

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 28, 2014, 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 23rd day of January prior to 6:30 PM.

1. **Call Meeting to Order**
2. **Roll Call**
3. **Citizen Comments**
4. **Minutes** – Planning and Zoning Commission Meeting – December 10, 2013 and January 14, 2014.
5. **CONSENT AGENDA:**

- A. The Villas at Creekside – Final Plat (FP-14-002)
5.751 acres; 24 Townhome Lots and 1 Retail Lot
Located off of RR E. 150 and Creekside Trail
Owner: Greg Lahr c/o Creative Financial Solutions
Agent: Gary Whited

(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. **CONDITIONAL USE PERMIT:**

- A. Consider a request by SCC Kyle Partners, Ltd. (Carl's Jr.) to construct a 2,999 square foot building located at IH-35 and Kyle Parkway (The Village at Kyle, Lot 1-G, Block B).
 - **Public Hearing**

B. Consider a request by Ernie and Bernice Valdez to construct a 576 square foot building located at 206 E. Moore Street.

- **Public Hearing**

C. Advance Auto Parts conditional use permit continuation of signage review (free standing sign).

- **Public Hearing**

7. DISCUSSION AND POSSIBLE RECOMMENDATION:

A. Discussion and possible recommendation regarding the Plum Creek mixed use category & development standards for commercial development abutting single family residential development.

- **Public Hearing**

B. 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.

- **Public Hearing**

8. STAFF REPORT:

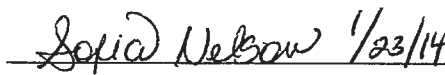
A. Direction to staff regarding garage requirements within the old town district.

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 (Date)

REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION

The Planning and Zoning Commission of the City of Kyle, Texas met in regular session December 10, 2013 at 6:30 p.m. at Kyle City Hall, with the following persons present:

Commissioner Dan Ryan
Commissioner Cicely Kay
Commissioner Mike Wilson
Chairman Shane Arabie
Vice-Chair Mike Rubsam
Director of Planning, Sofia Nelson

Bryan Acuff
Jerry Kolacny
Robert Horton
Brett Forte

CALL MEETING TO ORDER

Chairman Arabie called the meeting to order at 6:30 p.m.

ROLL CALL OF BOARD

Chairman Arabie called for roll call. Commissioner Zambrano and Commissioner Melendez were absent.

CITIZENS COMMENTS

Chairman Arabie opened the citizens comment period at 6:31 pm and called for comments on items not on the agenda or posted for public hearing. There were no comments. Chairman Arabie closed the citizens comment period at 6:31 pm.

MINUTES: Planning and Zoning Commission Meeting – November 12, 2013.

Commissioner Wilson moved to approve the Planning and Zoning Commission Meeting Minutes from November 12, 2013 Planning and Zoning Commission Meeting. Commissioner Kay seconds the motion. All votes aye. Motion carried.

CONSENT AGENDA:

CREEKSIDE AT BUNTON CREEK – PRELIMINARY PLAN (PP-13-008) 98.11 ACRES; 319 LOTS LOCATED OFF OF BUNTON LANE JUST EAST OF TWIN COVE.

(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).

Commissioner Ryan moved to approve the consent agenda. Vice-Chair Rubsam seconds the motion. All votes aye. Motion carried.

CONSIDER AND ACT ON:

PLATS:

THE VILLAS AT CREEKSIDE II – PRELIMINARY PLAN (PP-13-007) 5.751 ACRES; 24 TOWNHOME LOTS, 1 RETAIL SERVICE LOT.

Commissioner Ryan moved to approve The Villas at Creekside II – Preliminary Plan. Commissioner Wilson seconds the motion. All votes aye. Motion carried.

KYLE TOWNE CENTER 2ND REPLAT OF LOT 1, BLOCK A (SFP-13-004) 77.914 ACRES; 2 LOTS LOCATED APPROXIMATELY AT THE NORTHWEST CORNER OF IH-35 AND KOHLER'S CROSSING.

Commissioner Kay moved to approve Kyle Towne Center 2nd Replat of Lot 1, Block A with the condition that all outstanding comments be addressed. Commissioner Ryan seconds the motion. All votes aye. Motion carried.

BUNTON CREEK SUBDIVISION 6B (FP-13-014) 14.514 ACRES; 56 SINGLE FAMILY LOTS LOCATED OFF OF BUNTON LAND AND TWIN ESTATES DRIVE.

Commissioner Ryan moved to approve Bunton Creek Subdivision 6B pending the approval of the construction plans. Vice-Chair Rubsam seconds the motion. All votes aye. Motion carried.

CONDITIONAL USE PERMIT:

CONSIDER A REQUEST BY K LION LLC SUBDIVISION (MKSPK CORPORATION) FOR A CONDITIONAL USE PERMIT TO CONSTRUCT A 2,267 SQUARE FOOT BUILDING (RESTAURANT) AND 6,664 SQUARE FOOT BUILDING (RETAIL) LOCATED AT 20371 & 20389 IH-35.

Chairman Arabie opened the public hearing at 6:41 p.m. and called for comments for or against the request by K Lion LLC Subdivision (MKSPK Corporation). There were no comments. Chairman Arabie closed the public hearing at 6:41 p.m.

Chairman Arabie opened this item up for discussion. Bryan Acuff, Big Red Dog Engineering, addressed the Commission regarding the request and answered the Commission recommendations.

Commissioner Kay moved to approve the conditional use permit request by K Lion LLC Subdivision (MKSPK Corporation) with the condition that the applicant include the lighter color limestone as suggested by staff and works with staff to include comments from the Commission regarding matching both buildings with the varied heights and the breaking of the blank wall. Commissioner Ryan seconds the motion.

Commissioner Kay amended the motion regarding the color of brick to stay gray as presented. Commissioner Ryan re-seconds the motion. All votes aye. Motion carried.

CONSIDER A REQUEST BY MELISSA HUFFMAN ON BEHALF OF AAP-KYLE 13, LP (ADVANCE AUTO PARTS) FOR A CONDITIONAL USE PERMIT TO CONSTRUCT A 6,935 SQUARE FOOT BUILDING LOCATED AT 103 E. CENTER STREET.

Chairman Arabie opened the public hearing at 7:01 p.m. and called for comments for or against the request by Melissa Huffman on behalf of AAP-Kyle 13, LP (Advance Auto Parts). Jerry Kolacny addressed the Commission stating that this area is the gateway to downtown and this type of business should be located somewhere else. Mr. Kolacny stated he is not oppose to the business but, just feels like it's the wrong image for the downtown gateway. Chairman Arabie closed the public hearing at 7:05 p.m.

Sofia Nelson, Director of Planning gave a presentation regarding the request.

Robert Horton, Developer for the Advance Auto Parts gave some back ground information regarding the project and available to answer questions.

Vice-Chair Rubsam moved to approve the conditional use permit for Advance Auto Parts that they incorporate whatever type of traffic avoidance features that would be allowed by TxDot such as right turn only on to Hwy 150 also that extend downtown street lighting to the area as it exists and incorporate the stamped red brick on the sidewalks. Commissioner Ryan seconds the motion.

Chairman Arabie stated that he would like to discuss the signage before the vote. Sofia Nelson, Director of Planning gave a brief presentation and recommendation.

Comissioner Rubsam amended his motion to include three exterior wall signs. The signs on the east and south elevations to be internally LED illuminated only when the business is open and the third external wall sign to be directed external lighting on the west elevation of the building and that the Commission postpone the decision on the monument sign until the next Planning and Zoning meeting and to extend the street lighting and red brick stamped sidewalk. Commissioner Ryan seconds the motion. Commissioners Ryan, Wilson, Arabie and Rubsam vote aye. Commissioner Kay votes nay. Motion carried.

STAFF REPORT –

2014 - Planning and Zoning Commissioner Calendar.

ADJOURN

With no further business to discuss, Commissioner Kay moved to adjourn. Commissioner Wilson seconds the motion. All votes aye. Motion carried.

The Planning & Zoning Meeting adjourned at 7:47 p.m.

Amelia Sanchez, City Secretary

Shane Arabie

REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION

The Planning and Zoning Commission of the City of Kyle, Texas met in regular session January 14, 2014 at 6:30 p.m. at Kyle City Hall, with the following persons present:

Commissioner Cicely Kay
Commissioner Dan Ryan
Chairman Shane Arabie
Vice-Chair Mike Rubsam
Commissioner Irene Melendez
Director of Planning, Sofia Nelson

Valerie Marburger
Tony Spano

CALL MEETING TO ORDER

Commissioner Ryan called the meeting to order at 6:30 p.m.

