

REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION

The Planning and Zoning Commission of the City of Kyle, Texas met in a regular called meeting on November 22, 2016 at 6:30 P.M. at Kyle City Hall, with the following persons present:

Commissioner Dex Ellison	Lila Knight
Commissioner Mike Torres	Tim Miller
Commissioner Bradley Growt	Brian Lawrence
Vice-Chair Tim Kay	Alfonso Hernandez
Commissioner Allison Wilson	John Lawrence
Commissioner Rick Koch	Rudy Cedillo
Planning and Community Director, Howard J. Koontz	Carol Whisenant
Planning Technician, Debbie A. Guerra	Chad Durham
City Planner, William Atkinson	Madison Inselmann
	Michele Christie

CALL MEETING TO ORDER

Vice-Chair Kay called the meeting to order at 6:30 P.M.

ROLL CALL OF COMMISSION

Vice-Chair Kay called for roll call. Commissioner Melendez was absent.

CITIZENS COMMENTS

Vice-Chair Kay 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. Lila Knight stated that she doesn't appreciate vicious attacks that the Planning Commission has been subject to recently. Ms. Knight also stated her concerns with the mid-term amendments to the comprehensive plan. Vice-Chair Kay closed the citizens comment period at 6:35 P.M.

ELECTION OF CHAIR

Commissioner Ellison moved to postpone the election until December 13th when all seven (7) Commissioners are present. Commissioner Growt seconds the motion. Commissioners Ellison, Torres, Growt, Wilson and Koch vote aye. Vice-Chair Kay votes nay. Motion carried.

CONSENT

RAILHOUSE SUBDIVISION LOTS 1, 2 & 3 – FINAL PLAT (FP-16-013) 3.49 ACRES; 3 COMMERCIAL LOTS LOCATED AT THE SOUTHWEST CORNER OF CENTER STREET AND OLD HIGHWAY 81.

STAFF PROPOSAL: STATUTORILY DISAPPROVE TO MEET 30 DAY REQUIREMENT.

PLUM CREEK PHASE 1 SECTION 12B – PRELIMINARY PLAN (PP-16-003) 0.971 ACRES; 1 COMMERCIAL LOT LOCATED OFF OF KOHLER’S CROSSING AND CROMWELL.

STAFF PROPOSAL: APPROVE

PLUM CREEK PHASE 1 SECTION 12B – FINAL PLAT (FP-16-012) 0.971 ACRES; 1 COMMERCIAL LOT LOCATED OFF OF KOHLER’S CROSSING AND CROMWELL.

STAFF PROPOSAL: APPROVE

CREEKSIDE VILLAGE REVISED PRELIMINARY PLAN (PP-16-004) 73.454 ACRES; 166 SINGLE FAMILY LOTS AND 4 DRAINAGE LOTS LOCATED EAST OF FALL CREEK DRIVE, WEST OF UNION PACIFIC RAILROAD AND NORTH OF BURLESON.

STAFF PROPOSAL: APPROVE

DACY VILLAGE LOT 5, BLOCK B – FINAL PLAT (FP-16-010) 5.45 ACRES; 1 COMMERCIAL LOT LOCATED ON THE SOUTH SIDE OF BEBEE ROAD JUST WEST OF DACY LANE.

STAFF PROPOSAL: APPROVE

KYLE WELLNESS CENTER – SITE PLAN (SD-16-019) 0.971 ACRES; 1 COMMERCIAL LOT LOCATED AT 1001 KOHLER’S CROSSING.

STAFF PROPOSAL: APPROVE

Commissioner Growt moved to approve the consent agenda. Vice-Chair Kay seconds the motion. All votes aye. Motion carried.

ZONING

CONSIDER A REQUEST BY BLANTON FAMILY LIMITED PARTNERSHIP TO REZONE APPROXIMATELY 68.5 ACRES OF LAND FROM SINGLE FAMILY RESIDENTIAL-2 ‘R-1-2’ AND REZONE APPROXIMATELY 10.38 ACRES OF LAND FROM CENTRAL BUSINESS DISTRICT-1 ‘CBD-1’ TO SINGLE FAMILY DETACHED.

Howard Koontz, Director of Planning and Community Development stated that the applicant is requesting a postponement until the December 13th meeting. Mr. Koontz also recommended that the public hearing not be opened or act on the request.

