



CITY OF KYLE

PLANNING & ZONING COMMISSION REGULAR MEETING

KYLE CITY HALL
100 W. CENTER STREET

Notice is hereby given that the Planning and Zoning Commission of the City of Kyle, Texas will meet at 6:45 P.M. on November 7, 2016, at Kyle City Hall, 100 W. Center Street for the purpose of discussing the following agenda.

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

Posted this 2nd day of November prior to 6:45 P.M.

1. Call meeting to order
2. Roll Call
3. Citizen Comments
4. **PRESENTATION**
 - A. Presentation for years of service on the Planning and Zoning Commission.
 - Mike Rubsam
 - Lori Huey
5. **CONSENT**
 - A. Resubdivision of Lots 1A and 2A of the Hill Replat of Lots 1 and 2 (SFP-16-003)
2.168 acres; 2 Lots
Located at (Lot 1A) 102 Creekside Trail (Lot 2A) 1051 E. RR 150
Owner: Sheerghar Investment, Inc.
Agent: Hugo Elizondo, Jr., P.E., Cuatro Consultants
Staff Proposal to P&Z: Statutorily disapprove to meet the 30 day statutory requirement.

B. Plum Creek Phase 1, Section 6B-2 – Final Plat (FP-16-005)

2.319 acres; 24 lots

Located south of Hellman and east of FM 2770

Owner: Plum Creek Operating Partners, Ltd.

Agent: Scott Bauer, Bigelow Development, LLC.

Staff Proposal to P&Z: Approve Final Plat

C. Espiritu Addition – Final Plat (SFP-15-001)

3.24 acres; 3 Single Family Lots

Located at 401 S. Old Stagecoach Road

Owner: Christian and Diana Espiritu

Agent: David Williamson, Byrn & Associates, Inc.

Staff Proposal to P&Z: Approve Final Plat

6. **ZONING**

- A. Consider a request by Lennar Homes of Texas Land and Construction, Ltd. to assign original zoning to approximately 51.48 acres from Agriculture ‘AG’ to Plum Creek R-2 ‘Single Family’ for property located south west of the intersection of FM 2770 and FM 1626. (Z-16-008)

- **Public Hearing**

- B. Consider a request by The Meadows of Kyle II, Ltd. to rezone approximately 52.990 acres from Single Family Residential – 2 ‘R-1-2’ to Single Family Detached Residential ‘R-1-A’ for property located on the north side of Bebee Road, ¼ mile of Dacy Lane. (Z-16-009)

- **Public Hearing**

7. **CONSIDER AND POSSIBLE ACTION**

- A. Consider a landscape waiver request by BioLife Plasma Services to Section 53-988, 53-990 and Section 53-992 of the City of Kyle, Code of Ordinances.

8. **NOMINATION**

- A. Nomination(s) for Commission Chair.

9. **GENERAL DISCUSSION**

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

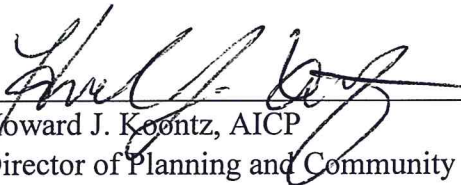
10. **STAFF REPORT**

11. **ADJOURNMENT**

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

Certificate

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

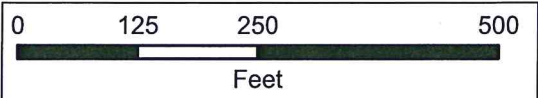
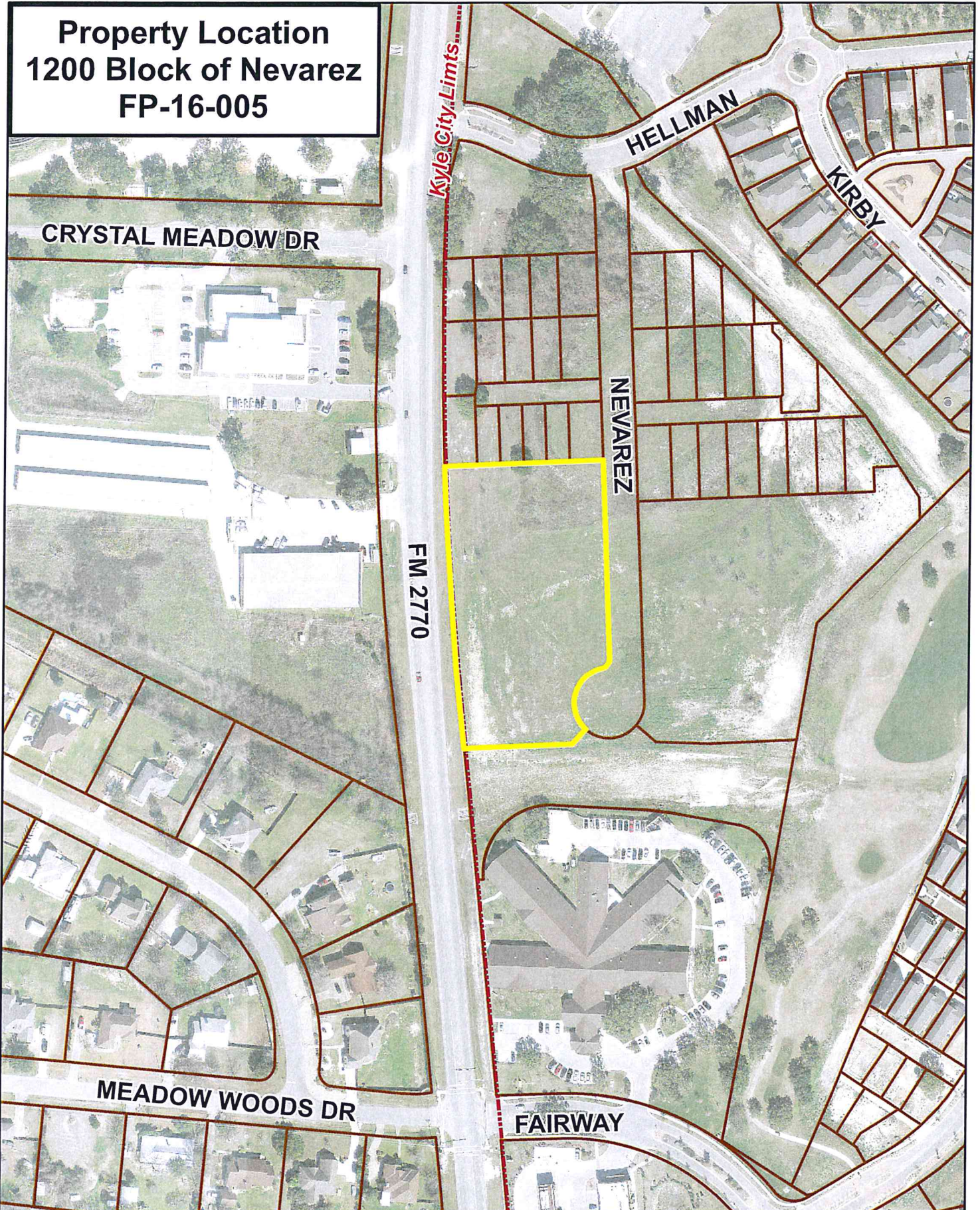

Howard J. Koontz, AICP
Director of Planning and Community Development


11/02/2016
(Date)

CONSENT AGENDA – ITEM - 5B

PLUM CREEK PHASE 1, SECTION 6B-2

Property Location
1200 Block of Nevarez
FP-16-005



 Property Boundary  Parcel Lines

PLUM CREEK PHASE I, SECTION 6B-2

STATE OF TEXAS §
 COUNTY OF TRAVIS §

KNOW ALL MEN BY THESE PRESENTS, THAT WE, PC OPERATING PARTNERS, LTD., A LIMITED PARTNERSHIP ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF TEXAS, WITH ITS HOME ADDRESS AT 610 WEST 5TH STREET, SUITE 601, AUSTIN, TEXAS 78701, BEING THE OWNER OF THAT CERTAIN 2,319 ACRE TRACT OF LAND IN THE HENRY LOLLAR SURVEY NO. 19, A-290, HAYS COUNTY, TEXAS; BEING A PORTION OF A CERTAIN CALLED 14,575 ACRE TRACT OF LAND DESIGNATED AS TRACT NINE, AND DESCRIBED IN THE DEED TO PC OPERATING PARTNERS, LTD. OF RECORD IN VOLUME 5233, PAGE 198, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS;

DO HEREBY SUBDIVIDE SAID 2,319 ACRES AS SHOWN ON THIS PLAT, AND DESIGNATED HEREIN AS THE PLUM CREEK PHASE I, SECTION 6B-2 SUBDIVISION TO THE CITY OF KYLE, TEXAS, AND WHOSE NAME IS SUBSCRIBED HERETO, HEREBY DEDICATE TO THE USE OF THE PUBLIC FOREVER PUBLIC RIGHT OF WAY AND DRAINS, EASEMENTS (EXCLUDING LANDSCAPE AREA WITHIN EASEMENTS), PARKS AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED.

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

PC OPERATING PARTNERS, LTD.
 A TEXAS LIMITED PARTNERSHIP
 BY: PCOP GP, LLC, GENERAL PARTNER
 A TEXAS LIMITED LIABILITY COMPANY
 BY: BENCHMARK LAND & EXPLORATION, INC., A MEMBER/MANAGER
 A TEXAS CORPORATION
 BY: MYRA J. GOEPP, VICE PRESIDENT

STATE OF TEXAS §
 COUNTY OF TRAVIS §

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED, MYRA J. GOEPP, VICE PRESIDENT OF BENCHMARK LAND & EXPLORATION, INC., KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT SHE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN STATED.
 GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS _____ DAY OF _____, 20____.

BY: _____ NOTARY PUBLIC

STATE OF TEXAS §
 COUNTY OF HAYS §

KNOW ALL MEN BY THESE PRESENTS:

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

OFFICE ON THE _____ DAY OF _____, 20____, A.D., IN THE PLAT RECORDS OF SAID COUNTY AND STATE IN PLAT CABINET _____ PAGE(S) _____ WITNESS MY HAND AND SEAL OF OFFICE

OF COUNTY CLERK OF SAID COUNTY ON THIS THE _____ DAY OF _____, 20____, A.D. FILED FOR RECORD AT _____ O'CLOCK _____ M. THIS THE _____ DAY OF _____, 20____, A.D.

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

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

BY: _____
 CHAIRPERSON

THIS PLAT (PLUM CREEK PHASE I, SECTION 6B-2) HAS BEEN SUBMITTED TO AND CONSIDERED BY THE PLANNING COMMISSION OF THE CITY OF KYLE, TEXAS AND IS HEREBY APPROVED BY THE COMMISSION.

DATED THIS _____ DAY OF _____, 20____.

BY: _____
 ATTEST:

SECRETARY

THIS PLAT (PLUM CREEK PHASE I, SECTION 6B-2) HAS BEEN SUBMITTED TO AND CONSIDERED BY THE CITY COUNCIL OF THE CITY OF KYLE, TEXAS AND IS HEREBY APPROVED BY THE COUNCIL.

DATED THIS _____ DAY OF _____, 20____.

