



Agenda Item Report

Legislative Board: City Council
Date: May 5, 2026
Contact: Will Parrish
Agenda Item ID / Number: 2026-385- / K.3

ITEM TITLE: Public hearing, deliberation, and possible action to consider an Ordinance on first and possible final reading and to adopt said Ordinance regarding a request by Kimley-Horn on behalf of MI Homes of Austin, LLC, for a Zoning Map Amendment to amend the previously approved Planned Development known as the Colony at Cole Springs (Z 20-01, Ord 2020-11) consisting of approx. 168.883 acres out of the Hiram Cummins Survey, A-108, Philip J Allen Survey, A-1, and S.V.R. Eggleston Survey, A-5, City of Buda, Hays County Texas (Z 26-04) (Development Services Assistant Director Will Parrish) [PUBLIC TESTIMONY]

1. EXECUTIVE SUMMARY

The applicant is requesting to modify the existing Planned Development (PD) in order to address some concerns by the developer that have risen in the development process. These concerns focus on Setbacks, Build-to zones, Residential Design Elements, building height, how building height is measured, and sign standards.

At their regularly scheduled meeting on April 28, 2026, the Planning and Zoning Commission voted 4-0 to approve the request with the modification that the developer must provide a minimum of 5 building elements from Section 2.09.08(C).

2. BACKGROUND/HISTORY

The Colony at Cole Springs is a residential neighborhood regulated by a PD that was approved in 2020 (Ord 20-11) and consists of 499 residential lots. This development is also subject to a Development Agreement that was approved in 2020 and later amended in 2023, and for which there is currently an amendment request to be considered by City Council.

3. ANALYSIS

Building Setbacks and Build-to requirements:

Request

- Section 2.08.07(B) Single Family D1-D2 amended as follows:
 - Setbacks: F4 column, D1 (Primary Street (min/max)) to "front PUE width/ +10 feet", and
 - Built-to: F4 column, D2 (Building Width in Build to "(min) shall be 40%"
- Section 2.07.01 amended as follows:
 - R3 Minimum Rear yard setbacks - 15 feet

Currently the requirement for Single Family Home Setbacks in F4 under D1 is B1 + 10 feet, with B1 equaling 10 feet, so the buildable area is anywhere between 10 and 20 feet back from the property line. The issue that the developer is having is that there is a 15 foot Public Utility Easement that starts at the property line and reduces the allowable buildable area by 5 feet. The Developer did receive approval of a Zoning Special Exception to adjust this requirement by 10%, however the PUE is still making it difficult.

The Build-to requirement for Single Family Homes in F4 is currently 70%, meaning that 70% of the width of Build-to Zone (width of the lot within the setback area (10-20 feet back from property line)

must have a portion of the building within it. The applicant is requesting to reduce the Build-to zone to be consistent with the requirements from the F3 zoning district, at 40%. Additionally there are some lots that the applicant is requesting to waive the Build-to zone from all together, such as lots where protected trees are being preserved, as it is difficult to achieve the standard in these cases. Lots requesting this waiver are identified in the attached exhibit.

The current minimum rear yard setback for the R3 zoning district is 20 feet, and the applicant is requesting to reduce that by 5 feet to 15 feet, so that they can provide larger building footprints. As this is in the R3 zoning district, it is not affected by Build-to zones or setbacks impacting the F4 districts above.

Building Height (R-3)

Request

- Section 2.07.01 amended as follows:
 - R3 Maximum Building Height - 35 feet
- Section 5.02.01 amended as follows:
 - Building Height shall be measured from finished floor elevation to highest point of the roof, excluding ornamental features that do not contain floor area (e.g., a parapet, church steeple, or bell tower)

Applicant is requesting to increase the building height within the R3 district be increased from 30 to 35 feet, which is consistent with R2 height maximums.

Section 5.02.01 defines Building Height as "The vertical distance measured from the average grade level to the highest point of the roof, excluding ornamental features that do not contain floor area (e.g., a parapet, church steeple or bell tower)."

