



**CITY OF TYLER
CITY COUNCIL COMMUNICATION**

Agenda Number: Z-2

Date: February 28, 2007

Subject: APPLICATION Z02-07-004A JUAN GONZALEZ
Request that the City Council consider a request to change the zoning from "R-2" Two-Family Residential District to "R-1B" Single-Family Residential District on Lot 3 of NCB 209 of the Sunshine Addition, one lot totaling approximately .156 acres located at the northwest corner of the intersection of Summerkamp Street and Reed Alley (511 Summerkamp St.).

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Item Reference:

The applicant is requesting a zoning change to allow for the construction of a single family home.

Section 10-210, "R-1B" Single-Family Residential District, allows for the development of single family residential units, churches, public schools, and accessory buildings and uses which are incidental to the above uses, but not involved in the conduct of business. Maximum allowable building height is two and one-half (2 1/2) stories or 42 feet in height. Setback requirements are 25 feet in the front and rear and six feet on the side. Minimum lot size is 6,000 square feet.

The adjacent properties to the north, east and west are currently zoned "R-2" Two-Family Residential District, while property to the south is currently zoned "C-1" Light Commercial District. Presently, there is a mixed use of single-family and two-family homes to the north and west of the subject property. The lots to the east and south of the subject property are vacant.

As part of the Tyler 21 process, Staff will target neighborhoods with the intent to change the zoning to be compatible with existing land uses.

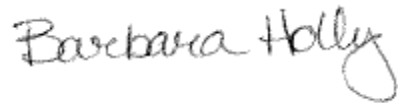
The future land use map designates this site as low density residential and the request for "R-1B" Single-Family Residential District is consistent with that land use designation. The continuing development of single family structures will only enhance the beautification and reinvestment of the area. This request is will have a positive impact on the area.

Of the 25 notices mailed, two notices were returned in favor of the application and no notices were returned in opposition to the request.

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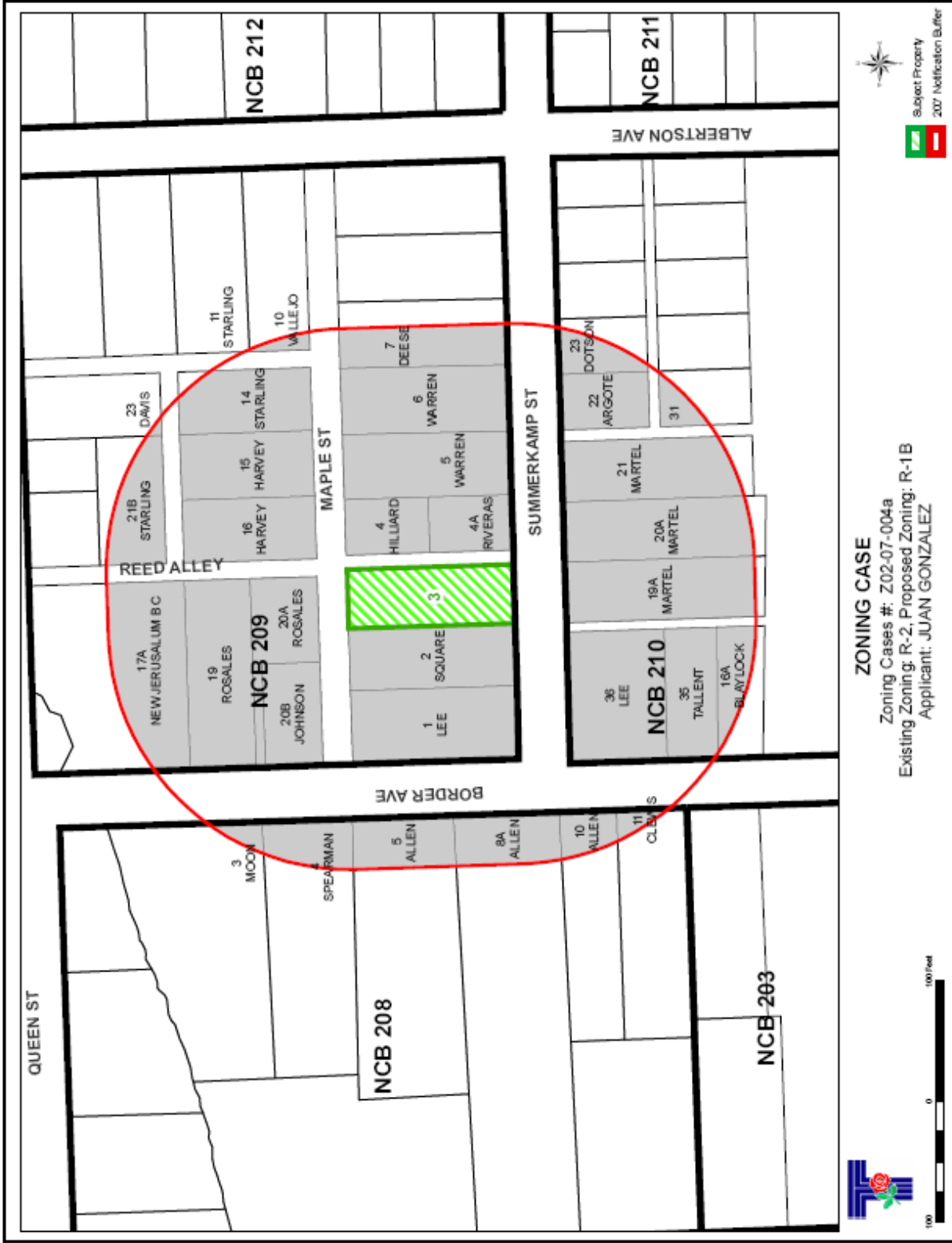
RECOMMENDATION:

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 “R-1B” Single-Family Residential District.

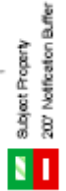
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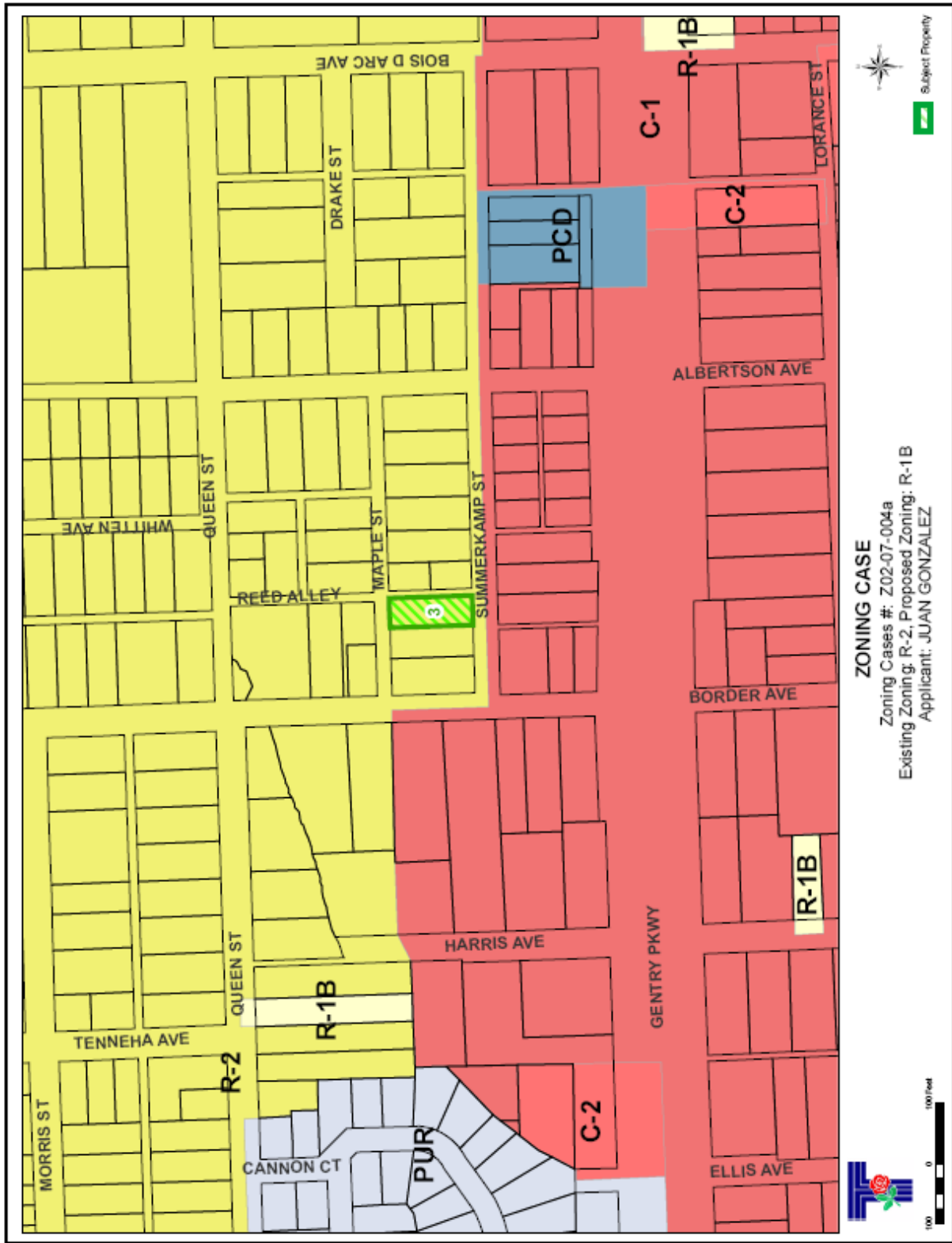
Drafted/Recommended By: Barbara Holly
Department Leader

