

ORDINANCE NO. O-2017-63

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 "C-1", LIGHT COMMERCIAL DISTRICT TO "PCD", PLANNED COMMERCIAL DEVELOPMENT DISTRICT WITH A FINAL SITE PLAN ON LOT 9A OF NCB 835-J, ONE LOT TOTALING APPROXIMATELY 2.99 ACRES OF LAND LOCATED NORTH OF THE NORTHEAST INTERSECTION OF WALTON ROAD AND FRANKSTON HIGHWAY (2708 FRANKSTON HIGHWAY); DIRECTING THE AMENDMENT OF THE ZONING MAP; DIRECTING THE AMENDMENT OF THE FUTURE LAND USE GUIDE; 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 Z17-013

That the following described property, which has heretofore been zoned "C-1", Light Commercial District to "PCD", Planned Commercial Development District with a final site plan, to wit:

Lot 9A of NCB 835-J, one lot containing approximately 2.99 acres of land located north of the northeast intersection of Walton Road and Frankston Highway (2708 Frankston Highway), and in accordance with the final site plan attached hereto as Exhibit "A" and incorporated herein.

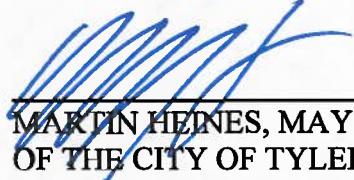
PART 2 That the City Manager is hereby ordered and directed to cause the zoning map to be amended to reflect the above described zoning and the future land use to reflect General Commercial.

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 28th, 2017.

PASSED AND APPROVED this the 26th day of July A.D., 2017.



MARTIN HEINES, MAYOR
OF THE CITY OF TYLER, TEXAS

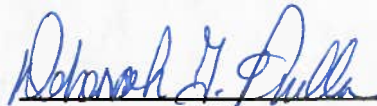
ATTEST:



CASSANDRA BRAGER, CITY CLERK



APPROVED:



DEBORAH G. PULLUM,
CITY ATTORNEY

SITE PLAN

LOT 9A, N.C.B. 65-1

2,200 AC.

WALKER STREET

CROSS STREET

ST. LOUIS SOUTHWESTERN RAILROAD (ABANDONED)

