

CITY OF KYLE

Planning & Zoning Commission
Kyle City Hall
100 W. Center Street



Notice is hereby given that the Planning and Zoning Commission of the City of Kyle, Texas will meet at 6:30 PM on April 22, 2014, at Kyle City Hall 100 W. Center St for the purpose of discussing the following agenda.

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

Posted this the 18th day of April prior to 6:30 PM.

1. **Call Meeting to Order**
2. **Roll Call**
3. **Citizen Comments**
4. **CONSENT AGENDA:**

- A. Kyle 47 Subdivision Phase 1 (FP-14-004)
35.950 acres; 82 Lots
Located off of Rebel Road just north of Silverado Subdivision
Owner: D&L Brooks Investments, LLC.
Agent: Geoff Guerrero, Carlson, Brigance & Doering, Inc.

(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 above 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).

CONSIDER AND POSSIBLE ACTION:

5. **CONDITIONAL USE PERMIT:**

- A. Consider a request by DDR DB Kyle LP (Kyle Marketplace Retail 9) for a conditional use permit to construct a 19,200 square foot building on property located at 151 Evans Drive (Kyle Marketplace Section 2 Lot 1, Block D)

6. VARIANCE:

- A. Consider a request by Cross Plants and Produce, LLC, to allow off-street parking on a surface other than a driveway, a concrete, paved or stone pad for property located at 705 N. Old Highway 81.

- **Public Hearing**

- B. Consider a request by Carl's Jr. to exceed the maximum number of parking spaces for property located at 20417 IH-35.

- **Public Hearing**

7. ZONING:

- A. Consider a request by Dacy Lane, LLC to rezone approximately 5.45 acres from 'R-1-T' Residential Townhome to 'R-3-3' Apartments Residential 3 on property located on the south side of Bebee Road, just west of Dacy Lane.

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

- B. Consider a request by Jason Martinez to assign original zoning to approximately 1.02 acres from 'AG' Agriculture to 'RS' Retail Service District on property located at 2580 Kyle Crossing.

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

- C. Consider a request by RR HPI, LP to rezone approximately 0.999 acres from 'PUD' Planned Unit Development to 'RS' Retail Services District on property located on the west side of IH-35 between Loop 4 and Kyle Crossing.

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

- D. Consider a request by Cavalier Lamar Holding, LP to rezone approximately 0.399 acres from 'RS' Retail Service District to 'PUD' Planned Unit Development on property located on the west side of IH-35 between Loop 4 and Kyle Crossing.

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

E. Consider a request by Austin Brookside LP to rezone approximately 26.147 acres from Single Family "R-1" to a Planned Unit Development Overlay District "PUD" with a base zoning designation of Single Family Attached "R-1-A" on property located at the end of Arbor Knot Drive and Ferrule Drive.

- **2nd of 2 Public Hearings**
- **Recommendation to City Council**

8. TRANSPORTATION MASTER PLAN REQUEST:

A. Hold a public hearing and discuss a request by Rodolfo Gonzalez property owner of 1200 Dacy Lane, to remove the extension of Kyle Parkway from the Transportation Master Plan.

- **Public Hearing**

9. STAFF REPORT

10. ADJOURNED

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

Certificate

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


James R. Earp, CPM

4/18/14
(Date)



MEMO

To: Planning and Zoning Commission

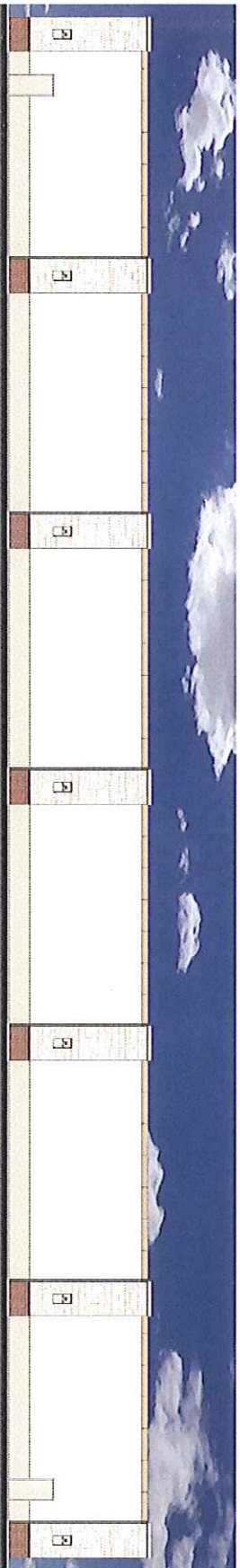
From: Planning Department

Date: April 18, 2014

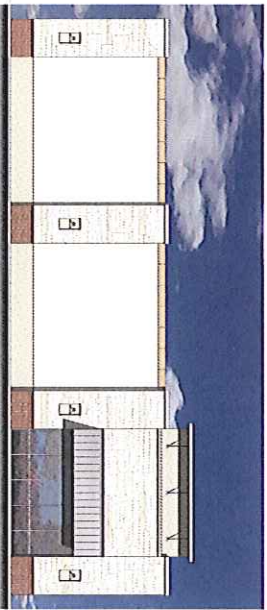
Re: **DDR DB Kyle LP (Kyle Marketplace Retail 9) Conditional Use Permit**

Background

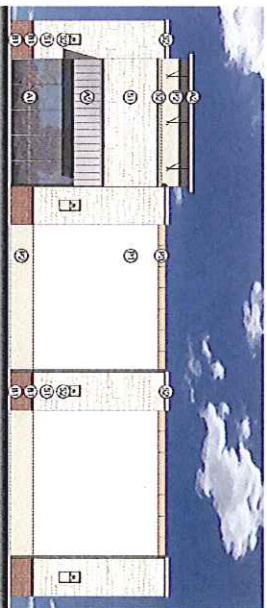
Conditional Use Permit to construct a 19,200 square foot building on property located at 151 Evans Drive. The following pages are the elevation drawings and landscape plan.



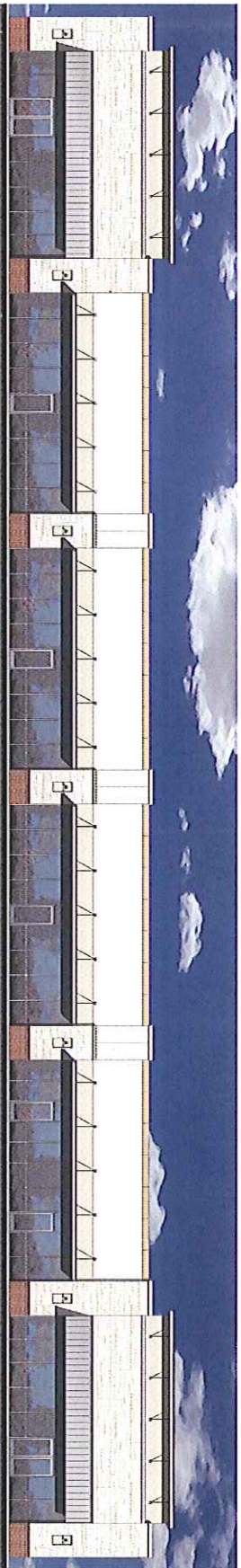
South Elevation



East Elevation



West Elevation



North Elevation

- Materials:**
- 1 CLASH ANODIZED ALUMINUM SIDING
 - 2 CLASH ANODIZED ALUMINUM SIDING
 - 3 CLASH ANODIZED ALUMINUM SIDING
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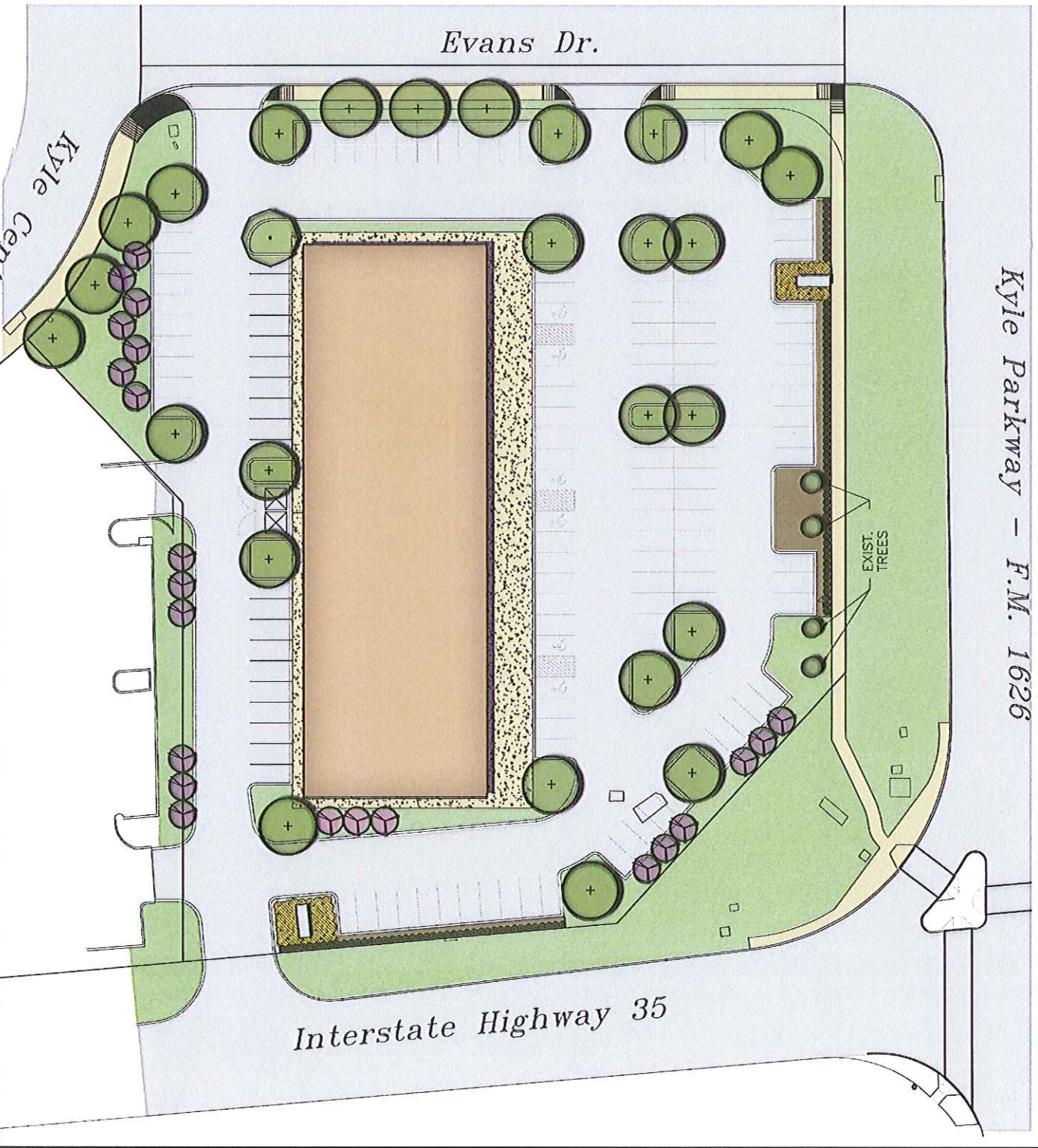


Preliminary Exterior Elevations

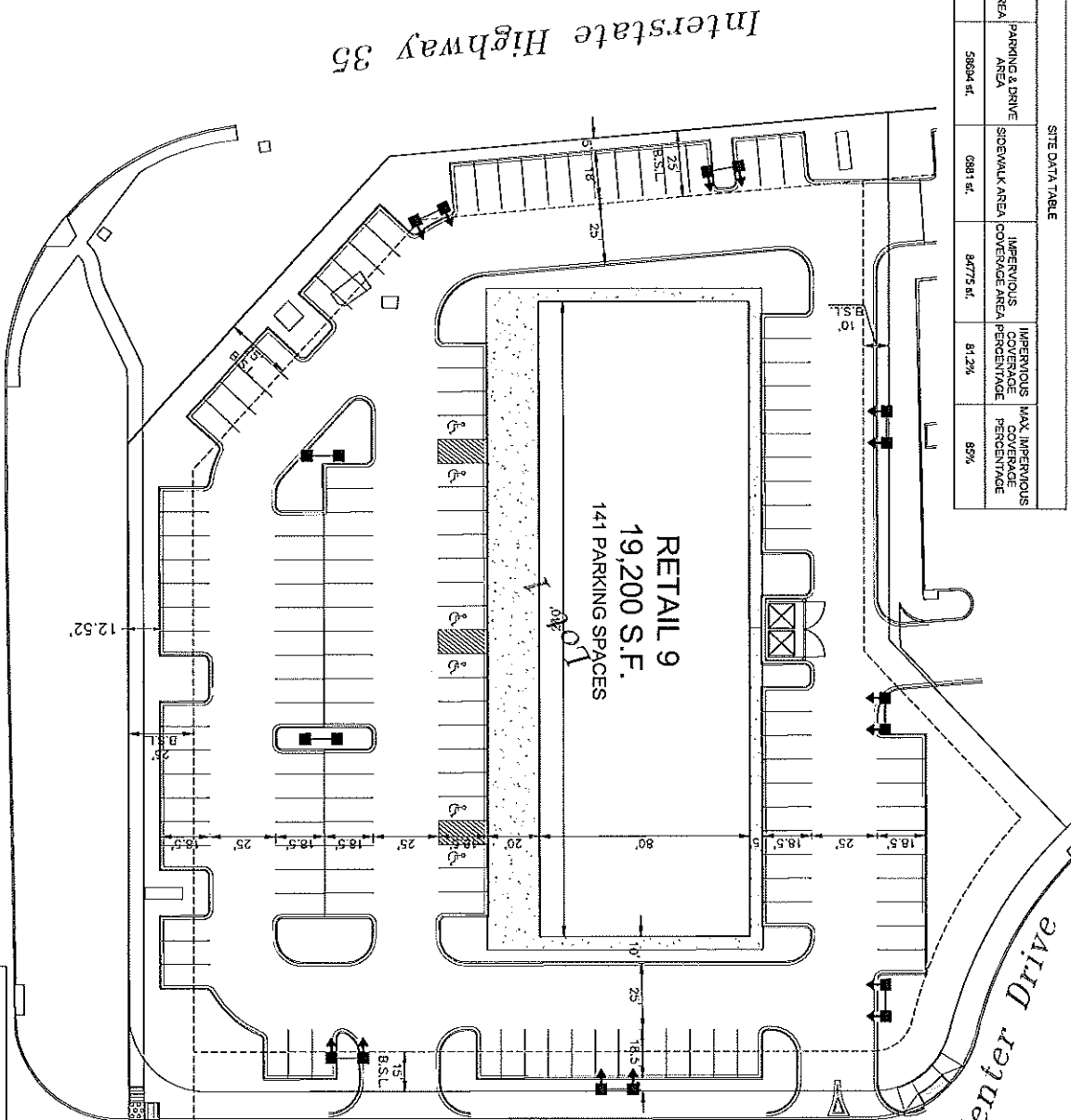
Retail Building 9 at Kyle Crossing - Kyle, Texas



LEGEND	
	SMALL TREE 10' CALIPER @ 1.4' @ 10' HGT. 100 GALLON LIVE OAK, RED OAK, MONTEREY OAK, CAMBRIAN LACONIA, MEDICAL SYMPLIC.
	ORNAMENTAL TREE 12' CALIPER @ 1.4' @ 10' HGT. MULTI-TRUNKED GALLON LIVE OAK, RED OAK, MONTEREY OAK, MEDICAL SYMPLIC, MOUNTAIN LAUREL.
	SMALL PLANTING 5' GALLON 30 TO 40' D.C. LIVE OAK, RED OAK, MONTEREY OAK, MULTI-TRUNKED GALLON LIVE OAK, RED OAK, MONTEREY OAK, GOLF BALT, ROSE, YELLOW BELLA.
	ORNAMENTAL AND PERENNIAL PLANTING LIVE OAK, RED OAK, MONTEREY OAK, LACONIA, MOUNTAIN LAUREL, CHERRY BARK, ROSEMARY, BELLFLOWER.



SITE DATA TABLE					
ACREAGE	BUILDING AREA	PARKING & DRIVE AREA	SIDEWALK AREA	IMPERVIOUS COVERAGE AREA PERCENTAGE	MAX. IMPERVIOUS COVERAGE PERCENTAGE
2.3855 Ac.	10,200 sf.	53604 sf.	6881 sf.	84775 sf.	81.2%
					85%



Kyle Parkway - F.M. 1626

PARKING SUMMARY					
MIN. RATIO REQUIRED	MIN. PARKING REQUIRED	MAX. PARKING REQUIRED PER CODE	TOTAL PARKING PROVIDED	STANDARD SPACES	ADA SPACES
1 SPACE PER 200	95	144	141	135	6

SITE PLAN

KYLE MARKETPLACE RETAIL 9

DA DOUCET & ASSOCIATES
 Civil Engineering - Planning - Surveying Mapping
 427 St. George Street, Suite 304
 Gonzales, TX 78629, Phone: (830) 672-1205
 www.doucetandassociates.com
 Firm Registration Number: 3137

DATE:	
BY:	
CHECKED:	
APPROVED:	
TITLE:	SHEET
PROJECT NO.:	OF



MEMO

To: Planning and Zoning Commission

From: Sofia Nelson, Director of Planning

Date: April 16, 2014

Re: Cross Plants and Nursery- variance to allow parking on grass

Background

The subject property is located at 705 N. Old Highway 81. Last October the property owners were granted a rezoning request to allow the development of the lot into a commercial nursery. Due to the site having enough parking to meet the minimum parking requirements the development was not required to go through the site development process. The property owner is now requesting a variance to the following section to allow for additional parking on a grass surface:

Sec. 53-33 (n). Parking. No vehicle, trailer or major recreational equipment shall be parked or stored on any lot except that it shall be enclosed in a building or parked on a driveway or a concrete, paved or stone pad

Staff Analysis

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

- The applicant is proposing to locate the overflow parking area in the rear northwest corner of the property. This area of the property is not visible from Old Highway 81 and is not adjacent to single family residential property.
- The minimum handicap parking requirements for the development have been met.
- It does not appear that the request would adversely impact adjacent properties or property owners.

