



**CITY OF TYLER
CITY COUNCIL COMMUNICATION**

Agenda Number: Z-6

Date: April 25, 2007

Subject: APPLICATION Z04-07-032A CHUCK GREGORY
Request that the City Council consider a request to change the zoning from “R-1A” Single-Family Residential District to “C-1” Light Commercial District on Lot 10G of NCB 1092 of the Exums Center Addition (File Number 17533, File date 4/13/06) and Lot 25 of NCB 1092, of the City of Tyler Subdivision, two lots totaling approximately 0.738 acres. Lots 10G and 25 are located two lots west of the northwest intersection of Troup Hwy and Colston Drive, on the north side of Colston Drive (2022 Colston Drive).

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Item Reference:

The applicant is requesting a zoning change to allow for the development of a retail store.

Section 10-225, "C-1" Light Commercial District, allows as permitted uses restaurants, private clubs, antique shops, banks, service stations, offices and retail stores with no outdoor display or storage of merchandise or goods allowed. The maximum building height allowed within this district is two and one-half (2-1/2) stories or 42' in height. Off-street parking 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 north and west are currently zoned “C-2” General Commercial District, and properties to the south and east are currently zoned “R-1A” Single-Family Residential District. The adjoining lands are primarily developed as commercial with Exum’s located to the north and retail stores and offices located to the west. A cell tower is also located just north of the subject property.

This request is consistent with the development pattern in the area and the recommended future commercial land use.

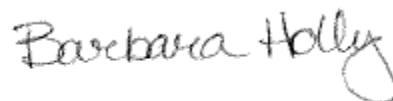
On April 3, 2007, the Planning and Zoning Commission held a public hearing on this request. Of the 23 notices mailed; two notices were returned in favor of the application and no notices were returned in opposition to the request.

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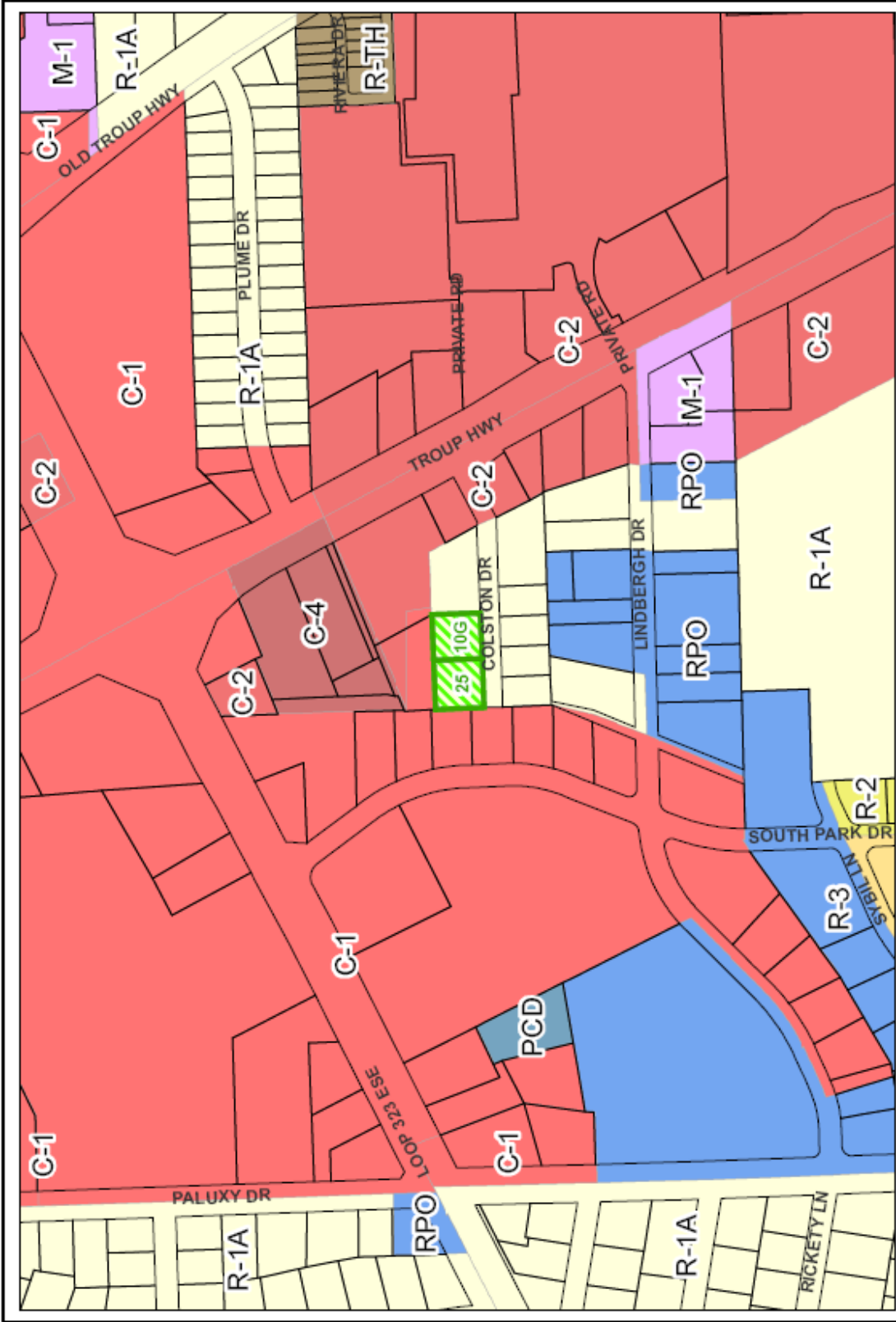
RECOMMENDATION:

The Planning and Zoning Commission, by a vote of 6-0, recommends approval of the request to change the zoning from “R-1A” Single-Family Residential District to “C-1” Light Commercial 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 Director of Planning

Edited/Submitted By:
City Manager



0 200 feet

ZONING CASE
 Zoning Cases #: Z04-07-032A
 Existing Zoning: R-1A Proposed Zoning: C-1
 Applicant: CHUCK GREGORY



Subject Property



Subject Property
200' Notification Buffer



ZONING CASE

Zoning Cases #: Z04-07-032A
Existing Zoning: R-1A Proposed Zoning: C-1
Applicant: CHUCK GREGORY



ORDINANCE NO. O-2007-41

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 Z04-07-032A

That the following described property, which has heretofore been zoned "R-1A" Single-Family Residential District, shall hereafter bear the zoning classification of "C-1" Light Commercial District to-wit:

Lot 10G of NCB 1092 of the Exums Center Addition (File Number 17533, File date 4/13/06) and Lot 25 of NCB 1092, of the City of Tyler Subdivision, two lots totaling approximately 0.738 acres. Lots 10G and 25 are located two lots west of the northwest intersection of Troup Hwy and Colston Drive, on the north side of Colston Drive (2022 Colston 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 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

A T T E S T:

APPROVED:

CASSANDRA BRAGER, CITY CLERK

CITY ATTORNEY