



**CITY OF TYLER
CITY COUNCIL COMMUNICATION**

Agenda Number: Z-3

Date: April 25, 2007

Subject: APPLICATION Z03-07-020B TYLER SHILOH CENTER
Request that the City Council consider a request to change the zoning from "M-2" General Industrial District to "C-2" General Commercial District on Lot 1 of NCB 1555 in the J. Rush Survey, A-842, one lot totaling approximately 1.4 acres located at the southeast corner of the intersection of Troup Highway and Shiloh Road, on the east side of Troup Highway (5100 Troup Highway).

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Item Reference:

The applicant is requesting a zoning change to allow for the development of a 13,700 square foot strip retail center.

Section 10-226, "C-2" General Commercial District", allows as permitted uses automobile garages and sales lots, hotels, restaurants, warehouses, offices, and retail establishments with outdoor display or storage of merchandise. The maximum building height allowed within the "C-2" District is three stories or 45' in height. Off-street parking for commercial-type uses is determined by the specific use proposed. Properties with a commercial designation are subject to the requirements of the Subdivision and Landscape Ordinances.

The adjacent properties to the south and east are currently zoned "M-2" General Industrial District, properties to the north are currently zoned "C-2" General Commercial District, and properties to the west are currently zoned "C-1" Light Commercial District. The adjoining lands are primarily developed as commercial with Wal-Mart located to the north. The Trane Company is located to the south within the "M-2" General Industrial District.

The applicant is requesting a zoning change to allow for the development of a 13,700 square foot strip retail center. This request is consistent with the development pattern in the area and the rezoning of the property will be a continuation of the existing general commercial zoning to the north. Because this is a downzoning request, this will positively impact the surrounding properties. If approved, this would establish a commercial land use.

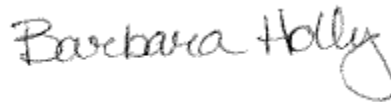
On March 20, 2007, the Planning and Zoning Commission held a public hearing on this request. Of the seven notices mailed, one notice was returned in favor of the application and no notices were returned in opposition to the request.

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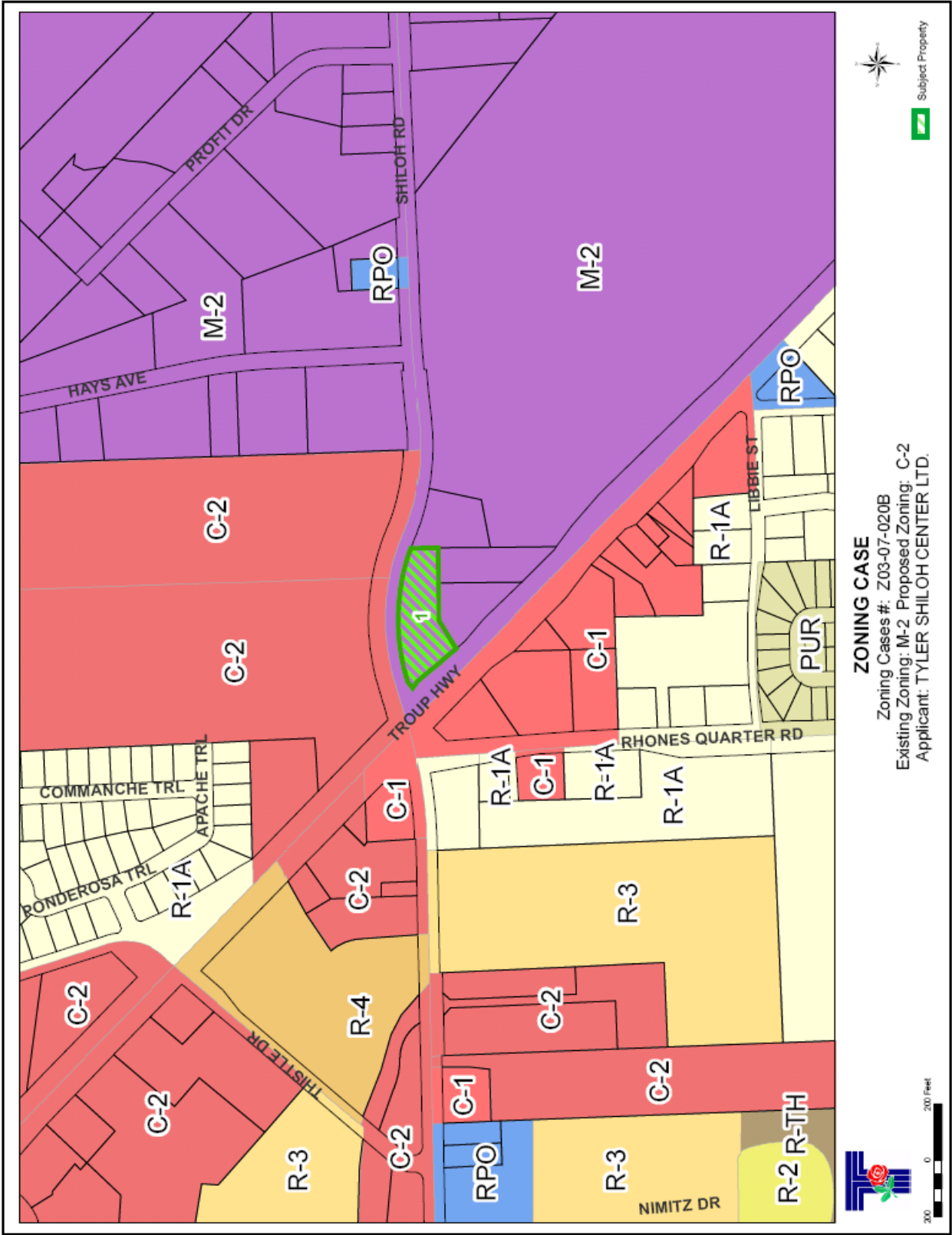
RECOMMENDATION:

The Planning and Zoning Commission, by a vote of 6-0, recommends approval of the request to change the zoning from "M-2" General Industrial District to "C-2" General Commercial District.

