



**CITY OF TYLER
CITY COUNCIL COMMUNICATION**

Agenda Number: Z-1

Date: February 22, 2006

Subject: APPLICATION Z02-06-013 EAGLES NEST OFFICE PARK
Request that the City Council consider a request to change the zoning from "R-1A" Single-Family Residential District to "RPO" Restricted Professional and Office District on Lot 1 of NCB 1474A, one lot totaling 3.19± acres located at the southwest corner of the intersection of Paluxy Drive and Eagles Nest Boulevard, fronting 190± feet along the west side of Paluxy Drive and fronting 600± feet along the south side of Eagles Nest Boulevard (5830 Paluxy Drive).

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Item Reference:

The applicant is requesting a zoning change to allow for the development of professional offices.

Section 10-222, "RPO" Restricted Professional and Office District", is intended to permit the use and grouping of small professional offices and related facilities with limited non-residential use in areas near or adjoining residential districts without introducing non-related commercial uses. Uses permitted within this district include clinics or offices, personal service facilities, i.e., barber and beauty shops, small antique shops and other uses of similar character. The Height and Area regulations within the "RPO" District are consistent with the regulations of the "R-1B" Single-Family Residential District.

Properties to the north and south are zoned "RPO" Restricted Professional and Office District, while property to the west is zoned "R-3" Multi-Family Residential District and property to the east is zoned "PUR" Planned Unit Residential District and is developed with the Stonegate Subdivision.

The property fronts Paluxy Drive and Eagles Nest Boulevard. All proposed access will be provided by Eagles Nest Boulevard. This property will not likely develop as residential due to its proximity to the "RPO" Restricted Professional and Office District designation to the north and south. This request is a continuation of the "RPO" Restricted Professional and Office District zoning designation to the north and south. Also, Paluxy Drive is on the Master Street Plan as a minor arterial (105'). Therefore, when the property is platted, additional dedication may be required.

On February 7, 2006, the Planning and Zoning Commission held a public hearing on this request. There were .99 percent written letters of protest filed. No one spoke in opposition to the request. Andy Guinn spoke on behalf of the application. He said most uses in the area are "RPO".

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

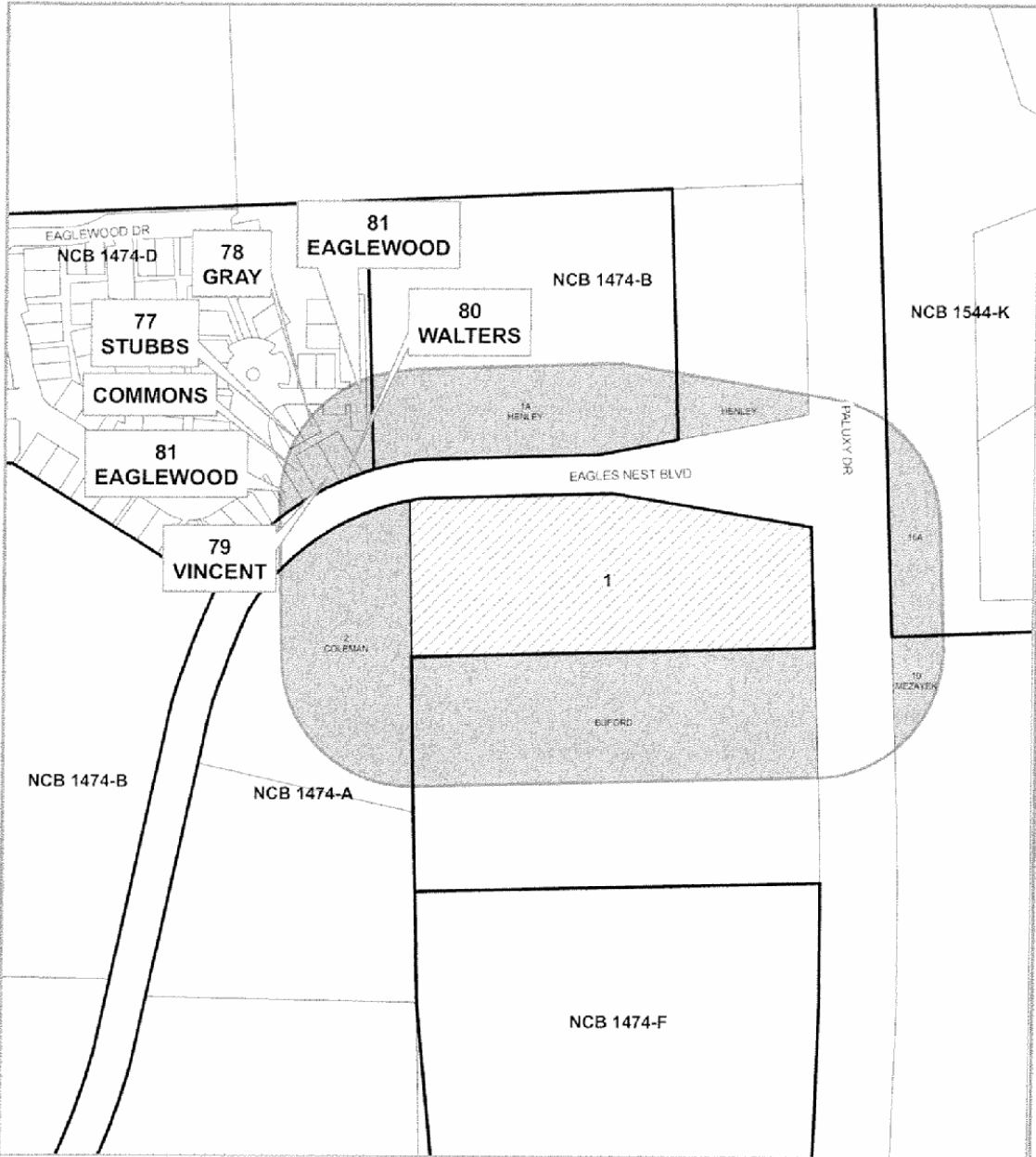
RECOMMENDATION:

The Planning and Zoning Commission, by a vote of 5-0-1, recommends approval of the request to change the zoning from “R-1A” Single-Family Residential District to “RPO” Restricted Professional and Office District.

A handwritten signature in cursive script that reads "Stephanie Rollings".



**Drafted/Recommended By: Stephanie Rollings
Department Leader**

**Edited/Submitted By:
City Manager**



ZONING CASE

Zoning Case #: Z02-06-013
 Existing Zoning: R-1A
 Applicant: **EAGLES NEST OFFICE PARK**

-  200' Notification Buffer
-  Subject Property







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Existing Zoning: R-1A

Applicant: **EAGLES NEST OFFICE PARK**

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300 0 300 Feet

ORDINANCE NO. 0-2006-21

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; APPROVING ZONING; 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 Z02-06-013

That the following described property, which is currently zoned “R-1A”, shall hereafter bear the zoning classification of “RPO”, to wit:

Lot 1 of NCB 1474A, one lot totaling 3.19± acres located at the southwest corner of the intersection of Paluxy Drive and Eagles Nest Boulevard, fronting 190± feet along the west side of Paluxy Drive and fronting 600± feet along the south side of Eagles Nest Boulevard (5830 Paluxy Drive).

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 changes.

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 22nd of February, 2006.

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

ATTEST:

APPROVED:

CASSANDRA BRAGER, CITY CLERK

CITY ATTORNEY