



**CITY OF TYLER
CITY COUNCIL COMMUNICATION**

Agenda Number: Z-10

Date: October 24, 2007

Subject: APPLICATION Z10-07-110B GLEN GRAVES, MD
Request that the City Council consider a request to approve a Final Site Development Plan on property zoned "POD" Planned Office District for Lot 41 of NCB 1500-T of the Coventry Addition, Unit 3 as recorded in the Plat Records of Smith County in Cabinet D, Slide 377D, one lot totaling approximately 1.4 acres of land located one lot south of the southwest intersection of Ashwood Drive and New Copeland Road (5777 New Copeland Road).

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Item Reference:

The applicant is requesting an amendment to the approved final site development plan.

Section 10-223, "POD" Planned Office Development District, is established to provide for professional and office facilities in appropriate locations. The "POD" District 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 a plan for the use and development of all or part of such tract of land to the Planning and Zoning Commission and the City Council. 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, 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.

The adjacent properties to the north, east, and south are zoned "R-1A" Single-Family Residential District, while properties to the west are zoned "R-1A" Single-Family Residential District and "PMF" Planned Multi-Family Residential District.

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The applicant has submitted an amended site plan, which expands the previous 8,000 square foot medical office to 10,200 square feet. The setbacks will be 108 feet from the east property line, with a 15 foot landscape buffer along the north property line. They are leaving an undisturbed buffer area along the west property line which abuts a residential area.

They are increasing their parking from 40 parking spaces to a total of 55 parking spaces; the minimum number required by the City of Tyler Ordinance is 26 spaces. Parking will be located along the south and west portions of the building. One access point is provided at New Copeland Road. Additionally, one monument sign is proposed not to exceed eight feet in height or 32 square feet located at the New Copeland Road access point, as shown in Exhibit B.

No dumpster will be located on the site and trash pick up will be limited to 8:00 a.m. – 8:00 p.m. The site plan states that all lighting will be down shielded.

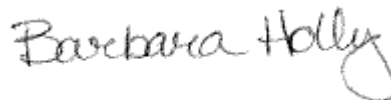
Staff states that this request is consistent with the current development patterns in the area, which has several planned developments. The proposed structure is residential in style and will have landscape buffers along the front, sides and rear of the property. Therefore, Staff believes this would be a beneficial development for the area.

On October 16, 2007, the Planning and Zoning Commission held a public hearing on this request. Of the six notices sent, the Planning Department has received one written letter of support and no letters of protest for this project. John Chesley, the agent for the applicant, appeared on behalf of the application.

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

RECOMMENDATION:

The Planning Commission, by a vote of 7-0, recommends approval of the “POD” Planned Office Development District site plan amendment.