City of Kyle Planning and Zoning Department

100 W. Center Street

Kyle, TX 78640

March 13, 2014

Dear Sofia Nelson,

This proposal letter is to request the grant of a variance to the City of Kyle's parking lot paving requirement for Cross Plants and Produce LLC, a retail plant nursery and produce market, located at 705 N. Old Highway 81, Kyle, TX 78640.

The Applicant is requesting utilizing grass for the entire parking lot with the exception of the required handicapped and non-handicapped spaces necessary for a retail store of its size, all of which shall be paved and properly marked.

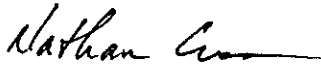
The Applicant requests parking on grass for the following reasons:

- a. Having already met the paved parking requirements, the grass parking lot will be used solely for overflow parking.
- b. The impact on the City of Kyle shall be minor. Only those who are customers at Cross Plants and Produce will be affected.
- c. The grass parking lot will not be clearly visible from N. Old Highway 81 or any other Kyle roadway, as it is located at the rear northwest corner of the property. This section of the property is approximately 225 feet from N. Old Highway 81 and view of it is obstructed by visual barriers consisting of a house structure and many mature trees.
- d. In urban areas, the impervious surfaces created by buildings and pavement cause rainwater to flow quickly over the landscape, rather than soaking naturally into the soil or being absorbed by plants. This can change stream flows, increase flooding, endanger private and public infrastructure, erode stream banks and channels, and destroy fish habitat. Runoff also carries pollutants such as oil, heavy metals, bacteria, sediment, pesticides and fertilizers into streams or groundwater. The combined impacts of hydrologic changes and water pollution can be disastrous for streams and rivers in urban areas.
- e. Grass parking lots can dramatically enhance the appearance of parking lots in our community while benefiting the environment. This design not only complements the "farm feel" aesthetic that Cross Plants and Produce LLC is striving to achieve, but provides our community with a more attractive and suitable community asset. Grass parking lots mitigate the adverse environmental impacts of paving. While paving is sometimes a necessity, a grass parking lot decreases water runoff, air and water pollution, flooding and excess heat. They also improve the quality of our streams and rivers by naturally filtering and removing sediments and pollutants, decreasing volumes, slowing water velocity and reducing the temperature of water entering our waterways.
- f. A paved parking lot would directly contradict the message of environmental responsibility which Cross Plants and Produce LLC will model. The sale and education of pervious alternatives for landscaping, such as pavers and pervious cement, will be boldly challenged by an impervious paved parking lot. At the same time, it will impair the natural aesthetic Cross Plants and Produce LLC is striving to maintain.

- g. The financial impact of paving this small parking lot could be potentially catastrophic to Cross Plants and Produce LLC, a small, start up, local business. Without the benefit of large scale investors or national standing, the costs of the paved parking lot and the site plan necessary for its planning, estimated at over \$80,000, would potentially bring an end to Cross Plants and Produce LLC.
- h. The impact of the grass parking lot will be minimal to adjacent property owners. All of the properties across from Cross Plants and Produce LLC are currently vacant, commercial lots with no structures. The property directly adjacent on the southern border is vacant, with no structures and very few trees. It is currently for sale and zoned retail commercial. The property directly adjacent on the northern border is also owned by the Applicant and is zoned community commercial.

We eagerly anticipate your reply and are grateful for your consideration.

Respectfully,



Nathan Cross
Owner
Cross Plants and Produce LLC



Jennifer Cross
Owner
Cross Plants and Produce LLC



MEMO

To: Planning and Zoning Commission

From: Sofia Nelson, Director of Planning

Date: April 16, 2014

Re: Carl's Jr Site Request-request to exceed maximum parking for the site

Background

The subject property is located along the north bound I-35 frontage road, north of Kyle Parkway within the Lowes/Kyle Marketplace Subdivision. The developer is proposing to develop the site into a Carl's Jr. fast food restaurant. Earlier in the year the Commission reviewed the color rendering of the proposed restaurant. The applicant is currently working through the site development plan process and is asking for a variance from Sec. 53-33(n) (3) *Maximum parking*. The maximum number of parking spaces for a general retail, commercial, office or industrial use area shall not exceed 150 percent of the parking required. Based on the proposed use of the site as fast food restaurant one parking space is required for every four seats provided. This calculation would require the proposed development a minimum of 18 parking spaces (based on 72 seats) and a maximum of 27 parking spaces. The applicant is seeking a variance to allow 35 parking spaces.

Staff Analysis

Staff has reviewed the site plan and the applicant's request for additional parking. In the process of reviewing the request staff has worked with the applicant to incorporate additional landscaping to the parking lot and locate additional parking spaces to the rear of the lot rather than in front of the building. Staff has reviewed the request and has made the following findings:

- The applicant has worked with staff to incorporate building and site modifications to this particular site that differ from the prototypical Carl's Jr.
- By adding the additional landscape islands to the parking lot the parking lot is divided as encouraged in the I-35 overlay district.
- The site appears to be consistent with the surrounding development.



March 17, 2014

City of Kyle
Sofia Nelson, Director of Planning
100 W. Center St.
P.O. Box 40
Kyle, TX 78640

RE: Carl's Jr. (SD-14-004)
20417 IH 35
Kyle, TX 77640

Mrs. Nelson:

I am contacting you to request a variance to increase the number of parking spaces on our site from the 27 allowed by code.

When designing the site we take into consideration parking needs compared to similar locations in our company; we then design the site with enough parking spaces to support our anticipated business and at the same time provide adequate parking for our employees.

This being an Interstate location (which in our business tends to get more parties of 1 or 2 people, rather than families of 4) we believe the additional parking spaces are needed to accommodate our guests and still have parking spaces for our employees. Limiting the number of spaces to 27 would in our opinion limit the location's volume and the number of guests we could serve at one time, especially because our employees drive to work each day and require parking.

We would like the commission to consider allowing the parking spaces to remain per plan and we would propose designating the 12 spaces in the rear of the lot next to the adjacent road, as employee parking. This would leave adequate parking for our guest's and still provide spaces for the employees to park. If the Planning Commission feels the site should be re-configured to better accommodate the additional parking we would be happy to do so. We feel that the approval of this variance will give Carl's Jr. the ability to provide more jobs and revenue to the community. Thank you for considering our variance request.

Respectfully,

CARL'S JR. RESTAURANTS, LLC
David Luxton, V.P. Construction and Facilities

cc: Sarah Allen, Pape-Dawson Engineers
Tom Norrod, Carl's Jr. Restaurants, LLC, Project Manager

LAND DEVELOPMENT ENVIRONMENTAL TRANSPORTATION WATER RESOURCES SURVEYING

TO: City of Kyle - Planning **DATE:** Mar. 19, 14

FROM: Sarah Allen, P.E. **PROJECT NO.:** 40051-00

RE: Response to Plan Comments for Carl's Jr. (SD-14-004)

CITY OF KYLE

MAR 21 2014

PLANNING DEPARTMENT COMMENTS:

(Sofia Nelson, Director)

1. Please provide # of seats so that we can calculate the maximum number of parking spaces allowed. Section 53-33 of the city code allows no more than 150% of the minimum number of parking spots allowed on a site (parking maximum requirement).

*Response: The total number of seats proposed is 72. The site plan currently provides for 41 spaces. Based on the ordinance the required number of spaces for this type of development would be $72/4 = 18$ spaces. The maximum number allowed would be $18 * 150\% = 27$ spaces.*

Our client feels this number of spaces is too small for this restaurant based on their research with their other sites located in similar locations. They are requesting a variance from this requirement to allow the 41 spaces shown on the proposed site plan. A letter from Carl's Jr. is attached requesting this variance.

2. Add screening detail for trash and recycle area.

Response: These details are provided as part of the architect's plans. As we discussed over email, this comment has been addressed by the sheets that are part of their set.

PUBLIC WORKS COMMENTS:

(Jimmy Haverda, Inspector)

1. Need stop signs at driveways with stop bars.

Response: These signs and stop bars have been added to the site plan on C2.1.

2. Barricade at future driveway.

Response: A barricade has been added on sheet C2.1.

3. Sign base encroaching in PUE.

Response: As discussed over email, this sign base is an existing sign installed previously that is related to the larger development. We are not proposing any signs within the PUE.

PUBLIC WORKS COMMENTS:

(Harper Wilder, Director)

1. Include stop signs and stop bars at the exits.

Response: These have been added to sheet C2.1.

2. Please make sure metal meter box lids have the 2" hole cut out for the AMR.

Response: The meter boxes proposed have lids that are designed for the necessary AMR cut outs. A note has been added to the detail sheet C7.1 to further clarify.

Texas Board of Professional Engineers, Firm Registration # 470

MEMO

City of Kyle - Planning
Response to Plan Comments for Carl's Jr.
Wednesday, March 19, 2014
Page 2 of 3

ENGINEERING COMMENTS:

(Leon Barba, City Engineer)

1. This is just a suggestion to the designer. There are 11 head in parking spaces proposed on the east side of the project. These spaces are adjacent to a private road. Customers will have a hard time backing out of these spaces due to the amount and speed of the traffic using this road as a cut through. The designer may want to consider other design options to make it easier and safer for their customers to back out.

Response: This suggestion has been discussed with the owner and site layout planner. These spaces are planned to be designated for employee use. The owner feels that these spaces are necessary to the volume of parking needed for this development and no other feasible reworking of the site plan could produce the same number of spaces.

FIRE DEPARTMENT COMMENTS:

(Mark Schultz, Inspector)

1. Please add the following note: The contractor shall provide compacted flexible base pavement prior to the construction of combustible materials as an "all weather driving surface".

Response: This note has been added to sheet C2.1.

2. Please identify fire lane on the drawing and add the following note: Designated no parking – fire lane with curb painted red and white stencil in "Fire Lane/No Parking" in lettering three (3) inches in height in proximity to commercial and public structures.

Response: This note was added to sheet C2.1 and the striping was shown along the west curb (at building side that fronts I-35) as requested based on email and telephone correspondence.

3. I do have some concern with the size potential for some of the trees and their associated locations (near parking lot exists – visibility for the driver of cross traffic and the cedar elm located next to the handicap parking spot). It may be no issue at all.

The landscape architect took a look at the concerns. He noted:

"We revised our planting plan to include a note indicating the trees in question are to have a 6' clear trunk height with no exception. This should take care of the clear vision exiting the site. The tree adjacent to the ADA stall should not affect the parking. We mocked up a model and even with a HC van and door wide open the tree would not be in the way so I think that one is a non-issue."

The updated landscape plan is attached with this submittal.

GENERAL COMMENTS:

1. (Information) This review cannot be completed until the comments of this letter have been addressed in a Response Letter and on the plans. Please include five (5) copies of said letter,

MEMO

City of Kyle - Planning

Response to Plan Comments for Carl's Jr.

Wednesday, March 19, 2014

Page 3 of 3

indicating how all city staff comments in this letter have been addressed along with five sets of the plans.

Response: This letter is our comment response letter. 5 full sets of plans have been included with 5 copies of this letter for resubmittal.

2. Have any other changes in addition to those requested in this letter been made? If no other changes have been made, indicate as such in the Response Letter. If other changes have been made, indicate each change in the Response Letter including "why" the change was made.

Response: See below for explanation of other changes made to the plans.

ADDITIONAL REVISIONS:

1. The gas company provided us with an updated phone number. This change is shown (clouded) on sheet C1.1.
2. The electrical company requested a different location for the transformer pad. This change has been shown on sheet C2.1 and sheet C4.1. Due to the new placement of the pad, a parking stall was lost at the northwest corner of the site and replaced with an island. This island caused a block in drainage based on the way the site was previously graded so the grading was slightly revised (sheet C3.1) in this area to allow proper drainage.

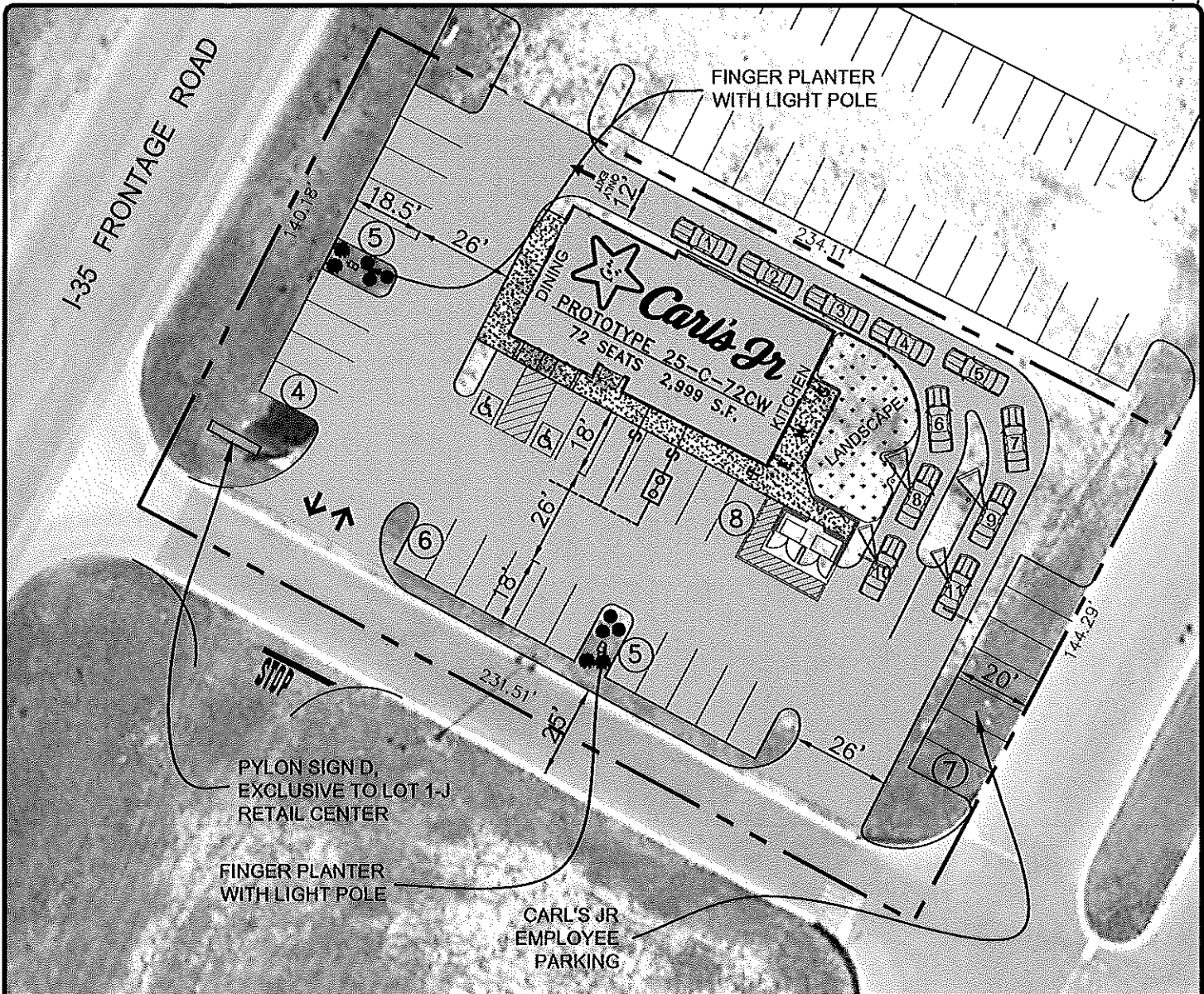
If you have any questions regarding this information, please call me at 713.428.2400.

-END OF MEMO-

K:\PROJECTS\40051\001-0 CORRESPONDENCE\1 AGENCY\140319 - COK COMMENT RESPONSE.DOC

Texas Board of Professional Engineers, Firm Registration # 470

SENT via email on TUES 4/8/14



APPROX. LOT SIZE 33,110 Sq Ft.



Scale: 1" = 40'-0"
 0 10' 20' 30' 40'

G-GAS P.O.C.
 S-SEWER P.O.C.
 W-WATER P.O.C.
 E-ELECTRICAL P.O.C.
 T-TELEPHONE P.O.C.



Carl's Jr.

Preliminary Site Plan

35 PARKING SPACES
 11 CAR STACKING

OPERATIONS:	DATE:	REAL ESTATE:	DATE:	CONSTRUCTION:	DATE:
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REVISIONS		
REV.	BY	DATE
2	MJJ	3-18-14
3	MJJ	3-26-14
4	MJJ	4-07-14

THIS PLAN IS FOR FEASIBILITY PURPOSES ONLY AND WAS PREPARED WITHOUT ANY KNOWLEDGE OF ACTUAL SITE CONDITIONS, SETBACKS, GRADING ISSUES, OR CITY REQUIREMENTS. THESE ITEMS MUST BE VERIFIED PRIOR TO PLAN SUBMITTAL.

PREPARED FOR:
 CARL'S JR CORPORATE LOCATION



CKE RESTAURANTS

ARCHITECTURE AND
 ENGINEERING DEPARTMENT

SITE LOCATION:
 THE VILLAGE AT KYLE
 I-35 & KYLE PARKWAY
 KYLE, TEXAS

DATE: 6-19-12	SCALE: 1" = 40'
PREPARED BY: MJJ	REV: 4 CKE #:

April 22, 2014

Planning and Zoning

Zoning

Case Number: Z-14-009

OWNER/APPLICANT: Dacy Lane, LLC

LOCATION: East of IH-35 and West of Dacy Lane, directly fronting on Bebee Rd.

