



CITY OF KYLE

PLANNING & ZONING COMMISSION REGULAR MEETING

KYLE CITY HALL
100 W. CENTER STREET

Notice is hereby given that the Planning and Zoning Commission of the City of Kyle, Texas will meet at 6:30 P.M. on February 14, 2017, at Kyle City Hall, 100 W. Center Street for the purpose of discussing the following agenda.

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

Posted this 9th day of February prior to 6:30 P.M.

1. CALL MEETING TO ORDER

2. ROLL CALL

3. CITIZEN COMMENTS

4. CONSENT

A. Plum Creek Phase 1, Section 11E-2 – Final Plat (FP-17-002)

13.736 acres; 1 Multi-Family Lot

Located on the corner of Dorman and Cromwell Drive

Owner: CM Kyle III, LP

Agent: Jeff Presnal, Cypressbrook Management Company

Staff Proposal to P&Z: Approve

**B. Amending Plat of the Replat of Lot 1B, Block A of the SCC Bunton Creek Subdivision,
Replat of Lot 6A, Block A (FP-17-003)**

2.67 acres; Two Lots with Right-of-Way

Located at 901 and 906 Seton Parkway

Owner Lot 1: Central Southwest Texas Development, LLC (Joe Kaplan)

Owner Lot 2: JCW Kyle, LLC (Ben Westra)
Staff Proposal to P&Z: Approve

- C. Plum Creek Phase 1, Section 6B-3 – Final Plat (FP-17-001)
2.848 acres; 20 residential lots
Located immediately south of Hellman and east of FM 2770
Owner: PC Operating Partners, LTD.
Agent: Scott Bauer, Bigelow Development, LLC.
Staff Proposal to P&Z: Approve

5. ZONING

- A. Consider a request by The Meadows of Kyle II, Ltd. (Sunset Hills) to rezone approximately 52.990 acres from Single Family Residential – 2 ‘R-1-2’ to Single Family Detached Residential ‘R-1-A’ for property located on the north side of Bebee Road, ¼ mile of west of Dacy Lane. (Z-16-009)
- **Public Hearing**
 - **Recommendation to City Council**
- B. Consider a request by Blanton Family Limited Partnership to rezone approximately 68.5 acres of land from Single Family Residential -2 ‘R-1-2’ and rezone approximately 10.38 acres of land from Central Business District -1 ‘CBD-1’ to Single Family Detached Residential “R-1-A” for property located on the west side of Scott Street, at W. Third Street. (Z-16-010)
- **Public Hearing**
 - **Recommendation to City Council**
- C. Consider a request by Thomas Kaminski to rezone approximately 7.26 acres of land from Single Family Residential ‘R-1’ to Single Family Detached Residential ‘R-1-A’ for property located on the southwest corner of Zapata Street and W. Hays Street. (Z-16-011)
- **Public Hearing**
 - **Recommendation to City Council**
- D. Consider a request by Thomas Survivors Trust (Steven Thomas, Trustee) to assign original zoning to approximately 6.96 acres of land from Agriculture ‘AG’ to Retail Service District ‘RS’ for property located on the west side of Dacy at Fountain Grove. (Z-17-001)
- **Public Hearing**
 - **Recommendation to City Council**

E. Consider a request by Life's Journey Hospice and Palliative Care, LLC (Sarah Files) to assign original zoning to approximately 35.5 acres of land from Agriculture 'AG' to Planned Unit Development 'PUD' for property located at 602 Creekside Trail. (Z-17-002)

- **Public Hearing**
- **Recommendation to City Council**

6. CONSIDER AND POSSIBLE ACTION

A. Consider and possible action regarding a proposed development agreement for Meadows of Kyle II, Ltd (Sunset Hills).

7. GENERAL DISCUSSION

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

8. STAFF REPORT

9. ADJOURNMENT

Per Texas Attorney General Opinion No. JC-0169; Open Meeting & Agenda Requirements, Dated January 24, 2000. The permissible responses to general member communication at the meeting are limited by 551.042 as follows: "SEC.551.042. Inquiry Made at meeting. (a) If, at a meeting of a government body, a member of the public or of the governmental body inquires about a subject for which notice has not been given as required by the subchapter, the notice provisions of the subchapter, do not apply to: (1) a statement of specific factual information given in response to the inquiry; or (2) a recitation of existing policy in response to the inquiry. (b) Any deliberation of or decision about the subject of the inquiry shall be limited to a proposal to place the subject on the agenda for a subsequent meeting.

Certificate

I certify that the above notice of the Planning and Zoning Commission Regular Meeting of the City of Kyle, Texas was posted on the bulletin board of the City of Kyle Hall, 100 W. Center Street, Kyle, Texas. This notice was posted on:


Howard J. Koontz, AICP
Director of Planning and Community Development

02/09/2017
(Date)

4. CONSENT AGENDA – ITEM A

Plum Creek Phase 1, Section 11E-2 – Final Plat (FP-17-002)

PLUM CREEK PHASE I, SECTION 11E-2 FINAL PLAT FOR REVIEW ONLY

STATE OF _____ §
COUNTY OF _____ §

KNOW ALL MEN BY THESE PRESENTS, THAT WE, CM KYLE III, LP, A LIMITED PARTNERSHIP ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, WITH ITS HOME ADDRESS AT 2711 CENTERVILLE ROAD, SUITE 400, WILMINGTON, DELAWARE 19808, BEING THE OWNER OF THAT CERTAIN 13,736 ACRE TRACT OF LAND IN THE JESSE DAY SURVEY, A-159, AND THE HENRY LOLLAR SURVEY NO. 19, A-290, HAYS COUNTY, TEXAS; BEING ALL OF THAT CERTAIN 12.531 ACRE TRACT OF LAND, DESIGNATED AS TRACT FIVE, PARCEL ONE AND DESCRIBED IN THE DEED OF RECORD IN VOLUME 5233 PAGE 170 OFFICIAL PUBLIC RECORDS, HAYS COUNTY, TEXAS, ALL OF THAT 0.258 OF ONE ACRE TRACT DESIGNATED AS TRACT FIVE, PARCEL TWO AND DESCRIBED IN THE DEED OF RECORD IN VOLUME 5233, PAGE 198, OFFICIAL PUBLIC RECORDS, HAYS COUNTY, TEXAS, AND BEING ALL OF THAT 0.950 OF ONE ACRE TRACT DESIGNATED AS TRACT FIVE, PARCEL THREE AND DESCRIBED IN THE DEED OF RECORD IN VOLUME 5233, PAGE 198, OFFICIAL PUBLIC RECORDS, HAYS COUNTY, TEXAS; DO HEREBY SUBDIVIDE SAID 13,736 ACRES AS SHOWN ON THIS PLAT, AND DESIGNATED HEREIN AS THE PLUM CREEK PHASE I, SECTION 11E-2 SUBDIVISION TO THE CITY OF KYLE, TEXAS, AND WHOSE NAME IS SUBSCRIBED HERETO, HEREBY DEDICATE TO THE USE OF THE PUBLIC FOREVER PUBLIC RIGHT OF WAY AND DRAINS, EASEMENTS (EXCLUDING LANDSCAPE AREA WITHIN EASEMENTS), PARKS AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED.

WHEREOF THE SAID CM KYLE III, LP, OWNER, HAS CAUSED THESE PRESENTS TO BE EXECUTED BY ITS GENERAL PARTNER, CMKIII GP, LLC, A TEXAS LLC, THEREUNTO DULY AUTHORIZED, GENERAL PARTNER HAS CAUSED THESE PRESENTS TO BE EXECUTED BY ITS MEMBER/MANAGER, _____

CM KYLE III, LP,
A DELAWARE LIMITED PARTNERSHIP
BY: CMKIII GP, LLC, GENERAL PARTNER
A TEXAS LIMITED LIABILITY COMPANY
BY: _____ A MEMBER/MANAGER
ITS: _____

STATE OF _____ §
COUNTY OF _____ §

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED _____, VICE PRESIDENT OF _____, 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 CONSIDERATIONS THEREIN STATED.
GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS _____ DAY OF _____, 20____.

BY: _____
NOTARY PUBLIC

STATE OF TEXAS §
COUNTY OF HAYS §

KNOW ALL MEN BY THESE PRESENTS:
THAT, LIZ O. GONZALEZ, CLERK OF HAYS COUNTY COURT DOES HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT OF WRITING AND THE CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORDS IN MY OFFICE ON THE _____ DAY OF _____, 20____, A.D., IN THE PLAT RECORDS OF SAID COUNTY AND STATE IN DOCUMENT NO. _____ WITNESS MY HAND AND SEAL OF OFFICE OF COUNTY CLERK OF SAID COUNTY ON THIS THE _____ DAY OF _____, 20____, A.D.
FILED FOR RECORD AT _____ O'CLOCK ____M. THIS THE _____ DAY OF _____, 20____, A.D.

BY: _____
LIZ O. GONZALEZ
COUNTY CLERK
HAYS COUNTY, TEXAS

I, THE UNDERSIGNED CHAIRPERSON OF THE PLANNING COMMISSION OF THE CITY OF KYLE HEREBY CERTIFY THAT THIS SUBDIVISION PLAT CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION REGULATIONS OF THE CITY AS TO WHICH THE COMMISSION'S APPROVAL IS REQUIRED.

BY: _____
CHAIRPERSON

THIS PLAT (PLUM CREEK PHASE I, SECTION 11E-2) HAS BEEN SUBMITTED TO AND CONSIDERED BY THE PLANNING COMMISSION OF THE CITY OF KYLE, TEXAS AND IS HEREBY APPROVED BY THE COMMISSION.

DATED THIS _____ DAY OF _____, 20____
BY: _____
ATTEST:
SECRETARY

THIS PLAT (PLUM CREEK PHASE I, SECTION 11E-2) HAS BEEN SUBMITTED TO AND CONSIDERED BY THE CITY COUNCIL OF THE CITY OF KYLE, TEXAS AND IS HEREBY APPROVED BY THE COUNCIL.

DATED THIS _____ DAY OF _____, 20____
BY: _____
ATTEST:
SECRETARY

STATE OF TEXAS §
COUNTY OF BEXAR §

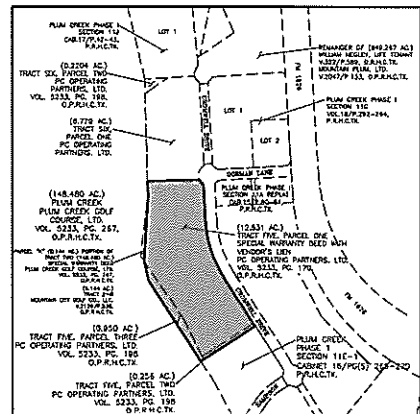
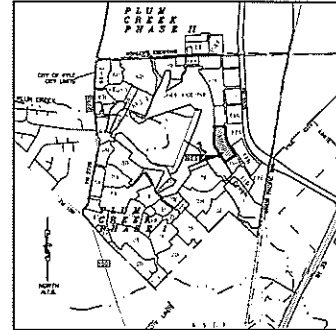
I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THE PLAT AND ALL PLANS AND SPECIFICATIONS WHICH ARE INCLUDED WITH THE PLAT ARE, TO THE BEST OF MY PROFESSIONAL CAPACITY, COMPLETE AND ACCURATE AND IN COMPLIANCE WITH ALL RELEVANT CITY ORDINANCES, CODES, PLANS, AND RELEVANT STATE STANDARDS.

BY: _____
WILLIAM O'NEAL SCHOCK, P.E.
REGISTERED PROFESSIONAL ENGINEER
NO. 88836 - STATE OF TEXAS
TERRA ASSOCIATES, INC.
404 EAST RAMSEY ROAD, SUITE 104
SAN ANTONIO, TEXAS 78216
210-298-1600

STATE OF TEXAS §
COUNTY OF TRAVIS §

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

BY: _____
JOHN D. BARNARD
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 5749 - STATE OF TEXAS
BOWMAN CONSULTING GROUP, LTD.
1120 CAPITAL OF TEXAS HWY, BUILDING 3, SUITE 220
AUSTIN, TEXAS 78746
512-327-1180



SITE MAP
SCALE: 1" = 500'

FILE: H:\Survey\Plum_Crk_Ph1\Section-11\Sec-11E\11E-2\Plot\			
Plum-11E-2 FINAL PLAT.dwg			
DATE: 11-14-16	DRAWN BY: EN	CREW: MK, CAF	
SCALE: 1"=100'	CHECKED BY: J.D.B.	FB #:	
JOB #: 005549	DRAWING: FINAL	PLAN #: 1180	
NO.	REVISION	BY	DATE

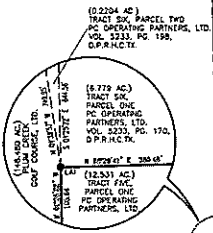


Bowman Consulting Group, Ltd.
1120 S. Capital of Texas Hwy, Building 3, Suite 220, Austin, Texas 78746
Phone: (512) 327-1180 Fax: (512) 327-4000
www.bowmanconsulting.com D. Bowman Consulting Group, Ltd.
TBPE Firm No. F-14300 | TBPLS Firm No. 101206-00

PLUM CREEK PHASE I, SECTION 11E-2 FINAL PLAT FOR REVIEW ONLY

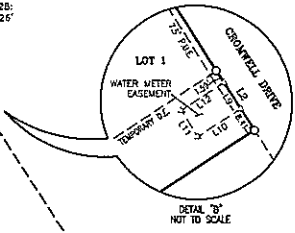
(22.83 ACRES) EXHIBIT B
CITY OF KYLE, TEXAS
DEDICATION OF PUBLIC
RIGHTS CORRECTED IN
V.1187/187, O.P.R.H.C.T.X.
V.1190/187, O.P.R.H.C.T.X.

(22.83 ACRES)
CITY OF KYLE, TEXAS
(F.M. 1519)
(R.O.W. WARD)
KYLE PARKWAY



- LEGEND**
- IRON ROD FOUND (SIZE NOTED)
 - MS IRON ROD CAP STAMPED "MCANGUS SURVEYING" FOUND (SIZE NOTED)
 - RLS 1/2" IRON ROD W/ PLASTIC CAP STAMPED "RANGER LAND SURVEYING" FOUND
 - LAI 1/2" IRON ROD W/ PLASTIC CAP STAMPED "LAI" PREVIOUSLY SET
 - 1/2" IRON ROD W/ PLASTIC CAP STAMPED "BCG" SET
 - △ CALCULATED POINT
 - BENCHMARK
 - () RECORD INFORMATION
- P.R.H.C.T.X. OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS
O.P.R.H.C.T.X. OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS
P.U.E. PUBLIC UTILITY EASEMENT
D.E. DRAINAGE EASEMENT

- NOTES:**
1. BEARING BASIS IS TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD83, GRID.
 2. DISTANCES SHOWN HEREON ARE BASED ON SURFACE MEASUREMENTS, TO CONVERT SURFACE DISTANCES TO GRID, MULTIPLY BY THE COMBINED SCALE FACTOR.
 3. THE COMBINED SCALE FACTOR FOR THIS PROJECT IS 0.999597.



(185,171 AC.)
TRACT ONE; TRACT TWO
(148,480 AC.)
SPECIAL WARRANTY DEED
PLUM CREEK GOLF COURSE, LTD.
VOL. 5233, PG. 267,
O.P.R.H.C.T.X.

(6,779 AC.)
TRACT SIX, PARCEL ONE
SPECIAL WARRANTY DEED WITH VENDOR'S LIEN
PC OPERATING PARTNERS, LTD.
VOL. 5233, PG. 170,
O.P.R.H.C.T.X.

SHARED ACCESS EASEMENT
BETWEEN PLUM CREEK, PHASE I,
SEC. 11E AND PLUM CREEK
PHASE I, SEC. 11E-2, STATE OF
TEXAS, COUNTY OF HAYS,
INSTRUMENT NO. 17003302,
O.P.R.H.C.T.X.

(12,531 AC.)
TRACT FIVE, PARCEL ONE
SPECIAL WARRANTY DEED WITH VENDOR'S LIEN
PC OPERATING PARTNERS, LTD.
VOL. 5233, PG. 170,
O.P.R.H.C.T.X.

PARCEL "M" (0.144 AC.) PORTION OF
TRACT TWO (148,480 AC.)
SPECIAL WARRANTY DEED
PLUM CREEK GOLF COURSE, LTD.
VOL. 5233, PG. 267,
O.P.R.H.C.T.X.

(0.144 AC.)
TRACT 2-B
MOUNTAIN CITY GOLF COURSE, LTD.
VOL. 2126/P.530,
O.P.R.H.C.T.X.

(185,171 AC.)
TRACT ONE; TRACT TWO
(148,480 AC.)
SPECIAL WARRANTY DEED
PLUM CREEK GOLF COURSE, LTD.
VOL. 5233, PG. 267,
O.P.R.H.C.T.X.

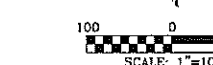
(0.256 AC.)
TRACT FIVE, PARCEL TWO
PC OPERATING PARTNERS, LTD.
VOL. 5233, PG. 198
O.P.R.H.C.T.X.

(0.256 AC.)
TRACT FIVE, PARCEL THREE
PC OPERATING PARTNERS, LTD.
VOL. 5233, PG. 198
O.P.R.H.C.T.X.

WATER METER EASEMENT
HEREBY DEDICATED
(SEE DETAIL "B")

TEMPORARY DRAINAGE EASEMENT
INSTRUMENT NO. 2011-1201000,
O.P.R.H.C.T.X.
(N 87°09'29" E 447.11'
(N 87°09'29" E 447.28'
(S 57°09'29" E 475.00'
(N 57°09'29" E 475.00'
(N 57°09'29" E 475.00'

PLUM CREEK
PHASE I
SECTION 11E-1
CABINET 16/PG(S) 269-270
P.R.H.C.T.X.



FEBRUARY, 2017
HAYS COUNTY, TEXAS

SHEET 2 OF 3

FILE: H:\Survey\Plum_Crk_Ph1\Section-11_Sec-11E\11E-2\Plat\			
Plum-11E-2 FINAL PLAT.dwg			
DATE: 11-14-16	CHECKED BY: EN	CREW: MK, CAF	
SCALE: 1"=100'	DRAWING: FINAL	PLAN #: 118D	
JOB #: 005549			
NO.	REVISION	BY	DATE

**Bowman
CONSULTING**

Bowman Consulting Group, Ltd.
1125 S. Central of Texas Hwy, Building 3, Suite 220, Austin, Texas 78746
Phone (512) 327-1180 Fax (512) 327-4082
www.bowmanconsulting.com © Bowman Consulting Group, Ltd
TBPE Firm No. F-14309 | TBPLS Firm No. 101206-00

**FINAL PLAT
PLUM CREEK
PHASE I - SECTION 11E-2
HAYS COUNTY, TEXAS**

PLAN #: 1180

**PLUM CREEK
PHASE I, SECTION 11E-2 FINAL PLAT
FOR REVIEW ONLY**

LINE TABLE		
LINE #	BEARING	DISTANCE
L1	S 57°09'29" W	27.89'
(L1)	(S 57°09'29" W)	(27.89')
L2	S 32°50'31" E	25.00'
(L2)	(S 32°50'31" E)	(25.00')
L3	N 26°23'18" W	25.16'
(L3)	(N 26°24'53" W)	(25.16')
L4	N 34°20'31" W	43.07'
(L4)	(N 33°45'19" W)	(43.12')
L5	N 87°00'20" E	80.00'
L6	N 57°09'29" E	80.00'
L7	N 01°30'19" W	50.00'
L8	N 88°29'41" E	50.41'
L9	S 32°50'31" E	15.00'
L10	S 57°09'09" W	23.00'
L11	N 32°50'44" W	15.00'
L12	N 57°09'09" E	23.00'

CURVE TABLE				
CURVE #	RADIUS	ARC DISTANCE	CHORD BEARING	CHORD DISTANCE
C1	75.00'	34.07'	S 39°26'15" E	33.78'
C2	25.00'	21.58'	S 27°43'25" E	20.92'
(C2)	(25.00')	(21.58')	(N 27°43'25" W)	(20.92')
C3	860.00'	448.01'	S 17°55'06" E	442.96'
(C3)	(860.00')	(448.01')	(N 17°55'06" W)	(442.96')
C4	75.00'	104.80'	N 13°36'30" E	96.48'
(C4)	(75.00')	(104.80')	(S 13°36'30" W)	(96.48')
C5	75.00'	42.41'	S 10°13'19" E	41.85'
C6	75.00'	53.59'	N 33°10'06" E	52.46'

NOTES:

- TOTAL ACREAGE: 13.736 ACRES.
- THE TOTAL AREA OF PUBLIC STREET RIGHT-OF-WAY TO BE DEDICATED IN THIS SUBDIVISION IS 0.000 ACRES.
- TOTAL NUMBER OF LOTS: 1
- PLAT COMPLETELY CONFORMS WITH PLUM CREEK P.U.D. MASTER PLAN & CITY OF KYLE ORDINANCE 308 AND 311 AS AMENDED.
- SIDEWALKS ALONG PUBLIC RIGHT-OF-WAY ADJACENT TO LOT 1, BLOCK A SHALL BE INSTALLED BY THE OWNER OF LOT 1, BLOCK A AT THE TIME OF SITE DEVELOPMENT AND PRIOR TO SUCH OWNER'S OCCUPANCY OF LOT 1, BLOCK A.
- NO OBJECT INCLUDING BUILDING, ACCESSORY BUILDING, FENCING OR LANDSCAPING WHICH WOULD INTERFERE WITH CONVEYANCE OF STORM WATER SHALL BE PLACED OR ERECTED WITHIN DRAINAGE EASEMENTS.
- ALL UTILITIES WITHIN THIS SUBDIVISION SHALL BE UNDERGROUND.
- ALL OPEN SPACES, DRAINAGE EASEMENTS AND LANDSCAPE EASEMENT AREAS DEPICTED HEREON SHALL BE MAINTAINED, KEPT NEATLY CUT, FREE FROM DEBRIS AND, WITH RESPECT TO DRAINAGE EASEMENTS, FREE FROM TREE/BRUSH RE-GROWTH BY THE COMMERCIAL PROPERTY OWNER'S ASSOCIATION (THE "POA") OR ITS SUCCESSORS OR ASSIGNS.
- THE OWNER OF LOT 1, BLOCK A IS REQUIRED TO SUBMIT THE SITE DEVELOPMENT PLAN FOR LOT 1, BLOCK A TO THE CITY OF KYLE, PCDP, AND, IF NOT THE SAME PARTIES AS ARE IN PCDP, THEN THE ARCHITECTURAL REVIEW COMMITTEE FOR THE POA, FOR THEIR RESPECTIVE REVIEWS AND APPROVALS PRIOR TO COMMENCING ANY CONSTRUCTION ACTIVITY ON OR AROUND LOT 1, BLOCK A, INCLUDING, WITHOUT LIMITATION, THE INSTALLATION OF THE SIDEWALKS AND ANY OTHER IMPROVEMENTS REQUIRED HEREIN.
- PRIOR TO CONSTRUCTION OF ANY IMPROVEMENTS ON LOT 1, BLOCK A IN THIS SUBDIVISION, SITE DEVELOPMENT AND/OR BUILDING PERMITS WILL BE OBTAINED FROM THE CITY OF KYLE.
- THE SHARED ACCESS EASEMENT TO THE NORTH WAS RECORDED AT LAND CLOSING PER INSTRUMENT NO. 17003380, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS.
- THE TEMPORARY DRAINAGE EASEMENT SHOWN HEREON WILL TERMINATE UPON COMPLETION OF DRAINAGE IMPROVEMENTS PER INSTRUMENT NO. 2012-12011969, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS.

BENCHMARK LIST: - DATUM - NAVD88

BENCHMARK 080410-04:
SQUARE SET ON WEST END OF MEDIAN CURB IN THE DORMAN LAKE
RIGHT-OF-WAY,
ELEVATION=744.14'

BENCHMARK 5549_60028:
SQUARE SET ON SOUTH END OF MEDIAN CURB IN THE CROWMELL DRIVE
RIGHT-OF-WAY,
ELEVATION=731.26'

FLOOD NOTE:

A PORTION OF THE SUBJECT TRACT IS SHOWN TO BE IN FLOOD ZONE X, OTHER FLOOD AREAS, AREAS OF 0.2% ANNUAL CHANCE FLOOD, AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE, AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD, AND IN ZONE X, OTHER AREAS, AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, AS IDENTIFIED BY THE FLOOD INSURANCE RATE MAP PANEL NO. 48209C0270F, DATED SEPTEMBER 02, 2005.

THE ABOVE STATEMENT IS MEANT FOR FLOOD INSURANCE DETERMINATION ONLY AND THIS SURVEYOR ASSUMES NO LIABILITY FOR THE CORRECTNESS OF THE CITED MAP(S).

SHEET 3 OF 3

FILE: H:\Survey\Plum_Crk_PhI\Section-11_Sec-11E\11E-2\Plat\Plum-11E-2_FINAL_PLAT.dwg			
DATE: 11-14-16	DRAWN BY: EH	CREW: MK, CAF	
SCALE: 1"=100'	CHECKED BY: J.O.B.	FB #:	
JOB #: 005549	DRAWING: FINAL	PLAN #: 1180	
NO.	REVISION	BY	DATE

**Bowman
CONSULTING**

Bowman Consulting Group, Ltd.
1100 S. Capital of Texas Hwy, Building 3, Suite 220, Austin, Texas 78746
Phone (817) 327-1180 Fax (817) 327-4862
www.bowmanconsulting.com © Bowman Consulting Group, Ltd.
TBPE Firm No. F-14309 | TBPLS Firm No. 101206-00

**FINAL PLAT
PLUM CREEK
PHASE I - SECTION 11E-2
HAYS COUNTY, TEXAS**

4. CONSENT AGENDA – ITEM B

Amending Plat of the Replat of Lot 1B, Block A of the SCC Bunton Creek Subdivision,
Replat of Lot 6A, Block A (FP-17-003)

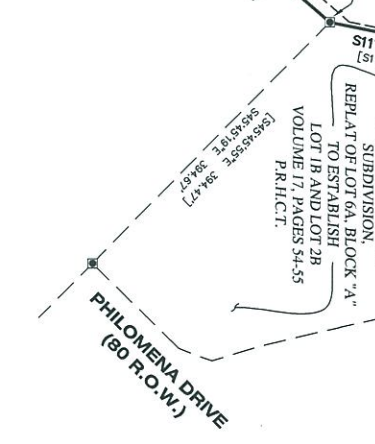
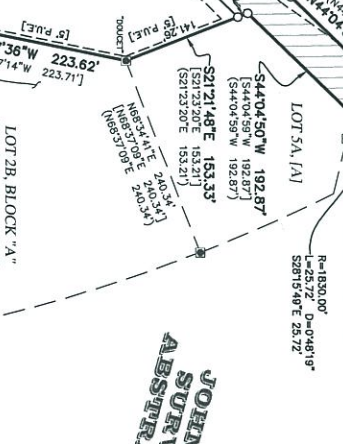
VICINITY MAP

SCALE: 1" = 200'



LEGEND

---	PROPERTY LINE
---	EXISTING PROPERTY LINES
---	EXISTING EASEMENTS
---	IRON ROD WITH "NORTH" CAP
○	"N" IRON ROD WITH "NORTH" CAP
○	5/8" IRON ROD FOUND
○	5/8" IRON ROD FOUND
○	5/8" IRON ROD FOUND
○	ALUMINUM CAP FOUND
○	RIGHT-OF-WAY
○	PUBLIC UTILITY EASEMENT
○	VOLUME PAGE
○	GRID REFERENCE
○	PLAT RECORD, TEXAS
○	RECORD NUMBER PER
○	PLAT VOL. 18 PGS. 346-350
○	RECORD INFORMATION PER
○	PLAT VOL. 17 PG. 54-55



CURVE TABLE

CURVE #	LENGTH	RADIUS	DELTA	BEARING	DISTANCE
C1	23.56'	15.00'	90°00'00"	S00°55'10"E	21.21'
C2	23.56'	15.00'	90°00'00"	S89°04'50"W	21.21'

OWNER(S)
 JOE KAPLAN, REPRESENTATIVE
 ZIMMERMAN, FRENZ, SHUTE &
 FORTSON, TEXAS 77046
 P.O. BOX 9528
 BEVER DAM, W. 53916

ADJACENT OWNERS
 AGARAGE 74144
 NO. OF LOTS: 2
 DATE: JANUARY, 2017
 SURVEYOR: JASON WARD, ARMED LAND SURVEYING
 EXAMINER: CARRIE BRADSHAW, STATE SURVEYS

AMENDING PLAT OF THE REPLAT OF LOT 1B, BLOCK "A" OF THE SCC BUNTON CREEK SUBDIVISION, REPLAT OF LOT 6A, BLOCK "A" CITY OF KYLE, HAYS COUNTY, TEXAS

DATE: 2/7/2017
PROJECT: 00254
SCALE: 1" = 100'
REVISIONS: 1-5W
DRAWN BY: JSW
CHECKED BY: JLB
DATE: 02/07/17
WWW.AWARDLS.COM (512) 337-2384
TPRS'S FIRM #10174300

STATE PLANE GRID CONTROL:
 THIS SURVEY IS BASED ON A 1/2" IRON ROD WITH "N" AND "S" CAP SET. GRID COORDINATES AND ELEVATIONS SHOWN HEREON WERE DERIVED FROM THE SAN MARCOS MONUMENT #18, HAVING A PUBLISHED GRID COORDINATE X VALUE OF ELEVATION OF 13,968,645.71, E 2,297,882.93, ELEV. 708.93'.

BEARING BASE:
 ALL BEARINGS WERE OBTAINED FROM THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE (S420), NAD83. ALL DISTANCES WERE ADJUSTED TO SURFACE USING A CORRECTION SCALE FACTOR OF 1.0001004356939.

REMARKS:
 ALL DISTANCES WERE ADJUSTED TO SURFACE USING A CORRECTION SCALE FACTOR OF 1.0001004356939.

LOT TABLE SUMMARY:
 ROW EDUCATION- 0.9855 ACRE (42.831 SQ. FT.)
 LOT 1 - 3.8818 ACRES (172,654 SQ. FT.)
 LOT 2 - 3.8818 ACRES (172,654 SQ. FT.)
 TOTAL - 7.6636 ACRES (337,644 SQ. FT.)

REMARKS:
 THE SURVEYOR HAS REVIEWED THE RECORDS OF THE SAN MARCOS MONUMENT #18, HAVING A PUBLISHED GRID COORDINATE X VALUE OF ELEVATION OF 13,968,645.71, E 2,297,882.93, ELEV. 708.93'.

APPROXIMATE LOCATION OF VOLUME ACCESS POINT (NO METES AND BOUNDS (ROSS HUNTER ROAD))

APPROXIMATE LOCATION OF VOLUME ACCESS POINT (NO METES AND BOUNDS (ROSS HUNTER ROAD))

APPROXIMATE LOCATION OF VOLUME ACCESS POINT (NO METES AND BOUNDS (ROSS HUNTER ROAD))

STATE PLANE GRID CONTROL:
 THIS SURVEY IS BASED ON A 1/2" IRON ROD WITH "N" AND "S" CAP SET. GRID COORDINATES AND ELEVATIONS SHOWN HEREON WERE DERIVED FROM THE SAN MARCOS MONUMENT #18, HAVING A PUBLISHED GRID COORDINATE X VALUE OF ELEVATION OF 13,968,645.71, E 2,297,882.93, ELEV. 708.93'.

CALLLED 47.52 ACRES ALTON FRANK TRUSTEE VOL. 241, PGS. 813-814 D.R.H.C.T. (DESCRIBED IN VOL. 194, PGS. 423-426 D.R.H.C.T.)

JOHN M. GREEN SURVEY NO. 21 ABSTRACT NO. 200

STATE OF TEXAS §

KNOW ALL MEN BY THESE PRESENTS, THAT I, BEN WERNER, REPRESENTATIVE OF FREE-K&P PARTNERS, LP, OWNER OF LOT 1 OF...

AMENDING PLAT OF THE REPEAT OF LOT 1B OF THE

SOC BUNTON CREEK SUBDIVISION, REPLAT OF LOT 6A, BLOCK "A"

BEN WERNER, REPRESENTATIVE OF FREE-K&P PARTNERS, LP, OWNER OF LOT 1 OF...

STATE OF TEXAS §

KNOW ALL MEN BY THESE PRESENTS, THAT I, BEN WERNER, REPRESENTATIVE OF FREE-K&P PARTNERS, LP, OWNER OF LOT 1 OF...

NOTARY PUBLIC, STATE OF TEXAS

STATE OF TEXAS §

NOTARY PUBLIC, STATE OF TEXAS

PLANNING AND ZONING COMMISSION CERTIFICATION...

GRASSBERG

STATE OF TEXAS §

CITY SECRETARY

REMOVED BY:

DIRECTOR OF PUBLIC WORKS

REMOVED BY:

CITY ENGINEER

STATE OF TEXAS §

CLERK OF HAYS COUNTY

GENERAL NOTES:

- 1) ALL LOTS CONTAINED IN THIS SUBDIVISION AND USERS THEREOF SHALL HAVE RECREATIONAL ACCESS FOR...
2) WATER AND WASTEWATER SERVICE, INCLUDING METERS SERVING THIS SUBDIVISION SHALL BE DESIGNED...

SURVEYOR'S CERTIFICATION:

I, JASON WARD, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY...

LEGAL DESCRIPTION:

BEING A SUBDIVISION OF A TRACT OF LAND, MORE OR LESS (314.64 SQUARE FEET)...

REPLAT OF LOT 1B, BLOCK "A"

REPLAT OF LOT 6A, BLOCK "A"

City of Kyle,

Hays County, Texas



AWARD Land Surveying
A Limited Liability Company
PO Box 90976, Austin, Texas 78709
WWW.AWARDLANDSURVEYING.COM (512) 537-2584

Table with 2 columns: Date (2/17/2017) and Project (02254). Includes fields for Scale (1" = 100'), Reviewer (JSW), and other project details.

4. CONSENT AGENDA – ITEM C

Plum Creek Phase 1, Section 6B-3 – Final Plat (FP-17-001)

PLUM CREEK PHASE I, SECTION 6B-3

STATE OF TEXAS §
COUNTY OF TRAVIS §

KNOW ALL MEN BY THESE PRESENTS, THAT WE, PC OPERATING PARTNERS, LTD., A LIMITED PARTNERSHIP ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF TEXAS, WITH ITS HOME ADDRESS AT 610 WEST 5TH STREET, SUITE 601, AUSTIN, TEXAS 78701, BEING THE OWNER OF THAT CERTAIN 2,848 ACRE TRACT OF LAND IN THE HENRY LOLLAR SURVEY NO. 19, A-290, HAYS COUNTY, TEXAS; BEING A PORTION OF A CERTAIN CALLED 14,575 ACRE TRACT OF LAND DESIGNATED AS TRACT NINE, AND DESCRIBED IN THE DEED TO PC OPERATING PARTNERS, LTD. OF RECORD IN VOLUME 5233, PAGE 198, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS;

DO HEREBY SUBDIVIDE SAID 2,848 ACRES AS SHOWN ON THIS PLAT, AND DESIGNATED HEREIN AS THE PLUM CREEK PHASE I, SECTION 6B-3 SUBDIVISION TO THE CITY OF KYLE, TEXAS, AND WHOSE NAME IS SUBSCRIBED HERETO, HEREBY DEDICATE TO THE USE OF THE PUBLIC FOREVER PUBLIC RIGHT OF WAY AND DRAINS, EASEMENTS (EXCLUDING LANDSCAPE AREA WITHIN EASEMENTS), PARKS AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED.

WHEREOF THE SAID PC OPERATING PARTNERS, LTD. OWNER, HAS CAUSED THESE PRESENTS TO BE EXECUTED BY ITS GENERAL PARTNER, PCOP GP, LLC, THEREUNTO DULY AUTHORIZED, GENERAL PARTNER HAS CAUSED THESE PRESENTS TO BE EXECUTED BY ITS MEMBER/MANAGER, BENCHMARK LAND & EXPLORATION, INC.

PC OPERATING PARTNERS, LTD.,
A TEXAS LIMITED PARTNERSHIP

BY: PCOP GP, LLC, GENERAL PARTNER
A TEXAS LIMITED LIABILITY COMPANY

BY: BENCHMARK LAND & EXPLORATION, INC., A MEMBER/MANAGER
A TEXAS CORPORATION

BY: MYRA J. GOEPP, VICE PRESIDENT

STATE OF TEXAS §
COUNTY OF TRAVIS §

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED, MYRA J. GOEPP, VICE PRESIDENT OF BENCHMARK LAND & EXPLORATION, INC., KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT SHE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN STATED.

BY: _____ NOTARY PUBLIC

STATE OF TEXAS §
COUNTY OF HAYS §

KNOW ALL MEN BY THESE PRESENTS:

THAT LIZ O. CONZALEZ, CLERK OF HAYS COUNTY COURT DOES HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT OF WRITING AND THE CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORDS IN 171

OFFICE ON THE _____ DAY OF _____, 20____, A.D., IN THE PLAT RECORDS OF SAID COUNTY AND STATE IN DOCUMENT NO. _____ WITNESS MY HAND AND SEAL OF OFFICE OF COUNTY CLERK OF SAID COUNTY ON THIS THE _____ DAY OF _____, 20____, A.D. FILED FOR RECORD AT _____ O'CLOCK _____ M. THIS THE _____ DAY OF _____, 20____, A.D.

BY: LIZ O. CONZALEZ
COUNTY CLERK
HAYS COUNTY, TEXAS

I, THE UNDERSIGNED CHAIRPERSON OF THE PLANNING COMMISSION OF THE CITY OF KYLE HEREBY CERTIFY THAT THIS SUBDIVISION PLAT CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION REGULATIONS OF THE CITY AS TO WHICH THE COMMISSION'S APPROVAL IS REQUIRED.

BY: _____
CHAIRPERSON

THIS PLAT (PLUM CREEK PHASE I, SECTION 6B-3) HAS BEEN SUBMITTED TO AND CONSIDERED BY THE PLANNING COMMISSION OF THE CITY OF KYLE, TEXAS AND IS HEREBY APPROVED BY THE COMMISSION.

DATED THIS _____ DAY OF _____, 20____.

BY: _____
ATTEST:

SECRETARY

THIS PLAT (PLUM CREEK PHASE I, SECTION 6B-3) HAS BEEN SUBMITTED TO AND CONSIDERED BY THE CITY COUNCIL OF THE CITY OF KYLE, TEXAS AND IS HEREBY APPROVED BY THE COUNCIL.

DATED THIS _____ DAY OF _____, 20____.

BY: _____
ATTEST:

SECRETARY

STATE OF TEXAS §
COUNTY OF TRAVIS §

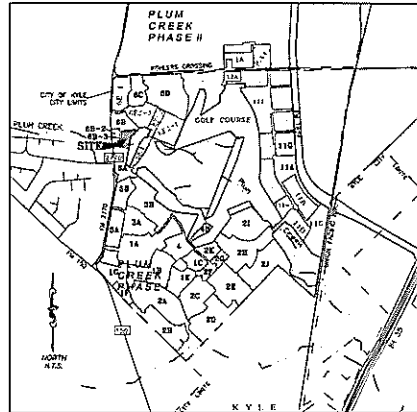
I THE UNDERSIGNED, A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THE PLAT AND ALL PLANS AND SPECIFICATIONS WHICH ARE INCLUDED WITH THE PLAT ARE, TO THE BEST OF MY PROFESSIONAL CAPACITY, COMPLETE AND ACCURATE AND IN COMPLIANCE WITH ALL RELEVANT CITY ORDINANCES, CODES, PLANS, AND RELEVANT STATE STANDARDS.

