are deemed substantial changes requiring submission to the city:

- i. Any change that causes the final plat to be significantly inconsistent with the city's master plan.

- ii. Any change in land use categories that total more than five percent of the land area.
  - iii. Any change in the total number of residential or nonresidential lots totaling more than five percent of the total number of lots for any individual category of lots.
  - iv. Any change in classification of arterial or collector streets or in alignment of arterial or collector streets of more than 75 feet.
  - v. Any change in parkland that totals more than five percent of the proposed parkland area.
  - vi. Any change in detention pond or drainage channel location by more than 75 feet.
  - vii. Any change in drainage channel location by more than 75 feet.
  - viii. Any change in phase timing by more than one year.
  - ix. Any change that would require a variance from the city's regulations and/or this agreement.
- b. *Procedure for submission.*
- i. A concept plan that is required to be submitted to the city under this section shall be submitted pursuant to the procedures set forth in sections 41-48 and 41-108 of the City of Kyle subdivision regulations.
  - ii. A preliminary plan that is required to be submitted to the city under this section shall be submitted pursuant to the procedures set forth in sections 41-51 and 41-109 of the City of Kyle subdivision regulations.
  - iii. Construction plans and final plats that are required to be submitted to the city under this section shall be submitted pursuant to the procedures set forth in sections 41-53 and 41-110 of the City of Kyle subdivision regulations.
  - iv. For cause shown, the city council may waive the requirement for resubmission of a revised plan or plat.
  - v. Current regulations govern. If a concept plan or preliminary plan of the project is required to be resubmitted under this section, the subdivision shall be governed by the regulations, ordinances, rules, expiration dates, or other properly adopted requirements of the city in effect at the time of the submission to the city.
- c. *Extended delay in processing.* When the developer does not complete the review process within 12 months from the date of approval of the preliminary plan, extensions may be granted by the planning and zoning commission for good cause, for additional six-month periods.
- (e) Detailed Zone Standards
- a. Zone A – Retail & Services
    - i. Base Zoning – Zone A base zoning is RS (Retail and Services District).
    - ii. Specific Use Standards. The following specific uses are not deemed undesirable and Developer consents to the requirement they only be allowed by a Conditional Use Permit.
      - 1. Convenience Store with Fuel Sales
      - 2. Car Wash
      - 3. Mattress Stores
      - 4. Liquor Stores
      - 5. Furniture Stores

6. Pawn Shops
  7. Financial Institutions
  8. Medical Office
- iii. The following review and approval criteria must be used in reviewing and taking action on the specific uses listed in Section 2, (e) (a) (ii):
1. Whether the proposed use is consistent with the policies of the comprehensive plan;
  2. Whether the proposed use complies with the requirements of the zoning ordinance;
  3. Whether the proposed site provides adequate land area for the proposed use, including provision of all required open space, off-street parking and all other applicable requirements of the subject zoning district;
  4. Whether the proposed use is compatible with adjacent properties and land uses, including consideration of:
    - a. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of noise, smoke, odor, dust or vibration generated by the proposed use;
    - b. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the hours of operation of the proposed use;
    - c. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the manner of operation of the proposed use;
    - d. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the character of vehicles or the volume of traffic generated by the proposed use;
    - e. Whether the size, scale and massing of proposed buildings are appropriate in relation to the size of the subject property and in relation to the size, scale and massing of adjacent and nearby lots and buildings; and
    - f. Whether public services, public facilities and utilities—including motorized and nonmotorized transportation facilities—are adequate to serve the proposed use;
    - g. Whether adequate means of ingress and egress are proposed, with particular reference to nonmotorized and motorized traffic safety and convenience, traffic flow and control and emergency vehicle access;
    - h. Whether adequate provision has been made for refuse and service areas; and
    - i. Whether the proposed building, as a result of its proposed height, will create a negative shadow impact on any adjoining lot or building.
    - j. Whether the proposed use is over represented within, or near to, the community.
- b. Zone B – Multifamily
- i. Base Zoning – Zone B base zoning is R-3-3 (Apartments Residential 3)

ii. Specific Use Standards

1. Density – The maximum residential density is 40 units per acres.
2. Building Height – Maximum height of any building or structure shall be four stories but not exceed 60 feet.
3. Parking – A minimum of 1.3 off-street parking spaces shall be provide for each living unit.
4. Roof – Roof shall be designed as a flat roof defined as a low-slope roof as having a slope of 3-in-12 or less and shall not be visible from street view.

