

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 October 28, 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 24th day of October prior to 6:30 PM.

1. **CALL MEETING TO ORDER**
2. **ROLL CALL**
3. **CITIZEN COMMENTS**
4. **MINUTES** – Planning and Zoning Commission Meeting – September 9, 2014
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**
 - B. Consider a request by Mohammed Ali Dhanani (Wendy’s Restaurant) for a Conditional Use Permit to construct a 3,364 square foot building on property located at 20515 IH-35. (CUP-14-018)
 - **Public Hearing**

- C. Consider a request by Down South Railhouse for a Conditional Use Permit for an existing (approx.) 4,000 square foot building on property located at 107 E. Center Street. (CUP-14-021)

- **Public Hearing**

6. STAFF REPORT

7. 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

10/24/14

(Date)

**REGULAR MEETING OF THE
PLANNING AND ZONING COMMISSION**

The Planning and Zoning Commission of the City of Kyle, Texas met in regular session September 9, 2014 at 6:30 p.m. at Kyle City Hall, with the following persons present:

Commissioner Dan Ryan
Commissioner Lori Huey
Commissioner Mike Wilson
Chairman Shane Arabie
Vice-Chair Mike Rubsam
Commissioner Alfred Zambrano
Commissioner Irene Melendez
Director of Planning, Manuel De La Rosa

CALL MEETING TO ORDER

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

ROLL CALL OF BOARD

Chairman Arabie called for roll call. No one 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.

CONSENT

BUNTON CREEK SUBDIVISION PHASE 1-B – FINAL PLAT (FP-14-009) 13.579 ACRES; 71 LOTS LOCATED OFF OF BUNTON LANE AND TREETTA TRAIL.

KYLE HEIGHTS SECTION 2 REPLAT OF LOT 13-B (SFP-14-005) 3.104 ACRES; 2 LOTS LOCATED AT 1250 DACY LANE.

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

CONDITIONAL USE PERMIT/OVERLAY DISTRICT

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)

Chairman Arabie opened the public hearing at 6:32 pm and called for comments for or against the request. There were no comments. Chairman Arabie closed the public hearing at 6:33 pm.

Commissioner Ryan moved to approve the request by HZ Props RE, LTD (Popeye's Louisiana Kitchen). Commissioner Huey seconds the motion. All votes aye. Motion carried.

DISCUSSION ITEM

DISCUSSION REGARDING A PROPOSED REVISION TO THE ZONING OVERLAY DISTRICTS.

Manuel De La Rosa, Director of Planning addressed the Commission and gave a brief summary regarding a proposed revision to the zoning overlay districts. Mr. De La Rosa stated that the Long Range Planning Committee met and outlined a proposed revision to clean up overlapping zoning overlay districts. Mr. De La Rosa stated that this item will be coming back to the Commission at a later date.

STAFF REPORT

Manuel De La Rosa, Director of Planning addressed the Commission giving a status update regarding the Landscape requirements. Mr. De La Rosa stated that he is working with the City Attorney, Ken Johnson and this item will be coming back to the Commission at a later date.

ADJOURNED

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

The Planning & Zoning Meeting adjourned at 6:45 p.m.

