

CITY OF KYLE

Planning & Zoning Commission Meeting Kyle City Hall 100 W. Center Street



Notice is hereby given that the Planning and Zoning Commission of the City of Kyle, Texas will meet at 6:30 PM on June 10, 2014, at Kyle City Hall 100 W. Center St in the Minerva Falcon Room 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 6th day of June prior to 6:30 PM.

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

A. Great Hills Section 5 (FP-14-007)

26.1 acres; 55 Single Family Lots

Located off of High Road and Extension of Railyard Drive

Owner: Donald Dempsey – Aus-Tex Parts & Service Ltd.

Agent: Chase Baromeo, Jr., P.E., LS, F.ASCE

(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 above 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. Hometown Kyle Phase 4 Section 3 (FP-14-008)

8.942 acres; 35 Single Family Lots

Location: Old Stagecoach Road – Extension of Desert Rose Drive

Owner: Ryland Homes of Texas

Agent: Garrett-Ihnen Civil Engineers

(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 above applications are recommended for statutory

disapproval in order to allow the City to process the application. These applications will continue through the review process without bias and will be placed on the agenda in a timely manner once the review process is complete. Statutory disapproval in order to meet statutory requirements under these sections shall not bias future consideration of this application by the Planning and Zoning Commission).

C. The Trails at Plum Creek – Site Plan (SD-13-020)

12.18 acres; 1 Lot

Located at 4300 Cromwell Drive

Owner: Madrone Ventures, LLC.

Agent: Hanrahan Pritchard Engineering, Inc.

5. ZONING:

A. Consider a request by Faris Badii to rezone approximately 0.132 acres from ‘R-1’ Single Family to ‘R-1-T’ Residential Townhome on property located at 112 W. Austin Street. (Z-14-013)

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

B. Consider a request by Arthur Jr. & Sylvia Sedillo to rezone approximately 6.03 acres from ‘RS’ Retail Service District to ‘R-3-2’ Multi-Family Residential 2 on property located at 210 Goforth Road. (Z-14-012)

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

C. Consider a request by Jo Rule to rezone approximately 3.97 acres from ‘RS’ Retail Service District to ‘R-3-2’ Multi-Family Residential 2 on property located at 200 Goforth Road. (Z-14-014)

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

6. WORKSHOP DISCUSSION:

A. Review and discuss the research on landscape variance requests and discuss revisions to the landscape ordinance.

7. STAFF REPORT

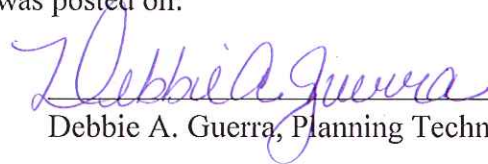
8. ADJOURNED

*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:

 _____
Debbie A. Guerra, Planning Technician

 _____
(Date)

June 10, 2014

Planning & Zoning

Site Development

Case Number: SD-13-020

PROJECT NAME: The Trails at Plum Creek Apartments

OWNER/APPLICANT: Hanrahan Pritchard Engineering, Inc. for Madrone Ventures, LLC

LOCATION: 4300 Cromwell Dr

AREA: 12.18 Acres

PROPOSED CITY COUNCIL DATE: June 17, 2014

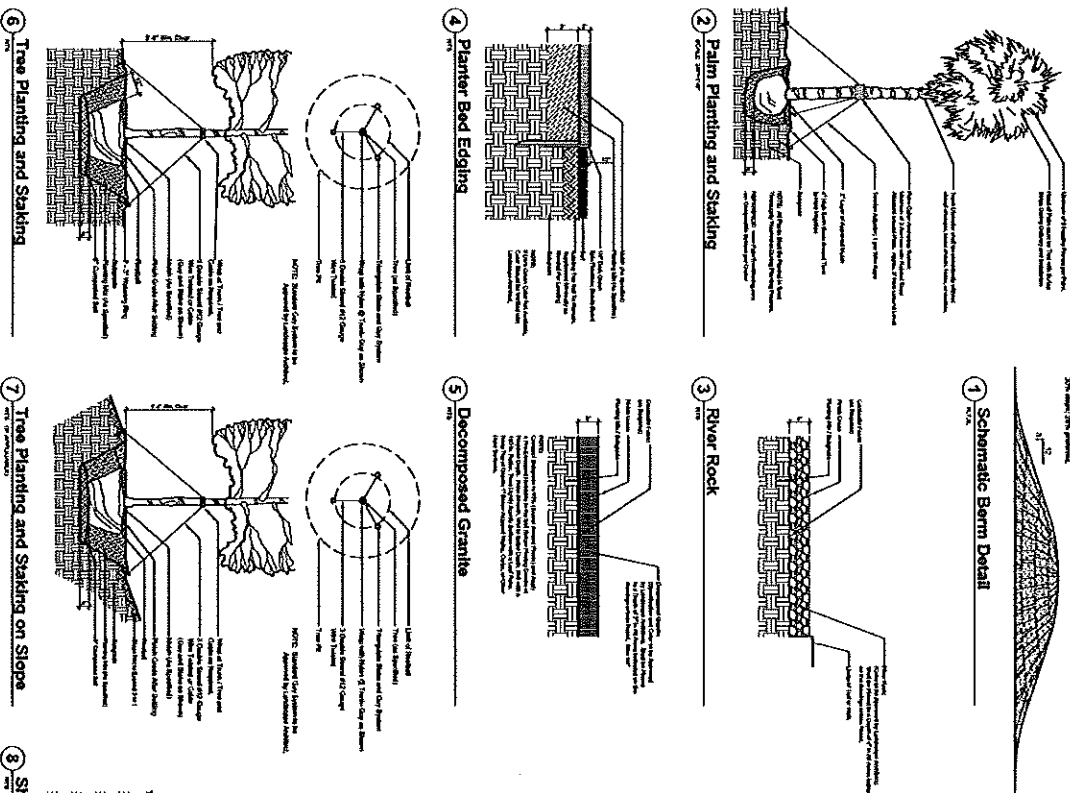
SITE INFORMATION:

The property is part of Plum Creek Phase 1 Section 11J on Cromwell Dr., near the southwest corner of FM 1626 (Major Arterial) and Kohlers Crossing (Minor Arterial). The Plum Creek golf course borders the property on the west side. The area is currently zoned MXD (Mixed Use) within the Plum Creek PUD.

STAFF ANALYSIS:

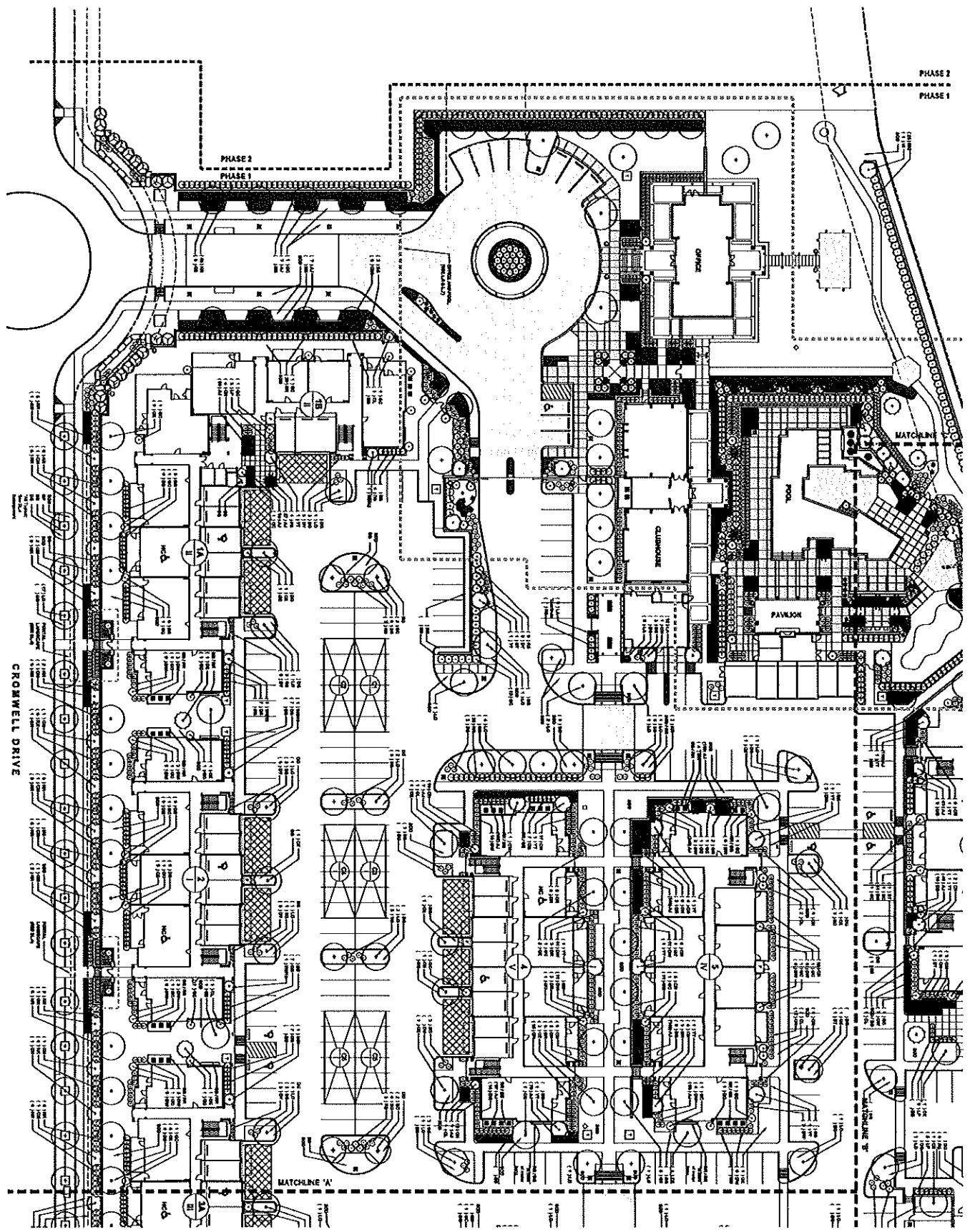
The application is for the first phase of development of a 248 unit apartment complex. The site will include 8 apartment buildings, clubhouse, pool and leasing office. Water and wastewater service is provided by the City of Kyle from existing stubs to the property.

This plan complies with the Plum Creek Master Plan and will conform to the development standards of the MXD zoning district.



Plant List - Contains an Exhaustive Customer Response to Questions and Comments

DTL #	Qty	Customer Name	Customer Item	Size	Customer Height	Plant	Customer
001	1	Customer Name	Plant Item	2' Gal.	Customer	Plant	Customer
002	1	Customer Name	Plant Item	4' Gal.	Customer	Plant	Customer
003	1	Customer Name	Plant Item	6' Gal.	Customer	Plant	Customer
004	1	Customer Name	Plant Item	8' Gal.	Customer	Plant	Customer
005	1	Customer Name	Plant Item	10' Gal.	Customer	Plant	Customer
006	1	Customer Name	Plant Item	12' Gal.	Customer	Plant	Customer
007	1	Customer Name	Plant Item	14' Gal.	Customer	Plant	Customer
008	1	Customer Name	Plant Item	16' Gal.	Customer	Plant	Customer
009	1	Customer Name	Plant Item	18' Gal.	Customer	Plant	Customer
010	1	Customer Name	Plant Item	20' Gal.	Customer	Plant	Customer
011	1	Customer Name	Plant Item	22' Gal.	Customer	Plant	Customer
012	1	Customer Name	Plant Item	24' Gal.	Customer	Plant	Customer
013	1	Customer Name	Plant Item	26' Gal.	Customer	Plant	Customer
014	1	Customer Name	Plant Item	28' Gal.	Customer	Plant	Customer
015	1	Customer Name	Plant Item	30' Gal.	Customer	Plant	Customer
016	1	Customer Name	Plant Item	32' Gal.	Customer	Plant	Customer
017	1	Customer Name	Plant Item	34' Gal.	Customer	Plant	Customer
018	1	Customer Name	Plant Item	36' Gal.	Customer	Plant	Customer
019	1	Customer Name	Plant Item	38' Gal.	Customer	Plant	Customer
020	1	Customer Name	Plant Item	40' Gal.	Customer	Plant	Customer
021	1	Customer Name	Plant Item	42' Gal.	Customer	Plant	Customer
022	1	Customer Name	Plant Item	44' Gal.	Customer	Plant	Customer
023	1	Customer Name	Plant Item	46' Gal.	Customer	Plant	Customer
024	1	Customer Name	Plant Item	48' Gal.	Customer	Plant	Customer
025	1	Customer Name	Plant Item	50' Gal.	Customer	Plant	Customer
026	1	Customer Name	Plant Item	52' Gal.	Customer	Plant	Customer
027	1	Customer Name	Plant Item	54' Gal.	Customer	Plant	Customer
028	1	Customer Name	Plant Item	56' Gal.	Customer	Plant	Customer
029	1	Customer Name	Plant Item	58' Gal.	Customer	Plant	Customer
030	1	Customer Name	Plant Item	60' Gal.	Customer	Plant	Customer
031	1	Customer Name	Plant Item	62' Gal.	Customer	Plant	Customer
032	1	Customer Name	Plant Item	64' Gal.	Customer	Plant	Customer
033	1	Customer Name	Plant Item	66' Gal.	Customer	Plant	Customer
034	1	Customer Name	Plant Item	68' Gal.	Customer	Plant	Customer
035	1	Customer Name	Plant Item	70' Gal.	Customer	Plant	Customer
036	1	Customer Name	Plant Item	72' Gal.	Customer	Plant	Customer
037	1	Customer Name	Plant Item	74' Gal.	Customer	Plant	Customer
038	1	Customer Name	Plant Item	76' Gal.	Customer	Plant	Customer
039	1	Customer Name	Plant Item	78' Gal.	Customer	Plant	Customer
040	1	Customer Name	Plant Item	80' Gal.	Customer	Plant	Customer
041	1	Customer Name	Plant Item	82' Gal.	Customer	Plant	Customer
042	1	Customer Name	Plant Item	84' Gal.	Customer	Plant	Customer
043	1	Customer Name	Plant Item	86' Gal.	Customer	Plant	Customer
044	1	Customer Name	Plant Item	88' Gal.	Customer	Plant	Customer
045	1	Customer Name	Plant Item	90' Gal.	Customer	Plant	Customer
046	1	Customer Name	Plant Item	92' Gal.	Customer	Plant	Customer
047	1	Customer Name	Plant Item	94' Gal.	Customer	Plant	Customer
048	1	Customer Name	Plant Item	96' Gal.	Customer	Plant	Customer
049	1	Customer Name	Plant Item	98' Gal.	Customer	Plant	Customer
050	1	Customer Name	Plant Item	100' Gal.	Customer	Plant	Customer



