



**CITY OF TYLER  
CITY COUNCIL COMMUNICATION**

**Agenda Number: Z-1**

**Date: March 8, 2006**

**Subject: APPLICATION Z01-06-009 MANSIONS AT THE CASCADES**

**Request that the City Council consider a request to adopt an ordinance approving a final site development plan for Annexation Application A01-06-001 on Tract 12 and portions of Tracts 6, 10, and 19 of the L. Ashcroft Survey, A-48, four tracts totaling 44± acres located at the end of Pine Terrace and Putting Lane in the Briarwood Estates Unit 1, extending 900± feet west from Pine Terrace and extending north 1800± feet, then east 630± feet, then 1125± feet south and southeast to join with the west property line of The Stretford at The Cascades.**

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**Item Reference:**

The applicant is requesting site plan approval to allow for the development of multi-family housing.

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 (2 1/2) stories or forty-two (42) 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 (16) 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 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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On January 3, 2006, the Planning and Zoning Commission held a public hearing on this request. Staff asked the Commission to table the application for 30 days to allow Staff and the applicant time to address unresolved issues. No written letters of protest were filed and no one spoke in opposition to the request. Bob Breedlove, of The Brannon Corporation, spoke on behalf of the application. He said the two issues involved two streets that stub into the project, Putting Lane and Pine Terrace. He said property owners expressed concern there would be a lot of traffic coming through the subdivision. He proposed a gated emergency access entrance at the northwest corner of the property, tying-in Hogan Drive to the south, and stubbing Hogan Drive immediately to the south as it would eventually join Spur 364. Mr. Breedlove asked the Commission to approve the site plan with the revisions. Mrs. Rollings said the setbacks must also be shown on the final site plan, and said the site plan must be submitted for review at the City Council meeting. The applicant submitted a revised site plan on January 18 but it did not include all of the changes required by Staff. The City Council tabled this request for 30 days.

Since the City Council meeting, the developer purchased additional property to the south and a new site development plan was submitted for this development. The site plan shows an assisted living facility containing 192 units. There are also 31 duplexes and 320 townhomes proposed, bringing the total number of units to 574. The only new public street proposed to serve the development is an extension of Hogan Drive. Other access is provided by private drives. Pine Terrace and Putting Lane, which are currently located in Briarwood Estates and are stubbed-out, are proposed to be gated and used as emergency access only. The developer proposes a second public entrance to be constructed from Scenic Drive that will serve this development. Again, this is an extension of Hogan Drive.

Since several changes were made to the site plan, Staff recommends that the following conditions be included if the site plan is approved:

1. Hogan Lane from Scenic Drive to Mansions Drive as shown on the site plan must be built prior to construction of the seniors living facility to provide a second public access.
2. All lighting added to parking areas and on buildings which abut Briarwood Estates be down shielded so as not to trespass across property lines.

Several neighborhood meetings have been held with the residents of the Briarwood Subdivision to review previous site plans. On February 28, the last neighborhood meeting was held to discuss the final site plan. The neighbors had previously expressed concern regarding the connection of both Putting Lane and Pine Terrace. Since the site plan has been amended to allow these stub-outs to be gated, the residents are very pleased with the plans and overall, they are comfortable with the site plan and the development.