AREA: 5.45

PROPOSED CITY COUNCIL HEARINGS: First Reading: May 6, 2014
Second Reading: May 20, 2014

EXISTING ZONING: R-1-T (Townhomes)

PROPOSED ZONING: R-3-3 (28 units per buildable acre)

SITE INFORMATION:

Transportation: The subject property fronts on Beebe Road, a road classified as a minor arterial on the Transportation Plan.

Surrounding Zoning:

- North: R-1-2 and Agriculture (interim zoning)
- South: Agriculture (interim zoning)
- East: R/S
- West: R-3-3

Future Land Use Designation: New Town Community

PUBLIC INPUT:

Notice of the proposed change was sent to property owners within 200' of the subject property. No phone calls or correspondence has been received in support or in opposition of this request. Under the new notification requirements a sign was also posted on the site.

STAFF ANALYSIS:

Background

The applicant is seeking to rezone the property as a larger multi-family site. The lot is currently zoned R-1-T and has remained undeveloped since 2012 when the applicant initially rezoned the property. In full the property is comprised of three tracts consisting of tract one currently zoned as R-3-3 and tract two zoned as R/S.

Comprehensive Plan Guidance

The New Town District is designed to contain a horizontal mix of land uses that should be integrated across the area to express a cohesive community form. Many differing uses are encouraged throughout the District, but are distributed in independent land parcels instead of vertically aggregated in fewer land parcels. New Town Community identifies R-3-3 as a Recommended zoning designation.

April 22, 2014

Planning and Zoning

Zoning

Case Number: Z-14-009

Proposed Zoning District

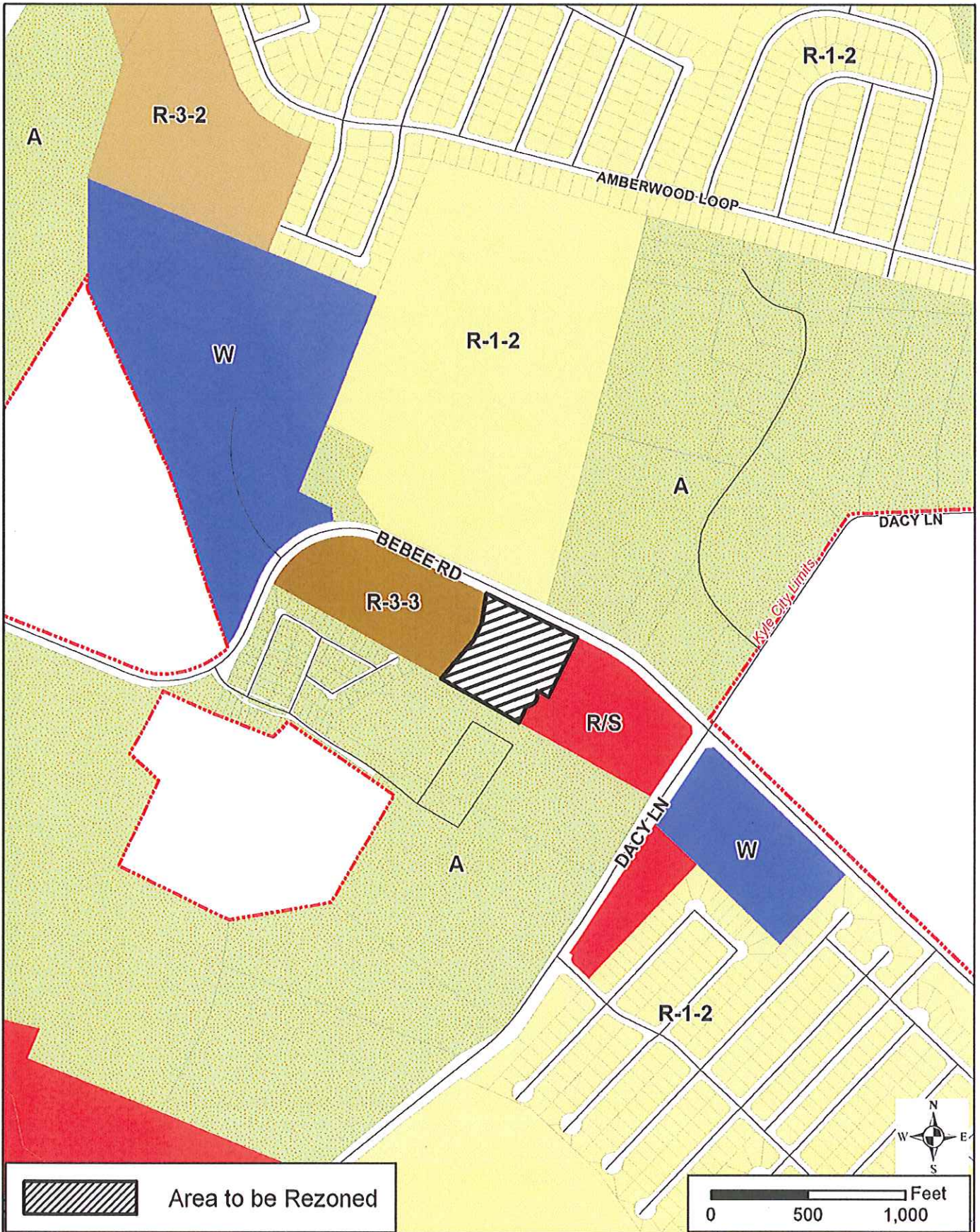
The multifamily residential district R-3-3 permits typical apartment development with buildings not exceeding three stories, nor more than 28 units per buildable acre, and with apartments or units having a minimum living area of 500 square feet; provided that not more than 25 percent of the units in any such apartment development or project shall have less than 750 square feet of living area.

Staff Analysis

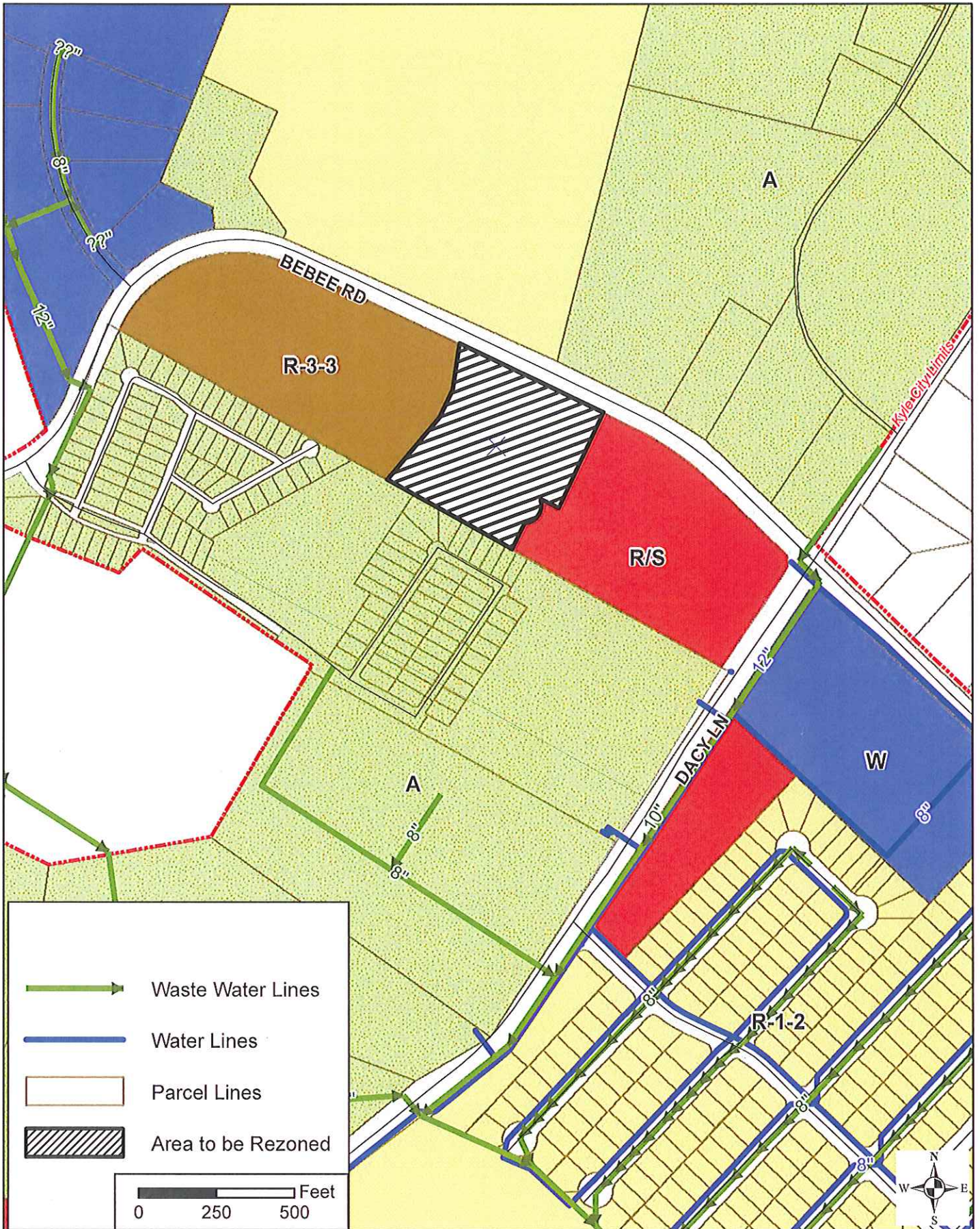
The subject property was annexed in 2009. Most of the area surrounding the subject property is undeveloped. However property to the South is developed as a mobile home community and property to the North, East and West are entitled to be developed as single-family development, commercial and multi-family. Due to the spacing between Beebe Road and Windy Hill the North and 1626 to the South Beebe Road functions as a major east-west connector for access to and from IH-35. Staff has reviewed request for consistency with the Comprehensive Plan and has made the following findings:

- The zoning request appears to implement policies adopted by the comprehensive plan.
- Standards applicable to zoning district appear to be appropriate for the area given the location of the property, adjacent entitled properties, stated vision and goals for development in the City.
- Does not appear to affect public health, welfare and safety.
- Utilities needed to serve the property will be due to the above findings staff is recommending approval of the request.

Exhibit B



Utilities Near Dacy Lane LLC Rezoning



April 22, 2014

Planning and Zoning

Zoning

Case Number: Z-14-010

OWNER/APPLICANT: Jason Martinez

LOCATION: 2580 Kyle Crossing (Dry Hole Road)

AREA: 1.02 acres

PROPOSED CITY COUNCIL HEARINGS: First Reading: May 6, 2014
Second Reading: May 20, 2014

EXISTING ZONING: Agriculture

PROPOSED ZONING: Retail Service District

SITE INFORMATION:

Transportation: The subject property is located at 2580 Kyle Crossing just South of Kohler's Crossing. The site will gain access from Kyle Crossing (Dry Hole Road).

Surrounding Zoning:

- North: Agriculture, R/S (Bounded by Kohler's Crossing)
- South: Warehouse, R/S and Agriculture
- East: C-2 (Commercial – General Business) – Zoning designation under previous zoning ordinance
- West: LI (Plum Creek – Light Industrial), Warehouse

Future Land Use Designation: New Town District

PUBLIC INPUT:

Notice of the proposed change was sent to property owners within 200' of the subject property. No phone calls or correspondence has been received in support or in opposition of this request. Under the new notification requirements a sign was also posted on the site.

STAFF ANALYSIS:

Background

The subject property is located within the Kyle Industrial Park that is comprised of eighteen total lots. The applicant is seeking to rezone lot eighteen from Agriculture to Retail Services in order to provide an Automotive Repair service.

April 22, 2014

Planning and Zoning

Zoning

Case Number: Z-14-010

Comprehensive Plan Guidance

The New Town District is designed to contain a horizontal mix of land uses that should be integrated across the area to express a cohesive community form. Many differing uses are encouraged throughout the district, but are distributed in independent land parcels instead of vertically aggregated in fewer land parcels. As it is with the Comprehensive Plan Retail Services serves as a Conditional Use within the District.

Proposed Zoning District

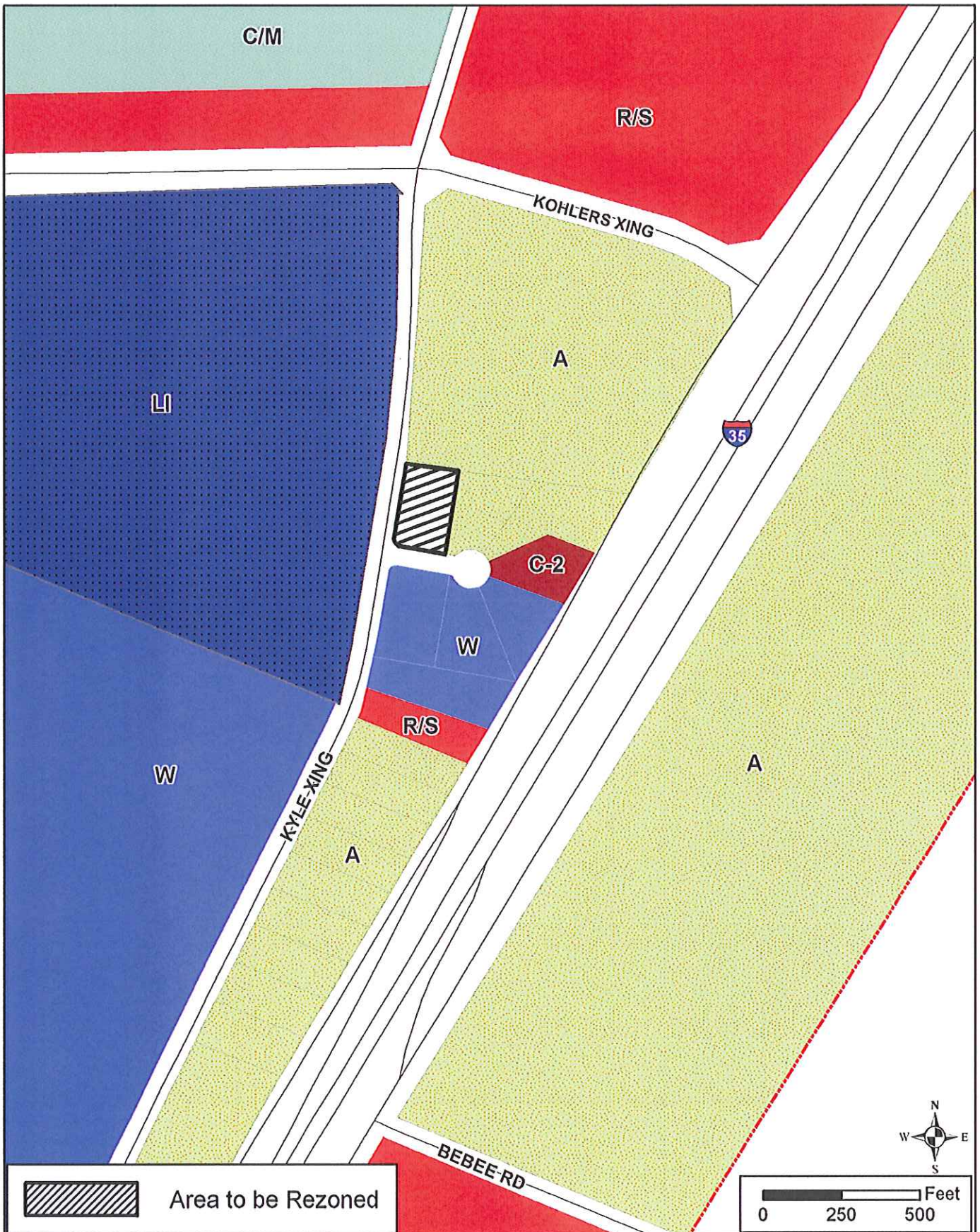
The Retail and Services district allows for general retail sales of consumable products and goods within buildings of products that are generally not hazardous and that are commonly purchased and used by consumers in their homes, including most in-store retail sales of goods and products that do not pose a fire or health hazard to neighboring areas, e.g., clothing, prescription drugs, furniture, toys, hardware, electronics, pet supply, variety, department, video rental and antique stores, art studio or gallery, hobby shops and florist shops, and the retail sale of goods and products (in the following listed used areas) to which value has been added on site, including sales of goods and services outside of the primary structure as customary with the uses specifically listed, and the following: Any use permitted in CBD-1 or CBD-2 and RS districts.

