

ORDINANCE NO. O-2017-2

AN ORDINANCE AMENDING THE CITY OF TYLER ZONING ORDINANCE OF THE CODE OF ORDINANCES OF THE CITY OF TYLER, TEXAS; BY CHANGING THE ZONING FROM "RPO", RESTRICTED PROFESSIONAL OFFICE DISTRICT AND "PUR", PLANNED UNIT RESIDENTIAL DISTRICT TO "PUR", PLANNED UNIT RESIDENTIAL DISTRICT WITH FINAL SITE PLAN ON A 13.27 ACRE PORTION OF LAND TOTALING APPROXIMATELY 44.79 ACRES OF LAND LOCATED NORTH OF THE INTERSECTION OF CROSSLAKE BOULEVARD AND TIMBER TRAIL; DIRECTING THE AMENDMENT OF THE ZONING MAP; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING 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 PD16-016

That the following described property, which has heretofore been zoned "RPO", Restricted Professional Office District and "PUR", Planned Unit Residential District shall hereafter bear the zoning classification of "PUR", Planned Unit Residential District with final site plan attached hereto as Exhibit "A" and incorporated herein, to wit:

A 13.27 acre portion of land totaling approximately 44.79 acres of land located north of the intersection of Crosslake Boulevard and Timber Trail and in accordance with the metes and bounds description attached hereto as Exhibit "B".


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.

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 any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine as provided in Section 1-4 of the Tyler Code. Each day such violation shall continue, or be permitted to continue, shall be deemed a separate offense. Since this ordinance has a penalty for violation, it shall not become effective until after its publication in the

newspaper as provided by Section 85 of the Charter of the City of Tyler, Texas, which date is expected to be January 13, 2017.

PASSED AND APPROVED this the 11th day of January A.D., 2017.



MARTIN HINES, MAYOR
OF THE CITY OF TYLER, TEXAS


ATTEST:

APPROVED:



CASSANDRA BRAGER, CITY CLERK

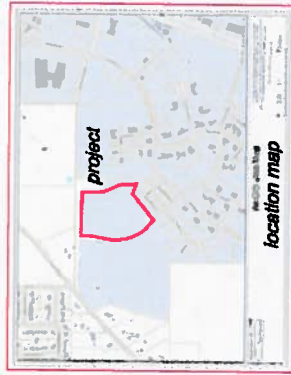




DEBORAH G. PULLUM,
CITY ATTORNEY

**ORDINANCE NO. O-2017-2
EXHIBIT "A"
FINAL SITE PLAN**

North Lake Estates tyler, texas



SITE INFORMATION:

DEVELOPER:
Werner-Taylor Land &
Development, L.P.
7286 Crosswater
Tyler, TX 75703
Office: (903) 952-8634
mike@crossingtyler.com

PROJECT: Part of Don Thomas Quevedo Survey A-18
ACREAGE: 13.27± ACRES
CURRENT ZONING: PUR / RPO
PROPOSED ZONING: PUR
DENSITY: Total units - 25 (1.9 units/ac)
SETBACKS: as shown on plan
HEIGHT: Two Story / 42' Maximum
PARKING: Total Req'd - 38 (2 sp per unit)
Provided - 38
Garage - 38

note: See final plat for property and lot dimensions. Sidewalks to be consistent with approved alternate sidewalk plan.