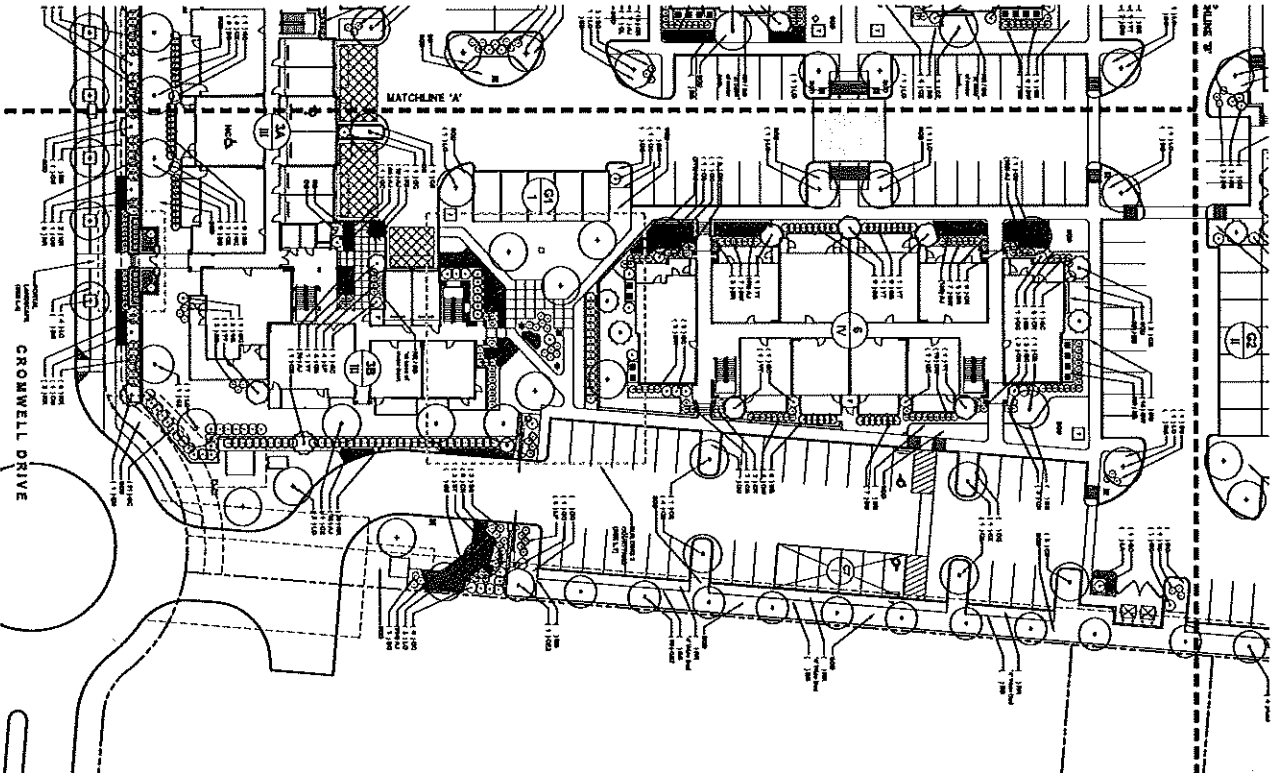
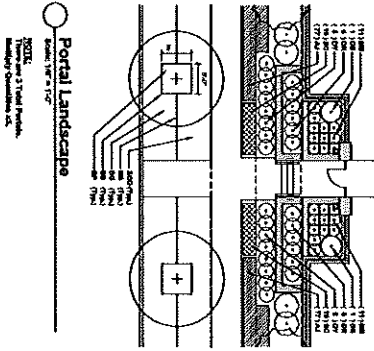
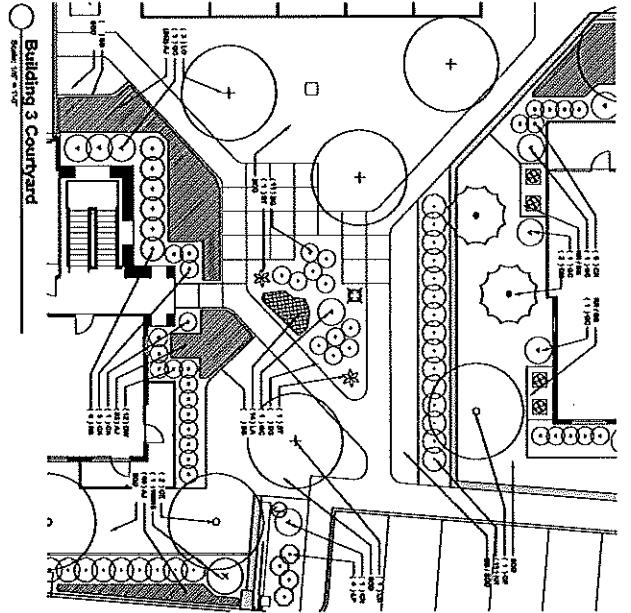
41 OF 46
L3



STATE OF TEXAS
REGISTERED PROFESSIONAL ENGINEER
DATE OF EXPIRATION: 12/31/2011
EXPIRES: 12/31/2011
NO. OF HOURS: 0
NO. OF CREDITS: 0

The Trails at Plum Creek
4300 Crowwell Drive
Kyle, Texas 78640

Grey Forest Development, LLC
1414 Bas Combe Road, Suite 102



The Trails at Plum Creek
 4300 Crowmell Drive
 Kyle, Texas 78640

Grey Forest Development, LLC
 1311 Red Creek Road, Suite 102

STATE OF TEXAS
 COUNTY OF DALLAS
 PLUM CREEK, TEXAS
 1/25/2015



Legend

Symbol	Description
(Circle with crosshair)	Tree
(Circle with dot)	Plant
(Circle with star)	Light
(Circle with crosshair)	Well
(Circle with crosshair)	Manhole
(Circle with crosshair)	Valve
(Circle with crosshair)	Water Meter
(Circle with crosshair)	Gas Meter
(Circle with crosshair)	Electric Meter
(Circle with crosshair)	Transformer
(Circle with crosshair)	Substation
(Circle with crosshair)	Storm Drain
(Circle with crosshair)	Sewer
(Circle with crosshair)	Water
(Circle with crosshair)	Gas
(Circle with crosshair)	Electric
(Circle with crosshair)	Other

Scale: 1" = 10'-0"

North Arrow: (Arrow pointing up)

Project No.: 1501001

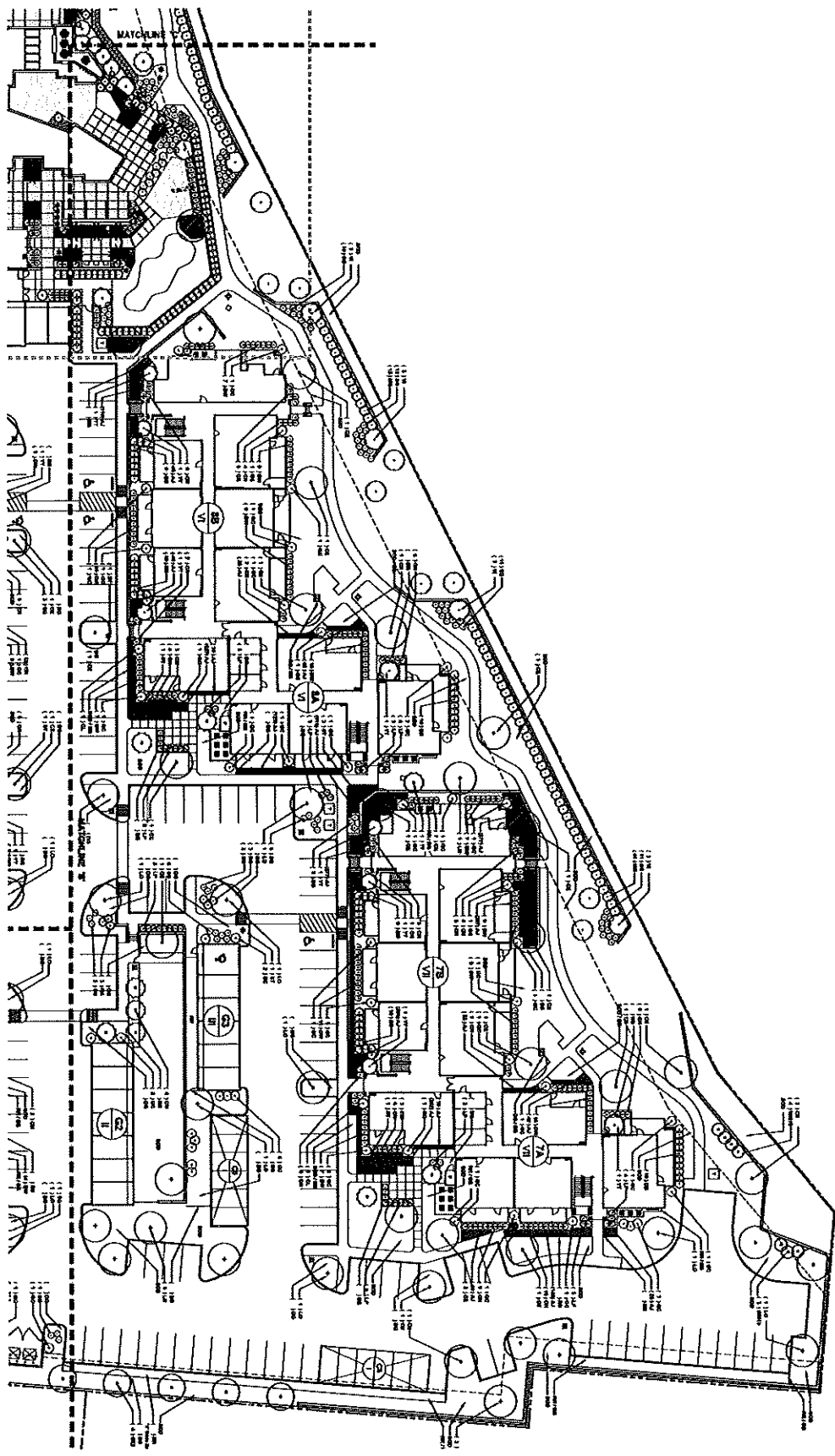
Sheet No.: 42 OF 46

Date: 1/25/2015

Author: L.A.

Check: L.A.

