



**CITY OF TYLER  
CITY COUNCIL COMMUNICATION**

**Agenda Number: Z-4**

**Date: April 26, 2006**

**Subject: APPLICATION Z04-06-031 ABBY DEVELOPMENT**

**Request that the City Council consider a request to adopt an ordinance approving a final site development plan for Zoning Application Z12-03-072 in the W. Keys Survey, A-526, one tract totaling 15.55± acres located 1800± feet north of the intersection of Old Omen Road and Old Bascom Road (CR 2120), fronting 647± feet along the east side of Old Omen Road (the 4200 block of Old Omen Road). The property is currently zoned "PMF" Planned Multi-Family Residential District.**

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**Item Reference:**

The applicant is requesting a site development plan approval for the second phase of The Hamptons at Greenridge assisted living center.

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, the 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.

Property to the north is zoned "R-3" Multi-Family Residential District, while property to the west is zoned "R-1A" Single-Family Residential District, property to the south is zoned "PMF" Planned Multi-Family Residential District, and property to the east is outside of the city limits.

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In 2003, the owners requested to rezone the property to “R-3” Multi-Family Residential District, but the City Council approved a “PMF” Planned Multi-Family Residential District without a final site development plan. The applicant is applying for site plan approval for the second phase of The Hamptons at Greenridge. The site plan shows 90 units of assisted living and 34 cottages for senior housing, totaling one 120 units. One hundred eighty-three parking spaces are provided. Forty-seven spaces will be utilized for the assisted living facility. The cottages will have 68 garage spaces and 68 off-street spaces. One boulevard entrance is provided from Old Omen Road that will serve both ingress and egress. A connection from phase I to phase II of the project is also proposed. The proposed setbacks are 150 feet front setbacks, 10 foot rear setbacks, 20 foot south side setbacks, and 10 foot north side setbacks. There will be 3 acres of open space, which meets the Ordinance requirement. Old Omen Road is proposed as a minor arterial with a bike lane on the Master Street Plan, so additional dedication will be required at the platting process.

The Fire Marshall and Planning Staff have met with the project engineer regarding additional fire access to the development. The engineer agreed to remedy the problem with additional access to the buildings. A new site plan was submitted, which addresses all of the Fire Marshall’s comments.

Staff recognizes the need for senior housing in the community and feels this development will be beneficial to the area. Property to the north and south is developed or will be developed with senior housing.

Development Services states the sewer line on the site plan is not in the right location, but this can be handled at the time of platting.

On April 4, 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. Bob Breedlove, The Brannon Corporation, appeared on behalf of the application.

