



**CITY OF TYLER
CITY COUNCIL COMMUNICATION**

Agenda Number: Z-3

Date: February 22, 2006

Subject: APPLICATION Z01-06-011 CITY OF TYLER

Request that the City Council consider a request to change the zoning from "R-3" Multi-Family Residential District to "PUR" Planned Unit Residential District with final site development plan approval on Lot 3 of NCB 359B, one lot totaling 1.42± acres located 79± feet east of the intersection of Gaston Avenue and West Oakwood Street, fronting 248± feet along the south side of West Oakwood Street (the 1400 block of West Oakwood Street).

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Item Reference:

The applicant is requesting a zoning change to allow for the development of single-family homes.

Section 10-217, "PUR" Planned Unit Residential District, is designed to accommodate various types of unique and innovative housing forms which are based upon a concept of reducing the area of individually owned lots, grouping such lots together to more efficiently utilize the total space within a subdivision. The standards have been developed and applied to a variety of housing forms including but not limited to town houses, patio homes, courtyard homes and cluster housing. This district sets forth a maximum building height of two and one-half stories or forty-two feet in height, which is consistent with the "R-1A" Single-Family Residential District. The maximum density of development permitted within a Planned Unit Residential District is twelve dwelling units per gross acre. The typical single family residential district within the City of Tyler is developed at about four to six dwelling units per acre.

In addition, development of a "PUR" District shall be consistent with an approved site development plan in an instrument contained in restrictions, covenants and conditions applicable to the ownership, use, control, maintenance, replacement, repair and disposition of the property and improvements covered by such application as part of the zoning approval. Any deviations within a "PUR" zoning district will require the approval of both the Planning and Zoning Commission and the City Council. This would require notification to all adjacent property owners and a public hearing process.

The "PUR" Planned Unit Residential District allows the Planning and Zoning Commission and the City Council to impose any additional requirements as to building setbacks, landscaping, lighting, screening, accessways, driveways and other reasonable requirements for the protection of the adjoining and surrounding properties.

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Surrounding properties are zoned "R-3" Multi-Family Residential District, but are developed predominately with single-family homes.

The City of Tyler is developing this subdivision with funding provided by a CDBG grant through Neighborhood Services.

The City of Tyler originally proposed an 8 lot subdivision with a minimum lot size of 5,145 square feet to a maximum of 7,134 square feet in size.

On January 3, 2006, the Planning and Zoning Commission held a public hearing on this request. There were 2.05 percent written letters of protest filed. Ilene Kosnick said she did not oppose the request but expressed concern with the size and number of lots. She felt building 8 homes on the property was overdeveloping the land and would not be consistent with the character of the neighborhood. Brenda Johnson and Mickey Webb spoke on behalf of the application. Ms. Webb, a consultant for the City, said the lot has been vacant for quite some time and she felt the development would revitalize the neighborhood. She said affordable brick homes with attached garages will be built. The houses will be 1200 square feet in size and will range between \$60,000 and \$70,000. Commissioner Hudson said there is a need for affordable housing in Tyler.

On January 25, 2006, the City Council expressed concern with the density of the project. The request was then tabled for 30 days to allow Staff to gather additional information. Since the Council meeting, Staff has scheduled a neighborhood meeting for February 21 at 11:00 a.m. to meet with adjacent property owners.

A new site plan has been developed and shows six lots as opposed to the eight lots that were proposed originally. A fifty-five foot right-of-way is proposed with a twenty-nine foot wide cul-de-sac. The street will be public. The entrance to the subdivision will have a grand landscaped entrance with sidewalks and a brick and iron gate. Staff is also exploring historic lighting and floor plan for the subdivision, provided these options are cost effective.

RECOMMENDATION:

The Planning and Zoning Commission, by a vote of 7-0, recommends approval of the request to change the zoning from "R-3" Multi-Family Residential District to "PUR" Planned Unit Residential District with final site development plan approval.