Analysis

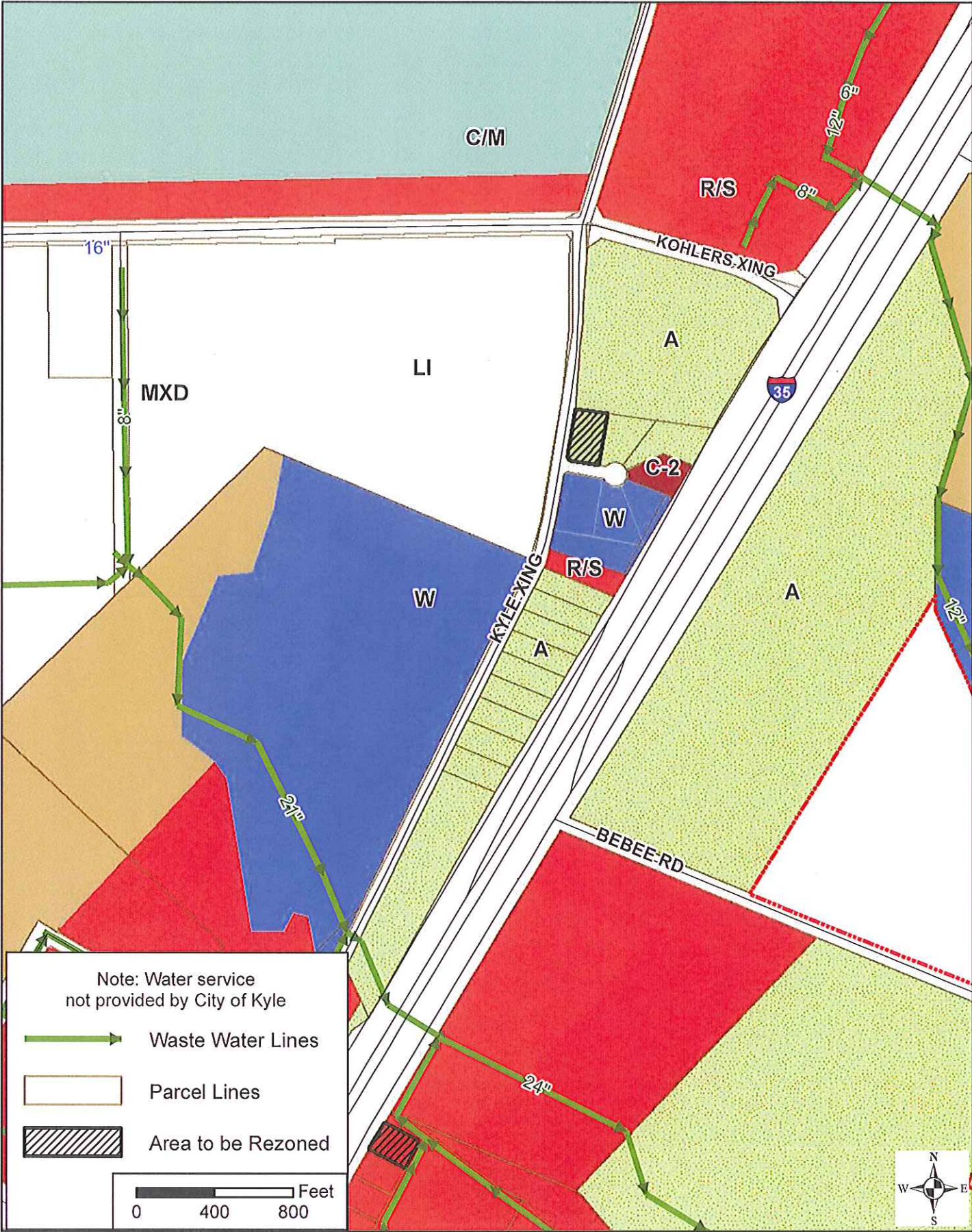
The subject lot is located within the Kyle Industrial Park Subdivision. The lot is identified as Lot 18 with an area of 1.02 acres. The plat identifies a 60 foot R.O.W – Bunny Cove, that remains undeveloped and shows to serve lots 12 through 18 as a cul-de-sac. Eastern property zoned General Business Commercial also remains undeveloped. Kyle Crossing (Dry Hole Road) is considered a ‘Collector’ road and currently adequately meets demand. Staff has reviewed the request for consistency with the Comprehensive Plan and has made the following comments:

- Future build-out of Bunny Cove to access remaining lots
- All lots are subject to 7.5 foot building lines along their side lot lines
- The uses permitted and the standards applicable in the proposed zoning designation will be appropriate in the immediate area.
- The proposed zoning change is consistent with the policies and intent of the future land use map and comprehensive master plan
- The proposed zoning does not appear to adversely affect public health, welfare and safety.

Exhibit B



Utilities Near Martinez Rezoning



April 22, 2014

Planning and Zoning Commission

Zoning

Case Number: Z-14-007 and Z-14-008

OWNER/APPLICANT: RR HPI, L.P. / Cavalier Lamar Holdings, LP

LOCATION: see attached map and description below

AREA: 0.999

PROPOSED CITY COUNCIL HEARINGS: First Reading: May 6, 2014
Second Reading: May 20, 2014

EXISTING ZONING: PUD with RS zoning (Z-14-007) / Retail Services with no overlay (Z-14-008)

PROPOSED ZONING: R/S with no overlay (Z-14-007)/ RS with PUD overlay (ZC-14-008)

SITE INFORMATION:

Transportation: The subject property is located on the west side of IH-35 between Loop 4 and Kyle Crossing.

Surrounding Zoning:

- North: R/S and surrounding PUD
- South: R/S and surrounding PUD
- East : R/S until South Frontage road of IH-35
- West: PUD

Future Land Use Designation: Regional Node

PUBLIC INPUT:

Notice of the proposed change was sent to property owners within 200' of the subject property. No phone calls or correspondence has been received in support or in opposition of this request. Under the new notification requirements a sign was also posted on the site.

STAFF ANALYSIS:

Background

In August of 2011 the subject property was assigned a zoning designation of Retail Services with a PUD (Planning Unit Development) overlay district. The applicant is seeking, through zoning case Z-14-007 and Z-14-008, to remove 0.99 acres from the PUD overlay district and incorporate 0.399 acres into the PUD district. The request to remove and add land to the PUD will allow for an additional access point off of the instate access road.

Comprehensive Plan Guidance

The Regional Node should have regional scale retail and commercial activity to compliment regional scale residential. The primary goal of the Regional Node is to capture commercial opportunities to close Kyle's tax gap. Nodes should draw upon anticipated regional growth and aggregate density to enhance value and activity levels in a concentrated visible location. The area should encompass a mixture of uses and should have a high level of development intensity. The Regional Node Land Use district identifies R/S as a conditional zoning designation.

April 22, 2014

Planning and Zoning Commission

Zoning

Case Number: Z-14-007 and Z-14-008

Proposed Zoning District

The Retail and Services district allows for general retail sales of consumable products and goods within buildings of products that are generally not hazardous and that are commonly purchased and used by consumers in their homes, including most in-store retail sales of goods and products that do not pose a fire or health hazard to neighboring areas, e.g., clothing, prescription drugs, furniture, toys, hardware, electronics, pet supply, variety, department, video rental and antique stores, art studio or gallery, hobby shops and florist shops, and the retail sale of goods and products (in the following listed used areas) to which value has been added on site, including sales of goods and services outside of the primary structure as customary with the uses specifically listed, and the following: Any use permitted in CBD-1 or CBD-2 and RS districts.

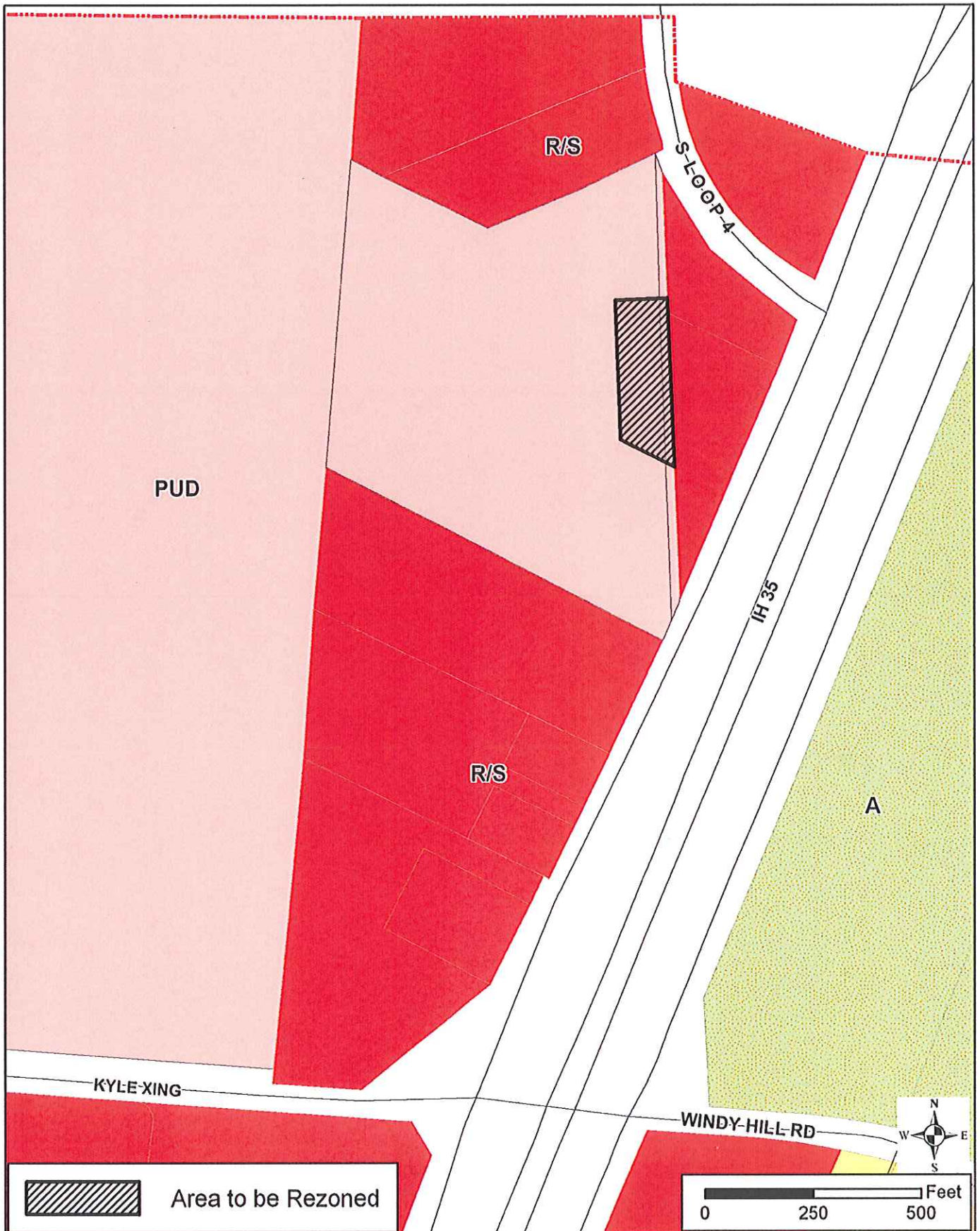
Recommendation

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

- The request appears to be minor and does not appear to effect the intent or the quality of the PUD
- The applicant will need to seek TxDot approval of any access to the southbound feeder road.

Staff is recommending approval of both zoning cases.

Exhibit B



Utilities Near RR HPI Rezoning

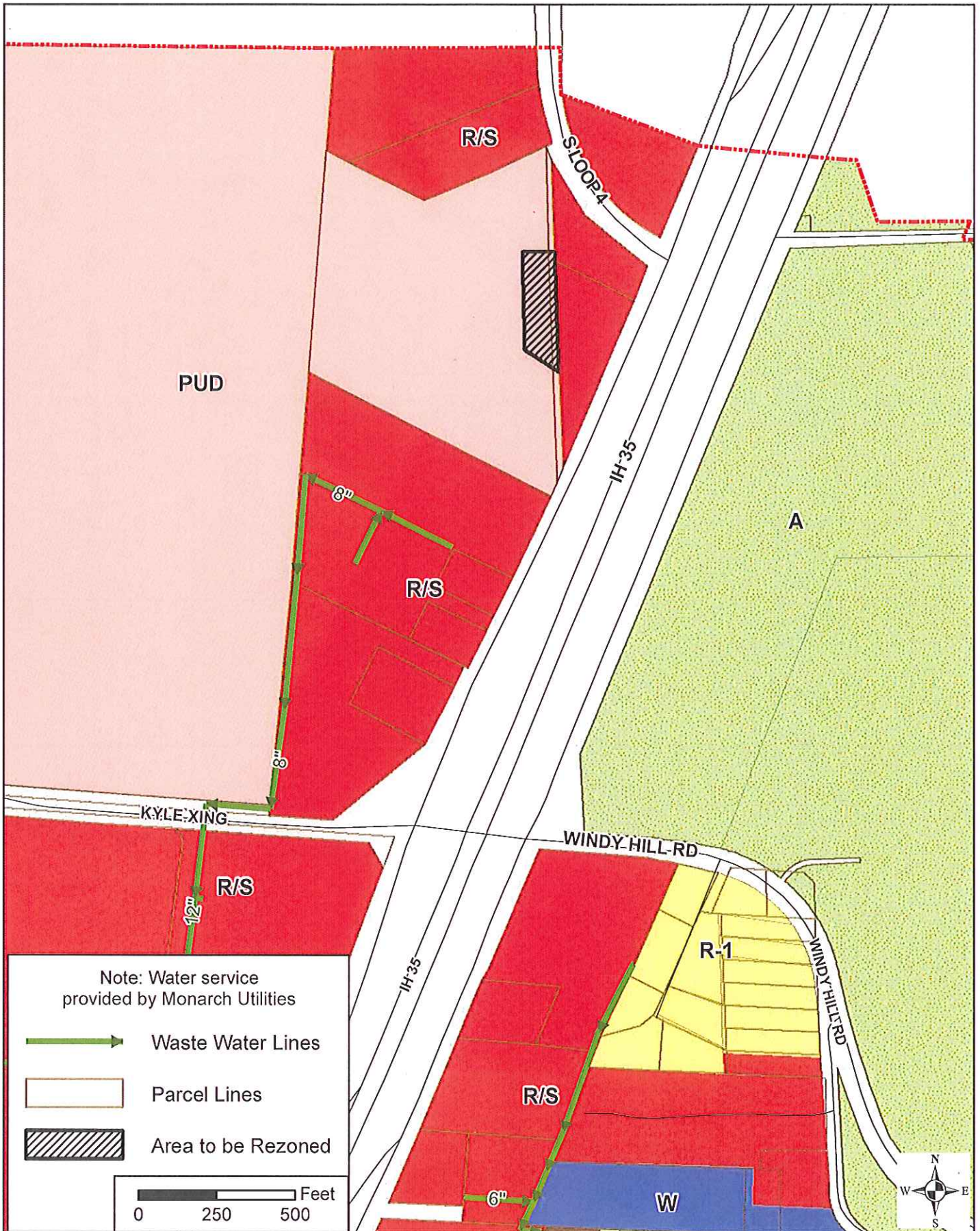
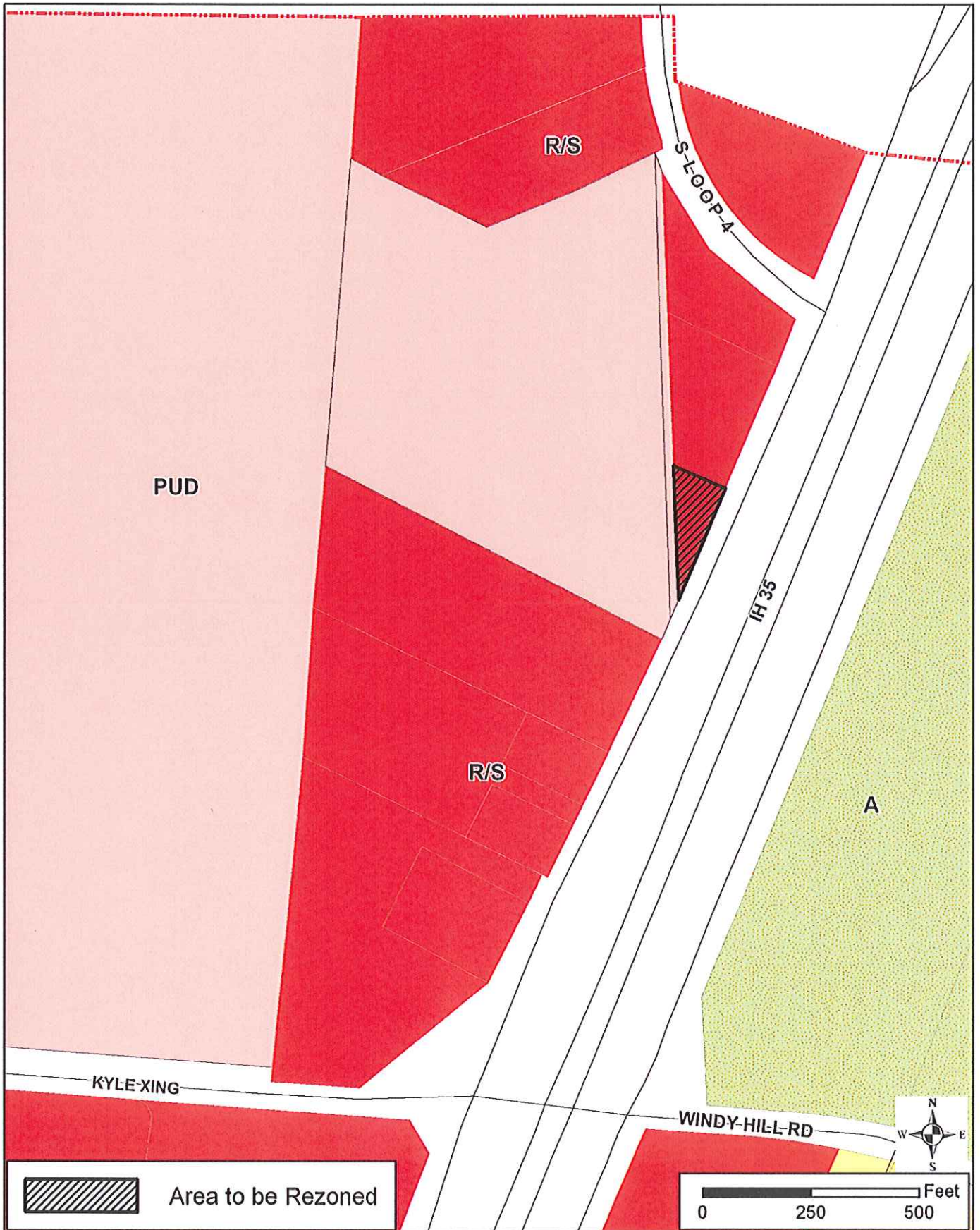
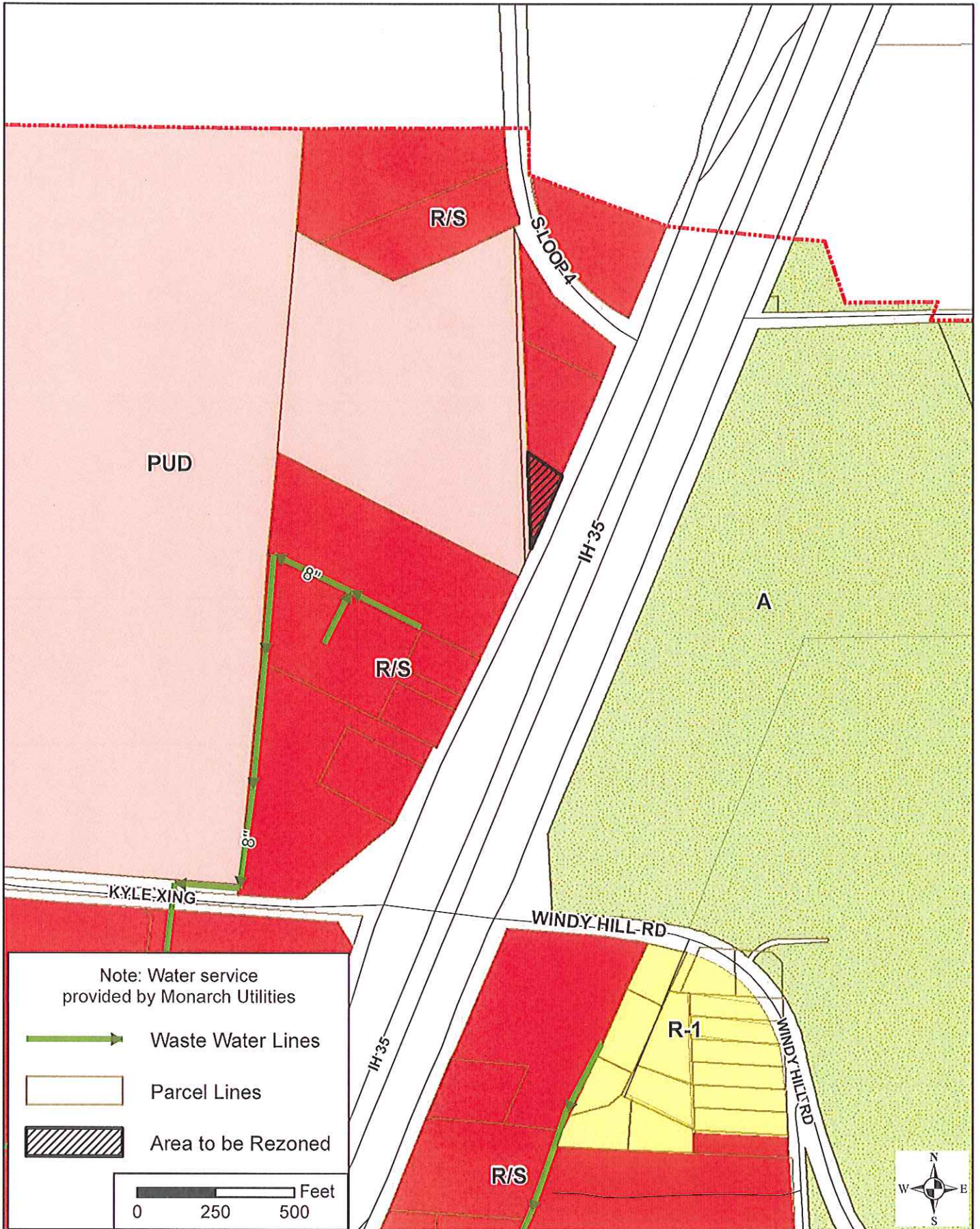