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

Drafted/Recommended By: Barbara Holly
Department Leader Director of Planning

Edited/Submitted By:
City Manager

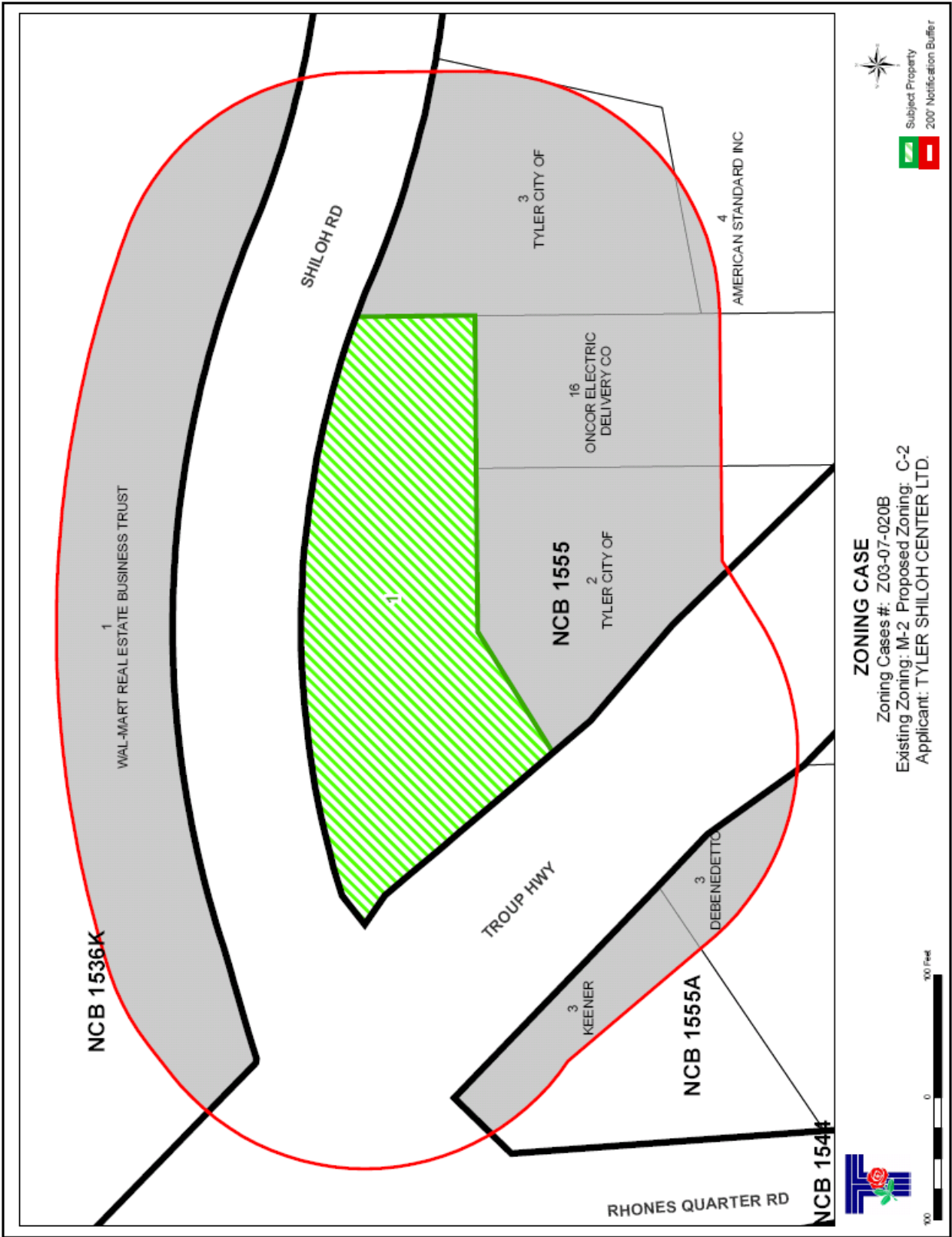


Subject Property

ZONING CASE

Zoning Cases #: Z03-07-020B
 Existing Zoning: M-2 Proposed Zoning: C-2
 Applicant: TYLER SHILOH CENTER LTD.





100 0 100 Feet

ZONING CASE

Zoning Cases #: Z03-07-020B
 Existing Zoning: M-2 Proposed Zoning: C-2
 Applicant: TYLER SHILOH CENTER LTD.



Subject Property
 200' Notification Buffer

ORDINANCE NO. O-2007-39

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 Z03-07-020B

That the following described property, which has heretofore been zoned "M-2" General Industrial District, shall hereafter bear the zoning classification of "C-2" General Commercial District to-wit:

Lot 1 of NCB 1555 in the J. Rush Survey, A-842, one lot totaling approximately 1.4 acres located at the southeast corner of the intersection of Troup Highway and Shiloh Road, on the east side of Troup Highway (5100 Troup Highway).

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 25th day of April, A.D., 2007.

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

APPROVED:

A T T E S T:

CASSANDRA BRAGER, CITY CLERK

CITY ATTORNEY