

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 July 23, 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 19th day of July prior to 6:30 PM.

1. **Call Meeting to Order**
2. **Roll Call**
3. **Citizen Comments**
4. **Minutes:** Planning and Zoning Meeting – July 9, 2013

Consent Agenda:

5. **Plats:**

- A. Plum Creek Phase 1 Section 6E 2-2 – Preliminary Plan (PP-12-007)
4.705 acres; 28 Lots
Located west of Sanders, east of Herzog and south of existing Section 6D
Owner: Plum Creek Development Partners, Ltd.
Agent: Alan Rhames, P.E., Axiom Engineers, Inc.
- B. Plum Creek Phase 1 Section 6E 2-2 – Final Plat (FP-12-010)
4.705 acres; 28 Lots
Located west of Sanders, east of Herzog and south of existing Section 6D
Owner: Plum Creek Development Partners, Ltd.
Agent: Alan Rhames, P.E., Axiom Engineers, Inc.
- C. Plum Creek Phase 1 Section 11D – Preliminary Plan (PP-13-002)
1.836 acres; 1 Lot and ROW
Location: Extension of Sampson; Bounded by Cromwell ROW to the northeast; the Plum Creek Golf Course and the Overlook at Plum Creek to the northwest; the Plum Creek Golf Course to the south; and a regional detention pond to the southeast.

Owner: Mountain Plum Ltd., MP General, LLC.

Agent: Lawrence M. Hanrahan, P.E., Hanrahan Pritchard Engineering, Inc.

D. Plum Creek Phase 1 Section 11D – Final Plat (FP-13-007)

1.836 acres; 1 Lot and ROW

Location: Extension of Sampson; Bounded by Cromwell ROW to the northeast; the Plum Creek Golf Course and the Overlook at Plum Creek to the northwest; the Plum Creek Golf Course to the south; and a regional detention pond to the southeast.

Owner: Mountain Plum Ltd., MP General, LLC.

Agent: Lawrence M. Hanrahan, P.E., Hanrahan Pritchard Engineering, Inc.

E. Hays Commerce Center – Preliminary Plan (PP-13-005)

107.247 acres; 19 Lots

Located northwest of the intersection of Kyle Crossing and the southbound frontage road of IH-35

Owner: RR HPI, LP

Agent: Ron Pritchard and/or William Faust

(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.

Consider and Possible Action Items:

6. Receive a presentation on the City's 5 year CIP & make a recommendation to City Council.

- Public Hearing

7. Site Development Plans:

A. Bank of America (SD-13-007)

1.3392 acres; 1 lot

Located at 5207 Kyle Center Drive

Owner: Bank of America

Agent: Jon Armour, CBRE

- *Public Hearing*

B. Mitchell Motorsports (SD-13-011)
2.24 acres; 1 lot
Located at 21701 IH-35
Owner: Mitchell Family Motor Trikes, LLC.
Agent: Lynn Alderson, P.E., Alderson Group, Inc.

- *Public Hearing*

8. **Landscape Variance Requests for Mitchell Motorsports located at 21701 IH-35:**

- A. Section 53-998. Variance to allow an alternative calculation for landscape area.
- B. Section 53-990. Variance to allow less than 50% of landscape area to be located in front of building.
- C. Section 53-987. To allow a 2.5 inch caliper inch tree in lieu of a 4 inch tree.
- D. Section 53-992. To allow a reduction in required trees.

9. **Conditional Use Permit:**

- A. Consider a request by Bank of America – Kyle Marketplace (5207 Kyle Center Drive) for a Conditional Use Permit to construct a 3,398 square foot building located within the IH-35 and FM 1626 Zoning Overlay District.

- *Public Hearing*

10. **Zoning:**

- A. Receive a presentation on a request by PGI Investment, LLC to rezone approximately 47.74 acres from Agriculture 'AG' to a Planned Unit Development Overlay District 'PUD' with a base zoning designation of Retail Services 'RS' and Multifamily Residential 'R-3-3' on property located at 24800 S. IH-35 (the property is bounded by Yarrington Road on the south, I-35 access road on the east and Post Road on the west). (Z-13-003)

- *Public Hearing*
- *A recommendation to City Council will be made at the August 13, 2013 Planning and Zoning Meeting.*

11. **Code Revision:**

- A. Consider an amendment to Part II- code of ordinances /chapter 32- site development/ article II- plan and procedures/ division 2- plan to amend to the approval authority of a site development application from the planning and zoning commission to the

Planning Director, City Engineer, and Public Works Director; amend 32-47 and Section 32-48 of the site development ordinance to remove the notification requirements for site development requests not seeking a variance.

- *Public Hearing*

- B. Consider an amendment to Part II- code of ordinances /chapter 41-subdivision/ article II- processing of proposed subdivisions to amend the requirements for short-form plats, to amend the approval authority of concept, preliminary, and final plats to allow the Planning and Zoning Commission to be the final decision maker, to amend the requirements for when a concept plan is required, to allow preliminary plats not to be required when the subdivider elects to submit only a Final Subdivision Plat, to amend the subdivision ordinance to identify the Planning Director rather than the City Manager as the required staff member to prepare written recommendations on subdivision plats.

- *Public Hearing*

- C. Consider an amendment to Part II- code of ordinances/chapter 53-zoning/ article IX-administration to amend to require posted notice for all rezoning requests; signs be posted for all rezoning request along contiguous rights-of-way at each corner of the development and at intervals that do not exceed 300 feet.

- *Public Hearing*

12. Staff Report:

- August meeting date for action on development request scheduled for August 13th.
- Update on projects.

13. Adjourned

*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, Director of Planning 7/19/13

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