Exhibit B



Utilities Near Cavalier Lamar Holdings Rezoning





MEMO

To: Planning and Zoning Commission

From: Sofia Nelson, Director of Planning

Date: April 4, 2014

Re: **PUD Overlay District Request by Austin Brookside LP (item 6A)** *SN*

Request

Bigelow Homes, on behalf of Austin Brookside LP, is requesting a Planned Unit Development Overlay District (PUD) for approximately 26.147 acres located within the Brookside Subdivision. The request for a PUD overlay district would allow for the development of courtyard homes on the subject property. Courtyard homes are single family detached homes on individual lots that front on a central green rather than fronting on a public street. The courtyard housing product is an allowed use within the Plum Creek subdivision and examples of the development can be seen both in the Plum Creek subdivision and in the attached back up information.

Zoning Ordinance Information

Sec. 53-699 of the City zoning ordinance identifies the purpose and intent of the planned unit development district is to provide a flexible, alternative procedure to encourage imaginative and innovative designs for the unified development of property in the city consistent with the code and accepted urban planning, with overall mixed-use regulations as set forth below and in accordance with the city's comprehensive plan. The planned unit development rules are designed to:

- (1) Allow development which is harmonious with nearby areas;
- (2) Enhance and preserve areas which are unique or have outstanding scenic, environmental, cultural or historic significance;
- (3) Provide an alternative for more efficient use of land, resulting in smaller utility networks, safer streets, more open space, and lower construction and maintenance costs;

- (4) Encourage harmonious and coordinated development, considering natural features, community facilities, circulation patterns and surrounding properties and neighborhoods;
- (5) Facilitate the analysis of the effect of development upon the tax base, the local economy, population, public facilities and the environment;
- (6) Provide and result in an enhanced residential and/or work environment for those persons living and/or working within the district; and
- (7) Require the application of professional planning and design techniques to achieve overall coordinated mixed-use developments and avoid the negative effects of piecemeal, segregated, or unplanned development.

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

When considering a planned unit development (PUD), the unique nature of each proposal for a PUD may require, under proper circumstances, the departure from the strict enforcement of certain present codes and ordinances, e.g., without limitation, the width and surfacing of streets and highways, lot size, parking standards, setbacks, alleyways for public utilities, signage requirements, curbs, gutters, sidewalks and streetlights, public parks and playgrounds, drainage, school sites, storm drainage, water supply and distribution, sanitary sewers, sewage collection and treatment, single use districts, etc.

- (b) Final approval of a PUD by the city council shall constitute authority and approval for such flexible planning to the extent that the PUD as approved, departs from existing codes and ordinances.
- (c) The flexibility permitted for a PUD does not imply that any standard or requirement will be varied or decreased.

Sec. 53-704 of the Zoning ordinance identifies the rules applicable to PUD zoning cases as the following:

The city council, after public hearing and proper notice to all parties affected and after recommendation from the planning and zoning commission, may attach a planned unit development district designation to any tract of land equal to or greater than three buildable acres. Under the planned development designation the following rules apply:

- (1) The approval of any proposed PUD or combination of uses proposed therein shall be subject to the discretion of the city council, and no such approval will be inferred or implied.
- (2) Permitted uses are those listed under the applicable zoning districts for the base zoning to be applied to the PUD (for example, the permitted uses in a PUD proposed to be developed as CBD-2, RS, W, CM districts). In addition, a planned unit development district may be established where the principal purpose is to serve as a transitional

district, or as an extension of an existing district whereby the provision of off-street parking, screening walls, fences, open space and/or planting would create a protective transition between a lesser and more restrictive district. In approving a planned unit development, additional uses may be permitted, and specific permitted uses may be prohibited from the base district.

- (3) Standards required by the base zoning apply in a planned unit development except that the following regulations and standards may be varied in the adoption of the planned unit development; provided that the plan is consistent with sound urban planning and good engineering practices.
 - a. Front, side and rear setbacks.
 - b. Maximum height.
 - c. Maximum lot coverage.
 - d. Floor area ratio.
 - e. Off-street parking requirements.
 - f. Special district requirements pertaining to the base zoning.
 - g. Number of dwelling units per buildable acre.
 - h. Accessory building regulations.
 - i. Sign standards.
- (4) In approving a planned unit development, no standards may be modified unless such modification is expressly permitted by this chapter, and in no case may standards be modified when such modifications are prohibited by this chapter.
- (5) In approving a planned unit development, the city council may require additional standards deemed necessary to create a reasonable transition to, and protection of, adjacent property and public areas, including but not limited to, light and air, orientation, type and manner of construction, setbacks, lighting, landscaping, management associations, open space, and screening.
- (6) The planning and zoning commission and city council, in approving modifications to standards and regulations, shall be guided by the purpose intended by the base zoning and general intent of this chapter.

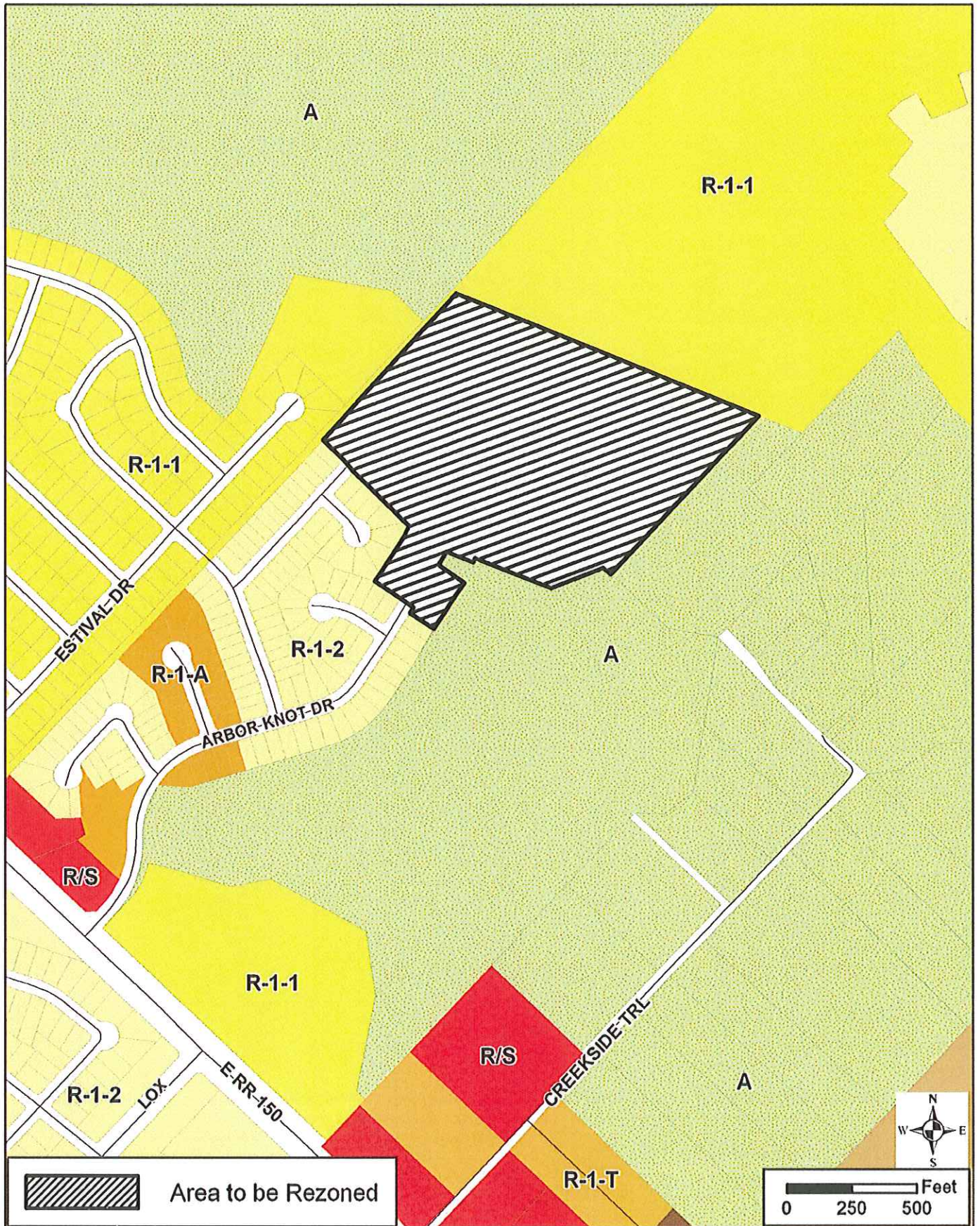
Action

The request for a PUD district is on the agenda as a public hearing opportunity for the public and a discussion item for the Planning and Zoning Commission. No action is scheduled to be taken on April 8th. Please review the attached back up information provided by the applicant. I will give a presentation on the request and the direction provided in comprehensive plan for this area of the community. Additionally, I will ask the Commission for general direction regarding proceeding with the request. For example if additional information is needed the Commission may want to ask for a workshop prior to making a recommendation to the City Council. Additionally, a site visit to the existing courtyard homes can be arranged with the applicant or

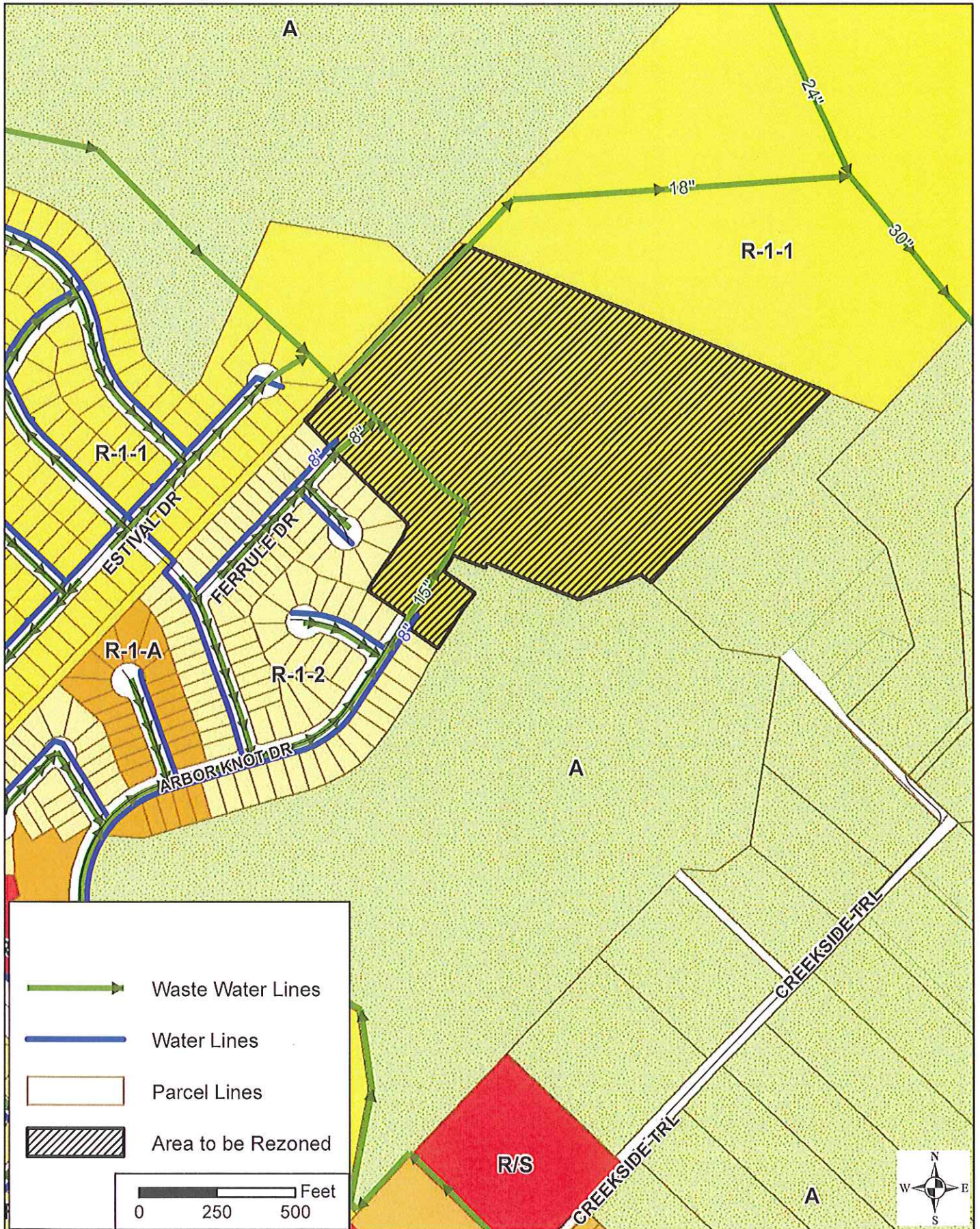
the Commission can direct staff to post for an additional public hearing and action at your next meeting if that is the consensus of the group.