ROLL CALL OF BOARD

Chairman Arabie called for roll call. Commissioners Wilson and Zambrano were absent. Chairman Arabie stated for the record that Commissioner Wilson was absent due to being out of town for business.

CITIZENS COMMENTS

Chairman Arabie opened the citizens comment period at 6:30 pm and called for comments on items not on the agenda or posted for public hearing. Valerie Marburger addressed the Commission and stated she would like to know more information regarding item #5 (Plum Creek PUD Presentation). Chairman Arabie closed the citizens comment period at 6:31 pm.

CONSENT AGENDA:

KYLE 47 SUBDIVISION – CONCEPT PLAN (CP-13-002) 42.53 ACRES; 130 LOTS LOCATED OFF OF REBEL DRIVE JUST NORTH OF SILVERADO SUBDIVISION.

(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).

CENTER 81 – FINAL PLAT (FP-14-001) 2.0056 ACRES; 2 COMMERCIAL LOTS LOCATED AT THE CORNER OF CENTER STREET AND OLD HIGHWAY 81.

(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).

PLUM CREEK PHASE 1 SECTION 1G2 – PRELIMINARY PLAN (PP-13-010) 2.71 ACRES; 16 RESIDENTIAL LOTS LOCATED ALONG WETZEL, NORTHWEST CORNER OF WETZEL AND MATHER.

(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).

PLUM CREEK PHASE 1 SECTION 1G2 – FINAL PLAT (FP-13-016) 2.71 ACRES; 16 RESIDENTIAL LOTS LOCATED ALONG WETZEL, NORTHWEST CORNER OF WETZEL AND MATHER.

(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).

Commissioner Ryan moved to approve the consent agenda. Commissioner Kay seconds the motion. All votes aye. Motion carried.

PRESENTATION:

RECEIVE A PRESENTATION ON THE PLUM CREEK PUD AND DISCUSS THE MIXED USE AND BUFFERING REQUIREMENTS OUTLINED IN THE PUD.

Sofia Nelson, Director of Planning and Tony Spano with Plum Creek Development gave a presentation to the Commissioners.

During the discussion amongst the Commissioners the Commission directed staff to schedule a workshop with a public hearing.

ADJOURN

With no further business to discuss, Commissioner Ryan moved to adjourn. Commissioner Kay seconds the motion. All votes aye. Motion carried.

The Planning & Zoning Meeting adjourned at 7:30 p.m.

Amelia Sanchez, City Secretary

Shane Arabie, Chairman

MEMORANDUM

TO: Planning and Zoning Commission

FROM: Sofia Nelson, Planning Director

DATE: January 23, 2014

SUBJECT: CONDITIONAL USE OVERLAY-Carl's JR.

Background

Request:

The applicant is requesting approval of a conditional use permit to allow the construction of a 2,999 square foot building just north of the intersection of I-35 and Kyle Parkway.

Location:

The subject property is located at the intersection of I-35 and the first driveway north of Kyle Parkway (immediately adjacent to the Duncan Donuts and retail space reviewed by the Commission in December). The property is located within the I-35 Overlay District.

Proposal

The proposed building is being constructed for a Carl's Jr restaurant and is proposed to have an exterior finish comprised of stucco and brick veneer. The exterior materials are proposed to be neutral browns and beige with red awnings and banding to match the typical Carl's Jr signage.

COMPREHENSIVE MASTER PLAN GUIDANCE

The Comprehensive Master Plan identifies the site to be located within the Super Regional Node. The Comprehensive Master characterizes the Super Regional Node as follows:

- Should contain large-scale, institutional, commercial, and retail land uses, with the Seton Medical Center as the key distinguishing feature.
- The aggregation of commercial square footage in this Node should create a significant commercial destination that will be visible to regional travelers along the I-35 corridor.
- The purpose of the Super Regional Node is to capture employment opportunities and create a commercial destination within Kyle.

The Urban Design Plan identifies the stretch of I-35 the subject property fronts on to be located in the urban core along the destination segment of I-35. The Urban Design Plan states the following:

The Interstate 35 Destination is that portion of I-35 lying between the FM 1626 overpass and the Center Street overpass. This portion of I-35 is identified as a unique section in order to transform the freeway experience from one of passing through to one of arrival. Therefore the Destination section of I-35 has an appearance that is dramatically different than those portions north of FM 1626 or south of Center Street.

Location:

Generally located between two of Kyle's four landmark bridges (at the FM 1626 overpass and the Center Street overpass). This section of I-35 is clearly defined with a bridge portal at both ends and high embankments along its length.

Primary Function:

To transform the normal pass-through experience of the Interstate to an arrival experience and make sections of I-35 north of FM 1626 and south of Center Street function as approachways.

STAFF ANALYSIS AND RECOMMENDATION

The Planning and Zoning Commission will determine through the conditional use permit process if the proposed use, occupancy and structure will promote, preserve, and enhance, and will not damage or detract from the distinctive character of the community; will preserve and protect property values and taxable values; will not be detrimental or inconsistent with neighboring uses and occupancies; will not be detrimental to the general interests of the citizens; and will not be detrimental to the public health, safety and welfare.

In conducting its review, the planning and zoning commission shall make examination of and give consideration to the traffic flow, development density, neighboring historical designs, neighboring uses, and elements of the application including, but not limited to:

- (1) Height, which shall conform to the zoning requirements;
- (2) Building mass, which shall include the relationship of the building width to its height and depth, and its relationship to the visual perception;
- (3) Exterior detail and relationships, which shall include all projecting and receding elements of the exterior, including, but not limited to, porches and overhangs and the horizontal or vertical expression which is conveyed by these elements;
- (4) Roof shape, which shall include type, form, and materials;
- (5) Materials, texture, and color, which shall include a consideration of material compatibility among various elements of the structure;
- (6) Compatibility of design and materials, which shall include the appropriateness of the use of exterior design details;
- (7) Landscape design and plantings, which shall include lighting and the use of landscape details to highlight architectural features or screen or soften undesirable views;

(8) Vehicular and pedestrian access, which shall include location, width, and type of surface for all points of ingress and egress;

(9) Signage, which shall include, in addition to the requirements chapter 29, pertaining to signs, the appropriateness of signage to the building in relation location, historical significance of the structure and neighboring structures, traffic visibility; obstruction of views from neighboring property;

(10) Exterior lighting, which shall included location, type, and/or design of lighting and/or lighting fixtures to be used.

Staff has reviewed the requests and has made the following findings

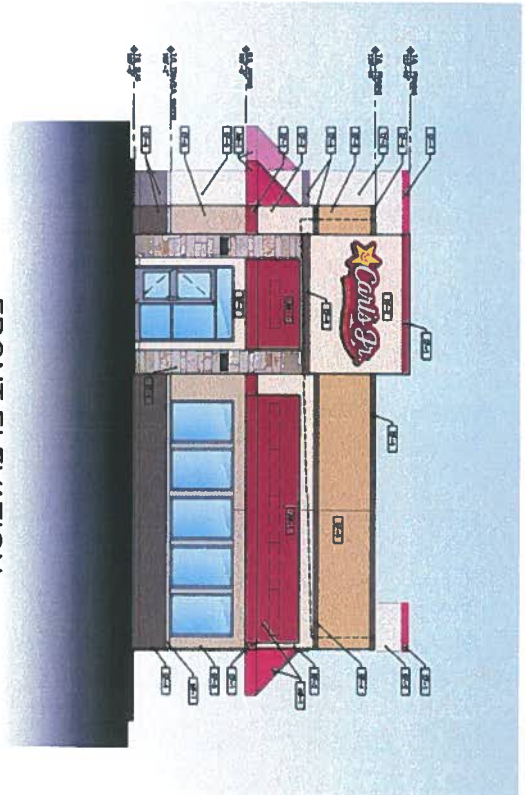
- **The height of the buildings conforms to the zoning requirements and is consistent with the surrounding buildings.**
- **The building mass it appropriate for its location and surroundings.**
- **The proposed building is shown to have an exterior finish of stucco and accents of stone veneer. The surrounding buildings within the commercial subdivision and along the frontage road appear to consist of primarily stone veneer with accents of stucco. The color of the building materials does appear to be consistent with the remainder of the buildings in the shopping center (the remainder of the development utilizes a lighter colored limestone and brown hues, however the recently approved Duncan Donuts building was approved to utilize a grey exterior finish). The proposed building includes red awnings consistent with corporate colors. However, the use of red does not appear to be consistent with the colors and finishes of the surrounding buildings. The adjacent building, while not yet under construction, is proposed to have a metal awning consistent with the proposed building.**
- **In keeping with the Comprehensive Plan's goal of maintaining consistent materials and hues within the same block staff is recommending the following changes:**
 - **A proposal that consists primarily of masonry with stucco used as an accent**
 - **The use of awnings that are more consistent with the color of the awnings used throughout the commercial development (grey/silver)**