Edited/Submitted By:
City Manager



ZONING CASE
 Zoning Cases #: Z02-07-004a
 Existing Zoning: R-2, Proposed Zoning: R-1B
 Applicant: JUAN GONZALEZ





100 0 100 Feet

ZONING CASE

Zoning Cases #: Z02-07-004a
 Existing Zoning: R-2, Proposed Zoning: R-1B
 Applicant: JUAN GONZALEZ



Subject Property



**CITY OF TYLER
CITY COUNCIL COMMUNICATION**

Agenda Number: Z-3

Date: February 28, 2007

Subject: APPLICATION Z02-07-006A MITCHELL COLLINS
Request to change the zoning from “M-1” Light Industrial District to “RPO” Restricted Professional and Office District on Lot 2, Block 58 of the Original Town of Tyler, one lot totaling approximately .978 acres located at the southwest corner of the intersection of Broadway Avenue and Goodman Street. The application is requesting a zoning change in order to construct a law office.

Page: 1 of 2

Item Reference:

The applicant is requesting a zoning change to allow for the construction of a law office.

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 professional offices, personal service facilities, e.g., barber and beauty shops, small antique shops and other uses of similar character. Maximum allowable building height is two and one-half (2 1/2) stories or 42 feet in height. Setback requirements are 25 feet in the front and rear and six feet on the side. Minimum lot size is 7,000 square feet.

The adjacent property to the north are currently zoned “R-4” Multi-Family Residential District, properties to the east, south and west are currently zoned “M-1” Light Industrial District. To the north of the subject property is the Goodman Museum and Park and to the west is a medical warehouse and office. To the south of the subject property is railroad right- of-way and the lots to the east are vacant buildings.

“RPO” Restricted Professional and Office District would provide a buffer zone between the “M-1” Light Industrial District to the south and the “R-4” Multi-Family Residential to the north. This request will have a positive impact on the surrounding area which according to the future land use map shows it to be mixed use residential.

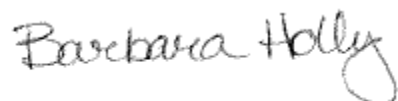
Of the 21 notices mailed, no notices were returned in favor or opposition to the request.

