

# 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 September 9, 2014, at Kyle City Hall 100 W. Center Street 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 5th day of September prior to 6:30 PM.

1. **CALL MEETING TO ORDER:**
2. **ROLL CALL:**
3. **CITIZEN COMMENTS:**
4. **CONSENT:**
  - A. Bunton Creek Subdivision Phase 1-B – Final Plat (FP-14-009)  
13.579 acres; 71 Lots  
Located off of Bunton Lane and Treeta Trail  
Owner: LGI Homes – Texas, LLC.  
Agent: Mike Fisher, Pape-Dawson Engineers, Inc.
  - B. Kyle Heights Section 2 Replat of Lot 13-B (SFP-14-005)  
3.104 acres; 2 Lots  
Located at 1250 Dacy Lane  
Owner: Sergio and Teresa Lopez  
Agent: Tony Pena, Macina, Bose, Copeland & Associates

**5. CONDITIONAL USE PERMIT/OVERLAY DISTRICT**

A. Consider a request by HZ Props RE, LTD (Popeye's Louisiana Kitchen) for a Conditional Use Permit to construct a 2,478 square foot building on property located at 20529 IH-35. (CUP-14-019)

- **Public Hearing**

**6. DISCUSSION ITEM:**

A. Discussion regarding a proposed revision to the Zoning Overlay Districts.

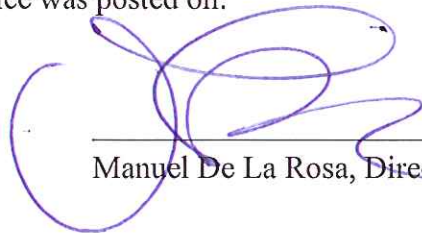
**7. STAFF REPORT**

**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:



Manuel De La Rosa, Director of Planning

9/5/14

(Date)

**MEMORANDUM**

TO: Planning and Zoning Commission  
FROM: Manuel De La Rosa, Director of Planning *WR*  
DATE: September 5, 2014  
SUBJECT: Final Plat for Bunton Creek Phase 1-B

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**BACKGROUND**

**Site Information**

The subject property is 13.579 acres and is located within the city limits on Bunton Lane, east of Goforth Road.

**Utilities**

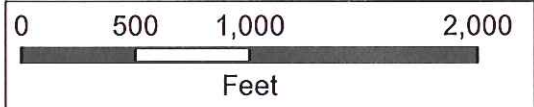
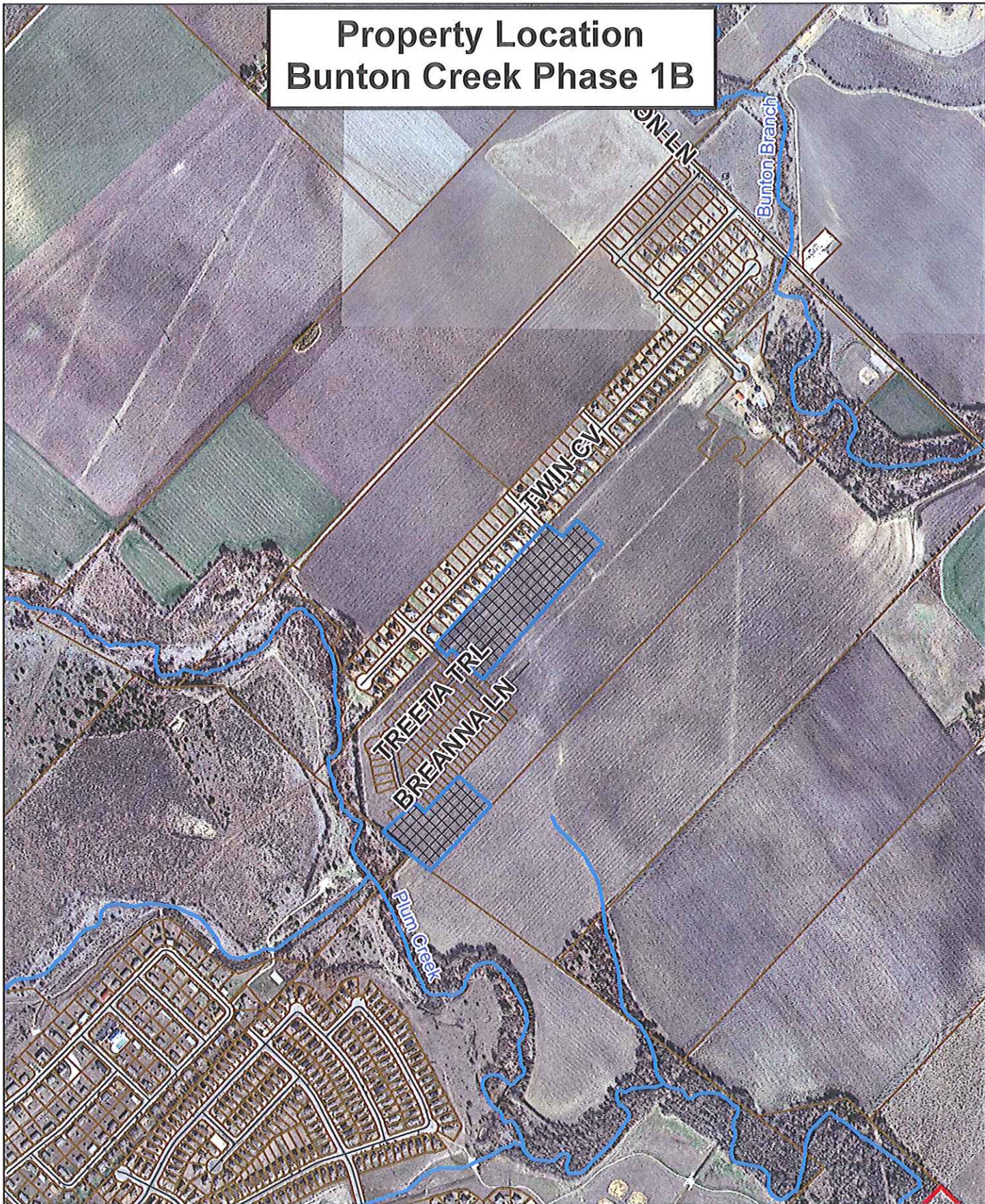
Water utility service will be provided by County Line Waster Supply Corporation.  
Wastewater utility service will be provided by the City of Kyle.