Scale: 1" = 10'-0"

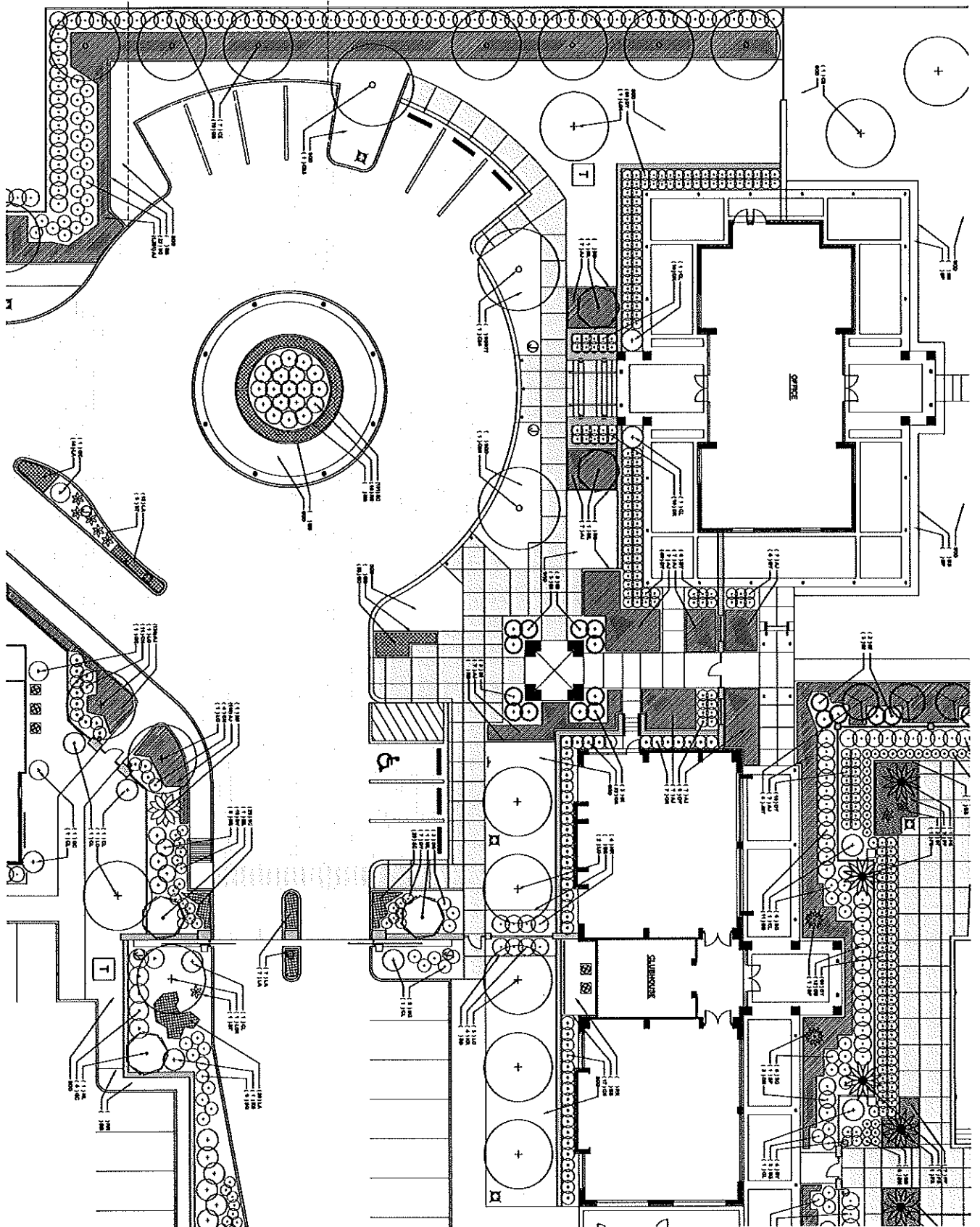


43 OF 46
 L5
 LANDSCAPE PLAN
 PROJECT NO. 111490
 DATE: 11/11/11
 SCALE: AS SHOWN
 SHEET NO. 43 OF 46
 PROJECT NO. 111490



TAKE HEARD, INC.
 111490
 111490
 111490
 111490

The Trails at Plum Creek
 4300 Cromwell Drive
 Kyle, Texas 78640
Grey Forest Development, LLC
 1811 Red Cedar Road, Suite 107



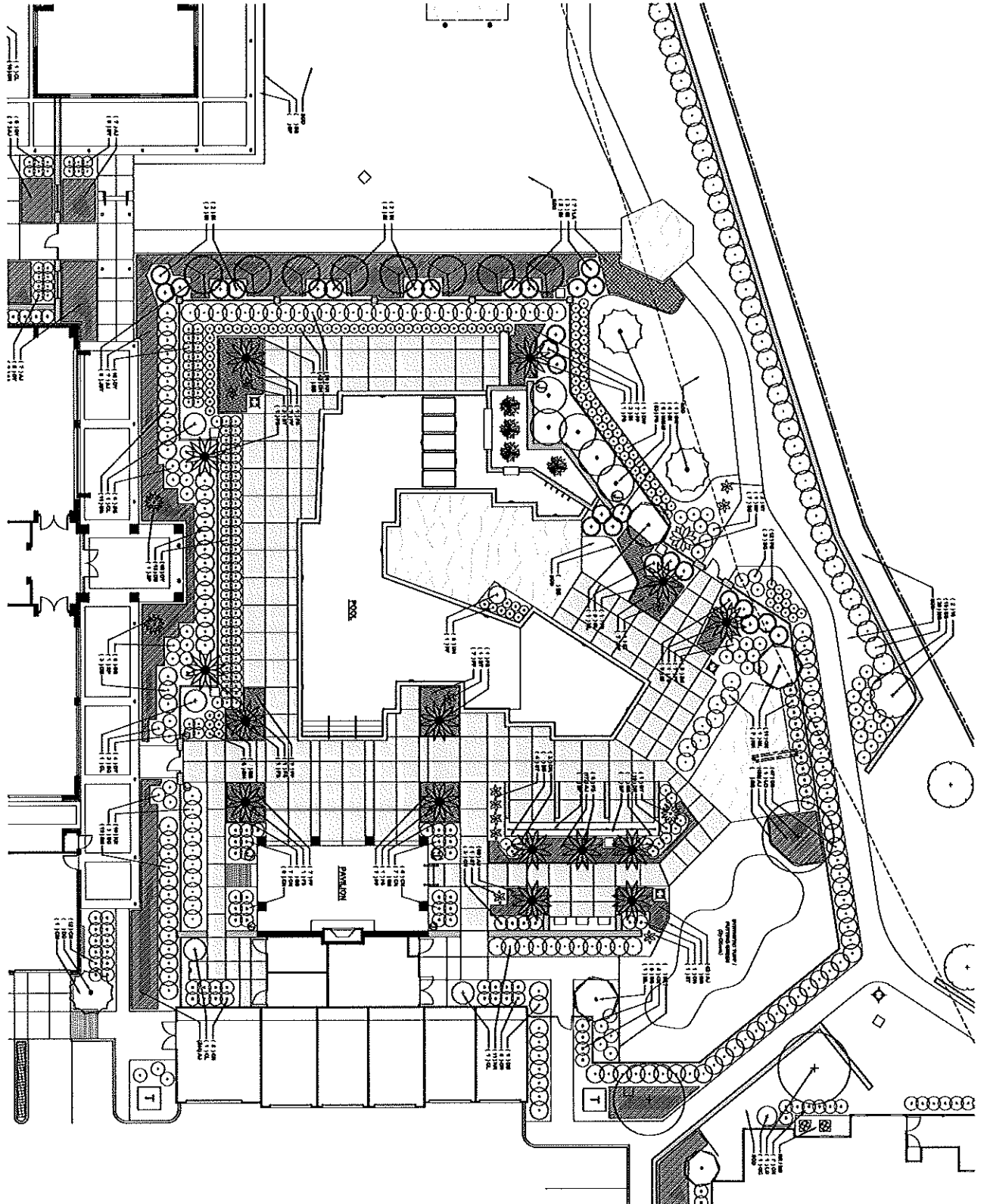
44 OF 46
 L6
 Landscape Plans - 08/11
 PROJECT SHEET
 1. DATE: 08/11
 2. DRAWN BY: [unintelligible]
 3. CHECKED BY: [unintelligible]
 4. APPROVED BY: [unintelligible]
 5. SCALE: AS SHOWN
 6. SHEET NO.: 44 OF 46
 7. PROJECT NO.: [unintelligible]



3042 QUAKER, INC.
 1000 QUAKER DRIVE
 QUAKER, TEXAS 75782
 409.482.1111
 FAX 409.482.1112
 WWW.QUAKERINC.COM

The Trails at Plum Creek
 4300 Cromwell Drive
 Kyle, Texas 78640

Grey Forest Development, LLC
 1211 Red Cedar Road, Suite 102



NO.	DESCRIPTION
1	PLANT 100
2	PLANT 101
3	PLANT 102
4	PLANT 103
5	PLANT 104
6	PLANT 105
7	PLANT 106
8	PLANT 107
9	PLANT 108
10	PLANT 109
11	PLANT 110
12	PLANT 111
13	PLANT 112
14	PLANT 113
15	PLANT 114
16	PLANT 115
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36	PLANT 135
37	PLANT 136
38	PLANT 137
39	PLANT 138
40	PLANT 139
41	PLANT 140
42	PLANT 141
43	PLANT 142
44	PLANT 143
45	PLANT 144



SAFEGROUP, INC.
11101 GARDEN GROVE DRIVE, SUITE 100
DALLAS, TEXAS 75243
PHONE: (214) 425-1111
FAX: (214) 425-1112
WWW.SAFEGROUP.COM

June 10, 2014

Planning & Zoning

Zoning

Case Number: Z-14-013

OWNER/APPLICANT: Faris Badii

LOCATION: 112 W. Austin St (Lot 6, Block 22 of the Original City of Kyle)

AREA: 0.132 Acres

PROPOSED CITY COUNCIL HEARINGS: First Reading & Public Hearing: June 17, 2014
Second Reading: July 1, 2014

EXISTING ZONING: R-1 (and the site is within the IH 35 Zoning Overlay and the Central Business District Zoning Overlay)

PROPOSED ZONING: R-1-T (Residential Townhome)

Residential Townhome zoning allows attached single-family homes with a minimum of 1,000 square feet of living area. There shall be no more than 10 units per buildable acre.

SITE INFORMATION:

Transportation: The property is on the northeast corner of Austin St and N Main St, both local residential streets.

Surrounding Zoning:

- North: R-1
- South: R-1, CBD-2
- East: R-1
- West: R-1

Future Land Use Designation: Old Town District

PUBLIC INPUT:

Notice of the proposed change was sent to property owners within 200' of the subject property. No phone calls or correspondences have 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 R-1-T, with the intention to build two small townhomes on the site. The existing R-1 zoning is a designation from the original zoning ordinance and is not a valid category in the current zoning code that was adopted in 2003. R-1-T zoning has similar setback and height restrictions to other single family zoning categories.

June 10, 2014

Planning & Zoning

Zoning

Case Number: Z-14-013

Comprehensive Plan Guidance

R-1-T is a recommended use for the Old Town District.

The Old Town District contains the historic commercial and residential core of Kyle. Primary uses in this area are residential, civic and specialty commercial. This district should promote a variety of housing options and commercial activities, encouraging infill while maintaining the characteristics of the town center.

Recommendation

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

- The Comprehensive Master Plan calls for civic, specialty commercial, and residential development within Old Town future land use district.
- The proposed rezoning would allow for a variety of housing options to be built in the core area of downtown Kyle.
- The proposed rezoning appears to support the vision and character of the Old Town land use district and is consistent with the future land use recommendations for the Old Town District.

Staff recommends approval of the request.

Z-14-013

N BURLESON ST

N MAIN ST

SCHLEMMER ST

NORTH ST

AUSTIN ST

N MAIN ST

BLANCO ST

W LOCKHART ST

ONT ST N FRONT ST

W CENTER ST

E CENTE

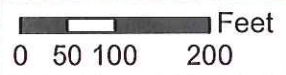
N NANCE ST

BURLESON ST

MAIN ST

N OLD HWY 81

ELO




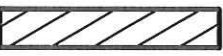


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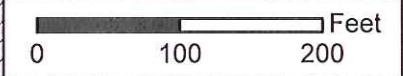


Parcel Lines

Exhibit B



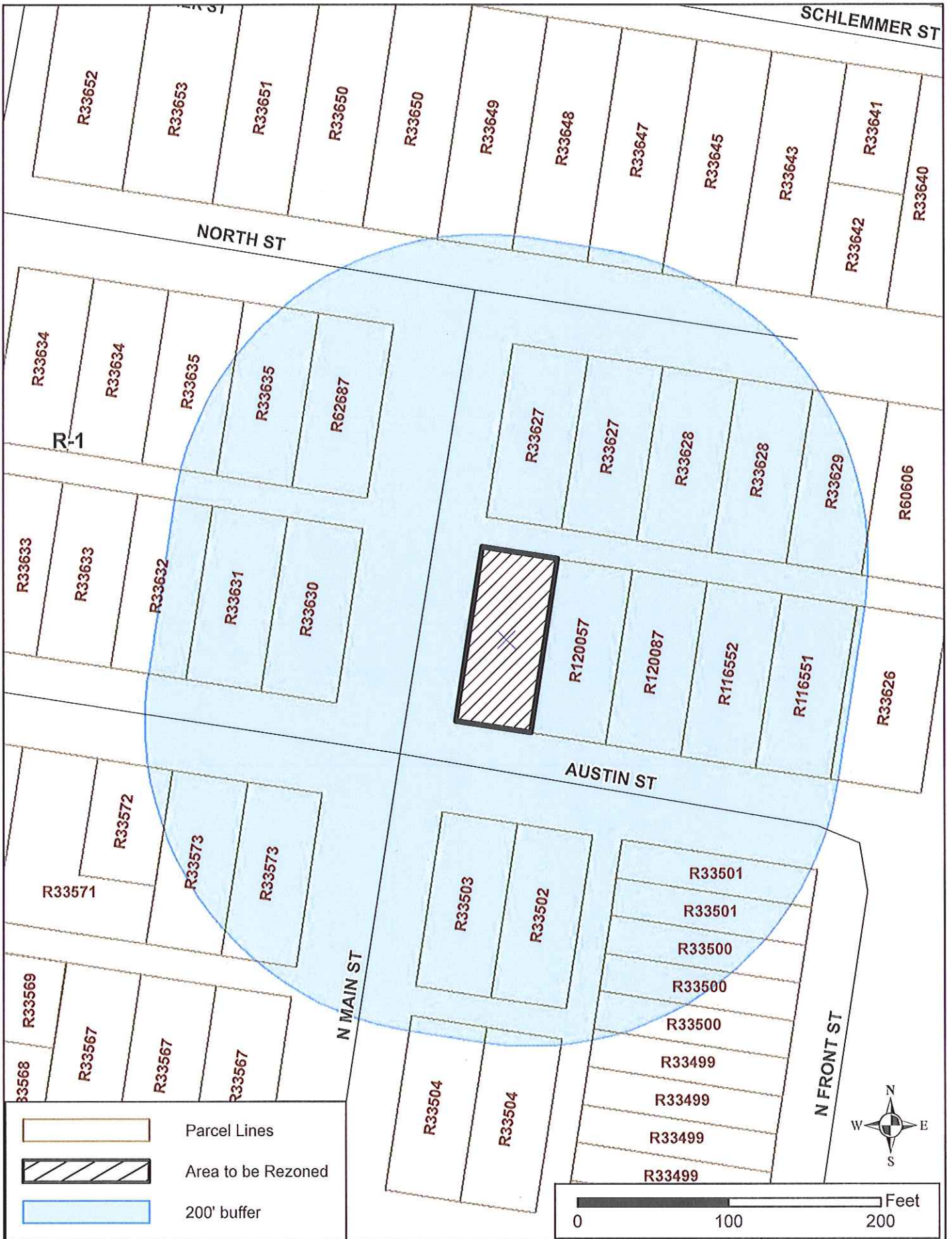
	Parcel Lines
	Area to be Rezoned
	IH 35 Overlay
	CBD Overlay



