



**CITY OF TYLER  
CITY COUNCIL COMMUNICATION**

**Agenda Number:** Z-3

**Date:** January 23, 2008

**Subject:** **APPLICATION Z12-07-020B WILLIAM PILLSBURY**  
Request that the City Council consider a request to change the zoning from “PUR” Planned Unit Residential District to “PCD” Planned Commercial District with final site plan approval on approximately 5.810 acres of land being a portion of Lot 7 of NCB 1445 located approximately 2,000 feet northwest of the intersection of University Boulevard and County Road 272, and to change the zoning from “R-1A” Single Family Residential District to “PCD” Planned Commercial District without final site plan approval on 0.576 acres of land being a portion of Lot 3 of NCB 1444 located approximately 1,500 feet west of the intersection of the proposed McDonald Road extension and County Road 272.

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**Item Reference:**

The applicant is requesting a zoning change to allow for the development of a hotel and conference center.

Section 10-230, "PCD" Planned Commercial Development District, allows for commercial development that will be situated close to residential development requiring development criteria that will achieve a compatible relationship between the retail and commercial development and the nearby residential areas. "PCD" Planned Commercial District allows for any permitted use which is allowed within the "C-2" General Commercial District. This district also requires that the design and development of a "PCD" Planned Commercial Development District be in accordance with an approved site plan.

This rezoning request is part of a larger development known as the Tyler Hotel and Conference Center that comprises an approximate 32 acres of land located generally in the southeast quadrant of the City of Tyler. The property to the south and west is the Charleston Park single family residential subdivision and properties to the north and east are large vacant or residential tracts outside the city limits.

The 5.810 acre tract is currently zoned “PUR” and the developer is requesting “PCD” with final site plan approval as this tract is part of the phase one of the Tyler Hotel and Convention Center development.

The 0.576 acre tract is currently zoned “R-1A” and the developer is requesting “PCD” without final site plan approval. This tract is part of phase two of the Tyler Hotel Convention Center development.

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This two phased project depicts a site plan that consists of Phase One: an approximate 26,000 square foot six story 198 room hotel with parking on a portion of Lot 1, a portion of Lot 2 houses an approximate 20,000 square foot conference center with parking. A portion of Lot 3 is an approximate 8,000 square foot restaurant pad site with parking. Phase Two will require site plan approval when development occurs.

The site plan states the exterior site lighting will be down shielded. The front and side setbacks are proposed to be between 15 feet and zero feet. The rear setback is proposed to be between 10 feet and zero feet. The building height requirements for "PCD" are 45 feet at the minimum setback line and one foot for each additional foot in excess of minimum. The developer is proposing 65 feet at the minimum setback line and one foot for each additional foot in excess of minimum.

In order to protect the residential lots to the west and south of the proposed development, the developer has provided an exhibit depicting the distance from the rear north lot line and rear east lot line of the residential lots to the proposed buildings on the site plan. This exhibit shows a minimum distance of 370 feet from any residential lot to the hotel building; a minimum distance of 365 feet from any residential lot to the restaurant building and a minimum distance of 180 feet from any residential lot to the chapel building.

With the residential lots not developed at this time, staff feels this separation to be a reasonable buffer between the residential lots and the proposed development. The required parking for this development is 625 parking spaces; however developer is proposing 674 parking spaces. The dumpster will be enclosed with a nine foot brick fence with painted metal doors.

The newly adopted Tyler 21 Future Land Use Guide designates this site as Single Family Medium/Low Density. If approved, this will establish a Mixed Use Center land use on this site. With the improvements to County Road 272 and the extension of McDonald Road being proposed by the developer, the proposed development should have a beneficial impact on the area.

On December 18, 2007, the Planning and Zoning Commission held a public hearing on this request. Of the three notices mailed, no notices were returned in favor of or in opposition to the request. Bob Breedlove, the engineer for the project, William Pillsbury, owner of the property, and Erik De Vries, VP of Development for America Development, spoke in favor of the application. No one spoke in opposition to the request.

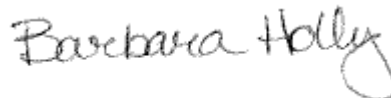
All other departments have reviewed the application and anticipate no significant impact on services or facilities by the proposed change.

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**RECOMMENDATION:**

The Planning and Zoning Commission, by a vote of 7-0, recommends approval of the request to change the zoning from "PUR" to "PCD" with site plan approval for the 5.810 acre tract, and from "R-1A" to "PCD" without final site plan approval for the 0.576 acre tract.

