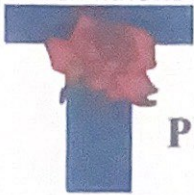


# CITY OF TYLER

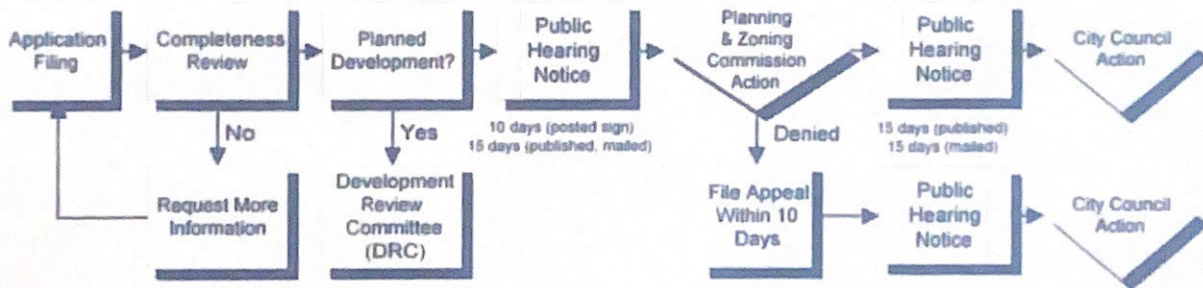


## PLANNED DEVELOPMENT APPLICATION

City of Tyler  
Planning and Zoning  
423 W. Ferguson  
Tyler, TX 75710-2039  
(903) 531-1175  
(903) 531-1170 fax

### PROCESS

- A. All zoning is by ordinance and only the City Council has the authority to adopt or to change an ordinance. The Council has assigned the study of zoning to the City Planning and Zoning Commission, which will make recommendations to the City Council. If the Commission recommends a request for rezoning, it will not be effective until it is passed by the City Council. The rezoning process normally requires a period of sixty (60) days.
- B. All requests must be filed in the Planning and Zoning Department located at 423 West Ferguson, Tyler, TX. A filing fee must be received with the completed application form. (See Fee Schedule and Deadline Dates) **The applicant must also post a zoning notification provided by the Planning and Zoning Department along with a \$20 deposit that is refundable upon return of the sign.** The sign must be placed in the front yard of the subject property no later than seven days after the application has been submitted. **If the sign is not posted in the required time frame, the application process will cease and the applicant will be required to reapply.**
- C. Please have a representative present at all public hearings. The applicant has the duty to produce evidence before the Planning and Zoning Commission and City Council to justify the proposed zoning change. This generally requires a showing that conditions affecting the property have substantially changed since the last zoning classification decision of the City.
- D. All requests that require site plan submittals must include a hard copy site plan and digital site plan with the completed application form.



### OFFICE USE ONLY

Zoning Application  
Receipt No.: \_\_\_\_\_ Amount: \_\_\_\_\_

Sign Deposit  
Receipt No.: \_\_\_\_\_ Amount: \_\_\_\_\_

Signed By: \_\_\_\_\_

**APPLICATION**

**A. Requesting: (One Check per Application)**

- Site Plan
- Site Plan Amendment

**B. Description & Location of Property:**

?

1. Lot, Block and Addition (required): \_\_\_\_\_
2. Property Address of Location (required): 1701 BALSAM GAP TAX I.D. 1000000794 0000 5000  
0 W. Cumberland RD. I.D. #ATTACHED#  
(LOTS 1, 4, 5, 6)

PRESENT ZONING	PROPOSED ZONING
CLASSIFICATION <u>PMF/PCD/C-1</u> <input type="checkbox"/>	CLASSIFICATION <u>PMF</u> <input type="checkbox"/>
OVERLAY (IF APPLICABLE) <u>—</u> <input type="checkbox"/>	OVERLAY (IF APPLICABLE) <u>—</u> <input type="checkbox"/>
AREA (ACREAGE) <u>23.22 AC</u>	AREA (ACREAGE) <u>23.22 AC</u>
	DWELLING UNITS/ACRE (if applicable) <u>(18 AVE.)</u>

**C. Reason(s) for Request (please be specific):**

- PLANNED 3-STORY GARDEN STYLE MULTI-FAMILY DEVELOPMENT.  
 18 UNITS PER AC (AVERAGE) \* SEE UNIT MIX AND SITE PLAN  
 FRONTS W. CUMBERLAND.  
 - (6) <sup>SEX</sup> TOTAL PARCELS.

