

**ORDINANCE NO. O-2017-59**

**AN ORDINANCE AMENDING THE CITY OF TYLER ZONING ORDINANCE OF THE CODE OF ORDINANCES OF THE CITY OF TYLER, TEXAS; APPROVING A "PCD", PLANNED COMMERCIAL DEVELOPMENT DISTRICT FINAL SITE PLAN AMENDMENT ON APPROXIMATELY 2.50 ACRES OF LAND LOCATED AT THE NORTHEAST CORNER OF OLD JACKSONVILLE HIGHWAY AND PROFESSIONAL DRIVE (3274 PROFESSIONAL DRIVE); 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 PD17-020**

That the existing site development plan is hereby amended by approving the site plan attached hereto as Exhibit "A" and incorporated herein, on the following described property zoned "PCD", Planned Commercial Development District, to wit:

Approximately 2.50 acres of land located at the northeast corner of Old Jacksonville Highway and Professional Drive (3274 Professional Drive) and in accordance with Exhibit "A", and subject to the following conditions which are incorporated herein:

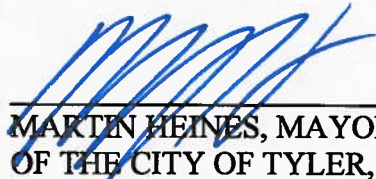
- Ten-foot (10') minimum side setback from the north property line
- All lighting will be down shielded
- No balloons
- No banners
- No flags
- No large painted graphics
- No streamers
- Building façade sign not to exceed 100 square feet
- Monument sign not to exceed 32 square feet
- No loud speakers located outside
- Ten-foot (10') privacy fence or wall along the north property line, which abuts the residentially zoned property.
- Allow no service bay doors along the north side of the property to shield the residential homes from noise.

**PART 2:** That the City Manager is hereby ordered and directed to cause the zoning map to be amended.

**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 July 28<sup>th</sup>, 2017.

**PASSED AND APPROVED** this the 26<sup>th</sup> day of July A.D., 2017.


  
MARTIN HEINES, MAYOR  
OF THE CITY OF TYLER, TEXAS

ATTEST:

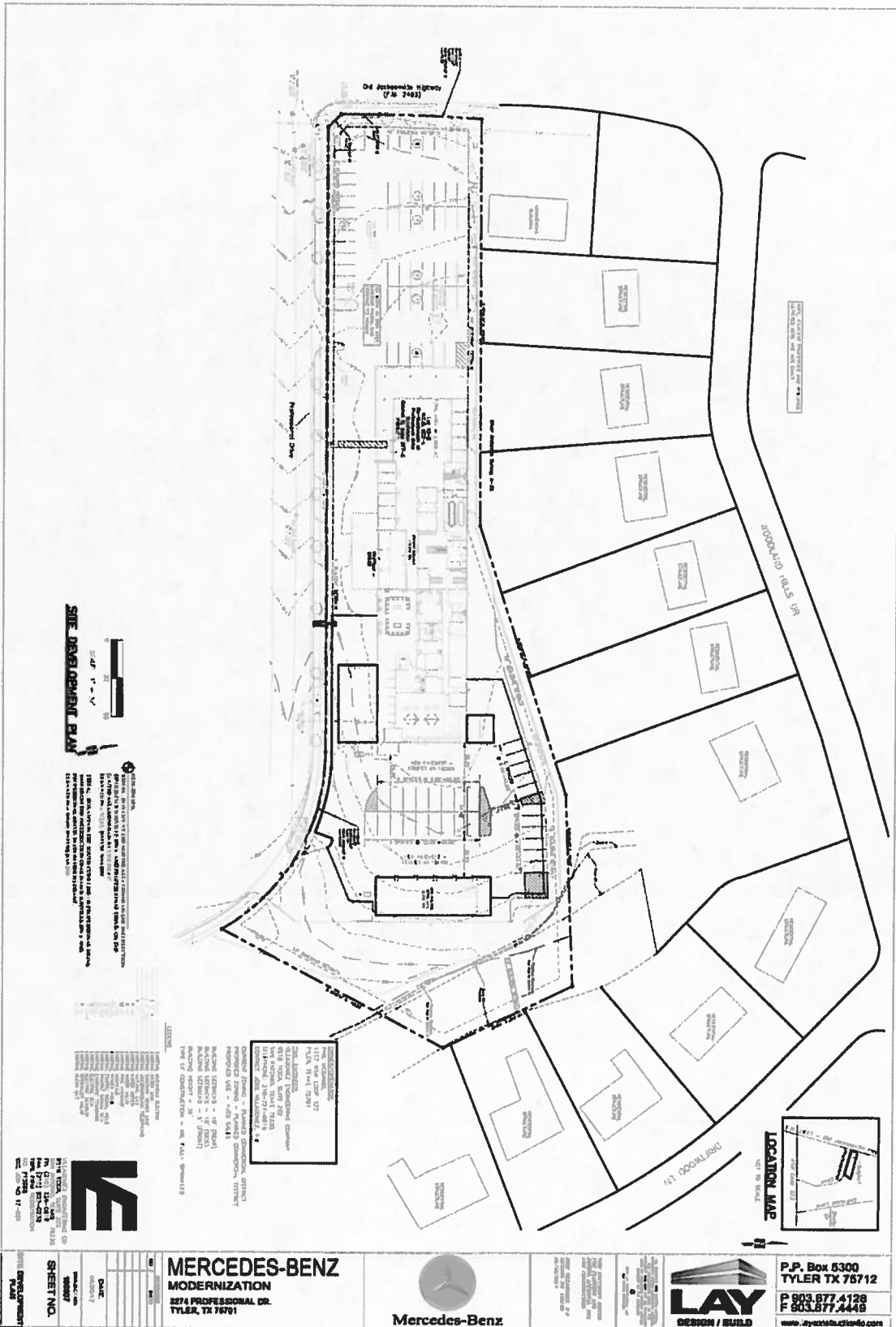
  
CASSANDRA BRAGER, CITY CLERK



APPROVED:

  
DEBORAH G. PULLUM,  
CITY ATTORNEY

**ORDINANCE NO. O-2017-59  
EXHIBIT "A"  
FINAL SITE PLAN**



**SITE DEVELOPMENT PLAN**

1. ALL DEVELOPMENT SHALL BE IN ACCORDANCE WITH THE CITY OF TYLER ZONING ORDINANCES AND THE CITY OF TYLER SUBDIVISION ORDINANCES.  
2. THE DEVELOPER SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.  
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**LEGEND**

EXISTING BUILDING - SHOWN WITH DASHED LINES  
EXISTING DRIVEWAYS - SHOWN WITH DASHED LINES  
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**MERCEDES-BENZ  
MODERNIZATION**  
3274 PROFESSIONAL DR.  
TYLER, TX 75701

