



**CITY OF TYLER
CITY COUNCIL COMMUNICATION**

Agenda Number: Z-9

Date: February 28, 2007

Subject: APPLICATION Z02-07-010A DAVIS THORNTON
Request that the City Council consider a request to change the zoning from “AG” Agricultural District to 43.88 acres of “R-1B” Single-Family Residential District, 34.30 acres of “R-TH” Townhouse Residential District, and 52.34 acres of “C-1” Light Commercial District on a 130.52 acre portion of Tract 1 in the T. Price Survey A-794 and Tracts 20 and 20.2 in the M University Survey A-624 located approximately 2,300 feet south and west of the intersection of Grande Boulevard and Old Jacksonville Highway.

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Item Reference:

The applicant is requesting a zoning change to allow for a mixed use subdivision.

Section 10-210, “R-1B” Single-Family District, allows detached single family residences by right. Section 10-215 “R-TH” Townhouse Residential District allows attached single family residences (e.g. townhouses) and Section 10-225, “C-1” Light Commercial District, allows restaurants, private clubs, antique shops, banks, service stations, offices and retail stores without outdoor display or storage.

The development standards for the three districts are largely the same, with variation only on the side and rear yards, as demonstrated by the chart below:

Use	Height	Front Yard	Side Yard	Rear Yard
Single Family Detached	42’	25’	6’	25’
Townhouse	42’	25’	7.5’	15’
Light Commercial	42’	25’	10’	25’

Following the zone change, the properties will be platted for development in the manner identified on their development plan (Exhibit #A). Generally abutting Old Jacksonville Highway, light retail (C-1) is planned. At the north and west portion of the plan, single family and townhouses are planned.

The surrounding property is either zoned agriculture, or is outside the corporate boundary of the city.

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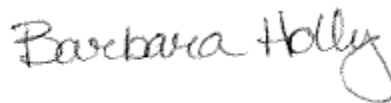
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This request carries out the land use recommendations of commercial along the extension of Grande Blvd. with a predominance of residential otherwise. It amends the future land use map with the band of commercial along Old Jacksonville Highway. It is a rational development plan that will be a positive addition to the city.

Of the 24 notices mailed, four notices were returned in favor of the application and no notices were returned in opposition to the request.

RECOMMENDATION:

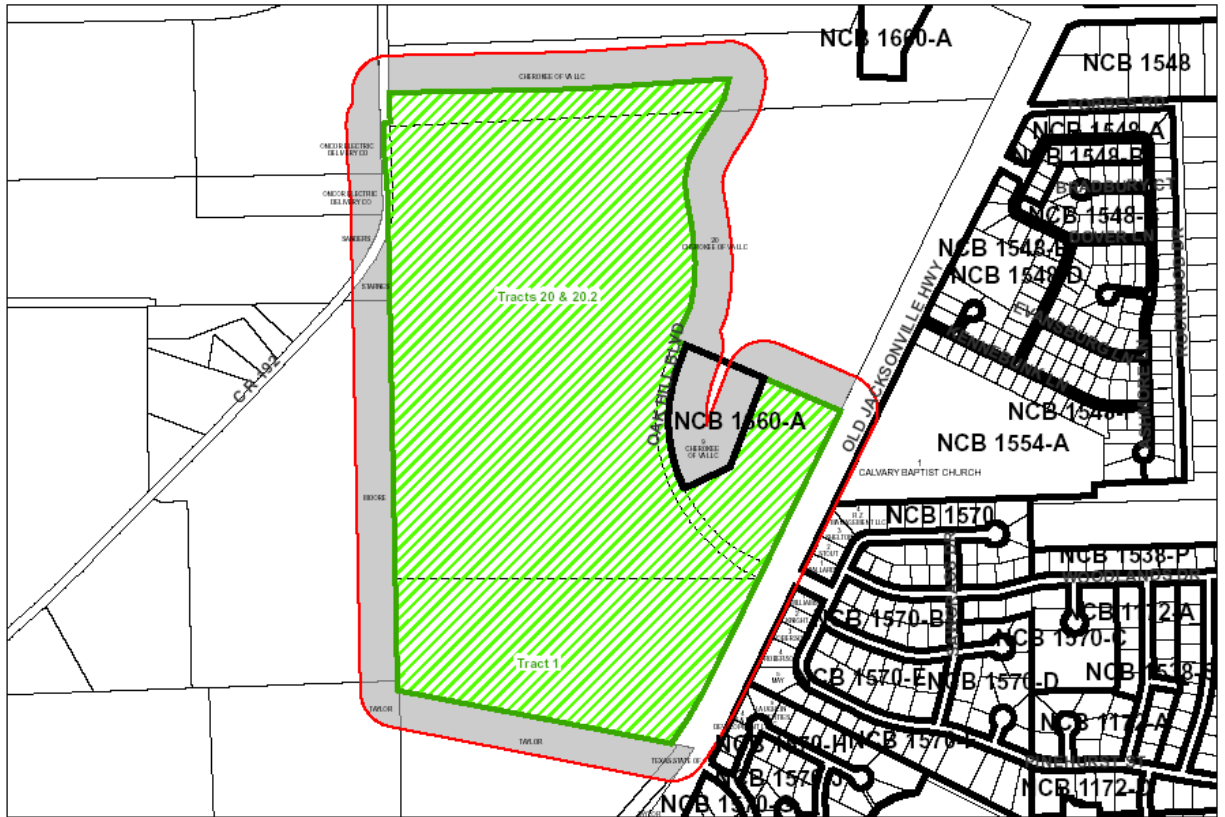
The Planning Commission, by a vote of 6-0-1, recommends approval of the request to change the zoning from "AG" Agricultural District to 43.88 acres of "R-1B" Single-Family Residential District, 34.30 acres of "R-TH" Townhouse Residential District, and 52.34 acres of "C-1" Light Commercial District.



