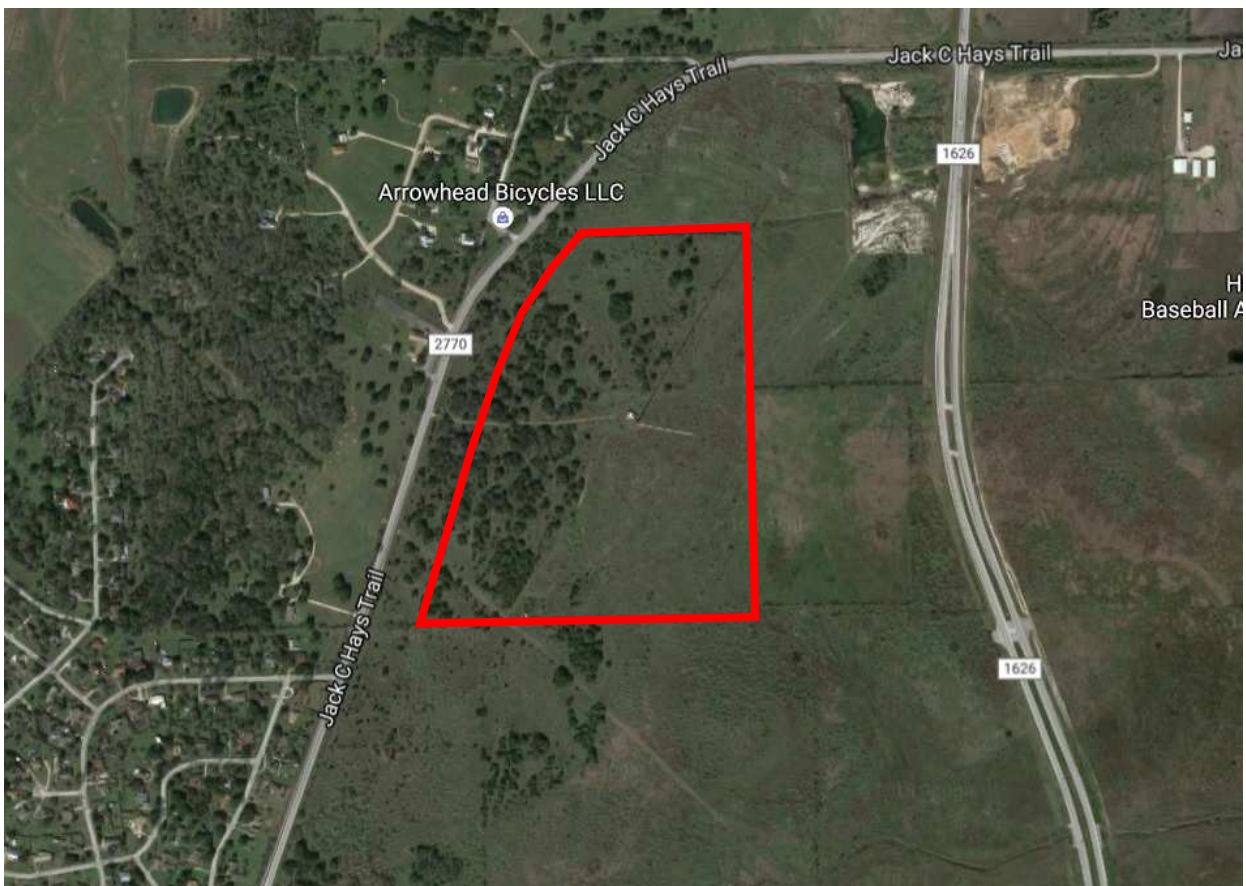

Property Location	4700 Block of FM 2770 (Southwest of the intersection of 2770 & 1626)
Petitioner/Owner	Lennar Homes of Texas Land & Construction, Ltd. 12401 Research Blvd., Bldg. 1, #300 Austin, Texas 78759
Request	Apply inaugural zoning 'PC R-2' (Plum Creek Residential PUD district) to 51.48 acres

Vicinity Map



Property Description

The site is located approximately in the 4700 block of Jack C Hays Trail (FM 2770), the nearest cross-street being the intersection of 2770 and 1626 to the northeast. The property, comprising 51.48 acres, is currently located in Kyle's extraterritorial jurisdiction (ETJ), and is the site of a several hundred-foot-tall radio antenna. The property owner has applied for a voluntary annexation, which is due to be finalized by

the Mayor & City Council in December 2016. Upon annexation, the property will by default be assigned 'A' (Agriculture) zoning. Property to the west (across FM 2770) is located in unincorporated Hays County (in the Mountain City ETJ), property to the north and east is zoned 'A' (Agriculture), and the property to the east and south is zoned PC R-2.

