

# 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 11, 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 6<sup>th</sup> day of February prior to 6:30 PM.

1. Call Meeting to Order
2. Roll Call
3. Citizen Comments
4. **CONSENT AGENDA:**

A. Center Subdivision – Amended Plat (AFP-14-001)

2 acres; 2 Lot

Located at 1501 & 1601 RR E. 150

Owner: Arturo and Linda Gonzales

Agent: Diane Bernal, Professional StruCivil Engineers, 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. Plum Creek Phase 1 Section 6E-1, Lots 22-24, Block L – Amended Plat (AFP-14-002)

2 acres; 3 Lot

Located off of Kirby and Grace

Owner: Plum Creek Development Partners

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).*

**CONSIDER AND ACT ON:**

**5. CONDITIONAL USE PERMIT:**

A. Consider a request by Qin Rong, LLC. (East Buffet) For a Conditional Use Permit for an existing 5,800 square foot building located at 103 W. Center Street.

- **Public Hearing**

B. Consider a request by O'Reilly Auto Enterprises, LLC for a Conditional Use Permit to construct a 7,453 square foot building located at 22387 IH-35.

- **Public Hearing**

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

- **Public Hearing**

**6. ZONING:**

A. Consider a request by Marco and Yolanda Cantu to rezone approximately 0.13 acres of land on Lot 6 and approximately 0.13 acres of land on Lot 7 from 'R-1' Single Family to 'R-1-A' Single Family Attached, on property located at 307 W. Moore Street. (Z-14-001)

- **Public Hearing**

B. Consider a request by Elisa Alice Flores and Oliver Billingsley to rezone approximately 0.17 acres of land from 'R-1' Single Family to 'R-1-A' Single Family Attached, on property located at 350 W. Third Street. (Z-14-002)

- **Public Hearing**

**7. OTHER:**

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.

- **Public Hearing**

**8. STAFF REPORT**

**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 02/10/14  
Sofia Nelson, Director of Planning (Date)

## MEMORANDUM

**TO:** Planning and Zoning Commission  
**FROM:** Sofia Nelson, Planning Director  
**DATE:** February 5, 2014  
**SUBJECT:** CONDITIONAL USE OVERLAY- 103 W. Center Street

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### Background

**Request:**

The applicant is requesting approval of a conditional use permit to allow for the alteration of the front exterior of the structure located at 103 W. Center Street. The proposed alteration to the existing building includes the removal of a door on both the Center Street and Front Street building facades. The doors are proposed to be replaced with a rock veneer to match the remainder of the façade.

**Location:**

The subject property is located across the street from City Hall on the southwest corner of Front Street and Main Street.

### 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 request and has made the following findings:**

- **The applicant is not proposing to change the existing colors or rock façade on the building ( the applicant is proposing to repaint the building the same colors currently used on the building)**
- **No additions are being proposed at this time.**
- **The structure is proposed to be used as a Chinese Restaurant (an allowed use within the CBD-2 zoning district).**
- **The proposed removal of doors does not affect the required number of ingress or egress requirements for fire safety.**
- **While the existing building does not appear to enhance the character of the overlay district, in staff's review of the request, the removal of the doors do not appear to further detract or have a detrimental impact on the property values and taxable values of the surrounding structure.**
- **The proposed signage as indicated on the building does appear to be in keeping with the surrounding businesses within the overlay district. Staff is recommending at this time that the signage as shown on the rendering not be approved.**



