

CITY OF KYLE

PLANNING & ZONING COMMISSION REGULAR MEETING



Kyle City Hall, 100 W. Center Street,
Kyle, Texas 78640

Notice is hereby given that the Planning and Zoning Commission of the City of Kyle, Texas will meet at 6:30 PM on August 8, 2017, at Kyle City Hall, 100 W. Center Street, Kyle, Texas 78640, 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 4th day of August, 2017 prior to 6:30 P.M.

1. Call Meeting To Order

2. Roll Call

3. Minutes

A.Planning and Zoning Commission meeting minutes for April 25, 2017, May 9, 2017, June 13, 2017 and June 27, 2017.

4. Citizen Comments

5. Presentation

A.Recognition of Allison Wilson for her service on the Planning and Zoning Commission.

6. Consent

A.Stagecoach Subdivision, Phase 1 - Final Plat (FP-17-012) 41.366 acres; 100 single family lots, 2 D.E. lots. 1 park lot and 5 L.S.E., S.W.E and P.U.E. lots located north of Opal Lane, east of Stagecoach Road and west of Scott Street.
Staff Proposal to P&Z Statutorily Disapprove to meet the 30 day statutory requirement.

- B. Stagecoach Subdivision, Phase 1A - Final Plat (FP-17-013) 6.719 acres; 19 single family lots, 1 D.E. lot and 4 L.S.E., SW.E and P.U.E. lots located north of Opal Lane, east of Old Stagecoach Road and west of Scott Street
Staff Proposal to P&Z: Statutorily Disapprove to meet the 30 day statutory requirement.
- C. IDEA Kyle Academy - Final Plat (FP-17-014) 12.790 acres; 1 public school lot located at the northeast corner of Goforth Road and Bluestem Street.
Staff Proposal to P&Z: Statutorily disapprove to meet the 30 day statutory requirement.
- D. Cool Springs Subdivision, Phase 1 - Final Plat (FP-17-015) 50.8 acres; 99 single family lots, 1 neighborhood commercial lot, 2 parkland lots and 3 open space lots located on the south side of E. RR 150 approximately 1 mile east of IH-35.
Staff Proposal to P&Z: Statutorily Disapprove to meet the 30 day statutory requirement.
- E. Replat of Lot 1C of the Resubdivision of Plum Creek Park (SFP-17-004) 4.06 acres; 3 lots and right-of-way located off of Bureson Road and Marketplace Ave.
Staff Proposal to P&Z: Statutorily Disapprove to meet the 30 day statutory requirement.

7. Zoning

- A. Consider a request by Joe R. Castillo, Trustee of Maria Castillo, Life Estate, c/o Castillo Real Property Trust, to rezone approximately .30 acres of land from Single Family Residential 'R-1' to Retail Service District 'RS' for property located at 901 N. Old Highway 81. (Z-17-013)

- Public Hearing
- Recommendation to City Council

8. General Discussion

- A. Discussion only regarding Planning and Zoning Commission request for future agenda items.

9. Staff Report

- A. Staff Report by Howard J. Koontz, Director of Planning and Community Development.

10. Adjournment

*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."



CITY OF KYLE, TEXAS

Minutes

Meeting Date: 8/8/2017

Date time:6:30 PM

Subject/Recommendation: Planning and Zoning Commission meeting minutes for April 25, 2017, May 9, 2017, June 13, 2017 and June 27, 2017.

Other Information: See attached.

Legal Notes: N/A

Budget Information: N/A

ATTACHMENTS:

Description

- April 25, 2017
- May 9, 2017
- June 13, 2017
- June 27, 2017

**SPECIAL CALLED MEETING OF THE
PLANNING AND ZONING COMMISSION**

The Planning and Zoning Commission of the City of Kyle, Texas met in a special called meeting on April 25, 2017 at 6:30 P.M. at Kyle City Hall, with the following persons present:

Chairman Dex Ellison	Lila Knight
Commissioner Oppel	Lana Nance
Commissioner Bradley Growt	Travis Mitchell
Commissioner Allison Wilson	Robert Kleeman
Commissioner Rick Koch	Jerry Kolacny
Commissioner Jo Fenety	
Planning Director, Howard J. Koontz	
Planning Technician, Debbie A. Guerra	
City Planner, William Atkinson	

CALL MEETING TO ORDER

Chairman Ellison called the meeting to order at 6:32 P.M.

ROLL CALL OF COMMISSION

Chairman Ellison called for roll call. Vice-Chair Kay was absent.

Commissioner Oppel moved excuse Vice-Chair Kay from the meeting. Commission Growt seconds the motion. All votes aye. Motion carried.

CITIZENS COMMENTS

Chairman Ellison opened the citizens comment period at 6:33 P.M. and call for comments on items not on the agenda or posted for public hearing. Lila Knight addressed the Commission and stated that she was opposed to the proposed parking amendments. Chairman Ellison closed the public hearing at 6:36 P.M.

CONSENT

**CREEKSIDE VILLAGE SECTION THREE – FINAL PLAT (FP-17-009) 33.80 ACRES;
102 SINGLE FAMILY LOTS AND 4 DRAINAGE LOTS LOCATED OFF OF N.
BURLESON ROAD JUST WEST OF THE UNION PACIFIC RAILROAD.
STAFF PROPOSAL TO P&Z: STATUTORILY DISAPPROVE TO MEET THE 30 DAY
STATUTORY REQUIREMENT.**

BUNTON CREEK RESERVE – REVISED PRELIMINARY PLAN (PP-17-004) 98.109 ACRES; 355 SINGLE FAMILY LOTS LOCATED OFF OF BUNTON LANE 2,000 FEET EAST OF TWIN ESTATES DRIVE.

STAFF PROPOSAL TO P&Z: STATUTORILY DISAPPROVE TO MEET THE 30 DAY STATUTORY REQUIREMENT.