Utilities Near 112 Austin St Rezoning



200' Buffer



Zoning	Case Number: Z-14-013
	Owner/Applicant: Faris Badii
	Date Letters mailed: May 27, 2014

List of adjacent property owners (24) within 200' of subject tract

R116551, R120057	LA FAMILIA INVESTMENT GROUP LLC 4537 WINTER OAK WAY ANTELOPE,CA 95843
R116552, R120087	DEBORAH THOMAS 106 W AUSTIN ST KYLE,TX 78640
R33499	TERRY & BRENDA STEWART 102 BLANCO ST KYLE,TX 78640
R33500	ROSEMARY RAMIREZ 313 CASA LOMA BUDA,TX 78610
R33501	ROBERT BERNAL P O BOX 733 KYLE,TX 78640-0733
R33502, R33503	JOSE L & ALIFONSA PEREZ P O BOX 985 KYLE,TX 78640-0985
R33504	PAMELA A BARNARD 104 BLANCO ST KYLE,TX 78640-9353
R33567, R33573	JUAN RANGEL FAMILY PARTNERSHIP LTD 130 OAK HOLLOW CT BUDA,TX 78610
R33572	SYLVIA GARCIA-CASTILLO P O BOX 906 KYLE,TX 78640-0906
R33626	GARY WILLIAM HAMILTON 4537 WINTER OAK WAY ANTELOPE,CA 95843-5815
R33627	VIRGINIA RODRIGUEZ P O BOX 203 KYLE,TX 78640-0846
R33628	NATIVIDAD MELENDEZ P O BOX 702 KYLE,TX 78640-0702
R33629	KENT BURCHAM 125 LBJ DR S SAN MARCOS,TX 78666

R33630	DOROTHY R TORRES 108 RODRIGUEZ ST BUDA, TX 78610
R33631	C RAY & ESPERANZA DAVIS P O BOX 687 KYLE, TX 78640-0687
R33632	JOSEPH S DELEON & REYNALDO R DELEON P O BOX 57 KYLE, TX 78640-0057
R33635	BERNARD & DONNA BOLING 3875 DACY LN KYLE, TX 78640-4403
R33645	JO ANN C REYNA 10407 LA COSTA DR AUSTIN, TX 78747-1214
R33647	ALBERT VELA PO BOX 216 KYLE, TX 78640-0216
R33648, R33649	ALINE G GARCIA 200 W NORTH ST KYLE, TX 78640
R33650	REBECCA MILES P O BOX 135 KYLE, TX 78640-0135
R60606	JONATHAN MILLER P O BOX 2751 KYLE, TX 78640-2751
R62687	EDWARD F CERAR 1935 CASTLE DR PETALUMA, CA 94954

Hays Free Press

113 West Center Street § 122 N. Main St.
Kyle, Texas 78640 § P.O. Box 339 • Buda, Texas 78610

(512) 262-NEWS (Kyle office) • (512) 295-9760 (Buda office) • (512) 268-0262 (fax)

State of Texas §
County of Hays §

Affidavit of Publication

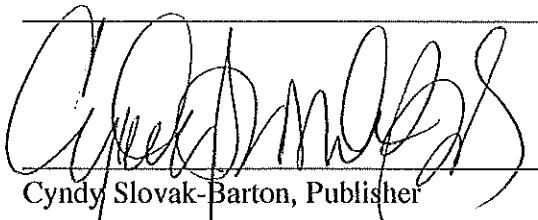
My name is Cyndy Slovak-Barton, and I am Publisher of the Hays Free Press. I am over the age of 18, have personal knowledge of the facts stated herein, and am otherwise competent to make this affidavit.

The Hays Free Press is a legal newspaper publication under Texas law, headquartered and regularly published in Hays County, Texas. It is a newspaper of general circulation, and is generally circulated in Hays, Travis, and Caldwell Counties.

The attachment hereto was published in the Hays Free Press on the following dates at or below the classified legals rate:


May 21, 2014

_____ 214-013

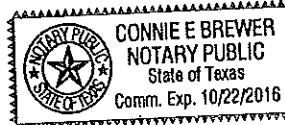


Cyndy Slovak-Barton, Publisher
Hays Free Press

Subscribed and sworn before me this the 23 day of May, 2014.



Notary Public
Connie Brewer



c/o: Fay Cliett Gillham
 Attorney at Law
 516 West Hopkins, Suite A
 San Marcos, Texas 78666
 DATED the 21 day of
 May, 2014.
 Fay Cliett Gillham
 Attorney for Lucille
 Montondon
 State Bar No.: 04382170

Hays CISD is Requesting
 Bids for Bid #14-051404SP
 Band Instruments. Bids will
 be accepted until May 28,
 2014 at 2:00 p.m. local time.
 Specifications are available
 in the HCISD Purchasing
 Office (512/268-2141 ext
 6035) between the hours
 of 8:00 a.m. and 4:30 p.m.,

2-117 Meghan Gobble
 2-124 Alyssa Villarreal
 3-149 Florence Madrid
 4-6 Natalie Shaw
 5-4B Darryl Fancher
 7-62 Mark Morris
 7-119 Linda Mack

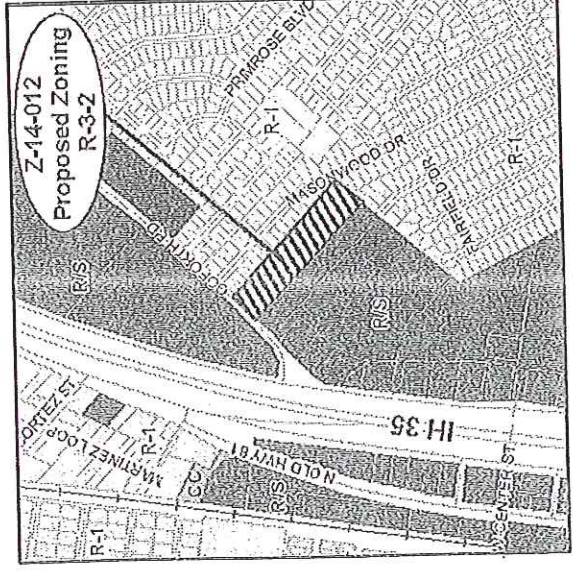
*** A Great Way to Spend Time Together!**
*** Excellent Customer Service. Ships Fast!**
*** Family Owned & Operated Since 1990!**
www.FamilyPoolFun.com



Public Notice
Notice of Public Hearing
NOTICE IS HEREBY GIVEN TO ALL INTERESTED PERSONS, THAT:
 The City of Kyle shall hold a public hearing on a request by Arthur Jr. and Sylvia Sedillo to rezone approximately 6.03 acres from "RS" Retail Service District to "R-3-2" Multi-Family Residential 2 on property located at 210 Goforth Road, in Hays County, Texas.
 The Planning and Zoning Commission may recommend and the City Council may consider assigning any zoning district which is equivalent or more restrictive and is also consistent with the Comprehensive Plan.
 A public hearing will be held by the Planning and Zoning Commission on Tuesday, June 10, 2014 at 6:30 p.m.
 A public hearing will be held by the Kyle City Council on Tuesday, June 17, 2014, at 7:00 p.m.
 Council action and second reading may be considered at the meeting to follow the public hearing (July 1, 2014).

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

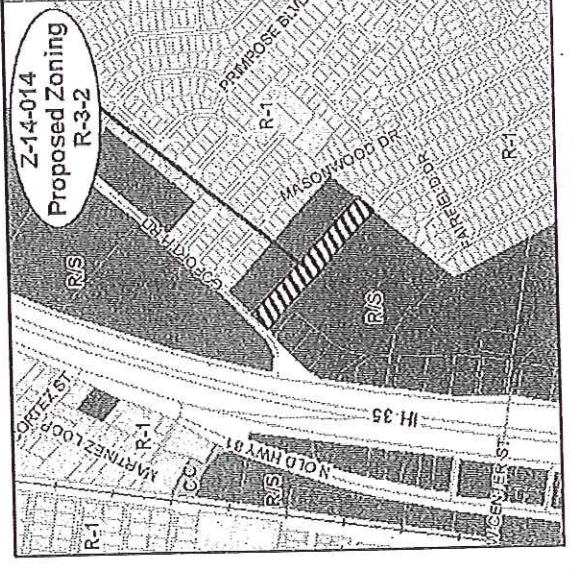
Owner: Arthur Jr. and Sylvia Sedillo
 Agent: Richard Grayum, P.E. / Jacobs
 (512) 732-7550
 Publication Date: May 21, 2014
 Z-14-012



Public Notice
Notice of Public Hearing
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 A public hearing will be held by the Kyle City Council on Tuesday, June 17, 2014, at 7:00 p.m.
 Council action and second reading may be considered at the meeting to follow the public hearing (July 1, 2014).

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

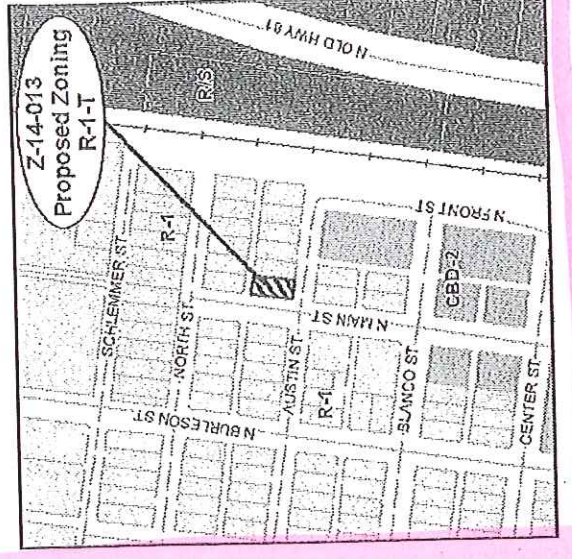
Owner: Jo Rule
 Agent: Richard Grayum, P.E. / Jacobs
 (512) 732-7550
 Publication Date: May 21, 2014
 Z-14-014



Public Notice
Notice of Public Hearing
NOTICE IS HEREBY GIVEN TO ALL INTERESTED PERSONS, THAT:
 The City of Kyle shall hold a public hearing on a request by Faris Badii to rezone approximately 0.132 acres, from "R-1" Single Family to "R-1-T" Residential Townhome on property located at 112 W. Austin Street, in Hays County, Texas.
 The Planning and Zoning Commission may recommend and the City Council may consider assigning any zoning district which is equivalent or more restrictive and is also consistent with the Comprehensive Plan.
 A public hearing will be held by the Planning and Zoning Commission on Tuesday, June 10, 2014 at 6:30 p.m.
 A public hearing will be held by the Kyle City Council on Tuesday, June 17, 2014, at 7:00 p.m.
 Council action and second reading may be considered at the meeting to follow the public hearing (July 1, 2014).

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

Owner: Faris Badii
 Phone: (512) 524-2000
 Publication Date: May 21, 2014
 Z-14-013



June 10, 2014

Planning & Zoning

Zoning

Case Number: Z-14-012

OWNER/APPLICANT: Arthur & Sylvia Sedillo

LOCATION: 210 Goforth Rd

AREA: 6.03 Acres

PROPOSED CITY COUNCIL HEARINGS: First Reading & Public Hearing: June 17, 2014
Second Reading: July 1, 2014

EXISTING ZONING: R/S (Retail Services)

PROPOSED ZONING: R-3-2 (Multi-Family Residential 2)

R-3-2 (Multi-Family Residential 2) zoning allows apartments with less than 21 units per acre and building height not exceeding 3 stories. Living units must have a minimum of 400 square feet of living area provided that no more than 25% of the units are less 500 sq ft.

SITE INFORMATION:

Transportation: The property is on Goforth Rd (a Collector Street), approximately 600 feet east of the IH 35 NB Service Road.

Surrounding Zoning:

- North: R-1
- South: R/S
- East: R-1
- West: R/S

Future Land Use Designation: Regional Node

PUBLIC INPUT:

Notice of the proposed change was sent to property owners within 200' of the subject property. No phone calls or correspondences have 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 property is currently zoned R/S (Retail Services) and is being used as a commercial tree nursery. The applicant is seeking to rezone this property to R-3-2, (along with the adjacent 3.97 acres in case Z-14-014) with the intention to build an apartment complex.