**STAFF RECOMMENDATION:**

Staff is recommending approval of the plat.



# Property Location Bunton Creek Phase 1B



 Parcel Lines



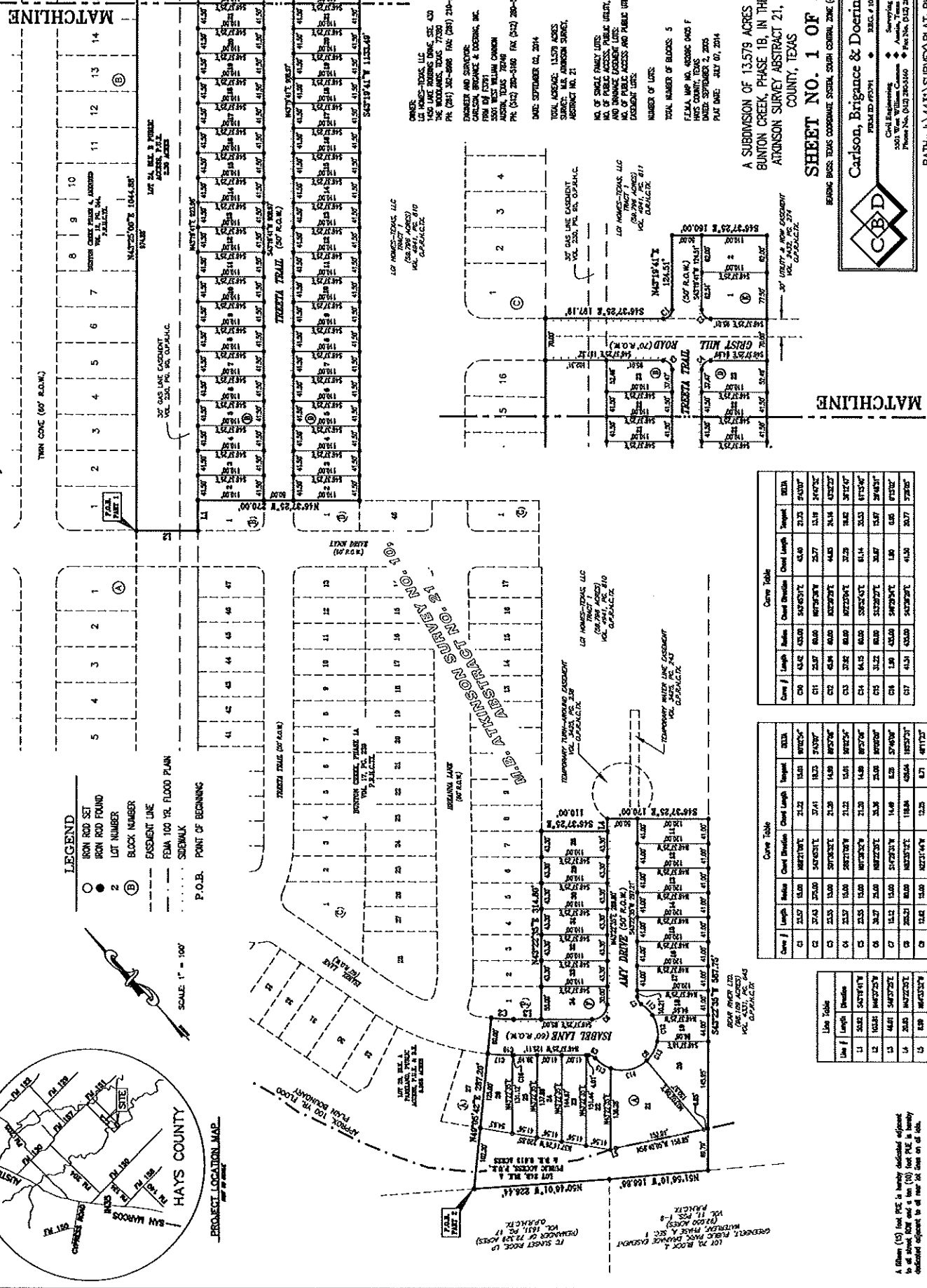
# FINAL PLAT-BUNTON CREEK, PHASE 1B



SCALE: 1" = 100'

LEGEND

- IRON ROD SET
- IRON ROD FOUND
- 2 LOT NUMBER
- Ⓢ BLOCK NUMBER
- - - EASEMENT LINE
- - - FROM 100 YR. FLOOD PLAN
- - - SIDEWALK
- - - P.O.B. POINT OF BEGINNING



OWNER:  
 LOI HOME-TEXAS, LLC  
 1450 LAKE ROBBINS DRIVE, STE. 430  
 THE WOODLANDS, TEXAS 77380  
 PH: (281) 362-8888 FAX: (281) 314-2661

ENGINEER AND SURVEYOR:  
 CARLSON, BRIGANCE & DOERING, INC.  
 FROM 1973  
 300 WEST BELLUM COMMON  
 FARM ROAD  
 PH: (281) 289-5160 FAX: (281) 289-5165  
 DATE: SEPTEMBER 03, 2014

TOTAL ACRES: 13.579 ACRES  
 SURVEY: M.E. ANDERSON SURVEY,  
 ABSTRACT NO. 21

NO. OF SINGLE FAMILY LOTS: 47  
 NO. OF PUBLIC ACCESS, PUBLIC UTILITY,  
 EASEMENT LOTS: 1  
 NO. OF PUBLIC ACCESS AND PUBLIC UTILITY  
 EASEMENT LOTS: 1  
 71

TOTAL NUMBER OF BLOCKS: 5  
 F.E.M.A. MAP NO. 48086-040-D-F  
 HAYS COUNTY, TEXAS  
 DATED: SEPTEMBER 2, 2003  
 PLAN DATE: 08/07/2014

A SUBDIVISION OF 13.579 ACRES BEING  
 BUNTON CREEK, PHASE 1B, IN THE M.B.  
 ATKINSON SURVEY ABSTRACT 21, HAYS  
 COUNTY, TEXAS

**SHEET NO. 1 OF 2**

BEING IN: TEXAS COORDINATE SYSTEM, OTHER GENERAL ZONE (GSA), NAD 83

**Carlson, Brigance & Doering, Inc.**  
 ENGINEERING  
 300 WEST BELLUM COMMON  
 FARM ROAD  
 FROM 1973  
 HAYS COUNTY, TEXAS  
 PHONE: (281) 289-5160  
 FAX: (281) 289-5165