BUNTON CREEK RESERVE, PHASE 1 – FINAL PLAT (FP-17-008) 47.378 ACRES; 125 SINGLE FAMILY LOTS AND 4 PUBLIC ACCESS, PUBLIC UTILITY, PARKLAND AND D.E.LOTS LOCATED OFF OF BUNTON LANE BETWEEN LEHMAN ROAD AND HEIDENREICH LANE.

STAFF PROPOSAL TO P&Z: STATUTORILY DISAPPROVE TO MEET THE 30 DAY STATUTORY REQUIREMENT.

BLANCO RIVER CROSSING, SECTION 1, AMENDED PLAT OF LOTS 12 & 13, BLOCK N (AFP-17-002) 0.86 ACRES; 2 SINGLE FAMILY LOTS LOCATED AT 103 AND 106 DEER CLEARING.

STAFF PROPOSAL TO P&Z: STATUTORILY DISAPPROVE TO MEET THE 30 DAY STATUTORY REQUIREMENT.

RESUBDIVISION OF LOT 6, REPLAT OF LOTS 6-9 COR-DEV #1 SUBDIVISION (SFP-17-001) 1.688 ACRES; 2 LOTS LOCATED AT 370 AND 450 N. OLD HIGHWAY 81.

STAFF PROPOSAL TO P&Z: STATUTORILY DISAPPROVE TO MEET THE 30 DAY STATUTORY REQUIREMENT.

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

CONSIDER AND POSSIBLE ACTION

SECOND OF TWO PUBLIC HEARINGS FOR THE PURPOSE OF RECEIVING TESTIMONY, COMMENTS, AND WRITTEN EVIDENCE FROM THE PUBLIC REGARDING MID-TERM AMENDMENTS TO THE 2010 COMPREHENSIVE PLAN.

Chairman Ellison opened the public hearing at 6:38 P.M. and called for public comments for or against the request. Lila Knight speaking for the Katherine Anne Porter Literary Center stated their concerns with making CBD-1 and CBD-2 recommended for the Old Town District. Ms. Knight stated that CBD-1 and CBD-2 was created to preserve the residential character of the western end of Center Street. Secondly, Ms. Knight asked that the Commission keep CBD-1 and CBD-2 conditional. Ms. Knight also stated her concerns with applying Mixed-Use and Office Institutional zoning categories without any ordinances in place for those districts. Ms. Knight also, stated that there was a mistake on the map provided in the back up material. Ms. Knight stated that there was not enough public advertising for the comprehensive plan amendment and is also concerned with the stretching of the regional node along I-35. Chairman Ellison closed the public hearing at 6:42 P.M.

Commissioner Fenety moved to postpone to the May 9th regular meeting and have staff compile a list of all existing land development agreements. No second. Motion failed.

Commissioner Oppel moved to forward the changes that have been made to the Comprehensive Plan to City Council with the additional wording within the applicable land use districts that development agreements supersede anything described within the intent of the land use districts. Commission Wilson seconds the motion.

Commissioner Growt moved to amend the motion with placing all the adjusted zoning classes in conditional for all three (3) Farm, Ranch and Riparian Landscape. Commissioner Oppel and Commissioner Wilson accepts the amendment from Commissioner Growt.

Commissioner Oppel calls for a vote on the original motion without the amendment from Commissioner Growt. Commissioner Wilson seconds the motion.

Commissioner's Oppel, Wilson and Koch vote aye. Commissioner's Growt, Ellison and Fenety vote nay. Motion Failed.

Commissioner Growt moved to direct staff to make changes that Commissioner Oppel suggested and bring back for consideration on May 9th. Commissioner Fenety seconds the motion. All votes aye. Motion carried.

Commissioner Growt requested a five (5) minutes break at 8:03 P.M.
Meeting reconvened at 8:11 P.M.

**CONSIDER AND MAKE A RECOMMENDATION TO CITY COUNCIL ON
AMENDMENTS TO MULTIPLE SECTIONS OF CHAPTER 29, SIGN STANDARDS
AND PERMITS OF THE CITY OF KYLE, CODE OF ORDINANCES.**

Council Member, Travis Mitchell addressed the Commission stating after watching the previous Planning and Zoning Commission meeting, he decided to attend and give some explanation on feather flags and on where the proposed ordinance revision came from. Council Member, Mitchell stated that he does not want the item to move forward if the Commission decides to completely redo the ordinance.

Commissioner Fenety moved to table indefinitely.

Commissioner Fenety withdrew the motion temporary.

Jerry Kolacny addressed the Commission stating his concerns with eyesore signage for small businesses trying to get their business started or trying to revive their business and keep it operating. Mr. Kolacny also stated that the City needs to have a strict sign ordinance and it needs to be aggressively enforced.

Commissioner Fenety moved to reintroduce her motion to table indefinitely. Discussion with Howard Koontz, Director of Community Development regarding tabling versus postponing an item. Commissioner Growt offered a friendly amendment to postpone the item until the first voting meeting in August for consideration. Commission Oppel made a substitute motion to withdraw the item from consideration. Chairman Ellison restated the motion on the table. Chairman Ellison asked for a second for Commissioner Fenety's motion. No second. Motion failed. Commission Oppel made a substitute motion to withdraw the item from consideration. Commissioner Wilson seconds the motion. Commissioner's Oppel, Wilson, Ellison and Fenety vote aye. Commissioner's Growt and Koch vote nay. Motion carried.

GENERAL DISCUSSION

DISCUSSION REGARDING PROPOSED AMENDMENTS TO CHAPTER 47 – TRAFFIC AND VEHICLES ARTICLE II – PARKING OF THE CITY OF KYLE, CODE OF ORDINANCES.

Discussion only. No action taken.

ADJOURN

With no further business to discuss, Commissioner Growt moved to adjourn.

The Planning and Zoning Commission meeting adjourned at 10:01 P.M.