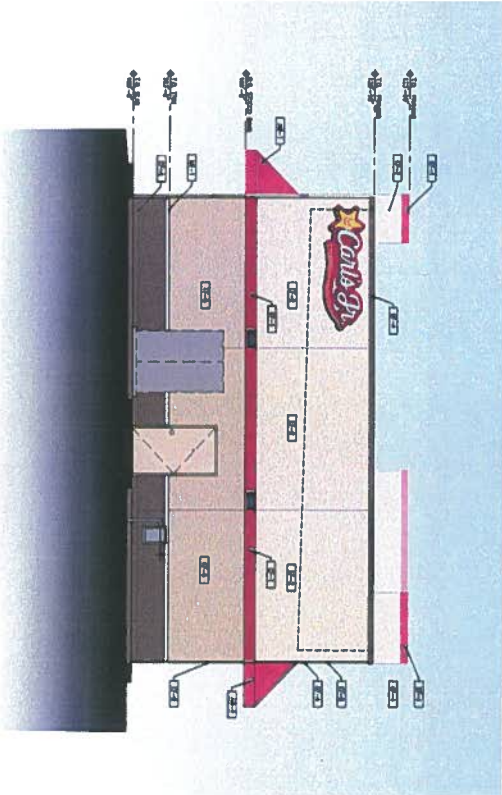
CARL'S JR.
THE VILLAGE AT KYLE



FRONT ELEVATION



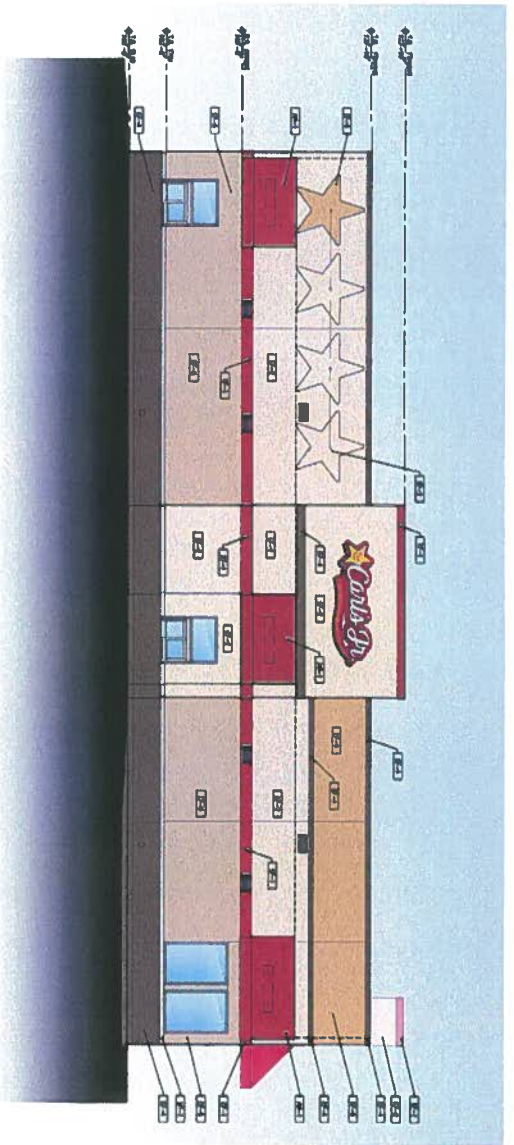
REAR ELEVATION



FINISH SCHEDULE	
EXTERIOR FINISH	
EF-1	INTERIOR COLOR STUCCO - HEARTHROB - SW 6666
EF-2	INTERIOR COLOR STUCCO - KILIM BEGE - SW 6106
EF-3	INTERIOR COLOR STUCCO - HOPSACK - SW 6106
EF-4	INTERIOR COLOR STUCCO - SABLE - SW 6063
EF-5	INTERIOR COLOR STUCCO - LATE - SW 6106
EF-6	INTERIOR COLOR STUCCO - BUTTERNUT - SW 6389
ST-1	STONE - LUDERS RIVA ROUGHBACK
MISC. EXTERIOR	
AW-1	FABRIC AWNING
MT-1	METAL CHANNEL SOFFIT



CARL'S JR.
THE VILLAGE AT KYLE

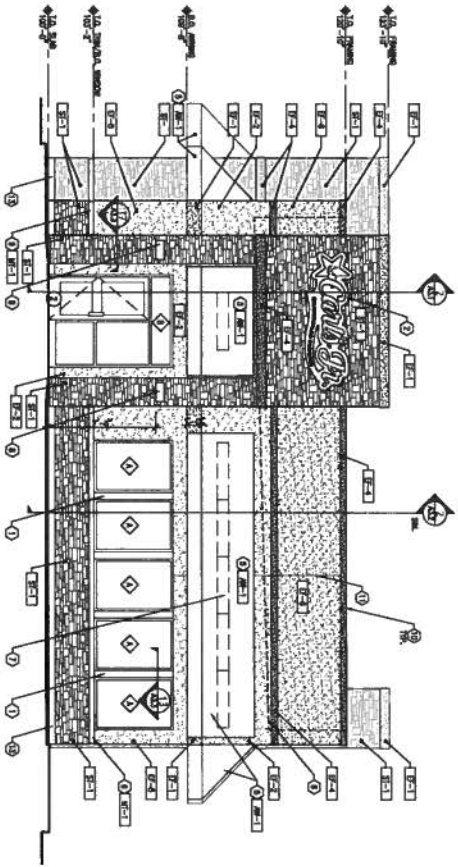


DRIVE-THRU ELEVATION



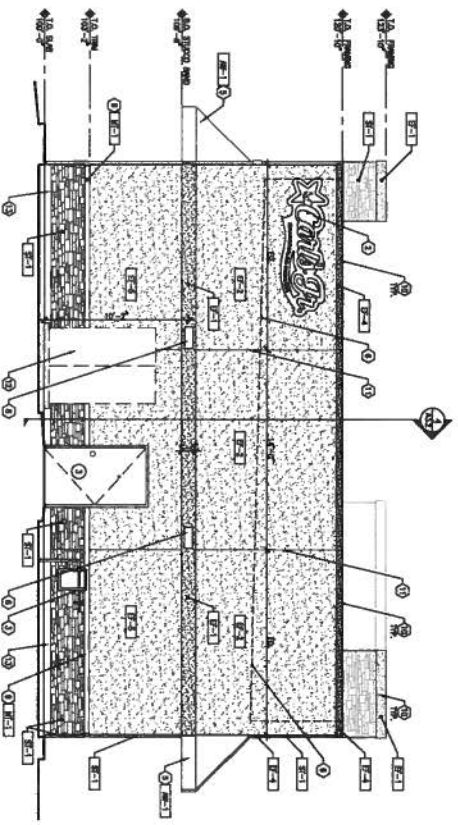
MAIN ENTRY ELEVATION

FINISH SCHEDULE	
EXTERIOR FINISH	
EF-1	INTERIOR COLOR STUCCO - HEARTHROB - SW 6666
EF-2	INTERIOR COLOR STUCCO - KILIM BEEF - SW 6106
EF-3	INTERIOR COLOR STUCCO - HOPSAK - SW 6109
EF-4	INTERIOR COLOR STUCCO - SABLE - SW 6083
EF-5	INTERIOR COLOR STUCCO - LATTE - SW 6108
EF-6	INTERIOR COLOR STUCCO - BUTTERNUT - SW 6389
SI-1	STONE - LUDERS RIVA ROUGHBACK
AW-1	FABRIC AWNING
MT-1	METAL CHANNEL SCORED



FRONT ELEVATION
1/4" = 1'-0"

1



REAR ELEVATION
1/4" = 1'-0"

2

- GENERAL NOTES**
1. REFER TO SHEET A2.0 FOR FINISH SCHEDULE
 2. KEY NOTES:
 3. EXTERIOR WALLS TO BE CONCRETE BLOCK WITH STUCCO FINISH.
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FINISH SCHEDULE

