

**REGULAR MEETING OF THE  
PLANNING AND ZONING COMMISSION**

The Planning and Zoning Commission of the City of Kyle, Texas met in regular session November 12, 2013 at 6:30 p.m. at Kyle City Hall, with the following persons present:

Commissioner Cicely Kay  
Commissioner Mike Wilson  
Commissioner Alfred Zambrano  
Commissioner Dan Ryan  
Chairman Shane Arabie  
Vice-Chair Mike Rubsam  
Commissioner Irene Melendez  
Director of Planning, Sofia Nelson

Kerry Nester  
Dennis Young  
Tony Spano  
Lila Knight

***CALL MEETING TO ORDER***

Commissioner Ryan called the meeting to order at 6:32 p.m.

***ROLL CALL OF BOARD***

Chairman Arabie called for roll call. No one was absent.

***CITIZENS COMMENTS***

Chairman Arabie opened the citizens comment period at 6:33 pm and called for comments on items not on the agenda or posted for public hearing. There were no comments. Chairman Arabie closed the citizens comment period at 6:33 pm.

***MINUTES: Planning and Zoning Commission Meeting – October 22, 2013.***

Commission Rubsam moved to approve the Planning and Zoning Commission Meeting Minutes from October 22, 2013 Planning and Zoning Commission Meeting. Commissioner Wilson seconds the motion. All votes aye. Motion carried.

***CONSENT AGENDA:***

**KENSINGTON TRAILS SECTION 5A – FINAL PLAT (FP-13-001) 12.11 ACRES; 38 LOTS LOCATED AT THE EAST END OF DOWNING WAY.**

**KYLE 47 SUBDIVISION – CONCEPT PLAN (CP-13-002) 42.53 ACRES; 130 LOTS LOCATED OFF OF REBEL DRIVE JUST NORTH OF SILVERADO SUBDIVISION.**

**PLUM CREEK PHASE 1 SECTION 6E 2-1 – PRELIMINARY PLAN (PP-13-004) 11.256 ACRES; 62 LOTS LOCATED BETWEEN EXTENSION OF KIRBY AND EXTENSION OF SANDERS, ADJACENT TO THE GOLF COURSE.**

**PLUM CREEK PHASE 1 SECTION 6E 2-1 – FINAL PLAT (FP-13-011) 11.256 ACRES; 62 LOTS LOCATED BETWEEN EXTENSION OF KIRBY AND EXTENSION OF SANDERS, ADJACENT TO THE GOLF COURSE.**

**PLUM CREEK PHASE 1 SECTION 6E-3 – PRELIMINARY PLAT (PP-13-006) 4.689 ACRES; 28 LOTS LOCATED IMMEDIATELY NORTH OF THE INTERSECTION OF FAIRWAY AND SANDERS.**

**PLUM CREEK PHASE 1 SECTION 6E-3 – FINAL PLAT (FP-13-013) 4.689 ACRES; 28 LOTS LOCATED IMMEDIATELY NORTH OF THE INTERSECTION OF FAIRWAY AND SANDERS.**

**MEADOWS AT KYLE PHASE FOUR – FINAL PLAT (FP-13-015) 15.800 ACRES; 57 SINGLE FAMILY LOTS, 1 ROW LOCATED ON THE NORTH SIDE OF WINDY HILL ROAD AND APPROXIMATELY 1 MILE EAST OF IH-35.**

*(Note: Statutory Disapproval (Note: In accordance with the statutory requirements of the Texas Local Government Code reflected in Sections 12.03.001, 12.05.004, 12.06.04 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).*

**RESUBDIVISION OF LOT 22C OF SUNRISE ACRES (SFP-13-003) 4.38 ACRES; 3 LOTS LOCATED OFF OF BEBEE ROAD BETWEEN DACY LANE AND GOFORTH ROAD.**

*(Note: Statutory Disapproval (Note: In accordance with the statutory requirements of the Texas Local Government Code reflected in Sections 12.03.001, 12.05.004, 12.06.04 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).*

Commissioner Ryan moved to approve the consent agenda. Commissioner Kay seconds the motion. All votes aye. Motion carried.

**CONSIDER AND ACT ON:**

**CONSIDER WHICH OVERLAY DISTRICT THE PROPERTY LOCATED AT THE NORTHWEST CORNER OF OLD HIGHWAY 81 AND CENTER STREET SHALL BE DEVELOPED IN CONFORMANCE WITH.**

Vice-Chair Rubsam motioned to apply the Old Highway 81 Overlay to the property located at the northwest corner of Old Highway 81 and Center Street and also require a Conditional Use Permit be submitted for this property. Commissioner Ryan seconds the motion.

Commissioner Wilson stated that Center Street would be a better overlay for this property and Commissioner Kay agreed.

Commissioner Wilson amended the motion to state that the property located at the northwest corner of Old Highway 81 and Center Street shall be developed in the Center Street Overlay District and a Conditional Use Permit required. Vice-Chair Rubsam stated he would allow the amendment to the motion. Commissioner Ryan seconds the motion. All votes aye. Motion carried.

**VARIANCE REQUEST:**

**CONSIDER A VARIANCE REQUEST BY HIGH RUSTLER VENTURES, LLC (KYLE MULTI-FAMILY COMMUNITY) TO CHAPTER 53, SECTION 53-992 WHICH REQUIRES TWO (2) TREES AND FOUR (4) SHRUBS TO BE PLANTED FOR EVERY 600 SQUARE FEET OF LANDSCAPED AREA TO ALLOW ONE (1) TREE FOR EVERY 1,500 SQUARE FEET OF LANDSCAPE AREA AT THE CORNER OF AMBERWOOD SOUTH AND IH-35.**

Vice-Chair Rubsam made a motion to accept the variance on the number of trees instead of what has been proposed that they shall have 88 trees, 40% which will be 3 inch, 40% which will be 4 inch and 20% which will be 6 inch or above plus 750 shrubs. Commissioner Ryan seconds the motion. Roll call vote: Ryan, Wilson, Arabie, Rubsam, Zambrano and Melendez vote aye. Commissioner Kay votes nay. Motion carried.

**CONSIDER A VARIANCE REQUEST BY HIGH RUSTLER VENTURES, LLC ( KYLE MULTI-FAMILY COMMUNITY) TO CHAPTER 53, SECTION 53-992 WHICH REQUIRES THAT PARKING LOTS HAVE ONE (1) TREE WITHIN 50 FEET OF EVERY PARKING SPACE TO ALLOW ONE (1) TREE WITHIN 100 FEET OF EVERY PARKING SPACE AT THE CORNER OF AMBERWOOD SOUTH AND IH-35.**

Commissioner Zambrano moved to approve the variance request as stated. Commissioner Ryan seconds the motion. Commissioners Ryan, Wilson, Arabie, Rubsam, Zambrano and Melendez vote aye. Commissioner Kay votes nay. Motion carried.

**CONSIDER A VARIANCE REQUEST BY HIGH RUSTLER VENTURES, LLC (KYLE MULTI-FAMILY COMMUNITY) TO CHAPTER 53, SECTION 53-987 WHICH STATES THAT TREES MUST BE 4" MINIMUM CALIPER – MEASURED THREE (3) FEET ABOVE GRADE TO ALLOW A 3" CALIPER TREE MEASURED 6" ABOVE GRADE FOR A MINIMUM OF 50% OF THE TOTAL TREES AND 4" CALIPER TREES FOR ABOVE GRADE FOR THE REMAINING TREES AT THE CORNER OF AMBERWOOD SOUTH AND IH-35.**

Vice-Chair Rubsam moved to amend variance request to specify that 40% of the requested trees be 3 inch, 40% be 4 inch and 20% be 6 inch or above. Commissioner Ryan seconds the motion. Commissioners Ryan, Wilson, Arabie, Rubsam, Zambrano and Melendez vote aye. Commissioner Kay votes nay. Motion carried.

**CONSIDER A VARIANCE REQUEST BY HIGH RUSTLER VENTURES, LLC (KYLE MULTI-FAMILY COMMUNITY) TO CHAPTER 53, SECTION 53-990 WHICH REQUIRES THAT 50% OF THE LANDSCAPING IS PLACED BETWEEN THE FRONT PROPERTY LINE AND THE BUILDING TO ALLOW 15% OF LANDSCAPING BETWEEN THE FRONT PROPERTY LINE AND THE BUILDING AT THE CORNER OF AMBERWOOD SOUTH AND IH-35.**

Commissioner Zambrano moved to approve the variance request as stated. Commissioner Wilson seconds the motion. All votes aye. Motion carried.

**ZONING:**

**CONSIDER A REQUEST BY DALE AND LANETTE LOWDEN TO REZONE APPROXIMATELY 4.426 ACRES FROM 'R-1' SINGLE FAMILY TO 'W' WAREHOUSE DISTRICT ON PROPERTY LOCATED AT 1108 PORTER STREET. (Z-13-016)**

Chairman Arabie opened the public hearing at 7:19 p.m. and called for comments for or against the request by Dale and Lanette Lowden. Lila Knight addressed the Commission stating she is in favor of the rezone request. Chairman Arabie closed the public hearing at 7:20 p.m.

Commissioner Ryan moved to approve the request by Dale and Lanette Lowden. Vice-Chair Rubsam seconds the motion. Roll call vote: Commissioner Ryan and Rubsam vote aye. Commissioners Kay, Wilson, Arabie, Zambrano and Melendez vote nay. Motion failed.

Commissioner Wilson moved to deny the rezone request by Dale and Lanette Lowden. Commissioner Kay seconds the motion. Roll call vote: Commissioners Kay, Wilson, Arabie, Zambrano and Melendez vote aye. Commissioners Ryan and Rubsam vote nay. Motion carried.

**CONSIDER A REQUEST BY BLAKE AND RAMONA BROWN TO REZONE APPROXIMATELY 2.378 ACRES FROM 'R-1' SINGLE FAMILY TO 'W' WAREHOUSE DISTRICT ON PROPERTY LOCATED AT 1108-C PORTER STREET. (Z-13-017)**

Chairman Arabie opened the public hearing at 7:29 p.m. and called for comments for or against the request by Blake and Ramona Brown. Lila Knight addressed the Commission and stated that she was proud of all the Commissioners for standing up for the comprehensive plan. Chairman Arabie closed the public hearing at 7:30 p.m.

Commissioner Kay moved to deny the request by Blake and Ramona Brown. Commissioner Wilson seconds the motion. Commissioners Kay, Wilson, Arabie, Rubsam, Zambrano and Melendez vote aye. Commissioner Ryan votes nay. Motion carried.

**PRESENTATION:**

**RECEIVE A PRESENTATION ON THE PLUM CREEK PUD AND PROVIDE DIRECTION TO STAFF ON NEXT STEPS.**

Planning and Zoning Commissioner's directed staff to coordinate a workshop in January.

**STAFF REPORT – DECEMBER MEETING SCHEDULED FOR DECEMBER 10<sup>TH</sup>.**

***ADJOURN***

With no further business to discuss, Commissioner Ryan moved to adjourn. Vice-Chair Rubsam seconds the motion. All votes aye. Motion carried.

The Planning & Zoning Meeting adjourned at 7:57 p.m.

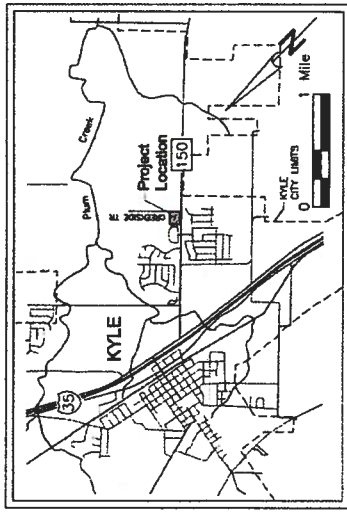
\_\_\_\_\_  
Amelia Sanchez, City Secretary

\_\_\_\_\_  
Shane Arabie

# THE VILLAS AT CREEKSIDE II

## Replat of Lot 1 Block A, RJ Subdivision

(Preliminary Plan)



Location Map

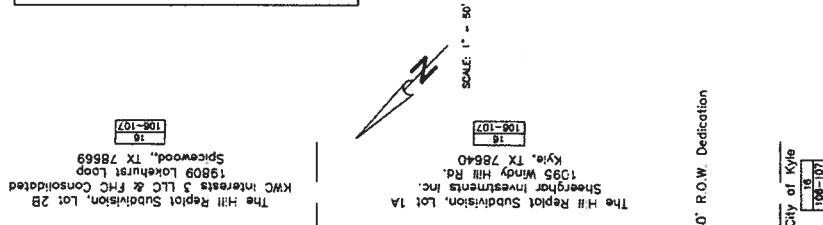
Owners: Greg Lair of Creative Financial Solutions  
 Address: 3801 N. Capital of Texas Highway  
 Suite E240-172  
 Austin, Texas 78746  
 Phone: (512) 365-2222 Fax: NA

Average: 3.751 Acres  
 Survey: Lot 1, block A, RJ Subdivision  
 Volume 10, Page 158 Plat Records  
 Number of lots and proposed use: 24 Townhouse Lots (R-1-T Pending)  
 1 Retail/Services (RS)

Date: 9-19-2013 (Revised 11-9-2013)  
 Surveyor: Melvin B. Hodgkins, P.E., RPLS No. 2808  
 Phone: (512)-892-4503 Fax: (512)-892-4503

Engineer: Kathy Kilborn, P.E., Pro-Tech Engineering Group, Inc.  
 Phone: (512)-353-3333 Fax: (512)-396-0224

CURVE	RADIUS	ARC	TANGENT	CHORD	CHORD BRNG
C1	15.00'	13.05'	6.90'	12.48'	N 192°23' W
C2	55.00'	14.85'	7.47'	14.80'	N 02°39'35" W
C3	55.00'	42.00'	22.00'	40.99'	N 32°16'23" W
C4	55.00'	30.01'	15.39'	28.64'	N 89°47'03" W
C5	55.00'	47.57'	25.36'	46.06'	S 69°48'55" W
C6	55.00'	47.54'	25.37'	46.08'	S 20°18'54" W
C7	55.00'	42.00'	22.00'	40.99'	S 20°03'07" E
C8	55.00'	42.00'	22.00'	40.99'	S 57°32'03" E
C9	55.00'	14.85'	7.49'	14.83'	S 87°09'52" E
C10	15.00'	13.05'	6.90'	12.48'	S 69°23'09" E
C11	15.00'	23.57'	15.00'	21.22'	N 00°05'10" E
C12	15.00'	23.58'	14.99'	21.21'	N 89°54'44" W



**LEGEND**

- IRON STAKE
- CAPPED IRON STAKE
- CAPPED ALUMINUM STAKE
- ⊙ COTTON GIN SPINDLE
- ⊙ COTTON GIN SPINDLE W/WASHER
- ▲ NAIL
- ( ) DENOTES RECORD INFORMATION
- D.E. DRAINAGE EASEMENT
- B.L. BUILDING LINE
- P.U.E. PUBLIC UTILITY EASEMENT
- [158] HAYS COUNTY PLAT RECORDS
- [2808] HAYS COUNTY DEED RECORDS

Note: Preliminary Plan Boundary Survey Data Provided By Pro-Tech Engineering Group, Inc.

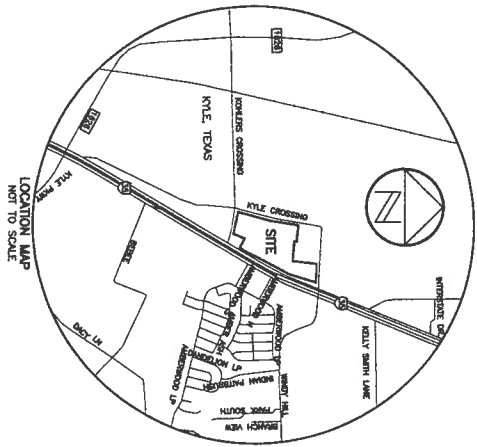
### GENERAL NOTES:

- Proposed water and wastewater utilities:  
 Water: County Line Special Utility District  
 Wastewater: City of Kyle
- No obstructions shall be placed in drainage easements.
- Those sidewalks not abutting a residential, commercial or industrial lot shall be installed when the adjoining street is constructed. Where there are double frontage lots, sidewalks on the street to which access is prohibited are required to be installed when the street in the subdivision is constructed. (Cmt. #439, Article V, Sec. 10; Kyle Code).
- A portion of this subdivision lies within the boundaries of Zone AE of the 100 year flood plain according to the Federal Emergency Management Agency Flood Insurance Rate Map Panel No. 48209C0405 F, dated September 2, 2003.
- A fifteen (15) foot P.U.E. is hereby dedicated adjacent to all street ROW and a ten (10) foot P.U.E. is hereby dedicated adjacent to all rear lot lines on all lots. All public utility easements shall also be dedicated for use as drainage easements.
- Electrical service shall be underground.

