

# CITY OF KYLE



## Notice of Regular City Council Meeting

KYLE CITY HALL  
100 W. Center Street

Notice is hereby given that the governing body of the City of Kyle, Texas will meet at 7:00 PM on 11/6/2012, at Kyle City Hall, 100 West Center Street, Kyle, Texas for the purpose of discussing the following agenda.

Posted this 1st day of November, 2012 prior to 7:00 p.m.

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### I. Call Meeting To Order

### II. Citizen Comment Period With City Council

The City Council welcomes comments from Citizens early in the agenda of regular meetings. Those wishing to speak must sign in before the meeting begins at the Kyle City Hall. Speakers may be provided with an opportunity to speak during this time period, and they must observe the three-minute time limit.

### III. Consent Agenda

1. Crystal Meadow Drive (Private ROW) of Century Acres Amended Plat  
4.557 acres, (Roadway)  
Located off of Crystal Meadows Drive  
Owner: Century Acres Property Owners Associates  
Agent: Jenn Dermanci, P.E., Doucet & Associates  
~ Sofia Nelson, Director of Planning

*Planning and Zoning Commission voted 7-0 to approve the Amended Plat.*

 [Attachments](#)

2. Hometown Kyle Phase 4A - Final Plat (FP-12-004)  
8.948 acres; 40 Single Family Lots  
Located off of Chapparo Drive  
Owner: RH of Texas, LP  
Agent: Steven Ihnen, P.E., GICE, Inc.  
~ Sofia Nelson, Director of Planning

*Planning and Zoning Commission voted 7-0 to approve the Final Plat.*

 [Attachments](#)

3. Plum Creek Phase 1 Section 6E 2-3 Preliminary Plan (PP-12-004)  
10.100 acres; 53 Lots  
Located to the northeast of the current end of Hellman Drive, just east of 2770  
Owner: Plum Creek Development Partners, Ltd.

Agent: Alan Rhames, P.E., Axiom Engineers, Inc.  
~ Sofia Nelson, Director of Planning

*Planning and Zoning Commission voted 7-0 to approve the Preliminary Plan.*

 [Attachments](#)

4. Plum Creek Phase 1 Section 6E 2-3 Final Plat (FP-12-005)

10.100 acres; 53 Lots

Located to the northeast of the current end of Hellman Drive, just east of 2770

Owner: Plum Creek Development Partners, Ltd.

Agent: Alan Rhames, Axiom Engineers, Inc.

~ Sofia Nelson, Director of Planning

*Planning and Zoning Commission voted 7-0 to approve the Final Plat.*

 [Attachments](#)

5. Waterleaf Phase B Section 5 (FP-12-008)

33.749 acres; 88 Lots

Located off of East FM 150 and New Country Road

Applicant: KB Home Lone Star, Inc.

Agent: Steven P. Cates, P.E., Carlson, Brigance & Doering, Inc.

Staff Proposal to P&Z: Statutorily Disapprove to meet 30 day statutory requirements.

~ Sofia Nelson, Director of Planning

*Planning and Zoning Commission voted 7-0 to Statutorily Disapprove the Final Plat.*

*Statutory Disapproval (Note: In accordance with the statutory requirements of the Texas Local Government Code reflected in Sections 12.03.001, 12.05.004, 12.06.004 the following applications are recommended for statutory disapproval in order to allow the City to process the application. These applications will continue through the review process without bias and will be placed on the agenda in a timely manner once the review process is complete. Statutory disapproval in order to meet statutory requirements under these sections shall not bias future consideration of this application by the Planning and Zoning Commission/City Council).*

 [Attachments](#)

6. Windmill Center Preliminary Plan (PP-10-001)

5.574 acres; 3 Lots

Located at East IH-35 Frontage - half mile North of Goforth Road

Owner: Dennis and Charles Artale

Agent: Hugo Elizondo, Jr., P.E., Cuatro Consultants

~ Sofia Nelson, Director of Planning

*Planning and Zoning Commission voted 7-0 to approve the Preliminary Plan.*

 [Attachments](#)

#### IV. Consider and Possible Action

7. Public Hearing for the purpose of hearing comments regarding an Amendment to the City of Kyle Zoning Ordinance-Part II-Code of Ordinance Chapter 53, Zoning Article III - Overlay Districts, Division 4 - Conditional Use Overlay Districts to Amend and Establish Specific Development Requirements for property within the IH-35 Overlay District ~ *Sofia Nelson, Director of Planning*

- *Public Hearing*
- *Planning and Zoning Commission voted to postpone action until Nov. 27th*
- *Staff Recommendation to postpone action until December 4th*

 [Attachments](#)

8. Consider a request by Noble Man Services, LLC. for a waiver for parking space requirements for a building with in the Original Town, located at 300 S. Front Street ~ *Sofia Nelson, Director of Planning*

*Planning and Zoning Commission voted 7-0 to Deny the request.*

 [Attachments](#)

9. Consider a request by Hugo Elizondo, Jr., on behalf of PGI Investment, LLC, for a Comprehensive Master Plan Amendment to identify the RV Zoning within the New Settlement District and Regional Node as Conditional rather than Not Recommended ~ *Sofia Nelson, Director of Planning*

*Planning and Zoning Commission voted 7-0 to deny the request.*

- *Public Hearing*

 [Attachments](#)

10. Consider a request by David Armbrust, on behalf of Lee Goodman, to amend a compromise agreement between the developer of the Woodlands Park Subdivision and the City of Kyle to allow for a reduced garage setback ~ *Sofia Nelson, Director of Planning*

*Planning and Zoning Commission voted 7-0 to approve the request with condition listed in staff report.*

 [Attachments](#)

#### V. ADJOURN

*At any time during the Regular City Council Meeting, the City Council may adjourn into an Executive Session, as needed, on any item listed on the agenda for which state law authorizes Executive Session to be held*

\*Per Texas Attorney General Opinion No. JC-0169; Open Meeting & Agenda Requirements, Dated January 24, 2000: The permissible responses to a 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 this 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.



# CITY OF KYLE, TEXAS

## Crystal Meadow Drive (ROW)

**Meeting Date: 11/6/2012**  
**Date time: 7:00 PM**

**Subject/Recommendation:** Crystal Meadow Drive (Private ROW) of Century Acres Amended Plat  
4.557 acres, (Roadway)  
Located off of Crystal Meadows Drive  
Owner: Century Acres Property Owners Associates  
Agent: Jenn Dermanci, P.E., Doucet & Associates  
~ Sofia Nelson, Director of Planning

*Planning and Zoning Commission voted 7-0 to approve the Amended Plat.*

**Other Information:** Please see attachments

**Budget Information:** N/A

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**Attachments / click to download**

- [Plat](#)
- [Staff Report](#)

## MEMORANDUM

TO: City Council

FROM: Sofia Nelson, Director of Planning

DATE: October 30, 2012

SUBJECT: Crystal Meadows Drive Plat

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### **PLANNING AND ZONING COMMISSION RECOMMENDATION**

On October 23<sup>rd</sup> the Planning and Zoning Commission recommended unanimously to approve the amended plat.

### **BACKGROUND**

#### ***Site Information and Proposal***

The subject property is approximately 0.505 acres and is located adjacent to the Hays County Precinct office, within the City's ETJ. The current Crystal Meadows Drive is a private street, however the 0.505 acres covered in this plat will become public ROW.

#### ***Utilities***

The area covered within this subdivision plat is a public ROW; no utilities will be extended within this street.

#### ***Access***

The subject property will provide additional access to the Hays County Precinct Office Development.

### **STAFF RECOMMENDATION:**

The purpose of a Final Subdivision Plat is to assure that the division or development of the land subject to the plat is consistent with all standards of the City of Kyle Code pertaining to the adequacy of public facilities, that public improvements to serve the subdivision or development have been installed and accepted by the City or that provision for such installation has been made, that all other requirements and conditions have been satisfied or provided for to allow the plat to be record, and to assure that the subdivision meets all other zoning and subdivision requirements.

Staff has reviewed the proposed plats and has made the following findings:

- The plat is consistent with all subdivision requirements.
- The proposed provision and configuration of roads, water, wastewater, and drainage has been reviewed by the City Engineer and has been declared substantially complete.

AMENDED PLAT OF  
CRYSTAL MEADOW DRIVE  
(PRIVATE R.O.W.) OF  
CENTURY ACRES

OWNER'S ACKNOWLEDGMENT  
STATE OF TEXAS  
COUNTY OF HAYS

KNOW ALL MEN BY THESE PRESENTS:

THAT CENTURY ACRES PROPERTY OWNERS ASSOCIATION, OWNERS OF THAT CERTAIN 4.557 ACRE TRACT OF LAND OUT OF THE THE JESSE DAY SURVEY, ABSTRACT 152, SITUATED IN HAYS COUNTY TEXAS, BEING ALL OF A 4.57 ACRE ROADWAY TRACT DESCRIBED IN VOLUME 999, PAGE 581, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, AND SHOWN ON THE PLAT OF CENTURY ACRES, A SUBDIVISION OF RECORD IN VOLUME 6, PAGE 53 OF THE PLAT RECORDS OF HAYS COUNTY, TEXAS,

DOES HEREBY AMEND SAID ROADWAY TRACT TO INCLUDE TWO LOTS, ROADWAY LOT 1A AND ROADWAY LOT 1B, AS DEPICTED, BEING THE LAND CONVEYED IN THE AFORESAID DEEDS AND SHOWN ON THIS PLAT, AND DESIGNATED HEREIN AS "AMENDED PLAT OF CRYSTAL MEADOW DRIVE (PRIVATE R.O.W.) OF CENTURY ACRES" AND WHOSE NAME IS SUBSCRIBED HERETO, AND HEREBY DEDICATE ROADWAY TRACT LOT 1B TO HAYS COUNTY FOR THE USE OF THE PUBLIC.

IN WITNESS WHEREOF, \_\_\_\_\_ HAS CAUSED THIS INSTRUMENT TO BE EXECUTED BY \_\_\_\_\_ ON BEHALF OF THE CENTURY ACRES PROPERTY OWNERS ASSOCIATION.

ADDRESS:  
250 CRYSTAL MEADOW DRIVE  
KYLE, TEXAS 78640

BY: \_\_\_\_\_  
REPRESENTATIVE FOR CENTURY ACRES PROPERTY OWNERS ASSOCIATION

STATE OF TEXAS  
COUNTY OF HAYS

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_ BY \_\_\_\_\_ ON BEHALF OF HAYS COUNTY, TEXAS.

NOTARY PUBLIC, STATE OF TEXAS

SURVEYORS CERTIFICATION:  
STATE OF TEXAS  
COUNTY OF TRAVIS

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

TO THE BEST OF MY KNOWLEDGE, THIS PLAT COMPLIES WITH ORDINANCE NO. 308 OF THE CITY CODE OF KYLE. ALL PLOTTABLE EASEMENTS OF RECORD AS FOUND ON THE REFERENCED PLAT ARE SHOWN.

DATE OF SURVEY: JUNE 18, 2012

ROBERT C. WATTS, JR.  
REGISTERED PROFESSIONAL LAND SURVEYOR 4995  
CHAPARRAL PROFESSIONAL LAND SURVEYING, INC.  
3500 McCall Lane  
Austin, Texas 78744  
512-443-1724 T  
512-389-0943 F

ENGINEER'S CERTIFICATION:  
STATE OF TEXAS  
COUNTY OF TRAVIS

I, JENNIFER I. DERMANCI, AM AUTHORIZED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF ENGINEERING, AND HEREBY CERTIFY THAT THIS PLAT IS FEASIBLE FROM AN ENGINEERING STANDPOINT, AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

NO PORTION OF THE TRACT SHOWN HEREON LIES WITHIN A SPECIAL FLOOD HAZARD AREA AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, NATIONAL FLOOD INSURANCE PROGRAM, AS SHOWN ON MAP NO. 48209C0270F, DATED SEPTEMBER 2, 2005, FOR HAYS COUNTY, TEXAS AND INCORPORATED AREAS.

J. I. Dermanci  
ENGINEERING BY: \_\_\_\_\_

PLANNING AND ZONING COMMISSION CERTIFICATION:  
STATE OF TEXAS  
COUNTY OF HAYS

I, THE UNDERSIGNED CHAIRPERSON OF THE PLANNING AND ZONING 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 (AMENDED PLAT OF CRYSTAL MEADOW DRIVE (PRIVATE R.O.W.) OF CENTURY ACRES) HAS BEEN SUBMITTED TO AND CONSIDERED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KYLE, TEXAS AND IS HEREBY APPROVED BY THE COMMISSION.

DATED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_ A.D.

BY: \_\_\_\_\_

ATTEST:  
BY: \_\_\_\_\_  
CITY SECRETARY

THIS PLAT (AMENDED PLAT OF CRYSTAL MEADOW DRIVE (PRIVATE R.O.W.) OF CENTURY ACRES) 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\_\_\_\_ A.D.

BY: \_\_\_\_\_

ATTEST:  
BY: \_\_\_\_\_  
CITY SECRETARY

CERTIFICATION OF THE CITY ENGINEER:  
STATE OF TEXAS  
COUNTY OF HAYS

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

STEVEN D. WIDACKI, P.E. DATE \_\_\_\_\_  
CITY ENGINEER

GENERAL NOTES:  
EASEMENTS ARE RESERVED AS FOLLOWS: N/A  
SITE DEVELOPMENT NOTE:  
N/A  
BUILDING LINE NOTE:  
BUILDING SETBACKS SHALL CONFORM TO THE CITY OF KYLE ORDINANCE NO. 311.  
SIDEWALK NOTE:  
N/A  
DRAINAGE EASEMENT NOTE:  
N/A  
GENERAL NOTES:  
THIS PLAN SHALL BE DEVELOPED IN COMPLIANCE WITH ORDINANCE 311 AND 308.  
PERMIT APPROVAL FROM TxDOT SHALL BE REQUIRED FOR ANY DRIVEWAY AND STREET ACCESSING RM 2770 NOT PREVIOUSLY PERMITTED BY TxDOT.  
ELECTRIC UTILITY CONSTRUCTION ON A LOT SHALL BE INCLUDED IN THE SITE DEVELOPMENT PERMIT. ELECTRIC SERVICE TO EACH LOT SHALL BE UNDERGROUND.  
4.557 ACRES  
CRYSTAL MEADOW DRIVE PRIVATE ROAD  
HAYS COUNTY, TEXAS  
A DESCRIPTION OF 4.557 ACRES IN THE JESSE DAY SURVEY, ABSTRACT NO. 152 IN HAYS COUNTY, TEXAS, BEING ALL OF CRYSTAL MEADOW DRIVE (PRIVATE RIGHT-OF-WAY) SHOWN ON THE PLAT OF CENTURY ACRES, A SUBDIVISION OF RECORD IN VOLUME 6, PAGE 53 OF THE PLAT RECORDS OF HAYS COUNTY, TEXAS, AND CONVEYED TO THE CENTURY ACRES PROPERTY OWNERS ASSOCIATION BY WARRANTY DEED DATED JUNE 18, 1993, IN VOLUME 999, PAGE 581 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS; SAID 4.557 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:  
BEGINNING AT A 1/2" rebar with Chaparral cap found in the west right-of-way line of F.M. 2770 (100' right-of-way width), for the southeast corner of Crystal Meadow Drive, (private right-of-way) and also being the northeast corner of a 3.495 acre tract described in Volume 4295, Page 236 of the Official Public Records of Hays County, Texas;  
THENCE North 88°17'46" West, with the south line of Crystal Meadow Drive, being also the north line of the 3.495 acre tract, a distance of 569.16 feet to a cotton spindle with Chaparral washer set for the northwest corner of the 3.495 acre tract, being in the north line of an 11.963 acre tract described in Volume 4157, Page 107 of the Official Public Records of Hays County, Texas;  
THENCE North 88°17'46" West, with the south line of Crystal Meadow Drive, being also the north line of the 11.963 acre tract, a distance of 586.96 feet to a cotton spindle with Chaparral washer set for the northwest corner of the 11.963 acre tract, being also in the east line of Lot 1A of the Resubdivision of Lot 1, Century Acres, a subdivision of record in Volume 6, Page 371 of the Plat Records of Hays County, Texas;  
THENCE with the south line of Crystal Meadow Drive, being also the east and north lines of the Resubdivision of Lot 1, the following three (3) courses and distances:  
1. North 02°41'12" West, a distance of 33.08 feet to a 1/2" rebar found;  
2. North 68°59'37" West, a distance of 801.18 feet to a 1/2" rebar found;  
3. North 53°56'23" West, a distance of 277.37 feet to a 1/2" rebar with Chaparral cap set for an angle point in the northeast line of Lot 2A, Century Acres, a subdivision of record in Volume 6, Page 92 of the Plat Records of Hays County, Texas;  
THENCE North 44°25'43" West, with the south line of Crystal Meadow Drive, being also northeast line of the Resubdivision of Lot 2, Century Acres, a subdivision of record in Volume 6, Page 91 of the Plat Records of Hays County, Texas;  
THENCE North 37°28'05" West, with the south line of Crystal Meadow Drive, being also the east line of Lot 8, a distance of 93.80 feet to a 1/2" rebar with Chaparral cap set for the northeast corner of Lot 8, and being in the south line of Lot 5;  
THENCE with the north line of Crystal Meadow Drive, being also south line of the Lots 4 and 5, the following four (4) courses and distances:  
1. South 71°35'14" East, a distance of 106.80 feet to a 1/2" rebar found;  
2. South 44°23'40" East, a distance of 300.54 feet to a 1/2" rebar found;  
3. South 53°56'23" East, a distance of 264.54 feet to a 1/2" rebar found;  
4. South 69°00'08" East, a distance of 766.79 feet to a 1/2" rebar found for an angle point in the south line of Lot 3A, Century Acres, a subdivision of record in Volume 6, Page 91 of the Plat Records of Hays County, Texas;  
THENCE South 88°18'25" East, with the north line of Crystal Meadow Drive, being also south line of Lot 3A and Lot 3B of the Resubdivision of Lot 3, Century Acres, a subdivision of record in Volume 6, Page 784 of the Official Public Records of Hays County, Texas, a distance of 1182.87 feet to a 1/2" rebar found for the northeast corner of Crystal Meadow Drive, same being the southeast corner of the said 21.27 acre tract, and being in the west line of F.M. 2770 ;  
THENCE with the east line of the termination of Crystal Meadow Drive, being also the west line of F.M. 2770, with a curve to the left, having a radius of 5729.58 feet, a delta angle of 00°59'09", an arc length of 98.59 feet, and a chord which bears South 01°12'22" West, a distance of 98.59 feet to the POINT OF BEGINNING, containing 4.557 acres of land, more or less.  
Surveyed on June 18, 2012. Bearing Basis: Grid azimuth for Texas South Central Zone state plane coordinates, 1983/93 HARN, based on GPS solutions from The National Geodetic Survey (NOS) On-line Positioning User Service (OPUS). Attachments: Drawing 809-001-PL3.

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

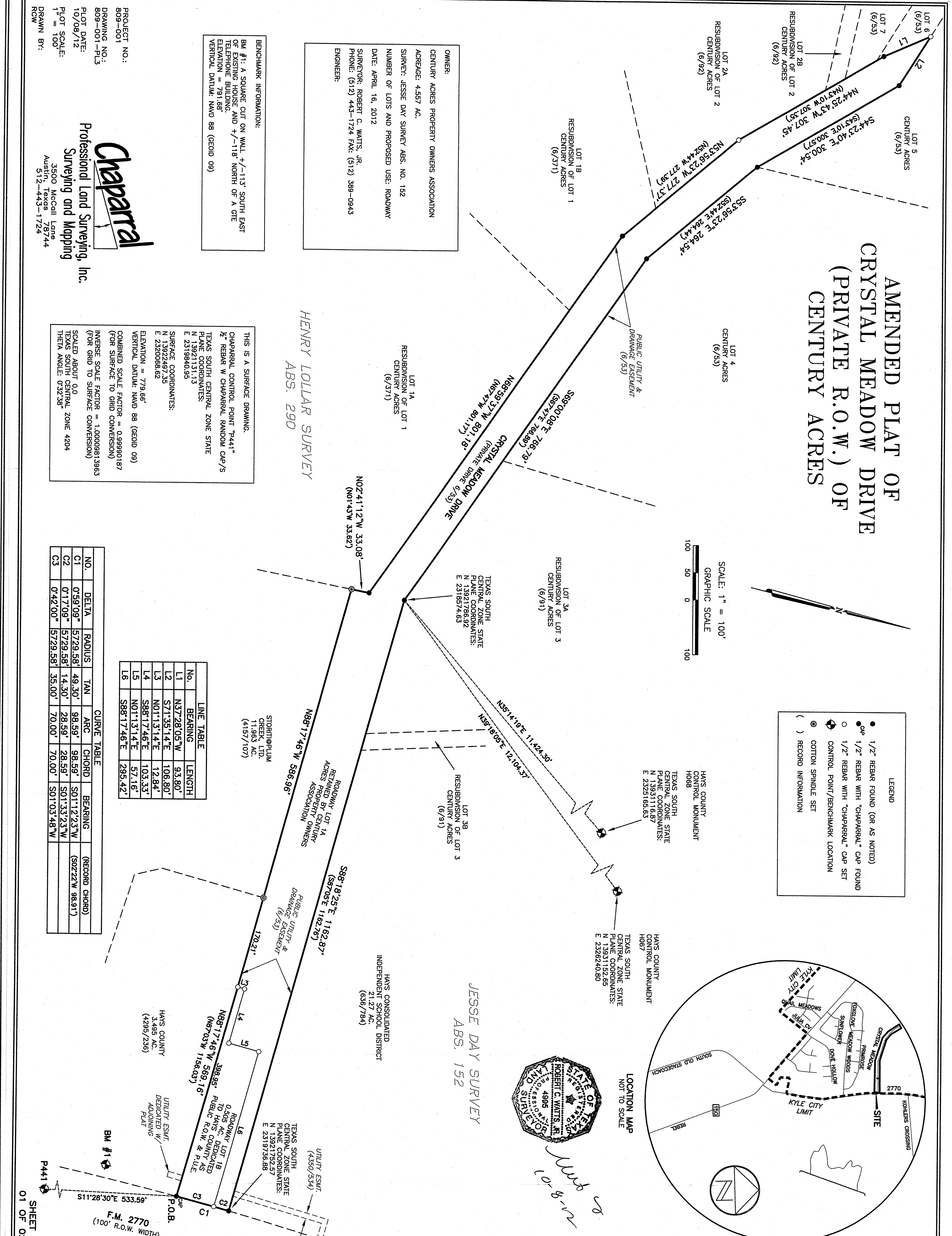
CLINT GARZA DATE \_\_\_\_\_  
DIRECTOR, HAYS COUNTY DEVELOPMENT SERVICES

COUNTY CLERK CERTIFICATION  
STATE OF TEXAS  
COUNTY OF HAYS

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

LIZ Q. GONZALEZ, COUNTY CLERK

PUBLIC UTILITY INFORMATION:  
THIS SUBDIVISION IS SERVICED BY THE FOLLOWING UTILITIES -  
WATER: AQUA TEXAS, INC. 877.987.2782  
ELECTRIC: PEDERNALES ELECTRIC COOP. 1810 150 WEST KYLE, TX 78640  
WASTEWATER: CITY OF KYLE 100 WEST CENTER KYLE, TX 78640  
GAS: TEXAS GAS SERVICE  
PHONE: VERIZON 6801 RANCH ROAD 3237 WIMBERLEY, TX 78676





# CITY OF KYLE, TEXAS

## Hometown Kyle 4-A - Final Plat

**Meeting Date: 11/6/2012**  
**Date time: 7:00 PM**

**Subject/Recommendation:** Hometown Kyle Phase 4A - Final Plat (FP-12-004)  
8.948 acres; 40 Single Family Lots  
Located off of Chapparo Drive  
Owner: RH of Texas, LP  
Agent: Steven Ihnen, P.E., GICE, Inc.  
~ *Sofia Nelson, Director of Planning*

*Planning and Zoning Commission voted 7-0 to approve the Final Plat.*

**Other Information:** Please see attachments

**Budget Information:** N/A

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Viewing Attachments Requires Adobe Acrobat. [Click here](#) to download.

**Attachments / click to download**

[Plat](#)

[Staff Report](#)



## MEMORANDUM

TO: City Council

FROM: Sofia Nelson, Planning Director

DATE: October 30, 2012

SUBJECT: Hometown Kyle Phase 4A- Subdivision Plat

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### **PLANNING AND ZONING COMMISSION RECOMMENDATION**

On October 23<sup>rd</sup> the Planning and Zoning Commission recommended unanimously to approve the subdivision plat.

### **BACKGROUND**

#### **Site Information and Proposal**

The proposed development lies within the Hometown Kyle Subdivision and consists of 14.177 acres of land that is contiguous to the Hometown Kyle Subdivision- Phase II. The development will contain 40 single family residential lots located off of Chapparo Drive.

#### **Utilities**

Water and wastewater utilities will be provided by the City of Kyle.

#### **Access**

Lots will be accessible by an extension of Chapparo Drive and the construction of 3 new residential streets.

### **STAFF RECOMMENDATION:**

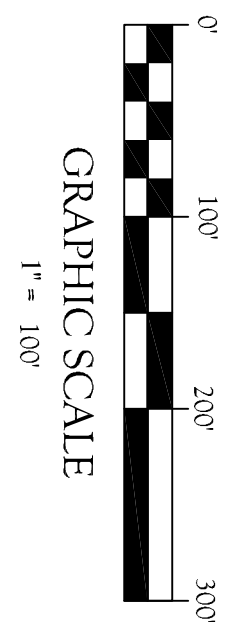
Staff is recommending approval of the request for the following reasons:

- The plat is consistent with all zoning requirements for the property.
- The proposed provision and configuration of roads, water, wastewater, drainage and easements and rights-of-way are adequate to serve the subdivision.

**NOTES:**  
 NO PORTION OF THIS PROJECT IS WITHIN A 100-YEAR FLOOD PLAIN AS PER FEMA PANEL 48209C0385F EFFECTIVE SEPTEMBER 2, 2005.

THIS PROJECT IS NOT LOCATED OVER THE EDWARDS AQUIFER CONTRIBUTING ZONE.

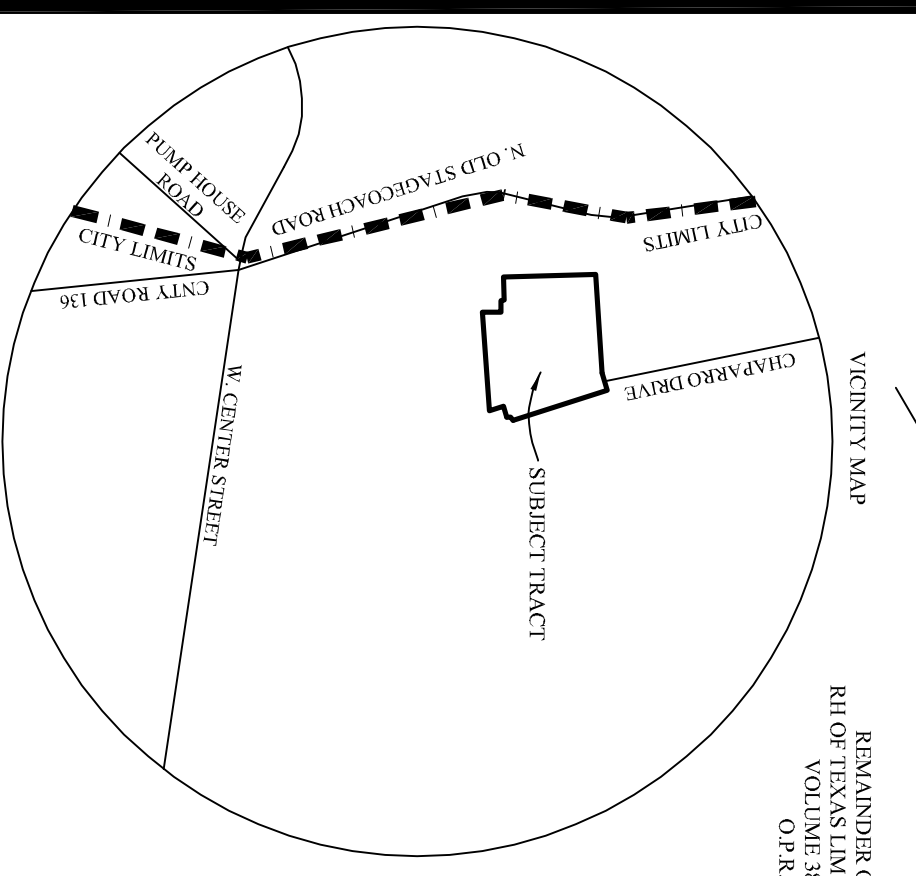
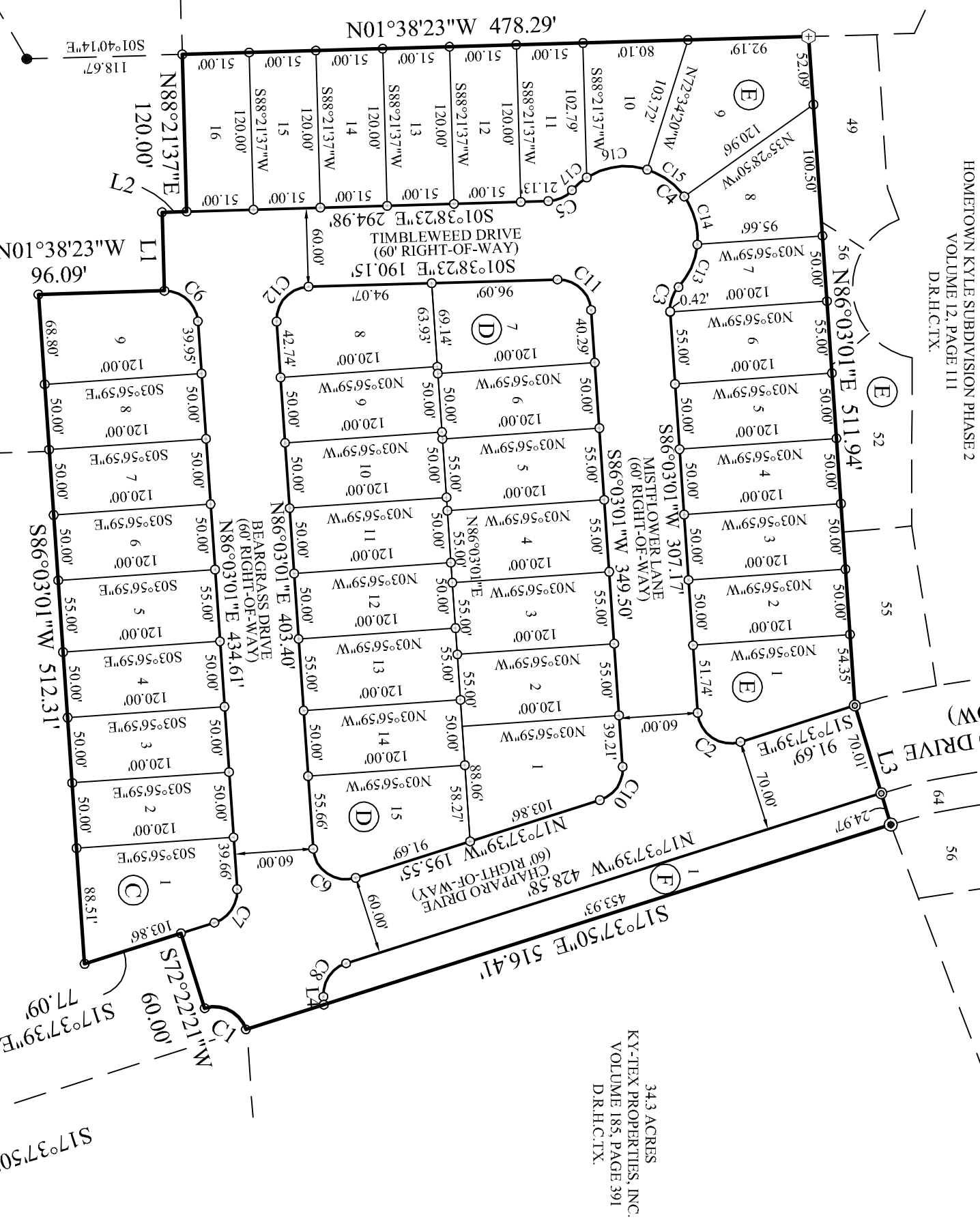
JOHN PHARASS SURVEY NO. 13  
 HAYS COUNTY, TEXAS  
 MAY 2012