**D. Statement Regarding Restrictive Covenants/Deed Restrictions**

I have searched all applicable records and, to my best knowledge and belief, there are no restrictive covenants that apply to the property as described in Part (B) which would be in conflict with this rezoning request.

None

Copy Attached

**AUTHORIZATION OF AGENT**

A. I (we), the undersigned, being owner(s) of the real property described above, do hereby authorize (please print name) JEFFERSON B. HOLLEY to act as our agent in the matter of this request. The term agent shall be construed to mean any lessee, developer, option holder, or authorized individual who is legally authorized to act in behalf of the owner(s) of said property. (Application must be signed by all owners of the subject property).

(Please print all but signature)

Owner(s) Name: THE BLUE PINNACLE GROUP  
LLC

Owner(s) Name: CUMBERLAND GAP LTD.

Address: P.O. BOX 8174

Address: 17521 Hwy 69 S.

City, State, Zip: TYLER, TX 75711

City, State, Zip: TYLER, TX 75703

Phone: (903) 245.7564

Phone: (903) 245.7564

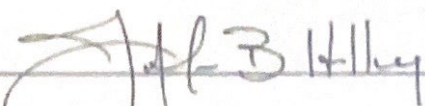
Signature: X 

Signature: X 

Email: JPSIMMONS@SIMMONSRE.COM

Email: JPSIMMONS@SIMMONSRE.COM

Authorized Agent's Name: JEFFERSON B. HOLLEY

Signature: 

Address: P.O. BOX 247

City, State, Zip: CHATTANOOGA, TN 37401

Phone: 423.774.3397

Email: HOLLEY HOLDINGS @  
GMAIL.COM.

**SUPPORTING INFORMATION**

- A. PROVIDE A SITE PLAN
- B. COMPLETED AND SIGNED CHECKLIST

Chapter 10 Article VIII (Development Approval Procedures) Section 10-652

Site Development Plan Check List

Project Name: W. CUMBERLAND MULTI-FAMILY

Location: "1201 BALSAM GAP" (JACK ELEMENTARY SCHOOL)

- Name and address of applicant and/or owner of the property
- Name and address of person preparing the Site Development Plan
- North point, scale, and location map.
- Current zoning and proposed zoning.
- Proposed use.
- Legal description of the property (lot and block numbers if designated in plat book; metes and bounds description if any portion of the property does not have assigned lot and block numbers).
- Property dimensions of the site and lot area.
- Existing streets located within or adjacent to the subject property
- The proposed size, elevations, location and arrangement of buildings, landscaping, screening and parking areas.
- The proposed arrangement of, and number of, streets, parking spaces, entrance and exit driveways, and their relationship to existing streets, alleys and other public property.
- Adjacent properties, including the location and type of buildings and structures thereon.
- Any required and proposed screening walls, fences, retaining walls, headlight screens, dumpster screens or living screens. Include height and type of construction.
- Indicate all landscaped areas.
- The existing topography with contour intervals no greater than five feet (5') unless waived by the Planning and Zoning Director.
- If development is to occur in phases, the phases which will be followed in the construction of the planned development shall be indicated on the Site Development Plan.
- Additional requirements as to building setbacks, height and area limitations, landscaping, lighting, screening, accessways, driveways, signs or other advertising devices, and other like requirements may be imposed by the Planning and Zoning Commission for the protection of adjoining and surrounding properties.
- Provide and complete the following charts:

Site Information
Property Owner
Property Address
Zoning (Existing)
Zoning (Proposed)
Developer or Architect
Acreage of Project
Density of Project

Plan Information
Parking:
Landscaping:
Screening:
Signage:

Applicant: [Signature]

Date: May 1<sup>st</sup> 2022

\*For all requests that require site plan submittals, Requestor must complete and sign the site plan checklist.

