



**CITY OF TYLER
CITY COUNCIL COMMUNICATION**

Agenda Number: Z-8

Date: July 25, 2007

Subject: APPLICATION Z07-07-070A RZ PROPERTIES
Request that the City Council consider a request to change the zoning from "R-1B" Single-Family Residential District and "C-1" Light Commercial District to "RPO" Restricted Professional Office District on Lots 1, 3 and 19 of NCB 360 of the Gaston 1st Addition as recorded in Book 7332, Page 363 of the Deed Records of Smith County, Texas, three lots totaling approximately 29,713 square feet located southwest of the intersection of Gaston Avenue and N. Glenwood Boulevard, on the west side of Gaston Avenue (805 and 837 North Glenwood Boulevard and 808 North Gaston Avenue).

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Item Reference:

The applicant is requesting a zoning change in order to construct an office building.

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 adjacent properties to the north and east are zoned "R-1B" Single Family Residential District, while adjacent properties to the south are zoned "C-1" Light Commercial District, and property to the west is zoned "R-1A" Single-Family Residential District.

The Future Land Use Map designates this area as retail which allows for retail. The request for "RPO" Restricted Professional Office District is a less intense use than "C-1" Light Commercial District and would amend the future land use map to office, if approved.

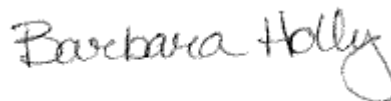
On July 3, 2007, the Planning and Zoning Commission held a public hearing on this request. Of the 15 notices mailed, no notices were returned in favor of the application and one was returned in opposition to the request comprising 1.82 percent protest.

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RECOMMENDATION:

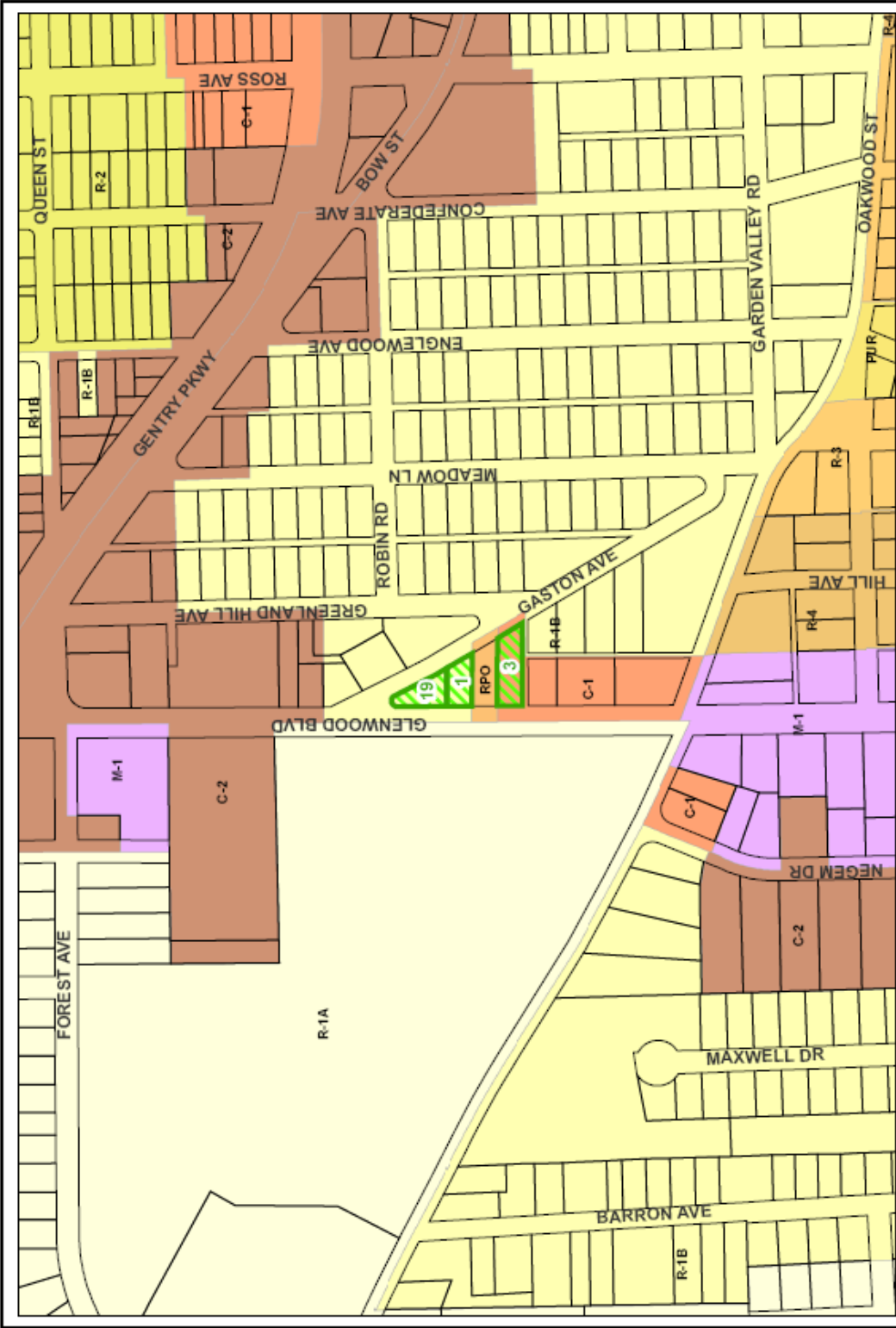
The Planning Commission, by a vote of 6-0, recommends approval of the request to change the zoning from “R-1B” Single-Family Residential District and “C-1” Light Commercial District to “RPO” Restricted Professional Office District.

