



**CITY OF TYLER  
CITY COUNCIL COMMUNICATION**

**Agenda Number:** Z-6

**Date:** June 13, 2007

**Subject:** **APPLICATION Z05-07-041A PERRY B. HALL**  
Request that the City Council consider a request for final site development plan approval (Z11-03-067) on Tract 2 of the William Keys Survey A-526, being a 10.119 acre tract and being part of a called 184.887 acre tract described in a Deed from Hudnall et al to RHP Real Estate Ltd. in Volume 3905, Page 374 of the Smith County Land Records, Smith County, Texas. The subject property is located north and east of the intersection of Old Omen Road and Shiloh Road, on the east side of Old Omen Road. The applicant is requesting final site development plan approval to allow for the development of apartments. The property is currently zoned "PMF" Planned Multi-Family Residential District.

**Page:** 1 of 2

**Item Reference:**

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 uses. The "PMF" District sets out a maximum building height of two and one-half stories or 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 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 additional requirements such as building setbacks, landscaping, lighting, screening, accessways, and driveways for the protection of the adjoining and surrounding properties.

The site plan shows a multi-family development on 9.2 acres consisting of eight buildings containing a total of 204 units (324 bedrooms). The density will be 22 units per acre. Three acres are shown as greenbelt or common area which calculates to 33 percent of the site in open space. Code requires two spaces per unit which would result in 408 spaces; the applicant is proposing to provide 375 spaces. Also shown is a monument sign of 75 square feet.

**Agenda Number: Z-6**

**Page: 2 of 2**

The setbacks are 25 feet from all property lines and a 15 foot separation between all buildings. The interior drives are 26 feet and to be gated with roundabouts for traffic calming and landscaped to beautify the area.

This zoning to the north is multi-family and to the west is single-family; the adjacent properties to the east and south are in Zone 2 of the ETJ.

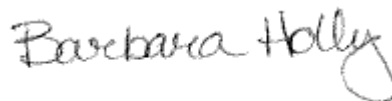
The applicant has also dedicated .909 acres to the City of Tyler for future improvements along Old Omen Road.

As of Tuesday, May 1, 2007, the Planning Department has received no written letters of support or protest.

**RECOMMENDATION:**

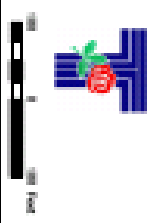
The Planning and Zoning Commission, by a vote of 7-0 recommends approval of the request for final site plan approval, contingent upon the following recommendations:

- A fully dimensioned site plan be submitted
- Provide a six foot visual screen along the eastern property line
- A total of 375 parking spaces be provided for both resident and visitor parking
- A preliminary plat be submitted
- All lighting to be down shielded
- A single monument sign not to exceed 32 square feet



**Drafted/Recommended By: Barbara Holly**  
**Department Leader                      Director of Planning**

**Edited/Submitted By:**  
**City Manager**



0 50 100 Feet

**ZONING CASE**  
Zoning Cases #: 205-07-042A  
Existing Zoning: PAUF P  
Proposed Zoning: PAUF WITH SITE PLAN  
Applicant: PERRY B. HALL

