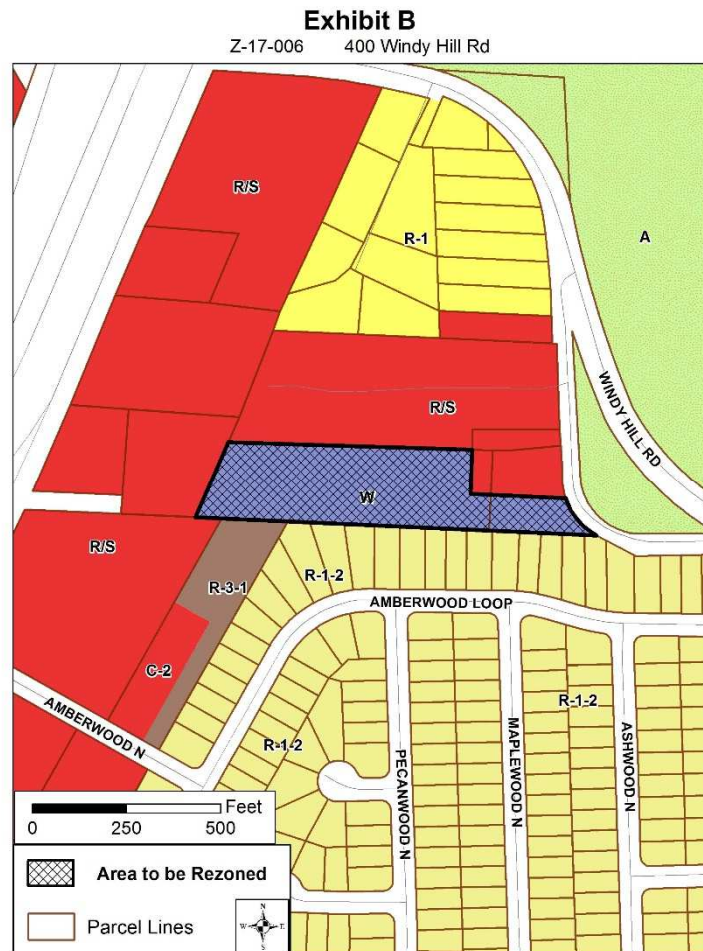


Property Location	400 Windy Hill, Kyle, Texas 78640
Owner	Ansar & Ali Chemis 2122 Barton Hills Drive, Austin, TX 78704
Agent	Matias Segura 3326 Clarksburg Drive Austin, TX, 78745
Request	Rezone 3.93 Acres, W to R/S

Vicinity Map



Site Description

The site is located on land partially being utilized as outdoor vehicle storage/sales and is currently zoned W (Warehouse). It is bordered on its western property line by La Quinta Inn & Suites and IH-35 further west of the hotel. To the north is a non-conforming auto salvage/repair/sales operation zoned R/S (Retail/Services). To the east and northeast of the parcel (across Windy Hill Road, lies property used for agricultural purposes and zoned A (Agriculture). Lastly, to the south is the Amberwood community which is zoned R-1-2 (one family residence district).

The applicant seeks to rezone the property from A to R/S, the Retail/Services zoning category, which allows for the following:

“This district allows general retail sales of consumable products and goods within buildings of products that are generally not hazardous and that are commonly purchased and used by consumers in their homes, including most in-store retail sales of goods and products that do not pose a fire or health hazard to neighboring areas, e.g., clothing, prescription drugs, furniture, toys, hardware, electronics, pet supply, variety, department, video rental and antique stores, art studio or gallery, hobby shops and florist shops.,...”

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 “New Town Community District”. It is recommended that the R/S zoning district be approved conditionally. Upon acceptance of the 2017 midterm update to the City of Kyle Comprehensive Plan, it is expected that Retail/Services will be a recommended zoning designation within the “New Town Community District”. Additionally, the site requesting to be rezoned, is relatively close to a future “Regional Node” centered on I-35, just north of the Kyle Crossing overpass.

‘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.

‘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.

Analysis

The property requesting to be rezoned is sited in the periphery of an area that is developing into a hub of commercial and light industrial activity. This area or “Regional Node” is mapped slightly north of the Kyle Crossing and I-35 intersection. In reality, the node is beginning to develop just to the west of and closer to the Kyle Crossing overpass (Hays Commerce Center). The Amberwood subdivision lies immediately to the south with the Cherrywood and Indian Paintbrush Drive entrances to the east of the property. Additionally, the Meadows of Kyle sits one third of a mile to the east, along Windy Hill Road. These developments are a component to the potential success of retail and service related businesses, by providing potential pass-by traffic and customers within the area.

Windy Hill Road is currently classified as R2U or Rural, 2 Lane, Undivided. The CAMPO 2040 and 2015 publication of the Kyle Connected Transportation Plan, show that Windy Hill Road is planned to be upgraded with a classification of C3U or Collector, 3 Lane, Undivided. This upgrade will be, in part, due to the Crosswinds community to the east. This residential community has a planned residential count of roughly 1,750 single family residences. At build out (if not before), this community will necessitate the upgrade of Windy Hill Road. It is likely that future traffic counts will support retail and service related businesses in this area.

At the time of site development, appropriate storm water management techniques will have been reviewed, must meet City of Kyle requirements and comply with the State of Texas standards. Additionally, due to the shared property line with the Amberwood community, a higher standard for appropriate screening will be required along the afore mentioned boundary to help mitigate potential or perceived nuisances sometimes associated with borders along dissimilar districts. This is a requirement in addition to standard landscaping techniques required in the Retail/Services district in Sec. 53-484, City of Kyle Code of Ordinances.

Planning & Zoning Commission Recommendation

Considering the potential for redevelopment and new development in the area, including existing and future residential, staff asks the Mayor and Council to approve the zoning petition from W (Warehouse) to R/S (Retail/Services). On Tuesday, April 11th, 2017 the Planning & Zoning Commission recommended the petition for Mayor and Council's approval, voting 6-1 in favor.

Attachments

- Application
- Surrounding Zoning Map
- Land Use District Map
- 2040 CAMPO Model Volume