



**CITY OF TYLER  
CITY COUNCIL COMMUNICATION**

**Agenda Number:** Z-1

**Date:** October 24, 2007

**Subject:** **APPLICATION Z09-07-102B TYLER JUNIOR COLLEGE**  
Request that the City Council consider a request to change the zoning from “R-2” Two-Family Residential District to “ED” Educational District for Lots 50D, 50E, 50F and 85 of NCB 678 of the City of Tyler Plat, four lots totaling 0.95 acres located seven lots north of the northwest intersection of South Baxter Avenue and East 5<sup>th</sup> Street (1311, 1317, 1327 and 1333 South Baxter Avenue).

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**Item Reference:**

The applicant is requesting a zoning change to bring the zoning into conformity with the current use.

Section 10-221, "ED" Educational District, is established to provide for the development and regulation of both public and private educational facilities, including classrooms, offices, assembly halls, cafeterias, dormitories, indoor and outdoor recreational facilities, physical plant and other similar facilities, that are consistent with the institution's primary purpose. Maximum height at the minimum setback is two and one-half stories or 42 feet in height.

The adjacent properties to the south and west are zoned “R-2” Two Family Residential District, the property to the north is zoned “R-4” Multi-Family Residential District and the properties to the east are zoned “ED” Educational District. The uses in the area are predominately those that are associated with Tyler Junior College.

The four contiguous lots consist of a vacant building (Lots 50-D and 50-E), a vacant lot (Lot 50-F) and Tyler Junior College’s Purchasing Building (Lot 85) are owned by Tyler Junior College. The college is proposing future office development associated with the college facilities in this area. The proposed zoning will bring the site into conformity with the use and be consistent with the other Tyler Junior College properties that are zoned “ED”. The Future Land Use Map designates the area for Public/Semi Public uses, thus this rezoning proposal is consistent with the City land use policies.

Of the two notices mailed, as of Thursday, September 13, 2007, we have received no notice of protest or support for the application. Mr. Bob Breedlove, the agent for the applicant, was available to answer questions. At the September 18, 2007, Planning and Zoning meeting, no one else spoke in favor of or in protest to the application.

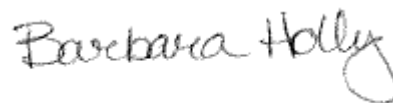
All other departments have reviewed the application and anticipate no significant impact on services or facilities by the proposed change.

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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 “R-2” Two-Family Residential District to “ED” Educational District.

A handwritten signature in black ink that reads "Barbara Holly". The signature is written in a cursive style with a large, looping 'y' at the end.

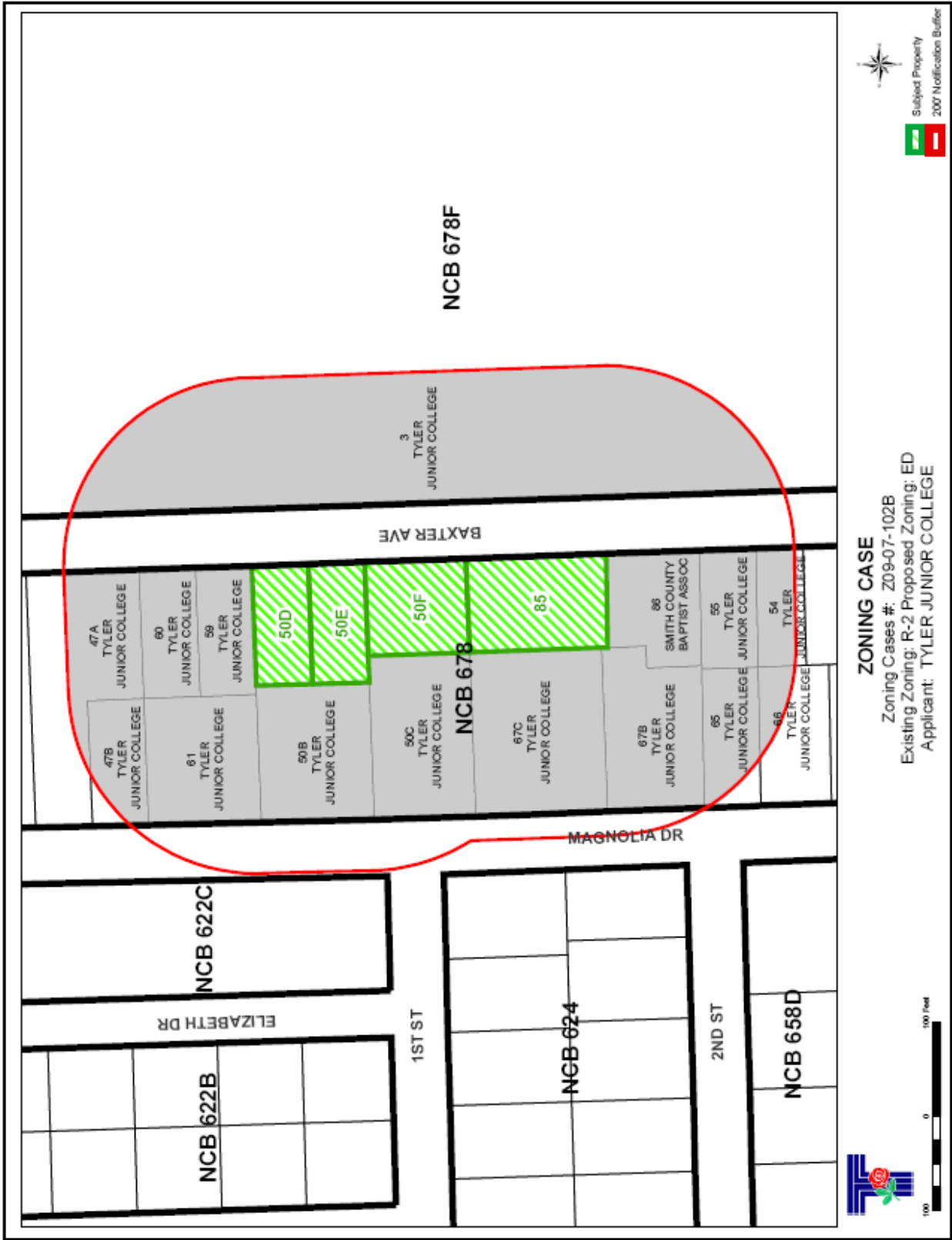
**Drafted/Recommended By: Barbara Holly**

**Department Leader**

**Edited/Submitted By:**

**City Manager**





Subject Property  
200' Notification Buffer

**ZONING CASE**

Zoning Cases #: Z09-07-102B  
 Existing Zoning: R-2 Proposed Zoning: ED  
 Applicant: TYLER JUNIOR COLLEGE



**ORDINANCE NO. O-2007-112**

**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 Z09-07-102B**

That the following described property, which has heretofore been zoned "R-2" Two-Family Residential District, shall hereafter bear the zoning classification of "ED" Educational District, to-wit:

Lots 50D, 50E, 50F and 85 of NCB 678 of the City of Tyler Plat, four lots totaling 0.95 acres, located seven lots north of the northwest intersection of South Baxter Avenue and East 5<sup>th</sup> Street (1311, 1317, 1327 and 1333 South Baxter Avenue).

**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 24<sup>th</sup> day of October, A.D., 2007.

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

A T T E S T:

APPROVED:

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CASSANDRA BRAGER, CITY CLERK

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