**OWNER/DEVELOPER**  
 RH OF TEXAS LIMITED PARTNERSHIP  
 10415 ONE MORADO CIRCLE  
 SUITE 100  
 AUSTIN, TEXAS 78759

**ENGINEER**  
 GICE  
 3600 W. PARMER LANE, SUITE 212  
 AUSTIN, TEXAS 78727

**SURVEYOR**  
 DELTA SURVEY GROUP, INC.  
 8213 BRODIE LANE, SUITE 102  
 AUSTIN, TEXAS 78745



- LEGEND**
- 1 INCH IRON PIPE FOUND
  - 1/2 INCH IRON ROD WITH "MCMILLAN" CAP FOUND
  - 1/2 INCH IRON ROD WITH "L.A." CAP FOUND
  - 1/2 INCH IRON ROD FOUND
  - 1/2 INCH IRON ROD WITH "DELTA SURVEY" CAP SET
  - BUILDING SETBACK LINE
  - PUBLIC UTILITY EASEMENT
  - RIGHT OF WAY
  - DRAINAGE EASEMENT
  - OFFICIAL PUBLIC RECORDS, HAYS COUNTY, TEXAS
  - PLAT RECORDS, HAYS COUNTY, TEXAS
  - DEED RECORDS, HAYS COUNTY, TEXAS
  - BLOCK DESIGNATION

BLOCK	LOT	AREA (SQ)	ZONING
C-1	8794	R-1-2	
C-2	6000	R-1-2	
C-3	6000	R-1-2	
C-4	6000	R-1-2	
C-5	6600	R-1-2	
C-6	6000	R-1-2	
C-7	6000	R-1-2	
C-8	6000	R-1-2	
C-9	7844	R-1-2	
D-1	8740	R-1-2	
D-2	6600	R-1-2	
D-3	6600	R-1-2	
D-4	6600	R-1-2	
D-5	6600	R-1-2	
D-6	6600	R-1-2	
D-7	7888	R-1-2	
D-8	7814	R-1-2	
D-9	6000	R-1-2	
D-10	6000	R-1-2	
D-11	6000	R-1-2	
D-12	6000	R-1-2	
D-13	6600	R-1-2	
D-14	6000	R-1-2	
D-15	8515	R-1-2	
E-1	8045	R-1-2	
E-2	6000	R-1-2	
E-3	6000	R-1-2	
E-4	6600	R-1-2	
E-5	6000	R-1-2	
E-6	6600	R-1-2	
E-7	5381	R-1-2	
E-8	6878	R-1-2	
E-9	9842	R-1-2	
E-10	6130	R-1-2	
E-11	5924	R-1-2	
E-12	6120	R-1-2	
E-13	6120	R-1-2	
E-14	6120	R-1-2	
E-15	6120	R-1-2	
E-16	6120	R-1-2	

LINE	BEARING	DISTANCE
L1	S88°21'37"W	60.00'
L2	N01°38'23"W	18.85'
L3	N73°14'52"E	94.98'
L4	S86°03'01"W	6.08'

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	25.00'	39.27'	35.55'	N27°22'09"E	90°00'03"
C2	25.00'	45.24'	39.31'	S34°12'41"W	103°40'40"
C3	25.00'	20.32'	19.76'	N70°59'58"W	46°34'03"
C4	55.00'	173.58'	110.00'	S42°12'19"W	180°49'30"
C5	25.00'	20.32'	19.76'	S24°52'24"E	46°34'03"
C6	25.00'	38.26'	34.64'	N42°12'19"E	87°41'24"
C7	25.00'	33.30'	30.89'	S55°47'19"E	76°19'20"
C8	25.00'	33.30'	30.89'	S34°12'41"W	103°40'40"
C9	25.00'	45.24'	39.31'	S55°47'19"E	76°19'20"
C10	25.00'	35.30'	30.89'	N42°12'19"E	87°41'24"
C11	25.00'	38.26'	34.64'	N47°47'41"W	92°18'36"
C12	25.00'	40.28'	36.06'	S66°12'40"E	37°39'27"
C13	55.00'	36.15'	35.50'	N74°45'44"E	40°23'46"
C14	55.00'	38.78'	37.98'	N36°00'41"E	37°06'22"
C15	55.00'	35.62'	35.00'	N07°31'55"W	49°58'10"
C16	55.00'	47.97'	46.46'	N40°21'53"W	15°41'46"
C17	55.00'	15.07'	15.02'		

HOMETOWN KYLE  
 PHASE 4 SECTION 1

**Delta Survey Group Inc.**  
 8213 Brodie Lane Ste. 102 Austin, TX 78745  
 office: (512) 282-5200 fax: (512) 282-5230

STATE OF TEXAS §  
KNOW ALL THESE MEN BY PRESENTS:  
COUNTY OF HAYS §

THAT, RH OF TEXAS LIMITED PARTNERSHIP, A MARYLAND LIMITED PARTNERSHIP, A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF TEXAS, WITH HOME ADDRESS AT 1101 ARROW POINT DRIVE, SUITE 101, CEDAR PARK, TEXAS 78613, OWNER OF THAT CERTAIN 14.177 ACRE TRACT OF LAND OUT OF THE SAMUEL PHARASS SURVEY 14, ABSTRACT 360 AND THE JOHN PHARASS SURVEY 13, ABSTRACT 361, SITUATED IN HAYS COUNTY, TEXAS, AS CONVEYED TO IT BY DEED DATED OCTOBER 25, 2004, AND RECORDED IN VOLUME 2567, PAGE 514, HAYS COUNTY DEED RECORDS, AND OWNER OF THAT CERTAIN 14.189 ACRE TRACT OF LAND OUT OF THE JOHN PHARASS SURVEY 13, ABSTRACT 361, SITUATED IN HAYS COUNTY, TEXAS, AS CONVEYED TO IT BY DEED DATED JANUARY 6, 2010, AND RECORDED IN VOLUME 3802, PAGE 874, HAYS COUNTY DEED RECORDS, TOGETHER DO HEREBY SUBDIVIDE A COMBINED TOTAL OF 8.948 ACRES OF LAND OUT OF THE JOHN PHARASS SURVEY 13, ABSTRACT 361, TO BE KNOWN AS "HOMETOWN KYLE SUBDIVISION PHASE 4 SECTION 1", IN ACCORDANCE WITH THE PLAT SHOWN HEREON, SUBJECT TO ANY AND ALL EASEMENTS OR RESTRICTIONS HERETOFORE GRANTED, AND DO HEREBY DEDICATE TO THE PUBLIC THE USE OF THE STREETS, PUBLIC TRAILS, AND EASEMENTS SHOWN HEREON.

IN WITNESS WHEREOF THE SAID RH HOMES OF TEXAS LIMITED PARTNERSHIP, A MARYLAND LIMITED PARTNERSHIP HAS CAUSED THESE PRESENTS TO BE EXECUTED BY ITS VICE PRESIDENT, SCOTT TEETER, THEREUNTO DULY AUTHORIZED, THIS \_\_\_DAY OF \_\_\_\_\_, 20\_\_ A.D.

SCOTT TEETER, VICE PRESIDENT  
1101 ARROW POINT DRIVE  
SUITE 101  
CEDAR PARK, TEXAS 78613

STATE OF TEXAS §  
COUNTY OF HAYS §

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS DAY PERSONALLY APPEARED SCOTT TEETER KNOWN TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE \_\_\_DAY OF \_\_\_\_\_, 20\_\_ A.D.

(NOTARY PUBLIC IN AND FOR STATE OF TEXAS)

(PRINT OR TYPE NOTARY'S NAME)

STATE OF TEXAS §  
COUNTY OF HAYS §

KNOW ALL MEN BY THESE PRESENTS:

THAT, LIZ Q. 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 PLAT CABINET \_\_\_\_\_, PAGE(S) \_\_\_\_\_. 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.

LIZ Q. GONZALEZ  
COUNTY CLERK  
HAYS COUNTY, TEXAS

THIS FINAL PLAT (HOMETOWN KYLE SUBDIVISION, PHASE 4 SECTION 1) HAS BEEN SUBMITTED TO AND CONSIDERED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KYLE, TEXAS AND IS HEREBY APPROVED BY SUCH PLANNING AND ZONING COMMISSION.

Attachment number 2 in Page 2 of 2

DATED THIS \_\_\_DAY OF \_\_\_\_\_, 20\_\_

BY: \_\_\_\_\_ ATTEST:

CHAIRPERSON

STATE OF TEXAS §  
COUNTY OF HAYS §

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

**PRELIMINARY NOT FOR RECORDATION**

JOHN C. NIELSEN  
REGISTERED PROFESSIONAL LAND SURVEYOR  
NO. 5541 - STATE OF TEXAS  
DELTA SURVEY GROUP, INC.  
8213 BRODIE LANE, SUITE 102  
AUSTIN, TEXAS 78745

DATE

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

STEVE L. IHNEN  
PROFESSIONAL ENGINEER  
No. 81976 STATE OF TEXAS  
GARRETT-IHNEN CIVIL ENGINEERS  
3600 WEST PARMER LANE, STE 212  
AUSTIN, TEXAS 78727

DATE

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

STEVEN WIDACKI, P.E.  
CITY OF KYLE  
100 WEST CENTER  
KYLE, TX 78640

DATE

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

HARPER WILDER  
DIRECTOR OF PUBLIC WORKS

I, THE UNDERSIGNED, MAYOR OF THE CITY OF KYLE, HEREBY CERTIFY THAT THIS SUBDIVISION PLAT CONFORMS TO ALL REQUIREMENTS OF THE CITY OF KYLE AND RECOMMEND APPROVAL.

LUCY JOHNSON  
MAYOR

I HERBY CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF HOMETOWN KYLE SUBDIVISION, PHASE 4 SECTION 1 ADDITION TO THE CITY OF KYLE, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF KYLE ON THE \_\_\_DAY OF \_\_\_\_\_, 20\_\_\_. SAID ADDITION SHALL BE SUBJECT TO ALL THE REQUIREMENTS OF THE SUBDIVISION ORDINANCE OF THE CITY OF KYLE, TEXAS.

WITNESS MY HAND THIS \_\_\_DAY OF \_\_\_\_\_, 20\_\_.

AMELIA SANCHEZ  
CITY SECRETARY

**GENERAL NOTES:**

1. A 20-FOOT PUBLIC UTILITY EASEMENT AND DRAINAGE EASEMENT IS HEREBY DEDICATED ADJACENT AND PARALLEL TO THE FRONT OF ALL LOTS EXCEPT FOR SIDE YARDS AND CORNER LOTS.
2. A 10-FOOT PUBLIC UTILITY EASEMENT AND DRAINAGE EASEMENT IS HEREBY DEDICATED ADJACENT AND PARALLEL TO THE RIGHT-OF-WAY WHERE THERE IS A 15-FOOT BUILDING LINE SHOWN ON THE FACE OF THE PLAT.
3. A 10-FOOT PUBLIC UTILITY EASEMENT AND DRAINAGE EASEMENT IS HEREBY DEDICATED ALONG THE REAR PROPERTY LINES.
4. A 5-FOOT PUBLIC UTILITY EASEMENT AND DRAINAGE EASEMENT IS HEREBY DEDICATED ALONG THE SIDE PROPERTY LINES.
5. PRIOR TO CONSTRUCTION OF ANY IMPROVEMENTS ON LOTS IN THIS SUBDIVISION, SITE DEVELOPMENT PERMITS AND BUILDING PERMITS WILL BE OBTAINED FROM THE CITY OF KYLE.
6. SIDEWALKS SHALL BE BUILT ALONG BOTH SIDES OF ALL STREETS WITHIN THE HOMETOWN KYLE SUBDIVISION, PHASE 4 SECTION 1. ALL SIDEWALKS SHALL BE A MINIMUM OF 4-FEET IN WIDTH AND BUILT IN COMPLIANCE WITH THE REQUIREMENTS OF THE CITY OF KYLE. HANDICAP RAMPS ARE TO BE BUILT AS PART OF THE SUBDIVISION CONSTRUCTION AND SHALL BE IN PLACE PRIOR TO SUBDIVISION ACCEPTANCE. SIDEWALKS ACROSS FRONTAGE OF ALL HOMEOWNERS ASSOCIATION LOTS AND EASEMENTS LOTS SHALL BE BUILT AS PART OF SUBDIVISION STREET CONSTRUCTION.
7. NO OBJECTS INCLUDING SIGNAGE, BUILDING, ACCESSORY BUILDING, FENCING OR LANDSCAPING WHICH WOULD INTERFERE WITH CONVEYANCE OF STORM WATER SHALL BE PLACED OR ERECTED WITHIN ANY DRAINAGE EASEMENT WITHOUT PRIOR APPROVAL OF THE CITY OF KYLE.
8. EACH PROPERTY OWNER OF A LOT ON WHICH DRAINAGE EASEMENT(S) ARE PLATTED SHALL BE RESPONSIBLE FOR KEEPING GRASS AND WEEDS NEATLY CUT AND EASEMENT AREA FREE OF DEBRIS AND TREE/BRUSH REGROWTH.
9. OWNER(S) OF PROPERTY WITH DRAINAGE AND UTILITY EASEMENT(S) SHALL ALLOW ACCESS FOR INSPECTIONS, REPAIR, MAINTENANCE AND RECONSTRUCTION AS MAY BE NECESSARY.
10. PLACEMENT OF FILL MATERIAL, OR STRUCTURES, OR CHANNEL MODIFICATIONS WITHIN 100-YEAR FLOOD PLAIN IS PROHIBITED.
11. MAINTENANCE AND UPKEEP OF DETENTION BASINS AND RELATED APPURTENANCES SHALL BE THE RESPONSIBILITY OF THE HOMEOWNERS ASSOCIATION LOTS UPON WHICH FACILITIES ARE LOCATED.
12. ACCESS TO EVERY LOT IS LIMITED TO ONLY STREETS PLATTED AS PART OF THIS SUBDIVISION. ACCESS TO ANY LOT FROM F.M. 150 OR OLD STAGECOACH ROAD IS PROHIBITED.
13. ALL SETBACKS SHALL CONFORM TO THE CITY OF KYLE ZONING ORDINANCE
14. LOT 1, BLOCK F, IS A PUBLIC TRAIL EASEMENT AND SHALL BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION.

**DESCRIPTION** OF A 8.948 ACRE TRACT PREPARED BY DELTA SURVEY GROUP INC., IN MAY 2012, LOCATED IN THE JOHN PHARASS SURVEY NO. 13, HAYS COUNTY, TEXAS AND BEING A PORTION OF A 14.177 ACRE TRACT CONVEYED TO RH OF TEXAS LIMITED PARTNERSHIP, A MARYLAND LIMITED PARTNERSHIP. AS DESCRIBED IN VOLUME 2567, PAGE 514, DEED RECORDS, HAYS COUNTY, TEXAS, AND BEING A PORTION OF A 14.189 ACRE TRACT CONVEYED TO SAID RH OF TEXAS IN VOLUME 3802, PAGE 874 DEED RECORDS, HAYS COUNTY, TEXAS, SAID 8.948 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING** at a 1 inch iron pipe found for the northeast corner of said 14.177 acre tract, same being the southeast corner of Lot 64, Block A, Hometown Kyle Subdivision, Phase 2, a subdivision of record in Volume 12, Page 111, Plat Records, Hays County, Texas, also being the southwest corner of Lot 56 of said Block A, also being the northwest corner of a 34.3 acre tract conveyed to Ky-Tex Properties, Inc. in Volume 185, Page 391, Deed Records, Hays County, Texas for the **POINT OF BEGINNING**;

**THENCE** with the west line of said 34.3 acre tract, same being the east line of said 14.177 acre tract S 17°37'50" E a distance of 516.41 feet to a 1/2 inch iron rod with plastic "DELTA SURVEY" cap set, from which a 1" iron pipe found for the southeast corner of said 14.177 acre tract bears S 17°37'50" E a distance of 747.73 feet;

**THENCE** leaving said common line and crossing said 14.177 acre tract and said 14.189 acre tract the following eight (8) courses and distances:

1. thence with a curve to the left with an arc length of 39.27 feet, with a radius of 25.00 feet, with a chord bearing of S 27°22'09" W, with a chord length of 35.35 feet to a 1/2 inch iron rod with plastic "DELTA SURVEY" cap set;
2. S 72°22'21" W a distance of 60.00 feet to a 1/2 inch iron rod with plastic "DELTA SURVEY" cap set;
3. S 17°37'39" E a distance of 77.09 feet to a 1/2 inch iron rod with plastic "DELTA SURVEY" cap set;
4. S 86°03'01" W a distance of 512.31 feet to a 1/2 inch iron rod with plastic "DELTA SURVEY" cap set;
5. N 01°38'23" W a distance of 96.09 feet to a 1/2 inch iron rod with plastic "DELTA SURVEY" cap set;
6. S 88°21'37" W a distance of 60.00 feet to a 1/2 inch iron rod with plastic "DELTA SURVEY" cap set;
7. N 01°38'23" W a distance of 18.85 feet to a 1/2 inch iron rod with plastic "DELTA SURVEY" cap set;
8. S 88°21'37" W a distance of 120.00 feet to a 1/2 inch iron rod with plastic "DELTA SURVEY" cap set in the west line of said 14.189 acre tract, same being the east line of a 7.373 acre tract conveyed to A.W. Gregg, Jr., R. Robinson, M. Kinsala, and A. Oswalt in Volume 1947, Page 42, Deed Records, Hays County, Texas, from which a 1/2 inch iron rod found for the southeast corner of said 7.373 acre tract bears S 01°38'23" E a distance of 118.67 feet;

**THENCE** with the west line of said 14.189 acre tract and said 14.177 acre tract, same being the east line of said 7.373 acre tract N 01°38'23" W a distance of 478.29 feet to an iron rod with aluminum "MCMILLAN" cap found for the northwest corner of said 14.177 acre tract, same being the southwest corner of Lot 49, Block E of said Hometown Kyle Subdivision, Phase 2;

**THENCE** with the south line of said subdivision, same being the north line of said 14.177 acre tract the following two (2) courses and distances:

1. N 86°03'01" E a distance of 511.94 feet to an iron rod with plastic "LAF" cap found for the southeast corner of Lot 55, of said Block E, same being in the west right-of-way (R.O.W) line of Chaparro drive (70' R.O.W), and;
2. N 73°14'52" E a distance of 94.98 feet to the **POINT OF BEGINNING** and containing **8.948** acres of land more or less.

**BEARING BASIS:** Texas State Plane Coordinate System, South Central Zone, NAD83/HARN



8213 Brodie Lane Ste. 102 Austin, TX. 78745  
office: (512) 282-5200 fax: (512) 282-5230

HOMETOWN KYLE  
PHASE 4 SECTION 1

Item # 2

SHEET  
2  
OF  
2



# CITY OF KYLE, TEXAS

## Plum Creek Phase 1 Section 6E 2-3 Preliminary

**Meeting Date: 11/6/2012**  
**Date time: 7:00 PM**

**Subject/Recommendation:** Plum Creek Phase 1 Section 6E 2-3 Preliminary Plan (PP-12-004)  
10.100 acres; 53 Lots  
Located to the northeast of the current end of Hellman Drive, just east of 2770  
Owner: Plum Creek Development Partners, Ltd.  
Agent: Alan Rhames, P.E., Axiom Engineers, Inc.  
~ Sofia Nelson, Director of Planning

*Planning and Zoning Commission voted 7-0 to approve the Preliminary Plan.*

**Other Information:** Please see attachments

**Budget Information:** N/A

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Viewing Attachments Requires Adobe Acrobat. [Click here](#) to download.

**Attachments / click to download**

[Preliminary Plan](#)

[Staff Report](#)

## MEMORANDUM

TO: City Council

FROM: Sofia Nelson, Director of Planning

DATE: October 30, 2012

SUBJECT: Plum Creek Section 6E2-3- Preliminary and Final Plats

---

### **PLANNING AND ZONING COMMISSION RECOMMENDATION**

On October 23<sup>rd</sup> the Planning and Zoning Commission recommended unanimously to approve the subdivision plat with the following condition:

- Pending the approval of the public improvement construction plans by the City Engineer. The construction plans are substantially complete and are pending revisions that do not affect the alignment or configuration of the roadways or utilities

### **BACKGROUND**

#### **Site Information and Proposal**

The proposed development lies within the Plum Creek development and consists of 10.1 acres and is located northeast of the current end of Hellman Drive just east of FM 2770. The development will contain 49 single family residential lots, a greenway lot and a small park.

#### **Utilities**

The City of Kyle will provide water and wastewater to the site.

#### **Access**

Lots 8 through 16 (Block E) and lots 19 through 23 (Block E) do not contain frontage on a public or private street, rather they will front on a central greenway. Vehicle access to these lots will be via alleys 1 and 5 with each lot having a rear load garage configuration.

### **STAFF RECOMMENDATION:**

Staff is recommending approval of the request for the following reasons:

- The plat is consistent with all zoning requirements for the property.
- The proposed provision and configuration of roads, water, wastewater, drainage and easements and rights-of-way are adequate to serve the subdivision.

The following condition shall be placed on the approval of the plat:

- Pending the approval of the public improvement construction plans by the City Engineer. The construction plans are substantially complete and are pending revisions that do not affect the alignment or configuration of the roadways or utilities.



# PLUM CREEK PHASE I, SECTION 6E2-3

STATE OF TEXAS §  
 COUNTY OF TRAVIS §

KNOW ALL MEN BY THESE PRESENTS, THAT WE, PLUM CREEK DEVELOPMENT PARTNERS, LTD., A LIMITED PARTNERSHIP ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF TEXAS, WITH ITS HOME ADDRESS AT 200 CONGRESS AVENUE, SUITE 9A, AUSTIN, TEXAS 78701, BEING THE OWNER OF THAT CERTAIN 10.100 ACRE TRACT OF LAND IN THE JESSE DAY SURVEY NO. 162, A-152 AND THE HENRY LOLLER SURVEY NO. 19, A-290, HAYS COUNTY, TEXAS, BEING A PORTION OF THE REMAINDER OF A CALLED 95.616 ACRE TRACT OF LAND DESIGNATED AS PARCEL 1, IN VOLUME 2881, PAGE 599, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, DO HEREBY SUBDIVIDE SAID 10.100 ACRES AS SHOWN ON THIS PLAT, AND DESIGNATED HEREIN AS THE **PLUM CREEK PHASE I, SECTION 6E2-3** 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 WAYS OF HELLMAN, HERZOG, AND KIRBY, AND DRAINS, EASEMENTS (EXCLUDING LANDSCAPE AREA WITHIN EASEMENTS), PARKS AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED.

WHEREOF THE SAID PLUM CREEK DEVELOPMENT PARTNERS, LTD., OWNER, HAS CAUSED THESE PRESENTS TO BE EXECUTED BY ITS GENERAL PARTNER, BGI PLUM CREEK DEVELOPERS, LTD., THEREUNTO DULY AUTHORIZED, GENERAL PARTNER HAS CAUSED THESE PRESENTS TO BE EXECUTED BY ITS GENERAL PARTNER, BENCHMARK LAND DEVELOPMENT, INC.

PLUM CREEK DEVELOPMENT PARTNERS, LTD.,  
 A TEXAS LIMITED PARTNERSHIP

BY: BGI PLUM CREEK DEVELOPERS, LTD.,  
 A TEXAS LIMITED PARTNERSHIP, GENERAL PARTNER

BY: BENCHMARK LAND DEVELOPMENT, INC.,  
 A TEXAS CORPORATION, GENERAL PARTNER

BY: \_\_\_\_\_  
 DAVID C. MAHN, VICE PRESIDENT

STATE OF TEXAS §  
 COUNTY OF TRAVIS §

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED, DAVID C. MAHN, VICE PRESIDENT OF BENCHMARK LAND DEVELOPMENT, INC., 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 \_\_\_\_\_, 2012,

BY: \_\_\_\_\_  
 NOTARY PUBLIC

STATE OF TEXAS §  
 COUNTY OF HAYS §

KNOW ALL MEN BY THESE PRESENTS:

THAT, LIZ Q. GONZALES, 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 \_\_\_\_\_, 2012, A.D., IN THE PLAT RECORDS OF SAID

COUNTY AND STATE IN PLAT CABINET \_\_\_\_\_, PAGE(S) \_\_\_\_\_ WITNESS MY HAND AND SEAL OF OFFICE

OF COUNTY CLERK OF SAID COUNTY ON THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2012, A.D.

FILED FOR RECORD AT \_\_\_\_\_ O'CLOCK \_\_\_\_M. THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2012, A.D.

BY: \_\_\_\_\_  
 LIZ Q. GONZALES  
 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 6E2-3) 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 \_\_\_\_\_, 2012.

BY: \_\_\_\_\_  
 ATTEST:

SECRETARY

THIS PLAT (PLUM CREEK PHASE I, SECTION 6E2-3) 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 \_\_\_\_\_, 2012.

BY: \_\_\_\_\_  
 ATTEST:

SECRETARY

STATE OF TEXAS §  
 COUNTY OF TRAVIS §

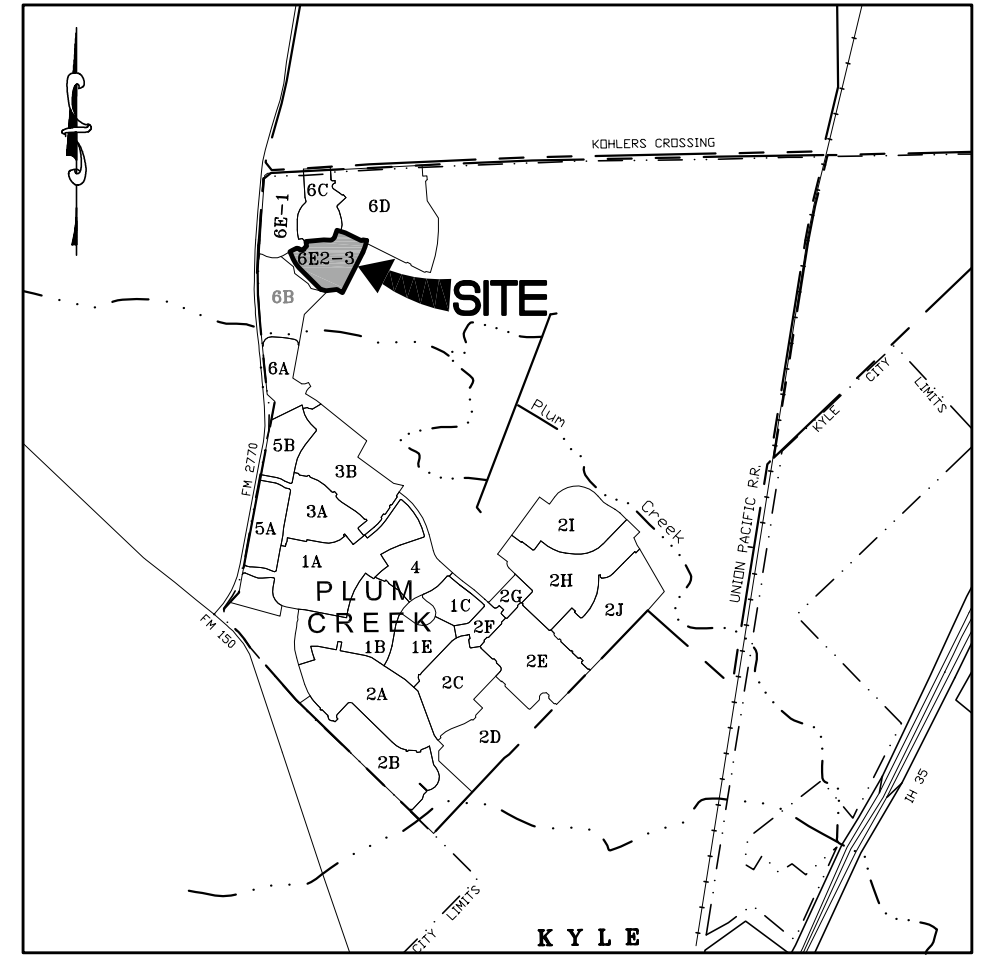
I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THE PLAT AND ALL PLANS AND SPECIFICATIONS WHICH ARE INCLUDED WITH THE PLAT ARE, TO THE BEST OF MY PROFESSIONAL CAPACITY, COMPLETE AND ACCURATE AND IN COMPLIANCE WITH ALL RELEVANT CITY ORDINANCES, CODES,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

BY: \_\_\_\_\_  
 ALAN D. RHAMES, P.E.  
 REGISTERED PROFESSIONAL ENGINEER  
 NO. 72089 - STATE OF TEXAS  
 TBPE FIRM NO. F-43  
 AXIOM ENGINEERS INC.  
 13276 RESEARCH BLVD., ST. 208  
 AUSTIN, TEXAS 78750  
 512-506-9335

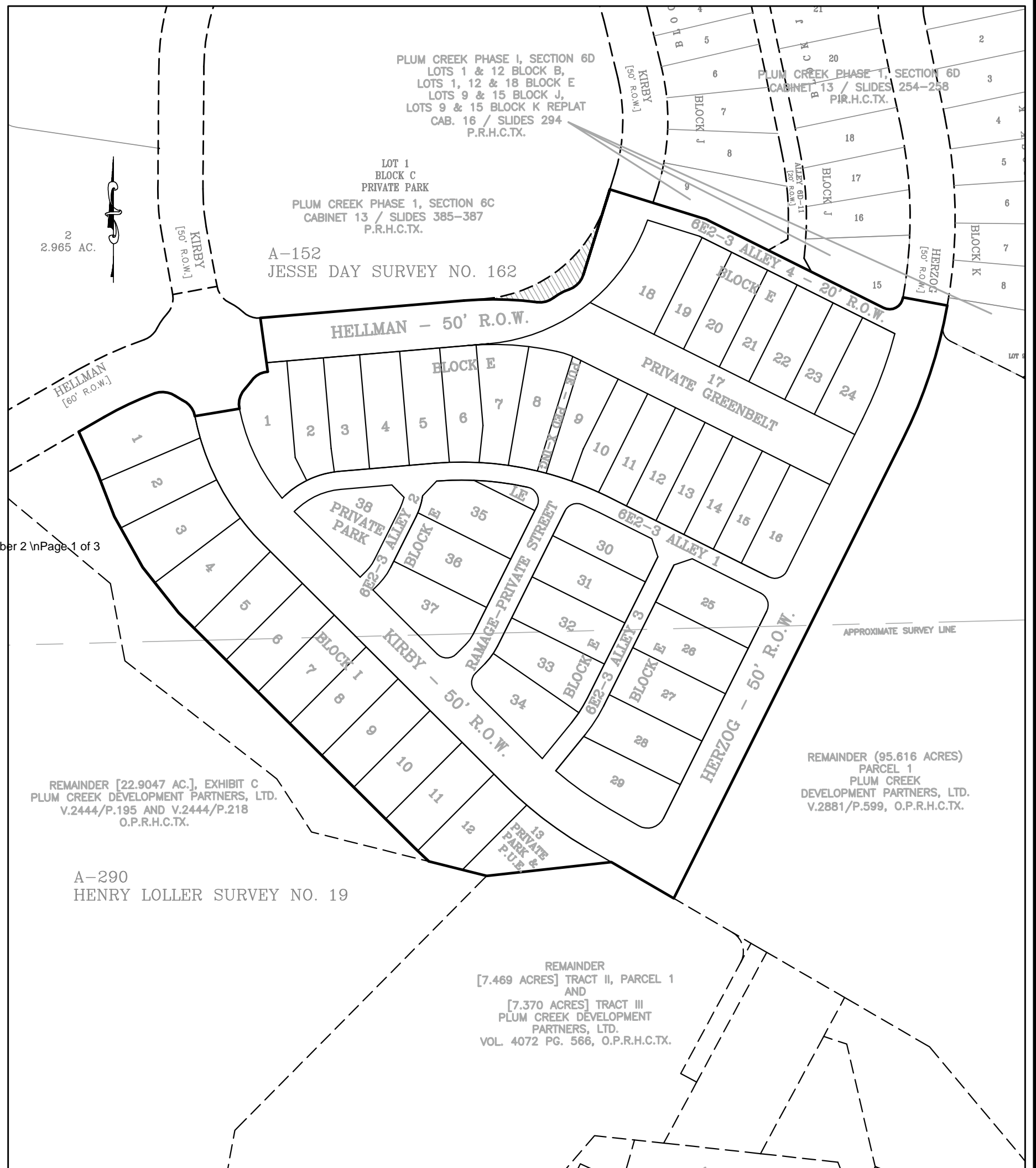
STATE OF TEXAS §  
 COUNTY OF TRAVIS §

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  
 LOOMIS PARTNERS  
 3101 BEE CAVES RD., SUITE 100  
 AUSTIN, TEXAS 78746  
 512-327-1180



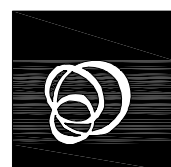
LOCATION MAP  
 NOT TO SCALE



SITE MAP  
 NOT TO SCALE

**FLOOD NOTE:**  
 A PORTION OF THIS SUBDIVISION (PLUM CREEK PHASE I, SECTION 6E2-3) 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 CLOMR CASE NO. 07-06-0898R, DATED MARCH 25, 2008.