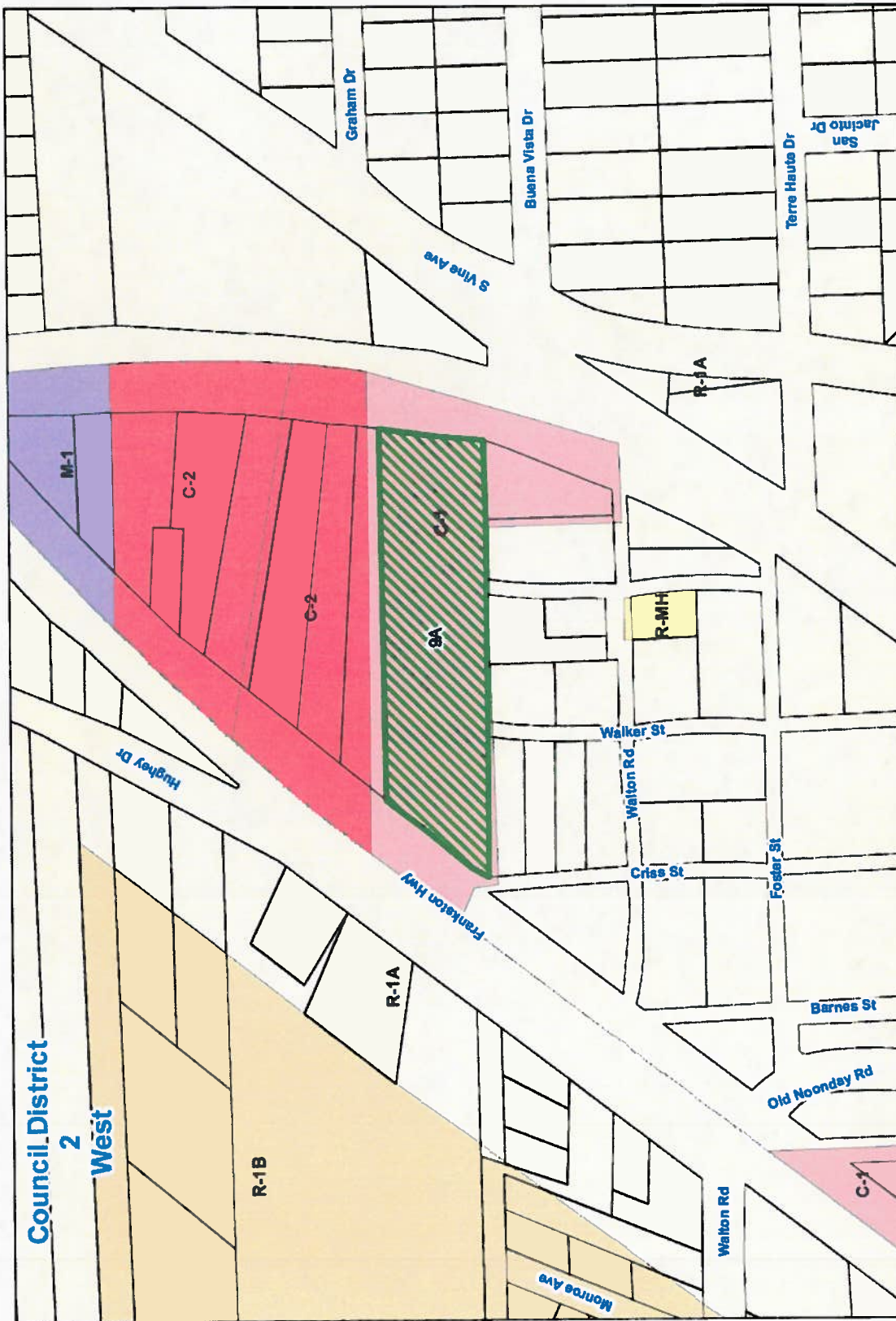
ST. LOUIS SOUTHWESTERN RAILROAD (ABANDONED)

