

ORDINANCE NO. O-2016-43

AN ORDINANCE AMENDING THE CITY OF TYLER ZONING ORDINANCE OF THE CODE OF ORDINANCES OF THE CITY OF TYLER, TEXAS; BY APPROVING A ZONE CHANGE FROM "C-1", LIGHT COMMERCIAL DISTRICT TO "PXR", PLANNED MIXED RESIDENTIAL DISTRICT WITH FINAL SITE PLAN ON A 2.80 ACRE PORTION OF A TRACT OF LAND LOCATED NORTH OF THE NORTHEAST INTERSECTION OF HIGHWAY 110 NORTH AND COUNTY ROAD 427 (3615 VAN 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 Z04-16-031

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

A 2.80 acre portion of a tract of land located north of the northeast intersection of Highway 110 North and County Road 427 (3615 Van Highway), and in accordance with the site plan attached hereto as Exhibit "A" and 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 Single-Family and Single-Family Attached Medium/High Density.

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 13th, 2016.

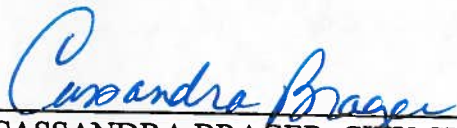
PASSED AND APPROVED this the 11th day of May, A.D., 2016.



MARTIN HEINES, MAYOR
OF THE CITY OF TYLER, TEXAS


ATTEST:

APPROVED:



CASSANDRA BRAGER, CITY CLERK





DEBORAH G. PULLUM,
CITY ATTORNEY

Lake Park Duplexes tyler, texas

ORDINANCE NO. O-2016-43 EXHIBIT "A" - FINAL SITE PLAN

SITE INFORMATION:

PROJECT: Pt of Tract 3.2, Abstract A-0998

ACREAGE: 2.8± ACRES

CURRENT ZONING: C-1

PROPOSED ZONING: PXR

DENSITY: Total units - 19 (6.8 units/ac)
consistent with R-1D.

SETBACKS: front, rear and side setbacks to be

HEIGHT: Two Story / 42' Maximum

PARKING: Total Req'd - 38 (2 sp per unit)

Provided - Driveways - 36
Garage - 18

SIGNAGE: Development signage (per JDC 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.

Private streets to meet fire code requirements.

DEVELOPER:

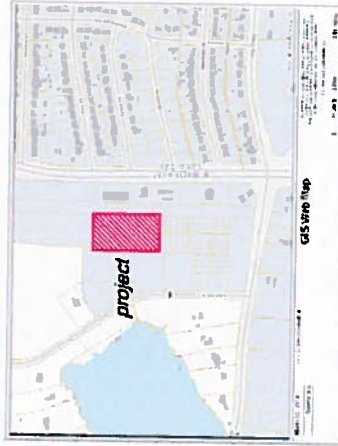
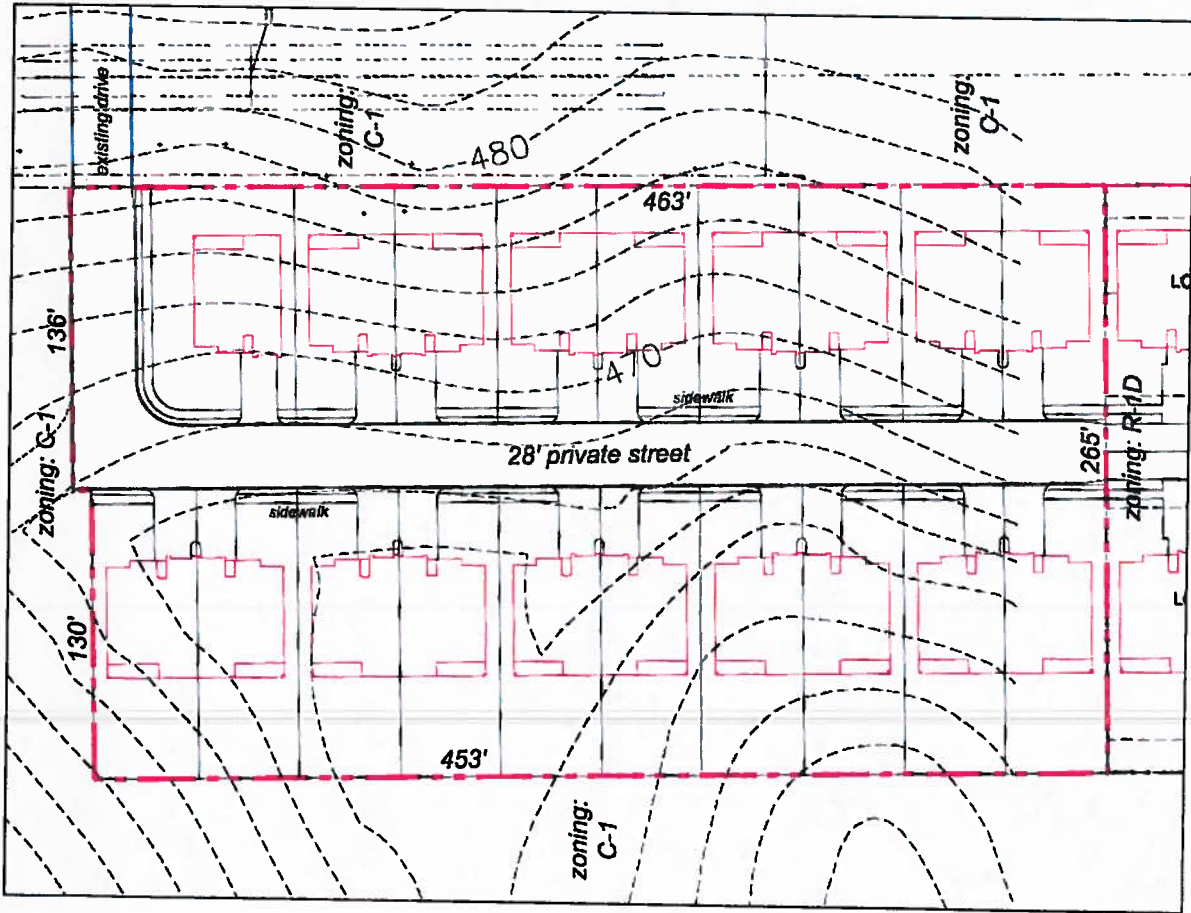
Waco Double J, LLC