Chapter 10 Article VIII (Development Approval Procedures) Section 10-652

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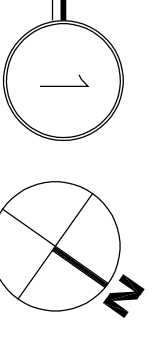
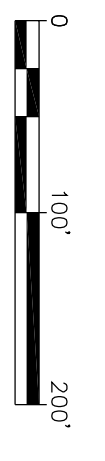
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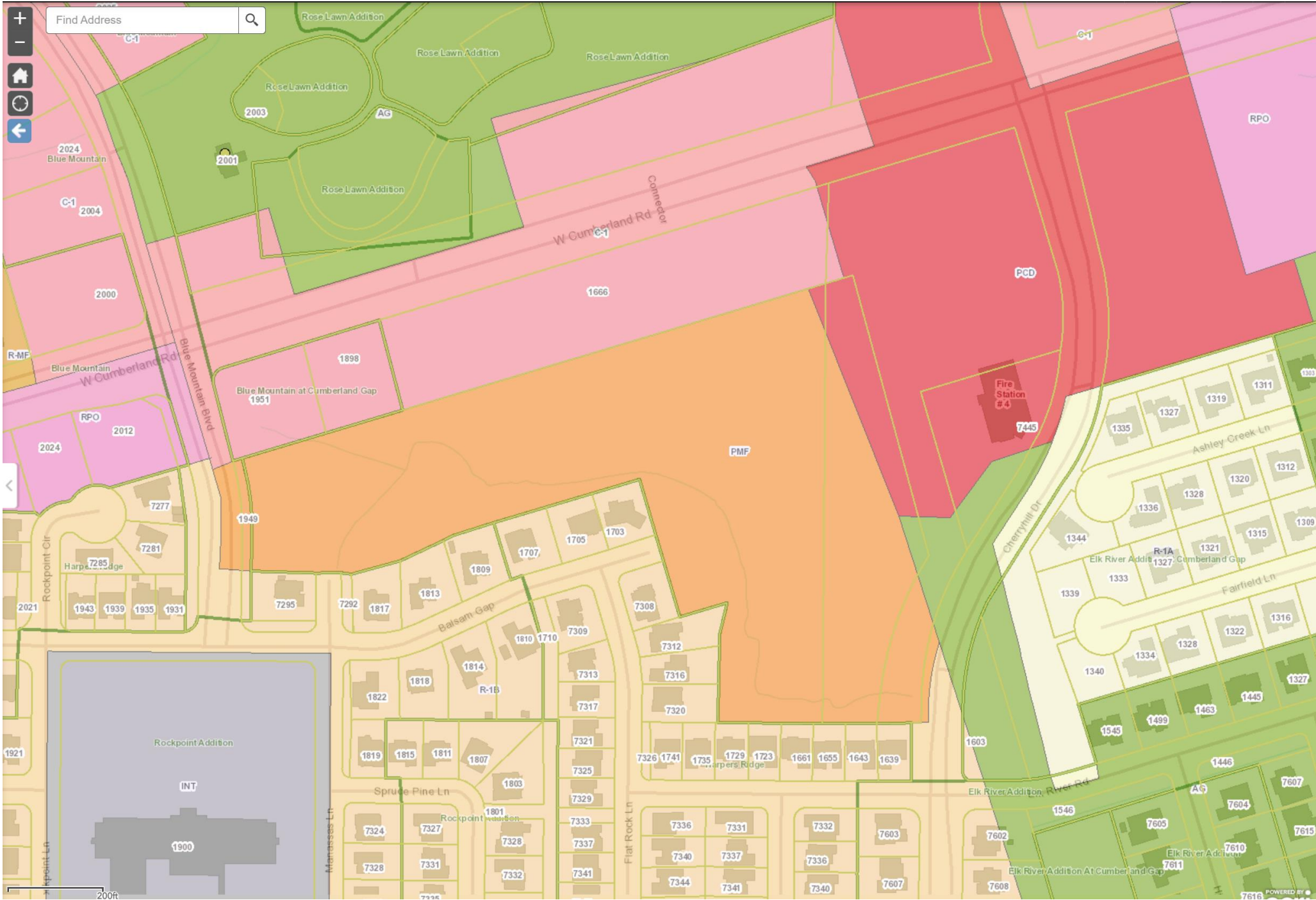
TYLER, TX – PRELIM SITE PLAN