The site borders the residential neighborhood The Trails and is adjacent to sixteen single family houses. The south and west sides of the site are part of the Center Street Village development which has several existing retail service businesses and several currently undeveloped lots.

June 10, 2014

Planning & Zoning

Zoning

Case Number: Z-14-012

The site is within the IH 35 Zoning Overlay and a portion of the lot is in the Goforth Road Zoning Overlay.

Comprehensive Plan Guidance

R-3-2 is a recommended zoning for the Regional Node land use district.

Regional Node areas should provide a mixture of uses that complement regional commercial activity with high intensity residential development. Appropriate uses include retail shopping, grocery stores, multifamily housing and municipal services. This node spans IH 35 and already has several active retail sites but no residential uses yet.

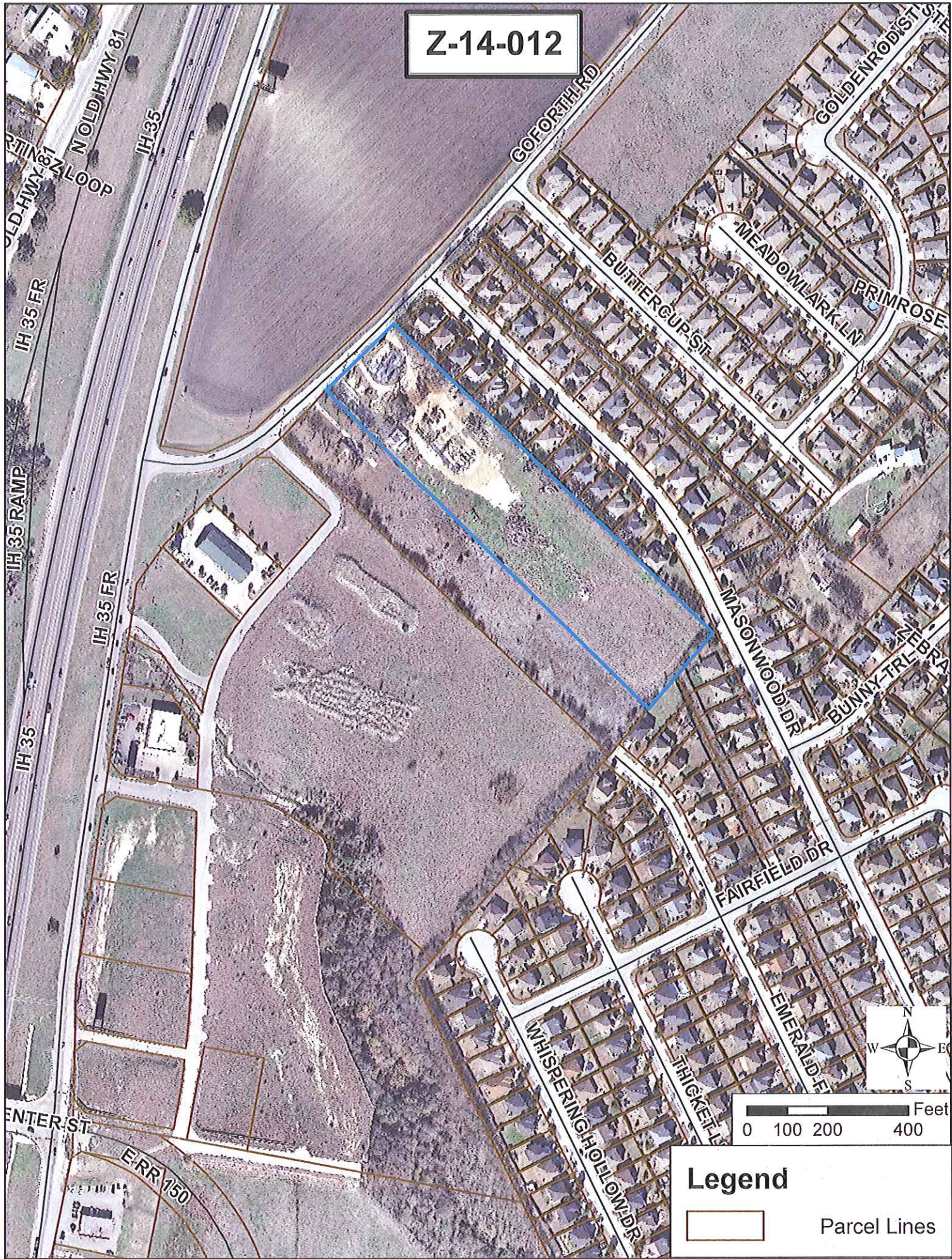
Recommendation

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

- The proposed rezoning supports the vision and character of the Regional Node land use district and is consistent with the future land use recommendations for that district.
- The proposed rezoning would allow new housing options to be built in a major Regional Node.
- A multi-family development in this location would make a good transition from the single family neighborhood to the more intense retail district close to IH 35.

Staff recommends approval of the request.

