

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 September 24, 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 20<sup>th</sup> day of September prior to 6:30 PM.

1. **Call Meeting to Order**
2. **Roll Call**
3. **Citizen Comments**
4. **Minutes:** Planning and Zoning Commission Meeting – July 23, 2013, August 13, 2013 and August 28, 2013.
5. **CONSENT AGENDA:**

- A. Kyle 150/I-35 Subd. Replat of Lots 2-6 to Establish Lots 2A, 3A, 4A, 5A, 6A, 7A, 8A & 9A  
45.341 acres; 7 Commercial Lots  
Located FM 150 East and IH-35 Northbound Frontage  
Owner: Kyle 35 Retail, Ltd.  
Agent: Carey Bresler, 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).*

- B. Kyle 47 Subdivision – Concept Plan  
42.53 acres; 130 Lots  
Located off of Rebel Drive just north of Silverado Subdivision  
Owner: Linton C. Brooks  
Agent: Geoff Guerrero, Carlson, Brigrance & Doering, 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. Kyle Marketplace Section 2 Amended Plat of Replat of Lots 1-4, Block F  
7.9 acres; 6 Lots  
Located near the southeast corner of Physicians Way and Kyle Center Drive  
Owner: DDR DB Kyle, LP  
Agent: Keith Schauer, 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).*

**CONSIDER AND ACT ON:**

6. **CONCEPT PLAN:**

- A. Creekside at Bunton Creek  
98.104 acres; 320 Lots  
Located off of Bunton Lane just east of Twin Cove  
Owner: Bear River Limited, LLP  
Agent: Wade Todd, National Site Solutions

7. **CONDITIONAL USE PERMIT/CONDITIONAL USE OVERLAY:**

- A. Consider a request by DDR DB Kyle LP (Kyle Marketplace Family Entertainment Center) for a Conditional Use Permit to construct a 74,714 square foot building located within the IH-35 Overlay District.
- *Public Hearing*

8. **ZONING:**

- A. Consider a request by Karlyn Ellis to rezone approximately 3.254 acres from "R-1" Single Family to "RS" Retail Service on property located at 705, 709 & 711 N. Old Highway 81. (Z-13-010)
- *Public Hearing and Recommendation to City Council*
- B. Consider a request by Ty and Monica Davidson to rezone approximately .2479 acres from "R-1" Single Family to "R-1-A" Single Family Attached on property located at 400 S. Burleson Street. (Z-13-011)
- *Public Hearing and Recommendation to City Council*

C. Consider a request by Bear River Limited, LLP. to rezone approximately 35.761 acres from "R-1-2" Single Family Residential 2 to "R-1-A" Single Family Attached on property located off of Bunton Lane just East of Twin Cove. (Z-13-012)

- *Public Hearing and Recommendation to City Council*

D. Consider a request by Alan and Sharon Lowden to rezone approximately 3.67 acres from "R-1" Single Family to "R-1-T" Residential Townhome on property located at the northwest corner of Porter and Cockerham. (Z-13-011)

- *Public Hearing and Recommendation to City Council*

E. Consider a request by FISERV ISS FBO Gregory Lahr to rezone approximately 3.24 acres from "RS" Retail Service District to "R-1-T" Residential Townhome on property located at 101 Creekside Trail. (Z-13-014)

- *Public Hearing and Recommendation to City Council*

F. 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 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).

- *Public Hearing and 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, Director of Planning 9/20/2013  
Sofia Nelson, Director of Planning (Month, Day, Year)