BY: _____
 ATTEST:

SECRETARY

STATE OF TEXAS §
 COUNTY OF TRAVIS §

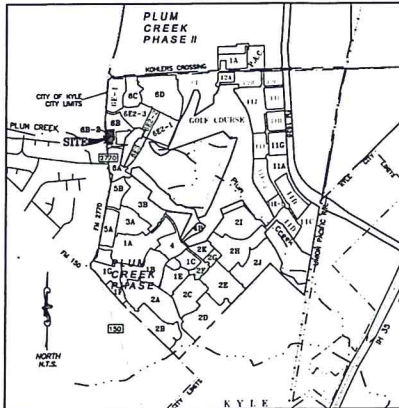
I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THE PLAT AND ALL PLANS AND SPECIFICATIONS WHICH ARE INCLUDED WITH THE PLAT ARE, TO THE BEST OF MY PROFESSIONAL CAPACITY, COMPLETE AND ACCURATE AND IN COMPLIANCE WITH ALL RELEVANT CITY ORDINANCES, CODES,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

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

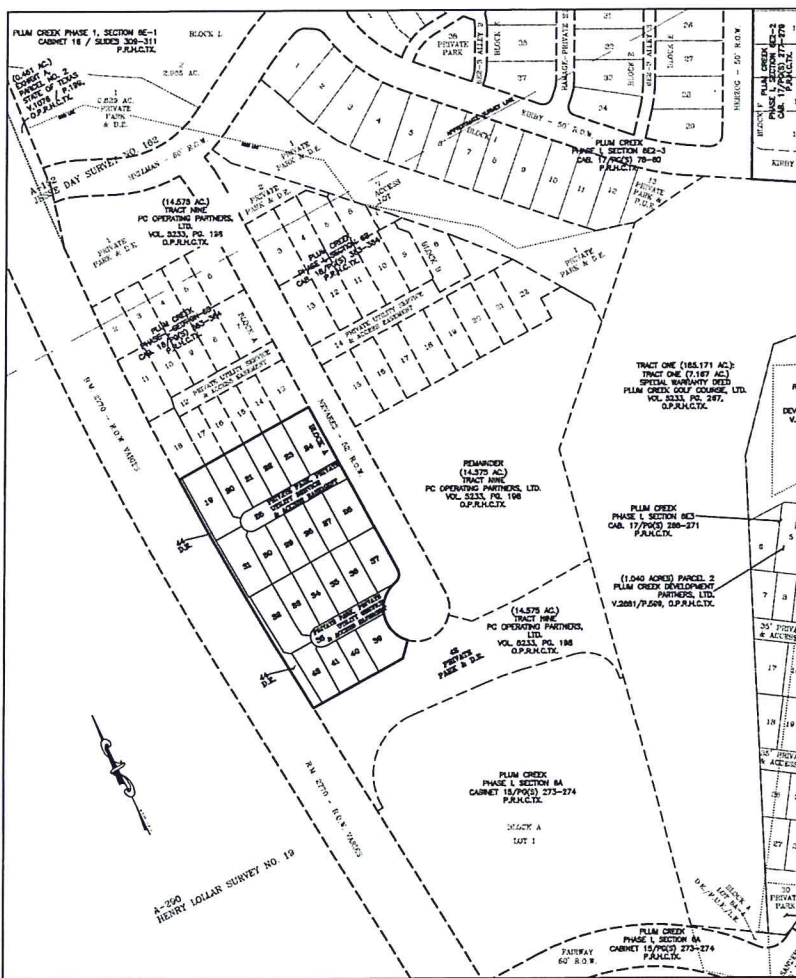
STATE OF TEXAS §
 COUNTY OF TRAVIS §

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

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



LOCATION MAP
 NOT TO SCALE



SITE MAP
 NOT TO SCALE

FLOOD NOTE:
 A PORTION OF THIS SUBDIVISION (PLUM CREEK PHASE I, SECTION 6B-2) IS CONTAINED IN THE 100 YEAR FLOOD ZONE, PER FLOOD INSURANCE RATE MAP FOR HAYS COUNTY TEXAS (UNINCORPORATED AREA) COMMUNITY-PANEL NUMBER 48059C 0270 F, EFFECTIVE DATE: SEPTEMBER 2, 2005, AS MODIFIED BY APPROVED CLOWR CASE NO. 07-06-0898R, DATED MARCH 25, 2008.

FILE: H:\SURVEY\PLUM_CRK_PH1\SECTION-6B_SEC-6B\PLATS\6B\PLUM-6B-2_FINAL_PLAT.DWG		
DATE: 11-19-15	DRAWN BY: G.T., E.N.	CREW: CAF, MK
SCALE: N.T.S.	CHECKED BY: J.D.B.	FB #:
JOB #: 5549	DRAWING #: PLUM-6B-2-PLAT	PLAN #: 1156
PCOP, LTD. REVIEW & APPROVAL	DATE _____	INITIAL _____
BIGLOW HOMES REVIEW & APPROVAL	DATE _____	INITIAL _____



Bowman Consulting Group, Ltd.
 1120 Capital of Texas Hwy, Building 3, Suite 220, Austin, Texas 78746
 Phone: (512) 327-1180 Fax: (512) 327-4082
 www.bowmanconsulting.com © Bowman Consulting Group, Ltd.
 TBPE Firm No. F-14309 | TBPLS Firm No. 101206-00

SHEET 1 OF 3

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

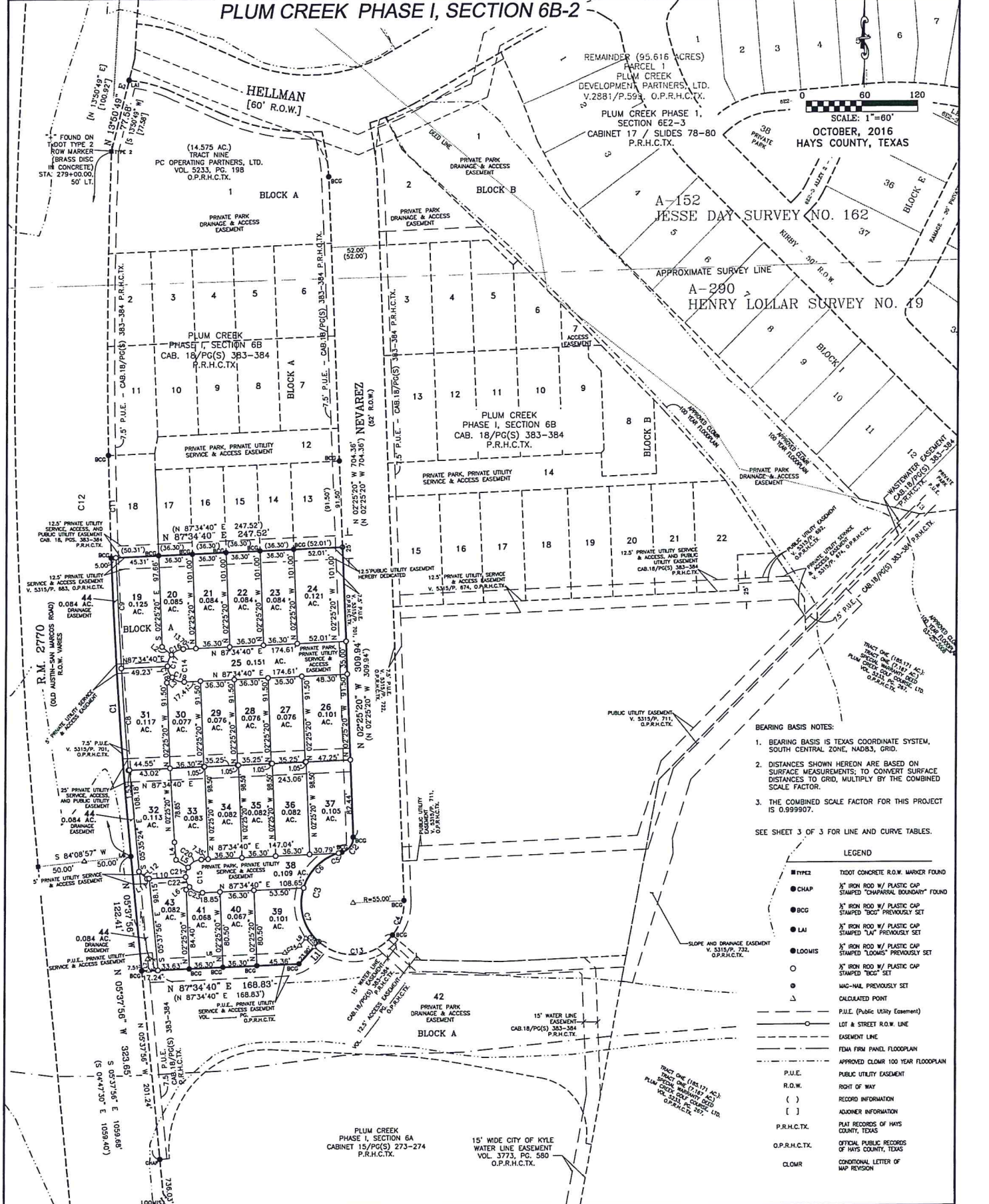
PLAN NO. 1156

PLUM CREEK PHASE I, SECTION 6B-2

REMAINDER (95.616 ACRES)
PARCEL 1
PLUM CREEK
DEVELOPMENT PARTNERS, LTD.
V.2881/P.594 O.P.R.H.C.T.X.
PLUM CREEK PHASE I,
SECTION 6E-3
CABINET 17 / SLIDES 78-80
P.R.H.C.T.X.

SCALE: 1"=60'
OCTOBER, 2016
HAYS COUNTY, TEXAS

A-152
JESSE DAY SURVEY NO. 162
APPROXIMATE SURVEY LINE
A-290
HENRY LOLLAR SURVEY NO. 19



- BEARING BASIS NOTES:**
1. BEARING BASIS IS TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD83, GRID.
 2. DISTANCES SHOWN HEREON ARE BASED ON SURFACE MEASUREMENTS; TO CONVERT SURFACE DISTANCES TO GRID, MULTIPLY BY THE COMBINED SCALE FACTOR.
 3. THE COMBINED SCALE FACTOR FOR THIS PROJECT IS 0.999907.
- SEE SHEET 3 OF 3 FOR LINE AND CURVE TABLES.

LEGEND

■ TYPE2	TWOOT CONCRETE R.O.W. MARKER FOUND
● CHAP	1/2" IRON ROD W/ PLASTIC CAP STAMPED "CHAPARRAL BOUNDARY" FOUND
● BCG	1/2" IRON ROD W/ PLASTIC CAP STAMPED "BCG" PREVIOUSLY SET
● LAI	1/2" IRON ROD W/ PLASTIC CAP STAMPED "LAI" PREVIOUSLY SET
● LOOMIS	1/2" IRON ROD W/ PLASTIC CAP STAMPED "LOOMIS" PREVIOUSLY SET
○	1/2" IRON ROD W/ PLASTIC CAP STAMPED "BCG" SET
△	MAG-NAIL PREVIOUSLY SET
○	CALCULATED POINT
—	P.U.E. (Public Utility Easement)
—	LOT & STREET R.O.W. LINE
---	EASEMENT LINE
---	FEMA FIRM PANEL FLOODPLAIN
---	APPROVED CLOUMR 100 YEAR FLOODPLAIN
---	PUBLIC UTILITY EASEMENT
---	R.O.W.
()	RECORD INFORMATION
[]	ADJONER INFORMATION
P.R.H.C.T.X.	PLAT RECORDS OF HAYS COUNTY, TEXAS
O.P.R.H.C.T.X.	OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS
CLOMR	CONDITIONAL LETTER OF MAP REVISION

FILE: H:\SURVEY\PLUM_CRK_PH1\SECTION-6B_SEC-6B\PLATS\6B\PLUM-6B-2 FINAL PLAT.DWG
 DATE: 11-19-15 DRAWN BY: G.T., E.N. CREW: CAF, MK
 SCALE: 1"=60' CHECKED BY: J.D.B. PB #:
 JOB #: 5549 DRAWING #: PLUM-6B-2-PLAT PLAN #: 1156

PCQD, LTD. REVIEW & APPROVAL DATE INITIAL
 BIGELOW HOMES REVIEW & APPROVAL DATE INITIAL
 PLOT DATE: Oct 03,2016-10:46am



Bowman Consulting Group, Ltd.
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 TBPE Firm No. F-14309 | TBPLS Firm No. 101206-00

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

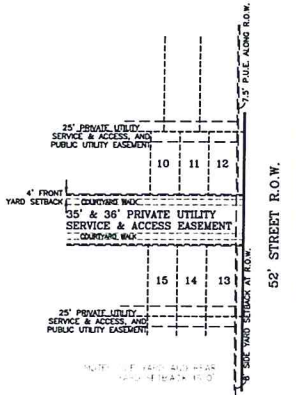
PLUM CREEK PHASE I, SECTION 6B-2

LINE TABLE		
LINE #	BEARING	DISTANCE
L1	S 41°33'15" W	31.40'
(L1)	(N 41°33'15" E)	(31.40')
L2	N 50°24'41" W	13.25'
L3	S 45°34'01" W	8.25'
L4	S 05°35'24" E	18.83'
L5	S 56°19'11" E	15.27'
L6	S 49°38'12" W	4.62'
L7	N 05°37'56" W	12.52'
L8	N 87°34'40" E	147.15'
L9	N 41°33'15" E	10.29'
L10	N 87°34'40" E	39.07'
L11	S 87°34'40" W	2.18'
L12	S 48°30'22" E	11.51'

