

CITY OF KYLE

PLANNING AND ZONING COMMISSION SPECIAL CALLED MEETING



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

Notice is hereby given that Planning and Zoning Commission of the City of Kyle, Texas will meet at 6:30 PM on September 26, 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 22nd day of September, 2017 prior to 6:30 P.M.

1. CALL THE MEETING TO ORDER

A.Roll Call

2. CITIZEN COMMENTS

3. CONSENT

A Resubdivision of Lot 1A of the Resubdivision of Lot 1, Century Acres (SFP-17-008)
10 acres; 1 residential lot and 1 utility lot located off of Crystal Meadows Drive and
FM 2770.

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

B Resubdivision of Lot 1B of the Resubdivision of Lot 1, Century Acres (SFP-17-009)
10 acres; 1 residential lot and 1 utility lot located off of Crystal Meadows Drive and
FM 2770.

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

C Resubdivision of Lot 2B of the Resubdivision of Lot 2, Century Acres (SFP-17-010)

9.87 acres; 1 residential lot and 1 utility lot located off of Crystal Meadows Drive and FM 2770.

Staff Proposal to P&Z: Statutorily disapproved to meet the 30 statutory requirements.

4. CONSIDER AND POSSIBLE ACTION

A Consider a request by Scott Deskins, President of SCC Kyle Partners, LLC to construct a 8,274 square foot building located at 5940 Kyle Parkway. (IH-35 Overlay District - CUP-17-005)

B Consider an amendment to Chapter 53, Article II, of the City's Code of Ordinances, for the creation of two zoning districts, Office Institutional (O/I) and Mixed-Use (MXD), for the City of Kyle.

- Public Hearing
- Recommendation to City Council

5. GENERAL DISCUSSION

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

6. STAFF REPORT

7. 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

Resubdivision of Lot 1A of the
Resubdivision of Lot 1, Century
Acres

Meeting Date: 9/26/2017
Date time:6:30 PM

Subject/Recommendation: Resubdivision of Lot 1A of the Resubdivision of Lot 1, Century Acres (SFP-17-008) 10 acres; 1 residential lot and 1 utility lot located off of Crystal Meadows Drive and FM 2770.
Staff Proposal to P&Z: Statutorily disapprove to meet the 30 day statutory requirements.

Other Information: N/A

Legal Notes: N/A

Budget Information: N/A

ATTACHMENTS:

Description

No Attachments Available



CITY OF KYLE, TEXAS

Resubdivision of Lot 1B of the
Resubdivision of Lot 1, Century
Acres

Meeting Date: 9/26/2017
Date time:6:30 PM

Subject/Recommendation: Resubdivision of Lot 1B of the Resubdivision of Lot 1, Century Acres (SFP-17-009) 10 acres; 1 residential lot and 1 utility lot located off of Crystal Meadows Drive and FM 2770.
Staff Proposal to P&Z: Statutorily disapprove to meet the 30 day statutory requirements.

Other Information: N/A

Legal Notes: N/A

Budget Information: N/A

ATTACHMENTS:

Description

No Attachments Available



CITY OF KYLE, TEXAS

Resubdivision of Lot 2B of the
Resubdivision of Lot 2, Century
Acres

Meeting Date: 9/26/2017
Date time:6:30 PM

Subject/Recommendation: Resubdivision of Lot 2B of the Resubdivision of Lot 2, Century Acres (SFP-17-010)
9.87 acres; 1 residential lot and 1 utility lot located off of Crystal Meadows Drive and
FM 2770.
Staff Proposal to P&Z: Statutorily disapproved to meet the 30 statutory requirements.

Other Information: N/A

Legal Notes: N/A

Budget Information: N/A

ATTACHMENTS:

Description

No Attachments Available



CITY OF KYLE, TEXAS

Kyle Crossing V - Conditional Use Permit

Meeting Date: 9/26/2017

Date time: 6:30 PM

Subject/Recommendation: Consider a request by Scott Deskins, President of SCC Kyle Partners, LLC to construct a 8,274 square foot building located at 5940 Kyle Parkway. (IH-35 Overlay District - CUP-17-005)

Other Information: See attachments.

Legal Notes: N/A

Budget Information: N/A

ATTACHMENTS:

Description

- Staff Memo
- Application
- Color Rendering - Option 1
- Color Rendering - Option 2
- Reference Pictures of Surrounding Area
- Site Layout



CITY OF KYLE

Community Development Department



MEMORANDUM

TO: Planning Commission

FROM: William A. Atkinson- City Planner

DATE: September 26, 2017

SUBJECT: Conditional Use Approval, I-35 Overlay Standards
(CUP-17-005)

REQUEST

The applicant seeks to construct an 8,030-square foot, multi-tenant, retail building at the corner of Kyle Parkway and Seton Parkway. The project is within the I-35 Overlay District and is required to comply with standards codified in Sec. 53-899. At the September 12, 2017 Planning & Zoning Commission meeting, the Commission voted to have the applicant amend the elevation renderings to reduce the amount of stucco utilized. The updated structure consists of an exterior finish of white limestone and gray stucco, as well as a reddish-brown brick finish, "Valley Rose", added to all facades, including columns at the rear of the building. The updated rendering complies with the changes that the Commission asked for.

LOCATION

The property is sited at the south corner of Kyle Parkway and Seton Parkway, between Marco's Pizza and Warm Springs Rehabilitation Hospital.

OVERLAY DISTRICT

The I-35 overlay district. The Interstate Highway 35 corridor conditional use overlay district (the I-35 overlay district) extends from the northernmost city limit boundary at I-35 to the southernmost city limit boundary at I-35, and includes all real property within 1,500 feet of the outer most edge of the highway right-of-way of I-35.

TEXT OF THE ZONING ORDINANCE

Sec. 53-896. - Standards for review.

- (a) The planning and zoning commission shall determine whether the application and project is consistent and compliant with the terms and intent of this division, this

chapter, chapter 32, article II, pertaining to the site development plan, and all other codes and ordinances of the city. The planning and zoning commission will determine if the proposed use, occupancy and structure will promote, preserve, and enhance, and will not damage or detract from the distinctive character of the community; will preserve and protect property values and taxable values; will not be detrimental or inconsistent with neighboring uses and occupancies; will not be detrimental to the general interests of the citizens; and will not be detrimental to the public health, safety and welfare. In conducting its review, the planning and zoning commission shall make examination of and give consideration to the traffic flow, development density, neighboring historical designs, neighboring uses, and elements of the application, including, but not limited to:

- (1) Height, which shall conform to the requirements of this chapter;
 - (2) Building mass, which shall include the relationship of the building width to its height and depth, and its relationship to the visual perception;
 - (3) Exterior detail and relationships, which shall include all projecting and receding elements of the exterior, including, but not limited to, porches and overhangs and the horizontal or vertical expression which is conveyed by these elements;
 - (4) Roof shape, which shall include type, form, and materials;
 - (5) Materials, texture, and color, which shall include a consideration of material compatibility among various elements of the structure;
 - (6) Compatibility of design and materials, which shall include the appropriateness of the use of exterior design details;
 - (7) Landscape design and plantings, which shall include lighting and the use of landscape details to highlight architectural features or screen or soften undesirable views;
 - (8) Vehicular and pedestrian access, which shall include location, width, and type of surface for all points of ingress and egress;
 - (9) Signage, which shall include, in addition to the requirements chapter 29, pertaining to signs, the appropriateness of signage to the building in relation location, historical significance of the structure and neighboring structures, traffic visibility; obstruction of views from neighboring property;
- (b) The planning and zoning commission may request from the applicant such additional information, sketches, and data as it shall reasonably require. It may call upon experts and specialists for testimony and opinion regarding matters under examination. It may recommend to the applicant changes in the plans it considers desirable and may accept a voluntary amendment to the application to include or reflect such changes. The planning and zoning commission shall keep a record of its proceedings and shall attach to the application copies of information, sketches, and data needed to clearly describe any amendment to the application.
- (c) If the conditional use permit is granted by the planning and zoning commission, the applicant shall be required to obtain a building permit and/or a development permit, if required, provided all other requirements for a building permit and/or a development permit are met. The building permit and/or a development proposal as approved shall be valid from one year from the date of approval. The planning and zoning

commission may grant an extension of the one-year limitation if sufficient documentation can be provided to warrant such an extension.

Additionally, and no less important, staff consults Sec. 53-899, the I-35 Overlay District Development Standards to ensure that every building within the I-35 Overlay District is designed to the higher standards required by the overlay.

STAFF ANALYSIS

Staff has reviewed the request and has made the following findings:

1. The design aesthetic for the project and color palette does meet the current ideals and requirements within the I-35 Overlay standard for higher standards of appearance in the Kyle I-35 corridor. (Sec. 53-899(j)(1-3)(4)(b))
 - Compliance with masonry requirements, major and minor details
 - Compliance with and exceeds minimum design standards for structures under 50,000 square feet (at least two architectural features, windows, change in masonry pattern, change in plane, etc., at least every 30 feet).
 - Compliance with bump outs, change in masonry, elevation offsets, decorative windows, varied roof heights, etc.
2. The use of stucco exceeds the requirement of detail utilization only and more than the idea of ten (10) percent of the entire structure. Sec. 53-899(j)(1) states only stucco/plaster/synthetic stucco to be used in detail applications only. The proposed stucco has been substantially reduced, and replaced by the "Valley Rose" brick finish.
3. A proper list of materials types and specific colors are available on the architectural renderings submitted;

At the September 12, 2017 Planning & Zoning Commission, the applicant submitted colored elevation renderings, that were by and large, compliant with the requirements of the I-35 Overlay Standards (Sec. 53-899, Municode). The one exception was the amount of stucco used. The proposed design significantly exceeded the idea that stucco or related products are to be used in detail applications only. While there is not a maximum percentage, codified, staff generally uses ten (10) percent, as a rule of thumb.

At the afore mentioned meeting, staff presented that the amount of stucco used was not compliant and the Commission asked the applicant to revise the renderings and plans as follows;

- 1) Utilize an alternative masonry product up to the top of the window line, on the front and sides of the structure.

- **Option #1 meets this standard, with the "Valley Rose" brick, added to the façade.**
- 2) Add "pillars" of an alternative masonry product on the rear or service entry side of the structure, to break up the massing of and over reliance of stucco.
- **Option #1 also meets this standard, with the "Valley Rose" brick, added to the façade.**

After discussion with the Commission the applicant has submitted two rendering options. Option #1 brings the design closer to compliance, than Option #2 (no change to rear of structure). The Option #1 rendering, adding brick and removing substantial amounts of the stucco, complies with the Commission's decision from the September 12, 2017 meeting. Staff asks the Planning & Zoning Commission to approve the renderings as presented.

ATTACHMENTS

1. Exterior elevations
2. Site plan
3. Application submittal

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

Date: 8/1/17

AUG 18 2017


CUP-17-005

PROJECT INFORMATION

PLANNING DEPARTMENT

Project Name: <u>Kyle Crossing V-5940 KYLE PARKWAY</u>		
Project address: <u>Seton Parkway / Kyle Parkway, Kyle, Texas 78640</u>		
Subdivision: <u>Hays County - SCC Button Creek Subdivision</u>		
Lot: <u>5</u>	Block: <u>A</u>	Section: <u></u>
Zoning: <u>RS</u>	Square Footage of Building: <u>± 8,274</u>	

APPLICANT INFORMATION

Owner's Name: <u>SCC Kyle Partners LLC by Scott A. Deskins, President</u>	
Owner's Signature: 	Date: <u>07-31-2017</u>
Address: <u>556 8th Avenue, Fort Worth, TX 76104</u>	
Phone: <u>817.752-3100</u>	Fax: <u></u> E-mail: <u>sdeskins@scdevelopment.net</u>
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: <u>Central Southwest Texas Development, LLC</u>	
Agent's Address: <u>1783 W. 5th St. Suite 850, Austin, TX 78703</u>	
Phone: <u>512-368-7301</u>	Fax: <u></u> E-mail: <u>khunter@csdevelopment.com</u>

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 Crossing V

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.

CITY OF KYLE

1. Completed application form with owner's original signature. AUG 18 2017
2. Application fee: \$190.21, plus \$3.78 per acre or portion thereof. PLANNING DEPARTMENT
- Total Fee: 194.16
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.



1 3D View 1
SCALE:



2 3D VIEW 2
SCALE:



3 3D VIEW 3
SCALE:



4 3D VIEW 4
SCALE:

KYLE CROSSING

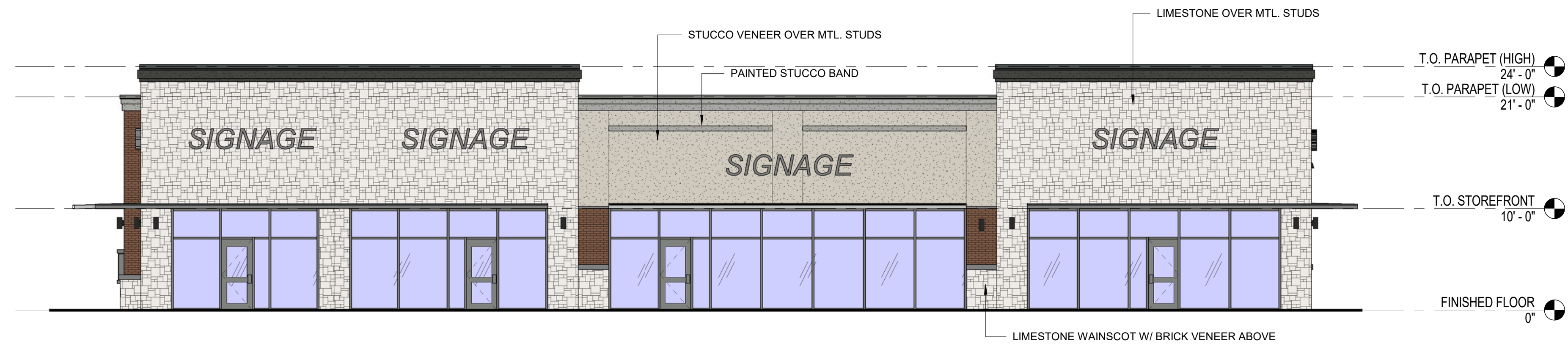
KYLE PARKWAY & SETON PARKWAY
KYLE, TX 78640