The undersigned, a registered professional land surveyor in the State of Texas, hereby certify that all easements of record are shown or noted on the plan.

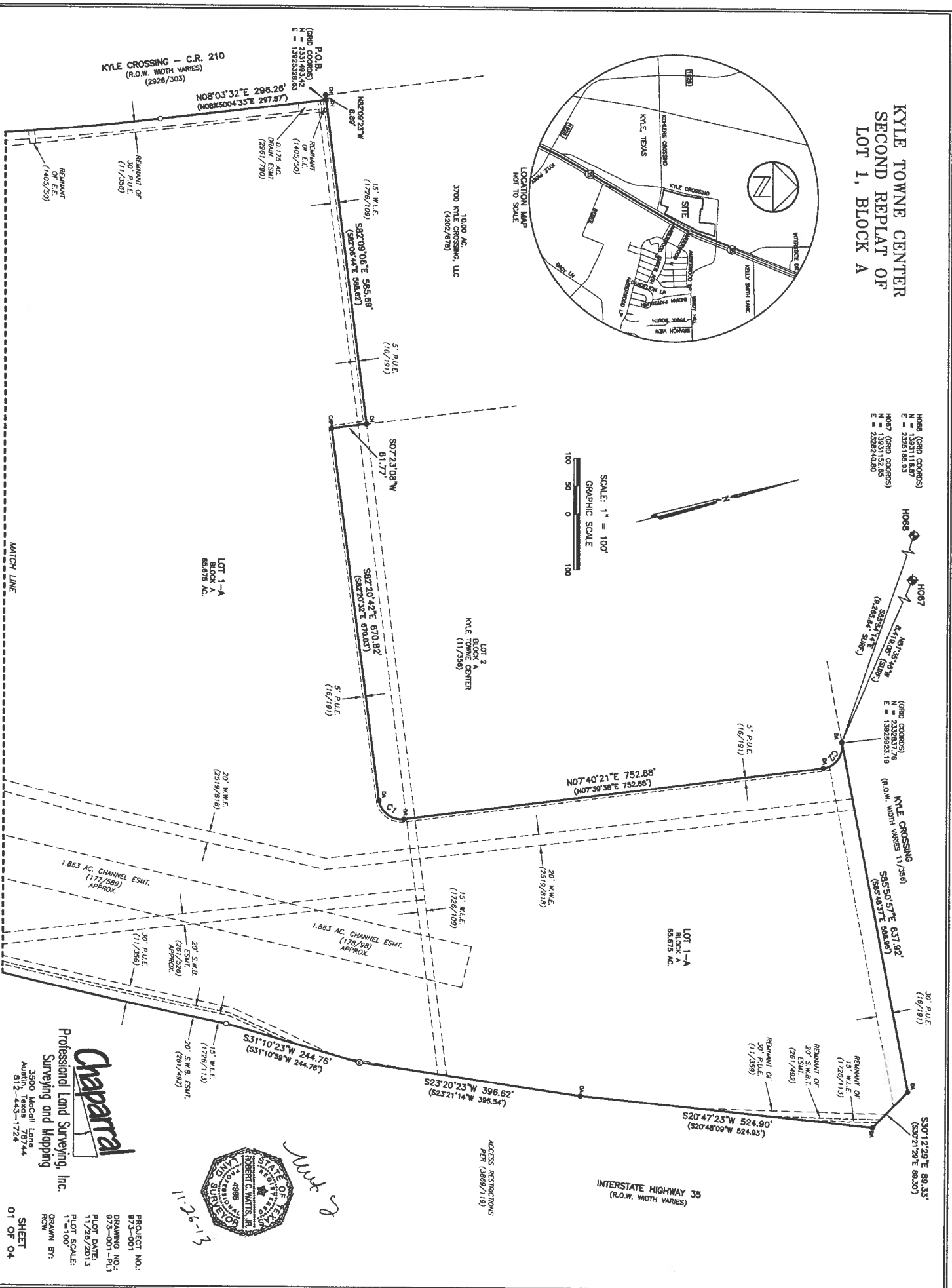
Melvin B. Hodgkins, RPLS No. 2808

# KYLE TOWNE CENTER SECOND REPLAT OF LOT 1, BLOCK A



HOBS (GRID COORDS)  
 N = 13931116.87  
 E = 2329185.83  
 HO07 (GRID COORDS)  
 N = 13931152.85  
 E = 2329240.80

SCALE: 1" = 100'  
 GRAPHIC SCALE  
 100 50 0 100



ACCESS RESTRICTIONS  
 PER (3869/119)

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



11-26-13



Professional Land Surveying, Inc.  
 Surveying and Mapping  
 3500 McCall Lane  
 Austin, Texas 78744  
 512-443-1728

PROJECT NO.: 873-001  
 DRAWING NO.: 873-001-PL1  
 PLOT DATE: 11/26/2013  
 PLOT SCALE: 1"=100'  
 DRAWN BY: ROW  
 SHEET 01 OF 04

KYLE TOWNE CENTER  
SECOND REPIAT OF  
LOT 1, BLOCK A



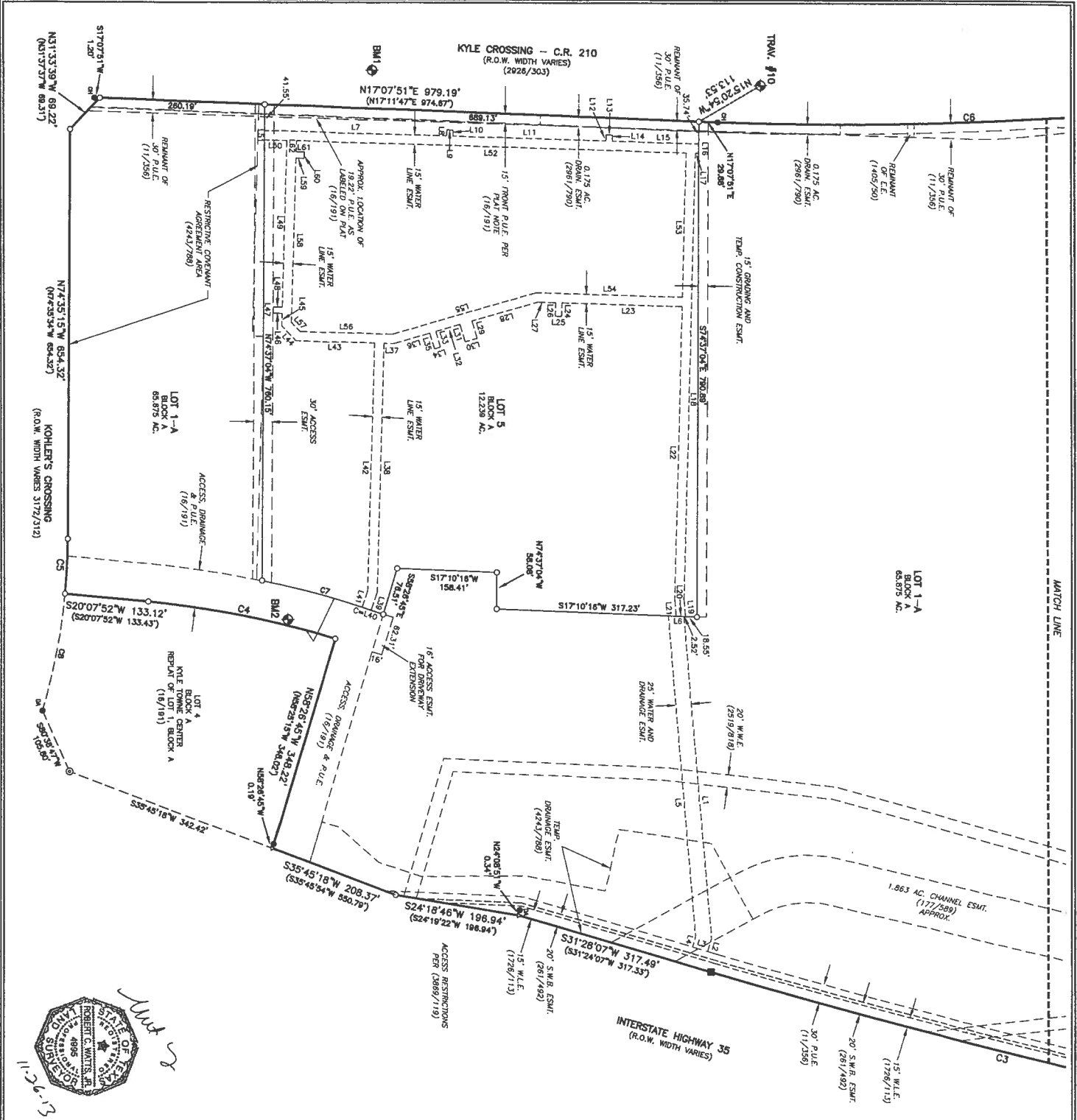
SCALE: 1" = 100'  
GRAPHIC SCALE

OWNER:  
STERLING/BARCOCK & BROWN LP  
6210 CAMPBELL ROAD, SUITE 140  
DALLAS, TEXAS 75248  
ACREAGE: 77.914 AC.  
SURVEY: THOMAS G. ALLEN SURVEY  
NUMBER OF LOTS AND PROPOSED USE:  
2 COMMERCIAL  
DATE: OCTOBER 18, 2013  
SURVEYOR:  
ROBERT C. WANTS, JR.  
PHONE: (512) 443-1724  
FAX: (512) 388-0843  
ENGINEER: MATT MOORE, P.E.  
ENGINEERING: MATT MOORE, INC.  
(817) 281-5772 PHONE



**Chapparral**  
Professional Land Surveying, Inc.  
3500 Macdonell Lane  
Austin, TX 78744  
512-443-1724

PROJECT NO.: 973-001  
DRAWING NO.: 973-001-PL-1  
PLOT DATE: 11/26/2013  
PLOT SCALE: 1" = 100'  
DRAWN BY: RCM  
SHEET: 02 OF 04



KYLE TOWNE CENTER  
SECOND REPLAT OF  
LOT 1, BLOCK A

OWNER'S ACKNOWLEDGEMENT  
STATE OF TEXAS  
COUNTY OF HAVS  
KNOW ALL MEN BY THESE PRESENTS:

THAT STERLING/BARBOCK & BROWN LP A TEXAS LIMITED PARTNERSHIP OWNER OF LOT 1, 1/4 SECTION CENTER, REPEAT OF LOT 1, BLOCK A SUBDIVISION OF RECORD IN BOOK 14, PAGE 181 OF THE PLAT RECORDS OF HAVS COUNTY, TEXAS CONVEYED BY DEED OF RECORD IN VOLUME 2882, PAGE 314 OF THE OFFICIAL PUBLIC RECORDS OF HAVS COUNTY, TEXAS DO HEREBY REPEAT SAID LOT 1, COMPRENSIVE OF 77,914 ACRES, BEING THE LAND COMPREHEND IN THE ABOVE REPEATED DEED AND SHOWN ON THIS PLAT, AND DESIGNATED HEREBY AS "THE TOWNE CENTER, SECOND REPEAT OF LOT 1, BLOCK A" AND WHOSE NAME IS SUBSCRIBED HERETO, HEREBY DEVOLVE TO THE USE OF THE PUBLIC FOREVER ALL STREETS AND EASEMENTS HEREBY SHOWN FOR THE PURPOSE AND CONSIDERATION HEREBY EXPRESSED.

IN WITNESS WHEREOF, STERLING/BARBOCK & BROWN LP, HAS CAUSED THIS INSTRUMENT TO BE EXECUTED BY STEPHEN PRESTON, MANAGING MEMBER OF STERLING/BARBOCK & BROWN LP, L.L.C. GENERAL PARTNER OF STERLING/BARBOCK & BROWN LP.  
STERLING/BARBOCK & BROWN LP  
6210 CAMPBELL ROAD, SUITE 140  
DALLAS, TEXAS 75249

BY: STERLING/BARBOCK & BROWN LP  
BY: STEPHEN PRESTON, MANAGING MEMBER

STATE OF TEXAS  
COUNTY OF HAVS  
THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, BY STEPHEN PRESTON AS BEHALF OF SAID LIMITED PARTNERSHIP.

NOTARY PUBLIC, STATE OF TEXAS  
CONSENT OF LIEN HOLDER  
STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

KNOW ALL MEN BY THESE PRESENTS THAT I, \_\_\_\_\_ TRUSTEE, AGENT OF THE LIEN HOLDER OF THE CERTAIN TRACT OF LAND RECORDED IN THE ABOVE REFERENCED DOCUMENTS, OFFICIAL RECORDS OF HAVS COUNTY, TEXAS, DO HEREBY CONSENT TO THE ABOVE REPEATED DEED AND TO FURTHER HEREBY CONSENT TO THE DEED TO THE PUBLIC USE FOR THE STREETS, ALLEYS, EASEMENTS AND ALL OTHER LANDS INTENDED FOR PUBLIC DEDICATION SHOWN HEREBY.

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

NOTARY PUBLIC, STATE OF \_\_\_\_\_  
SURVEYORS CERTIFICATION:  
STATE OF TEXAS  
COUNTY OF TEXAS

1. 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 COMPLETES WITH ORDINANCE NO. 308 OF THE CITY CODE OF KYLE, WITH THE EXCEPTION OF THE EASEMENT NOTED ON SHEET 2, WHICH IS TO BE WAIVED, ALL PORTABLE EASEMENTS OF RECORD AS FOUND ON THE TITLE PROJECT ISSUED BY FEDERAL NATIONAL TITLE INSURANCE COMPANY, G.P. NO. 12651, EFFECTIVE DATE OCTOBER 23, 2012, ISSUED TO THE OWNER OF THE PROPERTY, ARE SHOWN AS APPLICABLE.  
DATE OF SURVEY: OCTOBER 2013



ROBERT C. WAITS, JR., R.L.S. NO. 4895  
CHAMBERLAIN PROFESSIONAL LAND SURVEYING, INC.  
P.O. BOX 10124000  
DALLAS, TEXAS 75244  
512-443-1724 T  
512-388-0943 F  
ENGINEER'S CERTIFICATION:  
STATE OF TEXAS  
COUNTY OF \_\_\_\_\_

1. I, WAIT MOORE, AM AUTHORIZED UNDER THE LAWS OF THE STATE OF TEXAS TO PREPARE 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.  
THE TRACT SHOWN HEREIN LIES WITHIN ZONE "C" (ZONAS DETERMINED TO BE OUTSIDE 600-YEAR FLOOD-PLAIN) AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FEDERAL INSURANCE ADMINISTRATION, AS SHOWN ON MAP NO. 4820800230F, DATED SEPTEMBER 2, 2005, FOR HAVS COUNTY, TEXAS AND INCORPORATED AREAS, IF THIS SITE IS NOT WITHIN AN IDENTIFIED SPECIAL FLOOD HAZARD AREA.

GENERAL NOTES:  
1. ALL BUILDING SETBACKS NOT SHOWN ON LOTS SHALL COMPLY WITH THE CITY OF KYLE ZONING ORDINANCE 436.

2. SITE DEVELOPMENT PLAN FOR EACH LOT SHALL BE SUBMITTED FOR REVIEW AND APPROVAL BY CITY, IN ACCORDANCE WITH THE CITY OF KYLE SITE DEVELOPMENT ORDINANCE 374, ZONING ORDINANCE 348 AND OUTLAW DISTRICT ORDINANCE 375-9 FROM TO ISSUANCE OF THE DEVELOPMENT AND CONDITIONAL USE PERMITS.