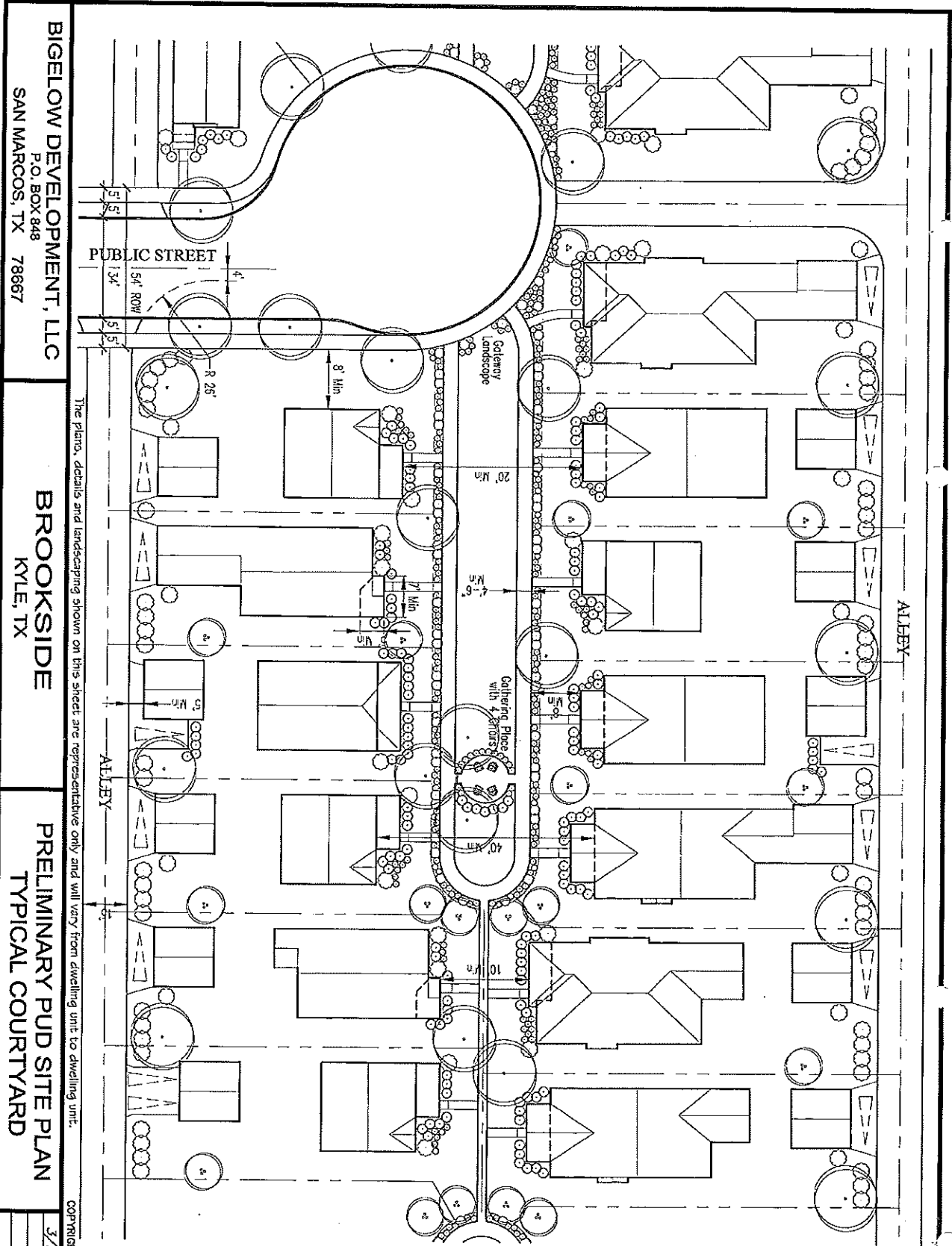
As stated above the PUD districts are a zoning tool to be used to create and allow for creative development that normally would not be allowed under the zoning ordinance, but exemplifies the goals and policies of the comprehensive master plan. PUD requests should be carefully thought out and not used to circumvent the comprehensive plan goals or rules and regulations of the zoning ordinance. It is staff's recommendation that a site visit and workshop be held prior to making a recommendation on the zoning request.

Exhibit B



Utilities Near Brookside Rezoning





BIGELOW DEVELOPMENT, LLC
 P.O. BOX 848
 SAN MARCOS, TX 78667

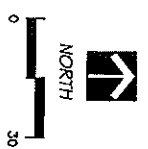
BROOKSIDE
 KYLE, TX

PRELIMINARY PUD SITE PLAN
 TYPICAL COURTYARD

The plans, details and landscaping shown on this sheet are representative only and will vary from dwelling unit to dwelling unit.

COPYRIGHT © 2014, BIGELOW DEVELOPMENT, LLC

3/11/14
EXHIBIT



1. Courtyards shall meet the following standards:
 1. A "gateway" (examples: trellis, fencing, and/or landscaping).
 2. A gathering place with a minimum of 4 chairs or 2 benches.
 3. The Courtyard sidewalk(s) shall be the following minimum width for at least 70% of the length:
 - a. Single sidewalk: 5'
 - b. Double sidewalk: 4-6'
 4. Each dwelling unit shall have a front porch or front patio having a minimum depth of 5' and a minimum length of 7'.
 5. Minimum separation between interior dwelling units from back side of porch or garden patio to back side of porch or garden patio: 40'.
 6. Minimum separation of dwelling units at street: 20'.
 7. Minimum separation of dwelling units at rear of courtyard: 10'.

Brookside Reasons for Zoning Change and PUD

The change of the underlying zoning from R-1 to R-1-A in concert with the establishment of a Planned Unit Development (PUD) district will provide the opportunity to develop this site with a courtyard community similar to the courtyard pocket neighborhoods that are now being developed in Plum Creek.

As a housing type, courtyards are particularly appealing to empty nesters, singles, and families with no school age children. Families with school age children are not discouraged or prohibited; however, they usually prefer larger private yards than are provided in courtyard communities.

By far the most desired amenity by empty nesters and singles is trails. This is the perfect location to draw these market segments to the East side because this community will be bordered on 3 sides by Lake Kyle Park, Linebarger Lake Park and the Plum Creek Preserve, which will have miles and miles of Nature Trails.

These market segments are generally 1 or 2 member households and require far fewer public amenities and improvements than families with school age children. For example, this courtyard community of approximately 165 homes will have 2,420 linear feet of public street, which is 15 linear feet of public street per lot. The R-1 community previously planned would have had 4,530 linear feet of public street, or 45 linear feet of public street per lot. That is 300% more public street and public utility infrastructure per lot that the city would be required to maintain in perpetuity. One reason that there is so much less public street is that private alleys provide much of the automobile circulation.

Furthermore, this courtyard development will provide the long anticipated connection between Lake Kyle Park and Linebarger Lake so that the City may begin park improvements for the City Park around Linebarger Lake. It will also provide for some of the long-awaited park improvements that will benefit residents of Brookside Estates and Four Seasons Farm.

All homes will be single family detached homes on individual lots. All garages will be accessed from alleys, so cars will never back across public sidewalks, nor will cars ever be parked across public sidewalks.

The variances are necessary to accomplish a well-designed courtyard community. Standards have been added that will assure a human scale living environment in each courtyard.

Finally, since this community is tucked back around the park a quarter mile from Rt. 150, the developer is requesting that a sign be permitted at the edge of the right-of-way of Arbor Knot Drive immediately below the existing Brookside Development monument and that a temporary sales trailer be permitted on Lot 3, which it owns.

BROOKSIDE
DEVELOPMENT REGULATIONS, STANDARDS AND VARIANCES

3/3/14

- A. Cul-de-sac streets shall be 34' back to back of curb in a 54' Right of Way and shall have parking on both sides.
- B. Public Sidewalks shall be 5' wide.
- C. Public street parkways shall be planted with approved trees at 25' to 35' intervals.
- D. Alleys shall be private and maintained by HOA.
 - 1. 2-way alley paving width shall be 15' minimum
 - 2. Garage setback from edge of 15' paved alley: 5' minimum.
 - 3. Alley curb radius at public street: Per PUD site plan.
 - 4. Dead-end alleys shall be permitted.
- E. Minimum Lot size: 3,000 sq. ft.
- F. Minimum Lot Width: 30'
- G. Maximum dwelling units per lot: One (1) principle dwelling unit and (1) accessory dwelling unit (ADU). An ADU will not be counted as a unit of density or as an LUE. An ADU shall not have separate utility services.
- H. Minimum Setbacks:
 - 1. Front yard: there shall be a front yard setback having the depth of not less than 8' from the courtyard walk or public sidewalk to the front line of the building.
 - 2. Side yard: there shall be no sideyard set back required. Except that there shall be a side yard set back having a depth of not less than 8' from the property line at public streets to the side line of the building.
 - 3. Rear yard: there shall be no rear yard setback required.
- I. Garages: may either be attached or detached.
 - 1. Garages shall be accessed from a private alley.
 - 2. The minimum garage size shall be 215 sq. ft.
- J. Courtyards shall meet the following standards:
 - 1. A "gateway" (examples: trellis, fencing, and/or landscaping).
 - 2. A gathering place with a minimum of 4 chairs or 2 benches.
 - 3. The Courtyard sidewalk(s) shall be the following minimum width for at least 70% of the length:
 - a. Single sidewalk: 5'
 - b. Double sidewalk: 4' - 6"
 - 4. Each dwelling unit shall have a front porch or front patio having a minimum depth of 5' and a minimum length of 7'.
 - 5. Minimum separation between interior dwelling units from back side of porch or garden patio to back side of porch or garden patio: 40'
 - 6. Minimum separation of dwelling units at street: 20'
 - 7. Minimum separation of dwelling units at rear of courtyard: 10'
- K. There may be no front yard utility easements in courtyards.
- L. There may be no side yard utility easements.
- M. House elevations will be primarily Texas vernacular Craftsman Cottages detailed per the attached elevations.
- N. Developer shall be permitted to erect and maintain a 12' x 36' sign at the edge of the ROW of Arbor Knot Dr. immediately behind the existing Brookside development monument.
- O. Developer shall be permitted to install temporary sales trailer on lot 3, Phase 1 with a 2' setback from Arbor Knot Dr.

Brookside Phase 2

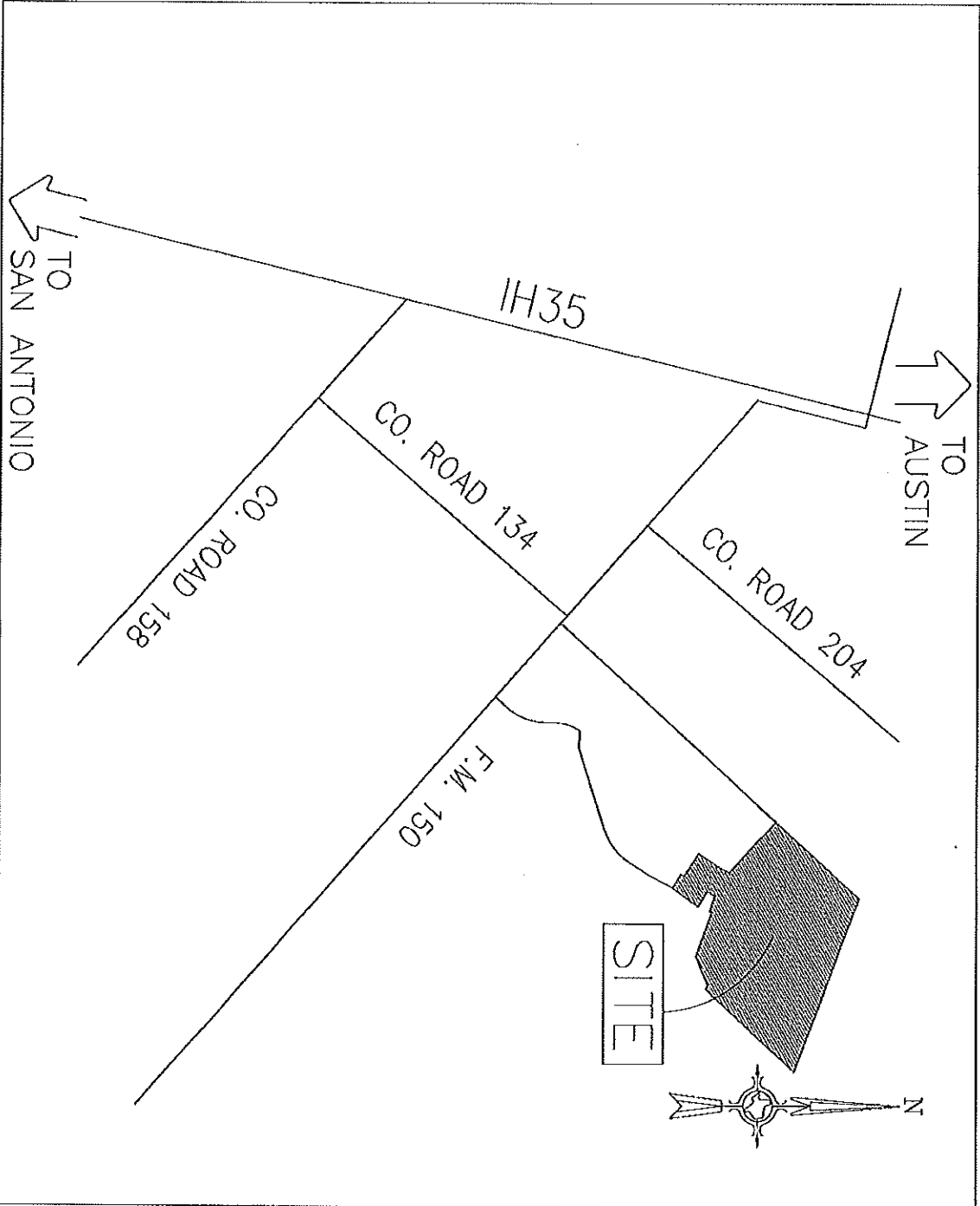
Kyle Park Dedication Agreement

(as amended, edited and recommended by Parks Committee on 3.31.14)

As complete satisfaction of Section 41-147 Parkland dedication for the remainder of Brookside (Brookside Phase 2), Developer and City agree as follows:

1. The park land fee shall be computed on the basis of \$600 per dwelling unit for the remainder of Brookside, Brookside Phase 2.
2. The park development fee shall be computed on the basis of \$600 per dwelling unit for the remainder of Brookside, Brookside Phase 2.
3. Concurrent with the recording of the Final Plat of the first Subphase of Phase 1 of the remainder of Brookside, Brookside Phase 2:
 - a. Developer, Brookside Phase 2, shall dedicate 0.75 acres to the City which shall become part of Plum Creek Preserve & Nature Trail. This dedication shall credit 56 lots (LUE's) toward the park land fee in Item #1.
 - b. Developer, Brookside Phase 2, shall make Arbor Knot Dr. 34' (back to back of curb) to provide on-street parking for Linebarger Lake Park.
 - c. Developer, Brookside Phase 2, shall make 2 sections of Farrule Dr. 34' to provide on-street parking for Lake Kyle Park.
 - d. The credit for on-street parking (3.b. and 3.c.) shall be calculated based on the Developer's, Brookside Phase 2's, cost for making the street 7' wider. Credit dollar amount shall be verified by City Engineer.
 - e. The remainder of the park land fee and park development fee, if any, shall be paid in cash at the recording of the Final Plat of the first Subphase of Phase 1.
4. Within one full fiscal year cycle, and subject to City Council approving the CIP project, City shall install an electronic gate for direct access west of the dam to Lake Kyle with remaining funds paid to City in Item #3.e., assuming adequate funds have been paid.
5. Concurrent with the recording of the Final Plat of the second Subphase of Phase 1:
 - a. Developer, Brookside Phase 2, shall install or shall already have installed a 6' concrete trail/sidewalk between Four Seasons Farm Park and Linebarger Lake Park.

- b. Developer, Brookside Phase 2, shall receive a credit for the remainder, if any, of the park land that was dedicated in the first Subphase but for which the Developer has not already received credit.
 - c. Developer, Brookside Phase 2, shall receive a credit for 2' of the width of the trail/sidewalk against the park development fee. Credit dollar amount shall be verified by City Engineer.
 - d. The remainder of the park land fee and park development fee shall be paid in cash at the recording of the Final Plat of the second Subphase of Phase 1.
6. For each succeeding Phase or Subphase the Developer, Brookside Phase 2, shall pay the park land fee and park improvement fee in cash at the recording of the Final Plat of the Phase or Subphase. The City shall deposit these funds into the Park Development Fund and shall " earmark " these funds from this development to be use only in the development and improvement of the park dedicated in 3.a. above and/or the trails connecting Linebarger Lake to Lake Kyle.
7. To the extent that Developer, Brookside Phase 2, has deposited sufficient fees into the dedicated park fund above, and within one full fiscal year cycle, and subject to City Council approving the CIP project, the City shall install the following improvements on the park land dedicated above in Item #3.a. in the following order:
 - a. Playscape designed for 2-5 ages (toddler tot lot);
 - b. 2 pickle ball courts;
 - c. 12' x 12' (or larger) covered pavilion with metal roof similar to other city park pavilions;
and
 - d. 2 bocce ball courts
8. Developer, Brookside Phase 2, shall cause the Brookside Phase 2 HOA to assume responsibility in perpetuity to provide 4 chairs or 2 benches on the covered pavilion.



LOCATION MAP
N.T.S.