SCHEMATIC PERSPECTIVE - OPT.#1

project #: 17.084

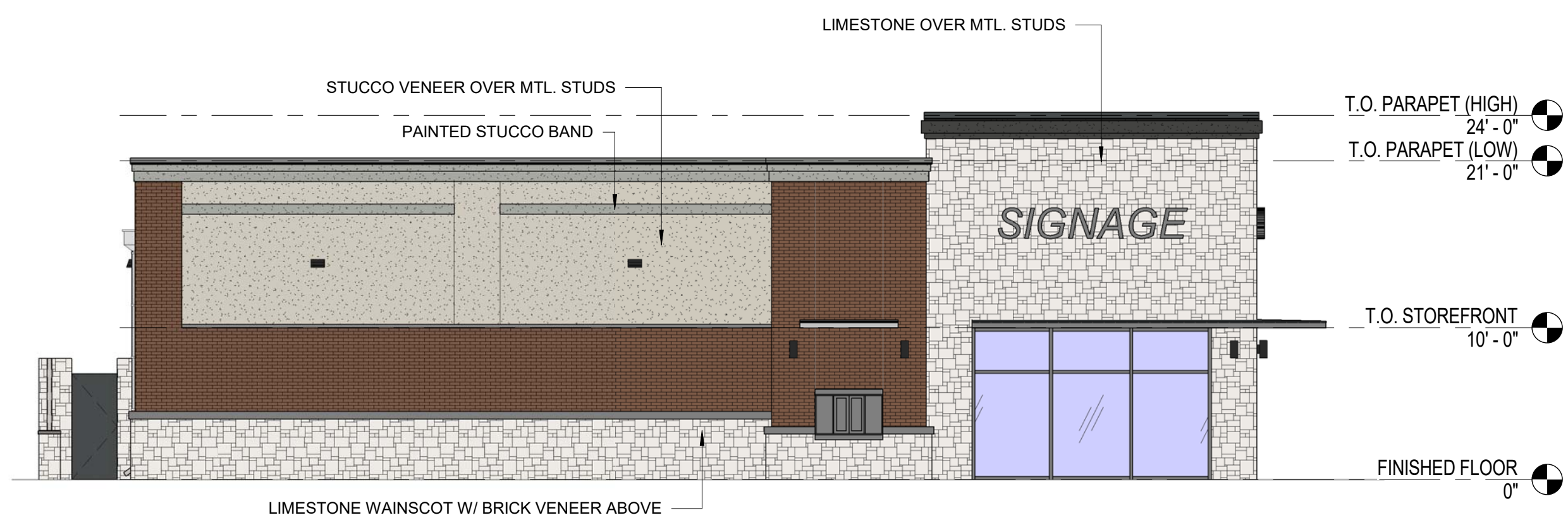
9/14/2017

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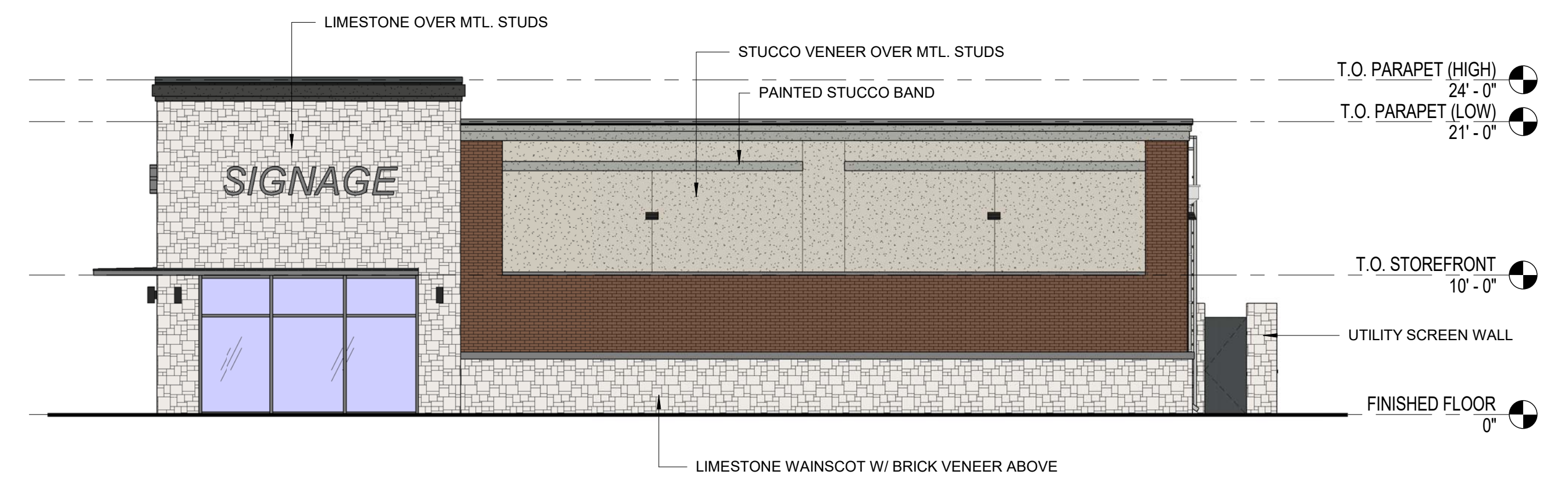


1 FRONT ELEVATION
SCALE: 1/8" = 1'-0"

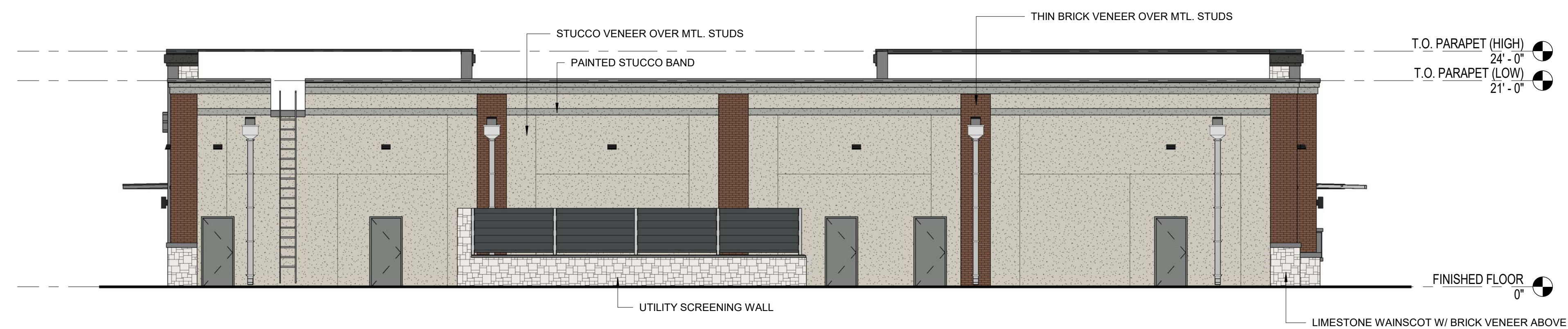
COLOR / MATERIAL SELECTION	
PAIN:	'USEFUL GRAY' SW7050 (STUCCO) 'GRAY MATTERS' SW7066 (DECORATIVE BAND & CORNICE) 'IRON ORE' SW 7069 (EIFS CORNICE)
MASONRY:	LIMESTONE - COBRA STONE INC. MODULAR THIN BRICK - ACME BRICK CO.
	BERRIDGE METAL PANEL: 'ZINC GREY'