Curve #	Length	Radius	Chord Distance	Chord Length	Height	AREA
C1	43.92	43.92	54.6797	43.92	21.25	54.6797
C2	43.92	43.92	54.6797	43.92	21.25	54.6797
C3	43.92	43.92	54.6797	43.92	21.25	54.6797
C4	43.92	43.92	54.6797	43.92	21.25	54.6797
C5	43.92	43.92	54.6797	43.92	21.25	54.6797
C6	43.92	43.92	54.6797	43.92	21.25	54.6797
C7	43.92	43.92	54.6797	43.92	21.25	54.6797


Curve #	Length	Radius	Chord Distance	Chord Length	Height	AREA
C1	23.57	15.00	28.7177	21.32	15.00	87.6254
C2	23.57	15.00	28.7177	21.32	15.00	87.6254
C3	23.57	15.00	28.7177	21.32	15.00	87.6254
C4	23.57	15.00	28.7177	21.32	15.00	87.6254
C5	23.57	15.00	28.7177	21.32	15.00	87.6254
C6	23.57	15.00	28.7177	21.32	15.00	87.6254
C7	23.57	15.00	28.7177	21.32	15.00	87.6254

Lot #	Length	Distance
11	24.82	54.7194
12	16.82	44.7329
14	24.82	54.7194
15	24.82	54.7194

A fillet (15) foot DCE is hereby calculated adjacent to all street corners and a ten (10) foot P&E is hereby calculated adjacent to all other lot lines on all lots.



**MEMORANDUM**

TO: Planning and Zoning Commission  
FROM: Manuel De La Rosa, Director of Planning   
DATE: September 4, 2014  
SUBJECT: Final Plat for Kyle Heights Section 2 Replat of Lot 13-B

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**BACKGROUND**

**Site Information**

The subject property is 3.104 acres and is located within the city limits on Dacy Lane, near Kyle Parkway.

**Utilities**

Water and Wastewater utility service will be provided by the City of Kyle.

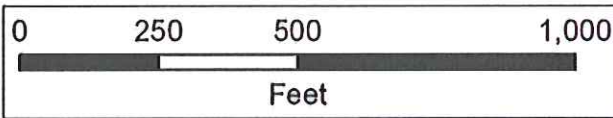
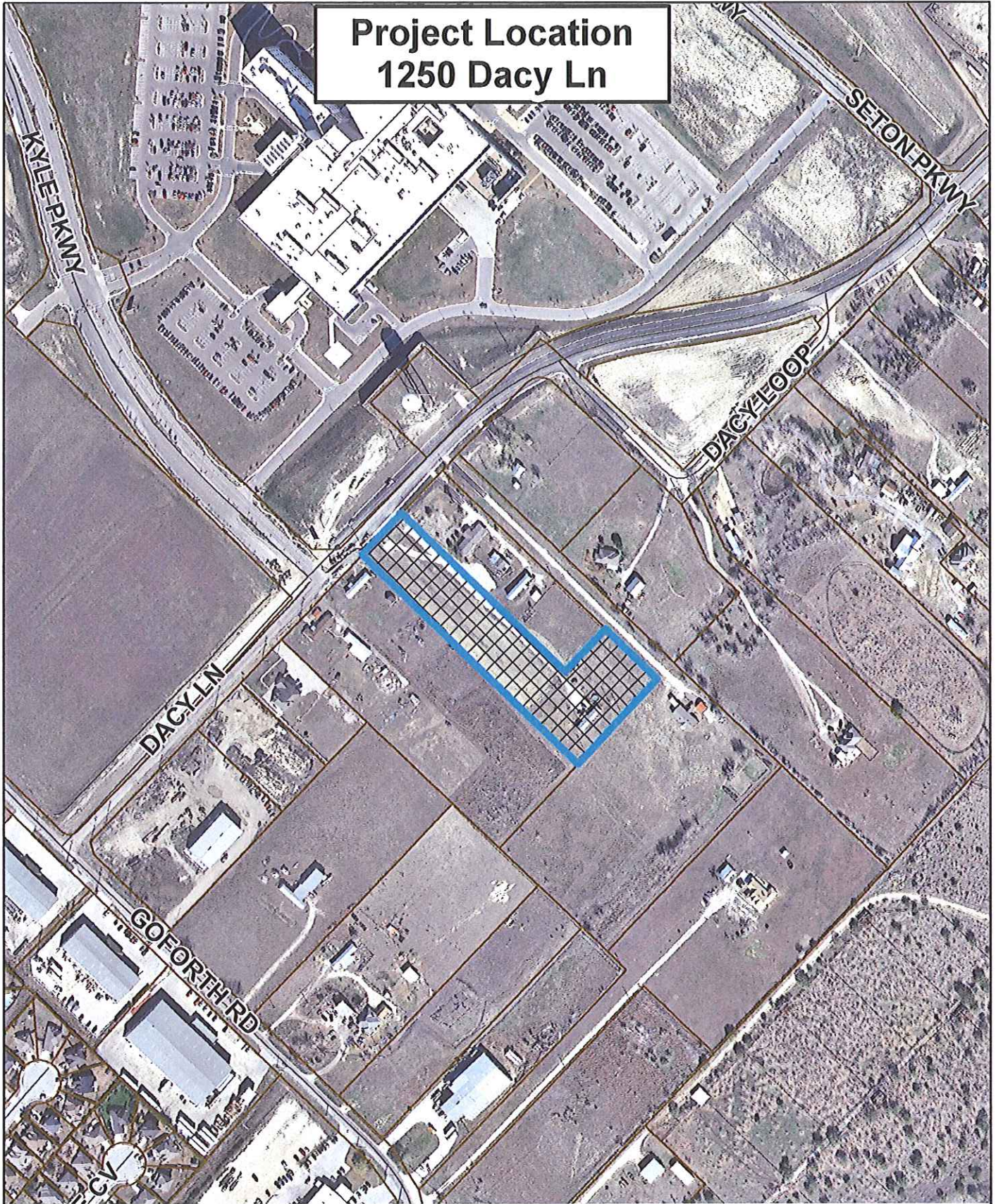
**STAFF RECOMMENDATION:**

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

- The plat is consistent with all relevant City of Kyle ordinances.



