



**CITY OF TYLER
CITY COUNCIL COMMUNICATION**

Agenda Number: Z-5

Date: February 22, 2006

Subject: APPLICATION Z02-06-014 WPW LIMITED

Request that the City Council consider a request to change the zoning from "R-1A" Single-Family Residential District to "PMF" Planned Multi-Family Residential District without final site development plan approval on Tract 1 of the M. Spell Survey A-888, one tract totaling 12.5± acres located 651± feet east of the intersection of Haverhill Drive and McDonald Road, at the end of the McDonald Road right-of-way (the 3700 block of McDonald Road).

Page: 1 of 2

Item Reference:

The applicant is requesting a zoning change to allow for the development of condominiums.

Section 10-218, "PMF" Planned Multi-Family Residential District", is designed to provide for the medium to high density development of unique and innovative forms of multi-family housing. This district allows for the development of multi-family residential dwelling units as well as nursing, rest, or convalescent homes, and any accessory buildings or uses which are customarily incidental to any of those above-mentioned uses. The "PMF" 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-3" Multi-Family Residential District. The maximum density of development permitted within a Planned Multi-Family District is sixteen dwelling units per gross acre.

In addition, development of a "PMF" District shall be consistent with an approved site development plan as part of the zoning approval. Any deviations in the site development plan will require the approval of both the Planning and Zoning Commission and the City Council through a public hearing process. The "PMF" Planned Multi-Family Residential District does allow 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.

Property to the north and east is outside the city limits, while property to the west is zoned "PMF" Planned Multi-Family Residential District and property to the south is zoned "PUR" Planned Unit Residential District and "R-1A" Single-Family Residential District.

The applicant is requesting approval of the zoning without final site development plan approval. A preliminary site plan has been submitted, but the applicant has more adjustments to make before final approval.

Agenda Number: Z-5

Page: 2 of 2

Because a majority of the surrounding properties are zoned for multi-family use, Staff feels this request is consistent with the development pattern in the area. The extension of McDonald Road will be required by the applicant at the time of construction. McDonald Road currently dead-ends at the west property line of the subject property. This request is a continuation of the "PMF" Planned Multi-Family District zoning designation to the west.

On February 7, 2006, the Planning and Zoning Commission held a public hearing on this request. No written letters of protest were filed and no one spoke in opposition to the request. No one appeared on behalf of the application.

All other departments have reviewed the application and anticipate no significant impact on services or facilities by the proposed change.

RECOMMENDATION:

The Planning and Zoning Commission, by a vote of 6-0, recommends approval of the request to change the zoning from "R-1A" Single-Family Residential District to "PMF" Planned Multi-Family Residential District without final site development plan approval.



Drafted/Recommended By: Stephanie Rollings
Department Leader

Edited/Submitted By:
City Manager



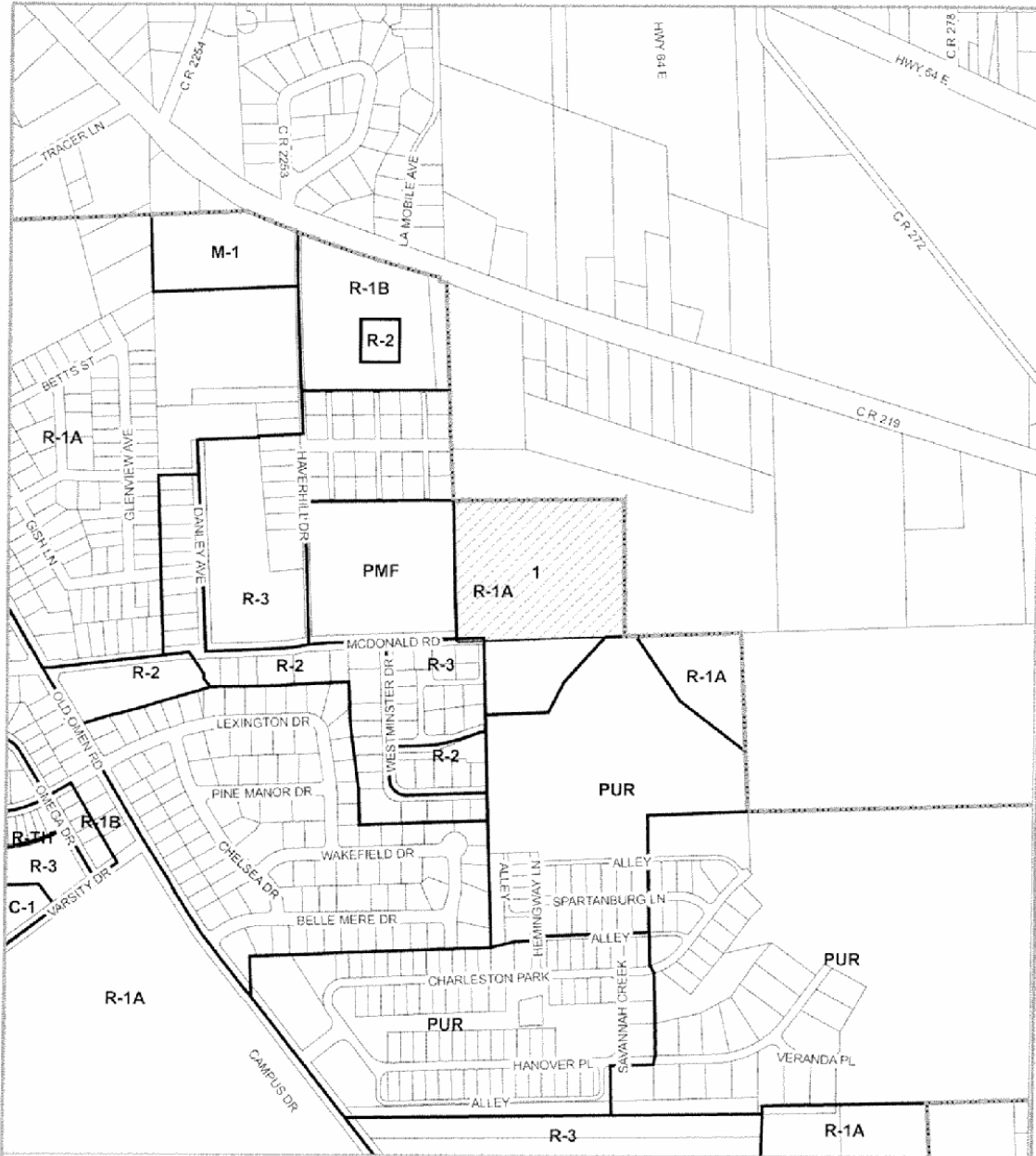
ZONING CASE

Zoning Case #: Z02-06-014
 Existing Zoning: R1-A
 Applicant: WPW Limited



200 0 200 Feet

- 200' Notification Buffer
- Subject Property



ZONING CASE

Zoning Case #: Z02-06-014
 Existing Zoning: R1-A
 Applicant: WPW Limited



- 200' Notification Buffer
- Subject Property

ORDINANCE NO. O-2006-24

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 Z02-06-014

That the following described property, which has heretofore been zoned "R-1A" Single-Family Residential District, shall hereafter bear the zoning classification of "PMF" Planned Multi-Family District without final site development plan approval, to-wit:

Tract 1 of the M. Spell Survey A-888, one tract totaling 12.5± acres located 651± feet east of the intersection of Haverhill Drive and McDonald Road, at the end of the McDonald Road right-of-way (the 3700 block of McDonald Road).

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:

CASSANDRA BRAGER, CITY CLERK

APPROVED:

CITY ATTORNEY