

Property Location	Lot 2B of The Hill Replat of Lots 1 & 2, Creekside Trail Kyle, Texas 78640
Owner	KCW Interests 3, LLC & FHC Consolidated
Agent	Gary Whited 19809 Lake Hurst Loop Spicewood, TX 78669
Request	Rezone 2.36 Acres R/S (Retail/Services) to R-3-3 (Apartments Residential 3).

Vicinity Map



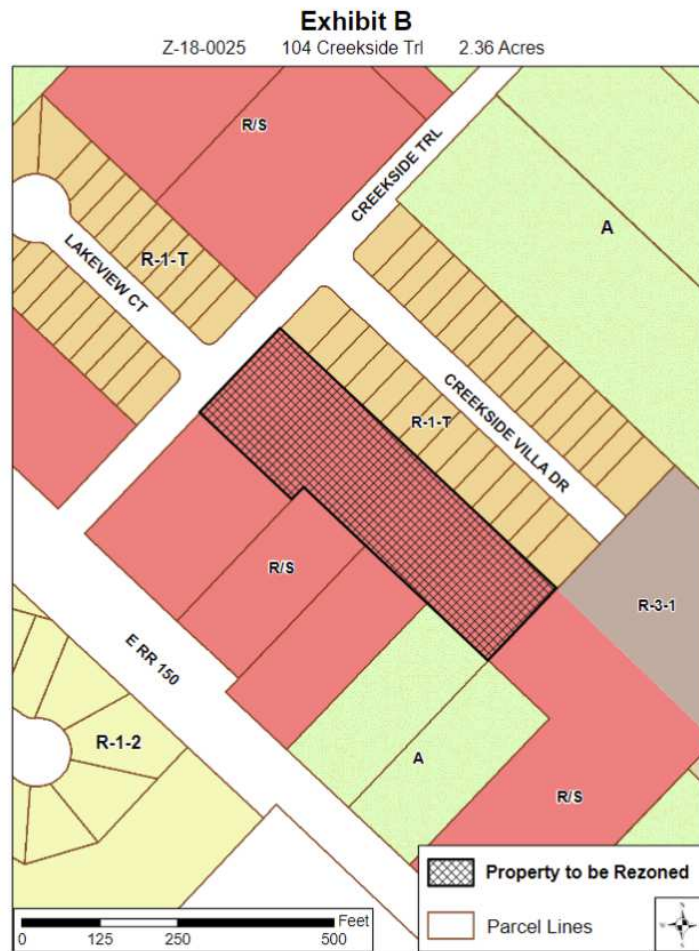
Site Description

The site located on separate parcels, zoned for R/S (Retail/Services) and totaling 2.36 acres. The location is currently undeveloped, or considered a green field. To the north of the property are homes with zoning of R-1-T (Townhomes, Creekside Villa Drive). Northeast of the property is approximately 2.20 acres zoned for R-3-1 (Apartment Residential 1). To the east and southeast, lies property zoned for Retail/Services (R/S) and Agriculture (A). Immediately south are parcel zone for (R/S, Fuel and Convenience Store) and to the west, properties are zoned (R/S) and (R-1-T, Townhomes at Lakeview Court). To the northwest lies a parcel zoned for (R/S) and is used as a senior assisted living facility. The proposed multifamily parcel (R-3-3) would encompass 2.36 acres.

The applicant seeks to rezone the property from R/S to the R-3-3 (Apartment Residential 3) zoning category allowing the following;

“Sec. 53-292. - Purpose and permitted uses.

The multifamily residential district R-3-3 permits typical apartment development with buildings not exceeding three stories, nor more than 28 units per buildable acre, and with apartments or units having a minimum living area of 500 square feet; provided that not more than 25 percent of the units in any such apartment development or project shall have less than 750 square feet of living area.”



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 substantially in the “Local Node” immediately east of the FM 150 E and Creekside Trail intersection. The remainder of the property is the “New Settlement Community”. The R-3-3 zoning district is a recommended use in the Local Node. The New Settlement Community district does not recommend or conditionally allow the use.