**Project Location  
1250 Dacy Ln**







## MEMORANDUM

TO: Planning and Zoning Commission

FROM: Manuel De La Rosa, Director of Planning 

DATE: September 4, 2014

SUBJECT: Popeye's Louisiana Kitchen Restaurant - Conditional Use Permit Request (CUP-14-019)

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### **BACKGROUND**

The subject property is located at 20259 IH-35. The Popeye's restaurant is proposed to be located on the same lot with the recently approved Conditional Use Permit for the Wendy's restaurant on a pad site located in front of the new Wal-Mart store. The property is located within Retail/Service Zone and the I-35 Overlay District.

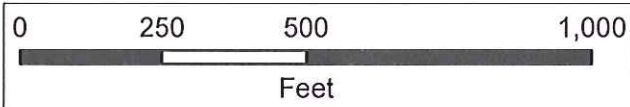
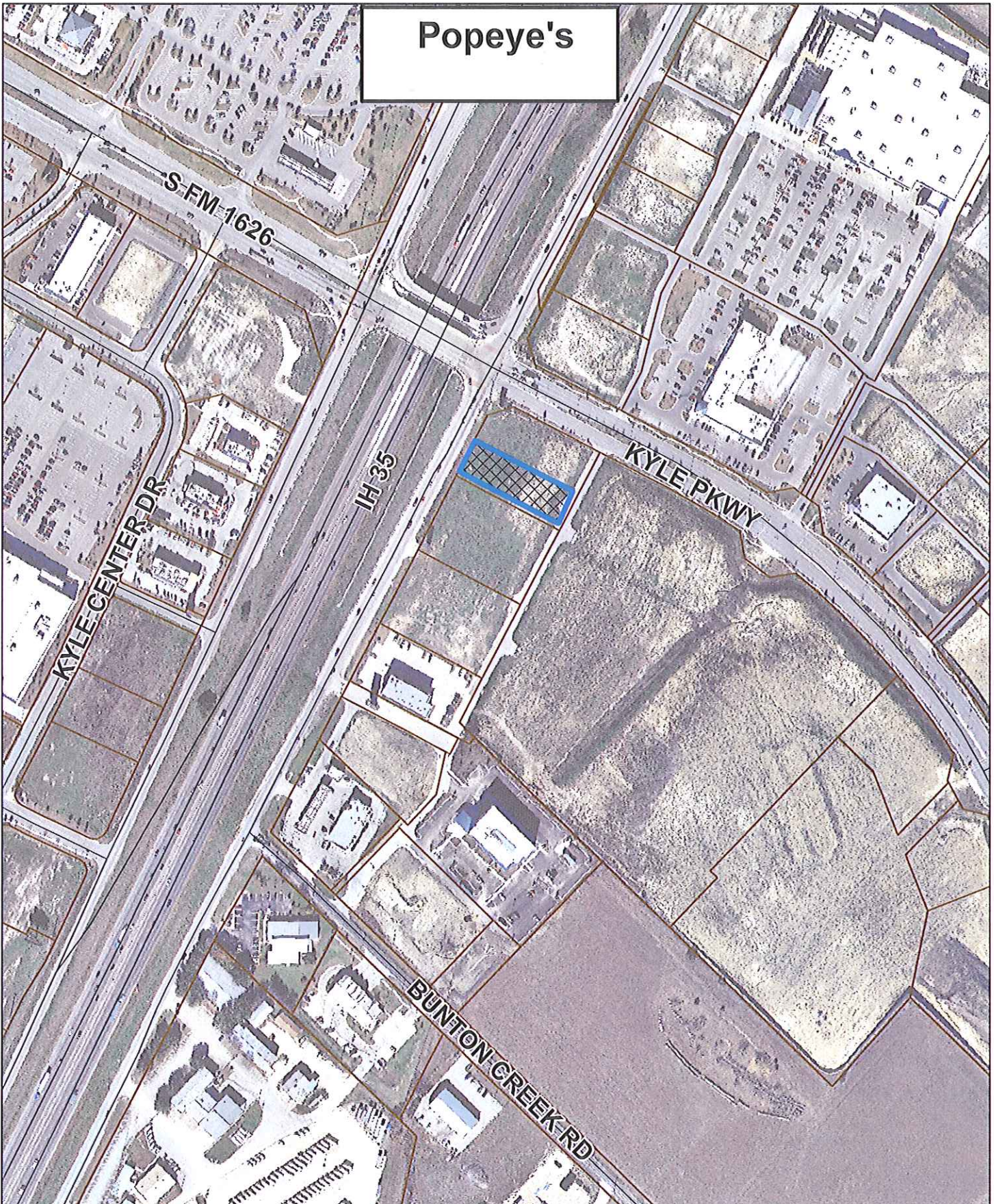
The applicant is requesting a Conditional Use Permit for a fast food restaurant. The building footprint is 2,478 square feet. Architectural and site plan renderings and being provided to assist you in the decision making process.

### **STAFF RECOMMENDATION**

Staff is recommending approval of the Conditional Use Permit request.

