



**CITY OF TYLER
CITY COUNCIL COMMUNICATION**

Agenda Number: Z-11

Date: July 25, 2007

Subject: **APPLICATION Z07-07-069A TYLER JUNIOR COLLEGE**
Request that City Council consider a request to change the zoning from “R-2” Two-Family Residential District to “ED” Educational District on Lots 54, 55 and 63 of NCB 678 of the City of Tyler Plat, three lots totaling approximately 0.498 acres located three lots north of the northeast intersection of East Fifth Street and Baxter Avenue (1337, 1339, and 1415 Baxter).

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Item Reference:

The applicant is requesting a zoning change to bring the zoning into conformity with the current use.

Section 10-221, "ED" Educational District, is established to provide for the development and regulation of both public and private educational facilities, including classrooms, offices, assembly halls, cafeterias, dormitories, indoor and outdoor recreational facilities, physical plant and other similar facilities, that are consistent with the institution's primary purpose. Maximum height at the minimum setback is two and one-half stories or 42 feet in height.

The adjacent properties to the north and south are zoned “R-2” Two Family Residential District, and properties to the west are zoned “R-4” Multi-Family Residential District. The property to the east is zoned “ED” Educational District. The uses in the area are predominately uses that are associated with Tyler Junior College.

There is a large office building, the Campus Christian Center, located on Lots 54 and 63 and a parking lot for the center is proposed for Lot 55. The Campus Christian Center is part of the Tyler Junior College system. The proposed zoning will bring the site into conformity with the use and be consistent with the other Tyler Junior College properties that are zoned “ED”. The Future Land Use Map designates the area for Public/Semi Public uses, thus this rezoning proposal is consistent with the City land use policies.

On July 3, 2007, the Planning and Zoning Commission held a public hearing on this request. Of the four notices mailed, no notices were returned in favor of or in opposition to the application. Rea Boudreaux spoke in favor of the rezoning request. No one spoke in opposition to the rezoning request.

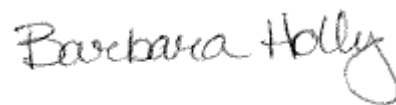
All other departments have reviewed the application and anticipate no significant impact on services or facilities by the proposed change.

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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-2” Two-Family Residential District to “R-1B” Single-Family Residential District.

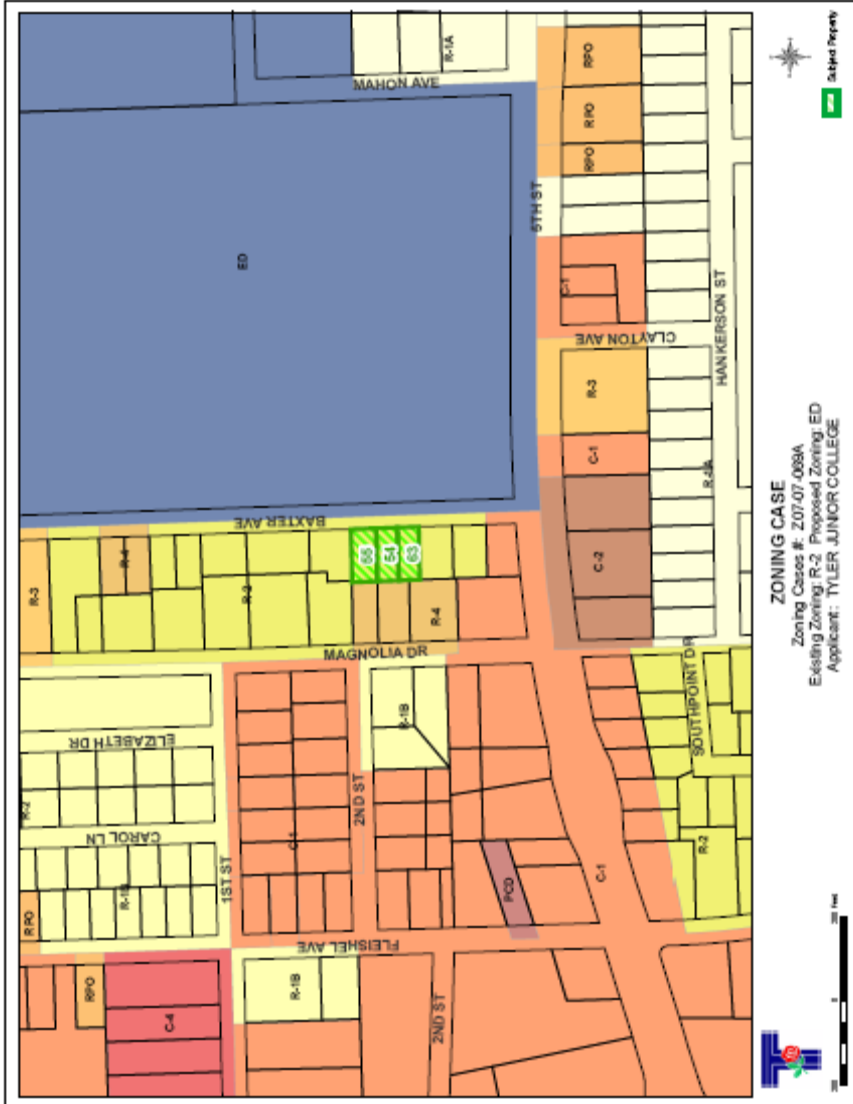
A handwritten signature in cursive script that reads "Barbara Holly".