NO.	FINISH	AREA
1	INTERIOR WALLS - STUCCO	1,200 SF
2	INTERIOR WALLS - STUCCO	1,200 SF
3	INTERIOR WALLS - STUCCO	1,200 SF
4	INTERIOR WALLS - STUCCO	1,200 SF
5	INTERIOR WALLS - STUCCO	1,200 SF
6	INTERIOR WALLS - STUCCO	1,200 SF
7	INTERIOR WALLS - STUCCO	1,200 SF
8	INTERIOR WALLS - STUCCO	1,200 SF
9	INTERIOR WALLS - STUCCO	1,200 SF
10	INTERIOR WALLS - STUCCO	1,200 SF
11	INTERIOR WALLS - STUCCO	1,200 SF
12	INTERIOR WALLS - STUCCO	1,200 SF



ID STUDIO 4 U
ARCHITECTURAL SERVICES
1000 N. GARDEN AVE.
DALLAS, TEXAS 75202
(214) 742-4444

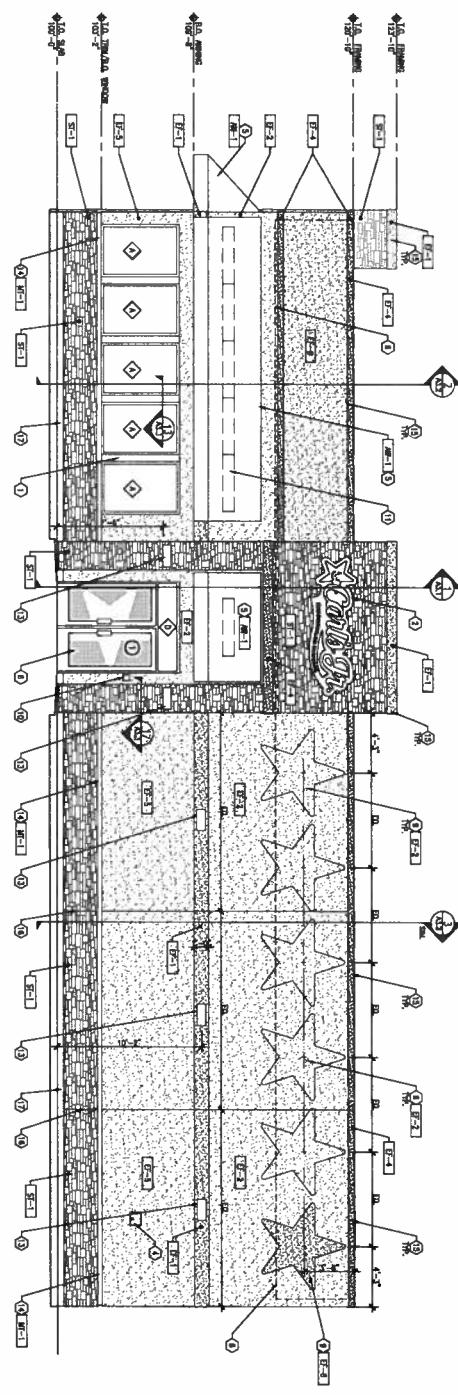
CHE
1000 N. GARDEN AVE.
DALLAS, TEXAS 75202
(214) 742-4444

FOR THE ARCHITECT:
CARTER JR. & ASSOCIATES, INC.
135 AND KYLE PARKWAY
KYLE, TEXAS 75140
(214) 742-4444

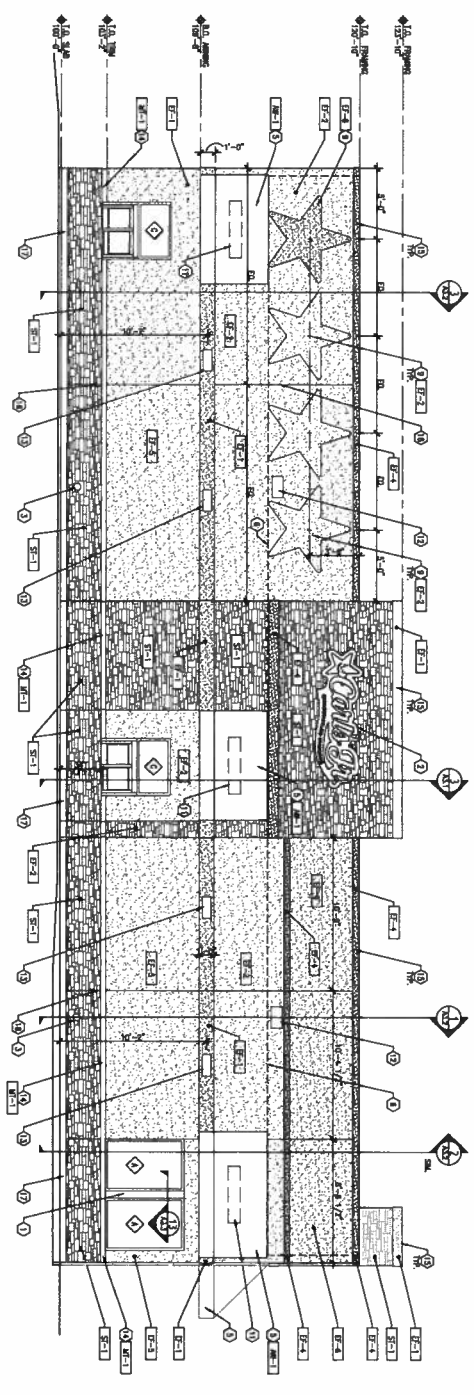
CARL'S JR.
PROTOTYPE T25-C-72 2999.6
BASIC PROTOTYPE
135 AND KYLE PARKWAY
KYLE, TEXAS 75140
(214) 742-4444



A2.0
PROJECT NUMBER
CKE1400



RIGHT ELEVATION
1



LEFT ELEVATION
2

- GENERAL NOTES**
1. REFER TO SHEET A2.1 FOR FINISH SCHEDULE
 2. SEE FINISH SCHEDULE FOR FINISHES
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 4. SEE FINISH SCHEDULE FOR FINISHES
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 18. SEE FINISH SCHEDULE FOR FINISHES
 19. SEE FINISH SCHEDULE FOR FINISHES
 20. SEE FINISH SCHEDULE FOR FINISHES

FINISH SCHEDULE

FINISH	DESCRIPTION
1	INTERIOR WALLS - COLOR STUCCO - LEONARDO - 20' 00"
2	INTERIOR WALLS - COLOR STUCCO - LEONARDO - 20' 00"
3	INTERIOR WALLS - COLOR STUCCO - LEONARDO - 20' 00"
4	INTERIOR WALLS - COLOR STUCCO - LEONARDO - 20' 00"
5	INTERIOR WALLS - COLOR STUCCO - LEONARDO - 20' 00"
6	INTERIOR WALLS - COLOR STUCCO - LEONARDO - 20' 00"
7	INTERIOR WALLS - COLOR STUCCO - LEONARDO - 20' 00"
8	INTERIOR WALLS - COLOR STUCCO - LEONARDO - 20' 00"
9	INTERIOR WALLS - COLOR STUCCO - LEONARDO - 20' 00"
10	INTERIOR WALLS - COLOR STUCCO - LEONARDO - 20' 00"
11	INTERIOR WALLS - COLOR STUCCO - LEONARDO - 20' 00"
12	INTERIOR WALLS - COLOR STUCCO - LEONARDO - 20' 00"
13	INTERIOR WALLS - COLOR STUCCO - LEONARDO - 20' 00"
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17	INTERIOR WALLS - COLOR STUCCO - LEONARDO - 20' 00"
18	INTERIOR WALLS - COLOR STUCCO - LEONARDO - 20' 00"
19	INTERIOR WALLS - COLOR STUCCO - LEONARDO - 20' 00"
20	INTERIOR WALLS - COLOR STUCCO - LEONARDO - 20' 00"

CARL'S JR.
PROTOTYPE T25-C-72 2999.6
 BASIC PROTOTYPE
 1-35 AND KYLE PARKWAY
 KYLE, TEXAS 78640



ID STUDIO 4, L
 1222 E. 11th Street
 Suite 100
 Fort Worth, Texas 76102
 (817) 331-1111
 www.idstudio4.com

CHE
 1222 E. 11th Street
 Suite 100
 Fort Worth, Texas 76102
 (817) 331-1111
 www.che.com

A2.1
 EXTERIOR ELEVATIONS
 CKE1400

MEMORANDUM

TO: Planning and Zoning Commission

FROM: Sofia Nelson, Planning Director

DATE: January 23, 2014

SUBJECT: CONDITIONAL USE OVERLAY- 206 E. Moore Street

Background

Request:

The applicant is requesting approval of a Conditional Use permit to allow for the placement of a 576 square foot accessory building in the rear yard of the subject property.