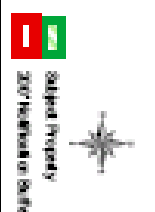
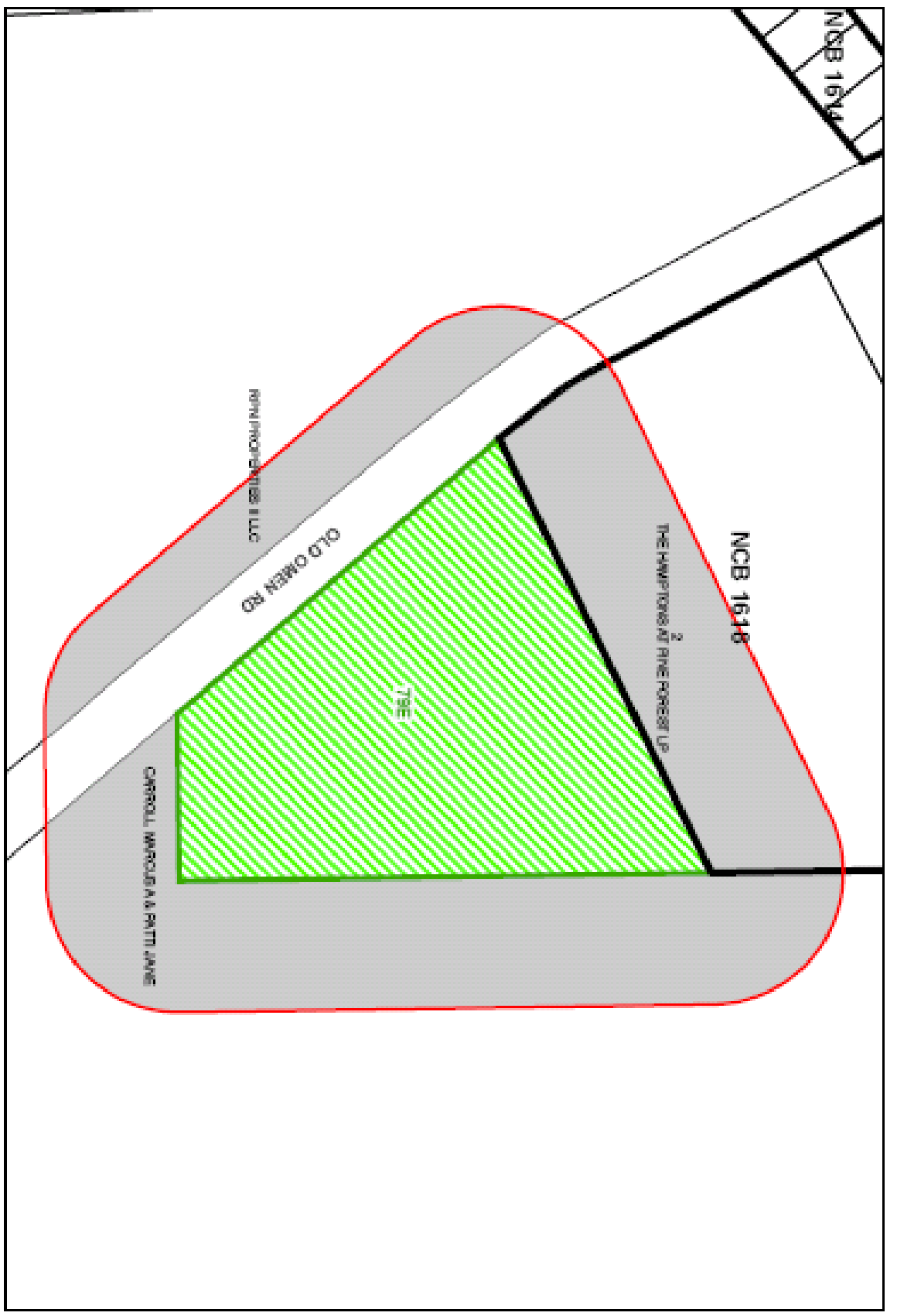
**ZONING CASE**  
Zoning Cases #: 205-07-042A  
Existing Zoning: PAUF P  
Proposed Zoning: PAUF WITH SITE PLAN  
Applicant: PERRY B. HALL

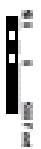
**ZONING CASE**  
Zoning Cases #: 205-07-042A  
Existing Zoning: PAUF P  
Proposed Zoning: PAUF WITH SITE PLAN  
Applicant: PERRY B. HALL

**ZONING CASE**  
Zoning Cases #: 205-07-042A  
Existing Zoning: PAUF P  
Proposed Zoning: PAUF WITH SITE PLAN  
Applicant: PERRY B. HALL

