

ORDINANCE NO. O-2016-86

AN ORDINANCE AMENDING THE CITY OF TYLER ZONING ORDINANCE OF THE CODE OF ORDINANCES OF THE CITY OF TYLER, TEXAS; APPROVING A ZONE CHANGE FROM "C-1", LIGHT COMMERCIAL DISTRICT TO "PCD", PLANNED COMMERCIAL DISTRICT WITH FINAL SITE PLAN ON LOT 1 OF NCB 1093B, ONE LOT CONTAINING APPROXIMATELY 0.26 ACRES OF LAND LOCATED AT THE SOUTHEAST INTERSECTION OF PLUME DRIVE AND TROUP HIGHWAY (3704 TROUP HIGHWAY); 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 site plan amendment 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 site plan amendment is hereby approved as follows:

I. APPLICATION Z16-008

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

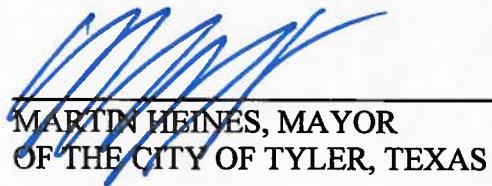
Lot 1 of NCB 1093B, one lot containing approximately 0.26 acres of land located at the southeast corner of Plume Drive and Troup Highway (3704 Troup Highway), and in accordance with the site plan attached hereto as Exhibit "A" and which is incorporated herein.

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.

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 September 30, 2016.

PASSED AND APPROVED this the 28th day of September, A.D., 2016.

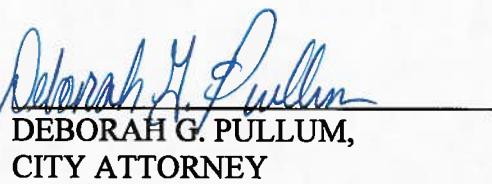

MARTIN HEINES, MAYOR
OF THE CITY OF TYLER, TEXAS

ATTEST:


CASSANDRA BRAGER, CITY CLERK

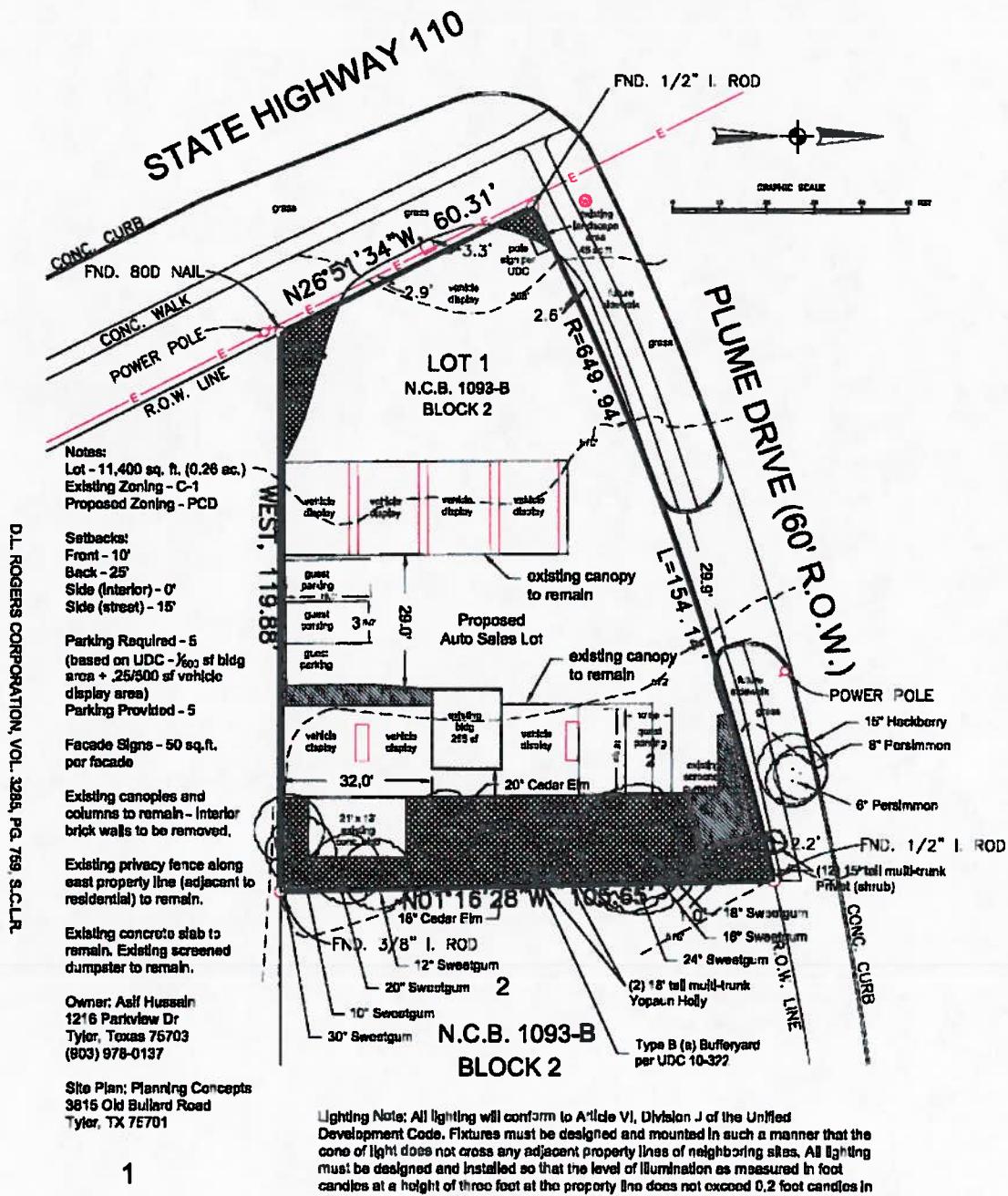


APPROVED:


DEBORAH G. PULLUM,
CITY ATTORNEY

**ORDINANCE NO. O-2016-86
EXHIBIT "A"
FINAL SITE PLAN**

(R.O.W. & BEARING BASIS PER PLAT, VOL. 3, PG. 56, S.C.P.R.)