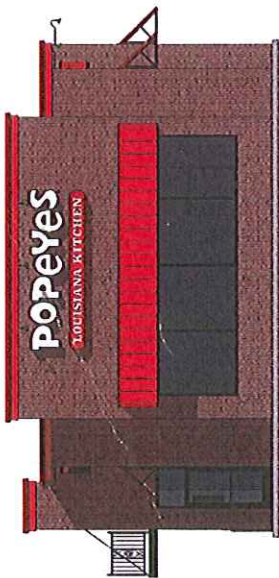


Popeye's

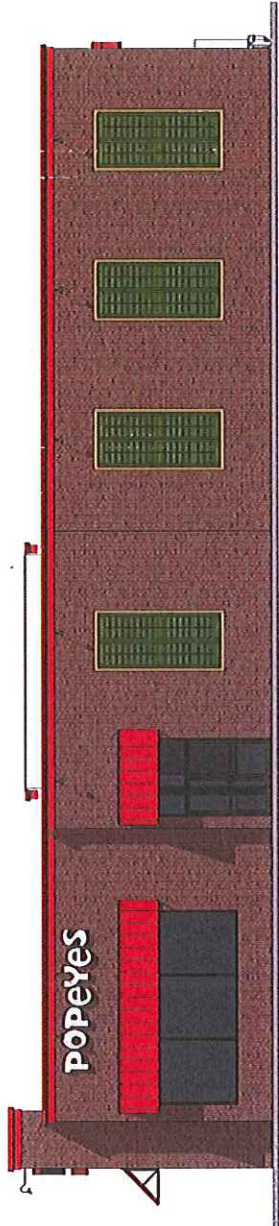


Parcel Lines

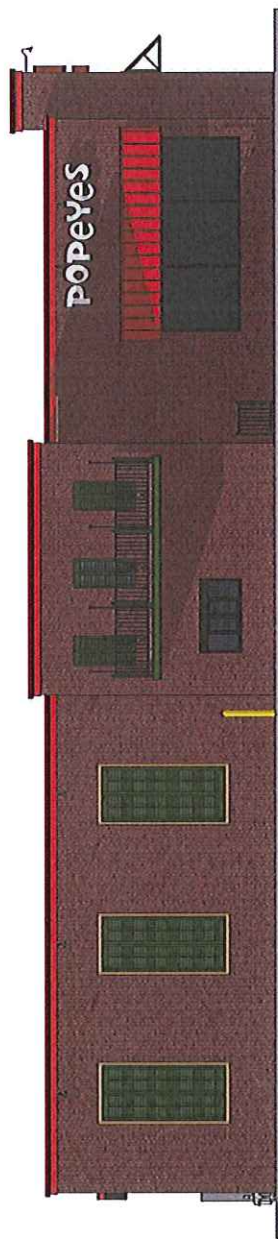




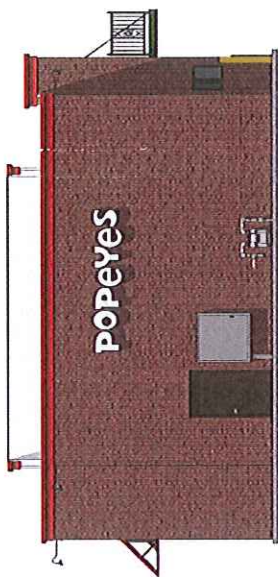
FRONT



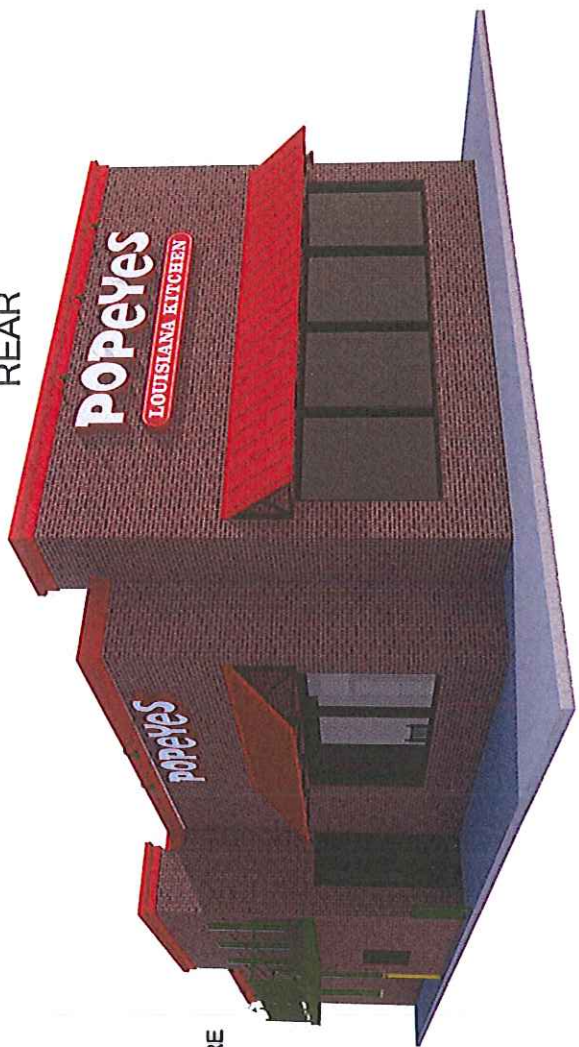
RIGHT



LEFT



REAR



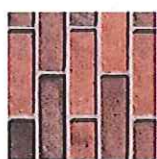
BENJAMIN MOORE  
MOCHA BROWN  
#2107-20



BENJAMIN MOORE  
EXOTIC RED  
#2086-10



BENJAMIN MOORE  
DELIGHTFUL GOLDEN  
#2158-30



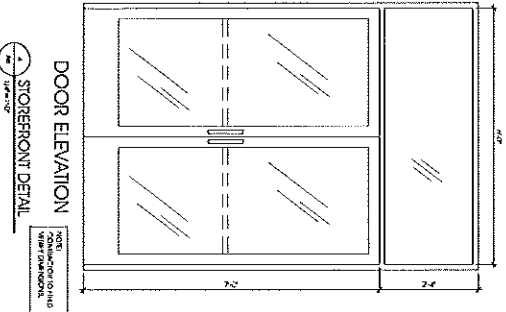
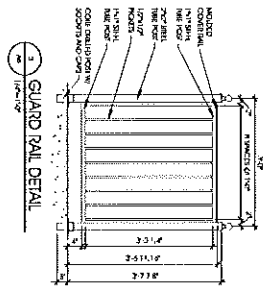
CORONADO STONE  
WIRE CUT BRICK  
LA JOLLA BLEND