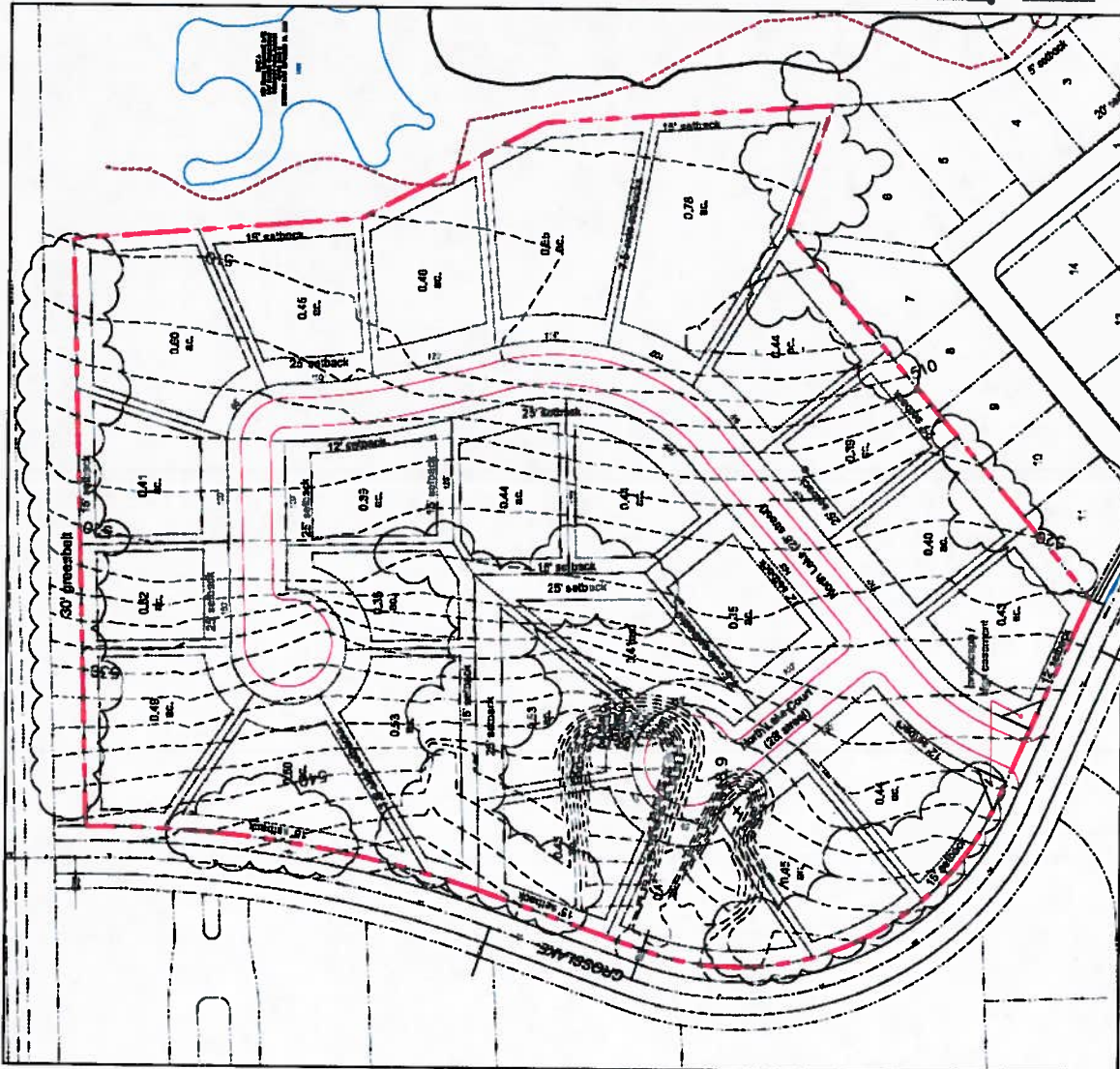
SIGNAGE: Development signage (per UDC Sign Chart Section 10-409) will comply with Tyler UDC. Number and locations determined by Tyler UDC.

LANDSCAPING / BUFFERYARDS: landscaping to meet or exceed minimum requirements per Tyler UDC. Bufferyards (if req'd) to be installed per UDC.

SITE PLAN PREPARED BY:



GRAPHIC SCALE



ORDINANCE NO. O-2017-2
EXHIBIT "B"
METES AND BOUNDS DESCRIPTION



- *Surveying*
- *Mapping*
- *Planning*

6712 Paluxy Drive • Tyler, Texas 75703 • 903.581.7800 • 903.581.3756

EXHIBIT "A"
North Lake Estates
13.270 Acres

Being a 13.270 acre tract of land situated in the Don Thomas Quevado Survey, Abstract No. 18, Section No. 5 and being part of a called 49.34 acre tract of land described in a Deed from Mollie A. Winston, Stephen T. Winston, Amy Winston Boland and husband, John Parker Boland, Alan D. Winston and wife, Mollie A. Winston to Werner, Taylor & Werner, LLC recorded in Volume 7636, Page 771 of the Official Public Records of Smith County, Texas, said 13.270 acre tract of land being more completely described by metes and bounds as follows:

Beginning at a 1/2" iron rod with plastic cap stamped K.L.K. #4687 set at the Northeast corner of this 13.270 acre tract from which the Northeast corner of said 49.34 acre tract bears North 55 degree 36 minutes 15 seconds East, a distance of 150.37 feet;

Thence South 04 degrees 29 minutes 16 seconds East, a distance of 272.46 feet to a 1/2" iron rod with plastic cap stamped K.L.K. #4687 set;

Thence South 22 degrees 11 minutes 36 seconds East, a distance of 119.40 feet to a 1/2" iron rod with plastic cap stamped K.L.K. #4687 set;

Thence South 18 degrees 19 minutes 54 seconds East, a distance of 176.64 feet to a 1/2" iron rod with plastic cap stamped K.L.K. #4687 set;

Thence South 03 degrees 57 minutes 55 seconds East, a distance of 171.34 feet to a 1/2" iron rod with plastic cap stamped K.L.K. #4687 found at the Northeast corner of Lot 6, N.C.B. 1660-Q of Cross Gate at The Crossing as shown by plat of record in Cabinet E, Slide 385-D of the Smith County Plat Records;

Thence North 70 degrees 53 minutes 52 seconds West, a distance of 127.39 feet with the North line of said Lot 6 to a 1/2" iron rod with plastic cap stamped K.L.K. #4687 found at the Northwest corner of said Lot 6;

Thence South 50 degrees 11 minutes 58 seconds West, a distance of 454.66 feet with the West boundary line of said Cross Gate to a 1/2" iron rod with plastic cap stamped K.L.K. #4687 found at the most Westerly corner of said Cross Gate and being on the North right of way of Crosslake Boulevard;

Thence with a curve to the left with a delta angle of 02 degrees 41 minutes 09 seconds, with a radius of 880.00 feet, with an arc length of 41.25 feet, with a chord bearing of North 64 degrees 55 minutes 09 seconds West, with a chord length of 41.25 feet to a 1/2" iron rod with plastic cap stamped K.L.K. #4687 set;

Thence North 66 degrees 15 minutes 44 seconds West, a distance of 171.77 feet to a 1/2" iron rod with plastic cap stamped K.L.K. #4687 set;

Thence with a curve to the right with a delta angle of 85 degrees 50 minutes 32 seconds, with a radius of 270.00 feet, with an arc length of 404.52 feet, with a chord bearing of North 23 degrees 20 minutes 28 seconds West, with a chord length of 367.74 feet to a 1/2" iron rod with plastic cap stamped K.L.K. #4687 set;

Thence North 19 degrees 34 minutes 48 seconds East, a distance of 144.17 feet;

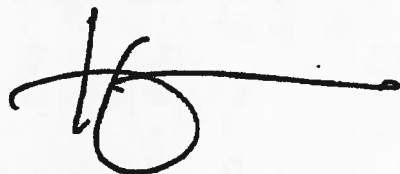
Thence with a curve to the left with a delta angle of 20 degrees 25 minutes 41 seconds , with a radius of 1130.00 feet, with an arc length of 402.88 feet, with a chord bearing of North 09 degrees 21 minutes 58 seconds East, with a chord length of 400.75 feet;

Thence North 88 degrees 30 minutes 46 seconds East, a distance of 562.80 feet to the place of beginning containing 13.270 acres of land.

Bearing basis is the Texas State Plane Coordinate System, Grid North Central Zone, NAD 83 (Feet) based on the 1993 adjustment of the NAD 83 System. The reference monument is Station FAA TYRA.

I, Kevin L. Kilgore, Registered Professional Land Surveyor No. 4687, Texas, do hereby certify that the above field note description was prepared from an actual on-the-ground survey made under my direction and supervision during the month of May, 2006.

GIVEN UNDER MY HAND AND SEAL, This 27th day of October, 2016.