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

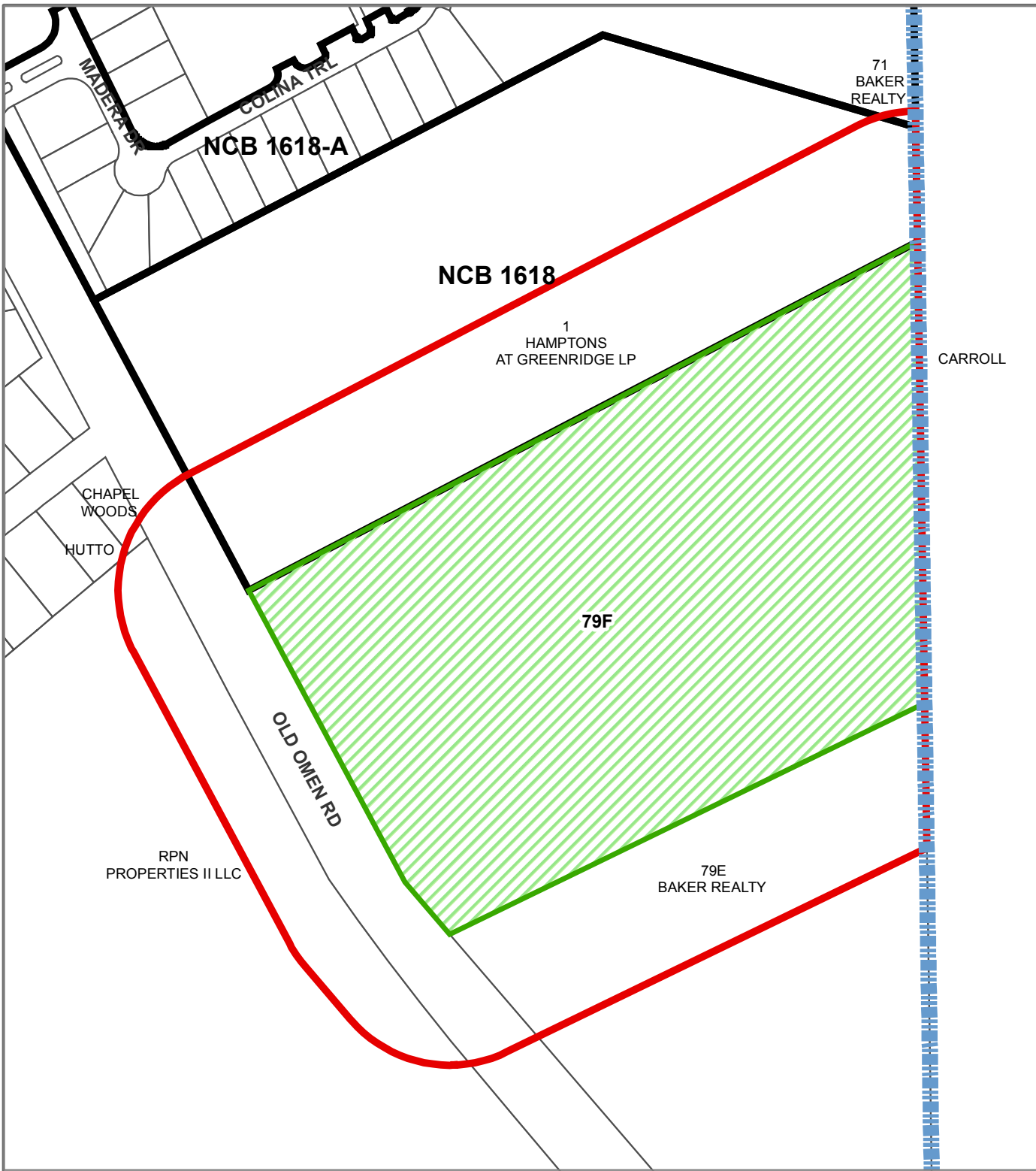
**RECOMMENDATION:**

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



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




**Edited/Submitted By:  
City Manager**

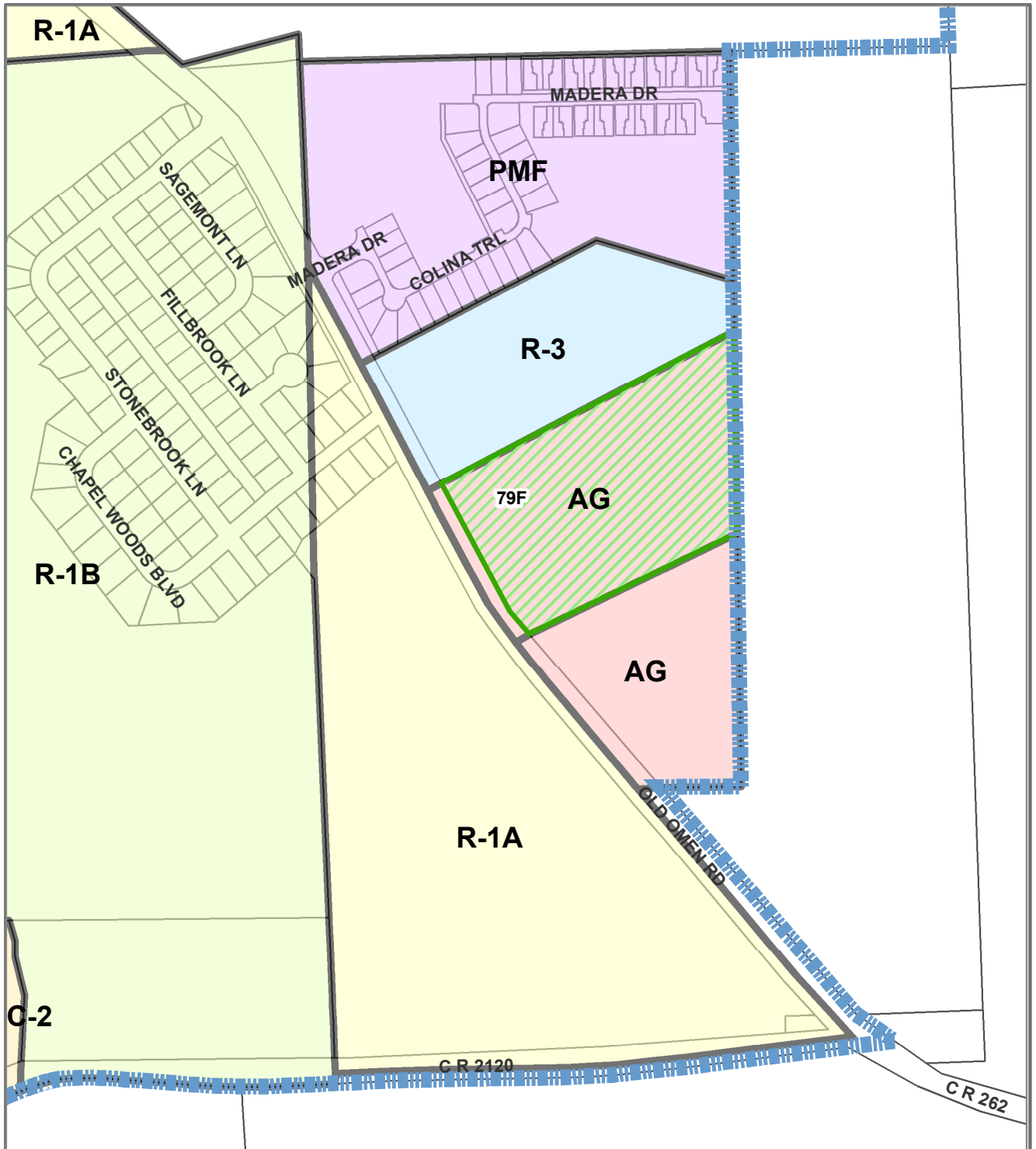


200 0 200 Feet

**ZONING CASE**

Zoning Case #: Z04-06-031  
 Existing Zoning: PMF  
 Applicant: Abby Development



-  Subject Property
-  200' Notification Buffer
-  City Limits



500 0 500 Feet

**ZONING CASE**

Zoning Case #: Z04-06-031  
 Existing Zoning: PMF  
 Applicant: Abby Development

 Subject Property  
 City Limits

**ORDINANCE NO. 0-2006-41**

**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 PLAN FOR ZONING APPLICATION Z12-03-072, TRACT 79F IN THE W. KEYS SURVEY, A-526, ONE TRACT TOTALING 15.55± ACRES LOCATED 1800± FEET NORTH OF THE INTERSECTION OF OLD OMEN ROAD AND OLD BASCOM ROAD (CR 2120), FRONTING 647± FEET ALONG THE EAST SIDE OF OLD OMEN ROAD (THE 4200 BLOCK OF OLD OMEN ROAD). THE PROPERTY IS CURRENTLY ZONED “PMF” PLANNED MULTI-FAMILY RESIDENTIAL DISTRICT; 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 December 10, 2003, in Ordinance 0-2003-69, 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 April 4, 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 0-2003-69, as follows:

**I. APPLICATION Z04-06-031**

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:

One tract totaling 15.55± acres located 1800± feet north of the intersection of Old Omen Road and Old Bascom Road (CR 2120), fronting 647± feet along the east side of Old Omen Road (the 4200 block of Old Omen Road),

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 26<sup>th</sup> day of April 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 "A" TO ORDINANCE 0-2006-41**  
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**Planning and Zoning Department**