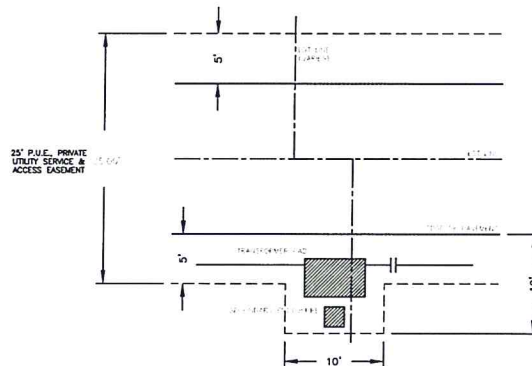
CURVE TABLE				
CURVE #	RADIUS	ARC DISTANCE	CHORD BEARING	CHORD DISTANCE
C1	5679.58'	319.45'	N 04°00'35" W	319.41'
(C1)	(5679.58')	(319.45')	(S 04°00'35" E)	(319.41')
C2	15.50'	21.58'	S 37°28'16" W	19.88'
C3	55.00'	120.77'	S 14°27'34" W	97.93'
(C3)	(55.00')	(120.77')	(N 14°27'34" E)	(97.93')
C4	55.00'	39.58'	N 18°13'17" E	38.73'
(C4)	(55.00')	(39.58')	(S 18°13'17" W)	(38.73')
C5	55.00'	3.79'	S 75°23'18" W	3.79'
C6	55.00'	54.11'	S 45°13'38" W	51.95'
C7	55.00'	62.86'	S 15°42'06" E	59.50'
C8	5674.58'	109.05'	S 04°08'44" E	109.05'
C9	5674.58'	118.51'	S 02°59'48" E	118.51'
C10	----	----	-----	----
C11	5679.58'	109.01'	N 01°50'55" W	109.01'
(C11)	(5679.58')	(109.01')	(N 01°50'55" W)	(109.01')
C12	5679.58'	752.18'	N 01°49'37" W	751.63'
(C12)	(5679.58')	(752.18')	(S 01°49'37" E)	(751.63')
C13	55.00'	89.00'	S 85°11'44" W	79.60'
(C13)	(55.00')	(89.00')	(S 85°11'44" W)	(79.60')
C14	17.50'	54.98'	S 02°25'20" E	35.00'
C15	17.50'	54.98'	S 02°25'20" E	35.00'
C16	17.50'	14.30'	S 64°10'06" W	13.91'
C17	17.50'	13.19'	S 19°10'06" W	12.88'
C18	17.50'	13.19'	S 24°00'47" E	12.88'
C19	17.50'	14.30'	S 69°00'47" E	13.91'
C20	17.50'	17.07'	S 59°37'44" W	16.40'
C21	17.50'	10.42'	S 14°37'44" W	10.26'
C22	17.50'	11.59'	S 21°23'34" E	11.38'
C23	17.50'	15.90'	S 66°23'34" E	15.36'
C24	22.50'	18.07'	N 64°33'57" E	17.59'
C25	62.50'	12.58'	S 42°40'39" E	12.56'

NOTES:

- TOTAL ACREAGE: 2.319 ACRES.
- TOTAL NUMBER OF LOTS: 25
RESIDENTIAL: 22
EASEMENT & PARK: 3
- PLAT COMPLETELY CONFORMS WITH PLUM CREEK P.U.D. ORDINANCE 311, PLUM CREEK SUBDIVISION ORDINANCE 308, & ORDINANCE 690.
- ALL UTILITIES WITHIN THE SUBDIVISION WILL BE UNDERGROUND.
- ALL PRIVATE STREETS, ALLEYS, PEDESTRIAN RIGHT-OF-WAYS, PARK/DRAINAGE EASEMENT LOTS, ACCESS EASEMENTS, AND ALL LANDSCAPE EASEMENT AREAS SHOWN ON THIS PLAT SHALL BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION (HOA) OR ASSIGNS. IT SHALL BE THE HOA'S RESPONSIBILITY FOR KEEPING SAID RIGHT-OF-WAYS, LOTS AND LANDSCAPE EASEMENT AREAS NEATLY CUT, FREE OF DEBRIS AND FREE OF ALL NUISANCE TREE/BRUSH RE-GROWTH.
- PUBLIC UTILITY EASEMENTS ARE HEREBY DEDICATED AS SHOWN HEREON.
- A 7.5 FOOT PUBLIC UTILITY EASEMENT ADJACENT TO AND PARALLEL WITH ALL PUBLIC STREETS IS HEREBY DEDICATED.
- ACCESS TO ALL PRIVATE RIGHT-OF-WAYS HEREON IS GRANTED TO CITY OF KYLE FOR THE PURPOSE OF ACCESSING AND MAINTAINING CITY OWNED FACILITIES CONTAINED THEREIN.
- THE LOT UTILITY SERVICE EASEMENTS SHOWN HEREON ARE HEREBY DEDICATED TO THE OWNERS OF THE ADJOINING RESIDENTIAL LOTS WHOSE WATER AND/OR SEWER SERVICE LINES ARE IN SAID EASEMENTS.
- PRIVATE UTILITY SERVICE LINES MAY CROSS ADJOINING LOTS WITHIN THE PUBLIC UTILITY EASEMENTS SHOWN HEREON.
- ALL FINISHED FLOOR ELEVATIONS SHALL BE A MINIMUM OF TWELVE (12) INCHES ABOVE THE ADJACENT GRADE.
- HOME BUILDER IS RESPONSIBLE FOR INSTALLING SIDEWALK IN COURTYARD AND ALONG FRONTAGE OF ALL PRIVATE OR PUBLIC STREETS. DEVELOPER IS RESPONSIBLE FOR SIDEWALK ALONG PARK STREET FRONTAGE (LOTS 25 AND 38, BLOCK A).



**TYPICAL BUILDING SETBACK
EASEMENT DETAIL**
NOT TO SCALE



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

FILE: H:\SURVEY\PLUM_CRK_PH1\SECTION-6B\SEC-6B\PLATS\6B\
PLUM-6B-2_FINAL_PLAT.DWG
DATE: 11-19-15 DRAWN BY: G.T., E.N. CREW: CAF, MK
SCALE: N.T.S. CHECKED BY: J.D.B. FB #:
JOB #: 5542 DRAWING #: PLUM-6B-2-PLAT PLAN #: 1156
PCOP, LTD. REVIEW & APPROVAL DATE: INITIAL:
BIGELOW HOMES REVIEW & APPROVAL DATE: INITIAL:
PLOT DATE: Oct 03, 2016-10:47am



Bowman Consulting Group, Ltd.
1120 Capital of Texas Hwy, Building 3, Suite 220, Austin, Texas 78746
Phone: (512) 327-1180 Fax: (512) 327-4062
www.bowmanconsulting.com © Bowman Consulting Group, Ltd.
TBPE Firm No. F-14309 | TBPLS Firm No. 101206-00

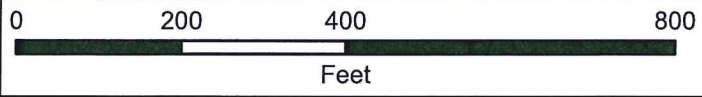
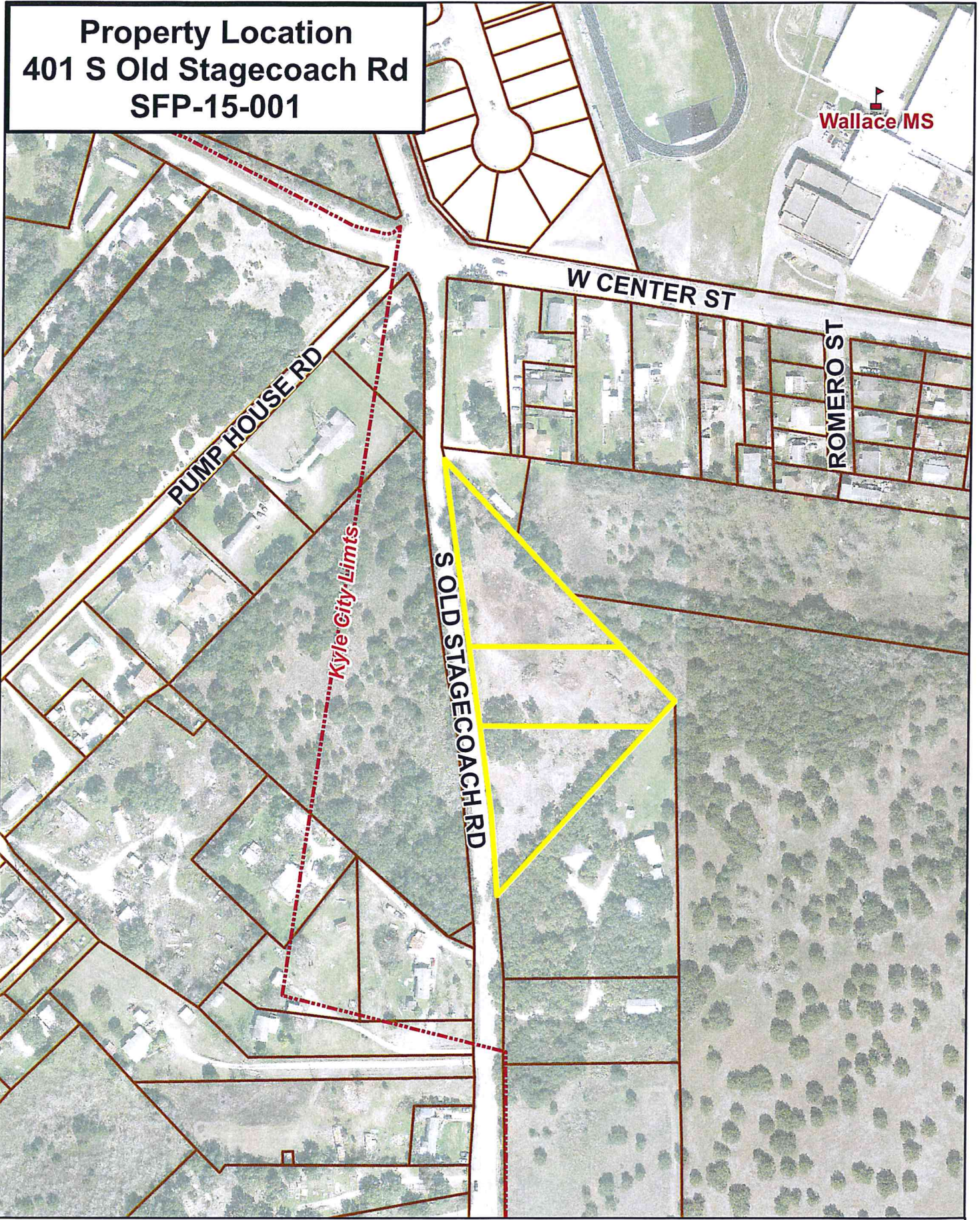
SHEET 3 OF 3
FINAL PLAT
PLUM CREEK
PHASE I - SECTION 6B-2
HAYS COUNTY, TEXAS



CONSENT AGENDA – ITEM - 5C

ESPIRITU ADDITION

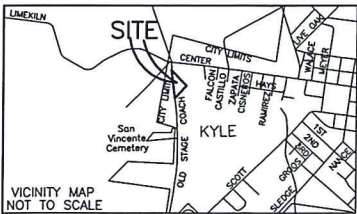
Property Location
401 S Old Stagecoach Rd
SFP-15-001

Wallace MS



 Property Boundary  Parcel Lines

FINAL PLAT OF
ESPIRITU ADDITION
 BEING 3.240 ACRES ± IN THE
 JOHN PHARASS SURVEY NO. 13,
 ABSTRACT NO. 361, CITY OF KYLE, HAYS
 COUNTY, TEXAS