**Site Plan: Planning Concepts
3815 Old Bullard Road
Tyler, TX 75701**

1
N.C.B. 1092-C

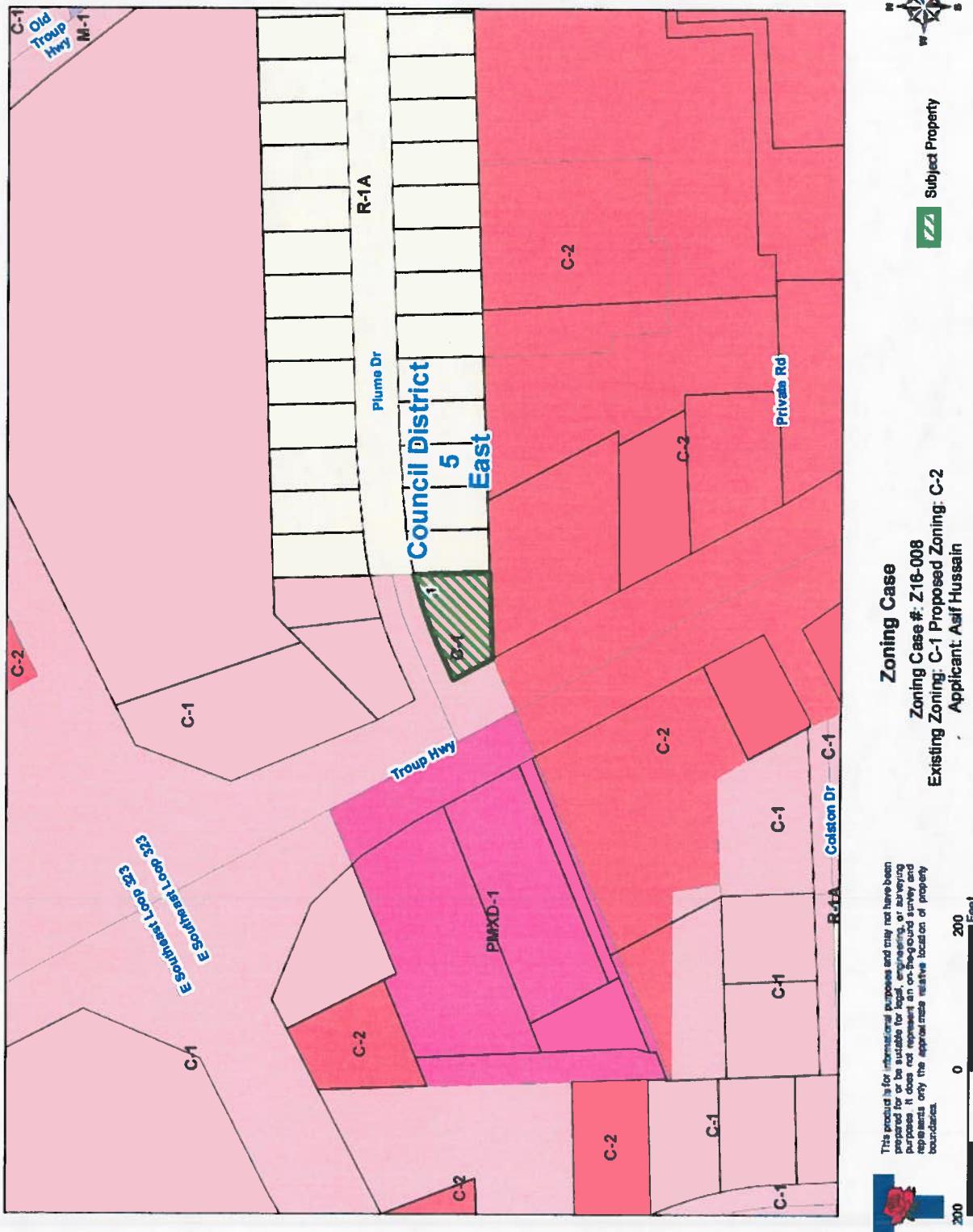
| Lot - 11,400 sq. ft. (0.26 ac.) | | |
|---------------------------------|----------|----------|
| Landscape Request (per UDC) | Reqd | Provided |
| Total Area (15% of lot) | 1,710 sf | 1,840 sf |
| Trees (1 per 750 sf) | 9 | 12 |
| Shrubs (1 per 200 sf) | 9 | 14 |

Note: All landscaping to be irrigated per UDC requirements.

