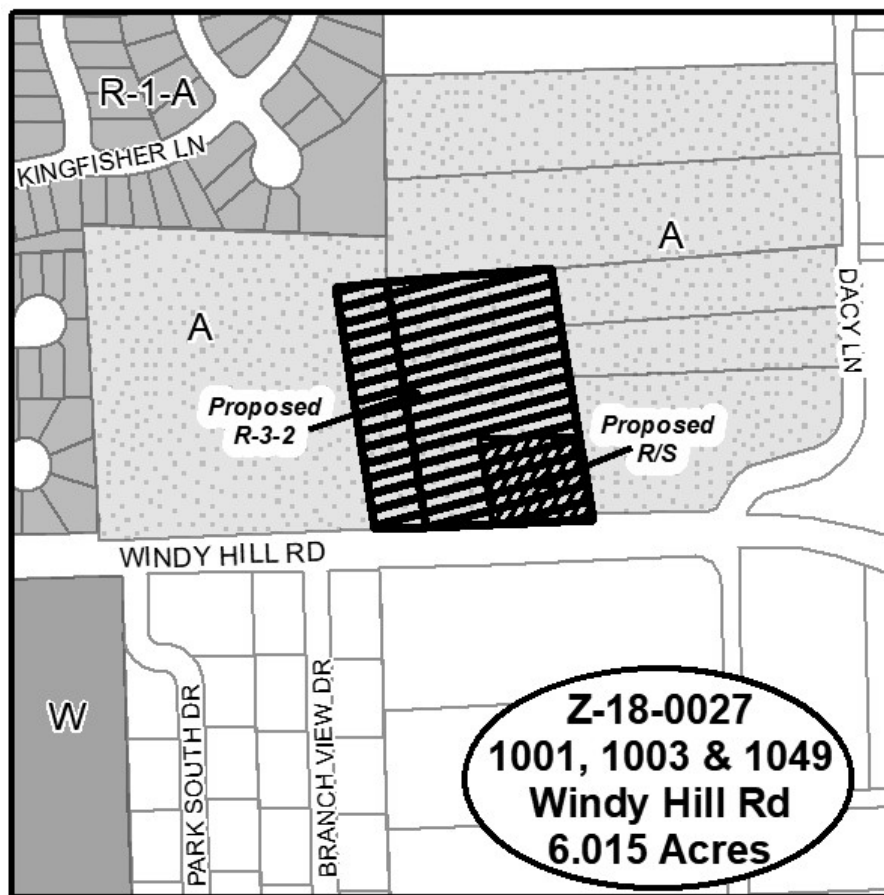


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Property Location	1001, 1003 & 1049 Windy Hill Road, Kyle, Texas 78640
Owner	Asifali Karowalia 1095 Windy Hill Road, Kyle, TX 78640
Agent	Scott Sellers, City Manager City of Kyle, 100 W. Center Street
Request	Rezone 6.615 Acres, A to R-3-2 (Apartment Residential), R/S (Retail/Services)

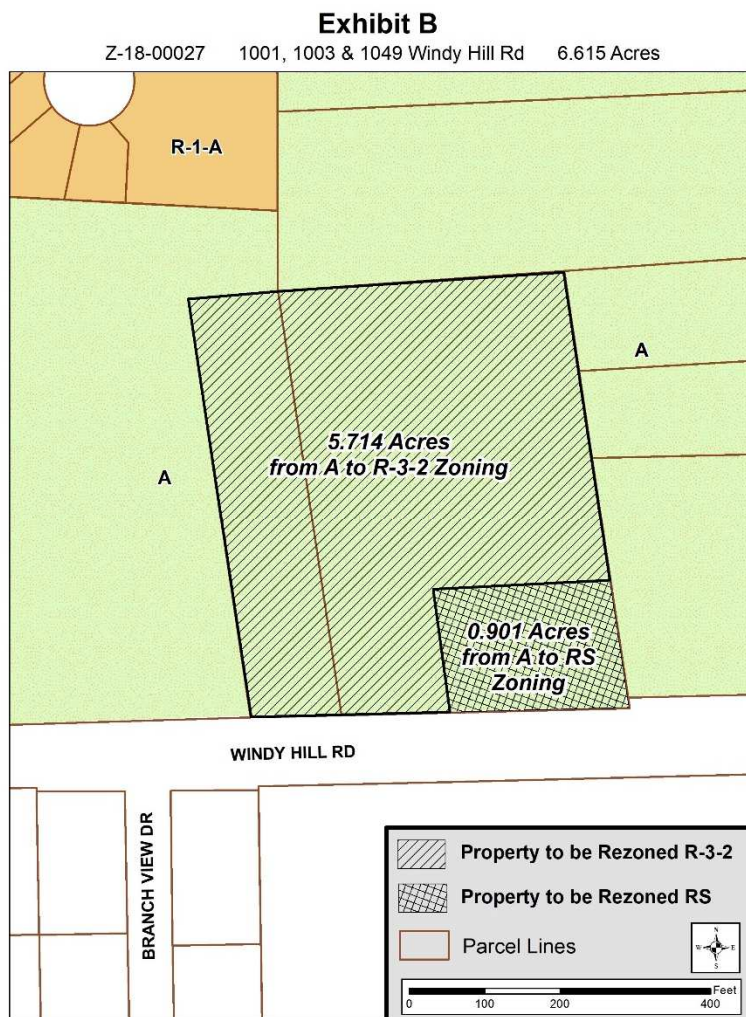
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### Vicinity Map



## Site Description

The site comprises two separate parcels, both zoned A (Agriculture), totaling 6.615 acres. The location is mostly undeveloped, with remnants of farm outbuildings. To the north of the project is area zoned R-1-A (The Meadows of Kyle), a single family residential community. To the east and northeast lie properties zoned A (Agriculture) and has a mix of agricultural and single-family residential uses, along with a fueling station and convenience store/retail strip center. To the south are properties outside the city limits, in Hays County. Uses include manufacturing and one or two single family residences. To the west is land zoned A (Agriculture) with a single-family residence. The proposed multifamily parcel (R-3-3) would encompass 5.714 acres and the R/S (Retail/Services) portion would be .901 acres, totaling 6.615 acres.



The City of Kyle seeks to rezone the property from A to R-3-2 (Apartment Residential) and R/S (Retail/Services) zoning categories, allowing the following;

**“Sec. 53-261. - Purpose and permitted uses.**

The multifamily residential district R-3-2 permits typical apartment development with buildings not exceeding three stories, nor more than 21 units per buildable acre, and with apartments or units having a minimum living area of 400 square feet; provided that not more than 25 percent of the units in any such apartment development or project shall have less than 500 square feet of living area."

**“Sec. 53-480. - Purpose and permitted uses.**

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., and the retail sale of goods and products..."

The City of Kyle and Asif Karowalia executed a settlement agreement allowing the development of the property in the manner associated with the proposed zoning, on April 30<sup>th</sup>, 2018.

**Recommendation**

As prescribed in the settlement agreement (attached to this memo), the City of Kyle is initiating the rezoning of these properties. At the June 12<sup>th</sup>, 2018 the Planning & Zoning Commission voted to favorably recommend (7-0) the R-3-2 and R/S zoning districts as proposed and allowed per the settlement agreement.

**Attachments**

- Settlement Agreement