

PLANNED USE DEVELOPMENT OVERLAY DISTRICT

AND

DEVELOPMENT PLAN

BETWEEN

THE CITY OF KYLE

HAYS COUNTY, TEXAS

AND

PGI INVESTMENT, LLC

PLANNED USE DEVELOPMENT OVERLAY DISTRICT

STATE OF TEXAS §

COUNTY OF HAYS §

This Planned Use Development Overlay District (“PUD”) is between the City of Kyle, Texas (the “City”) and **PGI Investment, LLC** (PGI). In this PUD, the City and PGI are sometimes individually referred to as a “Party” and collectively referred to as the “Parties”.

RECITALS:

PGI, directly or through an affiliate or one or more assignees, intends to develop approximately 47.74 acres of land (the “Land”) located within the City of Kyle full purpose annexation area and in Hays County, Texas (the County”). The Land is more fully described on the attached Exhibit A. Owner and City desire that the entire Land be governed by this PUD.

The unique geometry of the Site including its triangular shape, its boundary of Interstate 35 and Post Road/Union Pacific Railroad, and the elevated Yarrington Road. The low lying area and significant tree cover also contributes to the uniqueness of the Project site topography and constraints. This PUD allows this unique site to be developed in compliance with the City of Kyle Comprehensive Plan by allowing flexibility of use, enhanced landscaping, and an enhanced commercial tax base.

PGI intends to develop the Land as a master-planned, mixed-use community that will include commercial and residential uses conforming with Chapter 53 Article III Planned Unit Development District requirements of the City of Kyle Zoning Ordinance. In this PUD, the Land, as it will be developed, is sometimes referred to as the “Project”.

The City is located in a rapidly growing area of the County and new construction and land development will impact the future character of the City. The City has adopted a Comprehensive Master Plan with land use districts (“Master Plan”) to guide the City in planning for future growth and development. PGI and the City wish to enter into this PUD to provide an alternative to the City’s typical regulatory process for development, provide development that is harmonious with the intent of the Plan and PGI’s vision for the Project development, encourage innovative and comprehensive master-planning of the Land, provide certainty of regulatory requirements throughout the term of this PUD and provide assurance of a high-quality development that will benefit the present and future residents of the City of Kyle.

Therefore, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the City and PGI agree as follows:

ARTICLE 1 DEFINITIONS

- 1.1 Applicable Fees: The fees and charges to be paid by PGI to the City with respect to the development of the Land.
- 1.2 Applicable Rules: The City rules, regulations and official policies in effect as of Vesting Date, which, as modified by the Project Approvals, will be applicable to the development of the Land.
- 1.3 CCN: The right to service the property with water pursuant to a Certificate of Convenience and Necessity issued or established by the TCEQ or its predecessors.
- 1.4 City: The City of Kyle, Texas, a State of Texas, home rule city.
- 1.5 City Manager: The City Manager of the City of Kyle.
- 1.6 City Council: The City Council of the City.
- 1.7 City Engineer: The Engineer for the City.
- 1.8 City Rules: The City’s ordinances, regulations and official policies.

- 1.9 Comprehensive Master Plan: The Comprehensive Master Plan currently in effect for the City.
- 1.10 County: Hays County, Texas.
- 1.11 Interstate: Interstate Highway 35 which bounds the Project
- 1.12 Land: Approximately 47.74 acres of land, more or less, in Hays County, Texas, and within the full purpose annexation area of the City of Kyle, as more fully described on the attached Exhibit A.
- 1.13 Planning and Zoning Commission: The Planning and Zoning Commission of the City.
- 1.14 Preliminary Site Plan: The preliminary site or conceptual plan of the entire Project attached as Exhibit B,
- 1.15 Project: The Land as it will be developed under this PUD.
- 1.16 Project Approvals: The approvals, variances, waivers and exceptions to the Applicable Rules approved by the City with respect to other development of the Land, as set forth on the attached Exhibit C.
- 1.17 TCEQ: The Texas Commission of Environmental Quality.

ARTICLE 2 PUBLIC BENEFITS, INFRASTRUCTURE AND AMENITIES

2.1 Orderly Growth. The City desires that development within its City limits occur in an orderly manner in order to protect the health, safety and welfare of its present and future citizens, protect property values and provide for the growth of the City's tax base and comply with the City's Comprehensive Plan in the manner prescribed by law. This PUD will benefit the City by facilitating the development of a master-planned community within the City, which will allow for thoughtful and high-quality planning, the development of necessary roadways and utility facilities, the provision of required

fire protection services, and the development of a balanced community that includes Interstate-compatible commercial, retail and residential uses.

2.2 Economic Growth. The development of the Project as a master-planned, mixture of uses will benefit the City by providing new employers and an expanded job market for the residents of the City and its extraterritorial jurisdiction, furthering the development of an expanded commercial tax base increasing services available to residents of the City and its extraterritorial jurisdiction.

2.3 Provision of Housing. The development of Land under this PUD is intended to provide multi-family residential housing alternatives for the City's present and future citizens and, as contemplated by the City's Comprehensive Plan to allow the development of housing that will minimize negative environmental impacts and promote the aesthetic enhancement of the City and its extraterritorial jurisdiction.

ARTICLE 3 PROPERTY DEVELOPMENT

3.1 Governing Regulations. The PUD Overlay District shall constitute an "Agreement for Construction" as defined by Texas Local Gov't Code Ann. Section 245.001 with the rights attendant thereto. To the extent permitted by law, and subject to the exceptions contained in Chapter 245 Local Government Code, for the term of this agreement, the development and use of the Land will be controlled by the terms of this agreement, the base zoning district, PUD requirements of the City Code, the and the Applicable Rules.

3.2 Project Approval and Entitlements. The City has reviewed and approved certain development matters regarding the Land. The Parties have specifically agreed as follows:

- a. Project Approvals. The City confirms that the Project Approvals set forth in Exhibit C (the "Project Approval") have been reviewed, and to the extent necessary approved, by all required City departments, boards and commissions

and the City Council and are granted by the City with respect to the development of the Land.

- b. Preliminary Site Plan. The City confirms that the Preliminary Site Plan attached as Exhibit B (including all footnotes and definitions thereon or attached thereto) complies with the rules and regulations set forth in this document, as amended, and that the Preliminary Site Plan has been reviewed, and to the extent necessary approved, by all requisite City departments, boards and commissions and the City Council.

A full site plan per the requirements of the City Code will be required as each individual lot is developed.

- c. Density of Development. Anything contained in this PUD or City ordinances to the contrary notwithstanding, PGI will have the right to develop land at a density as set forth on Exhibit C. For purposes of this PUD, there shall be allowed within areas noted as residential areas: R-3-3 or multifamily residential including parks, sports and playground facilities, amenity centers, clubhouses and similar uses. For purposes of this PUD there shall be allowed within areas noted as commercial areas: R.S. or Retail Services.
- d. Phasing of Development. PGI may plat the Land in phases as determined by the Parties.
- e. Replatting. Any portion of the Property may be replatted to change the lot configuration of that previously platted portion so long as the entire platted portion of the Property meets the Applicable Rules.
- f. Parkland. The Project shall comply with parkland dedication and development requirements in place at the time of final platting.
- g. Land Use. The City acknowledges that the portions of the Land not under active development may remain in use for existing RV Park use or wildlife management or agricultural purposes and must conform to the requirements the City code has established for non-conforming uses, structures, and site.
- h. Prohibited Uses. The following land uses are prohibited.

- Sale of motor vehicles (to include but not limited to golf carts, boats, motorcycles, jet ski, new and used automobiles)
 - Car Wash
 - Bus terminal Facility
 - Auto Repair
- i. Storage Requirements. Outdoor storage and container storage are permitted as an accessory use as follows:
- Such storage does not exceed twenty percent (20%) of the gross floor area of the primary building that houses the business storing such materials,
 - Such storage or container is located no closer to a street frontage than the primary building that houses the business storing such materials,
 - Such storage or container is screened from view from adjacent properties
 - Such storage or container is not permitted within required setbacks.
- j. Display Requirements.
- 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.

3.3 Further Approvals. The City agrees that, upon the effective date of this PUD, PGI has the vested right to develop the Land consistent with the Project Approvals and this PUD. Any approved amendments to the Project Approvals, will become a part of the Project, and shall be subject to the City rules, ordinances, state law and regulations then in place to the extent permitted by law.

3.4 Standard for and Timing of Review. The Parties agree that they will use reasonable efforts to review and process approvals required by this PUD consistent

with City rules and regulations. Final authority for the resolution of any unresolved dispute created by this PUD shall be vested in the Board of Adjustment.

3.5 Amendments. All amendments must comply with the requirements established in Section 53.724 of the City of Kyle Code.

3.6 Terms of Approval. The project is subject to the terms of approval outlined in Section 53.725 of the City of Kyle Code.

ARTICLE 4 UTILITIES/SERVICES

4.1 Wastewater. Wastewater service will be provided by the City of San Marcos until such time as the City of Kyle can provide wastewater service to this development. PGI is responsible for determining if the available wastewater infrastructure has sufficient capacity to serve the development. If the development will exceed the capacity of the City of San Marcos' existing wastewater infrastructure, improvements to the existing infrastructure to provide sufficient capacity will be provided by and at the cost of PGI. The development will also be responsible for meeting and maintaining compliance with all applicable City of San Marcos sewer use ordinance requirements such as the Industrial Waste Discharge Regulations and Sewer Surcharge Fees.

The City of Kyle shall use its best efforts to provide to the Project wastewater capacity as and when reasonably requested by PGI. PGI will at its costs install gravity flow wastewater lines within the Project necessary to service the Project in accordance with Applicable Rules (the "Wastewater Facilities"). All wastewater interceptor and offsite improvements and any necessary onsite lift stations, force mains, pumps or similar facilities for nongravity collection of wastewater will be provided by and at the cost of the City at such location as PGI may reasonably request subject to the City's ability to obtain project financing. The City and PGI will negotiate in good faith the location for the onsite wastewater lift station and route of the planned wastewater interceptor traversing the Land. PGI will provide the land area or site needed for the wastewater lift station to be constructed including construction easements as needed from time to

time and maintained by the City. Once the public wastewater onsite improvements are completed in accordance with the Applicable Rules and Project Approvals, the City will accept the same for maintenance and operation.

4.2 Water. The City will provide to the Project, water capacity as and when needed and reasonably requested by PGI. If applicable, once the water onsite improvements are completed in accordance with the Applicable Rules and Project Approvals, the City will accept the same for maintenance and operation.

4.3 Easements. PGI agrees to provide use of all necessary PGI lands, and easements and to provide further required easements or lands as may be necessary for construction of the City's segment of the wastewater Project.

4.4 Signage. Project signage will comply with the requirements set forth in this Section, Exhibit C, Exhibit F: Signage Plan, and Exhibit D. It is the intent of the Project to have less square footage of signage than what is allowed by Code, if these lots were developed individually and not as a master planned development. Sign type and location are shown on Exhibit F. The project shall include one (1) two-sided pylon sign with an 80 foot maximum height and a maximum of six (6) tenant signs and full color LED display; two (2) two-sided pylon signs, with a 50 foot maximum height and a maximum of six (6) tenant signs. In addition, at two of the joint access driveway locations along IH 35 and one driveway entrance along Post Road, three (3) pylon signs with a 25 foot maximum height and a maximum of four (4) tenant signs. One monument sign with an 8 foot maximum height and a maximum of one (1) tenant sign. These signs shall comply with all requirements of the City Sign Ordinance as of the vested date of this document, save and except any requirements in conflict with the number, sizes and types of signs stated above.

ARTICLE 5 GENERAL PROVISIONS

5.1 Applicable Law and Venue. The interpretation, performance, enforcement, and validity of this PUD is governed by the laws of the State of Texas. Exclusive venue for any dispute, interpretation, explanation or application of the PUD will be in a court of appropriate jurisdiction in Hays County, Texas.

5.2 No Third Party Beneficiary. This PUD is not intended, nor will it be construed, to create any third beneficiary rights in any person or entity who is not a Party, unless expressly otherwise proved.

5.3 Certificate of Compliance. Upon the written request by either Party given in accordance with this PUD, the other Party will reasonably execute and deliver to the requesting Party a statement certifying that: (a) this PUD is unmodified and in full force and effect or, if there have been modifications, that this PUD is in full force and effect as modified and stating the date and nature of each modification; (b) there are no current uncured defaults under this PUD, or specifying the date and nature of each default; and (c) any other information that may be reasonably requested. The City Manager will be authorized to execute any requested certificate on the behalf of the City.

5.4 Remedies for Default. If either Party defaults under this PUD and fails to cure the default within the applicable cure period, the non-defaulting Party will have all rights and remedies available under this PUD or applicable law, including the right to institute legal action to cure any default, to enjoin any threatened or attempted violation of this PUD or to enforce the defaulting Party's obligations under this PUD by specific performance or writ of mandamus, or to terminate this PUD. The City acknowledges that any refusal of or delay by the City to perform its obligations under this PUD may have a substantial and material impact on PGI, and its ability to exercise its rights and perform its obligations under this PUD. Accordingly, in the event of a default by the City, PGI will be entitled to seek a writ of mandamus, in addition to seeking any other available remedies. All remedies available to a Party will be

cumulative and the pursuit of one remedy will not constitute an election of remedies or a waiver of the right to pursue any other available remedy.

5.5 Reservation of Rights. To the extent not inconsistent with this PUD, each Party reserves all available rights, privileges, and immunities under applicable laws. City specifically reserves all rights of sovereign immunity provided by the constitution, state law and the City Charter. Nothing contained herein shall ever be construed as a waiver of sovereign immunity the rights to which are specifically and expressly reserved herein to the fullest extent permitted by law and minimally to the extent then and there existing prior to the execution hereof.