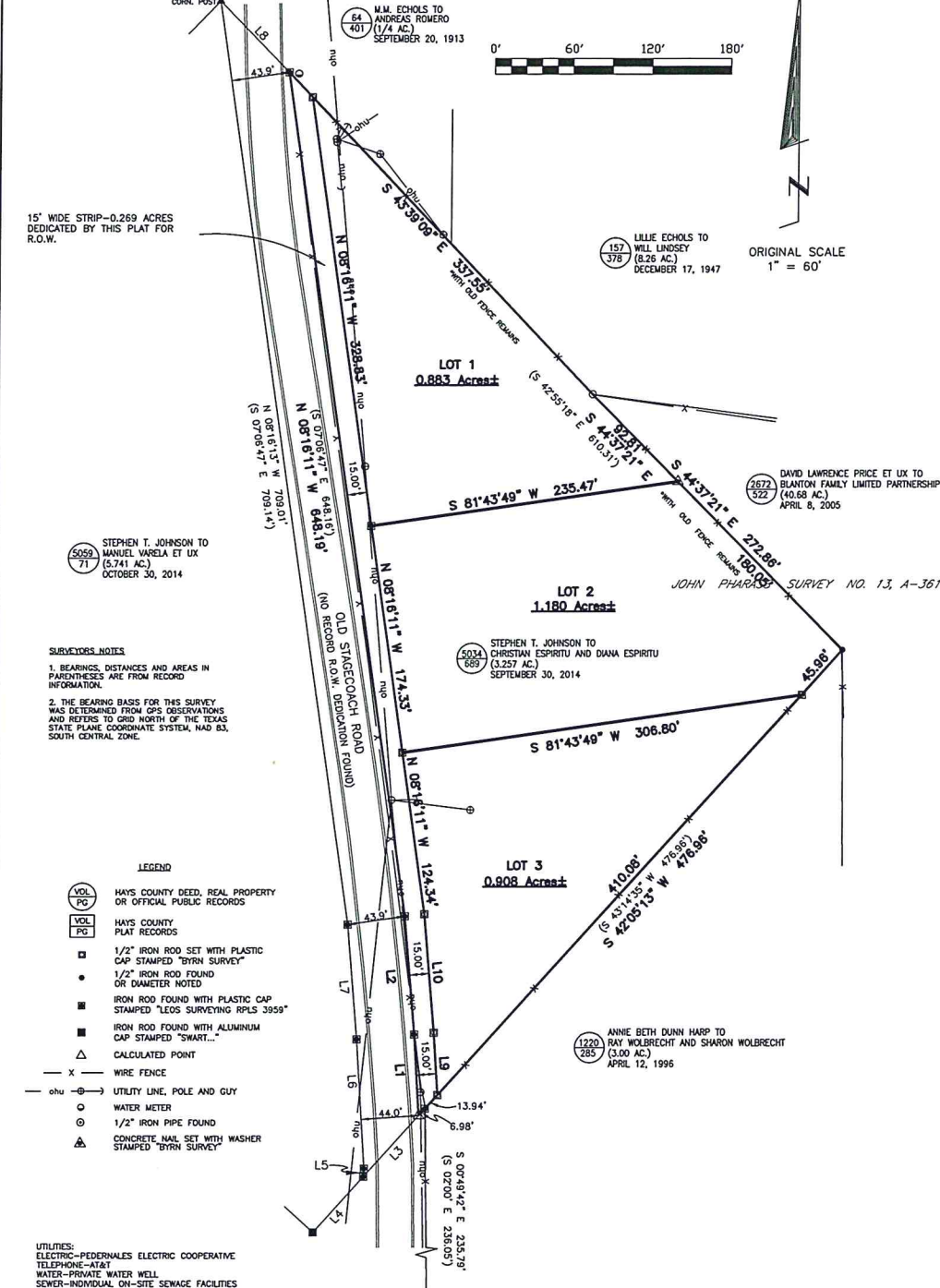
STATE OF TEXAS
 COUNTY OF HAYS

KNOW ALL MEN BY THESE PRESENTS THAT WE, CHRISTIAN AND DIANA ESPIRITU, OWNERS OF 3.257 ACRES IN THE JOHN PHARASS SURVEY NO. 13, ABSTRACT NO. 361, CITY OF KYLE, HAYS COUNTY, TEXAS, AS CONVEYED TO US BY DEED DATED SEPTEMBER 30, 2014, AND RECORDED IN VOLUME 5034, PAGE 688, HAYS COUNTY OFFICIAL PUBLIC RECORDS, DO HEREBY SUBDIVIDE THIS PROPERTY TO BE KNOWN AS ESPIRITU ADDITION, IN ACCORDANCE WITH THE PLAT SHOWN HEREON, SUBJECT TO ANY AND ALL EASEMENTS OR RESTRICTIONS HERETOFORE GRANTED, AND DO HEREBY DEDICATE TO THE PUBLIC THE USE OF THE STREETS AND EASEMENTS SHOWN HEREON.

WITNESS MY HAND, THIS THE ____ DAY OF _____, 20____

CHRISTIAN ESPIRITU
 1951 HUNTER ROAD, APT. NO. 16202
 SAN MARCOS, TX 78666
 (512) 395-7500

DIANA ESPIRITU
 1951 HUNTER ROAD, APT. NO. 16202
 SAN MARCOS, TX 78666
 (512) 395-7500



STATE OF TEXAS
 COUNTY OF HAYS

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON _____, 20____ BY _____

NOTARY PUBLIC, STATE OF TEXAS
 MY COMMISSION EXPIRES: _____

STATE OF TEXAS
 COUNTY OF HAYS

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON _____, 20____ BY _____

NOTARY PUBLIC, STATE OF TEXAS
 MY COMMISSION EXPIRES: _____

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

 DIRECTOR OF PUBLIC WORKS

THIS FINAL PLAT HAS BEEN SUBMITTED TO AND CONSIDERED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KYLE, TEXAS, AND IS HEREBY APPROVED BY SUCH PLANNING AND ZONING COMMISSION.

DATED THIS ____ DAY OF _____, 20____

 CHAIRPERSON

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

 CITY ENGINEER

I, LIZ O. GONZALEZ, COUNTY CLERK OF HAYS COUNTY, TEXAS, DO HEREBY CERTIFY THAT THIS PLAT WAS FILED FOR RECORD IN MY OFFICE ON THE ____ DAY OF _____, 20____ AT ____ O'CLOCK ____ M., AND DULY RECORDED ON THE ____ DAY OF _____, 20____ AT ____ O'CLOCK ____ M., IN THE PLAT RECORDS OF HAYS COUNTY, TEXAS IN BOOK _____ PAGE _____

LIZ O. GONZALEZ, COUNTY CLERK
 HAYS COUNTY, TEXAS

STATE OF TEXAS
 COUNTY OF HAYS

I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT, THAT IT WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND, AND THAT ALL NECESSARY SURVEY MONUMENTS ARE CORRECTLY SET OR FOUND AS SHOWN THEREON. THIS PLAT WAS PREPARED IN ACCORDANCE WITH THE CITY OF KYLE SUBDIVISION ORDINANCE #439.

PRELIMINARY, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE.

REGISTERED PROFESSIONAL LAND SURVEYOR
 KYLE SMITH, R.P.L.S. NO. 5307

STEPHEN T. JOHNSON TO MANUEL VARELA ET UX (5.741 AC.) OCTOBER 30, 2014

SURVEYORS' NOTES

1. BEARINGS, DISTANCES AND AREAS IN PARENTHESES ARE FROM RECORD INFORMATION.
2. THE BEARING BASIS FOR THIS SURVEY WAS DETERMINED FROM GPS OBSERVATIONS AND REFERS TO GRID NORTH OF THE TEXAS STATE PLANE COORDINATE SYSTEM, AND IS SOUTH CENTRAL ZONE.

- LEGEND**
- VDL PC HAYS COUNTY DEED, REAL PROPERTY OR OFFICIAL PUBLIC RECORDS
 - VOL PC HAYS COUNTY PLAT RECORDS
 - 1/2" IRON ROD SET WITH PLASTIC CAP STAMPED "BYRN SURVEY"
 - 1/2" IRON ROD FOUND OR DIAMETER NOTED
 - IRON ROD FOUND WITH PLASTIC CAP STAMPED "LEOS SURVEYING RPLS 3959"
 - IRON ROD FOUND WITH ALUMINUM CAP STAMPED "SMART..."
 - △ CALCULATED POINT
 - X WIRE FENCE
 - ○ ○ UTILITY LINE, POLE AND GUY
 - ○ ○ WATER METER
 - ○ ○ 1/2" IRON PIPE FOUND
 - △ CONCRETE NAIL SET WITH WASHER STAMPED "BYRN SURVEY"

UTILITIES:
 ELECTRIC-PEDERNALES ELECTRIC COOPERATIVE TELEPHONE-AT&T
 WATER-PRIVATE WATER WELL
 SEWER-INDIVIDUAL ON-SITE SEWAGE FACILITIES

PROPOSED LOT USES:
 LOT 1=RESIDENTIAL

- GENERAL NOTES**
1. ACCORDING TO SCALING FROM F.E.M.A. FLOOD INSURANCE RATE MAP NO. 48209C0385F, DATED SEPTEMBER 2, 2005 THIS SUBDIVISION LIES WITHIN ZONE X, (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN).
 2. ACCORDING TO SCALING FROM MAPS NO PORTION OF THIS SUBDIVISION LIES WITHIN THE BOUNDARIES OF THE EDWARDS AQUIFER RECHARGE ZONE AND NO PORTION OF THIS SUBDIVISION LIES WITHIN THE BOUNDARIES OF THE CONTRIBUTING ZONE OF THE EDWARDS AQUIFER.
 3. THIS SUBDIVISION LIES WITHIN THE HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT.
 4. THIS SUBDIVISION LIES WITHIN THE KYLE CITY LIMITS.
 5. PRIOR TO CONSTRUCTION OF ANY IMPROVEMENTS ON LOTS IN THIS SUBDIVISION, SITE DEVELOPMENT PERMITS AND BUILDING PERMITS WILL BE OBTAINED FROM THE CITY OF KYLE.
 6. THIS PLAT CONFORMS TO ORDINANCE CONDITIONS OF A SHORT FORM PLAT, WHICH MAY BE APPROVED BY THE DIRECTOR OF PLANNING. THE PLAT INVOLVES FOUR OR FEWER LOTS; NO NEW STREETS OR RIGHT OF WAY DEDICATION; NO EXTENSIONS OF UTILITIES; NO VARIANCES AND DOES NOT INVOLVE A PLAT VACATION OR REPLAT WITH A PUBLIC HEARING.
 7. OBSTRUCTIONS IN DRAINAGE EASEMENTS ARE PROHIBITED.
 8. TYPICAL LANDSCAPE MAINTENANCE, CUTTING AND TRIMMING, WITHIN THE SUBDIVISION, ALL EASEMENTS, DETENTION PONDS AND RIGHT OF WAYS TO THE PAVEMENT TO BE THE RESPONSIBILITY OF PROPERTY OWNERS AND/OR PROPERTY OWNERS ASSOCIATIONS.
 9. SIDEWALKS, PEDESTRIAN CROSSINGS AND OTHER PUBLIC AMENITIES TO BE DEDICATED TO THE CITY OF KYLE SHALL MEET OR EXCEED ALL 2010 ADA STANDARDS OF ACCESSIBILITY DESIGN AND ALL CURRENT FEDERAL AND STATE LAWS REGARDING ACCESS FOR PEOPLE WITH DISABILITIES FOR TITLE II ENTITIES.

LINE	BEARING	DISTANCE
L1	N 03°42'41" W (N 02°28'28" W)	61.69' (61.72')
L2	N 04°57'42" W (N 03°47'33" W)	89.74' (89.73')
L3	S 42°05'25" W (N/A)	62.36' (N/A)
L4	S 42°05'25" W (S 43°14'35" W)	56.97' (57.20')
L5	N 02°07'48" E (N 01°38'55" E)	6.14' (6.00')
L6	N 03°38'29" W (N 02°28'05" W)	98.16' (98.10')
L7	N 04°53'46" W (N 03°44'38" W)	87.17' (87.14')
L8	N 44°06'22" W (N 42°55'18" W)	75.07' (75.20')
L9	N 03°42'41" W	47.26'
L10	N 04°57'42" W	90.33'

