

ORDINANCE NO. O-2017-42

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 "PUR", PLANNED UNIT RESIDENTIAL DISTRICT AND "C-1", LIGHT COMMERCIAL DISTRICT TO "PUR", PLANNED UNIT RESIDENTIAL DISTRICT WITH FINAL SITE PLAN ON A 6.20 ACRE PORTION OF A TRACT OF LAND TOTALING APPROXIMATELY 23.31 ACRES OF LAND LOCATED SOUTH OF THE SOUTHWEST INTERSECTION OF THREE LAKES PARKWAY AND CROSSWATER (2498 THREE LAKES PARKWAY); DIRECTING THE AMENDMENT OF THE ZONING MAP; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY; 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 PD17-009

That the following described property, which has heretofore been zoned "PUR", Planned Unit Residential District and "C-1", Light Commercial District, shall hereafter bear the zoning classification of "PUR", Planned Unit Residential District with final site plan, to wit:

A 6.20 acre portion of a tract of land totaling approximately 23.31 acres of land located south of the southwest intersection of Three Lakes Parkway and Crosswater (2498 Three Lakes Parkway), and in accordance with the final site plan attached hereto as Exhibit "A" and the metes and bounds description attached hereto as Exhibit "B", and incorporated herein.

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 May 26th, 2017.

PASSED AND APPROVED this the 24th day of May A.D., 2017.



MARTIN HEIMES, MAYOR
OF THE CITY OF TYLER, TEXAS


ATTEST:

APPROVED:



CASSANDRA BRAGER, CITY CLERK





DEBORAH G. FULLUM,
CITY ATTORNEY

**ORDINANCE NO. O-2017-42
EXHIBIT "A"
FINAL SITE PLAN**

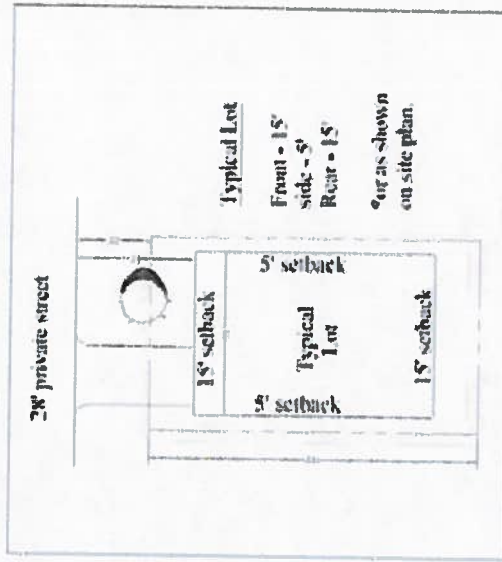
**Crosswater Gardens
tyler, texas**



PROJECT: LOTS 1-20 Block 1660-S
ACREAGE: 6.183 ACRES
CURRENT ZONING: PUR / C-1
PROPOSED ZONING: PUR
DENSITY: Total units - 19 (3.07 units/acre)
SETBACKS: Front - 15' Sides - 5' Rear - 15' (unless different on plan)
HEIGHT: Two Story / 42' Maximum
PARKING: Total Req'd - 38 (2 sp per unit)
Provided - Driveways - 38 Garage - 38 Guest - 21

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

SITE INFORMATION:
DEVELOPER: Werner-Taylor Land & Development, L.P.
 7266 Crosswater
 Tyler, TX 75703
Office: (903) 592-8834
 miko@crossingtyler.com



Typical Lot
 Front - 15'
 Side - 5'
 Rear - 15'
 Set as shown on site plan.



location map - NTS

SIGNAGE: Development signage (per UDC Sign Chart Section 10-406) will comply with Tyler UDC. Number and locations determined by Tyler UDC.

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

Private streets to meet fire code requirements.