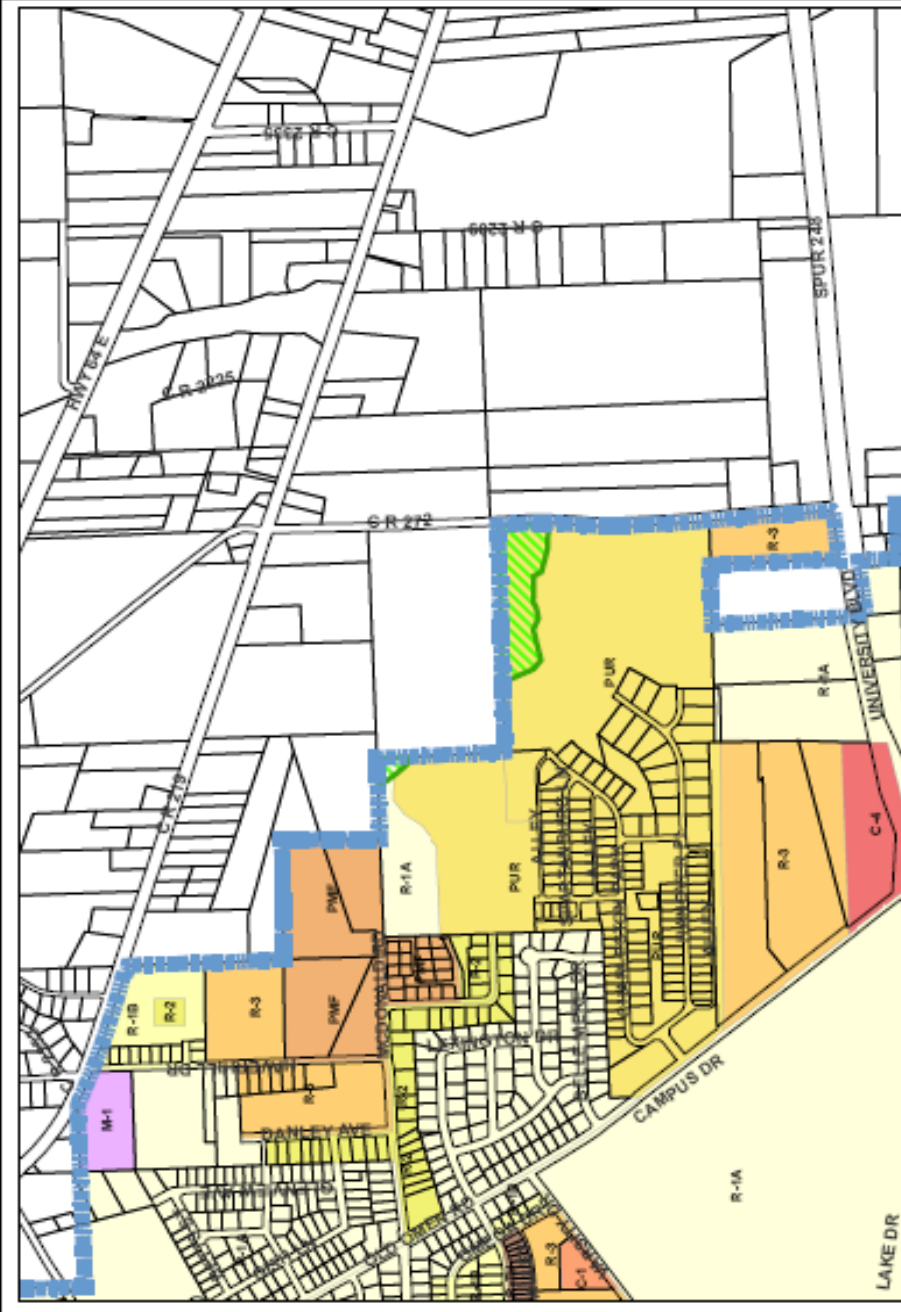
A handwritten signature in cursive script that reads "Barbara Holly".