2 EAST ELEVATION
SCALE: 1/8" = 1'-0"



3 WEST ELEVATION
SCALE: 1/8" = 1'-0"



4 SOUTH ELEVATION
SCALE: 1/8" = 1'-0"

NOTE:
FINAL LOCATION OF REAR DOORS TO BE DETERMINED BY FUTURE TENANTS.



1 3D View 1
SCALE:



2 3D VIEW 2
SCALE:



3 3D VIEW 3
SCALE:



4 3D VIEW 4
SCALE:

KYLE CROSSING

KYLE PARKWAY & SETON PARKWAY
KYLE, TX 78640

SCHEMATIC PERSPECTIVE - OPT.#2

project #: 17.084

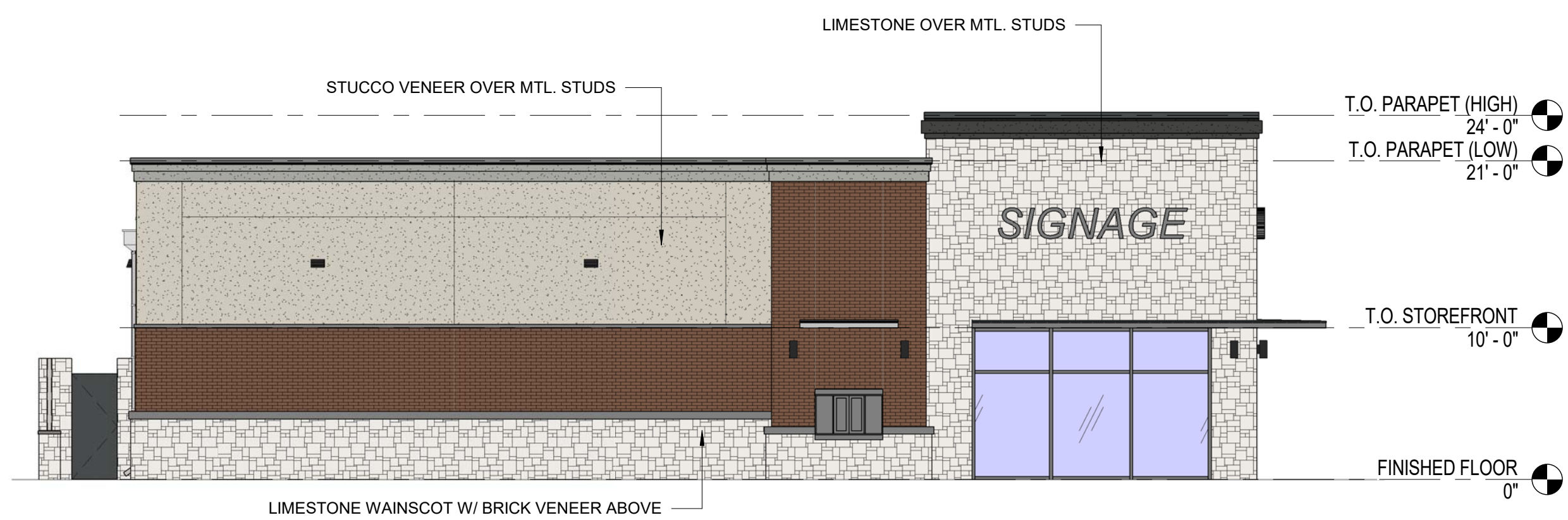
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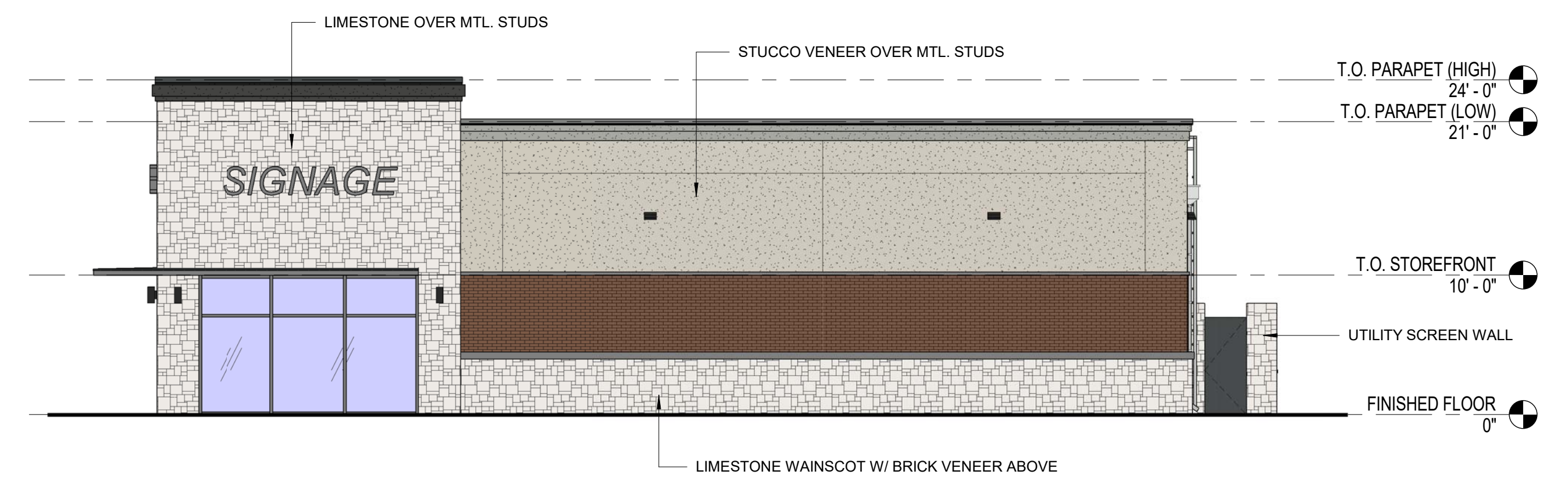


1 FRONT ELEVATION
SCALE: 1/8" = 1'-0"

COLOR / MATERIAL SELECTION	
PAIN:	'USEFUL GRAY' SW7050 (STUCCO) 'GRAY MATTERS' SW7066 (DECORATIVE BAND & CORNICE) 'IRON ORE' SW 7069 (EIFS CORNICE)
MASONRY:	LIMESTONE - COBRA STONE INC. MODULAR THIN BRICK - ACME BRICK CO.
	BERRIDGE METAL PANEL: 'ZINC GREY'



2 EAST ELEVATION
SCALE: 1/8" = 1'-0"



3 WEST ELEVATION
SCALE: 1/8" = 1'-0"



4 SOUTH ELEVATION
SCALE: 1/8" = 1'-0"

NOTE:
FINAL LOCATION OF REAR DOORS TO BE DETERMINED BY FUTURE TENANTS.