3. NO OBJECT INCLUDING STORAGE, BUILDING, ACCESSORY BUILDING, FENCING OR LANDSCAPING WHICH WOULD INTERFERE WITH EXISTANT ACCESS SHALL BE PLACED OR ERRECTED WITHIN UTILITY EASEMENTS(1).

4. PROPERTY OWNERS SHALL ALLOW THE CITY ACCESS TO UTILITY EASEMENTS(1) FOR INSPECTION, REPAIR, MAINTENANCE AND CONSTRUCTION AS MAY BE NECESSARY.

5. EACH PROPERTY OWNER OF A LOT ON WHICH DRAINAGE EASEMENT(S) IS LOCATED SHALL BE RESPONSIBLE FOR KEEPING GRASS AND WEEDS NEATLY CUT AND THE EASEMENT AREA FREE OF DEBRIS AND ALL TREE/BUSH OR GROWTH, MAINTENANCE AND UPRIGED OF ALL STORM WATER FACILITIES IS THE RESPONSIBILITY OF EACH OWNER ON WHICH SUCH FACILITIES ARE LOCATED.

6. ARTICLE VI OF SUBDIVISION ORDINANCE NO. 439 IS APPLICABLE TO THIS SUBDIVISION AND REQUIREMENTS OF ARTICLE VI SHALL BE INCLUDED WITH AND ADDRESSED AS PART OF THE SITE DEVELOPMENT PLAN SUBMISSION.

7. THERE ARE NO FLOOD HAZARD AREAS IN THE PLATTED AREAS PER FEMA FIRM PANEL 4820800230F DATED SEPTEMBER 2, 2005. THIS FLOOD STATEMENT DOES NOT MEAN THAT THE PROPERTY AND/OR STRUCTURES THERE ON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.

8. NO PORTION OF THIS SUBDIVISION LIES WITHIN THE BOUNDARIES OF THE RECHARGE OR CONTRIBUTING ZONE OF THE BARTON SPRINGS SEGMENT OF THE EDWARDS AQUIFER.

9. THIS SUBDIVISION LIES WITHIN THE CORPORATE LIMITS OF THE CITY OF KYLE.  
10. OBSTRUCTIONS IN DRAINAGE EASEMENTS ARE PROHIBITED.  
11. 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.  
12. ELECTRIC SERVICE TO EACH LOT SHALL BE UNDERGROUND.

13. SIGNATURE SHALL BE INSTALLED ADJACENT TO WOMEN'S CROSSING AND KYLE CROSSING AT TIME OF SITE DEVELOPMENT FOR EACH LOT.  
14. ARTICLE V, SECTION 13(C)(1) OF ORDINANCE 439 REGARDING STREET LIGHTS SHALL APPLY TO THIS SUBDIVISION AND MAY BE IMPLEMENTED AT TIME OF SITE DEVELOPMENT.

15. THE LOCATION OF EASEMENTS SHOWN HEREBY THAT ARE GRANTED BY SEPARATE INSTRUMENT ARE APPROXIMATE AND SUCH EASEMENTS AND THEIR LOCATIONS ARE GOVERNED BY THE TERMS, PROVISIONS AND CONDITIONS OF SUCH INSTRUMENTS. THE INSTRUMENTS ARE FILED IN THE PUBLIC RECORDS OF HAVS COUNTY, TEXAS, IN TEMPORARY DRAINAGE EASEMENT DOCUMENT# 11029470, VOLUME 428, PAGE 288 WHICH MAY BE LOCATED AT THE TIME A SUBSTITUTE DRAINAGE FACILITY IS CONSTRUCTED AND DEDICATED.  
16. 81-35 SOUTHBOUND FRONTAGE DRIVEWAY ACCESS IS UNDER THE JURISDICTION OF THE TEXAS DEPARTMENT OF TRANSPORTATION, SEE VOL. 3849, PG. 120 FOR CONTROL OF ACCESS DETAIL.  
17. A 12' WIDE PILE IS HEREBY DEDICATED ALONG EACH SIDE LOT LINE. A 10' WIDE PILE IS HEREBY DEDICATED ALONG EACH LOT LINE.  
18. A 15' WIDE PILE IS HEREBY DEDICATED ALONG EACH FRONT LOT LINE.

PLANNING AND ZONING COMMISSION CERTIFICATION:  
STATE OF TEXAS  
COUNTY OF HAVS  
I, THE UNDERSIGNED CHAIRPERSON OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF KYLE HEREBY DO HEREBY CERTIFY THAT I HAVE REVIEWED THE PLANNING AND ZONING REGULATIONS OF THE CITY AS TO WHICH THE COMMISSION'S APPROVAL IS REQUIRED.

BY: \_\_\_\_\_  
CHAIRPERSON  
THIS PLAT 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: \_\_\_\_\_  
CITY SECRETARY  
COUNTY CLERK CERTIFICATION:  
STATE OF TEXAS  
COUNTY OF HAVS  
KNOW ALL MEN BY THESE PRESENTS:  
THAT I, L. O. GONZALEZ, CLERK OF HAVS 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 THIS THE \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, FILED FOR RECORD AT \_\_\_\_\_ O'CLOCK \_\_\_\_ IN THE \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, A.D.

L. O. GONZALEZ  
COUNTY CLERK  
PROJECT NO.:  
DRAWING NO.:  
PLOT DATE:  
PLOT SCALE:  
DRAWN BY:  
RCW



# KYLE TOWNE CENTER SECOND REPLAT OF LOT 1, BLOCK A

LINE	BEARING	DISTANCE
L1	N79°48'14"W	514.42
L2	N86°39'37"W	21.82
L3	N31°30'34"E	28.00
L4	N86°39'37"W	17.08
L5	N79°48'14"W	512.82
L6	N17°10'16"E	28.19
L7	N16°38'52"E	288.48
L8	N73°21'08"W	9.60
L9	N16°38'52"E	10.00
L10	S73°21'08"E	9.60
L11	N16°38'52"E	242.01
L12	N73°21'08"W	9.80
L13	N16°38'52"E	10.00
L14	S73°21'08"E	9.80
L15	N16°38'52"E	138.48
L16	S74°37'04"E	15.00
L17	S16°38'52"W	5.35
L18	S73°21'08"E	271.89
L19	S79°48'14"E	27.99
L20	S17°10'15"W	15.10
L21	N79°48'14"W	21.80
L22	N73°21'08"W	468.97
L23	S16°38'52"W	191.32
L24	S73°21'08"E	21.80
L25	S16°38'52"W	10.00
L26	N73°21'08"W	21.80
L27	S16°38'52"W	15.29
L28	S01°22'13"E	108.39
L29	N86°37'42"E	28.89
L30	S01°22'13"E	20.00
L31	S88°37'42"W	28.89
L32	S01°22'13"E	40.28
L33	N88°41'12"E	28.00
L34	S01°18'48"E	10.00
L35	S88°41'12"W	28.00
L36	S01°22'13"E	98.40
L37	S16°38'52"W	15.29
L38	S73°21'08"E	397.49
L39	S56°38'35"E	29.71
L40	S33°21'28"W	15.00
L41	N65°38'35"W	27.51
L42	N73°21'08"W	396.28
L43	S18°38'52"W	125.12
L44	S61°38'52"W	32.36
L45	N73°21'08"W	20.08
L46	S16°38'52"W	13.48
L47	N73°21'08"W	10.00
L48	N16°38'52"E	13.48
L49	N73°21'08"W	268.55
L50	S16°38'52"W	34.87
L51	N74°37'04"W	15.00
L52	N16°38'52"E	618.66
L53	S73°21'08"E	230.87
L54	S16°38'52"W	231.35
L55	S01°22'13"E	238.07
L56	S61°38'52"W	148.82
L57	S81°38'52"W	19.83
L58	N73°21'08"W	262.73
L59	N16°38'52"E	12.50
L60	N73°21'08"W	10.00
L61	S16°38'52"W	12.50
L62	N73°21'08"W	17.69

CURVE	RADIUS	DELTA	ARC	BEARING	CHORD
C1	40.00	87°37'01"	61.17	N52°04'58"E	35.38
C2	40.00	93°19'15"	65.15	N39°17'09"W	38.16
C3	11229.19'	4°54'48"	982.81	S28°54'35"W	982.52
C4	1489.40'	1°13'41.3"	300.77	S26°15'41"W	300.26
C5	1000.00'	5°00'18"	87.86	N72°02'33"W	87.33
C6	5037.50'	9°04'42"	798.17	N12°35'53"E	797.34
C7	1505.09'	7°35'04"	198.23	S30°37'14"W	198.09
C8	1000.00'	10°54'18"	190.33	N64°05'15"W	190.04

**BENCHMARK INFORMATION:**  
 BM #1: COTTON SPINDLE WITH WALKER SET AT NORTHERN RETURN IN ASPHALT DRIVE STUB OUT WEST SIDE OF KYLE CROSSING, 1/4 180' NORTHWEST OF THE PROPOSED SOUTHWEST CORNER OF SUBJECT TRACT.  
 ELEVATION = 755.04'  
 BM #2: SQUARE CUT ON BACK OF CURB EAST SIDE OF CONCRETE DRIVE BEHIND SULLOZYN'S, 1/4 3' SOUTH OF THE REMAINS OF SAID DRIVE.  
 ELEVATION = 742.27'  
 VERTICAL DATUM: NAVD 83 (GEOID 08)

THIS IS A SURFACE DRAWING.  
 BEARING DATA: THE TEXAS COORDINATE SYSTEM OF 1983 (NAD 83) IS USED FOR ALL BEARING DATA. ALL BEARING DATA IS SOLUTIONS FROM THE NATIONAL GEODETIC SURVEY (NGS) ON-LINE POSITIONING USER SERVICE (OPUS) FOR CHAPARRAL CONTROL POINT #10:  
 1/2" REBAR WITH CHAPARRAL RANDOM CAP SET  
 TEXAS SOUTH CENTRAL ZONE STATE  
 1/2" REBAR WITH ALUMINUM CAP FOUND  
 1/2" REBAR WITH TROUPEL CAP FOUND  
 SURFACE COORDINATES:  
 N = 13925486.04  
 E = 2331238.15  
 ELEVATION = 755.57'  
 VERTICAL DATUM: NAVD 83 (GEOID 08)  
 COVERED SOLE FACTOR = 0.99999980  
 (FOR SURFACE TO GRID CONVERSION)  
 INVERSE SCALE FACTOR = 1.000003208  
 (FOR GRID TO SURFACE CONVERSION)  
 SCALED ABOUT 0.8  
 THEIA ANGLE: 0.73357°

**LEGEND**

- 1/2" REBAR WITH CHAPARRAL CAP SET
- ⊙ 1/2" REBAR WITH TROUPEL CAP FOUND
- ⊙ 1/2" REBAR WITH ALUMINUM CAP FOUND
- CONC. HIGHWAY MARK FOUND
- ◆ 1/2" REBAR WITH TROUPEL CAP FOUND
- ◇ CONTROL POINT/BENCHMARK LOCATION
- BL BUILDING STRUCK LINE
- PALE PUBLIC UTILITY EASEMENT
- EE ELECTRIC EASEMENT
- AE ACCESS EASEMENT
- SW.B.T. SOUTHWESTERN BELL TELEPHONE
- W.W.E. WATERMETER EASEMENT
- W.L.E. WATERLINE EASEMENT
- S.S.E. STORMSEWER EASEMENT
- DE. DRAINAGE EASEMENT

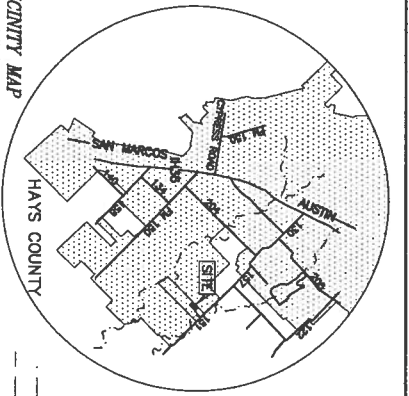


A DESCRIPTION OF 77.914 ACRES BEING ALL OF LOT 1, KYLE TOWNE CENTER, REPLAT OF LOT 1, BLOCK A, A SECOND REPLAT OF LOT 1, BLOCK A, BEING PART OF THE SECOND REPLAT OF LOT 1, BLOCK A, BEING PART OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, SAID LOT 1 BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:  
 BEGINNING at a 1/2" rebar with Chapparral cap found in the east right-of-way line of Kyle Crossing (right-of-way width varies) as described in Volume 2826, Page 303 of the Official Public Records of Hays County, Texas, for the 10.00 acre tract being also in the west line of Lot 2, Block A of Kyle Towne Center, containing 10.00 acres, from which the southwest corner of the 10.00 acre tract bears North 82°09'25" West, a distance of 8.89 feet;  
 THENCE South 82°09'25" East, with the north line of Lot 1, being also the south line of the said 10.00 acre tract, being also in the west line of Lot 2, Block A of Kyle Towne Center, a subdivision of record in Book 11, Page 356 of the Plat Records of Hays County, Texas;  
 THENCE with the common line of Lot 1 and Lot 2, the following five (5) courses and distances:  
 1. South 07°23'08" West, a distance of 61.77 feet to a 1/2" rebar with 1/4" blue plastic cap found for the southwest corner of Lot 2;  
 2. South 82°20'42" East, a distance of 870.82 feet to a 1/2" rebar with Doucet and Associates found;  
 3. With a curve to the left, having a radius of 40.00 feet, a delta angle of 87°37'01", an arc length of 798.17 feet, and a chord which bears North 82°04'58" East, a distance of 55.30 feet to a 1/2" rebar with Doucet and Associates found in the east line of Lot 2, being a northeast line of Lot 1;  
 4. North 07°40'21" East, a distance of 732.88 feet to a 1/2" rebar with Doucet and Associates found;  
 5. With a curve to the left, having a radius of 40.00 feet, a delta angle of 87°19'15", an arc length of 65.15 feet, and a chord which bears North 39°17'09" West, a distance of 58.18 feet to a 1/2" rebar with Doucet and Associates found in the north line of Kyle Crossing, as described on the plat of said Kyle Towne Center, for a northeast corner of Lot 1, being also the northeast corner of Lot 2;  
 THENCE with the south line of Kyle Crossing, being also the north line of Lot 1, the following two (2) courses and distances:  
 1. South 30°12'09" East, a distance of 89.33 feet to a 1/2" rebar with Doucet and Associates found in the west right-of-way line of Interstate Highway 35 (right-of-way width varies) as described in Volume 2889, Page 119 of the Official Public Records of Hays County, Texas, for the northeast corner of Lot 1;  
 THENCE with the west line of Interstate Highway 35, being also the east line of Lot 1, the following seven (7) courses and distances:  
 1. South 20°47'23" West, a distance of 624.50 feet to a 1/2" rebar with Doucet and Associates found;  
 2. South 23°20'23" West, a distance of 396.62 feet to a rebar with a TROUPEL aluminum cap found;  
 3. South 31°10'23" West, a distance of 244.78 feet to a 1/2" rebar with Chapparral cap set;  
 4. With a curve to the right, having a radius of 11228.19 feet, a delta angle of 0°54'48", an arc length of 982.81 feet, and a chord which bears North 26°54'35" West, a distance of 982.32 feet to a TROUPEL type concrete monument found;  
 5. South 31°28'07" West, a distance of 317.46 feet to a calculated point, from which a 1/2" rebar with Doucet and Associates found bears North 24°08'51" West, a distance of 0.34 feet;  
 6. South 24°18'46" West, a distance of 198.94 feet to a 1/2" rebar with Chapparral cap set;  
 7. South 35°45'16" West, a distance of 208.37 feet to a calculated point for the southwest corner of Lot 1, being also the northeast corner of Lot 4, Block A of Kyle Towne Center, replat of Lot 1, Block A, from which a 1/2" rebar found bears North 58°28'49" West, a distance of 0.19 feet;