**Section 3. Development Standards.**

- (a) The Development and the structures constructed and located therein (notwithstanding whether such structures are used for residential, multi-family, commercial, or mixed-uses) shall be constructed and developed in accordance with the I-35 Overlay District Development Standards, which are incorporated herein for all purposes, except as modified by this Agreement (referred to herein as the “Development Standards”).
- (b) The CUP Approval Process, in this Section meaning the I-35 Overlay District Development Standards approval, consistent with existing City of Kyle code, is hereby incorporated herein for all purposes and shall apply to the development of the Property. The Developer shall obtain approval of a Conditional Use Permit pursuant to the CUP Process. The development details and standards approved by and through the CUP Approval Process shall become part of the Development Standards, and in the event of a conflict between the approved conditional use permit and the Development Standards, the approved conditional use permit shall control.
- (c) The I-35 Overlay District Development Standards are modified as follows: Horizontal lap siding may be used as exterior cladding (not including interior patios) on up to 20% of a structure designed and utilized for residential uses, so long as (i) that siding is a fiber cement or cementitious siding product, such as James Hardie siding and panels, or similar material, and (ii) the use of other materials are utilized, such as red brick and limestone. At a minimum, such other materials shall be used in the public facing exterior cladding of the ground floor.
- (d) The Developer agrees not to build, market, or operate the project with the name “Kyle Towne Center” or similar working and/or operating project name.

**Section 4. Building Permits.**

The Developer acknowledges and agrees that compliance with Sections 2 and 3 will be a condition of issuance of building permits, site development permits, and certificates of occupancy for structures on the Property. Developer further agrees that the City may use its building permitting, site development permitting, inspection, and enforcement processes and procedures to enforce the requirements of Sections 2 and 3 above, including but not



limited to rejection of applications and plans stop work orders, and disapproval of inspections for applications and/or work that does not comply with this Agreement. Applications for building permits and site development permits, as applicable, must reasonably demonstrate compliance with this Agreement, as well as the Applicable Regulations, in order for such application to be approved and a building permit issued. Plans demonstrating compliance with this Agreement must accompany a building permit application and will become a part of the approved permit. Any structure constructed on the Property must comply with this Agreement and the Applicable Regulations for a certificate of occupancy to be issued for such structure. Structures built in compliance with the Applicable Regulations and the approved plans will be entitled to receive a certificate of occupancy, provided that the structure complies with the Applicable Regulations.

#### **Section 5. Development of the Property.**

Except as modified by this Agreement, the Development and the Property will be developed in accordance with the Development Standards, this Agreement, and all applicable local, state, and federal regulations, including but not limited to the City's ordinances and the zoning regulations applicable to the Property and amendments thereto that may be applied to the Development and the Property not in contravention of Chapter 245, Texas Local Government Code, thereto (the "Applicable Regulations"); provided that notwithstanding Chapter 245, the Developer shall develop the Property in accordance with the Development Standards. If there is a conflict between the Applicable Regulations and the Development Standards, the Development Standards shall control. The City agrees that the Development Standards shall govern the Property with respect to any standards relating to building materials and, accordingly, no Applicable Regulation now existing or hereafter promulgated shall regulate building materials other than the Development Standards, unless approved in writing by the owner of the affected portion of the Property; provided that this sentence is not intended to waive compliance with the City's adopted international building codes.