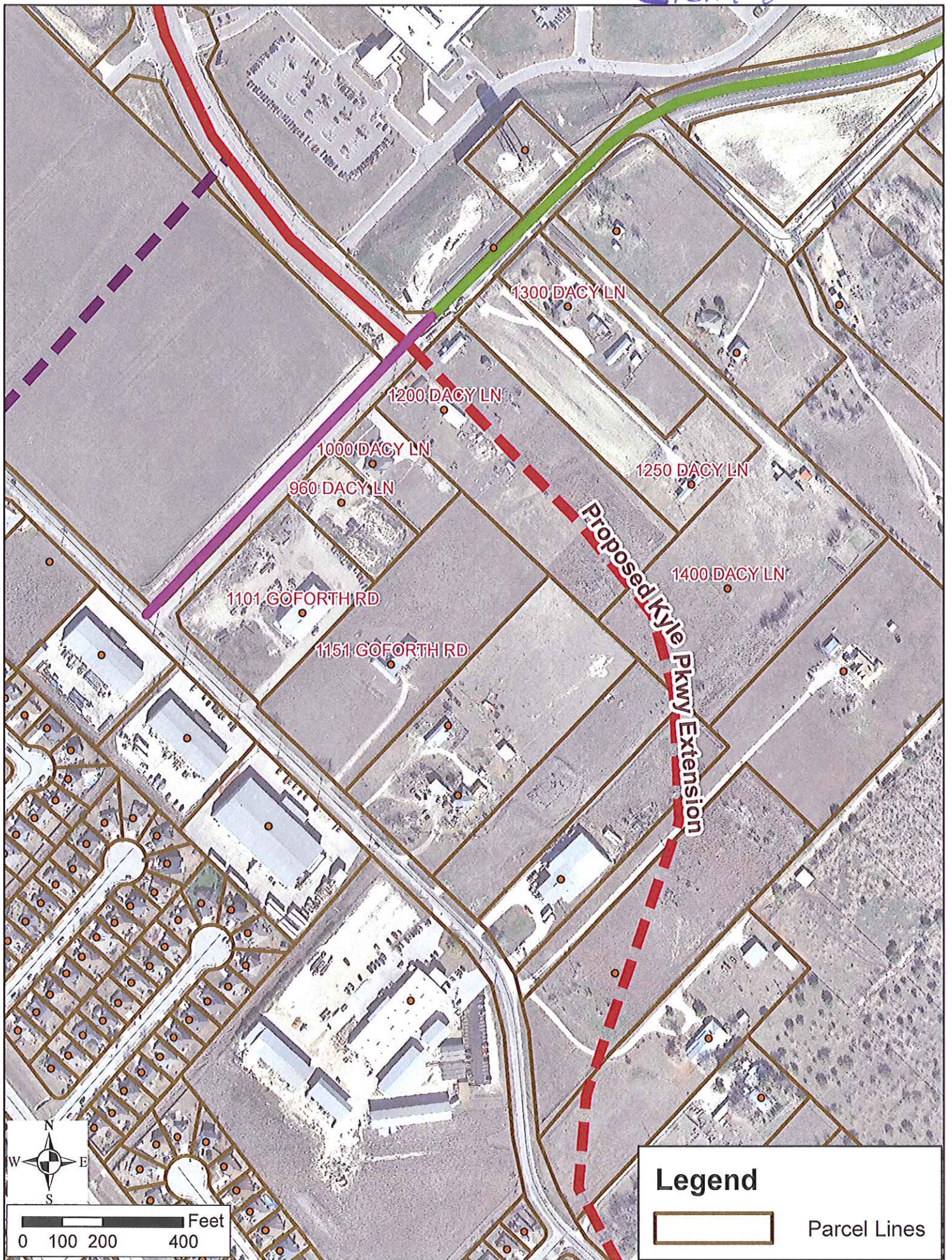






	Requirement	Requested Variance
cul-de-sac size	ROW 55' and 45' pavement radius	ROW (54' ROW and 34' back of curb)
public sidewalk width	not less than four feet in width and shall be two feet from curb	5' wide
street trees	no current requirement in residential area	planted at 25' to 35' intervals
Alleys	code requires 20' paving	2 way alley paving width of 15' minimum
Garage setback from Alley		5'
alley curb radius		
dead end alley	code requires turnaround	dead end alleys shall be permitted
minimum lot size	4500 square feet	3,000 square feet
lot width	30'	35'
Accessory dwelling unit		1 principle dwelling and 1 accessory dwelling unit
setbacks-front	25'	
	Requirement	Requested Variance

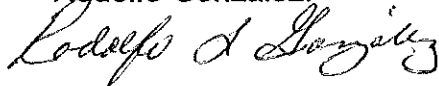
setbacks- rear	15'	0'	
setbacks- side	ten feet on one side and zero lot line is permitted on the other side	0'	
setbacks- corner side	10'	8'	
garage size	480 square feet	215 square feet	
front yard easement	A 15-foot wide easement abutting the right-of-way of each street shall be dedicated as an easement for utilities, drainage and excavation and/or embankments.		no easements in the courtyards
sideyard easements	In side lot locations, the utility easements shall be no less than five feet in width. Unless abutting an alley, water and wastewater utility easements in the rear are not favored and will not be approved except under special circumstances.		no side yard utility easements



October 10, 2013
Ms Sofia Nelson
Road Planning Director

Very appreciable Ms. Nelson through this I affirm to you my disagreement with the project have decided to do want to go through half of my property Kyle Parkway Boulevard first for the city it would do unnecessary and costly expense as traffic can flip by Dacy Ln. south and take the right goforth. It would also be a great damage that would cause me to this project, and that with hard work and much sacrifice, took us to pay this property for over 15 years, this does not seem right as engineers only trace lines in some plans without taking into account how many are people going to be affected, I understand that the city is progressing but I appeal to your good judgment and good Heart this project was canceled, I hope your answer and says goodbye.

Sincerely
Rodolfo Gonzalez.

A handwritten signature in cursive script that reads "Rodolfo Gonzalez".

October 10, 2013

Sra Sofia Nelson

Directora de Planeacion vial

Muy apreciable Sra. Nelson por medio de el presente hago constar a usted mi inconformidad por el proyecto que han decidido hacer al querer pasar por un medio de mi propiedad el Boulevard Kyle Parkway en primer lugar sería para la ciudad un gasto inecesario y costoso ya que el trafico puede voltear por Dacy Ln. al sur y tomen la goforth a la derecha. Tambien seria un gran daño que me causarian con este proyecto, ya que con mucho trabajo y mucho sacrificio, Tardamos en pagar esta propiedad por mas de 15 años esto no me parece justo ya que los ingenieros solamente trazan rayas en un plano sin tomar en cuenta cuanto gente van a perjudicar, comprendo que la ciudad va progresando pero yo apelo a su buen juicio y su buen Corazon que se cancelara este proyecto, espero su respuesta y se despide.

Attentamente

Rodolfo Gonzalez.

A handwritten signature in cursive script that reads "Rodolfo Gonzalez". The signature is written in dark ink and is positioned below the typed name.

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Page 2D

Hays Free Press

Hays Free Press • March 19, 2014

Employment

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or Houston - 800-743-1392

Public Notices

NOTICE TO CREDITORS

Notice is hereby given that original Letters Testamentary for the Estate of JOHN M. CAPE, Deceased, were issued on March 10, 2014, in Cause No. 14-0035-P, pending in the County Court at Law of Hays County, Texas, to: CAROL OVERALL AND CATHY SPAR.

All persons having claims against this Estate which is currently being administered are required to present them to the undersigned within the time and in the manner prescribed by law.

c/o: CAROL OVERALL
113 CAMARO WAY
SAN MARCOS, TEXAS 78666

NOTICE TO CREDITORS

Notice is hereby given that original Letters Testamentary for the Estate of MARION KAY MAYFIELD Deceased, were issued on the 10th day of March, 2014, in Cause No. 14-0066-P in Probate, pending in the County Court of Hays County, Texas, to: DEANNA LEA BATILLA.

The residence of the Independent Executor is in Hays County, Texas, at 6250 Fischer Store Road (P.O. Box 1411), Wimberley, Texas 78676 the address to which claims may be presented in care of said representative.

All persons having claims against this estate which is currently being administered are required to present them within the time and in the manner prescribed by law.

DATED this 17th day of March, 2014.

By H.C. Kyle, III
Attorney at Law
118 North LBJ Drive
San Marcos, Texas 78666
(512) 396-4844 - Telephone
(512) 805-0235 - Fax
ATTORNEY FOR THE ESTATE

PUBLIC NOTICES, 4D

daily Express Inc.

CONTRACTORS NEEDED!

Daily Express, a leader in Heavy Haul and Specialized Transportation, is in need of safe & skilled Contractors to pull our step-deck and lowboy trailers! We now offer 3 levels: **NEW Haul Expedited** - An open Deck High Mileage Division of Daily Express. **Daily Heavy Haul** - Oversize & Overweight, the standard for quality within the heavy haul and oversize industry. **Special Equipment** - 100% heavy & 100% oversized, an elite operation moving 7-13 axle combinations. Have your own Step-deck or PGN? Bring 'em on board or pull company trailers AT NO COST!

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Employment

DRIVERS

Austin to Ft. Wayne, IN. Dedicated TR route \$91/mile + 100% fuel surcharge. CDL-A, 12 mo Experience. Call Tabitha: 800-325-7884 x4

LS TRAVEL RETAIL NORTH AMERICA IS HIRING

for a Full Time Warehouse Associate available Mon - Fri 7 a.m.-3 p.m. Location: 384 Commercial Drive, Buda TX 78610. Fax resume to 512-295-3150 or email dmal@lstna.com

KYLE UMC SEXTON

(Part-time) Perform general maintenance, grounds/projects as assigned. Must be a positive self-starter with flexible hours. More info? www.kyleumc.org Resumes to admin@kyleumc.org

NURSERY WORKER NEEDED

First Baptist Church of Buda has a paid nursery worker position open. Sunday mornings and Wednesday evenings. Approximately 5 hours per week. \$12.00 per hour. Mail or email resumes to the church. FBCCBuda@austin.rr.com 104 S. San Marcos St., Buda TX 78610

Hauling

FREE HAULING

Scrap metal pick-up. Old refrigerators, washers & dryers, water heaters, car batteries, etc. Call Charles

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MIKE'S MOWING

Mowing, Trimming, Yard Maintenance, Shredding, Satisfaction Guaranteed, Fair prices, Free estimates. 512-351-3571

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Misc. Services

GET PAID

Get paid to have your cedar cleared!!! (512) 395-7596

FENCE REPAIRS

No job too small, call for estimate. Stu 512-914-4911 or Rick 512-262-3343

Condos/Townhomes For Rent

DOWNTOWN KYLE LIVING

One BR, One Bath Apt. in downtown Kyle available Nov. 1. Full W/D, secure ring-up entry, stainless steel appliances. \$885/month plus deposit. Available May 1. Credit check required. Must see. 512-268-7862

Homes For Rent

LARGE COUNTRY HOME FOR LEASE

Large country home. 4B/2B Huge fenced lot/culdesac. Covered porches, 2 living areas. Good home for roommates. \$1400/mo. 512-618-9170.

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Land & Home or Home Only (rb136533). No credit, bad credit, no SSN#. All OK! 1-855-625-4040 www.MHFinancingSpecialists.com

Space Rental

RENT SPACE AT THE UNION CREEK SENIOR CENTER IN BUDA FOR INDOOR/ OUTDOOR GARAGE SALE ON SATURDAY, APRIL 5TH

Cost \$25. Call 512-295-3413 or 512-468-4451 for more information

Be part of the Murco Team!

We need a Paint Store Manager in the Buda area. Experienced managing and counter sales a plus but we will train the right person. Great pay, excellent benefits, and profit sharing.

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www.murcowall.

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2022 N. COMMERCE ST.
FORT WORTH, TX 76164-8528
Phone: 817-626-1587 800-456-7124
Fax: 817-626-0921



CORE
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Center of Rehabilitative Excellence

NOW HIRING!

CORE Health Care, in Dripping Springs, is currently hiring for full-time and part-time Direct Care Workers. If you or someone you know might be interested, visit our website at www.corehealth.com for more information and to apply online!

For questions, contact Annie at afreeman@corehealth.com or 512-894-0801 x 118.

Public Notice
Notice of Public Hearing
NOTICE IS HEREBY GIVEN TO ALL INTERESTED PERSONS, THAT:

The City of Kyle shall hold a public hearing on a request by Austin Brookside LP to rezone approximately 26.147 acres from Single Family "R-1" to a Planned Unit Development Overlay District "PUD" with a base zoning designation of Single Family Attached "R-1-A" on property located at the end of Arbor Knot Drive and Ferrule Drive.

A public hearing will be held by the Planning and Zoning Commission on Tuesday, April 8, 2014 and on April 22, 2014 at 6:30 p.m.

A public hearing will be held by the Kyle City Council on Tuesday, May 6, 2014 at 7:00 p.m.

Council action and second reading may be considered at the meeting to follow the public hearing (May 20, 2014).

Kyle City Hall Council Chambers
100 W Center St., Kyle, Texas

Owner: Austin Brookside LP
Agent: Scott Bauer
Bigelow Development, LLC
Phone: (512) 392-6231

Publication Date: March 19, 2014
Z-14-006

Service Directory

Adult Care/Housekeeping
Nannies, Housekeeping & Adult Care

Air Conditioning
HEATING AND
SPACE HEAT

Air Conditioning
A D C Services LLC 512 205 4022

Public Notices

NOTICE TO CREDITORS

Notice is hereby given that original Letters of Guardianship for the Person and Estate of LINDA JOYCE COBB, an Incapacitated Person, were issued on March 14, 2014, in Docket No. 8094, pending in the County Court at Law of Hays County, Texas, by DANCY DRU REED. The residence of the Guardian is in Edenton, Chowan County, North Carolina. Address claims in care of Guardian, Estate of Linda Joyce Cobb, an Incapacitated Person. The address to which claims may be presented, is: Dancy Dru Reed, 344 Schooner Landing Drive, Edenton, North Carolina 27832. The Guardian has appointed Vincent J. Scario, Jr. to be Resident Agent to accept service of process in all actions or proceedings relating to the guardianship. Claims may, therefore, also be sent to Vincent J. Scario, Jr., Resident Agent, addressed to him at 144 E. San Antonio Street, San Marcos, Texas 78668. All persons having claims against this Estate which is currently being administered are required to present them within the period prescribed by law. DATED the 28th day of March, 2014. Respectfully submitted, SCARIO & SCARIO A Professional Corporation BY: /s/ Vincent J. Scario, Jr. VINCENT J. SCARIO, JRL

144 E. San Antonio Street, San Marcos, Texas 78668
Tel: (512) 395-2018
Fax: (512) 635-2984
State Bar No. 17702650
ATTORNEYS FOR DANCY DRU REED

NOTICE TO CREDITORS

Notice is hereby given that Letters Testamentary for the Estate of Newton Teague Hammel, Jr., Deceased, were issued on March 24, 2014 in Cause No. 14-0063-P, pending in the County Court, Hays County, Texas, to Marjorie Hammel. Claims may be presented in care of the attorney for the Estate addressed as follows: Representative Estate of Newton Teague Hammel, Jr., Deceased, c/o Paul D. Angenand Angenand & Augustine, P.C., 3445 Executive Center Drive, Suite 100 Austin, Texas 78731. All persons having claims against this Estate which is currently being administered are required to present them within the time and in the manner prescribed by law. DATED this 28th day of March 2014. ANGENAND & AUGUSTINE, P.C. BY: Paul D. Angenand

NOTICE TO BIDDERS

SCOPE OF WORK:

Hays County WCID No. 1 (Owner) will accept bids for the Irrigation Controller Replacement and Upgrade Project. The Project will consist of replacing outdated irrigation controllers with new Rain Bid controllers, and installing a communication system that will allow the 11 new controllers and 7 existing controllers in the Belzora Subdivision to be operated and programmed remotely with smart phones and similar devices.

More specifically the irrigation controller improvements will consist of the following:

- Removing and disposing of 11 existing controllers.
- Furnishing and installing 11 new irrigation controllers.
- Furnishing and installing a communication system for the 11 new controllers and 7 existing controllers.
- Furnishing and installing 18 new control valves and flow sensors.
- Furnishing and installing decoders and line surge protection.
- Furnishing and installing software and hardware for the system.
- Programming the new and existing controllers and communication system.
- Providing a 5 year support plan from the irrigation controller manufacturer.
- Install radio base and repeater towers and verify communication.
- Install software and data base on existing central computer.

INFORMATION AND BIDDING DOCUMENTS:

Copies of bidding Drawings and Specifications may be inspected at and/or purchased from the Office of the Engineer during regular business hours, 7:30 a.m. to 5:30 p.m., Monday through Thursday and from 8:00 a.m. to 12:00 p.m. on Friday.

CMA Engineering, Inc.
235 Ledge Stone Drive
Austin, Texas 78737
(512) 432-1000
(512) 432-1015 (fax)

Contract Documents (Plans and Specifications) can be purchased for \$50.00, made payable to Hays County WCID No. 1.

CONTRACTOR QUALIFICATIONS:

Bids will be considered only from Irrigation Installation Contractors experienced in this type of construction. No bids or proposals will be considered unless the Bidder demonstrates that he has completed similar or larger projects of this nature. He should have completed at least three of this type of project in the last five years. A letter shall accompany the bid listing these such projects including the name, project start date, duration, and phone number of the Owners and Design Engineers, and locations. In addition, Bidders must meet the following qualifications:

NOTICE TO BIDDERS

- Irrigation Installation Contractor must be a Licensed Irrigator and a Rain Bid Select Contractor.
- Irrigation Installation Contractor must provide a Rain Bid 5 year manufacturer's commercial project extended warranty.
- Irrigation Installation Contractor must hold or obtain Rain Bid IQ Central Control Factory Trained Certification.

PRE-BID CONFERENCE: A non mandatory pre-bid conference will be held at the office of CMA Engineering, Inc. at 9:00 a.m. on Friday, April 11, 2014. Representatives of the Owner and Engineer will be present to discuss the Project.

BID GUARANTY: All Bids must be accompanied by a Bid security made payable to Owner in an amount of five percent (5%) of Bidder's maximum Bid price and in the form of a certified or bank check made payable to Hays County WCID No. 1 or a Bid Bond issued by a surety.

RECEIPT OF BIDS: Sealed bids are due at the CMA Engineering, Inc. office no later than 10:00 a.m. on Friday, April 18, 2014. Bids may be mailed or hand delivered to the Engineer's address listed above. The sealed Bid shall be enclosed in an opaque sealed envelope plainly marked with the PROJECT title, the name and address of Bidder, and shall be accompanied by the Bid Security and other required documents. If a Bid is sent by mail or other delivery system, the sealed envelope containing the Bid shall be enclosed in a separate envelope plainly marked on the outside with the notation "BID ENCLOSED."

PUBLIC NOTICES, 4D



March 31, 2014

Bid No. 2014 001BPT

INVITATION TO BID

Sealed Bids clearly marked "Sealed Bid No. 2014-001BPT - Bradford Park Trail Improvements" will be received by the City of Buda Parks and Recreation Department, 121 Main Street, Buda, TX until 2:00 p.m. on April 11, 2014. Bids received after this time will not be accepted. Immediately thereafter, the Bid proposals will be publicly opened and read aloud in the Council Chamber at Buda City Hall located at 121 Main Street.

There is a mandatory pre-bid meeting on April 9, 2014 at City Hall, 121 Main Street at 1:00 P.M. BIDDERS are encouraged to attend and participate in the conference. Bid documents can be ordered and obtained for the cost of reproduction in the City of Buda Annex, 109 Houston Street, Buda, TX 78608 or call (512) 313-5044. Electronic versions of bid documents can be obtained by emailing the City of Buda (512) 313-5044 or emailing info@cityofbuda.com and a hard copy can be viewed at the Planning and Engineering office located at the 100 Houston Street.