THENCE with the common line of lot 1 and Lot 4, the following three (3) courses and distances:  
 1. North 58°28'45" West, a distance of 348.22 feet to a 1/2" rebar with Chapparral cap set;  
 2. With a curve to the left, having a radius of 1489.40 feet, a delta angle of 1°13'41.3", an arc length of 300.77 feet, and a chord which bears South 26°15'41" West, a distance of 300.26 feet to a 1/2" rebar with Chapparral cap set;  
 3. South 20°07'52" West, a distance of 133.12 feet to a 1/2" rebar with Chapparral cap set in the north line of Kohler's Crossing (right-of-way width varies) as described in Volume 3172, Page 312 of the Official Public Records of Hays County, Texas, being also a southwest corner of Lot 1, being also the southwest corner of Lot 4;  
 THENCE with the north line of Kohler's Crossing, being also the south line of Lot 1, the following three (3) courses and distances:  
 1. With a curve to the left, having a radius of 1000.00 feet, a delta angle of 05°00'18", an arc length of 87.86 feet, and a chord which bears North 72°02'33" West, a distance of 87.33 feet to a 1/2" rebar with Chapparral cap set;  
 2. North 74°35'15" West, a distance of 654.32 feet to a 1/2" rebar with Chapparral cap set;  
 3. North 31°33'39" West, a distance of 69.22 feet to a 1/2" rebar with Chapparral cap set in the west line of the common line of Lot 1 and Lot 4, from which a 1/2" rebar with Chapparral cap found bears South 17°07'51" West, a distance of 1.20 feet;

THENCE with the east line of Kyle Crossing, being also the west line of Lot 1, the following three (3) courses and distances:  
 1. North 17°07'51" East, a distance of 978.19 feet to a 1/2" rebar with Chapparral cap found;  
 2. With a curve to the left, having a radius of 5037.50 feet, a delta angle of 09°04'42", an arc length of 798.17 feet, and a chord which bears North 12°35'53" East, a distance of 797.34 feet to a 1/2" rebar with Chapparral cap set;  
 3. North 09°03'37" East, a distance of 298.28 feet to the POINT OF BEGINNING, containing 77.914 acres

PROJECT NO.: 873-001  
 DRAWING NO.: 873-001-PL1  
 PLOT DATE: 11/26/2013  
 PLOT SCALE: 1"=100'  
 DRAWN BY: RCW  
 SHEET 04 OF 04

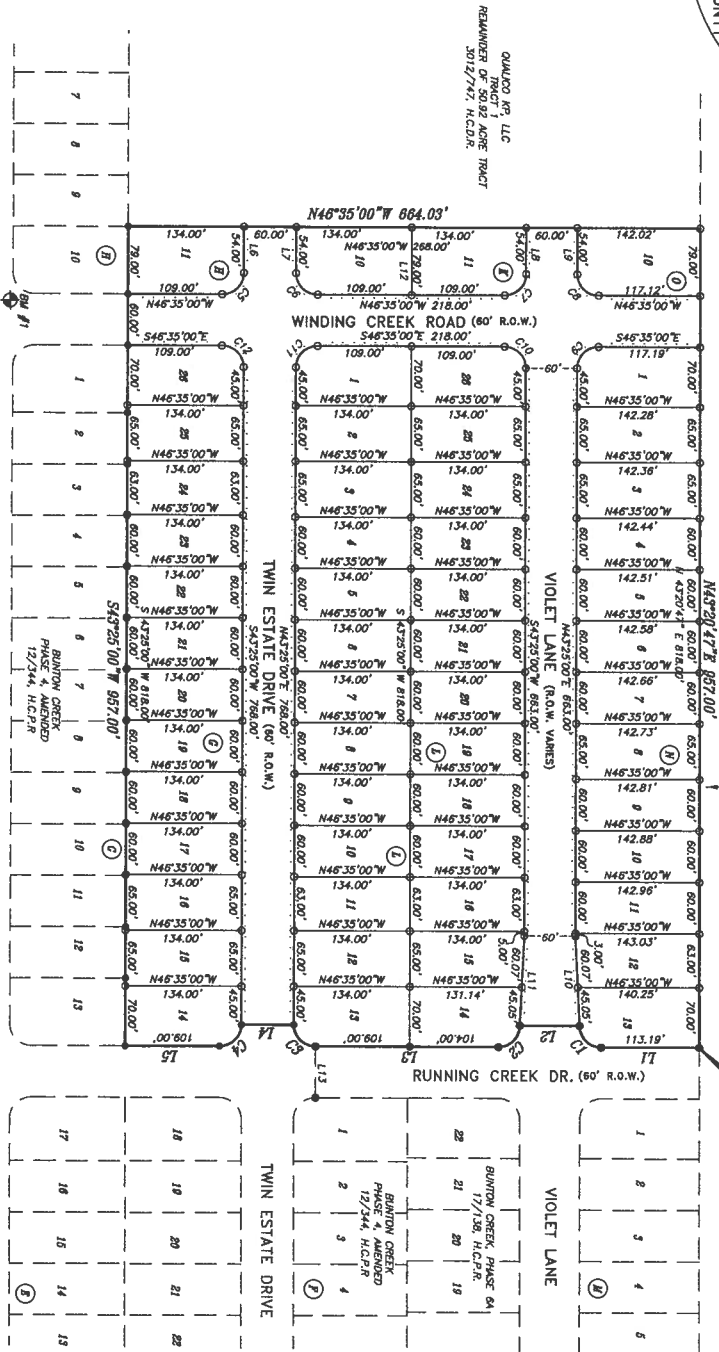


**FINAL PLAT**  
**BUNTON CREEK, PHASE 6B**  
 14.514 ACRES  
 CITY OF KYLE, HAYS COUNTY, TEXAS

WALTON TEXAS, LP  
 104240 AC, H.C.D.R.  
 4359/788, H.C.D.R.

WALTON TEXAS, LP  
 4399/796, H.C.D.R.

**VICINITY MAP**  
 N.T.S.  
 SHADED AREA REPRESENTS  
 APPROXIMATE CITY LIMITS



DATE: SEPTEMBER 3, 2013  
 TOTAL ACRES: 14.514 ACRES  
 PARTNER:  
 M.L. ANDERSON SURVEY, ABSTRACT NO. 21

NO. OF SINGLE FAMILY LOTS: 56  
 NUMBER OF BLOCKS: 6  
 TOTAL NUMBER OF LOTS: 96  
 HAYS COUNTY, TEXAS DATED: SEPTEMBER 2, 2005

OWNER: QVALUO RP, LLC  
 7800 SPOK, CREEK, BELLMEAD 78011  
 PH: (512) 371-8837 FAX: (512) 371-5728

PREPARED BY SURVEYOR:  
 CARLSON, BIRGANCE & DOERING, INC.  
 5501 WEST WILLIAM COMMON  
 AUSTIN, TEXAS 78749  
 PH: (512) 290-5160 FAX: (512) 290-5165

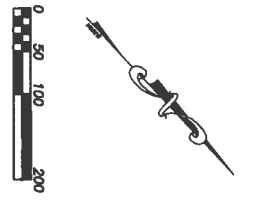
**LINE TABLE**

LINE	LENGTH	BEARING
L1	113.19	S46°35'00"E
L2	70.00	S46°35'00"E
L3	213.00	S46°35'00"E
L4	60.00	S46°35'00"E
L5	109.00	S46°35'00"E
L6	54.00	S43°25'00"W
L7	54.00	N43°25'00"E
L8	54.00	S43°25'00"W
L9	54.00	N43°25'00"E
L10	105.12	N40°41'25"E
L11	78.00	S46°08'34"W
L12	78.00	S43°25'00"W
L13	80.00	S43°25'00"W

**CURVE TABLE**

CURVE	LENGTH	RADIUS	BEARING	CHORD	TANGENT
C1	39.27	25.00	S01°36'00"E	35.36	25.00
C2	39.27	25.00	N88°25'00"E	35.36	25.00
C3	39.27	25.00	S01°36'00"E	35.36	25.00
C4	39.27	25.00	N88°25'00"E	35.36	25.00
C5	39.27	25.00	S01°36'00"E	35.36	25.00
C6	39.27	25.00	N01°36'00"W	35.36	25.00
C7	39.27	25.00	S88°25'00"W	35.36	25.00
C8	39.27	25.00	N01°36'00"W	35.36	25.00
C9	39.27	25.00	N88°25'00"E	35.36	25.00
C10	39.27	25.00	S01°36'00"E	35.36	25.00
C11	39.27	25.00	N88°25'00"E	35.36	25.00
C12	39.27	25.00	S01°36'00"E	35.36	25.00

A fillet (19) lead pipe is hereby identified adjacent to all street front and side (10) lead pipe is hereby identified adjacent to all rear lot lines on all lots.



A SUBDIVISION OF 14.514  
 ACRES BEING BUNTON CREEK,  
 PHASE 6B, IN THE M.B.  
 ATKINSON SURVEY ABSTRACT  
 21, HAYS COUNTY, TEXAS

**SHEET 1 OF 2**

FILED 09/03/13  
 Carlson, Birgance & Doering, Inc.  
 Civil Engineering Surveying  
 5501 West William Common Austin, Texas 78749  
 Phone No. (512) 290-5160 Fax No. (512) 290-5165

PATH-1: 4628\SURVEY\PLAT-6B

GENERAL NOTES:

- 1. THIS PLAT IS SUBJECT TO THE DEVELOPMENT AND SETTLEMENT AGREEMENT FOR THE BUNTON CREEK SUBDIVISION...
2. ALL STREETS, DRAINAGE STRUCTURES AND PERMANENT EROSION CONTROLS SHALL BE CONSTRUCTED AND INSTALLED TO CITY OR KYLE STANDARDS...
3. NO LOT IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTED TO AN APPROVED PUBLIC WATER SUPPLY SYSTEM...
4. NO LOT IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTED TO AN APPROVED WASTEWATER DISPOSAL SYSTEM...
5. NO PORTION OF SUBJECT TRACT IS LOCATED WITHIN THE 100-YEAR FLOOD PLAIN 2, 2006. FEASIBILITY STUDY REPORT NO. 48203000057 DATED SEPTEMBER 2006...
6. UTILITY SERVICE: WATER: COUNTY LINE WATER SUPPLY CORPORATION...
7. BENCHMARK #1 - SQUARE CUT ON TOP OF CUBA SOUTHWEST CORNER OF LOT 10, BLOCK H, BUNTON CREEK PH. 4, AMENDED, BOOK 12, FC 344, H.C.P.R., ALONG WINDING CREEK ROAD, ELEVATION 628.50...
8. NO OBJECT INCLUDING BUILDING, ACCESSORY BUILDING, FENCING OR LANDSCAPING SHALL BE ALLOWED TO BE PLACED OR ERECTED WITHIN DRAINAGE ESSEMENT(S) EXCEPT AS APPROVED BY THE CITY OR KYLE...
9. PROPERTY OWNER SHALL ALLOW ACCESS TO DRAINAGE AND UTILITY ESSEMENTS FOR INSPECTION, REPAIR, MAINTENANCE AND RECONSTRUCTION AS MAY BE NECESSARY...
10. DRAINAGE ESSEMENTS ON PRIVATE PROPERTY SHALL BE MAINTAINED BY THE HOMEOWNER OR HIS/HER ASSIGNS...
11. SPOWVULS SHALL BE INSTALLED ON THE SUBDIVISION SIDE OF WADLET LAKE, TRAIL STAIRS, RESIDENTIAL CREEK DRIVE AND WINDING CREEK ROAD...
12. THIS SUBDIVISION IS LOCATED WITHIN THE PLUM CREEK WATERSHED...
13. A 15' PUBLIC UTILITY ESSEMENT IS HEREBY DEDICATED ADJACENT TO ALL STREET RIGHTS-OF-WAY...
14. ACCESS TO CORNER LOTS IS LIMITED TO FRONT STREET ONLY.

STATE OF TEXAS, COUNTY OF TRAVIS: I, AARON V. THOMPSON, R.P.L.S., AM AUTHORIZED UNDER THE LAWS OF THE STATE OF TEXAS, TO PRACTICE THE PROFESSION OF SURVEYING, HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT, THAT IT WAS PREPARED FROM AN ACTUAL SURVEY ON THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND, AND THAT ALL NECESSARY SURVEY MONUMENTS ARE CORRECTLY SET OR FOUND AS SHOWN THEREON.



SURVEYED BY: AARON V. THOMPSON, R.P.L.S. NO. 6214; CARLSON, BRIGANCE & DOERING, INC.; 5501 WEST WILLIAM CANNON DRIVE, AUSTIN, TEXAS 78749; aov@cbdb.com

ENGINEERING BY: CHARLES BRIGANCE, P.E. NO. 64346; CARLSON, BRIGANCE & DOERING, INC.; 5501 WEST WILLIAM CANNON DRIVE, AUSTIN, TEXAS 78749



KNOW ALL MEN BY THESE PRESENTS, THAT I, QUALICO KR, LLC, A TEXAS LIMITED LIABILITY COMPANY, WITH ITS HEAD OFFICE AT 10000 WINDING CREEK BLVD., SUITE 200, DALLAS, TEXAS 75243, HEREBY AS CONVEYED TO IT BY DEED DATED SEPTEMBER 19, 2006, AND RECORDED IN VOLUME 3072, PAGE 747, O.P.R.H.C., DOES HEREBY SUBDIVIDE 14,514 ACRES OUT OF THE M.B. ATKINSON SURVEY, TO BE KNOWN AS:

BUNTON CREEK, PHASE 6B

IN ACCORDANCE WITH THE PLAT SHOWN HEREBY, SUBJECTS TO ANY AND ALL RESTRICTIONS HEREON, AND DO HEREBY DEMAND TO THE PUBLIC THE USE OF STREETS AND ESSEMENTS SHOWN HEREBY. IN WITNESS WHEREOF, THE SAID QUALICO KR, LLC, HAS CAUSED THESE PRESENTS TO BE EXECUTED BY ASSISTANT SECRETARY, THEREUNTO HEREBY AUTHORIZED:

QUALICO KR, LLP, A TEXAS LIMITED LIABILITY COMPANY

By: [Signature] MANAGER

By: [Signature] ASSISTANT SECRETARY

STATE OF TEXAS, COUNTY OF HAYS

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON [Date] BY [Signatures]

NOTARY PUBLIC, STATE OF TEXAS; PRINTED NAME: [Name]; MY COMMISSION EXPIRES: [Date]

I, THE UNDERSIGNED, PLANNING DIRECTOR OF THE CITY OF KYLE, HEREBY CERTIFY THAT THIS SUBDIVISION MEETS ALL THE REQUIREMENTS OF THE SUBDIVISION ORDINANCE AND HEREBY RECOMMEND APPROVAL.

PLANNING DIRECTOR

I, THE UNDERSIGNED, DIRECTOR OF PUBLIC WORKS FOR THE CITY OF KYLE, HEREBY CERTIFY THAT THE SUBDIVISION MEETS ALL THE REQUIREMENTS OF THE CITY OF KYLE SUBDIVISION ORDINANCE AND HEREBY RECOMMEND APPROVAL.

DIRECTOR OF PUBLIC WORKS

I, HEREBY CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF BUNTON CREEK, PHASE 6B, ADDITION TO THE CITY OF KYLE, TEXAS, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF KYLE ON THE DAY OF [Date], AND THAT ALL THE REQUIREMENTS OF THE SUBDIVISION ORDINANCE OF THE CITY OF KYLE, TEXAS, ARE MET.

CITY SECRETARY

CITY OF KYLE (BY APPROVAL); APPROVED AND AUTHORIZED TO BE RECORDED ON THE DAY OF [Date] BY THE PLANNING & ZONING COMMISSION OF THE CITY OF KYLE.

CHAIRPERSON

I, LIZ GONZALEZ, COUNTY CLERK OF HAYS COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT IN WRITING WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORD IN MY OFFICE ON [Date] AT [Time] O'CLOCK [AM/PM] IN THE PLAT RECORDS OF HAYS COUNTY, TEXAS IN VOLUME [Page] PAGE(S) [Page Number].