#### **Section 6. Assignment of Commitments and Obligations; Covenant Running with the Land.**

This Agreement shall constitute a covenant that runs with the Property and is binding on future owners of the Property, and a copy of this Agreement shall be recorded in the Official Public Records of Hays County, Texas. The Developer and the City acknowledge and agree that this Agreement is binding upon the City and the Developer and their respective successors, executors, heirs, and assigns, as applicable, for the term of this Agreement.

#### **Section 7. Term; Termination.**

- (a) The term of this Agreement shall be in full force and effect from the Effective Date hereof, subject to earlier termination as provided in this Agreement. Unless earlier terminated as provided in this Agreement, this Agreement shall terminate upon the issuance of the final certificate of occupancy for the final structure in the Development; provided that Sections 7 and 8 through 26 hereof shall remain in full force and effect.
- (b) The Parties further mutually agree that this Agreement shall be in full force and effect upon the date above first written, provided that the City may terminate this Agreement if Developer defaults under the terms of this Agreement, subject to the notice and cure provisions in Section 8.

## **Section 8. Default.**

Notwithstanding anything herein to the contrary, no party shall be deemed to be in default hereunder until the passage of fourteen (14) business days after receipt by such party of notice of default from the other party. Upon the passage of fourteen (14) business days without cure of the default, such party shall be deemed to have defaulted for purposes of this Agreement; provided that if the nature of the default is that it cannot reasonably be cured within the fourteen (14) business day period, the defaulting party shall have a longer period of time as may be reasonably necessary to cure the default in question; but in no event more than sixty (60) days. In the event of default, the non-defaulting party to this Agreement may pursue the remedy of specific performance or other equitable legal remedy not inconsistent with this Agreement. All remedies will be cumulative and the pursuit of one authorized remedy will not constitute an election of remedies or a waiver of the right to pursue any other authorized remedy. In addition to the other remedies set forth herein, the City may withhold approval of a building permit application or a certificate of occupancy for a structure that does not comply with the Development Standards. Notwithstanding anything to the contrary herein, each owner of a parcel or lot located within the Property shall be severally responsible to the City for the obligations hereunder relating to such owner's parcel or lot and shall be severally entitled to the benefits granted to Developer hereunder with respect to such owner's parcel or lot. By way of example, if an owner of a parcel or lot fails to comply with the terms of this Agreement, the City's remedies hereunder shall be limited to such owner and such owner's parcel or lot that is failing to comply with the terms of this Agreement and the owners of other lots or parcels within the Property shall not be affected thereby.

## **Section 9. Reservation of Rights.**

To the extent not inconsistent with this Agreement, each party reserves all rights, privileges, and immunities under applicable laws, including, without limitation, Chapter 245, Texas Local Government Code, and neither party waives any legal right or defense available under law or in equity.

## **Section 10. Attorney's Fees.**

In the event of action pursued in court to enforce rights under this Agreement, the prevailing party shall be entitled to its costs and expenses, including reasonable attorneys' fees, incurred in connection with such action.

## **Section 11. Waiver.**

Any failure by a party to insist upon strict performance by the other party of any provision of this Agreement will not, regardless of length of time during which that failure continues, be deemed a waiver of that party's right to insist upon strict compliance with all terms of this Agreement. In order to be effective as to a party, any waiver of default under this Agreement must be in writing, and a written waiver will only be effective as to the specific default and as to the specific period of time set forth in the written waiver. A written waiver will not constitute a waiver of any subsequent default, or of the right to require performance of the same or any other provision of this Agreement in the future.