BYRN & ASSOCIATES, INC.
ENGINEERS SURVEYORS
 P.O. BOX 1433 SAN MARCOS, TEXAS 78667
 PHONE 512-396-2270 FAX 512-392-2945

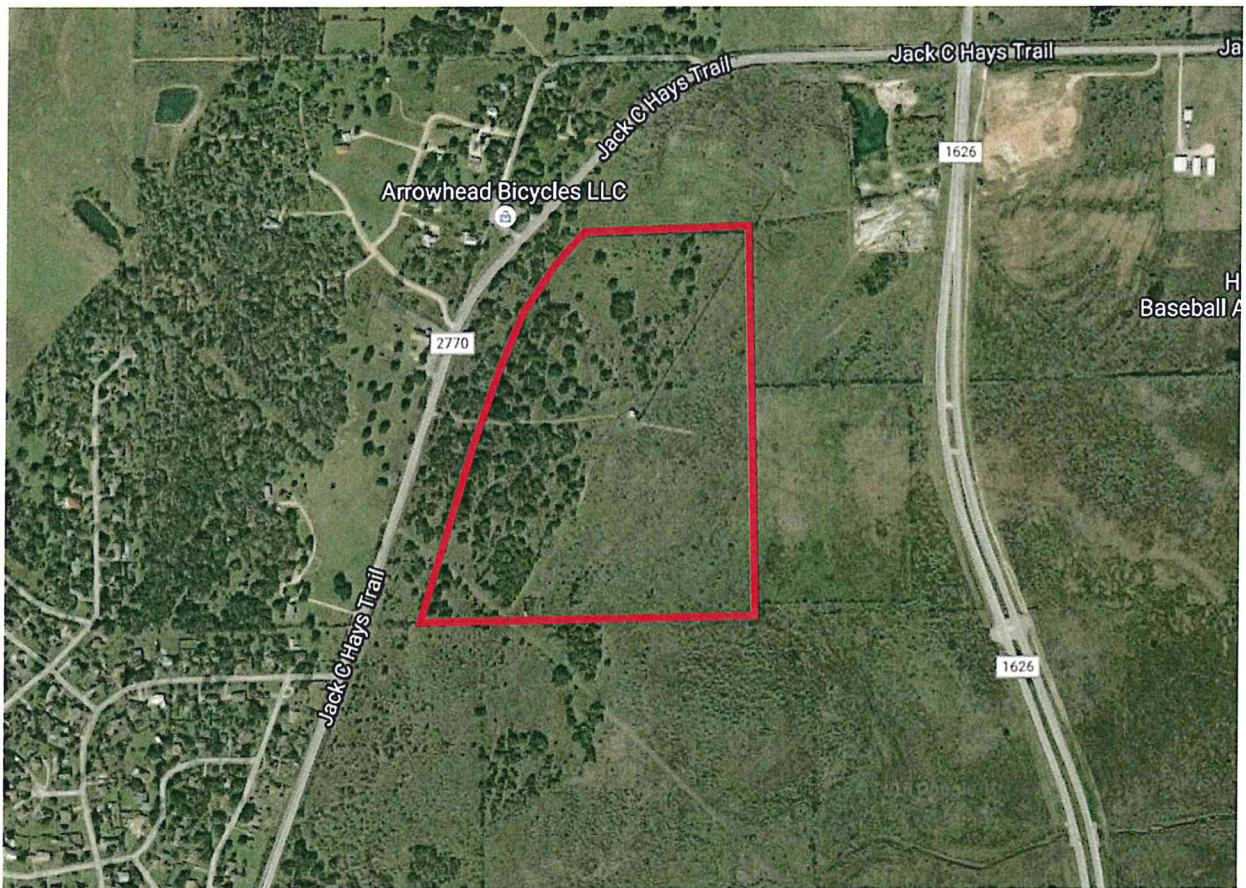
CLIENT: ESPIRITU, CHRISTIAN
 DATE: DECEMBER 18, 2014
 OFFICE: R. SCHULTE
 CREW: C. SMITH, Z. HADEN
 FB/PG: 724/73
 PLAT NO. 27134-14-c

ZONING – ITEM 6A

LENNAR HOMES OF TEXAS LAND AND CONSTRUCTION, LTD.

Property Location	4700 Block of FM 2770 (Southwest of the intersection of 2770 & 1626)
Petitioner/Owner	Lennar Homes of Texas Land & Construction, Ltd. 12401 Research Blvd., Bldg. 1, #300 Austin, Texas 78759
Request	Apply inaugural zoning 'PC R-2' (Plum Creek Residential PUD district) to 51.48 acres

Vicinity Map



Property Description

The site is located approximately in the 4700 block of Jack C Hays Trail (FM 2770), the nearest cross-street being the intersection of 2770 and 1626 to the northeast. The property, comprising 51.48 acres, is currently located in Kyle's extraterritorial jurisdiction (ETJ), and is the site of a several hundred-foot-tall radio antenna. The property owner has applied for a voluntary annexation, which is due to be finalized by the Mayor & City

Council in December 2016. Upon annexation, the property will by default be assigned 'A' (Agriculture) zoning. Property to the west (across FM 2770) is located in unincorporated Hays County (in the Mountain City ETJ), property to the north and east is zoned 'A' (Agriculture), and the property to the east and south is zoned PC R-2.

Rezoning Request

This lot is currently located in the county, developed with an FM radio tower of several hundred feet. The antenna will be obsoleted and removed from service in the near future. Once removed, the property owner will incorporate these 51.48 acres into the existing Plum Creek PUD already located to the east and south of the site. Specifically, the applicant seeks to assign PC R-2 zoning, a residential district that matches the existing adjacent zoning.

Conditions of the Zoning Ordinance

§53, Exhibit 'A', Article 2, Part A, Section 4 – *Additional development and amendment guidelines for Plum Creek PUD*

...

(C) *Substantial amendment to Plum Creek PUD.* A substantial amendment to the Plum Creek PUD master plan shall be effective only if approved by the planning commission and the city council. An application for a substantial amendment to the adopted Plum Creek PUD master plan shall be made to the planning commission and the city council for consideration. For purposes of this subsection, the following are substantial amendments to the adopted Plum Creek PUD master plan:

(1) Adding land area to, or otherwise including more land, in the Plum Creek PUD;

- (2) Including a more intense land use not previously permitted in the Plum Creek PUD, or including a more intense use permitted in the Plum Creek PUD in an area for which such use is not shown on the Plum Creek PUD master plan;
- (3) Amending any site development regulation established by the adopted Plum Creek PUD master plan;
- (4) Altering a land use adjacent to a platted single-family residential tract to a more intense land use than was previously approved;
- (5) Amending any condition of approval of or approved variance to the Plum Creek PUD;
- (6) Increasing the land use intensity within any phase of the Plum Creek PUD without a corresponding and equivalent decrease in some other portion of the Plum Creek PUD; or
- (7) Providing for an incompatible use to abut any other planned use, except as set forth on any zoning map or plat applicable to the Plum Creek PUD and approved by the city council.

If the city engineer determines a proposed amendment to the adopted Plum Creek PUD master plan is not a substantial amendment, the city engineer may approve the

amendment within 30 days of its submittal without planning commission or city council action; provided that a subdivision plat for such area has been approved by the commission and city council and such proposed amendment is not inconsistent with the approved master plan, or such approved plat or plats and is a "plat amendment" pursuant to section 9(c) of the Plum Creek PUD subdivision ordinance. An application to amend the adopted Plum Creek PUD master plan pursuant to this subsection shall include all applicable requirements established by article II, part C.

Comprehensive Plan Text

The subject site is not represented in the City's Comprehensive Plan Future Land Use Map, as during the comprehensive planning process, the land was known to exist outside the city's boundary, and straddling the border between the Kyle and Mountain City ETJ. For the purpose of this exercise, it is located adjacent to the 'New Town Community' character area. In 'New Town Community', all residential categories of at least Type II construction are either recommended or conditionally recommended.

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

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

Recommendation

In this case, the applicant's request to expand the boundaries of the Plum Creek PUD and assign PC R-2 zoning to this parcel is completely appropriate. The request is harmonious with surrounding land uses, both inside and outside the city's limits, and

complements the expected development pattern for this portion of the city. Staff recommends the Commission approve the application, as presented.

Attachments

- Application
- Vicinity map of the subject property

APPLICATION & CHECKLIST – ZONING CHANGE

Zoning: Lennar Homes of Texas Land and Construction, Ltd September 1, 2016
(Name of Owner) (Submittal Date)

INSTRUCTIONS:

(Z-16-008)

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

REQUIRED ITEMS FOR SUBMITTAL PACKAGE:

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

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

CITY OF KYLE

SEP 01 2016

Newspaper Publication Fee: \$190.21

Total Fee: \$804.63

PLANNING DEPARTMENT

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

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

1. Zoning Request:

Current Zoning Classification: Un-zoned
Proposed Zoning Classification: PC R-2
Proposed Use of the Property: Residential Subdivision
Acreage/Sq. Ft. of Zoning Change: 51.48 Acres / 2,242,469 Sq. Ft.

2. Address and Legal Description:

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

Street Address: N/A

Subdivision Name/Lot & Block Nos.: Morton M McCarver Survey, Tract 1, Parcel 2, Acres 51.48

Property Recording Information: Hays County
Volume/Cabinet No. 5233

Page/Slide No. 155/15017107

3. Ownership Information:

Name of Property Owner(s): Lennar Homes of Texas Land and Construction, Ltd

Contact: Ryan Mattox

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

Address of Owner: 12401 Research Blvd. Bldg. I Suite 300

Austin, Texas 78759

Phone Number: 512-531-1375

Fax Number: _____

Email Number: ryan.mattox@Lennar.com

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

Signed: 

Date: 8/30/2016

4. Agent Information:

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

Agent's Name: Judd Willmann, P.E. - LandDev Consulting, LLC

Agent's Address: 5508 HWY 290 West, Suite 215

Austin, TX 78735

Agent's Phone Number: 512-872-6696

Agent's Fax Number: _____

Agent's Mobile Number: _____

Agent's Email Number: Judd.Willmann@LandDevConsulting.com

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

Owner's Signature: 

Date: 8/30/2016

*Do Not Write Below This Line
Staff Will Complete*

Tax Certificates: County School City

Certified List of Property Owners Within 200'

All Fees Paid: Filing/Application Mail Out Costs

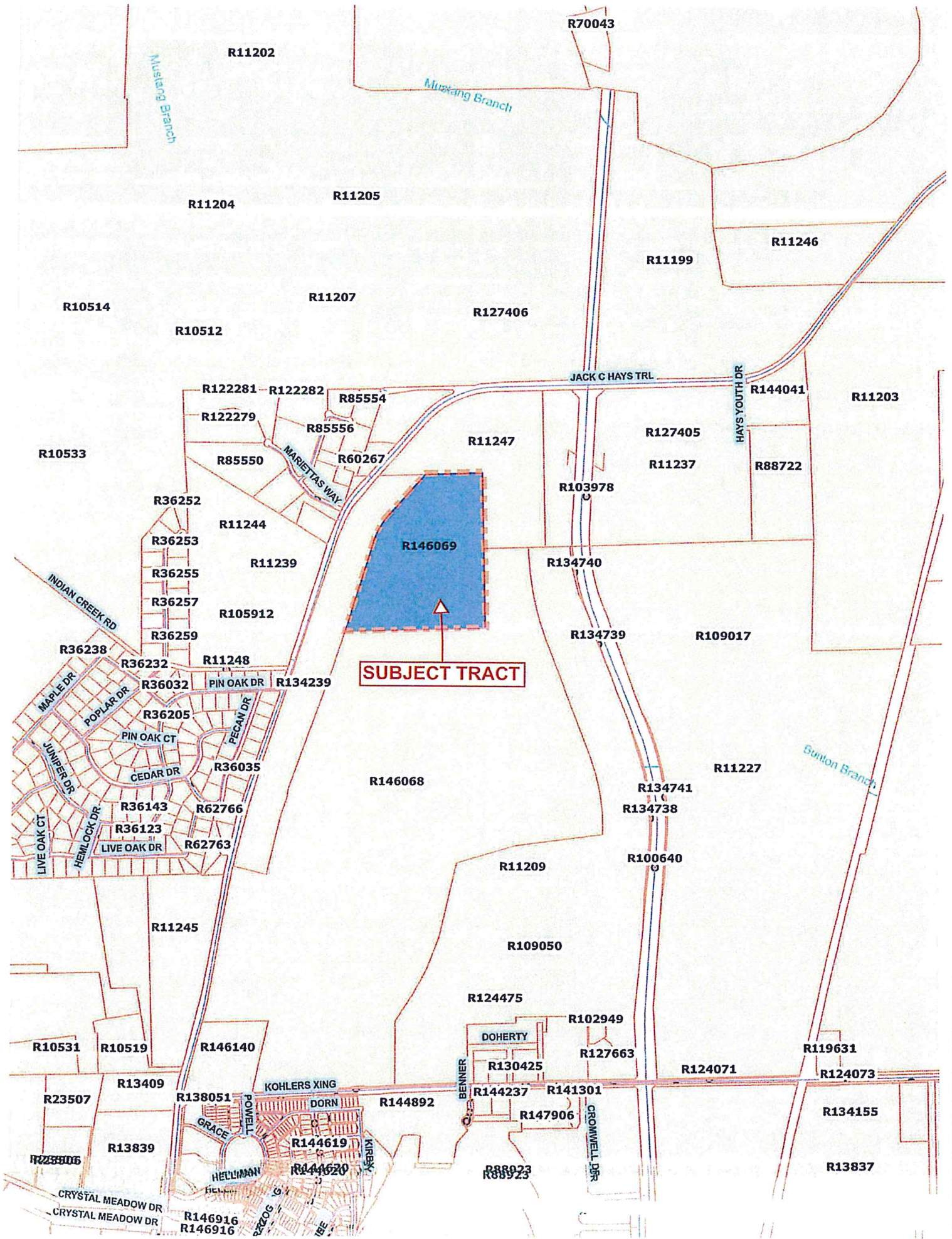
Attached Map of Subject Property

Accepted for Processing By: Debbie A. Guerra Date: 9/1/14

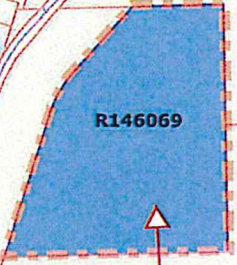
Date of Public Notification in Newspaper: 10/19/14