Drafted/Recommended By: Barbara Holly

Department Leader

Edited/Submitted By:

City Manager

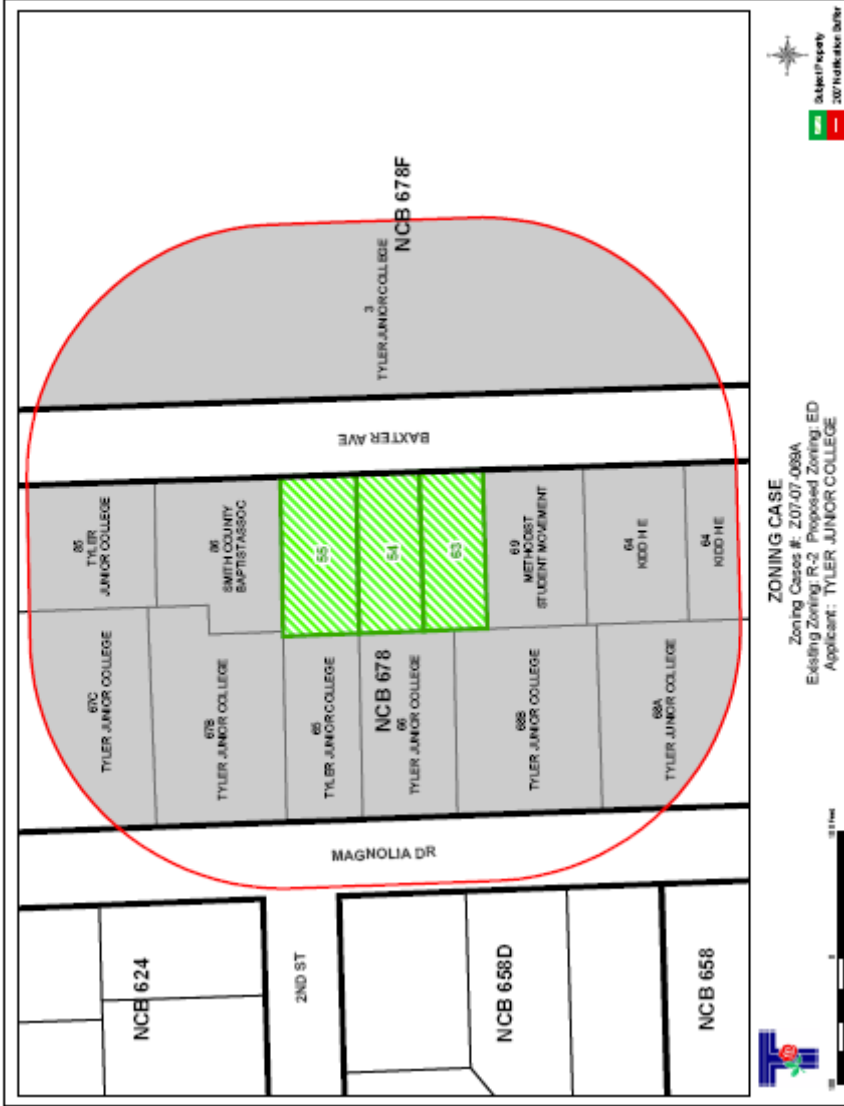


ZONING CASE

Zoning Cases #: Z07.07.068A
 Existing Zoning: R-2, Proposed Zoning: ED
 Applicant: TYLER JUNIOR COLLEGE



Calped Property



ZONING CASE
 Zoning Cases #: 207.07.069A
 Existing Zoning: R-2, Proposed Zoning: ED
 Applicant: TYLER JUNIOR COLLEGE



ORDINANCE NO. O-2007-87

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 Z07-07-069A

That the following described property, which has heretofore been zoned “R-2” Two-Family Residential District, shall hereafter bear the zoning classification of “ED” Educational District to-wit:

Lots 54, 55 and 63 of NCB 678 of the City of Tyler Plat, three lots totaling approximately 0.498 acres located on three lots north of the northeast intersection of East Fifth Street and Baxter Avenue (1337, 1339, and 1415 Baxter).

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