## **Section 12. Force Majeure.**

- (a) The term "force majeure" as employed herein shall mean and refer to acts of God; strikes, lockouts, or other industrial disturbances; acts of public enemies, orders of any kind of the government of the United States, the State of Texas or any civil or military authority; insurrections; riots; epidemic; landslides; lightning, earthquakes; fires, hurricanes; storms, floods; washouts; droughts; arrests; restraint of government and people; civil disturbances; explosions; breakage or accidents to machinery, pipelines, or canals; or other causes not reasonably within the control of the party claiming such inability.
- (b) If, by reason of force majeure, any party hereto shall be rendered wholly or partially unable to carry out its obligations under this Agreement, then such party shall give written notice of the full particulars of such force majeure to the other party within ten (10) days after the occurrence thereof. The obligations of the party giving such notice, to the extent effected by the force majeure, shall be suspended during the continuance of the inability claimed, except as hereinafter provided, but for no longer period, and the party shall endeavor to remove or overcome such inability with all reasonable dispatch.
- (c) It is understood and agreed that the settlement of strikes and lockouts shall be entirely within the discretion of the party having the difficulty, and that the above requirement that any Force Majeure shall be remedied with all reasonable dispatch shall not require that the settlement be unfavorable in the judgment of the party having the difficulty.

## **Section 13. Notices.**

Any notice to be given hereunder by any party to another party shall be in writing and may be effected by personal delivery or by sending said notices by registered or certified mail, return receipt requested, to the address set forth below. Notice shall be deemed given when deposited with the United States Postal Service with sufficient postage affixed.

Any notice mailed to the City shall be addressed:

City of Kyle  
Attn: City Manager  
100 W. Center St. Kyle, TX 78640

with copy to:

The Knight Law Firm, LLP City Attorney  
223 West Anderson Lane, Suite A-105  
Austin, Texas 78752

Any notice mailed to the Developer shall be addressed:

Kalterra Capital Partners, LLC  
1701 N Market St, Suite 325  
Dallas, Texas 75202  
Attn: Clint Nolen Direct: (214) 850-5186  
Clint@kalterra.com

Any party may change the address for notice to it by giving notice of such change in accordance with the provisions of this section.

**Section 14. Waiver of Alternative Benefits.**

The Parties acknowledge the mutual promises and obligations of the Parties expressed herein are good, valuable and sufficient consideration for this Agreement. The Developer may not seek monetary damages against the City in connection with a default by the City under this Agreement.

**Section 15. Severability.**

Should any court declare or determine that any provisions of this Agreement is invalid or unenforceable under present or future laws, that provision shall be fully severable; this Agreement shall be construed and enforced as if the illegal, invalid, or unenforceable provision had never comprised a part of this Agreement and the remaining provisions of this Agreement shall remain in full force and effect and shall not be affected by the illegal, invalid, or unenforceable provision or by its severance from this Agreement. Furthermore, in place of each such illegal, invalid, or unenforceable provision, there shall be added automatically as a part of this Agreement a provision as similar in terms to such illegal, invalid, or unenforceable provision as may be possible and be legal, valid, and enforceable. Texas law shall govern the validity and interpretation of this Agreement.

**Section 16. Agreement and Amendment.**

This Agreement, together with any exhibits attached hereto, constitutes the entire agreement between Parties. This Agreement may not be amended with respect to all of the Property except by a writing approved by the City Council of the City that is signed by all owners of the Property and with respect to a portion of the Property by a writing approved by the City Council of the City that is signed by all owners of the portion of the Property affected by the amendment.

**Section 17. No Joint Venture.**

The terms of this Agreement are not intended to and shall not be deemed to create any partnership or joint venture among the parties. The City, its past, present and future officers, elected officials, employees and agents, do not assume any responsibilities or liabilities to any third party in connection with the development of the Property. The City enters into this Agreement in the exercise of its public duties and authority to provide for development of property within the City pursuant to its police powers and for the benefit and protection of the public health, safety, and welfare.

**Section 18. No Third-Party Beneficiaries.**

This Agreement is not intended, nor will it be construed, to create any third-party beneficiary rights in any person or entity who is not a party, unless expressly provided otherwise herein, or in a written instrument executed by both the City and the third party. Absent a written agreement between the City and third party providing otherwise, if a default occurs with respect to an obligation of the City under this Agreement, any notice of default or action seeking a remedy for such default must be made by the Owner.

**Section 19. Effective Date.**

The Effective Date of this Agreement is the defined date set forth in the first paragraph.

**Section 20. Recordation.**

This Agreement or a memorandum of Agreement acceptable to the City and Developer shall be recorded in the Official Public Records of Hays County, Texas.