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

Date of Public Hearing Before City Council: 11/15/14 & 12/4/14



SUBJECT TRACT



R146069

R70043

R11202

R11204

R11205

R11207

R127406

R10514

R10512

R11199

R11246

R122281

R122282

R85554

R122279

R85556

R60267

R11247

R127405

R144041

R11203

R10533

R85550

R103978

R11237

R88722

R36252

R11244

R36253

R11239

R36255

R105912

R36257

R36259

R134740

R134739

R109017

INDIAN CREEK RD

SUBJECT TRACT

R11248

R36032

R134239

R36205

R36035

R146068

R11227

MAPLE DR

POPLAR DR

PIN OAK CT

CEDAR DR

LIVE OAK CT

HEMLOCK DR

LIVE OAK DR

R36143

R62766

R36123

R62763

R11245

R11209

R109050

R134741

R134738

R100640

Stanton Branch

R10531

R10519

R146140

R124475

R102949

DOHERTY

R130425

R127663

R119631

R124071

R124073

R23507

R13409

R138051

KOHLERS XING

R144892

BENNER

R144237

R141301

R147906

R134155

R23806

R13839

HELLMANN

R144619

R144620

R88923

R13837

CRYSTAL MEADOW DR

CRYSTAL MEADOW DR

R146916

R146916

POWELL

GRACE

HELLMANN

POWELL

GRACE

HELLMANN

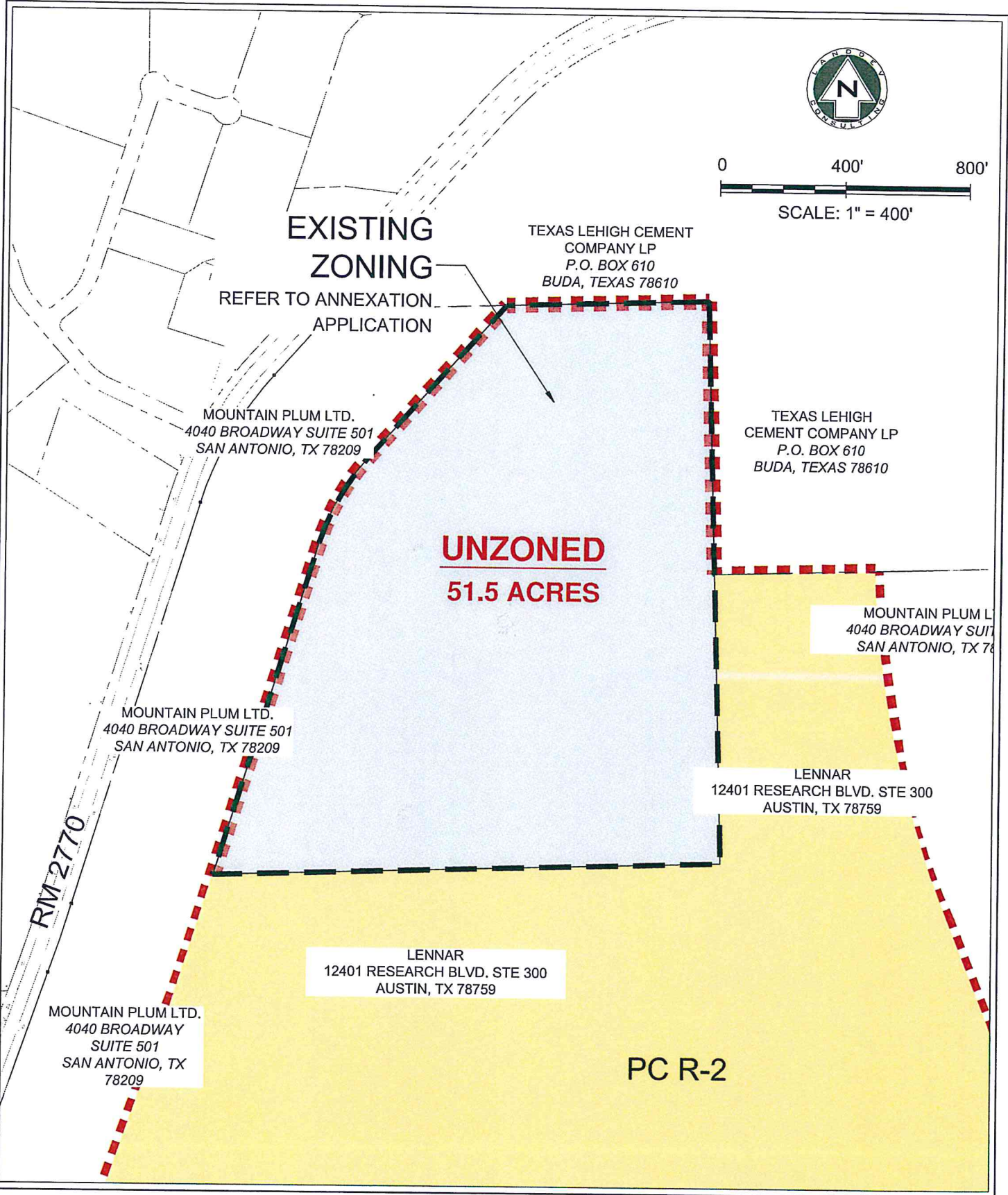
POWELL

GRACE

HELLMANN

POWELL

P:\Lennar\LEN15001_Plum Creek\03_ACAD\Exhibits\zoning exhibit.dwg, September 01, 2016, 9:00 AM, Kristen



EXISTING ZONING EXHIBIT
PLUM CREEK ~ PHASE 2
KYLE, TEXAS
SEPTEMBER, 2016

LENNAR

LAND DEV
CONSULTING, LLC
OFFICE: 512.872.6696
FIRM NO. 16384

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SCALE: 1" = 400'

PROPOSED ZONING

REFER TO ANNEXATION APPLICATION

TEXAS LEHIGH CEMENT COMPANY LP
P.O. BOX 610
BUDA, TEXAS 78610

TEXAS LEHIGH CEMENT COMPANY LP
P.O. BOX 610
BUDA, TEXAS 78610

MOUNTAIN PLUM LTD.
4040 BROADWAY SUITE 501
SAN ANTONIO, TX 78209

PC R-2
51.5 ACRES

MOUNTAIN PLU
4040 BROADWAY
SAN ANTONIO, T

MOUNTAIN PLUM LTD.
4040 BROADWAY SUITE 501
SAN ANTONIO, TX 78209

LENNAR
12401 RESEARCH BLVD. STE 300
AUSTIN, TX 78759

LENNAR
12401 RESEARCH BLVD. STE 300
AUSTIN, TX 78759

MOUNTAIN PLUM LTD.
4040 BROADWAY
SUITE 501
SAN ANTONIO, TX
78209

PC R-2

RM 2770



PROPOSED ZONING EXHIBIT
PLUM CREEK ~ PHASE 2
KYLE, TEXAS
SEPTEMBER, 2016

LENNAR

LAND DEV
CONSULTING, LLC
OFFICE: 512.872.6696
FIRM NO. 16384

ZONING – ITEM 4B

THE MEADOWS OF KYLE II, LTD.



CITY OF KYLE

Community Development Department



MEMORANDUM

To: Kyle Planning Commission

From: Howard Koontz, Community Development Director

Date: 11/7/2016

Subject: Z-16-009, 52.990 acres of R-1-2 to R-1-A

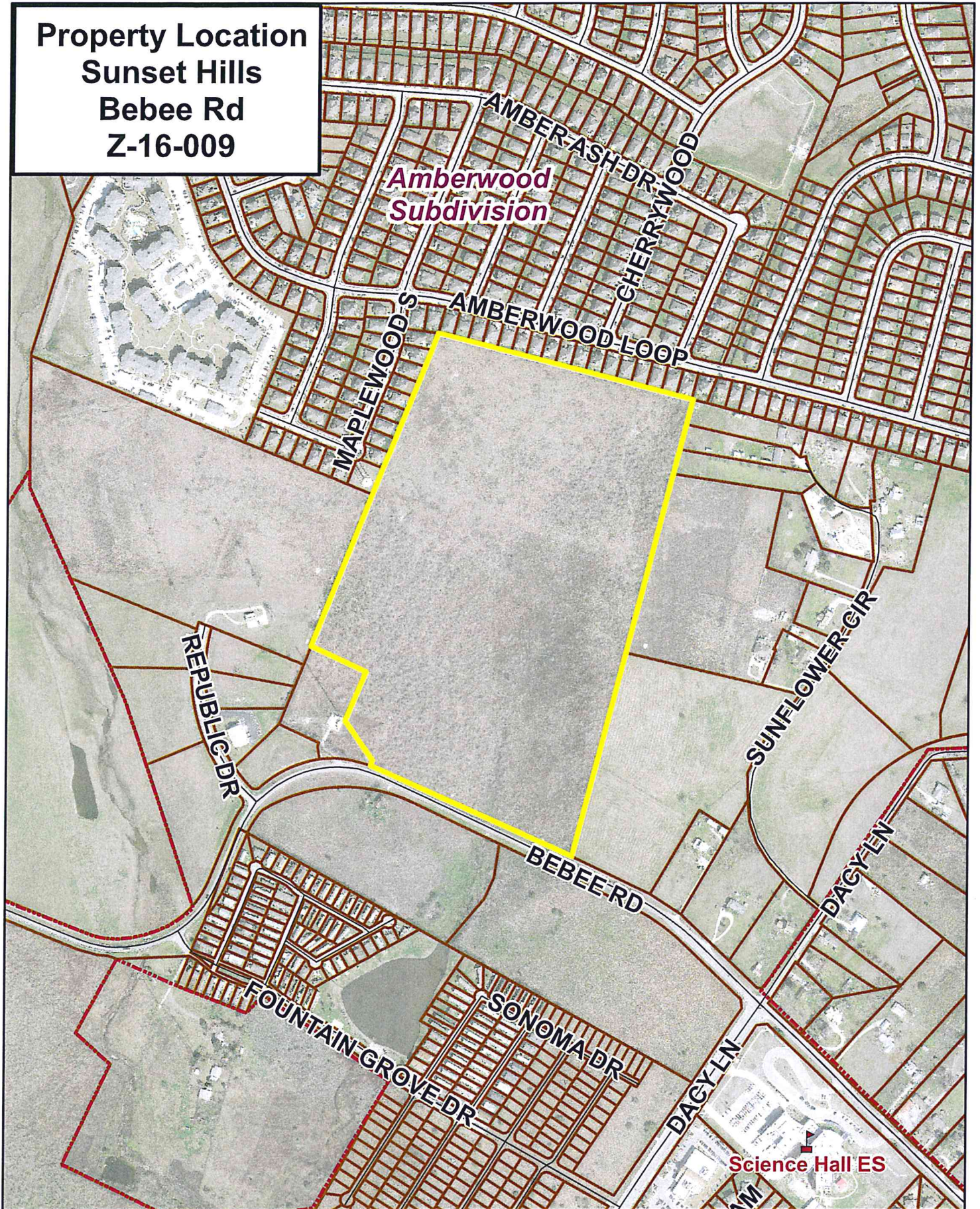
The applicant for this rezoning, Brad Whittington of The Meadows of Kyle II, Ltd., in conjunction with staff, has requested that this item be postponed to the next regular business meeting of the Planning and Zoning Commission, currently scheduled for December 13th, 2016 at 6:30 P.M.

The terms and requirements of the R-1-A zoning district are proposed to be amended, beginning at a Special Called Meeting of this Commission on November 22, 2016. Mr. Whittington's application stands to be impacted by the product of that amendment, and for that reason he would prefer that this request before you be delayed until after that text amendment has been finalized.

Staff recommendation is that the commission hear and deliberate the item at the next regular business meeting; however, if it is the desire of the Commission, applicant, or audience member to speak about the item, then the duly advertised Public Hearing can be opened for the purpose of that discussion. In the interim, the Public Hearing should remain open until final deliberation at the December meeting.

Property Location
Sunset Hills
Beebe Rd
Z-16-009

Amberwood
Subdivision



Property
Boundary



Parcel Lines

CONSIDER AND POSSIBLE ACTION – ITEM 7A

BIOLIFE LANDSCAPE WAIVER REQUEST



CITY OF KYLE

Community Development Department



MEMORANDUM

TO: Planning Commission

FROM: William A. Atkinson- City Planner

DATE: November 7, 2016

SUBJECT: Landscaping Variance, BioLife Plasma Services

REQUEST

The applicant seeks to construct a 16,686 square foot, one-story, single-tenant facility along Seton Parkway,

LOCATION

The property is located 906 Seton Parkway on the east side of IH-35, behind Warm Springs Rehabilitation Hospital and across Seton Parkway from Goodwill Industries (under construction).

