



Agenda Item Report

Legislative Board:

Planning and Zoning
Commission

Date:

July 28, 2026

Contact:

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Agenda Item ID /

Number:

2026-620- / F.2

ITEM TITLE:

Consideration and possible approval of a request by Foresite Group, LLC for a Replat of Lot 2B of the Replat of Lot 2A Resubdivision of CVS Buda Subdivision, establishing Lot 2C and Lot 9C, being approximately 5.6439 acres of land out of the Phillip J. Allen League No. 5 survey, Abstract No. 1, located near the southwest corner of FM 967 and FM 1626, City of Buda, Hays County Texas (RP 25-02). (Senior Planner Victor Escamilla)

1. EXECUTIVE SUMMARY

The primary purpose of this replat is to further subdivide approximately 5.6439 acres of the CVS Buda Subdivision in preparation of a proposed 18,000 sf mixed-use commercial structure and a proposed 14,600 sf daycare facility.

A Traffic Impact Analysis (TIA) was conducted to assess the traffic generation and impact for the site development associated with this replat. City staff find these mitigations to be adequate; therefore, we recommend approval of this TIA.

2. BACKGROUND/HISTORY

The original CVS Buda Subdivision (FP 14-07, recorded in January of 2015) established 6.5305 acres of development lots at the southwest corner of FM 967 and FM 1626 (Lots 1, 2, and 3). This subdivision did not include the portion of land subject to the current replat.

CVS Buda Subdivision was then replatted with the first Resubdivision of CVS Buda Subdivision (RP 15-03, recorded in March of 2017), replatting the existing Lots 1, 2, and 3 to establish Lot 1A (2.7389 acres) and Lot 2A (12.1184 acre). The subject property of the current Replat request was established with Lot 2A of this plat.

Lot 2A of the CVS Buda Subdivision was subdivided into Lot 2B (5.6439 acres, development), Lot 3B (1.1610 acres, development), Lot 4B (1.1759 acres, development), Lot 5B (1.2144 acres, development), Lot 6B (1.0507 acres, development), Lot 7B (1.3387 acres, development), and Lot 8B (0.5338 acres, drainage). This plat (RP 18-01) was recorded in February of 2019.

The intended development of the established Lots 2B through 8B included the proposal of four commercial pad sites with Site Plan Permit 2019-733. Among the proposed commercial uses was a 'Restaurant or Cafeteria, with Drive-Thru Service' (McDonald's); a use that requires City Council approval of a Specific Use Permit (SUP) when within Form District 4 (F4). The associated SUP 19-06 was approved by City Council on October 27, 2020 with Ordinance 2021-19.

The currently proposed daycare center with Site Plan permit 2024-175 requires City Council approval of an SUP for a 'Child Care Facility (Daycare)' in the F4 District. Associated SUP 25-07 is currently under review by staff.

The current Replat request proposes to subdivide the existing Lot 2B of the CVS Buda Subdivision

into Lot 2C (3.4176 acres, development) and Lot 9C (2.2263 acres, development).

3. ANALYSIS

Traffic Impact Analysis (TIA)

A TIA was conducted with the Site Development Permit associated with this replat. A brief summary of the TIA is included here with this replat according to § UDC-3.05.10I, which places the Planning and Zoning commission in the position of taking “one or more of the following actions:

1. Approve the zoning or development request, if the project has been determined to have no significant impact or where the impacts can be adequately mitigated;
2. Approve the development request, subject to a phasing plan;
3. Recommend study of the Transportation Master Plan to determine amendments required to increase capacity;
4. Recommend amendment of the City's CIP to expedite construction of needed improvements; and
5. Deny the zoning request, where the impacts cannot be adequately mitigated.”

The property in question lies within a subdivision that originally contained 14.9095 acres at the southwest corner of FM 1626 and FM 967 (filed in 2017, Hays County document number 17010267). As seen on the plat as proposed today, Lot 9C and Lot 2C are proposed to be newly created from what was previously lot 2B (as recorded in 2019, Hays County document 19003280). To the east of Lot 2C, lies Lot 6C, which contains the Chick-fil-a that was developed under site development permit 2023-754. It was this site plan that triggered the TIA, filed under TIA 24-04. This TIA was amended to account for the development expected on Lot 2C and Lot 9C (within the bounds of the plat being proposed), and some of the mitigations identified in this TIA are to be proposed and constructed as a condition of the associated site plan (2024-175). The mitigation allocated to the Chick-fil-a site was a turn lane for a driveway on FM 1626. This mitigation has been completed.

The two mitigations proposed to be fulfilled with the site plan associated with this replat include an added turn lane for the western existing driveway on FM 967, and an added turn lane plus a median to restrict the driveway operation to right-in/right-out only on the eastern existing driveway on FM 967. Details may be found in the attached TIA Memo. City staff find these mitigations to be adequate; therefore, we recommend approval of this TIA.

Under UDC Subsection 3.05.09.C, a Common Access Easement is required between adjacent lots used, zoned, or planned for nonresidential and multi-family uses fronting on any street section unless the City Engineer authorizes an exemption due to site constraints. The requirement has been waived administratively under UDC Subsection 3.05.09.C.1.

In consideration of a Replat, the Commission shall use the following criteria to determine whether the request shall be approved, approved with conditions, or denied:

- The Replat of the Subdivision shall meet all review and approval criteria for a Final Plat.

The submitted Replat meets review and approval criteria for a Final Plat under UDC Subsection 3.03.06.I.2.

- The Replat document shall be prepared by a Registered Professional Land Surveyor in Texas.

The submitted Replat document has been prepared by 4Ward Land Surveying, LLC (Texas Board of Professional Engineers and Land Surveyors (TBPELS) Firm #10174300).

4. FINANCIAL IMPACT

Associated proposed development will generate Site Plan and building permit review fees.

5. STRATEGIC PLAN/GOALS

BALANCED AND INTENTIONAL GROWTH

6. STRATEGIC PLAN OBJECTIVES

Develop the 1626 Commercial Corridor

7. PROS AND CONS

Not Applicable

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 approval of the Replat as submitted.

Attachments:

[7.28.26 P&Z Slides - RP 25-02.pdf](#)

[00301_REPLAT OF LOT 2B - signed.pdf](#)

[CVS Buda Resub.pdf](#)

[CVS Buda Replat of Lot 2A Resub.pdf](#)

[TIA Memo_RP 25-02-TIA_24-04.pdf](#)