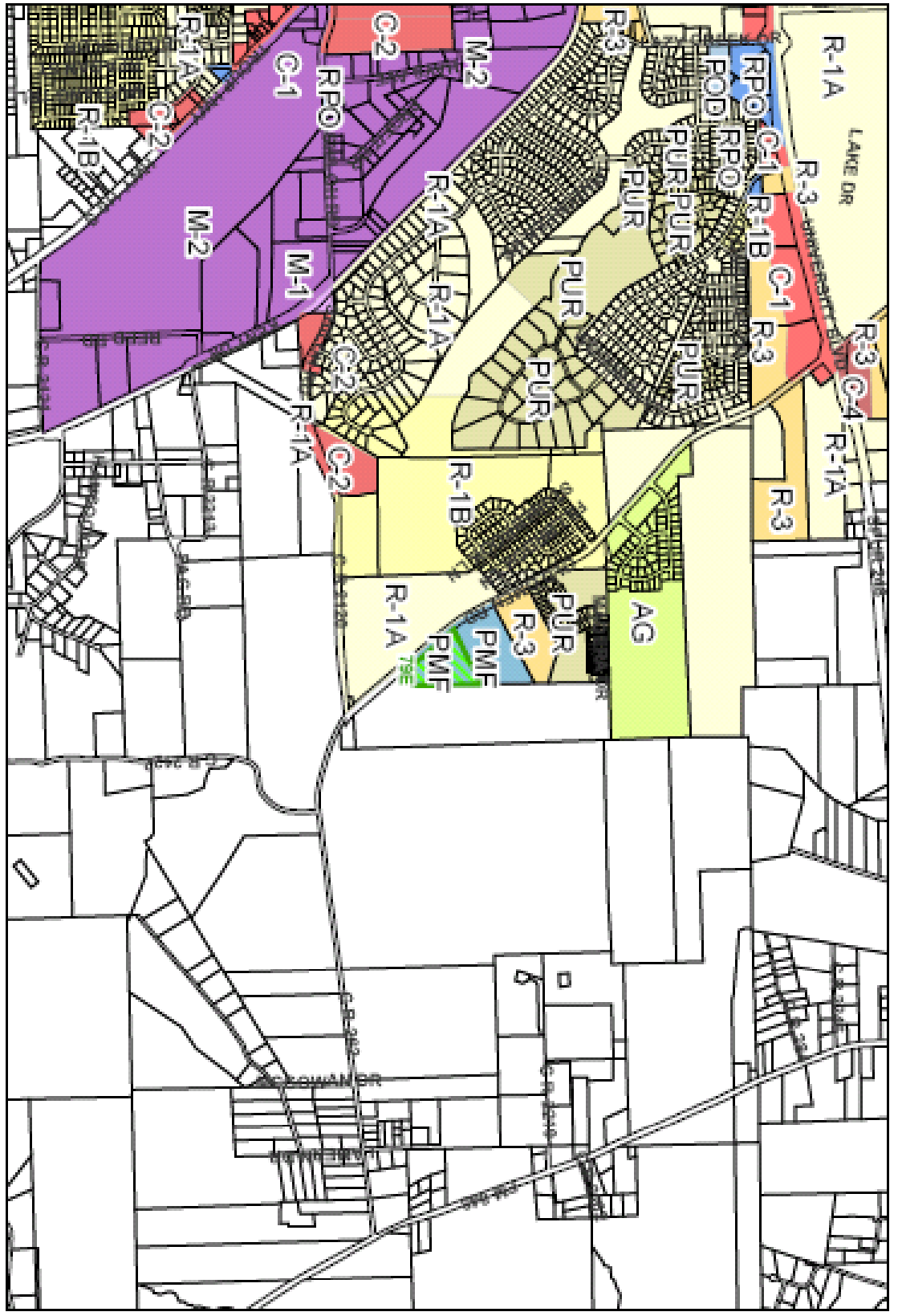
**ZONING CASE**  
Zoning Cases #: 205-07-042A  
Existing Zoning: PAUF P  
Proposed Zoning: PAUF WITH SITE PLAN  
Applicant: PERRY B. HALL

**ZONING CASE**  
Zoning Cases #: 205-07-042A  
Existing Zoning: PAUF P  
Proposed Zoning: PAUF WITH SITE PLAN  
Applicant: PERRY B. HALL

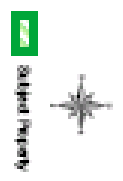




Scale: 1" = 500'



**ZONING CASE**  
Zoning Cases #: 205-07-042A  
Existing Zoning: PMF Proposed Zoning: PMF WITH SITE PLAN  
Applicant: PERRY, B. HALL



called legend

**ORDINANCE NO. O-2007-59**

**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 Z05-07-041A**

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 2 of the William Keys Survey A-526, being a 10.119 acre tract and being part of a called 184.887 acre tract described in a Deed from Hudnall et al to RHP Real Estate Ltd. in Volume 3905, Page 374 of the Smith County Land Records, Smith County, Texas.

**PART 2.** That such request is contingent upon:

1. A fully dimensioned site plan be submitted
2. Provide a six foot visual screen along the eastern property line
3. A total of 375 parking spaces be provided for both resident and visitor parking
4. A preliminary plat be submitted
5. All lighting to be down shielded
6. A single monument sign not to exceed 32 square feet

**PART 3:** 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 4:** 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 5:** That this ordinance shall be effective on and after its date of passage and approval by the City Council.