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

5.7 Entire Agreement. This PUD and the Exhibits hereto contain the entire agreement of the Parties, and there are no other agreements or promises, oral or written, between the Parties regarding the subject matter of this PUD. This PUD may be amended only by written agreement signed by the Parties.

5.8 Exhibits, Headings, Construction and Counterparts. All Exhibits attached to this PUD are incorporated into and made a part of this PUD for all purposes. The paragraph headings contained in this PUD are for the convenience only and do not enlarge or limit the scope or meaning of the paragraphs. Wherever appropriate, words of the masculine gender may include the feminine or neuter, and singular may include

the plural, and vice-versa. Each of the Parties has been actively and equally involved in the negotiation of this PUD. Accordingly, the rule of construction that any ambiguities are to be resolved against the drafting Party will not be employed in interpreting this PUD or its exhibits. This PUD may be executed in any number of counterparts, each of which will be deemed to be an original, all of which will together constitute the same instrument. This PUD will become effective only when one or more counterparts, individually or taken together, bear the signatures of all the Parties.

5.9 Employment of Undocumented Workers. During the term of this PUD, if Developer shall knowingly employ any undocumented workers, and, if convicted of a violation under 8 U.S.C. Section 1324a (f), Developer shall be in default of this PUD. Developer shall assure that any work done on the Project shall be performed by a contractor, subcontractor or other entity that shall observe the conditions provided for in this section.

5.10 **Indemnity. Developer shall indemnify, defend, save and hold harmless the CITY and its officers, agents, contractors, volunteers, employees and assigns from and against any and all claims, actions, liabilities, damages, losses, or expenses (including court costs, attorneys' fees, and costs of claim processing, investigation and litigation) (hereinafter referred to as "Claims") for bodily injury or personal injury (including death), or loss or damage to tangible or intangible property caused, or alleged to be caused, in whole or in part, by the negligent or willful acts or omissions of Developer or any of its owners, officers, directors, agents, employees or contractors, arising out of or related to Developer's occupancy and use of the Licensed Premises. It is the specific intention of the Parties that the CITY shall, in all instances, except for Claims arising solely from the negligent or willful acts or omissions of the CITY, be indemnified by Developer from and against any and all claims. It is agreed that the Developer will be responsible for primary loss investigation, defense and judgment costs where this indemnification is applicable. In consideration for the use and**

occupancy of the Licensed Premises, the Developer agrees to waive all rights of subrogation against the CITY its officers, officials, agents and employees for losses arising from the use, occupancy or condition of the Licensed Premises which shall be separate and apart from the required blanket waivers of subrogation contained in the mandatory insurance required by Section 5.12 hereof.

5.11 Insurance. Developer shall procure and maintain during any term of this PUD such typical and ordinary insurance as required to secure the indemnity provisions contained herein. Such insurance shall include comprehensive general liability insurance containing coverage for public liability, bodily injury, property damage and death; automobile liability insurance; workers compensation; and errors omissions insurance. City shall be named as an additional insured on all policies required herein, shall provide certificates of insurance evidencing such coverage, with all required policies obtaining blanket waivers of subrogation.

5.12 Alternative Dispute Resolution(ADR)/Mediation. Prior to the initiation of any suit herein, and except in the case where either party may be entitled to request injunctive relief to avoid imminent and irreparable harm, the Parties shall first engage in good faith negotiations between the upper management of each. The City designates the City Manager as its representative for any negotiations provided for herein. If such negotiations are unsuccessful, the Parties will thereafter engage in mediation under the commercial mediation rules of the American Arbitration Association.

5.13 Notices. Any notices under this PUD may be sent by hand delivery, facsimile (with confirmation of delivery) or certified mail, return receipt requested, to the Parties at the address set forth by their signatures, or as such addresses may be changed from time to time by written notice to the other Parties. Either City or PGI may change its mailing address at any time by giving written notice of such change to the other in the manner provided herein at least ten days prior to the date such change is effected. All notices under this PUD will be deemed given on the earlier of the date personal

delivery is effected or on the delivery date or attempted delivery date shown on the return receipt or facsimile confirmation.

5.14 Exhibits. The following exhibits are attached to this PUD, and made part hereof for all purposes:

- Exhibit A - Metes and Bounds Description of the Land
- Exhibit B - Preliminary Site Plan/Land Use Chart
- Exhibit C - Project Approvals, including Variances and Exceptions
- Exhibit D - PDD Development Standards
- Exhibit E - Building Elevations
- Exhibit F - Signage Plan

IN WITNESS WHEREOF, the undersigned Parties have executed this PUD on the dates indicated below, to be effective on the date the last party signs.

PGI INVESTMENT, LLC

By: _____

Name: Kamlesh Shah

Title: _____

Address: 19511 Comal River Drive, Cypress, Texas 77433

CITY OF KYLE

By: _____

Name: _____

Title: _____

Address: 100 W. Center Street, Kyle, TX 78640

EXHIBIT "A"

FIELD NOTES DESCRIBING 47.74 ACRES OF LAND OUT OF THE JAMES W. WILLIAM SURVEY NO. 11, HAYS COUNTY, TEXAS, AND BEING A PORTION OF THAT CALLED 49.61 ACRE TRACT DESCRIBED IN A WARRANTY DEED RECORDED IN DOCUMENT 9714749 OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, SAVE AND EXCEPT THAT PORTION CONVEYED FOR RIGHT-OF-WAY DESCRIBED IN VOLUME 3051, PAGE 217, OFFICIAL PUBLIC RECORDS OF SAID COUNTY AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a ½ inch iron rod found at the intersection in the west r.o.w. line of the Interstate Highway 35 and the northerly r.o.w. line of Yarrington Road for the most southerly corner hereof;

THENCE along the northerly r.o.w. line of Yarrington Road, North 45°16'08" West, 83.29 feet to cap iron rod set for the beginning of a curve to the right;

THENCE along said curve with a radius of 6000.63 feet and whose chord bearing distance bears North 42°11'18" West, 366.30 feet to a cotton spindle set for the beginning of a curve to the left;

THENCE along said curve with a radius of 6100.64 feet and whose chord bearing distance bears North 41°38'36" West, 256.41 feet to a fence post found for the end of said curve;

THENCE continuing along the north r.o.w. line of Yarrington Road North 33°21'32" West, 486.62 feet to a cap iron rod found for angle point and North 53°01'29" West, 172.81 feet to a cap iron rod set in the southerly r.o.w. line of Post Road for the most westerly corner hereof;

THENCE along the southerly r.o.w. line of Post Road the following courses:

1. North 37°13'35" East, 85.38 feet to a ½ inch iron rod found;
2. North 40°30'37" East, 63.93 feet to a ½ inch iron rod found;
3. North 43°21'19" East, 355.33 feet to a cap iron rod set;
4. North 44°08'43" East, 445.78 feet to a cap iron rod set;
5. North 44°05'17" East, 581.02 feet to a cap iron rod set;
6. North 44°34'12" East, 605.88 feet to a ½ inch iron rod found;
7. North 42°42'56" East, 484.50 feet to a concrete monument found for the most northerly corner hereof;


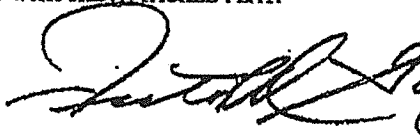
THENCE South 78°52'17" East, 50.24 feet to a concrete monument found in the westerly r.o.w. line of IH 35 for the most easterly corner hereof;

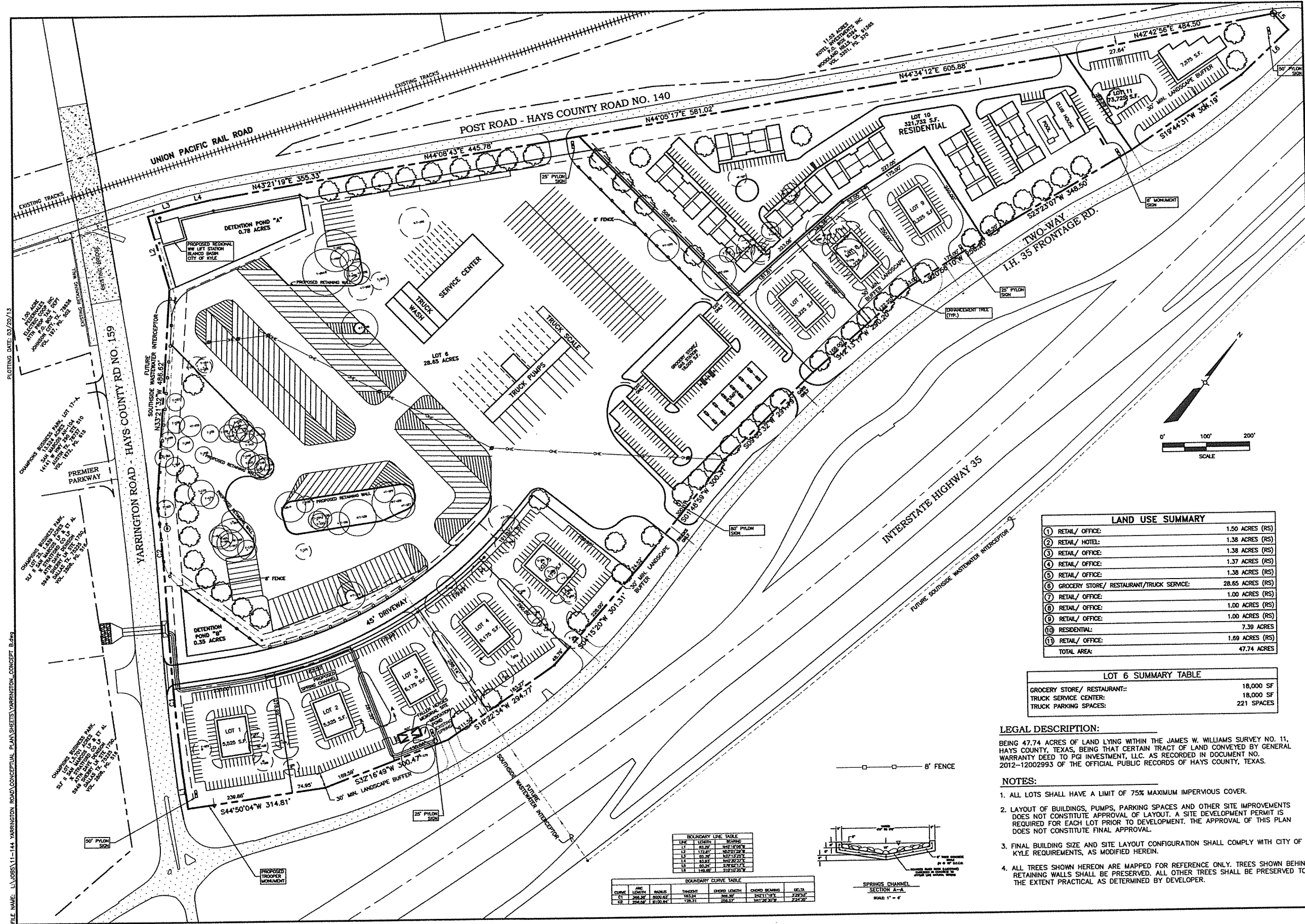
THENCE along the westerly r.o.w. line of IH 35 the following courses:

1. South 10°10'35" West, 149.65 feet to a concrete monument found;
2. South 19°44'31" West, 304.19 feet to a cap iron rod set;
3. South 23°23'07" West, 348.50 feet to a cap iron rod set;
4. South 20°56'10" West, 256.20 feet to a concrete monument found;
5. South 12°13'17" West, 290.20 feet to a cap iron rod set;
6. South 09°03'32" West, 291.79 feet to a concrete monument found;
7. South 01°48'59" West, 300.31 feet to a ½ inch iron rod found;
8. South 04°15'20" West, 301.31 feet to a concrete monument found;
9. South 18°22'34" West, 294.77 feet to a ½ inch iron rod found;
10. South 32°18'49" West, 300.47 feet to a 60d nail found;
11. South 44°50'04" West, 314.81 feet to the PLACE OF BEGINNING and containing 47.74 acres of land more or less.

FIELD NOTES TO BE USED WITH THE ATTACHED PLAT.

R0902208
9/9/08





PLOTTING DATE: 03/20/13
 FILE NAME: L:\030511-144 YARRINGTON ROAD CONCEPTUAL PLANS SHEETS\YARRINGTON_CONCEPT_B.dwg
 CHAMPIONS BUSINESS PARK, LOT 17-A
 1411 YARRINGTON RD. SUITE 110
 WOODWAY, TX 77464
 TEL: 281.767.8110
 FAX: 281.767.8110
 CHAMPIONS BUSINESS PARK, LOT 17-B
 1411 YARRINGTON RD. SUITE 110
 WOODWAY, TX 77464
 TEL: 281.767.8110
 FAX: 281.767.8110
 CHAMPIONS BUSINESS PARK, LOT 17-C
 1411 YARRINGTON RD. SUITE 110
 WOODWAY, TX 77464
 TEL: 281.767.8110
 FAX: 281.767.8110
 CHAMPIONS BUSINESS PARK, LOT 17-D
 1411 YARRINGTON RD. SUITE 110
 WOODWAY, TX 77464
 TEL: 281.767.8110
 FAX: 281.767.8110

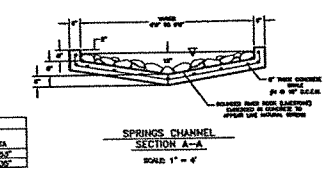
LAND USE SUMMARY	
1 RETAIL/ OFFICE:	1.50 ACRES (RS)
2 RETAIL/ HOTEL:	1.38 ACRES (RS)
3 RETAIL/ OFFICE:	1.38 ACRES (RS)
4 RETAIL/ OFFICE:	1.37 ACRES (RS)
5 RETAIL/ OFFICE:	1.38 ACRES (RS)
6 GROCERY STORE/ RESTAURANT/TRUCK SERVICE:	28.65 ACRES (RS)
7 RETAIL/ OFFICE:	1.00 ACRES (RS)
8 RETAIL/ OFFICE:	1.00 ACRES (RS)
9 RETAIL/ OFFICE:	1.00 ACRES (RS)
10 RESIDENTIAL:	7.39 ACRES
11 RETAIL/ OFFICE:	1.69 ACRES (RS)
TOTAL AREA:	47.74 ACRES

LOT 6 SUMMARY TABLE	
GROCERY STORE/ RESTAURANT:	18,000 SF
TRUCK SERVICE CENTER:	18,000 SF
TRUCK PARKING SPACES:	221 SPACES

LEGAL DESCRIPTION:
 BEING 47.74 ACRES OF LAND LYING WITHIN THE JAMES W. WILLIAMS SURVEY NO. 11, HAYS COUNTY, TEXAS, BEING THAT CERTAIN TRACT OF LAND CONVEYED BY GENERAL WARRANTY DEED TO PGI INVESTMENT, LLC, AS RECORDED IN DOCUMENT NO. 2012-12002993 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS.