REPLACE ALUMINUM  
FRAME & TEMPERED  
GLASS DOOR

EXISTING WOOD FRAME AND TEMPERED  
GLASS WINDOWS TO REMAIN  
PAINT WOOD FRAME LIKE NEW WITH  
CONKLOTHER BLUE COLOR

EXISTING  
MARBLE TILE  
TO REMAIN

EXISTING WOOD FRAME AND  
TEMPERED GLASS WINDOWS  
TO REMAIN PAINT WOOD  
FRAME LIKE NEW WITH  
CONKLOTHER BLUE COLOR

EXISTING VANSARD ROOF  
TO REMAIN

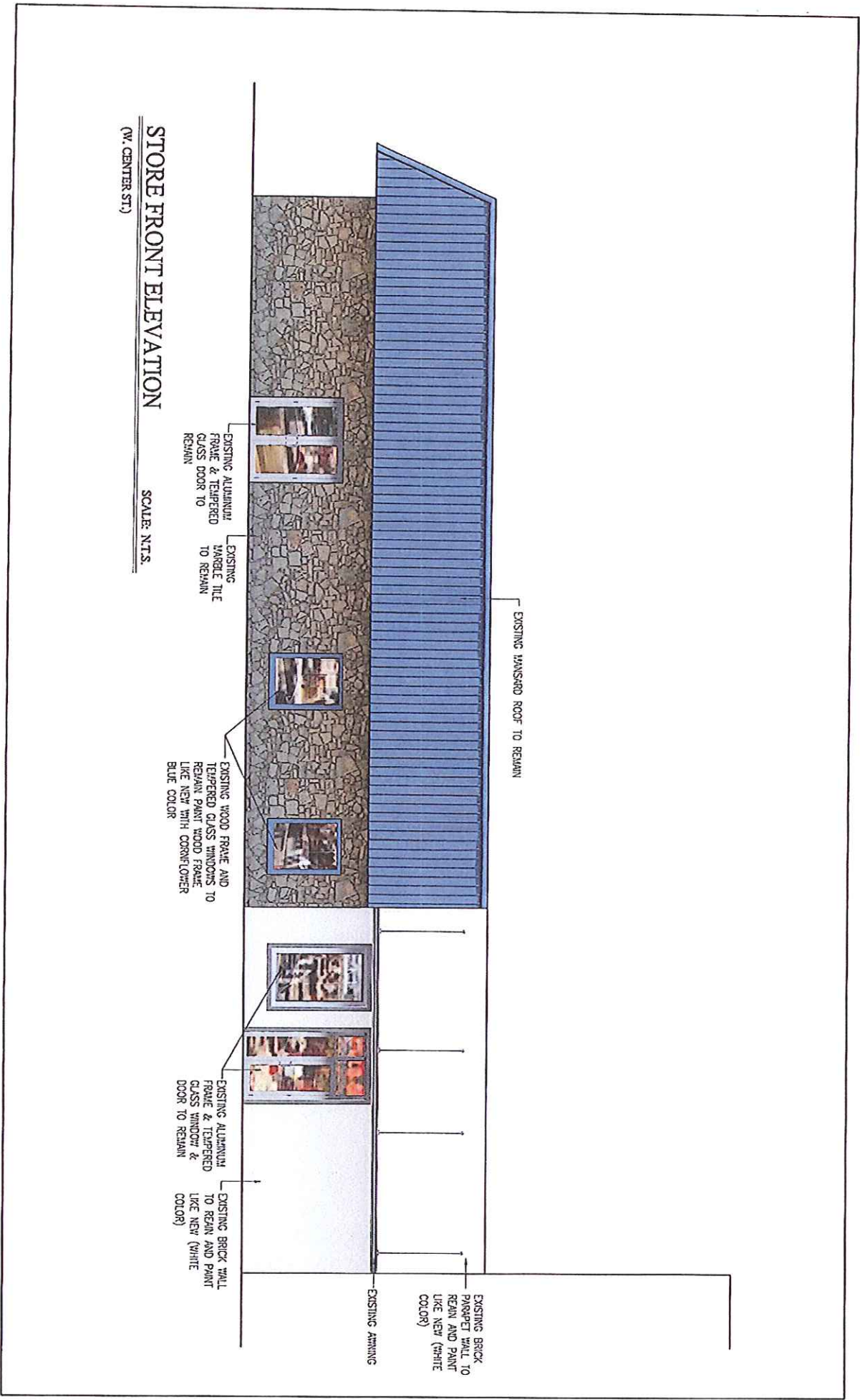
EXISTING VANSARD ROOF  
TO REMAIN

NEW 2-1/2" LED CHANNEL  
LETTER SIGN BY SIGN  
CONTRACTOR

**STORE SIDE ELEVATION**  
(S. FRONT ST.)

SCALE: N.T.S.





EXISTING MANSARD ROOF TO REMAIN

EXISTING BRICK  
PARAPET WALL TO  
REIN AND PAINT  
LIKE NEW (WHITE  
COLOR)