Amelia Sanchez, City Secretary

Michael Rubsam, Acting Chairman

MEMORANDUM

TO: Planning and Zoning Commission

FROM: Manuel De La Rosa, Director of Planning 

DATE: October 24, 2014

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

BACKGROUND

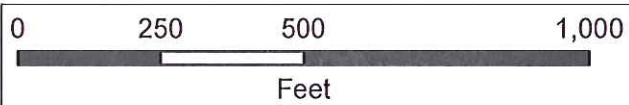
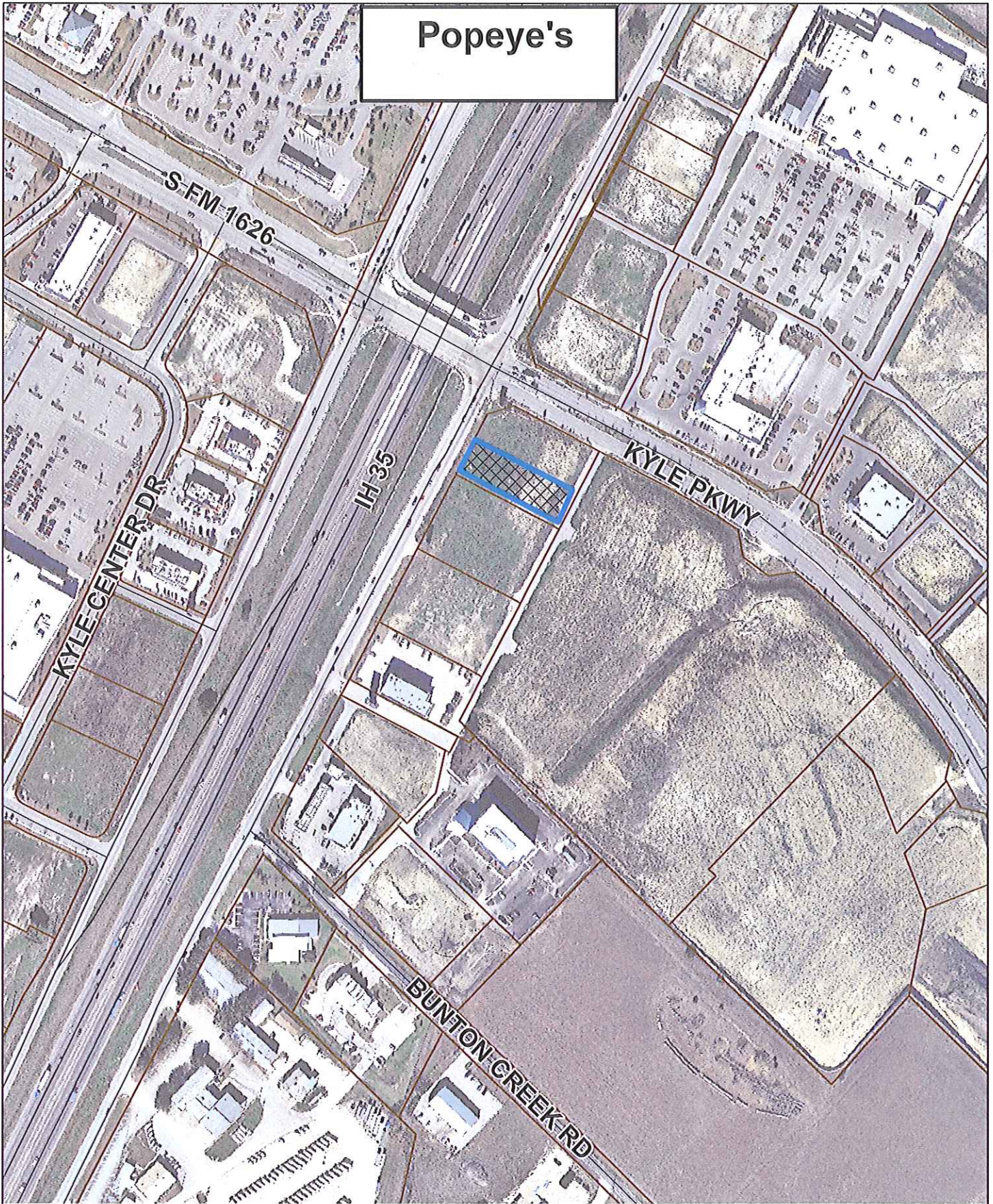
The subject property is located at 20259 IH-35. The Popeye's restaurant is proposed to be located on the same lot with the Wendy's restaurant on a pad site located in front of the new Wal-Mart store. The property is located within Retail/Service Zone and the I-35 Overlay District.