FILE: H:\SURVEY\PLUM_CRK_PH1\SECTION-6\SEC-6E\PLATS\6E-2\6E2-3\PLUM-6E2-3-PLAT-PRELIM.DWG			
DATE: 10-15-2012	DRAWN BY: G.T., K.M	CREW: CAF, MK	
SCALE: 1"=60'	CHECKED BY: J.D.B.	FB #:	
JOB #: 080410	DRAWING #: PLUM-6E2-3-PLAT	PLAN #: 1109-A	
NO.	REVISION	BY	DATE



**LOOMIS PARTNERS**

ENGINEERING • LAND SURVEYING • ENVIRONMENTAL CONSULTING •  
 3101 Bee Cave Road, Suite 100 • Austin, Texas 78746  
 512.327.1180 • [FAX] 512.327.4062 • www.loomis-partners.com

SHEET 1 OF 3  
**PRELIMINARY PLAT**  
**PLUM CREEK**  
**PHASE I - SECTION 6E2-3**  
**HAYS COUNTY, TEXAS**

# PLUM CREEK PHASE I, SECTION 6E2-3

## LEGEND

- 1/2" IRON ROD FOUND (Unless Otherwise Noted)
- LAI 1/2" IRON ROD W/ PLASTIC CAP STAMPED "LAI" PREVIOUSLY SET (Unless Otherwise Noted)
- 1/2" IRON ROD W/ PLASTIC CAP STAMPED "LOOMIS" SET
- △ CALCULATED POINT
- - - - - P.U.E. (Public Utility Easement)
- - - - - L.E. (Landscape Easement)
- - - - - LOT & STREET R.O.W. LINE
- - - - - EASEMENT LINE
- - - - - FEMA FIRM PANEL FLOODPLAIN
- - - - - APPROVED CLOMR 100 YEAR FLOODPLAIN
- PED. ESMT. PEDESTRIAN EASEMENT
- D.E. DRAINAGE EASEMENT
- L.E. LANDSCAPE EASEMENT
- P.U.E. PUBLIC UTILITY EASEMENT
- PED X-ING PEDESTRIAN CROSSING
- R.O.W. RIGHT OF WAY
- ( ) RECORD INFORMATION
- [ ] ADJOINER INFORMATION
- D.R.H.C.TX. DEED RECORDS OF HAYS COUNTY, TEXAS
- P.R.H.C.TX. PLAT RECORDS OF HAYS COUNTY, TEXAS
- O.P.R.H.C.TX. OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS
- CLOMR CONDITIONAL LETTER OF MAP REVISION

## BENCHMARK LIST: - DATUM - NAVD88

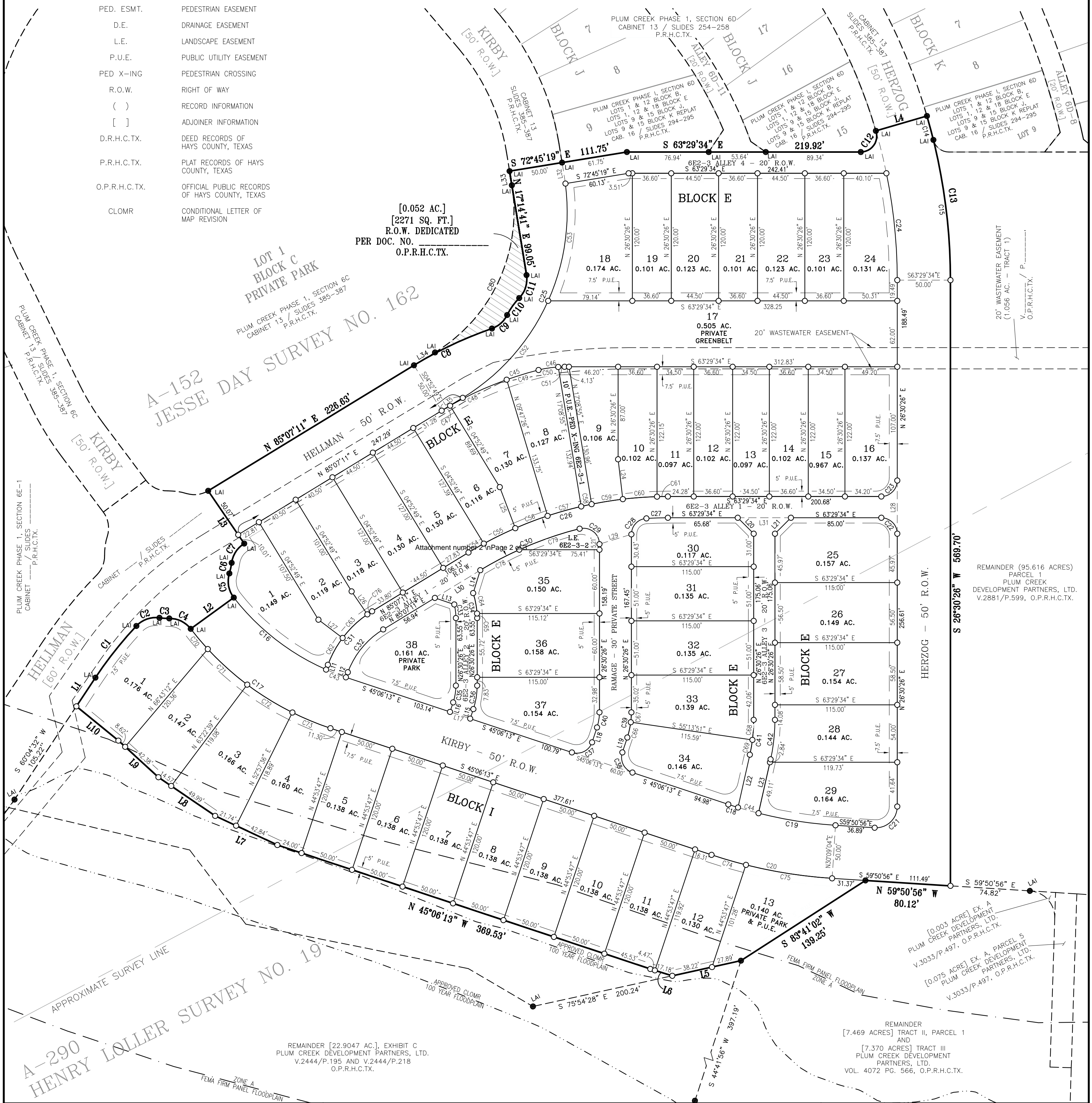
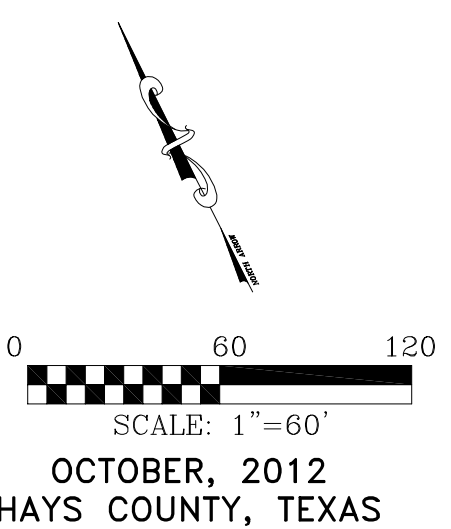
TEXAS DEPARTMENT OF TRANSPORTATION TYPE 2 MONUMENT FOUND, AT A POINT OF CURVATURE IN THE EAST R.O.W. LINE OF R.M. 2770, AT ENGINEER'S CENTERLINE STATION 268+56.47, 70-FOOT LEFT OF CENTERLINE, ±11.5 FEET EAST OF A CONCRETE FLUME, ±30 FEET EAST OF THE EDGE OF ASPHALT ROAD AND ±85 FEET SOUTH OF THE INTERSECTION OF C.R. 171 AND R.M. 2770.  
ELEVATION = 797.33 FEET

1/2" IRON ROD WITH PLASTIC CAP STAMPED LAI SET ALONG THE EAST R.O.W. LINE OF R.M. 2770, ±7.5 FEET WEST OF A CONCRETE FLUME, ±5 FEET EAST OF THE EDGE OF ASPHALT ROAD AND APPROXIMATELY 625 FEET SOUTH OF THE INTERSECTION OF C.R. 171 AND R.M. 2770.  
ELEVATION = 791.45 FEET

## BEARING BASIS 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 0.999907.

SEE SHEET 3 FOR LINE AND CURVE TABLES



FILE: H:\SURVEY\PLUM_CRK_PH1\SECTION-6E\SEC-6E\PLATS\6E-2\6E2-3\PLUM-6E2-3-PLAT-PRELIM.DWG	DATE: 10-15-2012	DRAWN BY: G.T., K.M.	CREW: CAF, MK
SCALE: 1"=60'	CHECKED BY: J.D.B.	FB #:	
JOB #: 080410	DRAWING #: PLUM-6E2-3-PLAT	PLAN #: 1109-A	



# LOOMIS PARTNERS

ENGINEERING • LAND SURVEYING • ENVIRONMENTAL CONSULTING

3101 Bee Cave Road, Suite 100 • Austin, Texas 78746  
 TEL: 512.271.1180 • FAX: 512.327.4062 • WWW.LOOMIS-PARTNERS.COM

SHEET 2 OF 3

**PRELIMINARY PLAT**  
**PLUM CREEK**  
**PHASE I - SECTION 6E2-3**  
**HAYS COUNTY, TEXAS**



# PLUM CREEK PHASE I, SECTION 6E2-3

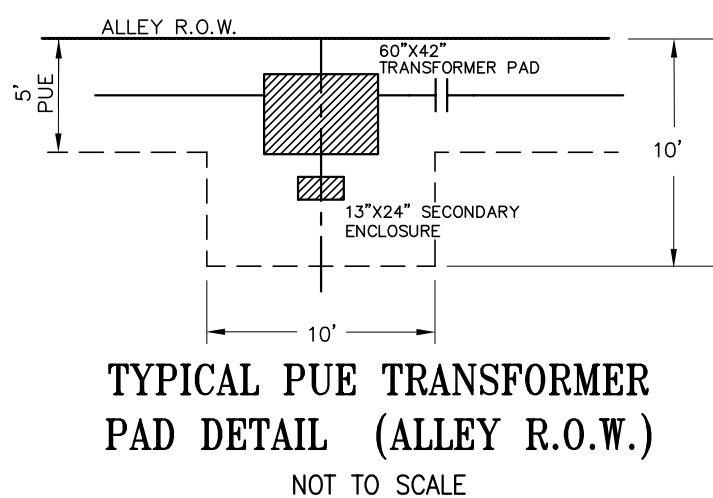
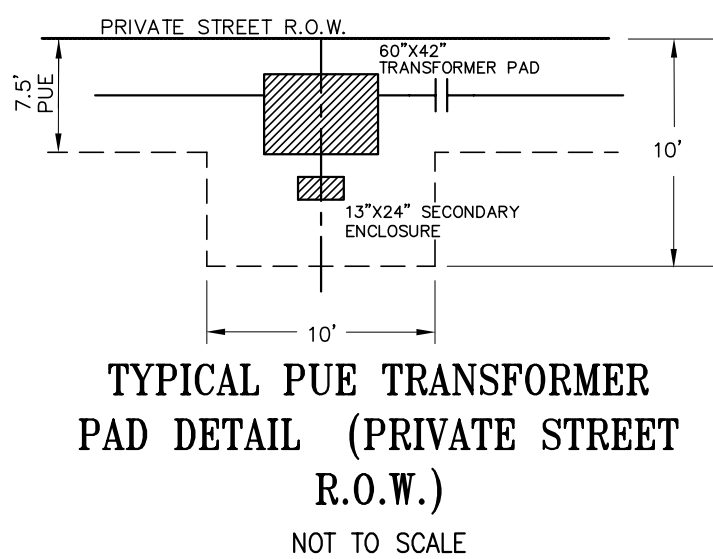
LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 60°04'32" E	32.43'
L2	N 80°31'03" E	50.02'
L3	N 07°47'29" W	60.08'
L4	S 79°43'04" E	50.00'
L5	N 75°54'26" W	66.10'
L6	N 46°11'31" W	21.65'
L7	N 38°23'36" E	64.58'
L8	N 29°11'54" W	64.56'
L9	N 21°03'41" W	51.00'
L10	N 24°16'03" W	50.99'
L11	N 47°00'38" E	4.82'
L12	N 47°00'38" E	5.09'
L13	S 44°49'28" E	19.26'
L14	N 43°49'30" E	22.54'
L15	S 44°53'47" W	9.45'
L16	N 44°53'47" E	9.45'
L17	N 45°06'13" W	20.00'
L18	S 44°53'47" W	14.75'
L19	N 44°53'47" E	14.75'
L20	S 18°29'34" E	21.21'
L21	N 71°30'26" E	21.21'
L22	S 39°07'45" W	50.91'
L23	S 39°07'45" W	51.94'
L24	S 19°44'50" W	37.77'
L25	S 05°49'35" W	41.32'
L26	S 07°55'17" E	26.18'
L27	S 26°25'49" E	28.49'
L28	S 26°30'26" W	50.00'
L29	N 80°38'06" W	31.39'
L30	S 85°07'16" W	50.01'
L31	N 63°29'34" W	50.00'
L32	N 17°14'41" E	20.00'
L33	S 17°14'41" W	13.44'
L34	S 85°07'11" W	23.20'
L35	S 85°07'11" W	23.20'

CURVE TABLE				
CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	370.00'	62.02'	N 64°52'38" E	61.95'
C2	25.00'	23.94'	S 82°53'11" E	23.04'
C3	60.00'	9.27'	S 59°52'33" E	9.26'
C4	25.00'	23.25'	S 37°39'34" E	22.42'
C5	25.00'	23.99'	N 16°08'01" E	23.08'
C6	60.00'	10.22'	N 38°44'55" E	10.21'
C7	25.00'	22.36'	N 59°29'40" E	21.62'
C8	380.00'	81.25'	S 88°45'18" E	81.09'
C9	25.00'	19.60'	N 74°54'32" E	19.10'
C10	60.00'	19.65'	N 61°49'49" E	19.56'
C11	25.00'	23.55'	N 44°13'44" E	22.69'
C12	15.00'	28.58'	N 82°00'15" W	24.45'
C13	550.00'	156.49'	S 18°21'22" W	155.96'
C14	550.00'	23.27'	S 11°25'02" W	23.27'
C15	550.00'	133.22'	S 19°34'07" W	132.89'
C16	225.00'	111.20'	S 25°31'08" E	110.07'
C17	275.00'	163.59'	S 28°03'41" W	161.19'
C18	400.00'	9.56'	N 45°47'18" W	9.56'
C19	400.00'	73.35'	S 54°35'43" E	73.25'
C20	450.00'	115.81'	S 52°28'34" E	115.49'
C21	20.00'	32.69'	N 73°19'45" E	29.17'
C22	15.00'	23.56'	N 18°29'34" W	21.21'
C23	15.00'	23.56'	S 71°30'26" W	21.21'
C24	500.00'	101.20'	S 20°42'31" W	101.03'
C25	205.00'	236.30'	S 52°05'55" W	223.43'
C26	360.00'	197.21'	S 79°11'11" E	194.76'
C27	340.00'	20.22'	S 65°11'49" W	20.22'
C28	15.00'	22.67'	N 69°48'11" E	20.57'
C29	15.00'	27.26'	N 25°33'22" W	23.66'
C30	340.00'	101.61'	N 86°10'51" W	101.23'
C31	100.00'	66.51'	N 66°03'55" E	65.29'
C32	80.00'	53.21'	S 66°03'55" W	52.24'
C33	55.00'	12.90'	S 19°47'17" W	12.87'
C34	75.00'	23.88'	S 17°23'11" W	23.78'
C35	50.00'	16.05'	N 35°42'06" E	15.98'
C36	70.00'	22.47'	S 35°42'06" W	22.37'
C37	15.00'	23.56'	S 89°53'47" W	21.21'
C38	15.00'	23.56'	S 00°06'13" E	21.21'
C39	75.00'	24.07'	N 35°42'06" E	23.97'
C40	45.00'	14.44'	S 35°42'06" W	14.38'
C41	150.00'	33.04'	N 32°49'06" E	32.98'
C42	170.00'	37.45'	N 32°49'06" E	37.37'
C43	225.00'	20.01'	S 42°12'50" E	20.00'
C44	400.00'	20.03'	N 47°54'26" W	20.03'
C45	330.00'	99.15'	N 86°16'21" W	98.78'
C46	100.00'	24.73'	N 70°34'43" W	24.67'
C47	330.00'	9.22'	N 85°55'13" E	9.22'
C48	330.00'	58.62'	S 88°11'27" E	58.54'
C49	330.00'	31.32'	S 80°23'01" E	31.31'
C50	100.00'	18.75'	S 72°17'32" E	18.73'
C51	100.00'	5.98'	N 65°12'22" W	5.98'
C52	205.00'	123.39'	S 67°52'38" W	121.53'
C53	205.00'	112.91'	S 34°54'26" W	111.52'
C54	360.00'	16.68'	S 86°26'49" W	16.68'
C55	360.00'	32.98'	N 89°36'07" W	32.96'
C56	360.00'	32.50'	N 84°23'30" W	32.49'
C57	360.00'	32.85'	N 79°11'31" W	32.83'
C58	360.00'	10.01'	N 75°46'53" W	10.01'
C59	360.00'	29.73'	N 72°37'07" W	29.72'
C60	360.00'	32.25'	N 67°41'10" W	32.24'
C61	360.00'	10.22'	N 64°18'22" W	10.22'
C62	100.00'	28.90'	S 55°17'25" W	28.80'
C63	100.00'	32.30'	S 72°49'27" W	32.16'
C64	75.00'	19.59'	N 15°45'01" E	19.54'
C65	75.00'	4.28'	N 24°52'16" E	4.28'
C66	75.00'	14.76'	N 39°15'35" E	14.73'
C67	75.00'	9.31'	N 30°03'55" E	9.31'
C68	150.00'	18.91'	S 30°07'10" W	18.90'
C69	150.00'	14.13'	S 36°25'50" W	14.13'
C70	275.00'	24.89'	S 13°36'43" E	24.88'
C71	275.00'	50.00'	S 21°24'50" E	49.93'
C72	275.00'	50.00'	S 31°49'53" E	49.93'
C73	275.00'	38.70'	S 41°04'19" E	38.72'
C74	450.00'	33.72'	S 47°15'02" E	33.72'
C75	450.00'	82.08'	S 54°37'23" E	81.97'
C76	100.00'	5.31'	S 83°35'57" W	5.31'
C77	500.00'	41.13'	N 12°33'13" E	41.12'
C78	340.00'	41.44'	N 88°44'57" E	41.41'
C79	340.00'	60.17'	S 82°41'21" E	60.09'
C80	155.00'	183.62'	S 51°10'56" W	173.07'

AREA TABLE			
BLOCK	LOT	ACREAGE	SQ. FT.
E	1	0.149	6511
E	2	0.119	5180
E	3	0.118	5126
E	4	0.130	5652
E	5	0.130	5654
E	6	0.116	5068
E	7	0.130	5680
E	8	0.127	5550
E	9	0.106	4623
E	10	0.102	4428
E	11	0.097	4209
E	12	0.102	4465
E	13	0.097	4209
E	14	0.102	4465
E	15	0.097	4209
E	16	0.137	5954
E PRIVATE GREENBELT	17	0.505	22019
E	18	0.174	7583
E	19	0.101	4392
E	20	0.123	5340
E	21	0.101	4392
E	22	0.123	5340
E	23	0.101	4392
E	24	0.131	5696
E	25	0.157	6851
E	26	0.149	6498
E	27	0.154	6727
E	28	0.144	6273
E	29	0.164	7153
E	30	0.117	5117
E	31	0.135	5865
E	32	0.135	5865
E	33	0.139	6060
E	34	0.146	6353
E	35	0.150	6545
E	36	0.158	6900
E	37	0.154	6720
E PRIVATE PARK	38	0.161	7023
6E2-3 ALLEY 1		0.282	12283
6E2-3 ALLEY 2		0.063	2737
RAMAGE (PRIVATE ST)		0.148	6451
6E2-3 ALLEY 3		0.132	5762
6E2-3 ALLEY 4		0.141	6128
PUE 6E2-3-1		0.030	1320
LE 6E2-3-2		0.022	942
Total for Block E		6.051	263583
I	1	0.176	7671
I	2	0.147	6387
I	3	0.166	7245
I	4	0.160	6978
I	5	0.138	6000
I	6	0.138	6000
I	7	0.138	6000
I	8	0.138	6000
I	9	0.138	6000
I	10	0.138	6000
I	11	0.138	6000
I	12	0.130	5676
I PRIVATE PARK & PUE	13	0.140	6088
Total for Block I		1.884	82045
HELLMAN		0.542	23621
HERZOG		0.852	37120
KIRBY		0.771	33595
Total for PUBLIC ROW		2.165	94336
TOTAL 6E2-3		10.100	439967

**NOTES:**

1. TOTAL ACREAGE: 10.100 ACRES.
2. THE TOTAL AREA OF PUBLIC STREET RIGHT OF WAY (HELLMAN, HERZOG, KIRBY) TO BE DEDICATED IN THIS SUBDIVISION IS 2.165 ACRES.
3. THE TOTAL AREA OF PRIVATE STREET RIGHT OF WAY (RAMAGE AND ALLEY 1 THRU ALLEY 5) TO BE DEDICATED IN THIS SUBDIVISION IS 0.766 ACRE.
4. TOTAL NUMBER OF LOTS: 53 (48 SINGLE FAMILY LOTS, 1 PRIVATE PARK LOT, 1 PRIVATE PARK & P.U.E. LOT, 1 PRIVATE GREENBELT LOT AND 2 EASEMENT LOTS).
5. PLAT COMPLETELY CONFORMS WITH PLUM CREEK P.U.D. ORDINANCE 311 & PLUM CREEK SUBDIVISION ORDINANCE 308.
6. ALL UTILITIES WITHIN THE SUBDIVISION WILL BE UNDERGROUND.
7. ALL PRIVATE STREETS, ALLEYS, PEDESTRIAN RIGHT-OF-WAYS, PARK/DRAINAGE EASEMENT LOTS AND ALL LANDSCAPE EASEMENT AREAS SHOWN ON THIS PLAT SHALL BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION (HOA). 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 TREE/BRUSH REGROWTH.
8. PUBLIC UTILITY EASEMENTS ARE HEREBY DEDICATED AS SHOWN HEREON.
9. A 7.5 FOOT PUBLIC UTILITY EASEMENT ADJACENT TO AND PARALLEL WITH ALL PUBLIC AND PRIVATE STREETS, AND A 5 FOOT UTILITY EASEMENT ADJACENT TO AND PARALLEL WITH ALL ALLEYS IS HEREBY DEDICATED.
10. 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.

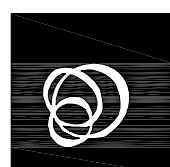


**PUBLIC UTILITY INFORMATION:**

THIS SUBDIVISION IS SERVICED BY THE FOLLOWING UTILITIES:

- |  |   |  |
|--|---|--|
| <b>WATER:</b><br>CITY OF KYLE<br>100 W. CENTER<br>KYLE, TEXAS 78640      | <b>ELECTRIC:</b><br>PEDERNALES ELECTRIC COOP<br>1810 FM 150 WEST<br>KYLE, TEXAS 78640 | <b>PHONE:</b><br>VERIZON<br>6601 F.M. 3237<br>WIMBERLEY, TEXAS 78738 |
| <b>WASTEWATER:</b><br>CITY OF KYLE<br>100 W. CENTER<br>KYLE, TEXAS 78640 | <b>GAS:</b><br>CENTERPOINT ENERGY<br>326 CHEATHAM STREET<br>SAN MARCOS, TEXAS 78666   |  |

FILE: H:\SURVEY\PLUM_CRK_PH1\SECTION-6\SEC-6E\PLATS\6E-2\6E2-3\PLUM-6E2-3-PLAT-PRELIM.DWG			
DATE: 10-15-2012	DRAWN BY: G.T., K.M	CREW: CAF, MK	
SCALE: 1"=60'	CHECKED BY: J.D.B.	FB #:	
JOB #: 080410	DRAWING #: PLUM-6E2-3-PLAT	PLAN #: 1109-A	
NO.	REVISION	BY	DATE



**LOOMIS PARTNERS**

ENGINEERING LAND SURVEYING ENVIRONMENTAL CONSULTING  
3101 Bee Cave Road, Suite 100 Austin, Texas 78746  
Item # 327.1180 [FAX] 512.327.4062 www.loomis-partners.com

**PRELIMINARY PLAT**  
**PLUM CREEK**  
**PHASE I - SECTION 6E2-3**  
**HAYS COUNTY, TEXAS**



# CITY OF KYLE, TEXAS

## Plum Creek Phase 1 Section 6E 2-3 - Final Plat

**Meeting Date: 11/6/2012**  
**Date time: 7:00 PM**

**Subject/Recommendation:** Plum Creek Phase 1 Section 6E 2-3 Final Plat (FP-12-005)  
10.100 acres; 53 Lots  
Located to the northeast of the current end of Hellman Drive, just east of 2770  
Owner: Plum Creek Development Partners, Ltd.  
Agent: Alan Rhames, Axiom Engineers, Inc.  
~ *Sofia Nelson, Director of Planning*

*Planning and Zoning Commission voted 7-0 to approve the Final Plat.*

**Other Information:** Please see attachments

**Budget Information:** N/A

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Viewing Attachments Requires Adobe Acrobat. [Click here](#) to download.

**Attachments / click to download**

- [Plat](#)
- [Staff Report](#)

## MEMORANDUM

TO: City Council

FROM: Sofia Nelson, Director of Planning

DATE: October 30, 2012

SUBJECT: Plum Creek Section 6E2-3- Preliminary and Final Plats

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### **PLANNING AND ZONING COMMISSION RECOMMENDATION**

On October 23<sup>rd</sup> the Planning and Zoning Commission recommended unanimously to approve the subdivision plat with the following condition:

- Pending the approval of the public improvement construction plans by the City Engineer. The construction plans are substantially complete and are pending revisions that do not affect the alignment or configuration of the roadways or utilities

### **BACKGROUND**

#### **Site Information and Proposal**

The proposed development lies within the Plum Creek development and consists of 10.1 acres and is located northeast of the current end of Hellman Drive just east of FM 2770. The development will contain 49 single family residential lots, a greenway lot and a small park.

#### **Utilities**

The City of Kyle will provide water and wastewater to the site.

#### **Access**

Lots 8 through 16 (Block E) and lots 19 through 23 (Block E) do not contain frontage on a public or private street, rather they will front on a central greenway. Vehicle access to these lots will be via alleys 1 and 5 with each lot having a rear load garage configuration.

### **STAFF RECOMMENDATION:**

Staff is recommending approval of the request for the following reasons:

- The plat is consistent with all zoning requirements for the property.
- The proposed provision and configuration of roads, water, wastewater, drainage and easements and rights-of-way are adequate to serve the subdivision.

The following condition shall be placed on the approval of the plat:

- Pending the approval of the public improvement construction plans by the City Engineer. The construction plans are substantially complete and are pending revisions that do not affect the alignment or configuration of the roadways or utilities.



# PLUM CREEK PHASE I, SECTION 6E2-3

STATE OF TEXAS §  
COUNTY OF TRAVIS §

KNOW ALL MEN BY THESE PRESENTS, THAT WE, PLUM CREEK DEVELOPMENT PARTNERS, LTD., A LIMITED PARTNERSHIP ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF TEXAS, WITH ITS HOME ADDRESS AT 200 CONGRESS AVENUE, SUITE 9A, AUSTIN, TEXAS 78701, BEING THE OWNER OF THAT CERTAIN 10.100 ACRE TRACT OF LAND IN THE JESSE DAY SURVEY NO. 162, A-152 AND THE HENRY LOLLER SURVEY NO. 19, A-290, HAYS COUNTY, TEXAS, BEING A PORTION OF THE REMAINDER OF A CALLED 95.616 ACRE TRACT OF LAND DESIGNATED AS PARCEL 1, IN VOLUME 2881, PAGE 599, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, DO HEREBY SUBDIVIDE SAID 10.100 ACRES AS SHOWN ON THIS PLAT, AND DESIGNATED HEREIN AS THE **PLUM CREEK PHASE I, SECTION 6E2-3** 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 WAYS OF HELLMAN, HERZOG, AND KIRBY, AND DRAINS, EASEMENTS (EXCLUDING LANDSCAPE AREA WITHIN EASEMENTS), PARKS AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED.

WHEREOF THE SAID PLUM CREEK DEVELOPMENT PARTNERS, LTD., OWNER, HAS CAUSED THESE PRESENTS TO BE EXECUTED BY ITS GENERAL PARTNER, BGI PLUM CREEK DEVELOPERS, LTD., THEREUNTO DULY AUTHORIZED, GENERAL PARTNER HAS CAUSED THESE PRESENTS TO BE EXECUTED BY ITS GENERAL PARTNER, BENCHMARK LAND DEVELOPMENT, INC.

PLUM CREEK DEVELOPMENT PARTNERS, LTD.,  
A TEXAS LIMITED PARTNERSHIP

BY: BGI PLUM CREEK DEVELOPERS, LTD.,  
A TEXAS LIMITED PARTNERSHIP, GENERAL PARTNER

BY: BENCHMARK LAND DEVELOPMENT, INC.,  
A TEXAS CORPORATION, GENERAL PARTNER

BY: \_\_\_\_\_  
DAVID C. MAHN, VICE PRESIDENT

STATE OF TEXAS §  
COUNTY OF TRAVIS §

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED, DAVID C. MAHN, VICE PRESIDENT OF BENCHMARK LAND DEVELOPMENT, INC., 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 \_\_\_\_\_, 2012,

BY: \_\_\_\_\_  
NOTARY PUBLIC

STATE OF TEXAS §  
COUNTY OF HAYS §

KNOW ALL MEN BY THESE PRESENTS:

THAT, LIZ Q. GONZALES, 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 \_\_\_\_\_, 2012, A.D., IN THE PLAT RECORDS OF SAID

COUNTY AND STATE IN PLAT CABINET \_\_\_\_\_, PAGE(S) \_\_\_\_\_ WITNESS MY HAND AND SEAL OF OFFICE

OF COUNTY CLERK OF SAID COUNTY ON THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2012, A.D.