EXISTING RAINING

EXISTING ALUMINUM  
FRAME & TEMPERED  
GLASS DOOR TO  
REMAIN

EXISTING  
MARBLE TILE  
TO REMAIN

EXISTING WOOD FRAME AND  
TEMPERED GLASS WINDOWS TO  
REMAIN PAINT WOOD FRAME  
LIKE NEW WITH CORNFLOWER  
BLUE COLOR

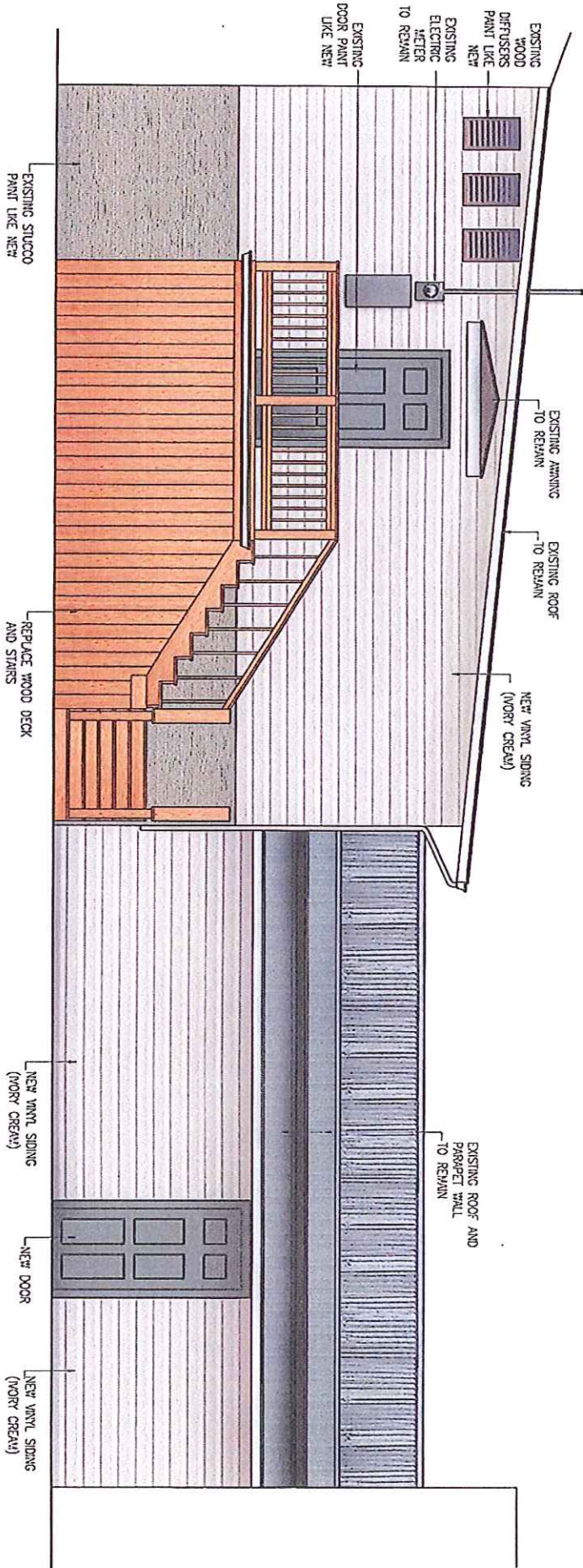
EXISTING ALUMINUM  
FRAME & TEMPERED  
GLASS WINDOW &  
DOOR TO REMAIN

EXISTING BRICK WALL  
TO REIN AND PAINT  
LIKE NEW (WHITE  
COLOR)

**STORE FRONT ELEVATION**

(W. CENTER ST.)

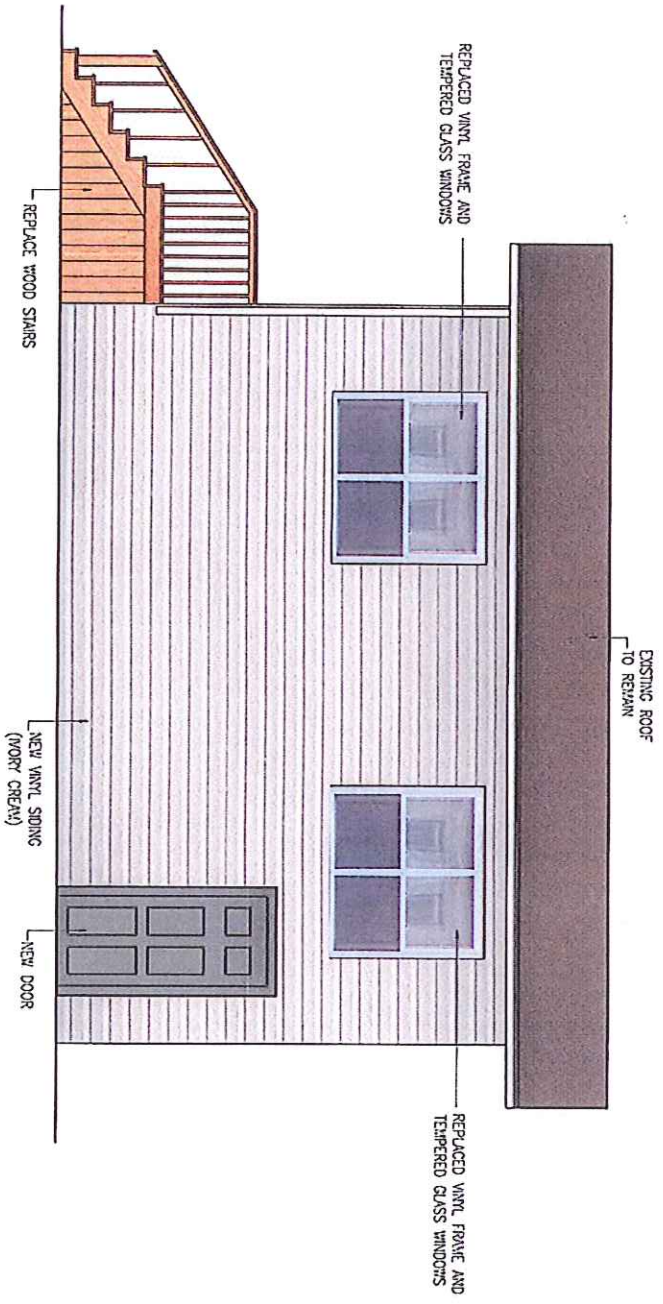
SCALE: N.T.S.