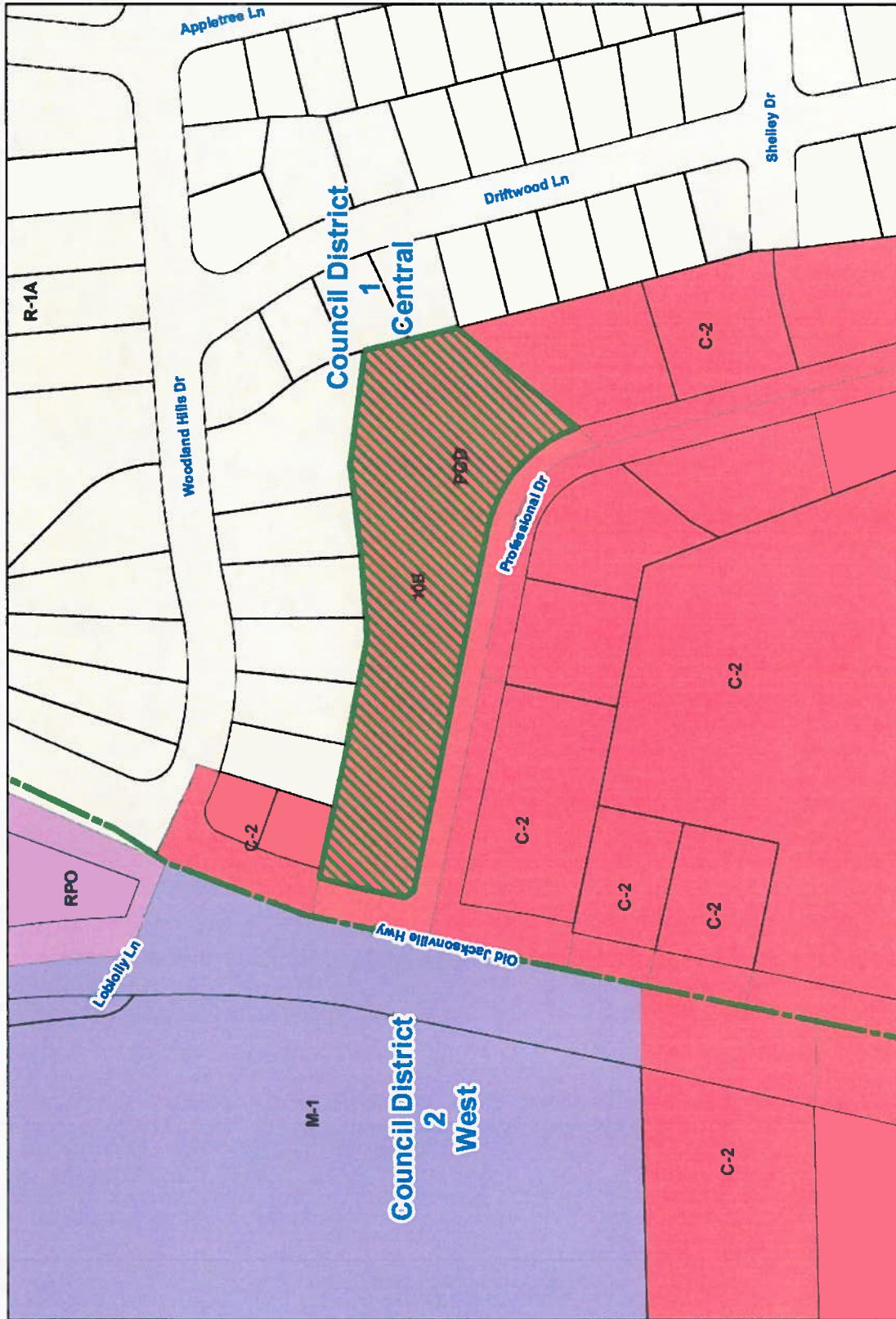


**LAY**  
DESIGN / BUILD

P.O. Box 5300  
TYLER TX 75712  
P 903.877.4128  
F 903.877.4448  
www.layconstruction.com

**DATE:**  
**REVISION:**  
**SHEET NO.:**  
**PROJECT:**  
**SCALE:**  
**DATE:**  
**REVISION:**  
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**PROJECT:**  
**SCALE:**

