

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 March 25, 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 21st day of March prior to 6:30 PM.

1. **Call Meeting to Order**
2. **Roll Call**
3. **Citizen Comments**
4. **Minutes – Planning and Zoning Commission Meetings February 25, 2014 and March 11, 2014.**
5. **CONSENT AGENDA:**

- A. Silver Cloud Subdivision (SFP-14-001)
4.55 acres; 2 Lots
Located at 1300 Windy Hill Road
Owner: Robbin Thompson
Agent: Rocky Edwards, Hays County Sureveying

(Note: Statutory Disapproval (Note: In accordance with the statutory requirements of the Texas Local Government Code reflected in Sections 12.03.001, 12.05.004, 12.06.04 the following applications are recommended for statutory disapproval in order to allow the City to process the application. These applications will continue through the review process without bias and will be placed on the agenda in a timely manner once the review process is complete. Statutory disapproval in order to meet statutory requirements under these sections shall not bias future consideration of this application by the Planning and Zoning Commission).

CONSIDER AND POSSIBLE ACTION:

6. **ZONING:**
 - A. Consider a request by David and Michael Saucedo to rezone approximately 0.3055 acres from 'R-1' Single Family to 'R-2' Residential Two Family on property located at 400 S. Main Street.

- **Public Hearing**

7. STAFF REPORT

- A. 1200 Dacy Lane Transportation Master Plan Amendment Request.
- B. Present Landscape Ordinance research.

8. 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 3/21/14
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 February 25, 2014 at 6:30 p.m. at Kyle City Hall, with the following persons present:

Commissioner Cicely Kay	Lesley Guiott
Commissioner Dan Ryan	Richard Weiss
Commissioner Mike Wilson	Gene Harris
Chairman Shane Arabie	Dan Slovak
Commissioner Alfred Zambrano	
Commissioner Irene Melendez	
James Collins, Student KAYAC Representative	
Planning Intern, Courtney Peres	
Director of Planning, Sofia Nelson	

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. Commissioner Rubsam was absent.

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. There were no comments. Chairman Arabie closed the citizens comment period at 6:30 pm.

MINUTES:

PLANNING AND ZONING COMMISSION MEETING – JANUARY 28, 2014 AND FEBRUARY 11, 2014.

Commissioner Wilson moved to approve the Planning and Zoning Commission meetings – January 28, 2014 and February 11, 2014. Commissioner Zambrano seconds the motion. All votes aye. Motion carried.

CONSENT AGENDA:

PLUM CREEK PHASE 1 SECTION 6E-1, LOTS 22-24, BLOCK L – AMENDED PLAT (AFP-14-002) 2 ACRES; 3 LOTS LOCATED OFF OS KIRBY AND GRACE.

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

CONSIDER AND ACT ON:

CONDITIONAL USE PERMIT:

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.

Chairman Arabie opened the public hearing at 6:36 p.m. and called for comments for or against the request by O'Reilly Auto Enterprises, LLC. There were no comments. Chairman Arabie closed the public hearing at 6:37 p.m.

Commissioner Zambrano moved to approve the conditional use permit with the condition that they use the red banner as shown in the Buda example and without the red columns. Commissioner Ryan seconds the motion.

Commissioner Wilson amends the motion to not have a red sign on the side elevation and to increase the height of the required masonry to extend to the top of the store front glazing on the front elevation. Commission Ryan seconds the motion. All votes aye. Motion carried.

CONSIDER A REQUEST BY COLBY EVANS (EVANS MEDICAL BUILDING – PHASE 1) FOR A CONDITIONAL USE PERMIT TO CONSTRUCT A 6,200 SQUARE FOOT BUILDING LOCATED AT 20871 IH-35.

Courtney Peres, Planning Department Intern presented this item to the Commission.

Chairman Arabie opened the public hearing at 6:50 p.m. and called for comments for or against the request by Advance Auto Parts. There were no comments. Chairman Arabie closed the public hearing at 6:50 p.m.

Commissioner Ryan moved to approve the request by Colby Evans (Evans Medical Building – Phase 1). Commissioner Kay seconds the motion. All votes aye. Motion carried.