FILED FOR RECORD AT \_\_\_\_\_ O'CLOCK \_\_\_\_M. THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2012, A.D.

BY: \_\_\_\_\_  
LIZ Q. GONZALES  
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 6E2-3) 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 \_\_\_\_\_, 2012.

BY: \_\_\_\_\_  
ATTEST:  
SECRETARY

THIS PLAT (PLUM CREEK PHASE I, SECTION 6E2-3) 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 \_\_\_\_\_, 2012.

BY: \_\_\_\_\_  
ATTEST:  
SECRETARY

STATE OF TEXAS §  
COUNTY OF TRAVIS §

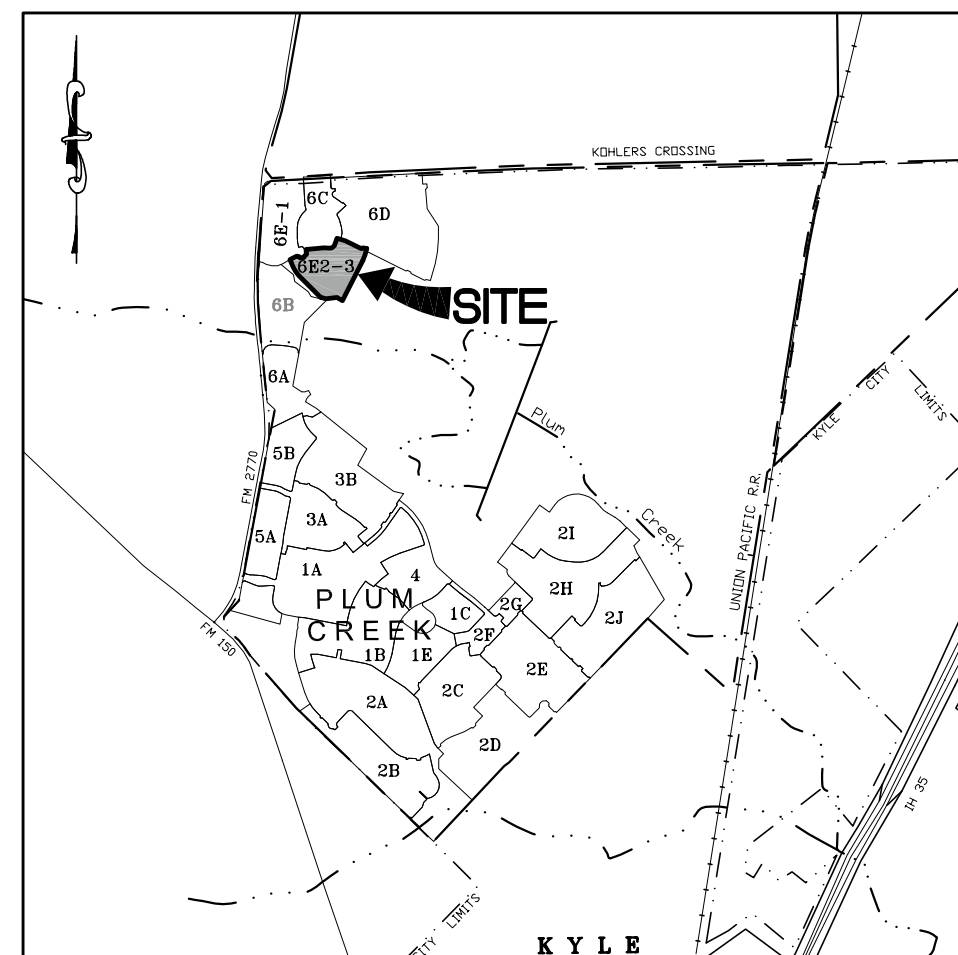
I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THE PLAT AND ALL PLANS AND SPECIFICATIONS WHICH ARE INCLUDED WITH THE PLAT ARE, TO THE BEST OF MY PROFESSIONAL CAPACITY, COMPLETE AND ACCURATE AND IN COMPLIANCE WITH ALL RELEVANT CITY ORDINANCES, CODES,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

BY: \_\_\_\_\_  
ALAN D. RHAMES, P.E.  
REGISTERED PROFESSIONAL ENGINEER  
NO. 72089 - STATE OF TEXAS  
TBPE FIRM NO. F-43  
AXIOM ENGINEERS INC.  
13276 RESEARCH BLVD., ST. 208  
AUSTIN, TEXAS 78750  
512-506-9335

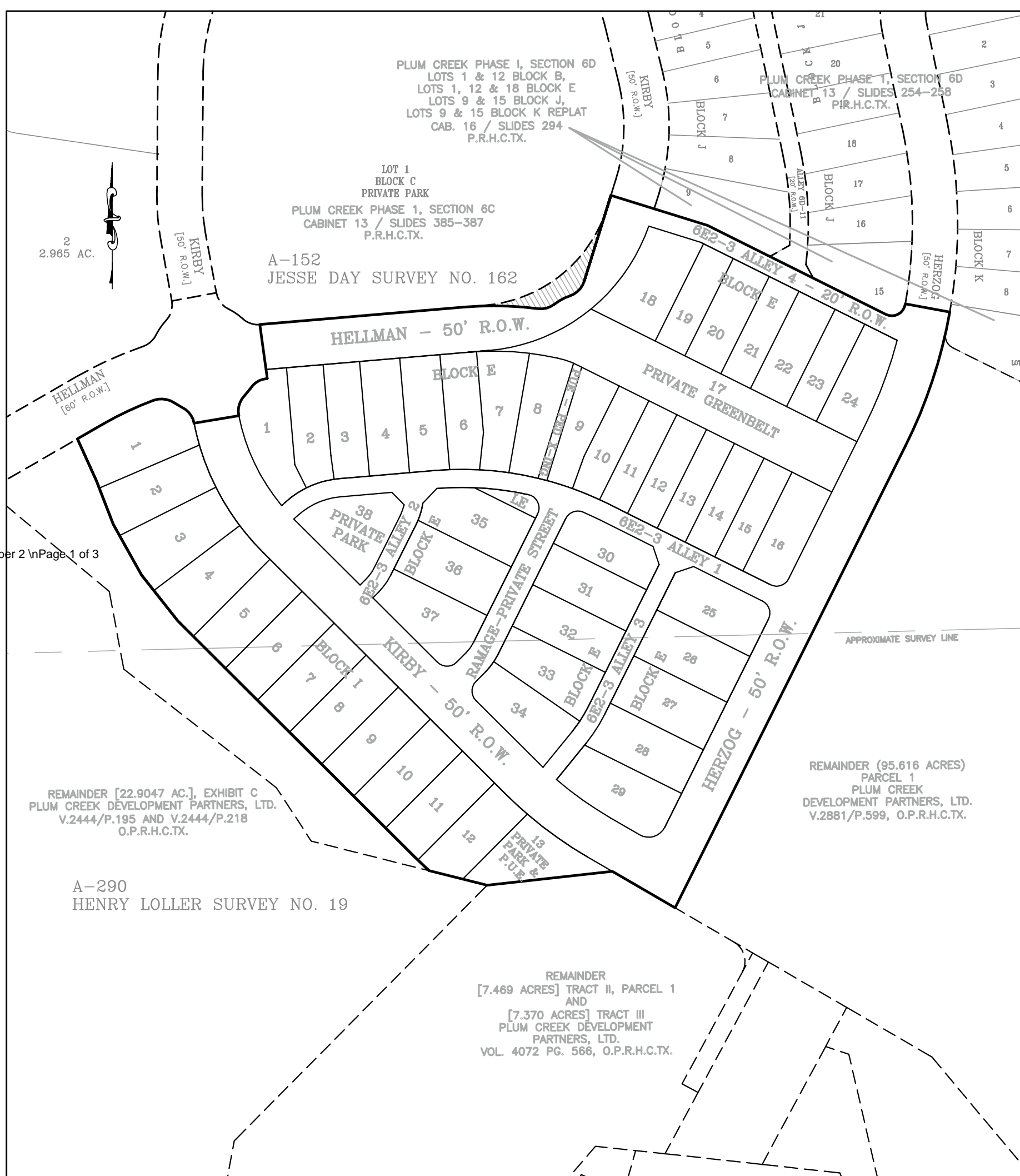
STATE OF TEXAS §  
COUNTY OF TRAVIS §

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  
LOOMIS PARTNERS  
3101 BEE CAVES RD., SUITE 100  
AUSTIN, TEXAS 78746  
512-327-1180



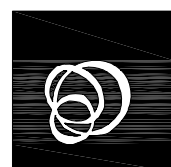
LOCATION MAP  
NOT TO SCALE



SITE MAP  
NOT TO SCALE

**FLOOD NOTE:**  
A PORTION OF THIS SUBDIVISION (PLUM CREEK PHASE I, SECTION 6E2-3) 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 CLOMR CASE NO. 07-06-0898R, DATED MARCH 25, 2008.

FILE: H:\SURVEY\PLUM_CRK_PH1\SECTION-6\SEC-6E\PLATS\6E-2\6E2-3\PLUM-6E2-3-PLAT.DWG			
DATE: 10-15-2012	DRAWN BY: G.T., K.M	CREW: CAF, MK	
SCALE: 1"=60'	CHECKED BY: J.D.B.	FB #:	
JOB #: 080410	DRAWING #: PLUM-6E2-3-PLAT	PLAN #: 1109	
NO.	REVISION	BY	DATE



**LOOMIS PARTNERS**

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SHEET 1 OF 3

**FINAL PLAT**  
**PLUM CREEK**  
**PHASE I - SECTION 6E2-3**  
**HAYS COUNTY, TEXAS**

# PLUM CREEK PHASE I, SECTION 6E2-3

## LEGEND

●	1/2" IRON ROD FOUND (Unless Otherwise Noted)
● LAI	1/2" IRON ROD W/ PLASTIC CAP STAMPED "LAI" PREVIOUSLY SET (Unless Otherwise Noted)
○	1/2" IRON ROD W/ PLASTIC CAP STAMPED "LOOMIS" SET
△	CALCULATED POINT
---	P.U.E. (Public Utility Easement)
---	L.E. (Landscape Easement)
---	LOT & STREET R.O.W. LINE
---	EASEMENT LINE
---	FEMA FIRM PANEL FLOODPLAIN
---	APPROVED CLOMR 100 YEAR FLOODPLAIN
PED. ESMT.	PEDESTRIAN EASEMENT
D.E.	DRAINAGE EASEMENT
L.E.	LANDSCAPE EASEMENT
P.U.E.	PUBLIC UTILITY EASEMENT
PED X-ING	PEDESTRIAN CROSSING
R.O.W.	RIGHT OF WAY
( )	RECORD INFORMATION
[ ]	ADJOINER INFORMATION
D.R.H.C.TX.	DEED RECORDS OF HAYS COUNTY, TEXAS
P.R.H.C.TX.	PLAT RECORDS OF HAYS COUNTY, TEXAS
O.P.R.H.C.TX.	OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS
CLOMR	CONDITIONAL LETTER OF MAP REVISION

## BENCHMARK LIST: - DATUM - NAVD88

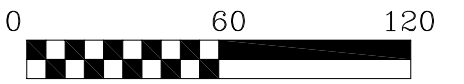
TEXAS DEPARTMENT OF TRANSPORTATION TYPE 2 MONUMENT FOUND, AT A POINT OF CURVATURE IN THE EAST R.O.W. LINE OF R.M. 2770, AT ENGINEER'S CENTERLINE STATION 268+56.47, 70-FOOT LEFT OF CENTERLINE, ±11.5 FEET EAST OF A CONCRETE FLUME, ±30 FEET EAST OF THE EDGE OF ASPHALT ROAD AND ±85 FEET SOUTH OF THE INTERSECTION OF C.R. 171 AND R.M. 2770.  
ELEVATION = 797.33 FEET

1/2" IRON ROD WITH PLASTIC CAP STAMPED LAI SET ALONG THE EAST R.O.W. LINE OF R.M. 2770, ±7.5 FEET WEST OF A CONCRETE FLUME, ±5 FEET EAST OF THE EDGE OF ASPHALT ROAD AND APPROXIMATELY 625 FEET SOUTH OF THE INTERSECTION OF C.R. 171 AND R.M. 2770.  
ELEVATION = 791.45 FEET

## BEARING BASIS NOTES:

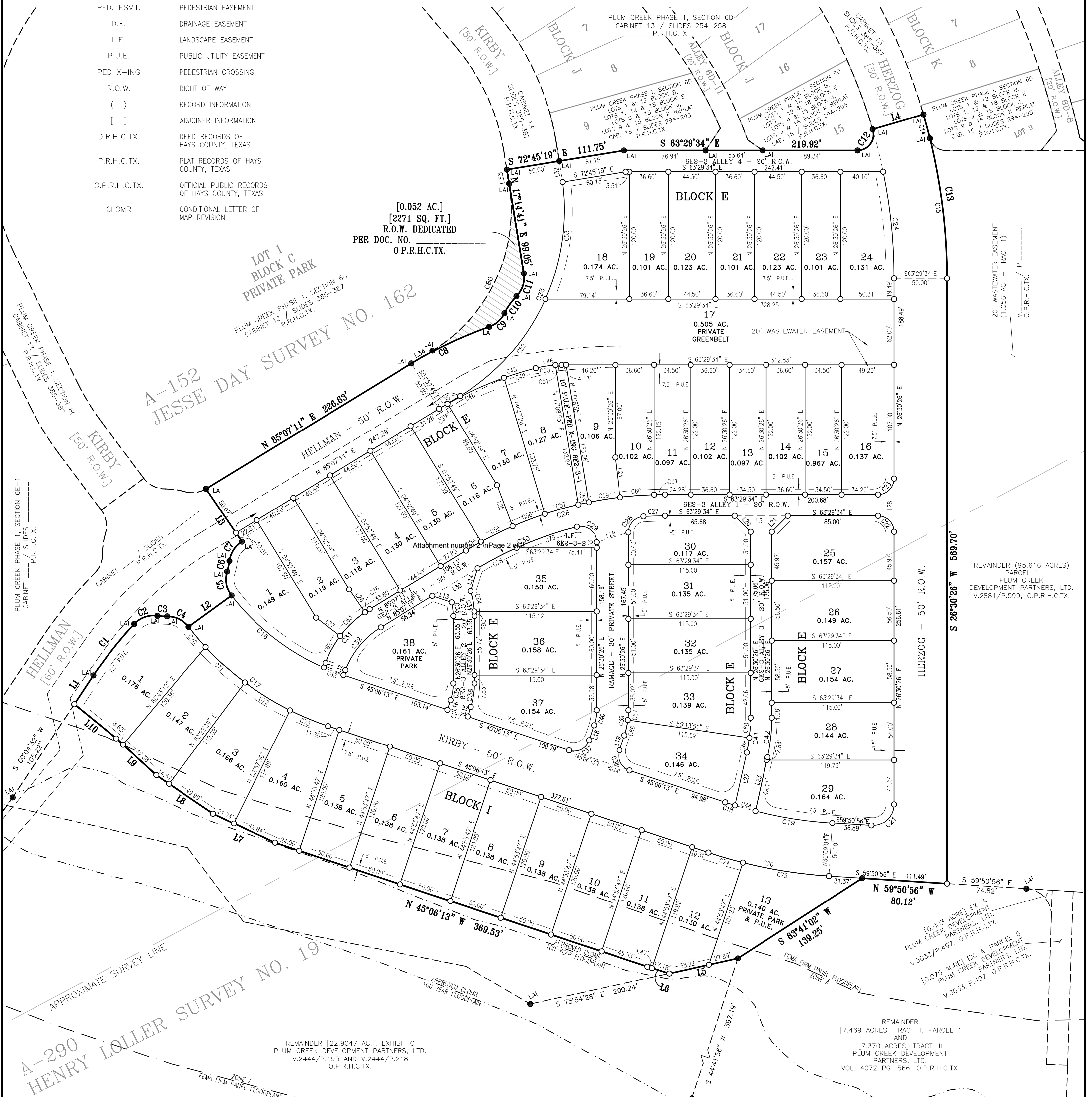
1. BEARING BASIS IS TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD83, GRID.
2. DISTANCES SHOWN HEREON ARE BASED ON SURFACE MEASUREMENTS; TO CONVERT SURFACE DISTANCES TO GRID, MULTIPLY BY THE COMBINED SCALE FACTOR.
3. THE COMBINED SCALE FACTOR FOR THIS PROJECT IS 0.999907.

SEE SHEET 3 FOR LINE AND CURVE TABLES.



SCALE: 1"=60'

OCTOBER, 2012  
HAYS COUNTY, TEXAS



FILE: H:\SURVEY\PLUM_CRK_PH1\SECTION-6E2-3\PLUM-6E2-3-PLAT.DWG	DATE: 10-15-2012	DRAWN BY: G.T., K.M.	CREW: CAF, MK
SCALE: 1"=60'	CHECKED BY: J.D.B.	FB #:	PLAN #: 1109
JOB #: 080410	DRAWING #: PLUM-6E2-3-PLAT		
NO.	REVISION	BY	DATE



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SHEET 2 OF 3  
FINAL PLAT  
PLUM CREEK  
PHASE I - SECTION 6E2-3  
HAYS COUNTY, TEXAS

# PLUM CREEK PHASE I, SECTION 6E2-3

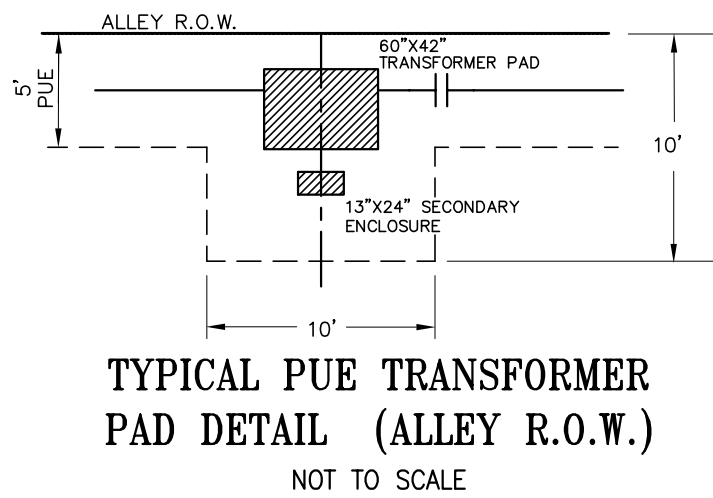
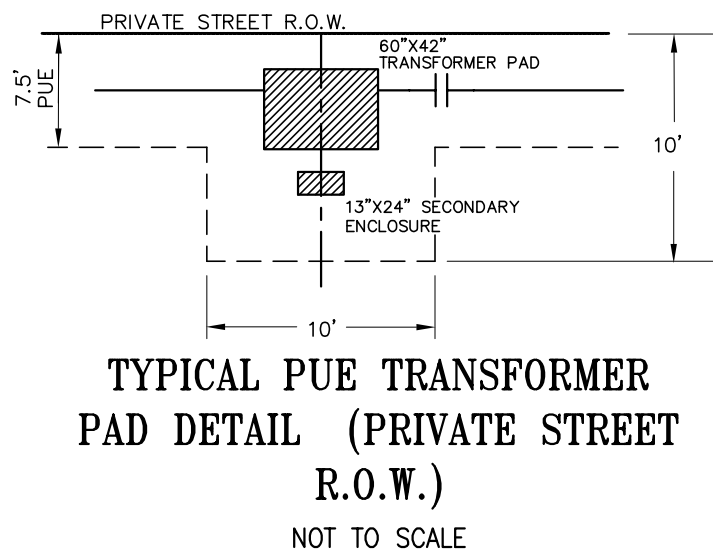
LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 60°04'32" E	32.43'
L2	N 80°31'03" E	50.02'
L3	N 07°47'29" W	60.08'
L4	S 79°43'04" E	50.00'
L5	N 75°54'26" W	66.10'
L6	N 46°11'31" W	21.65'
L7	N 38°23'36" W	64.58'
L8	N 29°11'54" W	64.56'
L9	N 21°03'41" W	51.00'
L10	N 24°16'03" W	50.99'
L11	N 47°00'38" E	4.82'
L12	N 47°00'38" E	5.09'
L13	S 44°49'28" E	19.26'
L14	N 43°49'30" E	22.54'
L15	S 44°53'47" W	9.45'
L16	N 44°53'47" E	9.45'
L17	N 45°06'13" W	20.00'
L18	S 44°53'47" W	14.75'
L19	N 44°53'47" E	14.75'
L20	S 18°29'34" E	21.21'
L21	N 71°30'26" E	21.21'
L22	S 39°07'45" W	50.91'
L23	S 39°07'45" W	51.94'
L24	S 19°44'50" W	37.77'
L25	S 05°49'35" W	41.32'
L26	S 07°55'17" E	26.18'
L27	S 26°25'49" E	28.49'
L28	S 26°30'26" W	50.00'
L29	N 80°38'06" W	31.39'
L30	S 85°07'16" W	50.01'
L31	N 63°29'34" W	50.00'
L32	N 17°14'41" E	20.00'
L33	S 17°14'41" W	13.44'
L34	S 85°07'11" W	23.20'
L35	S 85°07'11" W	23.20'

CURVE TABLE				
CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	370.00'	62.02'	N 64°52'38" E	61.95'
C2	25.00'	23.94'	S 82°53'11" E	23.04'
C3	60.00'	9.27'	S 59°52'33" E	9.26'
C4	25.00'	23.25'	S 37°39'34" E	22.42'
C5	25.00'	23.99'	N 16°08'01" E	23.08'
C6	60.00'	10.22'	N 38°44'55" E	10.21'
C7	25.00'	22.36'	N 59°29'40" E	21.62'
C8	380.00'	81.25'	S 88°45'18" E	81.09'
C9	25.00'	19.60'	N 74°54'32" E	19.10'
C10	60.00'	19.65'	N 61°49'49" E	19.56'
C11	25.00'	23.55'	N 44°13'44" E	22.69'
C12	15.00'	28.58'	N 82°00'15" W	24.45'
C13	550.00'	156.49'	S 18°21'22" W	155.96'
C14	550.00'	23.27'	S 11°25'02" W	23.27'
C15	550.00'	133.22'	S 19°34'07" W	132.89'
C16	225.00'	111.20'	S 25°31'08" E	110.07'
C17	275.00'	163.59'	S 28°03'41" W	161.19'
C18	400.00'	9.56'	N 45°47'18" W	9.56'
C19	400.00'	73.35'	S 54°35'43" E	73.25'
C20	450.00'	115.81'	S 52°28'34" E	115.49'
C21	20.00'	32.69'	N 73°19'45" E	29.17'
C22	15.00'	23.56'	N 18°29'34" W	21.21'
C23	15.00'	23.56'	S 71°30'26" W	21.21'
C24	500.00'	101.20'	S 20°42'31" W	101.03'
C25	205.00'	236.30'	S 52°05'55" W	223.43'
C26	360.00'	197.21'	S 79°11'11" E	194.76'
C27	340.00'	20.22'	S 65°11'49" W	20.22'
C28	15.00'	22.67'	N 69°48'11" E	20.57'
C29	15.00'	27.26'	N 25°33'22" W	23.66'
C30	340.00'	101.61'	N 86°10'51" W	101.23'
C31	100.00'	66.51'	N 66°03'55" E	65.29'
C32	80.00'	53.21'	S 66°03'55" W	52.24'
C33	55.00'	12.90'	S 19°47'17" W	12.87'
C34	75.00'	23.88'	S 17°23'11" W	23.78'
C35	50.00'	16.05'	N 35°42'06" E	15.98'
C36	70.00'	22.47'	S 35°42'06" W	22.37'
C37	15.00'	23.56'	S 89°53'47" W	21.21'
C38	15.00'	23.56'	S 00°06'13" E	21.21'
C39	75.00'	24.07'	N 35°42'06" E	23.97'
C40	45.00'	14.44'	S 35°42'06" W	14.38'
C41	150.00'	33.04'	N 32°49'06" E	32.98'
C42	170.00'	37.45'	N 32°49'06" E	37.37'
C43	225.00'	20.01'	S 42°12'50" E	20.00'
C44	400.00'	20.03'	N 47°54'26" W	20.03'
C45	330.00'	99.15'	N 86°16'21" W	98.78'
C46	100.00'	24.73'	N 70°34'43" W	24.67'
C47	330.00'	9.22'	N 85°55'13" E	9.22'
C48	330.00'	58.62'	S 88°11'27" E	58.54'
C49	330.00'	31.32'	S 80°23'01" E	31.31'
C50	100.00'	18.75'	S 72°17'32" E	18.73'
C51	100.00'	5.98'	N 65°12'22" W	5.98'
C52	205.00'	123.39'	S 67°52'38" W	121.53'
C53	205.00'	112.91'	S 34°54'26" W	111.52'
C54	360.00'	16.68'	S 86°26'49" W	16.68'
C55	360.00'	32.98'	N 89°36'07" W	32.96'
C56	360.00'	32.50'	N 84°23'30" W	32.49'
C57	360.00'	32.85'	N 79°11'31" W	32.83'
C58	360.00'	10.01'	N 75°46'53" W	10.01'
C59	360.00'	29.73'	N 72°37'07" W	29.72'
C60	360.00'	32.25'	N 67°41'10" W	32.24'
C61	360.00'	10.22'	N 64°18'22" W	10.22'
C62	100.00'	28.90'	S 55°17'25" W	28.80'
C63	100.00'	32.30'	S 72°49'27" W	32.16'
C64	75.00'	19.59'	N 15°45'01" E	19.54'
C65	75.00'	4.28'	N 24°52'16" E	4.28'
C66	75.00'	14.76'	N 39°15'35" E	14.73'
C67	75.00'	9.31'	N 30°03'55" E	9.31'
C68	150.00'	18.91'	S 30°07'10" W	18.90'
C69	150.00'	14.13'	S 36°25'50" W	14.13'
C70	275.00'	24.89'	S 13°36'43" E	24.88'
C71	275.00'	50.00'	S 21°24'50" E	49.93'
C72	275.00'	50.00'	S 31°49'53" E	49.93'
C73	275.00'	38.70'	S 41°04'19" E	38.70'
C74	450.00'	33.72'	S 47°15'02" E	33.72'
C75	450.00'	82.08'	S 54°37'23" E	81.97'
C76	100.00'	5.31'	S 83°35'57" W	5.31'
C77	500.00'	41.13'	N 12°33'13" E	41.12'
C78	340.00'	41.44'	N 88°44'57" E	41.41'
C79	340.00'	60.17'	S 82°41'21" E	60.09'
C80	155.00'	183.62'	S 51°10'56" W	173.07'

AREA TABLE				
BLOCK	LOT	ACREAGE	SQ. FT.	
E	1	0.149	6511	
E	2	0.119	5180	
E	3	0.118	5126	
E	4	0.130	5652	
E	5	0.130	5654	
E	6	0.116	5068	
E	7	0.130	5680	
E	8	0.127	5550	
E	9	0.106	4623	
E	10	0.102	4428	
E	11	0.097	4209	
E	12	0.102	4465	
E	13	0.097	4209	
E	14	0.102	4465	
E	15	0.097	4209	
E	16	0.137	5954	
E	PRIVATE GREENBELT	17	0.505	22019
E	18	0.174	7583	
E	19	0.101	4392	
E	20	0.123	5340	
E	21	0.101	4392	
E	22	0.123	5340	
E	23	0.101	4392	
E	24	0.131	5696	
E	25	0.157	6851	
E	26	0.149	6498	
E	27	0.154	6727	
E	28	0.144	6273	
E	29	0.164	7153	
E	30	0.117	5117	
E	31	0.135	5865	
E	32	0.135	5865	
E	33	0.139	6060	
E	34	0.146	6353	
E	35	0.150	6545	
E	36	0.158	6900	
E	37	0.154	6720	
E	PRIVATE PARK	38	0.161	7023
E	6E2-3 ALLEY 1		0.282	12283
E	6E2-3 ALLEY 2		0.063	2737
E	RAMAGE (PRIVATE ST)		0.148	6451
E	6E2-3 ALLEY 3		0.132	5762
E	6E2-3 ALLEY 4		0.141	6128
E	PUE 6E2-3-1		0.030	1320
E	LE 6E2-3-2		0.022	942
E	Total for Block E		6.051	263583
I	1	0.176	7671	
I	2	0.147	6387	
I	3	0.166	7245	
I	4	0.160	6978	
I	5	0.138	6000	
I	6	0.138	6000	
I	7	0.138	6000	
I	8	0.138	6000	
I	9	0.138	6000	
I	10	0.138	6000	
I	11	0.138	6000	
I	12	0.130	5676	
I	PRIVATE PARK & PUE	13	0.140	6088
I	Total for Block I		1.884	82045
	HELLMAN	0.542	23621	
	HERZOG	0.852	37120	
	KIRBY	0.771	33595	
	Total for PUBLIC ROW	2.165	94336	
	TOTAL 6E2-3	10.100	439967	

**NOTES:**

- TOTAL ACREAGE: 10.100 ACRES.
- THE TOTAL AREA OF PUBLIC STREET RIGHT OF WAY (HELLMAN, HERZOG, KIRBY) TO BE DEDICATED IN THIS SUBDIVISION IS 2.165 ACRES.
- THE TOTAL AREA OF PRIVATE STREET RIGHT OF WAY (RAMAGE AND ALLEY 1 THRU ALLEY 5) TO BE DEDICATED IN THIS SUBDIVISION IS 0.766 ACRE.
- TOTAL NUMBER OF LOTS: 53 (48 SINGLE FAMILY LOTS, 1 PRIVATE PARK LOT, 1 PRIVATE PARK & P.U.E. LOT, 1 PRIVATE GREENBELT LOT AND 2 EASEMENT LOTS).
- PLAT COMPLETELY CONFORMS WITH PLUM CREEK P.U.D. ORDINANCE 311 & PLUM CREEK SUBDIVISION ORDINANCE 308.
- ALL UTILITIES WITHIN THE SUBDIVISION WILL BE UNDERGROUND.
- ALL PRIVATE STREETS, ALLEYS, PEDESTRIAN RIGHT-OF-WAYS, PARK/DRAINAGE EASEMENT LOTS AND ALL LANDSCAPE EASEMENT AREAS SHOWN ON THIS PLAT SHALL BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION (HOA). 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 TREE/BRUSH REGROWTH.
- PUBLIC UTILITY EASEMENTS ARE HEREBY DEDICATED AS SHOWN HEREON.
- A 7.5 FOOT PUBLIC UTILITY EASEMENT ADJACENT TO AND PARALLEL WITH ALL PUBLIC AND PRIVATE STREETS, AND A 5 FOOT UTILITY EASEMENT ADJACENT TO AND PARALLEL WITH ALL ALLEYS 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.

