

Property Location	1408 W Center St, Kyle, TX 78640
Owner	Andrew Cipto PO Box 163822 Austin, TX 78716
Agent	Andrew Cipto PO BOX 163822 Austin, TX 78716
Request	Rezone 0.5 Acres C/M, to CC

Vicinity Map



Site Description

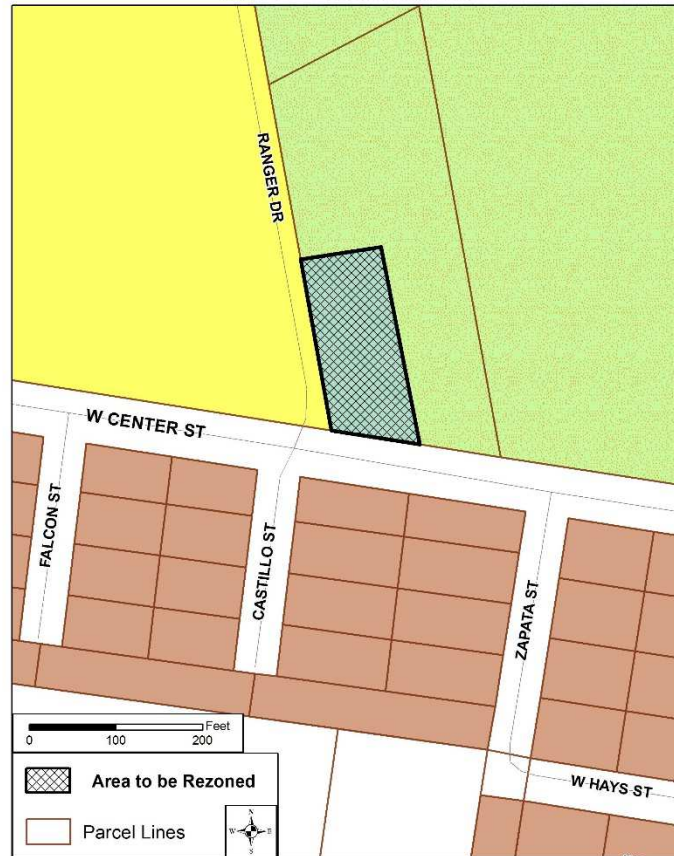
The parcel requesting to be rezoned sits at the northeast corner of W Center Street and Ranger Drive, between Wallace Middle School and the baseball fields at Gregg-Clarke Park. Wallace Middle School is immediately west of the property and zoned R-1, Gregg-Clarke Park and an undeveloped lot lie immediately to the north and northeast. To the southeast, south and southwest, and across Center Street, is a small residential community, zoned M-2.

The applicant is seeking to rezone the property from C/M (Construction/Manufacturing), an industrial zoning category allowing for "...assembly, packaging, treatment, processing and manufacture of products that do not pose any materially potential hazard to persons and property outside the boundaries of the property, and the following specifically listed uses to the extent such uses are contained or included within property as to not pose a potential hazard outside of the property on which such use is conducted."

The proposed, new zoning district is CC (Community Commercial), a commercial zoning category providing for "...slightly more intense commercial uses than allowed in the neighborhood commercial zoning district. The district is established to provide areas for quality retail establishments and service facilities. This district should generally consist of retail nodes located along or at the intersection of major collectors or thoroughfares to accommodate higher traffic volumes."