- NOTES:**
1. ALL LOTS SHALL HAVE A LIMIT OF 75% MAXIMUM IMPERVIOUS COVER.
 2. LAYOUT OF BUILDINGS, PUMPS, PARKING SPACES AND OTHER SITE IMPROVEMENTS DOES NOT CONSTITUTE APPROVAL OF LAYOUT. A SITE DEVELOPMENT PERMIT IS REQUIRED FOR EACH LOT PRIOR TO DEVELOPMENT. THE APPROVAL OF THIS PLAN DOES NOT CONSTITUTE FINAL APPROVAL.
 3. FINAL BUILDING SIZE AND SITE LAYOUT CONFIGURATION SHALL COMPLY WITH CITY OF KYLE REQUIREMENTS, AS MODIFIED HEREIN.
 4. ALL TREES SHOWN HEREON ARE MAPPED FOR REFERENCE ONLY. TREES SHOWN BEHIND RETAINING WALLS SHALL BE PRESERVED. ALL OTHER TREES SHALL BE PRESERVED TO THE EXTENT PRACTICAL AS DETERMINED BY DEVELOPER.

BOUNDARY CURVE TABLE						
CURVE NO.	ARC LENGTH	BEARING	CHORD LENGTH	CHORD BEARING	DELTA	PIE
1	108.82	N44°08'43"E	108.82	N44°08'43"E	0°00'00"	0.00
2	108.82	S44°50'04"W	108.82	S44°50'04"W	0°00'00"	0.00
3	108.82	N44°08'43"E	108.82	N44°08'43"E	0°00'00"	0.00
4	108.82	S44°50'04"W	108.82	S44°50'04"W	0°00'00"	0.00
5	108.82	N44°08'43"E	108.82	N44°08'43"E	0°00'00"	0.00
6	108.82	S44°50'04"W	108.82	S44°50'04"W	0°00'00"	0.00



<p>EXHIBIT B</p> <p>PRELIMINARY SITE PLAN</p> <p>KYLE TRAVEL CENTER</p> <p>CITY OF KYLE</p> <p>HAYS COUNTY, TEXAS</p>	<p>OWNER:</p> <p>PGI INVESTMENT, LLC.</p> <p>19511 S CONAL RIVER DR.</p> <p>CYPRESS, TX 77433</p> <p>(832) 858-0389</p>
<p>4 CUATRO</p> <p>Consultants,</p> <p>Registration No. T-5354</p> <p>2601 Kyle Crossing, Suite B, P.O. Box 013131-5000, Kyle, Texas 77460</p> <p>Phone: (832) 858-0389 Fax: (832) 858-0389</p> <p>email: carroll@cuatroconsultants.com</p>	
<p>DATE: MARCH 2013</p> <p>PROJECT: JOB # 11-144</p> <p>DRAWING'S NAME: YARRINGTON_CONCEPT B</p> <p>DESIGN: HE,Jr. CHECKED: HE,Jr.</p> <p>DRAWN: AS APPROVED: HE,Jr.</p> <p>SHEET: 1 OF 1</p>	<p>REVISION:</p> <p>BY:</p> <p>DATE:</p>

**EXHIBIT C:
PROJECT APPROVALS, INCLUDING VARIANCES AND EXCEPTIONS**

	CODE SECTION OR STANDARD	CODE	IH 35 OVERLAY	PUD
A	Front, side and rear setbacks	RS: 25', 10' and 15', R-3-3: 25', 7' and 15'	Same as Code	Propose 30 foot minimum landscape buffer along IH 35 and Yarrington Road.
B	Maximum Height	RS and R-3-3: 45'	Same as Code	45' Maximum
C	Maximum Lot Coverage	80 percent driven by 20 percent landscaping requirement	Same as Code	75 percent of Lot area
D	Floor Area Ratio:	1.8 to 1	Same as Code	1.8 to 1
E	Off Street Parking Requirements	RS: 1 space required per 250 square feet of gross floor area. R-3-3: Two spaces minimum for each living unit and 1/2 space per each bedroom above	Same as Code	RS: 1 space required per 275 square feet of gross floor area. Note: Parking reduction from Code may be based on hours of use and reciprocal parking agreements. R-3-3: One space per living unit minimum and 1/2 space per each bedroom above. Note: If unit size mix and historic use data can be used to support said reduction. Truck Parking: Numbers of spaces shall be determined by site specific Parking Study completed for Lot 6.
F	Special District Requirements pertaining to base zoning	NA	100 percent masonry, no verbiage regarding trade dressing, 30 percent glazing minimum, massing and form requirement of 5 design features for buildings less than 50,000 square feet	Allow trade dressing or corporate brands, 90 percent masonry including front façade and sides limit, glazing on front of buildings to 25 percent, reduce building massing and form requirements to 5 for same.
G	Number of dwelling units per acre	RS: Not applicable, MF: 28 units/acre	Same as Code	28/acre

**EXHIBIT C:
PROJECT APPROVALS, INCLUDING VARIANCES AND EXCEPTIONS**

	CODE SECTION OR STANDARD	CODE	IH 35 OVERLAY	PUD
4	Sign Standards	Per Sign Ordinance	Same as Code	Note: The overall number of signs and sign face area will be less than that allowed by Code if these lots were developed outside a PUD. Install 80 foot high Pylon sign on Lot 6; Install 50' high Pylon sign at IH 35 and Yarrington and at north end of Project. Install 25 foot pylons at two of the proposed joint access driveways and one on Post Road. Install one 8' foot monument on multifamily lot on IH 35 access.
ADDITIONAL NON-CODE ITEMS RESULTING FROM PUBLIC INPUT:				
A	Tree Inventory and Preservation	Not required	Same as Code	Inventoried Live Oaks greater than 18 inch diameter and other hardwoods. Save all trees shown on Exhibit B that are behind retaining walls and curbs. Allow reasonable and practicable planning around existing trees for individual lot layouts.
B	Sidewalks and Sidewalk Trees	5' sidewalk along ROW	5' sidewalk along ROWs and a 2" tree every 40' within a 7' buffer from sidewalk	Provide 20% increase of the required trees and shrubs along the proposed 30 foot buffer along IH-35 and Yarrington Road. The net increase shall be 20% greater than requirement.
C	Environmental	Per Code	N/A	Construct a 6'-8" wide rock lined channel to convey spring flow. Truck parking reduced to the amount justified by the site specific Parking Study. Lot Impervious Cover to be restricted to 75%. Increase IH35 setbacks (30') with additional landscape trees and understory screening. Increase internal lot perimeter setbacks as shown in Exhibit B for screening.
D	Safety	N/A	N/A	Coordinate with TXDOT to determine safe locations for IH ramps and driveways for the proposed uses. Include truck stop parking safety including perimeter fence and security personnel.
E	Cultural	N/A	N/A	Support Hays County Historical Commission in pursuing a historical marker for the Spring. Provide a minimum 10'x50' Memorial Site for fire and police officers that have perished in the line of duty. Add a bench and kiosk as appropriate to enhance the marker designated for the DPS Trooper as currently marked.

EXHIBIT “D”
DEVELOPMENT STANDARDS
FOR
P.U.D. OVERLAY DISTRICT
CITY OF KYLE AND PGI INVESTMENTS, LLC
KYLE, TEXAS

GENERAL DESIGN STANDARDS

The buildings and other improvements constructed for the project shall be consistent with the design concepts, architectural theme and materials, used in the construction of Kyle City Hall. The project shall include several building front facade designs that will carry the theme throughout the site. The buildings constructed within the Project area shall have a minimum of ninety (90%) percent masonry walls as defined below. Red brick and white limestone shall be used throughout the Kyle Travel Center as a design element on building facades facing a public street and shall be similar in color. Landscaping, hardscape features, site furnishings and signage will employ similar materials and compatible designs to further the perception of the Kyle City Hall.

Any design standard not specially addressed in this Exhibit, shall comply with the City’s IH 35 Overlay Ordinance and Zoning Ordinance.

MATERIAL SELECTIONS

A. Masonry

1. For this project “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 either exposed, sandblasted or texture and painted

2. All brick used throughout the site shall be red in color and be compatible with any indigenous stone used.
3. Natural stone will come from sources within the regional proximity and may be used in varying sizes and shapes throughout the Project.
4. Stucco/Plaster/Synthetic Stucco in general will be integrally colored in hues and tones pulled from and compatible with the red brick and natural colors of the stone.

However, other colors may be introduced in specific small areas when necessary to accomplish the design.

5. Concrete and/or Concrete Masonry Units may be used in any of several finishes ranging from exposed to textured and painted to resemble stucco. Colors for the textured/painted surfaces shall be integrally colored in hues and tones pulled from and compatible with the red brick and natural colors of the stone.

B. Other Wall Materials

The ten (10%) percent of exterior walls not included in the 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 area in which they are placed.

C. Elevations

1. The following shall apply:

- All facades, including back and side elevations of any building generally visible from public view or adjacent to residential areas, shall be architecturally treated and relate. All elevations generally visible from public view shall reflect the overall design, colors and textures used on the front facade.
- Building elevations shall incorporate architectural features and patterns that include pedestrian scale.
- Utilize architectural features, screen walls, landscaping into the overall building design.
- All anchor tenant buildings shall incorporate (at least 5) elements such as:
 - (1) Canopies or Porticos
 - (2) Overhangs
 - (3) Recesses/Projections
 - (4) Raised corniced parapets over the door.
 - (5) Peaked roof forms
 - (6) Arches
 - (7) Entrance framed by outdoor pedestrian features or enhanced landscaping
 - (8) Integral planters or wing walls that incorporate landscaped areas and/or sitting areas
 - (9) Enhanced pedestrian surfaces
- Other canopies, trellis, pergolas, and awnings will also be incorporated into the front façade and sidewalk areas. In some cases these may be no more than minor

shading devices, but in other situations they may be large enough to provide shade for outdoor seating. Permitted materials for these include steel, wood and canvas.

D. Roofing

1. Materials for the roof areas include the following:

- Standing Seam Metal Panels in either Preweathered Galvalume or Prefinished Painted Finishes. No reflective finishes are allowed.
- Clay tile may be used on some of the slope roof elements. Color blends will be chosen to be compatible with the other materials present.

E. Storefronts

The majority of the storefronts will be framed with typical prefinished aluminum components. The color of the finishes may vary as the façade materials vary from the stone to red brick, etc. in an attempt to add variety and interest at the pedestrian level. Glass will be clear and or lightly tinted with no reflective type glazing allowed.

F. Sidewalks

Sidewalls may be of typical concrete construction, provided however that ten (10%) percent of the sidewalk area around the buildings will be constructed with red brick or red stained and scored concrete to have the appearance of red brick. These accent areas are to emphasize important interceptions, building entrances and desirable pedestrian routes. All interior sidewalks shall be minimum of five (5) feet in width.

Project seeks no variance from sidewalk requirements of Code or Overlay.

G. Railings

Guardrails, handrails, and any other miscellaneous site related railing that may be required per code or for aesthetic reasons may be constructed of wood, masonry, or metal.

H. Lighting

Site lighting is broken into two components, General and Pedestrian. The General site lighting refers to illumination of large portions of the parking areas, while the Pedestrian site lighting references those areas along building fronts, plaza, outdoor, dining areas, boulevards and areas where similar scale lighting is appropriate. Wall pack lighting shall only be used when the rear of the building does not face an area visible by the general public.

Fixture types used for General Site lighting shall be cut-off so that the source of the illumination is shielded from view to the maximum extent possible. Fixtures shall be mounted no higher than thirty five (35) feet with two (2) foot six (6) inch concrete bases.

I. Equipment

Mechanical equipment mounted on the ground shall be screened by ornamental fences and incorporated landscaping. Mechanical equipment mounted on roofs shall be screened by appropriate building elements such as parapet wall, ornamental tower, or pitched roof to the extent that the mechanical equipment is not readily visible from any street level location inside or immediately adjacent to the Project.

Parapet walls used to screen mechanical equipment mounted on roofs shall be a minimum of three (3) feet six (6) inches above the height of the roof.

J. Vehicle Circulation and Parking

1. Crosswalks shall be required for traffic calming interior to the site to enhance pedestrian safety. Speed humps shall not be permitted.
2. Only ninety (90) degree head in parking shall be allowed along two way drive aisles.

K. Loading Areas

Loading and service areas shall be screened with walls that match the building materials and colors. Screen walls shall be a minimum of eight (8) feet in height.

Berms, used in conjunction with intensive landscaping may be considered to reduce the height of the screen wall.