Item # 4



Item # 4



Item # 4



Cici's Pizza

BUFFET · CATERING · TO GO

\$5.99
unlimited
PIZZA BUFFET

3
FLATBREAD



Item # 4



Item # 4

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Item # 4

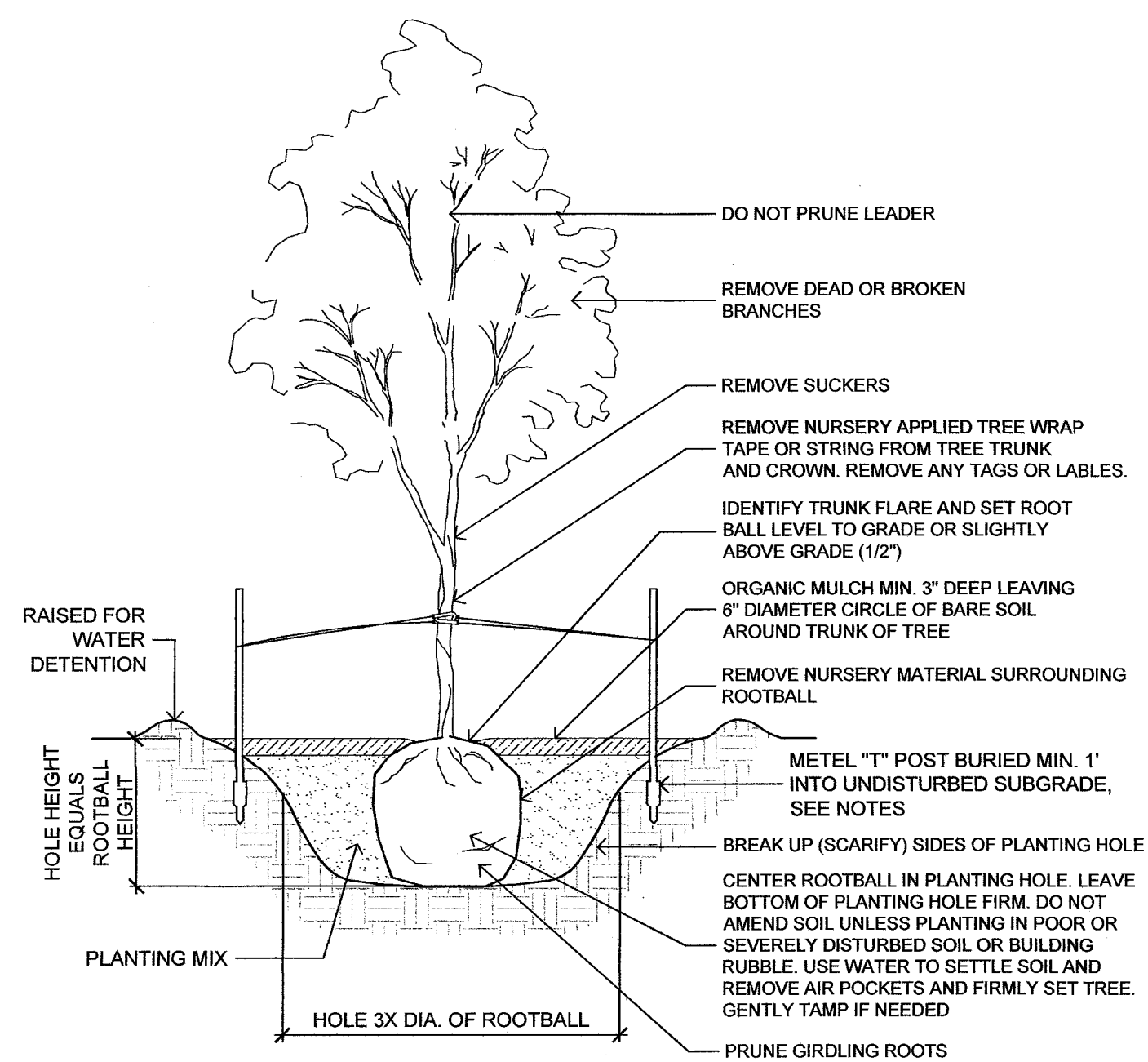
LARGE SHADE TREES				
SYMBOL	QUANTITY	COMMON NAME	SCIENTIFIC NAME	SIZE AND CONDITION
	2	Cedar Elm	Ulmus crassifolia	3" caliper minimum
	3	Shumard Red Oak	Quercus shumardii var. Texana	3" caliper minimum
	4	Texas Pistache	Pistacia texana	3" caliper minimum

ORNAMENTAL TREES				
SYMBOL	QUANTITY	COMMON NAME	SCIENTIFIC NAME	SIZE AND CONDITION
	3	Crape Myrtle	Lagerstroemia indica	2" caliper minimum
	3	Holly, Yaupon	Ilex vomitoria	2" caliper minimum

SHRUBS				
SYMBOL	QUANTITY	COMMON NAME	SCIENTIFIC NAME	SIZE AND CONDITION
	45	Big Muhly	Muhlenbergia lindheimeri	3 gallon, 30" ht. minimum
	24	Green Cloud Sage	Leucophyllum frutescens 'Green Cloud'	3 gallon, 30" ht. minimum
	32	Knockout Rose, Red	Rosa spp. 'Radrazz'	3 gallon, 30" ht. minimum

TURF GRASS				
SYMBOL	QUANTITY	COMMON NAME	SCIENTIFIC NAME	SIZE AND CONDITION
	+/-7,241 s.f.	Tiffway 419 Bermuda grass	Cynodon 'TIFF 419'	solid sod

