

ORDINANCE NO. O-2017-92

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 LOT 1C OF NCB 501UA, ONE LOT TOTALING APPROXIMATELY 4.72 ACRES LOCATED AT THE SOUTHWEST INTERSECTION OF WEST 32ND STREET AND BORDER AVENUE (3000 BORDER AVENUE); 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 PD17-029

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:

Lot 1C of NCB 501UA, one lot totaling approximately 4.72 acres located at the southwest intersection of West 32nd Street and Border Avenue (3000 Border Avenue) and in accordance with Exhibit "A" which is 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 Guide to reflect Mixed-Use Center.

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 October 27th, 2017.

PASSED AND APPROVED this the 25th day of October A.D., 2017.



MARTIN HEINES, MAYOR
OF THE CITY OF TYLER, TEXAS

ATTEST:

APPROVED:



CASSANDRA BRAGER, CITY CLERK





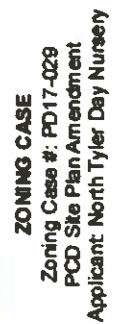
DEBORAH G. PULLUM,
CITY ATTORNEY

Property Owner: Tyler Independent School District
Property Address: 3000 North Border Avenue
Legal Description: Lot 1C, MCD 5011A
Zoning (Existing): "R-2" Two-Family Residential District
Zoning (Proposed): "MCU" Planned Commercial District
Uses Allowed by Zone: See attached map
Day Care Center (Children): Pre-School/Nursery, Elementary School, Secondary School,
Up to 1,000 square feet of Office space, Personal and Consumer Service uses permitted under PCU
Maximum Height: 42' - 7' (additional 1' setback)
Setbacks: 20' Front, 20' Rear, 12' Side Corner, 5' Side Interior
Parking: Minimum off-street parking for given use will be provided in compliance with UIC Section 10-340
Signage: Limited to 32 square feet in maximum sign up to 8 feet tall, no sign for vehicles with legible sign of same size per street

The site plan shows a large rectangular building footprint with several internal divisions. Key features include:

- A central open area labeled "AREA: 6,100 SF".
- Two smaller rectangular buildings at the rear corners, each labeled "AREA: 6,800 SF".
- Various other rooms and corridors throughout the main building.

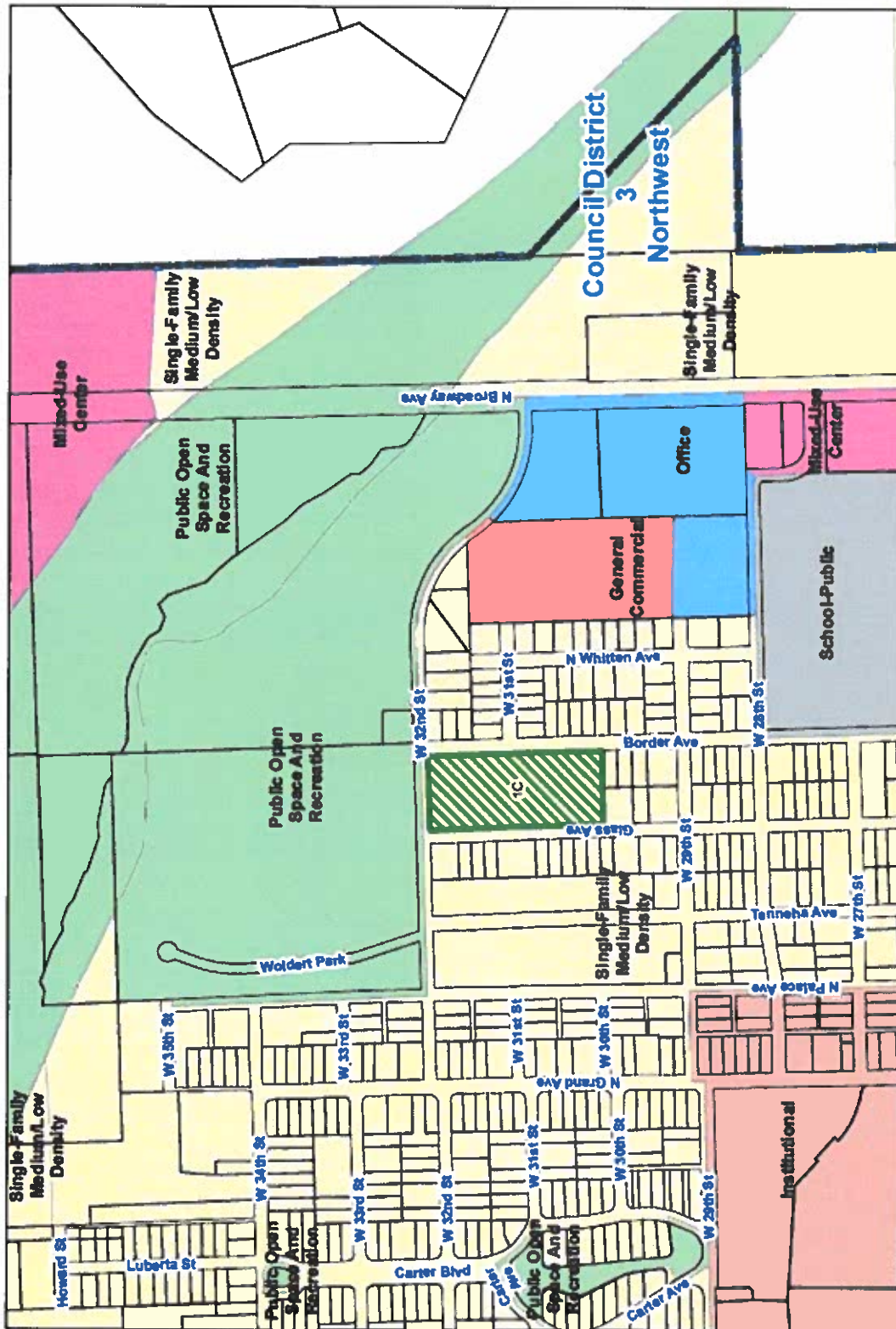
The plan is bounded by WEST 32ND STREET to the north, NORTH BORDER AVENUE to the east, and GLASS AVENUE to the south. A north arrow and a scale bar are located in the bottom right corner.

