



**CITY OF TYLER
CITY COUNCIL COMMUNICATION**

Agenda Number: Z-6

Date: February 22, 2006

Subject: APPLICATION Z02-06-015 THE VILLAS OF HOLLYTREE LP

Request that the City Council consider a request to adopt an ordinance approving a final site development plan amendment for Zoning Case Z02-05-009 on Lot 1 of NCB 1538A, one lot totaling 18.118± acres located 210± feet south of the intersection of Grande Boulevard and Hollytree Drive, fronting 1148± feet along the west side of Hollytree Drive. The property is currently zoned “PMF” Planned Multi-Family Residential District.

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Item Reference:

The applicant is requesting a site plan amendment to allow for changes to the original approved site plan.

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 zoned “RPO” Restricted Professional and Office District and “C-1” Light Commercial District, while the property to the west is zoned “R-1A” Single Family Residential District, and property to the south is zoned “R-4” Multi-Family Residential District.

The amended site development plan proposes ninety-four upscale attached town homes on eighteen acres. The density as shown on the site plan is 5.17 units per acre. The previously approved site

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plan had a density of 5.80 units per acre. A community center will be located near the lake and walking trails. A building setback of twenty-five feet is proposed on all front, rear, and side property lines. One entrance is proposed for the residence and an additional drive to the north is proposed for emergency access only. The developer proposes this access point as emergency only due to a site visibility issue caused by the alignment of Hollytree Drive. A twenty-foot alley is proposed behind buildings 9, 10, and 11. Residents will access their garages from the alley. Twenty-seven foot private drives are proposed instead of private roads as shown on the original approved site plan. Three hundred seventy-six parking spaces are proposed, which meets the minimum parking space required by Ordinance. The applicant must also follow any further restrictions set forth by the Commission and City Council.

On February 7, 2006, the Planning and Zoning Commission held a public hearing on this request. There were 1.16 percent written letters of protest filed. No one spoke in opposition to the request. Bob Breedlove, The Brannon Corporation, spoke on behalf of the application. He said in addition to lowering the density, the applicant is also making adjustments to the community center. He felt the upscale project would be a good addition to the Hollytree Country Club area.

All issues from the Fire Department regarding the radius of the turns and maneuverability of the fire trucks have been addressed.