Location:

The subject property is located at 206 E. Moore Street (south west corner of I-35 and E. Moore Street). The property is located within the I-35 Overlay District.

Proposal

The subject property is an existing commercial property that was retrofitted from a single family used home to a commercial hair salon. As part of the retrofit the property owners redeveloped the site to include parking in the rear yard and a small detention pond. The property owner is seeking to add an accessory building (576 square foot in size- 8 feet in height) to the rear of the lot (please see the attached site plan and photograph of proposed building). The front of the building, the side with the door and windows, will face IH-35. The proposed color of the structure is proposed to match the main structure.

STAFF ANALYSIS AND RECOMMENDATION

The Planning and Zoning Commission will determine through the conditional use permit process if the proposed use, occupancy and structure will promote, preserve, and enhance, and will not damage or detract from the distinctive character of the community; will preserve and protect property values and taxable values; will not be detrimental or inconsistent with neighboring uses and occupancies; will not be detrimental to the general interests of the citizens; and will not be detrimental to the public health, safety and welfare.

In conducting its review, the planning and zoning commission shall make examination of and give consideration to the traffic flow, development density, neighboring historical designs, neighboring uses, and elements of the application including, but not limited to:

- (1) Height, which shall conform to the zoning requirements;

- (2) Building mass, which shall include the relationship of the building width to its height and depth, and its relationship to the visual perception;
- (3) Exterior detail and relationships, which shall include all projecting and receding elements of the exterior, including, but not limited to, porches and overhangs and the horizontal or vertical expression which is conveyed by these elements;
- (4) Roof shape, which shall include type, form, and materials;
- (5) Materials, texture, and color, which shall include a consideration of material compatibility among various elements of the structure;
- (6) Compatibility of design and materials, which shall include the appropriateness of the use of exterior design details;
- (7) Landscape design and plantings, which shall include lighting and the use of landscape details to highlight architectural features or screen or soften undesirable views;
- (8) Vehicular and pedestrian access, which shall include location, width, and type of surface for all points of ingress and egress;
- (9) Signage, which shall include, in addition to the requirements chapter 29, pertaining to signs, the appropriateness of signage to the building in relation location, historical significance of the structure and neighboring structures, traffic visibility; obstruction of views from neighboring property;
- (10) Exterior lighting, which shall included location, type, and/or design of lighting and/or lighting fixtures to be used.

Staff is recommending approval of the request for the following reasons:

- The height of the building appears to be appropriate and compatible with the surrounding development.
- The building mass, material and color are consistent with the existing development.
- The proposed building does not appear be detrimental or inconsistent with neighboring uses or detrimental to the public health, safety and welfare.









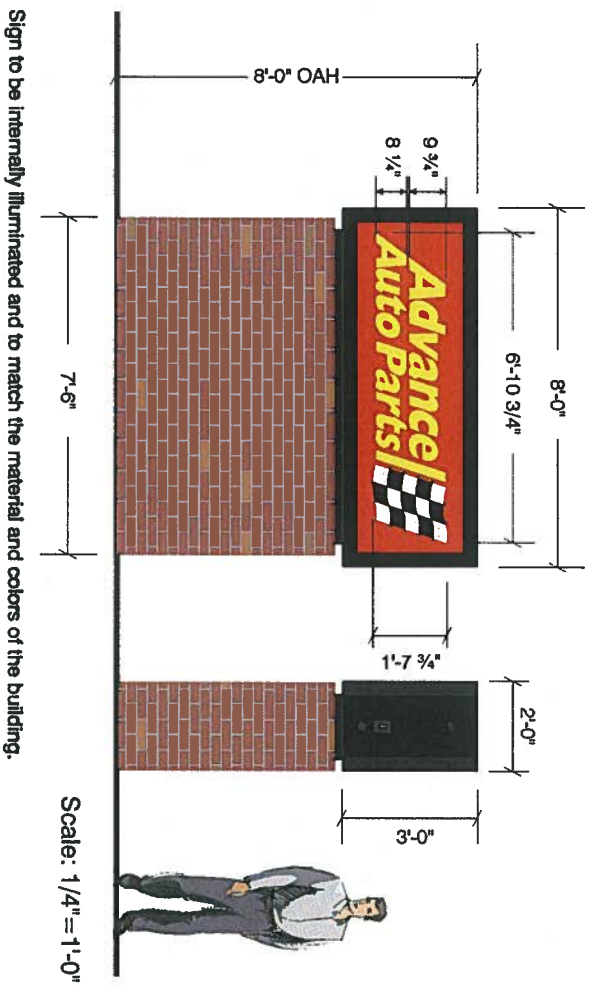
CITY OF KYLE
JUN 21 2014

PLANNING DEPARTMENT

REVISION	DESCRIPTION	BY:	DATE:
A	REVISED FOR CITY COMMENTS ISSUED 11/23/2019	RLE	1/7/21
B	REVISED FOR CITY COMMENTS ISSUED 1/25/2021	RLE	1/26/21

Valdez Project (SD-14-002)

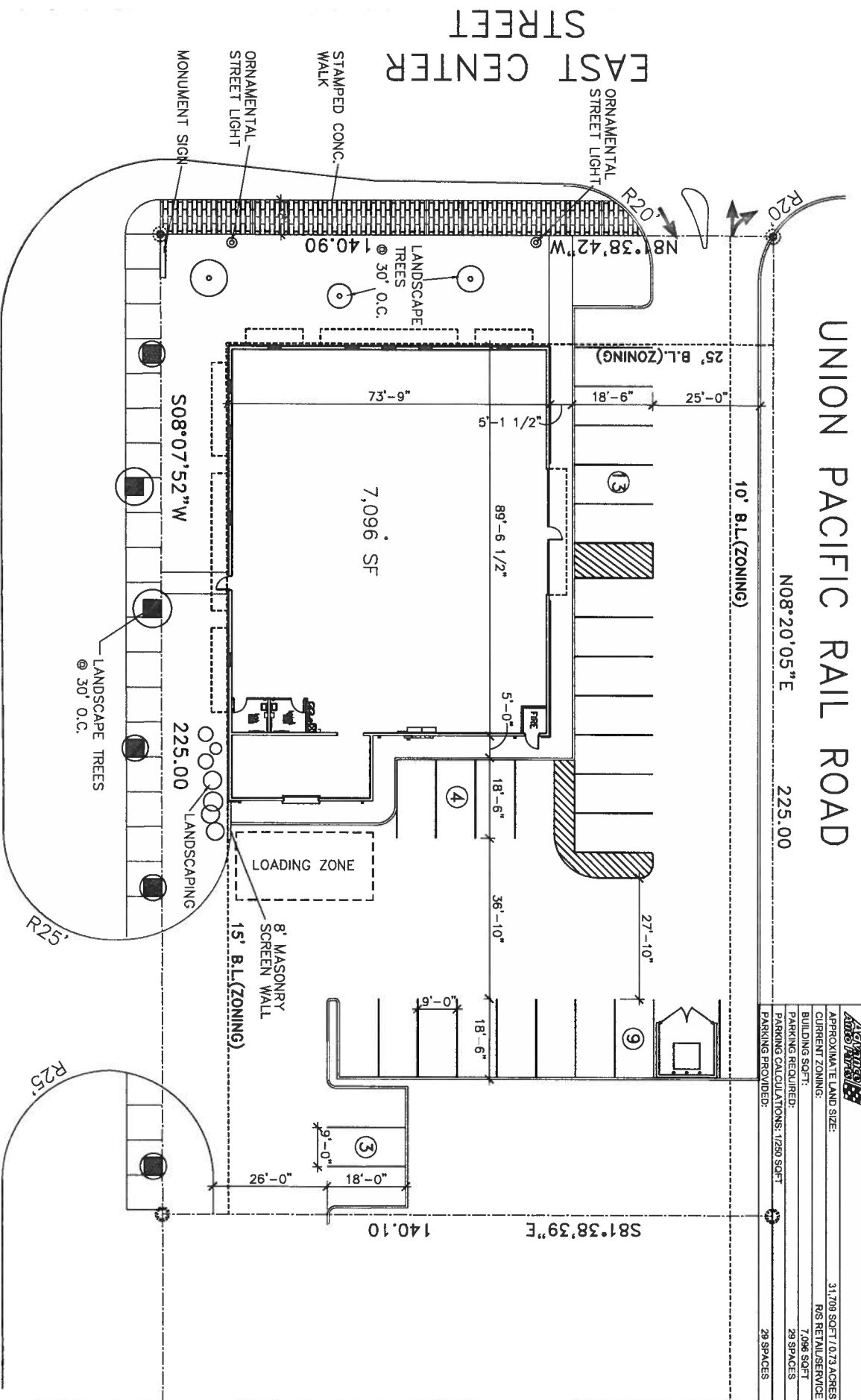
-  To match PMS 485C / Arton series 2500 #33 Red
 To match PMS 108C / Arton series 2500 #15 Yellow
 To match Arton series 2500 #22 Black
 White Substrate