OVERLAY DISTRICT

The I-35 overlay district. The Interstate Highway 35 corridor conditional use overlay district (the I-35 overlay district) extends from the northernmost city limit boundary at I-35 to the southernmost city limit boundary at I-35, and includes all real property within 1,500 feet of the outer most edge of the highway right-of-way of I-35. On the October 11th Planning & Zoning Commission meeting, the conditional use permit was approved, regarding the renderings/elevations for the BioLife building.

TEXT OF THE LANDSCAPING ORDINANCE

Sec. 53-988. Landscaping Requirements

A minimum percentage of the total lot area shall be devoted to landscape development in accordance with the following schedule:

R-1-T, R-1-C, R-3-1, R-3-2, R-3-3, CBD-1	20%
R-1-1, R-1-2, R-1-A, R-2, M-1, M-2, M-3	Note 1

CBD-2, RS, E, TU (SIC code 48811900 only)	15%
W, CM	15%
PUD	Note 2
Agricultural	None
Private and public park/public area	20%

Contingent upon approval of parking increases from the Board of Adjustment, the Planning & Zoning Commission will decide upon 3 landscaping waiver requests, with the minimum of the required 58 trees. This is due to 2 reasons. BioLife's parcel has an existing retaining wall cutting through a portion of the property and the location of existing underground utilities also cause potential issues. **It should be noted that while locations for planting trees is limited, the previous (landscaped) area still exceeds the minimum 15% for R/S with a total of 27.8%, landscaped.**

Sec. 53-990. - Placement.

"Landscaping shall be placed upon that portion of a tract or lot that is being developed. **Fifty percent of the required landscaped area and required plantings shall be installed between the front property lines and the building being constructed.** Undeveloped portions of a tract or lot shall not be considered landscaped, except as specifically approved by the planning and zoning commission. Landscaping placed within public rights-of-way shall not be credited to the minimum landscape requirements by this article.

(Ord. No. 438, § 61(g), 11-24-2003)"

Due to the unique shape of the parcel, pre-existing buried utility lines along the front property line, BioLife Plasma Services is requesting a waiver to allow the landscaping to be spread throughout the site, instead of the requirement of 50% of the landscaping between the front property lines and the building being constructed. Trees are not allowed to be planted over buried utilities.

Sec. 53-992- Additional Required Plantings

“For every 600 square feet of landscape area required by this article, two trees and four shrubs shall be planted. **To reduce the thermal impact of unshaded parking lots, additional trees shall be planted, if necessary, so that no parking space is more than 50 feet away from the trunk of a tree, unless otherwise approved by the planning and zoning commission.** This section shall not apply to any property included in any of the following zoning categories: A, UE, R-1-1, R-1-2, or R-1-A.

(Ord. No. 438, § 61(i), 11-24-2003)”

All of the lot has canopy or over story trees within 50’ of parking spaces with the exception of the lot on the back or east side of the building. The parking area is designed to be on top of preexisting buried utility lines and is against the foot of the retaining wall. The total area between the east wall of the building, drive aisle (emergency vehicle access) and the parking spaces, leave no room for landscaping to be planted. Specifically, trees are not allowed to be planted over buried utility lines. BioLife Plasma Services is asking for a waiver to not plant landscaping in the afore mentioned area.

Additionally, the intent of Sec. 53-992 is to provide 2 **canopy or shade trees** for every 600 square feet, to maximize shade over parking areas. Due to space limitations, BioLife is requesting a waiver to allow 27 of the 58 trees to be allowed as understory trees. As mentioned previously, the remaining 31 trees are canopy trees and within 50’ of parking spaces.

STAFF ANALYSIS

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

1. The proposed building meets the intent of the retail services zoning standards for the building and site work; with the exception of parking requirements.

Current Retail Services zoning allows for 67 parking spaces with a 150% maximum of 101 spaces. BioLife Plasma Services attended & intended to request 156 spaces on the October 3rd Board of Adjustment meeting, as to meet the public notice requirement. However, the Board of Adjustment did not have the appropriate quorum to consider a vote. The Board of Adjustment will hear BioLife Plasma Services’ request on the November 2nd meeting.

2. Contingent upon approval of parking increases from the Board of Adjustment, the Planning & Zoning Commission will decide upon 3 landscaping waiver requests, with the minimum of the required 58 trees. This is due to 2 reasons. BioLife’s parcel has an existing retaining wall cutting through a portion of the property and the location of existing underground utilities also cause potential issues.

ATTACHMENTS

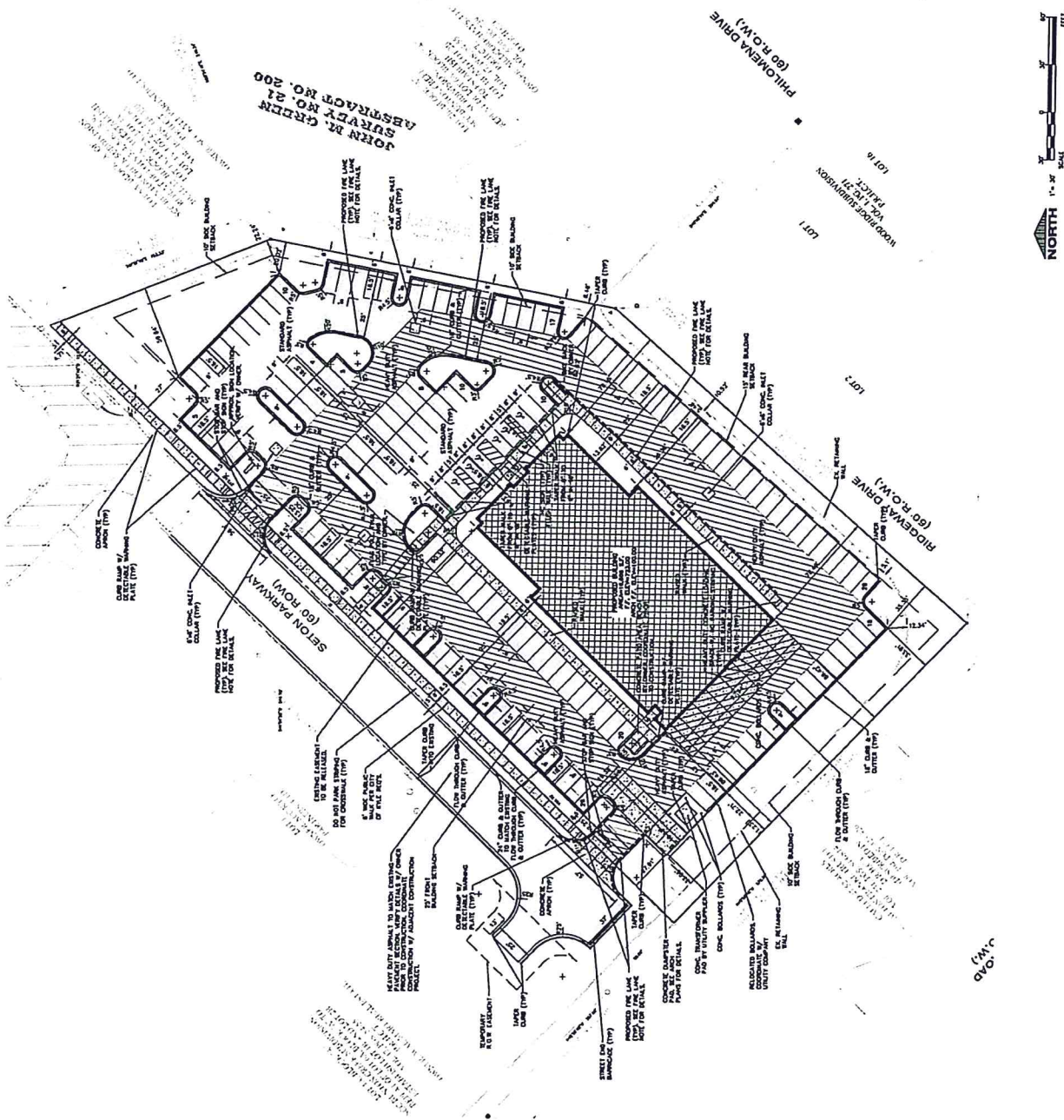
1. Site plan
2. Landscape plan
3. Summary Letter



PROPOSED CENTER FOR:
BIOLIFE PLASMA SERVICES, L.P.
 LOT 2, SCC BUNTON CREEK SUBDIVISION, KYLE, TX 78640

PRELIMINARY DATES
 SEPTEMBER 8, 2016
 SEPTEMBER 29, 2016
 OCTOBER 25, 2016

NOT FOR CONSTRUCTION
 SHEET INFORMATION
 SITE PLAN
C1.2



SITE INFORMATION:

LEGAL DESCRIPTION: L#124 REPLAY OF LOT 10 OF THE SCC BUNTON CREEK SUBDIVISION, REPLAY OF LOT 61, BLOCK A, according to the plat of the same, recorded in Volume 10, Page 211, Phil (Revised), Hart County, Texas.

PROPERTY AREA: AREA = 116,179 SF. (2.67 ACRES)

EXISTING ZONING: R/3 W/ 1-3 OVERLAY

PROPOSED ZONING: R/3 W/ 1-3 OVERLAY

PROPOSED USE: MEDICAL CLINIC-BLOOD/PLASMA DONATION

AREA OF SITE DISTURBANCE: 2.81 AC (INCL. STREET/BIORUNWAY)

SETBACKS: BUILDING: FRONT = 25'
 REAR = 15'
 SIDE = 10'

PARKING: FRONT = 0'
 REAR = 0'

PROPOSED BUILDING HEIGHT: 22' (MAX HEIGHT 45')

PARKING REQUIRED: 1 SPACES PER 200 SF. (87 SPACES REQ)

PARKING PROVIDED: 156 SPACES (6 H.C. ACCESSIBLE)

HANDICAP STALLS REQUIRED: 6, HANDICAP STALLS PROVIDED: 6

CLASS OF BUILDING CONSTRUCTION: II-B

LANDSCAPE REQUIREMENTS: MIN. LANDSCAPE SURFACE RATE: 13%
 MAXIMUM LOT COVERAGE - BUILDING ONLY: 60%
 WATERSHED: PLUM CREEK

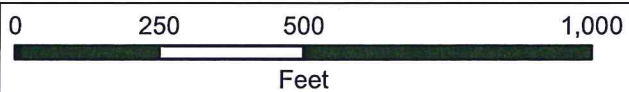
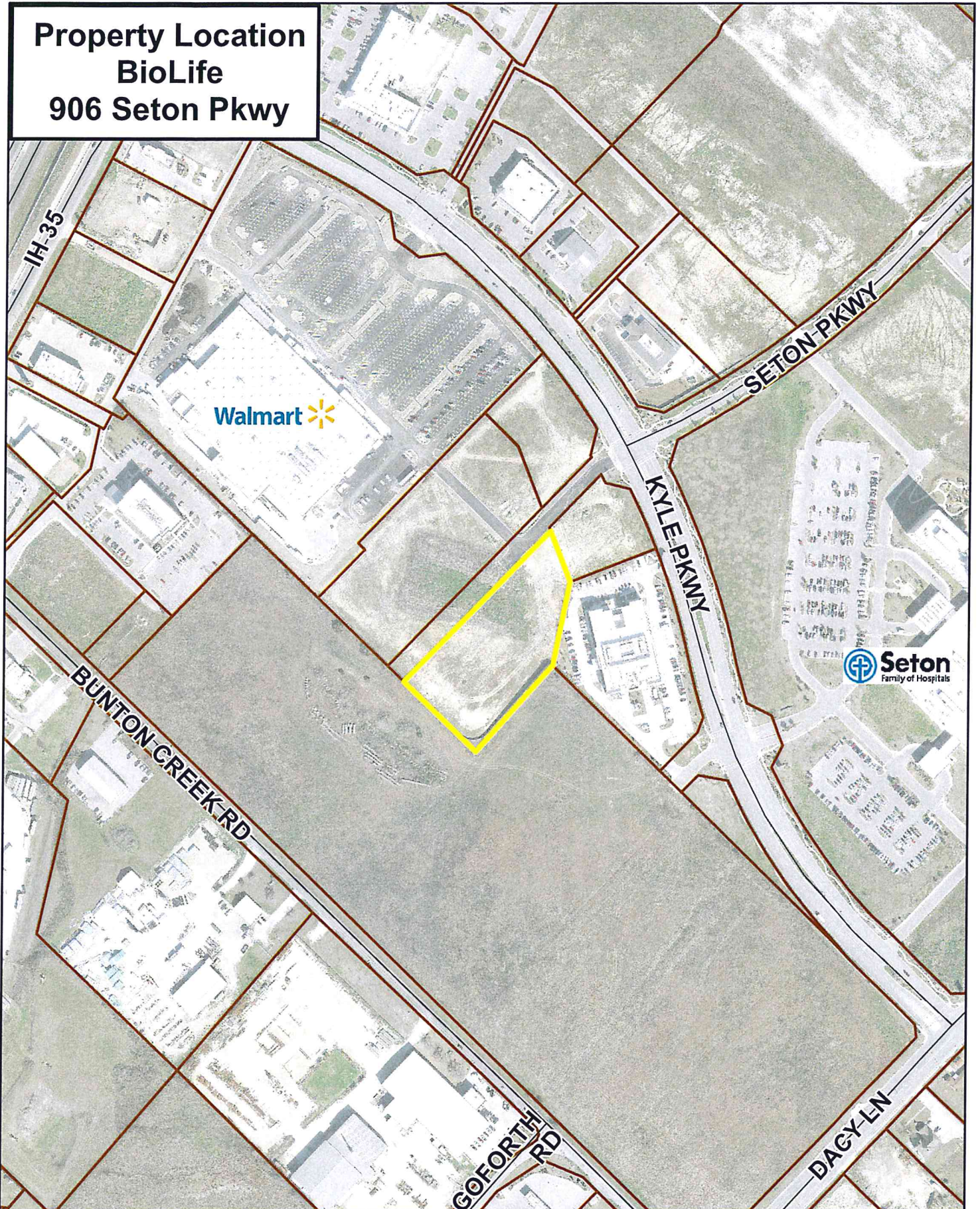
EXISTING SITE DATA			
PROJECT SITE AREA	AREA (AC)	AREA (SQ FT)	8430
PARKING (LAP & CONC)	3.87	168,179	0
TOTAL IMPROVED	0.00	0	0
UNIMPROVED OPEN SPACE	0.00	0	10,000
	2.81	122,179	