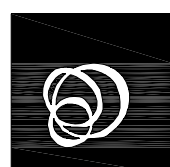


**PUBLIC UTILITY INFORMATION:**

THIS SUBDIVISION IS SERVICED BY THE FOLLOWING UTILITIES:

<b>WATER:</b> CITY OF KYLE 100 W. CENTER KYLE, TEXAS 78640	<b>ELECTRIC:</b> PEDERNALES ELECTRIC COOP 1810 FM 150 WEST KYLE, TEXAS 78640	<b>PHONE:</b> VERIZON 6601 F.M. 3237 WIMBERLEY, TEXAS 78738
<b>WASTEWATER:</b> CITY OF KYLE 100 W. CENTER KYLE, TEXAS 78640	<b>GAS:</b> CENTERPOINT ENERGY 326 CHEATHAM STREET SAN MARCOS, TEXAS 78666	

FILE: H:\SURVEY\PLUM_CK_P1\SECTION-6\SEC-6E\PLATS\6E-2\6E2-3\PLUM-6E2-3-PLAT.DWG			
DATE: 10-15-2012	DRAWN BY: G.T., K.M	CREW: CAF, MK	
SCALE: 1"=60'	CHECKED BY: J.D.B.	FB #:	
JOB #: 080410	DRAWING #: PLUM-6E2-3-PLAT	PLAN #: 1109	
NO.	REVISION	BY	DATE



**LOOMIS PARTNERS**

■ ENGINEERING ■ LAND SURVEYING ■ ENVIRONMENTAL CONSULTING ■  
3101 Bee Cave Road, Suite 100 ■ Austin, Texas 78746  
TEL: 512.327.1180 ■ FAX: 512.327.4062 ■ www.loomis-partners.com

**FINAL PLAT**  
**PLUM CREEK**  
**PHASE I - SECTION 6E2-3**  
**HAYS COUNTY, TEXAS**



# CITY OF KYLE, TEXAS

**Meeting Date: 11/6/2012**  
**Date time: 7:00 PM**

## Waterleaf Phase B Section 5

**Subject/Recommendation:** Waterleaf Phase B Section 5 (FP-12-008)  
33.749 acres; 88 Lots  
Located off of East FM 150 and New Country Road  
Applicant: KB Home Lone Star, Inc.  
Agent: Steven P. Cates, P.E., Carlson, Brigance & Doering, Inc.  
Staff Proposal to P&Z: Statutorily Disapprove to meet 30 day statutory requirements.  
~ Sofia Nelson, Director of Planning

*Planning and Zoning Commission voted 7-0 to Statutorily Disapprove the Final Plat.*

*Statutory Disapproval (Note: In accordance with the statutory requirements of the Texas Local Government Code reflected in Sections 12.03.001, 12.05.004, 12.06.004 the following applications are recommended for statutory disapproval in order to allow the City to process the application. These applications will continue through the review process without bias and will be placed on the agenda in a timely manner once the review process is complete. Statutory disapproval in order to meet statutory requirements under these sections shall not bias future consideration of this application by the Planning and Zoning Commission/City Council).*

**Other Information:** N/A

**Budget Information:** N/A

---

Viewing Attachments Requires Adobe Acrobat. [Click here](#) to download.

Attachments / click to download

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# CITY OF KYLE, TEXAS

## Windmill Center Preliminary Plan

**Meeting Date: 11/6/2012**  
**Date time: 7:00 PM**

**Subject/Recommendation:** Windmill Center Preliminary Plan (PP-10-001)  
5.574 acres; 3 Lots  
Located at East IH-35 Frontage - half mile North of Goforth Road  
Owner: Dennis and Charles Artale  
Agent: Hugo Elizondo, Jr., P.E., Cuatro Consultants  
~ *Sofia Nelson, Director of Planning*

*Planning and Zoning Commission voted 7-0 to approve the Preliminary Plan.*

**Other Information:** Please see attachments

**Budget Information:** N/A

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**Attachments / click to download**

[Preliminary Plan](#)

[Staff Report](#)

## MEMORANDUM

TO: Planning and Zoning Commission

FROM: Sofia Nelson, Director of Planning

DATE: October 16, 2012

SUBJECT: PRELIMINARY PLAN  
Windmill Center Subdivision

---

### **PLANNING AND ZONING COMMISSION RECOMMENDATION**

On October 23<sup>rd</sup> the Planning and Zoning Commission recommended unanimously to approve the subdivision plat.

#### **Summary of Request:**

##### **Location:**

The proposed project consists of a 5.574 acre tract located at Goforth Road and County Road 180. The project lies within the City of Kyle city limits. The project site is bounded on the west by IH-35, on the northeast side by the Park at Steeplechase, on the southwest by AMM Collision Center.

##### **Land Use:**

The tract consists of three commercial lots zoned Retail Services.

##### **Utilities:**

Water and wastewater will be served by the City of Kyle.

##### **Drainage:**

The project will contain a series of swales, grate inlets, storm water pipes, and a detention pond. The project is not within the 100 year flood-plain.

### **STAFF RECOMMENDATION:**

After the preliminary plan is deemed administratively complete, the planning and zoning commission shall recommend approval or disapproval of the preliminary plan or recommend conditional approval with modifications. A conditional approval recommendation can include the requirements and specific changes the planning and zoning commission determines necessary for the plan to comply with this chapter, or the conditional approval recommendation can be specifically given by the planning and zoning commission as an expression of recommended acceptance of the layout submitted on the preliminary plan as a guide to the installation of streets, drainage, water, sewer and other required improvements and utilities and to the preparation of the final or recorded plat.

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

- The plat is consistent with all zoning requirements
- The proposed provision and configuration of roads, water, wastewater, drainage has been preliminarily reviewed by the City Engineer and a detailed review of the infrastructure will take place prior to the approval of the final plat.
- Staff is recommending approval of the preliminary plan

# WINDMILL CENTER

## PRELIMINARY PLAN CITY OF KYLE HAYS COUNTY, TEXAS

**MAYOR:**

LUCY JOHNSON

**CITY COUNCIL MEMBERS**

- DIANE E. HERVOL
- BECKY SELBERA
- BRADLEY P. PICKETT
- DAVID WILSON
- JAIME SANCHEZ
- RUSS HUEBNER

**DRAWING INDEX:**

- SHEET 1 COVER SHEET
- SHEET 2 PRELIMINARY PLAN
- SHEET 3 MASTER DRAINAGE
- SHEET 4 UTILITY LAYOUT

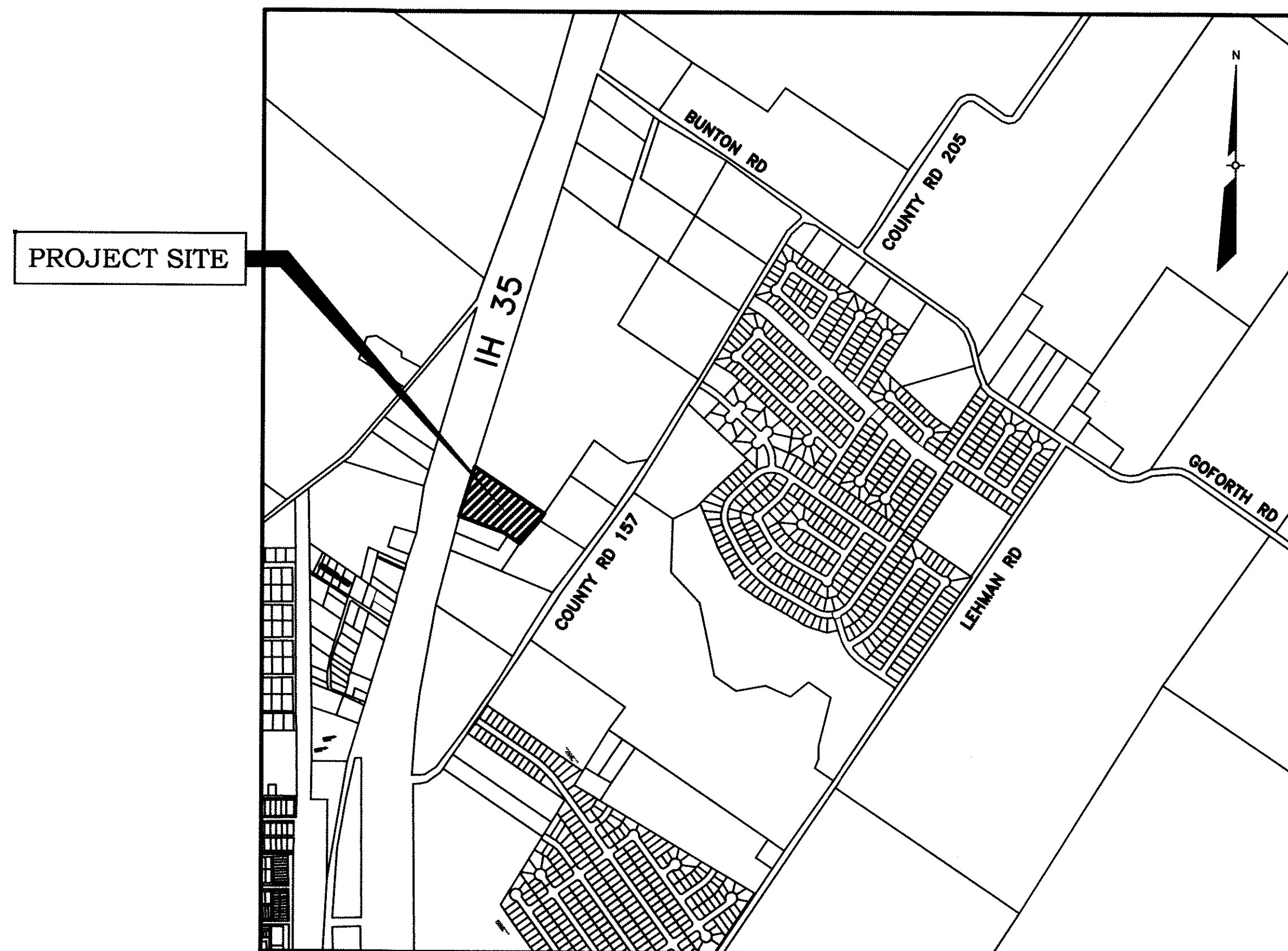
**PRELIMINARY PLAN NOTES:**

1. NO PORTION OF THIS TRACT IS WITHIN THE BOUNDARIES OF A 100 YEAR FLOODPLAIN AS INDICATED ON THE NATIONAL FLOOD INSURANCE ADMINISTRATION FIRM PANEL # 48209C0405 F DATED SEPTEMBER 2, 2005, HAYS COUNTY, TEXAS.
2. THIS TRACT IS WITHIN THE HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT BOUNDARIES.
3. THIS, PROJECT CURRENTLY LIES WITHIN THE CITY OF KYLE CITY LIMITS.
4. PUBLIC UTILITY EASEMENTS ARE DESIGNATED AS FOLLOWS:  
FRONT: 15' P.U.E.  
SIDE: 5' P.U.E.  
REAR: 10' P.U.E.
5. BUILDING SETBACK LINES SHALL COMPLY WITH CURRENT ZONING REQUIREMENTS.
6. THE FULLY DEVELOPED, CONCENTRATED STORM WATER RUNOFF FOR THE 100 YEAR STORM AND THE 100 YEAR REGULATORY FLOODPLAIN SHALL BE CONTAINED WITHIN DRAINAGE EASEMENTS.
7. NO PORTION OF THIS SITE LIES WITHIN THE BOUNDARIES OF THE EDWARDS AQUIFER RECHARGE ZONE.
8. UTILITY PROVIDERS:  
WATER: CITY OF KYLE  
WASTEWATER: CITY OF KYLE  
ELECTRICITY: PEDERNALES ELECTRIC COMPANY  
TELEPHONE: VERIZON
9. OBSTRUCTION IN DRAINAGE EASEMENTS IS PROHIBITED.
10. ALL EASEMENTS OF RECORD ARE SHOWN OR NOTED ON THE PLAN.
11. PROPERTY OWNERS ASSOCIATION WILL BE RESPONSIBLE FOR MAINTENANCE OF DETENTION POND.
12. ZONING:  
• EXISTING USE: R/S  
• PROPOSED USE: R/S
13. PRIOR TO ANY CONSTRUCTION ON ANY IMPROVEMENTS ON LOTS IN THIS SUBDIVISION, SITE DEVELOPMENT PERMITS AND BUILDING PERMIT WILL BE OBTAINED FROM THE CITY OF KYLE
14. DRIVEWAY ACCESS TO LOT 1 AND LOT 2 WILL BE PROVIDED THROUGH THE JOINT ACCESS EASEMENT ON LOT 3.
15. THE BILLBOARD CURRENTLY LOCATED ON LOT 2 IS A LEGAL NON-CONFORMING USE AND IF MOVED WILL NO LONGER BE LEGAL NON-CONFORMING AND WILL HAVE TO BE REMOVED.

**BENCHMARK:**

BM 1. A CONCRETE MONUMENT FOUND APPROXIMATELY 30.00 FEET FROM THE NORTHWEST CORNER OF THIS TRACT.  
ELEV. = 668.76 FEET

A 5.574 ACRE TRACT OR PARCEL OF LAND SITUATED IN THE  
Z. HINTON SURVEY NO. 12, ABSTRACT NO. 220,  
HAYS COUNTY, TEXAS.



LOCATION MAP  
1" = 1000'

OWNER: DENNIS ARTALE  
ADDRESS : 3200 DOE RUN AUSTIN, TX 78748  
PHONE: (512) 775-8414  
ACREAGE: 5.574 ACRES  
SURVEY: Z. HINTON SURVEY NO. 12, ABSTRACT NO. 220, HAYS COUNTY, TEXAS.  
NUMBER OF LOTS AND PROPOSED USE: 3-LOT FOR COMMERCIAL USE (3 AT R/S ZONING),  
1-COMMON AREA DRAINAGE EASEMENT  
SURVEYOR: GEORGE E. LUCAS, RPLS  
PHONE: (512) 635-4857 FAX: (512) 312-5399  
ENGINEER: HUGO ELIZONDO JR., P.E.  
PHONE: (512) 312-5040 FAX: (512) 312-5399

**OWNER:**

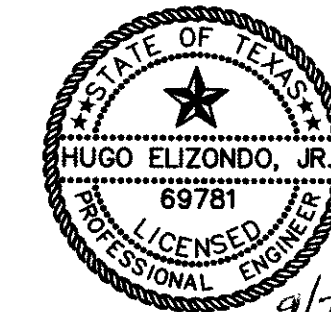
DENNIS ARTALE,  
3200 DOE RUN  
AUSTIN, TEXAS 78748  
(512) 775-8414

DATE:

**PREPARED BY:**

HUGO ELIZONDO, JR., P.E. #69781  
CUATRO CONSULTANTS, LTD.  
3601 KYLE CROSSING, SUITE B.  
KYLE, TEXAS 78640  
(512) 312-5040  
(512) 312-5399 FAX

DATE:



**REVIEWED BY:**

**CITY ENGINEER:**

STEVEN D. WIDACK, P.E.

DATE:

**CITY OF KYLE**

THIS PRELIMINARY PLAN HAS BEEN SUBMITTED TO AND CONSIDERED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KYLE, TEXAS, AND IS HEREBY RECOMMENDED FOR CITY COUNCIL APPROVAL.

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

**CHAIRPERSON**

THIS PRELIMINARY PLAN HAS BEEN SUBMITTED TO AND CONSIDERED BY THE CITY COUNCIL OF THE CITY OF KYLE, TEXAS, AND IS HEREBY APPROVED BY SUCH CITY COUNCIL.

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

**MAYOR**

REVISION	DESCRIPTION	DATE
1	ISSUED PER CITY COMMENTS	10/7/10
2	REVISED PER CITY COMMENTS	11/23/10
3	ISSUED PER CITY COMMENTS	12/15/10
4	REVISED PER CITY COMMENTS	11/23/10

**CUATRO CONSULTANTS, LTD.**  
Registration No. T-5324  
3601 Kyle Crossing, Suite B  
Kyle, Texas 78640  
Phone: (512) 312-5040 Fax: (512) 312-5399  
e-mail: cuatro@cuatrosconsultants.com

**WINDMILL CENTER  
5.574 ACRES  
HAYS COUNTY, TEXAS**

**OWNER:  
DENNIS ARTALE  
3200 DOE RUN  
AUSTIN, TX 78748  
(512) 775-8414**

DATE:	DECEMBER, 2011
PROJECT:	JOB# 10-129
DRAWING'S NAME:	5.57 ACRE COVER
DESIGN:	HE Jr.
CHECKED:	HE Jr.
DRAWN:	LS
APPROVED:	HE Jr.
SHEET:	1 OF 4

PLOTTING DATE: 4/28/12

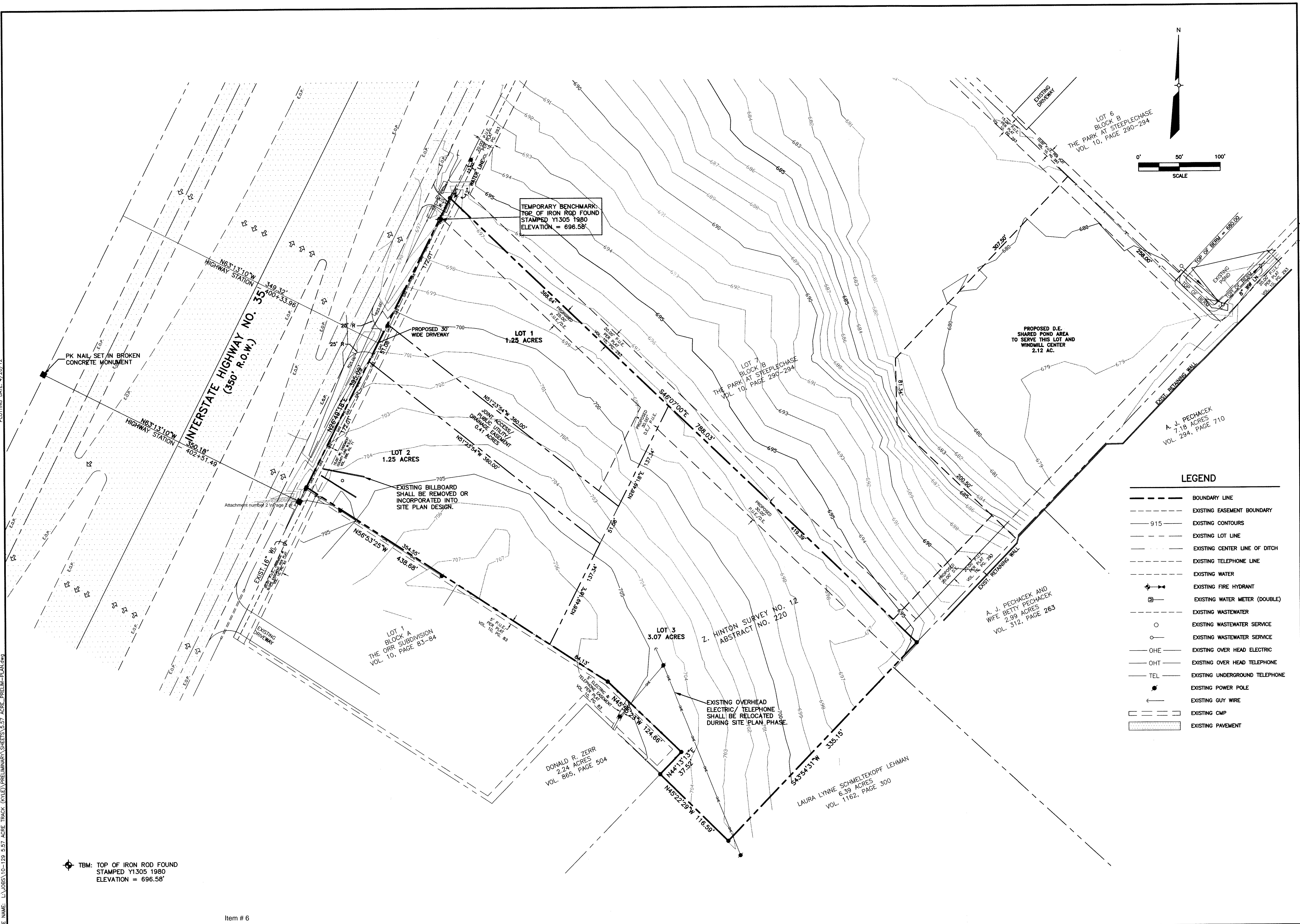
FILE NAME: L:\JOBS\10-129\_5.57 ACRE TRACT (KYLE) PRELIMINARY SHEETS\5.57 ACRE COVER.dwg

SUBMITTAL DATE: AUGUST, 2010

Item # 6

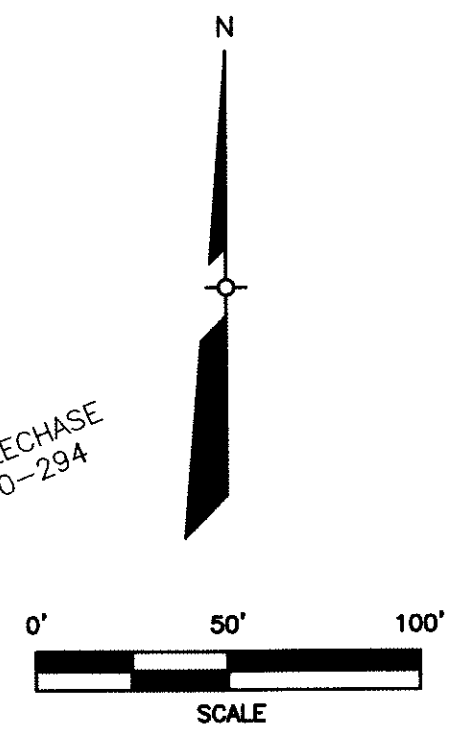
PLOTTING DATE: 4/26/12

FILE NAME: L:\JOBS\10-129\_5.57\_ACRE\_TRACK\_(CYCLE)\PRELIMINARY\SHEETS\5.57\_ACRE\_PRELIM-PLAN.dwg



TBM: TOP OF IRON ROD FOUND  
 STAMPED Y1305 1980  
 ELEVATION = 696.58'

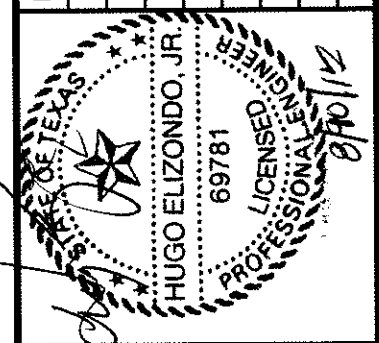
TEMPORARY BENCHMARK:  
 TOP OF IRON ROD FOUND  
 STAMPED Y1305 1980  
 ELEVATION = 696.58'



**LEGEND**

- BOUNDARY LINE
- - - - - EXISTING EASEMENT BOUNDARY
- 915 EXISTING CONTOURS
- - - - - EXISTING LOT LINE
- - - - - EXISTING CENTER LINE OF DITCH
- - - - - EXISTING TELEPHONE LINE
- - - - - EXISTING WATER
- ⊕ EXISTING FIRE HYDRANT
- ⊕ EXISTING WATER METER (DOUBLE)
- - - - - EXISTING WASTEWATER
- EXISTING WASTEWATER SERVICE
- EXISTING WASTEWATER SERVICE
- OHE EXISTING OVER HEAD ELECTRIC
- OHT EXISTING OVER HEAD TELEPHONE
- TEL EXISTING UNDERGROUND TELEPHONE
- ⊕ EXISTING POWER POLE
- EXISTING GUY WIRE
- - - - - EXISTING CMP
- ▨ EXISTING PAVEMENT

REVISION	DESCRIPTION	BY:	DATE:
1	REVISED PER CITY COMMENTS	RLE	10/7/10
2	ISSUED 9/22/10		
3	REVISED PER CITY COMMENTS	RLE	12/13/10
4	ISSUED 11/23/10		
5	REVISED PER CITY COMMENTS	RLE	12/29/10
6	ISSUED 12/29/10		

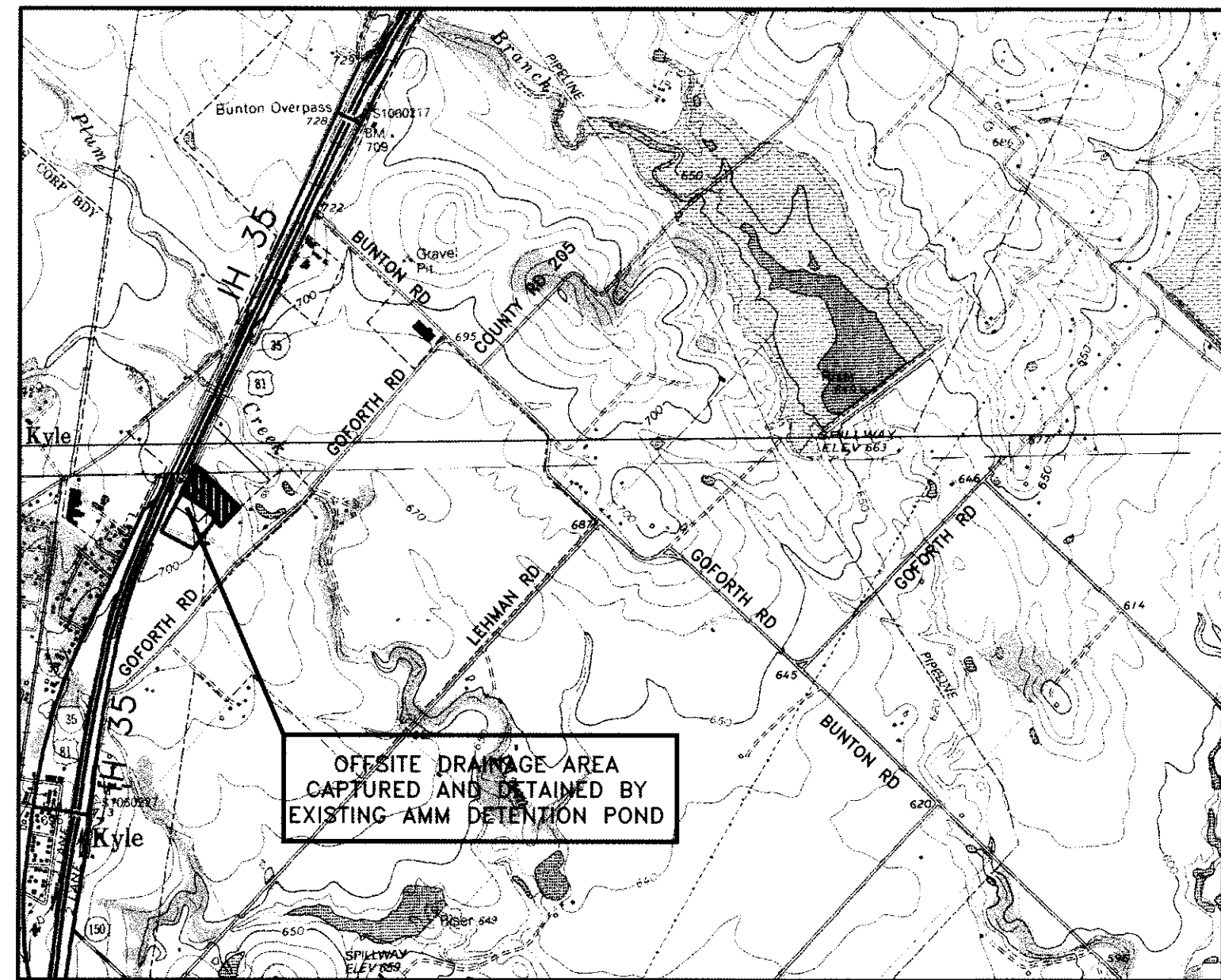


**ACUATRO**  
 Consultants, Inc.  
 Registration No. F-5524  
 3901 Kyle Creekway, Suite B Phone: (512) 312-2000 Fax: (512) 312-5999  
 Kyle, Texas 78160 Email: contact@acuattro.com

**PRELIMINARY PLAN**  
**WINDMILL CENTER**  
**5.574 ACRES**  
**HAYS COUNTY, TEXAS**

**OWNER:**  
**DENNIS ARTALE**  
**3200 DOE RUN**  
**AUSTIN, TX 78748**  
**(512) 775-8414**

DATE:	DECEMBER, 2011
PROJECT:	JOB# 10-129
DRAWING'S NAME:	5.57 ACRE_PRELIM-PLAN
DESIGN:	CHECKED: HE, Jr.
DRAWN:	APPROVED: HE, Jr.
SHEET:	LS
<b>2 OF 4</b>	



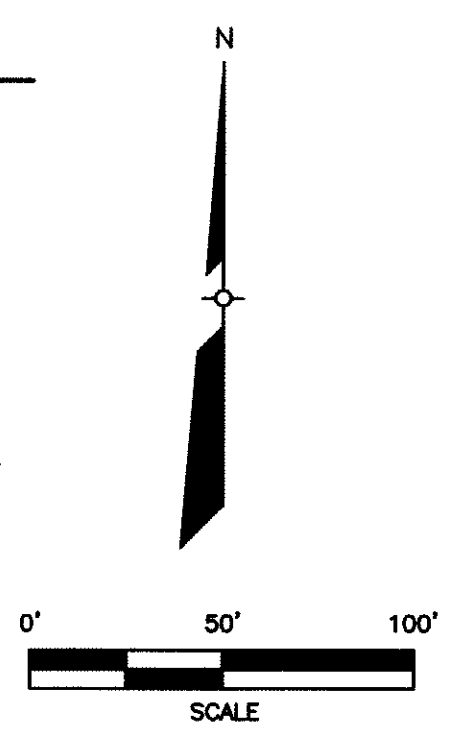
**OFFSITE DRAINAGE AREA MAP**

SCALE= 1:2,000

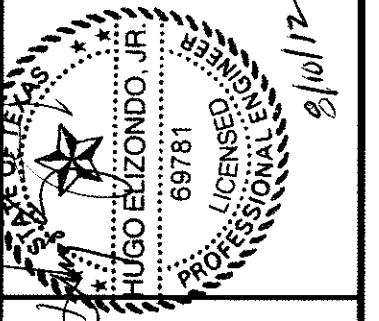
BASIN		AREA	RUNOFF	MANNING'S	STORMWATER RUNOFF			PROPOSED CONDITIONS			SLOPE			AVERAGE SHEET			SHALLOW CHANNEL			TOTAL DISCHARGE		
		COEFFICIENT		N	SHEET FLOW	SHALLOW FLOW	CHANNEL FLOW	SHEET FLOW	SHEET FLOW	SHALLOW FLOW	SHEET FLOW	SHALLOW FLOW	SHALLOW FLOW	INTENSITY	FLOW	FLOW	FLOW	CONCENTRATION	Q	FREQUENCY		
		<Acres>			<feet>	<feet>	<feet>	<feet>	<feet>	<feet>	<feet>	<feet>	<in/in>	<in/hr>	<min.>	<min.>	<min.>	<min.>	<cf>	<yrs.>		
1	2.21	0.78	0.20	30	100	210	1	0.03	3	0.03	9.8	0.78	1.92	0.58	5.00	16.96	25					
2	2.21	0.86	0.20	30	100	210	1	0.03	3	0.03	11.9	0.78	1.92	0.58	5.00	22.58	100					
3	3.36	0.78	0.20	30	100	210	1	0.03	3	0.03	9.8	0.78	1.92	0.58	5.00	25.79	25					
4	3.36	0.86	0.20	30	100	210	1	0.03	3	0.03	11.9	0.78	1.92	0.58	5.00	34.33	100					

**LEGEND**

- DRAINAGE BOUNDARY
- RECHARGE ZONE BOUNDARY
- DRAINAGE FLOW DIRECTION
- PROPERTY BOUNDARY
- FEMA 100-YR FLOOD PLAN
- PROPOSED DRAINAGE EASEMENT
- INLET
- ⊘ (18") STORM PIPE SIZES
- ⊘ (2) DRAINAGE AREAS
- ⊘ (8) INLET NUMBER



REVISION	DESCRIPTION	DATE
1	ISSUED PER CITY COMMENTS	10/7/10
2	ISSUED PER CITY COMMENTS	9/22/10
3	ISSUED PER CITY COMMENTS	12/13/10
4	ISSUED PER CITY COMMENTS	11/23/10
5	ISSUED PER CITY COMMENTS	12/29/10



**4 CUATRO**  
Consultants, Inc.  
3601 Kyle Crossing, Suite B  
Kyle, Texas 78140  
Phone: (512) 312-5000  
Fax: (512) 312-2399  
Registration No. F-3224  
email: cuatro@outlook.com

