
Planning and Zoning Commission Regular Called Meeting

DEPARTMENT: Planning

FROM: Kaela Sharp – City Planner

MEETING: Tuesday, January 9, 2024

SUBJECT:

Consider and make a recommendation to City Council regarding a request by Todd Leverett of Mayse & Associates for a conditional height exception pursuant to Sec. 53-1047(12) & Sec. 53-1048 of the City of Kyle Code of Ordinances for property located at 22497 IH-35. – Country Inn and Suites (CUP-23-0093)

SUMMARY:

The applicant seeks to construct an approximately 4-story hotel with a minimum of 87 guestrooms located at 22497 IH-35. The site is located on an unnamed road in the Center Street Village Development, approximately 300 feet from the IH-35 Northbound Frontage Road.

Per the Retail Services zoning district, the maximum height permitted by right is 45 feet to the highest point of the structure. The applicant is seeking a Conditional Use Permit pursuant to Sec. 53-1047(12) and 53-1048 to allow for a maximum height of 58 feet for the development of the hotel. This will allow the development of a 4-story hotel and parapet/screening walls.





CODE OF ORDINANCES

Sec. 53-33 Chart 1:

Chart 1								
Land Use District	Front Setback (feet)	Side Setback (feet)	Corner Lot at Side Street or Alleyway Setback (feet)	Street Side Yard Setback (feet)	Rear Setback (feet)	Min. Lot Square Footage Area	Min. Lot Street Line Width (feet)	Height Limit (feet)
A	40	25	40	25	25	43,500	150	45
UE	25	25	25	25	25	22,500	100	45
R-1-1	35 ⁹	10	20	15	20	8,190 ¹	80 ¹	35
R-1-2	25 ⁹	7.5	15	10	15	6,825 ¹	65 ¹	35
R-1-3	20 ⁹	5	10	5	10	5,540 ¹	50 ¹	35
R-1-A	25	(2)	10	15	15	4,550 ¹	35	35
R-1-T	(3)	(3)	15	15	(3)	880 ³	22	35
R-1-C	(4)	(4)		15	(4)	9,000 ⁴	80	45
R-2	25 ⁹	7	10	15	25	9,000	80	35
R-3-1	25	15	15	15	25	(5)	80	35 ⁶
R-3-2	25	20	15	15	25	(5)	80	45 ⁷
R-3-3	25	7	15	15	25	(13)	90	45 ⁷
M-1	25	7	15	15	25	8,190	80	35
M-2	25	7	25	25	25	8,190	80	35
CBD-1	25 ⁸	(8)	15	15	(8)	(8)	(8)	35 ⁸
CBD-2	0	0	0	0	0	2,500	25	45
RS	25	10	15	15	15	6,000	50	45
HS	50	50	50	50	50	10 acres	200	100 ^{14/15}
W	25	25	25	25	25	9,000	80	45
CM	25	50	50	50	50	43,500	150	45
E	25	25	15	15	15	6,000	50	45 ¹⁴
TU	25	7	15	15	15	(10)	(10)	(10)
B	25	25	25	15	15	(11)	(11)	(11)
PUD	(8)	(8)	(8)	15	(8)	5 acres	(8)	(8)

Sec. 53-1047. – Authorized Conditional Uses.

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



- (1) Heliport in CM, W and PUD districts only;
- (2) Municipal service facilities and buildings in all districts;
- (3) Circus or carnival, but not within 300 feet of any residential district;
- (4) Privately operated community building or recreation field in all districts;
- (5) Telephone, radio or television broadcasting tower or station in T, CM, W and PUD districts only;
- (6) Cemeteries in A, TU, E, CBD-2, RS, W, CM, or PUD districts;
- (7) Schools, public and denominational, but not day care in all districts where not otherwise specifically permitted;
- (8) Manufactured homes in the limited areas as specifically authorized by this chapter;
- (9) Quarry operations are permitted in the CM district as conditional uses, subject to the requirements in division 2 of this article;
- (10) The specific manufacturing and warehouse uses set forth in the table in section 53-1106 may be permitted as provided in division 3 in this article;
- (11) RV sales in the RS district within the I-35 overlay district only; and
- (12) Buildings with a height of up to 150 feet in the RS district in all zoning districts, including planned unit developments, but not including the Plum Creek PUD.

Zoning districts not allowed a height exception:

- Single-family residential zoning districts (both attached and detached), including two-family structures (duplexes), three-family structures (triplexes), and townhomes.

Sec. 53-1048. – Procedure.

Before authorization of any of the conditional uses authorized in section 53-1047, public notice shall be given and public hearings shall be held as provided in V.T.C.A., Local Government Code ch. 211; provided that a conditional use permit for a period not to exceed seven calendar days may be given for a use set forth in section 53-1047(3) after a public hearing is held by the city council after having received a report and recommendation from the planning and zoning commission concerning the effect of the proposed use on the adjacent and neighboring properties and neighborhoods.

OPTIONS:

Recommend approval, approval with modifications, or denial.

RECOMMENDATION:

Staff has found the request to be compliant under Sec. 53-1047(12) and supports this request. Staff requests the Planning and Zoning Commission recommend approval of the Conditional Use Permit as



presented. The request and the Commission's recommendation will be considered by the City Council on January 16, 2024.

PRIOR ACTION/INPUT (Council, Boards, Citizens):

N/A

FISCAL IMPACT:

N/A

STAFF CONTACT:

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