

# CITY OF KYLE

## Planning & Zoning Commission



Kyle City Hall  
100 W. Center Street

Notice is hereby given that the governing body of the City of Kyle, Texas will meet at 6:30 PM on January 22, 2013, 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 January prior to 6:30 PM.

1. **Call Meeting To Order**
2. **Roll Call**
3. **Approval of Minutes:**
  - A. Planning and Zoning Commission Meeting – November 27, 2012
4. **Citizen Comments**
5. **Consent Agenda:**

*(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 following 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).*

- A. **Southbend One Resubdivision of Lot 12 (SFP-12-010)**  
2.187 acres; 2 Lots  
Location: 2330 Bebee Road  
Applicant: Miguel C. Valle  
Agent: George Gonzalez Jr, P.E., Genesis 1 Engineering Co.

Staff Proposal to P&Z: Statutorily Disapprove to meet 30 day statutory requirements.

**B. Kensington Trails Subdivision Section 5 – Preliminary Plan (PP-12-006)**

36.04 acres; 119 Lots

Location: 2200 block of Bebee Road, East end of Downing Way

Applicant: Kensington Place Ventures, LTD.

Agent: Hugo Elizondo, Jr., P.E., Cuatro Consultants

Staff Proposal to P&Z: Statutorily Disapprove to meet 30 day statutory requirements.

**C. Kensington Trails Subdivision Section 5A – Final Plat (FP-13-001)**

12.11 acres; 38 Lots

Location: East end of Downing Way

Applicant: Kensington Place Ventures, LTD.

Agent: Hugo Elizondo, Jr., P.E., Cuatro Consultants

Staff Proposal to P&Z: Statutorily Disapprove to meet 30 day statutory requirements.

**D. The Villas at Creekside (PP-13-001)**

3.846 acres; 30 Lots

Location: 104 Creekside Trail

Applicant: FHC Consolidated, LP and KCW Interest 3, LLC

Agent: Kelly Kilber, P.E., Pro-Tech Engineering Group, Inc.

Staff Proposal to P&Z: Statutorily Disapprove to meet 30 day statutory requirements.

**E. Old Post Subdivision (AFP-13-002)**

1.18 acres; 1 Lot

Location: 24321 IH-35 (Old Post Road & IH-35 Frontage)

Applicant: HSF Investments, LTD

Agent: Diane Bernal / Mirza T. Baig, Professional StruCIVIL, Engineers, Inc.

Staff Proposal to P&Z: Statutorily Disapprove to meet 30 day statutory requirements.

**F. Seton Hays Subdivision Replat of Lot 1, Block B Amended Plat of Lot 1-F And Lot 1-G, Block B (AFP-13-001)**

1.365 acres; 2 Lots

Location: 20389 & 20417 IH-35

Applicant: Horizons Land Company, LLC

Agent: Joe Farias, Bury + Partners, Inc.

Staff Proposal to P&Z: Statutorily Disapprove to meet 30 day statutory requirements.

**G. Plum Creek Phase 1 Section 6E 2-2 – Preliminary Plan (PP-12-007)**

4.705 acres; 28 Lots

Location: 2000 block of Herzog

Applicant: Plum Creek Development Partners, LTD

Agent: Alan Rhames, P.E., Axiom Engineers, Inc.

Staff Proposal to P&Z: Statutorily Disapprove to meet 30 day statutory requirements.

**H. Plum Creek Phase 1 Section 6E 2-2 – Final Plat (FP-12-010)**

4.705 acres; 28 Lots

Location: 2000 block of Herzog

Applicant: Plum Creek Development Partners, LTD

Agent: Alan Rhames, P.E., Axiom Engineers, Inc.

Staff Proposal to P&Z: Statutorily Disapprove to meet 30 day statutory requirements.

**I. Rojo Subdivision (FP-13-002)**

15.00 acres; 5 Lots

Location: 1626 Roland Lane

Applicant: Daniel Rivera

Agent: Mauricio Quintero-Rangel

Staff Proposal to P&Z: Statutorily Disapprove to meet 30 day statutory requirements.

**Consider and Possible Action Items**

**6. Variance Request:**

**Consider a request by First Baptist Church & Mr. Roger Falk to allow a shared parking agreement for parking lot located at 405 Center Street to be used to satisfy parking requirements for 400 & 401 Center Street.**

- Planning and Zoning Recommendation to City Council

**7. Zoning Public Hearings:**

**Consider a request by Mountain Plum, Ltd to rezone approximately 0.21 acres from ‘OS’ Open Space to ‘MXD’ Mixed Use and to rezone approximately 18.23 acres from ‘R-2’ Residential 2 to ‘MXD’ Mixed Use within the Plum Creek Planned Unit Development, on property located within the 600 Block of Koher’s Crossing, just west of the Club House.**

- Public Hearing

- Planning and Zoning Recommendation to City Council

8. **Subdivision:** None

9. **Site Development Plans:**

A. **102 South Meyer Street (SD-11-008)**

0.337 acres; 2,019 square foot building

Located at 102 South Meyer Street

Applicant: Craig Sellman

Agent: Kelly Kilber, P.E., Pro-Tech Engineering Group, Inc.

- Public Hearing

B. **7 Eleven Store #35881 (SD-12-020)**

1.04 acres; 3,010 square foot building

Located at 22553 IH-35 (Center Street Village)

Applicant: Doug Kadison for Minerva, Ltd.

Agent: Brian Nebel for 7 Eleven, Inc.

- Public Hearing & Action
- Staff Recommendation to postpone till February 26th

C. **Plum Creek Bread Basket (SD-12-021)**

1.338 acres; 4,600 square foot building

Located at the south east corner of Fairway and FM 2770

Applicant: Plum Creek Development Partners, Ltd.

Agent: Steven P. Cates, P.E., Carlson, Brigance & Doering, Inc.

- Public Hearing
- Planning and Zoning Recommendation to City Council

10. **Conditional Use Permit/Conditional Use Overlay District Applications:**

A. **Consider a request by Joe Lance Stewart on behalf of Tradition Bank (JLS Recreational Vehicles and Storage) for a Conditional Use Permit to construct a project to include the development of a recreational vehicle retail and consignment center along with mini-storage and dry/covered space for service and storage of recreational vehicles and general mini-storage located within the IH-35 Corridor District.**

Located at 23401 North IH-35

Applicant: Tradition Bank (Craig S. Wooten, CFO)

Agent: Joe Lance Stewart

- Public Hearing

- Planning and Zoning Recommendation to City Council

**B. Consider a request by Craig Sellman (102 South Meyer) for a Conditional Use Permit for an existing 2,019 square foot building located within the Center Street and Central Business District Overlay.**

Located at 102 South Meyer Street

Applicant: Craig Sellman

Agent: Kelly Kilber, P.E., Pro-Tech Engineering Group, Inc.

- Public Hearing
- Planning and Zoning Recommendation to City Council

**11. Staff Report:**

*(Note: Commissioners and Staff may discuss related items to the Commissioner's general duties and responsibilities. The Commission may not take a vote.)*

- A. Tree Ordinance update
- B. Planning and Zoning Commission Meeting Calendar

**12. Adjournment**

\*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:

Sofia Nelson 1/18/13  
Sofia Nelson, Director of Planning (Month, Day, Year)