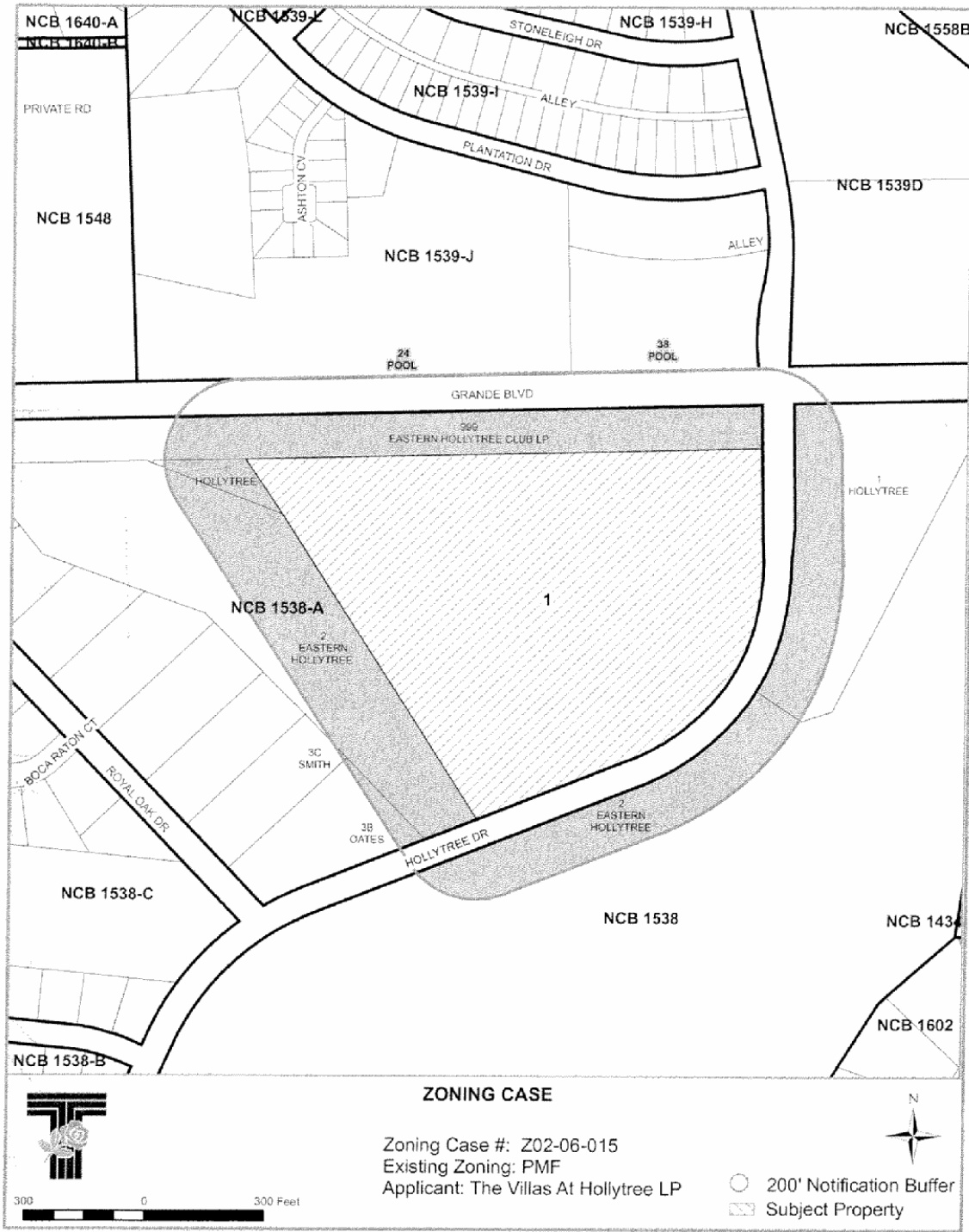
RECOMMENDATION:

The Planning and Zoning Commission, by a vote of 6-0, recommends approval of the request for the final site development plan.