Prepared by: Debbie A. Guerra

Commissioner: Dex Ellison

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

The Planning and Zoning Commission of the City of Kyle, Texas met in a regular meeting on May 9, 2017 at 6:30 P.M. at Kyle City Hall, with the following persons present:

Chairman Dex Ellison	Wade Todd
Commissioner Oppel	Andrew Cipto
Commissioner Bradley Growt	Robert Kleeman
Vice-Chair Timothy Kay	
Commissioner Rick Koch	
Commissioner Jo Fenety	
Planning Director, Howard J. Koontz	
Planning Technician, Debbie A. Guerra	
City Planner, William Atkinson	

CALL MEETING TO ORDER

Chairman Ellison called the meeting to order at 6:31 P.M.

ROLL CALL OF COMMISSION

Chairman Ellison called for roll call. Commissioner Wilson was absent.

Commissioner Oppel moved excuse Commissioner Wilson from the meeting. Commission Growt seconds the motion. All votes aye. Motion carried.

CITIZENS COMMENTS

Chairman Ellison opened the citizens comment period at 6:32 P.M. and call for comments on items not on the agenda or posted for public hearing. There were no comments. Chairman Ellison closed the public hearing at 6:32 P.M.

CONSENT

**CROSSWINDS SUBDIVISION PHASE 2 – PRELIMINARY PLAN (PP-17-005) 69.77 ACRES; 258 SINGLE FAMILY LOTS, 6 OPEN SPACE LOTS FOR PROPERTY LOCATED OFF OF CROSSWINDS PARKWAY.
STAFF PROPOSAL TO P&Z: STATUTORILY DISAPPROVE TO MEET THE 30 DAY STATUTORY REQUIREMENT.**

LOTS 5A AND 6A, ORIGINAL TOWN OF KYLE, BLOCK 45, REPLAT OF LOTS 4, 5 AND 6, BLOCK 45 (AFP-17-003) 0.323 ACRES; 2 LOTS LOCATED AT 609 AND 617 W. MOORE STREET.

STAFF PROPOSAL TO P&Z: STATUTORILY DISAPPROVE TO MEET THE 30 DAY STATUTORY REQUIREMENT.

Vice-Chair Kay moved to statutorily disapprove Crosswinds Subdivision Phase 2 – Preliminary Plan (PP-17-005) and Lots 5A and 6A, Original Town of Kyle, Block 45, Replat of Lots 4, 5 and 6, Block 45 (AFP-17-003). Commissioner Fenety seconds the motion. All votes aye. Motion carried.

Roll Call: Chairman Ellison asked staff is anyone had heard from Commissioner Wilson. Howard J. Koontz, Director of Planning and Community Development stated that Commissioner Wilson was out of town.

Commissioner Oppel moved excuse Commissioner Wilson absence from the meeting. Commission Growt seconds the motion. All votes aye. Motion carried.

ZONING

(APPLICATION WITHDRAWN) CONSIDER A REQUEST BY KYLE MORTGAGE INVESTORS, LLC. TO REZONE APPROXIMATELY 57.26 ACRES OF LAND FROM RETAIL SERVICE DISTRICT ‘RS’ AND SINGLE FAMILY RESIDENTIAL-2 ‘R-1-2’ TO PLANNED UNIT DEVELOPMENT ‘PUD’ FOR PROPERTY LOCATED OFF OF W. FM 150 AND OLD STAGECOACH ROAD. (Z-17-007)

No action taken.

CONSIDER A REQUEST BY MAGNOLIA RESERVE, LLC TO REZONE APPROXIMATELY 98.106 ACRES OF LAND FROM SINGLE FAMILY RESIDENTIAL ATTACHED ‘R-1-A’ AND SINGLE FAMILY RESIDENTIAL-2 ‘R-1-2’ TO SINGLE FAMILY RESIDENTIAL-3 ‘R-1-3’ FOR PROPERTY LOCATED OFF OF BUNTON LANE APPROXIMATELY 2,000 FEET EAST OF TWIN ESTATES DRIVE. (Z-17-009)

Chairman Ellison opened up the public hearing at 6:36 P.M. and called for comments for or against the request. There were no speakers. Chairman Ellison closed the public hearing at 6:36 P.M.

Commissioner Oppel moved to approve the request. Vice-Chair Kay seconds the motion. All votes aye. Motion carried.

CONSIDER A REQUEST BY ANDREW CIPTO TO REZONE APPROXIMATELY 0.5 ACRES OF LAND FROM CONSTRUCTION MANUFACTURING ‘CM’ TO COMMUNITY COMMERCIAL ‘CC’ FOR PROPERTY LOCATED AT 1408 W. CENTER STREET. (Z-17-010)

Chairman Ellison opened up the public hearing at 6:53 P.M. and called for comments for or against the request. There were no speakers. Chairman Ellison closed the public hearing at 6:53 P.M.

Commissioner Oppel moved to recommend to approve Community Commercial ‘CC’. There was no second. Motion failed.

Commissioner Growt moved to recommend approval of Neighborhood Commercial ‘NC’ to City Council. Commissioner Fenety seconds the motion. Commissioner’s Growt, Ellison, Koch and Fenety vote aye. Commissioner’s Oppel and Kay vote nay. Motion carried.

CONSIDER AND POSSIBLE ACTION

CONSIDER AND MAKE A RECOMMENDATION TO CITY COUNCIL FOR THE MID-TERM AMENDMENTS TO THE 2010 COMPREHENSIVE PLAN.

Commissioner Fenety moved to recommend approval of the Comprehensive Plan as is. Vice-Chair Kay amends the motion to include the words all zoning categories that are not either recommended or conditional shall be stated as not recommended. Vice-Chair Kay withdrew the amendment. Commissioner Oppel seconds the motion. All votes aye. Motion carried.

GENERAL DISCUSSION

DISCUSSION ONLY REGARDING PLANNING AND ZONING COMMISSION REQUEST FOR FUTURE AGENDA ITEMS.

Howard Koontz, Director of Planning and Community Development stated as requested by the Commission a list of all development agreements are in their packets. Mr. Koontz also stated that the parking ordinance procedure will need to be sponsored by a Council Member and would go directly to City Council.