ORDINANCE NO. O-2017-42
EXHIBIT "B"
METES AND BOUNDS DESCRIPTION

6.209 Acre Tract

Being a 6.209 acre tract of land, situated in the Don Thomas Quevado Seven League Grant, Abstract No. 18, Section No. 5, Smith County, Texas, and the Thomas Price Survey, Abstract No. 794, and being part of a called 119.715 acre tract, (Tract One) described in a Deed from Sandra Crank Taylor, Individually and as Independent Executor to the Estate of Larry James Taylor, deceased, No. 36051P to Sandra Crank Taylor and Sandra Crank Taylor Special Marital Trust recorded Clerk's File No. 2011-R00038286 of the Official Public Records of Smith County, Texas, (O.P.R.S.C.T.), said 6.209 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 found for the Southeast corner of Lake Pointe per final plat thereof recorded in Cabinet E, Slide 275-D of the Plat Records of Smith County, Texas, (P.R.S.C.T.), said iron rod found also being in the North right of way line of Crosswater, (60.00-foot wide right of way) per final plat of Three Lakes Boulevard & Crosswater Right of Way Dedication recorded in Cabinet E, Slide 208-C, P.R.S.C.T.;

Thence North 08 degrees 24 minutes 22 seconds West, a distance of 601.61 feet along the East boundary line of said Lake Pointe to a 1/2" iron rod with plastic cap stamped K.L.K. #4687 found for the Northeast corner of same;

Thence North 81 degrees 35 minutes 38 seconds East, a distance of 387.74 feet to a 1/2" iron rod with plastic cap stamped K.L.K. #4687 set;

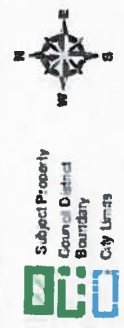
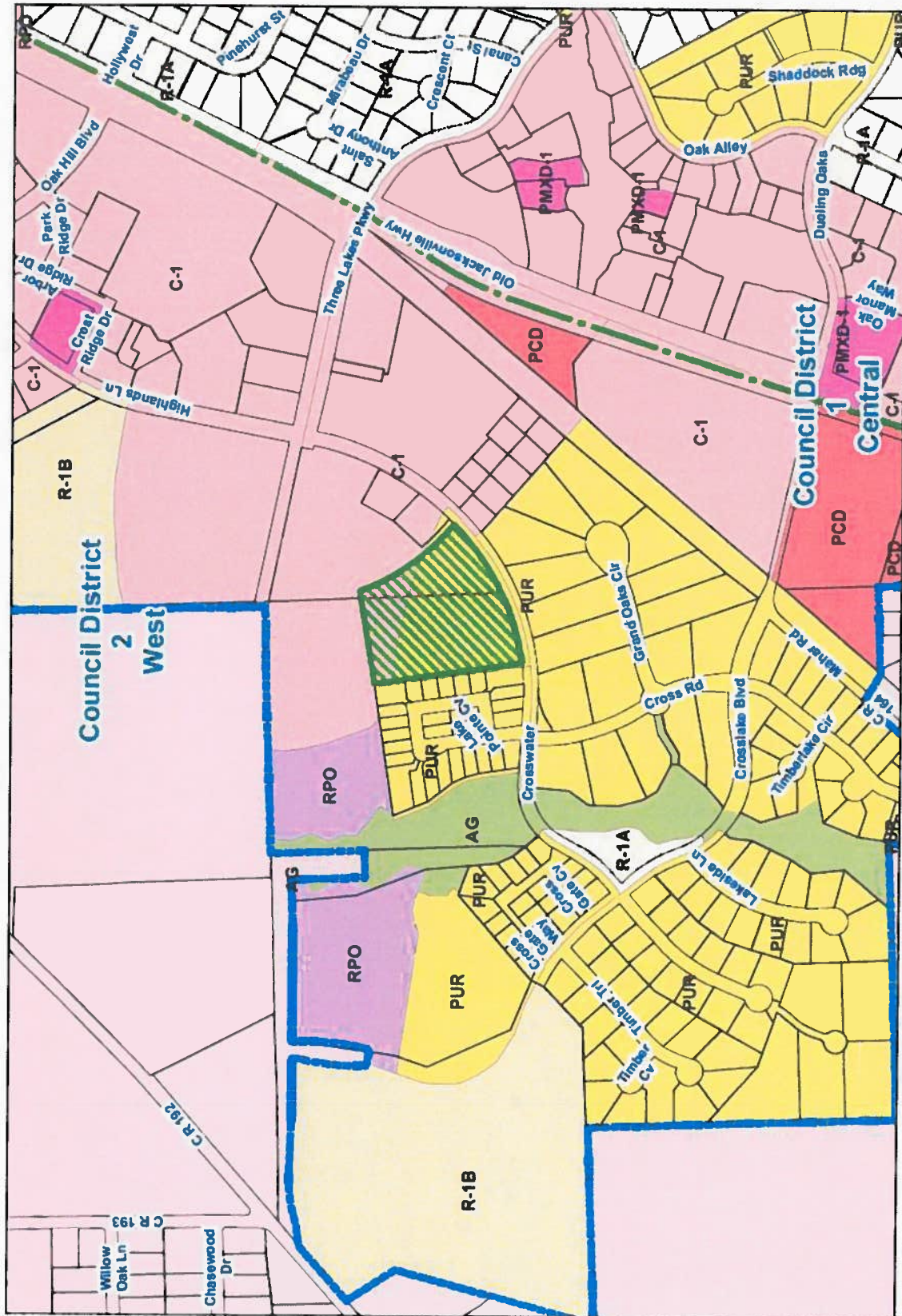
Thence along a curve to the left with a delta of 40 degrees 39 minutes 49 seconds, a radius distance of 430.00 feet, an arc length of 305.18 feet, a chord bearing of South 28 degrees 31 minutes 22 seconds East, a chord distance of 298.81 feet to a 1/2" iron rod with plastic cap stamped K.L.K. #4687 set;