**STORE REAR ELEVATION**

SCALE: N.T.S.





STORE REAR ELEVATION

SCALE: N.T.S.

## MEMORANDUM

**TO:** Planning and Zoning Commission  
**FROM:** Sofia Nelson, Planning Director  
**DATE:** February 6, 2014  
**SUBJECT:** CONDITIONAL USE OVERLAY-O'Reilly Auto Parts Store

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### Background

**Request:**

The applicant is requesting approval of a conditional use permit to allow the construction of a 7,453 square foot retail building.

**Location:**

The subject property is located at 22387 IH-35 (between the intersection of I-35 and Center Street and the Auto Zone).

### Proposal

The proposed building is being constructed for an O'Reilly's Auto Parts. The store is proposed to have a primary exterior finish of EIFs with an accent of rock veneer. The store is proposed to also have a red entry way to frame the entrance of the store.

### **COMPREHENSIVE MASTER PLAN GUIDENCE**

The Comprehensive Master Plan identifies the site to be located within the Regional Node. The Comprehensive Master characterizes the Regional Node as an area that should represent the character and identity of 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 approach ways.*

**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 include 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 is appropriate for its location and surroundings.
- The proposed building is shown to have an exterior finish of EIFS and accents of stone veneer. The surrounding buildings within the commercial subdivision and along the frontage road appear to consist of primarily stone veneer (Auto Zone, 7-11, and Goodyear Tire). The building material colors do not appear to contrast with the remainder of the buildings in the shopping center. Additionally, the proposed building includes a red entry way consistent with corporate colors. While the red entry way is consistent with corporate colors it does not appear to be consistent with the surrounding buildings. The surrounding buildings have been developed in a manner that consists primarily of stone veneer and corporate branding is saved for a band sign across the front and rear of the building.
- In keeping with the Comprehensive Plan's goal of maintaining consistent materials and hues staff is recommending the following changes:
  - A proposal that consists primarily of masonry rock façade with EIFS used as an accent.
  - Remove the red entry way and design as shown in the attached examples.