PROPOSED SITE DATA			
PROJECT SITE AREA	AREA (AC)	AREA (SQ FT)	8430
PARKING (LAP & CONC)	3.87	168,179	14,400
TOTAL IMPROVED	3.87	168,179	14,400
UNIMPROVED OPEN SPACE	1.93	84,989	72,781
	0.11	4,780	27,800

LEGEND: THE SHADING INDICATES THE PROPOSED IMPROVEMENTS TO THE SITE. THE UNIMPROVED AREAS SHALL BE MAINTAINED AS EXISTING UNLESS OTHERWISE NOTED. THE IMPROVEMENTS SHALL BE CONSTRUCTION OF A FINE LANE CONCOURSE AND LIGHT RAILWAY. THE IMPROVEMENTS SHALL BE CONSTRUCTION OF A FINE LANE CONCOURSE AND LIGHT RAILWAY. THE IMPROVEMENTS SHALL BE CONSTRUCTION OF A FINE LANE CONCOURSE AND LIGHT RAILWAY.

ROAD

Property Location
BioLife
906 Seton Pkwy



Property
Boundary



Parcel Lines

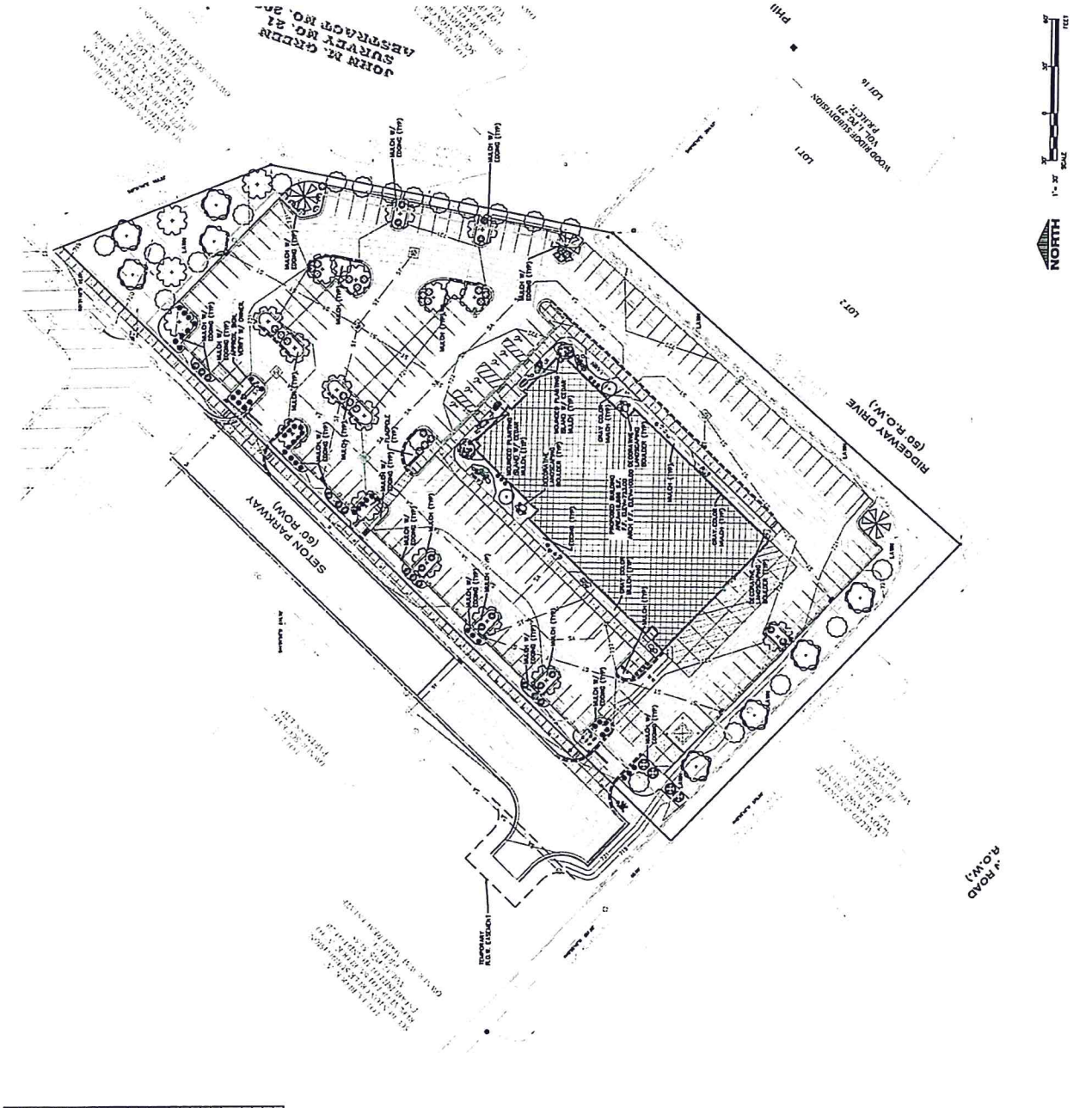


PROJECT INFORMATION
 PROJECT NAME: 100640
 PROPOSED CENTER FOR:
BIOLIFE PLASMA SERVICES, L.P.
 LOT 2, SCC BUNTON CREEK SUBDIVISION, KYLE, TX 78640

PRELIMINARY DATES
 SEPTEMBER 8, 2018
 SEPTEMBER 29, 2018
 OCTOBER 11, 2018
 OCTOBER 23, 2018

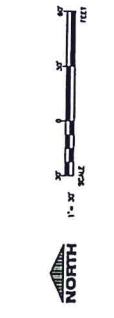
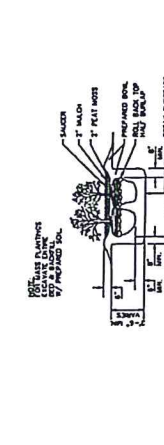
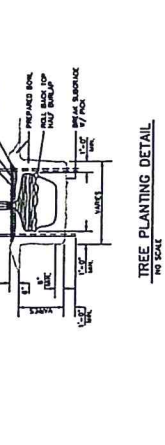
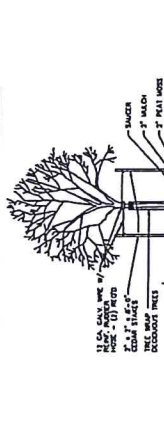
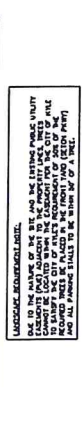
NOT FOR CONSTRUCTION

SHEET INFORMATION
 LANDSCAPE PLAN
 SHEET NUMBER: **C1.5**



LANDSCAPING NOTES				
SYMBOL	COMMON NAME	BOTANICAL NAME	PLANTED QUANTITY	PLANT SIZE
		GEORGIA LIZES		
⊙	Stemless Oak	Quercus laevis	8	8"
⊙	Baldcypress	Taxodium distichum	20	4"
⊙	Live Oak	Quercus virginiana	21	4"
⊙	Stemless Oak	Quercus laevis	2	4"
		GEORGIA SHRUBS		
⊙	Orange Jubilee	Jasminum grandiflorum	8	24" x 24"
⊙	Stemless Oak	Quercus laevis	21	24" x 24"
		LANDSCAPE SERVICES		
⊙	Small Barred Owl	Nyctaleus curvirostris	12	12"
⊙	Small Orange Owl	Nyctaleus curvirostris	12	12"
⊙	Small Green Owl	Nyctaleus curvirostris	12	12"
⊙	Small Yellow Owl	Nyctaleus curvirostris	12	12"
⊙	Small Red Owl	Nyctaleus curvirostris	12	12"
⊙	Small Blue Owl	Nyctaleus curvirostris	12	12"
		GEORGIA TREES		
⊙	Small Oak	Quercus laevis	21	24" x 24"
⊙	Small Live Oak	Quercus virginiana	21	24" x 24"
		GEORGIA PALMS		
⊙	Small Palm	Chamaedorea elegans	21	24" x 24"
⊙	Small Palm	Chamaedorea elegans	21	24" x 24"
⊙	Small Palm	Chamaedorea elegans	21	24" x 24"
⊙	Small Palm	Chamaedorea elegans	21	24" x 24"
⊙	Small Palm	Chamaedorea elegans	21	24" x 24"

LANDSCAPING CALCULATIONS	
PLANT SPECIES	PLANTS PROVIDED
12.00% (12.00%) (12.00%)	12.00%
12.00% (12.00%) (12.00%)	12.00%
12.00% (12.00%) (12.00%)	12.00%
12.00% (12.00%) (12.00%)	12.00%
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12.00% (12.00%) (12.00%)	12.00%



November 2, 2016

City of Kyle, TX
Attn: William Atkinson
100 W. Center Street
Kyle, TX 78640



City of Kyle Planning and Zoning board,

Biolife Plasma Services is requesting a variance to the landscaping requirements of 53-992 City of Kyle landscaping code. The proposed project is located on Lot 2 of the SCC Bunton Creek Subdivision off of Seton Pkwy. The site is on the southeast side of the road, east of Goodwill, and southwest of Warm Springs Rehabilitation Hospital of Kyle. The overall property boundary is 2.67 acres and is currently undeveloped. The site is zoned RS: Retail and Services District and is located within the I-35 Overlay Corridor. The project will be a blood and plasma donation center and is permitted as Professional Services-Medical within the RS zoning. The project will include the construction of a 16,686 sf building, asphalt parking area, loading area, installation of utilities, erosion control, landscaping, and irrigation. Upon completion of the construction, the site will be comprised of 72.2% impervious area and 27.8% open space. Based on the city's ordinance, there is a maximum threshold of 85% impervious and minimum of 15% open space. The site will not exceed these thresholds and therefore provides more green space than required. Due to site constraints – physical structures, shape, existing utilities, and easements landscaping variances are requested.

Variances are requested due to site utility and layout restrictions:

- 1) 50% of landscaping is to be located in the front yard. A variance is required because there is an existing utility easement located in the front yard that does not allow 50% of trees to be placed within. The plans do provide the overall required amount of plantings on the site.
- 2) Canopy trees are to be located within 50' of a parking stall. This is met everywhere onsite except for the east side where trees cannot be placed due to site constraints of an existing retaining wall and conflicts with existing underground utilities located along these stalls.
- 3) Understory trees shall not exceed 25%. Understory trees are needed to meet tree requirement of the landscaping ordinance and fit within the greenspace provided, which is greater than the code required amount. Canopy trees meet other requirements on the site.

We request the above variances to approve the plan as presented. If you have any questions or need any additional information please contact me at any time.

Sincerely,

Eric Drazkowski
Excel Engineering