Thence South 48 degrees 51 minutes 16 seconds East, a distance of 176.54 feet to a 1/2" iron rod with plastic cap stamped K.L.K. #4687 set in the North right of way line of aforementioned Crosswater;

Thence along a curve with a delta of 38 degrees 05 minutes 58 seconds, radius distance of 970.00 feet, an arc length of 645.01 feet, a chord bearing of South 64 degrees 26 minutes 46 seconds West, a chord distance of 633.19 feet to the **place of beginning containing 6.209 acres of land.**

Bearing basis is Lake Pointe per Final Plat thereof recorded in Cabinet E, Slide 275-D, P.R.S.C.T.

**ORDINANCE NO. O-2017-42
EXHIBIT "C"
LOCATION MAP**



ZONING CASE
Zoning Case #: PD17-009 Sandra Crank Taylor
Existing Zoning: "C-1" Proposed Zoning: "PUR"
Applicant: SANDRA CRANK TAYLOR

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.

500 0 500 Feet

The map displays Council District 2 West, which is shaded in light blue. To the east is Council District 1 Central, shaded in light orange. The map shows a network of streets including Oak Hill Blvd, Old Jacksonville Hwy, Three Lakes Pkwy, and others. Land use zones are indicated by different colors and patterns: Single-Family Medium/Low Density (light green), Neighborhood Commercial (light yellow), and Mixed-Use Center (light blue). A green hatched area is located near Lake Pointe Cv. The map is bordered by Council District 1 Central to the east and Council District 2 West to the west.



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Notification List		1640K	26	DEVELOPMENT LP DIEDRICK RE
1640K	TAYLOR SANDRA CLARK & SANDRA CLARK TAYLOR SPECIAL	27	CHRISTIAN BUILDERS INC	
1640K	WERNER TAYLOR LAND & DEVELOPMENT LP	28	WERNER TAYLOR LAND & DEVELOPMENT LP	
1640L	WERNER TAYLOR LAND & DEVELOPMENT LP	1	7245 CROSSWATER LLC	
1640L	DRIS TAMBI	2	ORFAN STEVEN M	
79M	DRIS TAMBI	12	TAYLOR SANDRA CLARK & SANDRA CLARK TAYLOR SPECIAL	
79M	HOLT JOHN A & JENNIFER L H	12	TAYLOR SANDRA CLARK & SANDRA CLARK TAYLOR SPECIAL	
1640E	CAMPBELL BAILEY & MARY H	12	WERNER TAYLOR LAND & DEVELOPMENT LP	
1640E	TAYLOR SANDRA CLARK & SANDRA CLARK TAYLOR SPECIAL	12		

City Limits
200' Notification Buffer
Subject Property

ZONING CASE
Zoning Case #: PD17-008 Sandra Crank Taylor
Existing Zoning: "C-1" Proposed Zoning: "PUR"
Applicant: SANDRA CRANK TAYLOR

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