BY: LAWRENCE M. HANRAHAN, P.E.
REGISTERED PROFESSIONAL ENGINEER
NO. 58474 - STATE OF TEXAS
TBPE FIRM NO. F-15581
CIVILE LLC
9200 N. MOFAC, EXPY., SUITE 250
AUSTIN, TEXAS 78750
512-402-6978

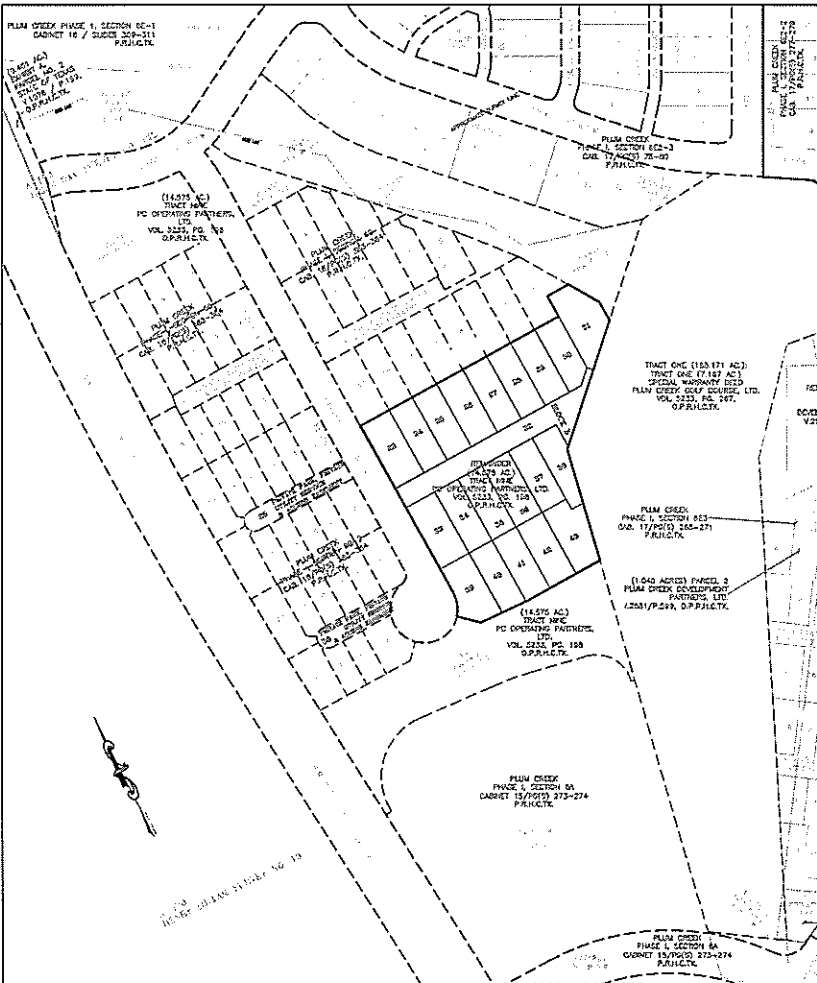
STATE OF TEXAS §
COUNTY OF TRAVIS §

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

BY: JOHN D. BARNARD
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 57419 - STATE OF TEXAS
BOWMAN CONSULTING GROUP, LTD.
1120 CAPITAL OF TEXAS HWY, BUILDING 3, SUITE 220
AUSTIN, TEXAS 78746
512-327-1180



LOCATION MAP
NOT TO SCALE



SITE MAP
NOT TO SCALE

FLOOD NOTE:
A PORTION OF THIS SUBDIVISION (PLUM CREEK PHASE I, SECTION 6B-3) IS CONTAINED IN THE 100 YEAR FLOOD ZONE, PER FLOOD INSURANCE RATE MAP FOR HAYS COUNTY TEXAS (UNINCORPORATED AREA) COMMUNITY-PANEL NUMBER 48209C 0270 F, EFFECTIVE DATE: SEPTEMBER 2, 2005, AS MODIFIED BY APPROVED CLOVR CASE NO. 07-06-0990F, DATED MARCH 25, 2008.

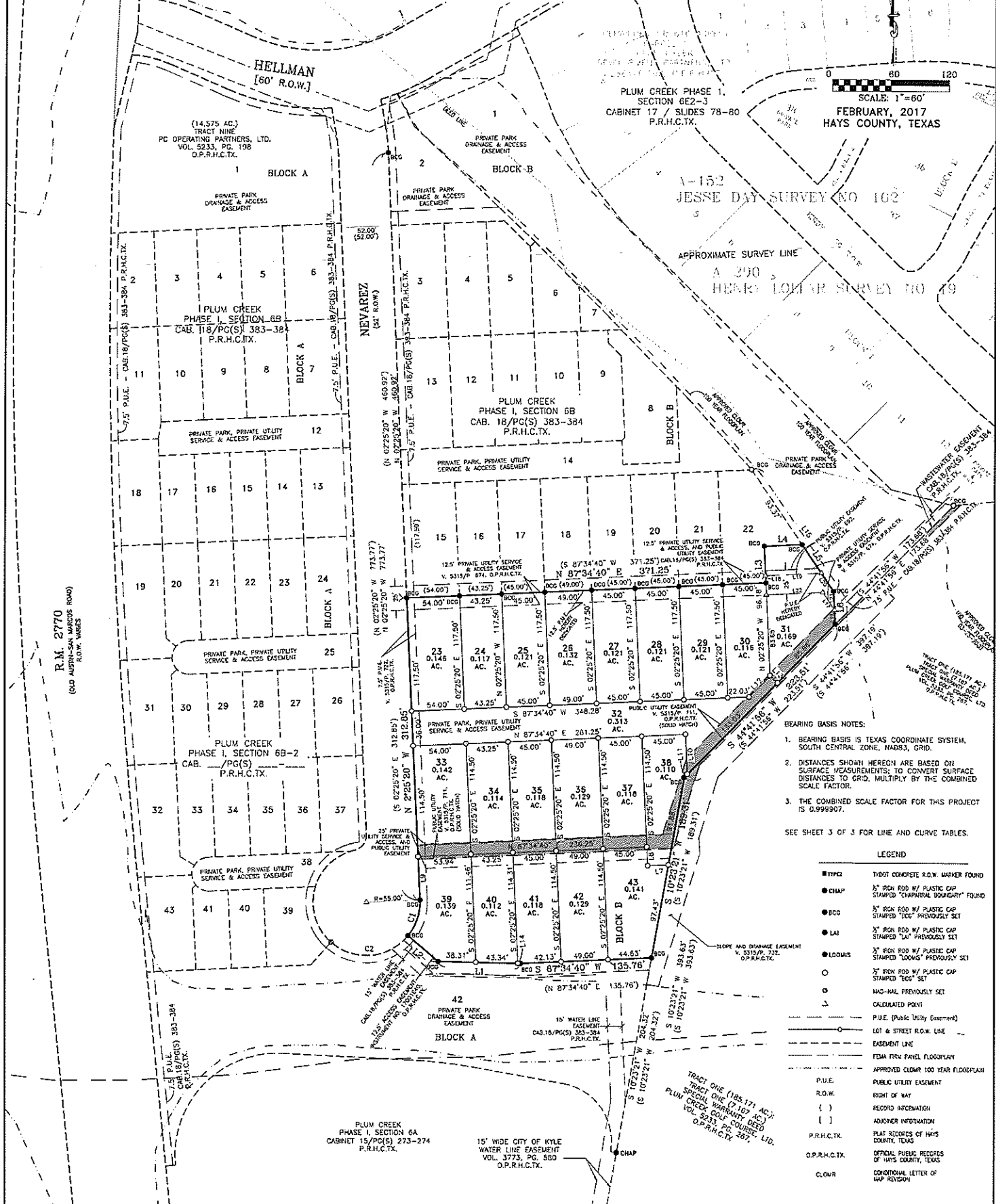
FILE: H:\SURVEY\PLUM_CRK_PH1\SECTION-6B\SEC-6B\PLATS\6B\	
PLUM-6B-3 FINAL PLAT.DWG	
DATE: 08-03-18	DRAWN BY: A.T. E.N.
SCALE: H.T.S.	CHECKED BY: J.D.B.
JOB #: 5549	DRAWING #: PLUM-6B-3-PLAT
PCOP, LTD. REVIEW & APPROVAL	DATE _____ INITIAL _____
BIGELOW HOMES REVIEW & APPROVAL	DATE _____ INITIAL _____



Bowman Consulting Group, Ltd.
1120 Capital of Texas Hwy, Building 3, Suite 220, Austin, Texas 78746
Phone: (512) 327-1160 Fax: (512) 327-4062
www.bowmanconsulting.com Bowman Consulting Group, Ltd.
TBPE Firm No. F-14309 | TBPLS Firm No. 101206-00

SHEET 1 OF 3
FINAL PLAT
PLUM CREEK
PHASE I - SECTION 6B-3
HAYS COUNTY, TEXAS

PLUM CREEK PHASE I, SECTION 6B-3



SCALE: 1"=60'
 FEBRUARY, 2017
 HAYS COUNTY, TEXAS

BEARING BASIS NOTES:

1. BEARING BASIS IS TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD83, GRID.
2. DISTANCES SHOWN HEREIN ARE BASED ON SURFACE MEASUREMENTS TO CONVERT SURFACE DISTANCES TO GRID, MULTIPLY BY THE COMBINED SCALE FACTOR.
3. THE COMBINED SCALE FACTOR FOR THIS PROJECT IS 0.999907.

SEE SHEET 3 OF 3 FOR LINE AND CURVE TABLES.

LEGEND

■ TYPE	TEST CONCRETE R.O.W. MARKER FOUND
● CHAP	3" IRON ROD W/ PLASTIC CAP STAMPED "CHAPARRAL BOUNDARY" FOUND
● BCC	3" IRON ROD W/ PLASTIC CAP STAMPED "BCC" PREVIOUSLY SET
● LAI	3" IRON ROD W/ PLASTIC CAP STAMPED "LAI" PREVIOUSLY SET
● LODUS	3" IRON ROD W/ PLASTIC CAP STAMPED "LODUS" PREVIOUSLY SET
○	3" IRON ROD W/ PLASTIC CAP STAMPED "BCC" SET
○	MAG-NAL PREVIOUSLY SET
○	CALCULATED POINT
---	P.U.E. (Public Utility Easement)
---	LOT & STREET R.O.W. LINE
---	EASEMENT LINE
---	FEMA FIRM PANEL FLOODPLAIN
---	APPROVED CLEAR 100 YEAR FLOODPLAIN
---	PUBLIC UTILITY EASEMENT
---	RIGHT OF WAY
()	RECORD INFORMATION
[]	ADDITIONAL INFORMATION
P.R.H.C.T.X.	PLAT RECORDS OF HAYS COUNTY, TEXAS
O.P.R.H.C.T.X.	OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS
C.O.W.R.	CONDITIONAL LETTER OF MAP REVISION

FILE: H:\SURVEY\PLUM_CRK_PH1\SECTION-6A_SEC-6B\PLATS\6B\PLUM-6B-3_FINAL_PLAT.DWG
 DATE: 08-05-16 DRAWN BY: G.T. F.H. CREW: CAF, MK
 SCALE: 1"=60' CHECKED BY: J.D.B. PR #: _____
 JOB #: 5549 DRAWING #: PLUM-6B-3-PLAT PLAN #: 1170

PCDP, LTD. REVIEW & APPROVAL DATE: _____ INITIAL: _____
 BIGELOW HOMES REVIEW & APPROVAL DATE: _____ INITIAL: _____
 PLOT DATE: Feb 06, 2017 - 12:41pm



Bowman Consulting Group, Ltd.
 1120 Capital of Texas Hwy, Building 2, Suite 220, Austin, Texas 78746
 Phone: (512) 327-1180 Fax: (512) 327-4062
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 TBPE Firm No. F-14309 | TBPLS Firm No. 101206-00

SHEET 2 OF 3
FINAL PLAT
PLUM CREEK
PHASE I - SECTION 6B-3
HAYS COUNTY, TEXAS

PLAN NO. 1170

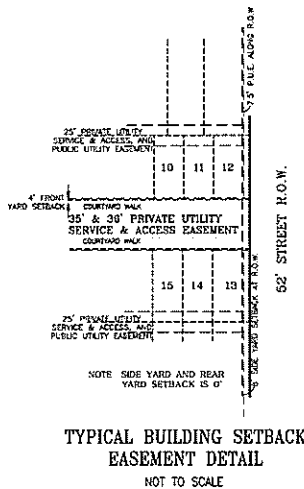
PLUM CREEK PHASE I, SECTION 6B-3

LINE TABLE		
LINE #	BEARING	DISTANCE
L1	N 88°38'43" W	84.53'
(L1)	(S 88°38'43" E)	(84.53')
L2	N 49°00'45" W	40.50'
(L2)	(S 49°00'45" E)	(40.50')
L3	N 02°25'20" W	38.00'
(L3)	(S 02°25'20" E)	(38.00')
L4	N 87°34'40" E	39.38'
(L4)	(S 87°34'40" W)	(39.38')
L5	S 34°03'04" E	58.49'
(L5)	(S 34°03'04" E)	(58.49')
L6	S 03°00'31" E	34.02'
(L6)	(N 03°00'31" W)	(34.02')
L7	S 87°34'40" W	21.24'
L8	S 02°25'20" E	19.50'
L9	N 02°25'20" W	44.85'
L10	S 02°25'20" E	41.26'
L11	S 44°41'56" W	4.62'
L12	S 44°41'56" W	31.34'
L13	N 45°18'04" W	11.00'
L14	N 88°38'43" W	2.88'
L15	N 33°03'04" W	161.86'
(L15)	(S 88°38'43" E)	(161.86')
L16	S 03°01'08" E	14.52'
L17	S 33°51'40" E	22.03'
L18	S 02°25'20" E	7.50'
L19	S 87°34'40" W	58.16'
L20	S 34°03'04" E	22.67'
L21	N 03°00'04" W	19.50'
L22	S 87°34'40" W	58.78'

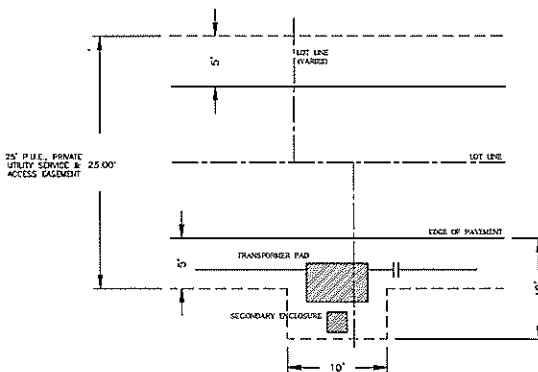
CURVE TABLE				
CURVE #	RADIUS	ARC DISTANCE	CHORD BEARING	CHORD DISTANCE
C1	55.00'	39.58'	N 18°13'17" E	38.73'
(C1)	(55.00')	(39.58')	(S 18°13'17" W)	(38.73')
C2	55.00'	89.00'	S 85°11'44" W	79.60'
(C2)	(55.00')	(89.00')	(S 85°11'44" W)	(79.60')

NOTES:

- TOTAL ACREAGE: 2.848 ACRES.
- TOTAL NUMBER OF LOTS: 21
RESIDENTIAL: 20
EASEMENT & PARK: 1
- PLAT COMPLETELY CONFORMS WITH PLUM CREEK P.U.D. ORDINANCE 311, PLUM CREEK SUBDIVISION ORDINANCE 308, & ORDINANCE 690.
- ALL UTILITIES WITHIN THE SUBDIVISION WILL BE UNDERGROUND.
- ALL PRIVATE STREETS, ALLEYS, PEDESTRIAN RIGHT-OF-WAYS, PARK/DRAINAGE EASEMENT LOTS, ACCESS EASEMENTS, AND ALL LANDSCAPE EASEMENT AREAS SHOWN ON THIS PLAT SHALL BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION (HOA) OR ASSIGNS. IT SHALL BE THE HOA'S RESPONSIBILITY FOR KEEPING SAID RIGHT-OF-WAYS, LOTS AND LANDSCAPE EASEMENT AREAS NEATLY CUT, FREE OF DEBRIS AND FREE OF ALL NUISANCE TREE/BRUSH RE-GROWTH.
- PUBLIC UTILITY EASEMENTS ARE HEREBY DEDICATED AS SHOWN HEREON.
- A 7.5 FOOT PUBLIC UTILITY EASEMENT ADJACENT TO AND PARALLEL WITH ALL PUBLIC STREETS IS HEREBY DEDICATED.
- ACCESS TO ALL PRIVATE RIGHT-OF-WAYS HEREON IS GRANTED TO CITY OF KYLE FOR THE PURPOSE OF ACCESSING AND MAINTAINING CITY OWNED FACILITIES CONTAINED THEREIN.
- THE LOT UTILITY SERVICE EASEMENTS SHOWN HEREON ARE HEREBY DEDICATED TO THE OWNERS OF THE ADJOINING RESIDENTIAL LOTS WHOSE WATER AND/OR SEWER SERVICE LINES ARE IN SAID EASEMENTS.
- PRIVATE UTILITY SERVICE LINES MAY CROSS ADJOINING LOTS WITHIN THE PUBLIC UTILITY EASEMENTS SHOWN HEREON.
- ALL FINISHED FLOOR ELEVATIONS SHALL BE A MINIMUM OF SIX (6) INCHES ABOVE THE ADJACENT GRADE.
- HOME BUILDER IS RESPONSIBLE FOR INSTALLING SIDEWALK IN COURTYARD AND ALONG FRONTAGE OF ALL PRIVATE OR PUBLIC STREETS. DEVELOPER IS RESPONSIBLE FOR SIDEWALK ALONG PARK STREET FRONTAGE (LOT 32, BLOCK B).



TYPICAL BUILDING SETBACK EASEMENT DETAIL
NOT TO SCALE



TYPICAL PUE TRANSFORMER PAD DETAIL (25' PUE, PRIVATE UTILITY SERVICE & ACCESS EASEMENT)
NOT TO SCALE

FILE: H:\SURVE\PLUM_CRK_PHASE I_SECTION-6B\PLATS\6B\PLUM-CB-3_FINAL_PLAT.DWG
DATE: 08-05-15 DRAWN BY: C.T., E.N. CREW: CAF, MK
SCALE: N.T.S. CHECKED BY: J.O.B. FB #:
JOB #: 5549 DRAWING #: PLUM-CB-3-PLAT PLAN #: 1170

PCDP, LTD. REVIEW & APPROVAL DATE _____ INITIAL _____
BIGELOW HOMES REVIEW & APPROVAL DATE _____ INITIAL _____
PLOT DATE: Feb 06,2017-12:41pm



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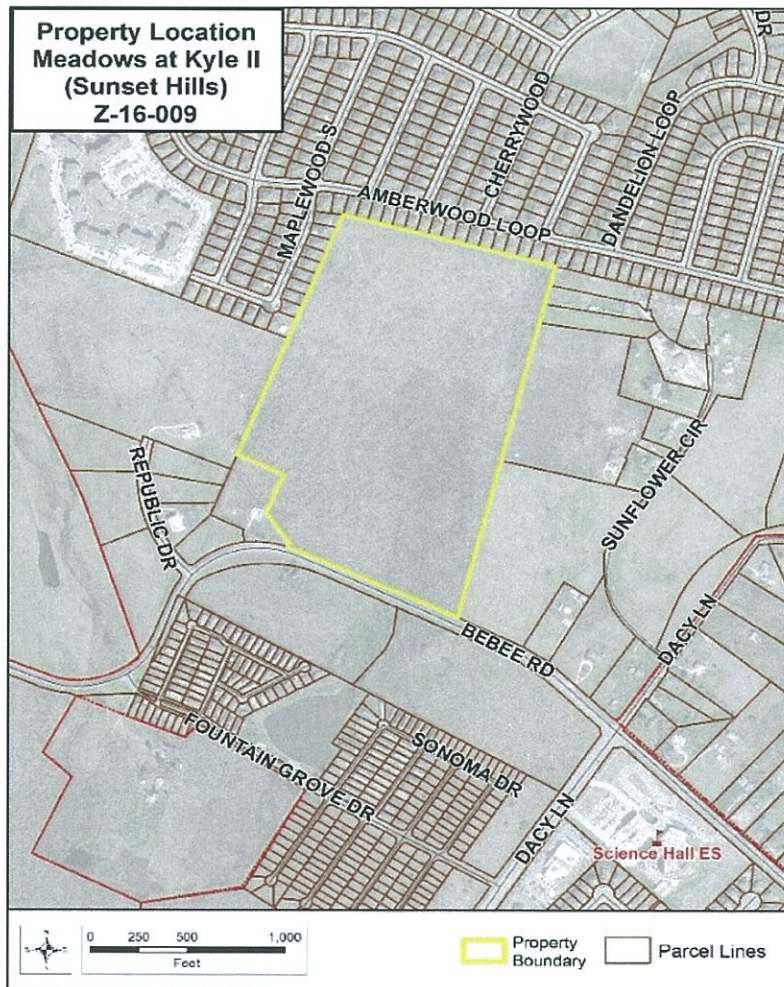
SHEET 3 OF 3
FINAL PLAT
PLUM CREEK
PHASE I - SECTION 6B-3
HAYS COUNTY, TEXAS

5. ZONING – ITEM A

MEADOWS OF KYLE II, LTD (SUNSET HILLS – Z-16-009)

Property Location	North side of Bebee Road, 750 feet east of its intersection with Republic Dr.
Owner	Meadows of Kyle II, LTD (Sunset Hills)
Agent	Brad Whittington 1101 Capitol of Texas Highway South Building 'D', Suite 110 Austin, TX 78746
Request	Rezone 52.99 acres from R-1-2 to R-1-A

Vicinity Map



Site Description

The site is located on undeveloped land and is currently zoned R-1-2. It is bordered by garden style apartments (Hays Junction) to the south, single family residential and A (Agricultural) zoning to the east. The Republic Business Park, W (Warehouse) zoning is immediately to the west, and to the north the Amberwood community with R-1-2 zoning. The parcel is surrounded by agricultural/existing residential uses with some warehouse/commercial. Bebee Road lies to the south, Republic Drive to the west, Amberwood Loop to the North, and Sunflower Circle/Dacy Lane are due east of the parcel.

The applicant seeks to rezone the property from R-1-2 to R-1-A, a residential zoning category allowing for '...attached or single-family structures with a minimum of 1,000 square feet of living area and permitted accessory structures on a minimum lot size of 4,800 square feet, at no more than 6.8 houses per buildable acre. The single-family residences authorized in this zoning district include those generally referred to as garden homes, patio homes and zero lot line homes.'

Conditions of the Zoning Ordinance

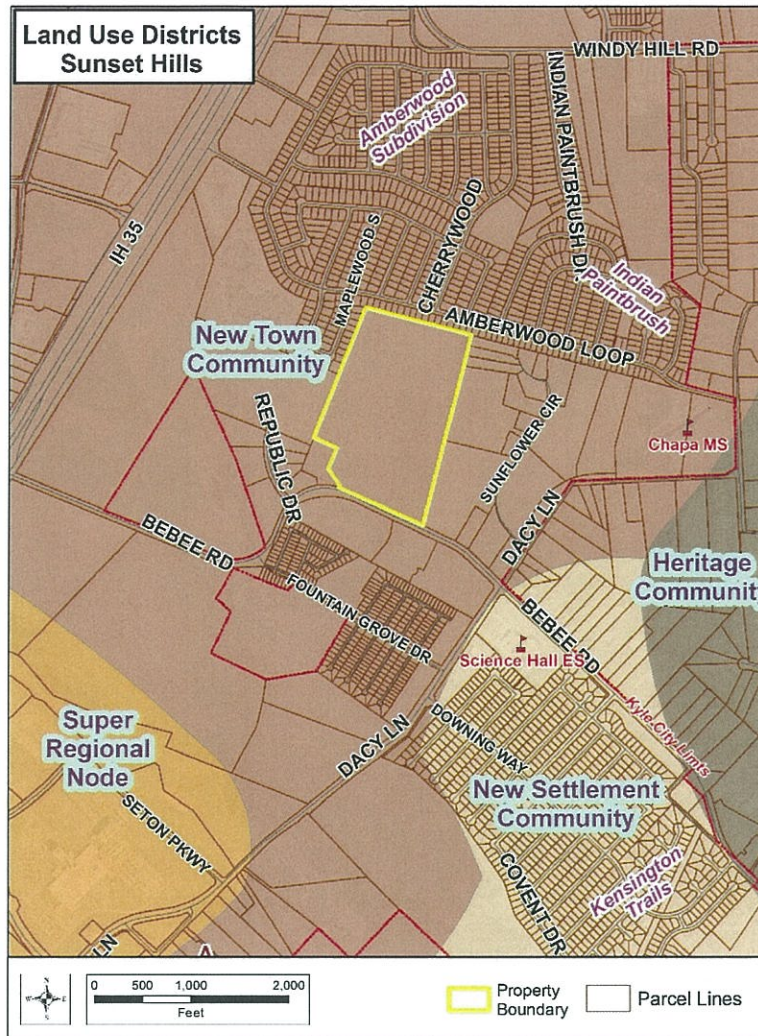
Sec. 53-1205 Amendments

(d)

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

(e)

Action by the planning and zoning commission. The planning and zoning commission shall cause such study and review to be made as advisable and required, shall give public notice and hold a public hearing as provided by state law, and shall recommend to the council such action as the planning and zoning commission deems proper...



Comprehensive Plan Text

The subject site is located on the future land use map in the “New Town Community” district. In the New Town Community district, it is recommended that the R-1-A zoning district be approved conditionally.

Character: “Currently consisting primarily of residential uses, open fields, some commercial uses along I-35, and the City’s new Performing Arts Center, the New Town District will likely experience significant development pressures in the near future. This District straddles both I-35 and FM 1626, and growth from Austin and Buda is spreading south along these roadways. This District should be livable, comfortable, and convenient for all residents of Kyle and the surrounding region. Elements of form and design are critical to ensuring transitions between neighboring uses.”

Intent: “The New Town District is designed to contain a horizontal mix of land uses that should be integrated across the area to express a cohesive community form. Many differing uses are encouraged throughout the District, but are distributed in autonomous land parcels instead of vertically aggregated in fewer land parcels. Horizontal mixed uses provide a transition to integrate the community form of New Town with surrounding communities, landscapes, and nodes. The purpose of the New Town District is to harness economic development potential and establish its position as the sustainable center of surrounding growth. This District should provide economic support to Kyle based on locational advantages gained by access to growth advancing from south Austin and nodal developments on the northern side of Kyle. Mixed-use development should be encouraged, not only permitted, to maximize economic development. This can be achieved by aggregating appropriate densities in order to support a mixture of uses. Development patterns and employment opportunities should be created in the New Town District that do not conflict with the surrounding community fabric. Public spaces in this District should be used to preserve the character of ranch heritage, where appropriate.”

Analysis

The project site was previously assigned R-1-2 zoning in an action that involved multiple properties under the control of the applicant. The first of the two properties, Meadows at Kyle on Windy Hill Road, was built first and this is the second of two. Previously, a site plan was rendered by the applicant and accepted by the city for the construction of a single-family residential subdivision on these 53 acres. After closer analysis of the site, including a topography review and closer concentration on adjacent complimentary uses, the applicant seeks to revise that earlier lot configuration and re-assign zoning to R-1-A, or potentially R-1-3 if deemed appropriate by all involved. R-1-3 has a minimum lot width of 50 feet and minimum lot area of 5,540 square feet.

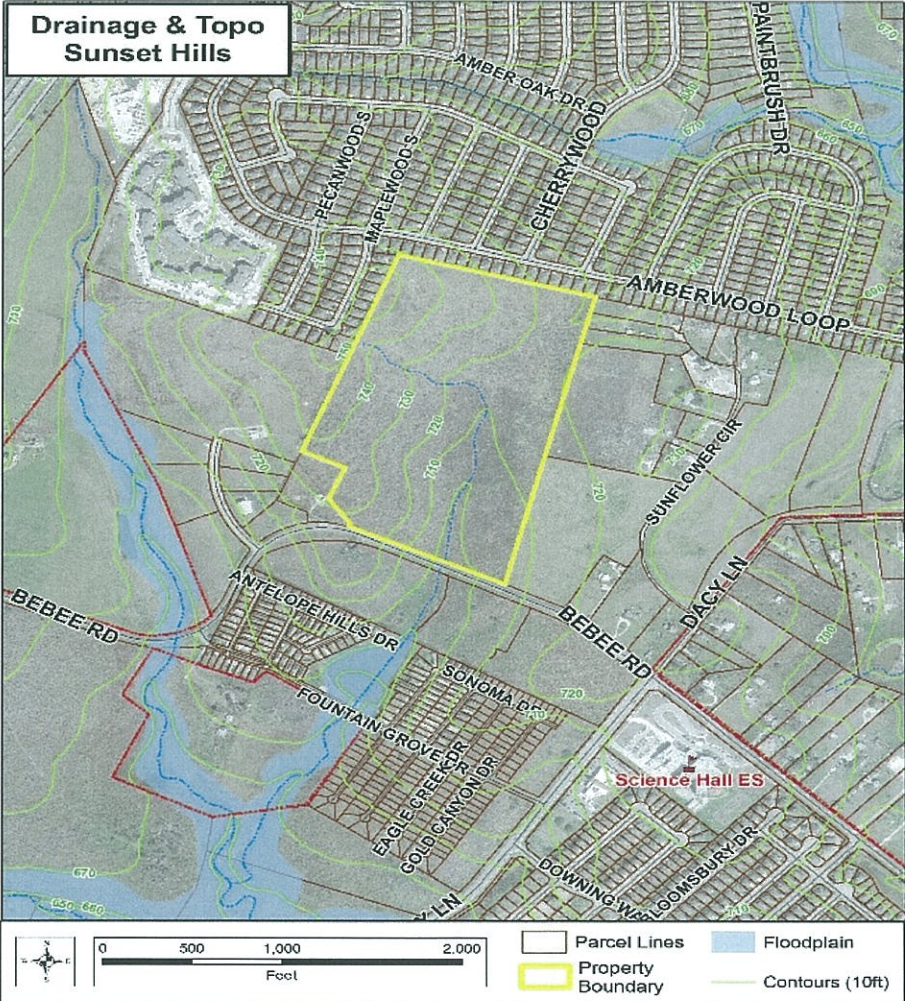
The property sought to be rezoned is sited in an area that is rapidly developing into a hub of commercial and residential activity. This “node” (not mapped) is centered on the intersection of Dacy Lane and Bebee Road. This area will have retail and service offerings, Science Hall Elementary, the future Vista Park, housing options with direct access to Seton Medical Center Hays and FM 1626 via Dacy Lane and access to I-35 for convenient travel to Austin/San Antonio.

The CAMPO 2040 Future Households projection expects a total of 994 households (an increase of 71 units) within the area that the following roads form a perimeter; Windy Hill Rd, Dacy Ln, Bebee Rd, I-35. The Meadows of Kyle II (Sunset Hills) was included in the future calculations for future transportation demand modeling and required upgrades to surrounding road networks. Current and future projects along Bebee Road and Dacy Lane have been and will be required to plan for right of way dedication as appropriate.

The section of Dacy Lane to the southeast of the parcel has already been widened to allow appropriate increased traffic and Hays County is in the process of widening Dacy Lane north of Bebee Road to improve traffic flow. Bebee Road is planned to be improved in the future.

Most of the property slopes toward the middle of the parcel, naturally pulling runoff towards the middle. The existing runoff is channeled under Bebee Road into a pond utilized by Hays Junction Apartments. This existing pond was not designed with The Meadows of Kyle II, in mind. It does need to be stated that as a function of initiating any new development project in the City of Kyle, development professionals are required to make provisions for storm water management based on the expected impact the project will have on the property following construction.

The process is roughly spelled out like this: During a storm, runoff drains directly to storm sewers or waterways. Detention ponds are constructed between the collection areas (impervious surfaces) and discharge conduit (streams and other water courses) to temporarily store storm water runoff, thereby reducing the peak discharge rate by allowing flow to be discharged later at a slower, controlled rate within a specific designed time. These ponds help to prevent localized flooding and reduce streambank erosion downstream. City of Kyle regulations do not permit storm water discharges from new development to discharge at a greater rate than predevelopment conditions (City of Austin Drainage Criteria Manual). In other words, the construction of new projects in Kyle require improvements to the system of discharge into drainage basins, commiserate with the impact the project has on the system.



With the access to medical and convenient commercial opportunities, more citizens will naturally locate to the New Town Community District, which in turn will increase the demand for more businesses and new housing. As more of this area develops, growth will naturally occur along I-35 increasing land value. The rezoning of this parcel from R-1-2 to R-1-A is appropriate for the City of Kyle and the development of the area.

Attachments

- Application
- Location Map
- Surrounding Zoning Map
- Land Use District Map
- Future Conditions/New Residential Development
- 2040 CAMPO Model Volumes
- Drainage/Topo Map

APPLICATION & CHECKLIST – ZONING CHANGE

Zoning: THE MEADOWS AT KYLE II, L+D. 5/25/16
(Name of Owner) (Submittal Date)

INSTRUCTIONS: (Z-16-009)

- Fill out the following application and checklist completely prior to submission.
- Place a check mark on each line when you have complied with that item.
- Use the most current application from the City's website at www.cityofkyle.com or at City Hall. City ordinances can be obtained from the City of Kyle.

REQUIRED ITEMS FOR SUBMITTAL PACKAGE:

The following items are required to be submitted to the Planning Department in order for the Zoning Application to be accepted.

<input checked="" type="checkbox"/>	1. Completed application form with owner's original signature.	
<input checked="" type="checkbox"/>	2. Letter explaining the reason for the request.	CITY OF KYLE
<input checked="" type="checkbox"/>	3. Application fee: \$428.06, plus \$3.62 per acre or portion thereof.	OCT 11 2016
	Newspaper Publication Fee: \$190.21	PLANNING DEPARTMENT
	Total Fee: <u>\$ 810.13</u>	
<input checked="" type="checkbox"/>	4. A map or plat showing the area being proposed for rezoning.	
<input checked="" type="checkbox"/>	5. A clear and legible copy of field notes (metes and bounds) describing the tract (when not a subdivided lot).	
<input checked="" type="checkbox"/>	6. Certified Tax certificates: County <input checked="" type="checkbox"/> School <input checked="" type="checkbox"/> City <input checked="" type="checkbox"/>	
<input checked="" type="checkbox"/>	7. Copy of Deed showing current ownership.	

***** A submittal meeting is required. Please contact Debbie Guerra at (512) 262-3959 to schedule an appointment.**

1. **Zoning Request:**

Current Zoning Classification: R-1-2

Proposed Zoning Classification: R-1-A

Proposed Use of the Property: Single Family Detached Residential

Acreage/Sq. Ft. of Zoning Change: 52,990

2. **Address and Legal Description:**

Provide certified field notes describing the property being proposed for rezoning.
 Provide complete information on the location of the property being proposed for rezoning.

Street Address: BEEBEE ROAD (SEE ATTACHED METES & BOUNDS

Subdivision Name/Lot & Block Nos.: SUNSET HILLS (DESCRIPTION)

Property Recording Information: Hays County

Volume/Cabinet No. 2984

Page/Slide No. 804

3. Ownership Information:

Name of Property Owner(s): _____

(If property ownership is in the name of a partnership, corporation, joint venture, trust or other entity, please list the official name of the entity and the name of the managing partner.)

Address of Owner: _____

Phone Number: _____

Fax Number: _____

Email Number: _____

I hereby request that my property, as described above, be considered for rezoning:

Signed: _____

Date: _____

4. Agent Information:

If an agent is representing the owner of the property, please complete the following information:

Agent's Name: BRAUN Whittington

Agent's Address: 1101 CAPITAL OF TEXAS HIGHWAY SOUTH
Building D, Suite 110, AUSTIN, TX 78746

Agent's Phone Number: (512) 680-6388 or (512) 327-9204

Agent's Fax Number: (512) 227-2947

Agent's Mobile Number: (512) 680-6388

Agent's Email Number: braun@whittingtongroup.com

I hereby authorize the person named above to act as my agent in processing this application before the Planning and Zoning Commission and City Council of the City of Kyle:

Owner's Signature: George Gary Duncan

Date: 5/25/16

*Do Not Write Below This Line
Staff Will Complete*

Tax Certificates: County School City

Certified List of Property Owners Within 200"

All Fees Paid: Filing/Application Mail Out Costs

Attached Map of Subject Property

Accepted for Processing By: *Shabbir J. J. J.*

Date: PLANNING DEPARTMENT

Date of Public Notification in Newspaper: *10/19/14*

Date of Public Hearing Before Planning and Zoning Commission: *11/7/14*

Date of Public Hearing Before City Council: *11/15/14 + 12/16/14*

CITY OF KYLE

OCT 11 2016

WHITTINGTON REAL ESTATE GROUP, LLC
Development ♦ Brokerage ♦ Investments

October 11, 2016

Debbie Guerra
Planning
City of Kyle
Kyle, TX 78640

CITY OF KYLE

OCT 11 2016

RE: Sunset Hills Subdivision, Bebee Road, Kyle, TX

PLANNING DEPARTMENT

Dear Debbie,

Please accept this letter as an official re-zoning request to re-zone the above referenced community from R-1-2 to R-1-A. The Whittington Group represents the owner of the property; The Meadows at Kyle II, Ltd., as its authorized agent.

We are requesting this re-zoning request together with an amended Development Agreement. The reasons for this request are as follows;

1. The land plan has been modified to better utilize the existing topography of the site.
2. The land plan as modified incorporates a central walking trail, a central park, an open play park and a Pocket Park.
3. The land plan also has increased park land for the community that will be privately maintained.
4. The land plan also allows better connectivity to the adjacent proposed Kyle Vista Regional Park.
5. The home product will be 2 car garages with varying home and lot sizes that will be interspersed within the community.
6. The revised land plan encourages water conservation and minimizes individual yard maintenance.
7. The revised land plan additionally encourages improved connectivity and multiple community parks and gathering places.
8. The improved land plan better adheres to adjacent land uses which are;
 - Hays Junction Apartments and Lakeside Crossing Manufactured Housing Community to the South
 - Kyle Vista Regional Park to the East
 - Republic Business Park to the East
 - Existing Amberwood subdivision to the North
9. Together with the re-zoning we are requesting that the existing Development Agreement be amended as we have been working with planning staff on acceptable amendments by the City, Developer and the Builder.

We have attached the re-zoning application with this letter along with the application fee. Please feel free to contact us with any questions and schedule required meetings and next steps to process this application.