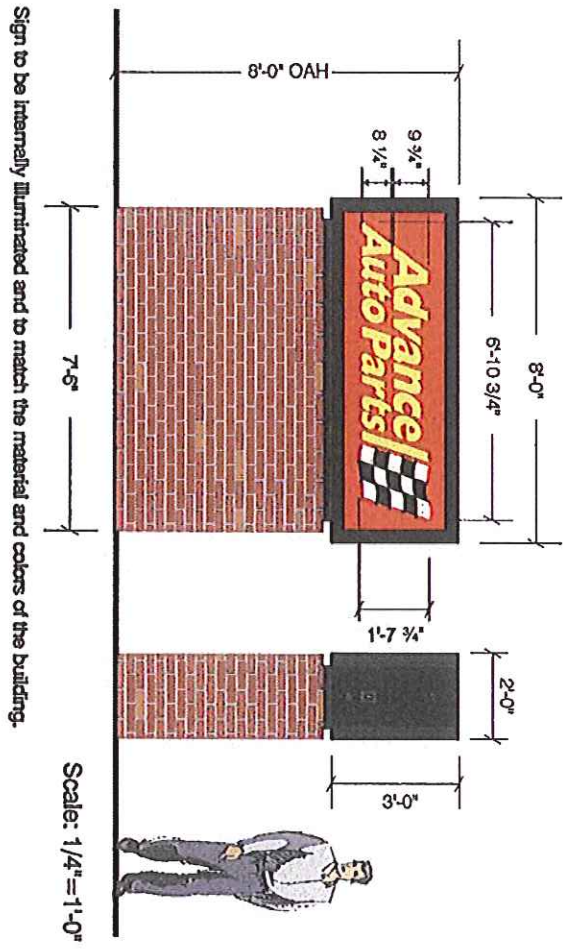






**3'-0" x 8'-0" Monument at 10' OAH**

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



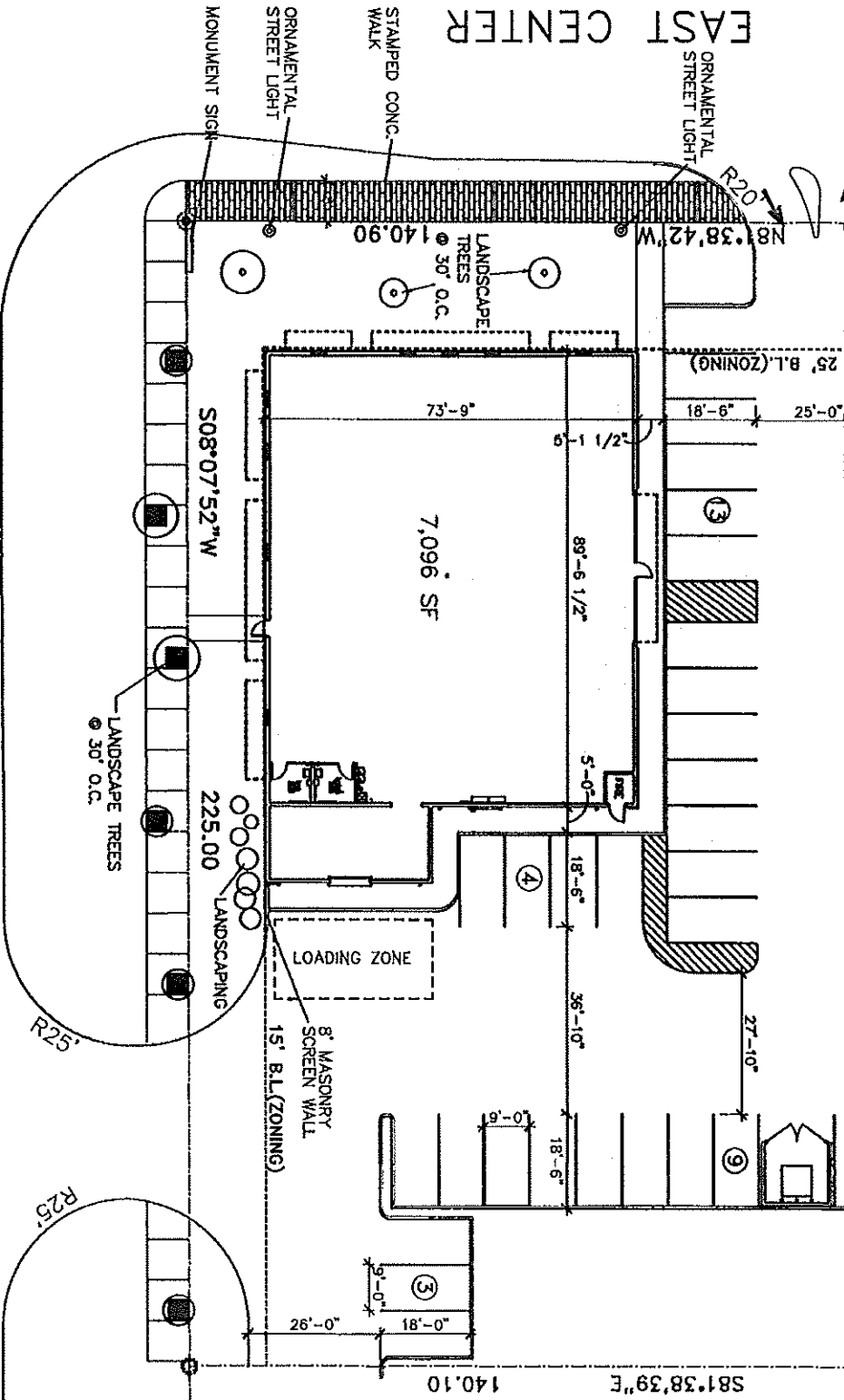
# UNION PACIFIC RAIL ROAD

N08°20'05"E 225.00

10' B.L.(ZONING)

