



**CITY OF TYLER  
CITY COUNCIL COMMUNICATION**

**Agenda Number: Z-8**

**Date: January 23, 2008**

**Subject: APPLICATION Z12-07-015A MICHAEL WERNER**  
**Request that the City Council consider a request to approve a final site development plan on property zoned "PUR" Planned Unit Residential District on approximately 33.5 acres of land located in the Crossing Subdivision located on the west side of Old Jacksonville Highway, south of the southwest intersection of Three Lakes Parkway and Old Jacksonville Highway.**

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**Item Reference:**

The applicant is requesting approval of a final site development plan.

Section 10-217, "PUR" Planned Unit Residential District, is designed to accommodate various types of unique and innovative housing forms which are based upon a concept of reducing the area of individually owned lots, grouping such lots together to more efficiently utilize the total space within a subdivision. The standards have been developed and applied to a variety of housing forms, including but not limited to town houses, patio homes, courtyard homes and cluster housing. This district establishes a maximum building height of two and one-half stories or 42 feet in height, which is consistent with the "R-1A" Single-Family Residential District. The maximum density of development permitted within a Planned Unit Residential District is 12 dwelling units per gross acre. The typical single family residential district within the City of Tyler is developed at about four to six dwelling units per acre.

In addition, development of a "PUR" District shall be consistent with an approved site plan in an instrument contained in restrictions, covenants and conditions applicable to the ownership, use, control, maintenance, replacement, repair and disposition of the property and improvements covered by such application as part of the zoning approval. Any deviations within a "PUR" zoning district will require the approval of both the Planning and Zoning Commission and the City Council. This would require notification to all adjacent property owners and a public hearing process.

The "PUR" Planned Unit Residential District allows the Planning and Zoning Commission and the City Council to impose additional requirements regarding building setbacks, landscaping, lighting, screening, access ways, driveways and other reasonable requirements for the protection of the adjoining and surrounding properties.

The adjacent properties to the north and east are currently zoned "C-1" Light Commercial District and "PUR" Planned Unit Residential District and properties to the west are zoned "R-1A" Single Family Residential. Properties to the south are outside the City limits.

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The site plan is divided into four areas within the “Crossing” neighborhood development. The setbacks are as follows:

- Crossing – 50 ft. -front yard, 15 ft. -street side yard, 7.5 ft. -interior side yard and 30 ft. - rear yard, unless when rear yard is adjacent to lake, then rear yard setback is 15 ft.
- Timberlake – 25 ft. –front yard, 5 ft. –side yard and 25 ft. -rear yard unless adjacent to lake then rear yard is 15 ft.
- Grand Oaks Estates – 50 ft. -front yard unless on a cul-de-sac then 30 ft. -front yard, 7.5 ft. side yard except where abutting backyard then side yard increases to 10 ft. and 30 ft. -rear yard except it decreases on lots 6 and 7 to 15 ft.
- Cross Pointe – 20 ft -front yard, 5 ft -side yard and 15 ft - rear yard.

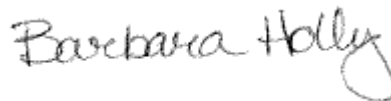
With single family, custom homes, there are many varied home site building elevations. For these types of developments staff requires the plan to show the building footprint with setbacks for each lot rather than each building elevation. This site plan does not include all of the acreage zoned for “PUR”. The developer will provide site plans for the remaining 27 acres as the property is ready for development.

On December 4, 2007, the Planning and Zoning Commission held a public hearing on this request. Of the 21 notices mailed, five notices were returned in favor of the request and no notices of opposition were received. No one spoke in opposition to the request. Stephanie Rollings, the applicant’s agent, appeared on behalf of the application.

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

**RECOMMENDATION:**

The Planning and Zoning Commission, by a vote of 7-0, recommends approval of the site plan.