Best regards,

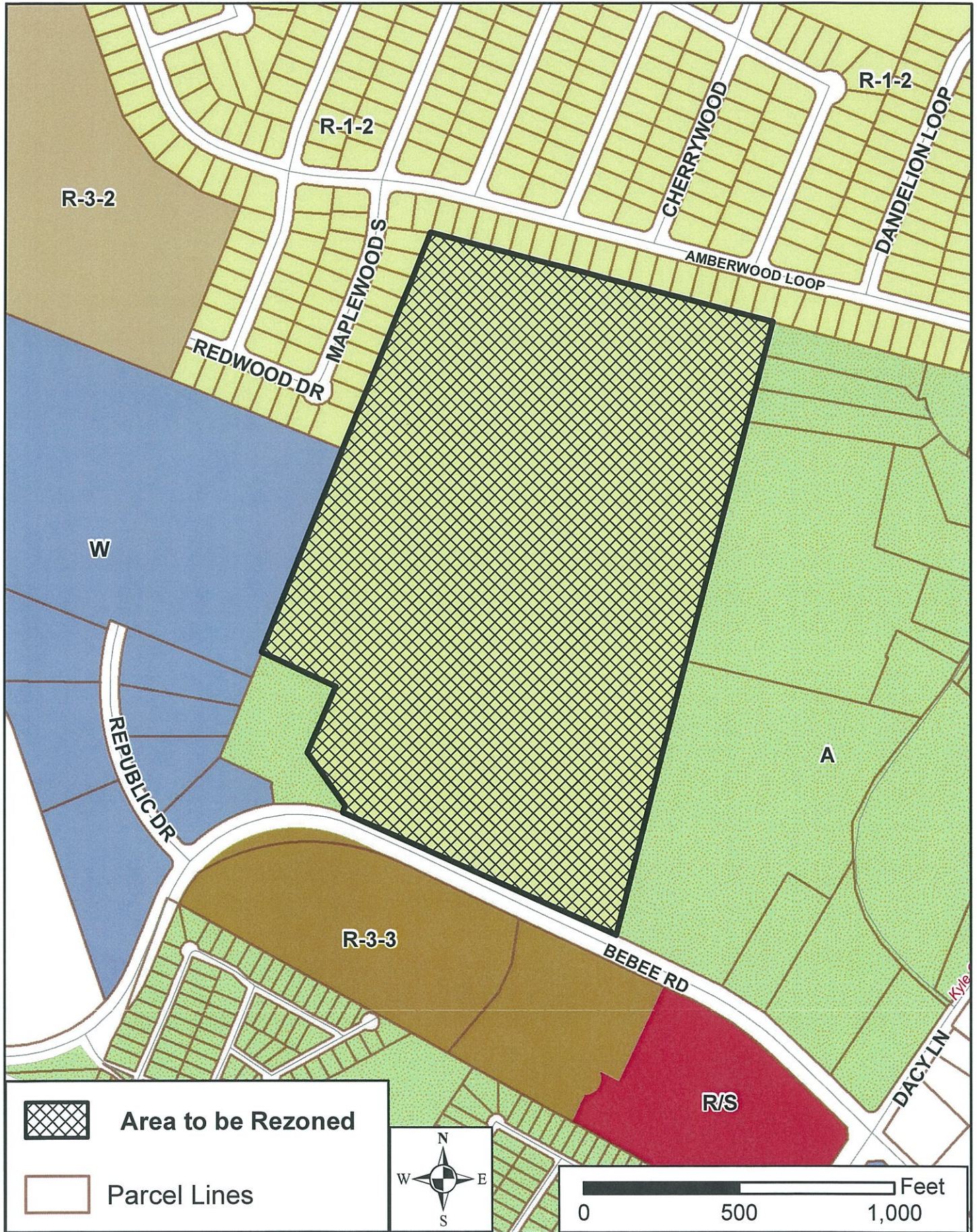
Brad Whittington
Authorized Agent

Cc: Howard Koontz, Director of Planning
Gary Duncan, Managing Member, the Meadows at Kyle II, Ltd.
Jim Bechtol, SunRhea Design
John Zinsmeyer, KB Home

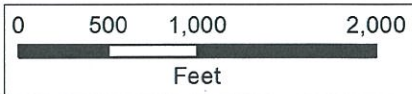
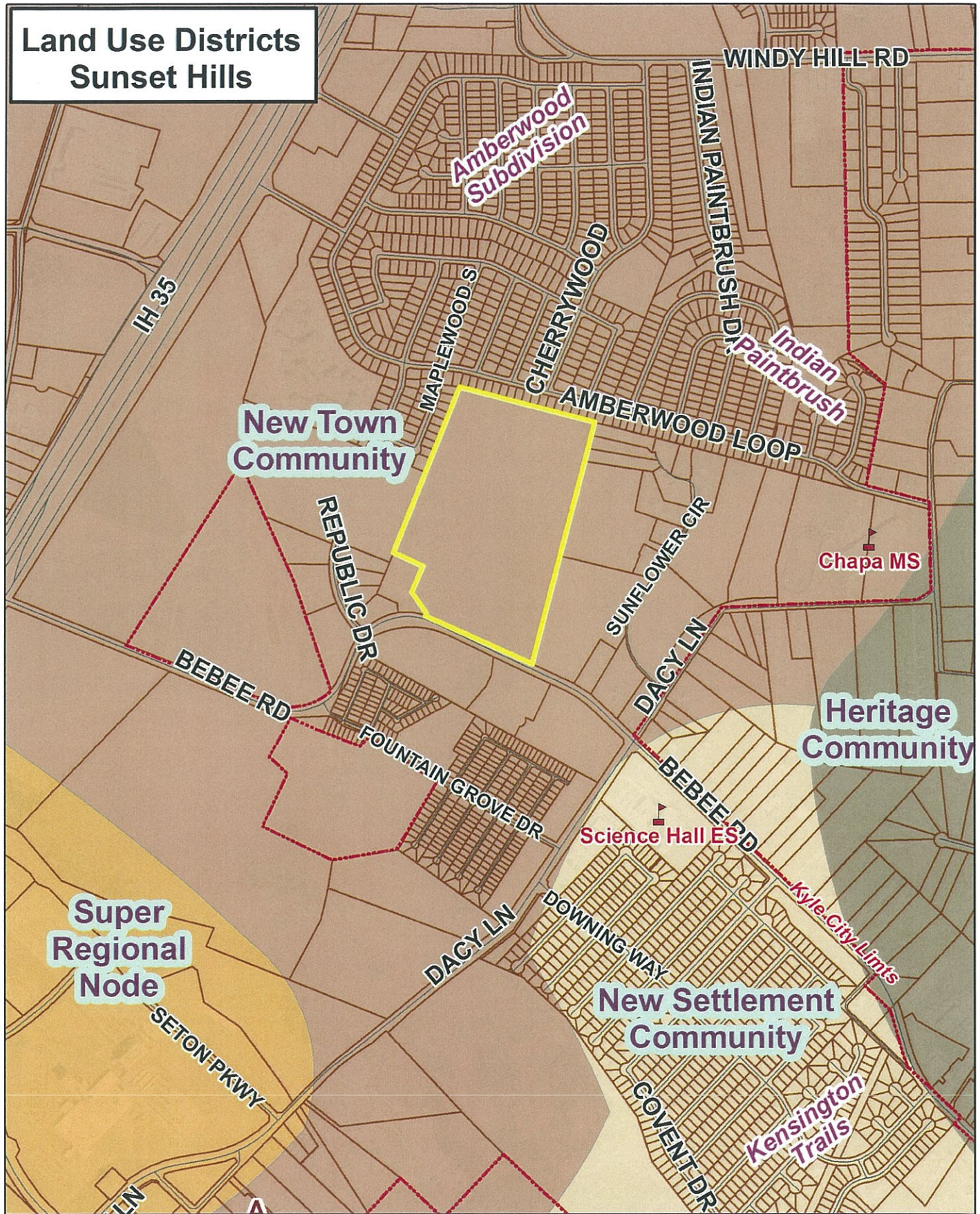
1101 S. Capital of Texas Highway, Building D, Suite 101, Austin, TX 78746
Office 512-731-3095 ♦ Fax 512-327-9204

Exhibit B

Meadows At Kyle II, Ltd. (Z-16-009)



Land Use Districts Sunset Hills



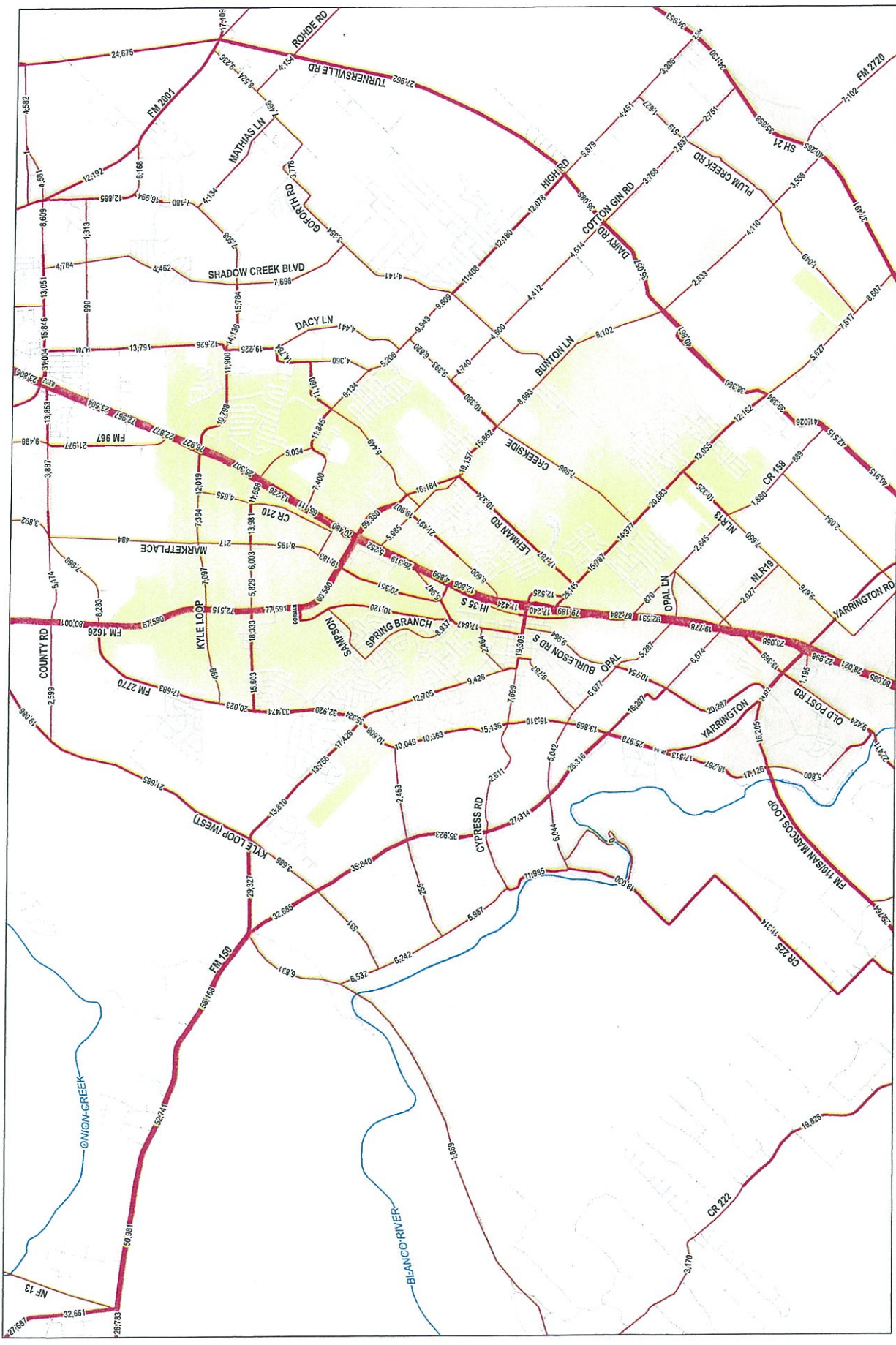
- Property Boundary
- Parcel Lines

Future Conditions

Kyle Connected Transportation Master Plan 2040

Table 8: New Residential Development (July 2015)

Project Name	Status	Location	Units	Acres
Anthem	In Design	W RR 150	2,200	690.0
Brookside Phase 2	Approved	Arbor Knot Dr	220	36.24
Bunton Creek remaining phases	In Review	Twin Creeks Dr	440	90.08
Cool Springs	In Review	1838 E RR 150	372	125.2
Creekside at Bunton Creek	Concept	500 Bunton Ln	300	97.9
Creekside Village	In Review	N Burlison St	280	73.2
Crosswinds MUD	In Review	2000 Windy Hill Rd	1,750	443.5
Cypress Forest	Concept	N Old Stagecoach Rd at Cypress Rd	337	130.4
GLO	Concept	Western Kyle ETJ north of Blanco River	1,400	2,154.6
Hidden Valley	Concept	400 Bunton Ln	1,100	222.9
La Salle MUD	Concept	Yarrington Rd	2,400	2,740.4
Lehman Tract	Concept	100 Bunton Ln	150	97.6
Oaks of Kyle Apts	Under Construction	200 Goforth Rd	204	10.1
Pecan Woods	Concept	E RR 150 at Heidenreich Ln	1,400	768.4
Plum Creek Phase 2	Concept	Bebee Rd east of Republic Dr	1,500	606.5
Sunset Hills	In Review	Bebee Rd at Republic Dr	177	53.2
The Strand Apartments	Under Construction	150 Amberwood S	160	7.6
Trails at Plum Creek Apts	Under Construction	4300 Cromwell	248	12.3
Vista at Plum Creek Apts Phase 2	Under Construction	5020 Cromwell	180	7.4
Villas at Creekside Phase 2	Approved	107 Creekside Dr	24	2.85



2040 CAMPO Model Volumes

0 0.25 0.5 1 Miles

NORTH

10/6/2015

2040 Volume

- 0 - 10,000
- 10,001 - 25,000
- 25,001 - 40,000
- 40,001 - 60,000
- 60,001 - 195,881

Streets

- Kyle City Limits
- Kyle ETJ
- Other Cities

Streams

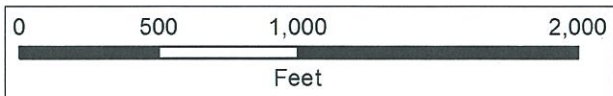
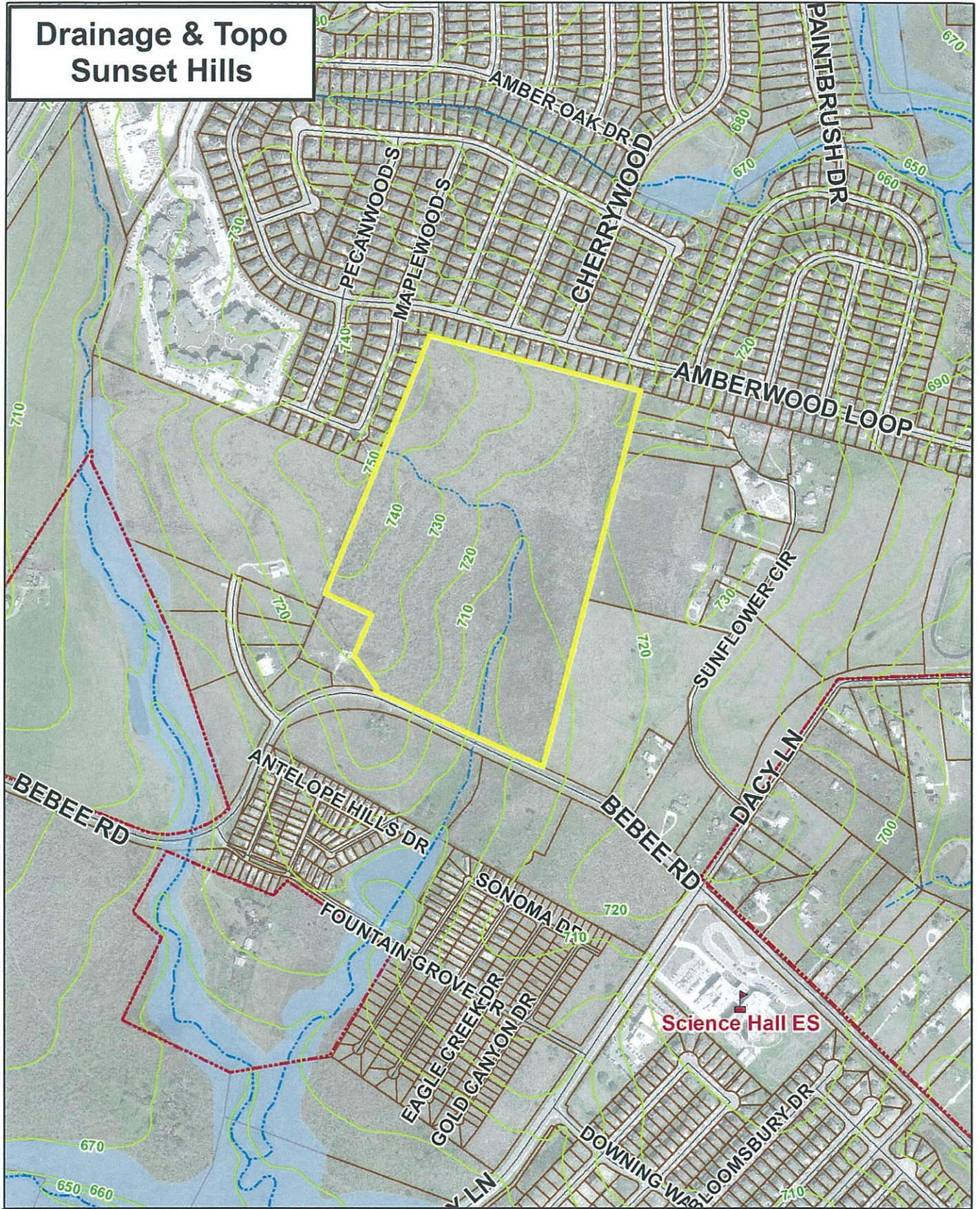
- Lakes

IGN Kimley»Horn

KYLE TEXAS

C-8

Drainage & Topo Sunset Hills



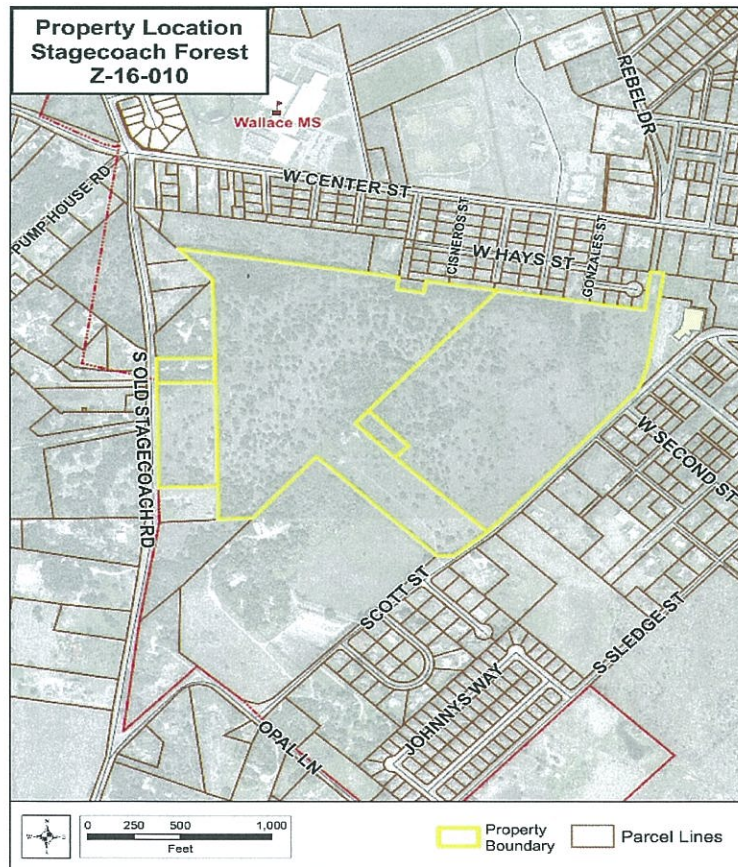
- Parcel Lines
- Property Boundary
- Floodplain
- Contours (10ft)

5. ZONING – ITEM B

BLANTON FAMILY LIMITED PARTNERSHIP (Z-16-010)

Property Location	West side of Scott Street, approximately at its intersection with West 3 rd Street
Owner	Blanton Family Limited Partnership 323 Wauford Way New Braunfels, Texas 78132
Agent	Geoff Guerrero Carlson, Brigrance & Doering, Inc. 5501 West William Cannon Drive Austin, Texas 78749
Request	Rezone 68.5 Acres R-1-2 & 10.38 Acres CBD-1, to R-1-A

Vicinity Map



Site Description

The total development site is an assemblage of several lots of record with multiple owners, located on acreage bordered essentially by Scott Street to the southeast and S. Old Stagecoach Road to the west. There is between one to one and a half blocks of M-2 (Manufactured Home Subdivision) residential bordering the subject property to the north, between Center Street and the site. The *total* development property comprises 86.14 acres, and currently has three zoning categories assigned to it. The largest portion, 68.5 acres, is R-1-2 (Single Family Residential 2). The next smallest portion of the property, 10.38 acres, is CBD-1 (Central Business District-1). Finally, the smallest portion is 7.26 acres, and is being requested for rezoning under separate request (Z-16-011) because of separate ownership –it is currently zoned R-1. The site is surrounded by agricultural and existing residential uses. Properties to the north are zoned M-2 and R-1 (Single Family). To the east existing property is zoned CBD-1 and R-1 (across Scott Street). To the south, the area is zoned A (Agriculture) or R-1. A small portion of R-1 also sits to the west in addition to Hays County residential across South Old Stagecoach Road.

The applicant initially sought to rezone the property from R-1-2/CBD-1/R-1 to R-1-A, a residential zoning category allowing for ‘...attached or detached single-family structures with a minimum of 1,000 square feet of living area and permitted accessory structures on a minimum lot size of 4,800 square feet, at no more than 6.8 houses per buildable acre. The single-family residences authorized in this zoning district include those generally referred to as garden homes, patio homes and zero lot line homes.

With the creation of the new R-1-3 zoning category, the applicant has stated the request to consider rezoning the Blanton Family property to the more restrictive R-1-3. The category, R-1-3, allows for ‘...allows detached single-family residences with a minimum of 1,000 square feet of living area and permitted accessory structures on a minimum lot size of 5,540 square feet. There shall be no more than 5.5 houses per buildable acre...’ This would be allowable via public hearing, on short notice, due to the more restrictive requirements within the R-1-3 category.

Conditions of the Zoning Ordinance

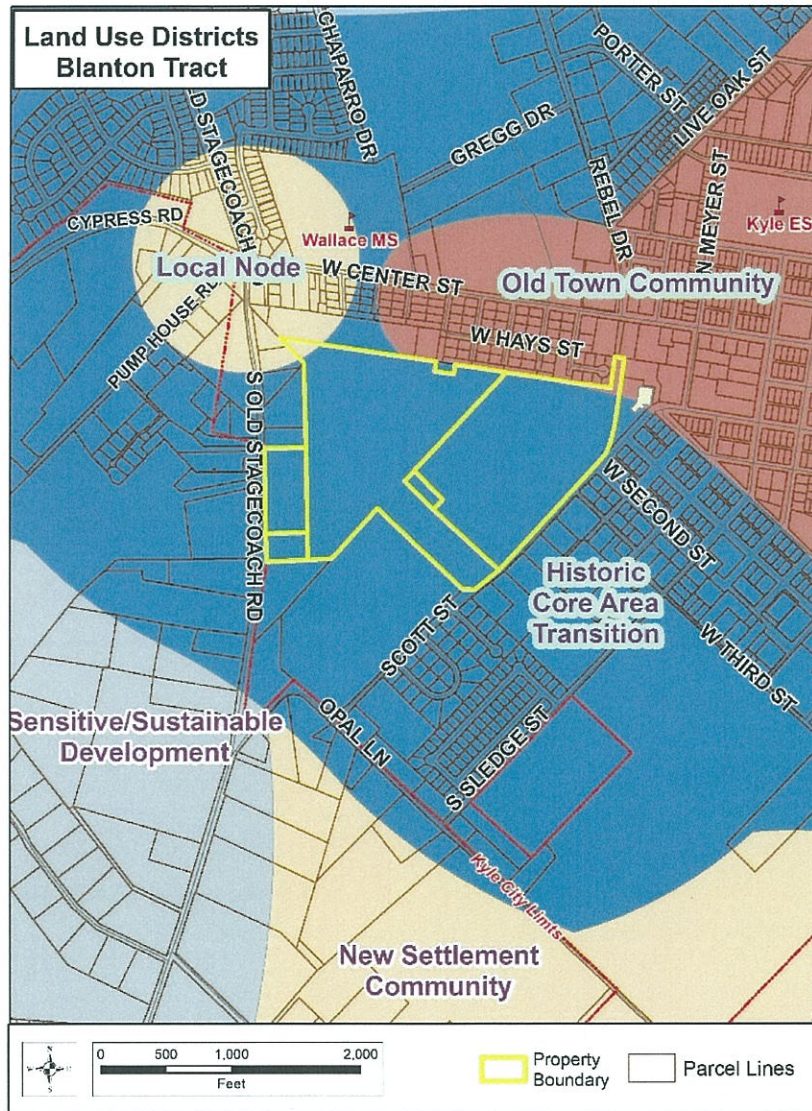
Sec. 53-1205 Amendments

(d)

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

(e)

Action by the planning and zoning commission. The planning and zoning commission shall cause such study and review to be made as advisable and required, shall give public notice and hold a public hearing as provided by state law, and shall recommend to the council such action as the planning and zoning commission deems proper...



Comprehensive Plan Text

The subject site is located in the "Historic Core Area Transition District". It is recommended that the R-1-A zoning district be approved conditionally. As of yet, R-1-3 does not have an official placement within the Comprehensive Plan. However, upon approval of updates to the plan, it is expected that the zoning category of R-1-3 will be a recommended land use.

Character: The Historic Core Area Transition District serves as a transition between the regular gridded development pattern that characterizes Downtown and the more rural patterns to the south and west, as well as newer development to the north. Significant features of this District include the intersection of Old Stagecoach Road and Center Street and the Gregg-Clarke Park. This District is a “middle landscape” of historic residential forms that transition to more rural residential forms. The District should embody the historic character of existing uses while anticipating appropriate expansion of Old Town. Development in the Historic Core Area Transition District has historically been on a small, lot-by-lot basis, rather than on a larger, project-by-project basis. Because of this, the street serves as the organizing feature of the District. Therefore, as new development extends into the District from the Old Town District, care should be taken to ensure that the historic street pattern is preserved.

Intent: The purpose of the Historic Core Area Transition District is to accommodate the growth of residential and neighborhood commercial uses around the Old Town District, while preserving the historic rural fabric. The core of Kyle should be allowed to expand into this area as population growth increases in order to strengthen the core of the City. Land use transitions are critical in this District, and the shift from township to rural landscape should be maintained. This can be accomplished by transition in the built form and function from commercial uses to residential uses and finally to rural agricultural residential uses and by establishing transitions in density, decreasing outwardly from the Old Town District. Public spaces in this District should be used to preserve the character of ranch heritage, where appropriate.

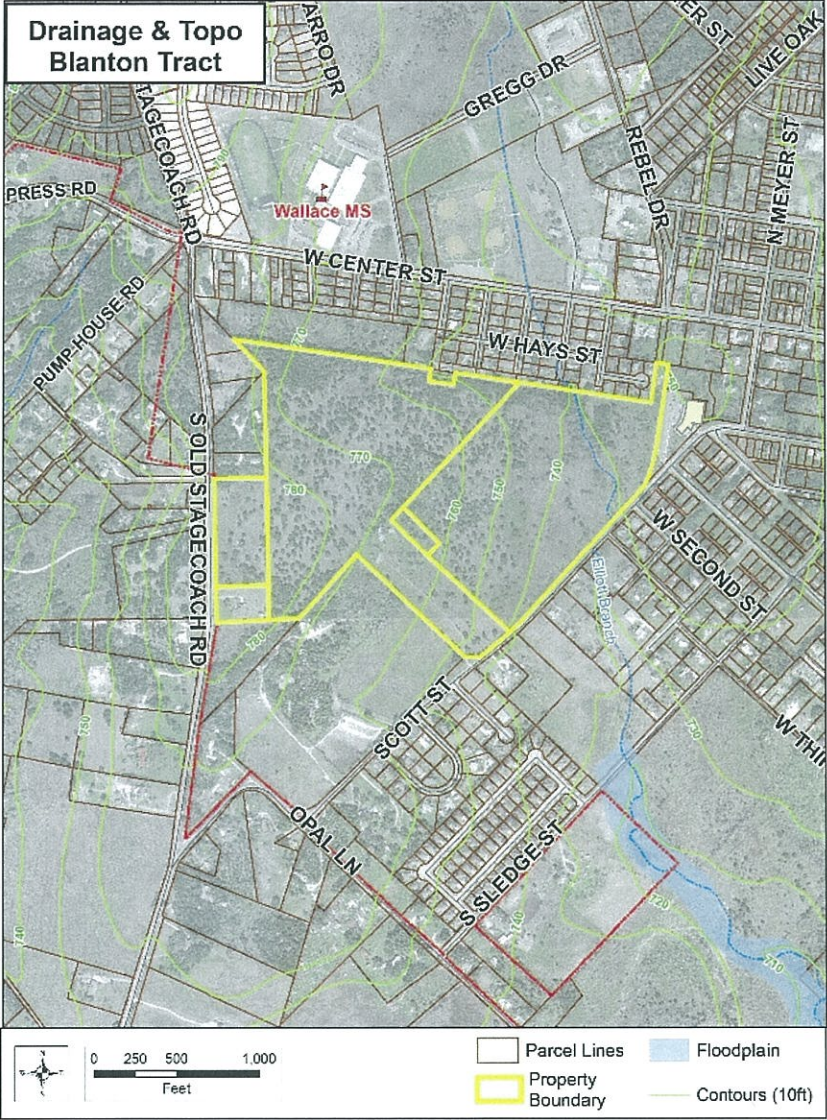
Analysis

The property requested to be rezoned sits in a transition area that bridges the gap between the original City of Kyle and the rural housing along Old Stagecoach Road. This area eventually will be developed providing housing with direct access to downtown Kyle via Scott Street, and access to the Blanco River for recreational amenities and interstate connections, via Old Stagecoach Road.

A significant number of persons in and nearby to the development site have signed on to an official objection to the property being rezoned from one residential zoning category to another residential zoning category. Their objections are drawn from concerns related to storm water management and potential traffic impacts. However, it needs to be stated that as a function of initiating any new development project in the City of Kyle, development professionals are required to make provisions for storm water management and traffic based on the expected impact the project will have on the property following construction.

The process is roughly spelled out like this: During a storm, runoff drains directly to storm sewers or waterways. Detention ponds are constructed between the collection areas (impervious surfaces) and discharge conduit (streams and other water courses) to temporarily store stormwater runoff, thereby reducing the peak discharge rate by allowing flow to be discharged later at a slower, controlled rate within a specific designed time. These ponds help to prevent localized flooding and reduce streambank erosion downstream. City of Kyle regulations do not permit stormwater discharges from

new development to discharge at a greater rate than predevelopment conditions (City of Austin Drainage Criteria Manual). In other words, the construction of new projects in Kyle require improvements to the system of discharge into drainage basins, commiserate with the impact the project has on the system.



Due to downtown Kyle’s central location creating convenient access to nearby emerging residential, more citizens will naturally travel to the central business district, which is expected to increase the demand for more businesses supporting that new housing. Furthermore, the development of the property adjacent to- and in proximity to public services (public library, parks, public schools, etc.) reduces the reliance on the automobile in these areas while increasing desirability and value of residential development.

While the project was not included in the calculations for future transportation demand modeling and required upgrades to surrounding road networks, at a basic level, traffic impacts are easily calculated. At the time of the CAMPO 2040 study and the City of Kyle's 2015 Transportation Master Plan, the idea of the project wasn't in existence. Consequently, to help relieve the effects of unplanned/increased traffic, developers pay fees to help offset traffic impacts or they offer to upgrade portions of the surrounding road network in addition to improvements made to the parcel during development. Staff will work with applicable parties at the time of site development, to ensure appropriate infrastructure upgrades are implemented.

The request is analogous to existing, surrounding land uses, and compliments the expectations of the city's comprehensive plan. It is staff's request that the original application for R-1-A should not be considered and the newly-enabled R-1-3 should be favorably recommended for approval.

Attachments

- Application
- Petitions in Objection to the Proposed Zoning Action
- Location map
- Surrounding Zoning Map
- Land Use Districts Map
- Drainage Map
- 2040 CAMPO Model Volumes

RE: Stagecoach Forest Estimated Number of Units

Zinsmeyer, John <JZinsmeyer@kbhome.com>

Wed 2/8/2017 9:19 AM

Inbox

To: William Atkinson <watkinson@cityofkyle.com>; Charles Brigance <charlesbrigance@cbdeng.com>;

Cc: Lara, Laurie <llara@kbhome.com>;

So with R-1-3 with 50-55'x125' homesites which would net approximately 270 homes or the 3.2/ac density. With R-1-A using the minimum 45' width allowed we estimate that in the same layout we would net approximately 310-320 homes.

We have waited a long time for the new code and zoning classification to be in effect so we want to make it absolutely clear that what we are requesting of P&Z is a recommendation of R-1-3 in lieu of the R-1-A applied for originally before the code amendment process was underway.

Please let us know if there is anything that we can do to assist.

John Zinsmeyer

Vice President – Land

KB Home – Austin Division

[10800 Pecan Park #200](#)

[Austin, Texas 78750](#)

Direct: (512) 651-8090

Cell: (512) 844-1114

jzinsmeyer@kbhome.com

From: William Atkinson [mailto:watkinson@cityofkyle.com]

Sent: Tuesday, February 07, 2017 9:37 AM

To: Charles Brigance <charlesbrigance@cbdeng.com>; Zinsmeyer, John <JZinsmeyer@kbhome.com>

Cc: Lara, Laurie <llara@kbhome.com>

Subject: Re: Stagecoach Forest Estimated Number of Units

Thanks for the quick response with the updated numbers. It's good that we have the R-1-3 info. Even if KB asks P&Z to recommend the R-1-3, I still have to write my staff report as if the request is for the R-1-A rezoning. Under R-1-A, what is the estimated count and units/acre for Stagecoach Forest?

Thanks,

William Atkinson

City Planner

City of Kyle, Texas

2/9/2017

RE: Stagecoach Forest Estimated Number of Units - William Atkinson

100 W. Center Street

P. O. Box 40

Kyle, Texas 78640

From: Charles Brigance <charlesbrigance@cbdeng.com>
Sent: Tuesday, February 7, 2017 8:35:29 AM
To: 'Zinsmeyer, John'; William Atkinson
Cc: Lara, Laurie
Subject: RE: Stagecoach Forest Estimated Number of Units

Mr. Atkinson: John's math is correct. Under R1-3 zoning, the land plan would yield about 270 homes which is about 3.2 units per acre. Please let me know if you have any questions.

Thank you, Charles

Carlson, Brigance & Doering, Inc

5501 W. William Cannon Blvd

Austin, Texas 78749

512-280-5160

From: Zinsmeyer, John [<mailto:JZinsmeyer@kbhome.com>]
Sent: Tuesday, February 07, 2017 8:21 AM
To: William Atkinson
Cc: Lara, Laurie; Charles Brigance
Subject: RE: Stagecoach Forest Estimated Number of Units

William, I have included Charles Brigance on the email to confirm accuracy. My records show we have approximately 85 acres and that if approved for the R-1-3 zoning and we utilize a mix of 50' and 55' wide by 125' deep homesites our concepts yield approximately 270 homes. This is a yield of approximately 3.2 units/acre. Charles please confirm so that William has the most accurate info for representations.

John Zinsmeyer

Vice President – Land

KB Home – Austin Division

[10800 Pecan Park #200](#)

2/9/2017

RE: Stagecoach Forest Estimated Number of Units - William Atkinson

Austin, Texas 78750

Direct: (512) 651-8090

Cell: (512) 844-1114

jzinsmeyer@kbhome.com

888-KB-HOMES kbhome.com

Consider the environment before printing this email.



From: William Atkinson [<mailto:watkinson@cityofkyle.com>]

Sent: Monday, February 06, 2017 2:02 PM

To: Zinsmeyer, John <JZinsmeyer@kbhome.com>

Subject: Stagecoach Forest Estimated Number of Units

John,

Roughly, how many dwelling units does KB Homes anticipate for Stagecoach Forest? The number I have is 200, and I want to be as accurate as possible.

Thanks,

William Atkinson

City Planner

City of Kyle, Texas

100 W. Center Street

P. O. Box 40

Kyle, Texas 78640

APPLICATION & CHECKLIST – ZONING CHANGE

CITY OF KYLE

Zoning: Stagecoach Re-Zoning I

(Name of Owner)

(Submittal Date)

OCT 21 2015

INSTRUCTIONS:

(Z-16-010)

- Fill out the following application and checklist completely prior to submission.
- Place a check mark on each line when you have complied with that item.
- Use the most current application from the City's website at www.cityofkyle.com or at City Hall. City ordinances can be obtained from the City of Kyle.

PLANNING DEPARTMENT

REQUIRED ITEMS FOR SUBMITTAL PACKAGE:

The following items are required to be submitted to the Planning Department in order for the Zoning Application to be accepted.

- 1. Completed application form with owner's original signature.
- 2. Letter explaining the reason for the request.
- 3. Application fee: \$428.06, plus \$3.62 per acre or portion thereof. $(78.881 \times \$3.62 = \$285.55)$
 Newspaper Publication Fee: \$190.21
Total Fee: \$903.82
- 4. A map or plat showing the area being proposed for rezoning.
- 5. A clear and legible copy of field notes (metes and bounds) describing the tract (when not a subdivided lot).
- 6. Certified Tax certificates: County School City
- 7. Copy of Deed showing current ownership.

***** A submittal meeting is required. Please contact Debbie Guerra at (512) 262-3959 to schedule an appointment.**

1. Zoning Request:

Current Zoning Classification: R-1-2 / CBD-1

Proposed Zoning Classification: R-1-A

Proposed Use of the Property: Single family subdivision

Acreage/Sq. Ft. of Zoning Change: 78.881 acres (68.5 acres R-1-2, 10.38 acres CBD-1)

2. Address and Legal Description:

Provide certified field notes describing the property being proposed for rezoning.
Provide complete information on the location of the property being proposed for rezoning.

Street Address: Scott Street, Kyle, Texas 78640

Subdivision Name/Lot & Block Nos.: John Pharass Survey No. 13, Abstract 361 and Hinton Survey No. 12, Abstract 220

Property Recording Information: Hays County
Volume/Cabinet No. 2728

Page/Slide No. 242

3. **Ownership Information:**
Name of Property Owner(s): Blanton Family Limited Partnership

(If property ownership is in the name of a partnership, corporation, joint venture, trust or other entity, please list the official name of the entity and the name of the managing partner.)

Address of Owner: 323 Wauford Way
New Braunfels, Texas 78132

Phone Number: _____

Fax Number: _____

Email Number: _____

I hereby request that my property, as described above, be considered for rezoning:

Signed: X 

Date: _____

4. **Agent Information:**

If an agent is representing the owner of the property, please complete the following information:

Agent's Name: Carlson, Brigrance & Doering, Inc. (Geoff Guerrero)

Agent's Address: 5501 W. William Cannon Dr
Austin, Texas 78749

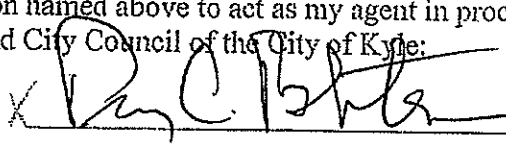
Agent's Phone Number: (512) 280-5160

Agent's Fax Number: _____

Agent's Mobile Number: _____

Agent's Email Number: geoff@cbdeng.com

I hereby authorize the person named above to act as my agent in processing this application before the Planning and Zoning Commission and City Council of the City of Kyle:

Owner's Signature: X 

Date: _____

*Do Not Write Below This Line
Staff Will Complete*

Tax Certificates: County School City

Certified List of Property Owners Within 200"

All Fees Paid: Filing/Application Mail Out Costs

Attached Map of Subject Property

Accepted for Processing By: Hebbie A. Jarama Date: PLANNING DEPARTMENT

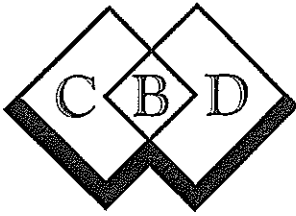
Date of Public Notification in Newspaper: 11/22/14

Date of Public Hearing Before Planning and Zoning Commission: 11/22/14

Date of Public Hearing Before City Council: 12/16/14

CITY OF KYLE

OCT 21 2015



Carlson, Brigrance & Doering, Inc.
Civil Engineering ❖ Surveying

October 21, 2016

City of Kyle
Planning Department
Attn: Mr. Howard Koontz, Director of Planning
100 West Center Street
Kyle, Texas 78640

**RE: KB Home Stagecoach Subdivision
CBD Job # 4826**

Application for Re-Zoning

Dear Mr. Koontz,

On behalf of our client, KB Home, please find the attached application for property re-zoning for the Blanton and Kaminski parcels to be collectively known as the Stagecoach Subdivision. The two combined parcels form a rough triangle shape for a total of approximately 86.2 acres located just west of downtown Kyle bordered by Scott Street to the east, South Old Stagecoach Road (CR 136) to the west and existing residential development along the northern boundary. The Kyle Public Library is located immediately adjacent to the easternmost tip of the combined subject tracts.