L. Drive-through Facilities

1. Circulation shall allow adequate length of stacking for drive-through facilities and not interfere with the movement of traffic.
2. A minimum of four (4) queue spaces shall be required per drive-through lane.
3. A twelve (12) foot by-pass lane or a convenient means to by-pass the drive-through activity shall be required to allow vehicles an opportunity to circumvent the drive-through activity and exit the site.
4. Drive-through lanes shall be to the side or rear of the property.
5. A minimum five (5) foot landscape island shall be located between the drive-through lane and the adjacent parking areas or drive aisles.

GENERAL SIGNAGE STANDARDS

The sign improvements constructed for the Project will follow the design concepts illustrated on the attached Exhibit F: Signage Plan. The sign designs will incorporate shapes, forms, scale and materials associated with the building architecture. The signs for the Kyle Travel Center will be constructed with the following materials: red brick, stone, core tin, galvanized steel and painted metal.

Monument and pylon signs shall be illuminated either by (i) ground-mounted fixtures or (ii) with internally illuminated with white lexan faces within aluminum frames.

Except to the extent that this Agreement provides for signage regulation that is in conflict with the City's Sign Ordinance, the signage regulations of the City's Sign Ordinance shall apply to the property.

A. Pylon Signs

For the purpose of directing traffic off the Interstate 35 corridor and into the various entrances of the travel center, six (6) double sided freestanding pylon signs and one monument sign may be installed and maintained by Owners. Signage shall be of the type and installed at the locations shown on Exhibit F: Signage Plan. Signage heights and elevations shall match the Signage Elevations shown in Exhibit F and as further described in Section 4.4 of this PUD Agreement.

Five (5) freestanding signs shall be located along the IH-35 frontage road and one (1) freestanding pylon sign shall be located along Post Road. Each freestanding sign shall have a stone or brick base and be consistent with the masonry and design standards applicable to the Project pursuant to these architectural guidelines. Entrance signs shall incorporate materials and colors that are complementary to the overall design of the shopping center. See Exhibit F for sign elevations to be used on this Project.

B. Monument Sign

One monument sign is proposed for the multifamily residential lot or use. Signage height, material, and theme shall be as shown on Exhibit F: Signage Plan and related elevations.

LANDSCAPE DESIGN STANDARDS

A. General Requirements

In addition to the basic landscape requirements established in the Zoning Ordinance, Section 61. Landscaping and Screening requirements, the Project shall offer the following landscape amenities:

1. Enhanced landscape features at all major road intersections, including but not limited to berming, boulders, water features, towers or a combination thereof.
2. Enhanced landscaping along the perimeter of the property, particularly along IH-35 frontage road and Yarrington Road. A 30 foot wide landscape buffer is designated along IH 35 and along south side of Lot 1 to the proposed driveway. No pavement or impervious cover other than access driveways shall be permitted within this buffer.

Along Yarrington Road, plant Afghan pines as additional screening from proposed driveway west to lift station site. These 4 inch caliper trees will be planted on 15 foot centers.

Along IH 35, the existing 18 inch and greater live oak trees adjacent and along the frontage will be retained as much as practicably possible. Lot owner shall make final determination on retaining these existing trees. These are shown on Exhibit B: Preliminary Site Plan. Loblolly and pinon pines will be used along IH 35 as landscape trees. These will be planted at in the gaps that are not needed for sight windows to enhance screening. These trees shall be 4 inch caliper trees at 15 foot spacing.

For required shrubs, minimum size of 1 gallon container. Required shrub plantings will be exceeded by 15 percent along the IH 35 and Yarrington Road frontages.

3. Landscape end islands and medians in and along drives and in the parking areas shall meet or exceed the Ordinance requirements and shall provide for pedestrian traffic so that the landscaping is not compacted or destroyed by pedestrian traffic.
4. Trees shall be planted to avoid interference with streetlights, signage and fixtures.
5. Trees shall be kept out of street intersection sight triangles at a minimum of thirty five (35) feet as measured from face of curb.
6. When possible trees shall be planted no less than five (5) linear feet (whether horizontal or an angle) from underground utilities and fifteen (15) feet from overhead lines.
7. Trees shall be planted no less than five (5) linear feet (whether horizontal or an angle) from fire hydrant.

B. Perimeter Landscaping

Parking areas and the rear of all buildings shall be screened visually from all roadways by a combination of earthen berms, trees and a continuous shrub or ornamental grass row between thirty (30) and forty (40) inches high(at maturity) measured from final grade or

parking nearest the road. These shrubs and grasses shall be spaced on average four (4) to six (6) feet on center (depending on mature growth habit of plant) utilizing clustering and grouping to provide periodic open views to architectural elements, signs and additional landscape elements. Per Ordinance, all shrubs shall be a minimum of 1 gallon size container. Berms, not to exceed a four to one (4:1) slope, shall also be strategically located to provide maximum screening of parking while providing open views to architectural elements, signs and additional landscape elements.

C. Parking Area Landscaping

1. Landscaped end islands in the parking areas shall be a minimum of ten (10) feet wide. Minor deviations may be allowed due to topographic and other site constraints.
2. Each median island shall have a tree spaced on average a minimum of fifty (50) feet on center. Also, each end island shall have a minimum of one (1) tree.

D. Screening Walls

1. Service areas shall be visually screened from all public right-of-way. Acceptable methods of screening include walled entrances, evergreen landscaping and depressed service areas. Service areas shall meet definition of Screening requirements in the Code, including off street parking, loading spaces and docks, outside storage areas, mechanical equipment, must be screened from view from the street or public right of way.

Per Code, approved screening shall include privacy fencing, evergreen vegetative screens, landscape berms, existing vegetation, or any combination thereof.

2. Landscape buffer and screening requirements shall apply for ground mounted equipment, dumpsters, trash receptacles, refuse storage containers, loading docks, large utility cabinets and similar structures.

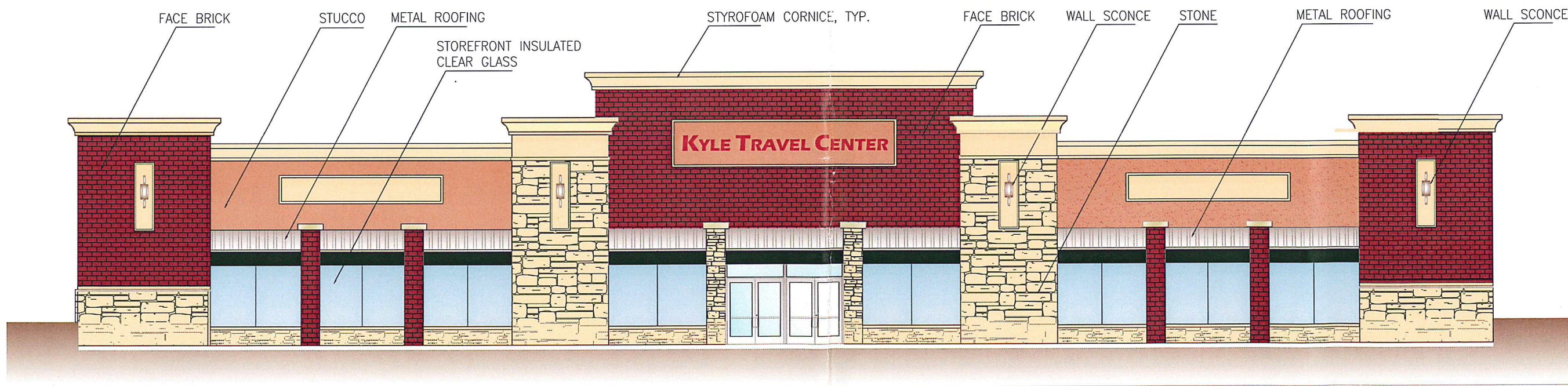
E. Streetscape

1. A license agreement from the City and/or TxDOT is required prior to any improvements in the public right-of-way. If license agreement is not secured improvements will be placed within the property boundaries.
2. Street trees shall be irrigated by a permanent automatic irrigation system.
3. Any landscaping and irrigation located within the public right-of-way shall be installed, irrigated and maintained by the property owner's association.

F. Plant Material Palette

The list of plant material considered to be appropriate for the development shall be from the City's Approved Plant Guide. Other plant material may be used, but shall be plants that are chosen for hardiness to climate and utility in the landscape that will foster the Central Texas plant style.

EXHIBIT "E"



EAST (FRONT) ELEVATION 3/16" = 1'-0"

ARCHITECTURAL DESIGN SCHEMATICS MUST COMPLY WITH THE REQUIREMENTS STATED IN "I-35 OVERLAY DISTRICT DEVELOPMENT STANDS" SEC. 53-899 OF CITY OF KYLE ORDINANCE. THE USE OF MASONRY MATERIAL, GLASS, AND THE "FOUR SIDE" DESIGN MUST BE IN COMPLIANCE WITH SAID ORDINANCE.

FRONTAGE: GROUND UP TO 10FT AG, AREA = 10'x150' = 1500 S.F.
 30% REQUIRED GLAZING AREA = 450 S.F.
 PROVIDED: 616 S.F.(WINDOW) + 74 S.F.(DOORS) = 690 S.F. > 450 SF. OK

MAX. SIGN ALLOWANCE: 15' X 150' X 10% = 225 S.F. OF SIGNAGE ON BUILDING.
 PROPOSED SIGN BOARD : 120 S.F + 2X52.5 S.F = 225 S.F. = 225 S.F. OK

MAX. PYLON SIGN ALLOWANCE: 160 S.F. @ MAX. HEIGHT OF 35FT. (SEC. 29.17)

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 tchen@tchenarch.com
 website:www.tchenarch.com

GENERAL NOTES: 1. BE PERFORMED IN ACCORDANCE WITH APPLICABLE LOCAL, STATE, AND NATIONAL CODES AND ORDINANCES AND ALL AUTHORITIES HAVING JURISDICTION. 2. THE ARCHITECT SHALL NOT BE RESPONSIBLE OR LIABLE FOR ANY BUILDING OR FOR SAFETY, PRECAUTIONS AND PROGRAMS RELATED TO THIS PROJECT. 3. THE ARCHITECT SHALL BE RESPONSIBLE FOR THE QUALITY OF WORKMANSHIP. 4. THE ARCHITECT SHALL BE RESPONSIBLE FOR ANY DIMENSIONS CONTACT ARCHITECT FOR ANY DIMENSIONS FOR ANY DIMENSIONS CONTACT ARCHITECT FOR ANY DIMENSIONS. 5. THE ARCHITECT SHALL BE RESPONSIBLE FOR ANY DIMENSIONS CONTACT ARCHITECT FOR ANY DIMENSIONS. 6. THE ARCHITECT SHALL BE RESPONSIBLE FOR ANY DIMENSIONS CONTACT ARCHITECT FOR ANY DIMENSIONS. 7. THE ARCHITECT SHALL BE RESPONSIBLE FOR ANY DIMENSIONS CONTACT ARCHITECT FOR ANY DIMENSIONS. 8. THE ARCHITECT SHALL BE RESPONSIBLE FOR ANY DIMENSIONS CONTACT ARCHITECT FOR ANY DIMENSIONS. 9. THE ARCHITECT SHALL BE RESPONSIBLE FOR ANY DIMENSIONS CONTACT ARCHITECT FOR ANY DIMENSIONS. 10. THE ARCHITECT SHALL BE RESPONSIBLE FOR ANY DIMENSIONS CONTACT ARCHITECT FOR ANY DIMENSIONS.

ISSUE DATE 05.21.2013
 DRAWN BY
 CHECKED BY
 SCALE AS SHOWN
 REVISIONS

I hereby certify that I am a licensed architect in the State of Texas, and that these plans have been prepared by me, or under my direct supervision, and to the best of my knowledge conform to applicable state and local building codes.



