

Property Location	24801 N. IH-35, Kyle, TX 78640
Owner	Edward R. Coleman F.M. 158 Land, LTD PO Box 5555 Austin, TX 78723
Agent	Stephen Ramsey, P.E. Ramsey Engineering, LLC 3206 Yellowpine Terrace Austin, TX 78757
Request	Rezone 38.78 acres E (Entertainment) to W (Warehouse)

Vicinity Map



Site Description

The site is located on land previously used as a racetrack/entertainment venue and is currently zoned E or Entertainment. The parcel is situated on the northbound IH-35 access road, with a significant majority of the property immediately behind Roger Beasley Hyundai and just north of Yarrington Road. Existing land uses include agriculture, industrial/mining to the southeast. Warehouse uses and a manufactured home subdivision lie to the north. I-35 lies to the west, along with R/S zoning across the highway. This parcel is suited for highway development due to proximity to IH-35 and the relatively flat topography of the area.

The applicant seeks to rezone the property from E (Entertainment) to W (Warehouse).



Current Zoning

E (Entertainment)

Sec. 53-584. - Purpose and permitted uses.

The entertainment district E allows general entertainment businesses from amusement parks to golf courses as provided in section 53-12300.

Requested Zoning

W (Warehouse)

Sec. 53-527. - Purpose and permitted uses.

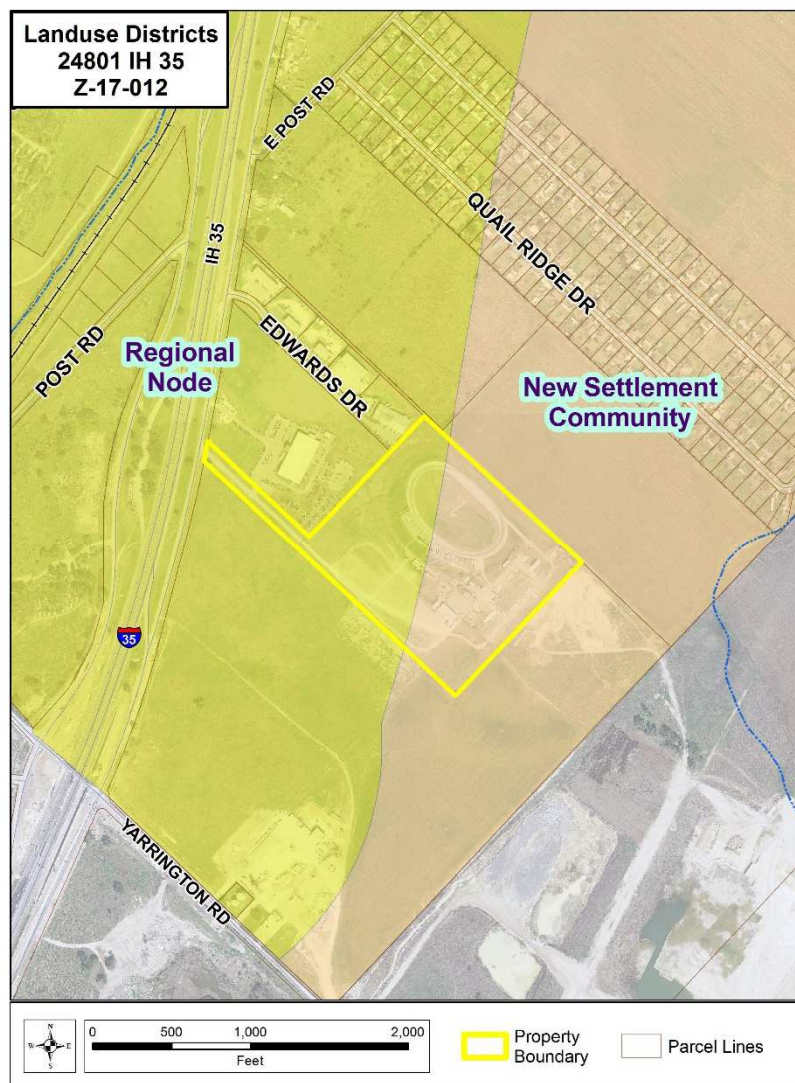
- (a) The warehouse district W is designed to provide locations for outlets offering goods and services to a targeted segment of the general public as well as industrial users.
- (b) The permitted uses include those that primarily serve other commercial and industrial enterprises and do not include any use listed in the construction and manufacturing district CM, in [division 19](#) of this article. No building or land shall be used, and no building hereafter shall be erected, maintained, or structurally altered, except for one or more of the uses hereinafter enumerated.
- (c) Any use permitted in district CBD-1, CBD-2, RS and this district as provided in [section 53-1230](#).

