

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 August 13, 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 9th day of August prior to 6:30 PM.

1. **Call Meeting to Order**
2. **Roll Call**
3. **Citizen Comments**
4. **Consent Agenda**

Plats:

- A. Creekside Village – Preliminary Plan (PP-09-002)
73.454 acres; 283 single family lots, 4 open space lots, 2 detention lots and 2 drainage easement lots.
Located off of Burleson Street, just west of Interstate IH-35
Applicant: Steve Tucker, Orchard at Plumb Creek, LLC.
- B. Plum Creek Phase 1 Section 6E-3 – Preliminary Plan (PP-13-006)
4.689 acres; 28 Lots
Located immediately north of the intersection of Fairway and Sanders
Owner: Plum Creek Development Partners, Ltd.
Agent: Scott Bauer, Bigelow Development, LLC.

(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. Plum Creek Phase 1 Section 6E-3 – Final Plat (FP-13-013)
4.689 acres; 28 Lots
Located immediately north of the intersection of Fairway and Sanders
Owner: Plum Creek Development Partners, Ltd.
Agent: Scott Bauer, Bigelow Development, LLC.

(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.

- D. Meadows at Kyle Phase 3 (FP-13-012)
11.483 acres; 61 Lots & Right-of-way
Located on the north side of Windy Hill Road approximately 1 mile east of IH-35
Owner: Continental Homes of Texas
Agent: John D. Hines, P.E., Gray Engineering, Inc.

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Consider and Possible Action Items

5. Conditional Use Permit:

- A. Consider a request by Kyle Area Chamber of Commerce on behalf of Edward R. Coleman for a Conditional Use Permit to hold a Kyle Fair & Music Festival on property located at 24801 IH-35 (Thunderhill Raceway).

- ***Public Hearing***
- ***Recommendation to City Council***

- B. Consider a request by Texas Cinema on behalf of Sterling/Babcock & Brown, LP (Texas Cinema Entertainment Center – Located on the east side of Kyle Crossing just north of Kohler’s Crossing in Kyle Towne Center) for a Conditional Use Permit to construct a 75,000 square foot building, located within the IH-35 Zoning Overlay District.

- ***Public Hearing***
- ***Recommendation to City Council***

6. **Code Revision:**

A. Consider amending PART II - CODE OF ORDINANCES/ Chapter 53 – ZONING/ ARTICLE III. - OVERLAY DISTRICTS/ DIVISION 4. - CONDITIONAL USE OVERLAY DISTRICTS to identify the Planning and Zoning Commission to be the final decision maker on conditional use permits with City Council reviewing the appeal of Planning and Zoning Commission’s decision.

- *Public Hearing*
- *Recommendation to City Council*

7. **Zoning:**

A. Consider 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 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).

- *Public Hearing*
- *No action will be taken on this item. A Planning and Zoning Commission and City Council workshop is scheduled for 8/13 at 7:30pm*

8. **Variance:**

A. Consider a request by Guillermo Rodriguez to allow a variance to Sec. 41-136. – Lots (b)Access. Each lot shall front upon a public street to allow two lots to be platted without frontage on a public street at 2205 Bebee Road.

- *Recommendation to City Council*

9. **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, 8/9/13
Sofia Nelson, Director of Planning (Month, Day, Year)