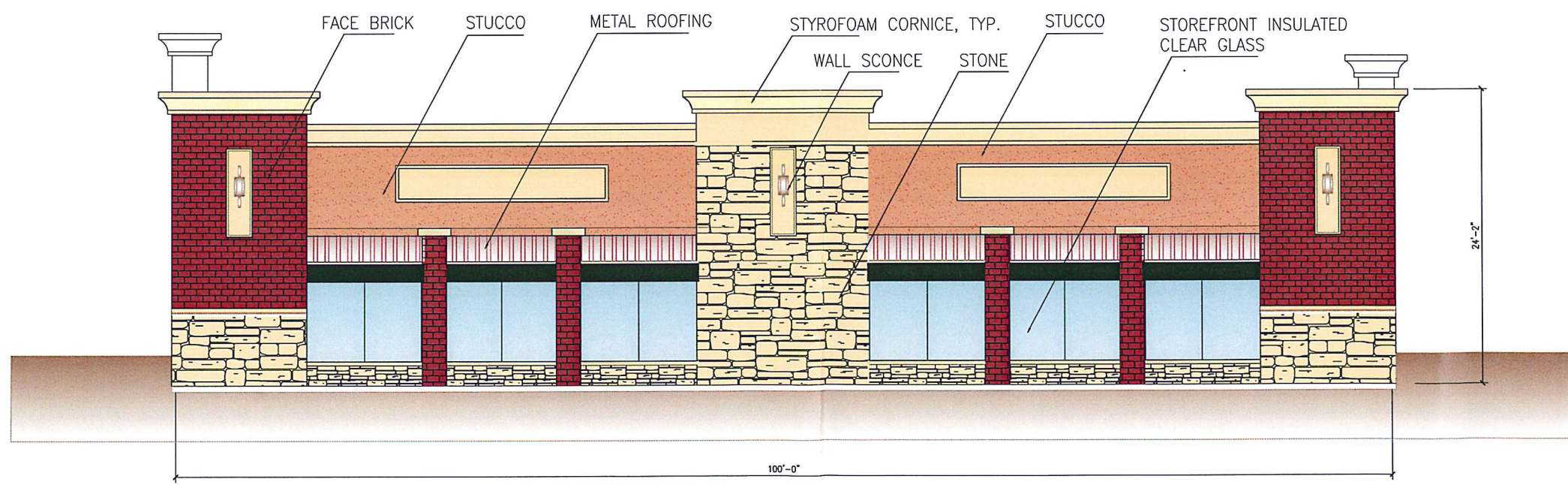
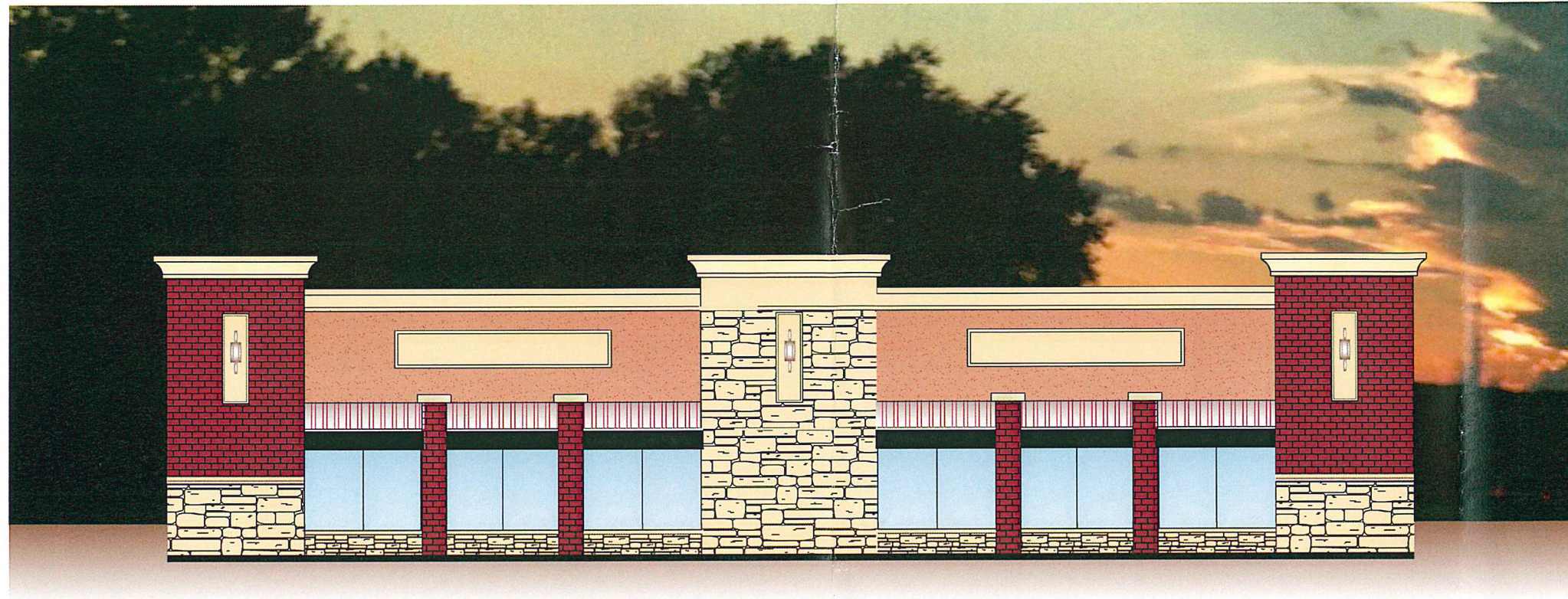
LICENSE NUMBER 7911
 EXP. DATE 1.31.2014

PROJECT NAME
 KYLE TRAVEL CENTER
 PROJECT ADDRESS
 24800 IH-35
 KYLE, TEXAS 78640
 SHEET TITLE
 ELEVATIONS

SHEET NUMBER

A-2.0

EXHIBIT "E"



NORTH ELEVATION 3/16" = 1'-0"

ARCHITECTURAL DESIGN SCHEMATICS MUST COMPLY WITH THE REQUIREMENTS STATED IN "I-35 OVERLAY DISTRICT DEVELOPMENT STANDS" SEC. 53-899 OF CITY OF KYLE ORDINANCE. THE USE OF MASONRY MATERIAL, GLASS, AND THE "FOUR SIDE" DESIGN MUST BE IN COMPLIANCE WITH SAID ORDINANCE.

FRONTAGE: GROUND UP TO 10FT AG, AREA = 10'x100' = 1000 S.F.
 30% REQUIRED GLAZING AREA = 300 S.F.
 PROVIDED: 456 S.F. > 300 SF. OK

MAX. SIGN ALLOWANCE: 15' X 100' X 10% = 150 S.F. OF SIGNAGE ON BUILDING.
 PROPOSED SIGN BOARD : 106 S.F. < 150 S.F. OK

MAX. PYLON SIGN ALLOWANCE: 160 S.F. @ MAX. HEIGHT OF 35FT. (SEC. 29.17)

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 tchen@tchenarch.com
 website:www.tchenarch.com

ISSUE DATE 05.20.2013

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I hereby certify that I am a licensed architect in the State of Texas, and that these plans have been prepared by me, or under my direct supervision and to the best of my knowledge conform to applicable state and the local building codes.



LICENSE NUMBER 7911
 EXP. DATE 1.31.2014

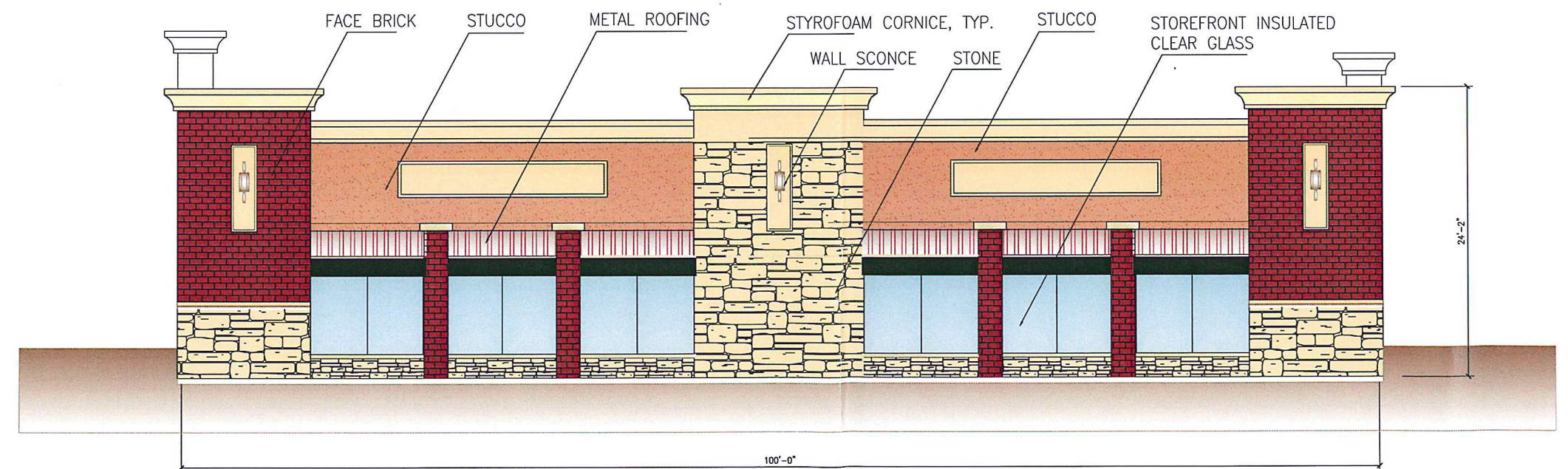
PROJECT NAME
 KYLE TRAVEL CENTER
 PROJECT ADDRESS
 24800 IH-35
 KYLE, TEXAS 78640
 SHEET TITLE
 ELEVATIONS

SHEET NUMBER

A-2.1



WEST (REAR) ELEVATION 3/16" = 1'-0"



SOUTH ELEVATION 3/16" = 1'-0"

ARCHITECTURAL DESIGN SCHEMATICS MUST COMPLY WITH THE REQUIREMENTS STATED IN "I-35 OVERLAY DISTRICT DEVELOPMENT STANDS" SEC. 53-899 OF CITY OF KYLE ORDINANCE. THE USE OF MASONRY MATERIAL, GLASS, AND THE "FOUR SIDE" DESIGN MUST BE IN COMPLIANCE WITH SAID ORDINANCE.

FRONTAGE: GROUND UP TO 10FT AG, AREA = 10'x100' = 1000 S.F.
 30% REQUIRED GLAZING AREA = 300 S.F.
 PROVIDED: 456 S.F. > 300 S.F. OK

MAX. SIGN ALLOWANCE: 15' X 100' X 10% = 150 S.F. OF SIGNAGE ON BUILDING.
 PROPOSED SIGN BOARD : 106 S.F. < 150 S.F. OK

MAX. PYLON SIGN ALLOWANCE: 160 S.F. @ MAX. HEIGHT OF 35FT. (SEC. 29.17)

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GENERAL NOTES:
 1. ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH ALL APPLICABLE LOCAL, STATE AND FEDERAL CODES AND ALL APPLICABLE REGULATIONS AND ORDINANCES.
 2. CONTRACTOR SHALL NOT BE RESPONSIBLE FOR LABELING OF PRODUCTS OR FOR SAFETY, PRECAUTIONS AND PROGRAMS RELATED TO THIS PROJECT.
 3. CONTRACTOR SHALL BE RESPONSIBLE FOR THE OBTAINMENT OF ALL NECESSARY PERMITS AND APPROVALS FOR THE PROJECT.
 4. USE ONLY RED-STAMPED CITY APPROVED PLANS FOR CONSTRUCTION.

ISSUE DATE 05.20.2013

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REVISIONS

I hereby certify that I am a licensed architect in the State of Texas, and that these plans have been prepared by me, or under my direct supervision and to the best of my knowledge conform to applicable state and the local building codes.



LICENSE NUMBER 7911

EXP. DATE 1.31.2014

PROJECT NAME
 KYLE TRAVEL CENTER
 PROJECT ADDRESS
 24800 IH-35
 KYLE, TEXAS 78640
 SHEET TITLE
 ELEVATIONS

SHEET NUMBER

A-2.2



WEST (REAR) ELEVATION 3/16" = 1'-0"

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GENERAL NOTES
1. ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH ALL APPLICABLE LOCAL, STATE AND FEDERAL SPECIFICATIONS AND ALL APPLICABLE CODES AND ORDINANCES, INCLUDING BUT NOT LIMITED TO THE CITY OF KYLE, TEXAS, AND THE TEXAS ARCHITECTURE BOARD. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CITY OF KYLE, TEXAS.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CITY OF KYLE, TEXAS.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CITY OF KYLE, TEXAS.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CITY OF KYLE, TEXAS.

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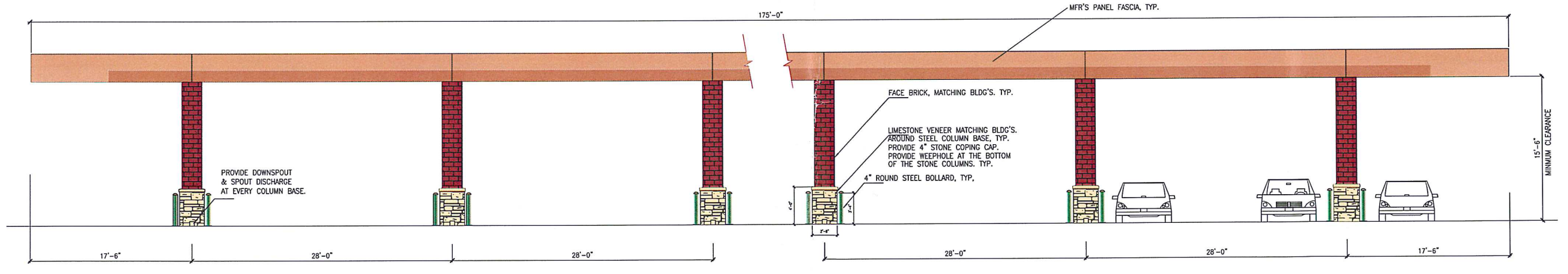
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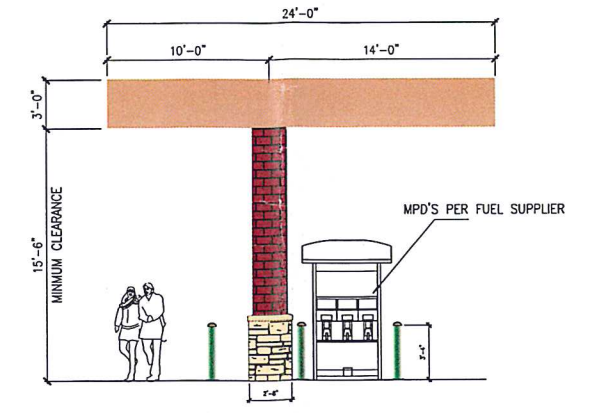
LICENSE NUMBER 7911
EXP. DATE 1.31.2014

PROJECT NAME
KYLE TRAVEL CENTER
PROJECT ADDRESS
24800 IH-35
KYLE, TEXAS 78640
SHEET TITLE
REAR ELEVATION & CANOPY ELEVATION
SHEET NUMBER