[illegible]

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-2017-92
EXHIBIT "C"
TYLER 1ST FUTURE LAND USE GUIDE

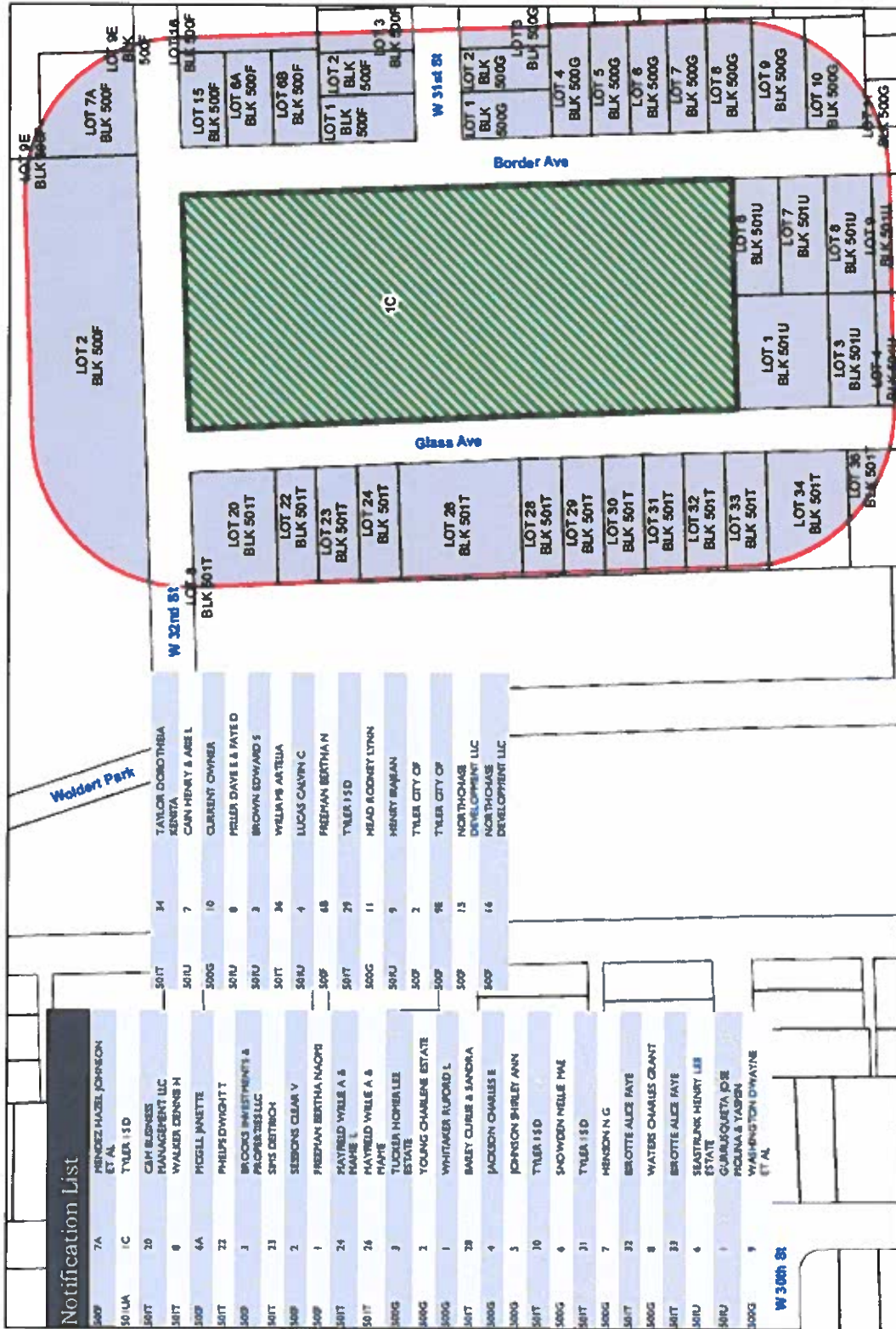


ZONING CASE
 Zoning Case #: PD17-029
 PCO Site Plan Amendment
 Applicant: North Tyler Day Nursery

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**ORDINANCE NO. O-2017-92
EXHIBIT "D"
NOTIFICATION MAP**



This product is for informational purposes and may not have been prepared by a licensed surveyor or engineer. It is not intended to be used for legal purposes. The information is provided as is, without warranty. The user assumes all responsibility for the use of this information.

150 0 150 Feet

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