**MASTER DRAINAGE PLAN**  
WINDMILL CENTER  
5.574 ACRES  
HAYS COUNTY, TEXAS

**OWNER:**  
DENNIS ARTALE  
3700 DOE RUN  
AUSTIN, TX 78748  
(512) 775-8414

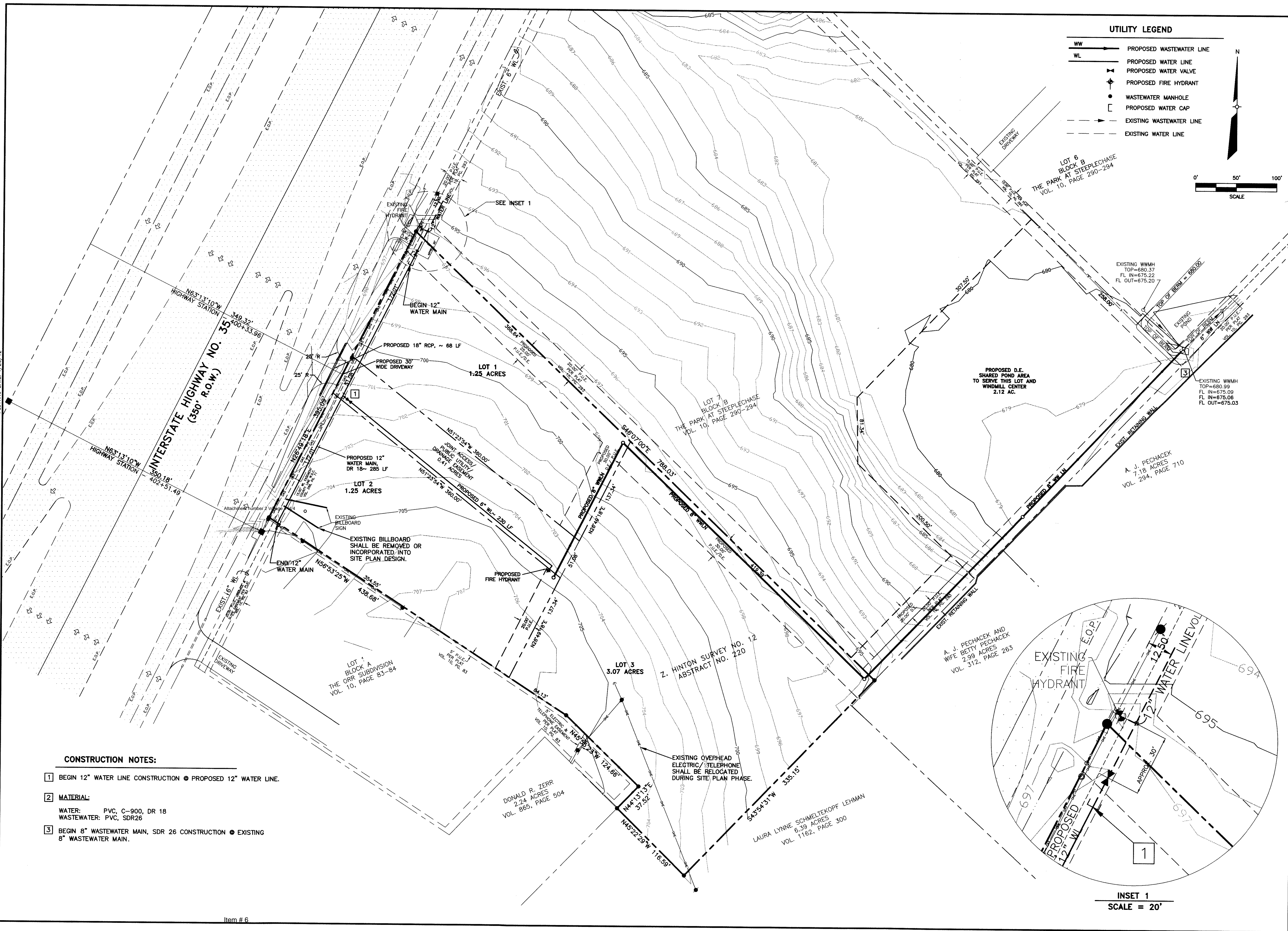
**DATE:** DECEMBER, 2011  
**PROJECT:** JOB# 10-129  
**DRAWING'S NAME:** 5.57 AC\_MASTER-DRNG  
**DESIGN:** HE,jr.  
**CHECKED:** HE,jr.  
**DRAWN:** LS  
**APPROVED:** HE,jr.  
**SHEET:** 3 OF 4

PLOT DATE: 4/28/12

FILE NAME: L:\JOBS\10-129\_5.57 ACRE\_MASTER-DRNG.dwg

**DRAINAGE NOTE**  
1. DURING SITE DEVELOPMENT ON LOT 1 AND 2, GRADING ON LOTS SHALL BE COMPLETED SO PROPOSED RUNOFF IS DIRECTED TO PROPOSED COMMON DRAINAGE FACILITY. IF GRADING IS NOT COMPLETED TO DRAIN TO COMMON POND, THEN LOT 1 AND LOT 2 SHALL PROVIDE STANDALONE DETENTION AS REQUIRED BY THE CITY OF KYLE.

FILE NAME: \L\JOBS\10-129\_5.57\_ACRE\_TRACT (XLS) PRELIMINARY SHEETS\5.57\_ACRE\_UTILITY-PLAN.dwg PLOTTING DATE: 4/28/12



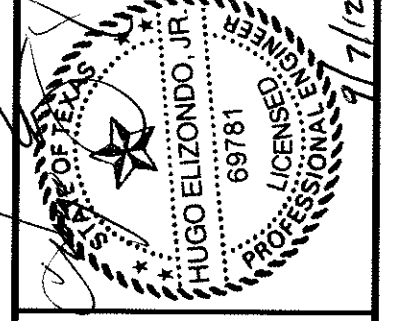
**UTILITY LEGEND**

- WW — PROPOSED WASTEWATER LINE
- WL — PROPOSED WATER LINE
- PROPOSED WATER VALVE
- PROPOSED FIRE HYDRANT
- WASTEWATER MANHOLE
- PROPOSED WATER CAP
- - - EXISTING WASTEWATER LINE
- - - EXISTING WATER LINE

0' 50' 100'  
SCALE

N

REVISION	DESCRIPTION	DATE
1	ISSUED PER CITY COMMENTS	10/7/10
2	REVISED PER CITY COMMENTS	9/22/10
3	ISSUED PER CITY COMMENTS	12/13/10
4	REVISED PER CITY COMMENTS	11/23/10
5	REVISED PER CITY COMMENTS	12/29/10



**QUATRO**  
Consultants, LTD.  
Registration No. F-3324  
3601 Kyle Crossing, Suite B, P.O. Box 513132, Dallas, TX 75251-3132  
Kyle, Texas 75240

**UTILITY LAYOUT**  
WINDMILL CENTER  
5.574 ACRES  
HAYS COUNTY, TEXAS

**OWNER:**  
DENNIS ARTALE  
3200 DOE RUN  
AUSTIN, TX 78748  
(512) 775-8414

DATE: DECEMBER, 2011

PROJECT: JOB# 10-129

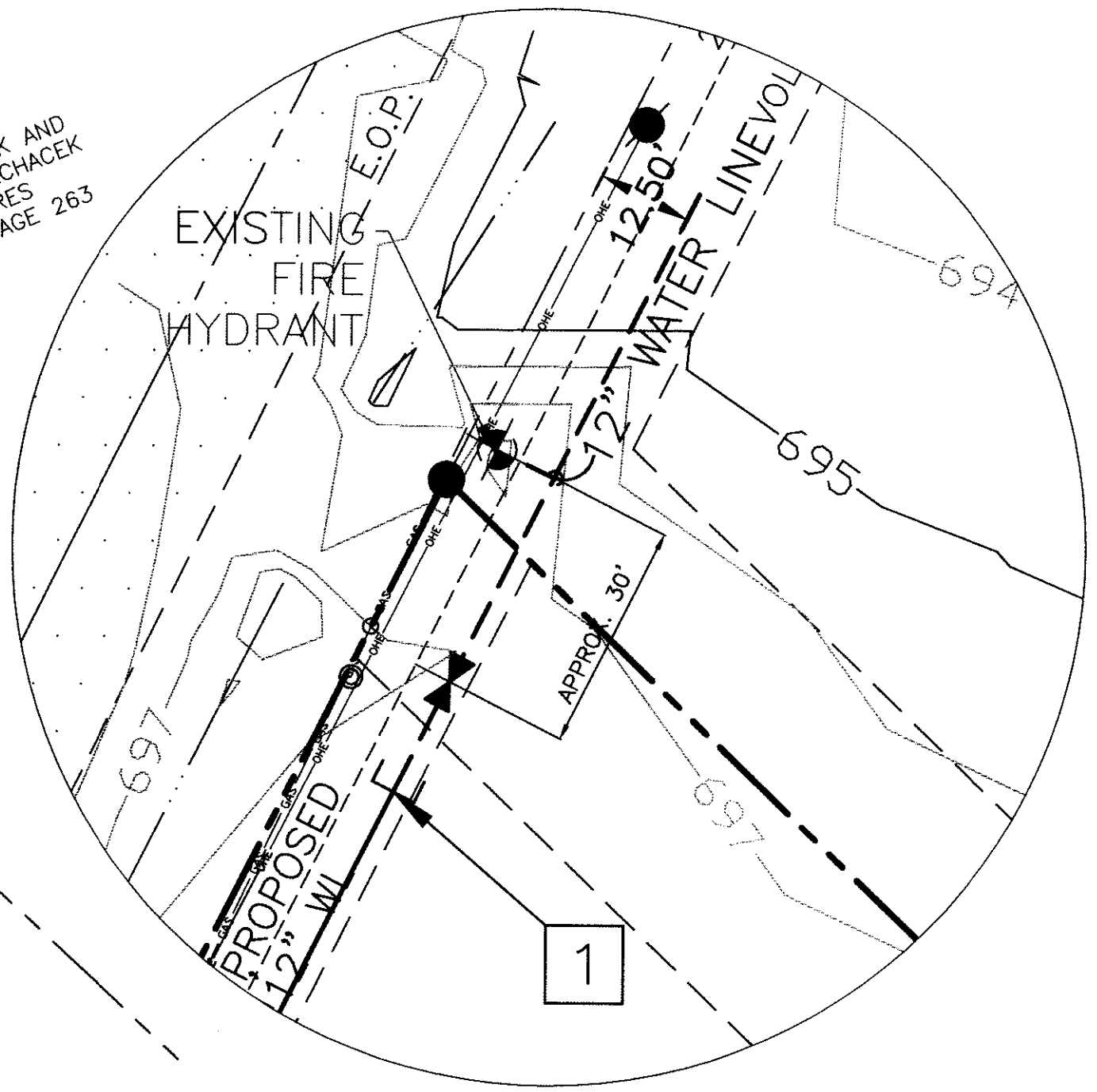
DRAWING'S NAME: 5.57\_ACRE\_UTILITY-PLAN

DESIGN: HE, Jr. CHECKED: HE, Jr.

DRAWN: LS APPROVED: HE, Jr.

SHEET: **4 OF 4**

- CONSTRUCTION NOTES:**
- BEGIN 12" WATER LINE CONSTRUCTION ● PROPOSED 12" WATER LINE.
  - MATERIAL:**  
WATER: PVC, C-900, DR 18  
WASTEWATER: PVC, SDR26
  - BEGIN 8" WASTEWATER MAIN, SDR 26 CONSTRUCTION ● EXISTING 8" WASTEWATER MAIN.



INSET 1  
SCALE = 20'



# CITY OF KYLE, TEXAS

**Meeting Date: 11/6/2012**  
**Date time: 7:00 PM**

## IH-35 Overlay

**Subject/Recommendation:** Public Hearing for the purpose of hearing comments regarding an Amendment to the City of Kyle Zoning Ordinance-Part II-Code of Ordinance Chapter 53, Zoning Article III - Overlay Districts, Division 4 - Conditional Use Overlay Districts to Amend and Establish Specific Development Requirements for property within the IH-35 Overlay District ~ *Sofia Nelson, Director of Planning*

- *Public Hearing*
- *Planning and Zoning Commission voted to postpone action until Nov. 27th*
- *Staff Recommendation to postpone action until December 4th*

**Other Information:** Please see attachments

**Budget Information:** N/A

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Viewing Attachments Requires Adobe Acrobat. [Click here](#) to download.

**Attachments / click to download**

[Proposed I-35 Overlay District Development Standards - Draft II](#)

[Staff Report](#)

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## MEMO

**To:** City Council

**CC:** Planning and Zoning Commission

**From:** Sofia Nelson, Director of Planning

**Date:** October 15, 2012

**Re:** Update on I-35 Overlay Standards- Process, Feedback, Next Steps

---

The purpose of this memo is to provide a briefing on the current status of the I-35 Overlay District. Below is a summary of the following:

- The process the Planning and Zoning Commission has taken to reach the current draft
- Feedback received from the public
- How the feedback has shaped the current draft of the ordinance
- Next steps

### Process

Below is an outline of public meetings and public outreach held to discuss the I-35 Overlay District.

- September 4, 2012-** City Council received an update on the I-35 Overlay Ordinance. Staff reviewed the proposed draft, discussed the scheduling of public workshop, and asked for feedback from the City Council.
- September 13, 2012-** City staff mailed public notice to all property owners within the existing I-35 Overlay District.
- September 17, 2012-** Planning and Zoning Commission hosted a public workshop. Staff presented current draft and received feedback from attendees
- September 19, 2012-** City staff spoke at the Amberwood HOA meeting at the request of the HOA to give a briefing on the intent of the I-35 Overlay District.
- September 25, 2012-** The Planning and Zoning Commission received an update from staff on feedback received and discussed possible ways for amending the ordinance to reflect the public feedback received.

Prior to the above meetings the Planning and Zoning Commission met 5 times ( April 10<sup>th</sup>, June 26<sup>th</sup>, July 31<sup>st</sup>, August 16<sup>th</sup>, August 28<sup>th</sup>) to draft the ordinance.

### **Feedback Received**

Since the initial notification of the public workshop staff had received feedback from a variety of sources (property owners, real estate representatives, developers, citizens at large, development professionals etc.) regarding the draft development standards for the existing I-35 Overlay District. Below is a summary of feedback received along with different revisions that have been drafted for Planning Commission's review on how the feedback can be accommodated for. Additionally all written comments that staff has received have been attached to this memo for your review.

- ❑ Encourage the use of red brick and white limestone as used on City Hall- Not require the material but encourage the use by reducing another building design requirement.
  - ❑ *Language has been added to reduce the number of design features required on each wall if red brick and white limestone are utilized.*
- ❑ Allow for the City Engineer to vary the detention shape requirement based on topography and shape of the property.
  - ❑ *A variance procedure has been drafted that would require variances to go through the Planning and Zoning Commission and stop with them rather than going to the Board of Adjustments or City Council.*
  - ❑ *A statement at the beginning of the document to address the review of the standards by stating the requirements of the overlay will be reviewed at the time of building permit and site plan review. This would remove the requirement for submitting a conditional use permit and a color rendering if no variances are being requested.*
- ❑ Review the requirement for Open Space and reduce or eliminate the requirement for smaller projects
  - ❑ *This section of the draft has been updated to be required only for projects 3 acres in size or more.*
- ❑ Review the requirement for the 25' landscape buffer (consider eliminating the requirement or reducing/eliminating for smaller projects).
  - ❑ *This section of the draft has to be titled "sidewalks" and instead of a 25 foot landscape buffer I have added a provision for street trees between the roadway and the sidewalk. Landscape screening of parking is already required by the current code.*
- ❑ Review requirement for parking location – parking located behind the front building line.
  - ❑ *The percentage of the required parking behind the front building line has been reduced and based on the size of the building. Additionally a provision for which additional landscaping can be provided in return for a reduction in the amount of parking required to be behind the front building line has been added.*
- ❑ Review requirement for building glazing ( the amount of area required to consist of windows or doors)
  - ❑ *The language in the section has been clarified and the required percentage of area to be glazed has been reduced.*
- ❑ Standards vs. guidelines- Improve process for approval if all standards are met
  - ❑ *A statement at the beginning of the document to address the review of the standards by stating the requirements of the overlay will be reviewed at the time*

*of building permit and site plan review. This would remove the requirement for submitting a conditional use permit and a color rendering if no variances are being requested.*

### **Next Steps**

The next public hearing on this topic is scheduled on October 23<sup>rd</sup> at 6:30 during the regular Planning and Zoning Commission meeting. A public hearing is scheduled (property owners have been notified via mail notice and newspaper notice has been published), staff will recommend postponement till November 27<sup>th</sup> to allow the public to review and comment on the revisions made to the ordinance. The City Council will need to hold a public hearing on November 6<sup>th</sup>, since this is the date that was advertised in mailed notices and in the newspaper. Staff will recommend postponement for City Council action till after P&Z has made its recommendation. I expect the ordinance will be ready for Council review on December 4<sup>th</sup>.

**From:** [Jeff Barton](#)  
**To:** [Sofia Nelson](#); [Steve Widacki](#);  
**cc:** [Bert Bryan](#); [Rick Sheldon](#);  
**Subject:** thanks for meeting  
**Date:** Tuesday, September 25, 2012 3:45:32 PM  
**Attachments:** [JWB signature.png](#)

---

Sofia and Steve,

Thanks for taking time to meet this morning about the proposed I-35 Overlay Ordinance. As we discussed, I'll plan to be at the P&Z meeting tonight as well, but I want to reiterate that we appreciate the opportunity to meet in advance and discuss in detail some of the practical implications of the ordinance language.

It's encouraging to see you so open to input and to addressing the concerns of landowners, the business community, and others who will actually use the rules. I know we won't agree on every item, but I thought it was a good meeting, and I believe Mr. Howell and Mr. Bryant felt the same way. I will share our discussion with my client, Rick Sheldon, and with friends in the engineering and business community.

Your willingness to consider slowing the process down just a little bit -- to let everyone get comfortable, and to make sure we've had the chance to work through the changes together -- is much appreciated. I know the final decision on timing will be up to the P&Z, and perhaps council, but thanks again for your open-mindedness on that score. As I said, I think it would go along way toward reassuring landowners that this is not a "railroad job" but rather something to be accomplished as public-private partners with a common interest in the welfare of Kyle.

As for one of the other big areas we discussed -- four-sided masonry -- I thought we made good progress. I think you go the idea, but I'll look through my photo catalogue to see if I can find something that illustrates what I was talking about.

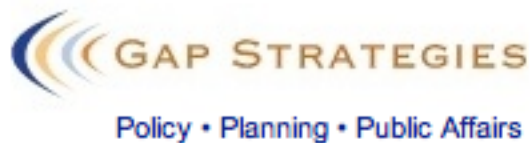
Thanks again for taking the time, for the positive tone, and for your welcoming reaction to suggestions for improvement. In addition, I want to mention that I will definitely be speaking out in favor of taking this opportunity with the Overlay Ordinance to streamline the process and allow for certain decisions to be made administratively at the staff level without requiring a P&Z and council visit for every issue. I think that idea

makes sense on its own -- but it would also help applicants feel better about the new rules and any associated costs that may accrue out of those rules. I hope you will convey to your board that many professionals and landowners would view delegating some of these "consent" decisions to staff as good policy and good economics.

I'm copying Rick Sheldon and his assistant. We discussed his property (corner of Kyle Marketplace and Kyle Parkway) as an example.

Jeff

Jeff Barton, AICP  
*Principal*  
*Gap Strategies*  
[jeff@jeffersonbarton.com](mailto:jeff@jeffersonbarton.com)  
(512) 964-0918





12 October 2012

Sofia Nelson, Director of Planning  
City of Kyle  
P.O. Box 40  
Kyle, TX 78640

TO: Sofia Nelson

FROM: Maxwell Fisher, AICP and Dallas Cothrum, PhD

This memorandum pertains to the City of Kyle's consideration of adoption of new development standards for the Interstate Highway 35 (IH35) corridor. The services of Masterplan have been retained to engage in the development and consideration of the proposed IH35 Development Standards. Masterplan has played an integral role in the zoning and development entitlement for numerous large scale and high profile developments across Texas. As such, we have significant experience in the formulation of development standards that provide for quality development in its appropriate context.

North American Development Group (NADG), one of North America's leading shopping center acquisition and development companies, owns the 80-acre site area south of Kyle Crossing and west of IH35. The northern end of the property contains a successful anchor, Home Depot (separately owned), while the great majority of this parcel remains undeveloped.

NADG has finalized a contract for a multi-screen theater for the site as well as other retail development. A theatre would provide significant revenues and tax base as well as provide restaurant and entertainment options for the project and City. Under the proposed plan, such a theater could not feasibly open and operate in Kyle.

NADG was not notified of the City's consideration of the adoption of development standards until September 24<sup>th</sup>, well after the creation and initial consideration of the standards at the initial public workshop on Monday, September 17<sup>th</sup> and at the Planning and Zoning Commission meeting on September 25<sup>th</sup>. At this juncture, we have missed opportunities to provide input.

Notwithstanding, after reviewing the draft development standards available on the City's website, we are expressly against the proposal as it will severely limit and hand-cuff the development and materially adversely impact the current and future value of the project. There are elements of the standards that are impractical along an interstate highway and threaten the development in a predominately rural area. Moreover, these burdensome standards, stemming from unrealistic expectations, would particularly impede the development of large retail primary and junior anchors, which is what this project has been planned as, and has been developed as. Should the standards thwart a primary anchor, as the impetus for

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Item # 7



a retail center, it would have extensive ramifications on the City of Kyle's ability to attract the full spectrum of retailers. We also do not see how the existing Home Depot development would tie into any development subject to the proposed new standards. Most notably, without the ability to attract significantly sized anchors at complete economic levels, an 80-acre development cannot move forward economically in a rural area. Anchor tenants are not willing to significantly adjust or alter their standard format in suburban locations; hence, such catalysts for a development would not have interest in opening in Kyle under such circumstances.

Given our property investment in Kyle and the lack of appropriate notice of this effort, we expect that the City will not place the item on the Planning and Zoning Commission agenda for action on October 23<sup>rd</sup>.

#### VESTING:

Our understanding is that properties with an approved development plan tied to zoning or property that has been platted or permitted for construction are exempt from any new standards adopted by City Council. Besides Home Depot, the undeveloped portion of the site area will be subdivided to accommodate future development and users. We are concerned that although the property has been platted, any subdivision of the property for future development would be subject to the new standards.

#### COMMENTS:

Page 4: "Development that does not turn its back on streets"

Development will inevitably back up to certain streets given the multiple roadways necessary to serve a community or regional scale retail development along the IH35 corridor. In order to achieve a town center approach, buildings will have to back to external streets. Consideration should be given to clarifying that rear facades are permitted to back to streets provided adequate screening of service bays is employed. In this particular case of the NADG tract, there is no development around the site that would be impacted by building orientation.

Page 8: "Electrical meters, switch boxes, panels, conduit, and related utility equipment must be placed in the most inconspicuous location possible." "All new utility lines must be placed underground."

These statements are vague and could be very costly in the event equipment is relegated to remote locations. Consideration should be given to generally re-wording language to state, "Ground-mounted utility equipment should be placed in inconspicuous locations when feasible; however, in the event that equipment is placed in a front or side yard adjacent to and visible from a street or residential district, it must be screened with vegetation or a wall."

Page 9: "Blank walls adjacent to a public street are prohibited"

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Consideration should be given to providing exclusionary language for development backing minor streets. It is unreasonable to expect the side and rear elevations of medium to large-scale retail shopping centers to adhere to this requirement. Reasonable provisions for development include high quality building materials and textures as well as appropriate screening of loading and services areas to minimize visual impact; however, application of vertical and horizontal articulation on rear and side building elevations is excessive and overly burdensome. The rear and side of buildings is generally a necessary service area for retail operation. Lessening this requirement would allow for funds to be invested in more visible areas of the site where aesthetics and site function are unequivocally more important.

Moreover, requiring large blank walls to be covered with vegetation or other screening devices can be problematic and an ongoing maintenance issue for the city and property owner. Large buildings should be exempt meeting this requirement, particularly on those western and southern elevations facing the sun. Regardless, requiring 60% of building elevations to be covered by vegetation is excessive. In certain applications, such as on front/side elevations of small to medium sized buildings, a much smaller percentage of coverage is adequate to break the monotony of expansive elevations and provide visual interest. These requirements would result in high watering and maintenance costs from these requirements. A minimum degree of building articulation is a realistic alternative to avoiding a monotonous building façade.

Page 9: "For large areas, trellises should be used in conjunction with other blank wall treatments...Other methods such as murals or special building material treatments may also be approved."

"Large areas" needs to be defined and clarify "special building material treatments".

Page 10: "Orientation to Streets"

The concept of glazing and pedestrian connections throughout developments works in urban areas with interconnected street and pedestrian systems and in planned town centers; however, it isn't feasible to apply these standards throughout the corridor, particularly on larger retail development in exurban and rural milieus. Instead of requiring these standards for all development, consideration should be given to provide exclusionary language or a defined variance process based on certain criteria.

Page 12: "Water bodies and Detention/Retention Areas"

Curvilinear vs. straight peripheries

This requirement will waste space and could cause stagnant water issues without rigorous maintenance. Ponds and detention/retention facilities can be minimally shaped in an organic form to create an aesthetic appearance while conserving land. Also, these facilities can serve as landscape buffers with plantings along the periphery, thereby maximizing use of land.

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Page 13: "Parking Lots"

Fifteen foot landscape peninsulas or medians in the middle of a parking lot is excessive and displaces convenient parking to more distant or remote locations, in addition to raising the cost of construction. For retail buildings of 50,000 square feet or greater, requiring 50% of the parking behind the building is totally unreasonable for patrons unless development is such that there are multiple entrances such as found with a department store or town center. This provision could prevent retailers from developing on certain sites along IH35 in an already challenged economy. Anchor stores will not agree to this condition. It will eliminate development.

Consideration should be given to limiting internal parking lot landscaping and buffering to landscape islands of smaller sizes. This is an inefficient use of land requiring additional water and maintenance for the property owner. As opposed to requiring large landscape areas in the parking lot, consideration should be given to the requirement of additional drought tolerant plant material to increase site aesthetics. This improves site quality and aesthetics while avoiding impact to parking areas and creating ongoing maintenance costs. Also, adequate pedestrian connections can still be provided and demarcated with painting or enhanced paving applications at key locations within the parking lot without linear and raised landscaped corridors.

Consideration should also be given to reducing parking requirements for multiple uses on a site with complimentary times of peak trip generation. This provision would allow for increased landscaping opportunities, as opposed to requiring larger landscaped areas.

Page 14: "Buildings constructed shall have a minimum of 90% masonry walls as defined below."

Change 90% to 75% to allow for some flexibility in building materials while restricting or prohibiting questionable materials.

Page 15: "Four-sided Design"

The side or rear street-facing façade of large buildings should not be held to the same standard of no more than 30 feet of uninterrupted wall. Also, side or rear elevations not facing the street are many times hidden or less visible from the public. Requiring false windows and door openings on these less visible elevations is excessive and particularly burdens large-scale retail and other multi-tenant buildings on those elevations with minimal to no public interface.

Page 15: "Building Massing and Form" "A single large dominant building mass must be avoided in new buildings.

There needs to be exclusions for big-box retail. This would eliminate a Costco, Sam's, Wal-Mart or other large retail store from locating in this district.

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Also, providing four of the design elements would be challenging for big-box retail. Consideration should be given to reducing the number of required design elements to 2 or 3, or providing more options for compliance for big-box retail to avoid impractical display windows, patios, overhangs and peaked roof forms.

Page 16: "All building fronts shall have at least five different design features to break the wall plane; buildings over 50,000 square feet in size shall have at least seven different design features, and buildings over 100,000 square feet shall have at least nine different design features."

Require fewer design features for large retail users.

Page 16: "Walkway Width and Design"

The requirement for 12-foot walkways is excessive unless it is in an urban/downtown, form-based or mixed use concept. This is not in context with the predominate development pattern in this area.

Page 17: "Open Space"

These standards are suitable for a downtown area or town center development but not for all retail development along IH35. The IH35 corridor is vehicle oriented and as such, customers of convenience goods and services uses will want the ability to quickly access these businesses.

While we appreciate the intention of providing standards that provide for quality development to improve the quality of life for the City of Kyle citizens and the surrounding communities, without significant changes, prospective retail development will go to neighboring cities with fewer entitlement hurdles. These standards will deter major retailers, which in turn, would thwart spin-off retailers from locating to Kyle. Ultimately, the City of Kyle will miss out on key economic development opportunities along its corridor, impacting the city's tax base.

We would be happy to convene with City officials to determine if there are mutually beneficial changes that could be adopted to enhance the property's current zoning and entitlements.

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October 15, 2012

To: Mayor Lucy Johnson, Kyle City council, and Sofia Nelson – Director of Planning

From: John B. Sanford, Realtor

Re: Proposed I 35 Overlay District - Development Standards

I represent many small commercial property owners in the area. Some of these are local residents and taxpayers. The proposed IH 35 overlay standards would impose undue hardships on many of them.

At this point in time many of the larger businesses that would want to locate along IH 35 have already done so. These include Wal-Mart, Home Depot, Lowes, Target, Kohls, HEB-plus, Seton Hospital, related medical offices, and others.

All of these developments were approved without these standards and these larger projects will have a long term advantage over medium and small developments that will be approved in the future if these standards are adopted. The larger developments are in place and the mid-sized to small developments that plan to follow them will have to bear the brunt of the costs of these new standards.

- (1) For a small business that would be locating on just an acre or two the requirement of the 12 foot wide sidewalks, the 25 foot set-back green area between IH 35 and parking lots, and interior plaza requirements and open space requirements represent a virtual taking of some of their most valuable and usable property. The size and shape of water detention ponds should be dictated by the low point on the site and by the slope of the terrain as indentified by a professional engineer.**

One solution to insuring that mid-sized to small businesses do not bear the brunt of the costs of these new standards is to only have them required only on developments of 20 acres or more.

- (2) The income considerations for tax money for the city of Kyle should also be taken into consideration. By eliminating the outdoor sale of new and used automobiles the city of Kyle will lose out on a significant amount of sales tax that these businesses generate. Again two used car dealerships have already opened in Kyle on IH 35. They did not have to abide by this restriction and now will have a competitive advantage over similar businesses that will locate along IH 35 later. This should generate more sales tax income for Buda, San Marcos, and Lockhart.
- (3) Another tax income consideration is that if the city of Kyle is at a point of needing additional tax revenue the policy should be to lessen requirements for businesses to locate in the area not make them more costly. If the costs to develop are high and they cannot use a portion of the land that they buy, many will decide to open in Buda, San Marcos, or Lockhart. From what is

reported in the newspaper, the city of Kyle is at a point financially that it can afford to have these businesses locate elsewhere because of new costly development standards.

One solution to insuring that Kyle has adequate new tax money generated by new businesses is to delay implementing these development standards for 5 years. This time would give Kyle the opportunity to build up its cash reserves before it implements standards that could put the brakes on new development.

Kyle has made a similar mistake once before. This mistake was when difficult development standards were created for new homes in the area. This problem along with a recession did put the brakes on new home construction for a long time. Kyle is just now starting to recover from the combination of those new development standards and the recession. There was a lawsuit because of these residential standards, and Kyle did eventually win the lawsuit. What Kyle lost was new home construction and permit fees for many years. A city can take this kind of financial loss if it has determined that it has plenty of cash reserves.

- (4) Why have these development standards on a major highway where the speed of the drivers is 50 to 65 miles per hour. These drivers will not even be able to see these setbacks, sidewalks, and open areas?

Possible Solution - Some cities take the position the IH 35 will be the place that they maximize development and maximize their sales tax income. They encourage dense development on IH 35. Development Standards and beautification projects are then located on east west arterials where the traffic is slower and the passengers in the cars are going slow enough to appreciate what has been created.