**Drafted/Recommended By: Barbara Holly**

**Department Leader**

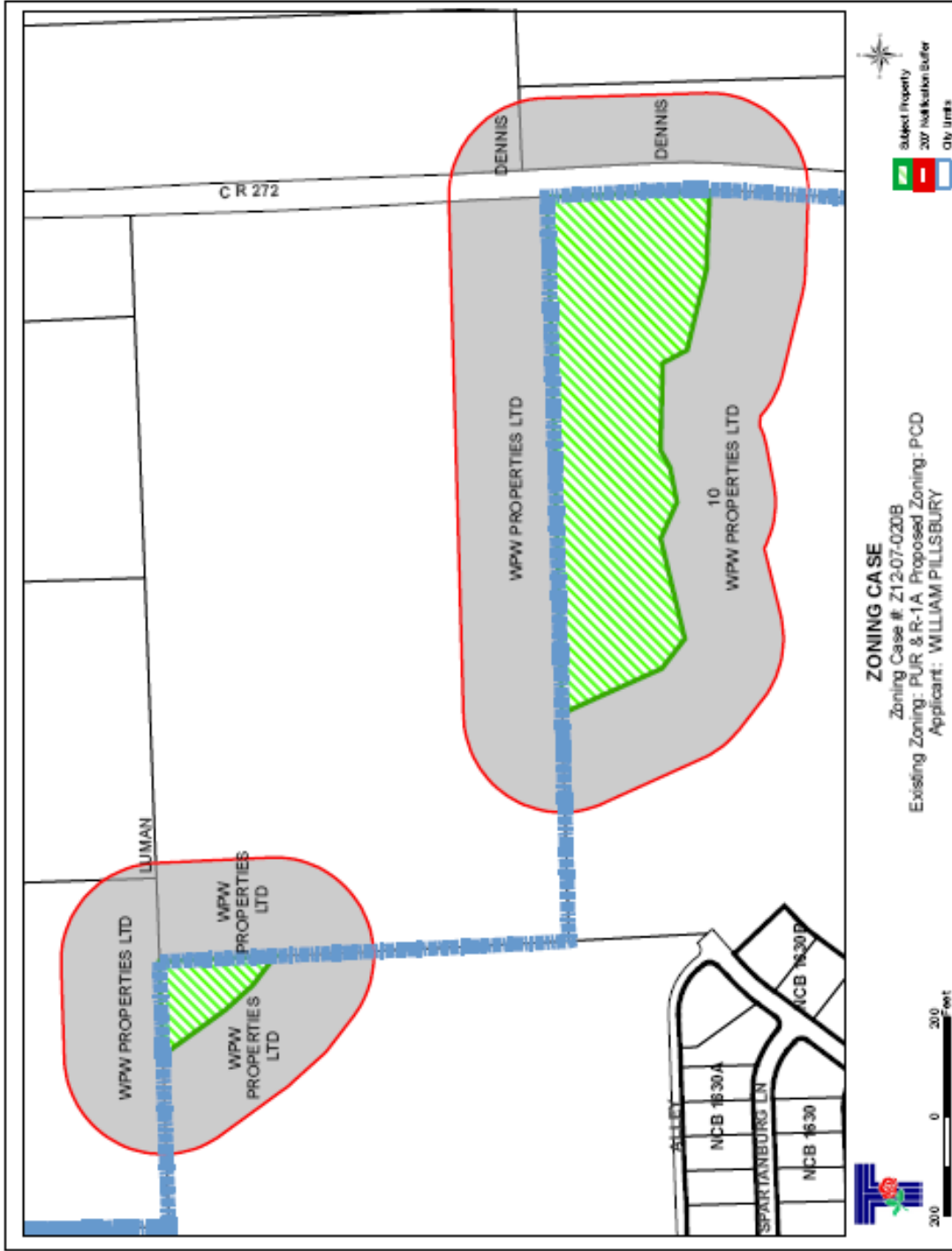
**Edited/Submitted By:**

**City Manager**

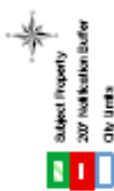


**ZONING CASE**  
 Zoning Case #: Z12-07-020B  
 Existing Zoning: PUR & R-1A, Proposed Zoning: PCD  
 Applicant: WILLIAM PILLSBURY





**ZONING CASE**  
 Zoning Case #: Z12-07-020B  
 Existing Zoning: PUR & R-1A, Proposed Zoning: PCD  
 Applicant: WILLIAM PILLSBURY



**ORDINANCE NO. O-2008-13**

**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 Z12-07-020B**

That the following described property, which has heretofore been zoned “PUR” Planned Residential District and “R-1A” Single Family Residential District, shall hereafter bear the zoning classification of “PCD” Planned Commercial District with final site plan approval on approximately 5.810 acres, and “PCD” Planned Commercial District without final site plan approval on approximately 0.576 acres to wit:

Approximately 5.810 acres of land being a portion of Lot 7 of NCB 1445 located approximately 2,000 feet northwest of the intersection of University Boulevard and County Road 272, and on 0.576 acres of land being a portion of Lot 3 of NCB 1444 located approximately 1,500 feet west of the intersection of the proposed McDonald Road extension and County Road 272,

and in accordance with the site plan attached hereto as Exhibit “A”.

**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 23<sup>rd</sup> day of January, A.D., 2008.

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

A T T E S T:

APPROVED:

\_\_\_\_\_  
CASSANDRA BRAGER, CITY CLERK

\_\_\_\_\_  
CITY ATTORNEY