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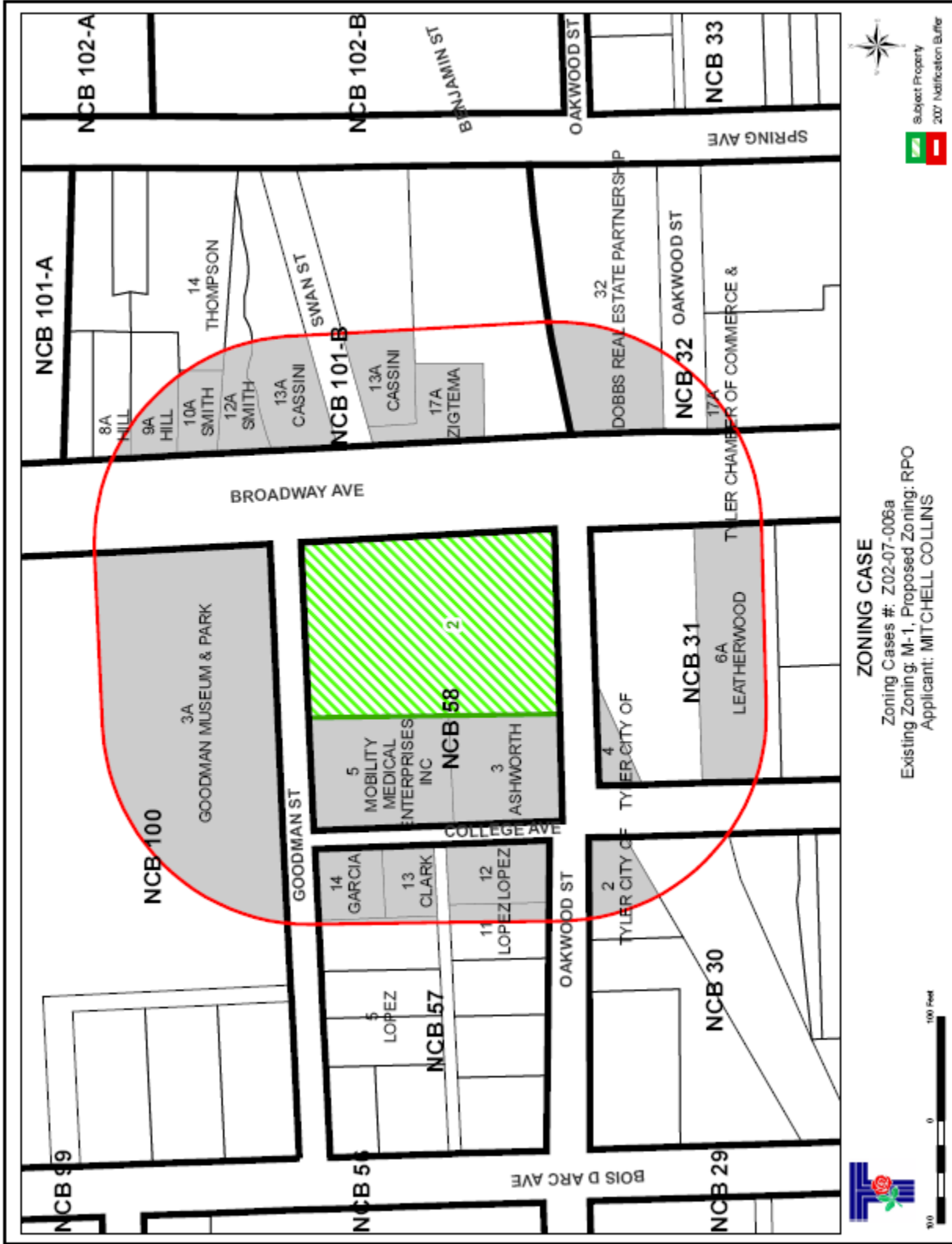
RECOMMENDATION:

The Planning and Zoning Commission, by a vote of 7-0, recommends approval of the request to change the zoning from “M-1” Light Industrial District to “RPO” Restricted Professional and Office District.