Respectfully submitted,

John b. Sanford, Realtor 312-1301 922-5633



# I-35 Overlay District Development Standards



DRAFT

Item # 7

# Table of Contents

- Purpose
- Background
- Applicability
- Site Standards
- Building Standards
- Open Space

## Purpose

The I-35 Overlay Development Standards are intended to be concise and user-friendly. The development review process is intended to be predictable and flexible, and to facilitate the timely approval of projects that conform to the general development principles for I-35.

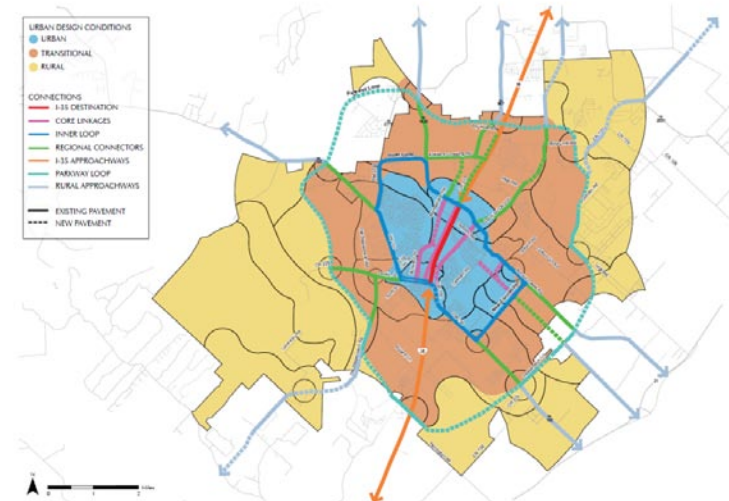
The requirements outlined in this document are intended to implement the vision, goals, policies and objectives outlined in the Comprehensive Master Plan and to ensure new development incorporates the following:

- Development that does not turn its back on streets
- Streets and sidewalks that form a connected network, providing a variety of pedestrian and vehicular routes to any single destination in and out of the development.
- Building facades that create visual interest through horizontal and vertical articulation with windows, multiple entrances facing streets and sidewalks, and minimizing blank walls.

## Background

In 2010 the City of Kyle adopted a Comprehensive Master Plan that contains a variety of elements which shape the requirements outlined in this document. The Urban Design Plan (UDP) is a component of the Comprehensive Master Plan, which provides direct guidance regarding development within the public and private realm.

The UDP complements land use and zoning regulations by providing a more specific depiction of community, project and building attributes by establishing three different design conditions ( urban, transitional, and rural). It is strongly recommended that property owners and developers review the urban design plan in conjunction with this document.





### **Applicability**

**Location:** These standards apply to all new non-residential development within the I-35 Overlay District.

**Exemptions:** These standards do not apply to the following:

- Change in use of an existing structure or expansion of an existing use that is lawfully permitted by the underlying zoning district.
- Use or development for which only a single-family residential building permit or certificate of occupancy is required.
- Rehabilitation of an existing building or structure that does not change the use or enlarge the building or structure.

**Relationship to Other Regulatory Documents:** The I-35 Overlay District standards supplement the base zoning district classification. Whenever there is a conflict between the I-35 Overlay District requirements and other sections of the City of Kyle Zoning Ordinance or other applicable regulations, the more restrictive requirement shall prevail.

**Variances:** Any variances to the standards within this document shall be approved by the Planning and Zoning Commission.

**Review and Approval:** The review of the following standards shall take place at the time of site development and building permit review.



### **Sidewalks**

A minimum of a 5 foot sidewalk is required along all public streets. Street trees on an average of every 30 feet shall be planted between the street and the sidewalk within a tree planting zone of no-less than 7 feet wide. Sidewalks and trees are to be installed within the public right-of-way. Sidewalks and street trees may be installed within private property if not feasible to construct within the right-of-way due to limited width, location of utilities, or other public agencies.

### **Screening**

Loading areas must be fully screened from view of public ROWs and residential districts. Wing walls, landscape screens, changes in building orientation, and/or other architectural elements must be used to buffer loading docks and mechanical equipment. Waste and recycling disposal areas must be screened from public streets, pedestrian gathering areas, and primary entrances with walls and/or landscaping.



*Wing wall used to screen loading dock*

**Do this**



*Example of unscreened utility and waste disposal areas*

**Not this**

## Utilities

Utility boxes greater than 2 ft. tall cannot be placed in the clear vision area, or interfere with use of streets, alleys, sidewalks, and bicycle paths. When utility equipment is required by the electric company to be placed in clear vision of streets, alleys, or sidewalks written notice of the requirement from the electric company must be submitted with the site plan along with a landscaping plan for the screening of the utility equipment. Utility boxes must a uniform earth tone color.



## Utility equipment screening

- Utility equipment must be painted or coated to match the color of the mounting surface.
- Utility equipment located in adjacent to a public street, viewable from a public street or circulation path or in an area frequently seen by the general public must be screened with a wing wall architecturally integrated into the host structure.



## **Siting and Orientation**

### **Blank Walls**

Blank walls adjacent to a public street, sidewalks, trails, or interior pathways are prohibited. Design methods to eliminate blank walls can include:

- Transparent windows or doors.
- Display windows.
- Landscape planting bed at least 5 feet wide or a raised planter bed at least 2 feet high and 3 feet wide in front of the wall. Such planting areas shall include planting materials that are sufficient to obscure or screen at least 60 percent of the wall's surface within 3 years.
- Installing a vertical trellis in front of the wall with climbing vines or plant materials sufficient to obscure or screen at least 60 percent of the wall's surface within 3 years. For large areas, trellises should be used in conjunction with other blank wall treatments.
- Other methods such as murals or special building material treatments may also be approved.



This single-story commercial building has similar detailing on all visible walls.



This commercial building on a street corner has a similar level of detail on each facade.

### Orientation to streets

The primary façade and pedestrian entrance of a building must be oriented towards the public right-of-way or courtyard. If a building cannot have its primary entrance facing a public right-of-way, then the requirements for the façade facing the public right-of-way shall include the following:

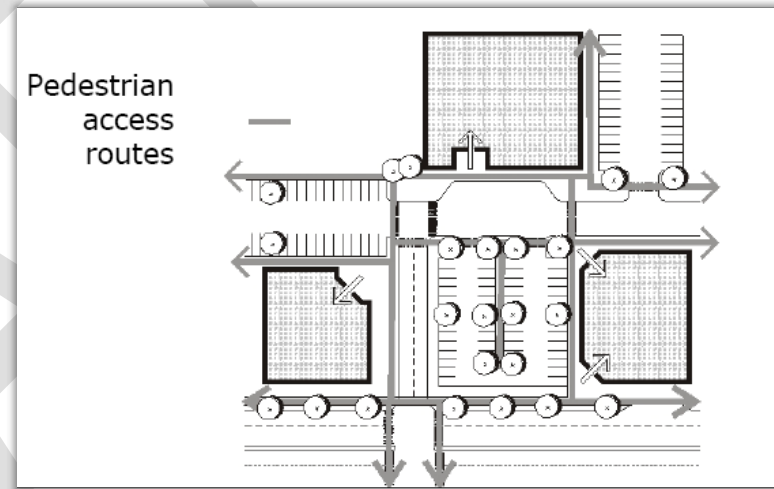
- Excluding window glazing, employ the same materials and colors as the building façade with the primary entrance.
- Utilize architectural treatments, detail and scale elements such as canopies, that are consistent with the primary building façade.
- Enclose dumpsters, recycle bins and compactors with screening walls that match style and colors of the adjacent building.
- Locate dumpsters and service areas on the side of the buildings.
- Screen service areas, including storage, meter banks, HVAC equipment, generators and similar equipment with screening walls and landscaping.

### Orientation to walkways

One main building entrance must open directly onto a connecting walkway with pedestrian frontage.

### Circulation

Circulation patterns must be as simple as possible. All likely pedestrian routes must be considered in the design phase of a development to prevent shortcuts through parking and landscape areas. An internal pedestrian walkway, ADA accessible, at least 6 ft. wide must be provided from the perimeter public sidewalk to the primary public entrance.



*Example of an integrated pedestrian circulation system. Note the connection from the street, between buildings through parking lots and adjacent sites.*

## Conflict points

Internal pedestrian walkways must be distinguished from driving surfaces by textured pavement and lighting.



*An example of a walkway with bollards that include light fixtures to clearly identify the pedestrian access.*

## **Water bodies and detention/ retention areas**

### **Shape**

Detention and water quality ponds shall utilize earthen berms and be designed with a curvilinear contoured shape. Any structural stabilization shall be limited to the use of native stone (except for outlet structure) and shall be limited to not more than 30% of the perimeter of the pond and shall be seamlessly integrated with landscape. Natural and manmade water bodies at least 20,000 sq. ft. in size placed next to a public right-of-way must be integrated into the overall design of a project in one of the following ways:

- Provide a walkway, with native trees on average 25 ft. centers
- Provide a public access area with covered structure and seating and appropriate pedestrian access.
- Provide a plaza or courtyard at least 200 sq. ft. with shaded benches and/or picnic tables next to the water body.



Do this



Not this



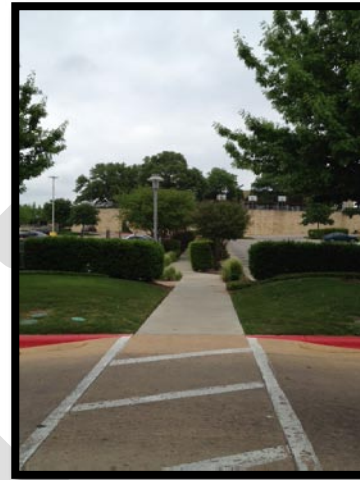
## **Parking lots**

Large parking lots must be visually and functionally segmented into smaller lots with no more than 150 parking spaces per parking area. For every parking area a minimum of a 15 foot landscape median/divider shall be installed to help break up “rooms” of large parking fields. These medians shall contain pedestrian walkways to offer safe, marked routes between parking spaces and building entries.

Only one drive aisle shall be permitted between a public right-of-way and a structure no more than 20,000 sq. ft. in size is permitted. Buildings more than 20,000 square feet and less 50,000 square feet in size must have at least 50% of the required off street parking behind the front building line. Buildings over 50,000 square feet must have at least 40% of the required off street parking behind the front building line.

### **Exemptions:**

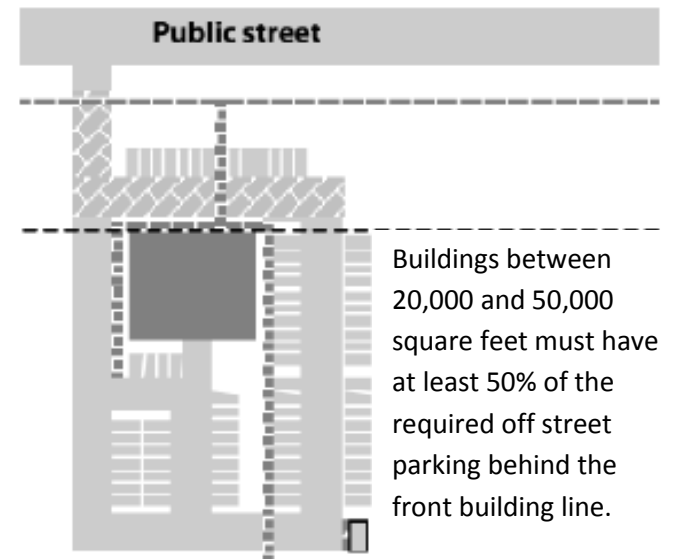
- Utilize liner buildings to screen the parking lot (a combination of liner buildings and parking behind the front building line may be used to achieve required percentage of screened parking).
- A reduction of up to 10% of the required screened parking may be granted if a minimum of 150% of the standard landscape requirements for the area and planting materials are provided.



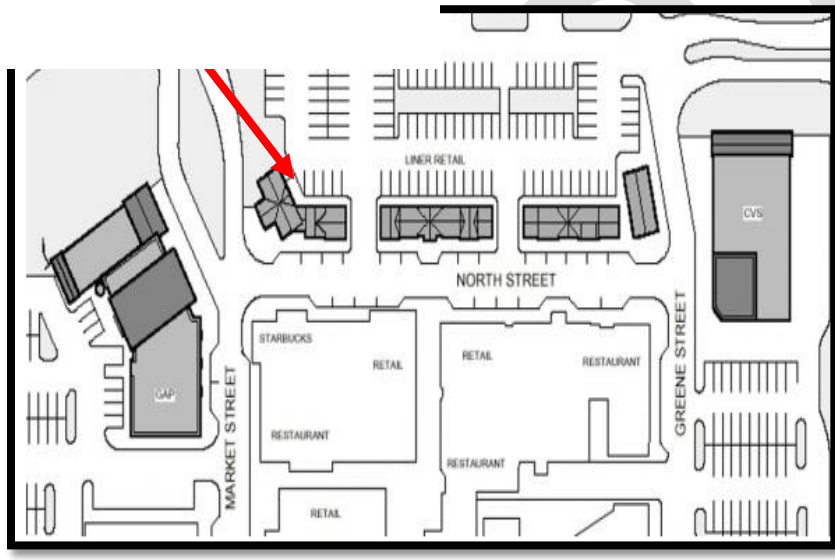
**Do this**



**Not this**



### Example of Liner buildings



### Outdoor Storage

Outdoor display of merchandise is permitted when such display is of merchandise from a permanent business located in a permanent legal structure on site and such display is limited to not more than thirty percent (30%) of the gross floor area of the building which houses the business displaying such merchandise.

Display is not permitted within required setbacks. Except for items that would normally be utilized and stored outside, outdoor display shall occur only during the business hours of the applicable business establishment.

Outdoor storage and container storage are permitted as an accessory use as follows:

- a. Such storage does not exceed twenty percent (20%) of the gross floor area of the primary building that houses the business storing such materials,
- b. Such storage or container is located no closer to a street frontage than the primary building that houses the business storing such materials,
- c. Such storage or container is screened from view from adjacent properties
- d. Such storage or container is not permitted within required setbacks.

## **Building Requirements**



### **Materials**

Buildings constructed shall have a minimum of 90% masonry walls as defined below. The City of Kyle would like to encourage and support the use of red brick and white limestone, as used on Kyle City Hall. Retail buildings utilizing red brick and white limestone on 90% or more of new buildings shall be allowed a 10% reduction in glazing requirements and shall be allowed an uninterrupted length of up to 40 feet rather than 30 feet. Non-retail buildings utilizing red brick and white limestone on 90% or more of new buildings shall be allowed a reduction of 50% of the required number of building front design features.

Masonry shall be defined to include the following:

- Brick
- Natural Stone
- Concrete Masonry Units

- Stucco/Plaster/Synthetic Stucco to be used in detail applications only
- Concrete sandblasted, textured and painted

The 10% of the exterior walls not included in masonry requirements may be covered with a variety of materials that could include but not limited to non-reflective corrugated steel panels, wood, prefinished metal panels, glass block, or other materials that are compatible with the overall design and use for the specific areas in which they are placed.

### **Four-sided design**

All walls must include materials and design characteristics consistent with those on the front of the building.

Exterior walls cannot have a blank, uninterrupted length greater than 30 ft. without including two or more of these features:

- change in plane
- change in texture or masonry pattern, windows, or other equivalent element(s) that subdivide the wall into human scale proportions.

Side or rear walls which do not face a public street, sidewalk, trails, or interior pathways may include false windows and door openings defined by frames, sills and lintels, or similarly proportioned modulations, only when actual doors and windows are not possible because of the building use.

## **Roof**

The continuous plane of a roof line cannot be more than 100 feet. All roof mounted mechanicals must be screened from public view.

## **Building Massing and Form**

### ***Retail***

A single large dominant building mass must be avoided in new buildings.

40% of the wall area below ten (10) feet as measured from the finish floor level of the façade's entry shall consist of glazing (windows / doors).

25% of the wall area between 10 feet and 30 feet shall consist of glazing.

Windows shall have a maximum exterior reflectivity of twenty percent (20%)

Retail anchor stores, at least 25% of the stores in a shopping center, and freestanding, single-use buildings, must have a clearly defined, highly visible customer entrance with four or more of the following elements:

- o Arcades
- o Arches
- o Canopies or porticos

- o Details such as tile work and moldings integrated into the building structure and design

- o Display windows

- o Integral planters or wing walls that include landscaped areas and/or places for sitting

- o Outdoor patios

- o Overhangs

- o Peaked roof forms

- o Raised corniced parapets over the door

- o Recesses and/or projections

### ***Non-retail/ Office Buildings***

All building fronts shall have at least five different design features to break the wall plane; buildings over 50,000 square feet in size shall have at least seven different design features, and buildings over 100,000 square feet shall have at least nine different design features. The following are examples of the types of design features that shall be utilized:

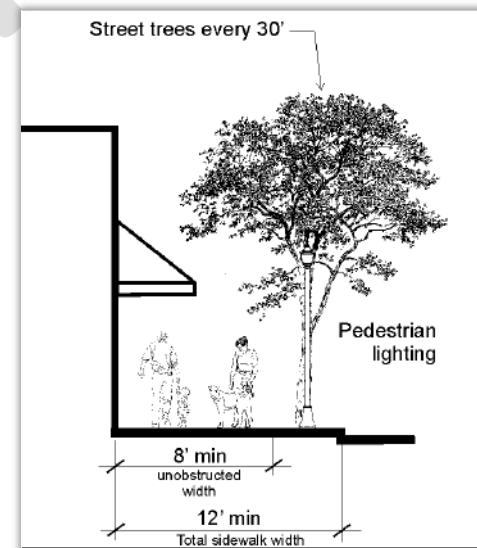
*Horizontal off-sets, recesses or projections, porches, breezeways, porte-cocheres, courtyards, awnings, canopies, alcoves, recessed entries, ornamental cornices, display or other ornamental windows, vertical "elevation" off-sets, peaked roof forms, arches, outdoor patios, architectural details such as tile work or moldings integrated into the façade, integrated planters or wing walls, accent materials, varied roof heights, premium roofing materials such as tile or standing seam metal, or similar design features approved by the Director of Planning and appealable to the Planning and Zoning Commission.*

Warehouse, mini-warehouse and overhead (commercial service) doors shall not be oriented so as to face a street(s) or residential property or shall be screened from view from the street(s) or residential property unless approved by the Director of Planning, appealable to the Planning and Zoning Commission, determines that there is no other feasible.

### **Walkway Width and Design**

Sidewalks and walkways along the facades of mixed-use and retail buildings 100 feet or more in length (measured along the facades) that are not located adjacent to a street must be at least 12 feet wide ( 8' of the sidewalk shall remain unobstructed) and include the following:

- Trees, shall be placed at an average of 30 feet on-center and placed in grates (except where trees are placed in planting strips). Breaks in the tree coverage will be allowed near major building entries to enhance visibility. However, no less than one tree per 60 lineal feet of building facades must be provided.



**Do this**

Item # 7



**Not this**

### **Garage doors**

- o Garage bay doors must be segmented, with windows covering at least 50% of the garage surface. Garage doors must be recessed at least 2 ft. behind the building façade.
- o Vehicle service areas and bays must be screened or sited so visibility from the public right-of-way is as low as possible. Bay doors cannot face a public street.
- o Garage bay doors must be integrated into the overall design of the site with color, texture, and windows.

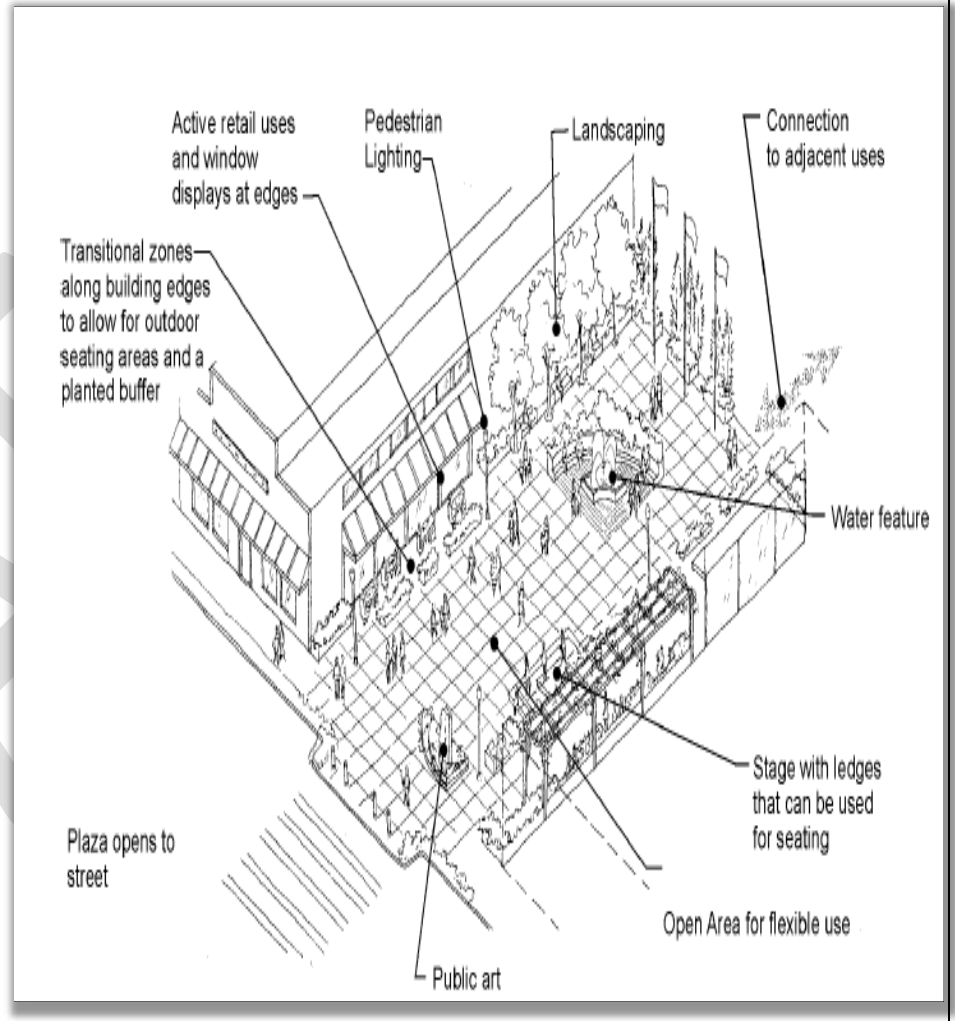
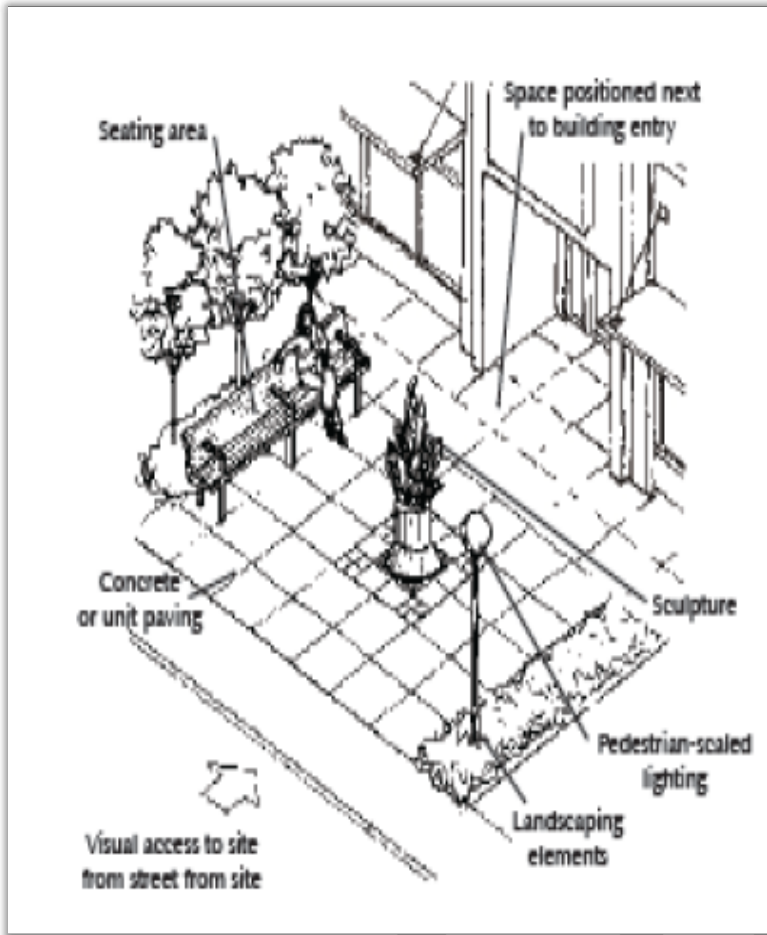
### **Open Space**

**Intent:** To provide a variety of accessible and inviting areas for outdoor dining, socializing and relaxing in commercial areas and to enhance the pedestrian environment.

All commercial developments, 3 acres or more in size, shall incorporate open space on-site. This could include a single public open space for larger developments or a variety of pedestrian-oriented spaces.

These are predominately hard-surfaced, plaza or courtyard type spaces. Pedestrian-oriented space shall have the following:

- Pedestrian-scaled lighting (no more than 15 feet in height) may be on-site or building-mounted lighting.
- Be sited in areas with significant pedestrian traffic to provide interest and security, such as adjacent to a building entry.
- Integrate landscaping features that add interest to the space.
- Pedestrian amenities, such as a water feature, drinking fountain, tables, and/or distinctive paving or artwork.
- Pedestrian-oriented building facades on some or all buildings facing the space.



Item # 7

DRAFT

Item # 7





# CITY OF KYLE, TEXAS

**Meeting Date: 11/6/2012**  
**Date time: 7:00 PM**

## Noble Man Parking Variance Request

**Subject/Recommendation:** Consider a request by Noble Man Services, LLC. for a waiver for parking space requirements for a building with in the Original Town, located at 300 S. Front Street ~ *Sofia Nelson, Director of Planning*

*Planning and Zoning Commission voted 7-0 to Deny the request.*

**Other Information:** Please see attachments

**Budget Information:** N/A

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Viewing Attachments Requires Adobe Acrobat. [Click here](#) to download.

### Attachments / click to download

[Variance Request Letter](#)

[Photo](#)

[Staff Report](#)

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## MEMO

To: City Council

From: Sofia Nelson, Director of Planning

Date: October 30, 2012

Re: Request to allow Nobleman Services- parking variance (300 S. Front Street)

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### **PLANNING AND ZONING COMMISSION RECOMMENDATION**

On October 23<sup>rd</sup> the Planning and Zoning Commission recommended unanimously to deny the request.

#### **Background**

The subject property is located at 300 S. Front Street, two blocks south of Center Street. The property is zoned Retail Services (RS) and is utilized as mechanics garage. The current business opened in May 2011 without a Certificate of Occupancy and as a result opened without the required parking for the use. The RS zoning designation requires one parking space for each 250 square feet of gross floor area. As a result the use of the site would require 16 parking spaces, based on a 4,000 square foot facility. The code states the parking may be on street or off street and the City Council may, based on a site plan approved by council, waive all or part of these parking space requirements for buildings within the original town. The applicant is requesting a waiver of the requirements since the property is located within Original Town of Kyle and based on the nature of the business ( please see the attached variance request letter for an explanation of the nature of the business). The applicant is seeking a waiver to the parking requirement prior to submittal of a site plan because should the business not be required to provide additional parking the applicant would not be required to submit a site plan. Should the applicant not be granted a waiver for the parking the applicant would be required to submit a site plan and bring the site into full-compliance with landscaping, parking and sidewalk requirements.

#### **Staff Analysis**

The subject property includes 6 lots, extending from the corner of Front and Moore Streets south towards South Street. The existing building is used as a mechanics garage and is built over a lot line. Additionally the building is built as a zero-lot line development along the front building line. As seen in the attached aerial photographs of the property, although on legally separate lots, the development has storage yard space on either side of the building that are enclosed with chain-link type fencing.

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

- It appears that there is a parking area (non-paved) within the right-of-way (ROW) outside of street travel lanes that is sufficient for short-term parking.

- It does not appear that the intent of the parking ordinance is to allow on-street parking for storage or overnight parking.
- The building is not increasing in size, however should paved parking be required for the business a site development permit will be required for the site.
- The business across Moore Street from the subject property, Chapa Auto Parts, appears to have been in the same situation as the Nobelman business with respect to the location of the building to the front property line. However it appears that Chapa Auto Parts has constructed a small paved area for parking area for customers in front of their building.
- If it is the Council's desire to grant the variance the Council should consider adding the following conditions to the variance:
  - Should the building be increased in size the variance shall become void
  - Should the use of the building be changed the variance shall become void
  - There shall be no overnight parking within the public ROW
  - Any storage or parking of vehicles within the property shall be on paved surface per Section 53-33 of the City of Kyle Code.

NOBLE MAN SERVICES, LLC

300 S. FRONT STREET

KYLE, TEXAS 78640

512-262-6166 or 512-468-1524

CITY OF KYLE

OCT 09 2012

PLANNING DEPARTMENT

October 9, 2012

Re: Parking Variance

Dear Ladies/Gentlemen:

We met with Sophia, Lupe and Mario on October 1, 2012 to discuss our options for obtaining the occupancy permit as required. As the lessor and not the owner of this building, we agreed to drop the U-Haul rentals from our business (in an effort to comply with city codes) which will release us from having to submit the Site Development Permit, Conditional Use Permit and Building Permit as previously requested by the City of Kyle. The U Haul equipment has been removed from the property except for one (1) truck and one (1) trailer, they are scheduled to go out today.

Therefore, the only other thing that needs to be addressed is the parking area in front of the business. Because we are a vehicle repair facility, 95% of our customer's vehicles are brought into the shop upon drop off or as soon as possible thereafter, leaving the front unoccupied, with the exception of our trucks. We don't do a lot of in and out work, our work is usually two (2) to three (3) days to complete because we do engine rebuilds, overhauls and things of that nature that take more time than a standard oil change. We rarely have overnight parking in the front as vehicles are moved inside the secured fenced yard or inside the shop daily when we close. For those reasons, we respectfully request that you grant Noble Man Services a variance in the parking requirements/city code which includes paving the front area of the business. We believe that since the area concerned is a city right-of-way that this matter can, hopefully in the future, be resolved by the property owner and the city.

Thank you in advance for your consideration regarding this variance and please feel free to contact us at the above referenced numbers or at [noblemanservices@yahoo.com](mailto:noblemanservices@yahoo.com).

We have included the variance fee of \$415.58. Thank you again for the opportunity to comply with city code.

Sincerely,



Stephen Graham  
Noble Man Services



218 S FRONT ST

W MOORE ST

300 S FRONT ST

S FRONT ST

0 25 50 100 Feet





# CITY OF KYLE, TEXAS

## PGI Investment Comp Plan Amendment Request

**Meeting Date: 11/6/2012**  
**Date time: 7:00 PM**

**Subject/Recommendation:** Consider a request by Hugo Elizondo, Jr., on behalf of PGI Investment, LLC, for a Comprehensive Master Plan Amendment to identify the RV Zoning within the New Settlement District and Regional Node as Conditional rather than Not Recommended ~ *Sofia Nelson, Director of Planning*

*Planning and Zoning Commission voted 7-0 to deny the request.*

- *Public Hearing*

**Other Information:** Please see attachments

**Budget Information:** N/A

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Viewing Attachments Requires Adobe Acrobat. [Click here](#) to download.

**Attachments / click to download**

- [New Settlement District](#)
- [Regional Node](#)
- [Request Letter](#)
- [RV Ordinance](#)
- [Staff Report](#)

## **MEMO**

To: City Council  
From: Sofia Nelson, Director of Planning  
Date: October 30, 2012  
RE: Request for a Comprehensive Master Plan Amendment

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### **PLANNING AND ZONING COMMISSION RECOMMENDATION**

On October 23<sup>rd</sup> the Planning and Zoning Commission recommended unanimously to deny the requests.