UNION PACIFIC RAIL ROAD

N08°20'05"E 225.00

Approximate	
APPROXIMATE LAND SIZE:	31.709 SQFT / 0.73 ACRES
CURRENT ZONING:	R05 RETAIL/SERVICE
BUILDING SQFT:	7,096 SQFT
PARKING REQUIRED:	29 SPACES
PARKING CALCULATIONS:	17250 SQFT
PARKING PROVIDED:	29 SPACES



OLD HIGHWAY 81

CENTER ST & OLD US HWY 81

KYLE, TX

F-J-L-C

Franz Jeanes Lazo Cora & Associates, Inc.
Architectural Planning Interior Architecture

4055 International Plaza Suite 510
Fort Worth, Texas 76109
(817) 737-9822

OMNI GROUP LTD.

SHEET

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Sec. 1. Additional use, height and area regulations and exceptions applicable to PUD districts unless otherwise approved by the city council.

- (A) *Accessory buildings.* No accessory building shall be constructed upon a lot until the construction of the main use building has been actually commenced. No accessory building shall be used unless the main use building on the lot is also being used.
- (B) *Permits.* No building shall be erected, enlarged, moved onto a tract of land, structurally altered, or maintained unless and until there has been issued therefor a building permit in compliance with the applicable building ordinance of the city.
- (C) *Visibility at intersections in all districts.* On a corner lot in any PUD district, no improvements shall be erected, placed, planted, or allowed to grow in such a manner as to impair or obstruct the view, from any of the intersecting streets, of such intersection within a triangle defined by the property lines and a line joining two points located 20 feet back from the property lines intersection; except that fences, walls, and hedges may be permitted provided that such fences, walls and/or hedges do not impair vision from two feet to seven feet above the curbline elevation.
- (D) *Minimum building plot.* No building plot shall have less stringent standards or dimensions than those prescribed for the respective PUD district in which such lot is located.
- (E) *Erection of more than one principle structure on a lot.* More than one structure housing a permitted principal use may be erected on a single lot or building lot only as specifically permitted by this ordinance, and yard and other requirements of this ordinance must be met for each structure as set forth for the PUD district in which such lot is located and the applicable site development regulations.
- (F) *Exceptions to height regulations.* The height limitations set forth in the ordinance do not apply to spires, belfries, cupolas, water tanks, ventilators, chimneys or other appurtenances usually required to be placed above the roof level and not intended for human consumption. A maximum height of 80 feet is allowed for all civic structures not within 150 feet of a single-family residence. Civic is defined as a not-for-profit organization dedicated to arts, culture, education, religion, recreation, government, transit, and municipal parking, or for use approved by the city council.
- (G) *Structures to have access.* Unless otherwise approved by the city council, every building hereafter erected or moved shall be on a lot or building plot with direct access on a public street or alley, or with access to an approved private street. All structures shall be so located on lots or building plots as to provide safe and convenient access for servicing, fire protection, and the required on-site parking.
- (H) *Required yards.* Yards as required in this ordinance are open spaces on the lot or building plot on which a building is situated and which are open and unobstructed to the sky by any structure except as herein provided in this subsection 1(H). Notwithstanding any other provision of this ordinance: (i) normal yard structures may be located in a yard, including, for example, fences or walls, gateways, sidewalks, driveways, patios, flower beds, planters, water hydrants and irrigation structures, eaves, cornices, window sills, bay windows, architectural details, utility meters and structures, electrical boxes, heating and cooling equipment, flagpoles, lighting structures, swing sets and other play equipment, fountains, swimming pools, mail boxes, signs, moveable structures and similar items, and (ii) where specifically permitted by this ordinance on the rear half of the lot, accessory dwelling buildings, garage space and storage space may be located in the rear yard; provided that no building or structure shall be located within the area of any lot between a property line of such lot and the respective rear yard or side yard set back line.
- (I) *Rear yard required.* A yard which extends across the rear of the lot or building plot between the side property lines and having a minimum depth measured from the rear property line as specified for the district in which the building plot is located, is required unless otherwise prescribed in the appropriate PUD district.

- (J) **Side yard required.** A yard located on a lot or building plot which extends from the required rear yard to the required front yard having minimum width measured from the side property line as specified for the district in which the building plot is located, is required unless otherwise prescribed in the appropriate PUD district.
- (K) **Major recreational equipment.** For the purpose of these regulations, major recreational equipment is defined as including boats and boat trailers, travel trailers, pick-up campers or coaches designed to be mounted on automotive vehicles, motorized dwellings, tent trailers, and the like, and cases or boxes used for transporting recreational equipment, whether occupied by such equipment or not. No such equipment shall be used for living, home occupation, or household purposes when parked or stored on a residential lot, or in any location not approved for such use.
- (L) **Screening fences required.** Where there is a common side or rear lot line or lot lines between business, commercial or industrial land and developed residential areas, the owner of said business, commercial or industrial land shall construct a fence to screen residential lots from adverse influences as part of the normal construction of buildings dedicated to said nonresidential usage. Where there is a common side or rear lot line or lot lines between multifamily land and developed single-family residential land, the owner of the apartment land shall erect a fence that will properly screen adjacent residential land from adverse influences such as noise, vehicular lights, trespass, and other adverse influence as part of the normal construction of the apartment project. Such screening fences may be made of any material compatible with the surrounding area, but shall form a solid continuous screen between the residential and nonresidential land uses. In the case of rear lot lines such screening fence shall be continued from one side lot line along the rear lot line to the other side lot line. In the case of side lot lines such screening fence shall be continued from the rear lot line along the side lot line to the front setback line but no farther than a point 15 feet from the street right-of-way line. Each screen fence shall be maintained in good condition by the owner of said business, commercial or industrial project, for as long a time period as may be needed to protect adjacent residential land uses during the construction of said business, commercial, industrial or multifamily area. In the event that a permanent screen fence is erected, it shall be maintained by the property owner who constructs the fence.
- (M) **Commercial use areas.** Site plans of all commercial and mixed use complexes and site plans of other large scale projects which would cause a considerable impact on the city's facilities shall be reviewed and approved by the city technical staff prior to the issuance of a building permit by the director of public works. Such review under this subsection shall be restricted to the review of such projects for compliance with this ordinance and the Plum Creek PUD subdivision ordinance and the impact of such projects on: the neighboring land and environment, the adequacy of the water and sewer facilities installed or to be installed to serve the site, flood control and drainage, traffic generation, proposed circulation patterns and implications to safety in the project area and the resultant impact of generation and circulation upon adjacent such traffic street systems. The building official or the developer of the project may refer the site plans to the city council prior to the issuance of a building permit for final resolution. No building permit application showing compliance with the applicable ordinances and regulations will be delayed more than 30 days pending resolution of such building permit request unless the building permit, when and if issued, shall require construction according to the approved site plan, construction plans and specifications.
- (N) **Environmental regulations.** The following regulations are to control contamination of air, water, or the environment, and to safeguard the health, safety and welfare of the people.
- (1) No machine, process or procedure shall be employed on any property within the Plum Creek planned unit development which result in, or if:
- (a) Emission of smoke, dust, noxious, toxic or lethal gases are detectable beyond the perimeter of the property; materials are stored or accumulated in such a way that such materials may be carried by rainwater in natural drainage channels beyond the limits of the property; or materials which have discernible amounts of noxious, toxic, radioactive, oil or grease, wood or cellulose fibers, hair, feathers or plastic, or that have a pH factor above ten or below five, are stored on the property in a manner not authorized by law or to pose a nuisance or hazard to neighboring property or the public;

- (b) Vibration is discernible beyond the property line; or
 - (c) Noise above the ambient noise level is discernible beyond the property line.
- (2) Drainage into the sanitary sewerage system shall conform to the city's requirements.
 - (3) No stormwater drain, roof drain, or outside area drain shall empty into a sanitary sewer.
 - (4) Flood plain. No dwelling, commercial or industrial building shall be permitted in the "intermediate flood plain" channel, as determined by the city. Buildings in the area between the delineated "intermediate flood plain" and the "standard flood plain" will be permitted only after such land is built up to an elevation of one foot above the "standard flood plain" elevation, and such land as so built up, when verified by the city engineer, will change the "standard flood plain" delineation accordingly.
- (O) *Temporary building and equipment.* Temporary buildings and equipment for uses incidental to construction work on premises are allowed in any zone but shall be removed upon the completion or abandonment of construction work.
 - (P) *Sewage disposal systems.* Sewage disposal systems shall be in accordance with all applicable state, county and city codes and regulations.