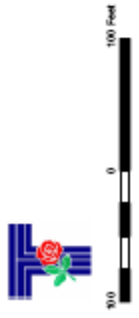
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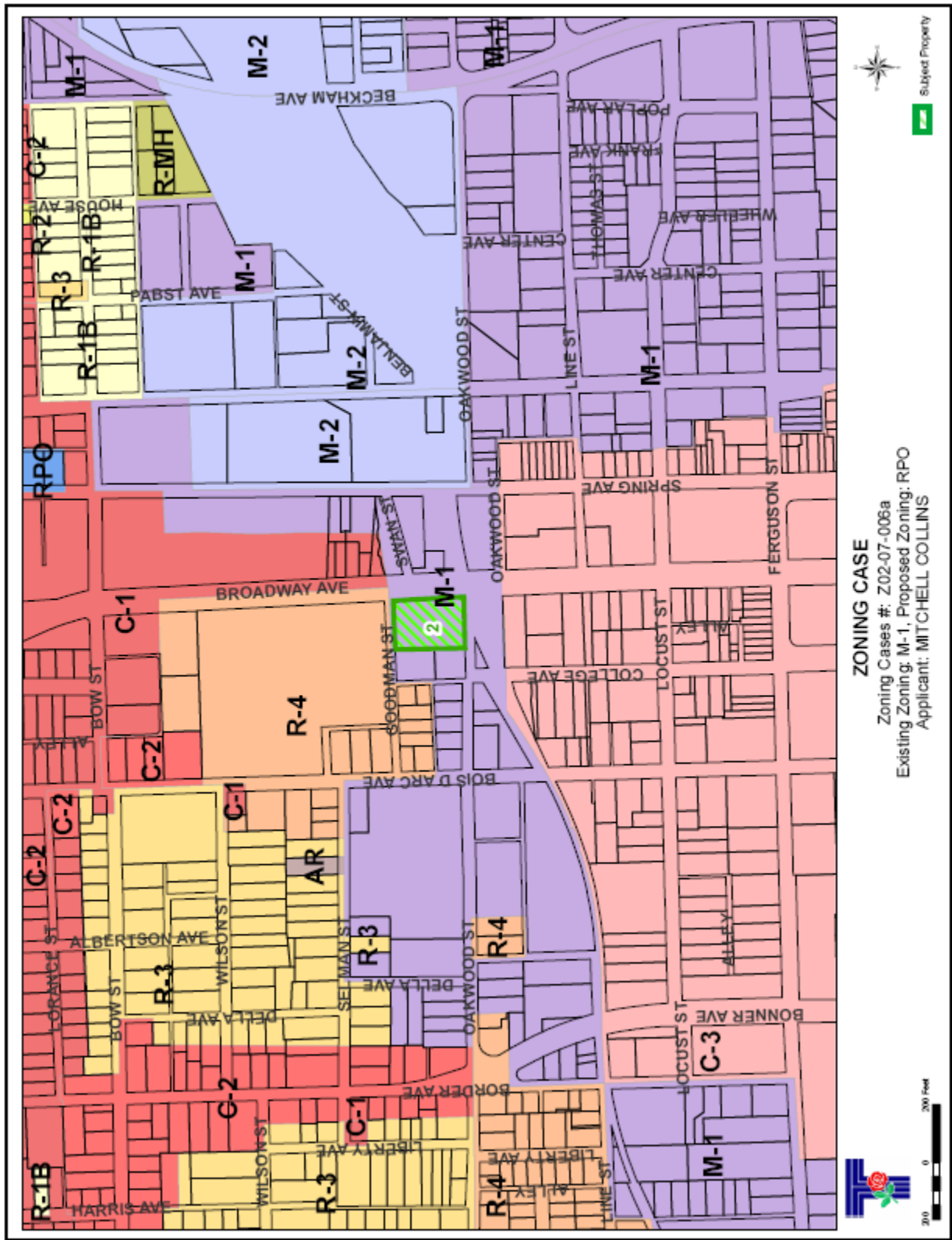
Drafted/Recommended By: Barbara Holly
Department Leader

Edited/Submitted By:
City Manager



ZONING CASE
 Zoning Cases #: Z02-07-006a
 Existing Zoning: M-1, Proposed Zoning: RPO
 Applicant: MITCHELL COLLINS