A-2.2

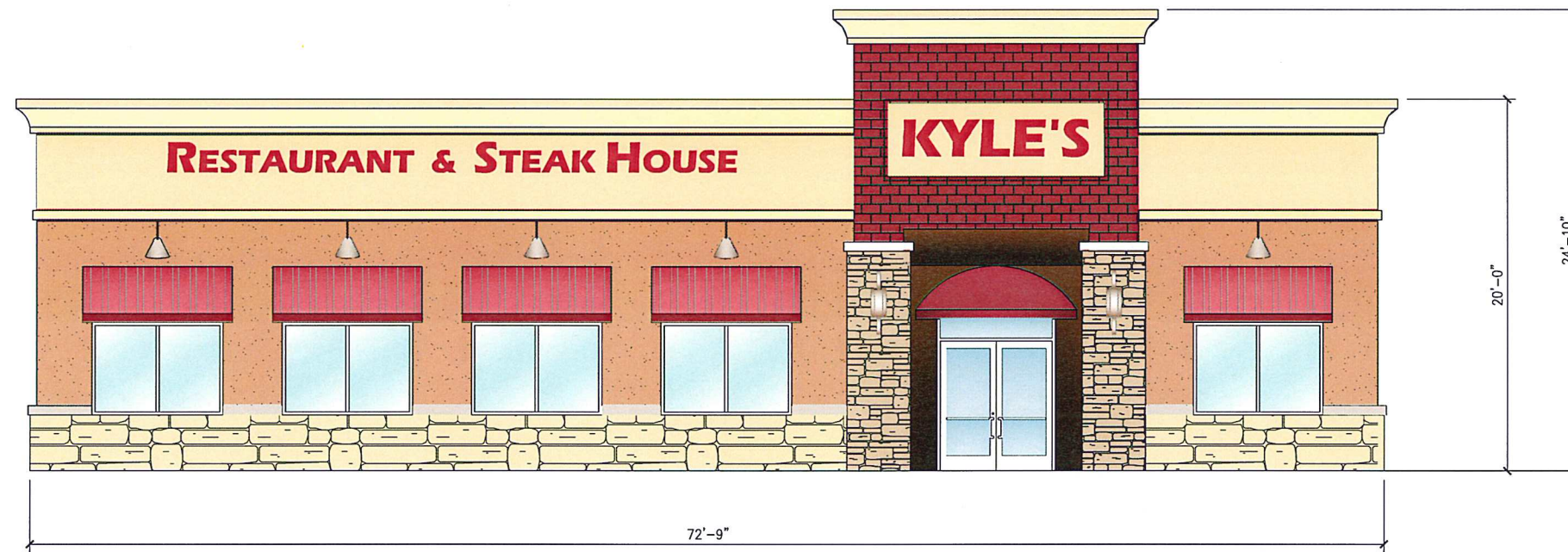


FUEL CANOPY ELEVATION 3/16" = 1'-0"



FUEL CANOPY ELEVATION 3/16" = 1'-0"

EXHIBIT E



TYPICAL PAD SITE ELEVATION (SAMPLE - RESTAURANT) 1/4" = 1'-0"

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 2. THE ARCHITECT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF KYLE.
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 10. THE ARCHITECT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF KYLE.

ISSUE DATE 07.30.2013
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I hereby certify that I am a licensed architect in the State of Texas, and that these plans have been prepared by me, or under my direct supervision and to the best of my knowledge conform to applicable state and local building codes.



LICENSE NUMBER 7911
 EXP. DATE 1.31.2014

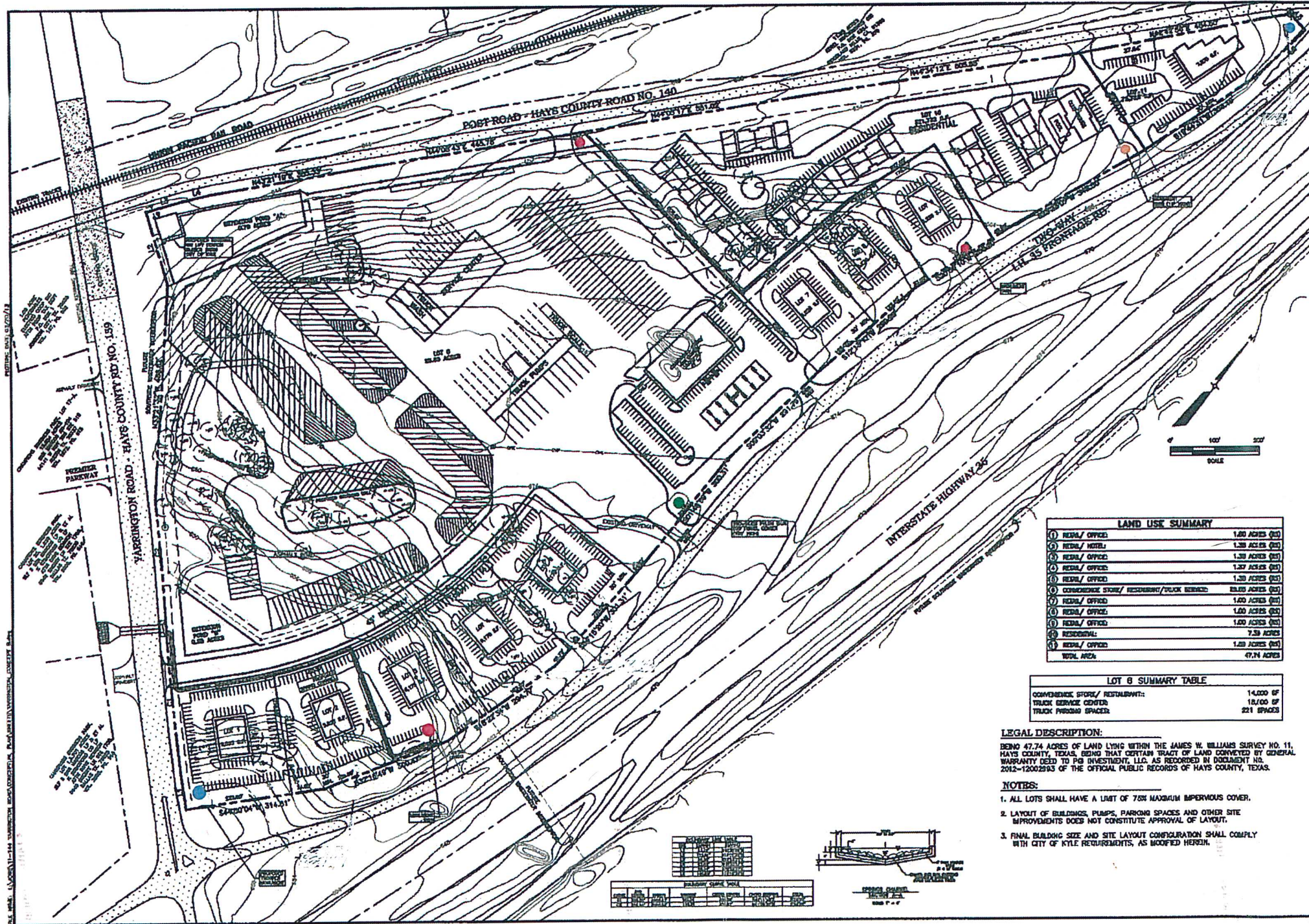
PROJECT NAME
 PROJECT ADDRESS
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KYLE TRAVEL CENTER
 24800 IH-35
 KYLE, TEXAS 78640
 TYPICAL PAD SITE FRONT ELEVATION

SHEET NUMBER

A-2.3

PROPOSED SIGN PLAN



LAND USE SUMMARY	
1) RESID./ OFFICE	1.00 ACRES (25)
2) RESID./ OFFICE	1.38 ACRES (25)
3) RESID./ OFFICE	1.30 ACRES (25)
4) RESID./ OFFICE	1.27 ACRES (25)
5) RESID./ OFFICE	1.30 ACRES (25)
6) CONVENIENCE STORE/ RESIDENTIAL/ TRUCK SERVICE	0.83 ACRES (25)
7) RESID./ OFFICE	1.00 ACRES (25)
8) RESID./ OFFICE	1.00 ACRES (25)
9) RESID./ OFFICE	1.00 ACRES (25)
10) RESIDENTIAL	7.28 ACRES
11) RESID./ OFFICE	1.00 ACRES (25)
TOTAL AREA	47.74 ACRES

LOT 6 SUMMARY TABLE	
CONVENIENCE STORE/ RESTAURANT:	14,000 SF
TRUCK SERVICE CENTER:	18,000 SF
TRUCK PARKING SPACES:	221 SPACES

LEGAL DESCRIPTION:
 BEING 47.74 ACRES OF LAND LYING WITHIN THE JAMES W. WILLIAMS SURVEY NO. 11, HAYS COUNTY, TEXAS, BEING THAT CERTAIN TRACT OF LAND CONVEYED BY GENERAL WARRANTY DEED TO PGO INVESTMENT, L.L.C. AS RECORDED IN DOCUMENT NO. 2012-12002293 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS.

- NOTES:**
1. ALL LOTS SHALL HAVE A LIMIT OF 70% MAXIMUM IMPERVIOUS COVER.
 2. LAYOUT OF BUILDINGS, PUMPS, PARKING SPACES AND OTHER SITE IMPROVEMENTS DOES NOT CONSTITUTE APPROVAL OF LAYOUT.
 3. FINAL BUILDING SIZE AND SITE LAYOUT CONFIGURATION SHALL COMPLY WITH CITY OF KYLE REQUIREMENTS, AS MODIFIED HEREIN.

EXHIBIT F PRELIMINARY SITE PLAN KYLE TRAVEL CENTER CITY OF KYLE HAYS COUNTY, TEXAS	
PREPARED BY: PGO INVESTMENT, L.L.C. 19011 S. COMAL PARKWAY DR. CYPRESS, TX 77433 (281) 808-0888	DATE: MARCH 2013 PROJECT: 9782.5 DRAWING NO.: 9782.5-01 SHEET: 1 OF 1

- EXHIBIT F**
- 80' Pylon (936 SF)
 - 50' Pylons (448 SF/EA)
 - 25' Pylons (120 SF)
 - 8' Entry Monument (40 SF)



CLIENT:	Kyle Travel Center	DRWG#:	9782.5
ADDRESS:	24800 lh35	SALES REP:	Jeanette M.
CITY:	Kyle, Texas	DESIGNER:	Arnie V.
DATE:	6-6-13	CLIENT APPROVAL:	

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All signs will be manufactured to accommodate 120 volt current unless otherwise instructed by customer. Note: Aetna will supply transformers, boxes, disconnects, switches & letters. Installers are to provide all other necessary hardware to accomplish installation.

COMPUTER FILE: art\drwg\misc\9782_kyle travel center
 REVISION HISTORY:

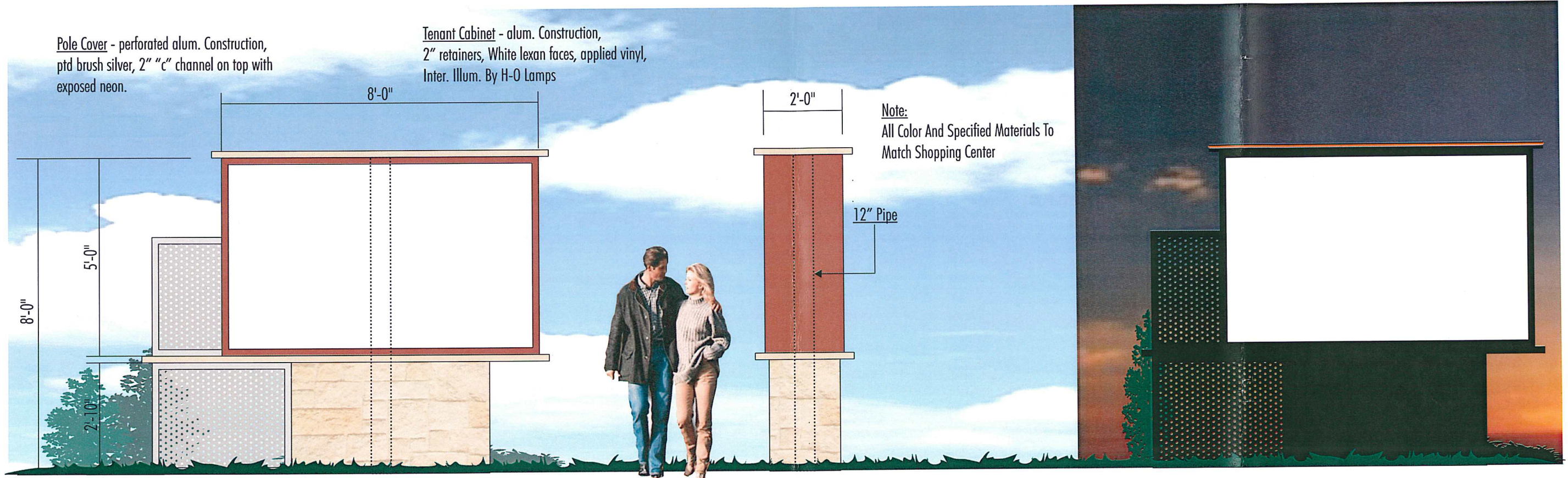
National Building Codes now states all signs that utilize neon transformers, sized at 7,500 volts and up, must utilize UL2161 (GFI) transformers. This type of transformer must have a dedicated electrical (GFI) circuit with ground for the transformer to work. You are responsible to have the proper electrical service to the sign location. Please contact your Aetna Sign Group representative if you need additional information.

Specifications:
 Manufacture and install one (1) new
 D/F monument sign.

Pole Cover - perforated alum. Construction,
 ptd brush silver, 2" "c" channel on top with
 exposed neon.

Tenant Cabinet - alum. Construction,
 2" retainers, White lexan faces, applied vinyl,
 Inter. Illum. By H-O Lamps

Note:
 All Color And Specified Materials To
 Match Shopping Center



Front View - Scale: 3/8" = 1'-0"

Stone work to match building by others.

Footing required:
 2'-0" hole dia.
 5'-6" deep.