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

**Edited/Submitted By:
City Manager**



ZONING CASE

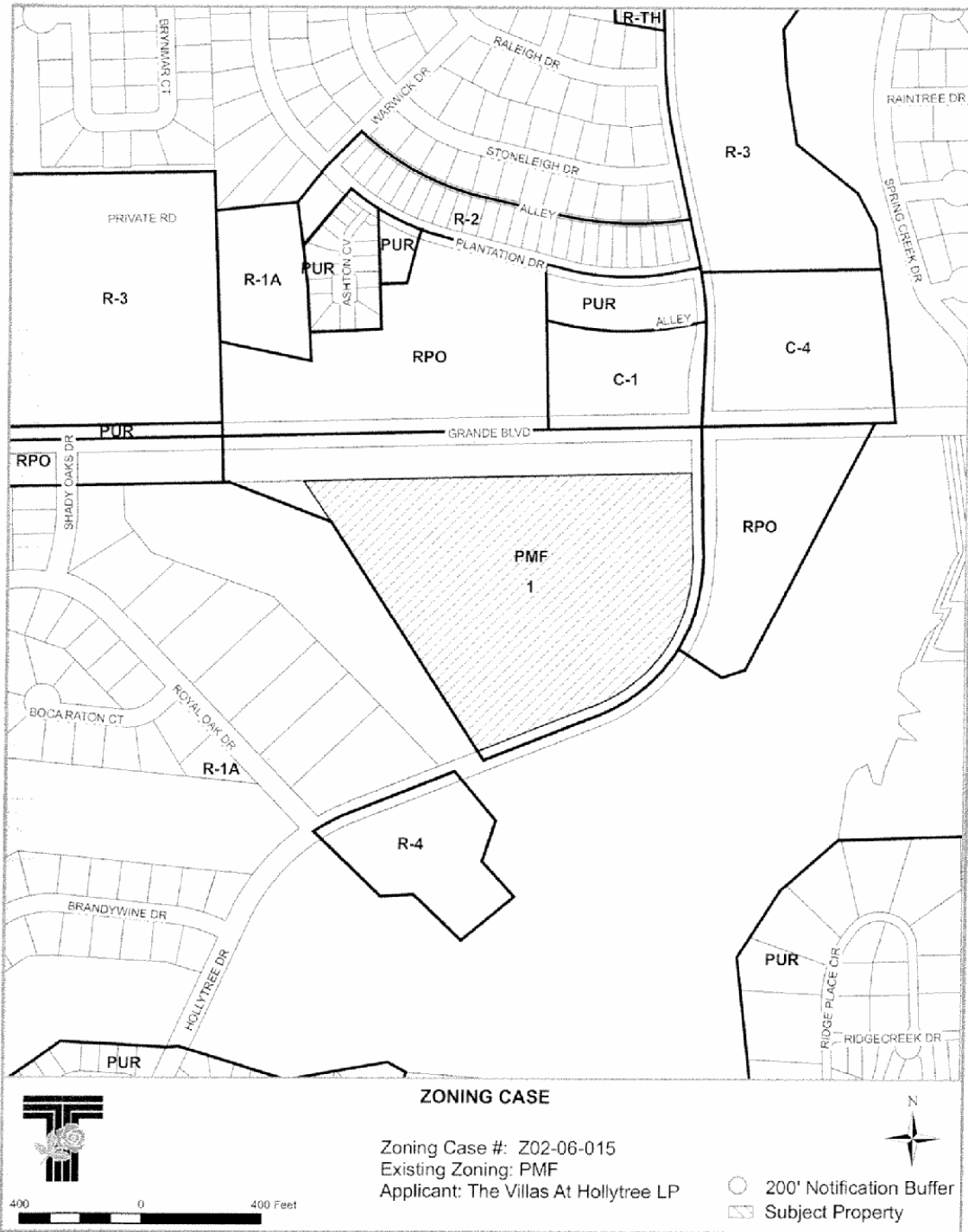
Zoning Case #: Z02-06-015
 Existing Zoning: PMF
 Applicant: The Villas At Hollytree LP

-  200' Notification Buffer
-  Subject Property



300 0 300 Feet





ORDINANCE NO. 0-2006-25

AN ORDINANCE AMENDING THE CITY OF TYLER ZONING ORDINANCE OF THE CODE OF ORDINANCES OF THE CITY OF TYLER, TEXAS, BY APPROVING A REQUEST FOR A FINAL SITE DEVELOPMENT PLAN AMENDMENT (ZONING CASE Z02-05-009) ON LOT 1 OF NCB 1538A, ONE LOT TOTALING 18.118± ACRES LOCATED 210± FEET SOUTH OF THE INTERSECTION OF GRANDE BOULEVARD AND HOLLYTREE DRIVE, FRONTING 1148± FEET ALONG THE WEST SIDE OF HOLLYTREE DRIVE; 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; and

WHEREAS, the City Council on February 23, 2005, in Ordinance 0-2005-15, established zoning on this property as “PMF” pursuant to the zoning ordinance, with final site plan approval ;

WHEREAS, the applicant is now requesting that the final site plan be amended and presented for City Council approval; and

WHEREAS, the Planning and Zoning Commission on February 7, 2006, voted 6-0 to approve this Final Site Development Plan;

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

PART 1: That the Zoning Ordinance of the City of Tyler, Texas, is hereby amended by adopting the site plan attached hereto, and this Ordinance to Ordinance 0-2005-15, as follows:

I. APPLICATION Z02-06-015

That the final site development plan, attached hereto as Exhibit “A”, is hereby approved for the following described property, which is currently zoned “PMF”, to wit:

Lot 1 of NCB 1538A, one lot totaling 18.118± acres located 210± feet south of the intersection of Grande Boulevard and Hollytree Drive, fronting 1148± feet along the west side of Hollytree Drive,

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

PART 2: 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 3: That this ordinance shall be effective on and after its date of passage and approval by the City Council.