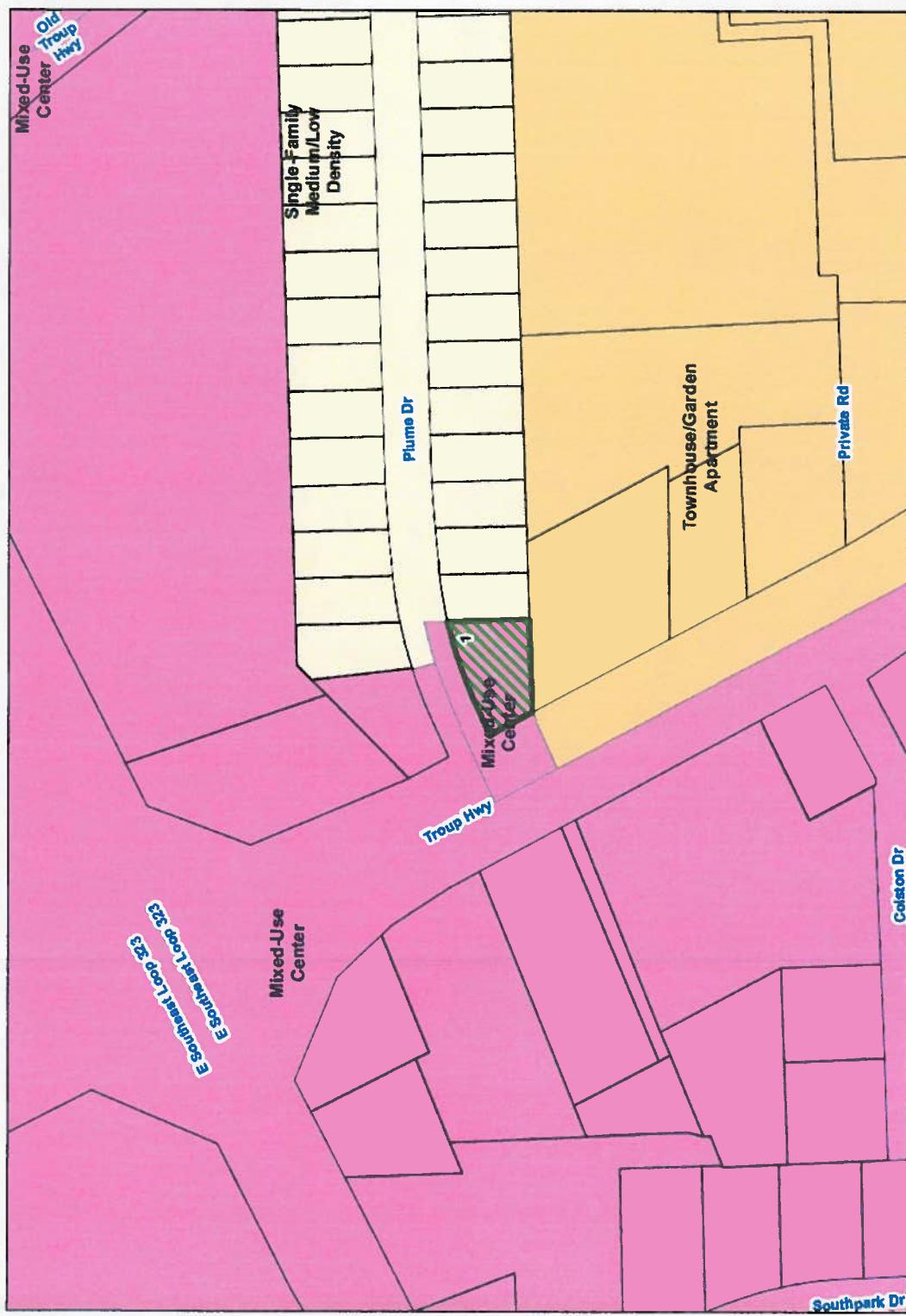
| <u>Existing Large Shade Trees</u> | |
|-----------------------------------|---------------------------------|
| 15° Hackberry | <i> Celtis occidentalis</i> |
| 18° Hackberry | |
| 18° Hackberry | |
| 24° Hackberry | |
| 12° Sweetgum | <i> Liquidambar styraciflua</i> |
| 20° Sweetgum | |
| 10° Sweetgum | |
| 20° Sweetgum | |

| Existing Medium Trees | |
|-----------------------|-----------------------------|
| 8' Persimmon | <i>Diospyros virginiana</i> |
| 6' Persimmon | |
| 18' Cedar Elm | <i>Ulmus crassifolia</i> |
| 22' Cedar Elm | |