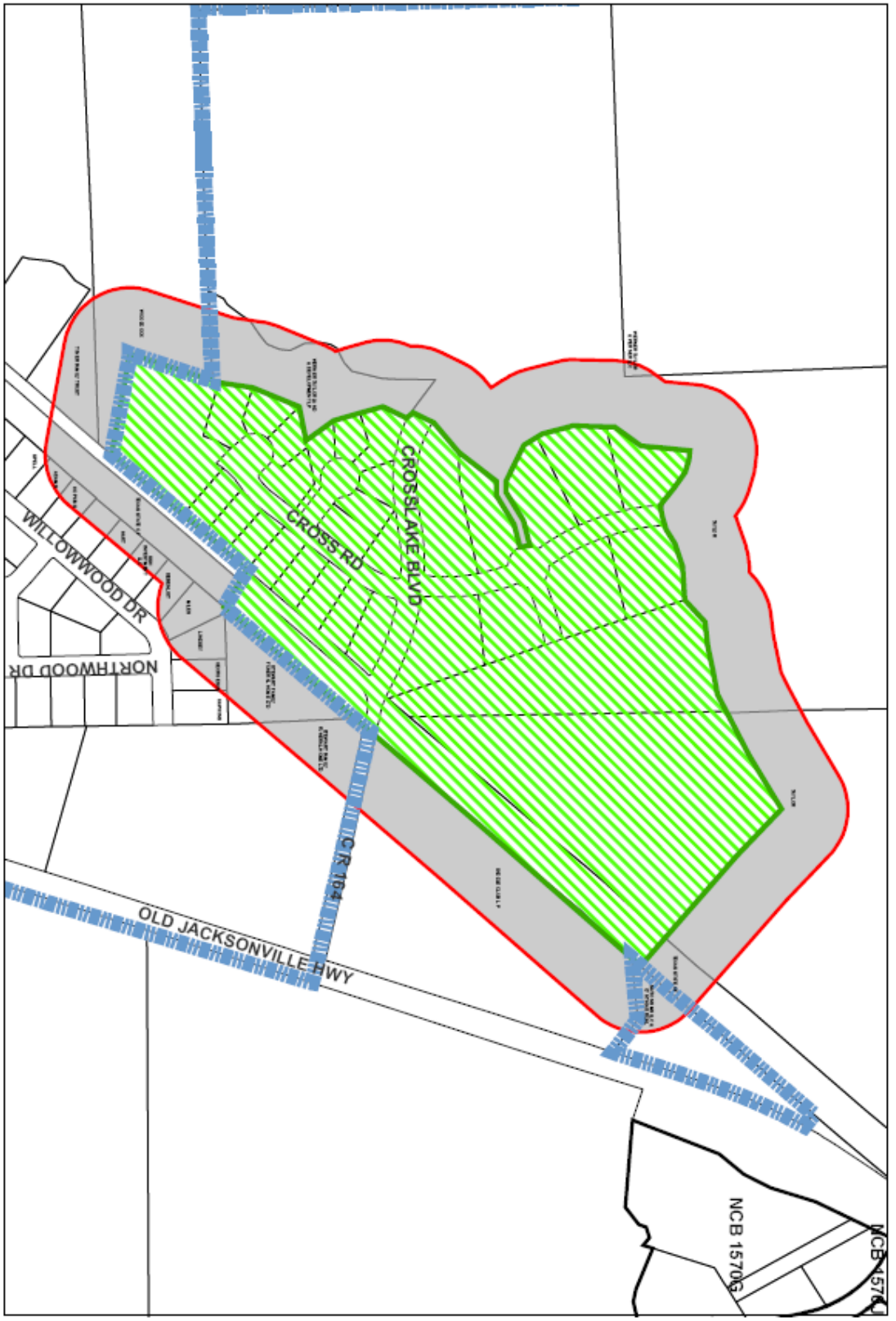
**Drafted/Recommended By: Barbara Holly**

**Department Leader**

**Edited/Submitted By:**

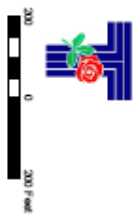
**City Manager**





**ZONING CASE**

Zoning Case #: Z12-07-015A  
 Existing Zoning: PUR Proposed Zoning: PUR WITH SITE PLAN  
 Applicant: MICHAEL J. WERNER



Subject Property  
 2007 Notification Buffer

**ORDINANCE NO. O-2008-18**

**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 Z12-07-015A**

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

Approximately 33.5 acres of land located in the Crossing Subdivision on the west side of Old Jacksonville Highway, south of the southwest intersection of Three Lakes Parkway and Old Jacksonville Highway,

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.