Commissioner Growt stated he would like to have a work session regarding the sign ordinance pursuant to City permission.

Commissioner Fenety stated she would like zoning signs to be larger in size.

Chairman Ellison asked what the status is with the Residential Style Guide. Howard J. Koontz, Director of Planning stated it would be at the June workshop meeting.

STAFF REPORT

**STAFF REPORT BY HOWARD J. KOONTZ, DIRECTOR OF PLANNING AND
COMMUNITY DEVELOPMENT.**

No staff report.

ADJOURN

With no further business to discuss, Commissioner Growt moved to adjourn.

The Planning and Zoning Commission meeting adjourned at 8:07 P.M.

Prepared by: Debbie A. Guerra

Chairman, Dex Ellison

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

The Planning and Zoning Commission of the City of Kyle, Texas met in a regular meeting on June 13, 2017 at 6:30 P.M. at Kyle City Hall, with the following persons present:

Chairman Dex Ellison	Megan Shannon
Commissioner Oppel	Dan Cabellero
Commissioner Bradley Growt	
Vice-Chair Timothy Kay	
Commissioner Rick Koch	
Commissioner Jo Fenety	
Planning Director, Howard J. Koontz	
Planning Technician, Debbie A. Guerra	
City Planner, William Atkinson	

CALL MEETING TO ORDER

Chairman Ellison called the meeting to order at 6:31 P.M.

ROLL CALL OF COMMISSION

Chairman Ellison called for roll call. All present.

MINUTES

PLANNING AND ZONING COMMISSION MEETING MINUTES FOR APRIL 11, 2017.

Vice-Chair Kay moved to approve the minutes for April 11, 2017. Commissioner Fenety seconds the motion. All votes aye. Motion carried.

CITIZENS COMMENTS

Chairman Ellison opened the citizens comment period at 6:33 P.M. and call for comments on items not on the agenda or posted for public hearing. Megan Shannon with Plum Creek Development Partners addressed the Commission stating she was in favor of the ACC Phase 2 Expansion Site Plan. Chairman Ellison closed the public hearing at 6:34 P.M.

CONSENT

Commissioner Oppel pulled items C (Windy Hill Subdivision 24 acres) and D (Cypress Forest Phase 2) off the consent agenda.

**HAYS COMMERCE CENTER REVISED PRELIMINARY PLAN (PP-17-007) 108.049 ACRES; 20 COMMERCIAL LOTS AND 2 DRAINAGE LOTS LOCATED AT THE NORTHWEST CORNER OF KYLE CROSSING AND IH-35.
STAFF PROPOSAL TO P&Z: STATUTORILY DISAPPROVE TO MEET THE 30 DAY STATUTORY REQUIREMENT.**

**WINDY HILL SUBDIVISION 11 ACRE – FINAL PLAT (FP-16-006) 11.66 ACRES; 35 RESIDENTIAL LOTS AND 5 OS/POA LOTS LOCATED AT THE WESTERN SIDE OF THE INTERSECTION OF WINDY HILL ROAD AND FM 2001.
STAFF PROPOSAL TO P&Z: APPROVE THE FINAL PLAT**

**ACC HAYS CAMPUS PHASE 2 EXPANSION – SITE PLAN (SD-17-004) 96.093 ACRES; 1 LOT LOCATED AT 1200 KOHLER’S CROSSING.
STAFF PROPOSAL TO P&Z: APPROVE THE SITE PLAN**

Vice-Chair Kay moved to statutorily disapprove Hays Commerce Center Revised Preliminary Plan and approve Windy Hill Subdivision 11 acre – Final Plat and ACC Hays Campus Phase 2 Expansion – Site Plan. Commissioner Koch seconds the motion. All votes aye. Motion carried.

**WINDY HILL SUBDIVISION 24 ACRE – FINAL PLAT (FP-16-007) 23.681 ACRES; 58 RESIDENTIAL LOTS AND 4 OS/POA LOTS LOCATED AT THE WESTERN SIDE OF THE INTERSECTION OF WINDY HILL ROAD AND FM 2001.
STAFF PROPOSAL TO P&Z: APPROVE THE FINAL PLAT**

Vice-Chair Kay moved to approve Windy Hill Subdivision 24 acre – Final Plat. Commissioner Koch seconds the motion. Commissioner’s Growt, Ellison, Kay, Koch and Fenety vote’s aye. Commissioner Oppel votes nay. Motion carried.

**CYPRESS FOREST PHASE 2 – FINAL PLAT (FP-17-007) 26.85 ACRES; 73 SINGLE FAMILY LOTS, 2 OPEN SPACE LOTS AND 4 UTILITY LOTS FOR PROPERTY LOCATED OFF OF N. OLD STAGECOACH ROAD AND THE EXTENSION OF CYPRESS FOREST DRIVE.
STAFF PROPOSAL TO P&Z: APPROVE THE FINAL PLAT**

Vice-Chair Kay moved to approve Cypress Forest Phase 2 – Final Plat. Commissioner Koch seconds the motion. Commissioner’s Growt, Ellison, Kay, Koch and Fenety vote’s aye. Commissioner Oppel votes nay. Motion carried.

ZONING

CONSIDER A REQUEST BY SHELDON-TANGLEWOOD, LTD. TO REZONE APPROXIMATELY 4.566 ACRES OF LAND FROM MULTI-FAMILY RESIDENTIAL-3 ‘R-3-3’ TO RETAIL SERVICE DISTRICT ‘RS’ FOR PROPERTY LOCATED AT THE

NORTHWEST CORNER OF MARKETPLACE AVENUE AND S. FM 1626, IN HAYS COUNTY, TEXAS. (Z-17-011)

Chairman Ellison opened up the public hearing at 6:52 P.M. and called for comments for or against the request. There were no speakers. Chairman Ellison closed the public hearing at 6:52 P.M.