Night View



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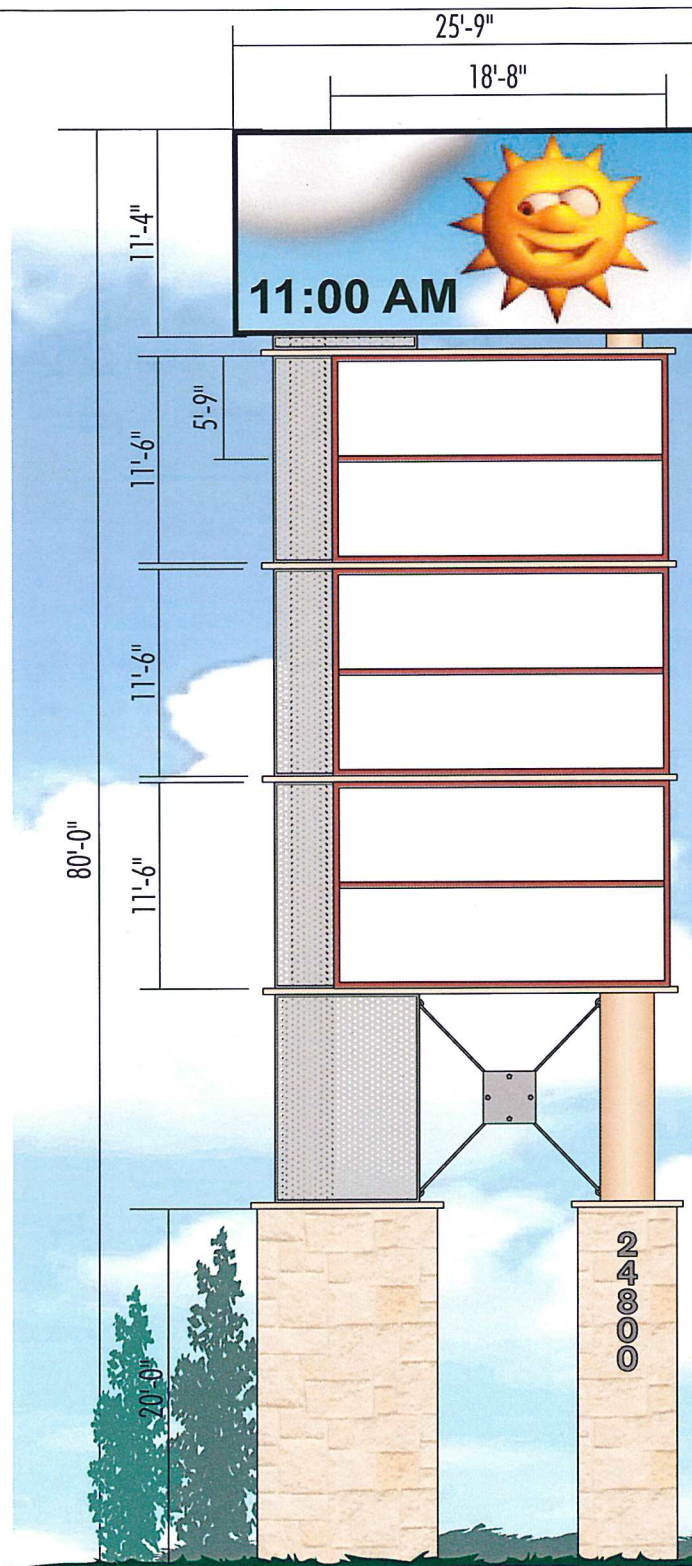
CLIENT:	Kyle Travel Center	DRWG#:	9782.4
ADDRESS:	24800 Ih35	SALES REP:	Jeanette M.
CITY:	Kyle, Texas	DESIGNER:	Arnie V.
DATE:	7-26-13	CLIENT APPROVAL:	

COMPUTER FILE: art\drwg\misc\9782_kyle travel center
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National Building Codes now states all signs that utilize neon transformers, sized at 7,500 volts and up, must utilize UL2161 (GFI) transformers. This type of transformer must have a dedicated electrical (GFI) circuit with ground for the transformer to work. You are responsible to have the proper electrical service to the sign location. Please contact your Aetna Sign Group representative if you need additional information.

All signs will be manufactured to accommodate 120 volt current unless otherwise instructed by customer. Note: Aetna will supply transformers, boxes, disconnects, switches & letters. Installers are to provide all other necessary hardware to accomplish installation.



Specifications:
 Manufacture and install one (1) new
 D/F pylon sign.

(2) S/F/ Full Color LED Display

Tenant Cabinets - alum. Construction,
 4" retainers, White lexan faces, applied vinyl,
 Inter. Illum. By H-O Lamps

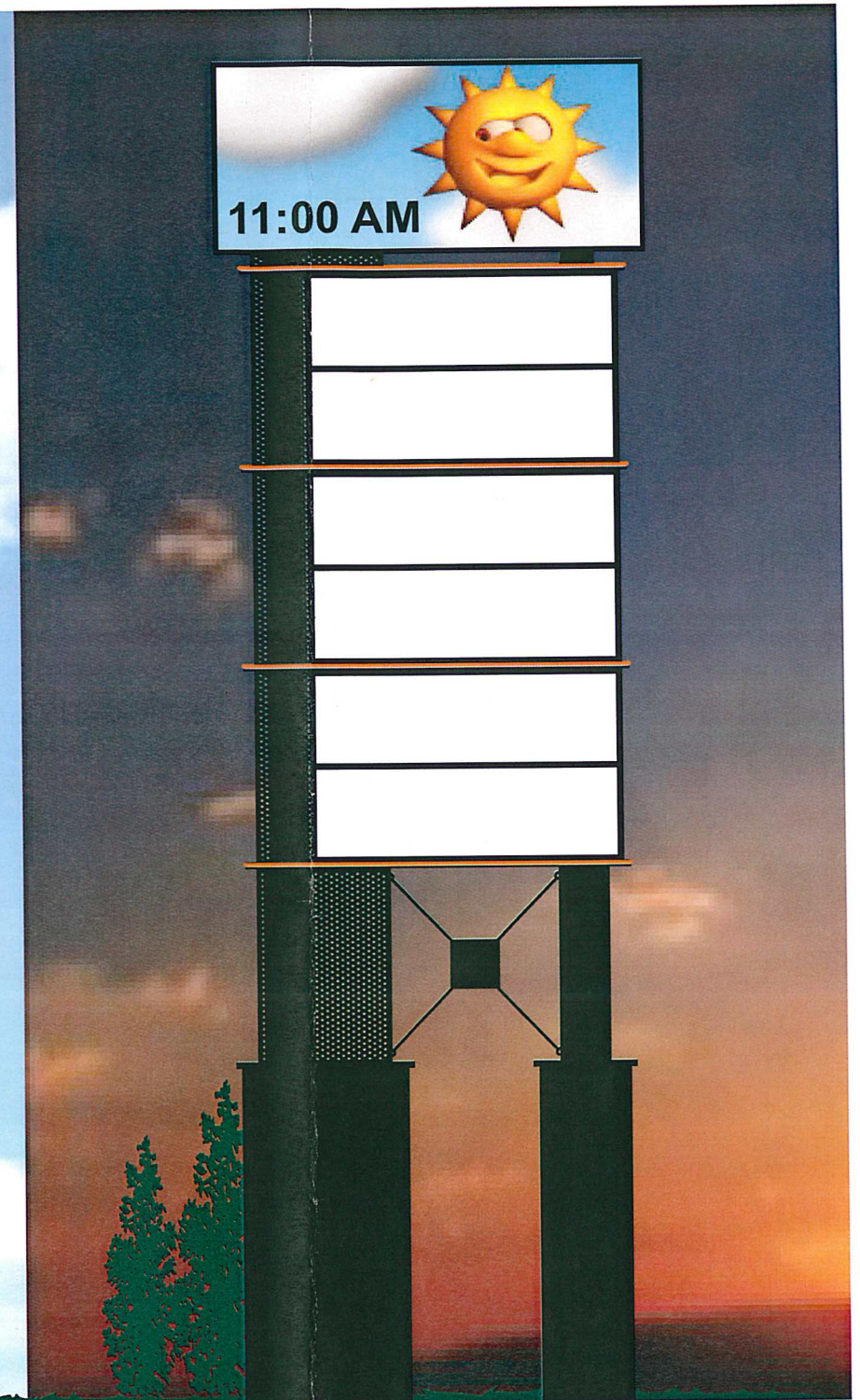
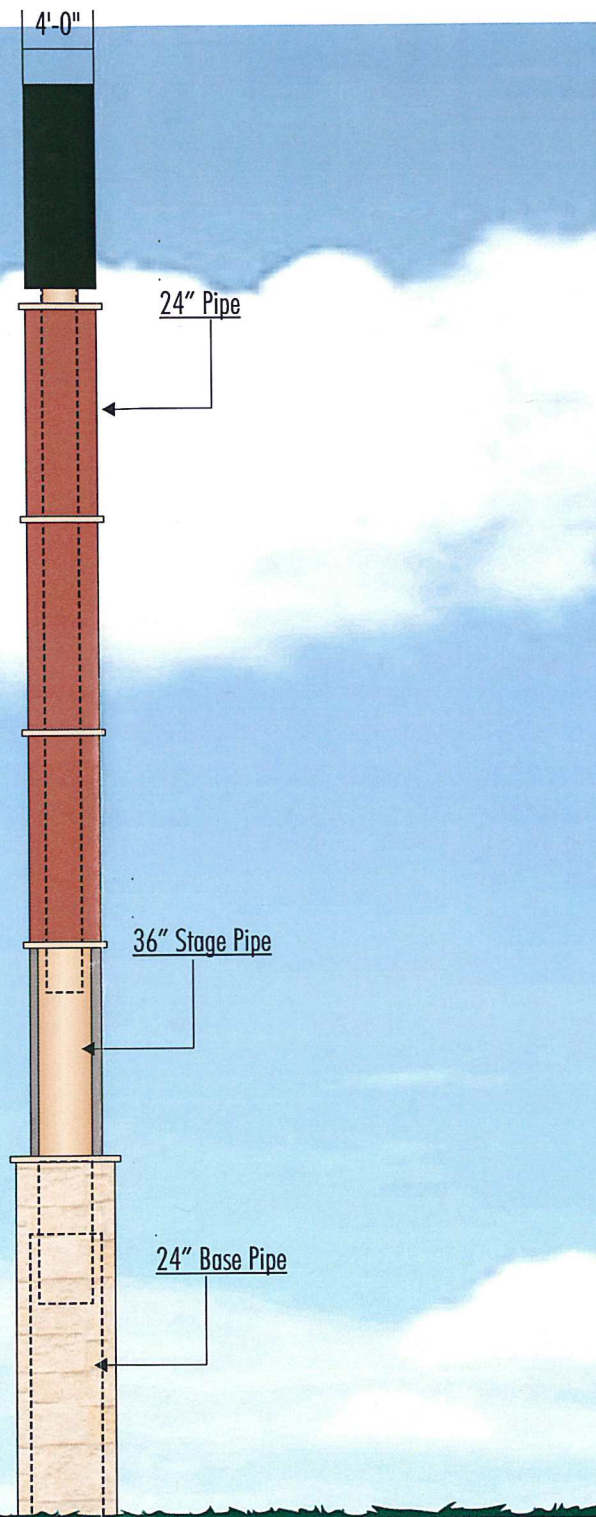
Pole Cover - perforated alum. Construction,
 ptd brush silver, 4" "c" channel reveals with
 exposed neon.

Note:
 All Color And Specified Materials To
 Match Shopping Center

Stone work to match building by others.

Footing required:
 6'-0" hole dia.
 18'-0" deep.

Front View - Scale: 3/32" = 1'-0"



Night View

EXHIBIT F



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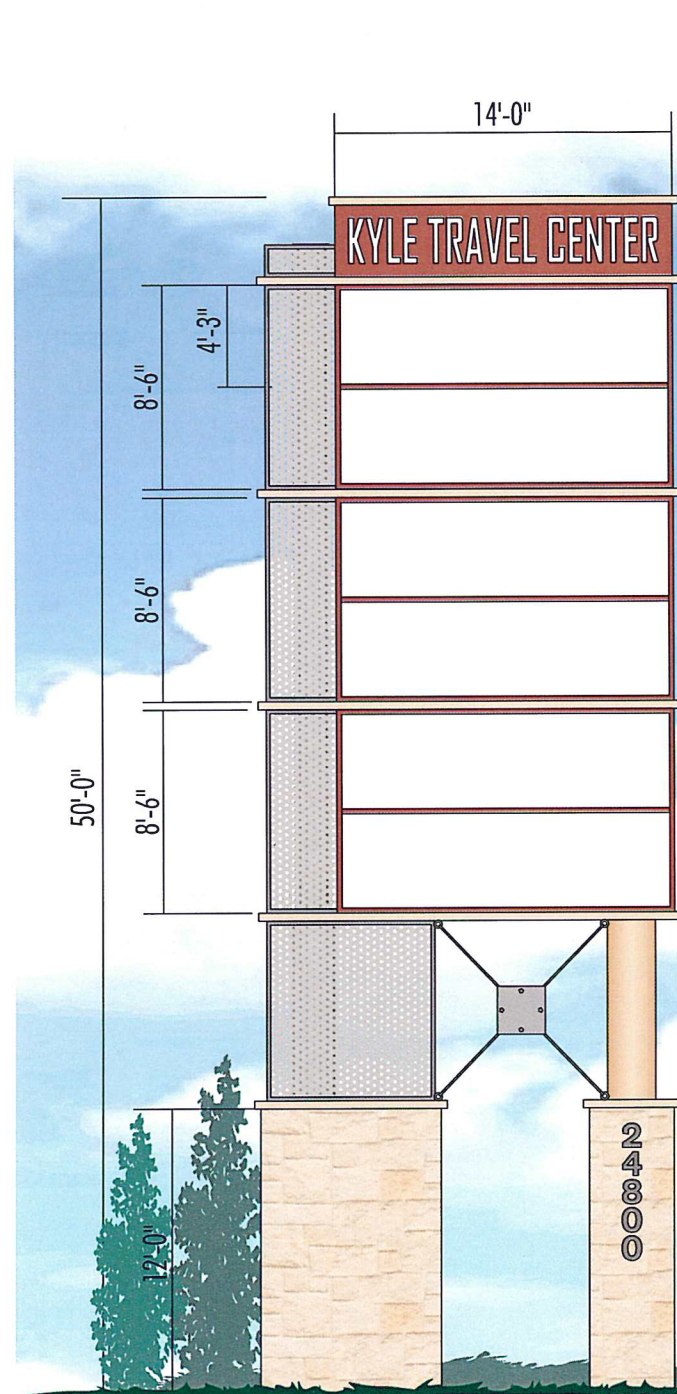
CLIENT:	Kyle Travel Center	DRWG#:	9782.3
ADDRESS:	24800 Ih35	SALES REP:	Jeanette M.
CITY:	Kyle, Texas	DESIGNER:	Arnie V.
DATE:	6-6-13	CLIENT APPROVAL:	

COMPUTER FILE: art\drwg\misc\9782_kyle travel center
 REVISION HISTORY:

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All signs will be manufactured to accommodate 120 volt current unless otherwise instructed by customer. Note: Aetna will supply transformers, boxes, disconnects, switches & letters. Installers are to provide all other necessary hardware to accomplish installation.



