



**CITY OF TYLER
COUNCIL COMMUNICATION**

Agenda Number: Z-5

Date: February 27, 2008

Subject: APPLICATION Z01-08-023B ED THOMPSON
Request that the City Council consider a request to change the zoning from “R-1B” Single Family Residential District to “C-1” Light Commercial District on an approximate 8,600 square foot portion of Lot 96 of NCB 669M of the Patterson Heights Subdivision located at the southwest intersection of Meadow Lane and East Gentry Parkway (1012 Meadow Lane).

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Item Reference:

The applicant is requesting a zoning change to allow for a florist shop.

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 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.

Adjacent properties to the north and east are zoned “C-2” General Commercial District, while properties to the south and west are zoned “R-1B” Single Family Residential District.

The applicant has a split zoned lot with the northern portion zoned “C-2” General Commercial District. Staff is recommending a less intense commercial district on the south in order to protect the residential uses to the south and west. The south portion of the lot has a commercial building and there has been sporadic commercial activity. Thus, rezoning this portion will bring the building into conformity with its actual use and provide the entire lot with a consistent business designation.

The newly adopted Future Land Use Guide designates this area as neighborhood commercial and single family, medium/low density residential. Therefore, “C-1” Light Commercial District will provide the area with continued commercial opportunities.

Of the 14 notices mailed, two notices were returned in favor of and no notices were returned in opposition to the request. At the January 15, 2008, Planning and Zoning Commission meeting, the applicant appeared on behalf of the application. No one spoke in opposition to the request.

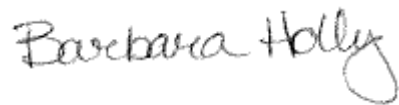
All other departments have reviewed the application and anticipate no significant impact on services or facilities by the proposed change.

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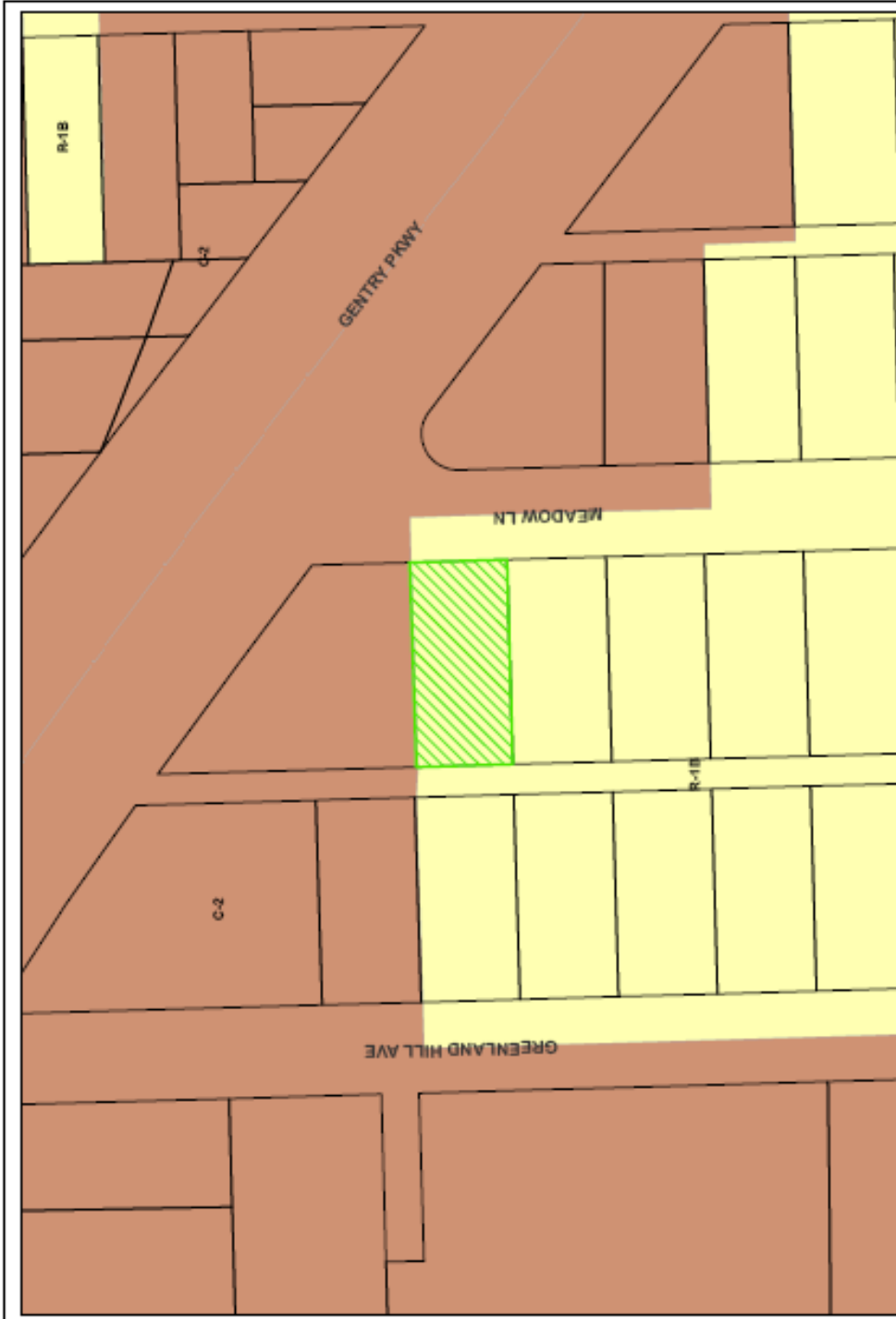
RECOMMENDATION:

The Planning and Zoning Commission, by a vote of 6-0, recommends approval of the request to change the zoning from “R-1B” 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

Edited/Submitted By: City Manager



ZONING CASE

Zoning Case #: Z01-08-023B
Existing Zoning: R-1B Proposed Zoning: C-1
Applicant: ED THOMPSON

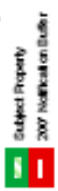


Subject Property 



ZONING CASE

Zoning Case #: Z01-08-023B
 Existing Zoning: R-1B Proposed Zoning: C-1
 Applicant: ED THOMPSON



ORDINANCE NO. O-2008-24

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 Z01-08-023B

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

An approximate 8,600 square foot portion of Lot 96 of NCB 669M of the Patterson Heights Subdivision located at the southwest intersection of Meadow Lane and East Gentry Parkway (1012 Meadow Lane),

as shown on the drawing attached hereto as Exhibit "A".

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 27th day of February, A.D., 2008.

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

A T T E S T:

APPROVED:

CASSANDRA BRAGER, CITY CLERK

CITY ATTORNEY

EXHIBIT "A" TO ORDINANCE NO. O-2008-24