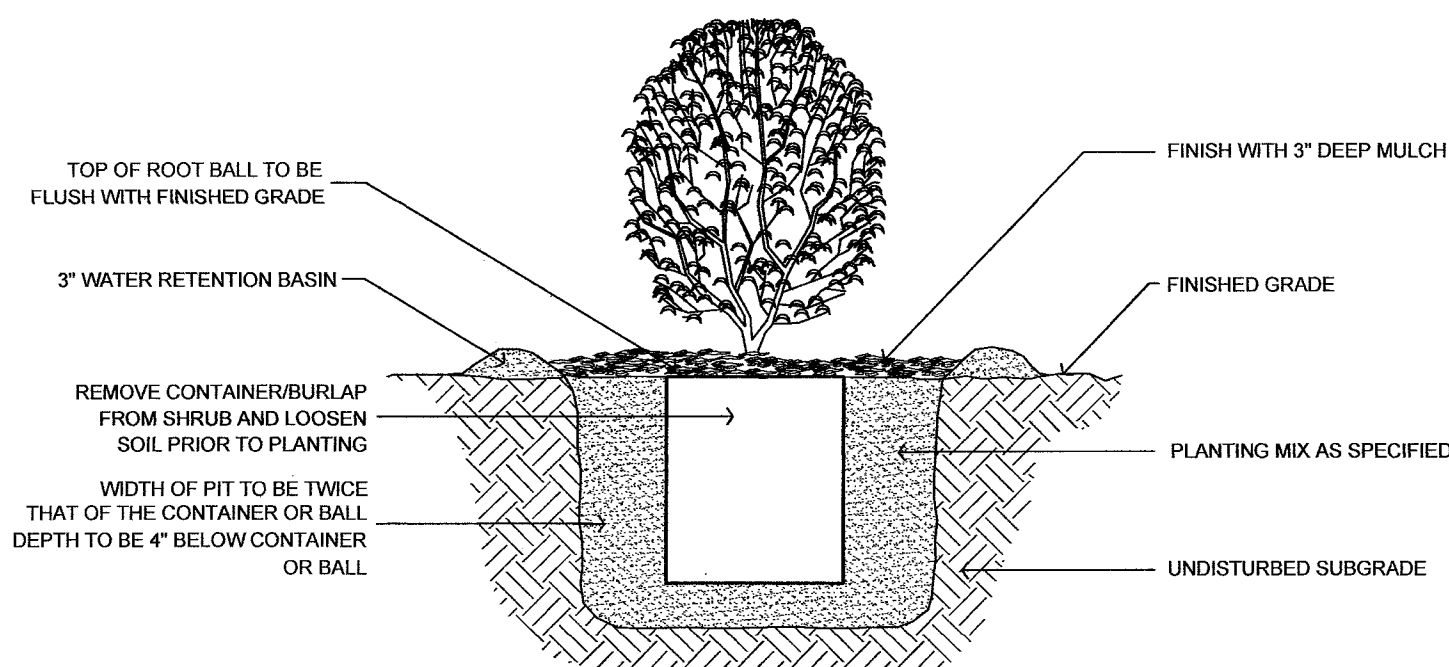
LANDSCAPE CALCULATIONS			
Total Site Area	Required N / A	Provided 45,685 s.f.	
Total Req. Landscape Area (10%)	4,569 s.f.	8,995 s.f.	
STREETYARD LANDSCAPE			
Streetyard Landscape Area (35%)	1,599 s.f.	5,779 s.f.	
ADDITIONAL LANDSCAPE REQ.			
4,569 s.f. / 600 = 7.6			
7.6 x 2 = 15 trees	15 Trees	15 Trees	
7.6 x 4 = 30 shrubs	30 Shrubs	101 Shrubs	
TREE MITIGATION			
No trees removed			



NOTES: 1. NON-BINDING STRAPS AND RUBBER HOSES TO BE USED WITH "T" POST.
 2. USE THREE (3) "T" POST FOR TREES GREATER THAN 3" CAL., TWO (2) POST FOR TREES LESS THAN 3" CAL.
 3. REMOVE POST AFTER 1-YEAR.

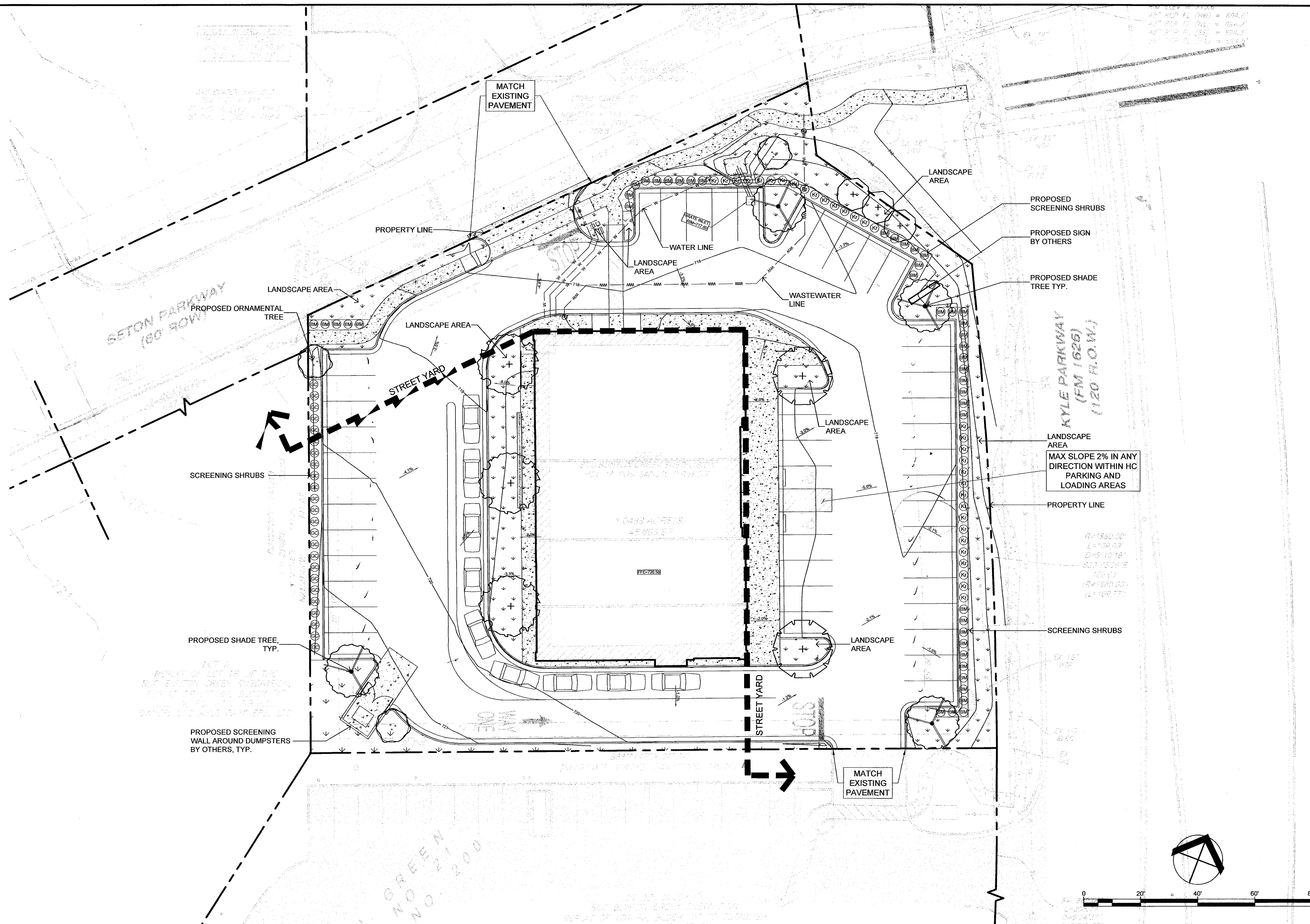
A TREE PLANTING DETAIL
SECTION

SCALE: N.T.S.