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 both in the “Regional Node” and the “New Settlement Community District”.

Regional Node

'Character': Regional Nodes should have regional scale retail and commercial activity complimented by regional scale residential uses. These Nodes should represent the character and identity of Kyle, and signal these traits to the surrounding community. Regional Nodes have a radius of approximately 1/3 of a mile so that they are walkable, but are able to contain a greater range of uses at a larger scale than those found in Local Nodes. Appropriate uses may include grocery stores, retail shopping centers, multi-family housing, and municipal services, such as libraries and recreation centers. Regional Nodes are scaled and designed as activity centers where users not only secure goods and services, but also congregate and remain for extended periods, unlike Local Nodes which are designed around quick turnaround convenience retail. The Regional Nodes located along I-35 at the northern and southern boundaries of Kyle should be designed as entryways into Kyle with elements that are symbolic of Kyle and serve to attract I-35 travelers into Kyle. Transitions between Regional Nodes and surrounding districts must be carefully constructed to avoid abrupt shifts in land uses. Trails and sidewalks should be present throughout all Regional Nodes and should connect to surrounding neighborhoods.

'Intent': The primary goal of the Regional Nodes is to capture commercial opportunities necessary to close Kyle's tax gap. To achieve this goal, these Nodes should draw down upon anticipated regional growth and aggregate density to enhance value and activity levels in a concentrated and visible location. Regional Nodes should provide a mixture of uses that compliments regional commercial activity, as well as encourage high density residential development. These Nodes should respond to other regional areas of growth, specifically along I-35 and FM 1626, and to grow toward Hwy 21, SH 45 and SH 130. The anchor of each Regional Node should be regional commercial uses, and Regional Nodes should have a high level of development intensity.

New Settlement Community District

'Character': The New Settlement District is comprised primarily of farm fields and new residential developments that are being carved out of former farm fields in an area that stretches across the city's southern-most region, from Old Stagecoach Road on the west, across I-35 toward the east, to the western border of the Plum Creek Riparian Landscape. The character of the district is as diverse as the district is expansive, as the New Settlement District spans the largest portion of the southern region of Kyle. For this reason, owing to such a diverse cross-section of Kyle's landscape, the character of the district is defined more by the function of the streets and neighborhoods that serve any particular block being examined, and less by the multiple landforms characteristic of the region as a whole. Northwest to southeast roadway patterns are strong, while northeast to southwest connections are lacking. Traditional residential enclaves predominate in the New Settlement District, aggregated in neighborhoods of unique housing forms. Some landscapes are bisected by I-35, others are permeated by feeder creeks and tributaries

which should require heightened standards for physical development going forward. The region is dominated by legacy agricultural lands which feature old growth stands of trees and sparse one-family residences. However, there are areas experiencing significant development pressures to fulfill the current need for single family residential, and with few barriers to development, the region is growing popularity for new housing, held back in the western region by the large portion of the district being under-served by public waste water utilities. Private and public spaces are clearly separate, with the public domain by shared neighborhood amenities and the private domain defined by privatized landscapes. Acreage tracts abound in the Districts, some of which are uniquely suited for high turnover, high density retail and service uses by their location close to available roadways and wet utilities. Other properties are not yet ripe for development for their location along under-performing roadways, or from being so far removed from sewer and/or sufficient water supply. Public space is not encroached on by private functions. The New Settlement District has a lower density and intensity of development than the adjacent Mid-Town District, and the open character of the landscape removed from the interstate corridor, should evoke the agricultural heritage of the District. Physical and visual portioning and division of land should be avoided where possible in this District.

'Intent': The flat land and large parcel size in the New Settlement District result in a high level of development potential, which is beginning to be realized through market-driven demand for new housing stock. The City of Kyle should seek to capitalize on this “developability”, while emphasizing community amenities, enhancing the neighborhood lifestyle through shared spaces, and improving connectivity within and without the District. The unique water features, such as creek ways and detention/retention facilities, in the New Settlement District should be utilized as form-giving elements and corridors for connections. Future development will occur along the roadways best suited for access, and in the best proximity to the emerging water and wastewater infrastructure expansion planned for in the city’s capital improvement plan. Use patterns should be established that complement residential development and facilitate beneficial land use transitions. In this way, the New Settlement District should serve as a transition between the higher intensity of use within the core Districts and the low intensity of use of the Farm District.