ZONING:

CONSIDER A REQUEST BY SERGIO AND TERESA LOPEZ TO ASSIGN ORIGINAL ZONING OF 'RS' RETAIL SERVICE DISTRICT TO APPROXIMATELY 3.104 ACRES OF LAND ON PROPERTY LOCATED AT 1250 DACY LANE. (Z-14-003)

Chairman Arabie opened the public hearing at 7:02 p.m. and called for comments for or against the request by Sergio and Teresa Lopez. Gene Harris addressed to Commission and stated that he is a neighbor and is in favor of the request. Chairman Arabie closed the public hearing at 7:03 p.m.

Commissioner Ryan moved to approve the request by Sergio and Teresa Lopez. Commissioner Wilson seconds the motion. All votes aye. Motion carried.

OTHER:

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.

Chairman Arabie opened the 2nd of 2 public hearings at 7:26 p.m. regarding the proposed amendments to the comprehensive plan. There were no speakers. Chairman Arabie closed the public hearing at 7:26 p.m.

Commissioner Ryan moved to approve the Long Range Planning Committee's recommendation for the Regional Node, Super Regional Node, Riparian District, Farm District, Ranch District, Historic Town District, New Town District, Employment and Heritage Community. Commissioner Zambrano seconds the motion. All vote aye. Motion carried.

Local Node - Chairman Arabie moved to approve as recommended by the Long Range Planning Committee. Commissioner Ryan seconds the motion. All votes aye. Motion carried.

Old Town Community - Commissioner Kay moved that Neighborhood Community is conditional, Community Commercial is not recommended, CBD-1 and CBD-2 are conditional, R-1-1 and R-1-2 recommended and R-3-3 not recommended. Commissioner Melendez seconds the motion. All votes aye. Motion carried.

Core Area Transition - Commissioner Kay moved to approve the Long Range Planning Committee's recommendation and to add R-1-1 and R-1-2 as conditional for Core Area Transition. Commissioner Ryan seconds the motion. Commissioners Kay and Ryan vote aye. Commissioners Wilson, Arabie, Zambrano and Melendez vote nay. Motion failed.

Commissioner Kay moved to approve the Long Range Planning Committee's recommendation for Core Area Transition. Commissioner Wilson seconds the motion. All votes aye. Motion carried.

Mid-town Community – Commissioner Kay moved to approve the Long Range Planning Committee's recommendation with the addition of changing R-1-1 to recommended. Commissioner Wilson seconds the motion. All votes aye. Motion carried.

New Settlement Community – Commissioner Kay moved to approve the Long Range Planning Committee's recommendation but change Neighborhood Commercial to recommended. Commissioner Zambrano seconds the motion. All votes aye. Motion carried.

Sensitive/Sustainable Development District – Commissioner Wilson moved to approve the Long Range Planning Committee's recommendation with the exception that Neighborhood Commercial be changed to conditional instead of recommended. Commissioner Melendez seconds the motion. All votes aye. Motion carried.

CONSIDER THE FOLLOWING AMENDMENTS TO THE PLUM CREEK UNIT DEVELOPMENT ORDINANCE.

- Add the following language to the Neighborhood Commercial (NC) and Commercial (c) use categories- Lighting: Parking lot lights, security lights, and other lights shall be designed to direct light down onto the site and away from adjacent residential property.
- Amend the Mixed Use (MXD) and Neighborhood Commercial (NC) use category maximum height requirements to require a compatibility setback when adjacent to a R-1 development.

- Amend the hours of operation requirements within the Mixed Use (MXD) use Category to limit the hours of operation from 6am to 11pm Sunday-Thursday and 6am to 1am Friday and Saturday when the MXD property shares a common property line with a R-1 or R-2 identified property.
- Amend the PUD ordinance to require architectural review committee approval be submitted with an application for a commercial site plan.

Chairman Arabie opened the public hearing at 7:51 p.m. regarding the proposed amendments to the Plum Creek Planned Unit Development Ordinance. There were no speakers. Chairman Arabie closed the public hearing at 7:51 p.m.

Commissioner Ryan moved to approve the proposed amendments to the Plum Creek Planned Unit Development Ordinance with the revision to use the exact language in mixed development for commercial development saying that the parking lot light security lights and other lights in mixed use on a commercial use site shall be designed to be direct light down to the site and away from adjacent residential property and in addition on the mixed neighborhood commercial in commercial that there are no exposed light sources visible from adjacent zoned properties of R-1 and R-2. Commissioner Wilson seconds the motion. All votes aye. Motion carried.