SCALE: 1" = 100'-0"

PROPOSED 312 UNITS



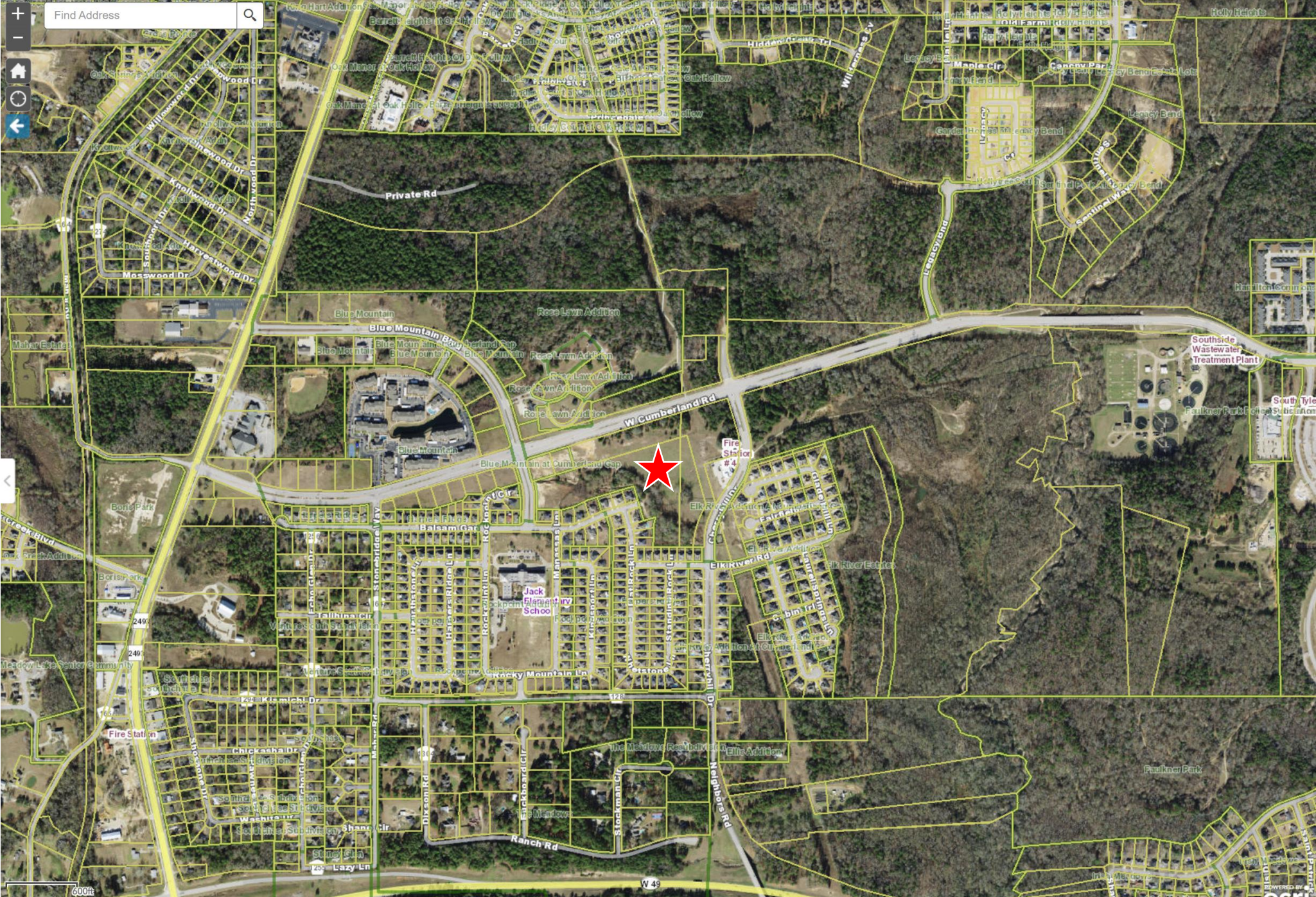
Find Address



200ft

POWERED BY

Find Address



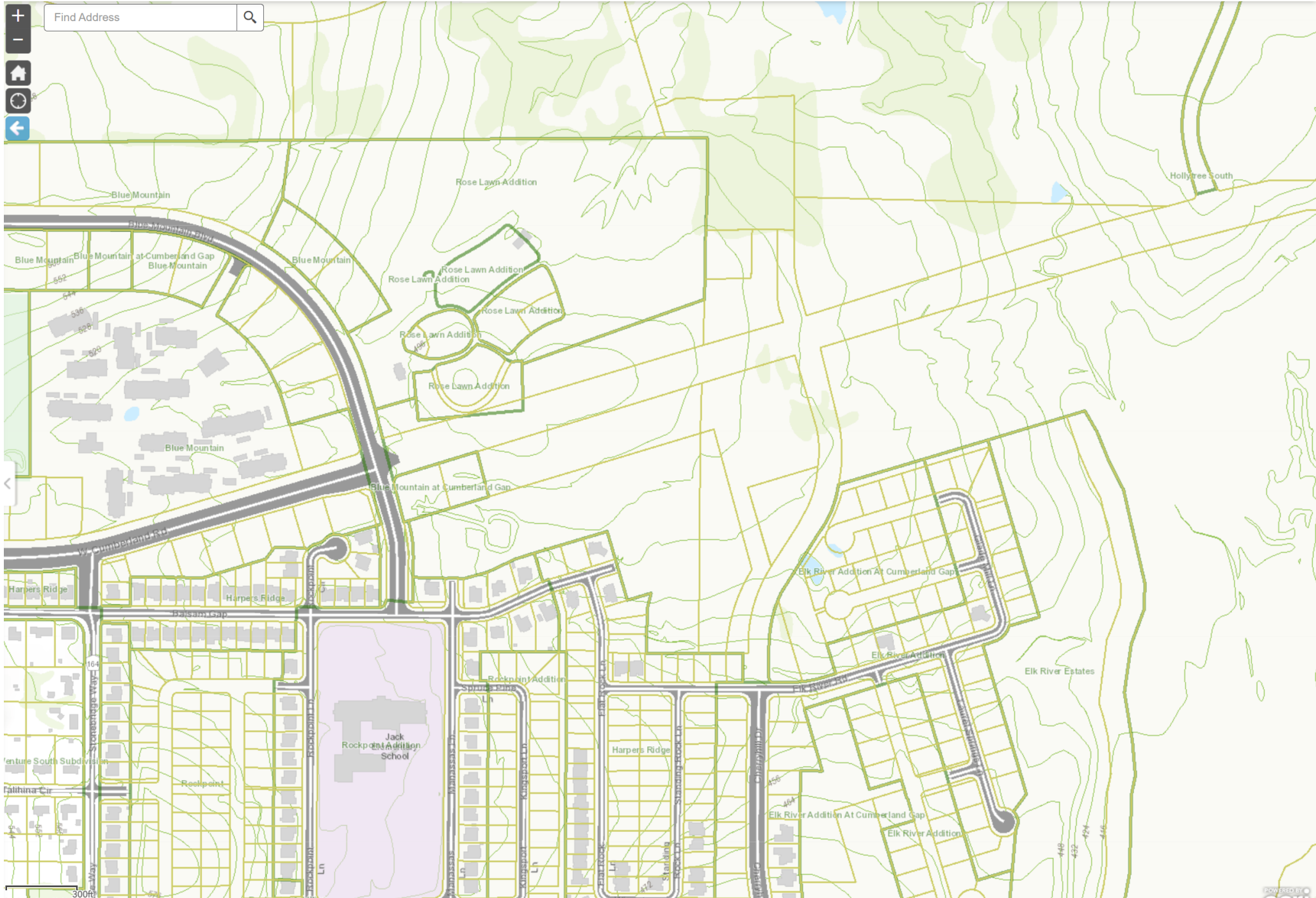
600ft

W 49

POWERED BY



Find Address



W CUMBERLAND RD.  
FRONTAGE PARCEL(S) ONLY

**NOTES:**

- 1) "NOTICE" - SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS IS A VIOLATION OF CITY ORDINANCE AND STATE LAW AND IS SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
- 2) BY GEOGRAPHIC PLOTTING THE SUBJECT PROPERTY IS LOCATED WITHIN FLOOD ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) AS INDICATED BY FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD MAPS. SEE MAP NUMBER 48423003650, EFFECTIVE DATE APRIL 16, 2014.