The two tracts are located within the full purpose Kyle city limits and are currently zoned R-1 (Kaminski) and R-1-2 / CBD-1 (Blanton) respectively. This request for the rezoning is to modify both tracts to a combined R-1-A zoning district. In addition to the rezoning request, a Development Agreement is also proposed for the overall development that will be processed concurrently and will establish the development guidelines for the project. The purpose of this request is to create a single family residential development near the center of the City of Kyle that provides residents the opportunity for close proximity community and city interaction within a master-planned project.

Thank you for your time and review of this project. Please let me know if you need any additional information in order to process this request.

Respectfully,
Carlson, Brigrance & Doering, Inc.


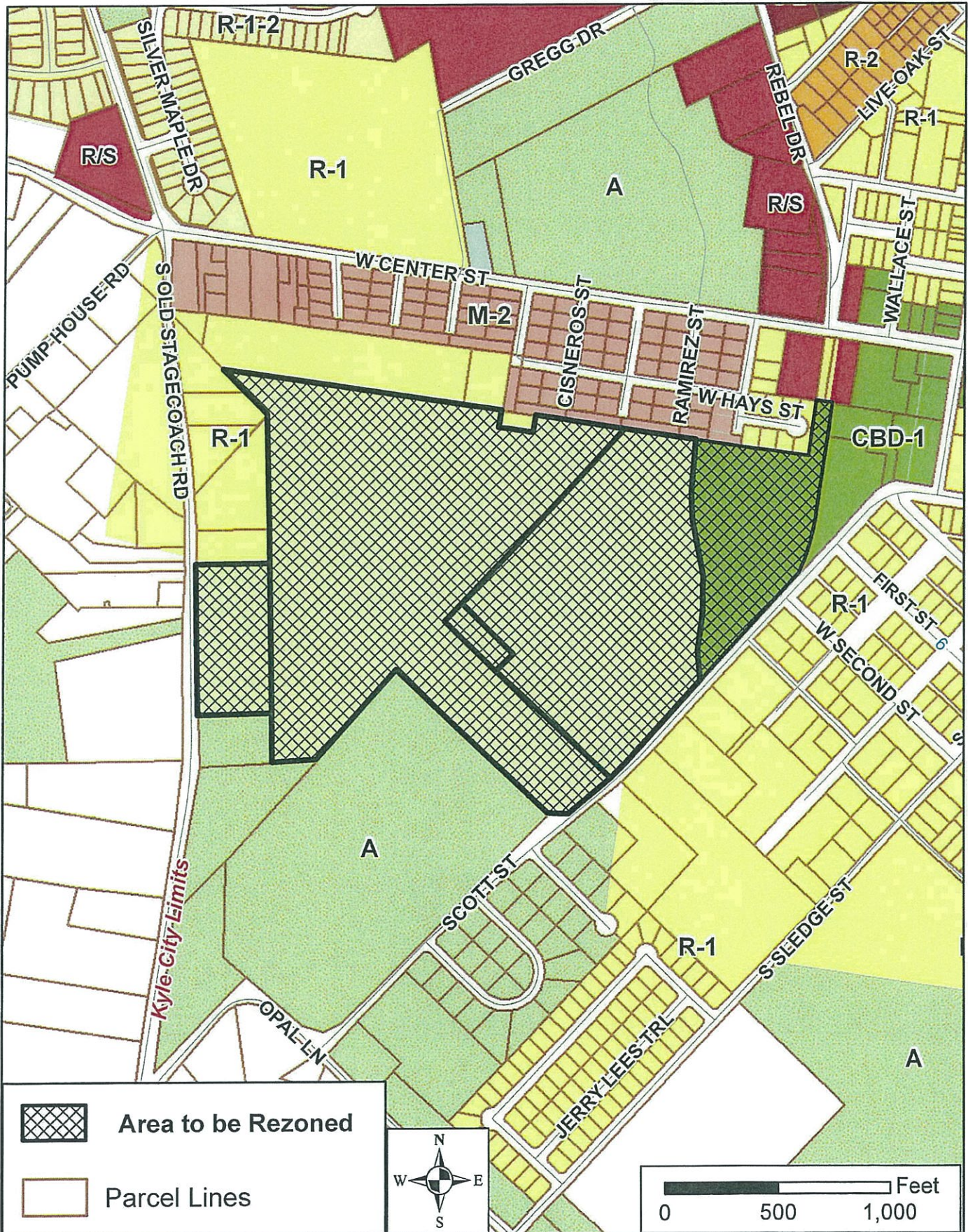

Geoff Guerrero
Director of Planning

Exhibit B

Blanton Family Limited Partnership (Z-16-010)



You may send your written comments to the Planning Department, 100 W. Center St., Kyle, Texas 78640 (attention: Zoning File # Z-16-010).

Name: Salvador Yzaguirre Address: P.O. Box 524 Kyle, TX 78640

- I am in favor, this is why because the property in Zapata Street is for sale next to Mr Blanton property
- I am not if favor, and this is why _____

You may send your written comments to the Planning Department, 100 W. Center St., Kyle, Texas 78640 (attention: Zoning File # Z-16-010).

Name: Michael E. Borst Address: 805 W. 2nd St Kyle

- I am in favor, this is why _____

I am not if favor, and this is why traffic on scott st & water path disruption could cause flooding from storms

You may send your written comments to the Planning Department, 100 W. Center St., Kyle, Texas 78640 (attention: Zoning File # Z-16-010).

Name: Thomas Kaminski Address: 507 Canyon View Blvd 78640

- I am in favor, this is why this will be a GREAT improvement to this area. New homes etc.
- I am not if favor, and this is why _____

You may send your written comments to the Planning Department, 100 W. Center St., Kyle, Texas 78640 (attention: Zoning File # Z-16-010).

Name: _____ Address: _____

I am in favor, this is why _____

I am not if favor, and this is why SCOTT ST. CREEK FLOODS
TOO EASILY, MAJOR IMPROVEMENTS NEEDED BEFORE ANY
ADDITIONAL STRESS CAN BE ADDED.

You may send your written comments to the Planning Department, 100 W. Center St., Kyle, Texas 78640 (attention: Zoning File # Z-16-010).

Name: John Lawrence Address: 800 W 3rd St Kyle, Tx 78640

I am in favor, this is why _____

I am not if favor, and this is why Flooding Concerns.

CITY OF KYLE

NOV 21 2016

PLANNING DEPARTMENT

You may send your written comments to the Planning Department, 100 W. Center St., Kyle, Texas 78640 (attention: Zoning File # Z-16-010).

Name: Efrain Lopez Address: 102 Cisneros St. - Mailing address

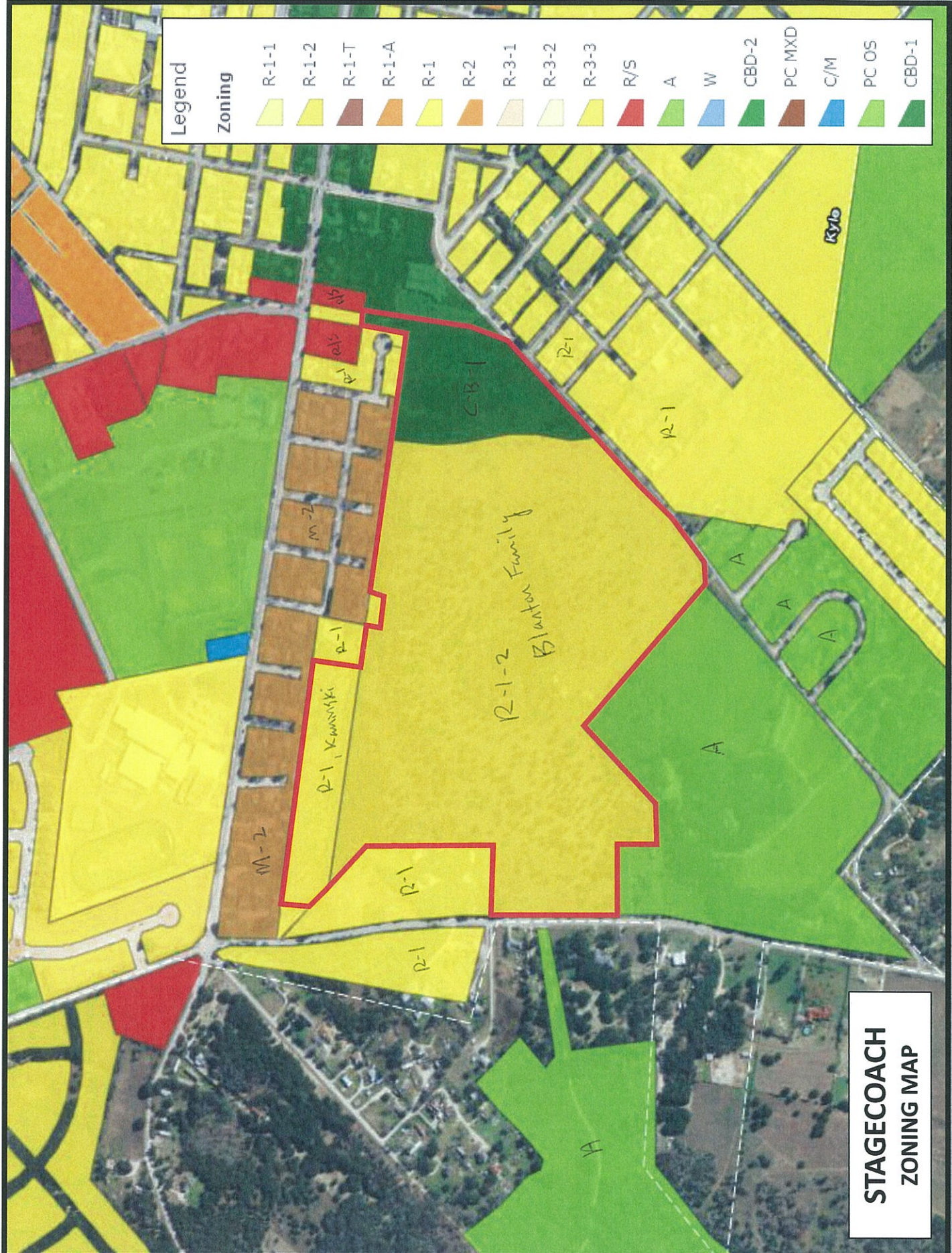
P.O. Box 663
Kyle TX
78640

I am in favor, this is why _____

I am not if favor, and this is why housing will bring in crime +
traffic to neighborhood - I have owned my property
since 1969. - do not want housing in my
backyard -

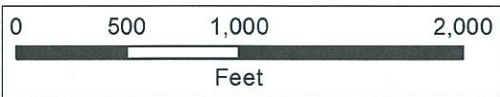
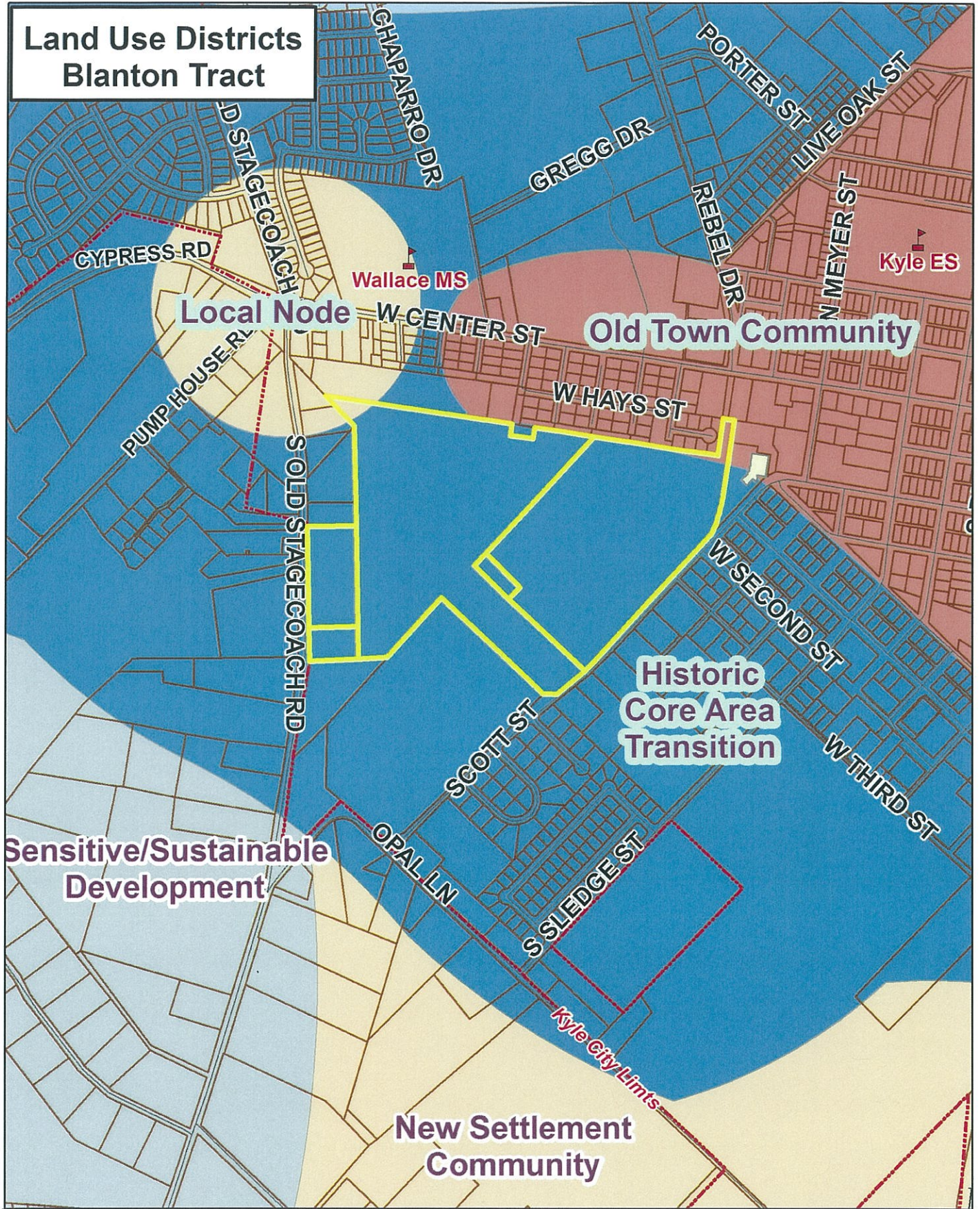
Will bring crime to Wallace Middle School
& Gregg Clarke park

Legend	
Zoning	
R-1-1	
R-1-2	
R-1-T	
R-1-A	
R-1	
R-2	
R-3-1	
R-3-2	
R-3-3	
R/S	
A	
W	
CBD-2	
PC MXD	
C/M	
PC OS	
CBD-1	



**STAGECOACH
ZONING MAP**

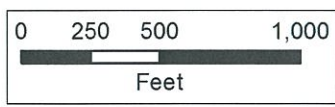
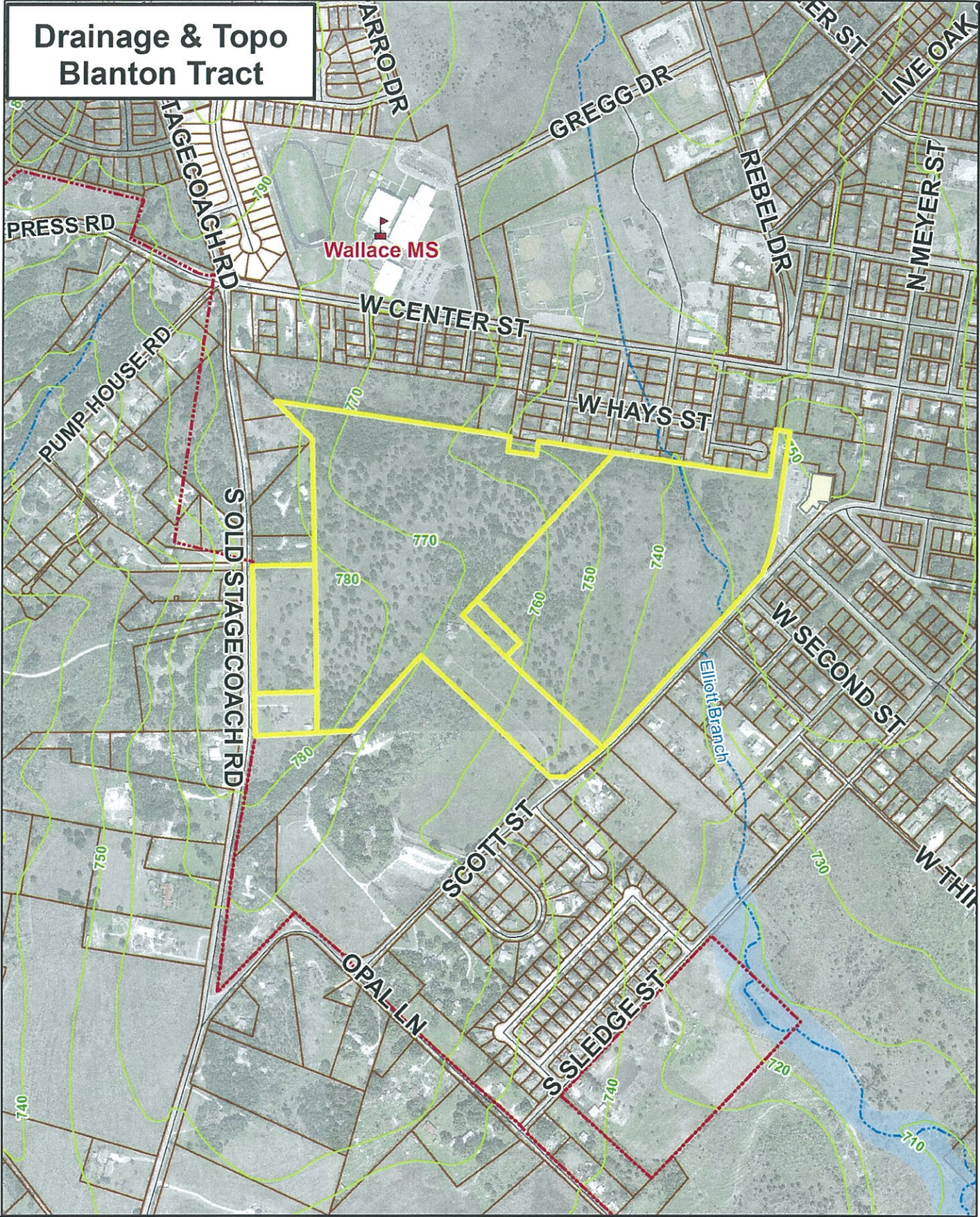
Land Use Districts Blanton Tract



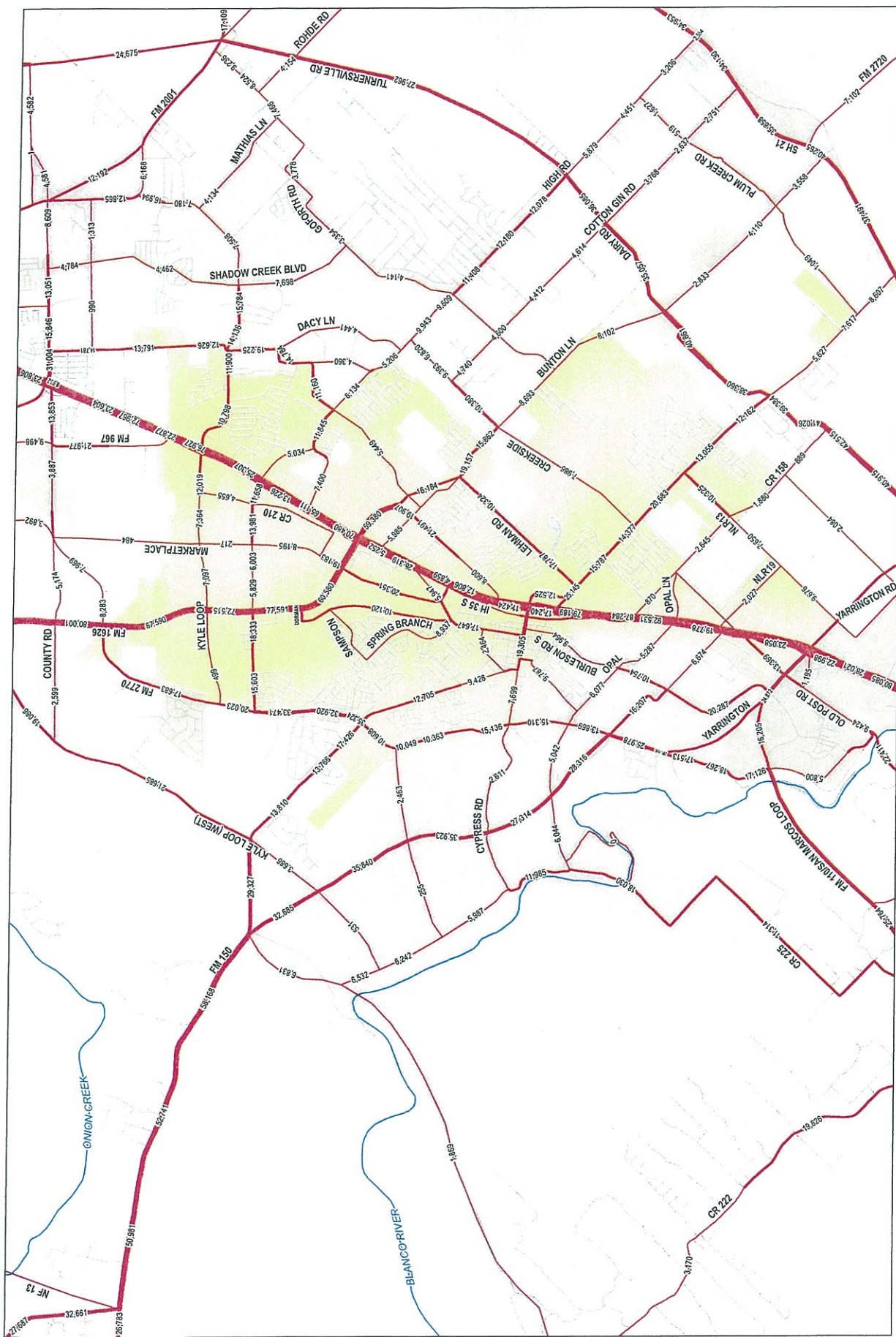
 Property Boundary

 Parcel Lines

Drainage & Topo Blanton Tract



- Parcel Lines
- Property Boundary
- Floodplain
- Contours (10ft)



2040 CAMPO Model Volumes



Kyle City Limits
 Kyle ETJ
 Other Cities

Streets
 Streams
 Lakes

- 2040 Volume**
 — 0 - 10,000
 — 10,001 - 25,000
 — 25,001 - 40,000
 — 40,001 - 60,000
 — 60,001 - 195,881

10/6/2015

5. ZONING – ITEM C

THOMAS KAMINSKI (Z-16-011)

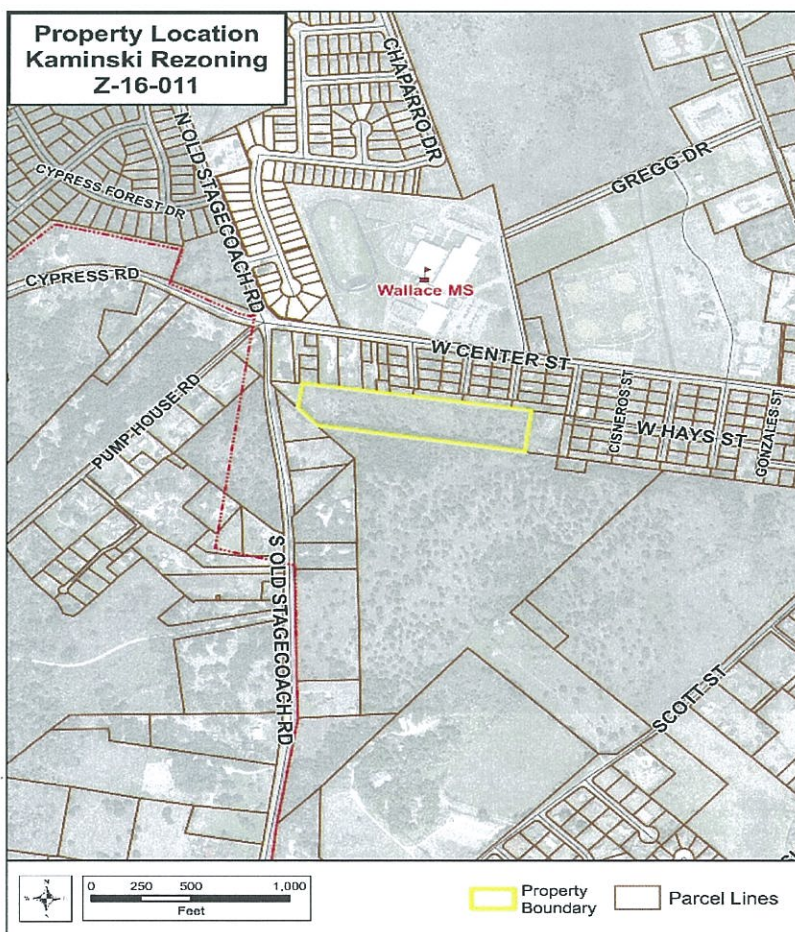
Property Location West of the western terminus of Zapata Street

Owner Thomas L. Kaminski
507 Canyon Wren Drive
Buda, Texas 78610

Agent Geoff Guerrero
Carlson, Brigance & Doering, Inc.
5501 West William Cannon Drive
Austin, Texas 78749

Request Rezone 7.26 Acres of R-1 to R-1-A

Vicinity Map



Site Description

The site is an assemblage of several lots of record with multiple owners, located on large acreage lots bordered by Scott Street to the southeast and S. Old Stagecoach Road to the west. There is between one to one and a half blocks of M-2 (Manufactured Home Subdivision) residential bordering the subject properties to the north, between Center Street and the site. The *total* development property comprises 86.14 acres, and currently has three zoning categories assigned to it. The largest portion at 68.5 acres, is being requested for rezoning under separate request (Z-16-010), is zoned R-1-2 (Single Family Residential 2). The next smallest portion of the property, also the subject of Z-16-010, is 10.38 acres, and zoned CBD-1 (Central Business District-1). Finally, the smallest portion is 7.26 acres, currently zoned R-1, and is the subject of this request (Z-16-011). The sites are surrounded by agricultural and existing residential uses. Properties to the north are zoned M-2 and R-1 (Single Family). To the east existing property is zoned CBD-1 and R-1 (across Scott Street). To the south, the area is zoned A (Agriculture) or R-1. A small portion of R-1 also sits to the west in addition to Hays County residential across South Old Stagecoach Road.

The applicant originally sought to rezone the properties from R-1-2, CBD-1, and R-1 to R-1-A, a residential zoning category allowing for ‘...attached single-family structures with a minimum of 1,000 square feet of living area and permitted accessory structures on a minimum lot size of 4,800 square feet, at no more than 6.8 houses per buildable acre. The single-family residences authorized in this zoning district include those generally referred to as garden homes, patio homes and zero lot line homes.’

With the creation of the new R-1-3 zoning category, the applicant has stated the request to consider rezoning the Kaminski property to the more restrictive R-1-3. The category, R-1-3, allows for ‘...allows detached single-family residences with a minimum of 1,000 square feet of living area and permitted accessory structures on a minimum lot size of 5,540 square feet. There shall be no more than 5.5 houses per buildable acre...’ This would be allowable via public hearing, on short notice, due to the more restrictive requirements within the R-1-3 category.

Conditions of the Zoning Ordinance

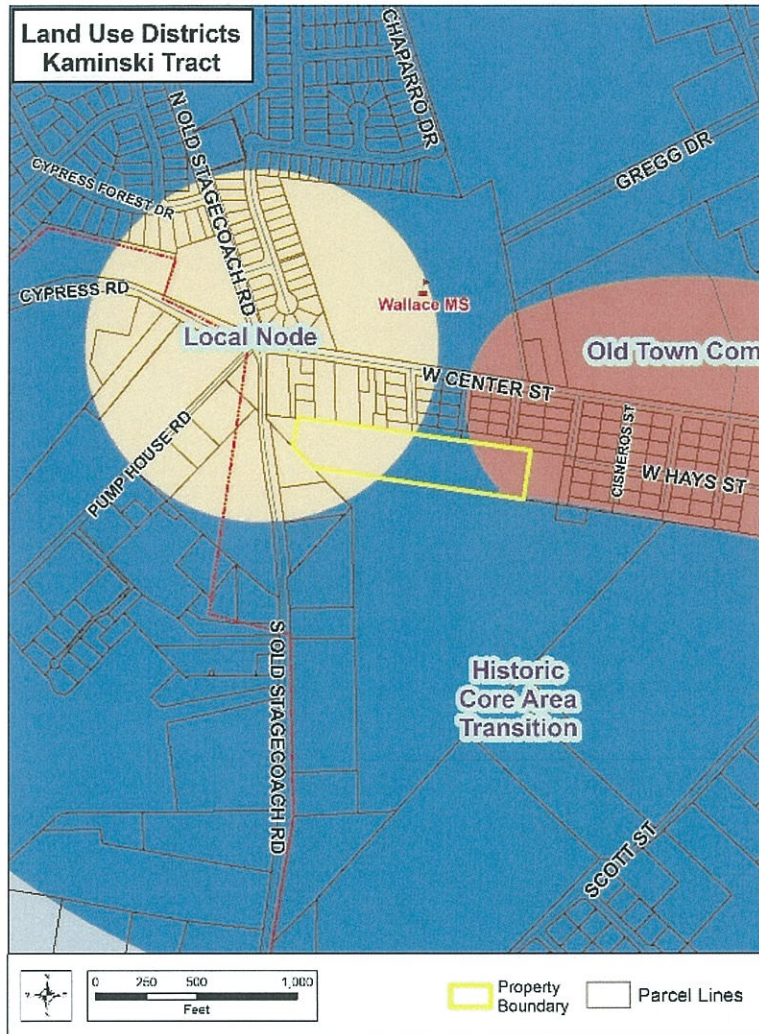
Sec. 53-1205 Amendments

(d)

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

(e)

Action by the planning and zoning commission. The planning and zoning commission shall cause such study and review to be made as advisable and required, shall give public notice and hold a public hearing as provided by state law, and shall recommend to the council such action as the planning and zoning commission deems proper...



Comprehensive Plan Text

The subject site is located in the “Historic Core Area Transition District”. It is recommended that the R-1-A zoning district be approved conditionally. As of yet, R-1-3 does not have an official placement within the Comprehensive Plan. However, upon approval of updates to the plan, it is expected that the zoning category of R-1-3 will be a recommended land use.

Character: The Historic Core Area Transition District serves as a transition between the regular gridded development pattern that characterizes Downtown and the more rural

patterns to the south and west, as well as newer development to the north. Significant features of this District include the intersection of Old Stagecoach Road and Center Street and the Gregg-Clarke Park. This District is a “middle landscape” of historic residential forms that transition to more rural residential forms. The District should embody the historic character of existing uses while anticipating appropriate expansion of Old Town. Development in the Historic Core Area Transition District has historically been on a small, lot-by-lot basis, rather than on a larger, project-by-project basis. Because of this, the street serves as the organizing feature of the District. Therefore, as new development extends into the District from the Old Town District, care should be taken to ensure that the historic street pattern is preserved.

Intent: The purpose of the Historic Core Area Transition District is to accommodate the growth of residential and neighborhood commercial uses around the Old Town District, while preserving the historic rural fabric. The core of Kyle should be allowed to expand into this area as population growth increases in order to strengthen the core of the City. Land use transitions are critical in this District, and the shift from township to rural landscape should be maintained. This can be accomplished by transition in the built form and function from commercial uses to residential uses and finally to rural agricultural residential uses and by establishing transitions in density, decreasing outwardly from the Old Town District. Public spaces in this District should be used to preserve the character of ranch heritage, where appropriate.

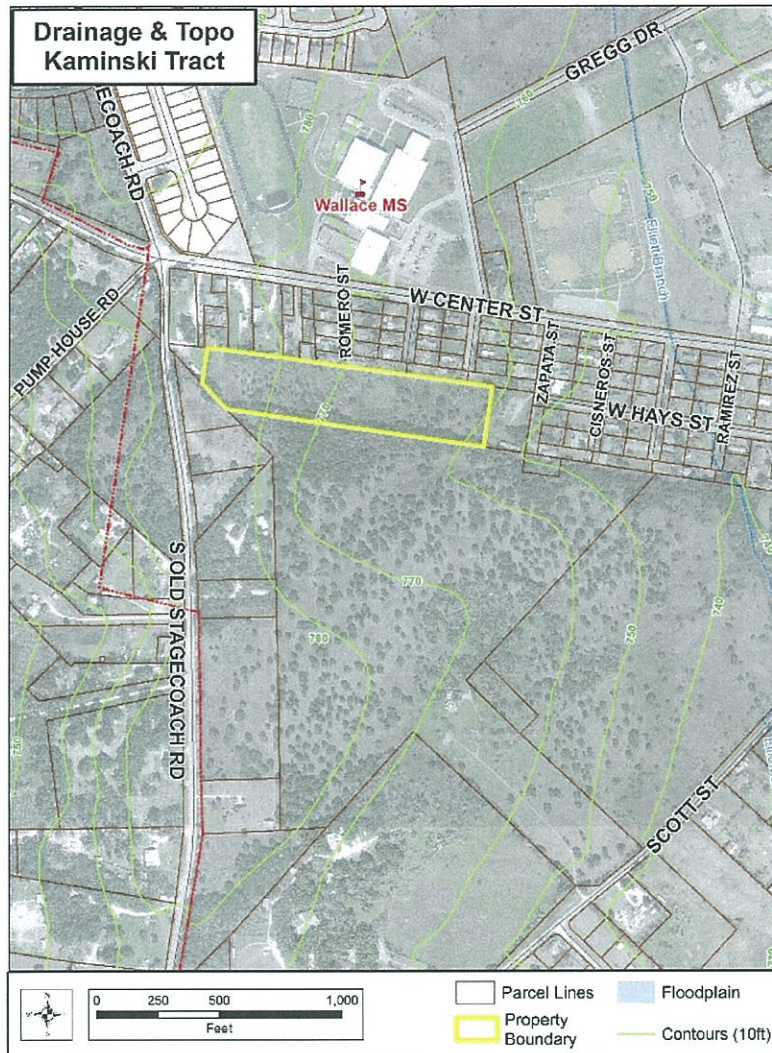
Analysis

The property requested to be rezoned sits in an area that is likely to serve as a transition between the original City of Kyle and the rural housing along Old Stagecoach Road. This area eventually will be developed providing housing for citizens with direct access to downtown Kyle via Scott Street and access to the Blanco River for recreational amenities and interstate connections.

A significant number of persons in and nearby to the development site have signed on to an official objection to the property being rezoned from one residential zoning category to another residential zoning category. Their objections are drawn from concerns related to storm water management and potential traffic impacts. However, it needs to be stated that as a function of initiating any new development project in the City of Kyle, development professionals are required to make provisions for storm water management based on the expected impact the project will have on the property following construction.

The process is roughly spelled out like this: During a storm, runoff drains directly to storm sewers or waterways. Detention ponds are constructed between the collection areas (impervious surfaces) and discharge conduit (streams and other water courses) to temporarily store stormwater runoff, thereby reducing the peak discharge rate by allowing flow to be discharged later at a slower, controlled rate within a specific designed time. These ponds help to prevent localized flooding and reduce streambank erosion downstream. City of Kyle regulations do not permit stormwater discharges from new development to discharge at a greater rate than predevelopment conditions (City of Austin Drainage Criteria Manual). In other words, the construction of new projects in

Kyle require improvements to the system of discharge into drainage basins, commiserate with the impact the project has on the system.



Due to downtown Kyle’s central location creating convenient access to nearby emerging residential, more citizens will naturally travel to the central business district, which is expected to increase the demand for more businesses supporting that new housing. Furthermore, the development of the property adjacent to- and in proximity to public services (public library, parks, public schools, etc.) reduces the reliance on the automobile in these areas while increasing desirability and value of residential development.

While the project was not included in the calculations for future transportation demand modeling and required upgrades to surrounding road networks, at a basic level, traffic impacts are easily calculated. At the time of the CAMPO 2040 study and the City of Kyle’s 2015 Transportation Master Plan, the idea of the project wasn’t in existence. Consequently, to help relieve the effects of unplanned/increased traffic, developers pay

fees to help offset traffic impacts or they offer to upgrade portions of the surrounding road network in addition to improvements made to the parcel during development. Staff will work with applicable parties at the time of site development, to ensure appropriate infrastructure upgrades are implemented.

The request is analogous to existing, surrounding land uses, and compliments the expectations of the city's comprehensive plan. It is staff's request that the original application for R-1-A should not be considered and the newly-enabled R-1-3 should be favorably recommended for approval.

Attachments

- Application
- Petitions in Objection to the Proposed Zoning Action
- Vicinity map
- Surrounding Zoning Map
- Land Use District Map
- Drainage Map
- 2040 CAMPO Model Volumes

RE: Stagecoach Forest Estimated Number of Units

Zinsmeyer, John <JZinsmeyer@kbhome.com>

Wed 2/8/2017 9:19 AM

Inbox

To: William Atkinson <watkinson@cityofkyle.com>; Charles Brigance <charlesbrigance@cbdeng.com>;

Cc: Lara, Laurie <llara@kbhome.com>;

So with R-1-3 with 50-55'x125' homesites which would net approximately 270 homes or the 3.2/ac density. With R-1-A using the minimum 45' width allowed we estimate that in the same layout we would net approximately 310-320 homes.

We have waited a long time for the new code and zoning classification to be in effect so we want to make it absolutely clear that what we are requesting of P&Z is a recommendation of R-1-3 in lieu of the R-1-A applied for originally before the code amendment process was underway.

Please let us know if there is anything that we can do to assist.

John Zinsmeyer

Vice President – Land

KB Home – Austin Division

[10800 Pecan Park #200](#)

[Austin, Texas 78750](#)

Direct: (512) 651-8090

Cell: (512) 844-1114

jzinsmeyer@kbhome.com

From: William Atkinson [mailto:watkinson@cityofkyle.com]

Sent: Tuesday, February 07, 2017 9:37 AM

To: Charles Brigance <charlesbrigance@cbdeng.com>; Zinsmeyer, John <JZinsmeyer@kbhome.com>

Cc: Lara, Laurie <llara@kbhome.com>

Subject: Re: Stagecoach Forest Estimated Number of Units

Thanks for the quick response with the updated numbers. It's good that we have the R-1-3 info. Even if KB asks P&Z to recommend the R-1-3, I still have to write my staff report as if the request is for the R-1-A rezoning. Under R-1-A, what is the estimated count and units/acre for Stagecoach Forest?

Thanks,

William Atkinson

City Planner

City of Kyle, Texas

2/9/2017,

RE: Stagecoach Forest Estimated Number of Units - William Atkinson

100 W. Center Street

P. O. Box 40

Kyle, Texas 78640

From: Charles Brigance <charlesbrigance@cbdeng.com>
Sent: Tuesday, February 7, 2017 8:35:29 AM
To: 'Zinsmeyer, John'; William Atkinson
Cc: Lara, Laurie
Subject: RE: Stagecoach Forest Estimated Number of Units

Mr. Atkinson: John's math is correct. Under R1-3 zoning, the land plan would yield about 270 homes which is about 3.2 units per acre. Please let me know if you have any questions.