The project involves the labor, material, supervision, equipment, tools, and all the incidentals required to complete the entire Bradford Park Trail Improvements project as per specifications and drawings. The City of Buda does not anticipate issuing project Change Orders. Prospective bidders should read the Instructions to Bidders, Contract Documents, and Detailed Specifications and submit a Bid Bond along with their Bid to be considered for award. Bids must be submitted on the PROPOSAL AND BID SCHEDULE forms provided, and must be accompanied by a Bid Security in an amount approximately equal to and not less than five percent (5%) of the total amount of the Bid. The security may be in the form of a certified check, cashier's check, or bid bond furnished by a reliable surety company having authority under the laws of Texas to write surety bonds in the amount required, with such security made payable without recourse to the City.

The final NOTICE OF AWARD OF CONTRACT shall be given to the successful bidder by the City, within sixty (60) days following the opening of bids and the bidder may withdraw his bid within sixty (60) days after opening of bids. The successful Bidder must furnish a PERFORMANCE BOND AND PAYMENT BOND on the forms provided within three Contract Documents, each in the amount of one hundred percent (100%) of the contract amount, from a surety company holding a contract from the State of Texas to act as surety. State statutes including wage and hour provisions and contract regulations must be adhered to as they relate to this Project. Contractors will be required to comply with all applicable Equal Employment Opportunity laws and regulations. The successful bidder will be required to enter into a contract for the performance of the work for the price quoted in the Bid and will provide evidence of current Financial Injury, Property Liability, Workers Compensation, and Builders Risk Insurance. In addition, required bonds will need to be submitted. The Contractor will also be required to submit a Reference and Qualification statement. This form must be completed with the most recent similar type projects within the past three years and other current information.

The bid will be awarded to the lowest responsible bidder whose bid is determined to be the most advantageous to the City, its officers, employees, and agents. The City will evaluate the bid based on the criteria listed in the Government Code 2267.055(a) including but not limited to price, offeror's experience/reputation, quality of goods or services, impact on ability to use RFP, safety record, proposed personnel, offeror's financial capability. Price, in accordance with law, will not be the sole evaluation factor. Misrepresentation, whether substantial or otherwise, at any stage of the bidding and award process, shall be considered in this and all future bids in determining whether or not a bid is "responsible".

THE CITY OF BUDA, IN ACCORDANCE WITH LAW, RESERVES THE RIGHT TO REJECT ANY AND ALL BIDS. The right is reserved to eliminate a portion of the work or add additional work as required to keep the total contract amount within the funds budgeted. The City shall be the sole judge of "responsible" and "advantageous" and this determination shall be final except in cases of a clear defective showing that such determination is arbitrary, capricious, and unreasonable.

Public Notice
Notice of Public Hearing
NOTICE IS HEREBY GIVEN TO ALL INTERESTED PERSONS, THAT:

The City of Kyle shall hold a public hearing on a request by Dacy Lane, LLC to rezone approximately 545 acres, from "R-1-T" Residential Townhome to "R-3-V" Apartments Residential 3 on property located on the Southwest of Bebee Road, just west of Dacy Lane, in Hays County, Texas.

The Planning and Zoning Commission may recommend and the City Council may consider assigning any zoning district which is equivalent or more restrictive and is also consistent with the Comprehensive Plan.

A public hearing will be held by the Planning and Zoning Commission on Tuesday, April 22, 2014 at 6:30pm.

A public hearing will be held by the Kyle City Council on Tuesday, May 6, 2014, at 7:00pm.

Council action and second reading may be considered at the meeting to follow the public hearing (May 20, 2014).

Kyle City Hall Council Chambers
100 W Center St., Kyle, Texas

Owner: Dacy Lane, LLC,
Phone: (617) 305-4268
Agent: Hugo Elizondo, Jr., P.E.
Centro Corporativo, Ltd.
Phone: (512) 312-8000
Publication Date: April 2, 2014
Z-14-009



Public Notice
Notice of Public Hearing
NOTICE IS HEREBY GIVEN TO ALL INTERESTED PERSONS, THAT:

The City of Kyle shall hold a public hearing on a request by Jason Martinez to assign original zoning to approximately 1.02 acres from "AO" Agriculture to "RS" Retail Service District on property located at 2550 Kyle Crossing, in Hays County, Texas.

The Planning and Zoning Commission may recommend and the City Council may consider assigning any zoning district which is equivalent or more restrictive and is also consistent with the Comprehensive Plan.

A public hearing will be held by the Planning and Zoning Commission on Tuesday, April 22, 2014 at 6:30pm.

A public hearing will be held by the Kyle City Council on Tuesday, May 6, 2014, at 7:00pm.

Council action and second reading may be considered at the meeting to follow the public hearing (May 20, 2014).

Kyle City Hall Council Chambers
100 W Center St., Kyle, Texas

Owner: Jason Martinez
Phone: (512) 626-3513
Publication Date April 2, 2014
Z-14-010



Public Notice
Notice of Public Hearing
NOTICE IS HEREBY GIVEN TO ALL INTERESTED PERSONS, THAT:

The City of Kyle shall hold a public hearing on a request by RR HPI, LP to rezone approximately 0.999 acres from "PUB" Planned Unit Development to "RS" Retail Service District, on property located on the west side of Ili-35 between Loop 4 and Kyle Crossing, in Hays County, Texas otherwise described by metes and bounds in Hays County, Texas.

A public hearing will be held by the Planning and Zoning Commission on Tuesday April 22, 2014, at 6:30pm.

A public hearing will be held by the Kyle City Council on Tuesday, May 6, 2014, at 7:00pm.

Council action and second reading may be considered at the meeting to follow the public hearing (May 20, 2014).

Kyle City Hall, Council Chambers
100 W. Center St., Kyle, Texas

Agent: W.M. Faust
Phone: (512) 923-2523
Publication Date: April 2, 2014
Z-14-007



Public Notices

NOTICE TO CREDITORS
Notice is hereby given that original Letters Testamentary for the Estate of TERRY COBB DABELGOTT, Deceased, were issued on March 24, 2014, in Docket No. 14-0067-P pending in the County Court at Law of Hays County, Texas, for DAVID ANDREW DABELGOTT. The residence of the Independent Executor is in San Marcos, Hays County, Texas. Address claims in care of the representative, DAVID ANDREW DABELGOTT, Independent Executor, at the following address to which claims may be presented, is: c/o DAVID ANDREW DABELGOTT, Independent Executor, 2917 North Old Bastrop Highway, San Marcos, Texas 78668. All persons having claims against this Estate which is currently being administered are required to present them within the time and in the manner prescribed by law. Address claims in care of DAVID ANDREW DABELGOTT, Independent Executor. DATED the 28th day of March, 2014. Respectfully submitted, SCANO & SCANO A Professional Corporation BY: Vincent J. Scano, Jr. 144 E. San Antonio Street San Marcos, Texas 78668 Tel: (512) 396-2016 Fax: (512) 353-2984 State Bar No. 17702500 ATTORNEYS FOR DAVID DABELGOTT

NOTICE TO CREDITORS
Notice is hereby given that Letters Testamentary for the Estate of William David Indian Jr., AKA Will Indian, AKA Bill Indian, were issued on March 28, 2014, Cause No. 14-0042-P, pending in the County Court of Hays County, Texas, to Lynn Sue Indian. All persons having claims against this estate, which is currently being administered, are required to present them within the time and in the manner prescribed by law. Claims may be presented and addressed as follows: Representative Lynn Sue Indian, 13213 Trail Driver St., Austin, Texas 78737.

NOTICE TO CREDITORS
NOTICE OF APPOINTMENT OF DEPENDENT ADMINISTRATOR
OF SHAWN P. HUGHES as Dependent Administrator of the Estate of GEOFFREY SCOTT MULHERN, Deceased. Pending in the County Court of Hays County, Texas, in matters of Cause No. 13-0214-P. TO ALL PERSONS INTERESTED IN THE ABOVE ESTATE: WHEREAS, on the 13th day of March, 2014, in the County Court of Hays County, Texas, the undersigned duly qualified as the Dependent Administrator of the Estate of GEOFFREY SCOTT MULHERN, Deceased. Notice is hereby given that Letters of Administration on this estate were granted and this is to notify all persons having claims against said estate to present the same to the undersigned within the time and in the manner prescribed by law. Any person indebted to said estate is hereby notified to pay same to the undersigned. SHAWN P. HUGHES as Dependent Administrator of the Estate of GEOFFREY SCOTT MULHERN, Deceased. Address: c/o Shawn P. Hughes, Attorney, 10101 Rantion Place, Suite 600, San Antonio, Texas 78216.

NOTICE OF APPLICATION TO SUBDIVIDE
An application has been filed with HAYS COUNTY to subdivide 3.352 acres of property located at the intersection of Mathias Lane and Foster Place, Kyle, Texas 78640. Information regarding the application may be obtained from Hays County Development Services (512)333-2150. Tracking number: 509-142 b.

NOTICE TO CREDITORS
NOTICE is hereby given that original Letters Testamentary for the Estate of Geraldine S. O'Brien, Deceased, were issued on March 24, 2014, in Cause No. 14-0027-P, pending in County Court of Hays County, Texas, to Walter James O'Brien. The notice to the Independent Executor may be delivered at the following address: c/o Barnes Lipscomb Stewart & Ott PLLC Attorneys at Law 2901 Bee Caves Road, Box D Austin, Texas 78748 All persons having claims against this Estate which is currently being administered are required to present them within the time and in the manner prescribed by law. Dated the 24th day of March, 2014. /s/ Patricia T. Barnes Attorney for Independent Executor

INVITATION FOR BIDS
Sealed bids addressed to the City of Kyle, will be received until 2:00 P.M. on Thursday the 17th day of April, 2014 at the Public Works Administration Building of the City of Kyle located at 520 East Frazier Road in Kyle, Texas 78640 at which time they will be publicly opened and read aloud, for furnishing all labor, material, tools and equipment and performing all work required for REBEL ROAD GROUND STORAGE TANKS REHABILITATION consisting of repairs and repainting two steel water storage tanks generally described as follows: shrouding, abrasive blasting and recoating two 150,000 gallon ground storage tanks (31'-1" in diameter by 28' high) with upgrade and repairs including new roof vents, new shell-inway ladder, overflow and overflow flap valves. Both tanks are located at the City's Rebel Road Pump Station, Rebel Road in the City of Kyle, Texas 78640.

Bids must be submitted on the form provided, and must be accompanied by a bid security in a penal sum approximately equal to and not less than five percent (5%) of the total amount of the bid. The security shall be in the form of a certified check or cashier's check, or bid bond furnished by a reliable surety company having authority under the laws of Texas to write surety bonds in the amount required, with such security made payable without recourse to the City of Kyle. The envelope containing the bid shall indicate clearly on the front that the bid is for REBEL ROAD GROUND STORAGE TANKS REHABILITATION.

The final Notice of Award of Contract shall be given to the successful bidder by the City of Kyle within sixty (60) days following the opening of bids and no bidder may withdraw his bid within sixty (60) days after opening thereof. The successful Bidder must furnish a performance bond and payment bond on the forms provided, each in the amount of one hundred percent (100%) of the contract amount from a surety company holding a permit from the State of Texas to act as surety.

Estate statutes including wage and hour provisions and contract regulations must be adhered to as they relate to this project. Contractors will be required to comply with all applicable Equal Employment Opportunity laws and regulations. Bid Documents may be obtained at the office of Neptune-Wilkinson Associates, Inc. located at the address above upon payment of twenty dollars (\$20.00). No refunds will be made. Copies of the Bid Documents are on file and may be examined at the following locations: City Hall, 100 West Center Street, Kyle, Texas 78640. Neptune-Wilkinson Associates, Inc., 4010 Manchaca Road, Austin, Texas 78704. F.W. Dodge, 4300 Beltway Place #180, Arlington, TX 76018. Builders Exchange, 4047 Naco Parris, San Antonio, Texas 78217.

The right is reserved, as the interest of the City of Kyle may require, to reject any and all bids and to waive any informalities in bids received. Honorable Lucy Johnson, Mayor City of Kyle

LEGAL NOTICE
APPLICATION HAS BEEN MADE WITH THE TEXAS ALCOHOLIC BEVERAGE COMMISSION FOR A MIXED BEVERAGE RESTAURANT PERMIT WITH FOOD AND BEVERAGE CERTIFICATE BY THISTLEWOOD MANOR LLC, TO BE LOCATED AT 1620 ROLAND LANE, KYLE, TEXAS. OWNERS OF SAID LIMITED LIABILITY COMPANY ARE TRICIA D. KURTZ, MEMBER AND PAUL C. KURTZ, MEMBER.

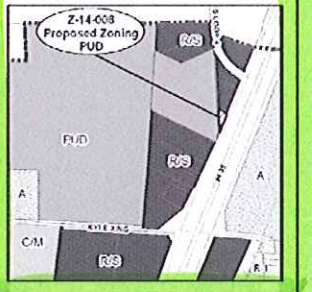
Public Notice
Notice of Public Hearing
Request for Variance
NOTICE IS HEREBY GIVEN TO ALL INTERESTED PERSONS, THAT: The Planning and Zoning Commission will hold a public hearing in the City Council Chambers at 100 W. Center Street, Kyle, Texas, for the purpose of receiving testimony, comments, and written evidence from the public on a request made by Carl's Jr. to exceed the maximum number of parking spaces for property located at 20417 IH-35 Kyle, Texas. A public hearing will be held by the Planning and Zoning Commission on Tuesday, April 22, 2014, at 6:30pm. Kyle City Hall, Council Chambers 100 W. Center St., Kyle, Texas Should you have any questions or comments regarding this request please contact the Planning Department at (512) 262-1010 or via email at planning@cityofkyle.com

Public Notice
Notice of Public Hearing
Request for Variance
NOTICE IS HEREBY GIVEN TO ALL INTERESTED PERSONS, THAT: The Planning and Zoning Commission will hold a public hearing in the City Council Chambers at 100 W. Center Street, Kyle, Texas, for the purpose of receiving testimony, comments, and written evidence from the public on a request made by Cross Plans and Proxave, LLC, to allow off-street parking on a surface other than a driveway, a concrete, paved or stone pad for property located at 705 N. Old Highway 81, Kyle, Texas. A public hearing will be held by the Planning and Zoning Commission on Tuesday, April 22, 2014, at 6:30pm. Kyle City Hall, Council Chambers 100 W. Center St., Kyle, Texas Should you have any questions or comments regarding this request please contact the Planning Department at (512) 262-1010 or via email at planning@cityofkyle.com

Public Notice
Notice of Public Hearing
Request for a Comprehensive Plan Amendment
NOTICE IS HEREBY GIVEN TO ALL INTERESTED PERSONS, THAT: The City Council and Planning and Zoning Commission of the City of Kyle, Texas will hold public hearings in the City Council Chambers at 100 W. Center Street, Kyle, Texas, for the purpose of receiving testimony, comments, and written evidence from the public on the following request: A request by Mr. Rodolfo Gonzalez to amend the Transportation Master Plan to remove the eastern extension of Kyle Parkway. A public hearing will be held by the Planning and Zoning Commission on Tuesday, April 22, 2014 and May 27, 2014 at 6:30 pm. A public hearing and first reading will be held by the City Council on Tuesday, June 3, 2014 and at 7:00 pm. Council action and second reading may be considered at the June 17, 2014 meeting at 7:00 pm. Kyle City Hall, Council Chambers 100 W. Center St., Kyle, Texas For additional information please call the Planning Department at (512) 262-1010 or email at planning@cityofkyle.com

LEGAL NOTICE
APPLICATION HAS BEEN MADE WITH THE TEXAS ALCOHOLIC BEVERAGE COMMISSION FOR A MIXED BEVERAGE RESTAURANT PERMIT WITH FB (RM) OOHLA BEAN, LLC TO BE LOCATED AT 1905 ELDER HILL RD, DRIFTWOOD, TX 78819 HAYS COUNTY, TEXAS. OWNERS OF SAID LIMITED LIABILITY COMPANY ARE ROBIN GARRISON, OWNER/MANAGER.

Public Notice
Notice of Public Hearing
NOTICE IS HEREBY GIVEN TO ALL INTERESTED PERSONS, THAT: The City of Kyle shall hold a public hearing on a request by Cavalier Lanes Holding, LP to rezone approximately 0.359 acres from "RS" Retail Service District to "PUD" Planned Unit Development, on property located on the west side of IH-35 between Loop 4 and Kyle Crossing, in Hays County, Texas otherwise described by metes and bounds in Hays County, Texas. A public hearing will be held by the Planning and Zoning Commission on Tuesday April 22, 2014, at 6:30pm. A public hearing will be held by the Kyle City Council on Tuesday, May 6, 2014, at 7:00pm. Council action and second reading may be considered at the meeting to follow the public hearing (May 20, 2014). Kyle City Hall, Council Chambers 100 W. Center St., Kyle, Texas Agent: W.M. Faust Phone: (512) 923-2523 Publication Date: April 2, 2014 (2-14-008)



Ramming
MATERIALS CORPORATION
EQUIPMENT LABORATORIA

A mining operation in the Hays county area is seeking MINE OPERATORS & LABORERS To Join Our Team!

"Full benefits package offered (after 60 days)"
Medical, Dental, Vision
Short/Long Term Disability, Basic Life (paid at 100%)
401(k) up to 4% employer match
Must pass pre-employment drug screen and criminal background check.
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Financial Focus
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directives. If you were to become incapacitated, you might be unable to make health care decisions—and these decisions may affect not only your quality of life but also your financial situation, and that of your family.

Talk to your legal advisor about establishing a health care directive, which allows you to name someone to make choices on your behalf. Health care costs during your retirement may be unavoidable. But by anticipating these costs, you can put yourself in a position to deal with them—and that's a healthy place to be. This article was written by Edward Jones for use by your local Edward Jones Financial Advisor.

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