WITNESS MY HAND AND SEAL OF OFFICE THIS THE [Date] DAY OF [Month] A.D. [Year]

LIZ GONZALEZ, COUNTY CLERK, HAYS COUNTY, TEXAS

FINAL PLAT; BUNTON CREEK, PHASE 6B; 14,514 ACRES; CITY OF KYLE, HAYS COUNTY, TEXAS

FIELD NOTES:

BEING ALL OF THAT CERTAIN TRACT OF LAND OUT OF THE M.B. ATKINSON SURVEY ABSTRACT NUMBER 21, HAYS COUNTY, TEXAS, BEING MORE PARTICULARLY DESCRIBED AS A PORTION OF A 34.48 ACRE TRACT OF LAND CONVEYED TO QUALICO KR, LLC IN VOLUME 3072, PAGE 747, OF THE HAYS COUNTY DEED RECORDS (H.C.D.R.), SAID 14,514 ACRE TRACT OF LAND BEING MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a capped 1/2" iron rod found in the common boundary line of said 34.48 acre tract and a 2.182 acre tract conveyed to Wilton Texas, LP in Volume 4389, Page 788 of the H.C.D.R., also being the westernmost corner of Bunton Creek, Phase 6A, Volume 17, Page 138 of the Hays County Plat Records (H.C.P.R.), for the POINT OF BEGINNING and the northernmost corner of the herein described tract;

THENCE, with the southwestern right-of-way line of Running Creek Dr. (60' R.O.W.), also being a southwestern boundary of said Bunton Creek 6A, the following five (5) courses and distances, numbered 1 through 5:

- 1. S46°35'00"E, a distance of 113.19 feet to a capped 1/2" iron rod found at a point of curvature to the right;
2. With said curve to the right having a radius of 25.00 feet, an arc length of 39.27 feet, and whose chord bears S01°35'00"E, a distance of 35.36 feet to a capped 1/2" iron rod found;
3. S46°35'00"E, a distance of 70.00 feet to a capped 1/2" iron rod found at a point of curvature to the right;
4. With said curve to the right having a radius of 25.00 feet, an arc length of 39.27 feet, and whose chord bears N82°25'00"E, a distance of 35.36 feet to a capped 1/2" iron rod found;
5. S46°35'00"E, a distance of 213.00 feet to a capped 1/2" iron rod found at a point of curvature to the right, also being the southernmost corner of said Bunton Creek, Phase 6A, and also being a southwestern corner of Bunton Creek, Phase 4, Amended, a subdivision as recorded in Volume 12, Page 344 of the Hays County Plat Records (H.C.P.R.).

THENCE, with a southwestern boundary of said Bunton Creek, Phase 4, Amended, also being the southwestern right-of-way line of said Running Creek Dr. (60' R.O.W.) the following four (4) courses and distances, numbered 1 through 4:

- 1. With said curve to the right having a radius of 25.00 feet, an arc length of 39.27 feet, and whose chord bears S01°35'00"E, a distance of 35.36 feet to a capped 1/2" iron rod found;
2. S46°35'00"E, a distance of 60.00 feet to a capped 1/2" iron rod found at a point of curvature to the right;
3. With said curve to the right having a radius of 25.00 feet, an arc length of 39.27 feet, and whose chord bears N82°25'00"E, a distance of 35.36 feet to a capped 1/2" iron rod found at a point;
4. S46°35'00"E, a distance of 108.00 feet to a capped 1/2" iron rod found for the easternmost corner of Lot 13, Block G of said Bunton Creek, Phase 4, Amended, also being the easternmost corner of the herein described tract;

THENCE, with a northwestern boundary of said Bunton Creek, Phase 4, Amended and crossing the right-of-way of Winding Creek Road (60' R.O.W.), S43°25'00"W, a distance of 897.00 feet to a capped 1/2" iron rod found at the westernmost corner of Lot 10, Block H of said Bunton Creek, Phase 4, Amended, also being the southernmost corner of the herein described tract.

THENCE, crossing said 34.48 acre tract, N46°35'00"W, a distance of 684.03 feet to a capped 1/2" iron rod set at a point in the common boundary line of said 34.48 acre tract and said 2.182 acre tract, for the westernmost corner of the herein described tract.

THENCE, with the common boundary line of said 34.48 acre tract and said 2.182 acre tract, N43°20'47"E, a distance of 597.00 feet to the POINT OF BEGINNING and containing 14,514 acres of land.

SHEET 2 OF 2

BEING BESS, TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE (NAD 83) AND NAD 26



Carlson, Brigance & Doering, Inc.; 5501 West William Cannon; Austin, Texas 78749; Phone No. (512) 280-5100; Fax No. (512) 280-5105; PATH-J: 4628\SURVEY\PLAT-6B

## MEMORANDUM

**TO:** Planning and Zoning Commission

**FROM:** Sofia Nelson, Planning Director

**DATE:** December 5, 2013

**SUBJECT:** CONDITIONAL USE OVERLAY- 20371 and 20389 IH-35

---

### Background

#### **Request:**

The applicant is requesting approval of a Conditional Use permit for the construction of an approximately 2,267 square foot restaurant space (Duncan Donuts) and a 6,664 square foot retail space (a tenant has not been named). The property is zoned Retail Services "RS" and as a result the use of property is permitted. The applicant is seeking approval of the building concept, both materials and orientation at this time.

#### **Location:**

The subject property is located within the existing Village at Kyle shopping center and will be located along the Interstate 35 access road, south of the Firestone development.

#### **Overlay District**

The Interstate Highway 35 corridor conditional use overlay district extends from the northernmost city limit boundary at I-35 to the southernmost city limit boundary at I-35, and includes all real property within 1,500 feet of the outer most edge of the highway right-of-way of I-35.

a) The purpose of the of the overlay district is to maintain a high character and quality of community development, to promote compatible uses and standards, to preserve and enhance property values, to promote economic growth, to provide for orderly development, to provide for proper movement of traffic, and to secure the general safety of citizens by regulating the exterior architectural characteristics of structures

(b)The conditional use overlay districts will assist the community to recognize and preserve the distinctive architectural character of this community, which has been greatly influenced by the architecture of an earlier period in this community's history. This purpose shall be served by the regulation of exterior design, use of materials, the finish grade line, ingress and egress, and landscaping and orientation of all structures hereinafter altered, constructed, reconstructed, reacted, enlarged, remodeled, removed, or demolished in the conditional use overlay district.

## **Proposal**

The proposed development consists of two different buildings on two legally separate lots. Each lot is required to meet all site development requirements. The applicant is proposing the same materials of a charcoal colored limestone veneer and beige color brick for both buildings.

## **STAFF ANALYSIS AND RECOMMENDATION**

### **COMPREHENSIVE MASTER PLAN GUIDENCE**

The Comprehensive Master Plan identifies the site to be located within the Super Regional Node. The Comprehensive Master characterizes the Super Regional Node as follows:

- Should contain large-scale, institutional, commercial, and retail land uses, with the Seton Medical Center as the key distinguishing feature.
- The aggregation of commercial square footage in this Node should create a significant commercial destination that will be visible to regional travelers along the I-35 corridor.
- The purpose of the Super Regional Node is to capture employment opportunities and create a commercial destination within Kyle.

The Urban Design Plan identifies the stretch of I-35 the subject property fronts on to be located in the urban core along the destination segment of I-35. The Urban Design Plan states the following:

*The Interstate 35 Destination is that portion of I-35 lying between the FM 1626 overpass and the Center Street overpass. This portion of I-35 is identified as a unique section in order to transform the freeway experience from one of passing through to one of arrival. Therefore the Destination section of I-35 has an appearance that is dramatically different than those portions north of FM 1626 or south of Center Street.*

#### *Location:*

*Generally located between two of Kyle's four landmark bridges (at the FM 1626 overpass and the Center Street overpass). This section of I-35 is clearly defined with a bridge portal at both ends and high embankments along its length.*

#### *Primary Function:*

*To transform the normal pass-through experience of the Interstate to an arrival experience and make sections of I-35 north of FM 1626 and south of Center Street function as approachways.*

#### **Staff Analysis**

The Planning and Zoning Commission will determine through the conditional use permit process if the proposed use, occupancy and structure will promote, preserve, and enhance, and will not damage or detract from the distinctive character of the community; will preserve and protect property values and taxable values; will not be detrimental or inconsistent with neighboring uses and occupancies; will not be detrimental to the general interests of the citizens; and will not be detrimental to the public health, safety and welfare.

In conducting its review, the planning and zoning commission shall make examination of and give consideration to the traffic flow, development density, neighboring historical designs, neighboring uses, and elements of the application including, but not limited to:

- (1) Height, which shall conform to the zoning requirements;
- (2) Building mass, which shall include the relationship of the building width to its height and depth, and its relationship to the visual perception;
- (3) Exterior detail and relationships, which shall include all projecting and receding elements of the exterior, including, but not limited to, porches and overhangs and the horizontal or vertical expression which is conveyed by these elements;
- (4) Roof shape, which shall include type, form, and materials;
- (5) Materials, texture, and color, which shall include a consideration of material compatibility among various elements of the structure;
- (6) Compatibility of design and materials, which shall include the appropriateness of the use of exterior design details;
- (7) Landscape design and plantings, which shall include lighting and the use of landscape details to highlight architectural features or screen or soften undesirable views;
- (8) Vehicular and pedestrian access, which shall include location, width, and type of surface for all points of ingress and egress;
- (9) Signage, which shall include, in addition to the requirements chapter 29, pertaining to signs, the appropriateness of signage to the building in relation location, historical significance of the structure and neighboring structures, traffic visibility; obstruction of views from neighboring property;
- (10) Exterior lighting, which shall included location, type, and/or design of lighting and/or lighting fixtures to be used.

**Staff has reviewed the requests and has made the following findings**

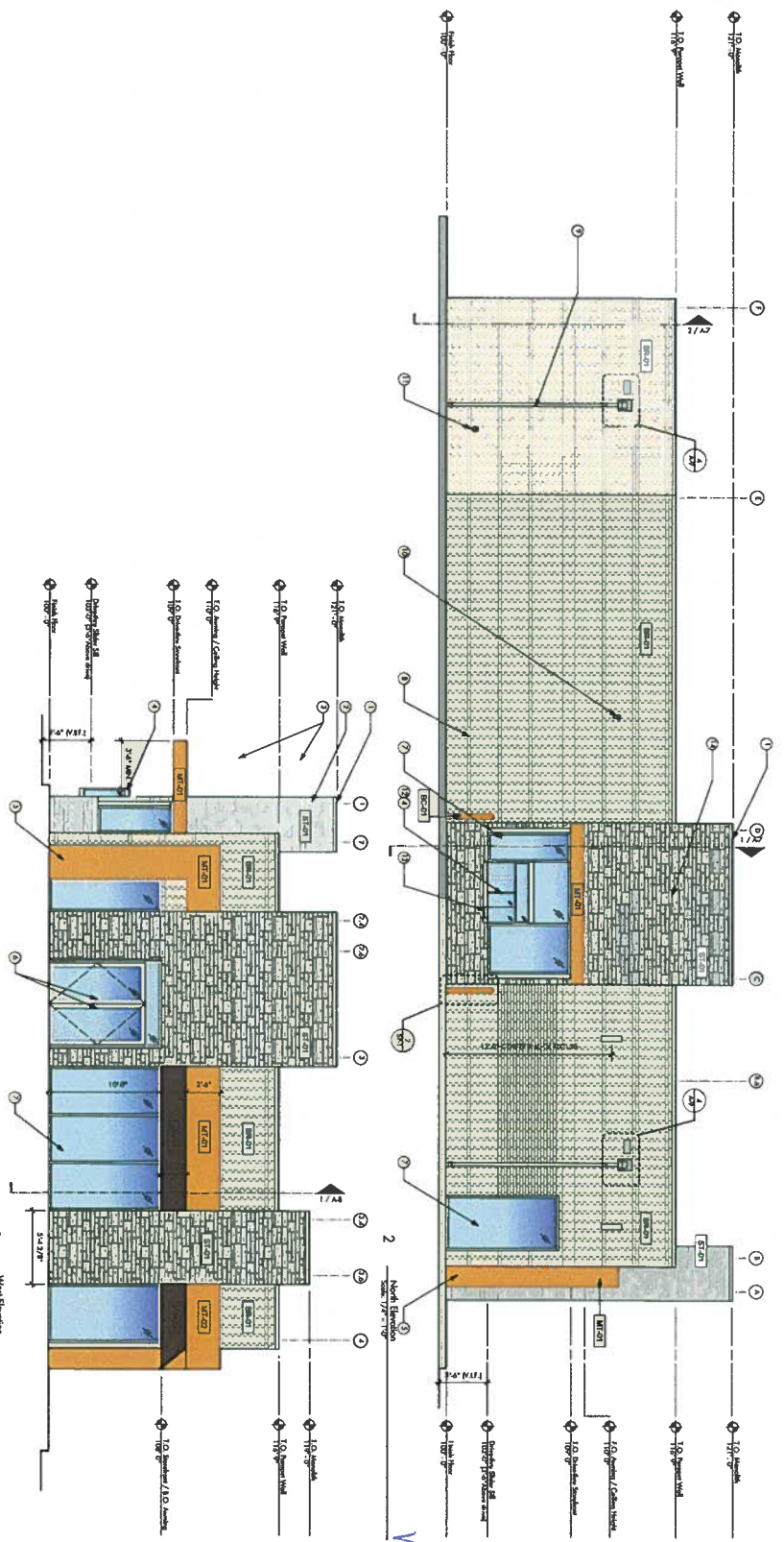
- **The height of the buildings conforms to the zoning requirements and is consistent with the surrounding buildings**
- **The building mass it appropriate for its location and surroundings.**
- **The proposed building materials and textures are generally consistent with those throughout the subdivision. However, the color of the building materials does not appear to be consistent with the remainder of the buildings in the shopping center. The remainder of the development utilizes a lighter colored limestone and brown hues.**
- **Staff is recommending approval of the request with the following conditions:**
  - **The use of the lighter color limestone as used on the Lowes building and the other buildings within the development**