Thank you, Charles

Carlson, Brigance & Doering, Inc

5501 W. William Cannon Blvd

Austin, Texas 78749

512-280-5160

From: Zinsmeyer, John [<mailto:JZinsmeyer@kbhome.com>]
Sent: Tuesday, February 07, 2017 8:21 AM
To: William Atkinson
Cc: Lara, Laurie; Charles Brigance
Subject: RE: Stagecoach Forest Estimated Number of Units

William, I have included Charles Brigance on the email to confirm accuracy. My records show we have approximately 85 acres and that if approved for the R-1-3 zoning and we utilize a mix of 50' and 55' wide by 125' deep homesites our concepts yield approximately 270 homes. This is a yield of approximately 3.2 units/acre. Charles please confirm so that William has the most accurate info for representations.

John Zinsmeyer

Vice President – Land

KB Home – Austin Division

[10800 Pecan Park #200](#)

[Austin, Texas 78750](#)

Direct: (512) 651-8090

Cell: (512) 844-1114

jzinsmeyer@kbhome.com

888-KB-HOMES kbhome.com

Consider the environment before printing this email.



From: William Atkinson [<mailto:watkinson@cityofkyle.com>]
Sent: Monday, February 06, 2017 2:02 PM
To: Zinsmeyer, John <JZinsmeyer@kbhome.com>
Subject: Stagecoach Forest Estimated Number of Units

John,

Roughly, how many dwelling units does KB Homes anticipate for Stagecoach Forest? The number I have is 200, and I want to be as accurate as possible.

Thanks,

William Atkinson

City Planner

City of Kyle, Texas

[100 W. Center Street](#)

[P. O. Box 40](#)

[Kyle, Texas 78640](#)

APPLICATION & CHECKLIST – ZONING CHANGE
CITY OF KYLE

Zoning: Stagecoach Re-Zoning II

(Name of Owner)

(Submittal Date)

OCT 21 2015

INSTRUCTIONS:

Z-16-011

- Fill out the following application and checklist completely prior to submission.
- Place a check mark on each line when you have complied with that item.
- Use the most current application from the City's website at www.cityofkyle.com or at City Hall. City ordinances can be obtained from the City of Kyle.

PLANNING DEPARTMENT

REQUIRED ITEMS FOR SUBMITTAL PACKAGE:

The following items are required to be submitted to the Planning Department in order for the Zoning Application to be accepted.

- 1. Completed application form with owner's original signature.
- 2. Letter explaining the reason for the request.
- 3. Application fee: \$428.06, plus \$3.62 per acre or portion thereof. (7.26 x \$3.62 = \$26.28)

Newspaper Publication Fee: \$190.21

Total Fee: \$644.55

- 4. A map or plat showing the area being proposed for rezoning.
- 5. A clear and legible copy of field notes (metes and bounds) describing the tract (when not a subdivided lot).
- 6. Certified Tax certificates: County ___ School ___ City ___
- 7. Copy of Deed showing current ownership.

***** A submittal meeting is required. Please contact Debbie Guerra at (512) 262-3959 to schedule an appointment.**

1. Zoning Request:

Current Zoning Classification: R-1

Proposed Zoning Classification: R-1-A

Proposed Use of the Property: Single family subdivision

Acreage/Sq. Ft. of Zoning Change: 7.26 acres

2. Address and Legal Description:

**Provide certified field notes describing the property being proposed for rezoning.
Provide complete information on the location of the property being proposed for rezoning.**

Street Address: Zapata Street, Kyle, Texas 78640

Subdivision Name/Lot & Block Nos.: John Pharass Survey No. 13, Abstract 361 and

Property Recording Information:
Volume/Cabinet No. 1311

Hays County

Page/Slide No. 20

3. **Ownership Information:**
Name of Property Owner(s): Thomas L. Kaminski

(If property ownership is in the name of a partnership, corporation, joint venture, trust or other entity, please list the official name of the entity and the name of the managing partner.)

Address of Owner: 507 Canyon Wren Drive
Buda, Texas 78610

Phone Number: _____

Fax Number: _____

Email Number: _____

I hereby request that my property, as described above, be considered for rezoning:

Signed: X 

Date: 10-16-16

4. **Agent Information:**

If an agent is representing the owner of the property, please complete the following information:

Agent's Name: Carlson, Brigance & Doering, Inc. (Geoff Guerrero)

Agent's Address: 5501 W. William Cannon Dr

Austin, Texas 78749

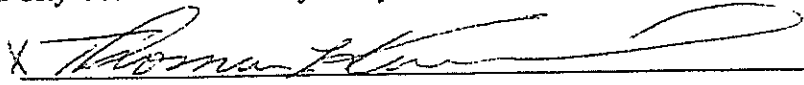
Agent's Phone Number: (512) 280-5160

Agent's Fax Number: _____

Agent's Mobile Number: _____

Agent's Email Number: geoff@cbdeng.com

I hereby authorize the person named above to act as my agent in processing this application before the Planning and Zoning Commission and City Council of the City of Kyle:

Owner's Signature: X 

Date: 10-16-16

*Do Not Write Below This Line
Staff Will Complete*

Tax Certificates: County School City

Certified List of Property Owners Within 200"

All Fees Paid: Filing/Application Mail Out Costs

Attached Map of Subject Property

Accepted for Processing By: *Robert Guerra* Date: *10/21/16*

Date of Public Notification in Newspaper: *11/21/16*

Date of Public Hearing Before Planning and Zoning Commission: *11/22/16*

Date of Public Hearing Before City Council: *12/16/16*



Carlson, Brigance & Doering, Inc.

Civil Engineering ❖ Surveying

October 21, 2016

City of Kyle
Planning Department
Attn: Mr. Howard Koontz, Director of Planning
100 West Center Street
Kyle, Texas 78640

**RE: KB Home Stagecoach Subdivision
CBD Job # 4826**

Application for Re-Zoning

Dear Mr. Koontz,

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The two tracts are located within the full purpose Kyle city limits and are currently zoned R-1 (Kaminski) and R-1-2 / CBD-1 (Blanton) respectively. This request for the rezoning is to modify both tracts to a combined R-1-A zoning district. In addition to the rezoning request, a Development Agreement is also proposed for the overall development that will be processed concurrently and will establish the development guidelines for the project. The purpose of this request is to create a single family residential development near the center of the City of Kyle that provides residents the opportunity for close proximity community and city interaction within a master-planned project.

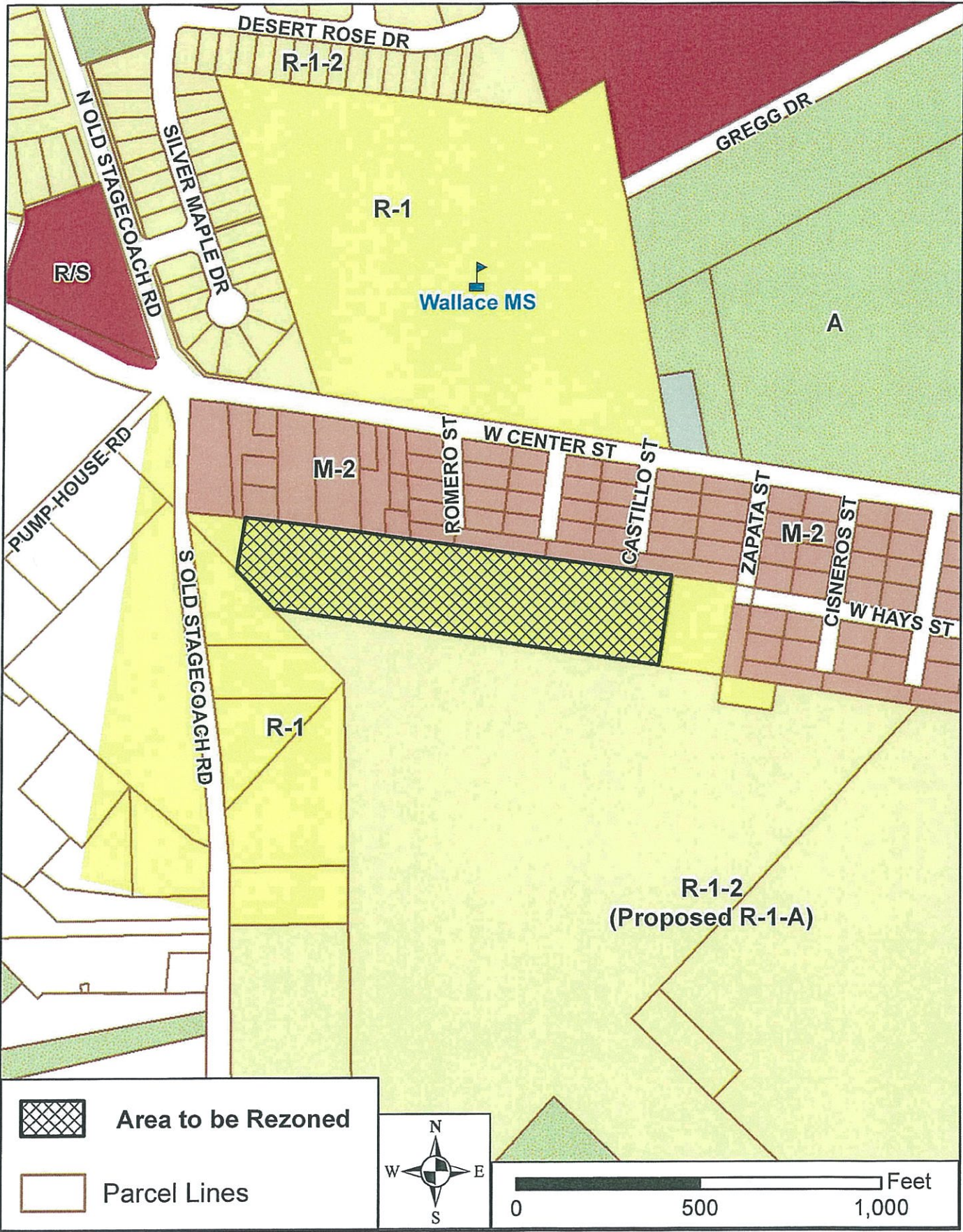
Thank you for your time and review of this project. Please let me know if you need any additional information in order to process this request.

Respectfully,
Carlson, Brigance & Doering, Inc.

Geoff Guerrero
Director of Planning

Exhibit B

(Z-16-011)



You may send your written comments to the Planning Department, 100 W. Center St., Kyle, Texas 78640
(attention: Zoning File # Z-16-011).

Mailing address
PO. Box 66
Kyle TX 78640

Name: Efrain Lopez Address: 102 Cisneros ST

I am in favor, this is why _____

I am not in favor, and this is why -housing will bring in crime & traffic to our neighborhood - I have owned my property since 1969. Do not want housing in my backyard.

Will bring crime to Wallace Middle School & Gregg Clarke Park

You may send your written comments to the Planning Department, 100 W. Center St., Kyle, Texas 78640
(attention: Zoning File # Z-16-011).

Name: THOMAS KAMINSKI Address: 507 Canyon View Blvd TX 78610

I am in favor, this is why THIS PROPERTY IS LAND LOCKED AND IF NOT ENCLOSED IN THIS PROJECT WILL CREATE PROBS IN THE DEVELOPMENT DOWN THE ROAD.

I am not in favor, and this is why _____

DEC 13 2016

Neighborhood Citizens Petition 13 December 2016

PLANNING DEPARTMENT

We are against the idea of Thomas J Kaminski request to rezone
approximately 7.26 Acres from R-1 Single Family to R1A Single Family zone.

We believe the idea of rezoning this property is not compatible to the R1 zoning of our neighborhood.

The following citizens from the neighborhood of Tenorio subdivision

here by give permission for Luis Lopez to speak in their behalf at
the Planning and Zoning Committee meeting held December 13, 2016.

Lydia Alvarez
Augustin Alvarez

Name	Address	Phone Number
Luis M Lopez	1201 W. Center St.	512-296-6127
Ruby Martinez	107 Zapata	512-268-1567
Julia Quintero	105 Zapata	512-268-0869
ERRAIN LOPEZ	204 CASEROS ST	512-557-2407
Ester Romero	Row 203 Cisneros	512 554-9424
DAVID CHAVEZ	104 SAUCEDO ST.	512 667-3144
EVA Ortuno	104 Zapata St. Kyle	512-268-8361
John Ortuno	104 Zapata St	512-268-8361
ISAAC ARREDONDO	205 Cisneros St Kyle	512 431-0397
Miguel M. Dilgas	201 SAUCEDO Kyle TX	512-268-7851
Bob Joe Tenorio	108 Cisneros Kyle Texas	512-749-8170
Augustin KVAIA ALVARO	106 Zapata Kyle TX	512-825-7910
CARMEN Zavala	1107 W. Hays	512-268-4664
Olga Ovala	1101 W. HAYS	512-879-7055
Edith	1007 W Hays	512-760-1279
Elysa Sanchez	1046 W. Hwy 571	512-888-3131
Noel Hernandez	108 Ramirez St TX	540) 219-9270
Marta Cortez	102 Ramirez	512 878-7040
José L. Fuentes	106 Ramirez	512-268-4163
Gonzalo	107 Cisneros	512 242 0623
Zade Cruz	107 Zapata	512 963 7205
Robbie Jo Martinez	203 Saucedo St.	512-552-8495
Genaro Zaragoza	107 Ramirez St KYLE TX	78640
Jack MONTAÑA Jr.	103 Ramirez St. Kyle TX	78640
Thomas Arana	103 GONZALES ST. Kyle	512-268-2120
Yolanda	905 W. Hays Kyle	78640
Yolanda	905 W. Hays Kyle	78640
Dennis Danek	903 W. Hwy Kyle	78640
Art Roman	902 W. Hwy Kyle	78640
DAVID MORENO	904 W. Hwy Kyle	512 513-4241
STERLING JOHNSON	103 GONZALES KYLE TX	512-563-6825
Rose Ann Johnson	" " " " "	512-2621-265
Dorothy Greenberg	100 Cisneros St Kyle	512-946-1248
Esther Easton	1409 W CENTER ST	512-1757-9000
Orlando Gonzalez	106 CASSELL ST	512-268-1505
Tam P Mullen	207 opal Lane Kyle TX	78640

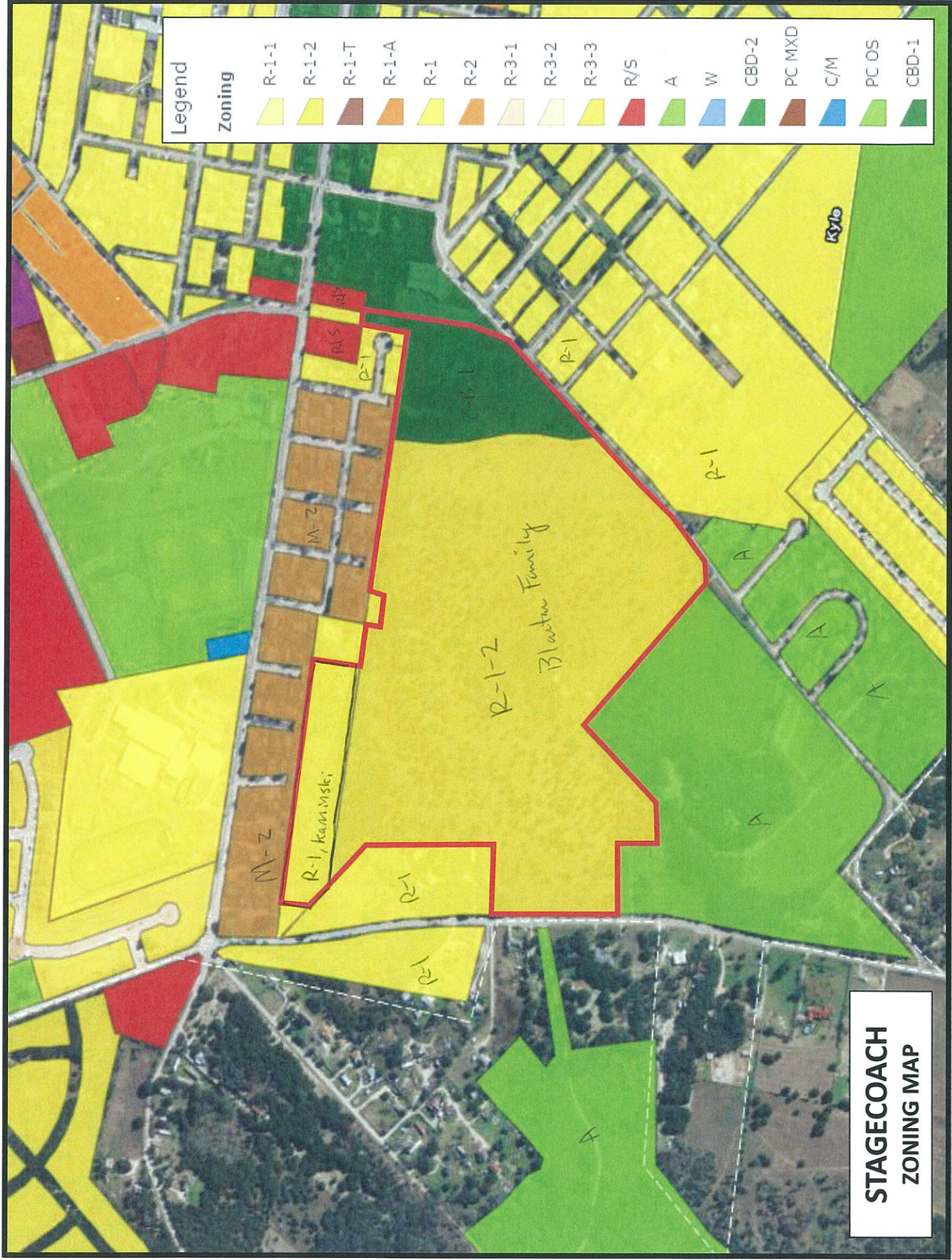
DEC 13 2016

Neighborhood Citizens Petition December 2016

We are against the idea of Thomas I Kaminski's request to rezone PLANNING DEPARTMENT
approximately 7-26 Acres from R-1 Single Family to R1A Single Family zone.
 We believe the idea of rezoning this property is not compatible to the R1 zoning of our neighborhood.
 The following citizens from the neighborhood of Tenorio subdivision
 here by give permission for Luis Lopez to speak in their behalf at
 the Planning and Zoning Committee meeting held December 13, 2016. ls
ls

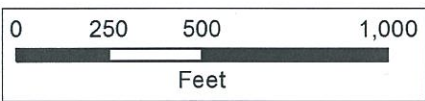
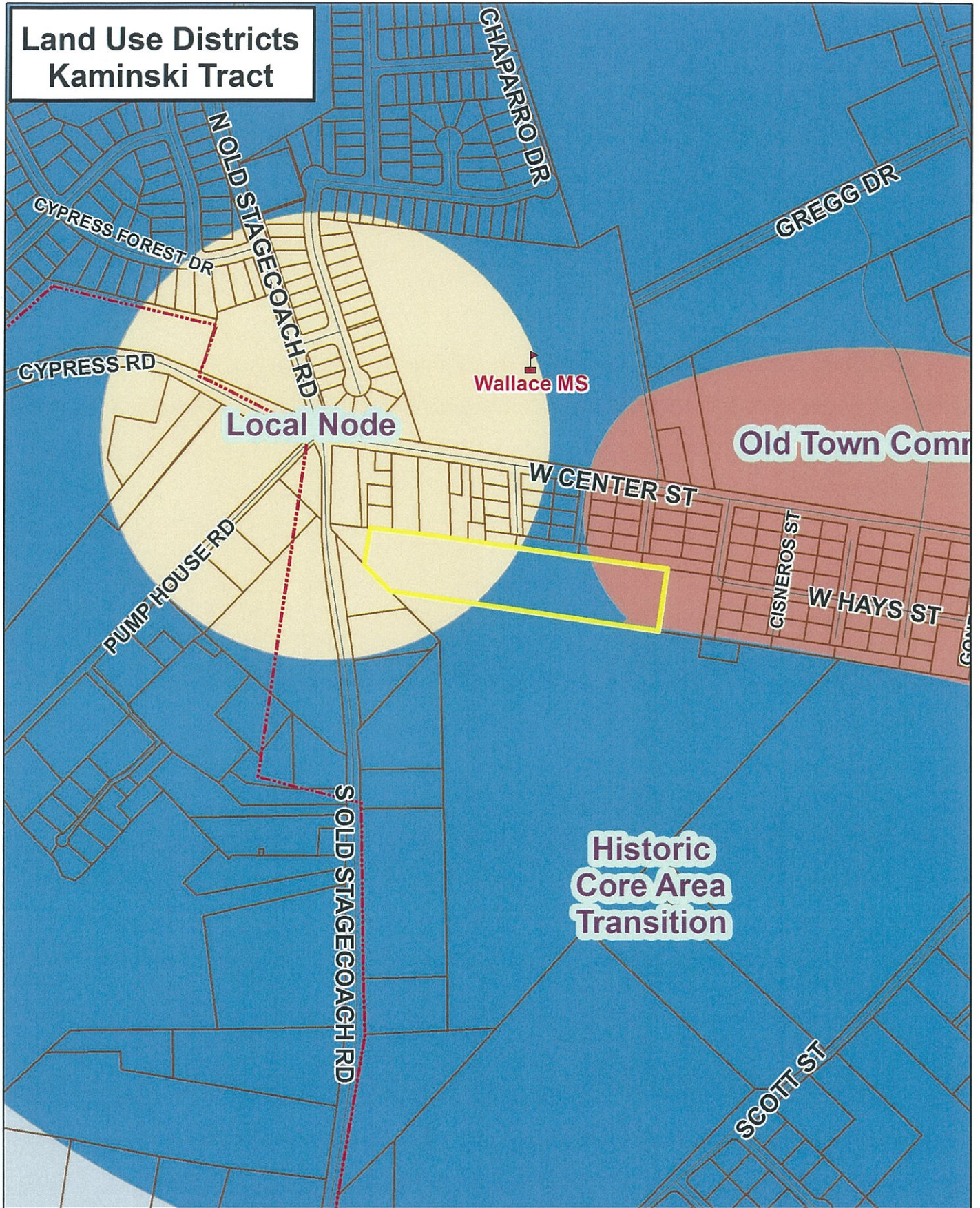
Name	Address	Phone Number
Cibulammuh Mill	737 Opel Lane	512-667-0778
Estelle Espe	1401 W Center	512-665-5450
Maria Saucedo	1201 W Hays	512-736-3575
Marcelino Saucedo Jr.	1901 Center	512-665-4959
John Garza	1201 W. Hays	512-736-2233
Rudy Saucedo	1901 Center	512-263-2179
EDDY VON'S	901 HAYS	512-209-7925
MARY VON'S	901 HAYS	512-928-1150
Guadalupe Regna	501 Saucedo	512-662-0868
Ayala Juarez	1207 W Hays	(512) 663-4998
Andres Romero	1706 Center	(512) 738-7596
ALEX CASTILLO	105 Romero	(512) 217-8629
IGNACIO GUJARDO	106 Romero St.	512 504 3766
TRACY ARRISOLA	104 Romero St	512 563 9455
ELOY REGALADO	1607 Center St	512-863-9990
Daniel Gomez	1503 St Street	512-262-0618
Rudy Longoria	103 Falcon St.	512-203-5497
Santia Sanchez	105 Jackson St	512-262-0133
MARLETTA DE JERRES	104 Falcon St	512 268 1397
Marianna Parra	106 Falcon St.	512-214-1180
Sofia Ramirez	1501 W Center	512, 299-8699
Catherine Worels	107 Castillo St.	512-644-5049
JOSE TIERRINA	105 CISNEROS	512-216-0566
Veretta Lindsay	110 Zapata	512 268 4453
Rita Martinez	1301 Zapata	512 557-2919

Legend	
Zoning	
R-1-1	
R-1-2	
R-1-T	
R-1-A	
R-1	
R-2	
R-3-1	
R-3-2	
R-3-3	
R/S	
A	
W	
CBD-2	
PC MXD	
C/M	
PC OS	
CBD-1	



**STAGECOACH
ZONING MAP**

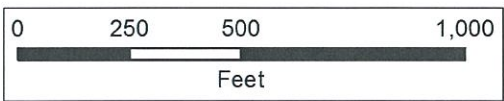
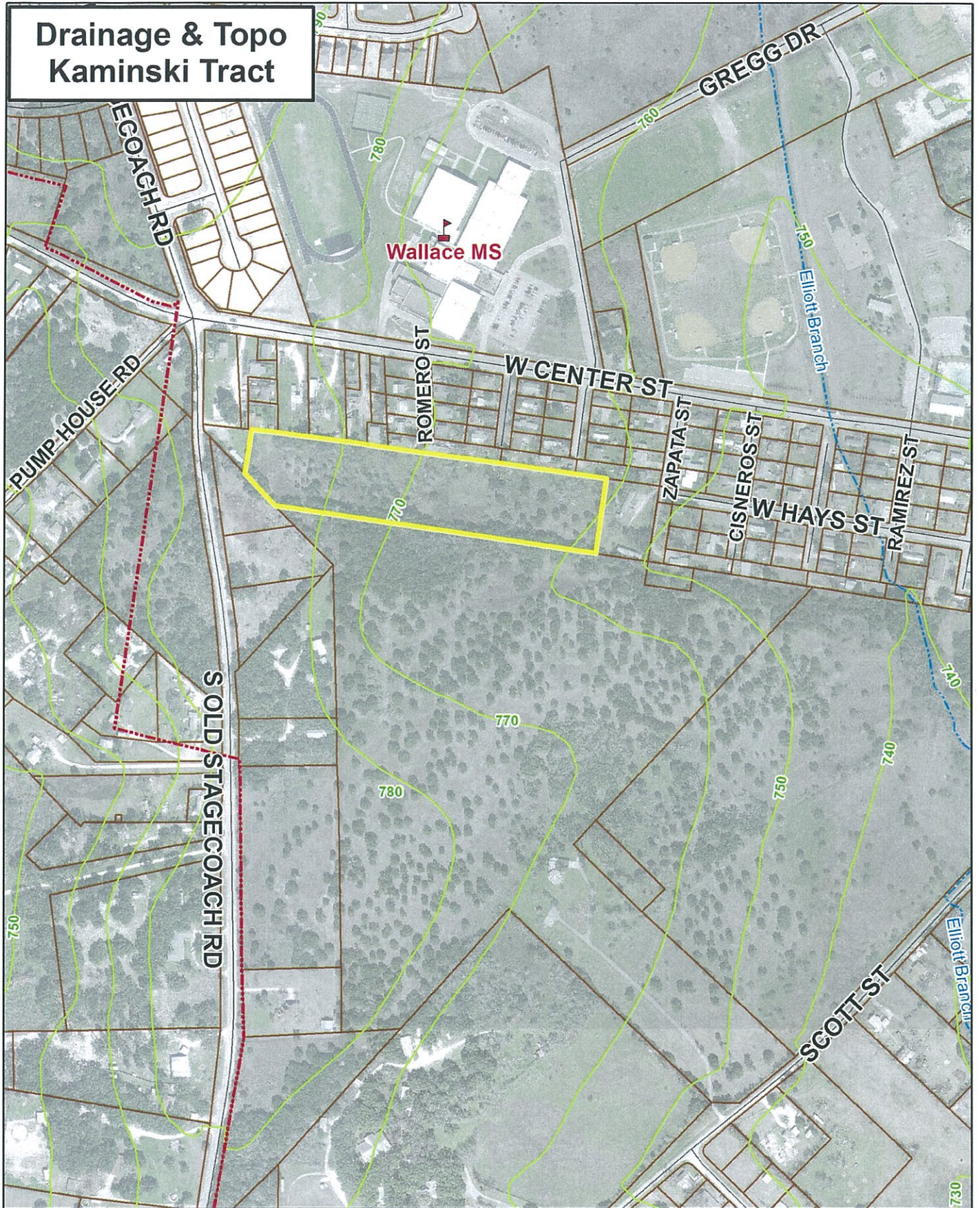
Land Use Districts Kaminski Tract



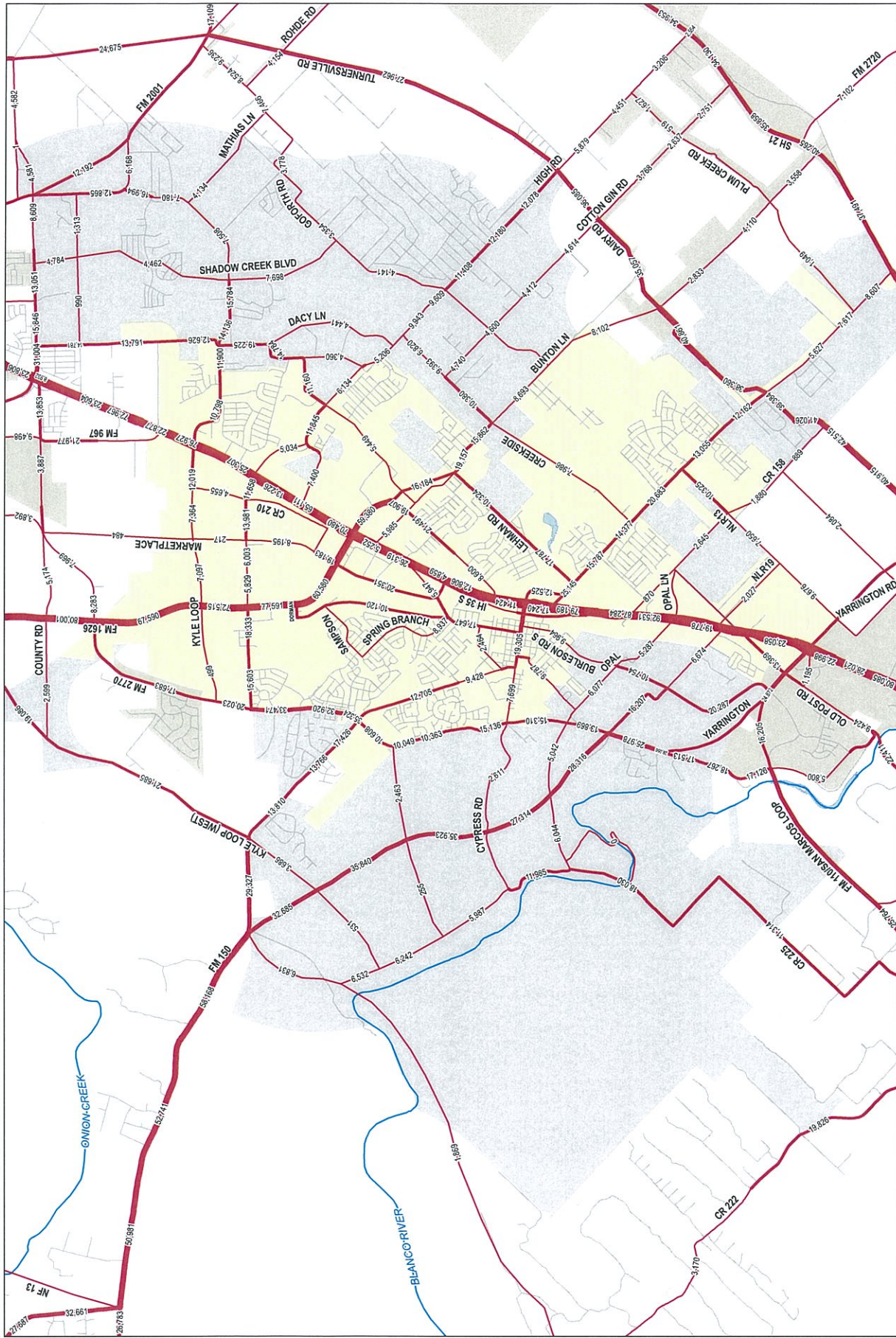
 Property Boundary

 Parcel Lines

Drainage & Topo Kaminski Tract



- Parcel Lines
- Property Boundary
- Floodplain
- Contours (10ft)



2040 CAMPO Model Volumes

10/6/2015

0 0.25 0.5 1 Miles

NORTH

2040 Volume

- 25,001 - 40,000
- 40,001 - 60,000
- 60,001 - 195,881
- 0 - 10,000
- 10,001 - 25,000

Legend:

- Kyle City Limits
- Kyle ETJ
- Other Cities
- Streets
- Streams
- Lakes

Logos: CITY OF KYLE, Kimley Horn, LGN

5. ZONING – ITEM D

THOMAS SURVIVORS TRUST (STEVEN THOMAS, TRUSTEE (Z-17-001)

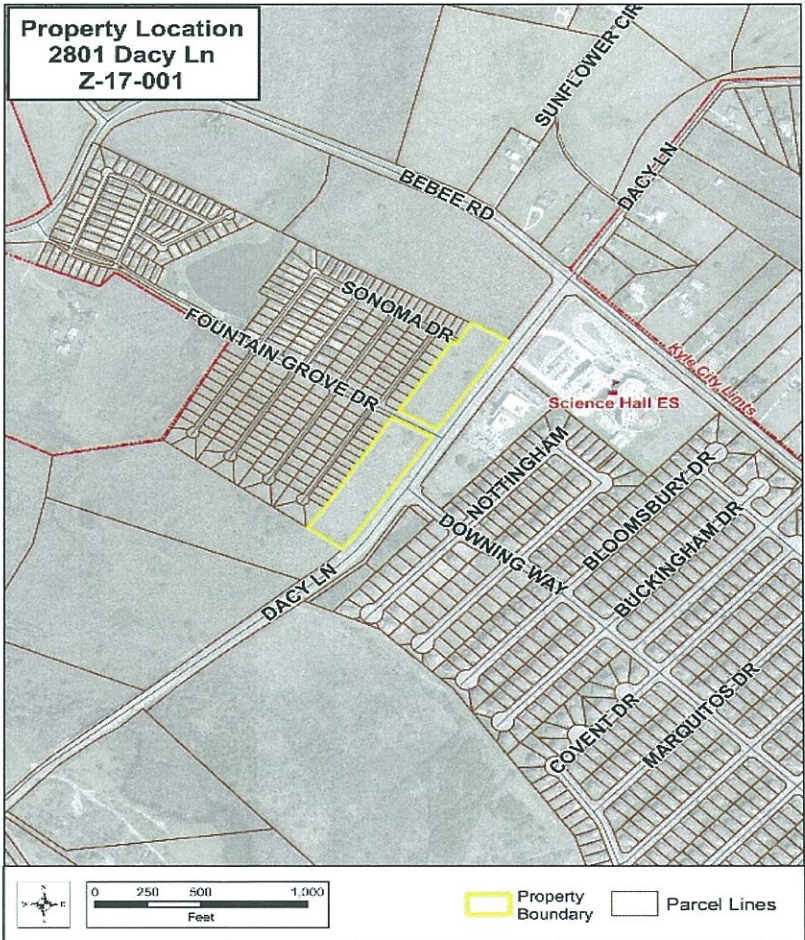
Property Location Dacy Lane & Fountain Grove, Kyle, Texas 78640

Owner Thomas Survivors Trust
Steven Thomas, Trustee
415 L’Ambiance Drive #902
Longboat Key, FL 34228

Agent Michael Seery
5851 San Felipe
Houston, TX 77057

Request Rezone 6.96 Acres, A to R/S

Vicinity Map



Site Description

The site is located on undeveloped land and is currently zoned A (Agriculture). It is bordered on the west by Bluebonnet Estates manufactured home park, and vacant land zoned R/S (Retail/Services) to the north. Science Hall Elementary and Communicare Health Center (W, R/S) sit across Dacy Lane, northeast and east of the parcel, along with the subdivision of Kensington Trails (R-1-2). An undeveloped parcel of land zoned Agriculture is immediately to the south. Fountain Grove Drive bisects the property, as a private road. Dacy Lane runs in a generally north/south direction adjacent to the property. Bebee Road intersects with Dacy Lane just to the north of the parcel, at Science Hall Elementary.

The applicant seeks to rezone the property from A to R/S, the Retail/Services zoning category allowing for the following:

“This district allows general retail sales of consumable products and goods within buildings of products that are generally not hazardous and that are commonly purchased and used by consumers in their homes, including most in-store retail sales of goods and products that do not pose a fire or health hazard to neighboring areas, e.g., clothing, prescription drugs, furniture, toys, hardware, electronics, pet supply, variety, department, video rental and antique stores, art studio or gallery, hobby shops and florist shops,....”

Conditions of the Zoning Ordinance

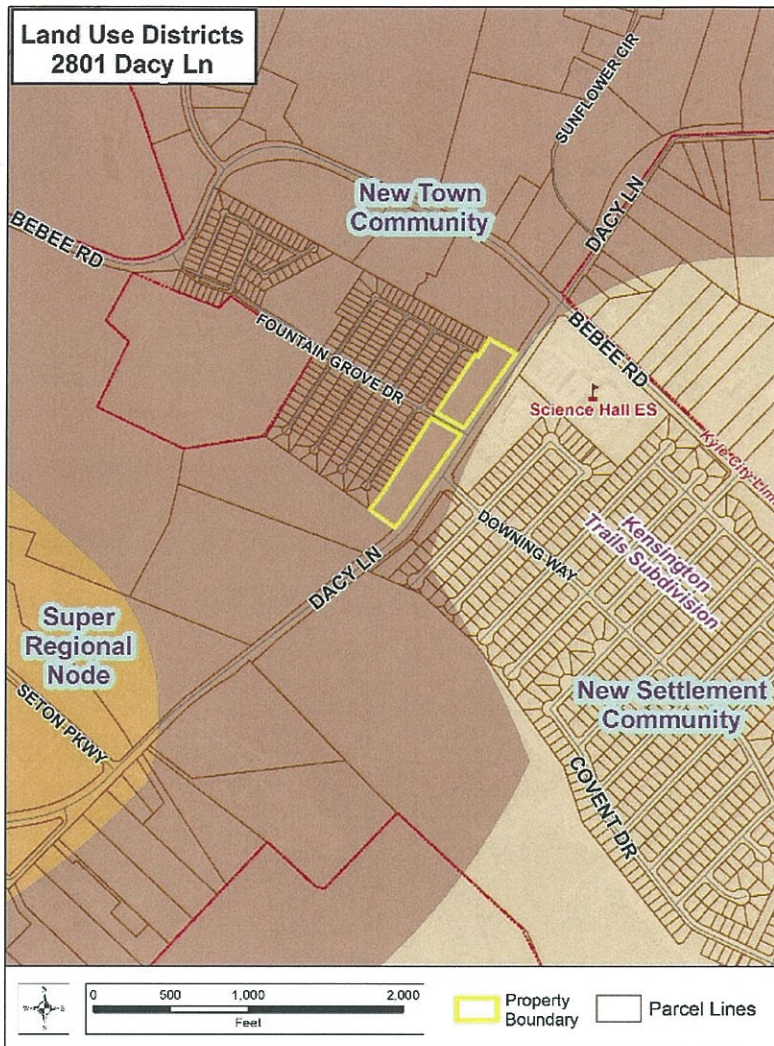
Sec. 53-1205 Amendments

(d)

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

(e)

Action by the planning and zoning commission. The planning and zoning commission shall cause such study and review to be made as advisable and required, shall give public notice and hold a public hearing as provided by state law, and shall recommend to the council such action as the planning and zoning commission deems proper...



Comprehensive Plan Text

The subject site is located in the “New Town Community District”. It is recommended that the R/S zoning district be approved conditionally.

‘Character’: Currently consisting primarily of residential uses, open fields, some commercial uses along I-35, and the City’s new Performing Arts Center, the New Town District will likely experience significant development pressures in the near future. This District straddles both I-35 and FM 1626, and growth from Austin and Buda is spreading south along these roadways. This District should be livable, comfortable, and convenient for all residents of Kyle and the surrounding region. Elements of form and design are critical to ensuring transitions between neighboring uses.