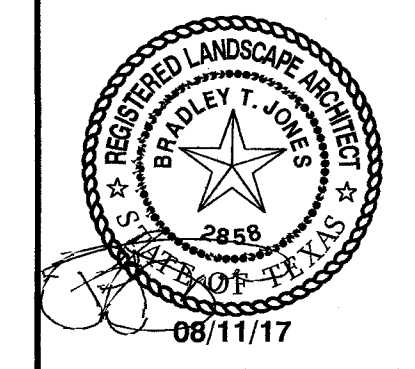
B SHRUB PLANTING DETAIL
SECTION

SCALE: N.T.S.



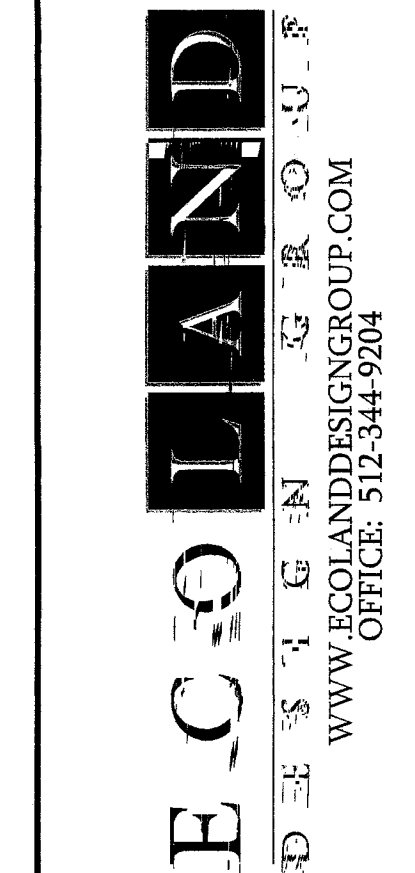
- GENERAL LANDSCAPE CONSTRUCTION NOTES**
- Contractor shall provide all labor and materials necessary to complete the work shown on the plans.
 - All proposed landscaping is to be installed as per local city ordinances and codes. Notify owner's representative and landscape architect of any discrepancies prior to construction.
 - All plant material shall comply with plant size per container as stated by the American Association of Nurseryman.
 - Plants are subject to inspection and approval by the landscape architect. Plants required for the site may be inspected and tagged at growing site before delivery.
 - Groundcover bed preparation shall be 2 inches of planting mix tilled 8 inches into bed areas.
 - Shrubs and trees shall be pocket planted. Excavate planting hole 1-1/2 times the width and height of the root ball. Backfill with 1/3 planting mix, 1/3 native soil and 1/3 sandy loam.
 - Grading shall provide positive drainage away from buildings and other structures. Fine grade for positive drainage to prevent ponding.
 - Quantities provided in the plant list are for general use only, contractor is responsible for verification of all plant quantities.
 - Contractor is responsible for quality of workmanship, superintendence and scheduling of work.
 - Contractor is responsible for removal of trash and job safety conditions.
 - Contractor to provide (1) year warranty on all plant material.

REVISIONS	Description
Date	



LOT 6A, BLOCK "A"
LANDSCAPE SUBMITTAL PLAN

DATE: 08-11-17
SCALE: 1"=20'-0"





CITY OF KYLE, TEXAS

Office Institutional and Mixed-Use Districts

Meeting Date: 9/26/2017

Date time: 6:30 PM

Subject/Recommendation: Consider an amendment to Chapter 53, Article II, of the City's Code of Ordinances, for the creation of two zoning districts, Office Institutional (O/I) and Mixed-Use (MXD), for the City of Kyle.

- Public Hearing
- Recommendation to City Council

Other Information: See attachments.

Legal Notes: N/A

Budget Information: N/A

ATTACHMENTS:

Description

- Staff Memo
- Proposed new O/I zoning category



CITY OF KYLE

Community Development Department



September 26, 2017

To: City of Kyle Planning Commission
From: Howard J. Koontz, Director of Planning & Community Development
Re: Amendments to Chapter 53, Zoning Districts and Regulations

To further the goals and recommendations of the 2010 Kyle Comprehensive Plan mid-term update, staff has prepared a new zoning category. The new district, Office/Institutional (O/I), has been created as an appropriate location for employment centers, and those activity uses of the community that aren't necessarily centered on retail purchases of goods and/or services.

The highest rated need for new land uses for the city of Kyle, as identified in the Economic Development Strategic Plan, is additional, local employment opportunities for our residents. Currently, most of Kyle's land area falls into three categories: agriculture uses, residential uses, and retail commercial uses. One missing component is employment uses, to keep our population local throughout the course of the day. The introduction of the Office/Institutional category creates a district where professional businesses would be most likely to locate, without the unintended consequence of objectionable outdoor storage, or nuisances like dust, vibration or noise.

The institutional component of the O/I district intends to function much the same as office uses. Typically, institutional uses comprise publicly accessible activity centers in the city not associated with point of sales retail purchases. Museums, parks, cemeteries, schools and universities, lodge halls, and similar community operations are all uses that aren't predicated on making a consumer purchase, and are not accessed via high-turnover vehicle trips into- and from the location.

This proposed text amendment is advertised for a Public Hearing, and it should be considered and a recommendation sent forward to the Mayor & City Council. It will then be read in front of the Council for possible adoption on October 4, 2017.

1. *Purpose & Findings.* The Office/Institutional (O/I) District is generally intended to promote consistency with the comprehensive plan, and provide opportunities for employment, convenient locations for offices and limited purpose distribution operations, and to provide locations for the development of cultural, recreational, educational and health service facilities.

2. *Permitted Primary Uses in O/I.* The following uses may be established in the O/I district:

- a. Convent & monastery
- b. Fraternity house, sorority house or residence hall
- c. Nursing home
- d. Personal care home with eight (8) or more units
- e. Child care institution
- f. Club or lodge, non-commercial
- g. Cultural exhibit hall
- h. Day care facility, child and adult
- i. College or university
- j. Research and training facility, college or university affiliated
- k. School; elementary, middle or high
- l. School, specialized non-degree
- m. School, vocational or trade
- n. Place of worship
- o. Auditorium or stadium
- p. Special events facility without lodging
- q. Banks, credit union, brokerage and investment services
- r. Cemetery or mausoleum
- s. Funeral home
- t. Hospice care with eight (8) or more units
- u. Medical and dental office, clinic and/or laboratory
- v. Professional office – (excluding the sales of goods and sundries at retail; and excluding outdoor operations, storage, or facilities) including but not limited to health service practitioners, legal services, employment, personnel, and temporary help service (excluding day labor or labor pool), accounting, auditing and bookkeeping services, advertising services, management, consulting, and public relations offices, corporate operations, engineering and architecture, finance, insurance, real estate and financial institutions, telecommunications, radio and television broadcasting stations, telephone business offices, urban planning services, and similar business and professional offices.