CONSIDER AMENDING ARTICLE II ZONING DISTRICTS AND REGULATIONS (SEC. 53-33, GENERAL REQUIREMENTS AND LIMITATIONS) TO EXEMPT PROPERTIES WITHIN THE ORIGINAL TOWN OF KYLE FROM THE RESIDENTIAL REQUIREMENT OF CONSTRUCTION OF A GARAGE.

Chairman Arabie opened the public hearing at 7:56 p.m. to exempt properties within the Original Town of Kyle from the residential requirement of construction of a garage. There were no comments. Chairman Arabie closed the public hearing at 7:56 p.m.

Commissioner Melendez moved to approve amending Article II Zoning District and Regulations (Sec. 53-33, General requirements and limitations) to exempt properties within the Original Town of Kyle from the residential requirement of construction of a garage. Commissioner Ryan seconds the motion. All votes aye. Motion carried.

STAFF REPORT

Sofia Nelson, Director of Planning stated that the Commission will receive a presentation from the Lone Star Rail District. She also stated that there will be a workshop to discuss landscaping requirements.

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 7:57 p.m.

Amelia Sanchez, City Secretary

Shane Arabie, Chairman

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.

REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION

The Planning and Zoning Commission of the City of Kyle, Texas met in regular session March 11, 2014 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
Commissioner Alfred Zambrano
Commissioner Irene Melendez
Director of Planning, Sofia Nelson

Tony Spano
Joe Lessard
Joe Black
Diana Blank-Torres

CALL MEETING TO ORDER

Commissioner Ryan called the meeting to order at 6:31 p.m.

ROLL CALL OF BOARD

Chairman Arabie called for roll call. James Collins, Student KAYAC Representative and Commissioner Melendez were absent. Commissioner Melendez arrived at 6:41 p.m.

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. Tony Spano with Plum Creek Development addressed the Commission and stated that he had additional information to add to the Lone Star Rail presentation and would also be available for questions. Chairman Arabie closed the citizens comment period at 6:32 pm.

CONSENT AGENDA:

**POST OAK PHASE 5B – FINAL PLAT (FP-14-003) 15.441 ACRES; 66 LOTS
LOCATION WILL BE THE EXTENSION OF LANGLEY, GODDARD AND WALLOPS
STREETS.**

(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)).

**KYLE 47 SUBDIVISION – PRELIMINARY PLAN (PP-13-009) 42.53 ACRES; 131 LOTS
LOCATED OFF OF REBEL DRIVE JUST NORHT OF SILVERADO SUBDIVISION.
VILLAS AT CREEKSIDE II – FINAL PLAT (FP-14-002) 5.751 ACRES; 24 TOWNHOME
LOTS, 1 RETAIL SERVICE LOT.**

KENSINGTON TRAILS SECTION 3A REPLAT OF LOTS 24-28, BLOCK C (AFP-13-008) 1.27 ACRES; 6 LOTS LOCATED OFF OF BEBEE ROAD BETWEEN KENSINGTON BLVD. AND BLOOMSBURY DRIVE.

Commissioner Ryan moved to statutorily disapprove Post Oak 5B – Final Plat and approve the consent agenda. Vice-Chair Rubsam seconds the motion. All votes aye. Motion carried.

CONSIDER AND POSSIBLE ACTION:

VILLAGE AT KOHLER'S CROSSING – SITE PLAN (SD-13-014) 2.932 ACRES; 34,200 SQUARE FOOT BUILDING LOCATION SOUTHEAST CORNER OF KOHLER'S CROSSING & EXTENSION OF BENNER.

Commissioner Ryan moved to approve the Village at Kohler's Crossing – Site Plan (SD-13-014) with the condition that the plat be recorded or Fiscal posted. Commissioner Wilson seconds the motion. All votes aye. Motion carried.