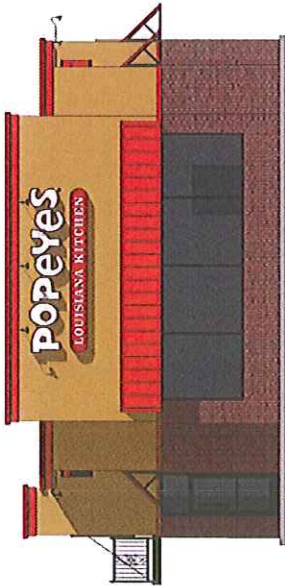
The applicant is requesting a Conditional Use Permit for a fast food restaurant. The building footprint is 2,478 square feet. Architectural and site plan renderings and being provided to assist you in the decision making process.

STAFF RECOMMENDATION

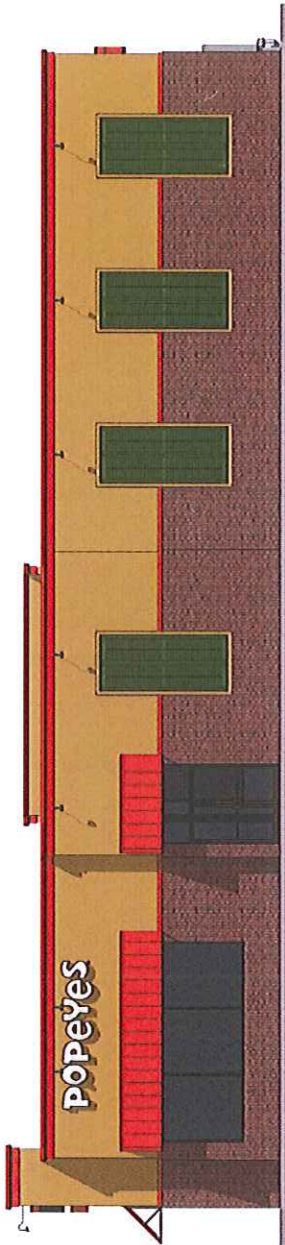
- Staff is recommending approval of the Conditional Use Permit request.