1307 Dominion Plaza

Tyler, TX 75703

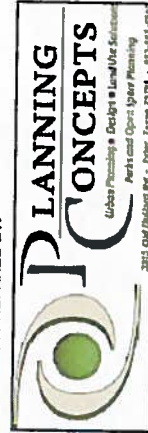
Office: (903)592-9600

arron.mewbourn@fentonmotors.com



location map - NTS

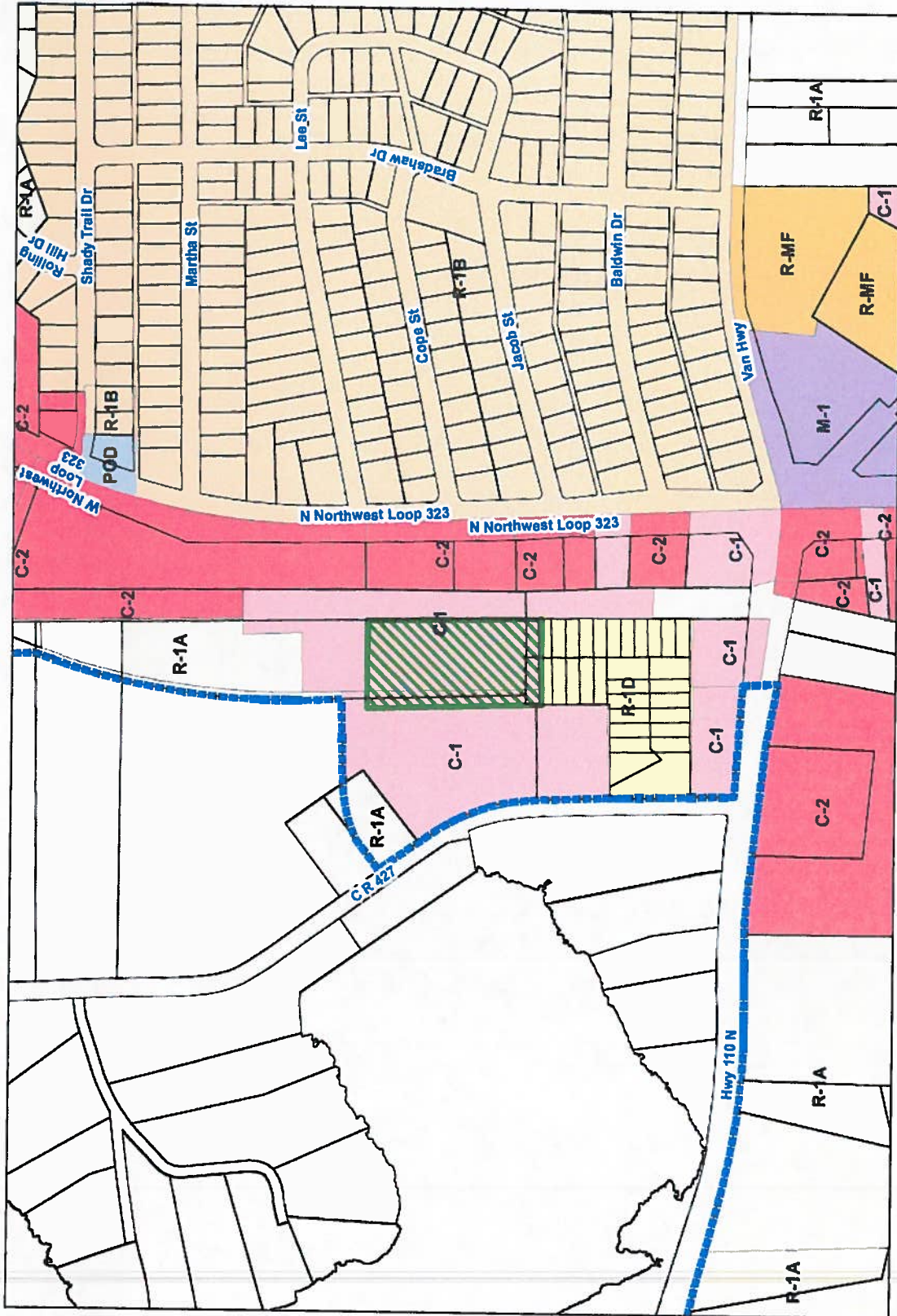
SITE PLAN PREPARED BY:



GRAPHIC SCALE



**ORDINANCE NO. O-2016-43
EXHIBIT "B" - LOCATION MAP**

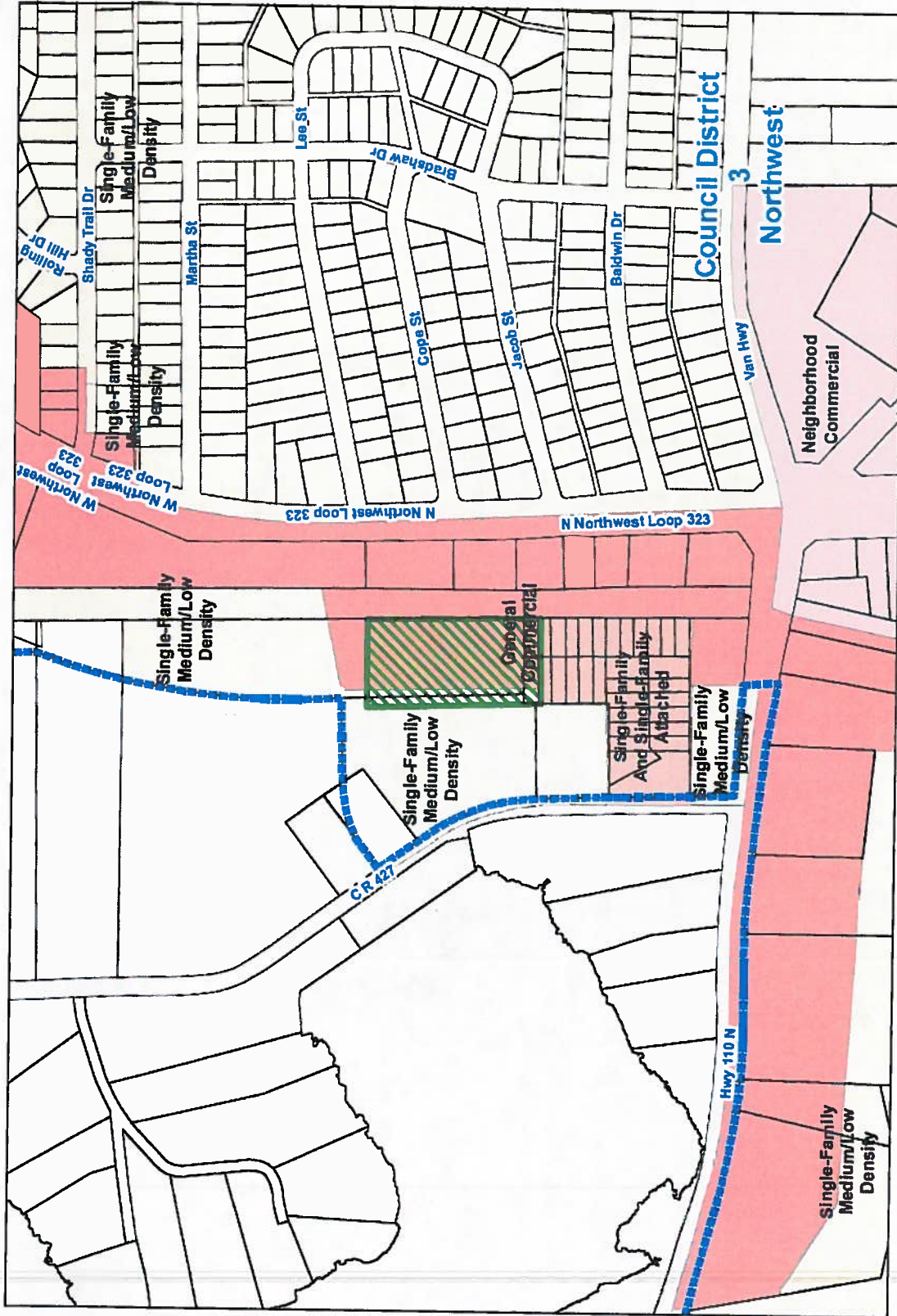


Zoning Case
 Zoning Case #: Z04-16-031
 Existing Zoning: C-1 Proposed Zoning: PXR
 Applicants: Retail Waco Double J LLC

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-2016-43
EXHIBIT "C" - TYLER 1ST FUTURE LAND USE GUIDE**