**Drafted/Recommended By: Stephanie Rollings
Department Leader**

**Edited/Submitted By:
City Manager**



NCB 360

GARDEN VALLEY RD

NCB 669-M

154A TAYLOR

154B LACY

154C PILGREEN

155B WIDEMAN

155A KOSNIK

NCB 361

6 ESTRADA

5 ARAUJO

ENGLEWOOD AVE

OAKWOOD ST

1 ESPINAZA

17 ESPINAZA

NCB 364

18 MCFARLAND

13A PHILLIPS

GASTON AVE

1 LEON

3

NCB 359-B

1 MACKEY

2 JARVIS

3 KLINNER

NCB 359-A

ALLEY

8 HAMPTON

7 MOSLEY

10 WARREN

9 BUTLER

5 WAITS

8 WAITS

11 HAMPTON

12 HOLLEY

13 THOMPSON

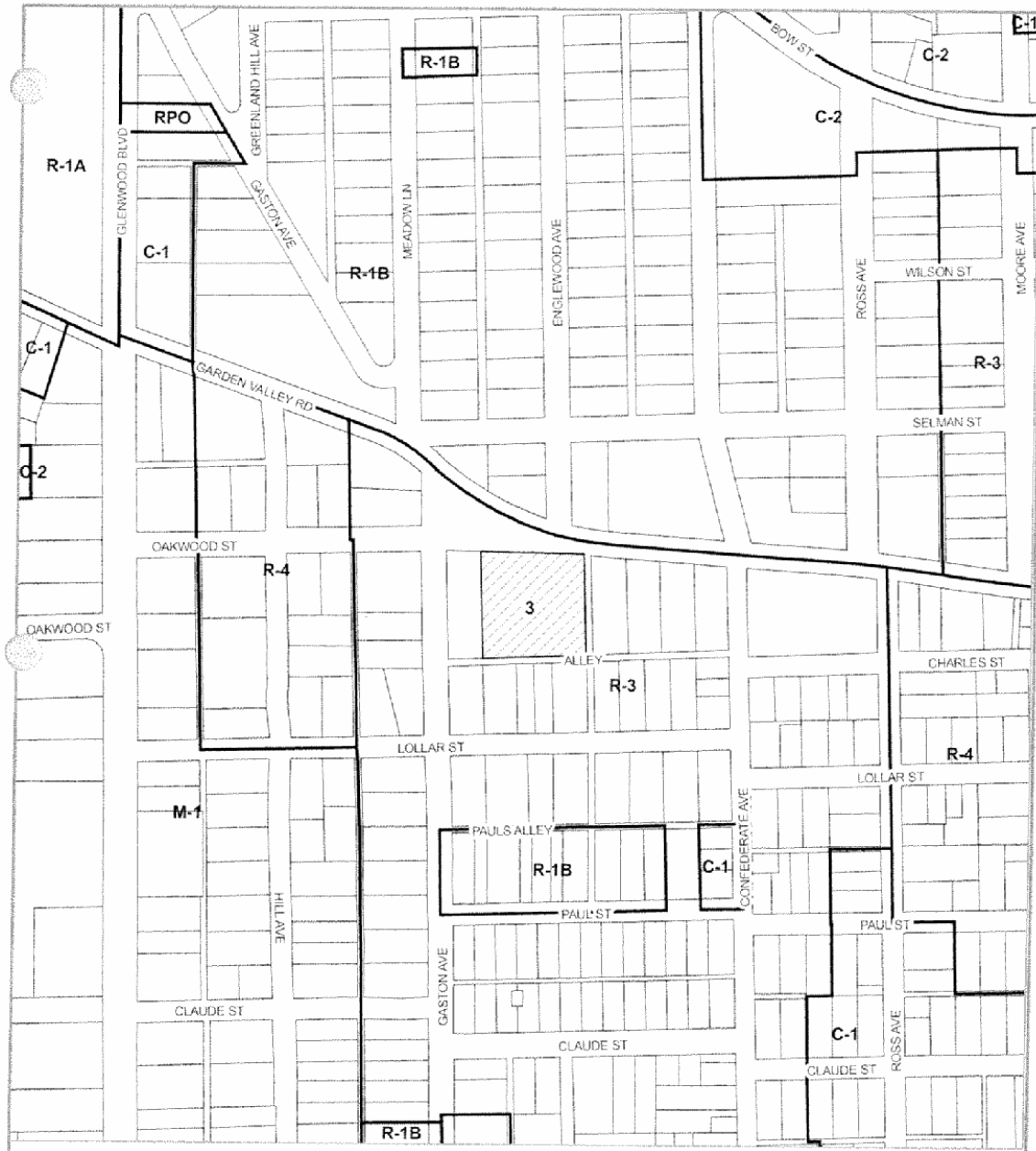
LOLLAR ST

NCB 366

NCB 358-B

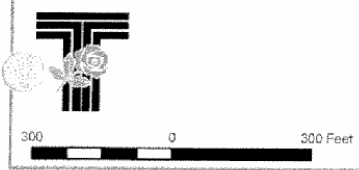
NCB 358-A





ZONING CASE

Zoning Case #: Z01-06-011
 Existing Zoning: R-3
 Applicant: City of Tyler



-  200' Notification Buffer
-  Subject Property

ORDINANCE NO. O-2006- 22

AN ORDINANCE AMENDING THE CITY OF TYLER ZONING ORDINANCE OF THE CODE OF ORDINANCES OF THE CITY OF TYLER, TEXAS; DIRECTING THE AMENDMENT OF THE ZONING MAP; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission of the City of Tyler, Texas, and the City Council of the City of Tyler, Texas, in compliance with the Charter and the State law with reference to the zoning ordinance of the City of Tyler, Texas, and zoning map, have given requisite notices by publication and otherwise and after holding a due hearing and affording a full and fair hearing to all the property owners, generally and to the persons interested, situated in the affected area and in the vicinity thereof, the City Council is of the opinion that the zoning change should be made as set forth herein;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS:

PART 1: That the following zone change is hereby approved as follows:

I. APPLICATION Z01-06-011

That the following described property, which has heretofore been zoned “R-3” Multi-Family Residential District, shall hereafter bear the zoning classification of “PUR” Planned Residential District with final site development plan approval, to-wit:

Lot 3 of NCB 359B, one lot totaling 1.42± acres located 79± feet east of the intersection of Gaston Avenue and West Oakwood Street, fronting 248± feet along the south side of West Oakwood Street (the 1400 block of West Oakwood Street),

in accordance with the site development plan attached hereto as Exhibit “A”.

PART 2: That the City Manager is hereby ordered and directed to cause the zoning map to be amended to reflect the above described zoning change.

PART 3: Should any section, subsection, sentence, provision, clause or phrase be held to be invalid for any reason, such holding shall not render invalid any other section, subsection, sentence, provision, clause or phrase of this ordinance and same are deemed severable for this purpose.

PART 4: That this ordinance shall be effective on and after its date of passage and approval by the City Council.

PASSED AND APPROVED this the 22nd day of February, A.D., 2006.

JOSEPH O. SEEBER, MAYOR
OF THE CITY OF TYLER, TEXAS

A T T E S T:

APPROVED:

CASSANDRA BRAGER, CITY CLERK

CITY ATTORNEY

EXHIBIT "A" TO ORDINANCE NO. 0-2006-22

EXHIBIT "A"