Local Node

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

Conditional: R-1-T, R-3-1, R/S

New Settlement

Recommended: 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

Local Node

'Character':

Some Local Nodes occur at existing intersections, where a greater intensity of use should be fostered to take advantage of the benefits conferred by that intersection. Other Local Nodes are located at points where new corridors will create significant local intersections in the future. Local Nodes should be comprised of neighborhood-scale retail uses, small public gathering spaces, such as plazas, playgrounds, and trails, and some higher intensity residential opportunities where appropriate. Local Nodes should be designed to serve the local population living within or adjacent to the individual Node. For this reason, Local Nodes should provide goods and services that enhance convenience and, therefore, quality of life for local residents. A central gathering location should be created within each Local Node to foster a sense of community for the surrounding residents.

Intent':

The anchor of each Local Node should be service retail, and, of all the Nodes, the Local Nodes should have the lowest level of non-residential development intensity. General goods and services required on a daily basis by residents should be located in Local Nodes, including small food markets, restaurants, banks, and small shops. These Nodes should be connected to the surrounding communities with sidewalks and trails to encourage walking, minimize traffic congestion, and increase safety.

Analysis

The property requesting to be rezoned is sited in an area that is likely to develop from low intensity residential (Agriculture zoning) into a higher intensity area of commercial and residential activity, with the future growth along E FM 150 and Creekside Trail. The project associated with the requested zoning is roughly 300 feet north of the intersection of E FM 150 and Creekside Trail. The parcel is situated between the Speed In Food Mart and the existing townhome development on Creekside Villa Drive. Additionally, the City of Kyle shows Creekside Trail to be improved and extended across Plum Creek (to the north) in the future.

Per the 2017 Comprehensive Plan, the R-3-3 zoning district is a recommended use in the Local Node. The site requesting to be rezoned straddles the Local Node and the New Settlement Community. Approximately half (1.18 acres) of the 2.36-acre site is inside the boundaries of the Local Node. This is important, because while the New Settlement Community does not have a provision for multi-family development, there are times where certain uses would be appropriate. When reviewing the Comprehensive Plan staff also, when appropriate, considers the idea of a “fuzzy line” or rough boundary, relating to land use districts. The Local Node shown on the Comprehensive Plan is offset and to the east of the intersection of Creekside Trail and E FM 150, when it should be centered on the intersection (current development proves this idea).

Another idea to consider, especially related to higher density areas (nodes), is the transect zone concept. This helps establish a standard “ramp up” from rural development to nodal development, regarding intensity of land use. Per the diagram below the proposed zoning change would fit into the “T4-General Urban Zone”, allowing for small-lot single family homes, apartments, mixed use, and locally run shops. This zone would also be where townhome development would begin to appear (Creekside Villa Drive & Lakeview Court). Currently, Creekside Trail is mostly somewhere between T2 & T3 zones (mostly 2 to 5-acre parcels, with a handful of 5+ acre parcels) and the T4 zone within 1,000 feet of the main intersection. This distance for the specific development pattern (T4 zone) on Creekside Trail is consistent with the range of the Local Node (1/4 to 1/6 of a mile).



Additionally, while multi-family has higher densities per acre generally, the limited acreage (2.36 acres) is really a small amount of land relating to this type of development. Typically, multi-family is built by larger scale developers, looking for larger tracts (7 to 10-acre sites, minimum). The smaller size of the tract might indicate a developer who wants to hold onto the project for a substantial amount of time, to generate appropriate return on investment. This also suggests that the developer will place a higher priority on design and maintenance of the project, ensuring upkeep and maintaining property values.

As a side note, the amount of vehicular traffic generated (SFR- 9.52 daily trips vs. MF- 6.65 daily trips per dwelling unit) and wastewater use per current infrastructure will not add likely be a significant burden on existing infrastructure, given the small geographical size of the parcel. Furthermore, compact and higher density development is, to a higher degree fiscally prudent, as opposed to single-family residential. Higher density development requires less public utilities to be installed/maintained and generally property tax revenue exceeds utility maintenance costs.

Recommendation

When considering all the 2017 Comprehensive Plan, the proximity to the aforementioned intersection and transect zones, staff supports the rezoning to the R-3-3 zoning district. At the April 10, 2018 Planning & Zoning Commission meeting, the Commission recommended changing the rezoning from R/S to R-3-3 (voting 6-0). Staff asks the Mayor and Council to vote to approve the zoning change.

Attachments

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