



CITY OF TYLER COUNCIL COMMUNICATION

Agenda Number: Z-10

Date: February 27, 2008

Subject: APPLICATION Z02-08-029A EAST TEXAS CHRISTIAN
ACADEMY

Request that the City Council consider a request to change the zoning from “AG” Agricultural to “ED” Educational District on approximately 20.114 acres of land known as Lot 1 of NCB 1118 of the E.T.C.A Addition, located approximately 2,200 feet west of the northwest intersection of Roy Road and Rhones Quarter Road (Roy Road).

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Item Reference:

The applicant is requesting a zoning change to allow for the development of a school gymnasium .

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, east and west are zoned “AG” Agricultural. The property to the south is the Guinn Farms Subdivision and is zoned “PUR” Planned Residential District. The uses in the area are predominately residential or vacant land.

The East Texas Christian Academy is currently located at the corner of Paluxy and Shiloh and is in the process of a building drive to raise the funds to relocate and build a new middle and secondary school on its property on Roy Road. At this time, East Texas Christian Academy is proposing to construct a school gymnasium on the site that already has a ball field in use by its students. The middle and secondary schools are in phase two of the building drive.

Of the 14 notices mailed, seven notices of support and one notice of protest were received for the application. The property owner’s complaint was traffic on Roy Road and requested that the school property use Grande Boulevard as its main entrance. However, after the developer spoke with the property owner and informed the property owner that the school property is not contiguous with that proposed section of Grande Boulevard, staff received a letter on January 30, 2008, from the property owner rescinding his protest.

At the February 5, 2008, Planning and Zoning Commission meeting, Bob Breedlove, agent for the property owner, spoke in favor of the application. No one else spoke in either favor or opposition to the application.

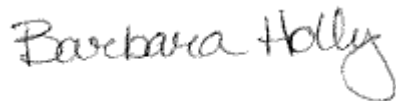
All other departments have reviewed the application and anticipate no significant impact on services or facilities by the proposed change.

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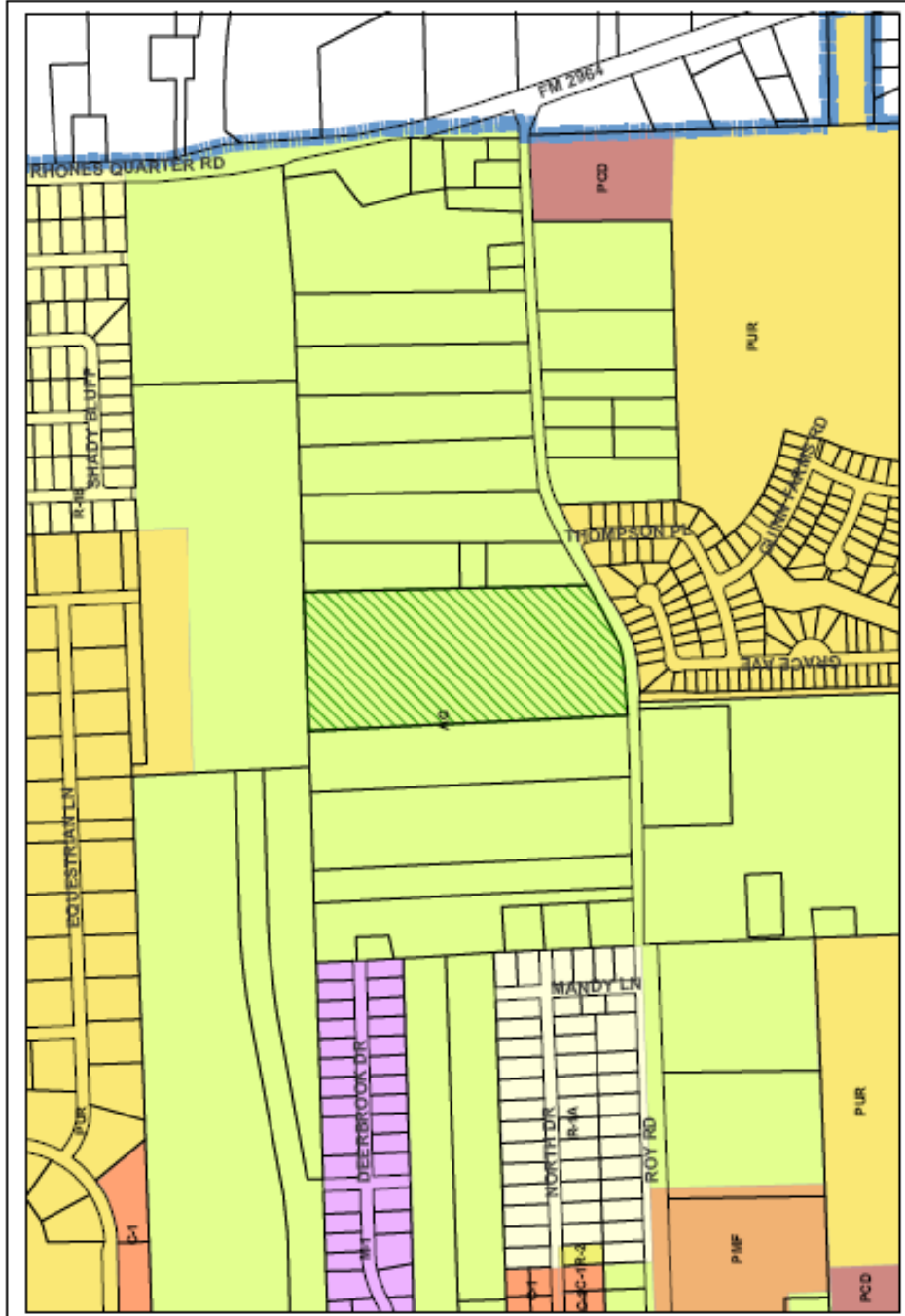
RECOMMENDATION:

The Planning and Zoning Commission, by a vote of 6-0, recommends approval of the request to change the zoning from “AG” Agricultural District to “ED” Educational 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 #: 2002-08-009A
 Existing Zoning: AG Proposed Zoning: ED
 Applicant: EAST TEXAS CHRISTIAN ACADEMY





ZONING CASE
 Zoning Case #: Z002-08-023A
 Existing Zoning: AG Proposed Zoning: ED
 Applicant: EAST TEXAS CHRISTIAN ACADEMY



ORDINANCE NO. O-2008-29

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 Z02-08-029A

That the following described property, which has heretofore been zoned "AG" Agricultural District, shall hereafter bear the zoning classification of "ED" Educational District to-wit:

Approximately 20.114 acres of land known as Lot 1 of NCB 1118 of the E.T.C.A Addition, located approximately 2,200 feet west of the northwest intersection of Roy Road and Rhones Quarter Road (Roy Road).

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