Kevin L. Kilgore, R.P.L.S. 4687



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This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

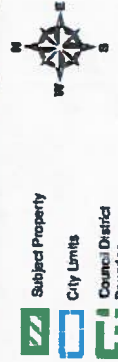
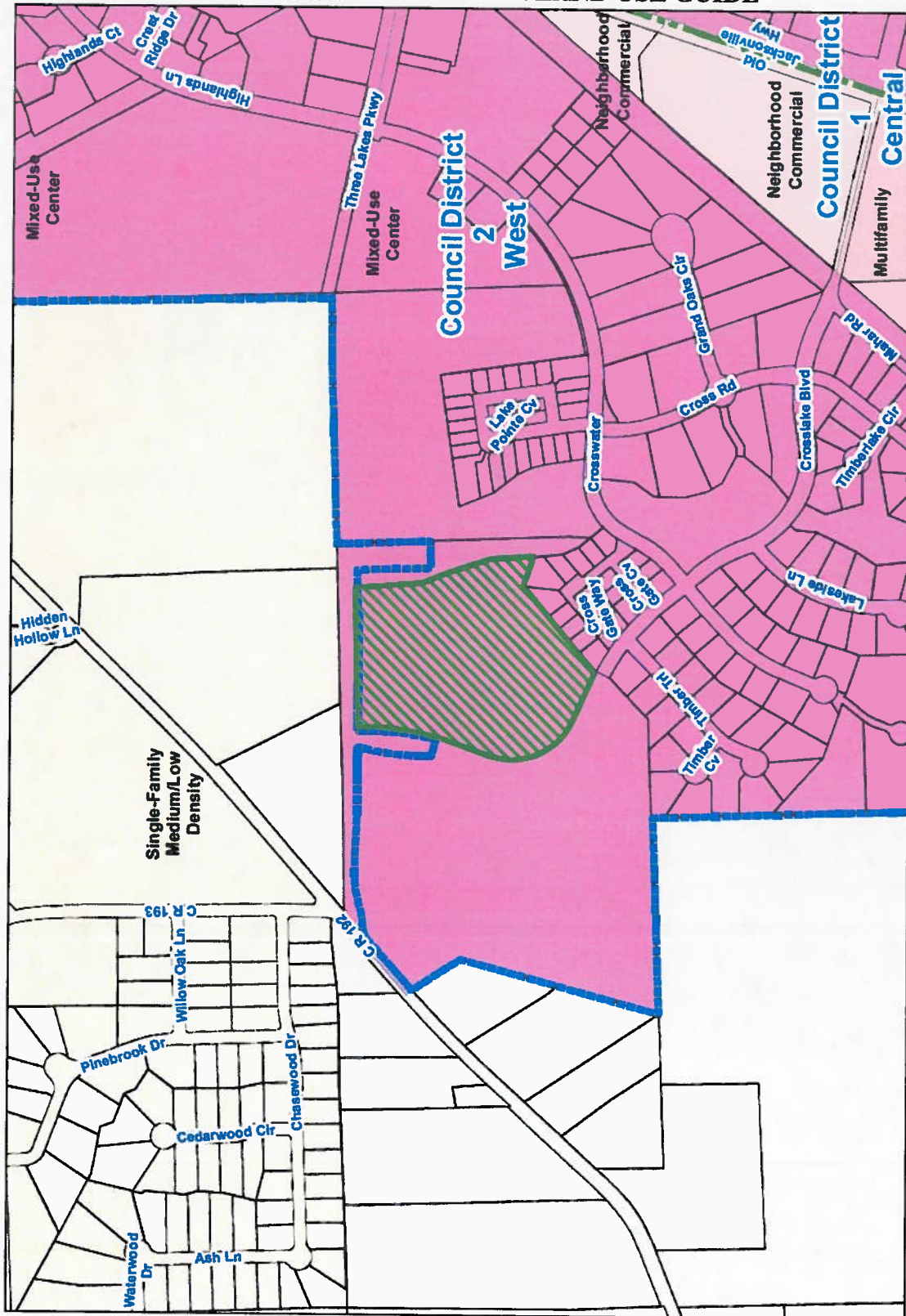
Subject Property

City Limits

Council District Boundary

ZONING CASE
Zoning Case #PD18-016
Existing Zoning: RPO and PUR Proposed Zoning: PUR
Applicant: Werner Taylor

ORDINANCE NO. O-2017-2
EXHIBIT "D"
TYLER 1ST FUTURE LAND USE GUIDE



ZONING CASE
 Zoning Case #: PD18-016
 Existing Zoning: RPO and PUR
 Proposed Zoning: PUR
 Applicant: Werner Taylor

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**ORDINANCE NO. O-2017-2
EXHIBIT "E"
NOTIFICATION MAP**