VICINITY MAP

PROPOSED A-1 RENT ALL

DJB - ARCHITECT P.L.L.C.
320 S. BOB D'ARCY, TYLER, TEXAS 75703
903.593.1123

**ORDINANCE NO. O-2017-63
EXHIBIT "B"
LOCATION MAP**

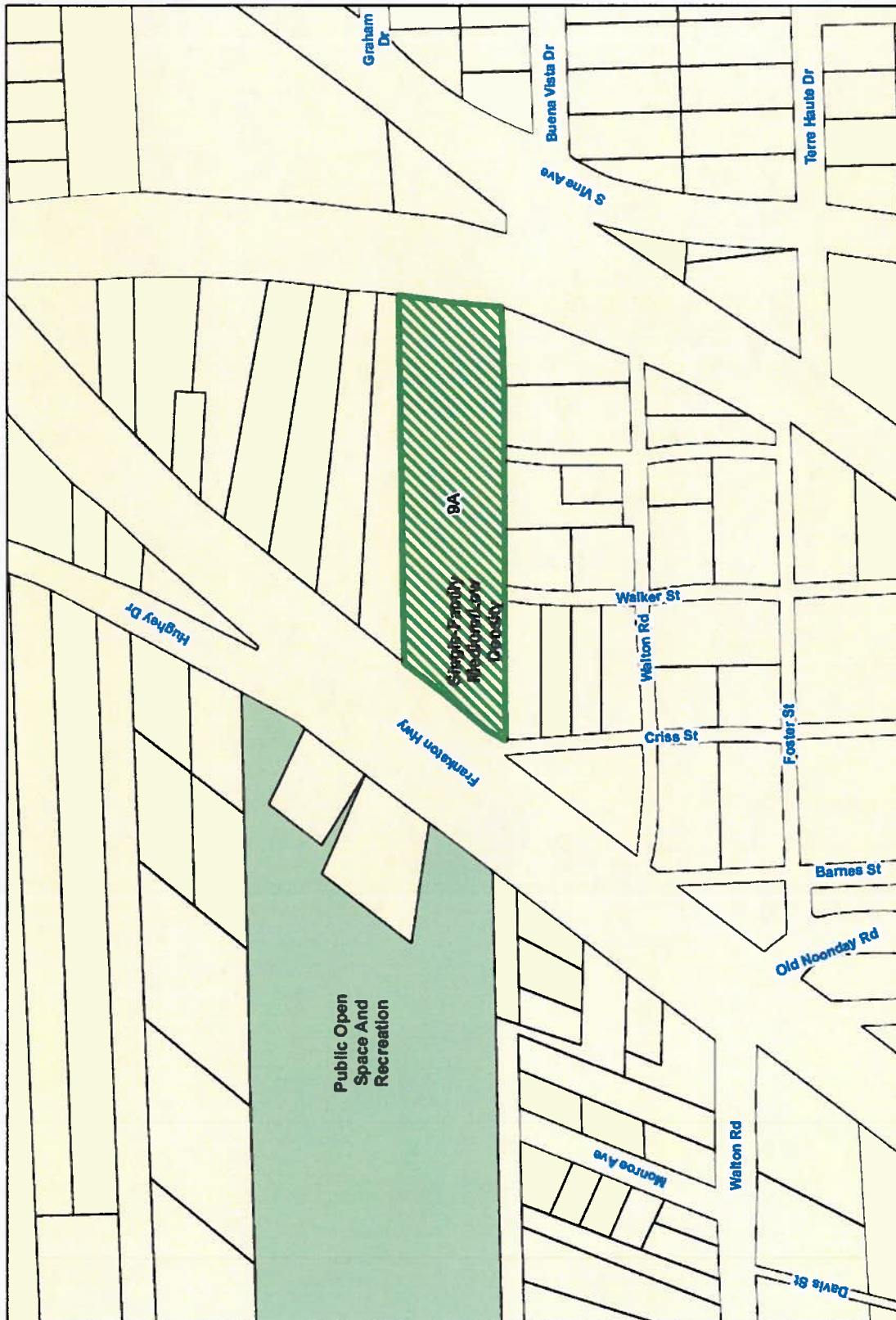


ZONING CASE
Zoning Case #: Z17-013
Existing Zoning: C-1 Proposed Zoning: C-2
Applicant: MPF Properties LLC

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-2017-63
EXHIBIT "C"
TYLER 1ST FUTURE LAND USE GUIDE