BENJAMIN MOORE  
RAINFORREST FOLIAGE  
#2040 - 10

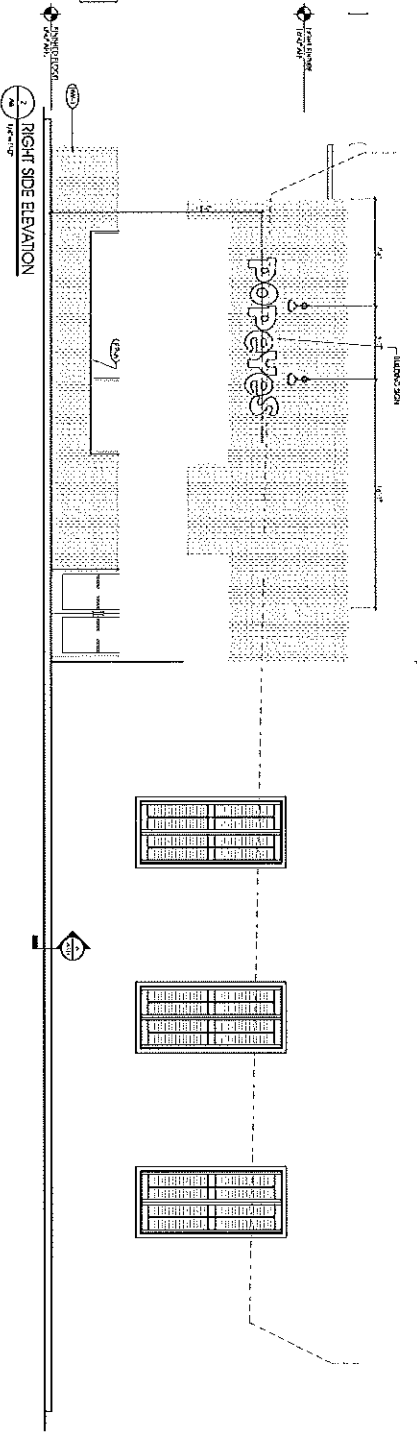
COLORS / MATERIALS



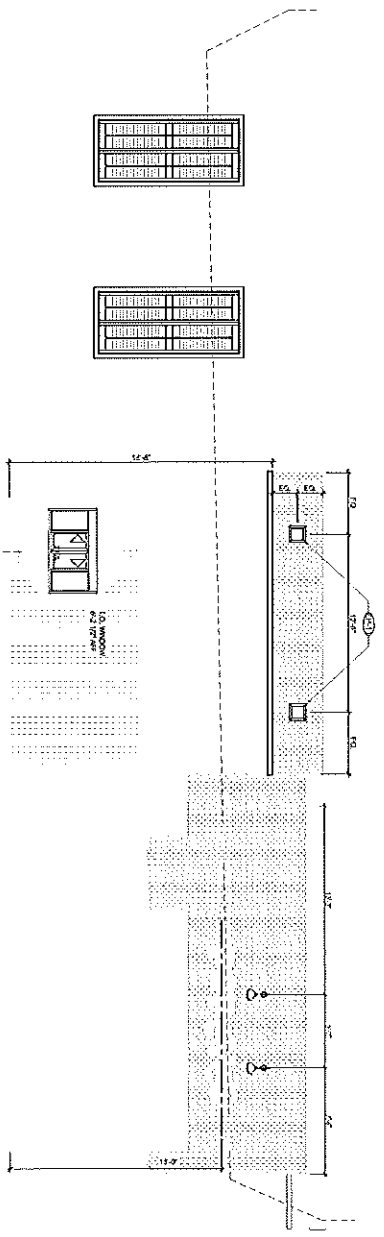


1 STOREFRONT DETAIL  
2 STOREFRONT DETAIL

1 LEFT SIDE ELEVATION  
2 RIGHT SIDE ELEVATION



NOTE: THIS DRAWING IS A PROTOTYPE. ALL DIMENSIONS AND MATERIALS ARE SUBJECT TO CHANGE WITHOUT NOTICE. REVISE DRAWING PLAN TO MATCH WINDOW.



- BRICK WALL VENEER
- COMBINED BRICK QUINTE
- ANATED BRICK VENEER
- CONCRETE STONE
- LA PLASTER
- WIRE CEMENT
- WOOD
- QUINTE
- WOOD VENEER
- WOOD VENEER
- WOOD VENEER
- WOOD VENEER

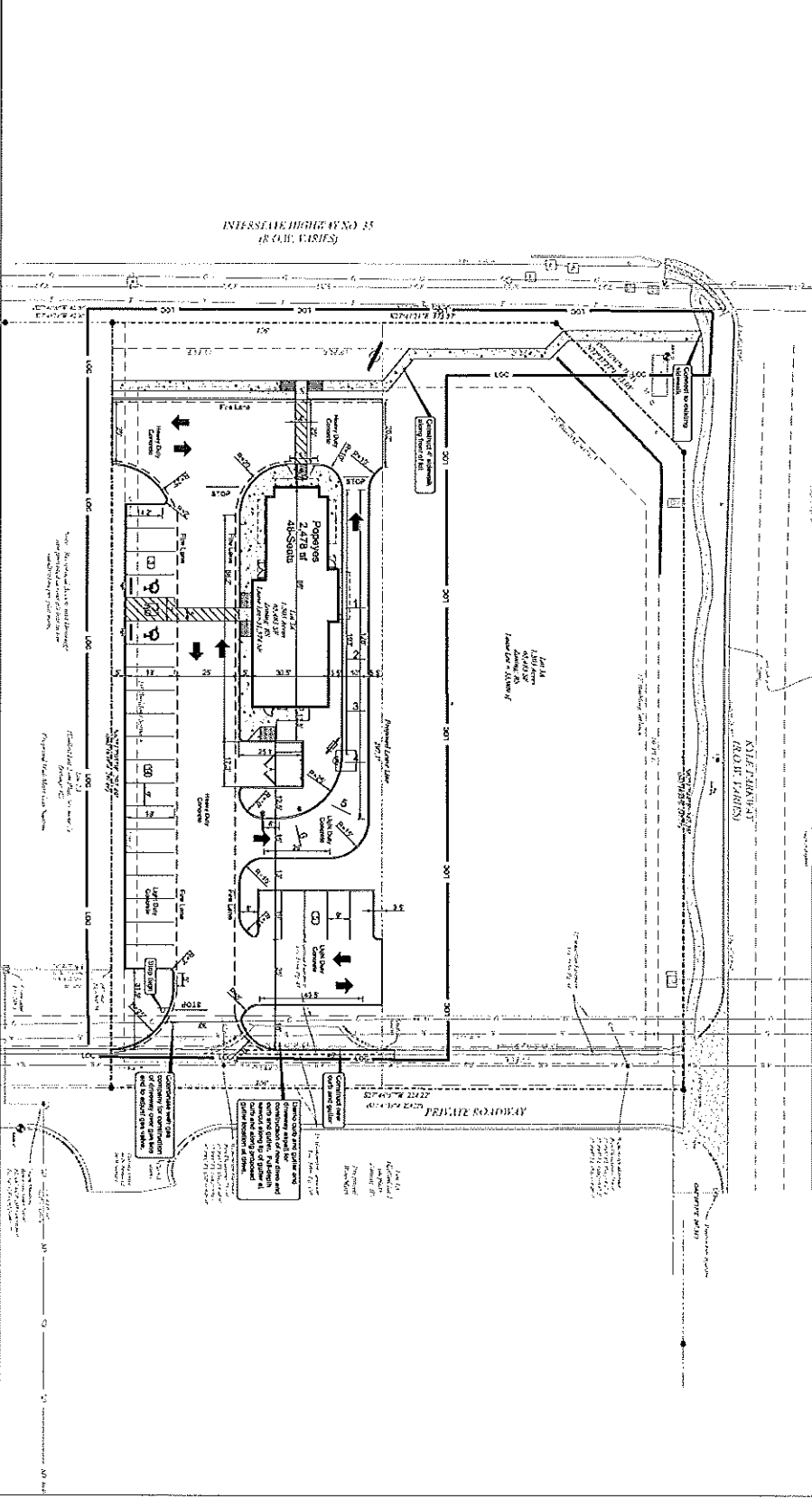
DATE: 08/15/2014  
 DRAWN BY: [Name]  
 CHECKED BY: [Name]  
 PROJECT: POPEYE'S LOUISIANA KITCHEN  
 SHEET: A6