Vice-Chair Kay moved to recommend approval of the request. Commissioner Koch seconds the motion. All votes aye. Motion carried.

GENERAL DISCUSSION

DISCUSSION ONLY REGARDING PLANNING AND ZONING COMMISSION REQUEST FOR FUTURE AGENDA ITEMS.

Commissioner Oppel stated he would like to include in future work session briefings from staff regarding the following:

- The City's process for notifying property owners within a specified distance of a parcel designated for possible zoning change.
- The council's decision last year to increase building height limitations to 150 feet in areas zoned RS, specifically dealing the idea of including those same limitations in the new MXD and OI zoning ordinances and staff recommendations on whether we need to revisit our multi-family housing higher than three stories.
- A review of Planned Unit Development ordinances in Kyle along with a comparison between PUDs and mixed-use zoning.
- Future annexation plans and what the commission's role is in those plans.
- An economic development update that focuses on exactly what geographic areas are being targeted and are likely to be in the locations of employment-related development.
- A briefing from Code Enforcement that includes enforcing the ordinances that passed through this commission such as the landscape ordinance, impervious cover ordinances, vendor ordinances, etc.
- The City Manager's Capital Improvements Program.
- A presentation from Julie Snyder of the Kyle Chamber of Commerce on the Chamber's long-term vision for the City of Kyle.

Proposed future agenda items requested by Commission Oppel:

- Discussion on the possibility of recommending changes to city council zoning denials.
- Discussion on signs to be placed on properties applying for zoning changes.

Commissioner Fenety volunteered to assist with researching different types of signs for public hearing notices.

Commissioner Growt stated he would like to see the sign ordinance come back to the Commission.

STAFF REPORT

Howard J. Koontz, Director of Planning and Community Development gave a brief report on upcoming items.

- Style Guide work session on June 27th – P&Z meeting on July 11th and July 20th for City Council.
- Handed out a cheat sheet for the landuse district chart and map final version.
- Signage for public hearing notices – Researching sign companies along with fees and process. (Commissioner Fenety asked that the sign have City of Kyle logo)

ADJOURN

With no further business to discuss, Commissioner Fenety moved to adjourn.

The Planning and Zoning Commission meeting adjourned at 7:21 P.M.

Prepared by: Debbie A. Guerra

Chairman, Dex Ellison

SPECIAL CALLED MEETING OF THE PLANNING AND ZONING COMMISSION

The Planning and Zoning Commission of the City of Kyle, Texas met in a special called meeting on June 27, 2017 at 6:30 P.M. at Kyle City Hall, with the following persons present:

Chairman Dex Ellison
Vice-Chair Timothy Kay
Commissioner Oppel
Commissioner Bradley Growt
Commissioner Rick Koch
Commissioner Jo Fenety
Planning Director, Howard J. Koontz
Planning Technician, Debbie A. Guerra
City Planner, William Atkinson

CALL MEETING TO ORDER

Chairman Ellison called the meeting to order at 6:30 P.M.

ROLL CALL OF COMMISSION

Chairman Ellison called for roll call. No one was absent.

CITIZENS COMMENTS

Chairman Ellison opened the citizens comment period at 6:31 P.M. and call for comments on items not on the agenda or posted for public hearing. There were no speakers. Chairman Ellison closed the public hearing at 6:31 P.M.

CONSENT

Commissioner Oppel pulled Sunset Hills Subdivision - Revised Preliminary Plan, Stagecoach Subdivision – Preliminary Plan and Plum Creek VUE Apartments – Site Plan off the consent agenda to discuss individually.

**SUNSET HILLS SUBDIVISION – REVISED PRELIMINARY PLAN (PP-17-003) 52,990 ACRES; 210 SINGLE FAMILY LOTS AND 5 OPEN SPACE LOTS LOCATED NORTH OF BEBEE ROAD APPROXIMATELY 0.5 MILES EAST OF IH-35.
STAFF PROPOSAL TO P&Z: APPROVE THE REVISED PRELIMINARY PLAN**

Vice-Chair Kay moved to approve Sunset Hills Subdivision – Revised Preliminary Plan. Commissioner Growt seconds the motion. Commissioner’s Growt, Ellison, Kay, Koch and Fenety vote aye. Commissioner Oppel votes nay. Motion carried.

**STAGECOACH SUBDIVISION – PRELIMINARY PLAN (PP-17-002) 272 SINGLE FAMILY LOTS, 8 LSE, SWE & PUE LOTS, 3 WATER QUALITY EASEMENT & D.E. LOTS, 1 PARK LOT AND 1 MAIL KIOSK LOT LOCATED EAST OF OLD STAGECOACH ROAD AND WEST OF SCOTT STREET.
STAFF PROPOSAL TO P&Z: APPROVE THE PRELIMINARY PLAN**

Vice-Chair Kay moved to approve Stagecoach Subdivision - Preliminary Plan. Chairman Ellison seconds the motion. Commissioner’s Growt, Ellison, Kay, Koch and Fenety vote aye. Commissioner Oppel votes nay. Motion carried.

**PLUM CREEK VUE APARTMENTS – SITE PLAN (SD-17-006) 7 ACRES; 1 LOT LOCATED AT 4624 CROMWELL DRIVE.
STAFF PROPOSAL TO P&Z: APPROVE THE SITE PLAN**

Commissioner Growt moved to approve the Plum Creek VUE Apartments – Site Plan. Vice-Chair Kay seconds the motion. Commissioner’s Growt, Ellison, Kay, Koch and Fenety vote aye. Commissioner Oppel votes nay. Motion carried.

ADJOURN

With no further business to discuss, Commissioner Oppel moved to adjourn.

The Planning and Zoning Commission meeting adjourned at 6:53 P.M.

Prepared by: Debbie A. Guerra

Commissioner: Dex Ellison



CITY OF KYLE, TEXAS

Presentation - Allison Wilson

Meeting Date: 8/8/2017

Date time:6:30 PM

Subject/Recommendation: Recognition of Allison Wilson for her service on the Planning and Zoning Commission.