**Section 21. Texas Law Governs.**

This Agreement shall be governed by and construed in accordance with the laws of the State of Texas and shall be performable in Hays County, Texas. Venue shall lie exclusively in Hays County, Texas.

**Section 22. Anti-Boycott Verification.**

To the extent this Agreement constitutes a contract for goods or services within the meaning of Section 2270.002 of the Texas Government Code, as amended, solely for purposes of compliance with Chapter 2270 of the Texas Government Code, and subject to applicable Federal law, the Developer represents that neither the Developer nor any wholly owned subsidiary, majority-owned subsidiary, parent company or affiliate of Developer (i) boycotts Israel or (ii) will boycott Israel through the term of this Agreement. The terms “boycotts Israel” and “boycott Israel” as used in this paragraph have the meanings assigned to the term “boycott Israel” in Section 808.001 of the Texas Government Code, as amended.

**Section 23. Iran, Sudan, and Foreign Terrorist Organizations.**

To the extent this Agreement constitutes a governmental contract within the meaning of Section 2252.151 of the Texas Government Code, as amended, solely for purposes of compliance with Chapter 2252 of the Texas Government Code, and except to the extent otherwise required by applicable federal law. Developer represents the Developer nor any wholly owned subsidiary, majority-owned subsidiary, parent company or affiliate of Developer is a company listed by the Texas Comptroller of Public Accounts under Section 2290.0201 or 2252.153 of the Texas Government Code.

**Section 24. Time is of the Essence.**

It is acknowledged and agreed by the Parties that time is of the essence in the performance of this Agreement.

**Section 25. Exhibits.**

The following exhibits are attached to this Agreement, and made a part hereof for all purposed:

Exhibit A – Property Description

Exhibit B – Zoning Exhibit

Exhibit C – Site Plan

EXECUTED in multiple originals in the 8<sup>th</sup> day of September 2020.

CITY:  
City of Kyle, Texas  
A Texas home-rule municipal corporation

Attest:

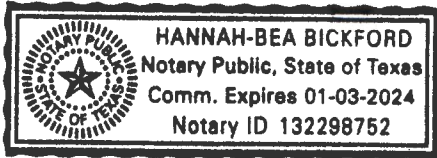
By: Jennifer Holm  
Name: Jennifer Holm  
Title: City Secretary

By: Travis Mitchell  
Name: Travis Mitchell  
Title: Mayor

THE STATE OF TEXAS  
COUNTY F HAYS

This instrument was acknowledged before me on this 8<sup>th</sup> day of September 2020 by Travis Mitchell, the Mayor of the City of Kyle, Texas, a Texas home-rule municipal corporation, on behalf of said corporation.

(SEAL)



Hannah-Bea Bickford  
Notary Public, State of Texas

DEVELOPER:

Kalterra Capital Partners, LLC  
Texas limited liability corporation

By: Kalterra Capital Partners, LLC  
By: Clint V. Nolen  
Print Name: CLINT V. NOLEN  
Title: MANAGER 04

THE STATE OF TEXAS  
COUNTY F HAYS

This instrument was acknowledges before me on this 8 day of September 2020, BY Clint Nolen, Manager of Kalterra Capital Partners, LLC, a Texas limited liability corporation.