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

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

A T T E S T:

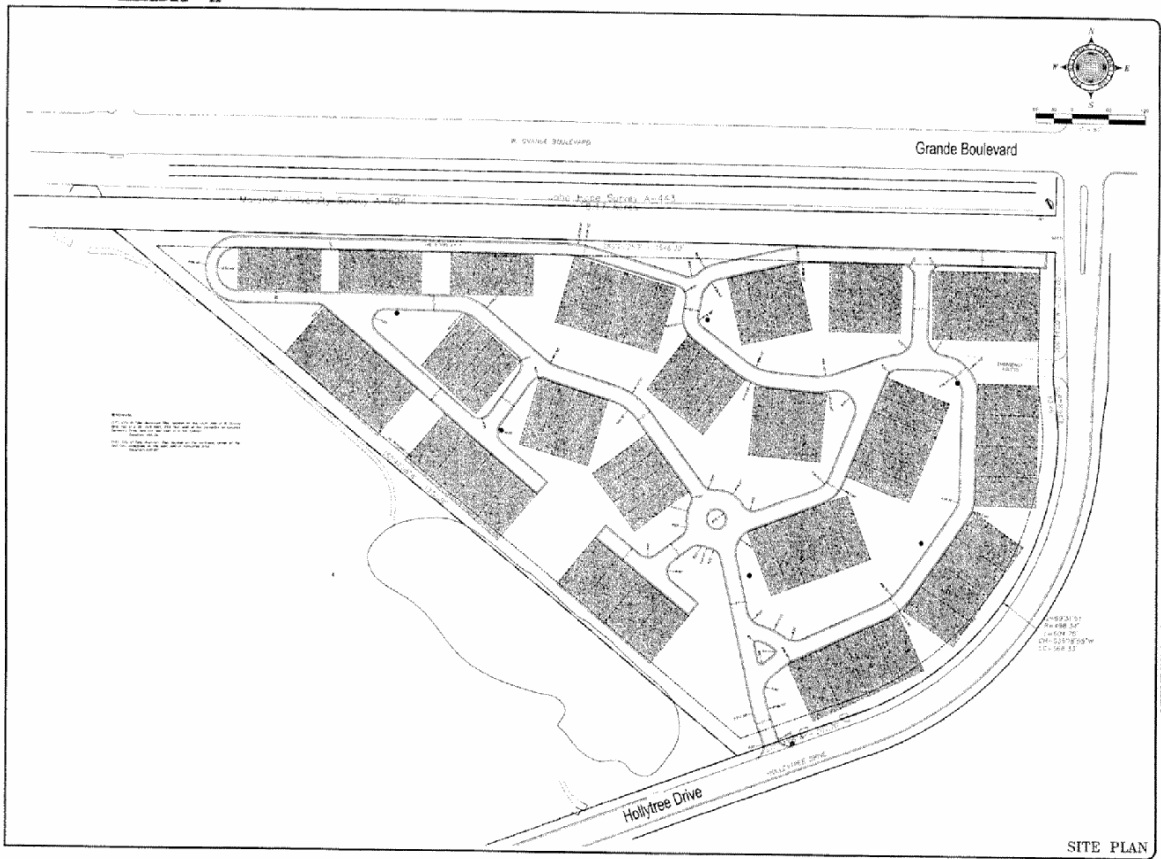
APPROVED:

CASSANDRA BRAGER, CITY CLERK

CITY ATTORNEY

EXHIBIT "A" TO ORDINANCE 0-2006-25

EXHIBIT "A"



DATE	NO.
10/10/06	1
11/14/06	2
01/18/07	3
03/22/07	4
05/15/07	5

The Brannon Corporation
 ENGINEERS & URBAN PLANNERS
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 TYLER, TEXAS 75701
 WWW.BRANNONCORP.COM
 936.292.2128
 1910 West 10th Ave.

PRELIMINARY SITE PLAN
 FOR
 THE VILLAS AT HOLLEETREE
 TYLER, TEXAS

DATE	NO.
10/10/06	1
11/14/06	2
01/18/07	3
03/22/07	4
05/15/07	5

DATE: 10/10/06
 SHEET NO: A