‘Intent’: The New Town District is designed to contain a horizontal mix of land uses that should be integrated across the area to express a cohesive community form. Many differing uses are encouraged throughout the District, but are distributed in autonomous

land parcels instead of vertically aggregated in fewer land parcels. Horizontal mixed uses provide a transition to integrate the community form of New Town with surrounding communities, landscapes, and nodes. The purpose of the New Town District is to harness economic development potential and establish its position as the sustainable center of surrounding growth. This District should provide economic support to Kyle based on locational advantages gained by access to growth advancing from south Austin and nodal developments on the northern side of Kyle. Mixed-use development should be encouraged, not only permitted, to maximize economic development. This can be achieved by aggregating appropriate densities in order to support a mixture of uses. Development patterns and employment opportunities should be created in the New Town District that do not conflict with the surrounding community fabric. Public spaces in this District should be used to preserve the character of ranch heritage, where appropriate.

Analysis

The property requesting to be rezoned is sited in an area that is rapidly developing into a hub of commercial and residential activity. This “node” (not mapped) is centered on the intersection of Dacy Lane and Bebee Road. This area will have retail and service offerings, housing options with direct access to Science Hall Elementary, the future Vista Park, Seton Medical Center Hays/FM 1626 via Dacy Lane, and access to I-35 for convenient travel to Austin/San Antonio.

The section of Dacy Lane adjacent to the parcel has already been widened to allow appropriate increased traffic and Hays County is in the process of widening Dacy Lane north of Bebee Road to improve traffic flow. Bebee Rd is also planned to be improved in the future.

With its location along the Dacy Lane collector, proximity to residential and commercial growth, the future Vista Park, the rezoning of this parcel from A to R/S is appropriate for the City of Kyle and the development of the area.

Attachments

- Application
- Location Map
- Surrounding Zoning Map
- Land Use District Map
- 2040 CAMPO Model Volume

APPLICATION & CHECKLIST – ZONING CHANGE

Zoning: Thomas Survivors Trust

12/7/16
(Submittal Date)

INSTRUCTIONS: 2-17-001
(Name of Owner)

- Fill out the following application and checklist completely prior to submission.
- Place a check mark on each line when you have complied with that item.
- Use the most current application from the City's website at www.cityofkyle.com or at City Hall. City ordinances can be obtained from the City of Kyle.

REQUIRED ITEMS FOR SUBMITTAL PACKAGE:

The following items are required to be submitted to the Planning Department in order for the Zoning Application to be accepted.

- 1. Completed application form with owner's original signature.
- 2. Letter explaining the reason for the request.
- 3. Application fee: \$428.06, plus \$3.62 per acre or portion thereof.

Newspaper Publication Fee: \$190.21

Total Fee: 643.47

- 4. A map or plat showing the area being proposed for rezoning.
- 5. A clear and legible copy of field notes (metes and bounds) describing the tract (when not a subdivided lot).
- 6. Certified Tax certificates: County School City
- 7. Copy of Deed showing current ownership.

*** A submittal meeting is required. Please contact Debbie Guerra at (512) 262-3959 to schedule an appointment.

1. Zoning Request:

Current Zoning Classification: AGG.
Proposed Zoning Classification: RETAIL SERVICES
Proposed Use of the Property: RETAIL COMMERCIAL
Acreage/Sq. Ft. of Zoning Change: 6.96

2. Address and Legal Description:

Provide certified field notes describing the property being proposed for rezoning.
Provide complete information on the location of the property being proposed for rezoning.

Street Address: DACY @ DOWNING (SWC)
Subdivision Name/Lot & Block Nos.: _____

Property Recording Information: Hays County
Volume/Cabinet No. _____

Page/Slide No. _____

3. Ownership Information:

Name of Property Owner(s): Thomas Survivors Trust

Mr. Steven Thomas, Trustee

(If property ownership is in the name of a partnership, corporation, joint venture, trust or other entity, please list the official name of the entity and the name of the managing partner.)

Address of Owner: 415 L'Ambiance Drive #902

Longboat Key, Florida 34228

Phone Number: 512-695-7502

Fax Number: _____

Email Number: bmt4steven@icloud.com

I hereby request that my property, as described above, be considered for rezoning:

Signed: _____

Date: _____

Steven Thomas
1/6/17

4. Agent Information:

If an agent is representing the owner of the property, please complete the following information:

Agent's Name: MICHAEL SEERY

Agent's Address: 5851 SAN FELIPE

HOUSTON, TX 77057

Agent's Phone Number: 713-561-2626

Agent's Fax Number: _____

Agent's Mobile Number: 713-561-2626

Agent's Email Number: SEERY.CAPITAL@GMAIL.COM

I hereby authorize the person named above to act as my agent in processing this application before the Planning and Zoning Commission and City Council of the City of Kyle:

Owner's Signature: _____

Date: _____

Steven Thomas Trustee
1/6/17

*Do Not Write Below This Line
Staff Will Complete*

Tax Certificates: County School City

Certified List of Property Owners Within 200'

CITY OF KYLE

All Fees Paid: Filing/Application Mail Out Costs

JAN 10 2017

Attached Map of Subject Property

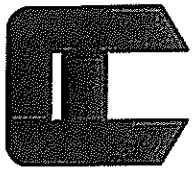
Accepted for Processing By Debra J. Green

Date: PLANNING DEPARTMENT

Date of Public Notification in Newspaper: 1/25/17

Date of Public Hearing Before Planning and Zoning Commission: 2/14/17

Date of Public Hearing Before City Council: 2/21/17



CAPITAL CONSTRUCTION MANAGEMENT

January 30, 2017

Debbie A. Guerra
Planning Technician
City Of Kyle
100 W. Center Street
Kyle, Texas 78640
512-262-3959

Re: Dacy and Downing Zoning

Dear Debbie Guerra,

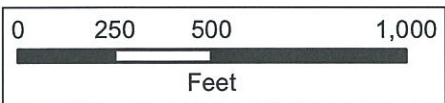
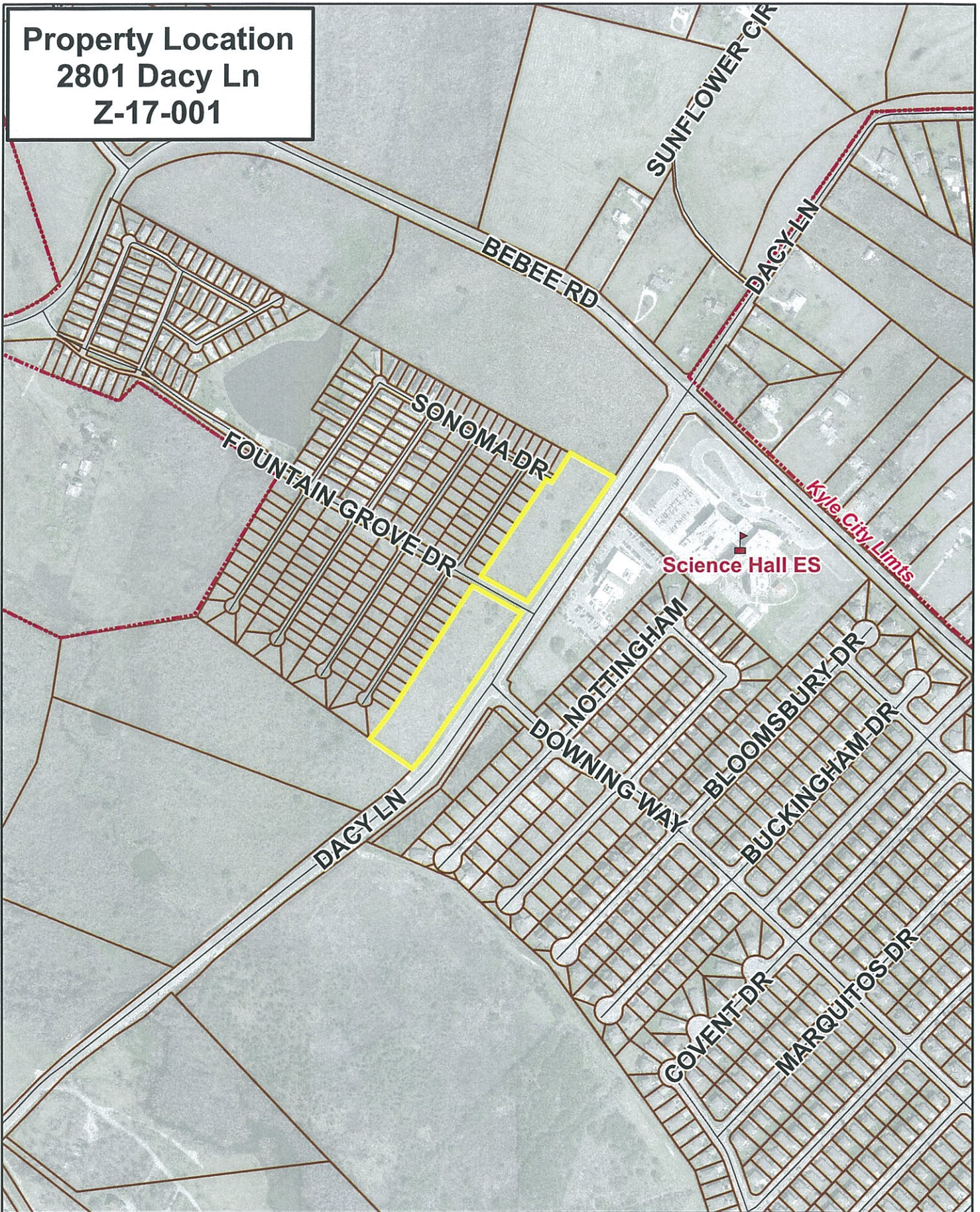
Please accept this letter as an official request for Dacy and Downing Zoning (2801 Dacy Ln.) to go from Agriculture to Retail Service District. We are building a gas station with a fast food retail center, and car wash.

If you have any questions pertaining to this matter, please feel free to contact me at your convenience.

Thank You,

Diana Salazar
Administrative Assistant

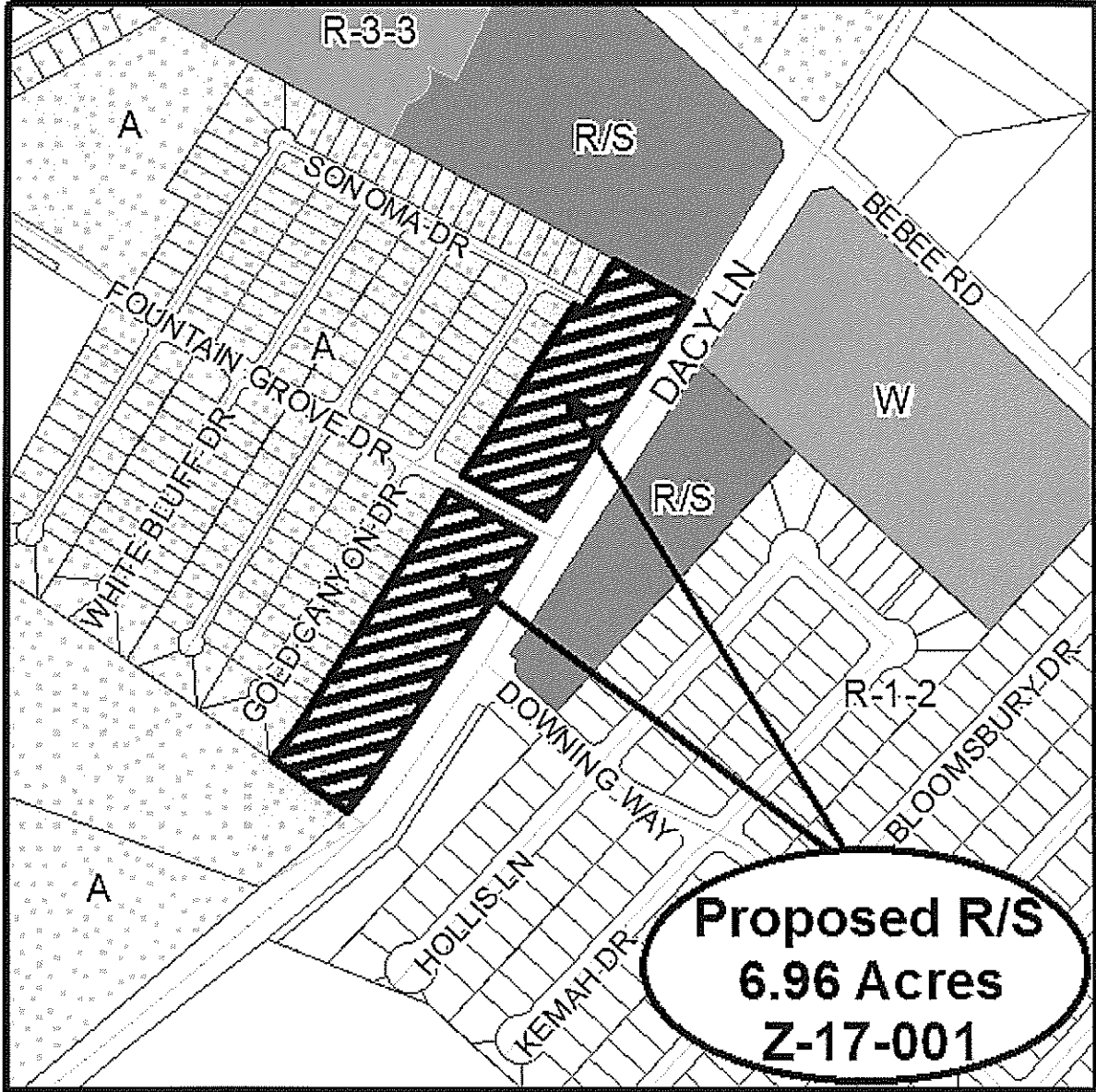
Property Location
2801 Dacy Ln
Z-17-001



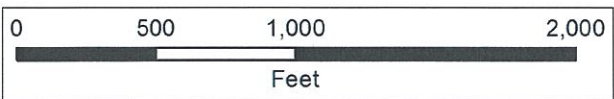
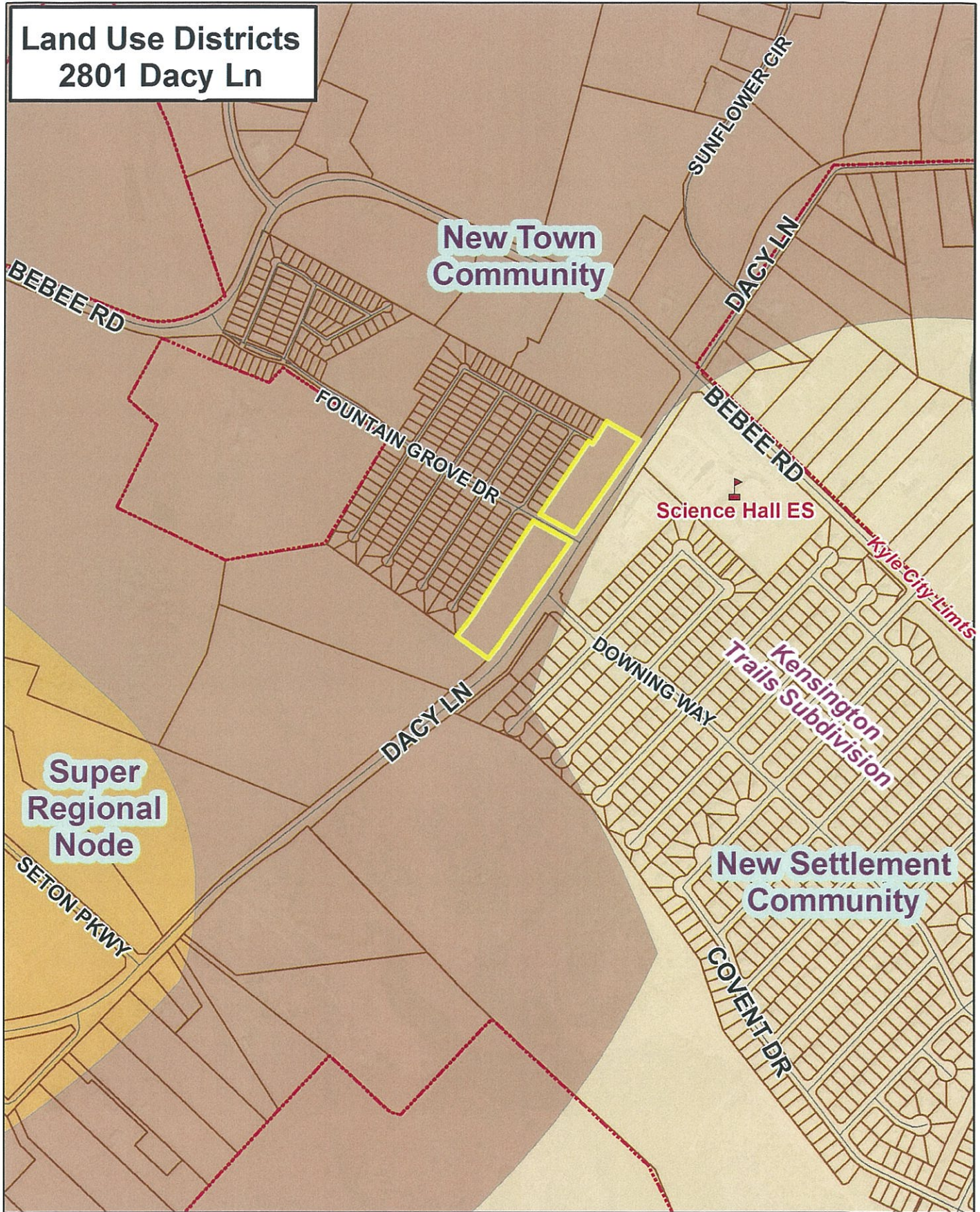
Property
Boundary



Parcel Lines

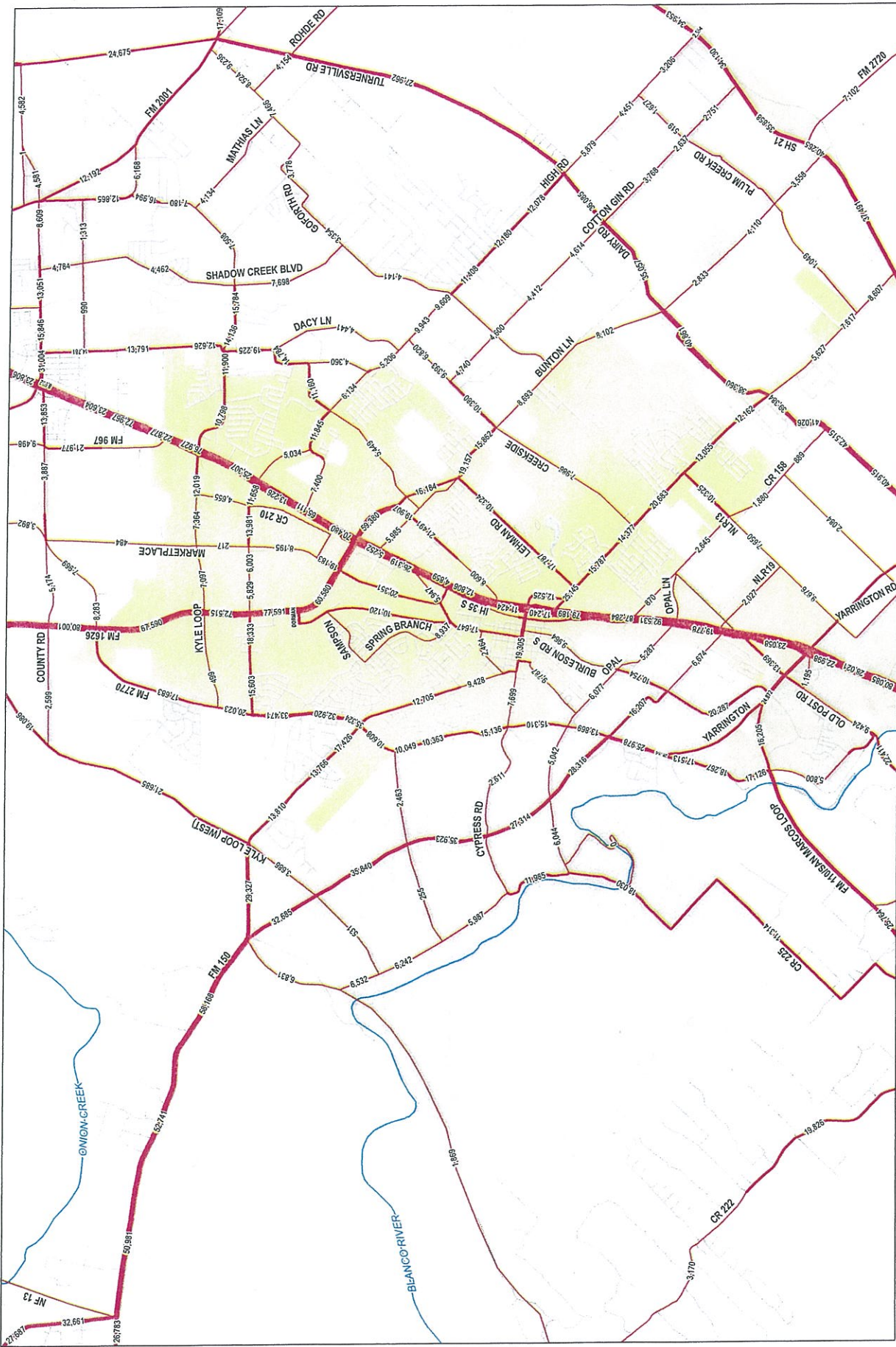


**Land Use Districts
2801 Dacy Ln**



 Property Boundary

 Parcel Lines



2040 CAMPO Model Volumes

0 0.25 0.5 1 Miles

NORTH

Kyle, Texas

IGN Kimley-Horn

10/16/2015

2040 Volume

- 0 - 10,000
- 10,001 - 25,000
- 25,001 - 40,000
- 40,001 - 60,000
- 60,001 - 195,881

Streets

- Kyle City Limits
- Kyle ETJ
- Other Cities

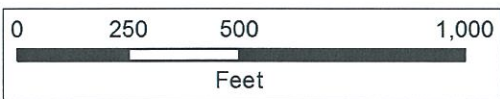
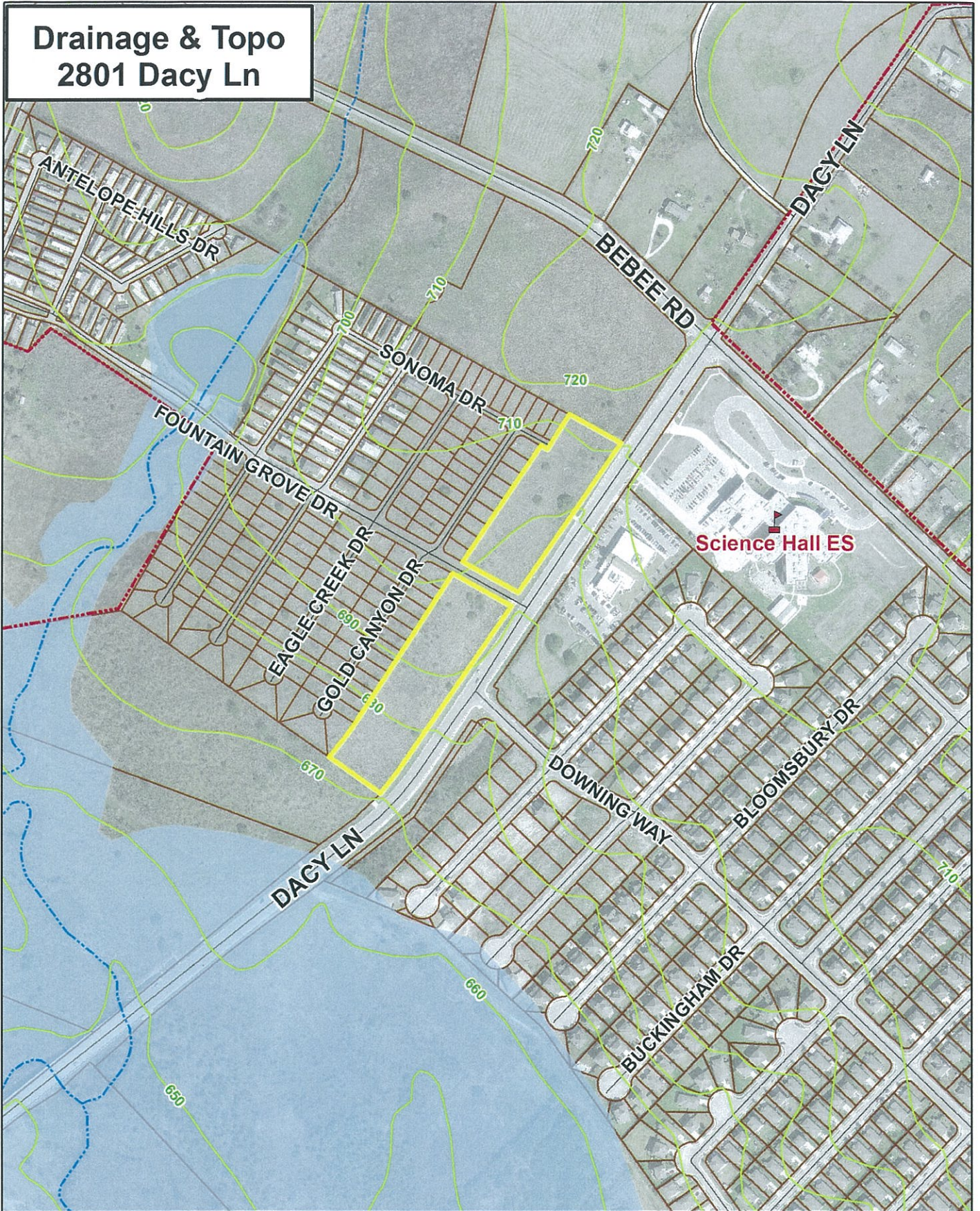
Streams

- Streams

Lakes

- Lakes

Drainage & Topo 2801 Dacy Ln



- Parcel Lines
- Property Boundary

- Floodplain
- Contours (10ft)

5. ZONING – ITEM E

LIFE'S JOURNEY HOSPICE AND PALLIATIVE CARE (SARAH FILES - Z-17-002)

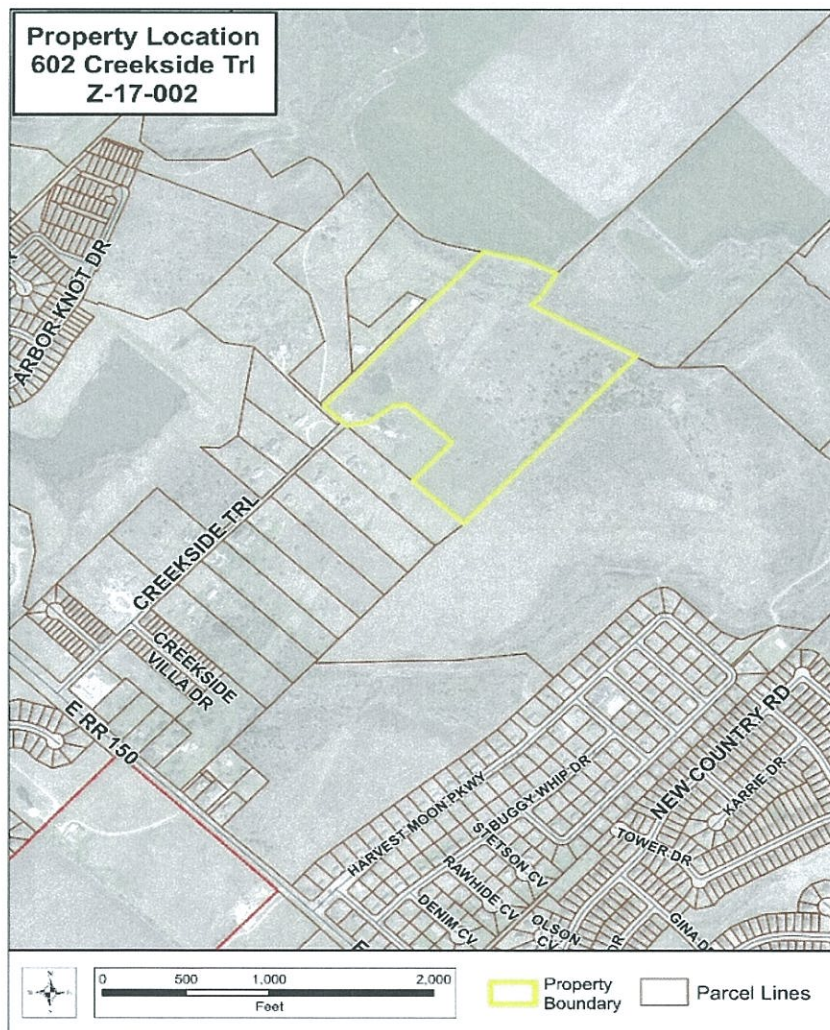
Property Location 602 Creekside Trail, Kyle TX

Owner Life's Journey Hospice and Palliative Care, LLC
Sarah Files
187 Elmhurst, Ste. C
Kyle, TX 78640

Agent Mark Zupan, Garza EMC
7708 Rialto Blvd, Ste. 125
Austin, TX 78735

Request Rezone 35.54 Acres, A to PUD

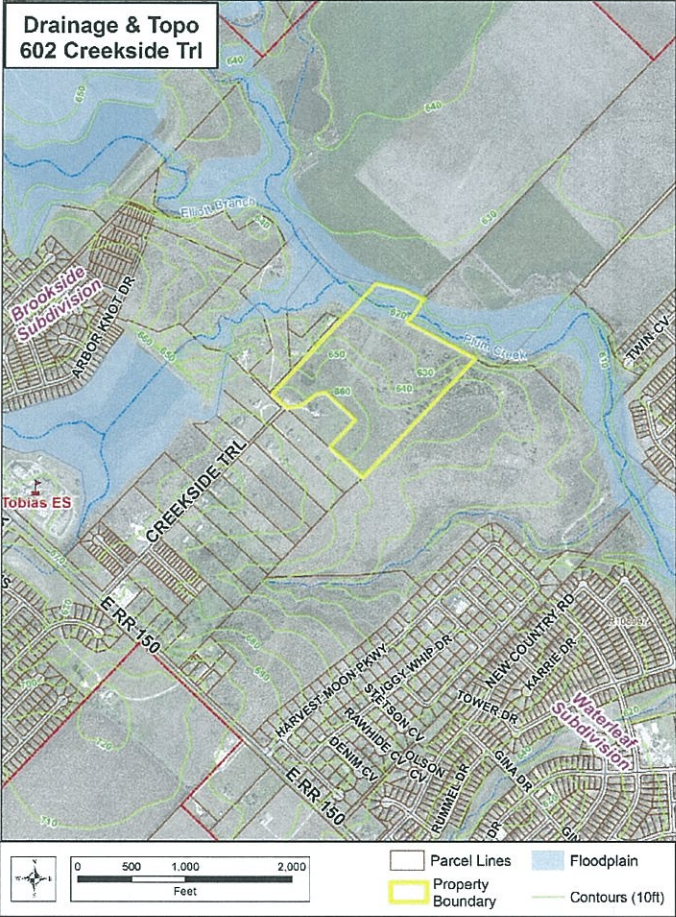
Vicinity Map



Site Description

The site is located on undeveloped land and is currently zoned A (Agriculture). The parcel is situated at the northern terminus of Creekside Trail. Creekside Trail is currently a local street with mostly single family residential lining both sides. The street runs south until intersecting with a small area developing into a local node at Creekside Trail and East FM 150. The node is a mix of retail/services, townhomes and assisted living/memory care for residents.

602 Creekside Trail generally slopes downward in a northerly direction to Plum Creek on the northern boundary. The parcel is on the uphill bank of Plum Creek with minimal potential flooding, both 1% and 0.2% chance of occurrence, and only within close proximity to Plum Creek. This area of the development parcel, is proposed to keep its current A (Agriculture) zoning designation.



The applicant seeks to rezone the property from A to PUD (Planned Unit Development), a mixed use category allowing for the following zoning districts within the PUD;

- NC (Neighborhood Commercial)
- R-1-C (Residential Condominium District)
- A (Agriculture)

Proposed Zoning Districts Encompassed by PUD

Planned Unit Development

Sec. 53-699. - Purpose and objectives.

(a) The purpose and intent of the planned unit development district is to provide a flexible, alternative procedure to encourage imaginative and innovative designs for the unified development of property in the city consistent with this chapter and accepted urban planning, with overall mixed-use regulations as set forth below and in accordance with the city's comprehensive plan. The planned unit development rules are designed to:

- (1) Allow development which is harmonious with nearby areas;
- (2) Enhance and preserve areas which are unique or have outstanding scenic, environmental, cultural or historic significance;
- (3) Provide an alternative for more efficient use of land, resulting in smaller utility networks, safer streets, more open space, and lower construction and maintenance costs;
- (4) Encourage harmonious and coordinated development, considering natural features, community facilities, circulation patterns and surrounding properties and neighborhoods;
- (5) Facilitate the analysis of the effect of development upon the tax base, the local economy, population, public facilities and the environment;
- (6) Provide and result in an enhanced residential and/or work environment for those persons living and/or working within the district; and
- (7) Require the application of professional planning and design techniques to achieve overall coordinated mixed-use developments and avoid the negative effects of piecemeal, segregated, or unplanned development.

(b) Rezoning of land and development under this district will be permitted only in accordance with the intent and purpose of the city's comprehensive plan and this chapter, and to that end the planned unit development plan must be prepared and approved in accordance with the provisions of this chapter.

Neighborhood Commercial (NC)

Sec. 53-661. - Purpose.

The neighborhood commercial district [NC] is to provide for various types of small scale, limited impact commercial, retail, personal services, and office uses located in close proximity to their primary customers. The uses of the neighborhood commercial district shall be designed in a way so as to be operated completely compatible to and harmonious with the character of surrounding residential areas.

Sec. 53-665. - Use.

The neighborhood commercial zoning district shall allow professional offices and small businesses serving neighborhood community needs. The following uses shall be permitted:

- Second floor multi-family shall be permitted by right regardless of base zoning;
- Bed and breakfast up to five rooms;
- Retail;
- Restaurant w/o drive-thru;
- Religious assembly;
- Art gallery;
- Dance studios;
- Child care center (outdoor playground allowed);
- Fire/police station;
- Professional office;
- Barber/beauty shop;
- Convenience/grocery store w/o fuel sales;
- Nursing/retirement homes;
- Veterinarian - without outdoor boarding;
- Health and fitness center;
- Financial institution w/o drive-thru banking.

Maximum Height- 2 stories

Residential Condominium District (R-1-C)

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

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

Sec. 53-174. - Site development regulations.

The site development regulations set forth in this section shall be exclusively applicable to residential condominium, district R-1-C.

- (1) *Density*. The maximum dwelling units per buildable acre or square footage for the R-1-C district are as follows:
- a. Lot size of 9,000 square feet for two units.
 - b. Lot size of 10,000 square feet for four units.
 - c. A minimum of three units and for acreage tracts, 36 units per buildable acre.

*Note- Code allows a height maximum of a 45-foot condominium development, by right. Agriculture zoning allows up to 45 foot structures by right. All adjacent zoning is Agriculture.

Agriculture (A)

Sec. 53-36.

The permitted uses in the agricultural district A allow farming, ranching, pasturage, detached single-family residences and related accessory structures, on a minimum one-acre tract. Parks, playgrounds, greenbelts and other public recreational facilities, owned and/or operated by the municipality or other public agency are permitted.

Maximum Height- 45 feet

Conditions of the Zoning Ordinance

Sec. 53-1205 Amendments

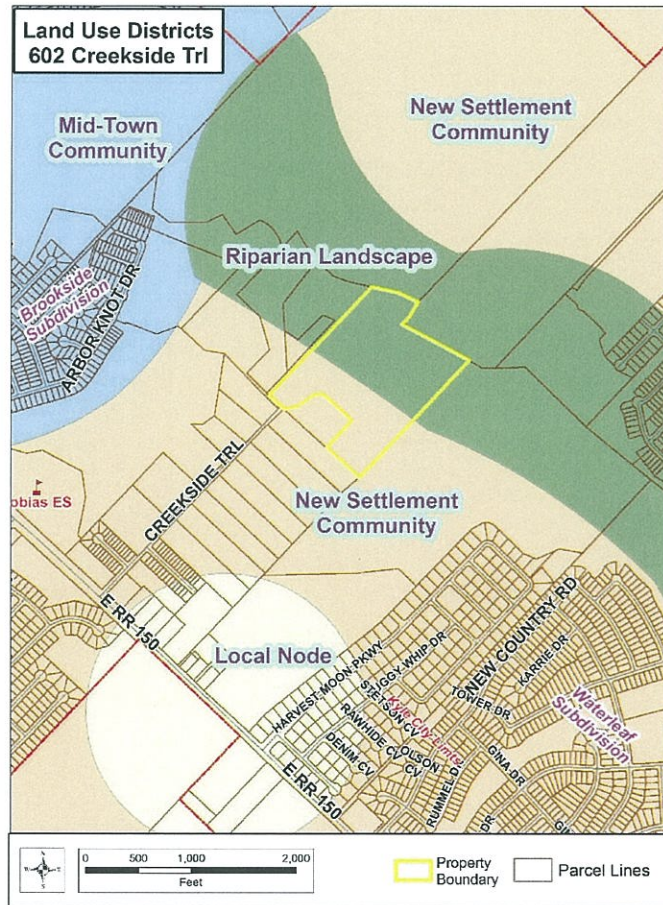
(d)

Referral of amendment to planning and zoning commission. Upon its own motion, a request by the planning and zoning commission, or the receipt of an administratively

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

(e)

Action by the planning and zoning commission. The planning and zoning commission shall cause such study and review to be made as advisable and required, shall give public notice and hold a public hearing as provided by state law, and shall recommend to the council such action as the planning and zoning commission deems proper...



Comprehensive Plan Text

The subject site is located both in the “Riparian Landscape District” and the “New Settlement Community District”. Planned Unit Developments are allowed within the New Settlement

Community District. They are, by definition, a well thought out, mixed-use, harmonious design for a development, with the intention to improve the immediate and surrounding area.

Riparian Landscape District

'Character': The Riparian Districts are characterized by the primary waterways of Kyle and surrounding floodplains, seeking to protect them from encroaching development. Additionally, significant vegetative cover can be found within these Districts, which impacts air quality and confers identity on the community. Riparian corridors may be wooded or open areas of land and water, and are of local and regional importance. Water quality and aquifer recharge are critical factors, especially as the areas around Austin develop quickly and demands for water resources increase.

'Intent': The intent of the Riparian District designation is to prevent the loss of sensitive riparian habitat that impacts regional environmental quality. Ecologically appropriate development policies and design standards should be defined in these areas. Design standards and guidelines should be implemented to preserve habitat, stabilize stream banks, improve water quality, and control erosion. Public spaces (such as parks and trails) in the Riparian Districts should be a priority for preservation and should connect the various development forms to promote community cohesion.

New Settlement Community District

'Character': Stretching over both Plum Creek and I-35, the New Settlement District is comprised primarily of farm fields and new residential developments that are being carved out of former farm fields. Northwest to southeast roadway patterns are strong, while northeast to southwest connections are lacking. Traditional residential enclaves predominate in the New Settlement District, aggregated in neighborhoods of unique housing forms. Private and public spaces are clearly separate, with the public domain by shared neighborhood amenities and the private domain defined by privatized landscapes. Public space is not encroached on by private functions. The New Settlement District has a lower density and intensity of development than the adjacent Mid-Town District, and the open character of the landscape should evoke the agricultural heritage of the District. Physical and visual portioning and division of land should be avoided where possible in this District.