Exhibit B

Z-17-010 1408 W. Center St



Conditions of the Zoning Ordinance

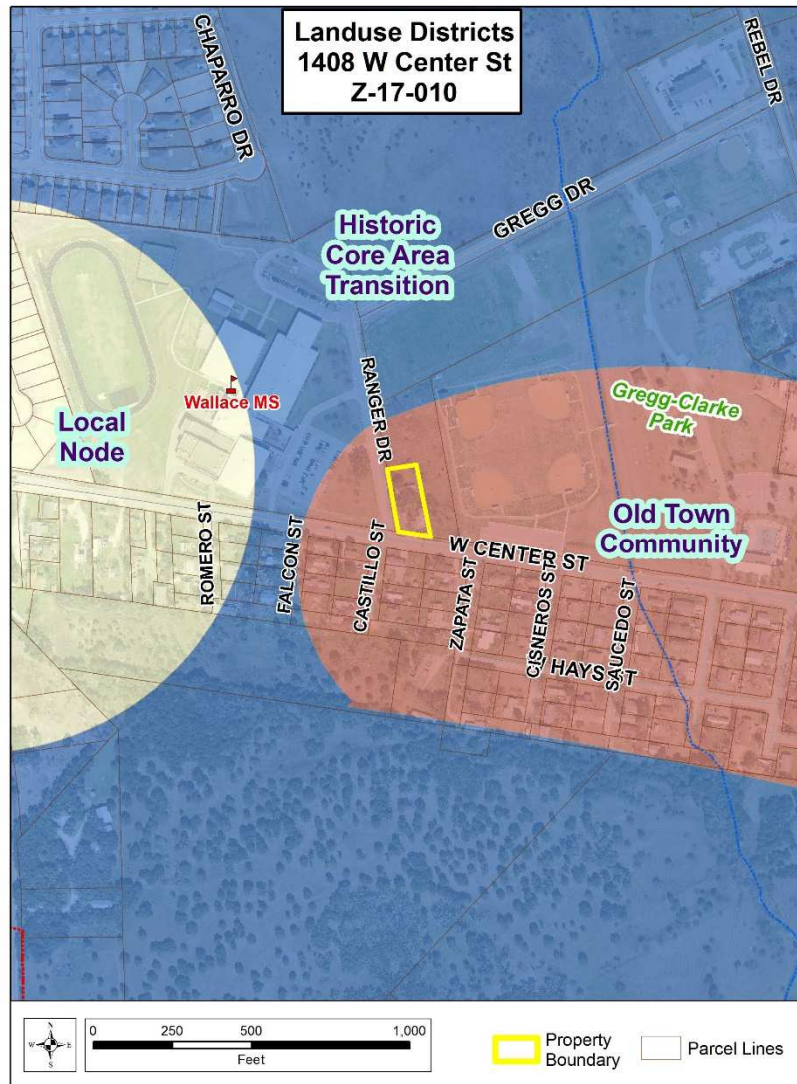
Sec. 53-1205 Amendments

(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 in the “Old Town District”. As of yet, the CC, or Community Commercial zoning district, is not recommended or conditional within this district. However, upon approval of updates to the plan, it is likely that the zoning category of CC will be a recommended land use.

Character: Development within the Old Town District follows the historic and regular street grid, which should be preserved while also encouraging appropriate infill development and redevelopment. Primary uses within this District are civic, specialty commercial, and residential. Significant features include I-35, the railroad, and the City Square. The Old Town District embodies community form, continuity, and scale. The scale of reference is a uniform Old Town block, reinforced by the regular street grid. In order to ensure smooth transitions and maintain this fabric, building height should not vary by more than two stories from the average height within any one block.

Intent: As the historic core of Kyle, the Old Town District must be re-established as the central community of the City. Specialized commercial activity, appropriate to the function of this historic area, should be encouraged. The form of the District should also be preserved and promoted, especially the street grid and historic building stock. Overall, this District should offer both local service commercial activities and residential uses in order to create a lively and livable area. In order for the Old Town District to truly function as the center of Kyle, clear access must also be provided to communities, landscapes, and nodes in order to knit the City together in a legible system. Additionally, new development in the Old Town District should span I-35, creating greater east-west connections. Uses in Old Town District are addressed in greater detail in the Downtown Revitalization Plan element of this Comprehensive Plan document.

Analysis

The property requested to be rezoned sits just inside the western border of the Old Town District, with Wallace Middle School sitting on the outer edge. Currently, the parcel is used as a garage/residence and is prime for redevelopment. This area is mostly single family residential on the south side of Center Street and public facilities (school, city park) on the north side. As the additional residential to the west, at the end of Center Street and along Old Stagecoach Road, continues to develop, this section of Center Street will gain a higher traffic count.

As previously mentioned, the CC zoning district is not currently found within the Old Town District. That being said, the CC zoning district is a good fit on this parcel. When this zoning district was codified, its purpose was to provide higher quality development in nodal or higher trafficked areas, while restricting uses as to better fit in with surrounding residential communities. Within Sec. 56-370 Community Commercial, there's exterior aesthetics that are required to followed, that hold development to a higher standard. The aesthetics are designed to follow traditional,

smaller scale, development. Below are examples of allowable uses and design standards, the latter considered at the time of site development.

Sec. 53-672. - Use.

The neighborhood commercial zoning district shall allow professional offices and small businesses serving neighborhood community needs. The following uses shall be permitted:

- Multi-family on the second floor and above shall be permitted by right regardless of base zoning;
- Bed and breakfast up to five rooms;
- Retail;
- Restaurant;
- Religious assembly;
- Art gallery;
- Child care center (outdoor playground allowed);
- Fire/police station;
- Professional office;
- Funeral home;
- Barber/beauty shop;
- Convenience/grocery store;
- Fuel station*;
- Nursing/retirement homes;
- Veterinarian - without outdoor boarding;
- Health and fitness center;
- Restaurant with drive-thru*;
- Financial institution w/ drive-thru banking.



Please keep in mind the above pictures are only an example, primarily of appropriate aesthetics, and the scale of the property will be smaller, due to the current size limitations of the property. This means by default, it will be at a more appropriate scale to the surrounding community. In addition, this zoning district has a cap of two stories (one story shall not exceed 14 feet) if it sits within 150 feet of residential use or residentially zoned property. Relating to site development, storm water regulations are required be followed. Increased runoff created from new development is not allowed to discharge at a greater rate than predevelopment conditions, as required by the State of Texas.

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. To help relieve the effects of unplanned/increased traffic, developers pay fees to help offset traffic impacts or they offer to upgrade portions of the surrounding road network in addition to improvements made to the parcel during development. Staff will work with applicable parties at the time of site development, to ensure appropriate infrastructure upgrades are implemented.

Additionally, with its proximity to Wallace Middle School, Gregg-Clarke Park and convenient access to nearby emerging residential (Stagecoach Forest, Cypress Forest, Brooks Crossing), more citizens will utilize Center Street and immediate area. This in

turn, may increase the demand for appropriate business supporting related after school programs, and retail/services. Furthermore, the development of the property adjacent to- and in proximity to public services (parks & public schools) reduces the reliance on the automobile in these areas while increasing desirability and value of the development.

Planning & Zoning Commission Recommendation

The request is appropriate to existing, surrounding land uses, and is expected to compliment the city's comprehensive plan. It is staff's request that the application for the CC zoning district should be considered and be favorably recommended for approval. Additionally, on Tuesday, May 9, 2017, the Planning & Zoning Commission recommended the petition be rezoned to NC or Neighborhood Commercial, a more restrictive zoning district. They voted 4-2.

Attachments

- Application
- Location map
- Surrounding Zoning Map
- Land Use Districts Map