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**RECOMMENDATION:**

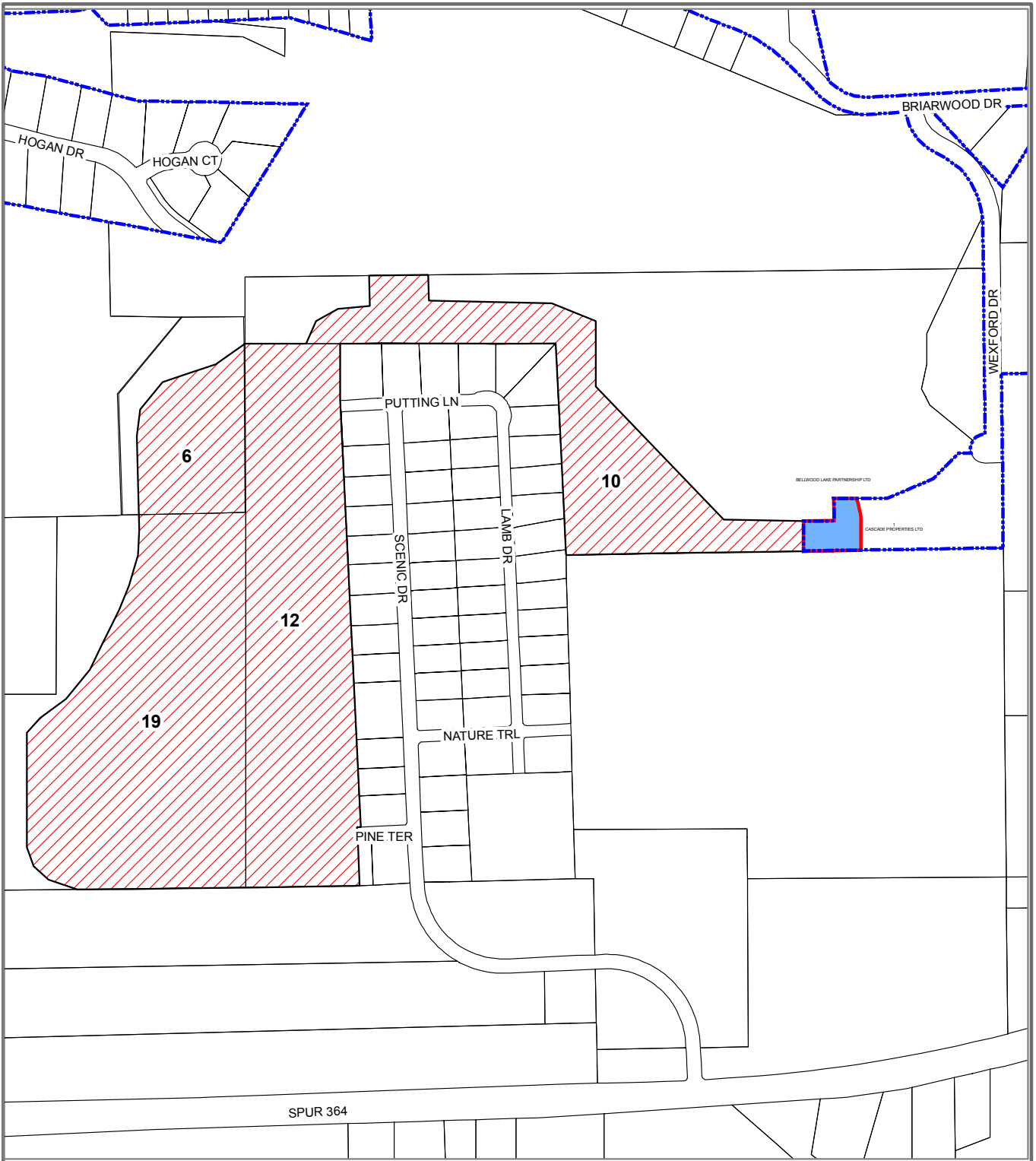
The Planning and Zoning Commission, by a vote of 7-0, recommends approval of the request for the final site development plan, subject to the following conditions:

1. Hogan Lane from Scenic Drive to Mansions Drive as shown on the site plan must be built prior to construction of the seniors living facility to provide a second public access.
2. All lighting added to parking areas and on buildings which abut Briarwood Estates be down shielded so as not to trespass across property lines.



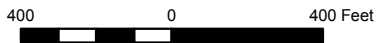
**Drafted/Recommended By: Stephanie Rollings  
Department Leader**