'Intent': The flat land and large parcel size in the New Settlement District result in a high level of development potential, which is beginning to be realized through market-driven demand for new housing stock. The City of Kyle should seek to capitalize on this "developability", while emphasizing community amenities, enhancing the neighborhood lifestyle through shared spaces, and improving connectivity within and without the District. The unique water features, such as creek ways and detention/retention facilities, in the New Settlement District should be utilized as form-giving elements and corridors for connections. Use patterns should be established that complement residential development and facilitate beneficial land use transitions. In this way, the New Settlement District should serve as a transition between the higher intensity of use within the core Districts and the low intensity of use of the Farm District.

Recommended Zoning Categories: R-1-1, R-1-2, NC

Conditional Zoning Categories: A, E, HS, M-2, M-3, R-1-A, R-1-T, R-2, R-3-1, R-3-2, R-3-3, R/S, T/U, UE, CC

Analysis

The property requesting to be rezoned is sited at the north end of Creekside Trail, surrounded by agricultural uses and a scattering of single family residential. .30 miles to the south along Creekside Trail is a rapidly developing local node, a hub of commercial and residential activity. This “node” is centered on the intersection of Creekside Trail and East FM 150. This area has existing retail and services options primarily used for local transactions with dedicated areas for future similar uses. Recently completed townhouse options for citizens within the vicinity of Tobias Elementary and within the node, have helped establish a smaller, pedestrian scale environment.

Reviewing the Kyle Transportation Master Plan 2045, it was determined that Creekside Trail will need to be extended across Plum Creek to the north and will continue across the landscape until the intersection of Goforth Road and Bunton Lane. This “project” was one of nine (9) that the public identified “as needed” when public forums were held regarding the transportation master plan (2015/2016). This thoroughfare will be designated an “L2U” or Local, 2-lane, Undivided, with a 60 foot right of way. While it will provide a much needed north/south connector on the east side of I-35, overall it’s expected to carry 7,000-8,000 vehicles/daily. This is a relatively light traffic load, compared to other existing roads within Kyle. The design and construction of the existing/future road is not in the current 5 year capital improvements plan, however as development occurs, the City of Kyle and future development need to do its part to ensure appropriate right of way is dedicated.

With 620 Creekside Trail situated at the end of the road and surrounded by low intensity development, any new or planned development within the immediate vicinity will have to take considerable care to blend in and be harmonious with existing land uses. To ensure greater municipal oversight in the development process, the developer has agreed to establish a PUD or Planned Unit Development. In the City of Kyle, a PUD allows for multiple zoning districts, planned from the beginning, within a larger boundary. As stated earlier in this report, any PUD is required to be a well thought out development that will ultimately enhance the immediate and surrounding area. As a note, this particular development will serve residents within the PUD boundaries, only.

The proposed zoning districts within the PUD are identified as NC (Neighborhood Commercial, R-1-C (Residential Condominium, and A (Agriculture).

NC or Neighborhood Commercial is designed to allow local or neighborhood scale retail or services with limited allowable uses, stated earlier in the report. There is a two (2) story height limit, a smaller maximum building square footage and requires a more restrictive design standard with an emphasis on aesthetics. The general idea of a structure within the Neighborhood Commercial zoning district, is one that is designed to activate the street at a pedestrian scale or pedestrian oriented environment. The Neighborhood Commercial zoning designation has staff recommendation for the project.

(Location/acreage of NC, info)

R-1-C or Residential Condominium is designed to allow ownership of a dwelling unit for the resident without also having to own the land. It allows the resident to enjoy the stability of a neighborhood with higher ownership rates, while at the same time, having the flexibility

to choose a dwelling unit that fits their space and financial requirements. In the City of Kyle, by code, condominiums have significant restrictions. The maximum units per buildable acre, for condominium development is 10,000 square feet for 4 units at 36 units per acre. The maximum height is 45 feet (the same height maximum as Agriculture zoning). This limits condominium development height, per acre, to 2 or 3 stories, maximum. Also, within the City of Kyle, a condominium development, has no requirement for an apartment block feel, architecturally. It can conceivably be standalone dwelling units scattered throughout a development. When placed within a PUD, as stated previously, the PUD must comply with the following, as well with additional requirements:

- **All development is required to blend in and be harmonious with the existing neighborhood development.**
- **Encourage harmonious and coordinated development, considering natural features, community facilities, circulation patterns and surrounding properties and neighborhoods;**
- **Provide and result in an enhanced residential and/or work environment for those persons living and/or working within the district; and**
- **Require the application of professional planning and design techniques to achieve overall coordinated mixed-use developments and avoid the negative effects of piecemeal, segregated, or unplanned development.**

While the New Settlement Community in the Comprehensive Plan, does not recommend or conditionally recommend R-1-C, this requested zoning, within the confines of the proposed PUD (increased oversight), is recommended by staff. If approved, planning staff will be working directly with the applicable parties to ensure appropriately scaled new development to achieve harmonious results with the surrounding, existing neighborhood.

A or Agriculture

The permitted uses in the agricultural district A allow farming, ranching, pasturage, detached single-family residences and related accessory structures, on a minimum one-acre tract. Parks, playgrounds, greenbelts and other public recreational facilities, owned and/or operated by the municipality or other public agency are permitted.

The portion of acreage dedicated to A or Agriculture zoning district is designated to be the closest zoning to Plum Creek. A majority of the Agriculture zoning coincides with the creek's 100 year flood plain. This seems to be intentional. The Agriculture zoning district allows the least amount of recommended uses of any district, giving preference to farming and ranching if a property owner decides to use the land at all. Even allowable structures will likely face a significantly prohibitive cost increase to build, as not to disrupt the land in the flood plain. Additionally, this area is also within the Riparian Landscape District. The act of keeping it Agriculture zoning, by default, will likely contribute to the preservation of the creek area and flood plain. Special care needs to be taken, when considering any improvements to this area, to ensure preservation of the creek way. The New Settlement Community allows Agricultural zoning as conditional, however, being that the parcel already has this zoning, staff recommends that the remaining portion of the property keep its Agricultural zoning as is requested.

Maximum Height- 45 feet

In conclusion, staff supports the creation of the PUD at 620 Creekside Trail, in its' entirety, considering the allowed increased oversight to ensure compatibility with the surrounding neighborhood. Staff asks the Planning & Zoning Commission give a favorable recommendation, by vote, to City Council.

Attachments

- Application
- Location Map
- PUD Map
- Drainage/Topo Map
- Land Use Districts Map
- 2040 CAMPO Model Volumes

APPLICATION & CHECKLIST – ZONING CHANGE

Zoning: SARAH Files (Name of Owner) 1/13/17 (Submittal Date)

- INSTRUCTIONS: (Z-17-008)
• Fill out the following application and checklist completely prior to submission.
• Place a check mark on each line when you have complied with that item.
• Use the most current application from the City's website at www.cityofkyle.com or at City Hall. City ordinances can be obtained from the City of Kyle.

REQUIRED ITEMS FOR SUBMITTAL PACKAGE:

The following items are required to be submitted to the Planning Department in order for the Zoning Application to be accepted.

- 1. Completed application form with owner's original signature.
2. Letter explaining the reason for the request.
3. Application fee: \$428.06, plus \$3.62 per acre or portion thereof.
Newspaper Publication Fee: \$190.21
Total Fee: 746.92
4. A map or plat showing the area being proposed for rezoning.
5. A clear and legible copy of field notes (metes and bounds) describing the tract (when not a subdivided lot).
6. Certified Tax certificates: County School City
7. Copy of Deed showing current ownership.

CITY OF KYLE

JAN 13 2017

PLANNING DEPARTMENT

*** A submittal meeting is required. Please contact Debbie Guerra at (512) 262-3959 to schedule an appointment.

1. Zoning Request:
Current Zoning Classification: A
Proposed Zoning Classification: PUD -> R-1-C, NC, A
Proposed Use of the Property: Housing and care for THE Elderly
Acreage/Sq. Ft. of Zoning Change: ~ 30.1 acres 35.54

2. Address and Legal Description:
Provide certified field notes describing the property being proposed for rezoning.
Provide complete information on the location of the property being proposed for rezoning.
Street Address: 602 Grecksipe Trail
Subdivision Name/Lot & Block Nos.: A0021 Milton F ATKINSON Survey, Acres 35.54

Property Recording Information:
Volume/Cabinet No. _____

Hays County

Page/Slide No. _____

3. Ownership Information:

Name of Property Owner(s): Life's Journey Hospice and Palliative Care, LLC
SARAH Files

(If property ownership is in the name of a partnership, corporation, joint venture, trust or other entity, please list the official name of the entity and the name of the managing partner.)

Address of Owner: 187 ELMHURST

Suite C, Kyle TX 79640

Phone Number: 512 786-4198

Fax Number: _____

Email Number: Sarah.files@yourhomehealth.net

I hereby request that my property, as described above, be considered for rezoning:

Signed: _____

Date: 1/12/17

4. Agent Information:

If an agent is representing the owner of the property, please complete the following information:

Agent's Name: GARZA EMC, Mark Zupan

Agent's Address: 7708 Rialto Blvd, Suite 125
Austin TX 76735

Agent's Phone Number: 512 298-3284

Agent's Fax Number: 512 298-2892

Agent's Mobile Number: _____

Agent's Email Number: MZupan@garzaemc.com

I hereby authorize the person named above to act as my agent in processing this application before the Planning and Zoning Commission and City Council of the City of Kyle:

Owner's Signature: _____

Date: 1/12/17

Do Not Write Below This Line
Staff Will Complete

Tax Certificates: County School City

Certified List of Property Owners Within 200'

All Fees Paid: Filing/Application Mail Out Costs

Attached Map of Subject Property

Accepted for Processing By: Yvette A. Guerrero

Date: JAN 13 2017
PLANNING DEPARTMENT

Date of Public Notification in Newspaper: 1/25/17

Date of Public Hearing Before Planning and Zoning Commission: 2/14/17

Date of Public Hearing Before City Council: 2/21/17



CITY OF KYLE

JAN 13 2017

January 12, 2017

PLANNING DEPARTMENT

City of Kyle
100 West Center Street
Kyle, TX 78640

RE: Zoning Change for
602 Creekside Trail Kyle, Texas

To Whom it May Concern:

The property at 602 Creekside Trail is a 35.54 acre site in located in Kyle, Texas. The property is currently zoned Agriculture (A). The proposed use for the property is for the purpose of providing housing and care for elderly and disabled residents needing a wide range of medical assistance. The development will include Residential Cottages and a Community Activity Center & Administrative Facility. It is anticipated that initial construction would include 14 residential cottages ranging from 800 to 1,100 SF and a 10,000 SF Community Center & Administrative building.

We are proposing to rezone the property as a PUD which will include the the following zoning classifications, R-1-C, NC and A. These classifications were discussed in a meeting on December 8th, 2016 and fit the use of the proposed property. I have enclosed a drawing showing how the property will be rezoned. If you should have any questions or would like to discuss our zoning application, please do not hesitate to contact us.

Sincerely,

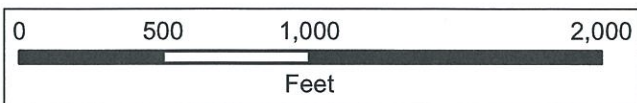
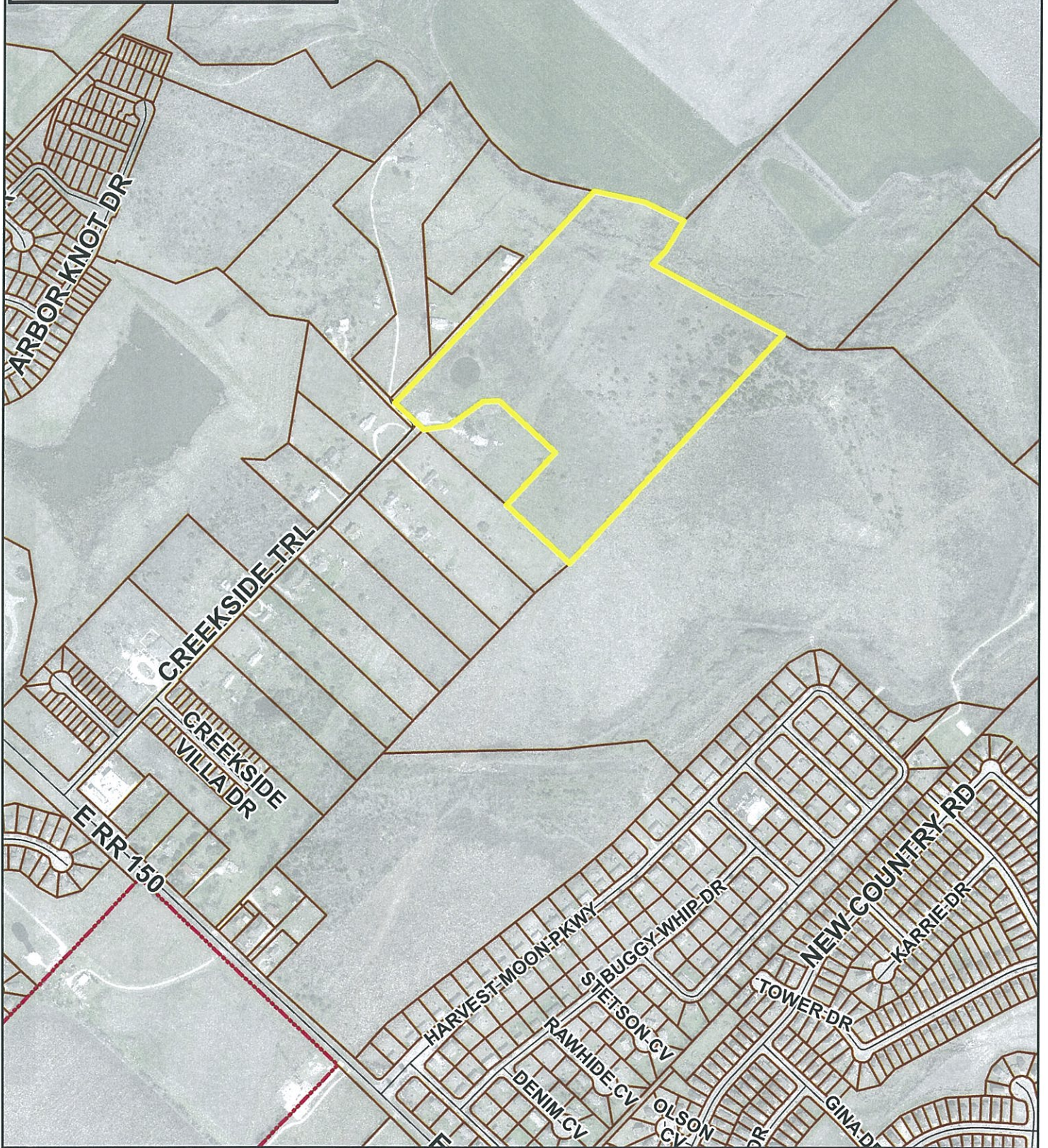
Garza EMC, LLC

A handwritten signature in black ink, appearing to read 'Mark Zupan', with a long horizontal line extending to the right.

Mark Zupan

Garza EMC, LL
7708 Rialto Blvr
Suite 12
Austin, Texas 7873
o: 512.298.328
f: 512.298.259
www.garzaemc.com
TBPE No. F-1462

Property Location
602 Creekside Trl
Z-17-002



Property
Boundary



Parcel Lines

TERRELL K. TERHUNE AND
SUSAN E. TERHUNE
CO-OWNERS
VOL. 4348, PG. 671
O.P.R.H.C.T.X.

DEBORAH NAZEMI
CALLED 10.04 ACRES
VOL. 534, PG. 291
O.P.R.H.C.T.X.

WILLIAM P. &
EVARETT G. REEDS
VOL. 781, PG. 27
O.P.R.H.C.T.X.

LIFE'S JOURNEY HOSPICE AND
PALLIATIVE CARE, LLC
CALLED 7.020 ACRES
INSTRUMENT NO. 17001500
O.P.R.H.C.T.X.

NC
NEIGHBORHOOD
COMMERCIAL
5.104 AC.
S54°04'27"W 202.84'
S54°04'27"W 202.84'
S54°04'27"W 202.84'
S54°04'27"W 202.84'

A-AGRICULTURE
4.953 AC.

LIFE'S JOURNEY HOSPICE
AND PALLIATIVE CARE, LLC
CALLED 2.0317 ACRES
INSTRUMENT NO. 17001500
O.P.R.H.C.T.X.

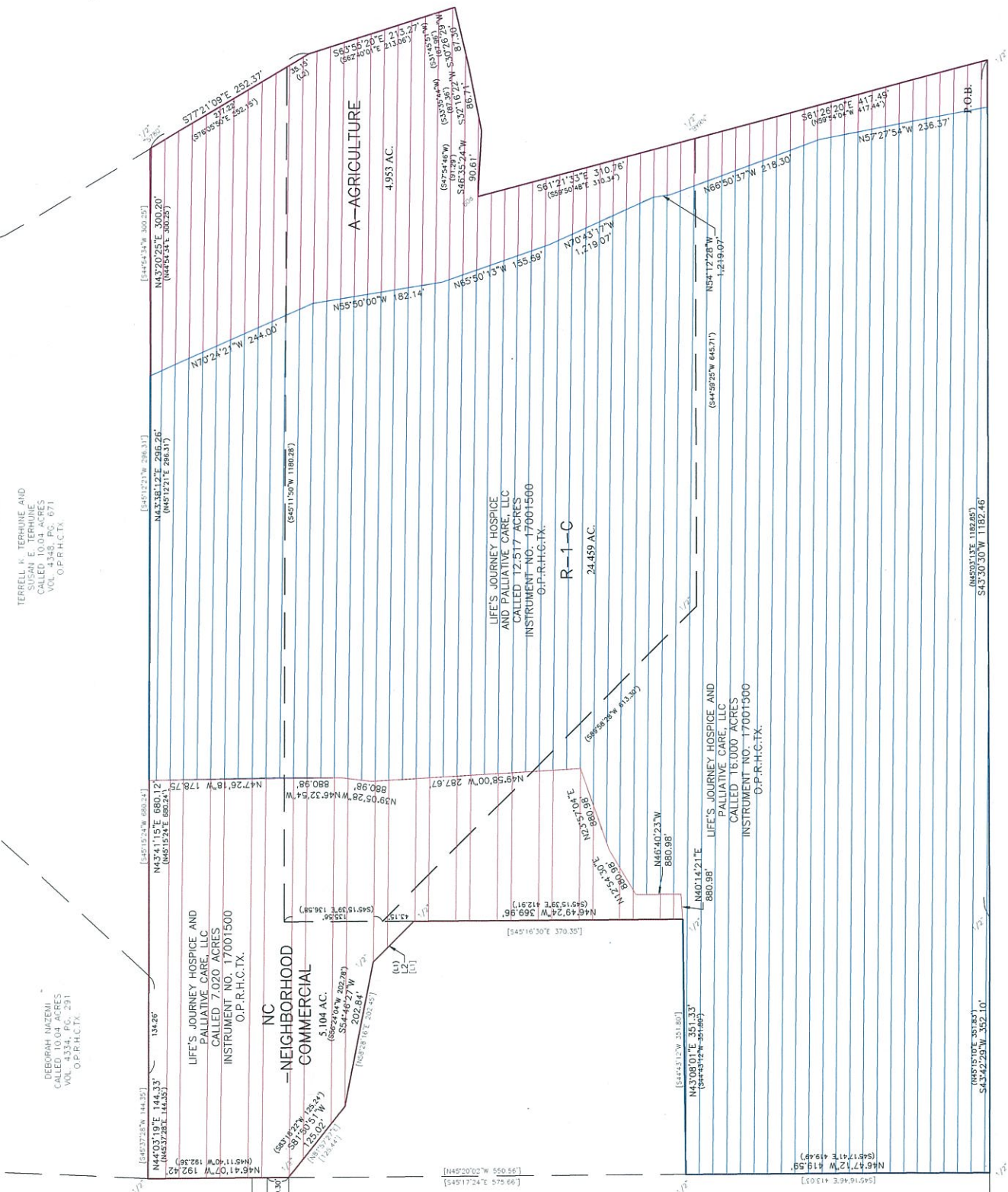
R-1-C
24.459 AC.

LIFE'S JOURNEY HOSPICE AND
PALLIATIVE CARE, LLC
CALLED 16.000 ACRES
INSTRUMENT NO. 17001500
O.P.R.H.C.T.X.

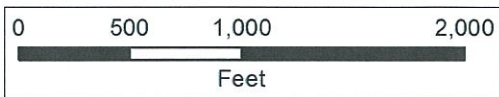
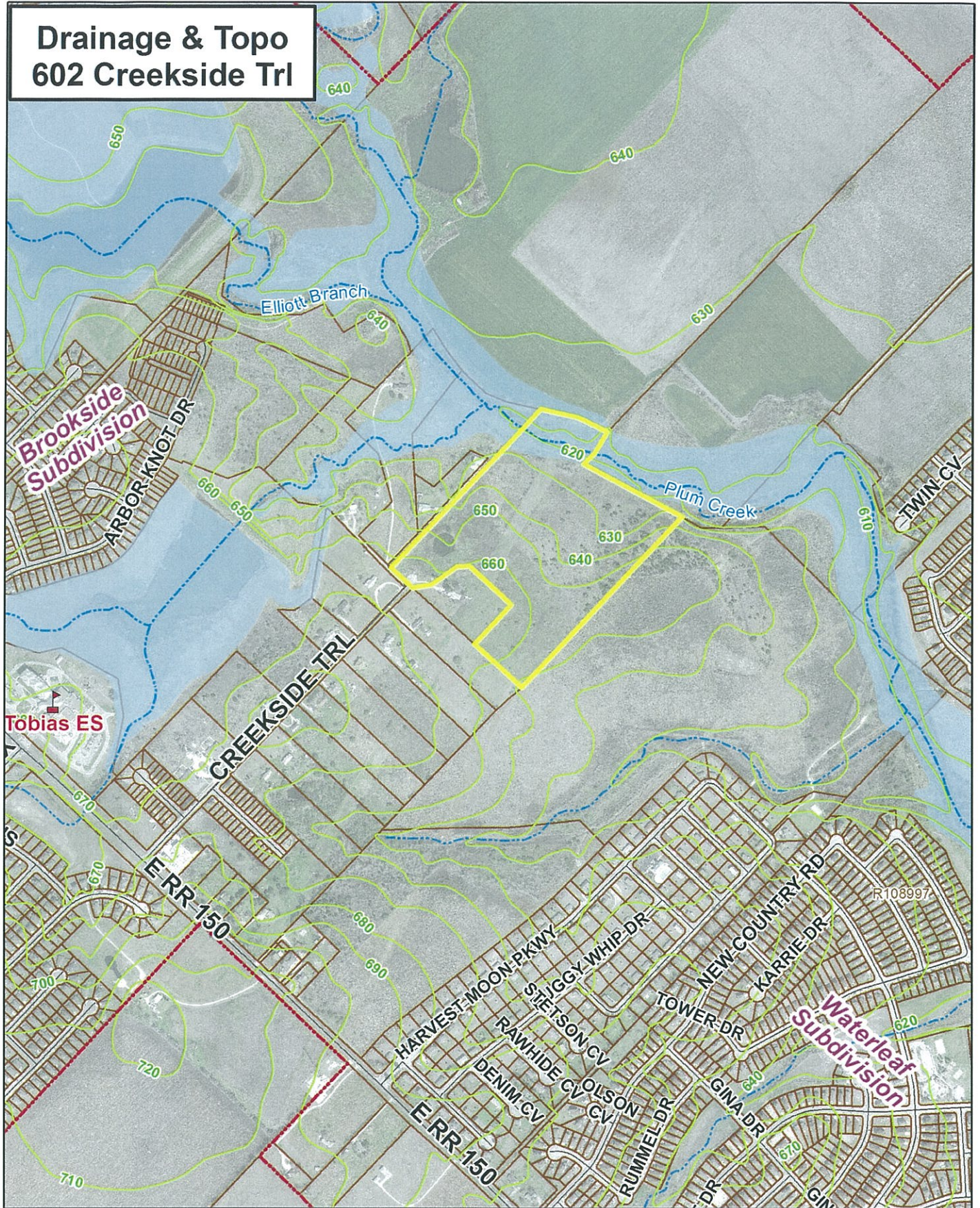
(N45°03'13"E 1182.85')
S45°30'30"W 1182.46'

(N45°10'05" 301.84')
S45°42'29"W 352.10'

(N45°16'46"E 413.07')
S45°17'41"E 419.49'

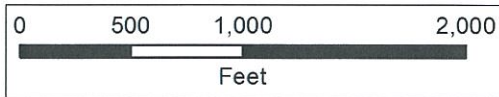
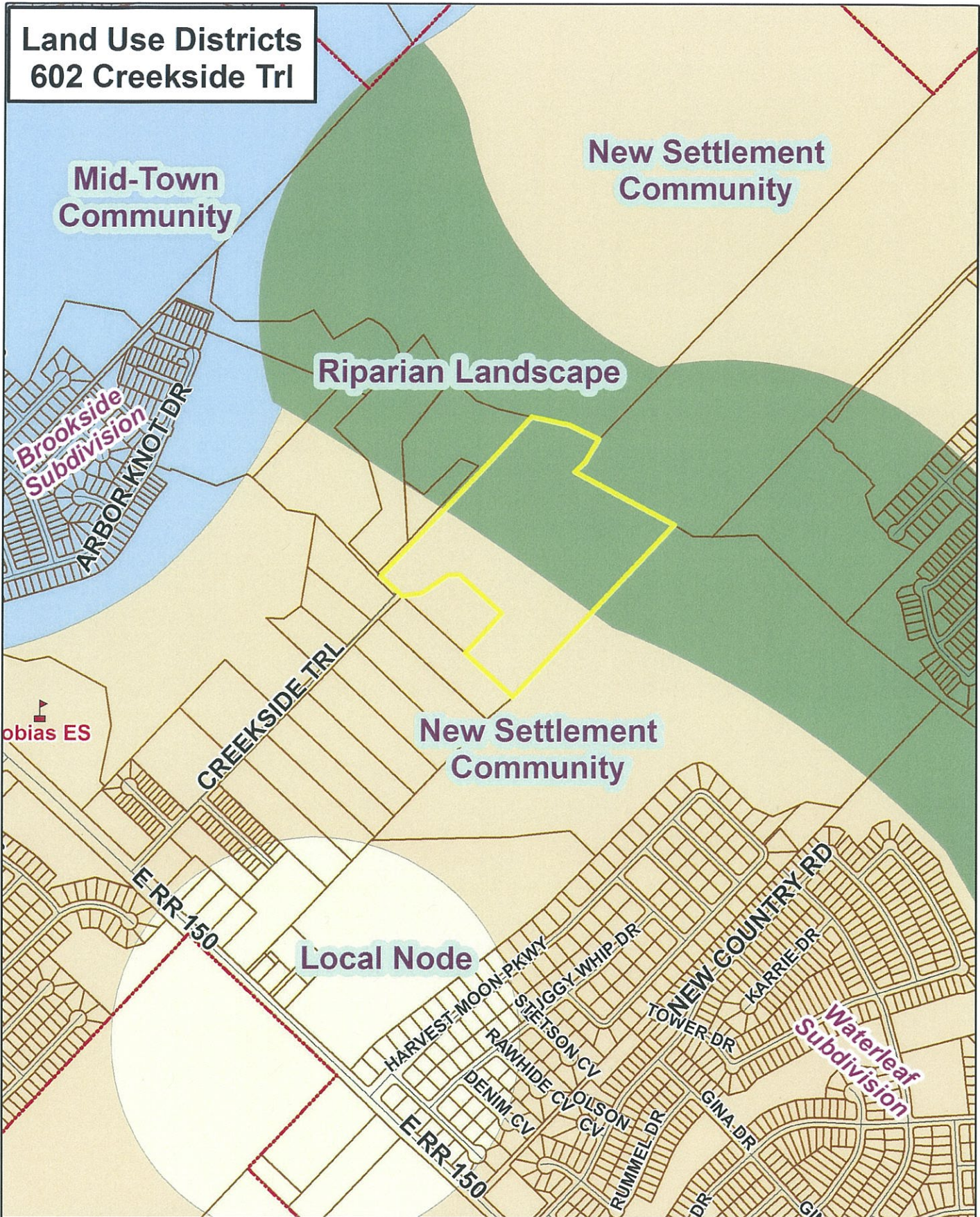


Drainage & Topo 602 Creekside Trl



- Parcel Lines
- Property Boundary
- Floodplain
- Contours (10ft)

**Land Use Districts
602 Creekside Trl**



-  Property Boundary
-  Parcel Lines

6. CONSIDER AND POSSIBLE ACTION – ITEM A

PROPOSED DEVELOPMENT AGREEMENT – THE MEADOWS OF KYLE II, LTD
(SUNSET HILLS)



CITY OF KYLE

Community Development Department



MEMORANDUM

Date: February 14, 2017
To: City of Kyle Planning Commission
From: Howard J. Koontz, Community Development Director
Re: Revised Development Agreement for Sunset Hills (Meadows at Kyle II)

Previously, the City has entered into a development agreement related to the future construction of 53 acres along Bebee Road just east of Republic Drive. Recently, the development interests have approached the City to revise that prior agreement based on a new analysis of the land and land plan, noting topographic challenges and a desire to better incorporate the final form of the new neighborhood, especially as it relates to the proposed Kyle park to the east.

The revised development agreement includes a revision to the site plan for the layout and quantity of the home lots, and a corresponding change to the interior street network, but also incorporates more trails throughout the project, an improved entry-way aesthetic, and a tie-in that utilizes the proposed stormwater detention facility and the project's adjacency to a proposed multi-discipline city park along the eastern border.

Typically, the Planning Commission does not hear and deliberate on development agreements, as they are more often used for properties that are outside the corporate limits and therefore have no zoning. As this property is a city parcel, and is subject to a current rezoning action, the terms and expectations of the development agreement language are germane to your job duties and description, and for that reason you are being presented the opportunity to comment and offer suggestions, praise, criticisms, and/or recommendations to the Mayor and City Council on the agreement language.

**AMENDED AND RESTATED
DEVELOPMENT AGREEMENT
FOR THE SUNSET HILLS SUBDIVISION**

This Amended and Restated Development Agreement ("Agreement") for the Sunset Hills Subdivision amends and restates that certain Tri-Party Development Agreement executed on April 11, 2007 (the "2007 Agreement" by and among the City of Kyle, Texas, a Texas municipal corporation (the "City"), The Meadows at Kyle, Ltd., a Texas limited partnership ("Kyle I"), and The Meadows at Kyle II, Ltd., a Texas limited partnership (the "Developer", and, together with the City, the "Parties" and, individually, a "Party") , as amended by (i) the First Amendment to the 2007 Agreement executed by Kyle I, Developer and the City on April 30, 2008 (the "First Amendment"), (ii) the Second Amendment to the Original Agreement executed by Kyle I, Developer and the City on August 24, 2011 (the "Second Amendment"), and (iii) the Third Amendment to the Original Agreement executed by Kyle I and the City on February 23, 2016 (the "Third Amendment", and the 2007 Agreement, as amended by the First Amendment, the Second Amendment and the Third Amendment, being the "Original Agreement").

Recitals

A. **WHEREAS**, Kyle I was the owner of approximately 80.46 acres of land out of the John N. Franks Survey No. 3, Abstract No. 178, the John N. Franks Survey No. 17, Abstract No. 177, and the August Reuss Survey No. 13, Abstract No. 397, in Hays County, Texas, being out of 195.9 acres as described in/under Vol. 345, Page 629 of the deed records of Hays County, Texas, said 80.46 acre tract of land ("The Meadows at Kyle"); and

B. **WHEREAS**, on September 13, 2012, Kyle I assigned, transferred and conveyed The Meadows at Kyle to a third party, together with certain appurtenances, plans and development rights, and thereafter Kyle I was dissolved; and

C. **WHEREAS**, the Parties acknowledge and agreement that The Meadows at Kyle

has been substantially developed and platted (in multiple phases) in compliance with the terms and conditions of the Original Agreement; and

D. **WHEREAS**, the Developer is the owner of approximately 52.99 acres of land out of the T. J. Allen Survey, Abstract No. 26, and the Elisha Pruett Survey, Abstract No. 376, in Hays County, Texas, being a portion of a 56.01 acre tract of land conveyed to Paula Joy Edwards (Beneficiary) by Substitute Trustee's Deed, dated December 6, 1988, recorded in Vol. 761, Page 671 of the real property records of Hays County, Texas, said 52.99 acre tract of land as more particularly described on Exhibit A hereto (the "Subdivision"); and

E. **WHEREAS**, the Subdivision has been annexed into the City; and

F. **WHEREAS**, the Developer has from time to time submitted to the City concept plans for the development of the Subdivision"); and

G. **WHEREAS**, the Developer desires to (i) develop the Subdivision in accordance with all applicable statutes, rules and ordinances, except as may be otherwise modified as set forth herein, and (ii) obtain wastewater service for the Subdivision; and

H. **WHEREAS**, the Developer will benefit from this Agreement because of (i) the wastewater services that will be made available to the Subdivision, and (ii) the variance(s), accommodations and clarifications set forth in Article I hereof; and

I. **WHEREAS**, the City will benefit from this Agreement because of (i) the extension of the City's wastewater system to the Subdivision; (ii) the expanded customer base and resulting income that the City will realize; and (iii) the acquisition of the Parkland without any cash outlay by the City for use in the City's plans for a regional park; and

J. **WHEREAS**, the Developer desires to amend and restate the Original Agreement as set forth herein.

NOW, THEREFORE, in exchange for the mutual promises and consideration herein expressed, other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged and confessed, and subject to the terms and conditions of this Agreement, the Parties agree as follows:

ARTICLE I

Development Standards

Pursuant to Chapter 212.172, Loc. Gov't Code, the City and the Developer hereby agrees as follows:

(1) The Subdivision shall be developed in conformity with the zoning requirements specified as R-1-3;

(2) The respective home owners' association ("HOA"), to whom the HOA's parks will be dedicated or conveyed, shall retain the discretion to preserve their respective parks in their natural state and nothing herein shall be construed to require the respective HOAs to improve any park or alter the natural state of any park unless the applicable HOA chooses to otherwise take such action;

(3) To the extent that the City concludes that a variance is necessary under its current codes, ordinances, and/or regulations to develop the Subdivision, the Developer shall be granted the following variances:

(4) All home plans will be reviewed by the city for appropriate façade requirements prior to building permits being issued.

(a) The maximum number of single-family residential lots for the Subdivision

shall be two hundred fifteen (215), for a total post-development residential density of 4.06 dwelling units per acre;

(b) The minimum size for each single-family home shall be one thousand four hundred (1,400) square feet.

(d) The building coverage limitation shall be as set forth in chart 2 of the City Zoning Ordinance, Section 53.33(l); provided that.

(i) The definition of “Main Building” for purposes of Section 53.33(l) chart 2, shall mean the area of a lot covered by the principal building or roofed areas, as measured along the outside wall at ground level, and including all projections,

(ii) The definition of “Accessory Building” for purposes of Section 53.33(l) chart 2, shall mean the area of a lot covered by accessory buildings or roofed areas (other than the main Building), as measured along the outside wall at ground level, and including all projections, and

(iii) For purposes of determining “Maximum Lot Coverage” for purposes of Section 53.33(l) chart 2, only the area of the applicable lot covered by the main Building and Accessory Buildings shall be calculated. Features such as patios, sidewalks, driveways, etc., to the extent that they do not constitute a Building, shall not be considered in the calculation of Maximum Lot Coverage to determine compliance therewith;

(e) As depicted on Exhibit B hereto,

(i) on and along each street and roadway in the Subdivision (other than the entry to the Subdivision) shall be fifty feet (50') wide, provided that Monarch Utilities is the water provider for the Subdivision; and

(ii) On and along the entry road in the Subdivision shall be eighty feet (80') wide.;

(f) There will be a stone (Fencecrete) wall along Bebee Road and on all lots adjacent to the city parkland.

(4) The Parties acknowledge and agree that approximately 13.24 acres of real property adjacent to the Subdivision (as more particularly described on Exhibit C hereto (the "Parkland") was previously dedicated to the City at no cost to the City; and

(5) Unless otherwise set forth herein, all applicable codes, ordinances, regulations and rules shall apply to the Subdivision. In the event of a conflict between the provisions of this Agreement and any such codes, ordinances, regulations or applicable rules, this Agreement shall control.

ARTICLE II

Obligations of the Parties

2.1. The Developer shall perform, or cause to be performed, each of the following:

(a) Develop all single family residential lots in the Subdivision in conforming with the zoning requirements specified as R-1-3 and Chapter 41 of the Subdivision Ordinance, as modified hereby;

(b) At the time of final plat recordation, dedicate and convey to the City, the respective streets, lift station site (each of which shall have public access), easements, detention and drainage facilities, and rights-of-way shown on the final plats; provided, however, that the fee simple title to any entry features, the HOA parks, trail systems (each of which shall have public access), and other common areas shall be conveyed by the Developer to the appropriate HOA, which shall be and remain responsible for the upkeep and maintenance thereof;

(c) Construct off-site Wastewater Facilities to the boundary of the Subdivision, as described on Exhibit D hereto using existing City 10” gravity wastewater line located at Bebee Road and Dacy Lane and including an onsite (GPD_[B1]) lift station and a 6” offsite force main on the site depicted on Exhibit E hereto, which facilities shall be sized to reserve twenty five (25) living unit equivalents (LUEs) for the Parkland; provided however, that the City reserves the right to upsize such facilities at its sole cost and expense, and the Developer shall, so long as the City has not indicated or otherwise taken any action to upsize or otherwise modify such wastewater lines or facilities, commence construction of such facilities on or before April 17, 2019;

(d) During the construction of the first phase of single family homes in the Subdivision, design and construct, at the Developer's sole cost and expense and, as depicted on Exhibit B hereto,

(i) a left-turn lane into the Subdivision at the main entrance thereof; and

(ii) Secondary emergency access into the Subdivision,

(e) So long as the City has not indicated or otherwise taken any action to upsize or otherwise modify wastewater lines or facilities pursuant to clause (c) above or otherwise taken any action which would hinder or delay the Developer, commence construction of all off-site improvements related to the Subdivision on or before April 17, 2019 or this Agreement shall terminate.

2.2. The City hereby agrees:

(a) Subject to compliance with all applicable development standards set forth in the City's codes and ordinances (except as may be otherwise modified hereby), to approve the preliminary plats for the Subdivision (a single phase or two-phase development), including any amendments thereto so long as such amendments are consistent with the concept plans submitted to the City, which approval by the City shall in no event expire in fewer than five (5) years;

(b) That the (i) dedication/conveyance of the Parkland to the City, and (ii) payment by the Developer of \$300 per single family residential lot to the City at the time of final platting of each phase of lots on each plat within the Subdivision satisfied the City's "park fees" requirement for the Subdivision;

(c) To use the amounts paid by the Developer pursuant to clause (b) of this Section 2.2 for improvements at the city park currently known as "Kyle Vista Park"; and

(d) That the existing City wastewater system is sufficient to serve the Subdivision and interconnect with the wastewater facilities to be constructed by the Developer pursuant to Section 2.1(c) above, that upon completion of such wastewater facilities, the City shall accept dedication thereof and maintain such without any further obligation of the Developer.

2.3 The Parties shall:

(a) Execute and file an appropriate Memorandum of Record in the real property records of Hays County, Texas, with respect to the subject matter of this Agreement;

(b) Make appropriate notation(s) on the preliminary and final plats of the Subdivision;

(c) Execute and record appropriate CCRs for the Subdivision prior to Final Plat acceptance by the City, which CCR's shall have been reviewed by the City to ensure that adequate funding exists for applicable HOAs to comply with the minimum maintenance requirements for property identified as HOA property, within the Subdivision; and

(d) Hereby acknowledge that Monarch Utilities is anticipated to provide water service to the Subdivision, in sufficient quantities to service the Subdivision as required in City ordinances. The Developer hereby agrees not to commence construction of any improvements related to water services until the Developer have provided "will serve" letters from the water supplier to the City.