Popeye's

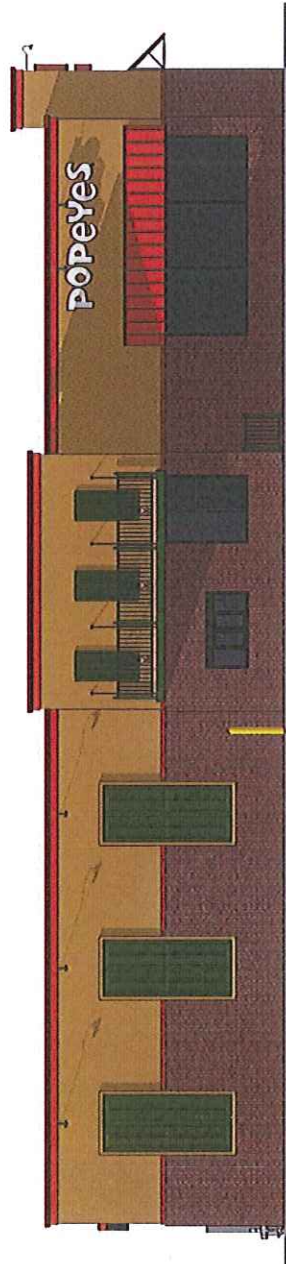




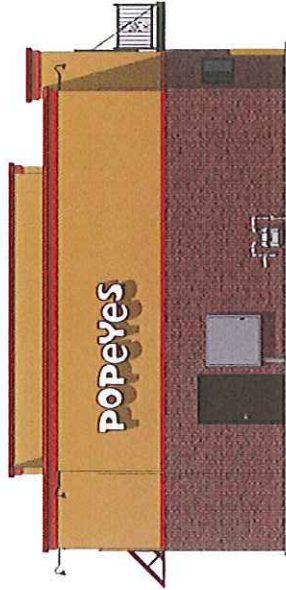
FRONT



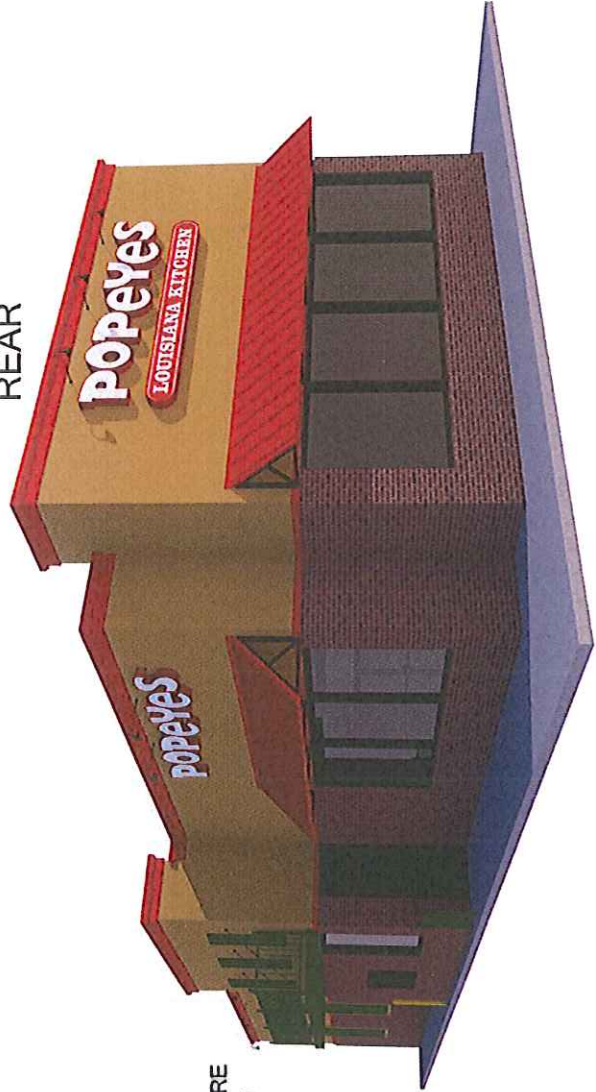
RIGHT



LEFT



REAR



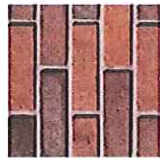
BENJAMIN MOORE
MOCHA BROWN
2107-20



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

MEMORANDUM

TO: Planning and Zoning Commission

FROM: Manuel De La Rosa, Director of Planning 

DATE: October 24, 2014

SUBJECT: Wendy's Restaurant - Conditional Use Permit Request (CUP-14-018)

BACKGROUND

The subject property is located at 20584 IH-35. The Wendy's restaurant is proposed to be located on the same lot with the Popeye'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 3,364 sf. 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

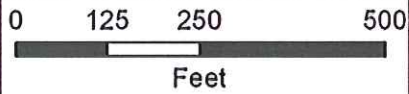
**Wendy's Location
20515 IH 35**

LOWE'S

S-FM-1626

IH 35


KYLE PKWY



Parcel Lines

MEMORANDUM

TO: Planning and Zoning Commission

FROM: Manuel De La Rosa, Director of Planning 

DATE: October 24, 2014

SUBJECT: Down South Railhouse - Conditional Use Permit Request (CUP-14-021)

BACKGROUND

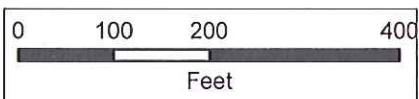
The subject property is located at 107 E. Center Street. The proposed use of the property will have a multi-venue to include outdoor and indoor entertainment. The property has existing structures and is located within the Retail/Service Zone and lies within the Old Highway 81, Center Street, and the I-35 Overlay Districts.

