



Agenda Item Report

Legislative Board:

Planning and Zoning
Commission

Date:

June 23, 2026

Contact:

Victor Escamilla

Agenda Item ID /

Number:

2026-539- / G.2

ITEM TITLE: Consideration and possible action on a request by KFM Engineering and Design, LLC for a Final Plat known as Old San Antonio Road Commercial Development, being approximately 21.389 acres out of the Josephus S. Irvine Survey No. 255, City of Buda, Hays County, Texas 78610. (FP 25-02) (Senior Planner, Victor Escamilla)

1. EXECUTIVE SUMMARY

The proposed Final Plat (FP 25-02) consists of 21.389 acres within the plat boundaries. Distribution of the acreage will result in the establishment of one +/- 21.133-acre development lot (Block A, Lot 1) and dedication of +/- 0.256 acres of street right-of-way for the abutting Old San Antonio Road.

Within the proposed Lot 1, the plat will dedicate a Variable Width Drainage Easement along the northwestern portion 1 for installation of a detention pond, dedicate a 20' Utility Easement along the northern boundary of the lot for wastewater services, dedicate a Variable Width Water Easement along the northern boundary of the lot for water utility services, and dedicate a Variable Width Pedestrian Access Easement along the western boundary of the lot in order to continue the current Shared Use Path from Main Street.

Under Unified Development Code (UDC) Subsection 3.05.09.C.1, "a Common Access Easement is required between adjacent lots used, zoned, or planned for nonresidential and multi-family uses fronting on any street section." The applicant proposes to dedicate Common Access Easements, providing access to the southern adjoining lot, by separate instrument after recordation of this proposed Final Plat. The requirement is a matter of approval for the related Site Plan permit (2025-540), currently in review. Staff recommends that the item be considered for conditional approval.

Under UDC Subsection 3.05.05, a road would be required to divide the side connecting Old San Antonio to the IH-35 frontage road. The approved PD waived the requirement. In turn, the applicant will provide drive aisles that connect the two streets.

Additionally, the applicant does not have all signatures required under UDC Subsection 3.03.06.J, so this item is being recommended for conditional approval.

This Final Plat is not associated with a prior Preliminary Plat submission.

2. BACKGROUND/HISTORY

Previous related activity associated with the 21.389-acre development area include the following:

- The Commission voted to recommend the associated Planned Development (PD) under Zoning Map Amendment Z 24-06 during the Planning and Zoning Commission meeting held on November 12, 2024. The PD was approved by City Council and codified with Ordinance No. 2024-54 on December 3, 2024.
- The associated Site Plan permit (2025-540) is currently under review by staff.
- Permit 2026-387 is a Public Improvement Construction permit set for the North Buda

Commercial Grading Permit. The permit status is "Issued" as of April 24, 2024.

- On April 30, 2026, a Minor Amendment to the approved PD was approved administratively under UDC Subsection 2.10.08.D. The amendment allows placement of a temporary access drive, until the property to the south is developed such that the cross-access driveway is built onto Old San Antonio Road from that southern property. The easement (mentioned above in the Executive Summary of this report) to formalize this temporary nature is being considered within review of the associated site plan case, 2025-540.
- The associated Demolition Permit (2025-822) included removal of vertical structures and asbestos materials and clearing of the site. The status of the permit is indicated as "Complete" as of June 3, 2026.
- No associated sign permits have been submitted to this point.

The southern portion of the site was annexed in August of 1998 with Ordinance No. 1998-0803 while the northern portion of the property was annexed in April of 2013 with Ordinance No. 2013-27. This property was previously used as a landfill and requires significant remediation in order to develop it. The applicant has submitted an Affidavit Regarding Closed Municipal Solid Waste Landfill.

3. ANALYSIS

Criteria for Approval The following criteria shall be used by the Commission to determine whether the Application for a Final Plat shall be approved, approved with conditions, or denied:

1. Without Prior Approved Preliminary Plat - The Final Plat conforms to all criteria for approval of a Preliminary Plat;
 - This plat conforms to the criteria for approval of a Preliminary Plat with the exceptions of the required Common Access Easements. Staff proposes conditional approval, deferring the requirement to approval of the associated Site Plan permit (2025-540), in order to satisfy the requirement.
2. The Construction Plans conform to the requirements of 3.04.01, Construction Plans and have been approved by the City Engineer;
 - The proposed subdivision did not necessitate any new public infrastructure to serve the subject property. Therefore, no construction plans accompany this plat.
3. An Improvement Agreement with surety for installation of Public Improvements has been prepared and executed by the property owner in conformance with Subsection 3.04, Construction Plans and Procedures;
 - The proposed subdivision did not necessitate any new public infrastructure to serve the subject property. Therefore, no Public Improvement Agreement accompanies this plat.
4. The final layout of the Subdivision or development meets all standards for adequacy of public facilities contained in this UDC; and
 - The final layout of the development meets all standards for adequacy of public facilities. Public water and wastewater facilities exist along the property boundaries such that this requirement is fulfilled without proposing additional public infrastructure.
5. The Plat conforms to the Director of Planning's subdivision Application checklists and UDC regulations.
 - The plat meets the checklist requirements, however it is lacking associated signatures at the time of agenda posting. This plat conforms to UDC regulations with the exceptions of the required Common Access Easements. Staff proposes conditional approval, deferring the requirement to approval of the associated Site Plan permit (2025-540), in order to satisfy the requirement.

4. FINANCIAL IMPACT

An expanded HEB serving the community of Buda will provide additional property and sales taxes on a piece of property that has barriers to development that would otherwise be unsurmountable by most other developers. The project will also provide additional permitting and inspection fees.

5. STRATEGIC PLAN/GOALS

BALANCED AND INTENTIONAL GROWTH

6. STRATEGIC PLAN OBJECTIVES

Balanced and intentional growth

7. PROS AND CONS

Pros: This property is difficult to develop due to the previous use as a landfill. Approval of this request would help to further the commercial development of the I-35 Interstate Corridor in a manner that is consistent with the Comprehensive Plan and Future Land Use Map.

Cons: Increased traffic conditions to be experienced among the three adjacent rights-of-way.

8. ALTERNATIVES

The Planning and Zoning Commission may:

- Approve the request as presented;
- Approve the request with conditions;
- Table the request for future consideration; or
- Deny the request.

9. REQUESTED ACTION / SUGGESTED MOTION / RECOMMENDATION

Staff has reviewed the request and recommends Conditional Approval with the following conditions:

1. The plat will be considered approved upon receipt of the signed documents. 2. The associated Site Plan permit number 2025-540 shall not be approved until the Common Access Easement(s), servicing the southern property, are recorded with the Hays County Clerk's Office and submitted to staff.

Attachments:

[6.23.26 P&Z Slides_Old San Antonio Rd Final Plat.pdf](#)

[OLD SAN ANTONIO ROAD COMMERCIAL DEVELOPMENT SUBDIVISION PLAT_6.11.2026.pdf](#)

[2024-54 Z 24-06 HEB_2_approved ordinance from city website.pdf](#)

[Z 26-06\(PD\)-Z 26-06 Minor PD Amendment Determination and Approval Letter.pdf](#)

[Z 26-06\(PD\)-250010 pd amendment exhibit.pdf](#)

[FP_25-02-Affidavit_Regarding_Closed_Municipal_Solid_Waste_Landfill_v3 \(06.09.26\).pdf](#)