PRESENTATION:

RECEIVE A PRESENTATION FROM LONE STAR RAIL DISTRICT REPRESENTATIVES REGARDING COMMUTER RAIL PASSENGER SERVICE TO KYLE (PRESENTATION TO INCLUDE DISCUSSION REGARDING WORK WITH CITY STAFF, CITY COUNCIL, SURROUNDING JURISDICTIONS, IDENTIFIED LOCATION POSSIBILITIES, TIMELINE FOR IMPLEMENTATION AND RECOMMENDATIONS BY OTHER CITY BOARDS AND COMMISSIONS.)

Commissioner Melendez arrived at 6:41 p.m.

The Commission received a presentation by Joe Lessard, Joe Black with the Lone Star Rail District and Tony Spano with the Plum Creek Development.

ACTION:

CONSIDER PROVIDING THE CITY COUNCIL A RECOMMENDATION REGARDING THE POSSIBLE LOCATION OF PASSENGER SERVICE RAIL STOP IN KYLE.

Commissioner Wilson moved that the current location as presented with the oval half mile radius zone is acceptable and recommended to proceed to City Council. Commissioner Ryan seconds the motion. All votes aye. Motion carried.

WORKSHOP DISCUSSION:

DISCUSS STRATEGIES ON HOW TO MOVE FORWARD ON REVIEWING AND MODIFYING THE LANDSCAPE ORDINANCE.

Planning and Zoning Commission gave Sofia Nelson, Director of Planning to work on modifying the landscape ordinance. The suggestion was to work on the Commercial part first and work on residential at a later date. The Commissioner directed Sofia Nelson, Director of Planning to research the number and types of variances that have been requested in the past five or six years.

Sofia Nelson, Director of Planning proposed that the Commission look at giving different options to developers. The Commission agreed and also would like to give staff more latitude to work

with developers without coming to Planning and Zoning but, to have an appeal process built in if needed.

It was also discussed to have an option that would promote drought tolerant landscaping.

Sofia Nelson, Director stated that she will research the types of variances and the ratio of variance received and present the information at the next Planning and Zoning Commission meeting.

STAFF REPORT

Sofia Nelson, Director of Planning stated that the City Secretary sent an email asking for financial disclosures reports. Sofia asked that they be submitted to Amelia Sanchez, City Secretary.

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 7:54 p.m.

Amelia Sanchez, City Secretary

Shane Arabie, Chairman

March 25, 2014

City Council

Zoning

Case Number: Z-14-004

OWNER/APPLICANT: David Saucedo & Michael Saucedo

LOCATION: 400 S. Main Street

AREA: 0.3055

PROPOSED CITY COUNCIL HEARINGS: First Reading: April 1, 2014
Second Reading: April 15, 2014

EXISTING ZONING: R-1 (Single Family Zoning from pre-2003 ordinance)

PROPOSED ZONING: R-2 (Duplex residential)

SITE INFORMATION:

Transportation: The subject property is on the southwest corner of S. Main St. and W. South St.

Surrounding Zoning:

- *North: R-1*
- *North-East: CBD-2 & R/S*
- *South: R-1*
- *East: R-1*
- *West: Dominantly R-1 but also includes R-1-A*

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. Under the new notification requirements a sign was also posted on the site. A letter of opposition from the property owner of 107 West South Street is attached to this email.

STAFF ANALYSIS:

Background

The subject property is currently undeveloped. The applicant is seeking to redevelop the site and construct a duplex.

Comprehensive Plan Guidance

The Comprehensive Plan provides the following guidance:

- ☐ ***Character and Intent of the future land use district***
 - Encourage appropriate infill development and redevelopment
 - In order to ensure a smooth transition building height should not vary by not more than 2 stories from the average height within any one block.
 - The form of the district should be preserved and promoted
- ☐ ***Urban Design Plan***
 - The property is generally located on the boundary between core and transition urban design designations

March 25, 2014

City Council

Zoning

Case Number: Z-14-004

- Within the transitional designation communities should contain a mixture of housing types
- Lower density and horizontal mixture of residential types characterize the intensity of transitional area.
- ☐ Downtown Revitalization Plan
 - Connect downtown Kyle to surrounding neighborhoods
 - Create integrated and inter-connected mixed use districts

Proposed Zoning District

The Residential Two- Family District of R-2 allows single-family dwellings and duplex housing that shall have a minimum living area on each side of 900 square feet. 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.