APPROXIMATE LAND SIZE	31.788 SQFT (0.73 ACRES)
CURRENT ZONING	R25
BUILDING SQFT	7,096 SQFT
PARKING REQUIRED	28 SPACES
PARKING CALCULATION: 1/220 SQFT	28 SPACES
PARKING PROVIDED	28 SPACES

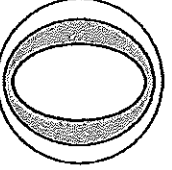
# EAST CENTER STREET



# OLD HIGHWAY 81

CENTER ST & OLD US HWY 81

KYLE, TX



OMNI GROUP LTD.

**F-J-L-C**

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

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

SHEET

**R-1**

12/18/13

February 11, 2014

## City Council

Zoning

**Case Number: Z-14-001**

**OWNER/APPLICANT:** Marco & Yolanda Cantu

**LOCATION:** 307 W. Moore St.

**AREA:** 0.13 Lot 6 and 0.13 Lot 7

**PROPOSED CITY COUNCIL HEARINGS:** First Reading: February 18, 2014  
Second Reading: March 4, 2014

**EXISTING ZONING:** R-1

**PROPOSED ZONING:** R-1-A

**SITE INFORMATION:**

***Transportation:*** The subject property is on the southeast corner of Moore and Nance Street. The location is currently undeveloped.

***Surrounding Zoning:***

- *North: R-1*
- *South: R-1*
- *East : R-1*
- *West: Bounded by Nance Street*

***Future Land Use Designation:*** Old Town Community

**PUBLIC INPUT:**

Notice of the proposed change was sent to property owners within 200' of the subject property. No phone calls or correspondence has been received in support or in opposition of this request. Under the new notification requirements a sign was also posted on the site.

**STAFF ANALYSIS:**

***Background***

The R-1 zoning designation is a zoning designation that was included in the previous zoning ordinance. In 2003 the current zoning ordinance was adopted without the R-1 zoning designation. Because the zoning designation is not within the currently adopted zoning ordinance prior to the development of a property with a R-1 designation the property owner must rezone to a designation included within the current ordinance.

The applicant is seeking to rezone this property to a category permitted within the zoning ordinance and consistent with the surrounding zoning districts and surrounding development.

***Comprehensive Plan Guidance***

The Old Town Community District is called to be preserved and promoted. This district is called to be both local commercial services and residential uses. The Old Town Future Land Use district identifies R-1-A as a conditional zoning designation

***Proposed Zoning District***

February 11, 2014

## City Council

Zoning

**Case Number: Z-14-001**

The R-1-A single-family attached/detached district allows attached or detached single-family homes with a minimum of 1,000 square feet of living area and permitted accessory structures with a minimum lot size of 4,800 square feet. In addition there shall be no more than 6.8 houses per buildable acre. The residences authorized within the zoning are typically referred to as garden homes, patio home or zero lot line homes.