**PASSED AND APPROVED** this the 13<sup>th</sup> day of June, A.D., 2007.

---

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

A T T E S T:

APPROVED:

---

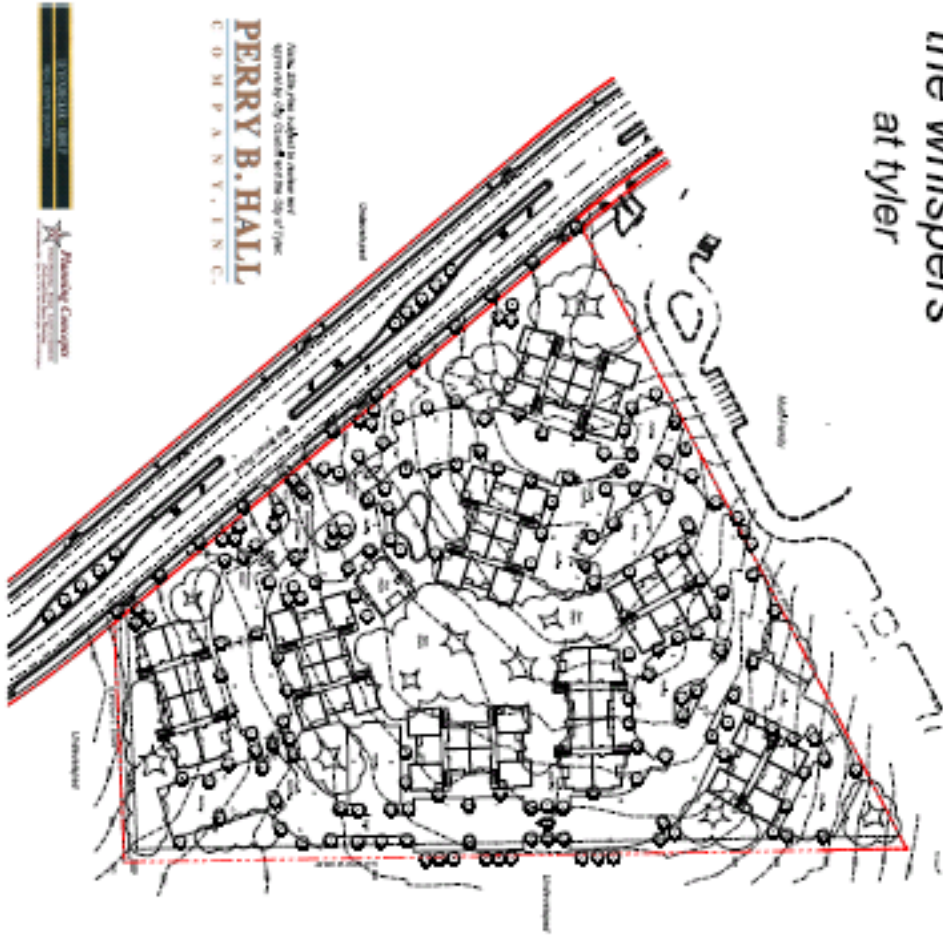
CASSANDRA BRAGER, CITY CLERK

---

CITY ATTORNEY

Exhibit "A" to Ordinance 0-2007-59

*the whispers*  
at tyler



Plans are not subject to review and approval by Council or the City of Tyler.  
**PERRY B. HALL**  
C O M P A N Y, I N C.



Site Information

Developer:  
Levander Group  
P.O. Box 430988  
Houston, TX 77243  
713-875-4600

Total Area - 4.25 Acres (after dedication)  
Current Zoning - RMF

Setbacks - 20' from all Property Lines, 10' between structures, (all setbacks subject to City Council approval.)

Total Units - 254 (234 homes - 8 MoHo)

16' x 188' - 108  
2 16' x 188' - 72  
3 16' x 188' - 54  
Density - 22 units/acre

Perking Pond (2 options) - 495  
Perking Ponds - 564 (1.28 acres)  
Crawford/Conover Area - 3.27 Ac. (23 % of site is Open Space)  
All Density to be demonstrated

Site Plan Prepared by  
Planning Concepts  
Tyler, Texas  
409.619.4100



Not to scale