

CITY OF KYLE

Planning & Zoning Commission Special Called 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 22, 2015, 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 18th day of September prior to 6:30 PM.

1. CALL MEETING TO ORDER

2. ROLL CALL

3. CITIZEN COMMENTS

4. CONSENT

A. Crosswinds Subdivision Phase 1 – Final Plat (FP-15-009)

70.546 acres; 233 Residential Lots; 5 Open Space Lots and 1 Amenity Lot

Located off of Windy Hill Road near Shadow Creek Blvd.

Owner: Development Solutions CW, LLC.

Agent: Felix Manka, CMA Engineering, Inc.

Staff Proposal to P&Z: Statutorily disapprove to meet the 30 day statutory requirement.

B. Kyle Marketplace Section 2 Replat of Lots 5 & 6 (SFP-15-007)

1.75 acres; 2 Lots

Located at 5213 Physicians Way

Owner: DDR DB Kyle

Agent: Darrel Kotzur, Crosspoint Engineering, LLC.

Staff Proposal to P&Z: Statutorily disapprove to meet the 30 day statutory requirement.

Application Type:	Conditional Use Permit
Property Location	Central Texas Speedway 24801 IH 35 South Kyle, Texas 78640
Owner/Petitioner	Rick & Hunter Coleman/Meredith Murray
Request	Conditional Use Permit to operate the “Kyle Fair and Music Festival, 2015”

Vicinity Map



The site is located behind Roger Beasley Hyundai, on the east side of Interstate 35 near the city’s southern border. The property is zoned E (Entertainment district), and is surrounded by Agriculture-zoned property on three sides, and ‘W’ (Warehouse District) property to the northwest. The closest property with a residential zoning designation is nearly 1,000 feet away to the northeast (Quail Ridge subdivision). The applicant’s request is to operate the “Kyle Fair and Music Festival” from Thursday, October 8 until

Saturday, October 10, 2015, with a set-up day on Wednesday, October 7 and a clean-up day on Sunday, October 11.

Conditional Use Analysis

The site proposed for this conditional use is the grounds of Central Texas Speedway, a 39-acre paved oval automobile racetrack venue. The Kyle Fair and Music Festival is an annual event held in October, with typical carnival rides, and food and merchandise vendors. The fair will feature one concert each evening, as well as an all-day concert the majority of the afternoon and evening on Saturday. The fair is a temporary use, and therefore the applicant plans no changes to the existing structures or the site at which the structures exist, and plans only to use venue for its size and ample parking.

Conditions of the Zoning Ordinance

Article 6, Division 2 of the City of Kyle Zoning Ordinance identifies the following procedures for approving a conditional use application, and those uses which require a conditional use permit:

"Sec. 53-1046. - Purpose.

The city council may by ordinance, adopted by four affirmative votes after receiving the recommendation of the [planning] commission, grant a conditional use permit in compliance with this division for the conditional uses as listed in section 53-1047. The city council may impose appropriate conditions and safeguards, including a specified period of time for the permit, to protect the comprehensive plan and to conserve and protect property and property values in the neighborhood.

"Sec. 53-1047. - Authorized conditional uses.

The following listed conditional uses, and none other, may be authorized subject to the terms of this section and compliance with all conditional terms, regulations and requirements established by the city council:

...

(3) Circus or carnival; but not within 300 feet of any residential district;"

Recommendation

Staff recommends the application, as detailed and submitted to city staff, be approved, subject to the following conditions:

1. The special land use permit is non-transferable;
2. The permit is granted for the expressed purpose of a fair and music concert festival, including all usual and customary operations for that activity;
3. The permit is valid from Wednesday, October 7, 2015 until Sunday, October 11, 2015.

Attachments

- Application packet

CONDITIONAL USE PERMIT APPLICATION

A Conditional Use Permit shall be required prior to any existing structure within one of the Overlay Districts being altered, reconstructed, enlarged, or remodeled for a commercial, retail, or business use, which altering or remodeling would increase or decrease the total gross building area by fifty percent (50%) or more; and if such work requires any additional curb cut, or the reconstruction, enlargement, remodeling, or alteration of the exterior design, material, finish grade line, landscaping, or orientation of the structure.