Single Family Design Elements

Request

- Section 2.09.08(C) amended as follows:
 1. Single Family Residential Element Options. All new single family residential developments (including Dwelling, Single Family (Detached), Dwelling, Single Family (Patio Home), Dwelling, Single Family (Attached - Townhouse), and Dwelling, Single Family (Attached - Duplex) structures) shall have at least **three (3)** of the following elements on each building:
 1. Front Wall Articulation. An offset in plane shall be provided every fifteen (15) feet along any front facade of the dwelling unit.
 2. Varying Front Setbacks. Variations of the front setback of at least five (5) feet shall be required, however buildings shall not be within the required front setback.
 3. **100% Masonry Construction Materials, consisting of Class 1 and Class 2 materials but with no more than twenty five (25%) Class 2 exterior materials**
 4. Rear Garage. The garage shall be placed behind the rear building face
 5. Covered Front Porch or Portico.
 - a. Front Setback Encroachment. The covered front porch or portico can encroach into the required front setback by eight (8) feet provided it does not interfere with public utility easements.
 - b. Minimum Dimensions. Each covered front porch or portico shall be a minimum eighty (80) square feet and have a minimum depth from the primary structure of eight (8) feet.
 6. Architectural Focal Point. Include one (1) of the following architectural focal points:
 - a. Chimney. The exterior veneer of a chimney constructed as part of or an

extension to the exterior wall of a residential structure must be constructed of like or similar brick or other masonry material to that of the primary structure. The exterior veneer of chimneys shall not be constructed of wood or lumber products.

- b. Window Enhancements. The use of transoms, bay windows, shutters, or other similar window enhancements.
7. Enhanced Pavement. In all residential districts except for Agricultural (AG) District and Estate Residential (R-1) District, driveways and entryway sidewalks located in front of the dwelling shall be constructed entirely of a decorative paving technique from the following (or a combination of the following).
 - a. Earth-tone colored concrete (stain mixed in, not applied after).
 - b. Stamped/patterned concrete.
 - c. Brick/pave stone.
 - d. Exposed aggregate.
 - e. Improved permeable surface (does not include dirt, grass, or gravel).
8. Alternative Energy System. Use of a 1 kilowatt alternative energy system meeting City standards.
9. Rainwater Harvesting. Use of a 1,000 gallon rainwater harvesting system meeting City standards.
10. Anti-Canyoning Design. Utilizes an anti-canyoning design (as shown in Figure 43) with a stepped-back second story to allow additional light and airflow between the homes.

The Applicant is requesting to reduce the number of required elements from **5** to **3**, and to modify one of the elements to reduce the Class 1 masonry requirement from **100%** to **75%** when Class 2 masonry is substituted where 25% reduction is proposed.

After the Planning and Zoning Commission voted to recommend that 5 Elements remain the minimum standard, the applicant is considering proposing to amend some additional elements to be more compatible with their intentions.

Garage Doors

Request

- Section 2.09.08(B)1(d) amended as follows:
 - Recessed Door. Garage door shall be recessed a minimum of twelve (12) inches from the garage face
 - **Shall not be required on alley loaded lots**
- Section 2.09.08(B)1(e) amended as follows:
 - Garage Door Treatments. Garage doors visible from public Right-of-Way shall contain at least three (3) of the following enhancements.
 - i. Cedar/wood clad doors.
 - ii. Double doors.
 - iii. Decorative windows.
 - iv. Decorative hardware.
 - v. Reveals/texture
 - **Shall not be required on alley loaded lots**

Applicant is requesting that garage door enhancements will not be required when garages face alleys.

Monument Signage

Request

Applicant has provided a monument sign exhibit which they would like to construct at the primary entrances to the neighborhood. the Sign dimensions are slightly larger than would otherwise be approvable under Section 4.02.08(C) and the proposed sign is provided in as an exhibit.

4. FINANCIAL IMPACT

Permit fees for 499 lots associated with this development.

5. STRATEGIC PLAN/GOALS

EXCEPTIONAL CITY SERVICES

6. STRATEGIC PLAN OBJECTIVES

Become a more business-friendly City Government - regulations, codes, and processes.

7. PROS AND CONS

Pros: Developer will feel more confident in moving forward with permit submittals

Cons: Modifications for this development will not be consistent with homes in base zoning districts.

8. ALTERNATIVES

City Council may make the following motions:

- Approval
- Approval with changes/conditions
- Denial
- Table.

9. REQUESTED ACTION / SUGGESTED MOTION / RECOMMENDATION

At their regularly scheduled meeting on April 28, the Planning and Zoning Commission voted 4-0 to approve the request with the modification that the developer must provide a minimum of 5 building elements from Section 2.09.08(C).Â

Attachments:

[k3 Colony_at_Cole_Springs_Ordinance_Amending_PD_bjw_4.29.26.pdf](#)
[Colony_Phase_1_-_build_to_zone_exempt_lots_exhibit.pdf](#)
[Colony_Phase_2A_-_build_to_zone_exempt_lots_exhibit.pdf](#)
[Z_26-04_PD_-exhibit__development_plan___4_.pdf](#)
[Exhibit_Entry_Monument_Sign.pdf](#)
[K3 Presentation.pdf](#)