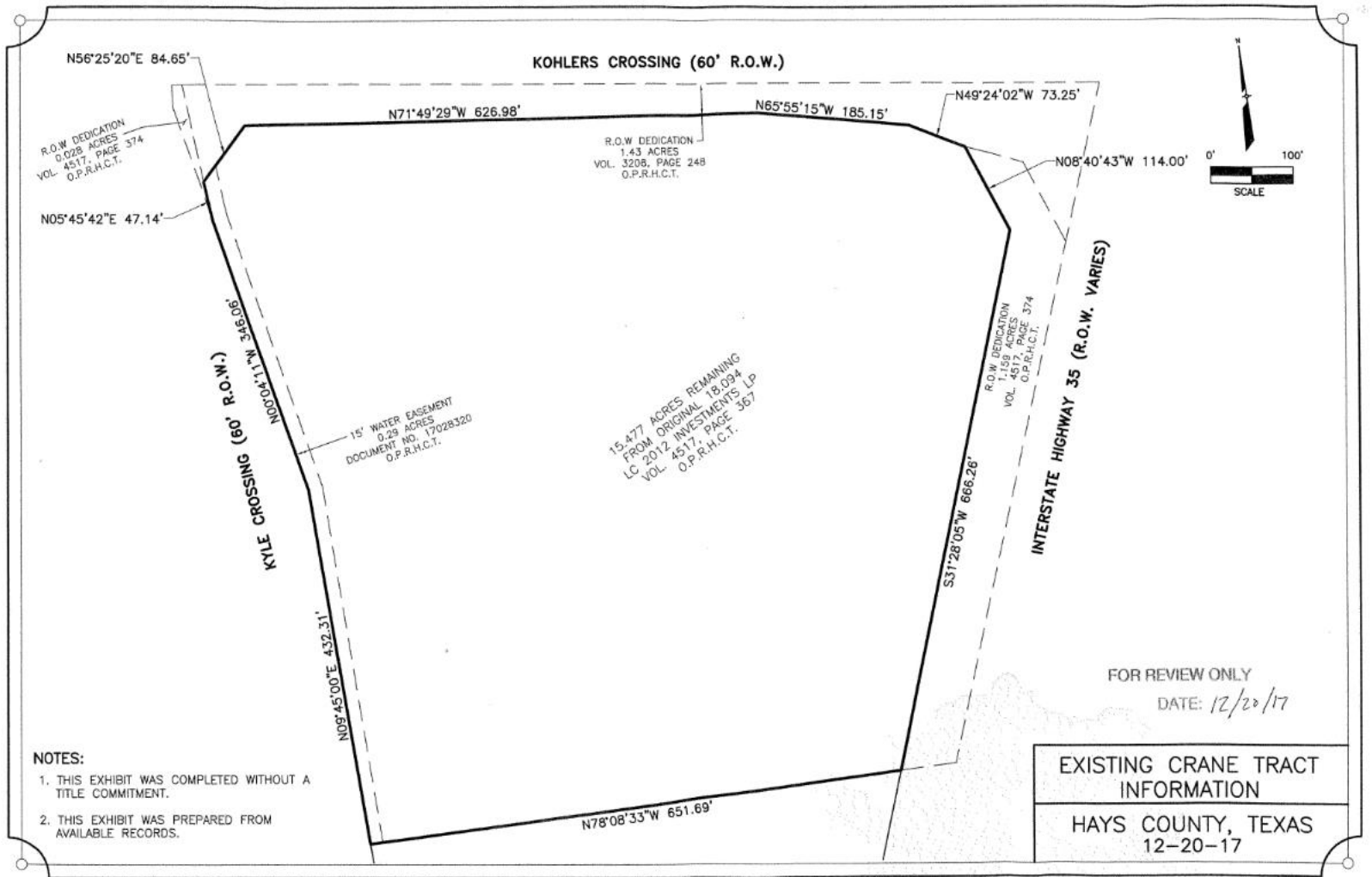
(SEAL)