#### **Background**

Hugo Elizondo, on behalf of PGI Investment owners of, 24800 S. IH-35 has requested a comprehensive master plan amendment to allow the RV zoning district within the New Settlement Future Land Use District and the Regional Node Future Land Use District as a conditional zoning district. Currently the comprehensive master plan identifies the RV zoning district as “not recommended” within both the New Settlement Future Land Use District and the Regional Node Future Land Use District. If the request is granted the amendment would be applicable to all properties within the two future land use districts.

The City Charter requires the Planning and Zoning Commission to hold two public hearings prior to making a recommendation to the City Council. The first public hearing is scheduled for September 25<sup>th</sup> and the second public hearing and recommendation to the City Council is scheduled for October 23<sup>rd</sup>.

#### **Long Range Planning Committee Recommendation**

On September 19<sup>th</sup> the Long Range Planning Committee recommended the following with regards to the request:

- Recommended against amending the comprehensive master plan for the New Settlement Future Land Use District
- Recommended to amend the comprehensive master plan for the Regional Node Future Land Use District to allow the RV zoning district as a conditional zoning district.

#### **Attachments**

- New Settlement District Description- Comprehensive Master Plan pages 144-145
- Regional Node Description- Comprehensive Master Plan pages 158-159
- Recreational Vehicle District Ordinance- City of Kyle Zoning Ordinance- Chapter 53 Division 23

August 28, 2012



Sophia Nelson  
Planning Director  
City of Kyle  
100 West Center Street  
Kyle, TX 78640

**RE: YARRINGTON SUBDIVISION, 24800 SOUTH IH 35  
CITY OF KYLE, TEXAS  
CCL: 11-144**

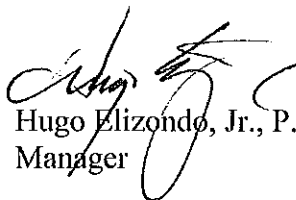
**Subject: Request for Change to a reference within the Kyle Comprehensive Plan and  
the current Kyle Land Use Map**

Dear Mrs. Nelson:

It is our understanding, based on interpretations of the Kyle Land Use Map and the Kyle Comprehensive Plan, that a Recreational Vehicle Park would not be an allowed use within the proposed Yarrington Subdivision. Therefore, Cuatro Consultants, Ltd. formally requests on behalf of the owner, PGI Investments, LLC, that:

- The New Settlement District as described in the Kyle Comprehensive Plan reference Recreational Vehicle Use as “CONDITIONAL” instead of “NOT RECOMMENDED” and;
- The Kyle Land Use Map show allowable RV zoning within the limits of the proposed Yarrington Subdivision.

Sincerely,



Hugo Elizondo, Jr., P.E.  
Manager

Item # 9



# NEW SETTLEMENT 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 defined 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 creekways 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.

## JURISDICTION

The New Settlement District is located in the eastern and southern portions of Kyle. Figure 12 indicates the location of the New Settlement District.

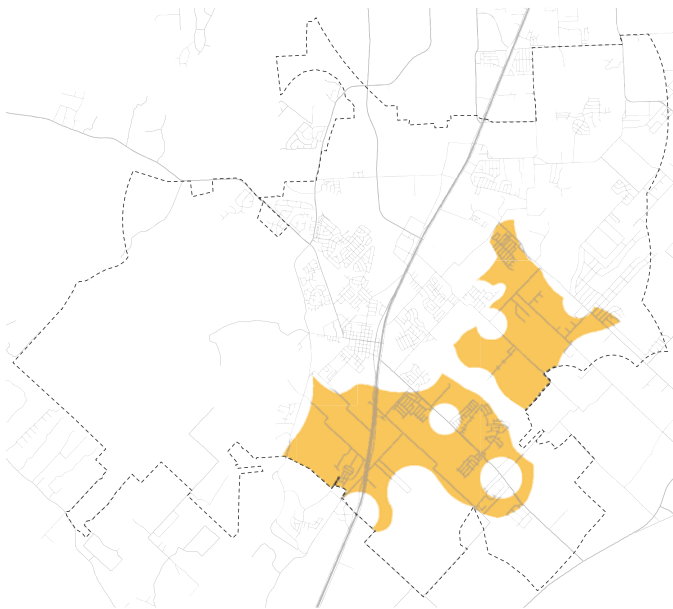


Figure 12: New Settlement District Key Map.



Illustrative Photograph



Illustrative Photograph

## AUTHORITY

The following chart defines the appropriateness of various density ranges (residential and non-residential) by tying density to the development approval process. The three levels of development approval are:

- Preferred: No conditions required for approval.
- Conditional: Review by City staff required. Design improvements shall be made to ensure compliance with intent and character objectives of the New Settlement District.
- Not Recommended: Development plan is not appropriate for the New Settlement District.

	Residential (dwelling units/acre)	Non-Residential (Floor to Area Ratio)
Preferred	4 - 6	0.15 - 0.2
Conditional	< 4; 6.1 - 15	0.2 - 0.3
Not Recommended	> 15	> 0.3

## APPLICATION

The following chart displays existing zoning categories and their applicability to the New Settlement District.

Zoning Category	Abbreviation	Use Qualification
Agricultural District	A	Conditional
Central Business District 1	CBD-1	Not Recommended
Central Business District 2	CBD-2	Not Recommended
Construction/Manufacturing	C/M	Not Recommended
Entertainment	E	Conditional
Hospital Services	HS	Conditional
Manufactured Home	M-1	Not Recommended
Manufactured Home Subdivision	M-2	Not Recommended
Manufactured Home Park	M-3	Not Recommended
Single-family Residential 1	R-1-1	Recommended
Single-family Residential 2	R-1-2	Recommended
Single-family Attached	R-1-A	Conditional
Residential Condominium	R-1-C	Not Recommended
Residential Townhouse	R-1-T	Conditional
Residential Two-family	R-2	Conditional
Multi-family Residential 1	R-3-1	Conditional
Multi-family Residential 2	R-3-2	Conditional
Apartments Residential	R-3-3	Not Recommended
Retail/Service	R/S	Conditional
Recreational Vehicle Park	RV	Not Recommended
Transportation/Utilities	T/U	Conditional
Urban Estate District	UE	Conditional
Warehouse	W	Not Recommended

When development falls within the Corridor Condition, those uses approved for this District are conditional upon satisfactory implementation of design standards as conveyed in the Urban Design Plan.

# REGIONAL NODE

## CHARACTER

Regional Nodes should have regional scale retail and commercial activity complemented by regional scale residential uses. These Nodes should represent the character and identity of Kyle, and signal these traits to the surrounding community. Regional Nodes have a radius of approximately 1/3 of a mile so that they are walkable, but are able to contain a greater range of uses at a larger scale than those found in Local Nodes. Appropriate uses may include grocery stores, retail shopping centers, multi-family housing, and municipal services, such as libraries and recreation centers. The Regional Nodes located along I-35 at the northern and southern boundaries of Kyle should be designed as entryways into Kyle with elements that are symbolic of Kyle and serve to attract I-35 travelers into Kyle. Transitions between Regional Nodes and surrounding districts must be carefully constructed to avoid abrupt shifts in land uses. Trails and sidewalks should be present throughout all Regional Nodes and should connect to surrounding neighborhoods.

## INTENT

The primary goal of the Regional Nodes is to capture commercial opportunities necessary to close Kyle's tax gap. To achieve this goal, these Nodes should draw upon anticipated

regional growth and aggregate density to enhance value and activity levels in a concentrated and visible location. Regional Nodes should provide a mixture of uses that complements regional commercial activity, as well as encourage high intensity residential development. These Nodes should respond to other regional areas of growth, specifically along I-35 and FM 1626, and to growth toward Hwy 21, SH 45 and SH 130. The anchor of each Regional Node should be regional commercial uses, and Regional Nodes should have a high level of development intensity.

## JURISDICTION

Regional Nodes are positioned at intersections of regional roadways and at intersections of local and regional roadways. Largely, these Nodes form an outer ring around the City of Kyle that will concentrate regional activity along the regional roadways. Figure 19 indicates the location of the Regional Nodes.

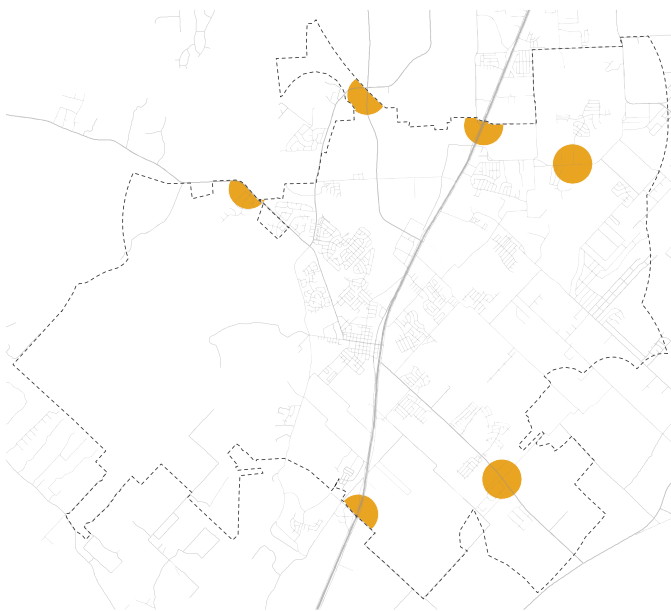


Figure 19: Regional Node Key Map.



Illustrative Photograph



Illustrative Photograph

Item # 9

## AUTHORITY

The following chart defines the appropriateness of various density ranges (residential and non-residential) by tying density to the development approval process. The three levels of development approval are:

- Preferred: No conditions required for approval.
- Conditional: Review by City staff required. Design improvements shall be made to ensure compliance with intent and character objectives of the Regional Nodes.
- Not Recommended: Development plan is not appropriate for the Regional Nodes.

	Residential (dwelling units/acre)	Non-Residential (Floor to Area Ratio)
Preferred	> 25	0.4 - 1.5
Conditional	12 - 25	0.2 - 0.39
Not Recommended	< 12	< 0.2

## APPLICATION

The following chart displays existing zoning categories and their applicability to the Regional Nodes.

Zoning Category	Abbreviation	Use Qualification
Agricultural District	A	Not Recommended
Central Business District 1	CBD-1	Conditional
Central Business District 2	CBD-2	Conditional
Construction/Manufacturing	C/M	Not Recommended
Entertainment	E	Conditional
Hospital Services	HS	Conditional
Manufactured Home	M-1	Not Recommended
Manufactured Home Subdivision	M-2	Not Recommended
Manufactured Home Park	M-3	Not Recommended
Single-family Residential 1	R-1-1	Not Recommended
Single-family Residential 2	R-1-2	Not Recommended
Single-family Attached	R-1-A	Not Recommended
Residential Condominium	R-1-C	Recommended
Residential Townhouse	R-1-T	Not Recommended
Residential Two-family	R-2	Not Recommended
Multi-family Residential 1	R-3-1	Conditional
Multi-family Residential 2	R-3-2	Recommended
Apartments Residential	R-3-3	Recommended
Retail/Service	R/S	Conditional
Recreational Vehicle Park	RV	Not Recommended
Transportation/Utilities	T/U	Not Recommended
Urban Estate District	UE	Not Recommended
Warehouse	W	Not Recommended

When development falls within the Corridor Condition, those uses approved for this District are conditional upon satisfactory implementation of design standards as conveyed in the Urban Design Plan.

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Chapter 53 - ZONING  
ARTICLE II. - ZONING DISTRICTS AND REGULATIONS  
DIVISION 23. - RECREATIONAL VEHICLE PARK DISTRICT RV

**DIVISION 23. - RECREATIONAL VEHICLE PARK DISTRICT RV**

- [Sec. 53-651. - Definitions.](#)
- [Sec. 53-652. - Purpose and permitted uses.](#)
- [Sec. 53-653. - Additional permitted uses.](#)
- [Sec. 53-654. - Conditions and limitations.](#)
- [Sec. 53-655. - Site development regulations.](#)
- [Sec. 53-656. - Additional requirements and regulations.](#)
- [Secs. 53-657—53-674. - Reserved.](#)

**Sec. 53-651. - Definitions.**

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Dependent recreational vehicle* and *dependent travel trailer* means a recreational vehicle or travel trailer which does not have a flush toilet and a bath or shower.

*Independent recreational vehicle* and *independent travel trailer* means a recreational vehicle or travel trailer which has a flush toilet and a bath or shower.

*Natural barrier* and *artificial barrier* means any river, pond, canal, railroad, levee, embankment, fence or hedge.

*Park* means a recreational vehicle and/or travel trailer park; and does not include, permit or authorize mobile or manufactured homes.

*Recreational vehicle* and *travel trailer* means a vehicle or similar portable structure designed for recreational use and travel having no foundation other than wheels, jacks, blocks or skirting, having 600 square feet or less of enclosed area, and so designed or constructed as to permit occupancy for dwelling or sleeping purposes; provided, however, a mobile home or manufactured home is not a recreational vehicle or travel trailer, and, for purposes of determining the distances specified herein, the term "recreational vehicle and travel trailer" includes any portable, prefabricated, temporary room, commonly called a cabana, that is attached to such recreational vehicle.

*Recreational vehicle lot* and *travel trailer lot* means a plot of ground within a recreational vehicle and/or travel trailer park designed for the accommodation of one recreational vehicle or travel trailer.

*Recreational vehicle park* and *travel trailer park* means any plot of ground upon which one or more recreational vehicles or travel trailers are located, or are occupied for dwelling or sleeping purposes during travel, vacation, periods of temporary work such as construction, and other periods of time generally less than 12 months in duration, regardless of whether or not a charge is made for such accommodations.

(Ord. No. 438, § 41(c), 11-24-2003)

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PART II - CODE OF ORDINANCES  
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**Sec. 53-652. - Purpose and permitted uses.**

Property and areas of the city zoned RV may be planned, used, approved, platted and occupied as a recreational vehicle park with lots held under common ownership and rented or leased to individual occupants. Land in areas of the city zoned RV and having an approved plat may be used for dependent recreational vehicle, dependent travel trailers, independent recreational vehicles, independent travel trailers, recreational vehicles and travel trailers as defined in section 53-651.

(Ord. No. 438, § 41(a), 11-24-2003)

**Sec. 53-653. - Additional permitted uses.**

Additional permitted uses in the RV park district are as follows:

- (1) Accessory buildings located on a lot for use by the owner or occupant of a structure that is located on such lot.
- (2) Recreational, civic and/or commercial facilities designed for exclusive use of the occupants of the recreational vehicle park.
- (3) Accessory buildings for use by the owner or manager of the park.
- (4) One single-family dwelling unit on a 6,000 square foot or larger lot for use as the owner's or manager's residence.

(Ord. No. 438, § 41(b), 11-24-2003)

**Sec. 53-654. - Conditions and limitations.**

(a) *Park license required.* It is unlawful for any person to maintain or operate within the city, any recreational vehicle and/or travel trailer park unless such person first obtains a license therefor. A minimum of ten lots shall be required to qualify for RV zoning and no license shall be issued or renewed for a recreational vehicle and/or travel trailer park unless such park has at least ten lots.

(b) *License application.* Application for a recreational vehicle and/or travel trailer park license shall be filed with the city for review and approval by the city council. Applications shall be in writing, signed by the applicant, and shall contain the following:

- (1) The name and address of the applicant;
- (2) The location and legal description of the recreational vehicle and/or travel trailer park;
- (3) A complete plan of the park showing compliance with this chapter;
- (4) Plans and specifications of all buildings and other improvements constructed, or to be constructed, within the recreational vehicle and/or travel trailer park;
- (5) Such further information as may be requested by the city council to enable it to determine if the recreational vehicle and/or travel trailer park will comply with the legal requirements.

(c) *Inspection.* The city shall investigate the application, and inspect the proposed plans and specifications. A report shall then be made to the city manager concerning such applicant, together with recommendations relating to the issuance of a license. If the recreational vehicle and/or travel trailer

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park will be in compliance with all provisions of this division, and, in the case of proposed parks, make such approval contingent upon the completion of the park according to the plans and specifications submitted with the application.

(d) *Issuance.* If the application satisfies the requirements of this division, the city manager shall issue the license.

(e) *Transfer prohibited.* A license issued pursuant to this chapter is not transferable.

(f) *License fee.* The annual license fee for each recreational vehicle and/or travel trailer park shall be as provided in appendix A of this Code per year for the first ten lots or spaces, plus an amount as provided in appendix A of this Code for additional lots or spaces over ten, or the fee established in the city administrative fees ordinance.

(g) *License display and posting.* The license certificate shall be conspicuously posted in the office of the city manager or on the premises of the recreational vehicle and/or travel trailer park at all times.

(h) *License revocation.* The city council may revoke any license issued under this division if any of the provisions of this division are violated. Before any such license may be revoked, the city must give ten days' notice to the holder of such license and hold a hearing thereon. If the license is revoked, the license may be reissued to the same licensee, if the reasons for such revocation have been duly corrected, or a license may be issued to another qualified applicant.

(i) *Location of parks.* The recreational vehicle and/or travel trailer park may be located only in conformity with the comprehensive zoning ordinance of the city, and, in addition to the requirements contained therein, unless the park is separated from neighboring properties by a natural or artificial barrier, each boundary of the park must have a solid barrier wall or fence of at least six feet in height; no lot or boundary line of any space or lot within the park shall be closer than 25 feet to such barrier wall or fence; and the 25-foot area shall be required to be maintained as a clear zone at all times. The provisions of this division do not apply to recreational vehicle and/or travel trailer parks already in existence and operation at the time of the passage of the ordinance from which this chapter is derived, and such existing operating parks are treated as a nonconforming use insofar as the requirements of this division are concerned.

(Ord. No. 438, § 41(d), 11-24-2003)

**Sec. 53-655. - Site development regulations.**

(a) *Park plan requirements.* The recreational vehicle and/or travel trailer park shall conform to the following requirements:

(1) The park shall be located on a well drained site, properly graded to ensure rapid drainage and freedom from stagnant pools of water, in compliance with the city's subdivision drainage requirements.

(2) Recreational vehicle and/or travel trailer lots shall be provided, consisting of a minimum of 2,500 square feet for each lot, which shall be at least 35 feet wide and clearly defined. Recreational vehicles or travel trailers shall be so harbored on each lot that there shall be at least a 25-foot clearance between recreational vehicles and travel trailers; provided, however, with respect to recreational vehicles or travel trailers parked end-to-end, the end-to-end clearance between the same may be less than 25 feet, but not less than ten feet. No recreational vehicle or

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travel trailer shall be located closer than ten feet from any building within the park or from any property line bounding the park.

(3) All recreational vehicle and/or travel trailer lots shall abut upon a driveway of not less than 36 feet in width which shall have unobstructed access to a public street, alley or highway. All driveways shall be hard surfaced, well-marked in the daytime, and lighted at night. The minimum quality of such driveway surfacing shall be a two-course hot top surface.

(4) Walkways not less than 44 inches wide shall be provided from the recreational vehicle and/or travel trailer lots to the service building.

(5) Separate restroom and shower facilities shall be provided within the park for men and women. Such restroom and shower facilities shall be designed, constructed and maintained in compliance with the city building codes and ordinances and centrally and conveniently located within the park. A minimum of two showers, lavatories and commodes shall be included in each restroom and shower facility building for each sex. One additional shower, lavatory and commode (hereinafter collectively "unit") shall be added to each such men's and women's facility for each additional increment of 15 pad sites or lots, or fraction thereof, in excess of 25 pad sites or lots within the park. For example, the minimum facilities shall be required for any park with 25 or less pad sites or lots; one additional unit shall be required for parks that have 26 to 40 pad sites or lots; two additional units will be required for parks having 41 to 60 pad sites or lots; and three additional units will be required for parks having 61 to 75 pad sites or lots.

(b) *Utility connections.* Water, sewer and electrical system must be provided to each lot or pad site in accordance with city specifications.

(c) *Office building.* Each recreational vehicle and/or travel trailer park shall be provided with a building to be known as the office in which shall be kept copies of all records pertaining to the management and supervision of the park, as well as all rules and regulations of the park; such records, rules and regulations to be available for inspection by law enforcement officers, public health officials and other officials whose duties necessitate acquisition of the information contained therein.

(d) *Site drainage plan.* The site plan shall include a site drainage plan showing the necessary drainage related facilities designed and provided for in compliance with this policy and the drainage criteria manuals, regulations and ordinances of the city (Drainage Criteria Manual). Such plans and design calculations for all drainage facilities shall be submitted to the city for acceptance prior to issuance of any utility or building permit. The design engineer shall certify that the plans and calculations for all drainage facilities are in compliance with the policies and criteria of the city.

(e) *Stormwater requirements.*

(1) *Facility design requirements.* Storm drainage facilities should be designed in compliance with the Drainage Criteria Manual.

(2) *Drainage and storm sewers.*

a. Adequate drainage shall be provided within the limits of the property. The protection of adjoining property from any increase in runoff is mandatory. The city may eliminate the detention requirement for properties adjacent to floodplains defined on the flood insurance rate map and when in the judgment of the city such elimination would not result in an increase in the peak flood flow.



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b. Drainage and storm sewer plans shall be certified by a licensed professional engineer and approved by the city. Review and approval shall in no manner make the city liable for defects in such plans. Criteria established in the Drainage Criteria Manual and good engineering practices will be used for all calculations relative to rainfall runoff quantities, and the design of channels, culverts, storm sewers and detention facilities. The owners of the tracts upon which are located such easements, appurtenances and detention facilities shall maintain same and be responsible for their upkeep. Notice of such duty to maintain shall be shown on the plats.

c. Drainage and storm sewer plans. Construction plans for streets and utility installation required by the city shall include drainage and storm sewer plans prepared by a licensed professional engineer which shall be reviewed and approved by the city prior to such construction. The city shall make inspections as are deemed necessary to ensure proper installation. Neither the review nor approval of such plans nor the inspection of the completed work will create any liability on the part of the city.

(3) *Plan approval.* Plans for proposed drainage facilities shall be submitted to the city for acceptance prior to construction. Further, computations for all drainage related design shall be submitted with the plans for review. Data submitted shall include a drainage area map, a summary of methodology employed and resulting data, land use and runoff coefficient assumptions and other pertinent hydrologic and hydraulic data. Certification shall be submitted by the design engineer that the plans and computations are in compliance with the requirements of this policy and the Drainage Criteria Manual. Following construction, but prior to acceptance of improvements by the city, the design engineer shall furnish certification that based upon his periodic inspection of the work all improvements, including those covered by this chapter, have been constructed in compliance with the city's requirements.

(4) *Applicable criteria.* If the city has not adopted a Drainage Criteria Manual, the stormwater and drainage provisions of chapter 17, article II, pertaining to the flood hazard area regulations, chapter 41, pertaining to subdivisions, and good engineering practices shall govern; provided that if the city engineer and the applicant cannot agree on the applicable criteria the terms, provisions, conditions, and requirements of the City of Austin Drainage Criteria Manual shall be applicable.

(Ord. No. 438, § 41(e), 11-24-2003)

**Sec. 53-656. - Additional requirements and regulations.**

(a) *Maintenance.* Every person owning or operating a recreational vehicle and/or travel trailer park shall maintain such park, and any facilities, fixtures and permanent equipment in connection therewith, in a clean and sanitary condition and shall maintain such equipment in a state of good repair.

(b) *Cooking and heating fuel.* Bottled gas for cooking purposes shall not be used at individual recreational vehicles or travel trailer lots unless the containers are properly connected by copper or other suitable tubing. Bottled gas cylinders shall be securely fastened in place. Bottled gas shall be located in a recreational vehicle or travel trailer, and outside such vehicle, in compliance with state regulations. State and local regulations applicable to the handling of bottled gas and fuel oil must be followed.

(c) *Park rules and regulations.* It is the duty of the owner, agent, representative or manager to prescribe rules and regulations for the management of the park, to make adequate provisions for the enforcement of such rules and to subscribe to all subsequent rules and regulations which may be

Item # 6

PART II - CODE OF ORDINANCES  
Chapter 53 - ZONING  
ARTICLE II. - ZONING DISTRICTS AND REGULATIONS  
DIVISION 23. - RECREATIONAL VEHICLE PARK DISTRICT RV

adopted for the management of such park. Copies of all such rules and regulations shall be furnished to the city. In addition thereto, it is the duty of the owner, agent, representative or manager to comply strictly with the following:

- (1) Provide for regular inspection of the water and sanitary conveniences;
- (2) Provide for the collection and removal of garbage and other waste material;
- (3) Provide for the concealment or storage of unsightly material or vehicles of any kind;
- (4) Not allow any recreational vehicle, travel trailer or other structure not in compliance with this chapter to be or remain in the park; and
- (5) Not allow, suffer or permit any person to occupy any lot, plot or parcel for sleeping, eating and living purposes other than for interim or temporary periods of time that are less than 12 months in duration.

(Ord. No. 438, § 41(f), 11-24-2003)

**Secs. 53-657—53-674. - Reserved.**

Item # 29



# CITY OF KYLE, TEXAS

## Woodlands Park

**Meeting Date: 11/6/2012**  
**Date time: 7:00 PM**

**Subject/Recommendation:** Consider a request by David Armbrust, on behalf of Lee Goodman, to amend a compromise agreement between the developer of the Woodlands Park Subdivision and the City of Kyle to allow for a reduced garage setback ~ *Sofia Nelson, Director of Planning*

*Planning and Zoning Commission voted 7-0 to approve the request with condition listed in staff report.*

**Other Information:** Please see attachments

**Budget Information:** N/A

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Viewing Attachments Requires Adobe Acrobat. [Click here](#) to download.

**Attachments / click to download**

- [Request Letter](#)
- [Staff Report](#)

# MEMORANDUM

**TO:** City Council

**FROM:** Sofia Nelson, Director of Planning

**DATE:** October 30, 2012

**Re:** Request for Amendment to Development Standards for Woodlands Parks Subdivision

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## PLANNING AND ZONING COMMISSION RECOMMENDATION

On October 23<sup>rd</sup> the Planning and Zoning Commission recommended unanimously to approve the request conditional on the garage not protruding in front of the front-wall of the home.

### ***Background:***

- The Woodlands Park Subdivision is approximately 141.95 acres in size and is located along East FM150.
- Approximately 239 lots have been platted with a remaining 74.6 acres to be final platted.
- Phase I of Woodlands Park Subdivision had a Preliminary Plan for Phase 1 only with the balance of the property submitting a Concept Plan and then subsequently a Preliminary Plan. The February 2004 Preliminary Plan for Phases II, III and IV was prepared under Zoning Ordinance No. 378 and Subdivision Ordinance No. 439 (previous zoning and subdivision ordinance). Phase 2 has been final platted.
- The Preliminary Plan for Phase II, III and IV was approved with certain conditions including Pedestrian Trail crossing the property, a neighborhood pocket park and complete revegetation of the all drainage easements be provided., however the preliminary Plan expired prior to submitting a final plat.
- On September 29, 2006 the City of Kyle entered into a compromise agreement with the developer which allows this subdivision to proceed as previously approved with the following requirements
  - Reducing the number of residential from 398 to 392.
  - Providing a public neighborhood park at least one acre in size.
  - Front building line setback of all lots to be 25 feet with all other building line setbacks meeting requirements of Ordinance No. 438 for zoning classification R-1-1.
  - Woodlands Drive through Phases II, III and IV to provide sufficient space for bicycle traffic lane in addition to vehicular traffic lanes.
- August 28, 2012- The Planning and Zoning Commission denied the request for an amendment to the compromise agreement.

- September 4, 2012- The City Council tabled action on the request after the applicant suggested a change to the request and requested the Planning and Zoning Commission consider and make a recommendation on the applicant's suggested revisions.

***Code Requirements Applicable to the Development:***

Because the compromise agreement specifically states "Front building line setback of all lots to be 25 feet with all other building line setbacks meeting requirements of Ordinance No. 438 for zoning classification R-1-1" the below garage requirements shall be applicable ( including setback and minimum square footage).

Sec. 53-65. - Conditions and limitations of the R-1-1

Garages are required and must be one of the following designs:

- a. Detached with a minimum setback of five feet from the front wall of the home facing front property line;
  - b. May be attached and must have a minimum setback of five feet from the front wall of the home facing front property line; or
  - c. May be attached and meet minimum front setback requirements, but must face side property line.
- Each garage must be designed and constructed with a minimum of 480 square feet.

***Request:***

At the August 28<sup>th</sup> meeting the developer requested an amendment to the 2006 Compromise Agreement to amend the following two provisions of the agreement:

- Modify the compromise agreement to allow garages with a minimum of 360 square feet rather than 480 square feet
- Remove the requirement for an attached garage to have a minimum setback of 5' from the front wall of the home facing the front property line.

At September 4<sup>th</sup> City Council meeting the applicant removed the request to reduce the required size of the garage and requested the below amendment be considered.

**Remove the requirement for an attached garage to have a minimum setback of five feet (5') from the front wall of the home facing the front property line. In instances where the setback is not implemented, the home's exterior shall be a combination of building materials. For example, rather than one hundred percent (100%) brick elevation, a combination of brick and stone (or other materials) shall be used to provide architectural diversity.**

***Staff Analysis:***

The current zoning designation of the subdivision is R-1-1. The zoning district requires all buildings and structures, garages, and/or accessory buildings constructed within this district to have four sides composed

of 100 percent brick, stone, hardiplank or other approved masonry product. While the zoning district does not require a number of architectural off-set's or architectural features a combination of masonry materials is often used on the exterior elevation of homes.

The revised request still seeks to eliminate the requirements for attached garages to have a minimum setback of 5' from the front wall of the home facing the property line. In return for the elimination of the garage setback the applicant is offering to utilize a combination of materials to provide architectural diversity.

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

- The request for removal of the minimum garage setback would still allow for the garage to protrude in front of the front wall of the home.
- In reviewing the other homes within the subdivision it appears that the majority of homes have one consistent material on the front elevation of the home. The homes that contain a combination of materials, on the front of the home, usually contain one predominate material with another masonry material used as an accent in detail work.

# ARMBRUST & BROWN, PLLC

ATTORNEYS AND COUNSELORS

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October 5, 2012

**VIA ELECTRONIC MAIL**  
**VIA FIRST CLASS MAIL**

Sofia Nelson  
Planning Director  
City of Kyle  
100 W. Center Street  
Kyle, TX 78640  
snelson@cityofkyle.com

Re: Woodlands Park

Dear Ms. Nelson:

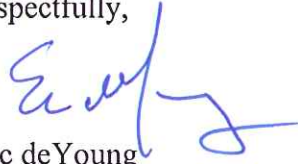
On behalf of the developer of Woodlands Park, we would like to amend the existing variance request previously submitted to you on August 15<sup>th</sup>. The developer proposes the following variance request from the setback requirements for Single-Family Residential 1 – District “R-1-1” zoned homes prescribed in City Zoning Ordinance No. 438:

- Remove the requirement for an attached garage to have a minimum setback of five feet (5’) from the front wall of the home facing the front property line. In instances where the setback is not implemented, the home’s exterior shall be a combination of building materials. For example, rather than one hundred percent (100%) brick elevation, a combination of brick and stone (or other materials) shall be used to provide architectural diversity.

As we have previously pointed out, many homes have been constructed in the area without this setback. The developer believes the combination of building materials when the setback is not present will add architectural interest.

We would like for this request to be considered at the Planning & Zoning Commission’s meeting on October 23, 2012. We are available to discuss the matter with you at your convenience.

Respectfully,



Eric deYoung  
Land Development Consultant

Cc: David Armbrust (in firm)  
Ian Boyd (via email [ian.boyd@lennar.com](mailto:ian.boyd@lennar.com))  
Lee Goodman (via email [leegoodman@mail.com](mailto:leegoodman@mail.com))

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