Sec. 8. "MXD" mixed use development PUD district.

(A) *Purpose.* This area is intended to provide locations for a relatively wide range of small businesses and services which complement the residential development pattern as a convenience to residents in the PUD. Mixed use development areas of this type are intended to be located and developed in a manner consistent with the Plum Creek PUD master plan and a site development plan. It is intended to allow for a mix of uses that:

- (1) Provide a variety of employment opportunities and housing types;
- (2) Foster pedestrian and other non-motor vehicle activity;
- (3) Ensure functionally coordinated, aesthetically pleasing and cohesive site planning and design; and
- (4) Ensure compatibility of uses within mixed use developments with other uses within such development and with the surrounding area and minimize off-site impacts associated with the development.

A site development plan shall be reviewed and approved by the planning commission and the city council prior to the actual development and construction in an MXD PUD district.

(B) *Permitted uses.* Uses permitted in the "R-1" residential PUD district are specifically prohibited and the following uses are permitted in the mixed use development district:

- (1) The following uses that are uses permitted in the "OS" open space PUD district:
 - (a) Wetlands;
 - (b) Conservation areas;
 - (c) Golf courses;
 - (d) Outdoor recreational and athletic facilities;
 - (e) Outdoor swimming pools;
 - (f) Parks, playgrounds and playfields;
 - (g) Wildlife sanctuaries;
 - (h) Streams, lakes, impounded waterways, or their drainageways; and
- (2) Any use permitted in the "R-2" residential PUD district, except the following "R-1" residential PUD district uses:
 - (a) Single family dwelling for residential use.
 - (b) Residential accessory dwelling units.
- (3) Any use permitted in the "R-3" multi-family residential PUD district.
- (4) Any use permitted in the "NC" neighborhood commercial areas.
- (5) Any use permitted in the "C" commercial PUD district.

(C) *Additional permitted uses.* In addition to uses permitted in (B) above, the following uses are specifically allowed:

- (1) Branch banks and other financial institutions designed to serve the area businesses and adjacent neighborhoods.
- (2) Business support service including copying, blueprinting, film developing and processing, photo reproduction, accounting, computer services, building and grounds maintenance, security services, and temporary help.

- (3) Studio for manufacturing of pottery items, metal sculpture, and other artistic products.
 - (4) Hotel or similar lodging facilities.
 - (5) Conference center and meeting facilities when associated with a motel, hotel or similar lodging facility.
 - (6) Commercial recreational facilities such as indoor theaters and athletic clubs, but excluding intensive outdoor facilities such as go-cart tracks, bumper cars and boats, BMX courses, and target ranges.
 - (7) Offices.
 - (8) Restaurants, delicatessens, cafes, and similar food service establishments.
 - (9) Dwelling units that are located above or behind a permitted commercial or neighborhood commercial use and secondary to that commercial use.
- (D) *Site development regulations.* Because of the mixed-use character of this district, the commission's review of site development plans and amendments to the Plum Creek PUD master plan, and recommendation to the city council are required. The city council's approval of site development plans and amendments to the Plum Creek PUD master plan are required prior to construction for each development submitted. The plan, pursuant to the applicable requirements of this ordinance must ensure that each development satisfies parking and compatibility requirements.
- (1) Development of any use permitted in the "OS" open space PUD district shall conform with the site development regulations established in the "OS" open space PUD district.
 - (2) Development of any use permitted in the "R-2" residential PUD district shall conform with the site development regulations established in the "R-2" residential PUD district.
 - (3) Development of any use permitted in the "R-3" multi-family residential PUD district shall conform with the site development regulations established in the "R-3" multi-family residential PUD district.
 - (4) Development of any use permitted in the "NC" neighborhood commercial PUD district shall conform with the site development regulations established in the "NC" neighborhood commercial PUD district.
 - (5) Development of any use permitted in the "C" commercial PUD district shall conform with the site development regulations established in the "C" commercial PUD district.
 - (6) The following site development regulations shall be applicable to nonresidential development within the MXD area:
 - (a) Minimum lot size: 4,000 square feet.
 - (b) Minimum lot width: 35 feet.
 - (c) Minimum lot depth: 100 feet.
 - (d) Maximum height: No building or structure shall be erected, enlarged or structurally altered to exceed five stories or 65 feet. A 25-foot minimum compatibility setback shall be required adjacent to a "R-2" development within the commercial site which limits maximum building height to three and one-half stories or 50 feet. Any development over three stories shall install an elevator to provide service to stories above three stories.
 - (e) Minimum setbacks:
 - (i) Front yard: none.
 - (ii) Side yard: none.
 - (iii) Rear yard: none.
 - (f) Maximum floor area ratio: 1.5 FAR of the lot area.

- (7) Site development standards for residential development. Residential development within the MXD area shall conform to the applicable site development standards established for the "R-2" residential PUD district, "R-3" multi-family residential PUD district and "NC" neighborhood commercial PUD district as set forth in this ordinance.
- (8) Additional site development requirements.
- (a) Lighting: Parking lot lights, security lights, and other lights on a mixed-use site shall be designed to direct light down onto the site and away from adjacent residential property.
 - (b) Air emissions: There shall be no emission of odorous, toxic, noxious matter, or dust in such quantities from operations as to be readily detectable along or outside the MXD area so as to produce a public nuisance or hazard.
 - (c) Landscaping and open space. The design and development of landscaping and open space within the MXD area shall:
 - (i) Include street trees and parking area trees which are in scale with the development.
 - (ii) Provide a cohesive open space and pedestrian network within the development, with appropriate connections to surrounding properties and uses.
 - (d) Include open spaces and plazas which are in scale with the development and invite activity appropriate to adjoining uses.
 - (e) Refuse collection and recycling areas for business shall be enclosed with a fence, wall or structure high enough to screen all collection bins.
 - (f) Outside mechanical equipment, industrial or commercial heating, ventilation air conditioning, or other mechanical equipment on rooftops or ground, shall be screened with a material and design that is visually compatible with the building.

(Ord. No. 490, § 2, 2-20-2007; Ord. No. 690, § 1(Exh. A), 2-21-2012)

Development Standard	City Code		Plum Creek PUD		
	NC	RS	MXD	NC	C
light regulations	Site lighting shall be shielded so that light sources are not visible from the public right-of-way or from adjacent residential zoned or used property. Lighting pole standards shall not exceed a height of 12 feet.	No use or operation in an RS district may be located or conducted so as to produce intense glare or direct illumination across the bounding property line from a visible source of illumination nor may any such light be of such intensity as to create a nuisance or detract from the use and enjoyment of adjacent property.	Lighting: Parking lot lights, security lights, and other lights on a mixed-use site shall be designed to direct light down onto the site and away from adjacent residential property.	Lighting: Parking lot lights, security lights, and other lights on a mixed-use site shall be designed to direct light down onto the site and away from adjacent residential property.	standards not outlined in PUD
hours of operation	<p>Establishments located on property that are within 300 feet of any property zoned or used for a residential use may not be open to the general public before 6:00 a.m. and must be closed to the general public by 10:00 p.m. Businesses may utilize extended hours on Friday and Saturday if the following conditions exist:</p> <ul style="list-style-type: none">• If a property is located 150 feet or more from a single-family zoned or used property the business shall be allowed a closing time of midnight, on Friday and Saturday, by right.• Any property closer than 150 feet from a single-family residentially zoned or used property may apply for a conditional use permit to allow for extended business hours that would allow for a closing time of midnight, on Friday and Saturday.	Establishments located on property that is within 300 feet of any property zoned for a residential use when the commercial use is first established may not be open to the general public before 6:00 a.m. and must be closed to the general public by 10:00 p.m.	standards not outlined in PUD	6 am to 10 pm	standards not outlined in PUD