**Drafted/Recommended By:
Department Leader**

**Barbara Holly
Director of Planning**

**Edited/Submitted By:
City Manager**

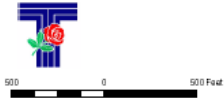


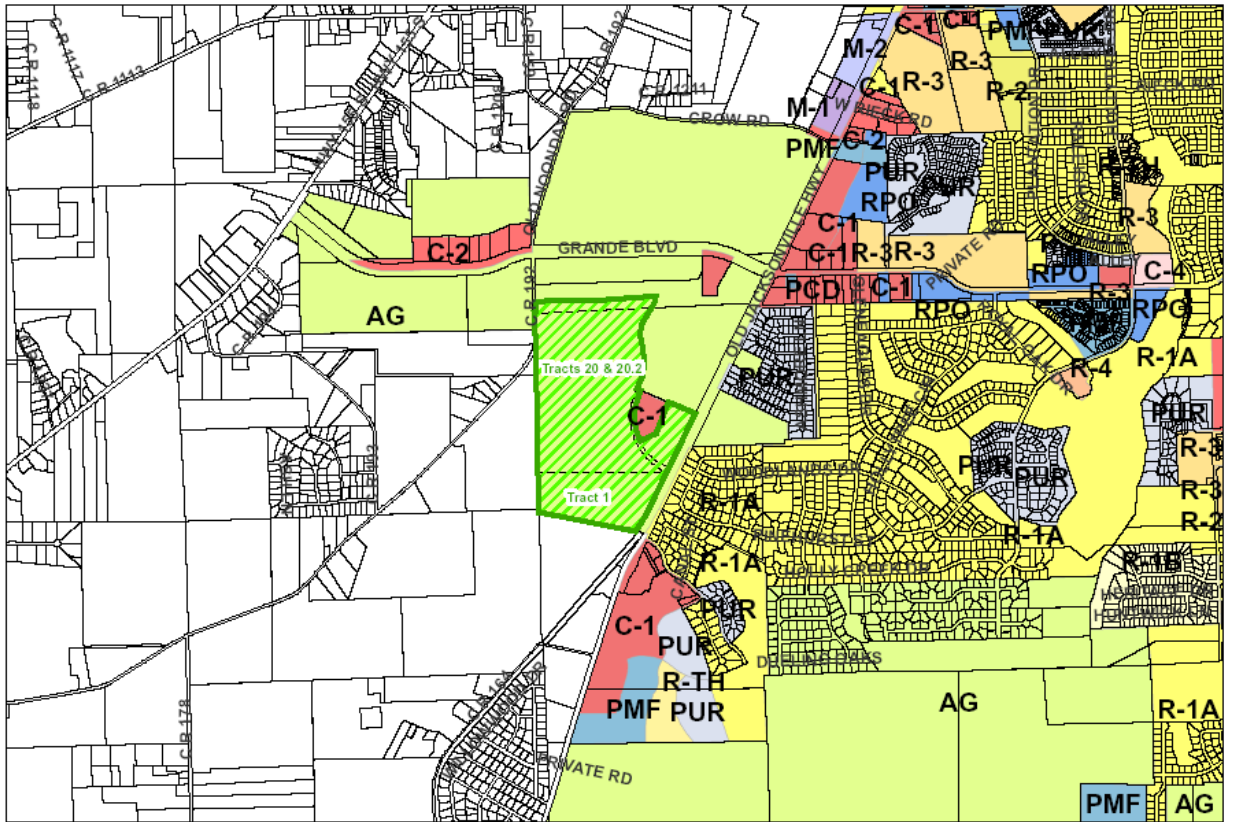
ZONING CASE

Zoning Cases #: Z02-07-010A

Existing Zoning: AG Proposed Zoning: R-1B, R-TH, and C-1

Applicant: DAVIS THORNTON





1,000 0 1,000 Feet

ZONING CASE

Zoning Cases #: Z02-07-010A
 Existing Zoning: AG Proposed Zoning: R-1B, R-TH, and C-1
 Applicant: DAVIS THORNTON



 Subject Property

ORDINANCE NO. O-2007-20

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 changes 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 are hereby approved as follows:

I. APPLICATION Z02-07-010A

That the following described property, which has heretofore been zoned “AG” Agricultural District, shall hereafter bear the zoning classification of “R-1B” Single-Family Residential District (43.88 acres), “R-TH” Townhouse Residential District (34.30 acres), and “C-1” Light Commercial District (52.34 acres), to wit:

A 130.52 acre portion of Tract 1 in the T. Price Survey A-794 and Tracts 20 and 20.2 in the M University Survey A-624 located approximately 2,300 feet south and west of the intersection of Grande Boulevard and Old Jacksonville Highway,

as shown in 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 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

EXHIBIT "A" TO ORDINANCE 0-2007-20