CODE	MATERIAL	MANUFACTURER	PRODUCT #	DESCRIPTION	REMARKS
AW-01	FINISHING	ANILON	CO-1000	BROWN ANILON WITH FRESH BROWN ANILON	STANDARD ANILON FOR FRESH BROWN ANILON
AW-02	FINISHING	ANILON	CO-1000	QUARTZ ANILON WITH FRESH BROWN ANILON	ALTERNATE ANILON FOR FRESH BROWN ANILON
AW-03	FINISHING	ANILON	CO-1000	PINK ANILON	ALTERNATE ANILON FOR FRESH BROWN ANILON
AW-04	FINISHING	ANILON	CO-1000	PURPLE ANILON	ALTERNATE ANILON FOR FRESH BROWN ANILON
AW-05	FINISHING	ANILON	CO-1000	RED ANILON	ALTERNATE ANILON FOR FRESH BROWN ANILON
AW-06	FINISHING	ANILON	CO-1000	ORANGE ANILON	ALTERNATE ANILON FOR FRESH BROWN ANILON
AW-07	FINISHING	ANILON	CO-1000	YELLOW ANILON	ALTERNATE ANILON FOR FRESH BROWN ANILON
AW-08	FINISHING	ANILON	CO-1000	GREEN ANILON	ALTERNATE ANILON FOR FRESH BROWN ANILON
AW-09	FINISHING	ANILON	CO-1000	BLUE ANILON	ALTERNATE ANILON FOR FRESH BROWN ANILON
AW-10	FINISHING	ANILON	CO-1000	INDIGO ANILON	ALTERNATE ANILON FOR FRESH BROWN ANILON
AW-11	FINISHING	ANILON	CO-1000	VIOLET ANILON	ALTERNATE ANILON FOR FRESH BROWN ANILON
AW-12	FINISHING	ANILON	CO-1000	PURPLE ANILON	ALTERNATE ANILON FOR FRESH BROWN ANILON
AW-13	FINISHING	ANILON	CO-1000	RED ANILON	ALTERNATE ANILON FOR FRESH BROWN ANILON
AW-14	FINISHING	ANILON	CO-1000	ORANGE ANILON	ALTERNATE ANILON FOR FRESH BROWN ANILON
AW-15	FINISHING	ANILON	CO-1000	YELLOW ANILON	ALTERNATE ANILON FOR FRESH BROWN ANILON
AW-16	FINISHING	ANILON	CO-1000	GREEN ANILON	ALTERNATE ANILON FOR FRESH BROWN ANILON
AW-17	FINISHING	ANILON	CO-1000	BLUE ANILON	ALTERNATE ANILON FOR FRESH BROWN ANILON
AW-18	FINISHING	ANILON	CO-1000	INDIGO ANILON	ALTERNATE ANILON FOR FRESH BROWN ANILON
AW-19	FINISHING	ANILON	CO-1000	VIOLET ANILON	ALTERNATE ANILON FOR FRESH BROWN ANILON
AW-20	FINISHING	ANILON	CO-1000	PURPLE ANILON	ALTERNATE ANILON FOR FRESH BROWN ANILON
AW-21	FINISHING	ANILON	CO-1000	RED ANILON	ALTERNATE ANILON FOR FRESH BROWN ANILON
AW-22	FINISHING	ANILON	CO-1000	ORANGE ANILON	ALTERNATE ANILON FOR FRESH BROWN ANILON
AW-23	FINISHING	ANILON	CO-1000	YELLOW ANILON	ALTERNATE ANILON FOR FRESH BROWN ANILON
AW-24	FINISHING	ANILON	CO-1000	GREEN ANILON	ALTERNATE ANILON FOR FRESH BROWN ANILON
AW-25	FINISHING	ANILON	CO-1000	BLUE ANILON	ALTERNATE ANILON FOR FRESH BROWN ANILON
AW-26	FINISHING	ANILON	CO-1000	INDIGO ANILON	ALTERNATE ANILON FOR FRESH BROWN ANILON
AW-27	FINISHING	ANILON	CO-1000	VIOLET ANILON	ALTERNATE ANILON FOR FRESH BROWN ANILON
AW-28	FINISHING	ANILON	CO-1000	PURPLE ANILON	ALTERNATE ANILON FOR FRESH BROWN ANILON
AW-29	FINISHING	ANILON	CO-1000	RED ANILON	ALTERNATE ANILON FOR FRESH BROWN ANILON
AW-30	FINISHING	ANILON	CO-1000	ORANGE ANILON	ALTERNATE ANILON FOR FRESH BROWN ANILON
AW-31	FINISHING	ANILON	CO-1000	YELLOW ANILON	ALTERNATE ANILON FOR FRESH BROWN ANILON
AW-32	FINISHING	ANILON	CO-1000	GREEN ANILON	ALTERNATE ANILON FOR FRESH BROWN ANILON
AW-33	FINISHING	ANILON	CO-1000	BLUE ANILON	ALTERNATE ANILON FOR FRESH BROWN ANILON
AW-34	FINISHING	ANILON	CO-1000	INDIGO ANILON	ALTERNATE ANILON FOR FRESH BROWN ANILON
AW-35	FINISHING	ANILON	CO-1000	VIOLET ANILON	ALTERNATE ANILON FOR FRESH BROWN ANILON
AW-36	FINISHING	ANILON	CO-1000	PURPLE ANILON	ALTERNATE ANILON FOR FRESH BROWN ANILON
AW-37	FINISHING	ANILON	CO-1000	RED ANILON	ALTERNATE ANILON FOR FRESH BROWN ANILON
AW-38	FINISHING	ANILON	CO-1000	ORANGE ANILON	ALTERNATE ANILON FOR FRESH BROWN ANILON
AW-39	FINISHING	ANILON	CO-1000	YELLOW ANILON	ALTERNATE ANILON FOR FRESH BROWN ANILON
AW-40	FINISHING	ANILON	CO-1000	GREEN ANILON	ALTERNATE ANILON FOR FRESH BROWN ANILON
AW-41	FINISHING	ANILON	CO-1000	BLUE ANILON	ALTERNATE ANILON FOR FRESH BROWN ANILON
AW-42	FINISHING	ANILON	CO-1000	INDIGO ANILON	ALTERNATE ANILON FOR FRESH BROWN ANILON
AW-43	FINISHING	ANILON	CO-1000	VIOLET ANILON	ALTERNATE ANILON FOR FRESH BROWN ANILON
AW-44	FINISHING	ANILON	CO-1000	PURPLE ANILON	ALTERNATE ANILON FOR FRESH BROWN ANILON
AW-45	FINISHING	ANILON	CO-1000	RED ANILON	ALTERNATE ANILON FOR FRESH BROWN ANILON
AW-46	FINISHING	ANILON	CO-1000	ORANGE ANILON	ALTERNATE ANILON FOR FRESH BROWN ANILON
AW-47	FINISHING	ANILON	CO-1000	YELLOW ANILON	ALTERNATE ANILON FOR FRESH BROWN ANILON
AW-48	FINISHING	ANILON	CO-1000	GREEN ANILON	ALTERNATE ANILON FOR FRESH BROWN ANILON
AW-49	FINISHING	ANILON	CO-1000	BLUE ANILON	ALTERNATE ANILON FOR FRESH BROWN ANILON
AW-50	FINISHING	ANILON	CO-1000	INDIGO ANILON	ALTERNATE ANILON FOR FRESH BROWN ANILON

**GENERAL NOTES:**

1. REFER TO ARCHITECTURAL DRAWINGS FOR FINISH SCHEDULES AND MATERIAL SCHEDULES.
2. REFER TO ARCHITECTURAL DRAWINGS FOR FINISH SCHEDULES AND MATERIAL SCHEDULES.
3. REFER TO ARCHITECTURAL DRAWINGS FOR FINISH SCHEDULES AND MATERIAL SCHEDULES.
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17. REFER TO ARCHITECTURAL DRAWINGS FOR FINISH SCHEDULES AND MATERIAL SCHEDULES.
18. REFER TO ARCHITECTURAL DRAWINGS FOR FINISH SCHEDULES AND MATERIAL SCHEDULES.



*view from  
interstate  
going south on  
going on highway*

*head on view of  
street front*



**MKSKP - BLDG 'A'**  
DUNKIN DONUTS  
2037 L & 30389 M 35  
Kyle, TX 78640

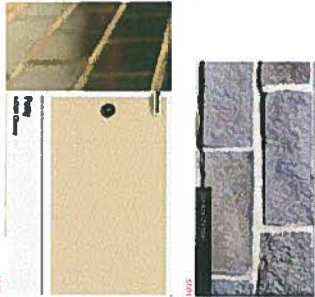


22 October 2013 | Permit Set

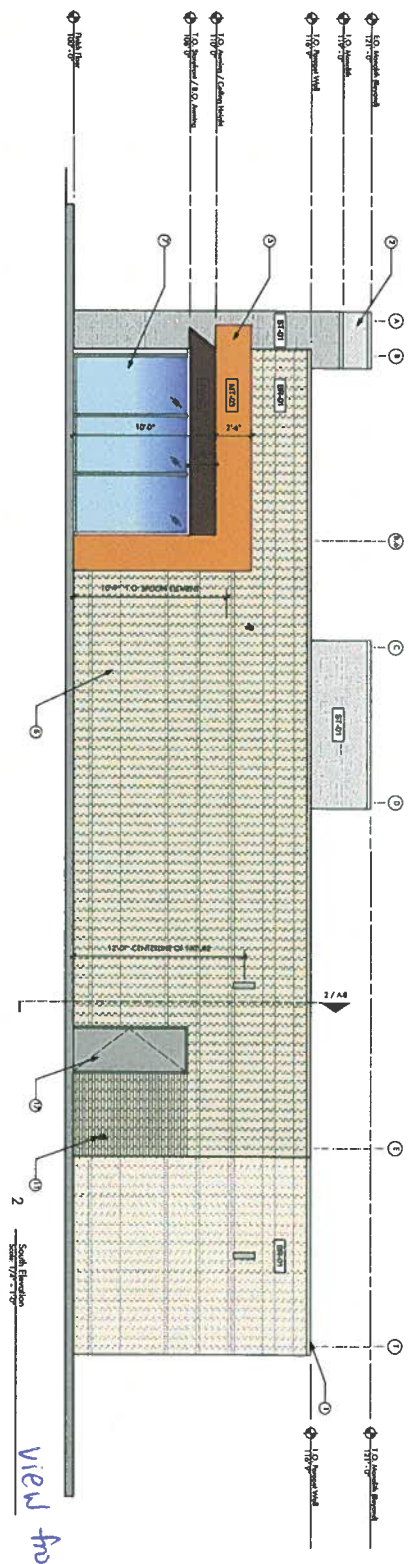
**A-5**

Exterior Elevations and Finish Schedule

Sheet Title



CODE	MATERIAL	MANUFACTURER	PRODUCT #	DESCRIPTION	REMARKS
AW-01	PAINTING	AXLON	POINTER	BROWN PAINTING WITH 1/2" BEAM	POINTER PAINTING FOR REAR BEAM
AW-02	PAINTING	AXLON	NO BEAM BEAM	QUADRA FINISH WITH 1/2" BEAM	QUADRA FINISH FOR REAR BEAM
AW-03	PAINTING	AXLON	BEAM FINISH	QUADRA FINISH WITH 1/2" BEAM	QUADRA FINISH FOR REAR BEAM
AW-04	PAINTING	AXLON	BEAM FINISH	QUADRA FINISH WITH 1/2" BEAM	QUADRA FINISH FOR REAR BEAM
AW-05	PAINTING	AXLON	BEAM FINISH	QUADRA FINISH WITH 1/2" BEAM	QUADRA FINISH FOR REAR BEAM
AW-06	PAINTING	AXLON	BEAM FINISH	QUADRA FINISH WITH 1/2" BEAM	QUADRA FINISH FOR REAR BEAM
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AW-12	PAINTING	AXLON	BEAM FINISH	QUADRA FINISH WITH 1/2" BEAM	QUADRA FINISH FOR REAR BEAM
AW-13	PAINTING	AXLON	BEAM FINISH	QUADRA FINISH WITH 1/2" BEAM	QUADRA FINISH FOR REAR BEAM
AW-14	PAINTING	AXLON	BEAM FINISH	QUADRA FINISH WITH 1/2" BEAM	QUADRA FINISH FOR REAR BEAM
AW-15	PAINTING	AXLON	BEAM FINISH	QUADRA FINISH WITH 1/2" BEAM	QUADRA FINISH FOR REAR BEAM
AW-16	PAINTING	AXLON	BEAM FINISH	QUADRA FINISH WITH 1/2" BEAM	QUADRA FINISH FOR REAR BEAM
AW-17	PAINTING	AXLON	BEAM FINISH	QUADRA FINISH WITH 1/2" BEAM	QUADRA FINISH FOR REAR BEAM
AW-18	PAINTING	AXLON	BEAM FINISH	QUADRA FINISH WITH 1/2" BEAM	QUADRA FINISH FOR REAR BEAM
AW-19	PAINTING	AXLON	BEAM FINISH	QUADRA FINISH WITH 1/2" BEAM	QUADRA FINISH FOR REAR BEAM
AW-20	PAINTING	AXLON	BEAM FINISH	QUADRA FINISH WITH 1/2" BEAM	QUADRA FINISH FOR REAR BEAM



EXTERIOR FINISH MATERIAL SCHEDULE

GENERAL NOTES

1. FINISH SCHEDULE FOR INTERIOR WALLS SHALL BE AS FOLLOWING UNLESS OTHERWISE NOTED TO THE CONTRARY.
2. FINISH SCHEDULE FOR INTERIOR CEILING SHALL BE AS FOLLOWING UNLESS OTHERWISE NOTED TO THE CONTRARY.
3. FINISH SCHEDULE FOR INTERIOR FLOORS SHALL BE AS FOLLOWING UNLESS OTHERWISE NOTED TO THE CONTRARY.
4. FINISH SCHEDULE FOR INTERIOR DOORS SHALL BE AS FOLLOWING UNLESS OTHERWISE NOTED TO THE CONTRARY.
5. FINISH SCHEDULE FOR INTERIOR WINDOWS SHALL BE AS FOLLOWING UNLESS OTHERWISE NOTED TO THE CONTRARY.
6. FINISH SCHEDULE FOR INTERIOR PARTITIONS SHALL BE AS FOLLOWING UNLESS OTHERWISE NOTED TO THE CONTRARY.
7. FINISH SCHEDULE FOR INTERIOR STAIRS SHALL BE AS FOLLOWING UNLESS OTHERWISE NOTED TO THE CONTRARY.
8. FINISH SCHEDULE FOR INTERIOR ELEVATORS SHALL BE AS FOLLOWING UNLESS OTHERWISE NOTED TO THE CONTRARY.
9. FINISH SCHEDULE FOR INTERIOR RAMPWAYS SHALL BE AS FOLLOWING UNLESS OTHERWISE NOTED TO THE CONTRARY.
10. FINISH SCHEDULE FOR INTERIOR MECH. ROOMS SHALL BE AS FOLLOWING UNLESS OTHERWISE NOTED TO THE CONTRARY.
11. FINISH SCHEDULE FOR INTERIOR ELECTRICAL ROOMS SHALL BE AS FOLLOWING UNLESS OTHERWISE NOTED TO THE CONTRARY.
12. FINISH SCHEDULE FOR INTERIOR TELECOM ROOMS SHALL BE AS FOLLOWING UNLESS OTHERWISE NOTED TO THE CONTRARY.
13. FINISH SCHEDULE FOR INTERIOR STORAGE ROOMS SHALL BE AS FOLLOWING UNLESS OTHERWISE NOTED TO THE CONTRARY.
14. FINISH SCHEDULE FOR INTERIOR JANITORIES SHALL BE AS FOLLOWING UNLESS OTHERWISE NOTED TO THE CONTRARY.
15. FINISH SCHEDULE FOR INTERIOR LOCKERS SHALL BE AS FOLLOWING UNLESS OTHERWISE NOTED TO THE CONTRARY.
16. FINISH SCHEDULE FOR INTERIOR CHANGEROOMS SHALL BE AS FOLLOWING UNLESS OTHERWISE NOTED TO THE CONTRARY.
17. FINISH SCHEDULE FOR INTERIOR RESTROOMS SHALL BE AS FOLLOWING UNLESS OTHERWISE NOTED TO THE CONTRARY.
18. FINISH SCHEDULE FOR INTERIOR SHOWERS SHALL BE AS FOLLOWING UNLESS OTHERWISE NOTED TO THE CONTRARY.
19. FINISH SCHEDULE FOR INTERIOR BATHS SHALL BE AS FOLLOWING UNLESS OTHERWISE NOTED TO THE CONTRARY.
20. FINISH SCHEDULE FOR INTERIOR KITCHENS SHALL BE AS FOLLOWING UNLESS OTHERWISE NOTED TO THE CONTRARY.

REVISIONS

1. REVISION 1: ADD FINISH SCHEDULE FOR INTERIOR WALLS.
2. REVISION 2: ADD FINISH SCHEDULE FOR INTERIOR CEILING.
3. REVISION 3: ADD FINISH SCHEDULE FOR INTERIOR FLOORS.
4. REVISION 4: ADD FINISH SCHEDULE FOR INTERIOR DOORS.
5. REVISION 5: ADD FINISH SCHEDULE FOR INTERIOR WINDOWS.
6. REVISION 6: ADD FINISH SCHEDULE FOR INTERIOR PARTITIONS.
7. REVISION 7: ADD FINISH SCHEDULE FOR INTERIOR STAIRS.
8. REVISION 8: ADD FINISH SCHEDULE FOR INTERIOR ELEVATORS.
9. REVISION 9: ADD FINISH SCHEDULE FOR INTERIOR RAMPWAYS.
10. REVISION 10: ADD FINISH SCHEDULE FOR INTERIOR MECH. ROOMS.
11. REVISION 11: ADD FINISH SCHEDULE FOR INTERIOR ELECTRICAL ROOMS.
12. REVISION 12: ADD FINISH SCHEDULE FOR INTERIOR TELECOM ROOMS.
13. REVISION 13: ADD FINISH SCHEDULE FOR INTERIOR STORAGE ROOMS.
14. REVISION 14: ADD FINISH SCHEDULE FOR INTERIOR JANITORIES.
15. REVISION 15: ADD FINISH SCHEDULE FOR INTERIOR LOCKERS.
16. REVISION 16: ADD FINISH SCHEDULE FOR INTERIOR CHANGEROOMS.
17. REVISION 17: ADD FINISH SCHEDULE FOR INTERIOR RESTROOMS.
18. REVISION 18: ADD FINISH SCHEDULE FOR INTERIOR SHOWERS.
19. REVISION 19: ADD FINISH SCHEDULE FOR INTERIOR BATHS.
20. REVISION 20: ADD FINISH SCHEDULE FOR INTERIOR KITCHENS.

