



**CITY OF TYLER  
CITY COUNCIL COMMUNICATION**

**Agenda Number: Z-13**

**Date: September 27, 2006**

**Subject: APPLICATION Z08-06-078B LAURA L. REDMAN**

**Request that the City Council consider a request to adopt an ordinance approving a final site development plan for Zoning Application Z12-05-103 on Lot 1 of NCB 1481 in the I. Hill Survey A-474, one lot totaling 10± acres located at the southeast corner of the intersection of Paluxy Drive and Roy Road, fronting 480± feet along the east side of Paluxy Drive and fronting 622± feet along the south side of Roy Road (the 7000 block of Paluxy Drive).**

**Page: 1 of 2**

**Item Reference:**

The applicant is requesting site plan approval to allow for the development of an assisted living facility.

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 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.

The property was rezoned to "PMF" Planned Multi-Family Residential District with out final site development plan approval in December, 2005.

The site plan shows a 43,069 square foot building that will contain fifty-six beds. The proposed setbacks are twenty-five feet from the north and west property lines, and ten feet from the east and south property lines. A total of thirty parking spaces will be provided, which exceeds the minimum number required by the Ordinance. Parking will be located along the north and west portions of the

**Agenda Number: Z-13**

**Page: 2 of 2**

building. Two access points are provided along Roy Road and one access point along Paluxy Drive.

Staff feels the building would not have a negative impact on the surrounding properties due to a significant area of tree preservation along the frontages. Also, sidewalks are shown along the perimeter of the property and an open space area with a walking trail is shown on the western side of the property. Staff recommends approval of the request, contingent on the 2 access points on Roy Road being combined into one and to be located at the easternmost proposed access point.

On August 15, 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. Commissioner Stewart felt that one access is necessary for traffic control.

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 5-0, recommends approval of the final site development plan, subject to the two access points on Roy Road being combined into one and located at the site of the eastern most proposed access point.



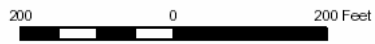
**Drafted/Recommended By: Heather Nick, Interim  
Department Leader**