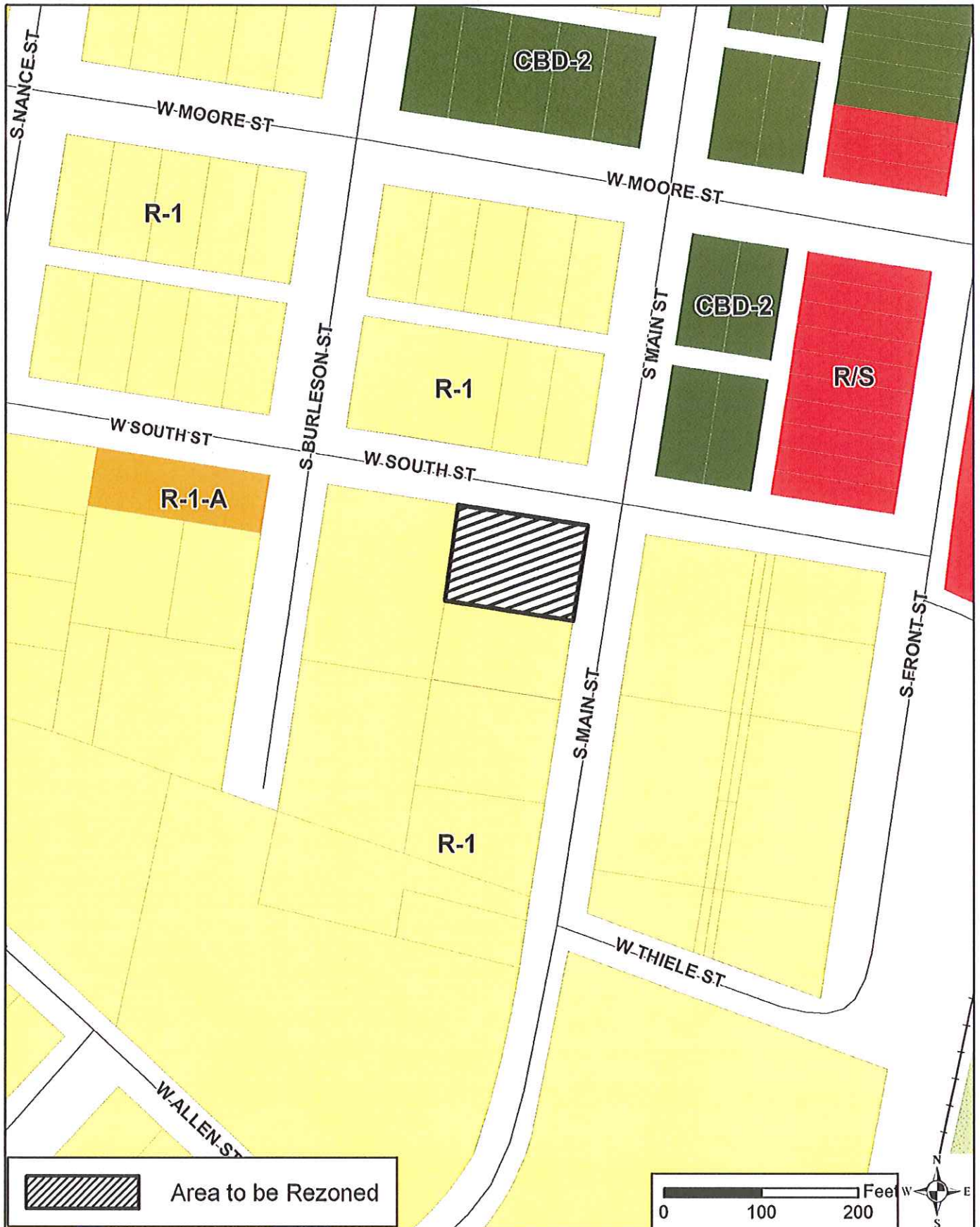
Recommendation

The Old Town future land use district identifies R-2 as a conditional zoning district. In reviewing the existing conditions of the area and guidance provided in the comprehensive plan staff has made the following findings:

- The subject property is a corner lot and meets all of the lot dimensional standards for the proposed zoning district.
- The block where the subject property is located is generally single family residential (catty-corner to the property is currently developed and used as a church).
- The area the property is located in is not an exclusively single family residential area. One block to the west (Front Street) contains commercial development and Center Street is located three blocks to the north.
- The Old Town future land use district encourages infill development.
- As the Original Town of Kyle continues to develop and redevelop the incorporation of a variety of residential types is critical to the livability of downtown. A variety of housing types will allow for a variety of ages and income ranges to live within this area of Kyle.
- As a corner lot the property allow for two different access points to the lot.
- The proposed zoning map amendment appears to implement the policies of the adopted Comprehensive Plan
- The uses permitted by the proposed change in zoning classification and the standards applicable to such uses appear to be appropriate for the subject property
- It does not appear that the proposed zoning will substantially affect the public health, safety or general welfare of the surrounding area.