Angela K Arrington  
Notary Public, State of Texas

# EXHIBIT "A"

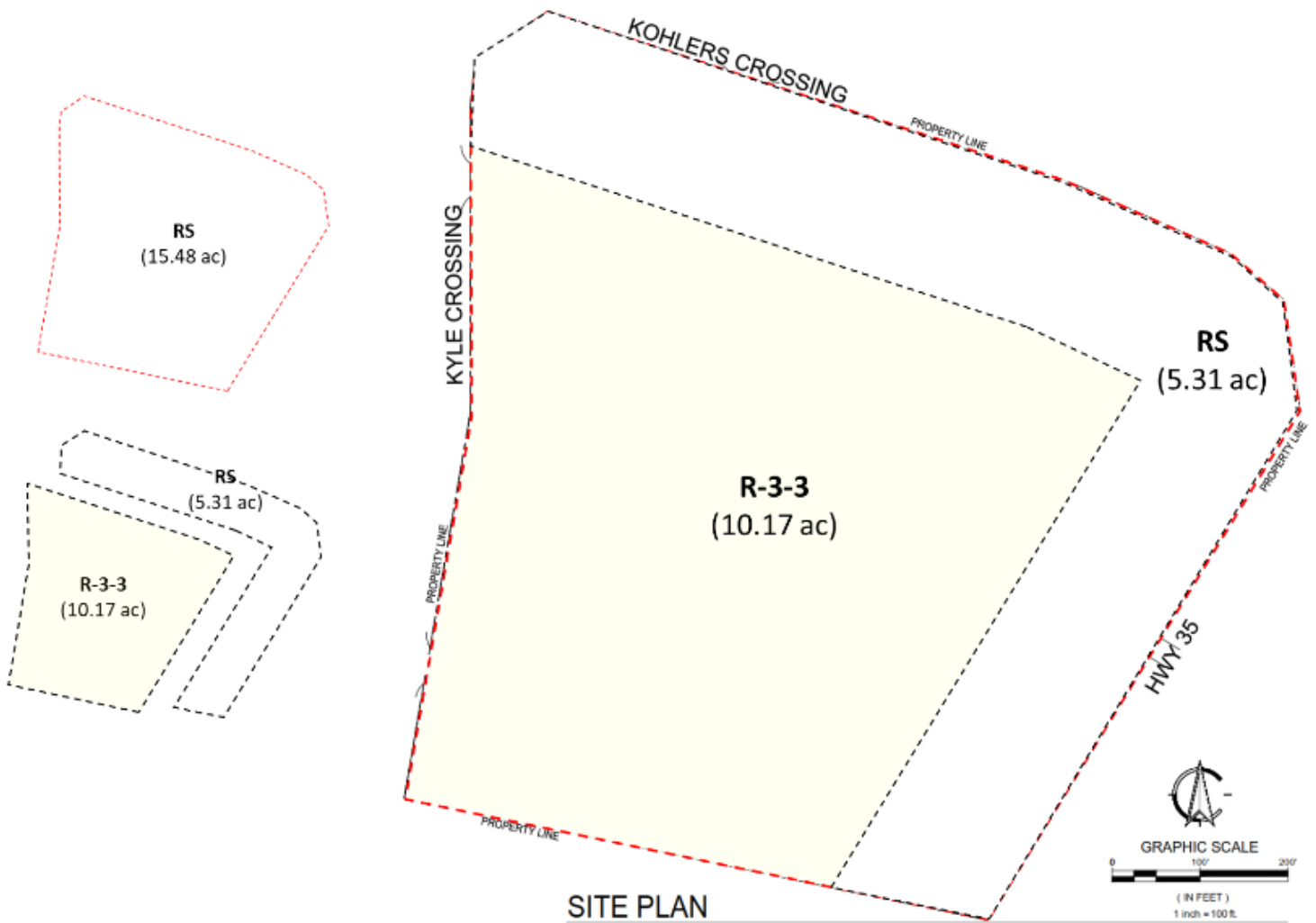
## Property Description





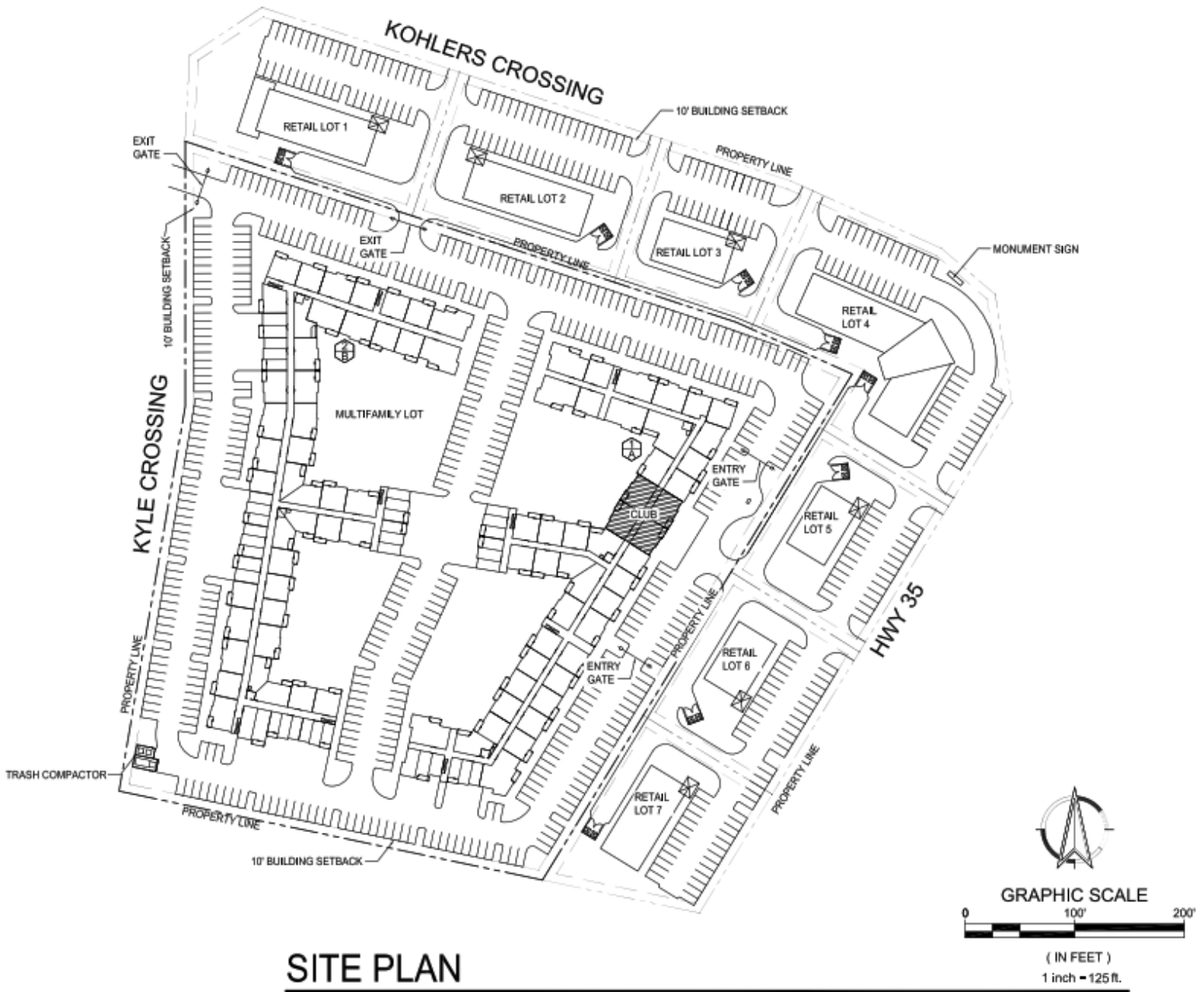
**EXHIBIT "B"**  
**Zoning Exhibit**

**Exhibit B**



**SITE PLAN**

Exhibit "C"  
Site Plan





# CITY OF KYLE, TEXAS

Discussion regarding  
Nominations/Election of Planning  
and Zoning Chair and Vice-Chair

**Meeting Date: 11/9/2021**  
**Date time:6:30 PM**

**Subject/Recommendation:** Discussion regarding Nomination(s)/Election(s) of Planning and Zoning Chair and Vice-Chair.

**Other Information:** N/A

**Legal Notes:** N/A

**Budget Information:** N/A

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**ATTACHMENTS:**

**Description**

No Attachments Available



# CITY OF KYLE, TEXAS

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

**Meeting Date: 11/9/2021**  
**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: 11/9/2021  
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