



**CITY OF TYLER
CITY COUNCIL COMMUNICATION**

Agenda Number: Z-10

Date: September 27, 2006

Subject: APPLICATION Z09-06-080A NATURAL GAS SERVICE
Request that the City Council consider a request to change the zoning from "R-1A" Single-Family Residential District to "POD" Planned Office District with final site plan approval on Lot 21A of NCB 1320, one lot totaling 8.21± acres located at the northeast corner of the intersection of New Copeland Road and Shiloh Road, fronting 513± feet along the east side of New Copeland Road, and fronting 639± feet along the north side of Shiloh Road (the 900 block of Shiloh Road).

Page: 1 of 3

Item Reference:

The applicant is requesting a zoning change to allow for the development of a planned office district.

Section 10-223, "POD" Planned Office Development District", is established to provide for professional and office facilities in appropriate locations. The "POD" development will be used where office type facilities are needed to serve developing residential communities located throughout the city and shall be designed and developed as a unit according to an approved site plan.

Development criteria are required that will ensure a compatible relationship between the "POD" development and the close-by residential areas. Permitted uses in this district include general offices, medical clinics, laboratories, and photography studios. The owner shall submit to the Planning and Zoning Commission and the City Council, a plan for the use and development of all or part of such tract of land. Any significant change in the site development plan requires approval of the Planning and Zoning Commission and the City Council through a public hearing process. The plan for the proposed development must present a unified and organized arrangement of buildings and service facilities, such that a functional relationship within the property is achieved. The arrangement of buildings and service facilities shall not have an adverse effect on the use of properties immediately adjacent to the development. Reasonable additional requirements as to landscaping, lighting, signs or other advertising devices, screening, access ways, building setbacks, and height and area limitations may be imposed by the Planning and Zoning Commission for the protection of the adjoining property.

This district also requires that the design and development of a "POD" Planned Office District be in accordance with an approved site plan which represents a unified and organized arrangement of buildings and facilities such that the buildings and service facilities have a functional relationship within the property. The arrangement of buildings and service facilities shall not have an adverse effect on the use of properties immediately adjacent to the development.

Agenda Number: Z-10

Page: 2 of 3

After the final site plan has been approved, adjustments or rearrangements of buildings, parking areas, entrances, heights, setbacks or open spaces required by the development may be approved by the Planning Director if the changes conform to the standards established by the approved final site development plan. It has been staff policy to refer any significant changes in the "POD" Site Development Plan to the Planning and Zoning Commission and City Council for approval as an amended site plan. Properties with a commercial designation are subject to the requirements of the Subdivision and Landscape Ordinance.

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

The applicant submitted a general land plan showing seven lots ranging in size from .63 acres to 1.50 acres. A privacy fence is shown along the north property with a twenty-five foot landscape buffer, proposing additional trees be planted every forty linear feet. The plan also shows a preservation greenbelt, including water features, a private drive, and a fifteen foot landscape buffer along the east property line. The greenbelt and water features total over one acre and is twelve percent of the total area. Two access points are indicated on the plan, one located at the most southeastern corner of the lot from Shiloh Road, and the second access will be from Copeland Road. Both will be by way of a thirty foot private drive with areas shown for traffic calming circles. Two monument signs are also proposed not to exceed eight feet in height will be located on Shiloh Road and Copeland Road. The applicant will dedicate a right-of-way easement to the City of Tyler at the northeast corner of the lot. The right-of-way will be utilized only if the adjacent lot to the east develops as low-density residential. As indicated on the site plan, the proposed development will not have access to this right-of-way easement.

Areas throughout the city have Planned Office District developments which abut established single-family subdivisions and these uses are very compatible due to the general hours of operation. Additionally, the general site plan would be approved with the zoning change request; however, prior to development all individual lots would have to submit a final site plan for approval by the City of Tyler. These plans would include elevation drawings and setbacks.

On September 5, 2006, the Planning and Zoning Commission held a public hearing on this request. There were 19.42 percent written letters of protest filed. Because of a posting error, this request could not be considered by the Planning Commission. A special Planning and Zoning Commission meeting will be held on Friday, September 22. Results of this meeting will be presented at the City Council meeting.