**ORDINANCE NO. O-2017-59  
EXHIBIT "B"  
LOCATION MAP**

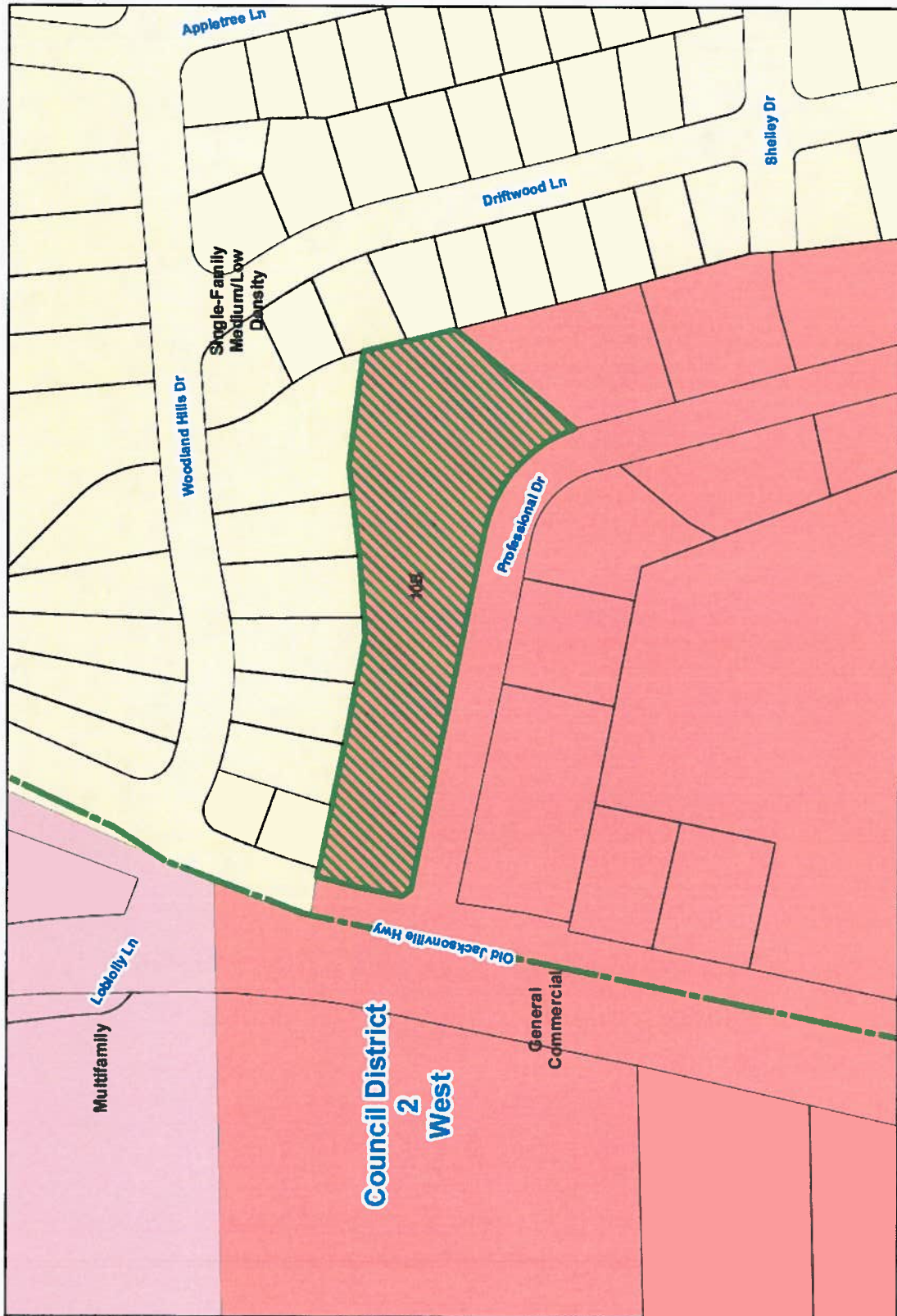


**ZONING CASE**  
Zoning Case # PD17-020  
PCD Site Plan Amendment  
Applicant: SOUTHEAST TEXAS CLASSIC REAL ESTATE INC

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.