**POPEYES**  
 LOUISIANA KITCHEN  
 POPEYE'S LOUISIANA KITCHEN  
 1048-DL PROTOTYPE  
 14-15 SR FRONTAGE ROAD @ KYLE PARKWAY

**MdM**  
 ARCHITECT  
 4439 ACQUEDUCT 1  
 METairie, LA 70002  
 TEL: 504.885.3400  
 FAX: 504.885.3401  
 WWW.MDMDIRECT.COM

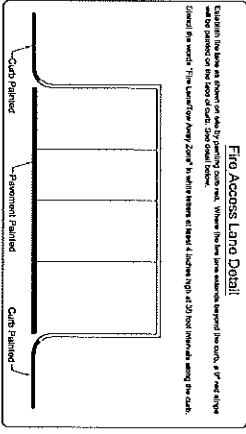


PROJECT: POPEYE'S LOUISIANA KITCHEN  
 SHEET: A6  
 DATE: 08/15/2014  
 DRAWN BY: [Name]  
 CHECKED BY: [Name]



INTERSTATE HIGHWAY 35  
(R.O.B. VARIES)

STATE HIGHWAY 610  
(R.O.B. VARIES)



**Site Data Table**

Item	Quantity	Unit	Notes
Site Area	8,482	SQ. FT.	
Building Footprint	2,200	SQ. FT.	
Proposed Impervious Cover	24,772		
Existing Impervious Cover	8,881	SQ. FT.	
Proposed Stormwater Storage	2,476	CU. YD.	
Proposed Stormwater Storage	26,200	CU. YD.	
Proposed Stormwater Storage	1.87	ACRES	

**Parking Table**

Label	Building Area	Parking Ratio	Parking Spaces	Notes
1	2,200	1.0	22	
2	1,000	1.0	10	
3	1,000	1.0	10	
4	1,000	1.0	10	
5	1,000	1.0	10	
6	1,000	1.0	10	
7	1,000	1.0	10	
8	1,000	1.0	10	
9	1,000	1.0	10	
10	1,000	1.0	10	

**Legal Description**  
 Section 17, T10N, R14E, S12W, 10th Meridian, Borden County, Texas, containing approximately 80.00 acres, more or less, as shown on the plat of the same, recorded in Public Records of Borden County, Texas, Book 10, Page 124.

**Scale 1" = 20'**

This plan is a preliminary plan and does not constitute a warranty of accuracy, dimensions and conditions required by the applicable laws and regulations. The engineer shall be responsible for the compliance, accuracy and reliability of the information. The engineer shall be responsible for the compliance, accuracy and reliability of the information. The engineer shall be responsible for the compliance, accuracy and reliability of the information.



REVISIONS/CORRECTIONS		
NO.	DESCRIPTION	DATE APPROVAL



Long Range Planning Committee  
Minutes July 17, 2014  
Kyle City Hall

Present: Lila Knight, Susan Meckel, Dennis Rose, Jerry Kolacny, Pat Fernandez, Will Atkinson, Amy De Fillipi, Jerry Luttrell, Alfred Zambrano

Staff: Manny de la Rosa, Debbie Guerra, Steve Clamons

Knight opened the meeting at 7:05. There were no citizen's comments.

As we have a new planning director, each of the committee members and the planning director introduced themselves.

The Long Range Planning Committee reviewed and made recommendations to the Planning and Zoning Commission regarding revisions to the boundaries of the existing overlay districts as follows:

**The FM 1626 Overlay District**

Luttrell made a motion, seconded by Atkinson, to recommend terminating the FM 1626 Overlay District at the intersection with Marketplace (rather than IH-35). The committee voted unanimously in favor of the motion.

**The Goforth Road Overlay District**

Luttrell made a motion, seconded by Zamora, to recommend the proposed changes to the Goforth Overlay District as indicated on the map included in the back-up materials. All members of the committee voted unanimously in favor of the motion.

(NOTE: new boundaries would include those parcels on the east side of Goforth Road from the intersection of Goforth Road and Masonwood to the intersection of Goforth Road and Bluestem Street, after which it includes those parcels on both sides of Goforth Road to the eastern city limit boundary. It includes all non-residential real property within four hundred (400) feet of the outer most edge of the street right-of-way. Goforth Road is also known as County Road 157, County Road 151, Bunton Road, and Bunton Lane).

**Old Highway 81 Overlay District**

Fernandez made a motion, seconded by Meckel, to recommend the proposed changes to the Old Highway 81 Overlay District as indicated on the map included in the back-up materials with the following amendment: to include those parcels directly south of the intersection of Old Highway 81 and South Street (up to and including the property occupied by Tyler's Towing). All members of the committee voted unanimously in favor of the motion.

### **The FM 150 East Overlay District**

Fernandez made a motion, seconded by Luttrell, to recommend the proposed changes to the FM 150 East Overlay District as indicated on the map included in the back-up materials. All members of the committee voted unanimously in favor of the motion. (NOTE: new boundaries extend from the intersection of FM 150 East and Lehman Road on the west to the city limit boundary on the east. It includes all non-residential real property within four hundred (400) feet of the outer most edge of the right-of-way of FM 150 East.

### **The Center Street Overlay District**

Luttrell made a motion, seconded by Fernandez, to combine the Center Street Overlay District with the Central Business District Overlay District. All members of the committee voted unanimously in favor of the motion.