- w. Public parking structures, non-accessory to on-site uses
- x. Golf course and clubhouse
- y. Passive recreation park
- z. Recreation center – including sports fields, stadiums and arenas; pools and natatoriums; baseball and softball fields; tennis and basketball courts, indoor and outdoor; similar uses and activities.
- aa. Museum
- bb. Library
- cc. Police and fire stations (not ambulance service)
- dd. City, County, and State office and business facilities, without outdoor operations, storage, or facilities

3. *Specific uses prohibited.* The following uses are prohibited in the O/I district, both as primary and accessory uses, whether indoors or outdoors:

Ambulance service; bail bond and appearance bond operations; barter, swap, and trading offices; body craft studio; cash advance; check cashing establishments; building and construction contractor's offices; exterminating and pest control offices; lawn care offices; moving and storage companies; taxi service and dispatch agencies; trucking and transport firms; wrecker service; day labor or labor pool agencies; delivery services; driving schools; escort services; elective massage therapy, fortunetellers; handwriting analysts; hypnotists; modeling agencies; palmistry; pawnshops, including title pawn, and pawnbrokers; automotive and truck rental; and automotive dealer's office are specifically excluded. No vehicle whose gross vehicle weight rating (GVWR) of over ten thousand (10,000) pounds, including commercial tractor-trailers, dump trucks, wreckers, or earth moving equipment shall be parked, stored, or dispatched in connection with a business or professional office use conducted on the premises. No vehicle for hire shall be parked, stored, or dispatched from the site.

4. *Accessory uses and structures.* The following accessory uses of land and structures shall be authorized in the O/I (Office/Institutional) District; provided, none of the following uses may operate as a stand-alone use or structure, and shall be required to function in support of an allowable primary use to be considered accessory.

- A. Restaurant, when located on the ground floor and inside the primary structure, and totaling no more than 1,500 square feet of total area (food prep, display, sales, and seating).
- B. Cafeteria
- C. Publicly-accessible parking lot and/or structure
- D. Retail use where accessory to a professional office building, provided that all such uses shall be located on the ground floor and not exceed 15 percent of the total floor area of the building. Said accessory retail uses shall be designed and scaled in relation to the primary building. Specific uses include, but are not limited to:

(3) The use is not objectionable because of odor, excessive light, smoke, dust, noise, vibration or similar nuisance; and that, excluding that caused by customer and employee vehicles, such odors, smoke, dust, noise or vibration be generally contained within the property.

(4) Establishments located within 300 feet of any property zoned for a residential use when the commercial use is first established may not be open to the general public before 6:00 a.m. and must be closed to the general public by 10:00 p.m.

(5) Signs (advertising) must be in compliance with all applicable ordinances.

7. Site development regulations

The site development regulations on uses in the O/I district are as follows:

(1) Paved sidewalks, driveways and parking areas are required. The sidewalks, pedestrian walkways must be constructed of brick, pavers, or concrete with an exposed broom finish, and connect to the adjacent property having a common frontage.

(2) Screening of loading, storage, and trash/refuse facilities is required.

8. Building facade requirements.

All new buildings constructed within the O/I district shall comply with the following requirements:

(1) The exterior walls facing front and side streets shall be constructed of 100 percent stone, brick, masonry, stucco, masonry veneer, or similar granular product excluding doorways and windows;

(2) All roofs surfaces visible from the street shall be surfaced with metal, concrete, clay tile, or minimum of 25-year dimensional shingles. Rooftop HVAC equipment shall be screened completely from view;

(3) Any variation requests to subsection (1) or (2) of this section must present actual technical drawings, and/or architectural plans and models and be approved by the planning and zoning commission;

(4) It is recommended, but not required, that improvements to existing buildings in this district comply with subsections (1) or (2) of this section; and

(5) Glare. No use or operation in an O/I district may be located or conducted so as to produce intense glare or direct illumination across the bounding property line from a visible source of illumination nor may any such light be of such intensity as to create a nuisance or detract from the use and enjoyment of adjacent property.

9. Special screening requirements.

All construction or development of property within this district that abuts property with one- or two-family residential zoning and/or one- or two-family residential, at the time the

subject property is established with O/I uses, must conform to the following special screening requirements:

- (1) Solid, continuous fencing up to eight feet in height, but not less than six feet in height; and solid landscaping of at least four feet in width.
- (2) Screening under this section shall be at least three feet in height, but no more than four feet in height in front yards, from the front setback line to the sidewalk.
- (3) Landscaping under this section shall conform to the provisions of the city's landscape and tree preservation ordinance.
- (4) All screening required by this section shall be along all common property boundaries with residential zoning.
- (5) All screening shall be constructed to maintain structural integrity against natural forces such as wind, rain, and temperature variations.
- (6) The finished side of all fences built to comply with this section shall face away from the screened property.
- (7) All screening and/or landscaping required by this section shall be in addition to all other landscaping, planting, screening, and/or setback requirements.

10. *Required minimum parking ratio.* Off-street parking requirements for uses and structures authorized and permitted in the O/I (Office/Institutional) District are as follows:

- a. Cultural facilities, funeral home, and other places of assembly: One space for each three seats in the main auditorium, or, where fixed seats are not utilized, one space for each 25 square feet of floor space in the largest assembly room utilized for seating.
- b. Child day care center and kindergarten: One space for each 200 square feet of floor area.
- c. Convent or monastery: One space for each 200 square feet of floor area within the principal structure.
- d. Fraternity and sorority house: One space for each bed.
- e. Nursing care facility, and similar institutional use: One space for each two beds.
- f. Noncommercial club or lodge: One space for each 100 square feet of floor area.
- g. Office and clinic: One space for each 250 square feet of floor area.
- h. Place of worship: One space for each three seats in the main auditorium, or, where fixed seats are not utilized, one space for each 25 square feet of floor space in the largest assembly room utilized for public worship.
- i. Public swimming pool, golf course, neighborhood recreation center, or similar use: 20 spaces except that an 18-hole golf course shall have 40 spaces.
- j. Private swimming pool, golf course, neighborhood recreation center, or similar use: One space for each five members but no less than 20 spaces except that golf courses shall provide a minimum of 20 spaces for each nine holes.

- k. School, elementary and middle: Two spaces for each classroom.
- l. School, high: Five spaces for each classroom.
- m. Schools and colleges, including vocational schools: Ten spaces for each classroom.
- n. Personal care home: 0.50 space for each employee and resident.
- o. Child care institution: 1.5 spaces for each employee.

11. *Uses noncumulative.* Uses and bulk standards within this district are reserved solely to those uses and structures expressly permitted in this district, and are not cumulative as related to other zoning districts unless so stated elsewhere.

12. *Exterior lighting.* For compliance with the city's outdoor lighting ordinance, properties zoned O/I will be considered "LZ-3: Moderately high ambient lighting".

¹ Where conditions warrant, the City Council, after receiving recommendation from the Planning & Zoning Commission, may approve via conditional use permit, a maximum building height of up to one hundred fifty (150) feet.

² Where the O/I district is established next to land already zoned exclusively for one- and two-family dwelling units, or already used exclusively for one- or two-family dwelling units, in no case shall a structure on that adjacent O/I district lot exceed, in height, one-half the number of feet it is setback from that abutting property line.



CITY OF KYLE, TEXAS

Request for future agenda items

Meeting Date: 9/26/2017

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