Z-14-012

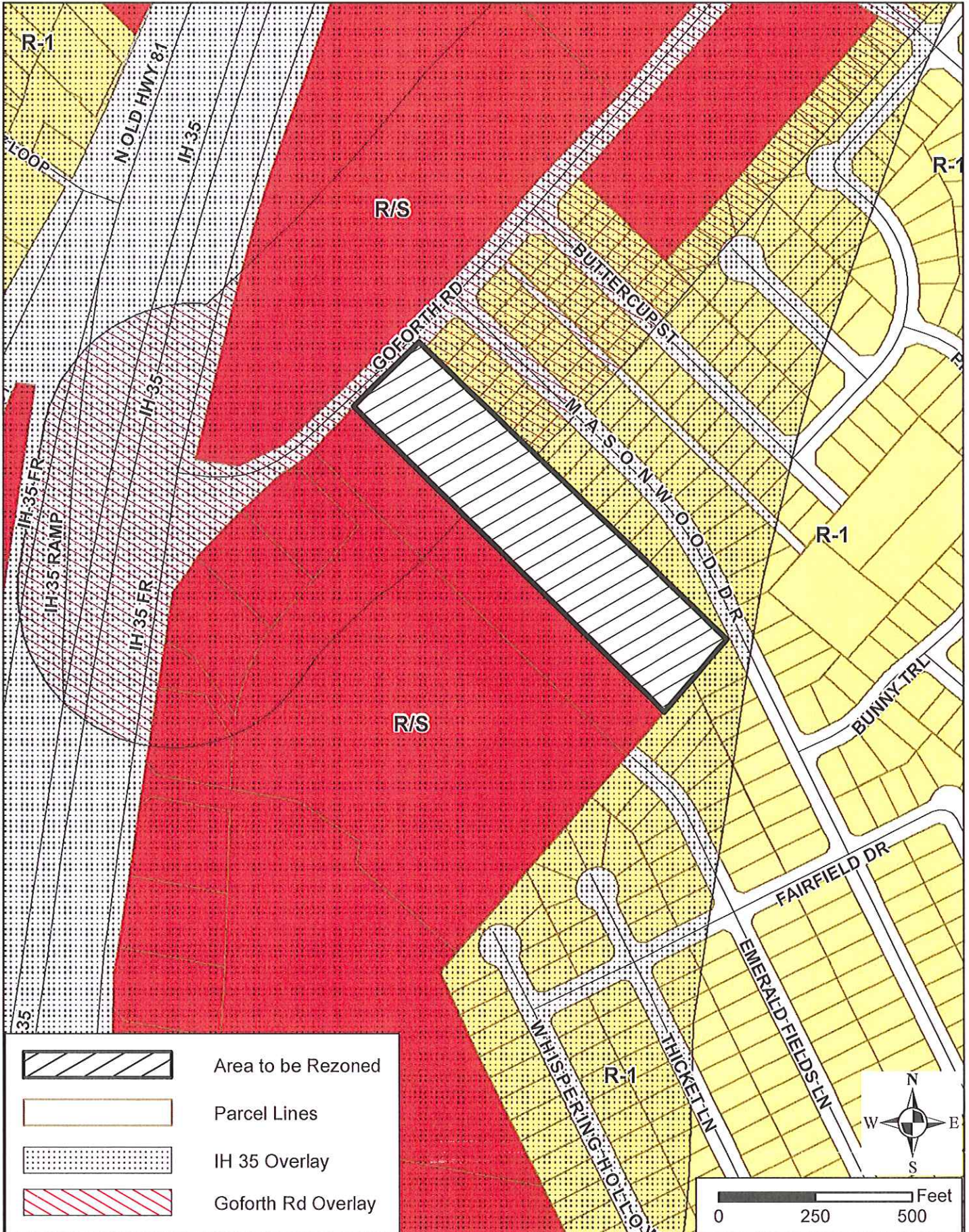


Legend

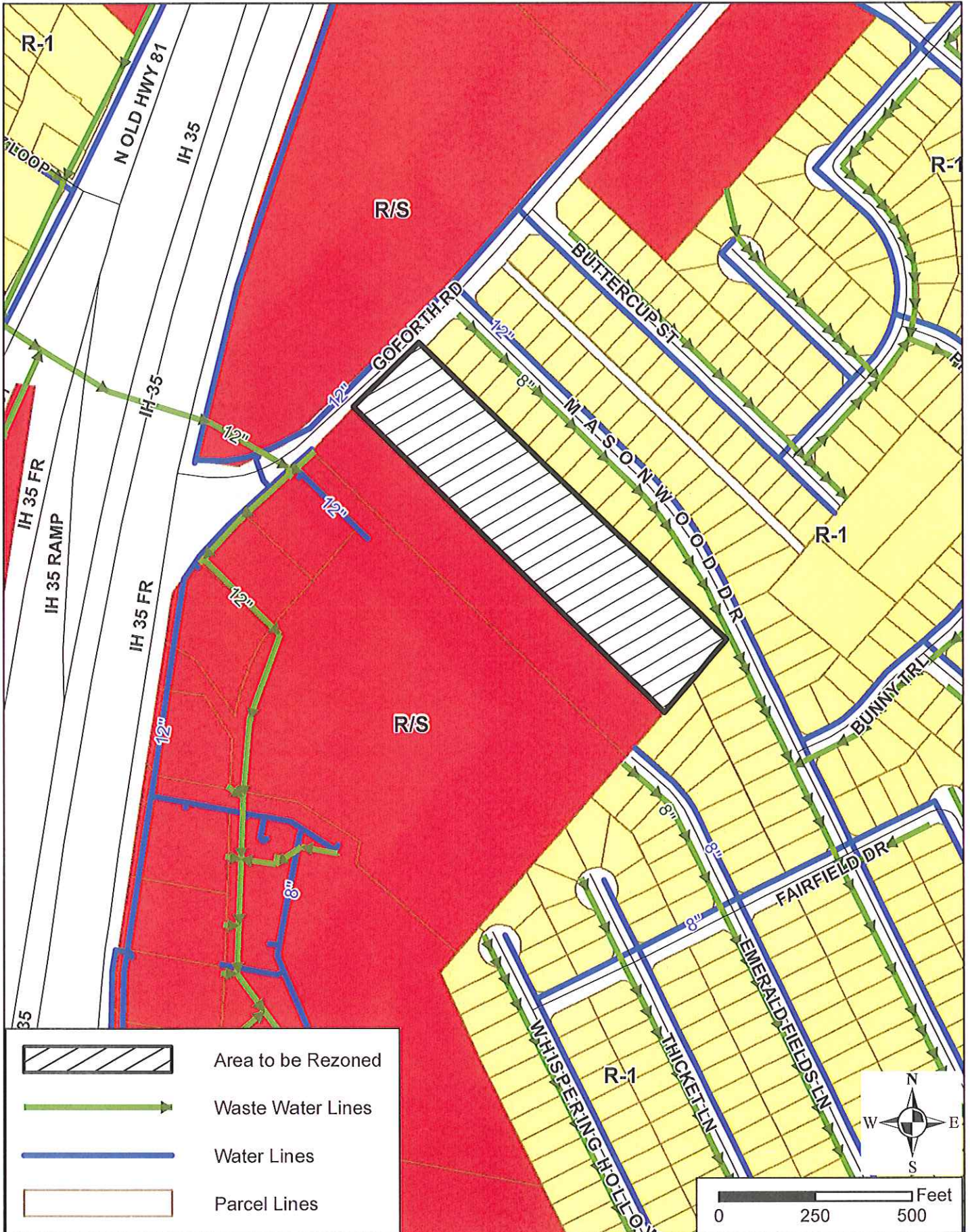


Parcel Lines

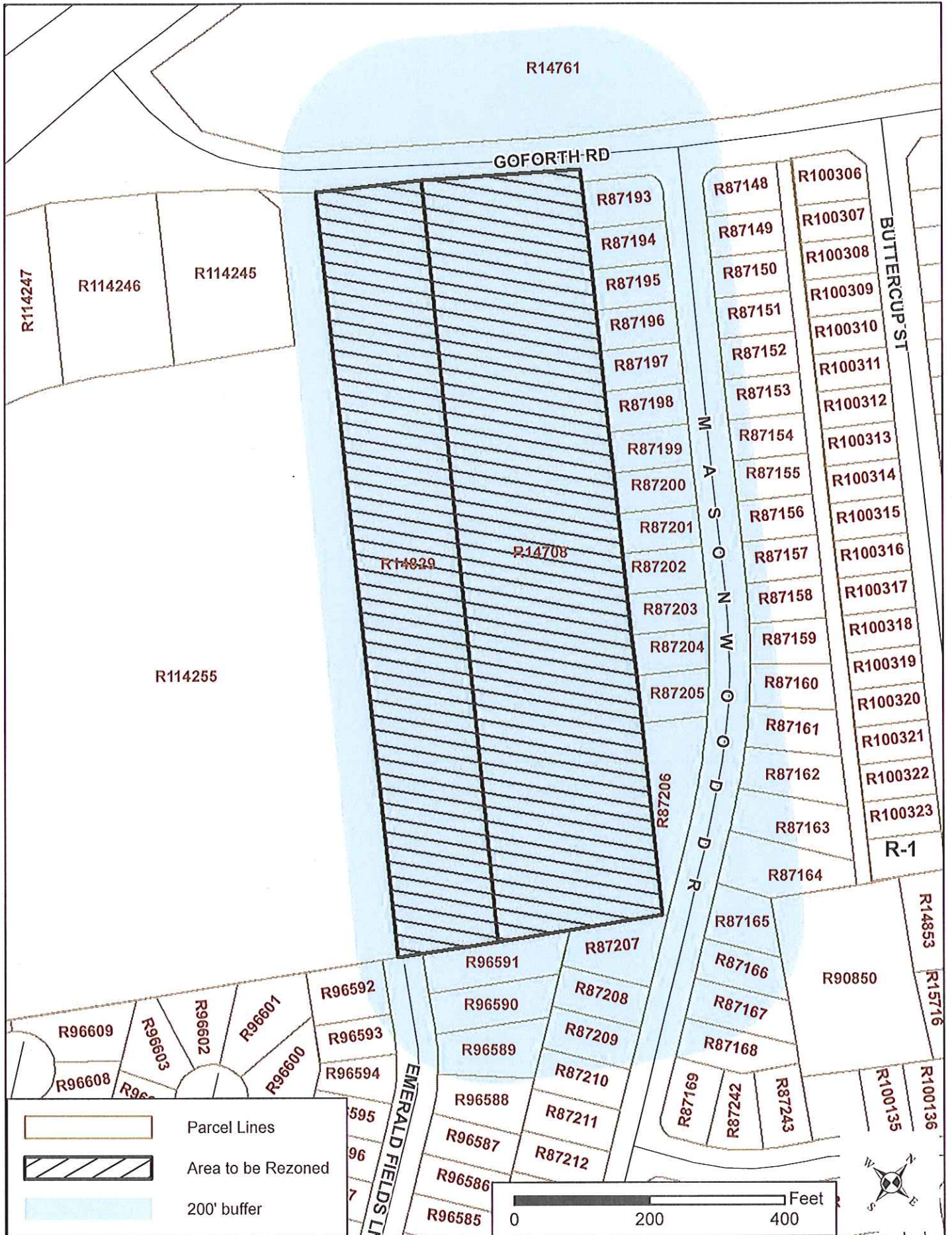
Exhibit B Z-14-012



Utilities Near Z-14-012 Rezoning



200' Buffer



Zoning	Case Number: Z-14-012
	Owner/Applicant: Sedillo; 210 Goforth Rd
	Date Letters mailed: 5/28/14

List of adjacent property owners (51) within 200' of subject tract

R114245, R114255	CENTER STREET VILLAGE LP P O BOX 29507 AUSTIN, TX 78755-9507
R114246	NINE AT KYLE HOLDINGS LLC 16607 BLANCO RD STE #803 SAN ANTONIO, TX 78232-1941
R14761	ARTHUR LOUIS SCHMELTEKOPF JR REVOCABLE TRUST WELLS FARGO BANK %TRUST RE SERVICES 111 CONGRESS AVE STE 300 AUSTIN, TX 78701
R87148	BILL GRAHAM DBA GRAHAM PROPERTIES 3806 ST ANDREWS CT MIDLAND, TX 78707
R87149	BEN & REBECCA BANKS 111 MASONWOOD DR KYLE, TX 78640-4607
R87150	DANIEL LEE & AMBER L CORLEY 121 MASONWOOD DR KYLE, TX 78640-4607
R87151	VINCENT TORRES 131 MASONWOOD DR KYLE, TX 78640
R87152	BRENT D & RONDA S KUENZI 151 WOODPECKER RUN NEW BRAUNFELS, TX 78130-2682
R87153	ADNAN BECIROVIC 151 MASONWOOD KYLE, TX 78640
R87154	DENISE OLIVO 161 MASONWOOD DR KYLE, TX 78640
R87155	GINGER NUTALL 171 MASONWOOD DR KYLE, TX 78640-4607
R87156	RENE H & CLAUDIA L DELEON 181 MASONWOOD DR KYLE, TX 78640
R87157	ATSUKO T OJEDA 191 MASONWOOD DR KYLE, TX 78640
R87158	LESLIE R SNELL 201 MASONWOOD DR KYLE, TX 78640
R87159	VIKTORIA RASK-RECODER 211 MASONWOOD KYLE, TX 78640

R87160	MICHELLE EVETTE ARRIAGA 221 MASONWOOD DR KYLE, TX 78640
R87161	RUBEN & MICHELLE M LOPEZ 231 MASONWOOD DR KYLE, TX 78640
R87162	BRADLEY J & JAMIE L CARR 233 MASONWOOD DR KYLE, TX 78640-4609
R87163	RAMIRO JR & SHERYL REYNA 235 MASONWOOD DR KYLE, TX 78640
R87164	JAMES D & MICHELLE HAWTHORNE 237 MASONWOOD DR KYLE, TX 78640
R87165	BARBARA A & KENNETH M PELECH 239 MASONWOOD DR KYLE, TX 78640
R87166	BALBINA R HOPKINS 241 MASONWOOD DR KYLE, TX 78640
R87167	DOLORES F BRYAN REVOCABLE TRUST % DOLORES F BYRAN & BETTY J EDMOND CO-TRUSTEES 251 MASONWOOD DR KYLE, TX 78640
R87168	SYLVIA ROMAN 2401 E SIDE DR AUSTIN, TX 78704-5680
R87169	ROBERT R & ANDREA R MARTINEZ 101 BUNNY TRL KYLE, TX 78640
R87193	JOHN P HAYWARD 100 MASONWOOD DR KYLE, TX 78640
R87194	CYNTHIA A & DOUGLAS MAC COOK 110 MASONWOOD DR KYLE, TX 78640
R87195	OCTAVIO & CHARISE PIMENTAL 120 MASONWOOD DR KYLE, TX 78640
R87196	DANIEL E & SHARON L MCGEHEE 130 MASONWOOD DR KYLE, TX 78640
R87197	RICHARD CEBALLOS 18001 RICHMOND PLACE DR #217 TAMPA, FL 33647
R87198	DANNY F & KELLY E SLOVAK 16205 REMUDA TRL BUDA, TX 78610
R87199	STEPHEN EDWARD SHIPWASH & GLORIA G HELLUMS 160 MASONWOOD DR KYLE, TX 78640
R87200	BRIAN B & BOBBIE J PHILLIPS 170 MASONWOOD DR KYLE, TX 78640
R87201	DIANA BLANK 180 MASONWOOD DR KYLE, TX 78640

R87202	RAMON & KATHARINA LOPEZ 190 MASONWOOD DR KYLE, TX 78640
R87203	MARIA DEL CARMEN & JOSE SANDOVAL-IBARRA 200 MASONWOOD DR KYLE, TX 78640-4609
R87204	MELLSSA MICHELLE RIX 210 MASONWOOD DR KYLE, TX 78640-4609
R87205	MICHELE O FILPI 220 MASONWOOD DR KYLE, TX 78640-4609
R87206	AH4R I TX LLC 30601 AGOURA RD STE #200 AGOURA HILLS, CA 91301-2013
R87207	LESIA M SCHRECKENGHOST 240 MASONWOOD DR KYLE, TX 78640
R87208	JANICE D SCALES 250 MASONWOOD DR KYLE, TX 78640
R87209	IRA LEE & SANDRA G ROLLINS 260 MASONWOOD DR KYLE, TX 78640
R87210	BERNADETTE HAGMEIER 270 MASONWOOD DR KYLE, TX 78640-4610
R90850	JUAN DE JESUS & SYLVIA M BARAJAS 311 SAINT JULIEN DR LAREDO, TX 78041-9108
R96588	IRENE & ISAAC HERNANDEZ 291 EMERALD FIELDS LN KYLE, TX 78640
R96589	CAROL E RATTRAY-VAUGHN 285 EMERALD FIELDS KYLE, TX 78640
R96590	VERNON W & ELIZABETH C CAIN 281 EMERALD FLDS LN KYLE, TX 78640
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Hays Free Press

113 West Center Street § 122 N. Main St.
Kyle, Texas 78640 § P.O. Box 339 • Buda, Texas 78610

(512) 262-NEWS (Kyle office) • (512) 295-9760 (Buda office) • (512) 268-0262 (fax)

State of Texas
County of Hays

§
§

Affidavit of Publication

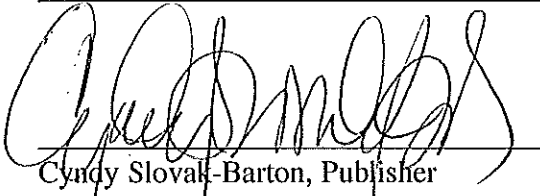
My name is Cyndy Slovak-Barton, and I am Publisher of the Hays Free Press. I am over the age of 18, have personal knowledge of the facts stated herein, and am otherwise competent to make this affidavit.

The Hays Free Press is a legal newspaper publication under Texas law, headquartered and regularly published in Hays County, Texas. It is a newspaper of general circulation, and is generally circulated in Hays, Travis, and Caldwell Counties.

The attachment hereto was published in the Hays Free Press on the following dates at or below the classified legals rate:


May 21, 2014

_____ 2-14-012

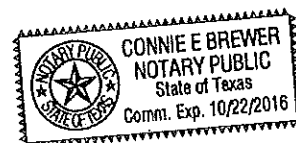


Cyndy Slovak-Barton, Publisher
Hays Free Press

Subscribed and sworn before me this the 23 day of May, 2014.



Notary Public
Connie Brewer



c/o: Fay Client (unreadable)
 Attorney at Law
 516 West Hopkins, Suite A
 San Marcos, Texas 78666
 DATED the 21 day of
 May, 2014.
 Fay Client Gillham
 Attorney for Lucille
 Montandon
 State Bar No.: 04382170

Hay's CISD is Requesting
 Bids for Bid #14-051404SP
 Band Instruments. Bids will
 be accepted until May 28,
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 Specifications are available
 in the HCISD Purchasing
 Office (512/268-2141 ext
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LLC pursuant to the provisions
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- 2-117 Meghan Giddie
- 2-124 Alyssa Villarreal
- 3-149 Florence Madrid
- 4-6 Natalie Shaw
- 5-4B Darryl Fancher
- 7-62 Mark Morris
- 7-119 Linda Mack

Public Notice

Notice of Public Hearing

NOTICE IS HEREBY GIVEN TO ALL INTERESTED PERSONS, THAT: The City of Kyle shall hold a public hearing on a request by Arthur Jr. and Sylvia Sedillo to rezone approximately 6.03 acres from "RS" Retail Service District to "R-3-2" Multi-Family Residential 2 on property located at 210 Goforth Road, in Hays County, Texas.

The Planning and Zoning Commission may recommend and the City Council may consider assigning any zoning district which is equivalent or more restrictive and is also consistent with the Comprehensive Plan.

A public hearing will be held by the Planning and Zoning Commission on Tuesday, June 10, 2014 at 6:30 p.m.

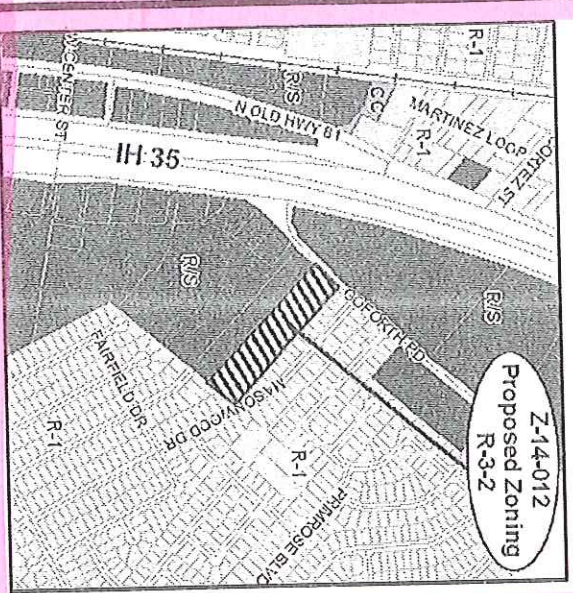
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Council action and second reading may be considered at the meeting to follow the public hearing (July 1, 2014).

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

Owner: Arthur Jr. and Sylvia Sedillo
 Agent: Richard Grayum, P.E. / Jacobs
 (512) 732-7550

Publication Date: May 21, 2014
 Z-14-012



Public Notice

Notice of Public Hearing

NOTICE IS HEREBY GIVEN TO ALL INTERESTED PERSONS, THAT: The City of Kyle shall hold a public hearing on a request by Jo Rule to rezone approximately 3.97 acres from "RS" Retail Service District to "R-3-2" Multi-Family Residential 2 on property located at 200 Goforth Road, in Hays County, Texas.

