



# CITY OF KYLE

## Community Development Department

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### MEMORANDUM

**TO:** Mayor & City Council

**FROM:** Will Atkinson – Director of Planning

**DATE:** Tuesday, December 6, 2022

**SUBJECT:** Downtown Masterplan

#### **City Charter Comprehensive Plan Ordinance**

##### Sec. 10.03. - Comprehensive Plan Adoption and Amendment.

“The comprehensive plan, or elements or portions thereof, shall be initially prepared and drafted by personnel and/or consultants authorized by the council, under the supervision of the city manager who shall coordinate development of the plan with the planning commission and the council. A draft of the comprehensive plan shall be submitted to the planning commission which shall hold a minimum of two public hearings on such plan and make recommendations for the approval of the plan, with or without amendments. The planning commission shall then forward the proposed comprehensive plan or element or portion thereof to the city manager, who shall thereupon submit such plan, or element or portion thereof, to the council with the planning commission's and the city manager's recommendations thereon. If the proposed comprehensive plan has not been adopted within two years from the effective date of this charter, the proposed plan as it then exists will automatically become the City's comprehensive plan.

“The council may adopt, or adopt with changes or amendments, the proposed comprehensive plan or any element or portion thereof, after one or more public hearings. The council shall act on such plan, element or portion thereof, within ninety (90) days following its submission. If such plan or element or portion thereof is not adopted by the council, the council shall, with policy direction, return such plan or element thereof to the planning commission, which may modify such plan or element or portion thereof, and again forward it to the city manager for submission in like manner to the council. Amendments to the comprehensive plan may be initiated by the council, the planning commission, or the city manager; provided that all amendments shall be reviewed, considered and recommended for adoption in the same manner as for the original adoption of the comprehensive plan.

“Upon the adoption of a comprehensive plan or element or portion thereof by the council, all land development regulations including zoning and map, subdivision regulations, roadway plan, all public improvements, public facilities, public utilities projects and all city regulatory actions relating to land use, subdivision and development approval shall be consistent with the comprehensive plan, element or portion thereof as adopted, except to the extent, if any, as provided by law. For purposes of clarity, consistency and facilitation of comprehensive planning and land development process, the various types of local regulations or laws concerning the alteration, development and use of land may be combined in their totality in a single ordinance or code.”

## **Summary**

In early 2022, BGK Architects began the process of creating the City of Kyle's Downtown Masterplan. This plan is robust, provides a well written narrative and expected architectural standards for Downtown Kyle. There were two public outreach events (Earth Day at Mary Kyle Hartson Park) and Movie in the Park (Gregg-Clarke Park), which helped garner a total of 1,259 responses from the community. Staff is excited to present this document to the Planning & Zoning Commission!

Key Items include:

- Defined boundary of downtown, for purposes of revitalization (12 block area)
- Comprehensive Parking Plan (existing parking = 376, proposed parking = 1,133)
- Complete Streets
- Improved Pedestrian Experience
- Plan for City facilities/properties
- Architectural requirements for buildings
- Expectations for properties when redeveloped

At the November 29<sup>th</sup>, 2022 Planning & Zoning Commission meeting, the Commission voted 6-0 to recommend not approving the proposed downtown masterplan and remit it back to the Planning & Zoning Commission for further review. As referenced in Exhibit A of this document, see citizen and Planning & Zoning Commission comments.

## **Exhibit A**

### **Citizen and Planning & Zoning Commission Comments**

#### **Special Called Meeting - P&Z 11/17/22 (Downtown Masterplan PH #1)**

- Public Hearing Comments
  - Lila Knight
    - How were the boundaries established of downtown identified in plan?
    - Why is the Downtown Masterplan separate from Comprehensive Plan being written right now?
    - Building Materials
      - Requiring materials at risk of being in violation of HB 2439; unless Historic preservation ordinance used.
      - Masonry should not be painted, found odd statement considering murals should be considered.
  - Evangelina Chapa
    - Parking Concerns for the existing Police Department building? If 3 stories tall, where is the parking going to be?
    - Where are the parking spaces for 104 S. Burleson, considering the proposed building will be 3 stories? Staff of commercial uses will take up parking. Concerns about big events regarding parking.
    - Mentioned short notice of Krug Center public meeting (City wide comprehensive plan public outreach).