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

**Drafted/Recommended By:
Department Leader**

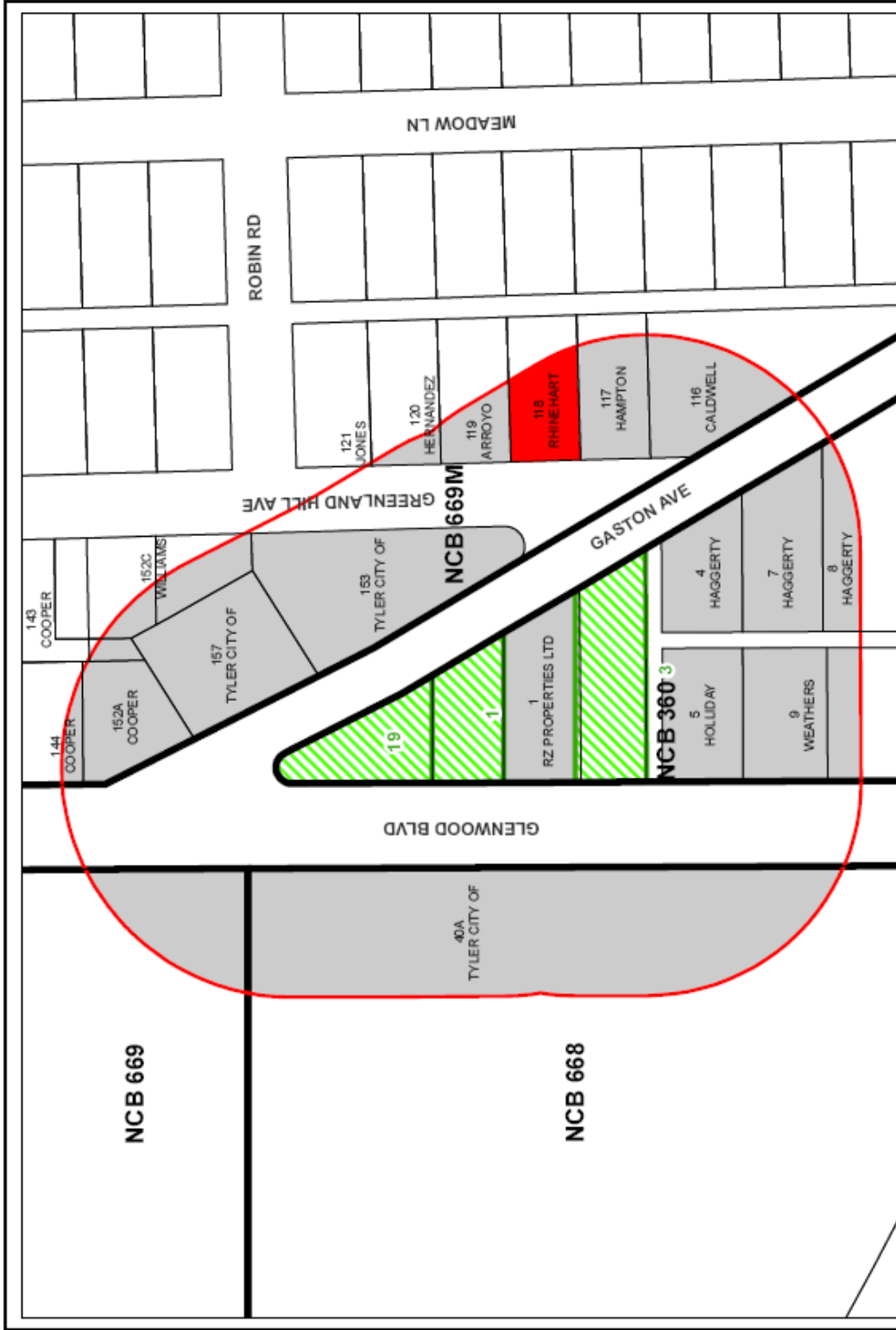
**Barbara Holly
Director of Planning**

**Edited/Submitted By:
City Manager**



ZONING CASE
 Zoning Cases #: Z07-07-070A
 Existing Zoning: R-1A and C-1 Proposed Zoning: RPO
 Applicant: RZ PROPERTIES





ZONING CASE
 Zoning Cases #: Z07-07-070A
 Existing Zoning: R-1A and C-1 Proposed Zoning: RPO
 Applicant: RZ PROPERTIES



ORDINANCE NO. O-2007-84

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 Z07-07-070A

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

Lots 1, 3 and 19 of NCB 360 of the Gaston 1st Addition as recorded in Book 7332, Page 363 of the Deed Records of Smith County, Texas, three lots totaling approximately 29,713 square feet located southwest of the intersection of Gaston Avenue and N. Glenwood Boulevard, on the west side of Gaston Avenue (805 and 837 North Glenwood Boulevard and 808 North Gaston Avenue).

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 July, 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