The Planning and Zoning Commission may recommend and the City Council may consider assigning any zoning district which is equivalent or more restrictive and is also consistent with the Comprehensive Plan.

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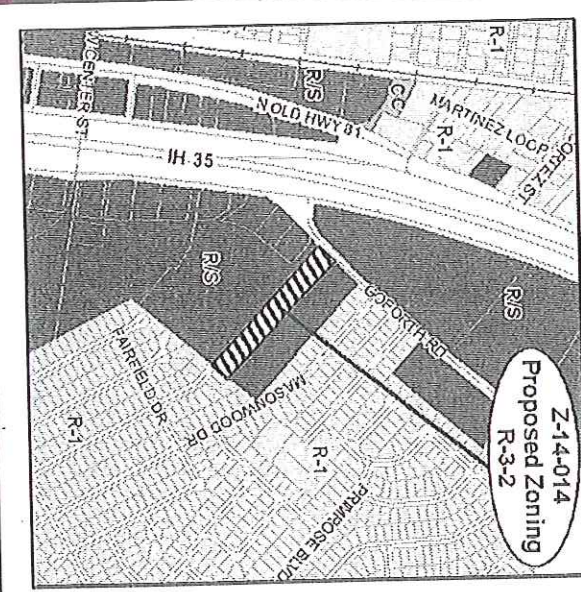
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Kyle City Hall Council Chambers
 100 W Center St., Kyle, Texas

Owner: Jo Rule
 Agent: Richard Grayum, P.E. / Jacobs
 (512) 732-7550

Publication Date: May 21, 2014
 Z-14-014



Public Notice

Notice of Public Hearing

NOTICE IS HEREBY GIVEN TO ALL INTERESTED PERSONS, THAT: The City of Kyle shall hold a public hearing on a request by Paris Badii to rezone approximately 0.132 acres, from "R-1" Single Family to "R-1-T" Residential Townhome on property located at 112 W. Austin Street, in Hays County, Texas.

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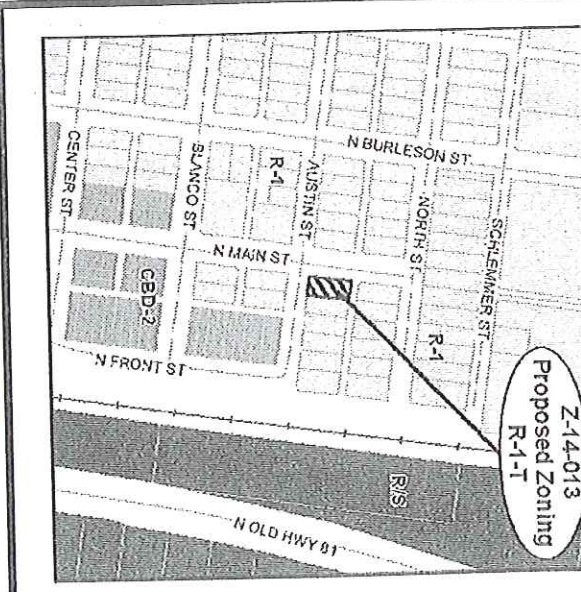
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Kyle City Hall Council Chambers
 100 W Center St., Kyle, Texas

Owner: Paris Badii
 Phone: (512) 524-2000
 Publication Date: May 21, 2014

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 Z-14-013



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June 10, 2014

Planning & Zoning

Zoning

Case Number: Z-14-014

OWNER/APPLICANT: Jo Rule

LOCATION: 200 Goforth Rd

AREA: 3.97 Acres

PROPOSED CITY COUNCIL HEARINGS: First Reading & Public Hearing: June 17, 2014
Second Reading: July 1, 2014

EXISTING ZONING: R/S (Retail Services)

PROPOSED ZONING: R-3-2 (Multi-Family Residential 2)
R-3-2 (Multi-Family Residential 2) zoning allows apartments with less than 21 units per acre and building height not exceeding 3 stories. Living units must have a minimum of 400 square feet of living area provided that no more than 25% of the units are less 500 sq ft.

SITE INFORMATION:

Transportation: The property is on Goforth Rd (a Collector Street), approximately 500 feet east of the IH 35 NB Service Road.

Surrounding Zoning:

- North: R/S, R-1
- South: R/S
- East: R-1
- West: R/S

Future Land Use Designation: Regional Node

PUBLIC INPUT:

Notice of the proposed change was sent to property owners within 200' of the subject property. No phone calls or correspondences have 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 property is currently zoned R/S (Retail Services) but currently contains a residential house. The applicant is seeking to rezone this property to R-3-2, (along with the adjacent 6.03 acres in case Z-14-012) with the intention to build an apartment complex.

The property is near the residential neighborhood The Trails and the combined site is adjacent to sixteen single family houses. The south and west sides of the site are part of the Center Street

June 10, 2014

Planning & Zoning

Zoning

Case Number: Z-14-014

Village development which has several existing retail service businesses and several currently undeveloped lots.

The site is within the IH 35 Zoning Overlay and a portion of the lot is in the Goforth Road Zoning Overlay.

Comprehensive Plan Guidance

R-3-2 is a recommended zoning for the Regional Node land use district.

Regional Node areas should provide a mixture of uses that complement regional commercial activity with high intensity residential development. Appropriate uses include retail shopping, grocery stores, multifamily housing and municipal services. This node spans IH 35 and already has several active retail sites but no residential uses yet.

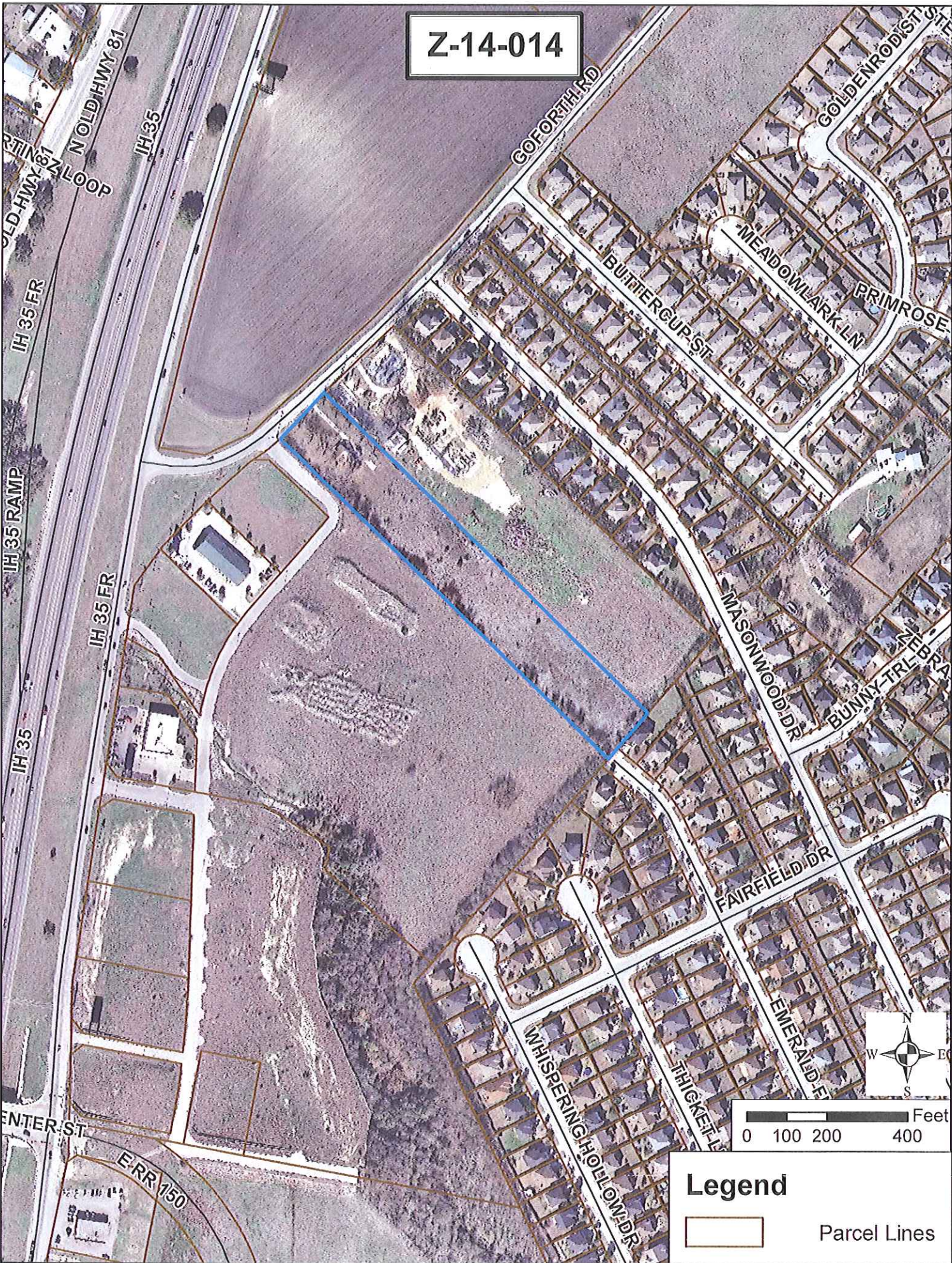
Recommendation

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

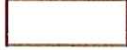
- The proposed rezoning supports the vision and character of the Regional Node land use district and is consistent with the future land use recommendations for that district.
- The proposed rezoning would allow new housing options to be built in a major Regional Node.
- A multi-family development in this location would make a good transition from the single family neighborhood to the more intense retail district close to IH 35.

Staff recommends approval of the request.