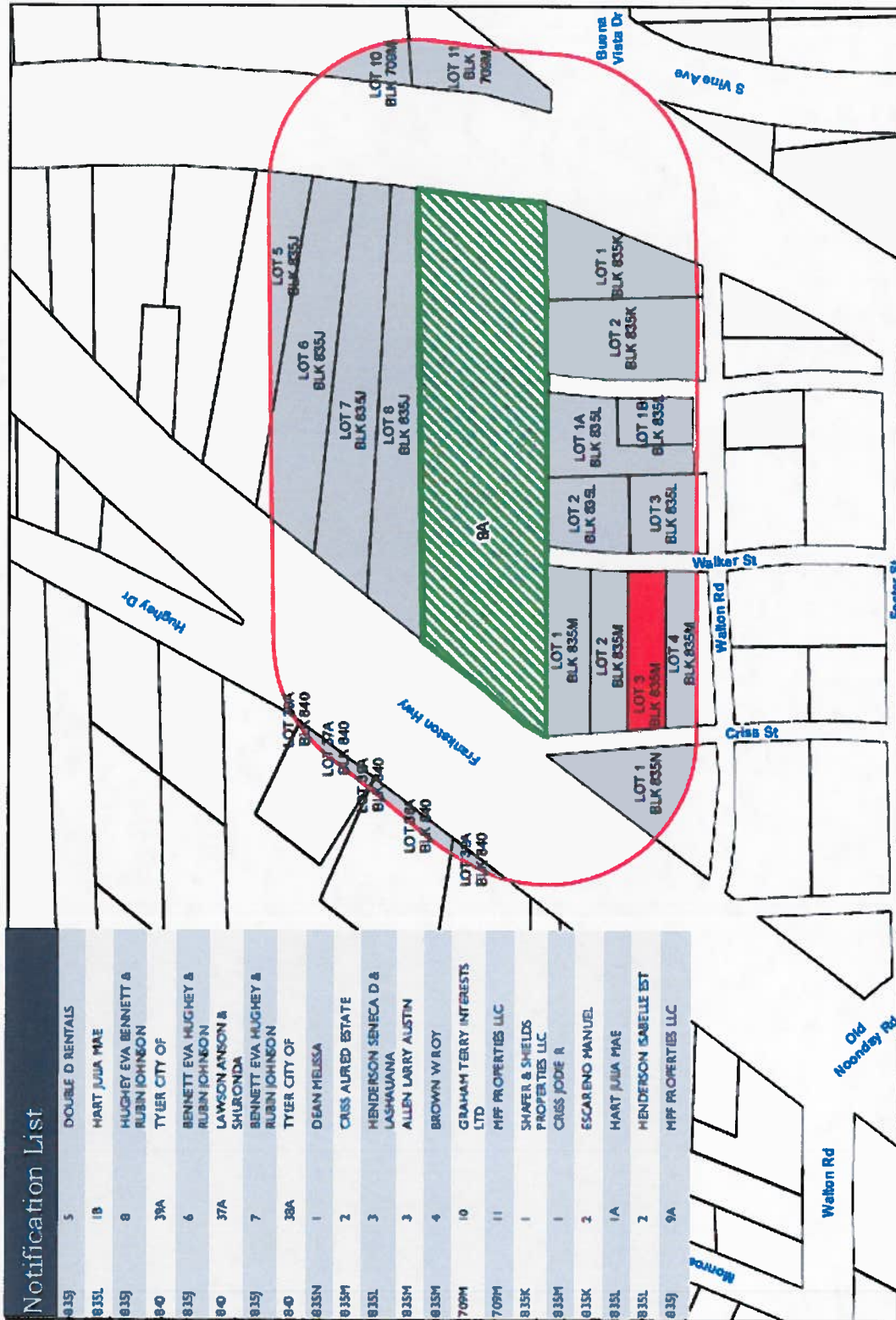


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**ORDINANCE NO. O-2017-63
EXHIBIT "D"
NOTIFICATION MAP**



Notification List

835J	5	DOUBLE D RENTALS
835L	18	HART JULIA MAE
835J	8	HUGHES EVA BENNETT & RUBEN JOHNSON
840	39A	TYLER CITY OF
835J	6	BENNETT EVA HUGHES & RUBEN JOHNSON
840	37A	LAWSON ANKON & SHURONDA
835J	7	BENNETT EVA HUGHES & RUBEN JOHNSON
840	38A	TYLER CITY OF
835N	1	DEAN MELISSA
835M	2	CRUSS ALURED ESTATE
835L	3	HENDERSON SENECA D & LASHAUNA
835M	3	ALLEN LARRY ALSTIN
835M	4	BROWN W ROY
709M	10	GRAHAM TERRY INTERESTS LTD
709M	11	MPF PROPERTIES LLC
835K	1	SHAFER & SHIELDS PROPERTIES LLC
835M	1	CRUSS JODIE A
835K	2	ESCARNO MANUEL
835L	1A	HART JULIA MAE
835L	2	HENDERSON GABRIELLE EST
835J	9A	MPF PROPERTIES LLC

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ZONING CASE
Zoning Case #: Z17-013
Existing Zoning: C-1 Proposed Zoning: PCO
Applicant: MPF Properties LLC