Vice-Chair Kay stated since there were citizens in the audience pertaining to zoning request he would allow them to speak.

Vice-Chair Kay opened the public hearing at 6:44 P.M. and called for comments for or against the request. Tim Miller, Brian Lawrence, Alfonso Hernandez, John Lawrence, Rudy Cedillo addressed the Commission stating concerns with increased traffic and flooding that a new subdivision would bring to the area and are opposed to the request. (Public hearing remains open).

Vice-Chair Kay moved to postpone the request by Blanton Family Limited Partnership until December 13th. Commissioner Koch seconds the motion. All votes aye. Motion carried.

CONSIDER A REQUEST BY THOMAS KAMINSKI TO REZONE APPROXIMATELY 7.26 ACRES OF LAND FROM SINGLE FAMILY 'R-1' TO SINGLE FAMILY DETACHED RESIDENTIAL 'R-1-A' FOR PROPERTY LOCATED AT ON THE SOUTHWEST CORNER OF ZAPATA STREET AND W. HAYS STREET. (Z-16-011)

Vice-Chair Kay opened the public hearing at 6:59 P.M. and called for comments for or against the request. Carol Whisenant addressed the Commission on behalf of Ms. Lindsey and stated the map appeared to have Ms. Lindsey's property included however, now sees that it's not included. Ms. Whisenant also stated concerns that survey stakes may be on Ms. Lindsey's property. Luis Lopez stated his concerns that the development would bring traffic and crime to the area. (Public hearing remains open).

Commissioner Wilson moved to postpone the request by Thomas Kaminski until December 13th. Commissioner Ellison seconds the motion. All votes aye. Motion carried.

CONSIDER AMENDMENTS TO THE CITY OF KYLE CODE OF ORDINANCES, CHAPTER 53, ZONING: SPECIFICALLY, ARTICLE I, SECTION 53-33 (GENERAL REQUIREMENTS AND LIMITATIONS); AND ARTICLE II, DIVISION 2, 3, 4 AND 5, AS WELL AS CREATING A NEW DIVISION AND RE-NUMBERING EXISTING DIVISIONS, AND PRIOR ORDINANCE 824 (PROVIDING STANDARDS FOR DETERMINING A FRONT WALL FOR THE PURPOSE OF ESTABLISHING GARAGE SETBACK).

Vice-Chair Kay opened the public hearing at 7:23 pm and called for comments for or against the amendments. Chad Durham with David Weekly Homes addressed the Commission and stated that he appreciated working with City staff on the amendment however, would propose additional language to the amendment. Madison Inselmann stated that he would like for the Commission to take into consideration the different types of depths for garage fronts and feels overall that its creating the esthetics that the they and the community is looking for. Michele Christi addressed the Commission and stated that the Planning and Zoning Commission needs to remember that they are representing the citizens of Kyle. Ms. Christie stated that she is hearing

the developer dictate to the City what they want our ordinances to read and stated the ordinances should be written for what's best for the City not the developer. Vice-Chair Kay closed the public hearing at 7:36 pm.

Commissioner Torres moved to postpone recommendation until the December 13th Planning and Zoning Commission meeting. Commission Koch seconds the motion. All votes aye. Motion carried.

CONSIDER AN AMENDMENT TO THE CITY OF KYLE CODE OF ORDINANCES, CHAPTERS 11, ARTICLE IV (PEDDLERS, SOLICITORS AND VENDORS), AND 53, ARTICLE II, SECTIONS 53-481, 53-665 AND 53-672.

Commissioner Torres moved to recommend approval with the exception of page #16, item (4) Permit renewal and fees. (b.) be deleted in its entirety, as it is obsolete following the associated changes in item (a.), Commissioner Ellison seconds the motion. Commissioner's Ellison, Torres, Kay, Wilson, Koch vote aye. Commissioner Growt votes nay. Motion carried.

GENERAL DISCUSSION

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

None

STAFF REPORT

Howard Koontz, Director of Planning and Community Development stated there will be an election for Chair at the December 13th meeting.

ADJOURN

With no further business to discuss, Commissioner Ellison moved to adjourn. Commissioner Wilson seconds the motion. All votes aye. Motion carried.

The Planning and Zoning Commission meeting adjourned at 8:02 P.M.

Prepared by: Debbie A. Guerra

Tim Kay, Vice-Chair