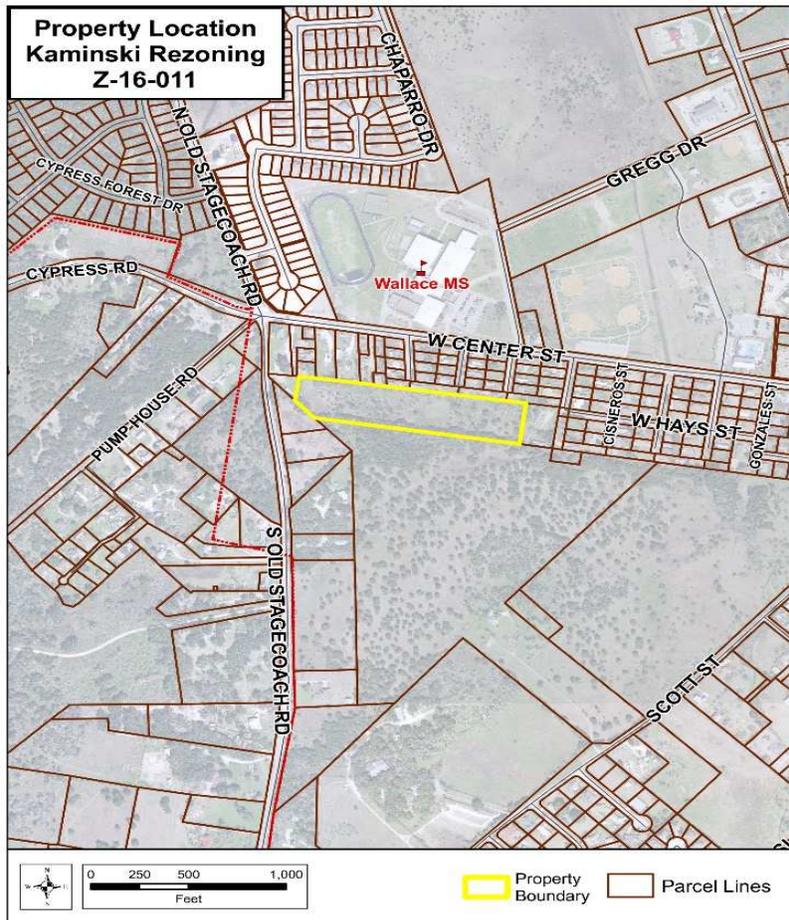

Property Location	West of the western terminus of Zapata Street
Owner	Thomas L. Kaminski 507 Canyon Wren Drive Buda, Texas 78610
Agent	Geoff Guerrero Carlson, Brigance & Doering, Inc. 5501 West William Cannon Drive Austin, Texas 78749
Request	Rezone 6.278 Acres of R-1 to R-1-A

Vicinity Map



Site Description

The entire development site is an assemblage of several lots of record with multiple owners, located on lots bordered by Scott Street to the southeast and S. Old Stagecoach Road to the west. There is between one to one-and-a-half blocks of M-2 (Manufactured Home Subdivision) residential bordering the subject properties to the north, between Center Street and the site. The *total* development property comprises 86.14 acres, and currently has three zoning categories assigned to it. The largest portion at 68.5 acres, is being requested for rezoning under separate request (Z-16-010), is zoned R-1-2 (Single Family Residential 2). The next smallest portion of the property, also the subject of Z-16-010, is 10.38 acres, and zoned CBD-1 (Central Business District-1). Finally, the smallest portion is 6.278 acres, currently zoned R-1, and is the subject of this request (Z-16-011). The sites are surrounded by agricultural and existing residential uses. Properties to the north are zoned M-2 and R-1 (Single Family). To the east existing property is zoned CBD-1 and R-1 (across Scott Street). To the south, the area is zoned A (Agriculture) or R-1. A small portion of R-1 also sits to the west in addition to Hays County residential across South Old Stagecoach Road.

The applicant originally sought to rezone the properties from R-1-2, CBD-1, and R-1 to R-1-A, a residential zoning category allowing for ‘...attached single-family structures with a minimum of 1,000 square feet of living area and permitted accessory structures on a minimum lot size of 4,800 square feet, at no more than 6.8 houses per buildable acre. The single-family residences authorized in this zoning district include those generally referred to as garden homes, patio homes and zero lot line homes.’