#### **Special Called Meeting - P&Z 11/29/22 (Downtown Masterplan PH #2)**

- Public Hearing Comments
  - Lila Knight
    - Concerns about historic nature of downtown “historic modernization?” How is this idea realized?
    - Concerns about HB 2439 and compliance with state law
    - Should be part of Comprehensive Plan and adopted at the same time.

- Commissioner Comments

○ Commissioner DeLory, Oncken, Chase

- Concerns about requiring minimum hours of operations, seems a bit much, perhaps a barrier to entry into the market
- Want more flexibility (i.e. bakeries have different operating hours than restaurant establishments).
- Referenced on Page 121

○ Commissioner DeLory

- Street Cross Sections locations need to be more clear (Pages 125-131) – This can be resolved through plan review.
- Would like to see expanded depth of canopies of buildings into sidewalks (no minimum depth stated).
- Enhance and celebrate traditional design but also allow modern techniques (how to resolve this idea)?

○ Commissioner Stegall

- Where the existing residents canvased?
  - The City hosted two outreach events and the online survey which generated over 1,200 unique responses.
- Where the businesses downtown canvased?
  - The City hosted two outreach events and the online survey which generated over 1,200 unique responses.
- Concerns about business hour requirements
- How will architectural projects be approved
- Make sure we make sure community engagement is consistent with projects through the phases of comprehensive planning.

○ Commissioner Oncken

- Page 16 – Correct the word “moderning”
- Page 18 – Expand “pink” block area from 9 blocks to match 12 block area.
- Page 27 – Vybe Trail (TOD) – Add statement to have more focus of pedestrian uses, less automobile uses (drive thru’s)
- Page 34 – What is “Modern Central Texas Vernacular”? Is it better than traditional “Central Texas Vernacular”. Will the “Modern Central Texas Vernacular” architecture stand the test of time?
- Page 37 – Wants to see a range of images from traditional to modern architecture

- Page 39 – Clarify bullet point 3, why (1 use category per floor, in vertical mixed use buildings).
  - Page 40 – Bullet point #6, edit to match current golf cart parking ratios (Sec. 53-33(n)(4))
  - Page 40 – 2 example images – want more traditional architecture
  - Page 56 – P&Z wants to see a significant reduction in secondary allowance of pre-cast concrete panels. Want defined percentage maximum and not front of building face for downtown. Commission ok with pre-cast panels for parking garages, but must have façade to minimize blank walls.
  - Page 65 – clarify “no turf” or turf alternatives (more drought resistant, native species focus)
  - Page 65 – does not allowing sprinklers effect fertilizer granules dissolving? (Native species have less need for chemical fertilizer, so granules dissolving not an issue).
  - Page 66 – Bullet Point 2 = Not sure requiring ground floor commercial space facing square to have a retail focus, versus office.
  - Page 94 – Larger scale development needs to have a fine grained, architecture, more human scale.
  - Page 110 – clarify between 45’ height limit on square vs 60’ apartments at north end.
  - Page 110 – more ownership balance between townhomes and apartments (More ownership versus rental)
    - Want a mix of ownership arrangements (condos, fee simple, lease)
    - Commissioner Stegall – push for ownership to develop wealth if possible.
  - Page 124-130 Street Cross Sections – Bring drawings to scale for accuracy.
  - Page 141 – left side head in parking facing the wrong direction.
- Chairperson Guerra
    - Page 18– Is the city ok with the shown orange area for future build out of CBD-1 and CBD-2 districts.
    - Page 27 – why is NC & CC recommended in IH-35 corridor, should be conditional
    - Page 29 – Adjust separated bike lane curb design
    - Page 36 – Retail Signage statement– change to “consider amending the sign code”.
    - Define “should” and “urban” (Page 34)
  - Commissioner Chase
    - Clarification of CBD/Core area

- Alternatives to permeable pavements, relating to impervious cover percentage maximums. Downtown has no built in detention, and permeable pavement allows for immediate soaking of ground.
- Reduce proposed document to focus on downtown only (no Vybe nodes, IH-35 corridor, etc.).