

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 March 14, 2017 at 6:30 P.M. at Kyle City Hall, with the following persons present:

Chairman Dex Ellison
Vice-Chair Tim Kay
Commissioner Bradley Growt
Commissioner Allison Wilson
Commissioner Irene Melendez
Commissioner Rick Koch
Planning Director, Howard J. Koontz
Planning Technician, Debbie A. Guerra
City Planner, William Atkinson

Tim Miller
Alfred Zambrano
Jerry Kolacny
Gordon Wybo
John Nelson
Sam Turner

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. No one was absent.

MINUTES

Planning and Zoning Commission meeting minutes for November 7, 2016 (Special Called and Regular Meeting), November 22, 2016, December 13, 2016, December 28, 2016, January 10, 2017 and (2) February 14, 2017.

Commissioner Growt moved to postpone the approval of the meeting minutes until the next Planning and Zoning Commission voting meeting. Commissioner Koch second the motion. Commissioner's Growt, Ellison, Wilson, Koch, Melendez vote aye. Vice-Chair Kay votes nay. Motion carried.

CITIZENS COMMENTS

Chairman Ellison opened the citizens comment period at 6:34 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 6:35 P.M.

CONSENT

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

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

ZONING

CONSIDER A REQUEST BY MOOREROOD PROPERTIES, LLC (MAGDALENA AND LESLIE MOORE) TO ASSIGN ORIGINAL ZONING TO APPROXIMATELY 27.66 ACRES OF LAND (TRACT 1) AND 4.19 ACRES OF LAND (TRACT 2) FROM AGRICULTURE ‘AG’ TO RETAIL SERVICE DISTRICT ‘RS’ FOR PROPERTIES LOCATED AT (TRACT 1: 900 AND 1000 SCOTT STREET) (TRACT 2: 1101 OLD STAGECOACH ROAD). (Z-17-003)

Chairman Ellison opened the public hearing at 6:37 P.M. and called for public comments for or against the request. Tim Miller addressed the Commission stating he was not in favor of the request. Mr. Miller is concerned with the increase of traffic on Opal Lane with delivery trucks and stated that he would like to see roundabouts on Opal to discourage commercial trucks going through the neighborhood. Gordon Wybo stated that he was in opposition of the request. Mr. Wybo stated that Mr. Miller's farm is already being compromised and doesn't know why the City would entertain the rezoning to commercial. Mr. Wybo also stated that the City is not small business friendly and only hinders them. Magdalena Rood applicant addressed the Commission asking for them to recommend approval of the request. Chairman Ellison closed the public hearing at 6:43 P.M.

Commissioner Wilson moved to recommend approval of Retail Service District ‘RS’ to City Council. Commissioner Growt seconds the motion. Commissioner's Wilson, Growt, Kay, Koch and Melendez vote aye. Chairman Ellison votes nay. Motion carried.

CONSIDER A REQUEST BY SOUTH CENTER STREET HOLDINGS, LLC TO REZONE APPROXIMATELY 1.67 ACRES OF LAND FROM RETAIL SERVICE DISTRICT ‘RS’ TO DUAL ZONING OF RETAIL SERVICE DISTRICT ‘RS’ AND ENTERTAINMENT ‘E’ FOR PROPERTY LOCATED AT 107 E. CENTER STREET. (Z-17-004)

Chairman Ellison opened the public hearing at 6:59 P.M. and called for public comments for or against the request. Jerry Kolacny questioned the dual zoning being requested. Mr. Kolacny

stated that the City currently has no dual zonings and is not in favor of the City moving in that direction. Alfred Zambrano stated that Entertainment is not recommended per the historic core area within the comprehensive plan. Mr. Zambano also stated that he does not feel like the dual zoning will keep the character and intent of the old town. Chairman Ellison closed the public hearing at 7:05 P.M.

William Atkinson, City Planner addressed the Commission to clarify that the land use district for the property is within a regional node and not historic core area. Mr. Atkinson stated that Entertainment and Retail Service District is conditional within the comprehensive plan.

Commissioner Wilson moved to recommend approval of the request for dual zoning of Entertainment District 'E' and Retail Service District 'RS' to City Council. Commissioner Koch seconds the motion. All votes aye. Motion carried.

CONSIDER A REQUEST BY RODOLFO AND GUADALUPE MARTINEZ AND MARY ANN MENDOZA TO ASSIGN ORIGINAL ZONING TO APPROXIMATELY 13.52 ACRES OF LAND FROM AGRICULTURE 'AG' TO CONSTRUCTION MANUFACTURING 'CM' FOR PROPERTY LOCATED OFF OF IH-35 AND CR 208. (Z-17-005)

Chairman Ellison opened the public hearing at 7:23 P.M. and called for public comments for or against the request. Jerry Kolacny addressed the Commission and stated that it was difficult to hear staff and asked that they speak in the microphone. Chairman Ellison closed the public hearing at 7:24 P.M.

Commissioner Growt moved to recommend denial of the request to City Council. Commissioner Wilson seconds the motion. All votes aye. Motion carried.

CONSIDER AND POSSIBLE ACTION

CONSIDER TEXT AMENDMENTS TO THE CITY OF KYLE, CODE OF ORDINANCES, SECTION 53-899 (I-35 OVERLAY DISTRICT DEVELOPMENT STANDARDS).

Chairman Ellison opened the public hearing at 7:34 P.M. and called for public comments for or against the request. Gordon Wybo addressed the Commission and stated that as a small business owner he feels that the City doesn't have a vision for small businesses and is not small business friendly. Alfred Zambrano also stated that the City is not small business friendly and is cherry picking the types of businesses that come to town. Jerry kolacny stated that he was not for or against the amendment however, stated that the City should be able to select the types of businesses they want to see come to town. Chairman Ellison closed the public hearing at 7:40 P.M.

Chairman Ellison moved to recommend approval to City Council. Vice-Chair Kay seconds the motion. All votes aye. Motion carried.

GENERAL DISCUSSION

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

Commissioner Growt stated he would like to see a parking ordinance created in the near future. Howard Koontz, Director of Planning and Community stated that a workshop is scheduled for March 28th to discuss the mid-term amendments to the 2010 Comprehensive Plan. Mr. Koontz also stated that interviews for the vacant Planning and Zoning seats is scheduled and hopes to have the seats filled by the April 11th meeting.

STAFF REPORT

Howard Koontz, Director of Planning and Community stated that a workshop is scheduled for March 28th to discuss the mid-term amendments to the 2010 Comprehensive Plan. Mr. Koontz also stated that interviews for the vacant Planning and Zoning seats is scheduled and hopes to have the seats filled by the April 11th meeting.

ADJOURN

With no further business to discuss, Commissioner Growt moved to adjourn. Commissioner Melendez seconds the motion. Commissioner Growt, Melendez, Ellison, Koch and Wilson vote aye. Vice-Chair votes nay. Motion carried.

The Planning and Zoning Commission meeting adjourned at 8:10 P.M.

Prepared by: Debbie A. Guerra

Dex Ellison, Chairman