ZONING CASE
 Zoning Cases #: Z02-07-006a
 Existing Zoning: M-1, Proposed Zoning: RPO
 Applicant: MITCHELL COLLINS





**CITY OF TYLER
CITY COUNCIL COMMUNICATION**

Agenda Number: Z-4

Date: February 28, 2007

Subject: APPLICATION S02-07-008A RUDY'S RESTAURANT AND COUNTRY STORE

Request that the City Council consider a request for a Special Use Permit to allow for a drive-thru window for an indefinite period on Lot 3Y of NCB 852U in the Tyler Industrial Park Subdivision, one lot totaling 1.407 +/- acres located at the northeast corner of the intersection of Loop 323 SSW and Robertson Road. The property is currently zoned "C-1" Light Commercial District.

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Item Reference:

According to Section 10-245, "Special Use Regulations", the governing body may, by ordinance, grant a special permit for special uses in any qualified district, which are otherwise prohibited and impose appropriate conditions and safeguards, including a specified time period. No Special Use Permit shall be issued unless the governing body determines the proposed building or use will not (a) substantially increase traffic hazards or congestion; (b) substantially increase fire hazards; (c) adversely affect the character of the neighborhood; (d) adversely affect the general welfare of the community; or (e) overtax public utilities.

The adjacent properties to the north, east and south are currently zoned "M-1" Light Industrial District, while property to the west is currently zoned "C-4" High-Rise Commercial District.

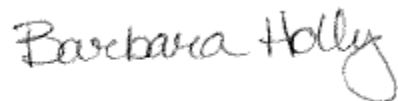
The addition of a drive-thru window will not adversely affect the site. The drive-thru will not replace any required parking spaces. Staff required striping in the parking lot to control the flow of traffic toward and through the drive-thru for traffic safety.

On February 6, 2007, the Planning and Zoning Commission held a public hearing on this request. The Planning Department mailed four letters of notification and received two letters in favor of the request.

Agenda Number: Z-4

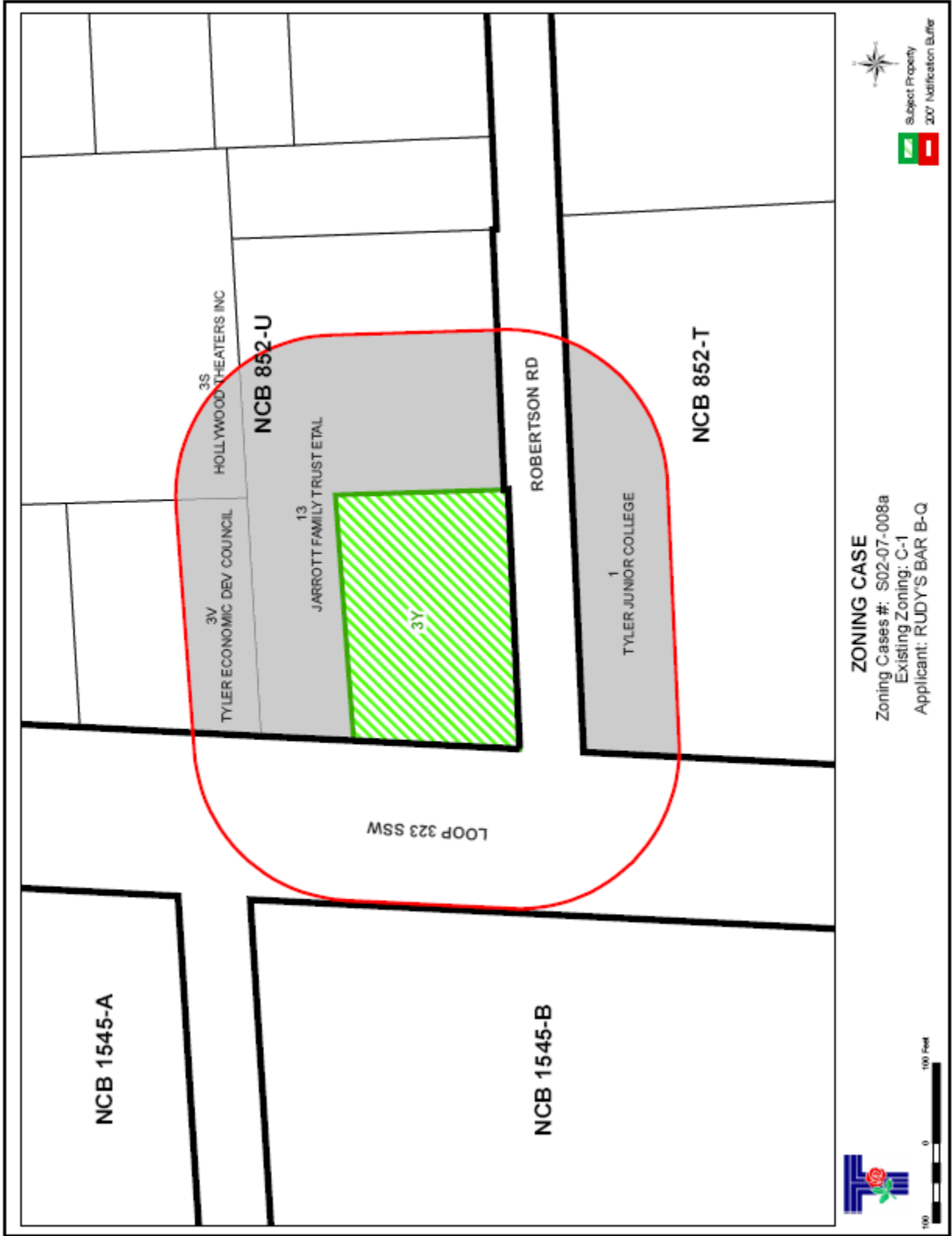
RECOMMENDATION:

The Planning and Zoning Commission, by a vote of 7-0, recommends approval of the request for a Special Use Permit to allow a drive-thru window for an indefinite period.

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

Drafted/Recommended By: Barbara Holly
Department Leader

Edited/Submitted By:
City Manager



NCB 1545-A

NCB 1545-B

3V TYLER ECONOMIC DEV COUNCIL

3S HOLLYWOOD THEATERS INC

NCB 852-U

13 JARROTT FAMILY TRUST ETAL

3Y

ROBERTSON RD

1 TYLER JUNIOR COLLEGE

NCB 852-T

LOOP 323 SSW



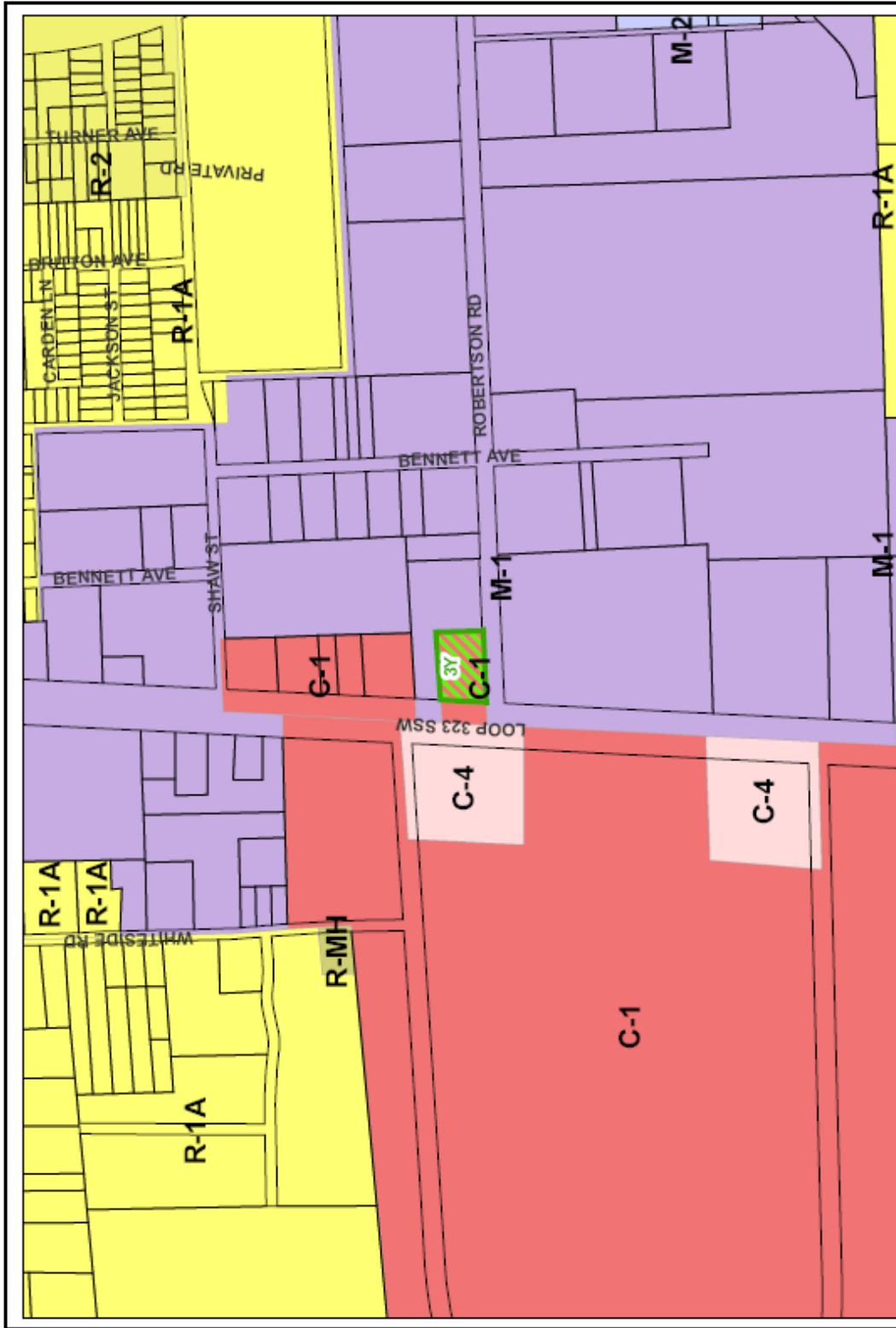
0 100 Feet

ZONING CASE

Zoning Cases #: S02-07-008a
 Existing Zoning: C-1
 Applicant: RUDY'S BAR B-Q



Subject Property
 200' Notification Buffer



ZONING CASE

Zoning Cases #: S02-07-008a
 Existing Zoning: C-1
 Applicant: RUDY'S BAR B-Q



Subject Property

ORDINANCE NO. O-2007-15

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 AND SPECIAL USES; 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 changes and special use 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 changes and special use are hereby approved as follows:

I. APPLICATION Z02-07-004A

That the following described property, which has heretofore been zoned “R-2” Two-Family Residential District, shall hereafter bear the zoning classification of “R-1B” Single-Family Residential District to-wit:

Lot 3 of NCB 209 of the Sunshine Addition, one lot totaling approximately .156 acres located at the northwest corner of the intersection of Summerkamp Street and Reed Alley.

II. APPLICATION Z02-07-006A

That the following described property, which has heretofore been zoned “M-1” Light Industrial District, shall hereafter bear the zoning classification of “RPO” Restricted Professional and Office District to-wit:

Lot 2 of NCB 58 of the Original Town of Tyler, one lot totaling approximately .978 acres located at the southwest corner of the intersection of Goodman Street and North Broadway Avenue.

III. APPLICATION S02-07-008A

That the following described property, which is currently zoned “C-1”, shall hereafter be used under a new special use permit to allow for a drive-thru, to wit:

Lot 3Y of NCB 852U, Tyler Industrial Park Subdivision, one lot located northeast of the intersection of Loop 323 SSW and Robertson Road (1410 Loop 323 SSW),

for an indefinite period.

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 28th day of February, A.D., 2007.

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

A T T E S T:

APPROVED:

CASSANDRA BRAGER, CITY CLERK

CITY ATTORNEY