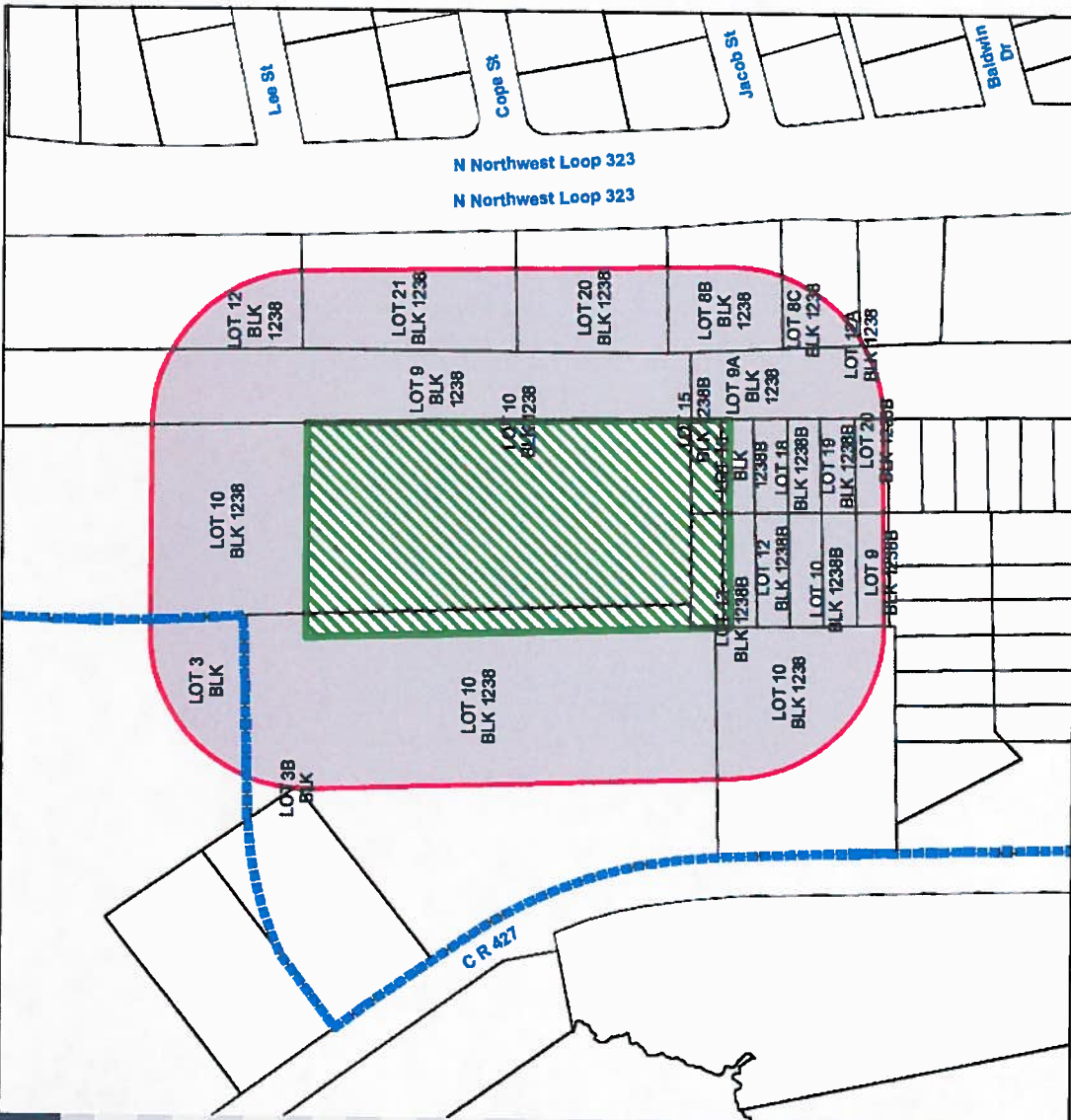


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ORDINANCE NO. O-2016-43 EXHIBIT "D" - NOTIFICATION MAP



Zoning Case
 Zoning Case #: Z04-16-031
 Existing Zoning: C-1 Proposed Zoning: PXR
 Applicants: Retail Waco Double J LLC

| Notification List | |
|-------------------|----------------------------------|
| 3 | WACO DOUBLE J LLC |
| 3B | ZAMARRON CARLOS EDUARDO AMAYA |
| 10 | WACO DOUBLE J LLC |
| 10 | WACO DOUBLE J LLC |
| 10 | WACO DOUBLE J LLC |
| 10 | WACO DOUBLE J LLC |
| 12 | MARTEL PROPERTIES INC |
| 12A | JCIRA INVESTMENTS |
| 20 | AEM INVESTMENTS LLC |
| 21 | WACO DOUBLE J LLC |
| 8B | BOWERS DAVID & LYNDA |
| 8C | BOWERS DAVID & LYNDA |
| 9 | ONCOR ELECTRIC DELIVERY CO |
| 9A | ONCOR ELECTRIC DELIVERY CO |
| 10 | WACO DOUBLE J LLC |
| 11 | WACO DOUBLE J LLC |
| 12 | WACO DOUBLE J LLC |
| 13 | WACO DOUBLE J LLC |
| 15 | WACO DOUBLE J LLC |
| 16 | WACO DOUBLE J LLC |
| 17 | WACO DOUBLE J LLC |
| 18 | WACO DOUBLE J LLC |
| 19 | WACO DOUBLE J LLC |
| 20 | WACO DOUBLE J LLC |
| 9 | WACO DOUBLE J LLC |

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200 0 200 Feet