**ORDINANCE NO. O-2016-86
EXHIBIT "B"
LOCATION MAP**



ORDINANCE NO. O-2016-86
EXHIBIT "C"
TYLER 1st FUTURE LAND USE MAP



Zoning Case

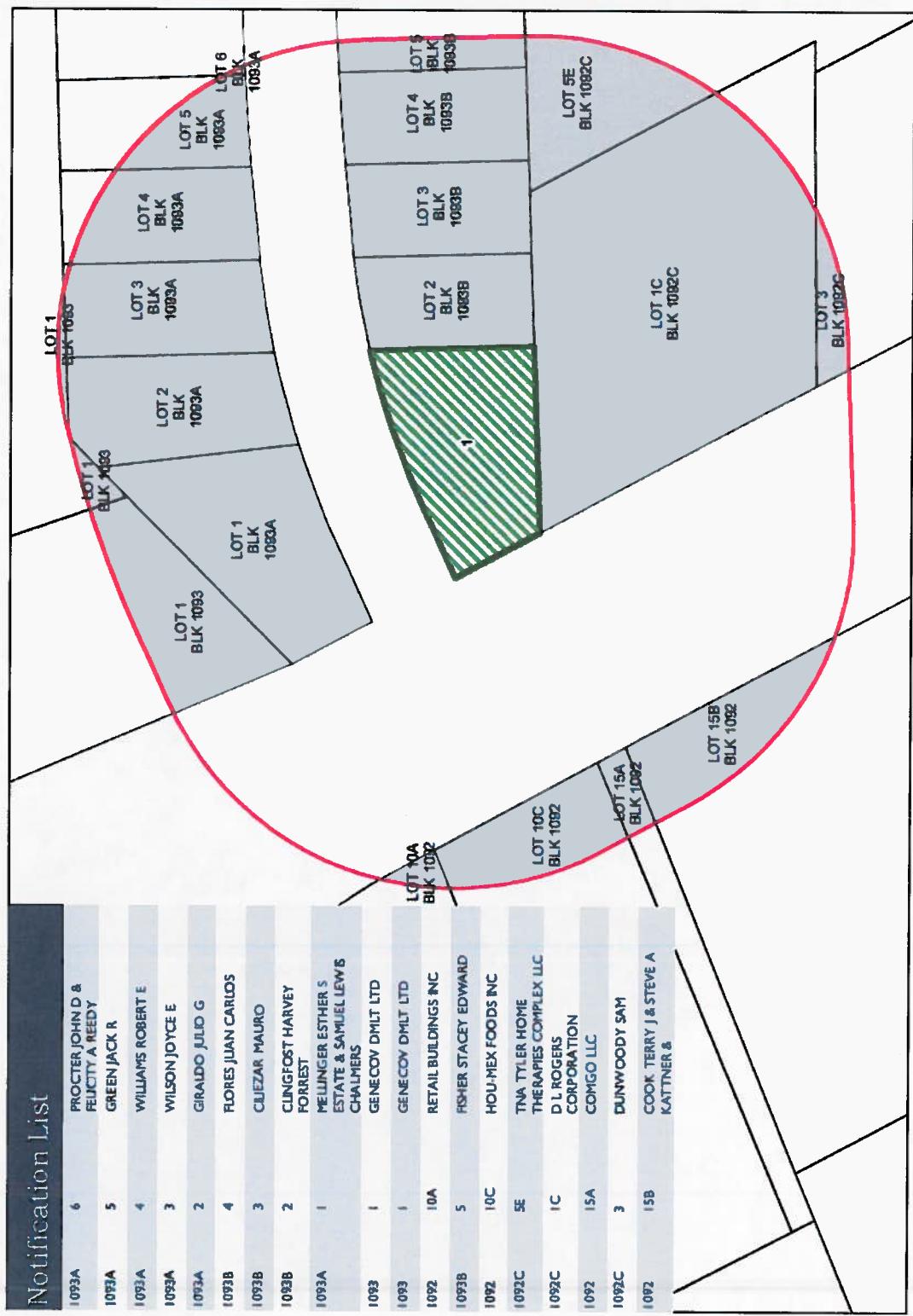
Zoning Case #: Z16-008
 Existing Zoning: C-1 Proposed Zoning: C-2
 Applicant: Asif Hussain

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.



0 200 Feet

ORDINANCE NO. O-2016-86
EXHIBIT "D"
NOTIFICATION MAP



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Zoning Case
Zoning Case #: Z-16-008
Existing Zoning: C-1 Proposed Zoning: C-2
Applicant: Asif Hussain



Subject Property
 200 Notification Buffer

100 0 100
Ft