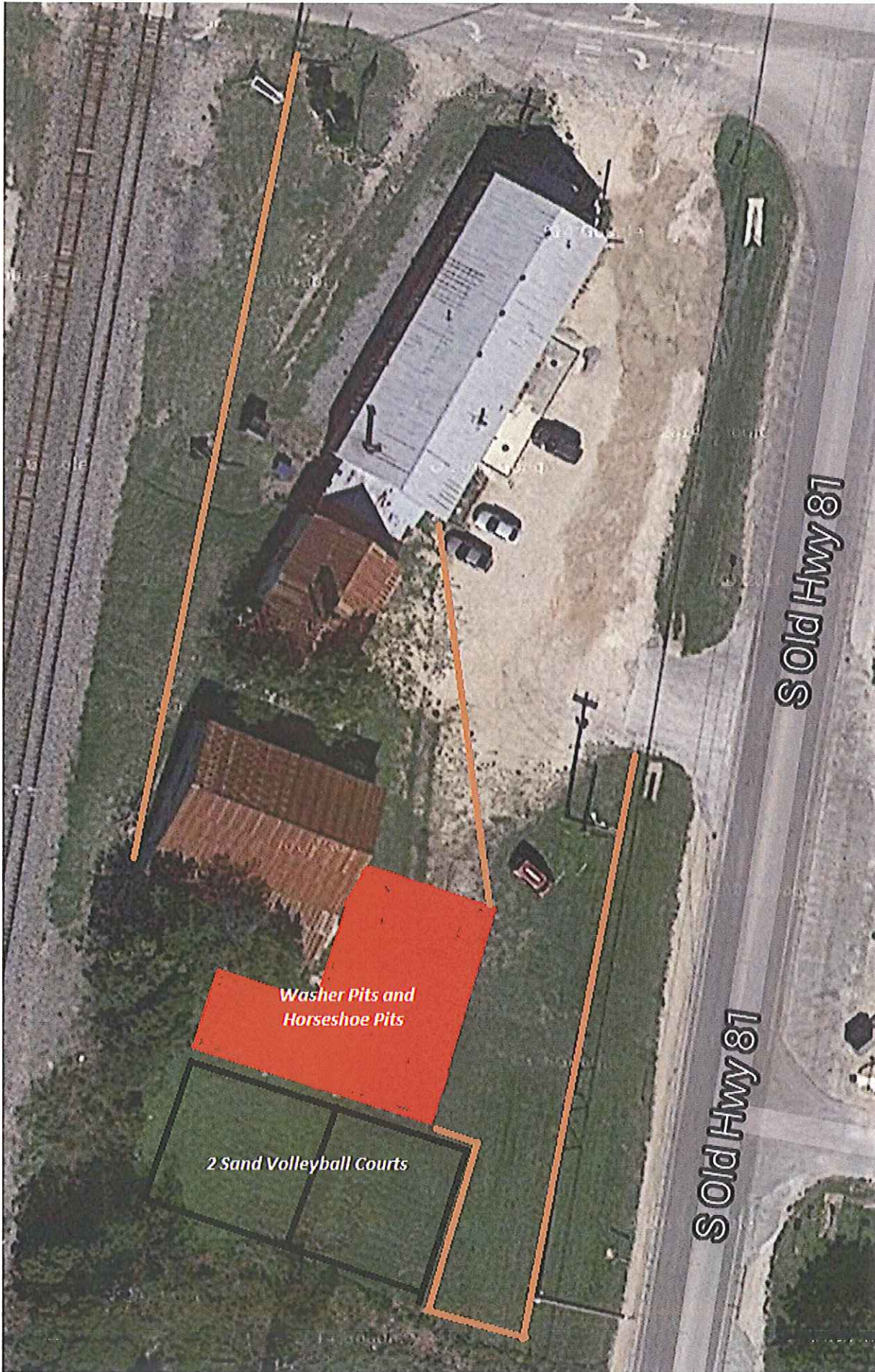
The applicant is requesting a Conditional Use Permit to paint the exterior of the existing structures. The building footprint is approximately 4,000 sf. Architectural and site plan renderings and being provided to assist you in the decision making process.