- 3) BEARINGS ARE BASED UPON THE TEXAS COORDINATE SYSTEM, NORTH CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983 AS DETERMINED BY GPS OBSERVATIONS.
- 4) THIS PLAT APPROVED SUBJECT TO ALL CURRENT PLATTING ORDINANCES, RULES, REGULATIONS AND RESOLUTIONS OF THE CITY OF TYLER, TEXAS.
- 5) A SIX LOT SUBDIVISION CONTAINING APPROXIMATELY 8.460 ACRES OF LAND LOCATED AT 1666 CUMBERLAND ROAD, TYLER, TX 75703. THE PROPERTY IS CURRENTLY IN TYLER CITY LIMITS. THE PURPOSE OF THE PLAT IS TO CREATE SIX LOTS.
- 6) THIS SURVEY WAS COMPLETED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE. THERE MAY BE EASEMENTS OR OTHER MATTERS NOT SHOWN THAT AFFECT THE PROPERTY.
- 7) THIS SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE OR ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.
- 8) IN PROVIDING THIS SURVEY NO ATTEMPT HAS BEEN MADE TO OBTAIN OR SHOW DATA CONCERNING THE EXISTENCE, SIZE, DEPTH, CONDITION, CAPACITY OR LOCATION OF ANY UTILITY EXISTING ON THE SUBJECT PROPERTY WHETHER PRIVATE, MUNICIPAL OR PUBLIC OWNED. SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT SURVEYED OR EXAMINED OR STATEMENT IS MADE CONCERNING THE EXISTENCE OF UNDERGROUND OR OVERHEAD CONDITIONS, CONTAINERS OR FACILITIES THAT MAY AFFECT THE USE OR DEVELOPMENT OF THIS PROPERTY.

**APPROVAL:**

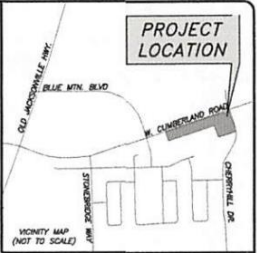
THIS PLAT APPROVED BY KYLE KINGMA, A.C.P.  
THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.

\_\_\_\_\_  
KYLE KINGMA, A.C.P. ATTEST

RECORDED IN CABINET \_\_\_\_\_ SLIDE \_\_\_\_\_ OF THE PLAT  
RECORDS OF SMITH COUNTY, TEXAS.

THIS THE \_\_\_\_\_ DAY OF JANUARY, 2022.