ARTICLE III

Assignment of Commitments and Obligations

3.1. The Developer may assign its rights and obligations under this Agreement to one or more purchasers of all or part of the Subdivision.

3.2. This Agreement shall be binding upon the Parties, their purchasers, successors and assigns.

Article IV

Miscellaneous Provisions

Default

4.1. The Developer shall be in default hereunder in the event that it

(a) fails or refuses to construct the off-site wastewater infrastructure described in Section 2.1(c) hereof, or

(b) breaches any other term of this Agreement.

4.2. An "Event of Default" shall occur in the event that (a) the City gives written notice to the Developer specifying in reasonable detail the nature of the default (the "Notice of Default") and, (b) the Developer fails to cure such default in a reasonable manner within thirty (30) days after the date of receipt of such Notice of Default, or fails to take reasonable

steps to secure and give reasonable assurances to City that such default will be cured or rectified within a reasonable period of time and diligently pursue such cure to completion.

4.3. Upon the occurrence of an Event of Default, the City may terminate this Agreement by delivering written notice to the Developer stating that this Agreement has terminated (the "Notice of Termination"), and this Agreement shall terminate as and from the day, specified as the termination date in the Notice of Termination.

Force Majeure

4.4. The term "force majeure" as used 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; epidemics; landslides; lightning, earthquakes; fire, hurricanes; storms, floods; washouts; droughts; arrests; restraint of government and people; civil disturbances; explosions; breakage or accidents to machinery, pipelines, or canals; or other events which prevent performance by a Party (the "Affected Party") and are not reasonably within the control of such Party.

4.5. Upon the occurrence of an event of force majeure, the Affected Party shall give written notice fully describing the event of force majeure to the other Party within ten (10) days after the occurrence thereof. The obligations of the Affected Party, to the extent affected by the force majeure, shall be suspended during the continuance of the Affected Party's inability to perform. The Affected Party shall endeavor to remove or overcome such inability to perform with all reasonable dispatch.

Notices

4.6 All notices, demands and requests required hereunder shall be in writing and shall be deemed to have been properly delivered and received (i) as of the date of delivery

to the addresses set forth below, if personally delivered or delivered by facsimile transmission, with confirmation of delivery (in the event a facsimile is sent after 5:00 p.m., local Austin, Texas time, it shall be deemed to have been received on the next day), or email; (ii) three (3) business days after deposit in a regularly maintained receptacle for the United States mail, certified mail, return receipt requested and postage prepaid; and (iii) one (1) business day after deposit with Federal Express or comparable overnight delivery system for overnight delivery with all costs prepaid. All notices, demands and requests hereunder shall be addressed as follows:

If to The Meadows at Kyle II, Ltd.:	With a copy to:
Gary Duncan 506 Galisteo St. Santa Fe, New Mexico 87501 Telecopier: (505) 982-8987	Warren Stigall 6212 Harwin Lane Austin, Texas 78745 Telecopier: (512) 383-1226
If to the City of Kyle:	With a copy to:
City of Kyle Attn: City Manager P.O. Box 40 Kyle, Texas 78640 Facsimile: (512) 268-3987	Davidson Troilo Ream & Garza A Professional Corporation 601 N.W. Loop 410, Suite 100 San Antonio, Texas 78216 Facsimile: (210) 349-0041

A Party may change the address for notice to it by giving notice of such change to the other Party in accordance with the provisions of this Section.

Term

4.7. This Agreement shall be effective until _____, 20__ unless terminated earlier pursuant to Section 4.3 hereof.

Entire Agreement

4.8. This Agreement, together with any exhibits hereto, constitutes the entire agreement between Parties, and may not be amended except by a writing signed by all Parties and dated subsequent to the date hereof.

Effective Date

4.9. This Agreement shall be effective upon execution by all Parties and, thereafter, the Original Agreement shall cease to have any force or effect and shall be superseded by this Agreement.

Texas Law Governs

4.10. 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.

Time of the Essence

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

Execution

4.12 This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. The Parties agree that facsimile or electronic signatures sent to each Party solely for the purpose of evidencing such Party's execution of this Agreement shall be acceptable to bind the Parties and shall not in any way affect this Agreement's validity. The Parties intend to confirm the initial facsimile or electronic signatures by exchanging ink-signed

originals, but the Parties' failure to exchange ink signed originals shall not affect the Agreement's validity in any way.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

EXECUTED in multiple originals to be effective as of the date first written above.

CITY OF KYLE, TEXAS

By: _____

Name: _____

Title: _____

THE MEADOWS AT KYLE II, LTD

By: The Meadows at Kyle Development Co. II, LLC, General Partner

By: _____

Name: George Gary Duncan

Title: Manager

**Development Agreement
Sunset Hills Subdivision
Kyle, TX**

Exhibit Table of Contents

- A. Land Description (Metes & Bounds and Survey)
The Property – Sunset Hills Subdivision**
- B. Subdivision Rights of Way (ROW)
Typical Cross Section**
- C. Parkland**
- D. Subdivision Wastewater Facility
Onsite Lift Station and Offsite Force-main**

Exhibit A

52.990 ACRES
ELISHA PRUETT SURVEY NO. 23, ABSTRACT NO. 376
THOMAS G. ALLEN SURVEY, ABSTRACT NO. 26
HAYS COUNTY, TEXAS
TITLE SURVEY

FIELD NOTES

BEING ALL THAT CERTAIN TRACT OR PARCEL OF LAND OUT OF AND A PART OF THE ELISHA PRUETT SURVEY NUMBER 23, ABSTRACT NUMBER 376 AND THE THOMAS G. ALLEN SURVEY, ABSTRACT NUMBER 26, SITUATED IN HAYS COUNTY, TEXAS, SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS BEING ALL OF THAT CERTAIN CALLED 52.990 ACRE TRACT OF LAND CONVEYED TO THE MEADOWS AT KYLE II, LTD. IN VOLUME 2984, PAGE 804, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS (O.P.R.H.C.TX.), SAID 52.990 ACRE TRACT OF LAND BEING MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at a capped iron rod found at northeastern corner of said 52.990 acre tract, also being the northwestern corner of Lot 4, Sunflower Acres, a subdivision recorded in Volume 4, Page 18, Plat Records of Hays County, Texas (P.R.H.C.TX.) and also being in the southern line of Lot 37, Block B, Amberwood Phase 3, a subdivision recorded in Volume 11, Pages 147-149 (P.R.H.C.TX.), for the northeastern corner and **POINT OF BEGINNING** of the herein described tract,

THENCE, with the common boundary line of said 52.990 acre tract, said Lot 4, Sunflower Acres, Lots 2 and 3 of said Sunflower Acres, the west line of that certain called 12.52 acre tract of land conveyed to Guadalupe and Belen Villegas in Volume 3159, Page 463 (O.P.R.H.C.TX.) and that certain called 13.22 acre tract of land conveyed to The City of Kyle in Volume 3344, Page 684 (O.P.R.H.C.TX.), $S14^{\circ}32'00''W$, a distance of 2035.11 feet to a capped iron rod found at the southeastern corner of said 52.990 acre tract, also being the southwestern corner of said 13.22 acre tract and also being in the northern right-of-way line of County Road 122 (A.K.A. Bebee Road) (R.O.W. varies), for the southeastern corner of the herein described tract,

THENCE, with the common line of said 52.990 acre tract and the northern right-of-way line of said County Road 122, the following two (2) courses and distances, numbered 1 and 2,

1. $N64^{\circ}43'18''W$, a distance of 890.36 feet to a capped iron rod found marked "RUST" at the beginning of a curve to the left, and,
2. With said curve to the left having a radius of 498.37 feet, an arc length of 69.63 feet, and whose chord bears $N68^{\circ}42'05''W$, a distance of 69.57 feet to a $\frac{1}{2}$ " iron rod found at the southernmost southwestern corner of said 52.990 acre tract and also being a southeastern corner of that certain called 2.49 acre tract of land conveyed to GTP Towers V, LP in Volume 3581, Page 839 (O.P.R.H.C.TX.), for the southernmost southwestern corner of the herein described tract,

THENCE, with the common boundary line of said 52.990 acre tract and said 2.49 acre tract, the following four (4) courses and distances, numbered 1 thru 4,

1. $N22^{\circ}01'04''E$, a distance of 10.09 feet to a $\frac{1}{2}$ " iron rod found,
2. $N34^{\circ}57'29''W$, a distance of 208.25 feet to a $\frac{1}{2}$ " iron rod found,
3. $N23^{\circ}11'38''E$, a distance of 230.14 feet to a $\frac{1}{2}$ " iron rod found, and
4. $N64^{\circ}47'02''W$, a distance of 265.26 feet to a $\frac{1}{2}$ " iron rod found at the westernmost southwestern corner of said 52.990 acre tract, also being the northwestern corner of said 2.49 acre tract and also being in the eastern line of that certain called 25.98 acre tract of land conveyed to Kyle Business Park, LP in Volume 2835, Page 819 (O.P.R.H.C.TX.), for the westernmost southwestern corner of the herein described tract,

Exhibit A

52.990 ACRES
ELISHA PRUETT SURVEY NO. 23, ABSTRACT NO. 376
THOMAS G. ALLEN SURVEY, ABSTRACT NO. 26
HAYS COUNTY, TEXAS
TITLE SURVEY

THENCE, with the common boundary line of said 52.990 acre tract, said 25.98 acre tract and Amberwood Phase 1, a subdivision recorded in Volume 10, Page 352 (P.R.H.C.TX.), N21°56'09"E, a distance of 1451.85 feet to a calculated point at the northwestern corner of said 52.990 acre tract, also being the northeastern corner of Lot 17, Block B of said Amberwood Phase 1, also being the southwestern corner of Lot 19, Block B of said Amberwood Phase 3 and also being the southwestern corner of Lot 20, Block B of said Amberwood Phase 3, for the northwestern corner of the herein described tract,

THENCE, with the common boundary line of said 52.990 acre tract and said Amberwood Phase 3, S75°25'36"E, a distance of 1139.81 feet to the **POINT OF BEGINNING** and containing 52.990 acres of land.

Surveyed by:

 01 JUL 2014

Aaron V. Thomason, R.P.L.S. #6214
Carlson, Brigance & Doering, Inc.
5501 West William Cannon Drive
Austin, TX 78749
Phone: (512) 280-5160



BEARING BASIS: TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE (4204), NAD83

TITLE SURVEY OF 52.990 ACRES OF LAND BEING ALL OF A CALLED 52.990 ACRE TRACT CONVEYED TO THE MEADOWS AT KYLE II, LTD. IN VOLUME 2984, PAGE 804 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, AND BEING SITUATED IN THE ELISHA PRUETT SURVEY NUMBER 23, ABSTRACT NUMBER 376 AND THE THOMAS G. ALLEN SURVEY, ABSTRACT NUMBER 26

VICINITY MAP



SCALE 1" = 200'

LEGEND

- ▲ CALCULATED POINT
- 1/2" IRON ROD FOUND (UNLESS OTHERWISE NOTED)
- POWER POLE
- GUY ANCHOR
- SIGN
- GAS RISER
- ⊕ WASTEWATER MANHOLE
- OVERHEAD ELECTRIC LINE
- WIRE FENCE
- CHAINLINK FENCE
- WOOD FENCE
- RCP REINFORCED CONCRETE PIPE
- CMP CORRUGATED METAL PIPE
- () RECORD INFORMATION (VOLUME 2984, PAGE 804)
- SURVEY LINE (APPROXIMATE LOCATION)

THIS TRACT IS SUBJECT TO THE FOLLOWING TITLE EXCEPTIONS:

10. f) NO LIABILITY IS ASSUMED BY VIRTUE OF THE FACT THAT THE FENCE(S) DO NOT FOLLOW THE PROPERTY LINE(S), AS SHOWN ON THE SURVEY DATED MAY 11, 2006, BY DAVID KLOTZ, REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5428.
- g) EASEMENT RIGHTS, IF ANY, OF THAT CERTAIN OVERHEAD UTILITIES, AS SHOWN ON SURVEY DATED MAY 11, 2006, BY DAVID KLOTZ, REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5428.

THIS TRACT IS NOT SUBJECT TO THE FOLLOWING TITLE EXCEPTIONS:

- d) EASEMENT EXECUTED BY DICK S. WHITTEN, TO GOFORTH WATER SUPPLY CORPORATION, DATED JUNE 14, 1976, RECORDED UNDER VOLUME 297, PAGE 408 OF THE REAL PROPERTY RECORDS OF HAYS COUNTY, TEXAS, AND BEING EVIDENCE BY SKETCH ATTACHED AND MADE A PART OF INSTRUMENT RECORDED UNDER VOLUME 1193, PAGE 425 OF THE REAL PROPERTY RECORDS OF HAYS COUNTY, TEXAS, TO THE EXTENT THAT IT MAY AFFECT SUBJECT TRACT. — easement is not locatable—no evidence of water apportionment found on tract.
- e) EASEMENT EXECUTED BY DICK S. WHITTEN, TO GOFORTH WATER SUPPLY CORPORATION, DATED JUNE 14, 1976, RECORDED UNDER VOLUME 297, PAGE 409 OF THE REAL PROPERTY RECORDS OF HAYS COUNTY, TEXAS, AND BEING EVIDENCE BY SKETCH ATTACHED AND MADE A PART OF INSTRUMENT RECORDED UNDER VOLUME 1193, PAGE 425 OF THE REAL PROPERTY RECORDS OF HAYS COUNTY, TEXAS, TO THE EXTENT THAT IT MAY AFFECT SUBJECT TRACT. — easement is not locatable—no evidence of water apportionment found on tract.

TITLE COMMITMENT OF # 01247-25560.

TO: KB HOME LONE STAR, INC., THE MEADOWS AT KYLE II, LTD., GRACY TITLE

EFFECTIVE DATE: JUNE 10, 2014.

STATE OF TEXAS
COUNTY OF TRAVIS:

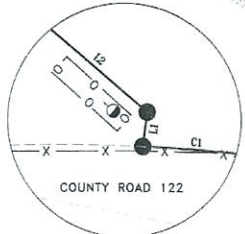
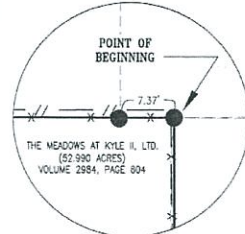
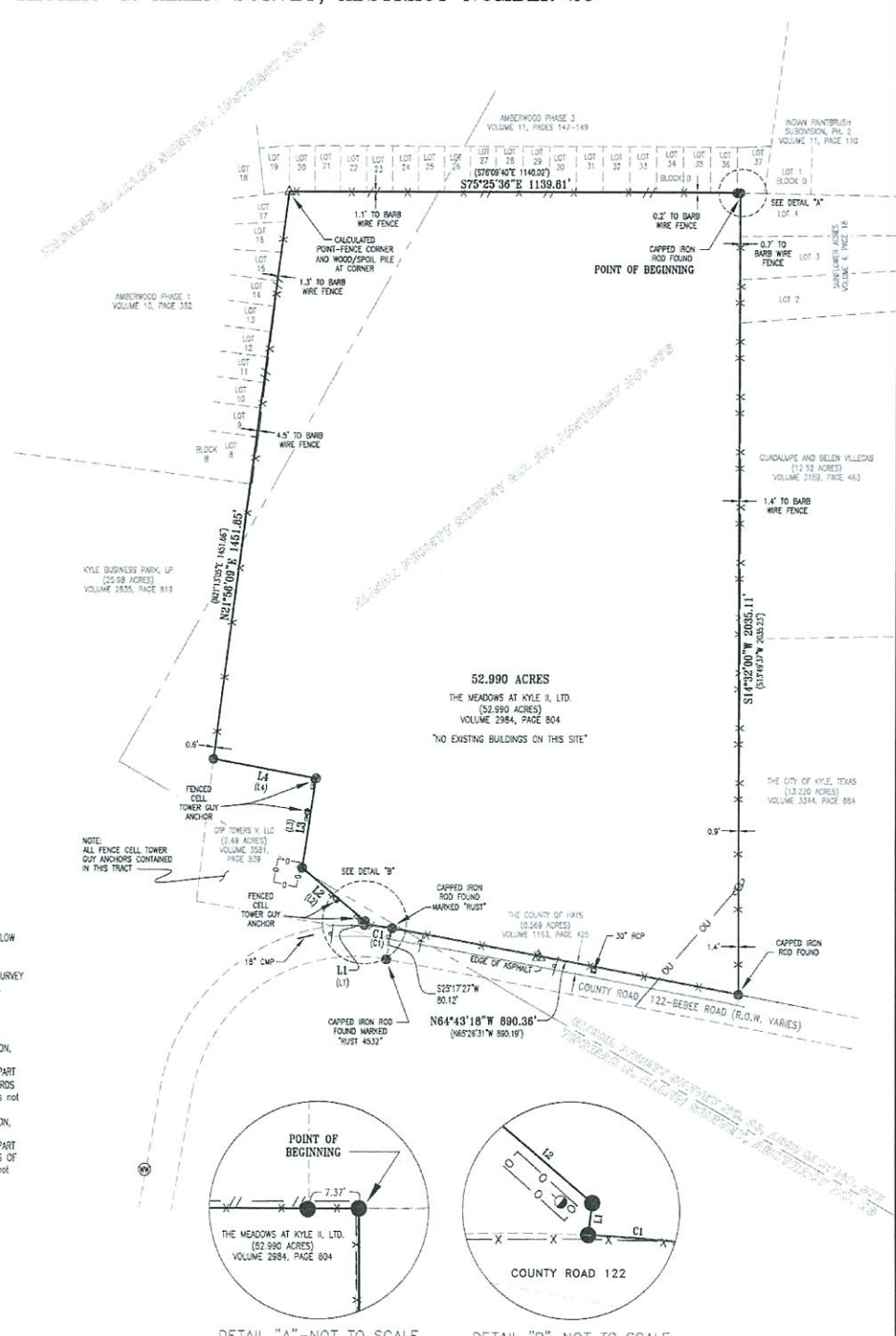
I, the undersigned, do hereby certify that this survey was this day made on the ground of the property legally described hereon and is correct, and that there are no discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments, overlapping of improvements, visible utility easements or roadways, except as shown hereon and that said property has access to and from a dedicated roadway except as shown hereon. The legally described property IS NOT within a special flood hazard area as designated by the Department of Housing and Urban Development Federal Insurance Administration Flood Hazard Boundary Map Number 48202002900E for Hays County, Texas, dated September 2, 2005.

Dated, this the 1st day of JULY, 2014.

Aaron V. Thomason
AARON V. THOMASON, R.P.L.S. #6214
Carlson, Brignace and Doering, Inc.
5501 West William Cannon
Austin, Texas 78749
512-280-5160 512-280-5165 (fax)



ORIGINAL COPY VALID ONLY IF SEALED IN RED INK



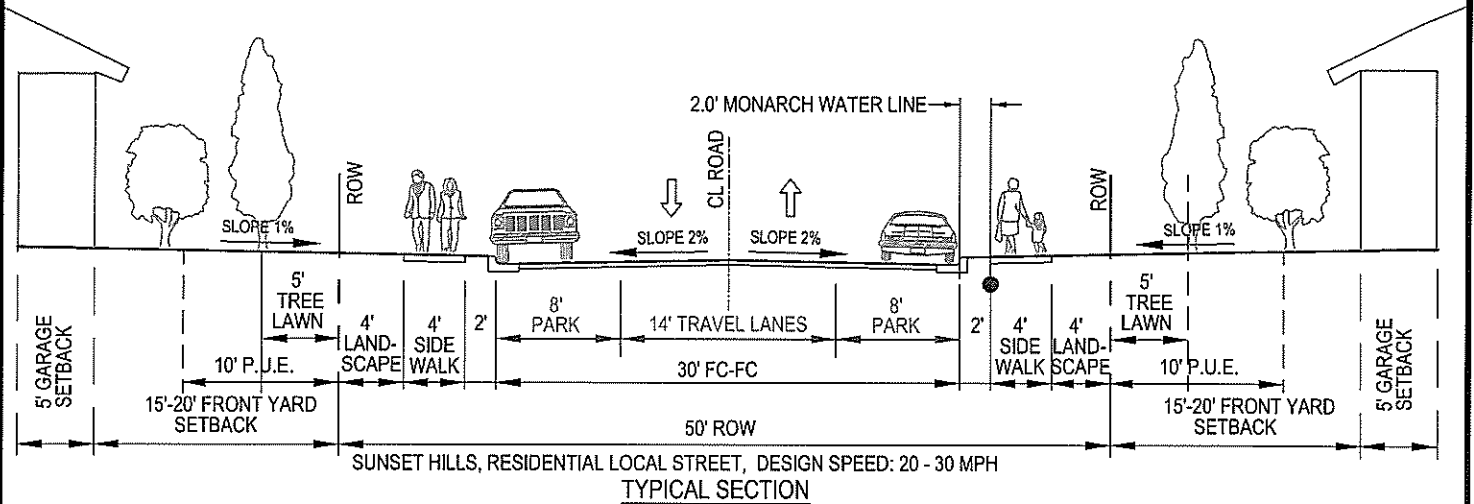
Record Curve Table						
Curve #	Length	Radius	Chord Direction	Chord Length	Tangent	DELTA
(C1)	69.61	498.13	N67°35'34"W	69.55	(34.86)	87°00'23"

Curve Table						
Curve #	Length	Radius	Chord Direction	Chord Length	Tangent	DELTA
C1	69.63	498.37	N68°42'05"W	69.57	34.87	87°00'12"

Line Table			Record Line Table		
Line #	Length	Direction	Line #	Length	Direction
L1	10.09	N22°01'04"E	(L1)	(10.08)	(N22°56'35"E)
L2	208.25	N34°57'29"W	(L2)	(208.30)	(N35°39'07"W)
L3	230.14	N23°11'36"E	(L3)	(230.14)	(N22°28'03"E)
L4	265.25	N64°47'02"W	(L4)	(265.22)	(N69°30'08"W)

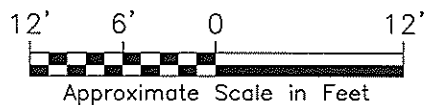
Carlson, Brignace & Doering, Inc.
FIRM ID #F3791 • REG. # 10024900
Civil Engineering • Surveying
5501 West William Cannon • Austin, Texas 78749
Phone No. (512) 280-5160 • Fax No. (512) 280-5165

EXHIBIT B



NOTE:

FRONT SETBACKS STAGGERED/ALTERNATING BETWEEN 20' AND 25'. IF FRONT OF GARAGE IS SET BACK AT LEAST 5' FROM FRONT WALL OF HOME, THEN FRONT SETBACK TO FRONT WALL OF HOME MAY BE STAGGERED/ALTERNATING BETWEEN 15' AND 20'.



**SUNSET HILLS
TYPICAL 50' STREET SECTION**



Murfee Engineering Company

Texas Registered Engineering Firm F-353

1101 Capital of Texas Highway South, Building D, Suite 110, Austin, Texas 78746. (512) 327-9204

JOB NO.	15-045-10	SCALE:	AS NOTED	SHEET:	1 OF 1
DESIGNED BY:	GM	DATE:	10/14/2016		
DRAWN BY:	RLW	DATE:	10/14/2016		
FILE(LAYOUT): O:\15\045\10\STREETSCAPE TYPICAL SECTION 3.dwg(Layout1)					

SUNSET HILLS PARK



LEGEND

- 1/2" IRON ROD FOUND (UNLESS NOTED)
- 1/2" IRON ROD WITH CAP SET

LINE TABLE

No.	BEARING	DISTANCE
1	S55°30'45"W	229.94'
2	S71°57'45"W	180.75'
3	S89°18'45"W	97.91'
4	S55°30'45"W	181.34'
5	N35°21'35"W	156.65'

CURVE TABLE

NO.	DELTA	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
CI	47°43.1"	1036.45'	77.04'	77.02'	N63°09'02"W

10.00 ACRES
ALFONSO MARTINEZ AND WIFE
HOPE MARTINEZ
VOLUME 947, PAGE 898

50' ROAD EASEMENT
VOLUME 354, PAGE 157

LOT 1
SILVER HILLS
VOLUME 4, PAGE 45

9
RONALD FREEMAN, D/B/A
CONSTRUCTION COMPANY
VOLUME 369, PAGE 261

13.220 ACRES
(575,864 SQ. FT.)
LOT 1, BLOCK 'A' - PARKLAND
(PARKLAND DEDICATED TO
CITY OF KYLE)

13.220 ACRES
THE MEADOWS AT KYLE II LTD
VOLUME 3125, PAGE 889

13.51 ACRES
TROY MIEDENA AND WIFE
DEBORAH MIEDENA
VOLUME 2122, PAGE 104

52.990 ACRES
THE MEADOWS AT KYLE II LTD
VOLUME 2964, PAGE 804

SUNSET HILLS
PARK

A ONE LOT SUBDIVISION
CONSISTING OF 13.220 ACRES
DATE: OCTOBER 2007
PREPARED BY:

Bury+Partners
ENGINEERING SOLUTIONS
221 West Sixth Street, Suite 600, Austin, Texas 78701
Tel: (512)328-0911 Fax: (512)328-0225
BuryPartners, Inc. Copyright 2007

Drawn by: DMW, Approved by: GDB, Project No.: 1749-01.A.P.F., R. 1749-02.A.P.F. 07/04/07

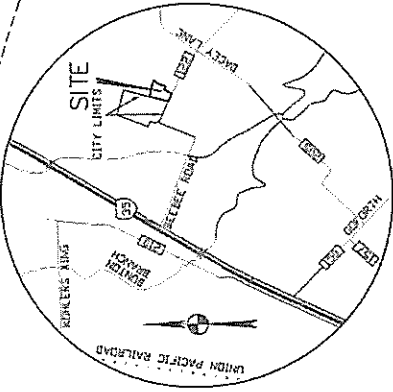
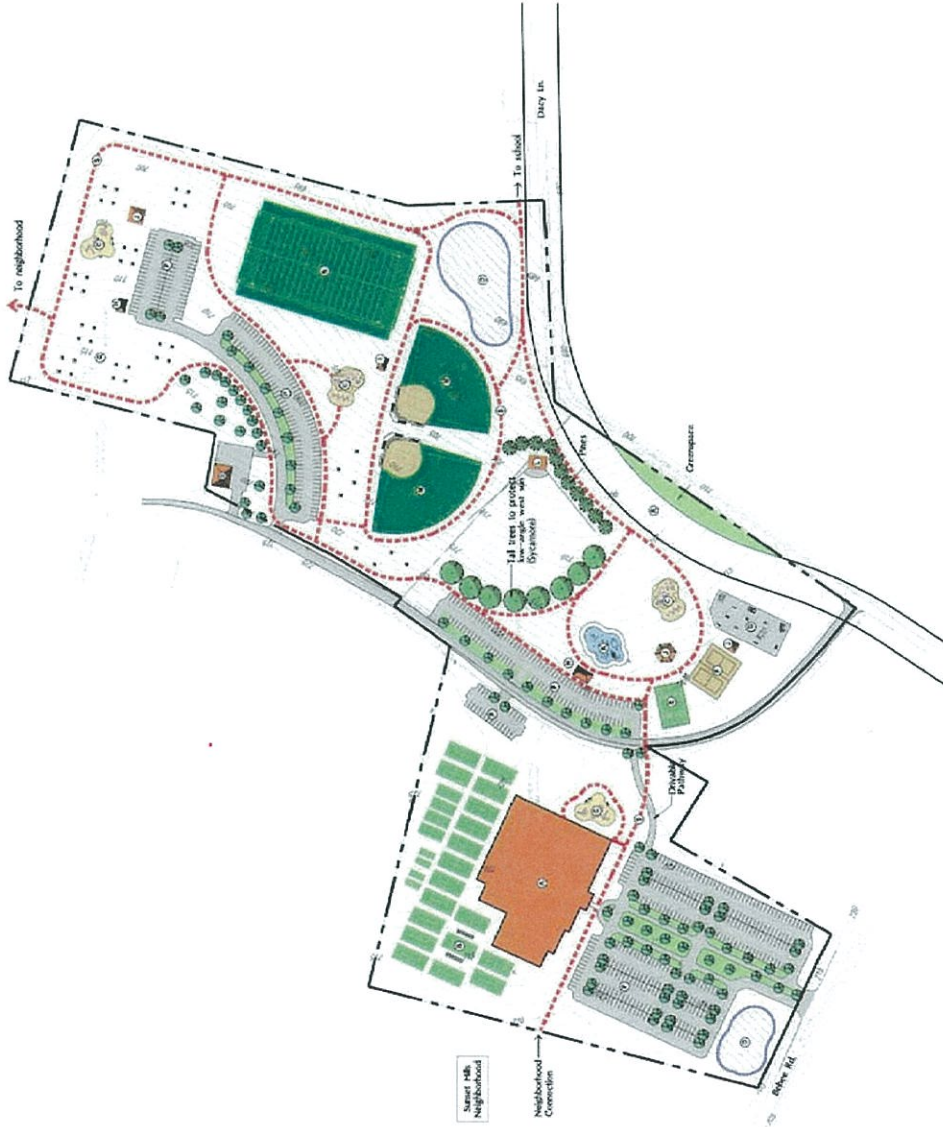


Exhibit C

LEGEND KEY

- Ⓐ Recreation Center
- Ⓑ Tennis Complex
- Ⓒ Playground
- Ⓓ Detention Pond
- Ⓔ Basketball Courts
- Ⓕ Volleyball Courts
- Ⓖ Skate Park
- Ⓗ Restroom Facility
- Ⓘ Restroom/Concession Bldg.
- Ⓝ Picnic Shelter
- Ⓚ Sprayground
- Ⓛ Amphitheater
- Ⓜ Baseball Fields
- Ⓝ Football/Soccer Field
- Ⓞ Maintenance Building
- Ⓟ Parking
- Ⓠ Picnic Area
- Ⓡ Future Dicy Lane Widening Project
- Ⓢ Paved Walking Trail
- Disc Golf and Horseshoes to be Sited Around the Park



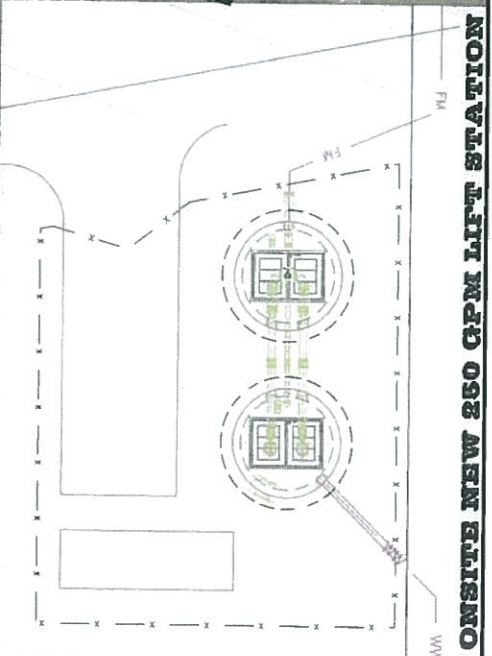
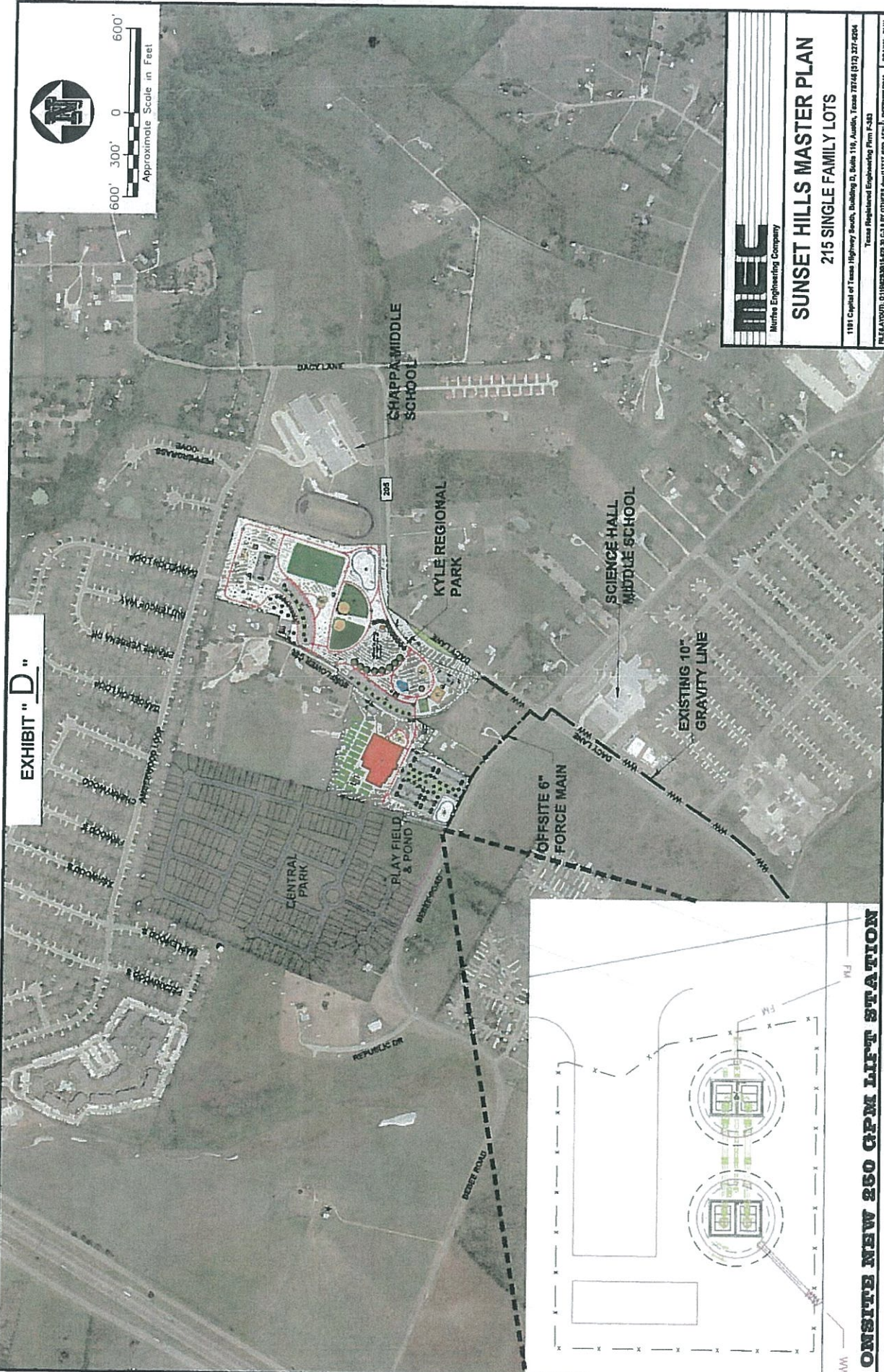
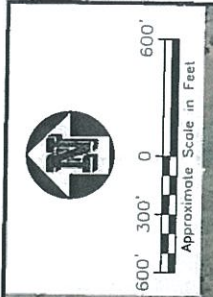
September 30, 2008



Final Master Plan
Parks and Recreation Department
Kyle, Texas



EXHIBIT "D"



NEC
Nurba Engineering Company

SUNSET HILLS MASTER PLAN
215 SINGLE FAMILY LOTS

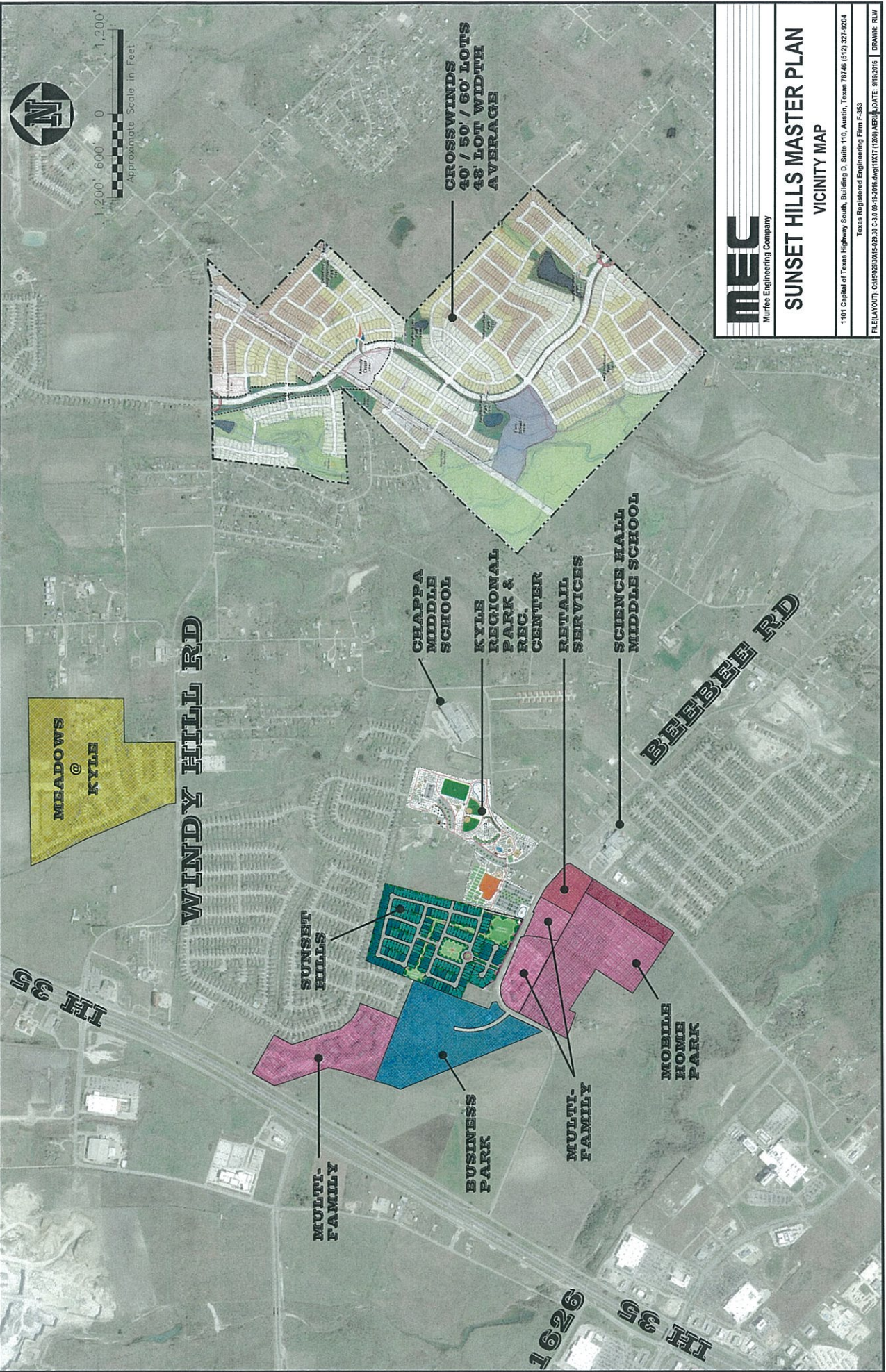
1181 Capital of Texas Highway South, Building D, Suite 116, Austin, Texas 78748 (512) 337-6204
Texas Registered Engineering Firm #543

RELEASED UNDER THE PUBLIC INFORMATION ACT, OCTOBER 11, 2011

DATE: 11/11/11
DRAWN: RLW



Approximate Scale in Feet



SUNSET HILLS MASTER PLAN VICINITY MAP

1101 Capital of Texas Highway South, Building D, Suite 110, Austin, Texas 78746 (512) 327-9204
Texas Registered Engineering Firm F-583

FILE/LAYOUT: 0169253015-023.01 C3.0 09-16-2016.dwg/11/11/17 (220) AECU/DATE: 9/19/2016 DRAWN: RLW