STAFF RECOMMENDATION:

- Staff is recommending approval of the Conditional Use Permit request

Project Location 107 E. Center Street



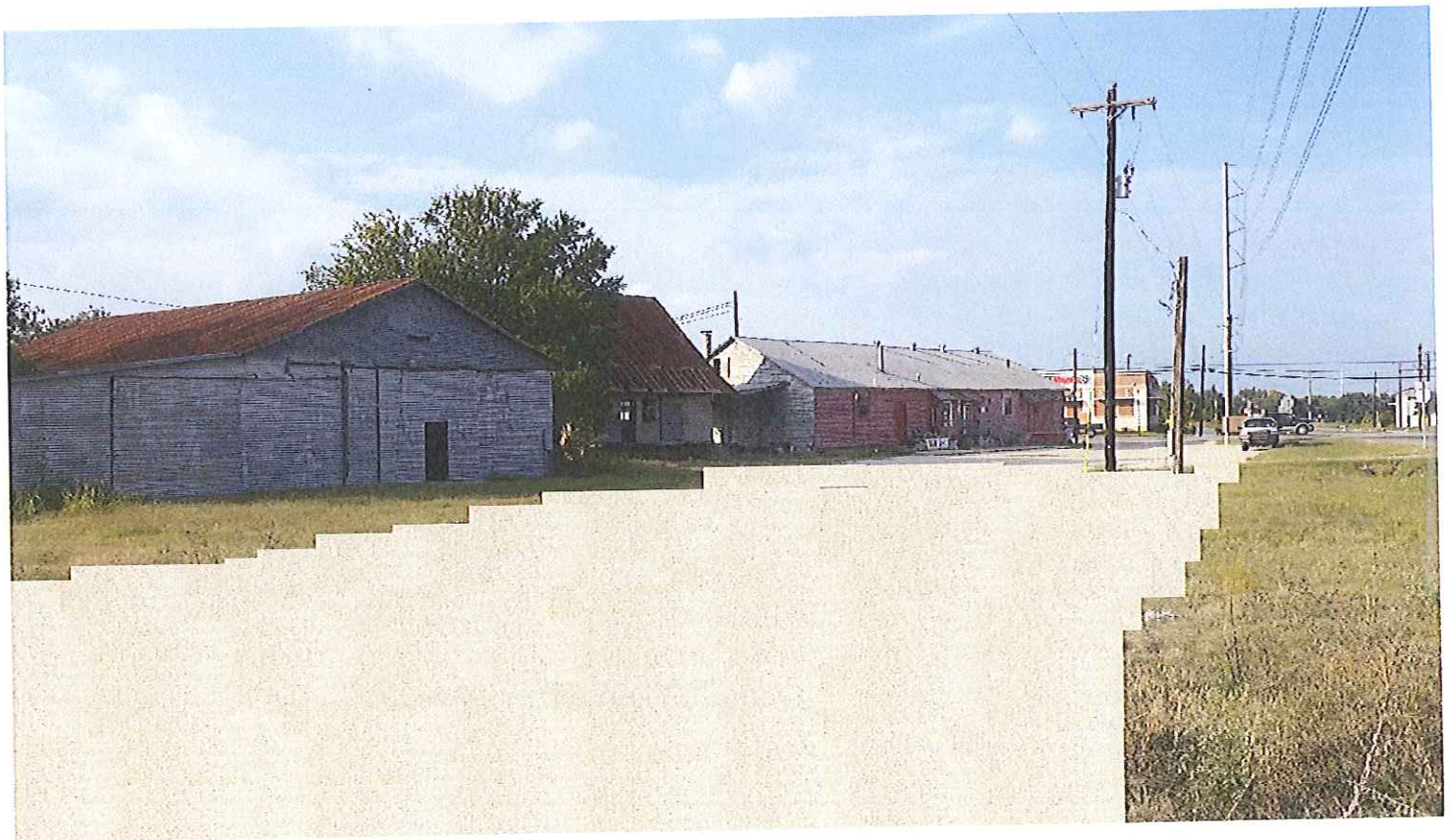


Sold Hwy 81

Sold Hwy 81

Washer Pits and
Horseshoe Pits

2 Sand Volleyball Courts



1011-3

A

1011-3
Quite Red

WHITE ON
TRIM ONLY



7006-24
Ultra White

7006-24