noise regulations	no additional standards	The use is not objectionable because of odor, excessive light, smoke, dust, noise, vibration or similar nuisance; and that, excluding that caused customer and employee vehicles, such odors, smoke, dust, noise or vibration be generally contained within the property	No machine, process or procedure shall be employed on any property within the Plum Creek planned unit development which result in, or if: (a) Emission of smoke, dust, noxious, toxic or lethal gases are detectable beyond the perimeter of the property; materials are stored or accumulated in such a way that such materials may be carried by rainwater in natural drainage channels beyond the limits of the property; or materials which have discernible amounts of noxious, toxic, radioactive, oil or grease, wood or cellulose fibers, hair, feathers or plastic, or that have a pH factor above ten or below five, are stored on the property in a manner not authorized by law or to pose a nuisance or hazard to neighboring property or the public; (b) Vibration is discernible beyond the property line; or (c) Noise above the ambient noise level is discernible beyond the property line.		
Transition between commercial and residential					
height of buildings	2 stories	no additional standards outside of the maximum height for the site	No building or structure shall be erected, enlarged or structurally altered to exceed five stories or 65 feet. A 25-foot minimum compatibility setback shall be required adjacent to a "R-2" development within the commercial site which limits maximum building height to three and one-half stories or 50 feet.	No building or structure shall be erected, enlarged or structurally altered to exceed 50 feet in height. A 25 minimum foot compatibility setback shall be required adjacent to a "R-2" development within the neighborhood commercial (NC) site which limits maximum building height to 35 feet.	No building or structure shall be erected, enlarged or structurally altered to exceed 3½ stories or 50 feet.

landscape/ fence	<p>When the rear or side lot line abuts a single-family residential zoned lot or a lot used for a single-family residence the rear/side setback shall consist of the following transitional yards:</p> <ul style="list-style-type: none">• A ten-foot wide planting area consisting of two non-deciduous trees and eight evergreen shrubs per 50 linear feet of lot width.• Eight-foot privacy fence.	<p>All construction or development of property within this district that abuts property with residential zoning and/or residential use must conform to the following special screening requirements 1)</p> <p>Solid, continuous fencing up to eight feet in height, but not less than six feet in height; and solid landscaping of at least four feet in width.</p> <p>(2)</p> <p>Screening under this section shall be at least three feet in height, but no more than four feet in height in front yards, from the front setback line to the sidewalk.</p>	<p>Where there is a common side or rear lot line or lot lines between business, commercial or industrial land and developed residential areas, the owner of said business, commercial or industrial land shall construct a fence to screen residential lots from adverse influences as part of the normal construction of buildings dedicated to said nonresidential usage</p>	<p>In any "NC" neighborhood commercial PUD district directly across the street or alley from residential district, the parking and loading area shall be set back at least ten feet from the street or alley right-of-way and said set back area shall be appropriately landscaped to be consistent with the character of adjoining and adjacent residential property. Such landscaping shall be maintained regularly by the property owner. Where there is a common side or rear lot line or lot lines between business, commercial or industrial land and developed residential areas, the owner of said business, commercial or industrial land shall construct a fence to screen residential lots from adverse influences as part of the normal construction of buildings dedicated to said nonresidential usage</p>	<p>Where there is a common side or rear lot line or lot lines between business, commercial or industrial land and developed residential areas, the owner of said business, commercial or industrial land shall construct a fence to screen residential lots from adverse influences as part of the normal construction of buildings dedicated to said nonresidential usage</p>
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**Proposed Amendments to the Comprehensive Plan
Final Recommendations to the Planning and Zoning Commission**

District	Neighborhood Commercial	Community Commercial	Additional Recommendations
Local Node	Recommended	Recommended	change Retail/Services to NOT Recommended
Regional Node	Recommended	Recommended	---
Super-Regional Node	Conditional	Conditional	Change CBD-1 to NOT Recommended Change CBD-2 to NOT Recommended
Riparian Landscape	Not Recommended	Not Recommended	change Retail/Services to NOT Recommended
Farm Landscape	Conditional	Not Recommended	change Retail/Services to NOT Recommended
Ranch Landscape	Conditional	Not Recommended	change Retail/Services to NOT Recommended
Old Town Community	Recommended	Not Recommended	change CBD-1 to Conditional change CBD-2 to Conditional add R-1-1 as Recommended
Core Area Transition	Recommended	Recommended	change Retail/Services to Conditional
Historic Core Area Transition	Conditional	Not Recommended	change Retail/Services to NOT Recommended
Mid-Town Community	Conditional	Conditional	change Retail/Services to NOT Recommended

District	Neighborhood Commercial	Community Commercial	Additional Recommendations
New Settlement Community	Conditional	Conditional	Change Apts.-Residential to Conditional Change M-2 to Conditional Change M-3 to Conditional
New Town Community	Recommended	Recommended	Add RV as Conditional
Employment Community	Recommended	Recommended	Add HS as Conditional Add E as Conditional
Sensitive/Sustainable Development	Recommended	Not Recommended	Change CM to NOT Recommended Change RS to NOT Recommended Change E to NOT Recommended Change W to NOT Recommended
Heritage Community	Recommended	Conditional	----

Note: The Long Range Committee's recommendations regarding RV as conditional in the New Settlement District and the Regional Nodes was not included in this chart as this item has already been voted on and decided by both the Planning and Zoning Commission and the City Council.

PART II - CODE OF ORDINANCES
Chapter 53 - ZONING
ARTICLE II. - ZONING DISTRICTS AND REGULATIONS

DIVISION 4. SINGLE-FAMILY ATTACHED/DETACHED DISTRICT R-1-A, GARDEN HOME

DIVISION 4. SINGLE-FAMILY ATTACHED/DETACHED DISTRICT R-1-A, GARDEN HOME

[Sec. 53-111. Purpose and permitted uses.](#)

[Sec. 53-112. Additional permitted uses.](#)

[Sec. 53-113. Conditions and limitations.](#)

[Secs. 53-114—53-139. Reserved.](#)

Sec. 53-111. Purpose and permitted uses.

The single-family attached/detached district R-1-A, garden home allows attached or detached single-family structures with a minimum of 1,000 square feet of living area and permitted accessory structures on a minimum lot size of 4,800 square feet. There shall be no more than 6.8 houses per buildable acre. The single-family residences authorized in this zoning district include those generally referred to as garden homes, patio homes and zero lot line homes.

(Ord. No. 438, § 27(a), 11-24-2003; Ord. No. 438-35, § 3(a), 8-2-2005)

Sec. 53-112. Additional permitted uses.

In addition to the uses permitted in this division, the following uses are permitted in the R-1-A district:

- (1) Temporary buildings for uses incidental to construction work on the premises, to be removed upon the completion or abandonment of construction work.
- (2) Accessory structures and uses customarily incident to the uses listed in this section and [section 53-111](#) and located on the same lot therewith, not involving the conduct of any business or commercial enterprise.

(Ord. No. 438, § 27(b), 11-24-2003; Ord. No. 438-35, § 3(b), 8-2-2005)

Sec. 53-113. Conditions and limitations.

The conditions and limitations for the R-1-A district are as follows:

- (1) Height and placement requirements. The height and placement requirements shall be as provided in chart 1, [section 53-33\(k\)](#).
- (2) Parking. The parking regulations and requirements shall be as provided in chart 4, [section 53-33\(n\)](#).
- (3) **Garages are required and must be one of the following designs:**
 - a. Detached with a minimum setback of five feet from the front wall of the home facing front property line;
 - b. May be attached and must have a minimum setback of five feet from the front wall of the home facing front property line; or

PART II - CODE OF ORDINANCES
Chapter 53 - ZONING
ARTICLE II. - ZONING DISTRICTS AND REGULATIONS

DIVISION 4. SINGLE-FAMILY ATTACHED/DETACHED DISTRICT R-1-A, GARDEN HOME

c. May be attached and meet minimum front setback requirements, but must face side property line.

Each garage must be designed and constructed with a minimum of 480 square feet.

- (4) All buildings and structures, garages, and/or accessory buildings constructed within this district must have all four sides composed of 100 percent brick, stone, hardiplank or other approved masonry product.

(Ord. No. 438, § 27(c), 11-24-2003; Ord. No. 438-35, § 3(c), 8-2-2005)

Secs. 53-114—53-139. Reserved.