

Property Location	Lot 1-A, Block A, Second Replat of Kyle Towne Center, Lot 1, Block A, Kyle, Texas 78640
Owner	Sterling/Babcock & Brown LP 2718 Fairmont Street Dallas, Texas 75201
Agent	Jackson Roche Cerro Development, Inc. 500 W 5 th , Ste 700 Austin, TX 78701
Request	Rezone 14.36 acres R/S to R-3-3

Vicinity Map

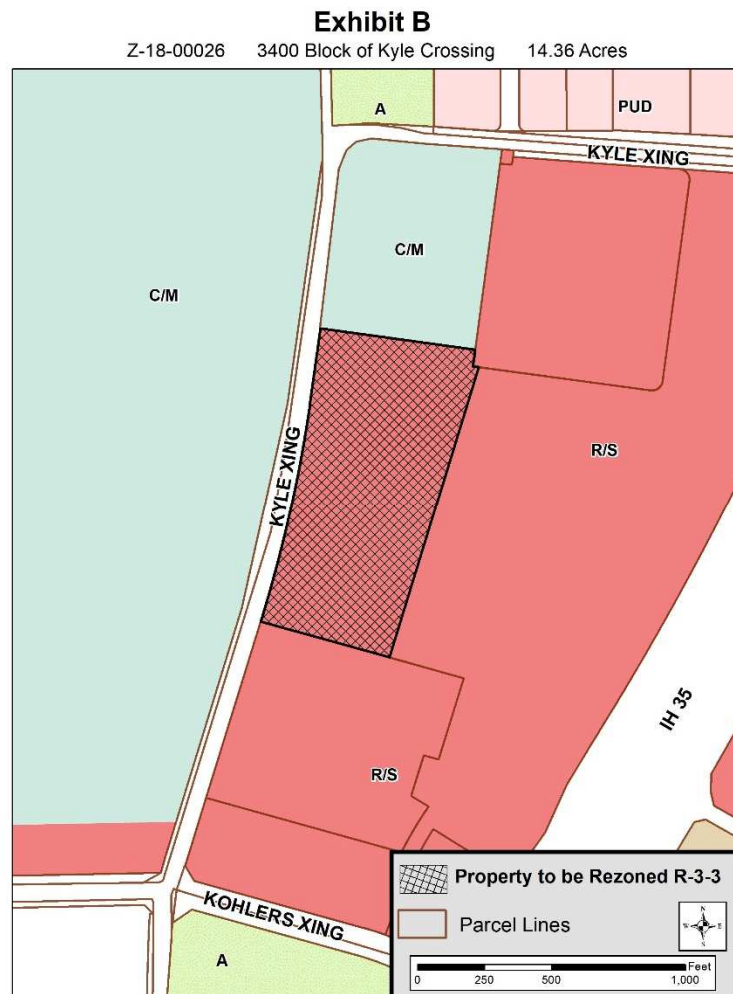


Site Description

The site is located on undeveloped land and is currently zoned R/S (Retail/Services). It is bordered on the west by Kyle Crossing with Texas Lehigh Cement Company (C/M) owning the property across Kyle Crossing. To the north, zoned for C/M (Construction/Manufacturing) is Image Microsystems, and to the northeast, zoned for R/S, lies Home Depot. To the east, between the proposed parcel and IH-35, lies the remainder of the tract (approximately 51 acres, zoned R/S). To the south is EVO Entertainment (zoned R/S).

The applicant seeks to rezone the property from R/S to R-3-3, the Multi-family category allowing for the following:

“...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 in both the “Regional Node” and the “New Town Community District”. A significant majority of the parcel is in the Regional Node. It is recommended that the R-3-3 zoning district be recommended for approval in both land use districts.

Regional Node

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

Conditional: CBD-1, CBD-2, E, H/S, R-3-1, O/I

New Town Community District

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

Conditional: E, A, C/M, R-1-A, R-3-1, RV, T/U, UE, HS, W

Regional Node

'Character': Regional Nodes should have regional scale retail and commercial activity complemented 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 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 complements 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 growth 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.

Analysis

The site proposed to be rezoned to R-3-3 is located along the IH-35 corridor and primarily within the Regional Node. A small portion is in the New Town Community district. The zoning district is recommended in both districts with the update to the City of Kyle's 2017 Comprehensive Plan. The 14.35 acres faces Kyle Crossing, in between EVO Entertainment and Image Micro Systems. The site will allow for approximately 315 residential units. Water will be provided by Monarch Utilities LP and wastewater by the City of Kyle.

The character of the Regional Node, especially along IH-35, is primarily utilized for commercial development. However, higher density residential uses (R-3-2, R-3-3, R-1-C, MXD) are recommended and should be expected in association with commercial uses. A majority of the site (approximately sixty-five (65) acres) is ideal for highway commercial, but the area proposed for apartments may be a good spot for a developer to build high density residential. This area is far removed from IH-35 and any major intersection, and high turnover retail tends to have better success with higher visibility (closer to the highway).

Additionally, this provides an opportunity for the residential component to have dual frontage, facing onto Kyle Crossing and into the commercial development. Any portion of future development of the site will provide for appropriate transitions between land uses. The transition would be designed at the site plan time frame. Tied to this idea, the development of apartments along Kyle Crossing should not also place an undue traffic burden onto Kyle Crossing. As a side note, the Kyle Crossing reconstruction project is likely to be released for bid in late 2018 or early 2019. Road improvements will be sufficient for the increase in vehicular traffic stemming from the apartment project.



The Institute of Traffic Engineers manual allows on average, 6.65 trips daily (per residential unit). Total vehicular trip generation for 315 units will be estimated at 2,095 (daily). Access from the apartments will be from Kyle Crossing, through the future retail development, and the EVO tract as well. Adequate traffic circulation is expected and will be designed appropriately at the time of site review.

Recommendation

Staff supports the rezoning of the 14.36 acres from R/S to R-3-3 as recommended in the City of Kyle 2017 Comprehensive Plan. At the June 12, 2018 Planning & Zoning Commission Meeting, the Commission voted 7-0 to delay the vote until the next voting meeting. The Commission had concerns relating to Texas Lehigh Cement Company's protest letter. Concerns included noise and vibrations from mining activities (resident's complaining), as well as the potential for violating the development agreement between Texas Lehigh Cement Company and the City of Kyle. Staff is working to research conflicts in regard to the development agreement.

Attachments

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