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

Agenda Number: Z-10

Page: 3 of 3

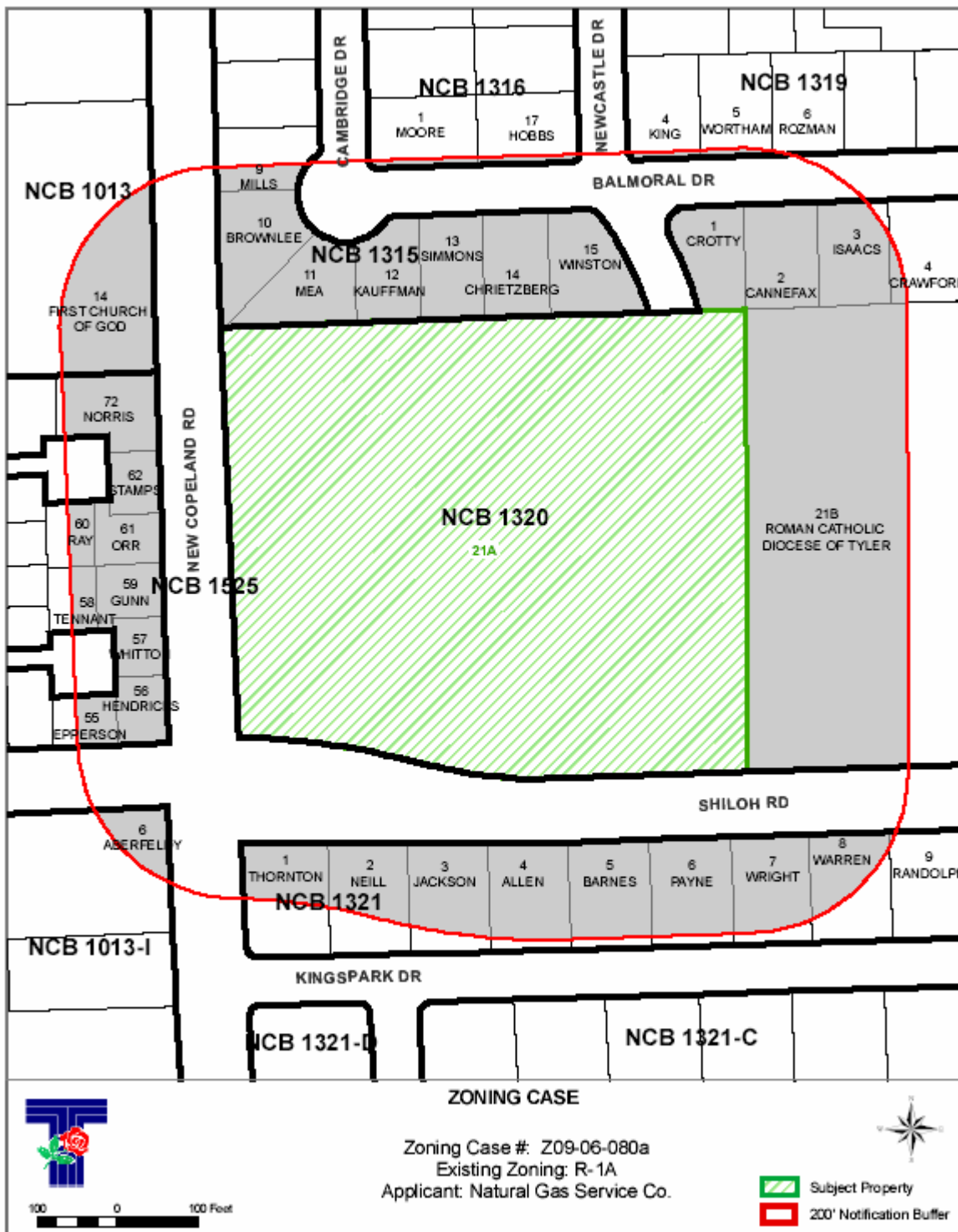
RECOMMENDATION:

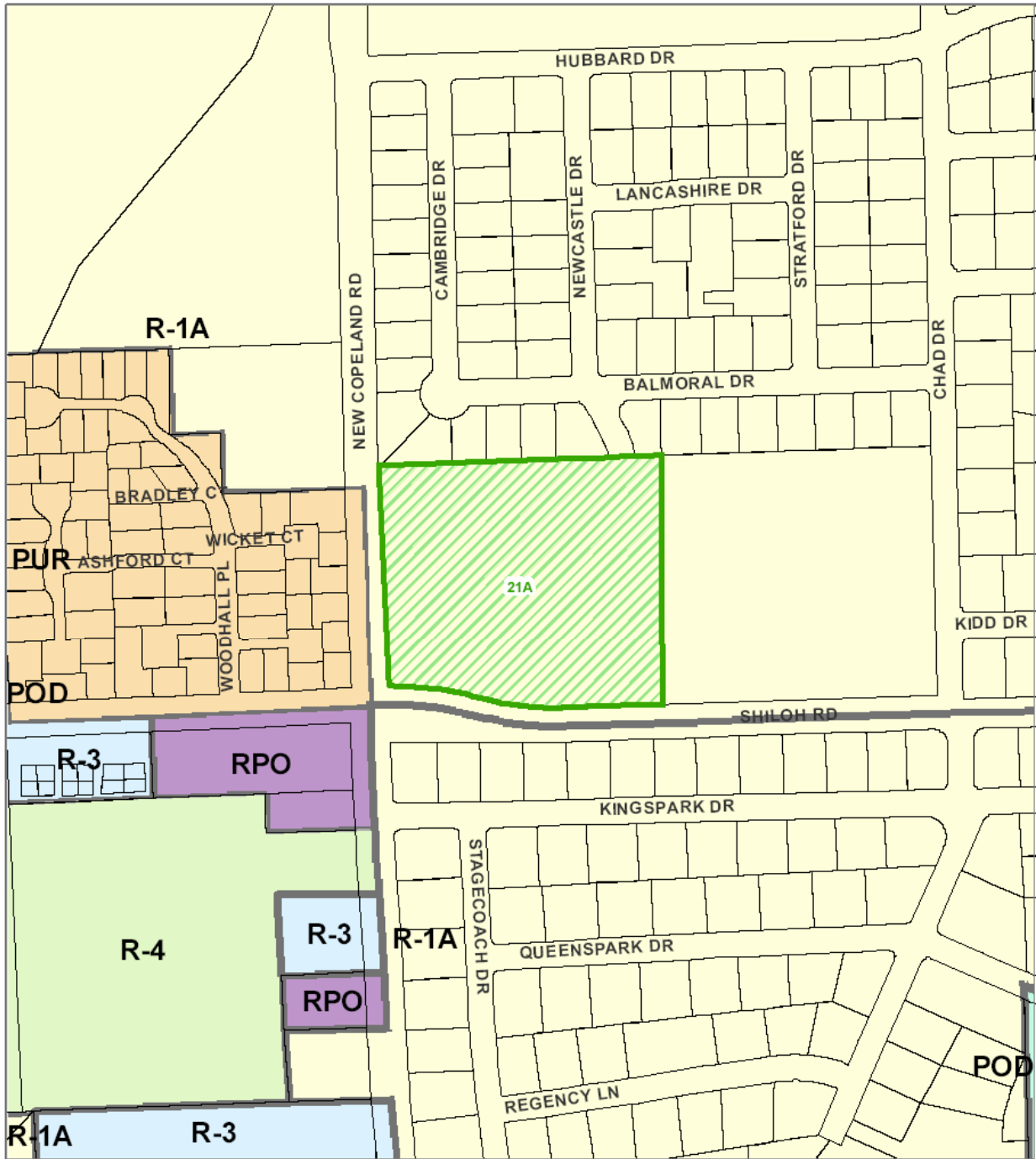
Staffs recommends approval of the zoning change request from “R-1A” Single-Family Residential District to “POD” Planned Office District with final site development plan.

A handwritten signature in cursive script that reads "Heather Nick".

**Drafted/Recommended By: Heather Nick, Interim
Department Leader**

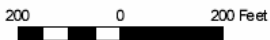
**Edited/Submitted By:
City Manager**





ZONING CASE

Zoning Case #: Z09-06-080a
 Existing Zoning: R-1A
 Applicant: Natural Gas Service Co.



 Subject Property



ORDINANCE NO. O-2006- 81

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 Z09-06-080A

That the following described property, which has heretofore been zoned “R-1A” Single-Family Residential District, shall hereafter bear the zoning classification of “POD” Planned Office Development, to wit:

Lot 21A of NCB 1320, one lot totaling 8.21± acres located at the northeast corner of the intersection of New Copeland Road and Shiloh Road, fronting 513± feet along the east side of New Copeland Road, and fronting 639± feet along the north side of Shiloh Road (the 900 block of Shiloh Road),

in accordance with the site development plan attached hereto as Exhibit “A” and with P&Z considerations: landscape berm buffer along the south property line along Shiloh Road, from the intersection of Copeland Road to the East boundary line of Lot 5 to be three to four feet high and ten to twelve feet wide and subject to further review at time site plan submitted; and also homeowners on the north side have option of whether or not they want landscape buffer, berm, or a fence, also subject to further review when site plan submitted

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 27th day of September, A.D., 2006.

