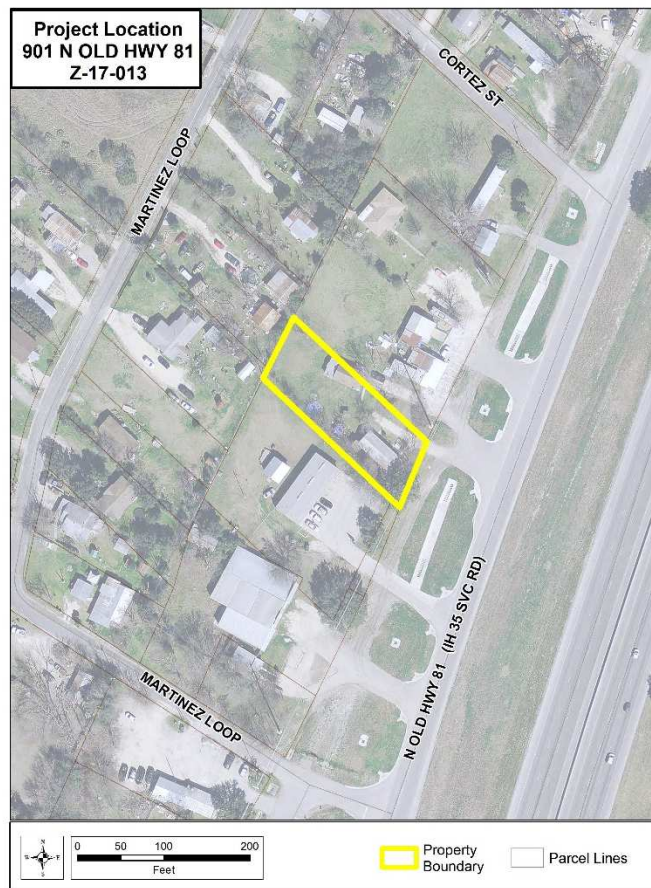


Property Location	901 N. Old Hwy 81, Kyle, TX 78640
Owner	Maria Castillo (Life Estate) c/o Castillo Real Property Trust 907 N. Old Hwy 81 Kyle, TX 78640
Agent	Joe R. Castillo 907 N. Old Hwy 81 Kyle, TX, 78640
Request	Rezone .30 Acres, from R-1 to R/S

Vicinity Map



Site Description

The site is located on land with a single-family residence and is currently zoned R-1 (Single Family Residential). It is bordered on the west by R-1 zoned properties and Martinez Loop. To the north and adjacent to the property, existing R/S zoning is in place. R-1 lies to the north as well. Immediately to the east is I-35 with R/S zoning across the highway. To the south and adjacent to the parcel R/S zoning exists with R-1 surrounding. 901 N. Old Hwy 81 is sited approximately 320 feet north of the intersection of I-35 and Martinez Loop.

The applicant seeks to rezone the property from R-1 to R/S, the Retail/Services zoning category allowing 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 “Core Area Transition District”. The Retail/Services zoning designation is a recommended use within this district. The 2017 update to the Comprehensive Plan continues R/S as a recommended use in the “Core Area Transition District”.

Recommended: E, **R/S**, CC, NC, MXD, O/I,
 Conditional: HS, R-1-A, R-1-T, R-1-C, R-3-2, R-3-3

Core Area Transition District

‘Character’:

The Core Area Transition District currently consists primarily of commercial and light industrial uses, with some residential uses. Key defining features include Old Highway 81, North Burleson Street, Marketplace Avenue extension, I-35 and frontage roads, and the railroad. This District is important as a transitional zone between largely residential areas and the commercial uses along I-35 and as a portion of Kyle that is visually significant to travelers along I-35. The character of the District should reflect its urban and transitional intentions. The land area of this District is relatively small, and there are many physical barriers, so land uses should be compact and aggregated, especially residential uses. Vertically mixed-use development models are well suited to this District, and development should be located close to roadways, with minimal front yards, to maximize available land and visibility from main roads. Adequate land use transitions should be provided to avoid conflict between different land uses (i.e. residential adjacent to industrial).

‘Intent’:

With its highly visible position in the middle of the City, the Core Area Transition District should be an urban environment that serves an identifying function for the City of Kyle. By acting as an area of functional linkage for the City, the District can connect vehicular and pedestrian movement, economic centers, and visually defining elements. The built fabric should display a transition from the small-scale grid pattern of Downtown to the large plate design of the Super Regional Node. As this District develops, it should serve to create a consistent fabric that links Downtown and the Super Regional Node, encouraging the expansion and strengthening of Kyle’s core, as well as the city’s most likely transition region to develop employment centers on land historically not operating at its highest and best use. Additionally, Plum Creek passes west to east through the middle of the Core Area Transition District, and this significant natural feature should be developed with appropriate sensitivity, and accessible via trails and open spaces once completed.

Analysis

The property requesting to be rezoned is sited in an area that is traditionally a low intensity, stable residential neighborhood. This area only has two access points onto I-35 from Martinez Loop and Cortez Street, except for properties directly adjacent to I-35. Some property zoned R/S (Retail/Services) exists along I-35.

The parcel related to this zoning petition is entirely within the “Core Area Transition District”. While the character and intent of the character area strongly encourages compact, mixed-use development (residential over retail), this particular parcel is appropriate for R/S. The parcel has two separate zoning designations. One, a narrow area zoned for R-1, is wedged between the remainder of the property to the north (zoned R/S) and a separate parcel to the south. The property to the south is currently zoned for Retail/Services. In this instance, to zone to any other recommended zoning

district would be a difficult proposition to a developer, due to the lack of room available. Enabling the rezoning to R/S may also be more attractive to commercial development, especially when a parcel has one zoning designation, versus the current two designations.

The section of the property fronting the I-35 access road has sufficient access to the highway, sharing two driveways with the rest of the property and allowing for commercial traffic. Additionally, more development will create increased storm water runoff. As required by the State of Texas and the City of Kyle, adequate storm detention will be required at time of development.

The rezoning of the property carries multiple advantages. One, its location along the I-35 frontage road. Two, proximity to property zoned for Retail/Services, and three, that Retail/Services is a recommended use for the “Core Area Transition District”. The rezoning of this parcel from R-1 to R/S is appropriate for the City of Kyle and the development of the area.

Recommendation

At the August 8, 2017 Planning & Zoning Commission Meeting, the Commission voted 5-0, approving the recommendation to allow the zoning to change to R/S. Staff asks the Mayor and Council to make a positive vote, approving the zoning change.

Attachments

- Application
- Location Map
- Surrounding Zoning Map
- Land Use District Map