**Edited/Submitted By:  
City Manager**

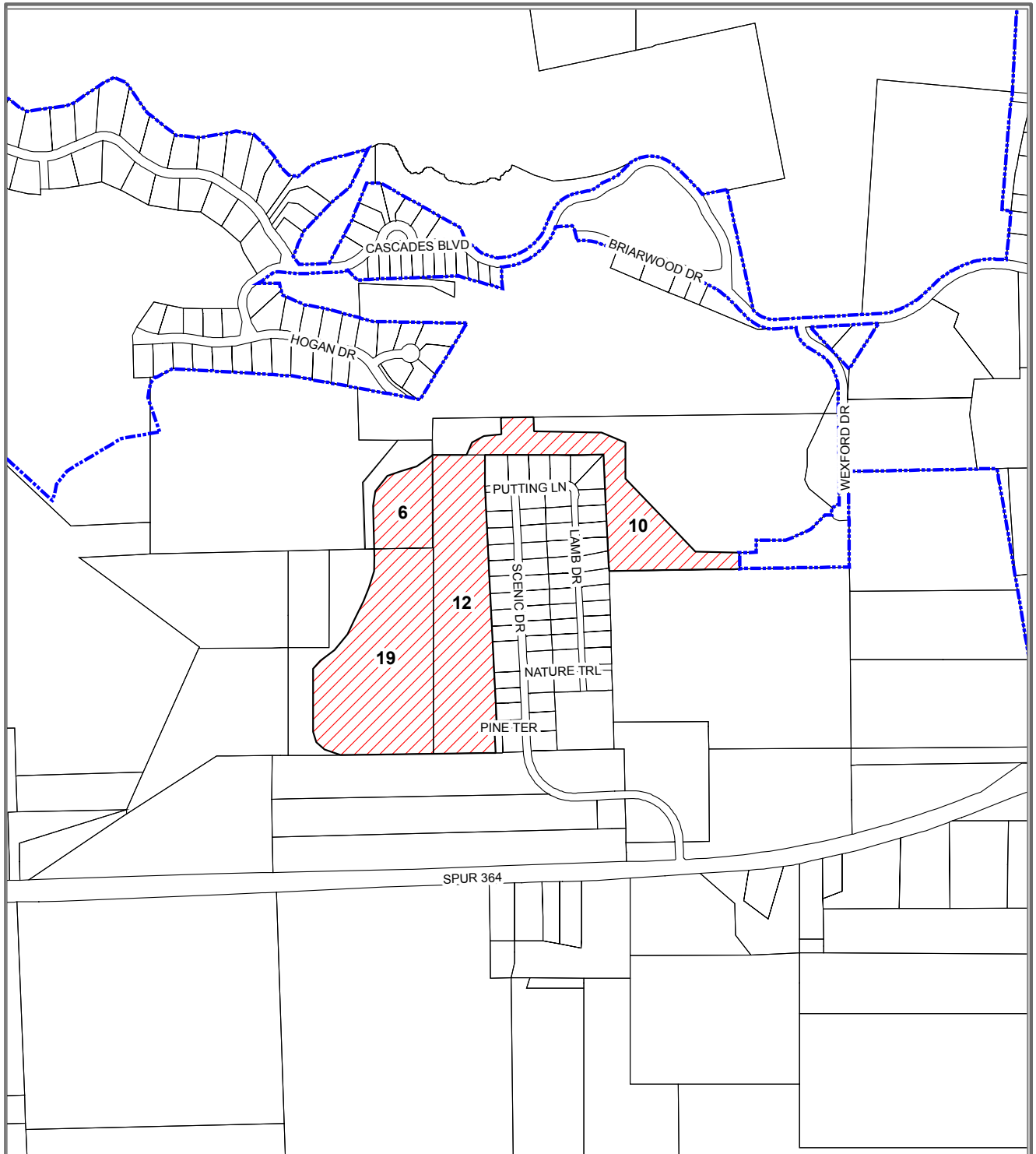


**ZONING CASE**

Zoning Case #: Z01-06-009  
**Applicant:** Mansions At Cascades



-  200' Notification Buffer
-  Subject Property



800 0 800 Feet



**ZONING CASE**

Zoning Case #: Z01-06-009  
**Applicant: Mansions At Cascades**

-  200' Notification Buffer
-  Subject Property

**ORDINANCE NO. 0-2006-30**

**AN ORDINANCE AMENDING THE CITY OF TYLER ZONING ORDINANCE OF THE CODE OF ORDINANCES OF THE CITY OF TYLER, TEXAS, BY APPROVING A FINAL SITE DEVELOPMENT PLAN FOR A “PMF” PLANNED MULTI-FAMILY RESIDENTIAL DISTRICT FOR ANNEXATION APPLICATION A01-06-001, TRACT 12 AND PORTIONS OF TRACTS 6, 10, AND 19 OF THE L. ASHCROFT SURVEY, A-48, FOUR TRACTS TOTALING 44± ACRES LOCATED AT THE END OF PINE TERRACE AND PUTTING LANE IN THE BRIARWOOD ESTATES, UNIT 1, EXTENDING 900± FEET WEST FROM PINE TERRACE AND EXTENDING NORTH 1800± FEET, THEN EAST 630± FEET, THEN 1125± FEET SOUTH AND SOUTHEAST TO JOIN WITH THE WEST PROPERTY LINE OF THE STRETFORD AT THE CASCADES; 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 January 11, 2006, in Ordinance 0-2006-2 established zoning on this property as “PMF” pursuant to the zoning ordinance, without final site plan approval;

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

**WHEREAS**, the Planning and Zoning Commission on January 3, 2006, voted 7-0 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 0-2006-2, as follows:

**I. APPLICATION Z01-05-009**

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:

Tract 12 and portions of Tracts 6, 10, and 19 of the L. Ashcroft Survey, A-48, four tracts totaling 44± acres located at the end of Pine Terrace and Putting Lane in the Briarwood Estates Unit 1, extending 900± feet west from Pine Terrace and extending north 1800± feet and then east 630± feet, then 1125± feet south and southeast to join with the west property line of The Stretford at The Cascades, as shown in the drawing attached hereto as Exhibit “B”, subject to the following conditions:

1. Hogan Lane from Scenic Drive to Mansions Drive as shown on the site plan must be built prior to construction of the seniors living facility to provide a second public access.
2. All lighting added to parking areas and on buildings which abut Briarwood Estates will be down shielded so as not to trespass across property lines.
3. Subject to completion of Hogan Lane prior to Certificate of Occupancy on any building in that tract,

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 8<sup>th</sup> day of March, A.D., 2006.

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

A T T E S T:

APPROVED:

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CASSANDRA BRAGER, CITY CLERK

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CITY ATTORNEY



**EXHIBIT "B" TO ORDINANCE 0-2006-30**