With the creation of the new R-1-3 zoning category, the applicant has stated the request to consider rezoning the Kaminski property to the more restrictive R-1-3. The category, R-1-3, allows for ‘...allows detached single-family residences with a minimum of 1,000 square feet of living area and permitted accessory structures on a minimum lot size of 5,540 square feet. There shall be no more than 5.5 houses per buildable acre...’ This would be allowable to the Council due to the more restrictive requirements within the R-1-3 category.

Conditions of the Zoning Ordinance

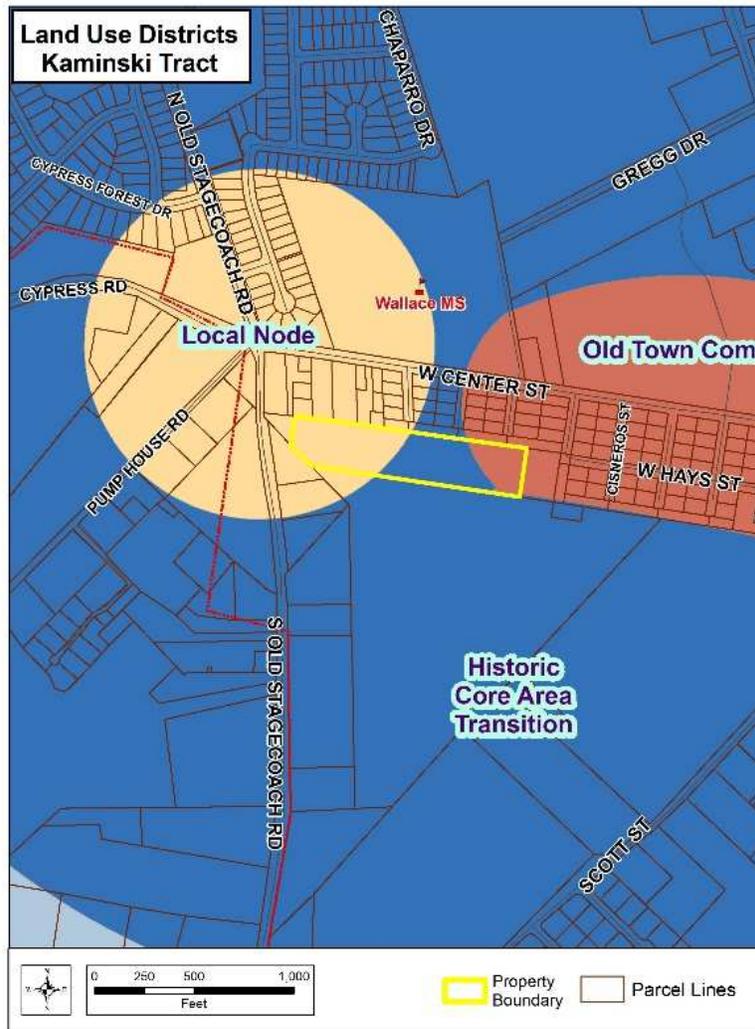
Sec. 53-1205 Amendments

(d)

Referral of amendment to planning and zoning commission. Upon its own motion, a request by the planning and zoning commission, or the receipt of an administratively complete petition and application to zone or rezone a lot, tract or parcel of land, which petition and application has been examined and approved as to form by the city manager, shall be referred to the planning and zoning commission for consideration, public hearing, and recommendation to the city council. The council may not enact a rezoning amendment until the planning and zoning commission has held a public hearing and made its recommendation to the city council, or has made a final vote on the matter without obtaining a majority, on the zoning or rezoning of the property.

(e)

Action by the planning and zoning commission. The planning and zoning commission shall cause such study and review to be made as advisable and required, shall give public notice and hold a public hearing as provided by state law, and shall recommend to the council such action as the planning and zoning commission deems proper...



Comprehensive Plan Text

The subject site is located in the “Historic Core Area Transition District”, the “Old Town Community District” and a “Local Node”. This parcel of land is essentially cut off from real access to a public street. Considering the limited access and the idea that it will be included with the Blanton Family project, it should be part of the “Historic Core Area Transition District”. It is recommended that the R-1-A zoning district be approved conditionally within this district. As of yet, R-1-3 does not have an official placement within the Comprehensive Plan. However, upon approval of updates to the plan, it is expected that the zoning category of R-1-3 will be a recommended land use.