### *Recommendation*

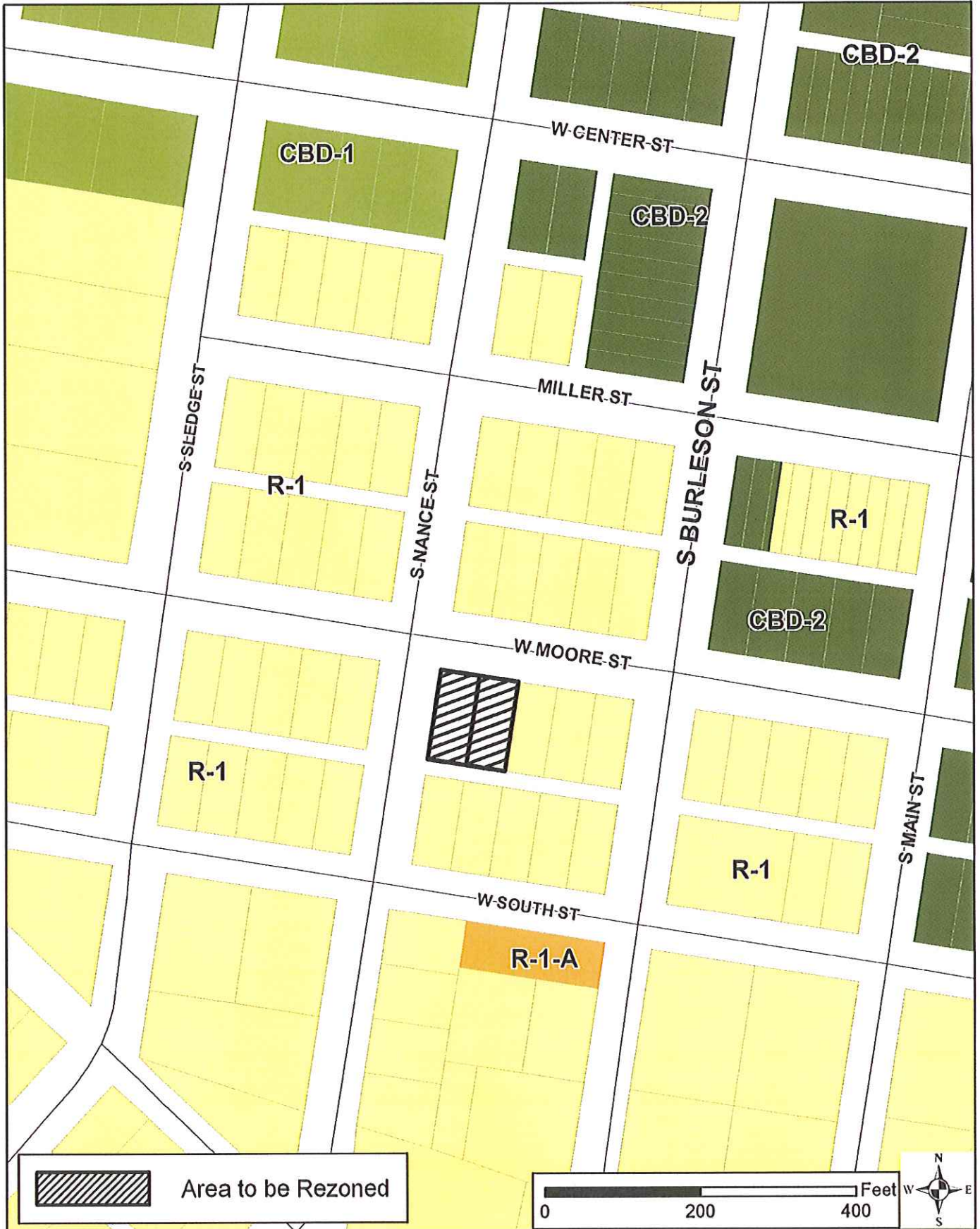
In reviewing the requested rezoning request staff has made the following findings:

- The current zoning category, "R-1", is no longer a recognized zoning category. Prior the redevelopment of the property the lot must be rezoned.
- The Comprehensive Master Plan calls for civic, specialty commercial, and residential development within Old Town future land use district.
- The proposed rezoning appears to support the vision and character of the Old Town Future land use district.
- The proposed rezoning does not appear to substantially affect the public health, safety or welfare of adjacent property owners.

Staff is recommending approval of the request.



# Exhibit B



# City Council

Zoning

**Case Number: Z-14-002**

**OWNER/APPLICANT:** Elisa Flores & Oliver Billingsley

**LOCATION:** 350 W. Third Street

**AREA:** 0.17

**PROPOSED CITY COUNCIL HEARINGS:** First Reading: February 18, 2014  
Second Reading: March 4, 2014

**EXISTING ZONING:** R-1

**PROPOSED ZONING:** R-1-A

**SITE INFORMATION:**

***Transportation:*** The subject property is located to the west of the intersection of W. Third Street and S. Main Street and the site remains undeveloped.

***Surrounding Zoning:***

- *North: R-1*
- *South: R-1 until extent of Kyle City Limits*
- *East : R-1 Bounded by S. Main Street*
- *West: R-1*

***Future Land Use Designation:*** Historic Core Area Transition

**PUBLIC INPUT:**

Notice of the proposed change was sent to property owners within 200' of the subject property. No phone calls or correspondence has been received in support or in opposition of this request. Under the new notification requirements a sign was also posted on the site.

**STAFF ANALYSIS:**

***Background***

The applicant is seeking to rezone this property to a category permitted within the zoning ordinance and consistent with the surrounding zoning districts and surrounding development.

***Comprehensive Plan Guidance***

The purpose of the Historic Core Area Transition District is to accommodate the growth of residential and neighborhood commercial uses around the Old Town District, while preserving the historic rural fabric. The comprehensive plan guidance for this future land use district identifies the R-1-A zoning district as a conditional zoning district.

***Proposed Zoning District***

The R-1-A single-family attached/detached district allows attached or detached single-family homes with a minimum of 1,000 square feet of living are and permitted accessory structures with a minimum lot size of 4,800 square feet. In addition there shall be no more than 6.8 houses per buildable acre. The residences authorized within the zoning are typically referred to as garden homes, patio home or zero lot line homes.