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

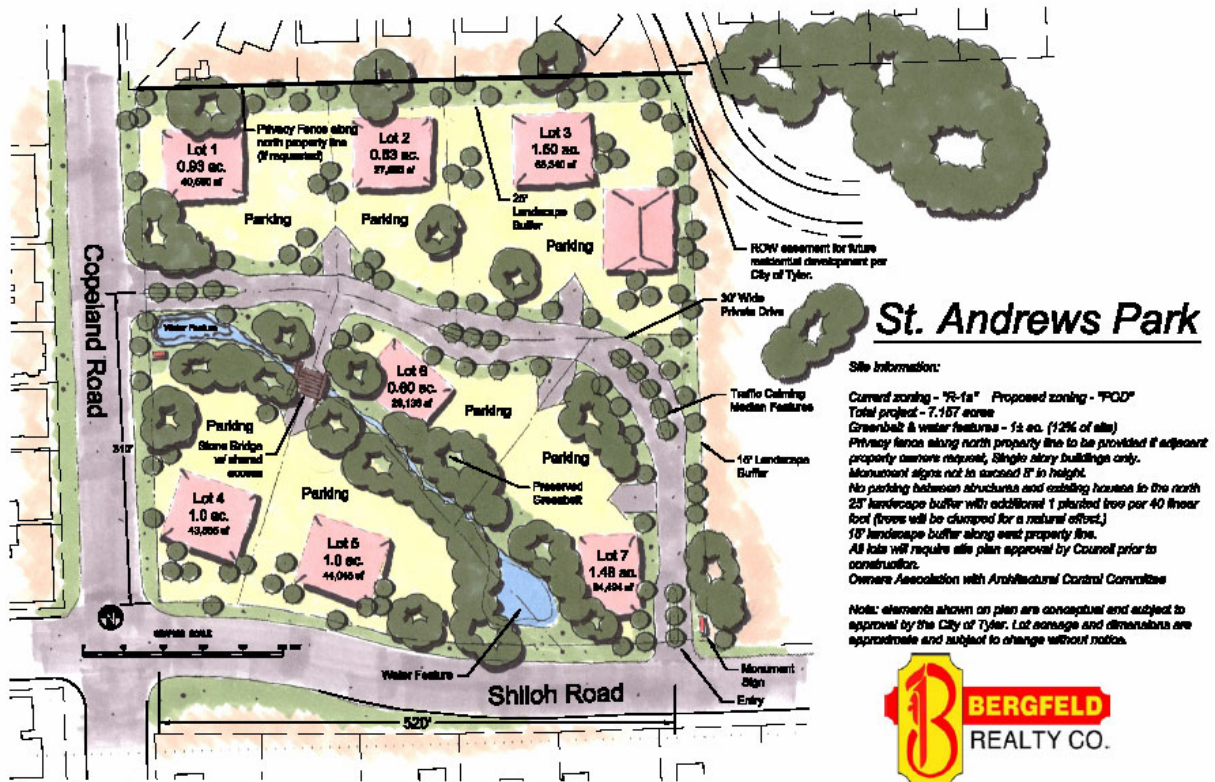
A T T E S T:

CASSANDRA BRAGER, CITY CLERK

APPROVED:

CITY ATTORNEY

EXHIBIT "A" TO ORDINANCE NO. 0-2006-81



St. Andrews Park

Site Information:
 Current zoning - "R-1a" Proposed zoning - "POD"
 Total project - 7.157 acres
 Greenbelt & water features - 15 ac. (12% of site)
 Privacy fence along north property line to be provided if adjacent property owners request. Single story buildings only.
 Monument signs not to exceed 12' in height.
 No parking between structures and existing houses in the north
 25' landscape buffer with additional 1 planted tree per 40 linear foot (trees will be changed for a natural effect.)
 15' landscape buffer along east property line.
 All lots will require site plan approval by Council prior to construction.
 Owners Association with Architectural Control Committee

Notes: elements shown on plan are conceptual and subject to approval by the City of Tyler. Lot usage and dimensions are approximate and subject to change without notice.



For additional information:
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