As a result of the above findings staff is recommending approval of the request.

Exhibit B





CITY OF KYLE

100 W. Center • P.O. Box 40 • Kyle, Texas 78640 • (512) 262-1010 • FAX (512) 262-3800

Notice of Public Hearings on a Proposed Zoning Change

NOTICE IS HEREBY GIVEN TO ALL INTERESTED PERSONS, THAT:
Z-14-004

The City of Kyle shall hold a public hearing on a request by David and Michael Saucedo to rezone approximately 0.3055 acres from "R-1" Single Family to "R-2" Residential Two Family, on property located 400 S. Main Street, in Hays County, Texas.

A public hearing will be held by the Planning and Zoning Commission on Tuesday, March 25, 2014 at 6:30pm.

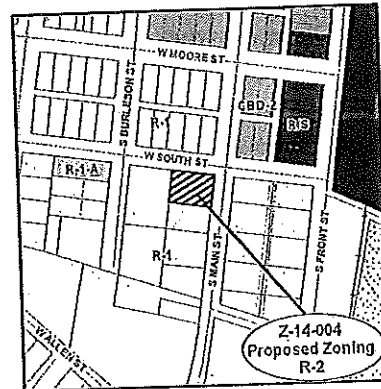
A public hearing will be held by the Kyle City Council on Tuesday, April 1, 2014 at 7:00pm.

Council action and second reading may be considered at the meeting to follow the public hearing (April 15, 2014).

Kyle City Hall, Council Chambers
100 W. Center St., Kyle, Texas

Owner: David and Michael Saucedo
Agent: Yolanda Saucedo
Phone: (512) 297-4407

For more information regarding this application
call the Planning Department
at (512) 262-3925.



• • • • •

You may send your written comments to the Planning Department, 100 W. Center St., Kyle, Texas 78640
(attention: Zoning File #: Z-14-004)

Name: Fidel S Alvarez Jr Address: 107 West South St

☐ I am in favor, this is why _____ ☒ I am not in favor, and this is why _____

Name: Fidel S. Alvarez

Address: 107 West South Street

☐ I am in favor, this is why_____

☒ I am not in favor, and this is why

In looking at the Comprehensive Plan for Kyle, it recommends Single family zoning for the particular property located 400 S. Main Street in Kyle, Texas. Their decision was made for certain reasons that was thought to be beneficial for Old Town Kyle. I am sure the decision made for this property to be R-1 Single Family was based on scientific evidence from all the studies that the city did on developing the Comprehensive Plan. This decision should remain intact.

Excerpts from the Comprehensive Plan:

"Ordinances makes understanding, applying, and enforcing the ordinances difficult for residents, developers, and City staff and officials. Clearly defined and executed enforcement is critical to maintaining standards in Kyle. Currently, the City relies on home owner associations (HOAs) for enforcement of some regulations, but there is evidence that the HOAs are not following uniform enforcement. The enforcement of all City standards and regulations, even if by private entities, must be held accountable and overseen in a uniform fashion by the City."

" Zoning maps should then be constructed as a tool to implement the land use maps and Comprehensive Plan.

Currently, land use decisions made by the City of Kyle are guided by the Zoning Map." (Which they were by the city)

"If the zoning so mapped is not cumulative, then the zoning map tends to be reactionary, as it records decisions made by Council action on individual parcels. Because the document records actions taken, it is a map and not a plan. Rather, a land use plan should be prescriptive, serving as a guide. A plan."

The Zoning Committee should let the Comprehensive Plan take it's course for lots of years so that it can become a true living document before any changes are made to the zoning proposed by the zoning commission to make changes on zonings.