**ORDINANCE NO. O-2017-59  
EXHIBIT "C"  
TYLER 1<sup>ST</sup> FUTURE LAND USE GUIDE**



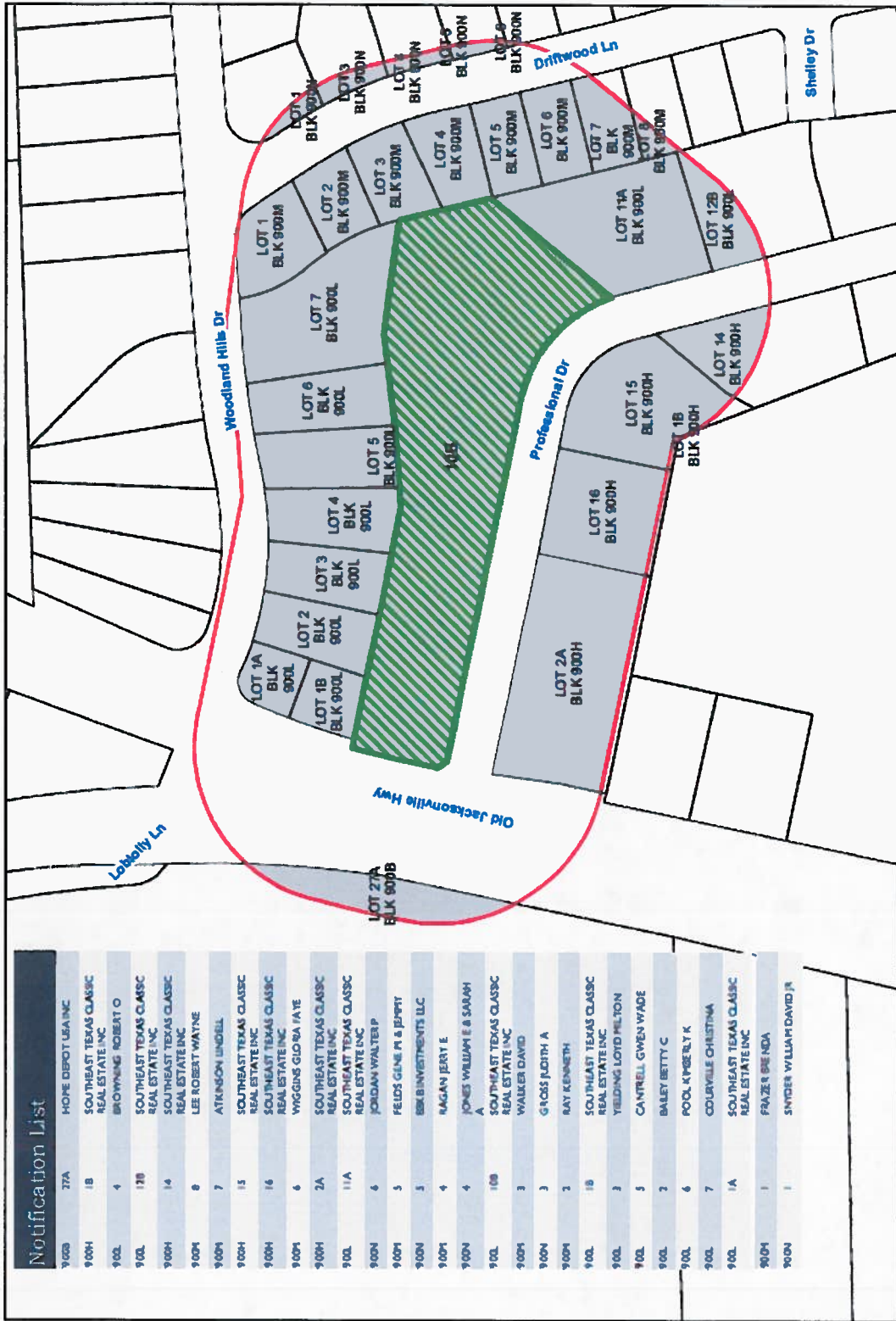
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150 0 150 Feet

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**ORDINANCE NO. O-2017-59  
EXHIBIT "D"  
NOTIFICATION MAP**



Notification List	
9000	17A HOME DEPOT LEA INC
9000	18 SOUTHEAST TEXAS CLASSIC REAL ESTATE INC
9000	4 BROWNING ROBERT O
9000	12B SOUTHEAST TEXAS CLASSIC REAL ESTATE INC
9000	14 SOUTHEAST TEXAS CLASSIC REAL ESTATE INC
9000	8 LEE ROBERT WAYNE
9000	7 ATKINSON UNDELL
9000	15 SOUTHEAST TEXAS CLASSIC REAL ESTATE INC
9000	16 SOUTHEAST TEXAS CLASSIC REAL ESTATE INC
9000	6 WOODS GLO RA I A I E
9000	2A SOUTHEAST TEXAS CLASSIC REAL ESTATE INC
9000	11A SOUTHEAST TEXAS CLASSIC REAL ESTATE INC
9000	6 JORDAN WALTER P
9000	5 FIELDS GENE M & JERRY
9000	3 BKB INVESTMENTS LLC
9000	4 MAGAN JERRY E
9000	4 JONES WILLIAM E & SARAH A
9000	10B SOUTHEAST TEXAS CLASSIC REAL ESTATE INC
9000	3 WALKER DAVID
9000	3 GRASS JUDITH A
9000	3 RAY KENNETH
9000	18 SOUTHEAST TEXAS CLASSIC REAL ESTATE INC
9000	3 YIELDING LLOYD MILTON
9000	3 CANTRELL GWEN WADE
9000	2 BAILEY BETTY C
9000	6 POOL KIMBERLY K
9000	7 COURVILLE CHRISTINA
9000	1A SOUTHEAST TEXAS CLASSIC REAL ESTATE INC
9000	1 FRAZER SUE NDA
9000	1 SNYDER WILLIAM DAVID JR



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