CITY OF KYLE

AUG 28 2015

Date: 10/8 - 10/10

CUP-15-005

PLANNING DEPARTMENT

PROJECT INFORMATION

Project Name: Kyle Fair and Music Fest 2015		
Project address: 24801 Interstate 35 Kyle, Tx 78640		
Subdivision:		
Lot:	Block:	Section:
Zoning:	Square Footage of Building:	

APPLICANT INFORMATION

Owner's Name: Rick Coleman/Hunter Coleman	
Owner's Signature: <i>[Signature]</i>	Date: 8/18/15
Address: 24801 Interstate 35 Kyle, Tx 78640	
Phone: 512-748-3841	Fax: E-mail: EdwardRColeman@gmail.com
Please Note: The signature of the owner authorizes City of Kyle staff to visit and inspect the property for which this application is being submitted.	
(Check One)	
<input type="checkbox"/> I will represent my application.	
<input checked="" type="checkbox"/> I hereby authorize the person named below to act as my agent in processing this application.	
Agent: Meredith Murray	
Agent's Address: 24801 Interstate 35 Kyle, Tx 78640	
Phone: 979-476-0880	Fax: E-mail: mmurray@centersperduty.com

Conditional Use Permit Application Checklist

Please note that the checklist is required to be filled out by the applicant or designated agent. Place a check mark on the line in front of the number if you have complied with that item. If the checklist item is not applicable to your application, indicate such. This checklist is provided only as a guide. All conditional use permit requirements cannot be reflected on this checklist. If the applicant has any questions regarding the regulations, the applicant should consult the Zoning Ordinance or contact City staff. City ordinances can be obtained from the City of Kyle and on line at www.cityofkyle.com.

Project Name: Kyle Fair + Music Fest

REQUIRED ITEMS FOR SUBMITTAL PACKAGE

The following items are required to be submitted to the Planning Department in order for the Application to be accepted.

- 1. Completed application form with owner's original signature.
- 2. Application fee: \$190.21, plus \$3.78 per acre or portion thereof.
Total Fee: \$ 333.85
- 3. A map or plat showing the area being proposed for change and the zoning classification of all abutting zoning districts, all public and private right-of-ways and easement bounding and intersecting the property.
- 4. A site plan and building elevations drawn to scale showing at a minimum, the lot dimensions, size, shape, and dimensions of the proposed and/or existing structure(s); the location and orientation of the structure(s) on the lot and the actual or proposed building setback lines; and all points of ingress and egress. 2 paper copies and 1 digital file must accompany the application.
- 5. Applications shall be accompanied by 2 paper copies and 1 digital file of appropriate, relevant colored elevations showing at a minimum, the design, use of materials, finish-grade line, landscaping, signage and orientation of the buildings and any significant architectural features.
- 6. Copy of Deed showing current ownership.

***** A submittal meeting is required. Please schedule an appointment with Debbie Guerra at (512) 262-3959 to schedule an appointment.**

**Please note: The Commission/Council may also require the submission of colored perspectives or architectural renderings in applications or any other information it deems reasonable and/or useful in review of the application.*



24801 I-35

58

112

60

62

154

78

200

165

100

180

590

85

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Imagery Date: 10/2/2014 29°56'58.78" N 97°52'18.34" W elev 685 ft

Meredith Murray

From: Matt Donovan
Sent: ~~Wednesday, August 26, 2015 11:59 AM~~
To: Meredith Murray
Subject: Schedule and band prices

Thursday- Sneak a Peak- All rides \$1 each no wrist bands

Carnival 6p-11pm

Concerts For a Cause DJ Versus Dance Party- 7-9pm (FREE No Charge)

Go Karting from 6pm-11pm

Friday:

5pm: Carnival Opens

6pm-7:45pm : Denny Herrin Band (\$300)

8p-10pm The People Choice Band Band (\$1500)

11pm Carnival Closes

Go Karting from 5-10pm

Saturday:

Parking \$5

Sean Clause- Production Manager and Contact-\$100

2:30pm-4:30pm- Texas Hot Swing Band (\$600)

4:45pm 6:45pm- JT Coldfire Band (\$400)

7pm-11pm Journey Tribute Band plays "Street lights" (\$1900)

Matthew Donovan

President Corporate Partnerships

*Carnival
Promoter
Kenny's
Funland*