PROJECT INFORMATION

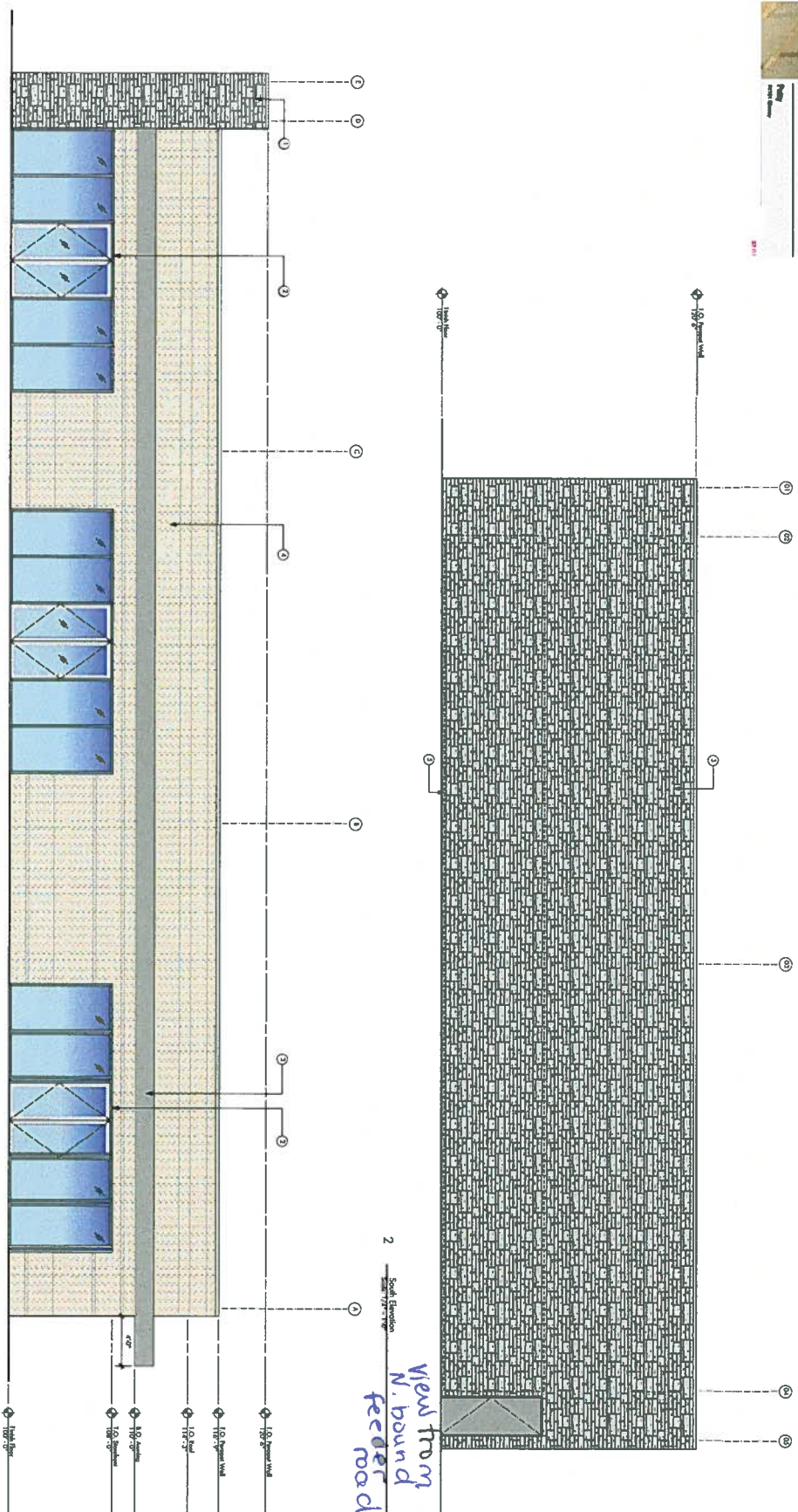
PROJECT: MKSKP - BLDG 'A'  
 DUNKIN DONUTS  
 2037 L & 303889 PH 35  
 KYLE, TX 78640  
 DATE: 10-22-15  
 SHEET TITLE: Exterior Elevations and Finish Schedule  
 SHEET NO: A-6  
 22 October 2015 | Permit Set





NO.	DESCRIPTION	MANUFACTURER	FINISH	REMARKS
1	BRICK	BRICK	BRICK	
2	TEXTURED STONE	TEXTURED STONE	TEXTURED STONE	
3	SMOOTH TAN PANEL	SMOOTH TAN PANEL	SMOOTH TAN PANEL	

**EXTERIOR FINISH MATERIAL SCHEDULE**



**REVISED ELEVATIONS**

1. BRICK
2. TEXTURED STONE
3. SMOOTH TAN PANEL
4. WINDOW
5. DOOR
6. FINISH

**GENERAL NOTES**

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF ALL APPLICABLE CODES AND REGULATIONS.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.
3. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
4. THE CONTRACTOR SHALL PROTECT ALL EXISTING UTILITIES AND STRUCTURES.
5. THE CONTRACTOR SHALL MAINTAIN ADEQUATE SAFETY BARRIERS AND SIGNAGE.
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL ADJACENT PROPERTIES.
7. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
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14. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL ADJACENT PROPERTIES.
15. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.

View from  
feeder  
road

East Elevation  
Scale: 1/8" = 1'-0"

11 November 2013 1506 CD

A-6

Exterior Elevations & Finish Sched.  
SHEET

SET ISSUE  
DRAWN BY  
11 November 2013 1506 CD

**MKSKP - Building 'B'**  
KYLE, TX

SEAL  
Professional Engineer  
State of Texas  
No. 12345  
Exp. 12/31/2015

NOT FOR CONSTRUCTION  
NOT FOR PERMIT

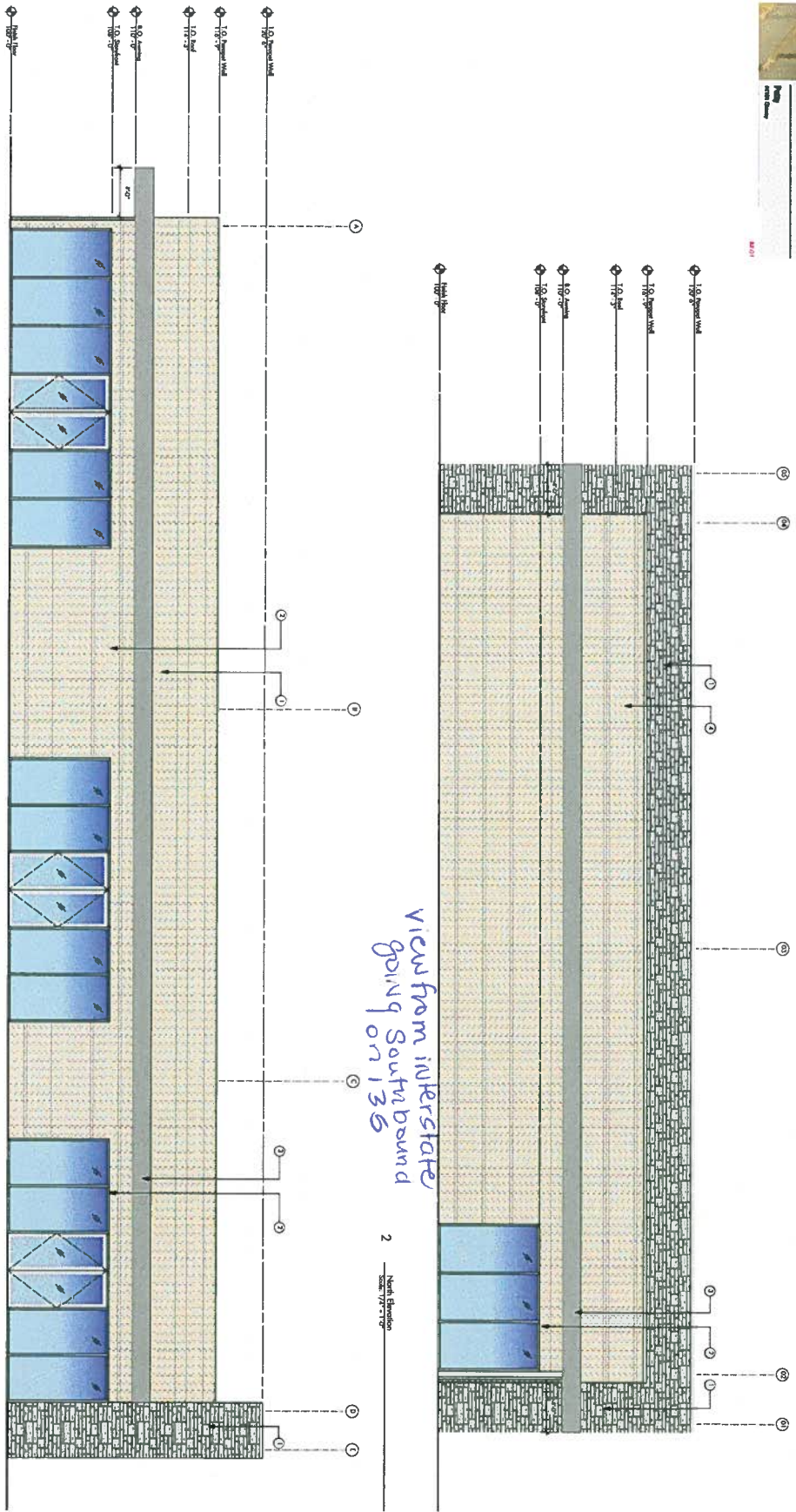




EXTENSION FINISH MATERIAL SCHEDULE			
NO.	DESCRIPTION	QUANTITY	REMARKS
1	STONE MASONRY	1000	SEE SCHEDULE FOR QUANTITY
2	CONCRETE	1000	SEE SCHEDULE FOR QUANTITY
3	PAINT	1000	SEE SCHEDULE FOR QUANTITY
4	GLASS	1000	SEE SCHEDULE FOR QUANTITY
5	IRON	1000	SEE SCHEDULE FOR QUANTITY
6	STEEL	1000	SEE SCHEDULE FOR QUANTITY
7	ALUMINUM	1000	SEE SCHEDULE FOR QUANTITY
8	COPPER	1000	SEE SCHEDULE FOR QUANTITY
9	BRASS	1000	SEE SCHEDULE FOR QUANTITY
10	BRONZE	1000	SEE SCHEDULE FOR QUANTITY
11	INLAY	1000	SEE SCHEDULE FOR QUANTITY
12	WOOD	1000	SEE SCHEDULE FOR QUANTITY
13	PLASTER	1000	SEE SCHEDULE FOR QUANTITY
14	CEMENT	1000	SEE SCHEDULE FOR QUANTITY
15	SAND	1000	SEE SCHEDULE FOR QUANTITY
16	GRAVEL	1000	SEE SCHEDULE FOR QUANTITY
17	ASPHALT	1000	SEE SCHEDULE FOR QUANTITY
18	PAVING	1000	SEE SCHEDULE FOR QUANTITY
19	CONCRETE	1000	SEE SCHEDULE FOR QUANTITY
20	STEEL	1000	SEE SCHEDULE FOR QUANTITY
21	ALUMINUM	1000	SEE SCHEDULE FOR QUANTITY
22	COPPER	1000	SEE SCHEDULE FOR QUANTITY
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48	STEEL	1000	SEE SCHEDULE FOR QUANTITY
49	ALUMINUM	1000	SEE SCHEDULE FOR QUANTITY
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- GENERAL NOTES**
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view from interstate  
going southbound

head on view facing  
interstate 35

A-5

SHRIL NITE  
Exterior Elevations & Finish Sched.  
SHEET

SET ISSUE  
11 November 2018 150% CD

DRAWN BY  
11

MKSKP - Building 'B'

Kyle, TX

SEAL  
Professional Engineer  
State of Texas  
No. 12345  
Exp. 12/31/2020

NOT FOR CONSTRUCTION  
NOT FOR PERMIT



## MEMORANDUM

**TO:** Planning and Zoning Commission

**FROM:** Sofia Nelson, Planning Director

**DATE:** December 5, 2013

**SUBJECT:** CONDITIONAL USE OVERLAY- 103 E. Center Street – Advanced Auto Parts

### Background

**Request:**

The applicant is requesting approval of a Conditional Use permit for the construction of an approximately 6,994 square foot retail building.

**Location:**

The subject property is located at 103 E. Center Street (the northwest corner of Center Street and Old Hwy 81). The property is located with 3 overlay districts- Center Street, Old Hwy 81, and I-35.

**Overlay District**

At the November 12<sup>th</sup> Planning and Zoning Commission meeting the Commission determined that due to the location of the property within three different overlay districts a conditional use permit application shall be submitted prior to the development of the tract. It was also determined that the development of the property should be developed in a manner that is consistent with the remainder of Center Street rather than I-35 or Hwy 81.

**Proposal**

The proposed building is oriented to be built against the Old Highway 81 and Center Street building lines, with a parking lot to rear and side of the proposed building. The applicant is proposing to utilize a red brick veneer and line limestone veneer as the primary building materials on all four sides of the building.

**STAFF ANALYSIS AND RECOMMENDATION**

**COMPREHENSIVE MASTER PLAN GUIDANCE**

As identified in the below explanation of overlay districts the conditional use overlay districts are primarily created to monitor exterior architectural characteristics of structures. As result of the goal of the overlay districts the most appropriate section of the comprehensive plan to seek guidance from would be the urban design plan. The urban design plan identifies the subject property to be located within the urban core along a core linkage roadway and provides the following guidance:

Development as a whole shall-

- Be characterized by greater density and vertical land use mix.
- Most projects constructed within this property shall be taller than one story and cover the entire lot frontage in order to create a street wall.
- In general retail activities shall be on the first floor.
- Civic space in the form of plazas, civic squares, community gardens and parks shall be incorporated into the development of the site
- Utilize regional detention to eliminate on site detention for each lot.

Streetscapes shall-

- Uniform street canopy must be part of the streetscape (planted in the sidewalk tree wells with tree grates) at an average rate of 30 feet on center
- Consistent use of pedestrian oriented street lights (equipped with banner arms) as used in downtown Kyle
- Utilized enhanced pavement defining crosswalks and sidewalks
- Sidewalks shall be 12-30 feet in width
- Incorporate on street parking

Building Development shall-

- Maintain continuity in the general use of materials within any block
- Buildings must utilize four sided design- same design materials and design features shall be incorporated on all four sides. Exterior walls shall be constructed of 100% stone, brick or stucco.
- Maintain a build to line (and street wall) that is located at the edge of the sidewalk space and all off-street parking must be located behind the building.

#### **Staff Analysis**

The Planning and Zoning Commission will determine through the conditional use permit process if the proposed use, occupancy and structure will promote, preserve, and enhance, and will not damage or detract from the distinctive character of the community; will preserve and protect property values and taxable values; will not be detrimental or inconsistent with neighboring uses and occupancies; will not be detrimental to the general interests of the citizens; and will not be detrimental to the public health, safety and welfare.