Character: The Historic Core Area Transition District serves as a transition between the regular gridded development pattern that characterizes Downtown and the more rural patterns to the south and west, as well as newer development to the north. Significant

features of this District include the intersection of Old Stagecoach Road and Center Street and the Gregg-Clarke Park. This District is a “middle landscape” of historic residential forms that transition to more rural residential forms. The District should embody the historic character of existing uses while anticipating appropriate expansion of Old Town. Development in the Historic Core Area Transition District has historically been on a small, lot-by-lot basis, rather than on a larger, project-by-project basis. Because of this, the street serves as the organizing feature of the District. Therefore, as new development extends into the District from the Old Town District, care should be taken to ensure that the historic street pattern is preserved.

Intent: The purpose of the Historic Core Area Transition District is to accommodate the growth of residential and neighborhood commercial uses around the Old Town District, while preserving the historic rural fabric. The core of Kyle should be allowed to expand into this area as population growth increases in order to strengthen the core of the City. Land use transitions are critical in this District, and the shift from township to rural landscape should be maintained. This can be accomplished by transition in the built form and function from commercial uses to residential uses and finally to rural agricultural residential uses and by establishing transitions in density, decreasing outwardly from the Old Town District. Public spaces in this District should be used to preserve the character of ranch heritage, where appropriate.

Analysis

The property requested to be rezoned sits in an area that is likely to serve as a transition between the original City of Kyle and the rural housing along Old Stagecoach Road. The area is expected to be developed to provide housing for citizens with direct access to downtown Kyle via Scott Street, and access to the Blanco River for recreational amenities via Old Stagecoach Road.

A significant number of persons in and nearby to the development site have signed on to an official objection to the property being rezoned from one residential zoning category to another residential zoning category. Their objections are drawn from concerns related to storm water management and potential traffic impacts. However, it needs to be stated that as a function of initiating any new development project in the City of Kyle, development professionals are required to make provisions for storm water management based on the expected impact the project will have on the property following construction.

The process is roughly spelled out like this: During a storm, runoff drains directly to storm sewers or waterways. Detention ponds are constructed between the collection

areas (impervious surfaces) and discharge conduit (streams and other water courses) to temporarily store stormwater runoff, thereby reducing the peak discharge rate by allowing flow to be discharged later at a slower, controlled rate within a specific designed time. These ponds help to prevent localized flooding and reduce streambank erosion downstream. City of Kyle regulations do not permit stormwater discharges from new development to discharge at a greater rate than predevelopment conditions (City of Austin Drainage Criteria Manual). In other words, the construction of new projects in Kyle require improvements to the system of discharge into drainage basins, commiserate with the impact the project has on the system.



Due to downtown Kyle’s central location creating convenient access to nearby emerging residential, more citizens would be expected to travel to the central business district, which would in turn increase the demand for more businesses supporting that

new housing. Furthermore, the development of the property adjacent to- and in proximity to public services (public library, parks, public schools, etc.) reduces the reliance on the automobile in these areas while increasing desirability and value of residential development.

While the project was not included in the calculations for future transportation demand modeling and required upgrades to surrounding road networks, at a basic level, traffic impacts are easily calculated. At the time of the CAMPO 2040 study and the City of Kyle's 2015 Transportation Master Plan, the idea of the project wasn't in existence. Consequently, to help relieve the effects of unplanned/increased traffic, developers pay fees to help offset traffic impacts, and/or upgrade portions of the surrounding road network in addition to improvements made to the parcel during development.

Planning & Zoning Commission Recommendation

On Tuesday, February 14th, 2017, the Planning & Zoning Commission voted 6-0 in favor to recommend R-1-3 for petition Z-16-010. Vice Chair Kay, did make an amendment to the staff recommendation. The Vice Chair asked the developer to limit the dwelling units per acre to 3.2, with Chairperson Ellison seconding the motion. The R-1-3 zoning district allows a maximum of 5.5 dwelling units per acre.

The request is analogous to existing, surrounding land uses, and compliments the expectations of the city's comprehensive plan. It is staff's request that the original application for R-1-A should not be considered and the newly-enabled R-1-3 should be allowed and vote in favor for this zoning petition, without the recommended restrictions.

Attachments

- Application
- Petitions in Objection to the Proposed Zoning Action
- Vicinity map
- Surrounding Zoning Map
- Land Use District Map
- Drainage Map
- 2040 CAMPO Model Volumes