



**CITY OF TYLER
CITY COUNCIL COMMUNICATION**

Agenda Number: Z-5

Date: June 13, 2007

Subject: APPLICATION Z05-07-040A DANNY ALLEN
Request that the City Council consider a request to change the zoning from “R-1B” Single-Family Residential District to “RPO” Restricted Professional and Office District on Lot 15 of NCB 678G of the Ridgcrest Addition (Volume 2, Page 324 of the D.R.S.C.T), one lot totaling approximately 0.24 acres located one lot south of the intersection of Clinic Drive and Magnolia Drive, on the east side of Magnolia Drive (938 Magnolia Drive).

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Item Reference:

The applicant is requesting a zoning change to allow for the expansion of a current office or for a future office development.

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 clinics or offices, personal service facilities, i.e., barber and beauty shops, small antique shops and other uses of similar character. The height and area regulations within the "RPO" District are consistent with the regulations of the "R-1B" Single-Family Residential District.

The future use of the property will be for the expansion of an office on the lot to the north or for a separate office building.

The future land use map indicates low density residential in this area, but the adjacent lots to the north and west are zoned “RPO” and are in an area designated Commercial Health Services by the future land use plan.

Staff feels that the proposed zoning change will not negatively impact the surrounding properties since the properties are currently adjacent to “RPO” zoned lots and this extends that development pattern.

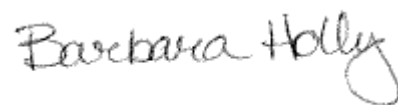
On May 1, 2007, the Planning and Zoning Commission held a public hearing on this request. Of the 20 notices mailed, no notices were returned in favor of or in opposition to the request.

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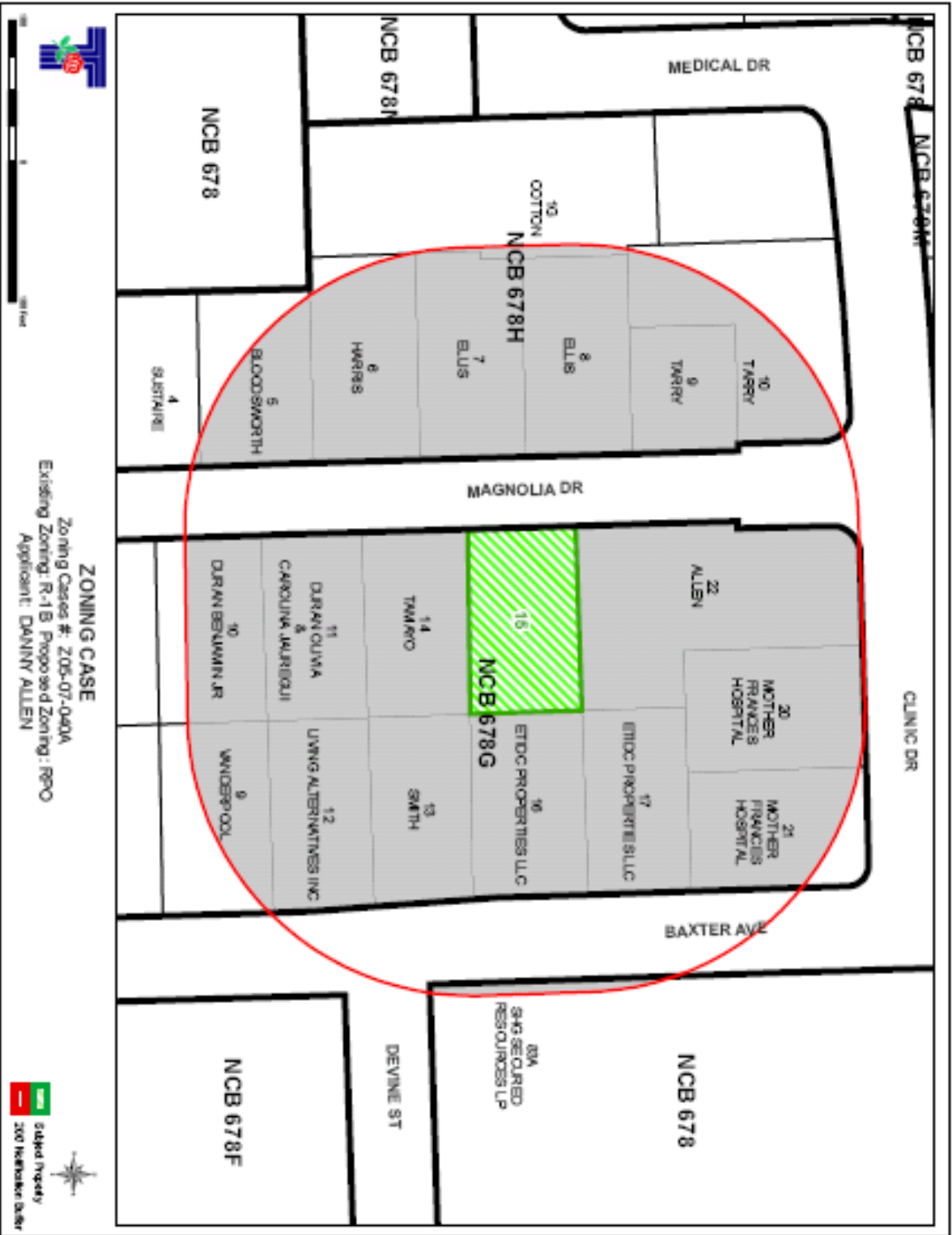
RECOMMENDATION:

The Planning and Zoning Commission, by a vote of 7-0, recommends approval of the request to change the zoning from “R-1A” Single-Family Residential District to “C-1” Light 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



ZONING CASE
 Zoning Cases #: Z05-07-040A
 Existing Zoning: R-1B Proposed Zoning: RPO
 Applicant: DANNY ALLEN



ORDINANCE NO. O-2007-58

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 Z05-07-040A

That the following described property, which has heretofore been zoned "R-1B" Single-Family Residential District, shall hereafter bear the zoning classification of "RPO" Restricted Professional and Office District to-wit:

Lot 15 of NCB 678G of the Ridgecrest Addition (Volume 2, Page 324 of the D.R.S.C.T), one lot totaling approximately 0.24 acres located one lot south of the intersection of Clinic Drive and Magnolia Drive, on the east side of Magnolia Drive (938 Magnolia 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 13th day of June, 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