Other Information: N/A

Legal Notes: N/A

Budget Information: N/A

ATTACHMENTS:

Description

No Attachments Available



CITY OF KYLE, TEXAS

Stagecoach Subdivision, Phase 1 (FP-17-012)

Meeting Date: 8/8/2017

Date time:6:30 PM

Subject/Recommendation: Stagecoach Subdivision, Phase 1 - Final Plat (FP-17-012) 41.366 acres; 100 single family lots, 2 D.E. lots. 1 park lot and 5 L.S.E., S.W.E and P.U.E. lots located north of Opal Lane, east of Stagecoach Road and west of Scott Street.
Staff Proposal to P&Z Statutorily Disapprove to meet the 30 day statutory requirement.

Other Information: N/A

Legal Notes:

Budget Information:

ATTACHMENTS:

Description

No Attachments Available



CITY OF KYLE, TEXAS

Stagecoach Subdivision, Phase 1A (FP-17-013)

Meeting Date: 8/8/2017

Date time:6:30 PM

Subject/Recommendation: Stagecoach Subdivision, Phase 1A - Final Plat (FP-17-013) 6.719 acres; 19 single family lots, 1 D.E. lot and 4 L.S.E., SW.E and P.U.E. lots located north of Opal Lane, east of Old Stagecoach Road and west of Scott Street
Staff Proposal to P&Z: Statutorily Disapprove to meet the 30 day statutory requirement.

Other Information: N/A

Legal Notes: N/A

Budget Information: N/A

ATTACHMENTS:

Description

No Attachments Available



CITY OF KYLE, TEXAS

IDEA Kyle Academy - Final Plat (FP-17-014)

Meeting Date: 8/8/2017

Date time:6:30 PM

Subject/Recommendation: IDEA Kyle Academy - Final Plat (FP-17-014) 12.790 acres; 1 public school lot located at the northeast corner of Goforth Road and Bluestem Street.
Staff Proposal to P&Z: Statutorily disapprove to meet the 30 day statutory requirement.

Other Information: N/A

Legal Notes: N/A

Budget Information: N/A

ATTACHMENTS:

Description

No Attachments Available



CITY OF KYLE, TEXAS

Cool Springs Subdivision, Phase 1 (FP-17-015)

Meeting Date: 8/8/2017

Date time:6:30 PM

Subject/Recommendation: Cool Springs Subdivision, Phase 1 - Final Plat (FP-17-015) 50.8 acres; 99 single family lots, 1 neighborhood commercial lot, 2 parkland lots and 3 open space lots located on the south side of E. RR 150 approximately 1 mile east of IH-35.
Staff Proposal to P&Z: Statutorily Disapprove to meet the 30 day statutory requirement.

Other Information: N/A

Legal Notes: N/A

Budget Information: N/A

ATTACHMENTS:

Description

No Attachments Available



CITY OF KYLE, TEXAS

Replat of Lot 1C of the
Resubdivision of Plum Creek Park
(SFP-17-004)

Meeting Date: 8/8/2017
Date time: 6:30 PM

Subject/Recommendation: Replat of Lot 1C of the Resubdivision of Plum Creek Park (SFP-17-004) 4.06 acres; 3 lots and right-of-way located off of Bureson Road and Marketplace Ave.
Staff Proposal to P&Z: Statutorily Disapprove to meet the 30 day statutory requirement.

Other Information: N/A

Legal Notes: N/A

Budget Information: N/A

ATTACHMENTS:

Description

No Attachments Available



CITY OF KYLE, TEXAS

Castillo Life Estate - Zoning

Meeting Date: 8/8/2017

Date time:6:30 PM

Subject/Recommendation: Consider a request by Joe R. Castillo, Trustee of Maria Castillo, Life Estate, c/o Castillo Real Property Trust, to rezone approximately .30 acres of land from Single Family Residential 'R-1' to Retail Service District 'RS' for property located at 901 N. Old Highway 81. (Z-17-013)

- Public Hearing
- Recommendation to City Council

Other Information: Please see attachments.

Legal Notes: N/A

Budget Information: N/A

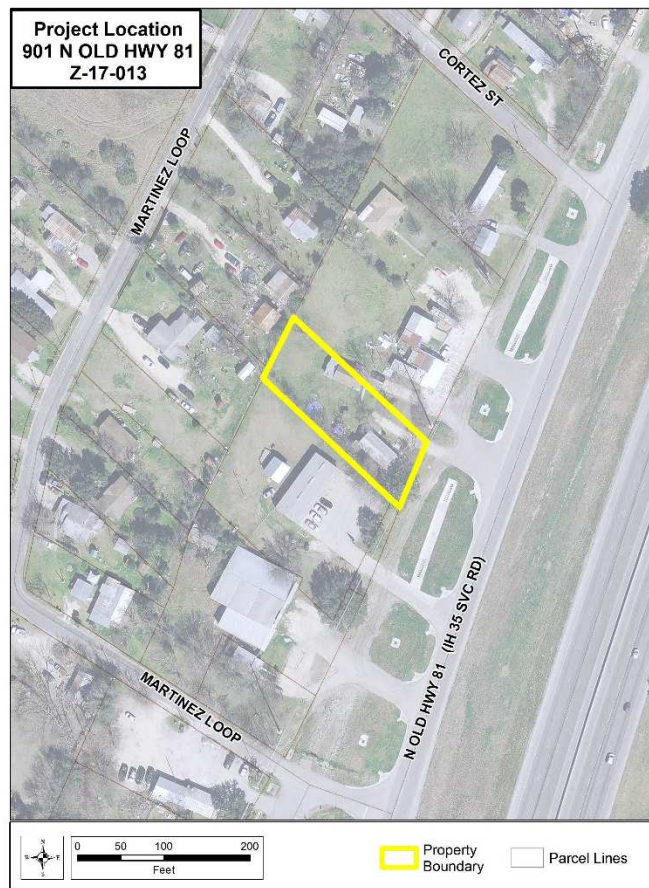
ATTACHMENTS:

Description

- Staff Memo
- Application with Request Letter
- Location Map

Property Location	901 N. Old Hwy 81, Kyle, TX 78640
Owner	Maria Castillo (Life Estate) c/o Castillo Real Property Trust 907 N. Old Hwy 81 Kyle, TX 78640
Agent	Joe R. Castillo 907 N. Old Hwy 81 Kyle, TX, 78640
Request	Rezone .30 Acres, from R-1 to R/S

Vicinity Map



Site Description

The site is located on land with a single-family residence and is currently zoned R-1 (Single Family Residential). It is bordered on the west by R-1 zoned properties and Martinez Loop. To the north and adjacent to the property, existing R/S zoning is in place. R-1 lies to the north as well. Immediately to the east is I-35 with R/S zoning across the highway. To the south and adjacent to the parcel R/S zoning exists with R-1 surrounding. 901 N. Old Hwy 81 is sited approximately 320 feet north of the intersection of I-35 and Martinez Loop.

The applicant seeks to rezone the property from R-1 to R/S, the Retail/Services zoning category allowing for the following:

“This district allows general retail sales of consumable products and goods within buildings of products that are generally not hazardous and that are commonly purchased and used by consumers in their homes, including most in-store retail sales of goods and products that do not pose a fire or health hazard to neighboring areas, e.g., clothing, prescription drugs, furniture, toys, hardware, electronics, pet supply, variety, department, video rental and antique stores, art studio or gallery, hobby shops and florist shops,....”



Conditions of the Zoning Ordinance

Sec. 53-1205 Amendments

(d)

Referral of amendment to planning and zoning commission. Upon its own motion, a request by the planning and zoning commission, or the receipt of an administratively complete petition and application to zone or rezone a lot, tract or parcel of land, which petition and application has been examined and approved as to form by the city manager, shall be referred to the planning and zoning commission for consideration, public hearing, and recommendation to the city council. The council may not enact a rezoning amendment until the planning and zoning commission has held a public hearing and made its recommendation to the city council, or has made a final vote on the matter without obtaining a majority, on the zoning or rezoning of the property.

(e)

Action by the planning and zoning commission. The planning and zoning commission shall cause such study and review to be made as advisable and required, shall give public notice and hold a public hearing as provided by state law, and shall recommend to the council such action as the planning and zoning commission deems proper...



Comprehensive Plan Text

The subject site is located in the “Core Area Transition District”. The Retail/Services zoning designation is a recommended use within this district. The 2017 update to the Comprehensive Plan continues R/S as a recommended use in the “Core Area Transition District”.

Recommended: E, **R/S**, CC, NC, MXD, O/I,
Conditional: HS, R-1-A, R-1-T, R-1-C, R-3-2, R-3-3

Core Area Transition District

'Character':

The Core Area Transition District currently consists primarily of commercial and light industrial uses, with some residential uses. Key defining features include Old Highway 81, North Burleson Street, Marketplace Avenue extension, I-35 and frontage roads, and the railroad. This District is important as a transitional zone between largely residential areas and the commercial uses along I-35 and as a portion of Kyle that is visually significant to travelers along I-35. The character of the District should reflect its urban and transitional intentions. The land area of this District is relatively small, and there are many physical barriers, so land uses should be compact and aggregated, especially residential uses. Vertically mixed-use development models are well suited to this District, and development should be located close to roadways, with minimal front yards, to maximize available land and visibility from main roads. Adequate land use transitions should be provided to avoid conflict between different land uses (i.e. residential adjacent to industrial).

'Intent':

With its highly visible position in the middle of the City, the Core Area Transition District should be an urban environment that serves an identifying function for the City of Kyle. By acting as an area of functional linkage for the City, the District can connect vehicular and pedestrian movement, economic centers, and visually defining elements. The built fabric should display a transition from the small-scale grid pattern of Downtown to the large plate design of the Super Regional Node. As this District develops, it should serve to create a consistent fabric that links Downtown and the Super Regional Node, encouraging the expansion and strengthening of Kyle's core, as well as the city's most likely transition region to develop employment centers on land historically not operating at its highest and best use. Additionally, Plum Creek passes west to east through the middle of the Core Area Transition District, and this significant natural feature should be developed with appropriate sensitivity, and accessible via trails and open spaces once completed.

Analysis

The property requesting to be rezoned is sited in an area that is traditionally a low intensity, stable residential neighborhood. This area only has two access points onto I-35 from Martinez Loop and Cortez Street, except for properties directly adjacent to I-35. Some property zoned R/S (Retail/Services) exists along I-35.

The parcel related to this zoning petition is entirely within the "Core Area Transition District". While the character and intent of the character area strongly encourages compact, mixed-use development (residential over retail), this particular parcel is appropriate for R/S. The parcel has two separate zoning designations. One, a narrow area zoned for R-1, is wedged between the remainder of the property to the north (zoned R/S) and a separate parcel to the south. The property to the south is currently zoned for Retail/Services. In this instance, to zone to any other recommended zoning

district would be a difficult proposition to a developer, due to the lack of room available. Enabling the rezoning to R/S may also be more attractive to commercial development, especially when a parcel has one zoning designation, versus the current two designations.

The section of the property fronting the I-35 access road has sufficient access to the highway, sharing two driveways with the rest of the property and allowing for commercial traffic. Additionally, more development will create increased storm water runoff. As required by the State of Texas and the City of Kyle, adequate storm detention will be required at time of development.

The rezoning of the property carries multiple advantages. One, its location along the I-35 frontage road. Two, proximity to property zoned for Retail/Services, and three, that Retail/Services is a recommended use for the “Core Area Transition District”. The rezoning of this parcel from R-1 to R/S is appropriate for the City of Kyle and the development of the area. Staff asks the Planning & Zoning Commission to make a positive recommendation, by vote, to the Mayor & Council.