In conducting its review, the planning and zoning commission shall make examination of and give consideration to the traffic flow, development density, neighboring historical designs, neighboring uses, and elements of the application including, but not limited to:

(1) Height, which shall conform to the zoning requirements;

(2) Building mass, which shall include the relationship of the building width to its height and depth, and its relationship to the visual perception;

(3) Exterior detail and relationships, which shall include all projecting and receding elements of the exterior, including, but not limited to, porches and overhangs and the horizontal or vertical expression which is conveyed by these elements;

(4)Roof shape, which shall include type, form, and materials;

(5)Materials, texture, and color, which shall include a consideration of material compatibility among various elements of the structure;

(6)Compatibility of design and materials, which shall include the appropriateness of the use of exterior design details;

(7)Landscape design and plantings, which shall include lighting and the use of landscape details to highlight architectural features or screen or soften undesirable views;

(8)Vehicular and pedestrian access, which shall include location, width, and type of surface for all points of ingress and egress;

(9)Signage, which shall include, in addition to the requirements chapter 29, pertaining to signs, the appropriateness of signage to the building in relation location, historical significance of the structure and neighboring structures, traffic visibility; obstruction of views from neighboring property;

(10)Exterior lighting, which shall included location, type, and/or design of lighting and/or lighting fixtures to be used.

**Staff has reviewed the requests and has made the following findings**

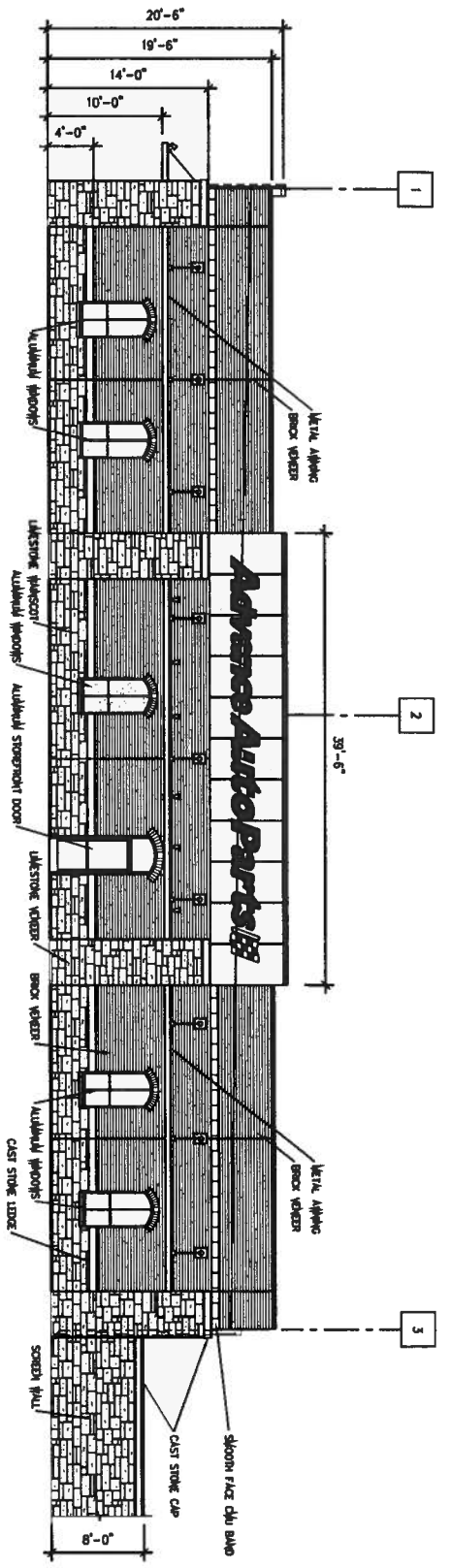
- The height of the building conforms to the zoning requirements
- The proposed development proposes to maintain the general continuity of materials used on city hall.
- The proposed building utilizes 4 sided design.
- The proposed building creates a street wall and located all off-street parking behind the building.

**Recommendations for improving the development-**

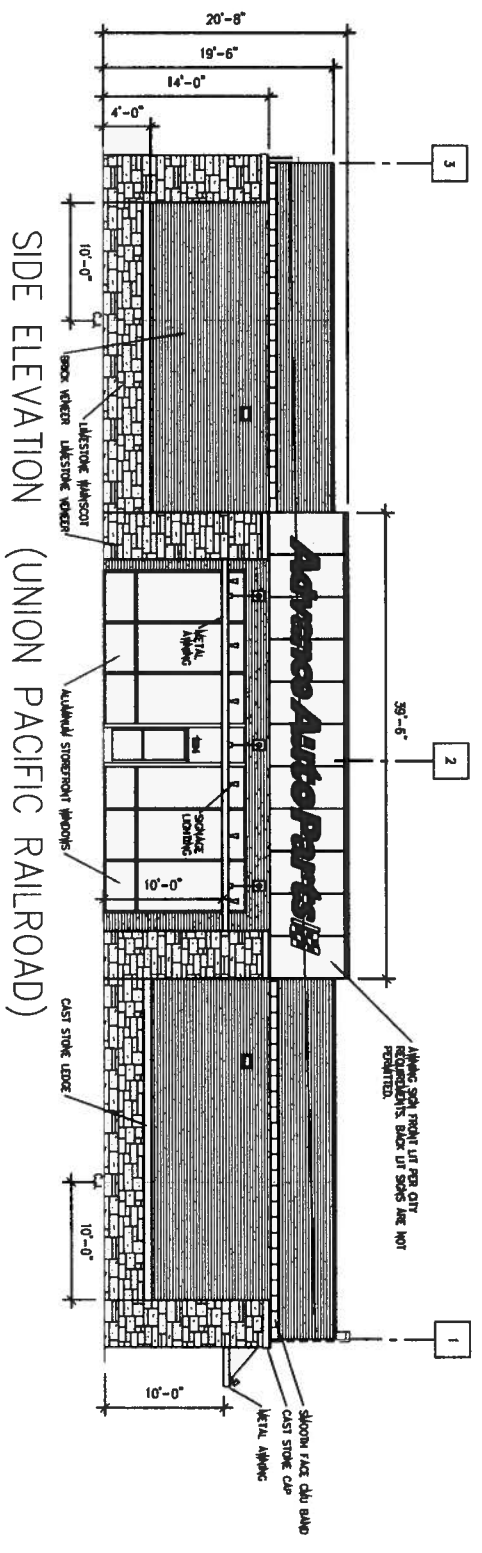
- **Signage should be more in keeping we signage in the downtown area- a wooden band sign ( as used on the Centerfield Restaurant), individual letters as used on city hall and police station, or a canvas/awning sign- attached are the examples sent to the applicant.**
- **Extend the use of downtown street lighting along the sidewalk.**
- **Sidewalks shall incorporate the stamped red concrete as it is done on the improved portion of Center Street.**
- **Condition that all windows facing Hwy 81 and Center Street must utilize clear glass and blacked out and false windows may not be utilized.**



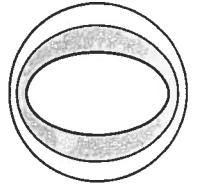




SIDE ELEVATION (OLD HIGHWAY 81)



SIDE ELEVATION (UNION PACIFIC RAILROAD)



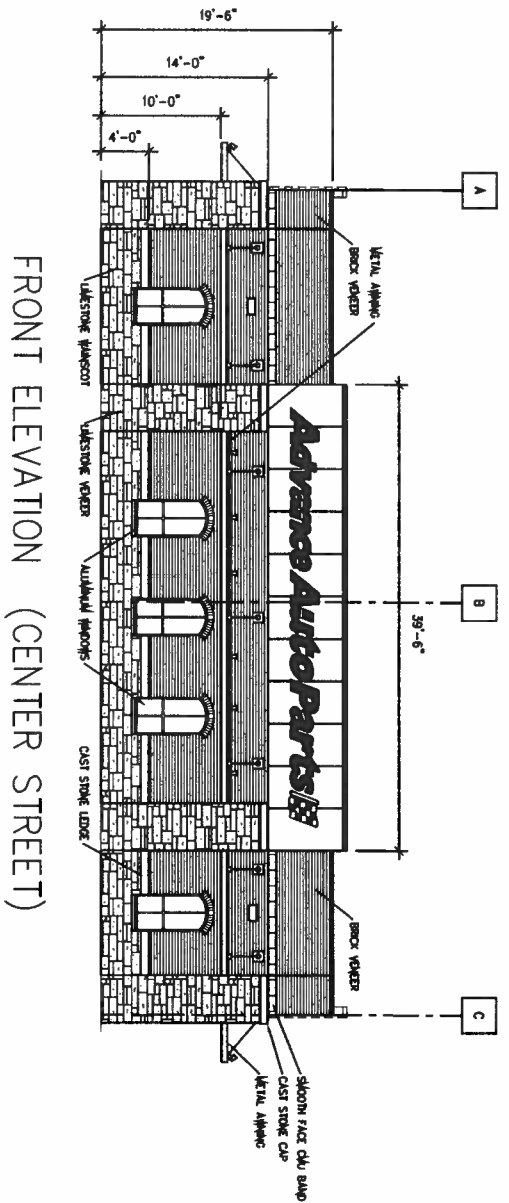
**F-J-L-C**  
 Franz Jeannes Lazo Cora & Associates, Inc.  
 Architectural Planning Interior Architecture  
 4056 International Plaza Suite 510  
 Fort Worth, Texas 76109  
 (817) 737-9822

CENTER ST & OLD US HWY 81  
 KYLE, TX

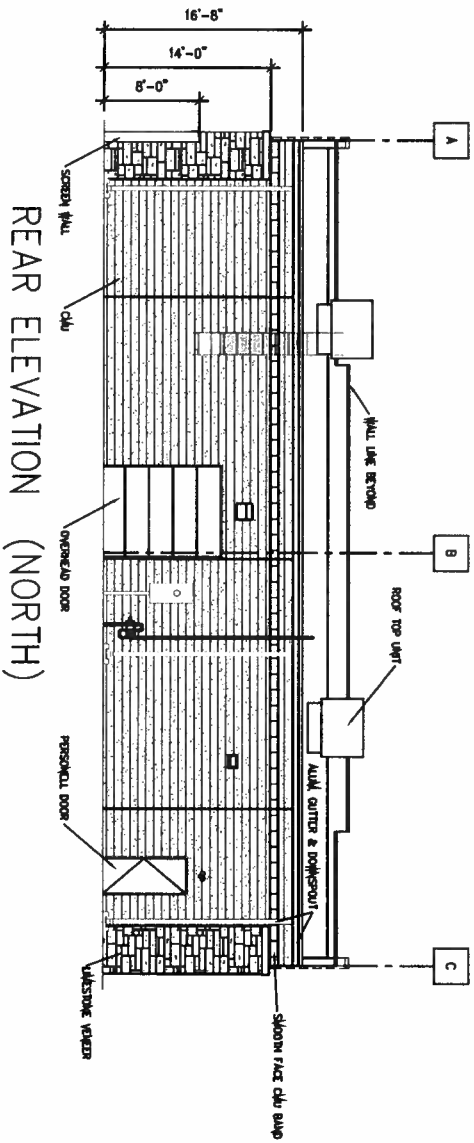
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 12/04/13

OMNI GROUP LTD.

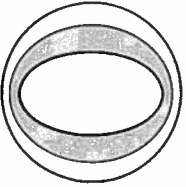




FRONT ELEVATION (CENTER STREET)



REAR ELEVATION (NORTH)



OMNI GROUP L.TD.

**F-J-L-C**  
 Franz Jeanes Lazo Coira & Associates, Inc.  
 Architectural Planning Interior Architecture  
 4055 International Plaza Suite 510  
 Fort Worth, Texas 76109  
 (817) 737-9822

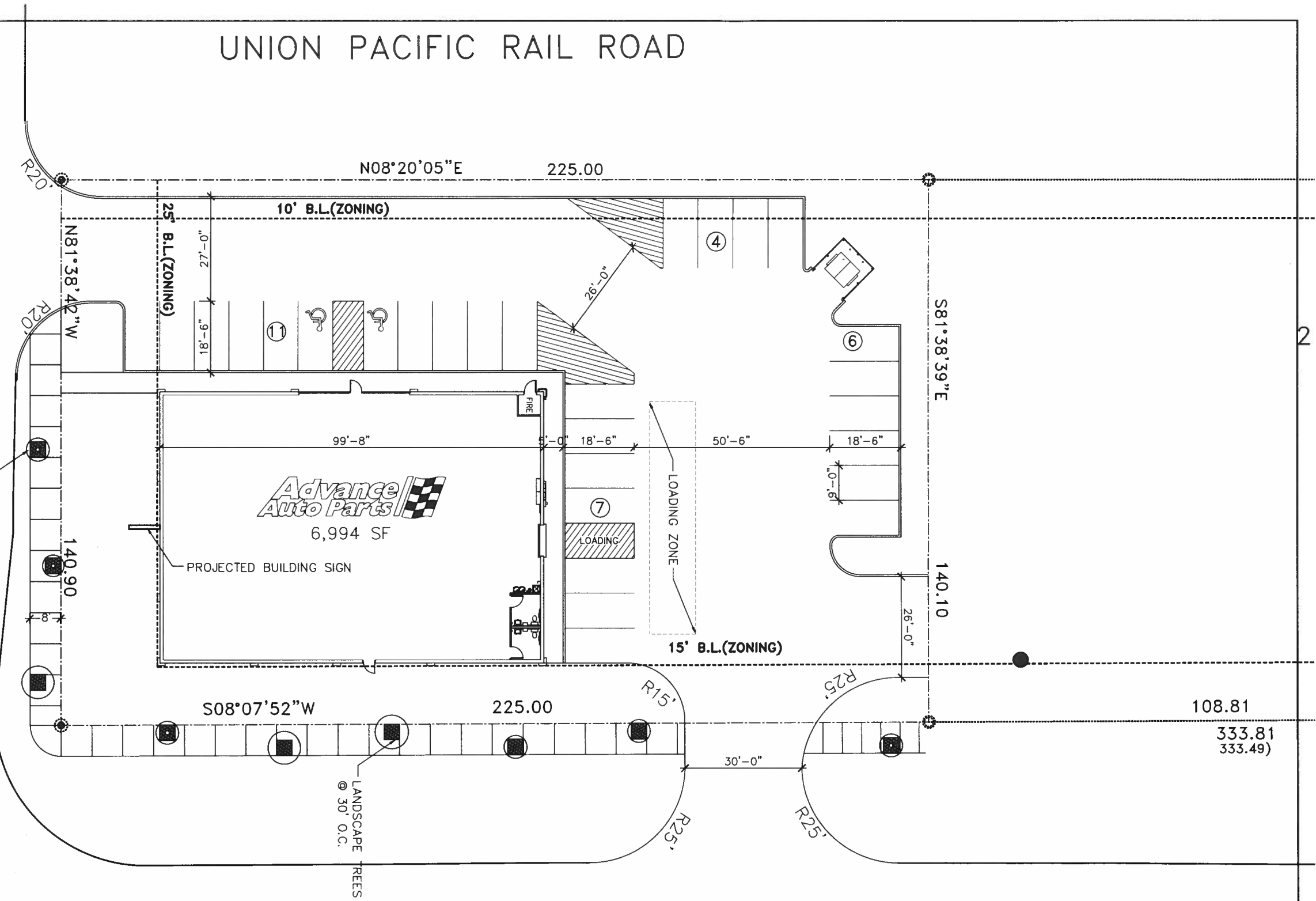
CENTER ST & OLD US HWY 81  
 KYLE, TX

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 12/04/13

UNION PACIFIC RAIL ROAD

EAST CENTER STREET

LANDSCAPE TREES @ 30' O.C.



**Advance Auto Parts**  
6,994 SF

PROJECTED BUILDING SIGN

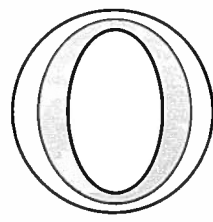
LOADING

15' B.L.(ZONING)

S08°07'52"W

LANDSCAPE TREES @ 30' O.C.

OLD HIGHWAY 81



OMNI GROUP LTD.

**F-J-L-C**

Franz Jeanes Lazo Cora & Associates, Inc.  
Architectural Planning Interior Architecture

4055 International Plaza Suite 100  
Fort Worth, Texas 76109  
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CENTER ST & OLD US HWY 81  
KYLE, TX

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