Z-14-014

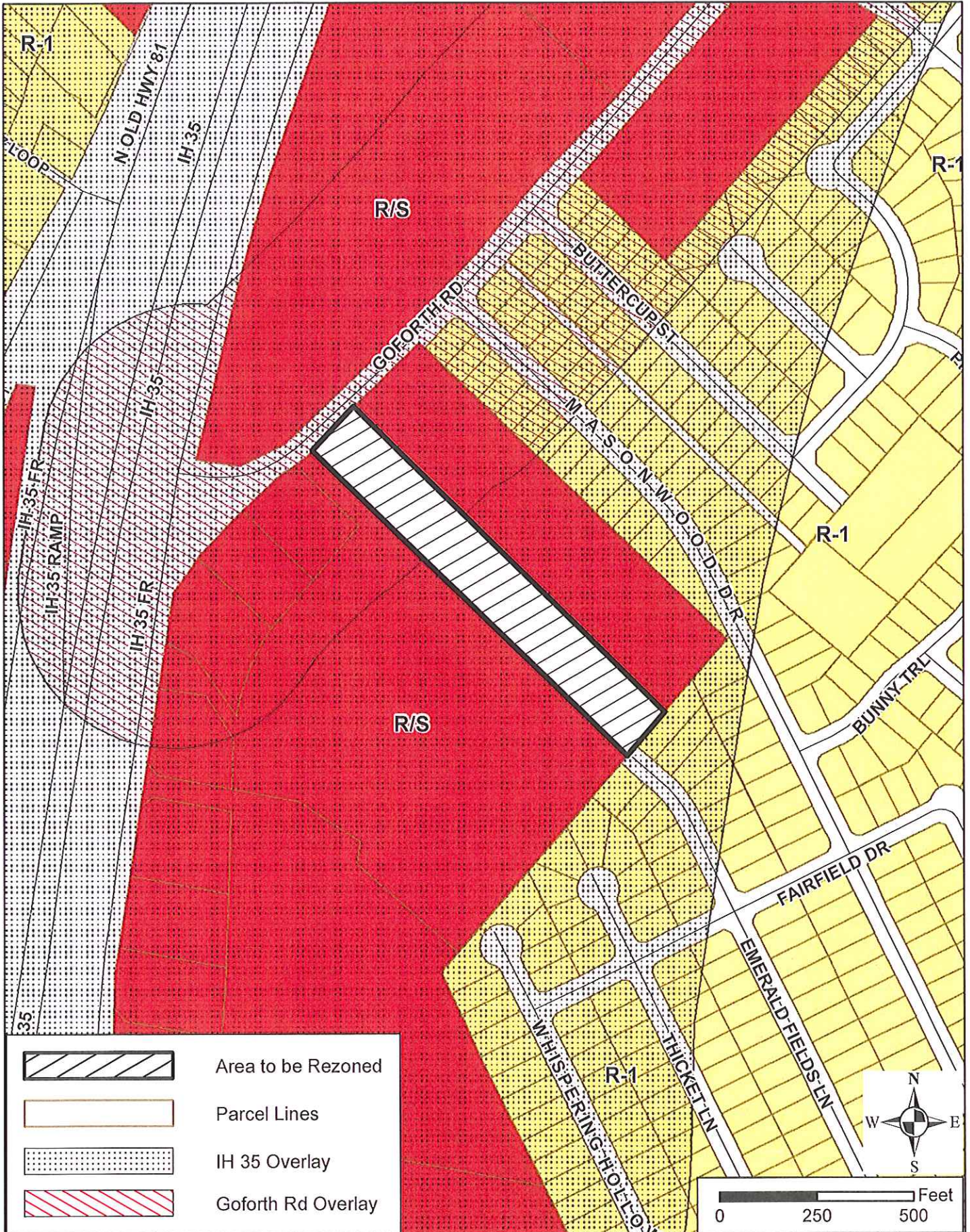


Legend

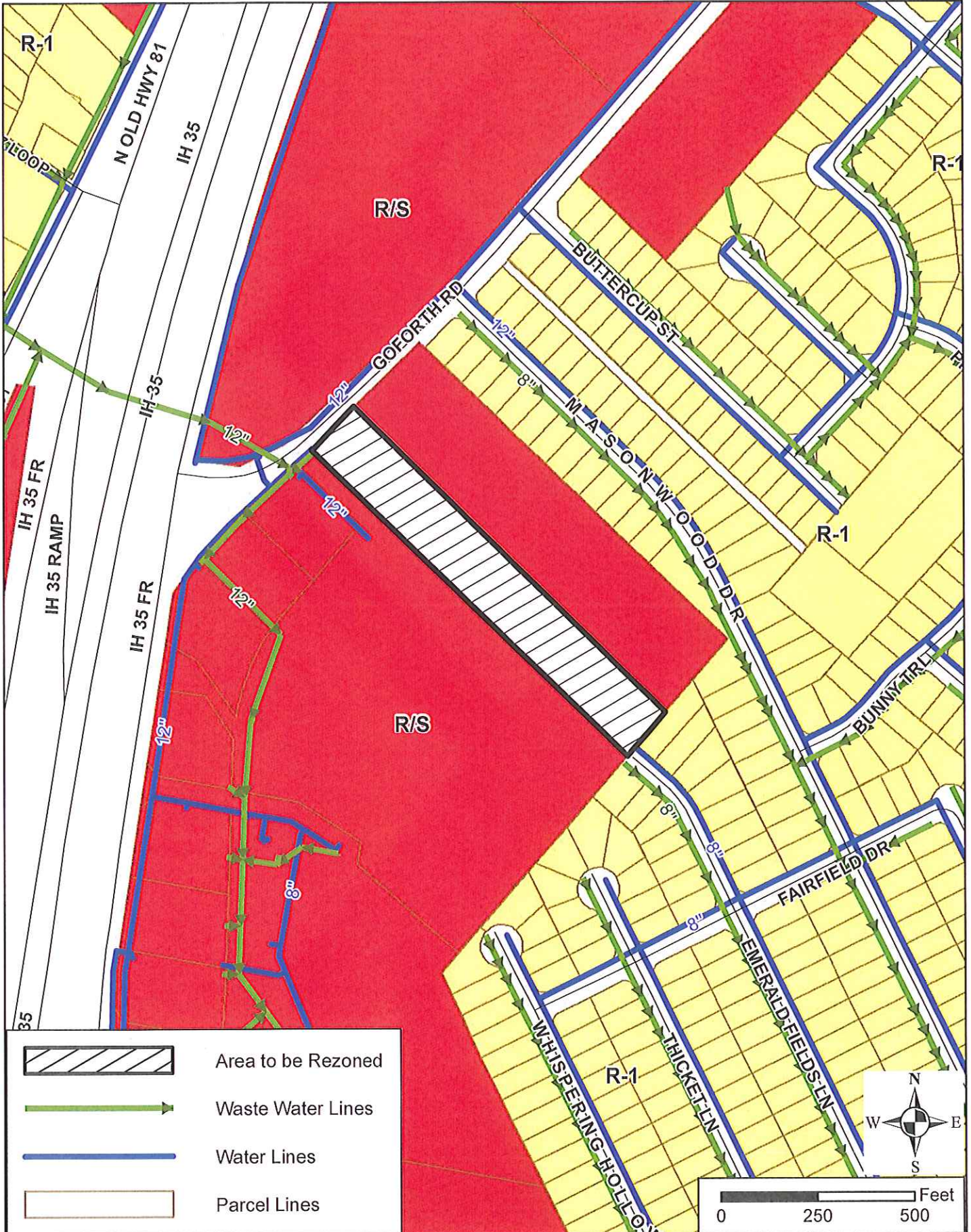


Parcel Lines

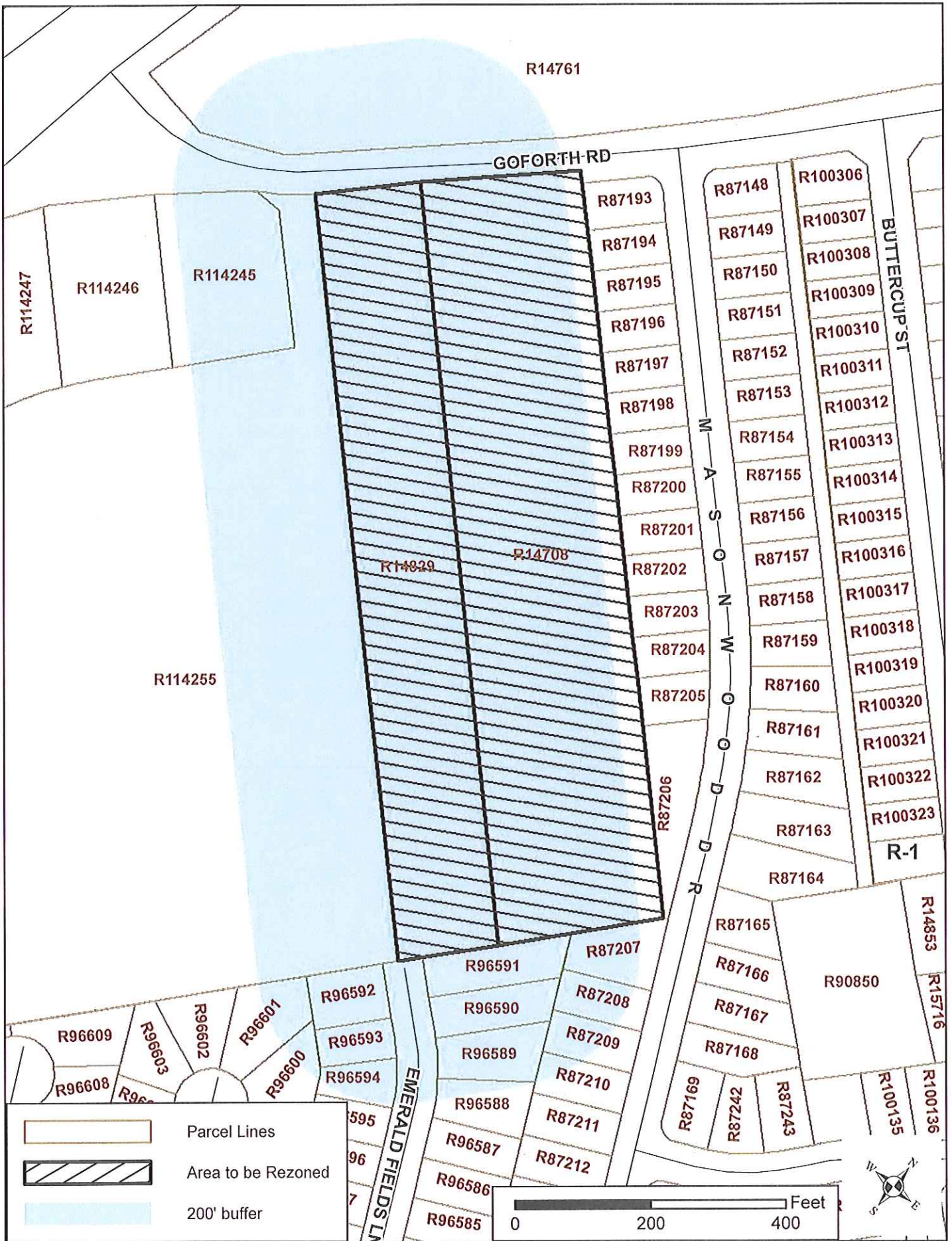
Exhibit B Z-14-014



Utilities Near Z-14-014 Rezoning



200' Buffer



Zoning	Case Number: Z-14-014
	Owner/Applicant: Rule; 200 Goforth Rd
	Date Letters mailed: May 27, 2014

List of adjacent property owners (16) within 200' of subject tract

R114245, R114255	CENTER STREET VILLAGE LP P O BOX 29507 AUSTIN, TX 78755-9507
R14761	ARTHUR LOUIS SCHMELTEKOPF JR REVOCABLE TRUST WELLS FARGO BANK %TRUST RE SERVICES 111 CONGRESS AVE STE 300 AUSTIN, TX 78701
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R96593	HENRY JR & BERTHA DELEON 280 EMERALD FIELDS LN KYLE, TX 78640
R96594	BRYAN & WEBER AMY L WAUGH 106 ALGARITA ST SAN MARCOS, TX 78666-2504
R96600	CHRIS PHILLIP & ERICA D HALLIBURTON 351 THICKET LN KYLE, TX 78640
R96601	MICHAEL GUIDRY 341 THICKET LN KYLE, TX 78640

Hays Free Press

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State of Texas §
County of Hays § *Affidavit of Publication*

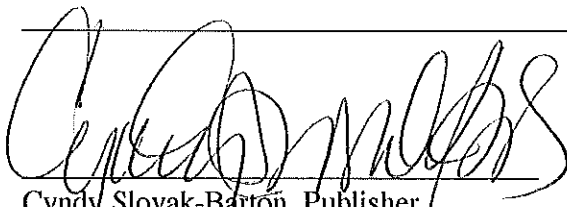
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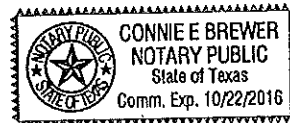
May 21, 2014

7-14-014


Cyndy Slovak-Barton, Publisher
Hays Free Press

Subscribed and sworn before me this the 23 day of May, 2014.


Notary Public
Connie Brewer



c/o: Fay Clett Gilham
 Attorney at Law
 516 West Hopkins, Suite A
 San Marcos, Texas 78666
 DATED the 21 day of
 May, 2014.
 Fay Clett Gilham
 Attorney for Lucille
 Montondon
 State Bar No.: 04382170

Hays CISD is Requesting
 Bids for Bid #14-051404SP
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- 3-149 Florence Madrid
- 4-6 Natalie Shaw
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- 7-62 Mark Morris
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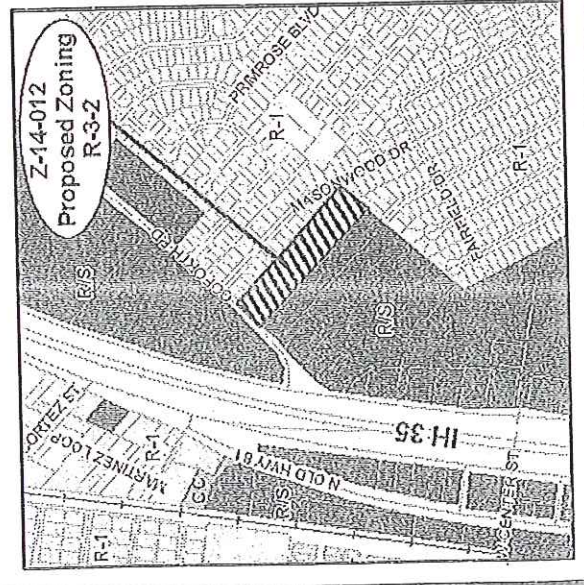
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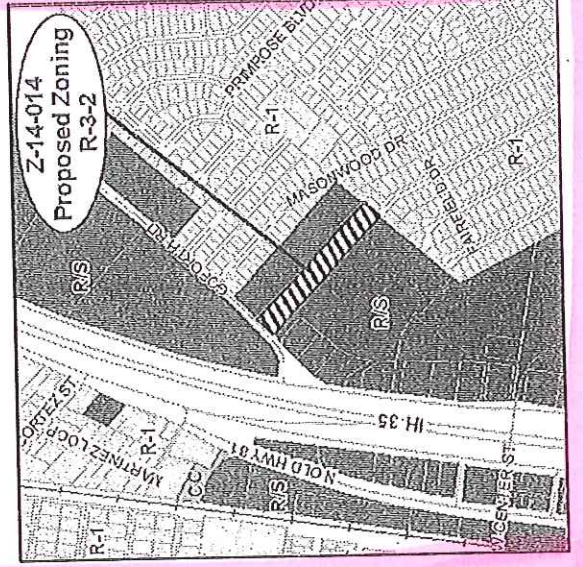
A public hearing will be held by the Kyle City Council on Tuesday, June 17, 2014, at 7:00 p.m.

Council action and second reading may be considered at the meeting to follow the public hearing (July 1, 2014).

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

Owner: Jo Rule
 Agent: Richard Grayum, P.E. / Jacobs
 (512) 732-7550

Publication Date: May 21, 2014
 Z-14-014



Public Notice

Notice of Public Hearing

NOTICE IS HEREBY GIVEN TO ALL INTERESTED PERSONS, THAT:

The City of Kyle shall hold a public hearing on a request by Faris Badii to rezone approximately 0.132 acres, from "R-1" Single Family to "R-1-T" Residential Townhome on property located at 112 W. Austin Street, in Hays County, Texas.

The Planning and Zoning Commission may recommend and the City Council may consider assigning any zoning district which is equivalent or more restrictive and is also consistent with the Comprehensive Plan.

A public hearing will be held by the Planning and Zoning Commission on Tuesday, June 10, 2014 at 6:30 p.m.

A public hearing will be held by the Kyle City Council on Tuesday, June 17, 2014, at 7:00 p.m.

Council action and second reading may be considered at the meeting to follow the public hearing (July 1, 2014).

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

Owner: Faris Badii
 Phone: (512) 524-2000
 Publication Date: May 21, 2014
 Z-14-013