Attachments

- Application
- Location Map
- Surrounding Zoning Map
- Land Use District Map

APPLICATION & CHECKLIST – ZONING CHANGE CITY OF KYLE

Zoning: Marina Crest, 110 (Huge Estate)
 (Name of Owner)

7-17-013 (Submittal Date) JUL 06 2017

INSTRUCTIONS:

- Fill out the following application and checklist completely prior to submission.
- Place a check mark on each line when you have complied with that item.
- Use the most current application from the City's website at www.cityofkyle.com or at City Hall. City ordinances can be obtained from the City of Kyle.

PLANNING DEPARTMENT

REQUIRED ITEMS FOR SUBMITTAL PACKAGE:

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

- 1. Completed application form with owner's original signature.
- 2. Letter explaining the reason for the request.
- 3. Application fee: \$428.06, plus \$3.62 per acre or portion thereof.

Newspaper Publication Fee: \$190.21

Total Fee: \$621.87

- 4. A map or plat showing the area being proposed for rezoning.
- 5. A clear and legible copy of field notes (metes and bounds) describing the tract (when not a subdivided lot).
- 6. Certified Tax certificates: County School City
- 7. Copy of Deed showing current ownership.

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

1. Zoning Request:

Current Zoning Classification: Residential R-1
 Proposed Zoning Classification: Retail / Service
 Proposed Use of the Property: Retail / Service
 Acreage/Sq. Ft. of Zoning Change: 30 Acres / part of 1.292 A.

2. Address and Legal Description:

Provide certified field notes describing the property being proposed for rezoning.
 Provide complete information on the location of the property being proposed for rezoning.

Street Address: 901 N Old Hwy 81 Kyle, Texas 78640
 Subdivision Name/Lot & Block Nos.: Martinez Loop,

Property Recording Information:
Volume/Cabinet No. _____

Hays County

Page/Slide No. _____

3. Ownership Information:

Name of Property Owner(s): Maria Castillo (Life Estate)
c/o Castillo Real Property Trust

(If property ownership is in the name of a partnership, corporation, joint venture, trust or other entity, please list the official name of the entity and the name of the managing partner.)

Address of Owner: 907 Hwy 81 north
Kyle, Texas 78640

Phone Number: 512-963-1714

Fax Number: _____

Email Number: pancha077@gmail.com

I hereby request that my property, as described above, be considered for rezoning:

Signed: Joe R Castillo Trustee

Date: _____

4. Agent Information:

If an agent is representing the owner of the property, please complete the following information:

Agent's Name: _____

Agent's Address: _____

Agent's Phone Number: _____

Agent's Fax Number: _____

Agent's Mobile Number: _____

Agent's Email Number: _____

I hereby authorize the person named above to act as my agent in processing this application before the Planning and Zoning Commission and City Council of the City of Kyle:

Owner's Signature: _____

Date: _____

Do Not Write Below This Line
Staff Will Complete

Tax Certificates: County School City

Certified List of Property Owners Within 200'

All Fees Paid: Filing/Application Mail Out Costs

Attached Map of Subject Property

Accepted for Processing By: Debbie A. Jarwood Date: 7/6/17

Date of Public Notification in Newspaper: 7/19/17

Date of Public Hearing Before Planning and Zoning Commission: 8/8/17

Date of Public Hearing Before City Council: 8/15/17



Frances Diaz <pancha077@gmail.com>

To; CITY OF KYLE

1 message

Frances Diaz <pancha077@gmail.com>

Thu, Jul 6, 2017 at 1:16 PM

To: Francis Diaz <pancha077@gmail.com>, norahfuentes@yahoo.com

SUBJECT: Change of Zone Application for address; 901 Hwy 81 N

We are respectfully submitting a request for changing of the current Zone for, 901 N. Old Hwy 81. We are requesting the change from residential to R/ S (retail service).

The family owns property with the following address, 901, 903, 905, and 907 N. Old Hwy 81/ Kyle, Texas (survey included). We requested a rezoning of the property in 2013, at that time we were attempting to change the entire property to the R/S designation. Unfortunately,, the total amount of property was shown on the application as only 0.95 Acres and the address 901 was not changed to R/S. We wish to correct that at this time as we will be selling the property and a like zone of R/S for the entire property (1.3 Acres) will make for an easier sale.

Thank you for your consideration

Joe R. Castillo, trustee

Joe R Castillo, Trustee *7/6/2017*

Contacts below:

Norah Fuentes, and Francisca Diaz
512-825-5771 and 512-963-1716



Virus-free. www.avg.com

R-1

MARTINEZ LOOP

CORTEZ ST

R/S

R/S

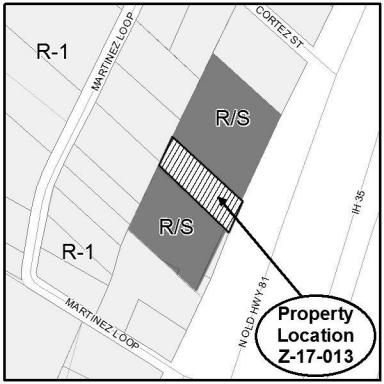
R-1

MARTINEZ LOOP

N OLD HWY 81

IH-35

Property
Location
Z-17-013





CITY OF KYLE, TEXAS

P&Z Future Agenda Items

Meeting Date: 8/8/2017

Date time:6:30 PM

Subject/Recommendation: Discussion only regarding Planning and Zoning Commission request for future agenda items.

Other Information: N/A

Legal Notes: N/A

Budget Information: N/A

ATTACHMENTS:

Description

No Attachments Available



CITY OF KYLE, TEXAS

Staff Report

Meeting Date: 8/8/2017

Date time:6:30 PM

Subject/Recommendation: Staff Report by Howard J. Koontz, Director of Planning and Community Development.

Other Information: N/A

Legal Notes: N/A

Budget Information: N/A

ATTACHMENTS:

Description

No Attachments Available