Rezoning Request

This lot is currently located in the county, developed with an FM radio tower of several hundred feet. The antenna will be obsoleted and removed from service in the near future. Once removed, the property owner will incorporate these 51.48 acres into the existing Plum Creek PUD already located to the east and south of the site. Specifically, the applicant seeks to assign PC R-2 zoning, a residential district that matches the existing adjacent zoning.

Conditions of the Zoning Ordinance

§53, Exhibit 'A', Article 2, Part A, Section 4 – *Additional development and amendment guidelines for Plum Creek PUD*

...

(C) *Substantial amendment to Plum Creek PUD.* A substantial amendment to the Plum Creek PUD master plan shall be effective only if approved by the planning commission and the city council. An application for a substantial amendment to the adopted Plum Creek PUD master plan shall be made to the planning commission and the city council for consideration. For purposes of this subsection, the following are substantial amendments to the adopted Plum Creek PUD master plan:

(1) Adding land area to, or otherwise including more land, in the Plum Creek PUD;

- (2) Including a more intense land use not previously permitted in the Plum Creek PUD, or including a more intense use permitted in the Plum Creek PUD in an area for which such use is not shown on the Plum Creek PUD master plan;
- (3) Amending any site development regulation established by the adopted Plum Creek PUD master plan;
- (4) Altering a land use adjacent to a platted single-family residential tract to a more intense land use than was previously approved;
- (5) Amending any condition of approval of or approved variance to the Plum Creek PUD;
- (6) Increasing the land use intensity within any phase of the Plum Creek PUD without a corresponding and equivalent decrease in some other portion of the Plum Creek PUD; or
- (7) Providing for an incompatible use to abut any other planned use, except as set forth on any zoning map or plat applicable to the Plum Creek PUD and approved by the city council.

If the city engineer determines a proposed amendment to the adopted Plum Creek PUD master plan is not a substantial amendment, the city engineer may approve the amendment within 30 days of its submittal without planning commission or city council action; provided that a subdivision plat for such area has been approved by the commission and city council and such proposed amendment is not inconsistent with the approved master plan, or such approved plat or plats and is a "plat amendment" pursuant to section 9(c) of the Plum Creek PUD subdivision ordinance. An application to amend the adopted Plum Creek PUD master plan pursuant to this subsection shall include all applicable requirements established by article II, part C.

Comprehensive Plan Text

The subject site is not represented in the City's Comprehensive Plan Future Land Use Map, as during the comprehensive planning process, the land was known to exist outside the city's boundary, and straddling the border between the Kyle and Mountain City ETJ. For the purpose of this exercise, it is located adjacent to the 'New Town Community' character area. In 'New Town Community', all residential categories of at least Type II construction are either recommended or conditionally recommended.

New Town "Character": "Currently consisting primarily of residential uses, open fields, some commercial uses along I-35, and the City's new Performing Arts Center, the New Town District will likely experience significant development pressures in the near future. This District straddles both I-35 and FM 1626, and growth from Austin and Buda is spreading south along these roadways. This District should be livable, comfortable, and convenient for all residents of Kyle and the surrounding region. Elements of form and design are critical to ensuring transitions between neighboring uses."

New Town "Intent": "The New Town District is designed to contain a horizontal mix of land uses that should be integrated across the area to express a cohesive community form. Many differing uses are encouraged throughout the District, but are distributed in autonomous land parcels instead of vertically aggregated in fewer land parcels. Horizontal mixed uses provide a transition to integrate the community form of New Town with surrounding communities, landscapes, and nodes. The purpose of the New Town District is to harness economic development potential and establish its position as the sustainable center of surrounding growth. This District should provide economic support to Kyle based on locational advantages gained by access to growth advancing from south Austin and nodal developments on the northern side of Kyle. Mixed-use development should be encouraged, not only permitted, to maximize economic development. This can be achieved by aggregating appropriate densities in order to support a mixture of uses. Development patterns and employment opportunities should be created in the New Town District that do not conflict with the surrounding community fabric. Public spaces in this District should be used to preserve the character of ranch heritage, where appropriate."

Recommendation

In this case, the applicant's request to expand the boundaries of the Plum Creek PUD and assign PC R-2 zoning to this parcel is completely appropriate. The request is harmonious with surrounding land uses, both inside and outside the city's limits, and complements the expected development pattern for this portion of the city. Staff recommends approval of the application, as presented.

Planning Commission

At their regular voting meeting on November 7 (held a day early due to election day activities at city hall), the Commission held a Public Hearing to discuss this application. After receiving testimony from staff and the applicant, the Planning Commission voted 6-0 (Torres absent) to **recommend approval** of the request, as presented.

Attachments

- Application
- Vicinity map of the subject property