### **The Central Business District Overlay District**

There was considerable discussion among the committee members regarding how extensive the boundaries of this district should be. Most felt that since this will only impact commercial redevelopment, it will help protect the existing residential properties to include as much as possible of the existing old town. Knight made a motion, seconded by Zambrano, to recommend proposed changes to the Central Business District Overlay District to include all of the original Old Town city limits and to extend west along Center Street from the intersection of Rebel Drive west to the city limits. All members of the committee voted unanimously in favor of the motion.

### **The Rebel Drive Overlay District**

Meckel made a motion, seconded by De Fillipi, to recommend the proposed changes to the FM 150 East Overlay District as indicated on the map included in the back-up materials, but as amended by the committee members. All members of the committee voted unanimously in favor of the motion.

### **I-35 Overlay District**

Knight made a motion, seconded by Fernandez, to recommend the ordinance be changed to state that where this particular overlay district overlaps with any of the other existing overlay districts, the other overlay districts will take precedence over the I-35 Overlay District (i.e. the following overlay districts take precedence over the I-35 overlay district: Goforth Overlay District, FM 150 East Overlay District, CBD Overlay District, and Old Highway 81 Overlay District). There were no changes proposed to the boundaries of this overlay district.

All members of the committee voted unanimously in favor of the motion.

NOTE: if the Center Street Overlay District is retained, it should also be listed.

Knight introduced the next agenda item, the **Open Space** component of the Comprehensive Plan. Susan Meckel led the discussion. Committee members discussed strategies for the implementation of open space in Kyle. Among the discussion were the benefits to the watershed provided by open space that served as a buffer to our creeks.

There was a discussion of the existing Parks Ordinance and whether it fully allowed for open space to be incorporated into the planning of projects. Mr. de la Rosa mentioned establishing a Land Trust which he had previously accomplished in another city, which many of the committee members thought was a great idea. Members also discussed how to incentivize small parcels for wildlife management with city annexation. The committee discussed whether or not it would be productive to hold a workshop with the Parks and Recreation Committee. Mr. de la Rosa will get a list of those committee members for us. He also suggested the Long Range Committee compile a list of recommendations to take to the Planning and Zoning Commission. The Committee will continue to work on this issue at the next meeting.

The item to introduce and discuss the ETJ Management Plan was tabled due to the late hour.

The next meeting of the committee will be Thursday, August 21st.

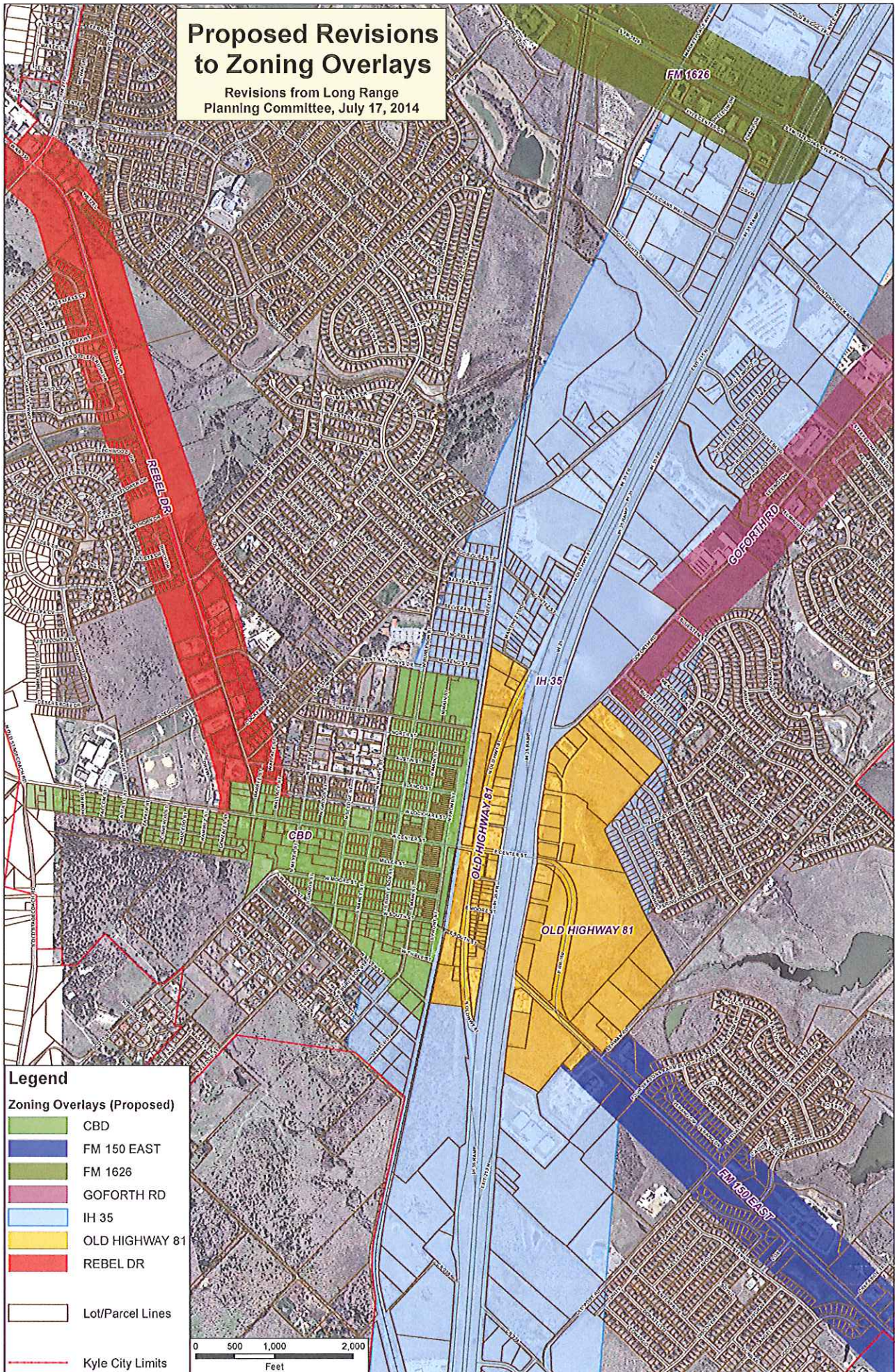
The committee was adjourned at 9:15 pm.

DRAFT



# Proposed Revisions to Zoning Overlays

Revisions from Long Range Planning Committee, July 17, 2014





# City of Kyle

## Existing Zoning Overlays

