



CITY OF KYLE

Community Development Department



MEMORANDUM

TO: Planning Commission

FROM: William A. Atkinson- City Planner

DATE: July 11, 2017

SUBJECT: Conditional Use Approval, Center Street Overlay District (CUP-17-003)

REQUEST

The applicant seeks to repaint a portion of the existing structure at 607 W. Center Street. The property is currently zoned CBD-1 and is designed to reflect the transition from higher density development (the traditional Kyle Downtown) to a more residential feel, further west on Center Street. The exterior aesthetic is broken into roughly three horizontal portions with the bottom section consisting of red brick. The middle section is yellow horizontal lap board, and the upper section consists of vertical and horizontal siding of a light tan, known as the color "Graystone". The applicant is requesting approval to repaint the middle "yellow" section to match the existing "Graystone" color pallet.

LOCATION

The building sits on a parcel at the southeast corner of W. Center Street and S. Meyer Street and is currently occupied by SiraTech and Custom Décor LLC.

CENTER STREET OVERLAY DISTRICT

The Center Street conditional use overlay district (the Center Street overlay district), Center Street is also known as Farm-to-Market Road No. 150, extends from the intersection of Center Street and 1-35 on the east to the intersection of Center Street and Rebel Drive on the west, and includes all real property within 200 feet from the centerline of Center Street; and all real property within all central business district-1 (CBD-1) and central business district-2 (CBD-2) zoning districts.

TEXT OF THE ZONING ORDINANCE

Sec. 53-896. - Standards for review.

- (a) The planning and zoning commission shall determine whether the application and project is consistent and compliant with the terms and intent of this division, this chapter, chapter 32, article II, pertaining to the site development plan, and all other codes and ordinances of the city. The planning and zoning commission will determine if the proposed use, occupancy and structure will promote, preserve, and enhance, and will not damage or detract from the distinctive character of the community; will preserve and protect property values and taxable values; will not be detrimental or inconsistent with neighboring uses and occupancies; will not be detrimental to the general interests of the citizens; and will not be detrimental to the public health, safety and welfare. In conducting its review, the planning and zoning commission shall make examination of and give consideration to the traffic flow, development density, neighboring historical designs, neighboring uses, and elements of the application, including, but not limited to:
- (1) Height, which shall conform to the requirements of this chapter;
 - (2) Building mass, which shall include the relationship of the building width to its height and depth, and its relationship to the visual perception;
 - (3) Exterior detail and relationships, which shall include all projecting and receding elements of the exterior, including, but not limited to, porches and overhangs and the horizontal or vertical expression which is conveyed by these elements;
 - (4) Roof shape, which shall include type, form, and materials;
 - (5) **Materials, texture, and color, which shall include a consideration of material compatibility among various elements of the structure;**
 - (6) Compatibility of design and materials, which shall include the appropriateness of the use of exterior design details;
 - (7) Landscape design and plantings, which shall include lighting and the use of landscape details to highlight architectural features or screen or soften undesirable views;
 - (8) Vehicular and pedestrian access, which shall include location, width, and type of surface for all points of ingress and egress;
 - (9) Signage, which shall include, in addition to the requirements chapter 29, pertaining to signs, the appropriateness of signage to the building in relation location, historical significance of the structure and neighboring structures, traffic visibility; obstruction of views from neighboring property;
- (b) The planning and zoning commission may request from the applicant such additional information, sketches, and data as it shall reasonably require. It may call upon experts and specialists for testimony and opinion regarding matters under examination. It may recommend to the applicant changes in the plans it considers desirable and may accept a voluntary amendment to the application to include or reflect such changes. The planning and zoning commission shall keep a record of its proceedings and shall attach to the application copies of information, sketches, and data needed to clearly describe any amendment to the application.
- (c) If the conditional use permit is granted by the planning and zoning commission, the applicant shall be required to obtain a building permit and/or a development permit, if required, provided all other requirements for a building permit and/or a development

permit are met. The building permit and/or a development proposal as approved shall be valid from one year from the date of approval. The planning and zoning commission may grant an extension of the one-year limitation if sufficient documentation can be provided to warrant such an extension.

Sec. 53-421. - Building facade requirements. (CBD-1)

All new buildings constructed within this district, and all existing buildings refurbished or reconstructed within the district, shall be constructed and maintained in the same or consistent architectural style as those buildings found within the district.

STAFF ANALYSIS

Staff has reviewed the request and has made the following findings:

1. The proposed repaint meets the intent and requirements in Sections 53-892(3) (The Center Street Overlay District) and 53-893(a)(2):
 - (53-893(a)(2)) If such work requires any additional curb cut, or the reconstruction, enlargement, remodeling, or **alteration of the exterior design**, material, finish grade line, landscaping, or orientation of the structure.
2. The type of paint and specific color is available in the CUP application submitted;
3. The paint color should be approved, due to limited requirements (no specific colors required) spelled out in the Center Street Overlay District and the idea that the color scheme fits well with the surrounding built environment (CBD-1 façade requirements).

ATTACHMENTS

1. Exterior elevation photographs
2. Site plan
3. Application submittal