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

APPROVED:

A T T E S T:

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CASSANDRA BRAGER, CITY CLERK

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CITY ATTORNEY

EXHIBIT "A" to ORDINANCE 0-2008-18  
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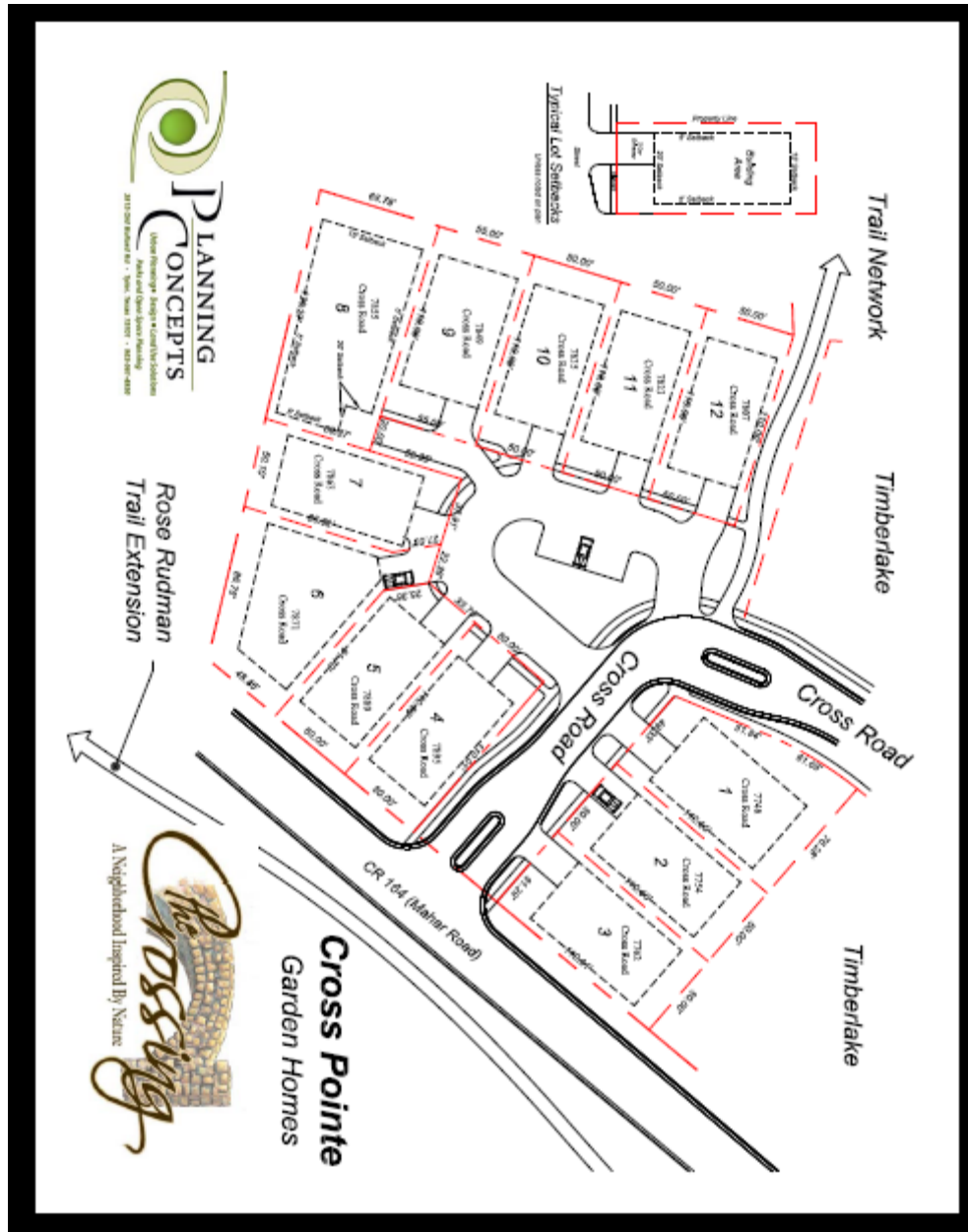


EXHIBIT "A" to ORDINANCE 0-2008-18  
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