MARY M. LONG  
SURVEY, A-562



**OWNER'S STATEMENTS:**

I, TYLER BLUE RIDGE, LLC, THE OWNER OF LOT 1-6, BLOCK 1137-K OF BLUE MOUNTAIN UNIT 5 SUBDIVISION, HEREBY ACCEPT THIS AS ITS PLAN FOR THE RESUBDIVISION INTO LOTS AND BLOCKS AND DO DEDICATE TO THE PUBLIC FOREVER THE STREETS, ALLEYS AND EASEMENTS AS SHOWN. IT IS THE OWNER'S RESPONSIBILITY TO VERIFY EASEMENTS PRIOR TO CONSTRUCTING ANY IMPROVEMENTS.

**AGREED TO AND ACCEPTED BY:**

\_\_\_\_\_  
JAY SCHULTZ

SUBSCRIBED AND SWORN BEFORE ME, A NOTARY PUBLIC, IN AND FOR THE STATE OF TEXAS, THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.

ROSE LAWN ADDITION, UNIT 1,  
SECTION 2, AT CUMBERLAND GAP  
CABINET E, SLIDE 248-C (P.R.)

\_\_\_\_\_  
NOTARY PUBLIC, STATE OF TEXAS

20' CENTERPOINT ENERGY  
PIPELINE EASEMENT  
VOLUME 7929, PAGE 813

BLUE MOUNTAIN UNIT 3 AT  
CUMBERLAND GAP  
A RESUBDIVISION OF LOTS 2-A &  
3-A, N.C.B. 1137-K  
CABINET F, SLIDE 262-B

**SURVEYOR'S STATEMENT:**

I, JAMES CHAWFORD, REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5984, DO HEREBY CERTIFY THAT THIS PLAT WAS PREPARED FROM AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION DURING THE MONTHS OF NOVEMBER, AND DECEMBER, 2021.

GIVEN UNDER MY HAND & SEAL, THIS THE \_\_\_\_\_ DAY OF JANUARY, 2022.

\_\_\_\_\_  
JAMES CHAWFORD  
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5984



RESIDUE OF CALL: 422.7 AC.  
TYLER BLUE RIDGE, LLC  
INSTRUMENT NUMBER: 2009-R00056050

WEST CUMBERLAND ROAD  
VARIABLE WIDTH R.O.W. (#2014-00019453)

THOMAS PRICE  
SURVEY, A-794

RESIDUE OF CALL: 422.7 AC.  
CUMBERLAND GAP LTD  
INSTRUMENT NO.: 2004-R0037484  
DESCRIBED AS 16.441 ACRE  
SAVE AND EXCEPT TRACT  
INSTRUMENT NO.: 2009-R00056050

CALL: 1.344  
CITY OF TYLER  
INSTRUMENT NO.: 201400019453

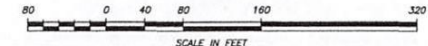
• DENOTES 1/2" IRS WITH CAP MARKED  
\*HALO 5984\* UNLESS OTHERWISE NOTED.

**LEGEND**  
IRF IRON ROD FOUND  
IRS IRON ROD SET  
CM CONTROLLING MONUMENT  
R.O.W. RIGHT OF WAY

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	43.21'	27.50'	90°01'57"	S 83°17'27" E	36.90'
C2	164.92'	500.00'	18°53'56"	S 08°49'59" E	164.18'

PREPARED BY:  
**HALO**  
SURVEYING, LLC

809 COUNTY ROAD 2183  
WHITEHOUSE, TEXAS 75791  
7013 570-8665  
TARRANT PARK REGISTRATION NO. 10194259



FINAL PLAT  
BLUE MOUNTAIN UNIT 5  
AT CUMBERLAND GAP  
BEING  
LOTS 1-6, N.C.B. 1137-R  
SITUATED IN THE THOMAS PRICE SURVEY, A-794 AND  
THE MARY M LONG SURVEY, A-562  
SMITH COUNTY, TEXAS