**Edited/Submitted By:  
City Manager**

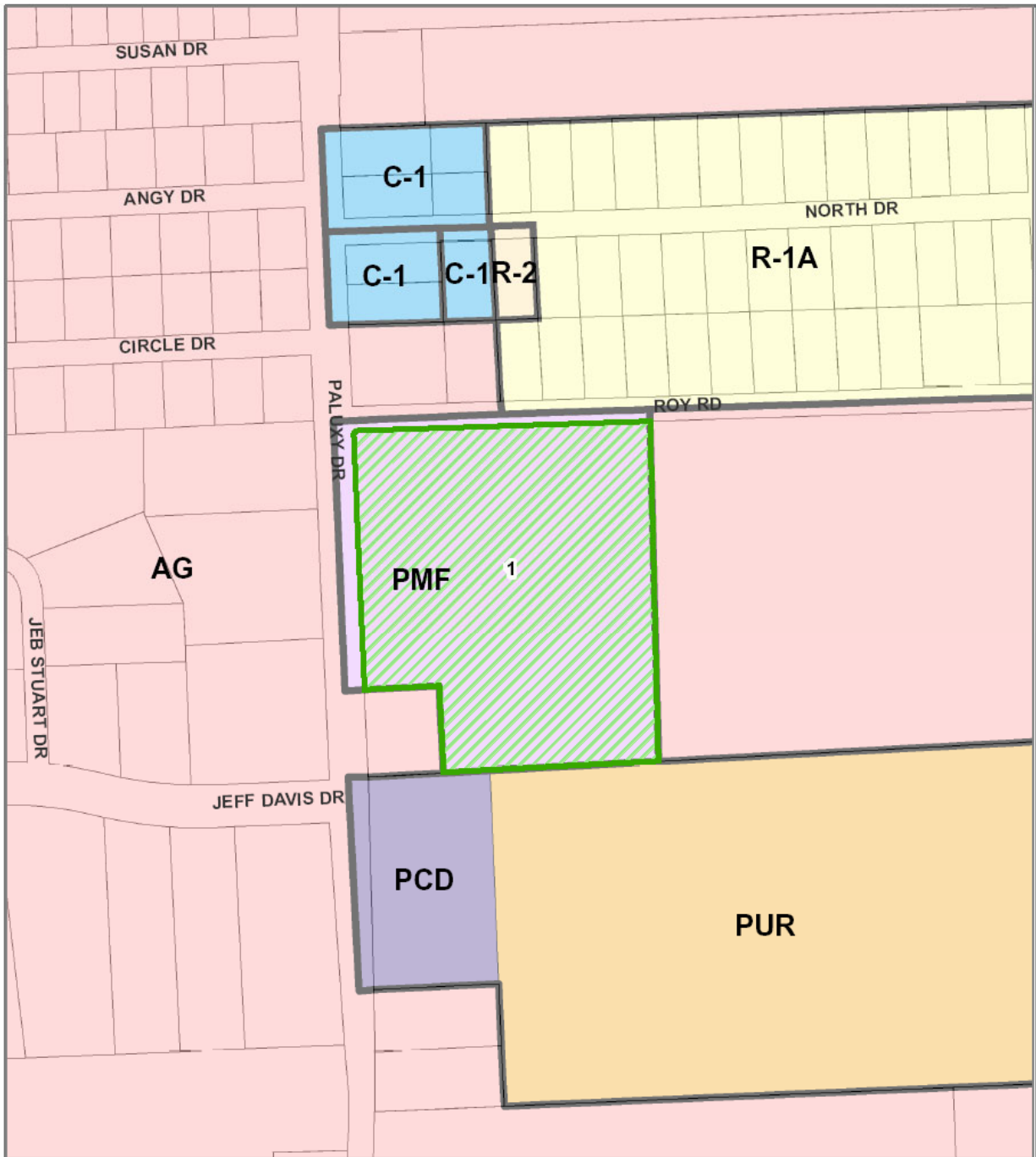


**ZONING CASE**

Zoning Case #: Z08-06-078B  
 Existing Zoning: PMF  
 Applicant: LAURA REDMAN



-  Subject Property
-  200' Notification Buffer



**ZONING CASE**

Zoning Case #: Z08-06-078B

Existing Zoning: PMF

Applicant: LAURA REDMAN



 Subject Property

**ORDINANCE NO. 0-2006-84**

**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 ZONING APPLICATION Z12-05-103 ON LOT 1 OF NCB 1481 IN THE I. HILL SURVEY A-474, ONE LOT TOTALING 10± ACRES LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF PALUXY DRIVE AND ROY ROAD, FRONTING 480± FEET ALONG THE EAST SIDE OF PALUXY DRIVE AND FRONTING 622± FEET ALONG THE SOUTH SIDE OF ROY ROAD (THE 7000 BLOCK OF PALUXY 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 December 14, 2005, in Ordinance 0-2005-7, 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 August 15, 2006, voted 5-0 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 0-2005-7, as follows:

**I. APPLICATION Z08-06-078B**

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 1481 in the I. Hill Survey A-474, one lot totaling 10± acres located at the southeast corner of the intersection of Paluxy Drive and Roy Road, fronting 480± feet along the east side of Paluxy Drive and fronting 622± feet along the south side of Roy Road (the 7000 block of Paluxy 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 27<sup>th</sup> day of September, A.D., 2006.

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

A T T E S T:

APPROVED:

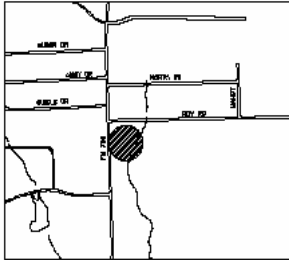
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CASSANDRA BRAGER, CITY CLERK

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CITY ATTORNEY

EXHIBIT "A" to ORDINANCE 0-2006-84



LOCATION MAP

NOT TO SCALE

**Parking Color:**  
1 space per 3 beds  
43,069 sq building  
58 bed facility

**Parking Required:**  
19 spaces

**Parking Provided:**  
50 Spaces

**Screening Walls provided around the Dumpster.**

Due to the amount of vegetation preserved around the facility, and the distance from any existing residences, no additional screening is necessary. No high mast lighting is proposed on this site.

**Property Owners:**  
Richard and Laura Robinson  
1001 Witherswood  
Tynes, TX 75703  
903-393-5644

**Community Zoned AG**  
Requested Zoning PMF