February 18, 2014

*City Council*

Zoning

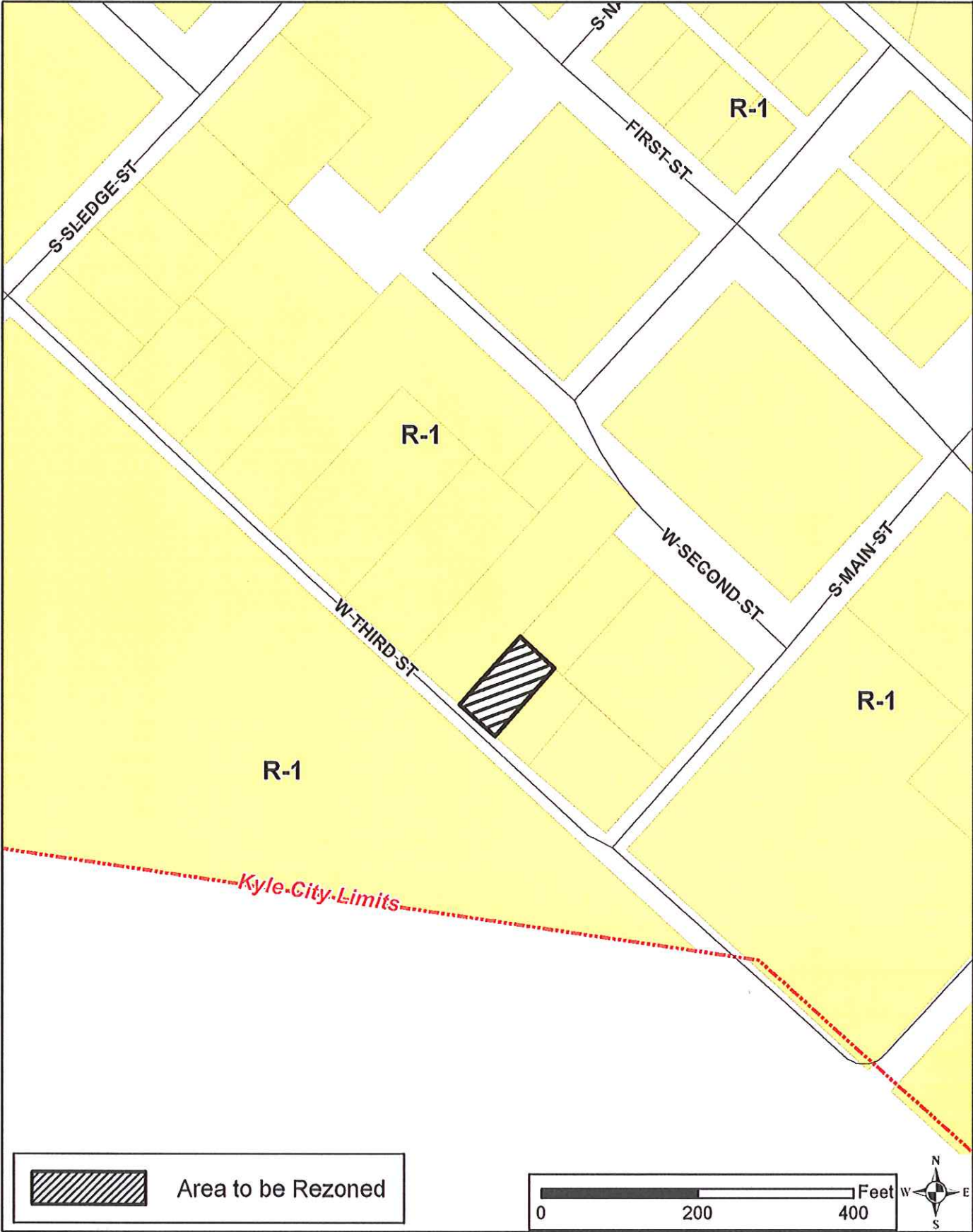
**Case Number: Z-14-002**

**Recommendation**

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

- The proposed rezoning appears to support the vision and residential character of the future land use district.
- The proposed rezoning does not appear to substantially affect the public health, safety or welfare of adjacent property owners.

# Exhibit B



**Proposed Amendments to the Comprehensive Plan  
Final Recommendations to the Planning and Zoning Commission**

<b>District</b>	<b>Neighborhood Commercial</b>	<b>Community Commercial</b>	<b>Additional Recommendations</b>
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



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