Front View - Scale: 1/8" = 1'-0"

Specifications:

Manufacture and install one (1) new D/F pylon sign.

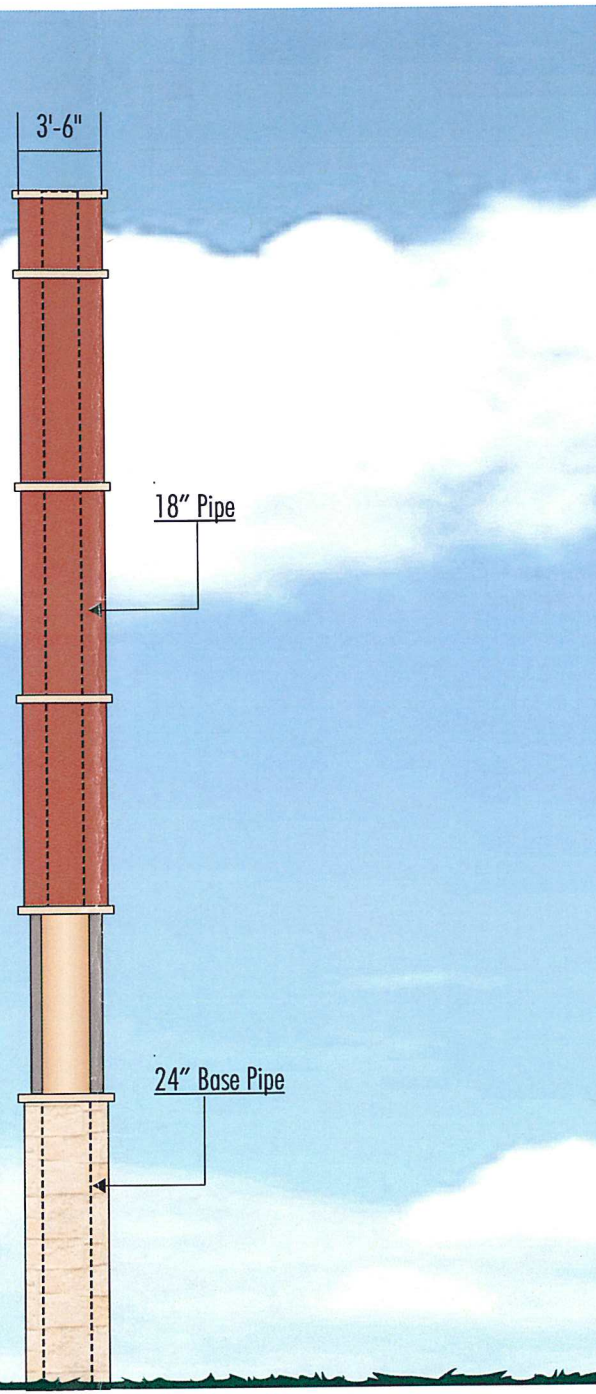
Main ID - alum. Construction, routed out ptd to match building, internally illum. by h-o lamps

Tenant Cabinets - alum. Construction, 2 1/2" retainers, White lexan faces, applied vinyl, Inter. Illum. By H-O Lamps

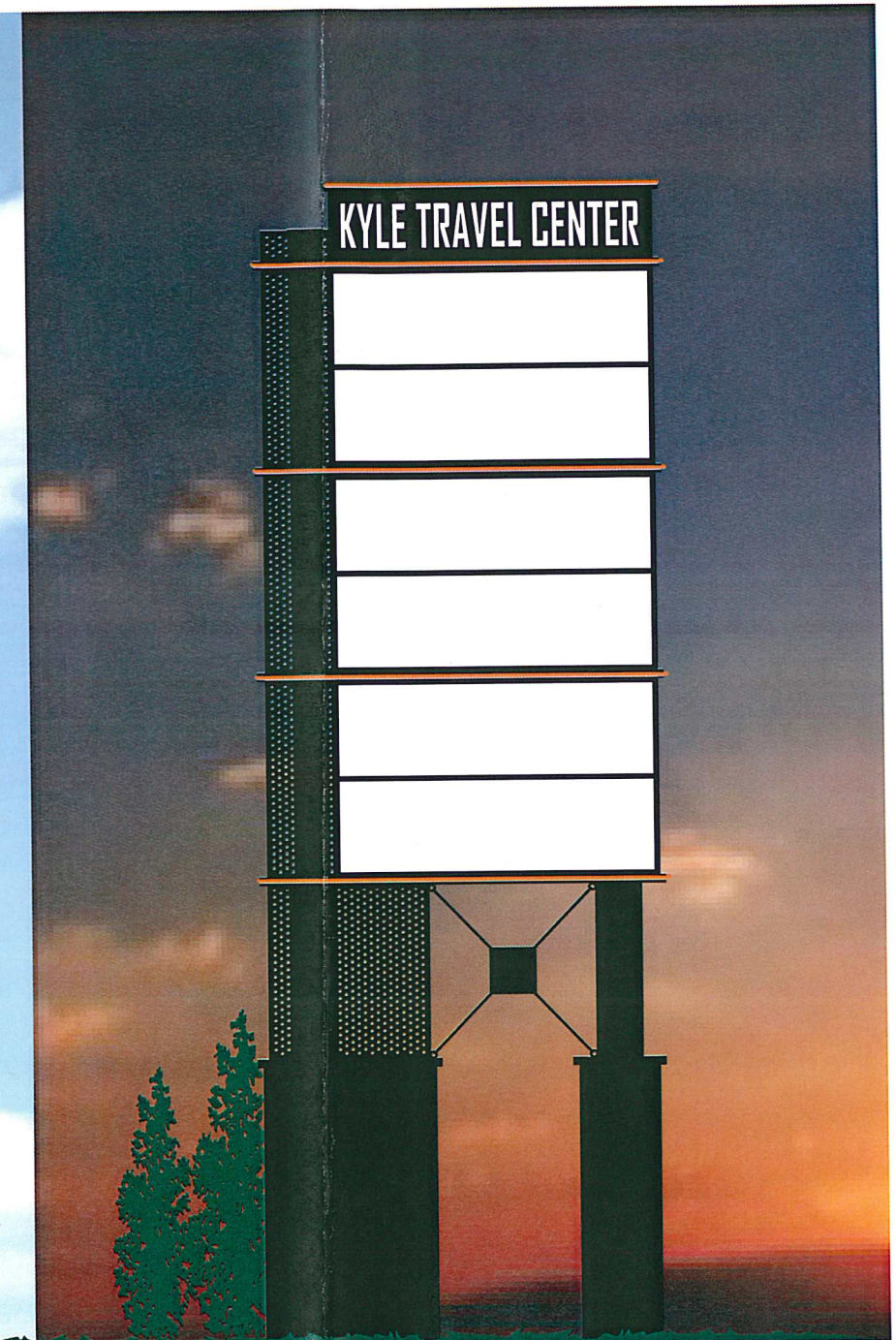
Pole Cover - perforated alum. Construction, ptd brush silver, 4" "c" channel reveals with exposed neon.

Note:
All Color And Specified Materials To Match Shopping Center

Stone work to match building by others.



Footing required:
4'-0" hole dia.
12'-6" deep.



Night View



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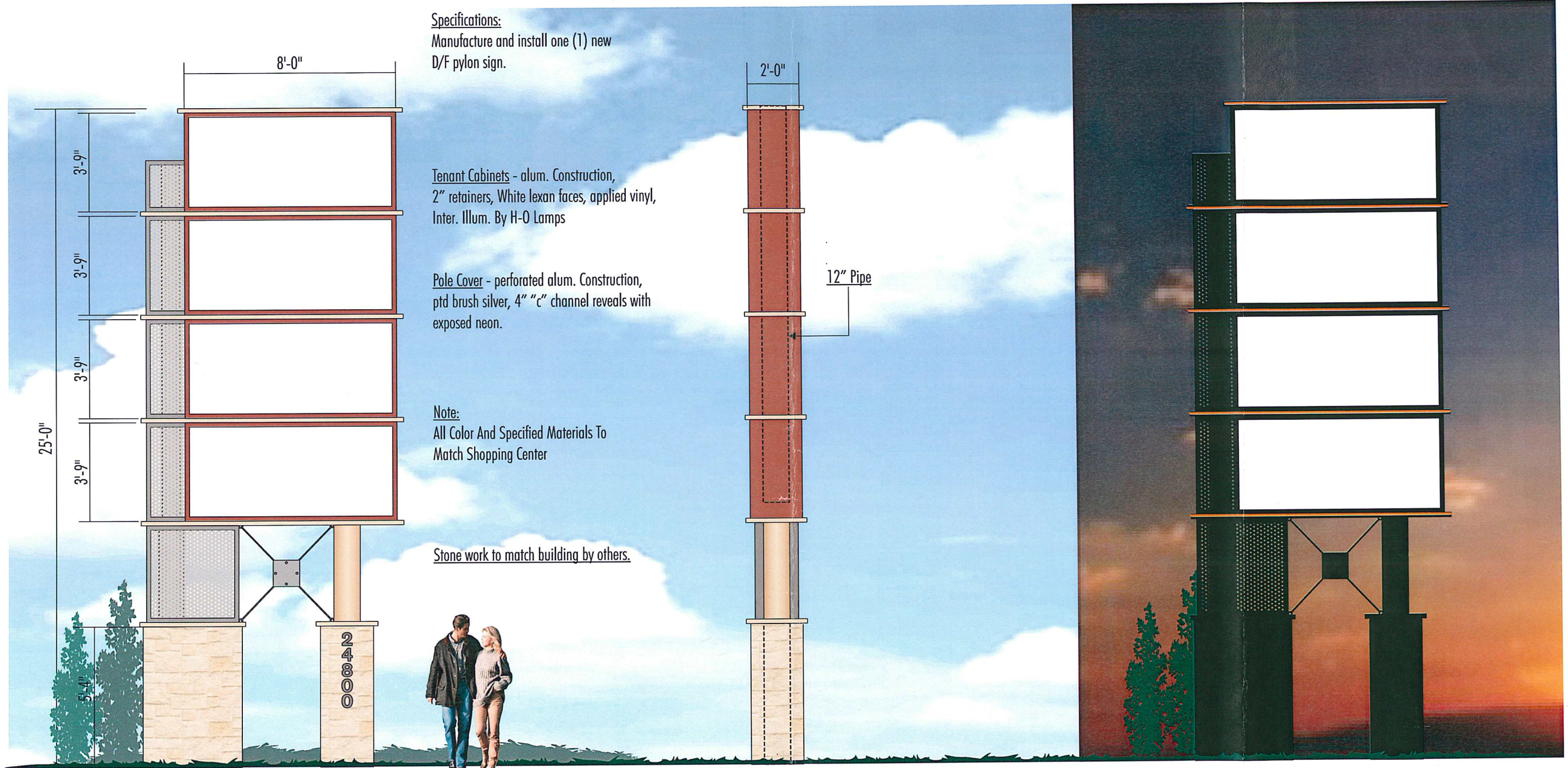
CLIENT:	Kyle Travel Center	DRWG#:	9782.1
ADDRESS:	24800 Ih35	SALES REP:	Jeanette M.
CITY:	Kyle, Texas	DESIGNER:	Arnie V.
DATE:	6-6-13	CLIENT APPROVAL:	

COMPUTER FILE: art\drwg\misc\9782_kyle travel center
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All signs will be manufactured to accommodate 120 volt current unless otherwise instructed by customer. Note: Aetna will supply transformers, boxes, disconnects, switches & letters. Installers are to provide all other necessary hardware to accomplish installation.



Specifications:

Manufacture and install one (1) new D/F pylon sign.

Tenant Cabinets - alum. Construction, 2" retainers, White lexan faces, applied vinyl, Inter. Illum. By H-O Lamps

Pole Cover - perforated alum. Construction, ptd brush silver, 4" "c" channel reveals with exposed neon.

Note:

All Color And Specified Materials To Match Shopping Center

Stone work to match building by others.

Front View - Scale: 1/4" = 1'-0"

Footing required:
3'-0" hole dia.
10'-0" deep.

Night View



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CLIENT:	Kyle Travel Center	DRWG#:	9782.2
ADDRESS:	24800 Ih35	SALES REP:	Jeanette M.
CITY:	Kyle, Texas	DESIGNER:	Arnie V.
DATE:	6-6-13	CLIENT APPROVAL:	

COMPUTER FILE: art\drwg\misc\9782_kyle travel center
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