

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 February 26, 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 22nd day of February prior to 6:30 PM.

1. **Call Meeting to Order**
2. **Roll Call**
3. **Citizen Comments**
4. **Minutes:** Planning and Zoning Meeting - January 22, 2013 and February 12, 2013
5. **Consent Agenda:**

- A. Hometown Kyle Phase 4 Section 2 (FP-13-004)
10.464 acres; 41 Lots
Located off of Chapparo Drive adjacent to Phase II
Owner: RH of Texas
Agent: Steven Ihnen, P.E., GICE Inc.

(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).

- B. SCC Bunton Subdivision, Replat of Lot 6A to Establish Lot 1B and 2B (SFP-13-001)
10.8198 acres; 2 Commercial Lots
Located within the 5900 Block of Kyle Parkway
Owner: SCC Kyle Partners, Ltd.
Agent: Robert Smith, P.E., Doucet & Associates, Inc.

(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).

C. The Villas at Creekside – Preliminary Plan (PP-13-001)

3.846 acres; 30 Townhouse Lots

Located at 104 Creekside Trail

Owner: FHC Consolidated LP and KCW Interests 3, LLC.

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

D. Waterleaf Subdivision Phase A Section 5B – Final Plat (FP-13-003)

16.815 acres; 53 Lots

Located off of E. RR 150 near the intersection of Waterleaf Blvd. and Sunnyside Dr.

Owner: KB Home Lone Star, LP

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

E. Waterleaf Subdivision Phase B Section 5 – Final Plat (FP-12-008)

33.749 acres; 88 Lots

Located off of East RR 150

Owner: KB Home Lone Star, LP

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

6. Presentation:

A. Presentation and Recommendation to City Council on a proposed round-about vs. traffic light located at FM 1626 and Kohler's Crossing.

7. Code Amendment:

A. Consider an amendment to Article V – Landscaping and Screening Requirements to add Section 53-995 Tree Ordinance to the City of Kyle, Code of Ordinances.

- Public Hearing and Recommendation to City Council

8. Comprehensive Master Plan:

A. Consider the following proposed amendments to the Comprehensive Master Plan:

- Recommendations for which future land use districts should allow the recently adopted Neighborhood Commercial and Community Commercial

Zoning Designations as well as updates to the zoning districts recommended for each future land use district.

- An amendment to the future land use map to include a proposal for a new regional node within the I-35 and Center Street area.
- Public Hearing (1st of 2 Public Hearings)

9. Zoning:

A. Consider a request by Nester Development and Steven and Rebecca Enterprises, Inc. to rezone approximately 5.115 acres from “C-2” Commercial –General Business to “RS” Retail Service District, on property located at 770 Windy Hill Road, in Hays County, Texas.

- Public Hearing and Recommendation to City Council

10. Site Development Plan:

B. 7 Eleven Store #35881 (SD-12-020)
1.04 acres; 1 Commercial Lot
Located at 22553 IH-35
Owner: Doug Kadison for Minerva, Ltd.
Agent: Brian Nebel

- Public Hearing and Action

11. Conditional Use Permit/Conditional Use Overlay:

A. Consider a request by DDR DB Kyle, LP (Ross Dress for Less – 5086 Kyle Center Drive) for a Conditional Use Permit to construct a 25,000 square foot building, located within the Interstate Highway 35 Corridor District.

- Public Hearing and Recommendation to City Council

12. Variance:

A. Parking and Landscape Variance for the Family Entertainment Center. Consider a request by Charles Hodges, on behalf of Dave Berndt, for the following variances for Lot 1A, Block F of the Kyle Market Place Subdivision Section 2 (Lot located between Physicians Way and City Lights Drive):

- Section 53-33 (n) (3) Maximum Parking to allow more than 150% of the minimum parking.
- Section 53-992 to allow a parking space to be more than 50’ away from a tree.

13. 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, 2/22/13

Sofia Nelson, Director of Planning (Month, Day, Year)