**Drafted/Recommended By:
Department Leader**

**Barbara Holly
Director of Planning**

**Edited/Submitted By:
City Manager**



200 0 200 Feet

ZONING CASE

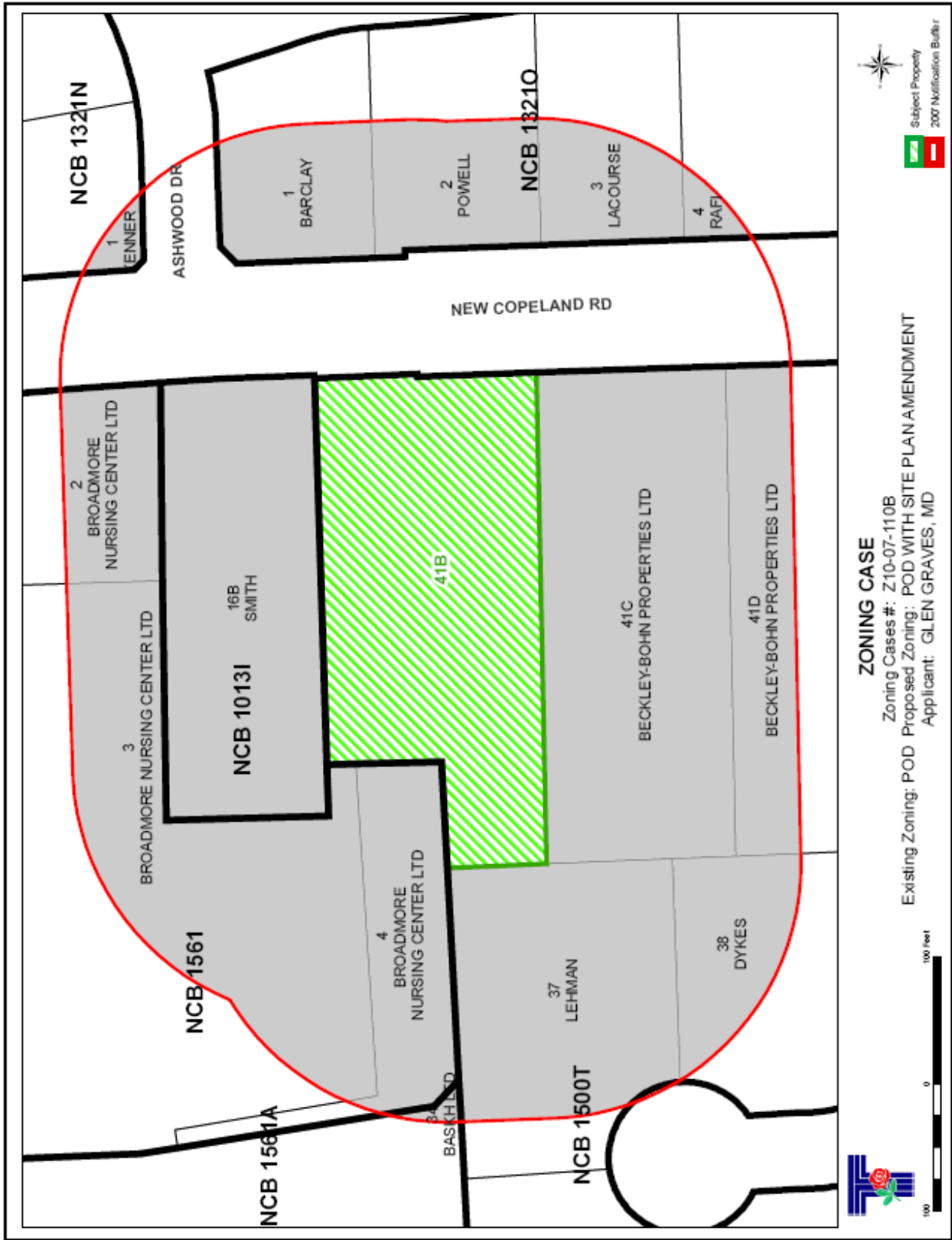
Zoning Cases #: Z10-07-110B

Existing Zoning: POD Proposed Zoning: POD WITH SITE PLAN AMENDMENT

Applicant: GLEN GRAVES, MD



Subject Property



ZONING CASE

Zoning Cases #: Z10-07-110B
 Existing Zoning: POD
 Proposed Zoning: POD WITH SITE PLAN AMENDMENT
 Applicant: GLEN GRAVES, MD



ORDINANCE NO. O-2007-120

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 Z10-07-110B

That the amended site development plan is hereby approved for the following described property, to wit:

Lot 41 of NCB 1500-T of the Coventry Addition, Unit 3 as recorded in the Plat Records of Smith County in Cabinet D, Slide 377D, one lot totaling approximately 1.4 acres of land located one lot south of the southwest intersection of Ashwood Drive and New Copeland Road (5777 New Copeland Road),

and in accordance with the site development plan attached hereto as Exhibit "A", and the drawings attached hereto as Exhibits "B" and "C".

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 24th day of October, A.D., 2007.

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

APPROVED:

A T T E S T:

CASSANDRA BRAGER, CITY CLERK

CITY ATTORNEY