Current Land Use Chart

Regional Node

Recommended Zoning Categories: R-1-C, R-3-2, R-3-3, CC, NC, MXD

Conditional Zoning Categories: CBD-1, CBD-2, E, HS, R-3-1, O/I

New Settlement

Recommended Zoning Categories: O/I

Conditional: E, R-1-A, R-1-1, R-1-2, R-1-3, R-1-C, R-1-T, R-2, T/U, UE, NC, CC, MXD, R/S, W

2017 Comprehensive Plan Update

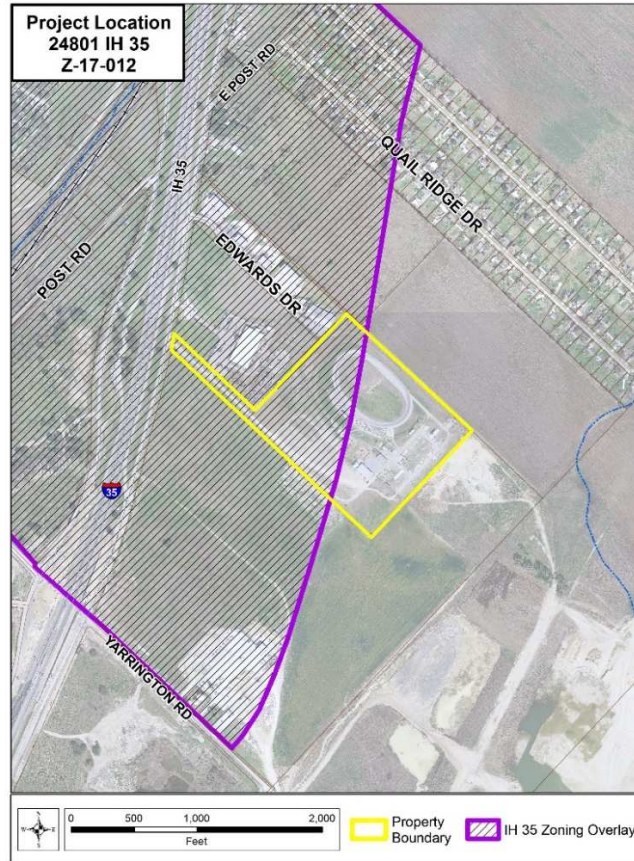
With the City Council's acceptance of the 2017 Comprehensive Plan Update, the "W" zoning district is recommended conditionally within current boundaries of the New Settlement District.

Analysis

The property requesting to be rezoned is sited along the northbound side of IH-35 between Yarrington Road and Edwards Drive, behind Roger Beasley Hyundai. Existing parcels zoned for Warehouse uses are immediately adjacent to the west and in close proximity to the northwest, on Edwards Drive. In June of 2017 the Kyle City Council approved updates to the 2017 Comprehensive Plan update. This includes the Warehouse zoning district as a conditional use to be considered in the 'New Settlement District'. The parcel requesting the rezoning, has approximately 47% of its area in the 'Regional Node' (along IH-35) and the remaining 53% in the 'New Settlement District'. As stated in the 'Character' section for the Regional Node, "transitions between Regional Nodes and surrounding districts must be carefully constructed to avoid abrupt shifts in land uses." This means that the future use of the property will need to provide some sort of transitional buffer as to ensure appropriateness of the design for the property, as it makes the transition from the 'Regional Node' to the 'New Settlement District'. This would be accomplished at both the site plan level and elevation renderings that would be required to be submitted (I-35 Overlay District).

As it straddles both districts and receives access to IH-35 from a narrow neck of land (essentially a driveway and not suitable for development), this creates a situation where the property is suited for warehouse uses, when one considers how far the usable property is setback from the highway and the adjacent land uses. Additionally, the existing built environment of the property includes structures that would not be out of place in a Warehouse zoned district. Prior to allowance of additional structures built, designs would have to be reviewed by staff to ensure compliance with the I-35 Overlay District design standards.

I-35 Overlay Map



Reviewing the Kyle Connected Transportation Master Plan, it is determined that the parcel will not likely need dedication of public right-of-way (IH-35). Furthermore, any development will be required to detain additional stormwater run-off, that is created as a function of development.

Recommendation

In conclusion, staff supports the rezoning to W (Warehouse). On July 11, 2017, the Planning & Zoning Commission vote 3-2 to recommend approving the zoning change to Warehouse. Staff asks the Mayor & Council to give a favorable vote, to approve the zoning change.

Attachments

- Application
- Location Map
- Land Use Districts Map