

ORDINANCE NO. O-2015-96

AN ORDINANCE AMENDING THE CITY OF TYLER ZONING ORDINANCE OF THE CODE OF ORDINANCES OF THE CITY OF TYLER, TEXAS; APPROVING A SPECIAL USE PERMIT TO ALLOW FOR A TELECOMMUNICATIONS TOWER 150 FEET IN HEIGHT FOR AN INDEFINITE PERIOD OF TIME ON LOT 21C OF NCB 725, ONE LOT CONTAINING APPROXIMATELY 10.58 ACRES OF LAND LOCATED WEST OF THE INTERSECTION OF NORTH PARKDALE DRIVE AND WEST ERWIN STREET (2703 WEST ERWIN STREET); 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 special use 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 special use is hereby approved as follows:

I. APPLICATION S07-15-013

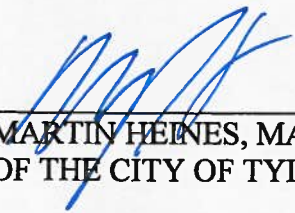
That the following described property, which is currently zoned "C-1", Light Commercial District, shall hereafter be used under a special use permit to allow for a 150 feet tall telecommunications tower, to-wit:

Lot 21C of NCB 725, one lot containing approximately 10.58 acres of land located west of the intersection of North Parkdale Drive and West Erwin Street (2703 West Erwin Street), for an indefinite period of time and subject to the site plan attached hereto as Exhibit "A" and incorporated herein.

PART 2: 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.

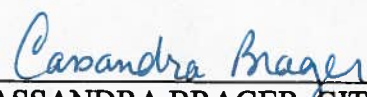
PART 3: That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine as provided in Section 1-4 of the Tyler Code. Each day such violation shall continue, or be permitted to continue, 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 30th, 2015.

PASSED AND APPROVED this the 28th day of October, A.D., 2015.


MARTIN HEINES, MAYOR
OF THE CITY OF TYLER, TEXAS

ATTEST:

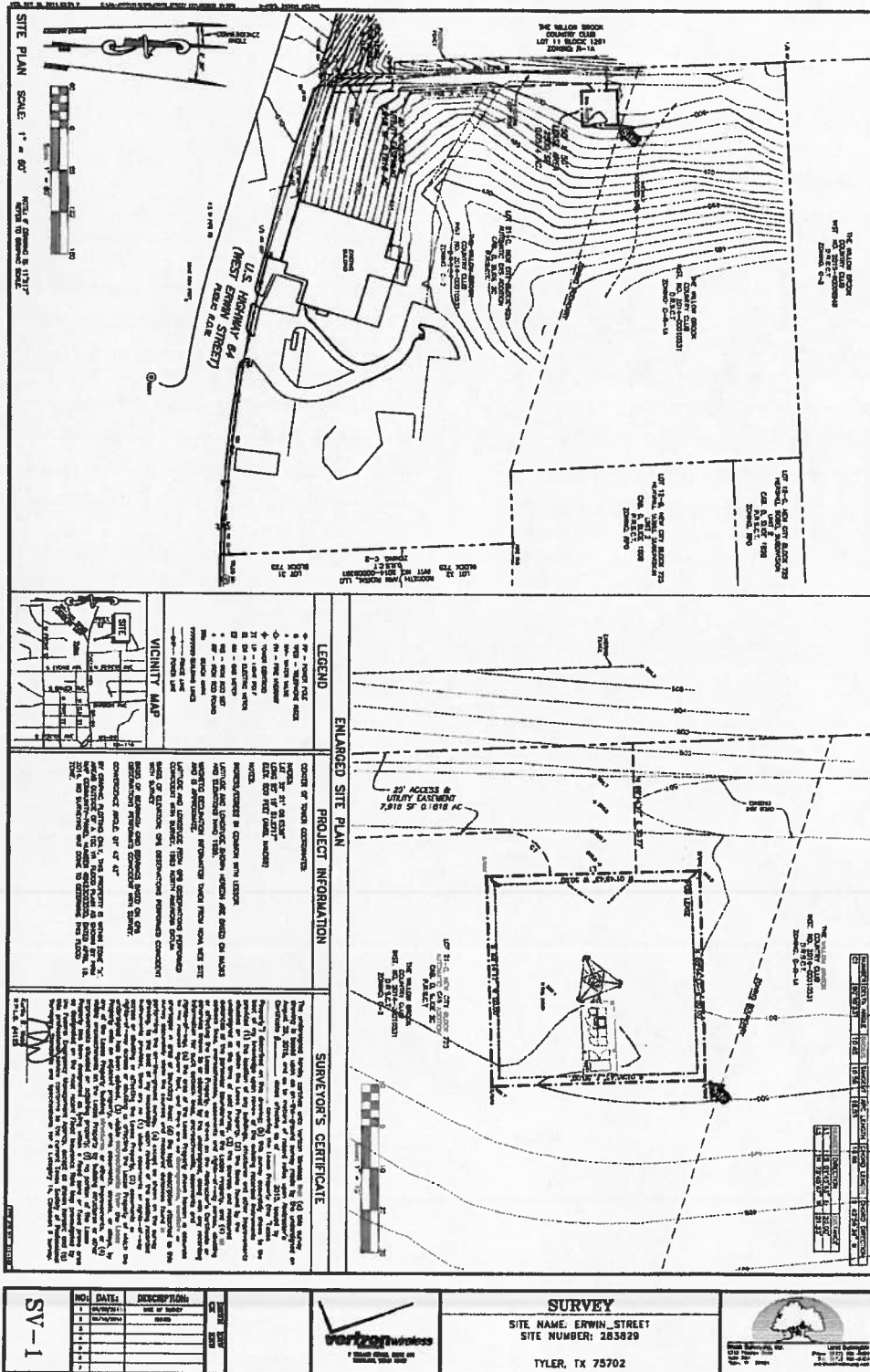
APPROVED:


CASSANDRA BRAGER, CITY CLERK


STEVEN M. KEAN, DEPUTY
CITY ATTORNEY



ORDINANCE NO. O-2015-96
EXHIBIT "A"
SITE PLAN MATERIALS
1 of 3



[illegible]

ORDINANCE NO. O-2015-96
EXHIBIT "A"
SITE PLAN MATERIALS
3 of 3

* Federal Airways & Airspace
*
* Summary Report: New Construction
*
* Antenna Structure
*

Airspace User: Patricia Jones

File: ERWIN_STREET1

Location: Tyler, TX

Latitude: 32°-21'-02.96"

Longitude: 95°-19'-45.76"

SITE ELEVATION AMSL.....502 ft.

STRUCTURE HEIGHT.....150 ft.

OVERALL HEIGHT AMSL.....652 ft.

NOTICE CRITERIA

FAR 77.9(a): NNR (DNE 200 ft AGL)

FAR 77.9(b): NNR (DNE Notice Slope)

FAR 77.9(c): NNR (Not a Traverse Way)

FAR 77.9: NNR FAR 77.9 IFR Straight-In Notice Criteria for

TYR

FAR 77.9: NNR (No Expected TERPS® impact 6X0)

FAR 77.9(d): NNR (Off Airport Construction)

NR = Notice Required

NNR = Notice Not Required

PNR = Possible Notice Required (depends upon actual IFR
procedure)

For new construction review Air Navigation Facilities at
bottom
of this report.

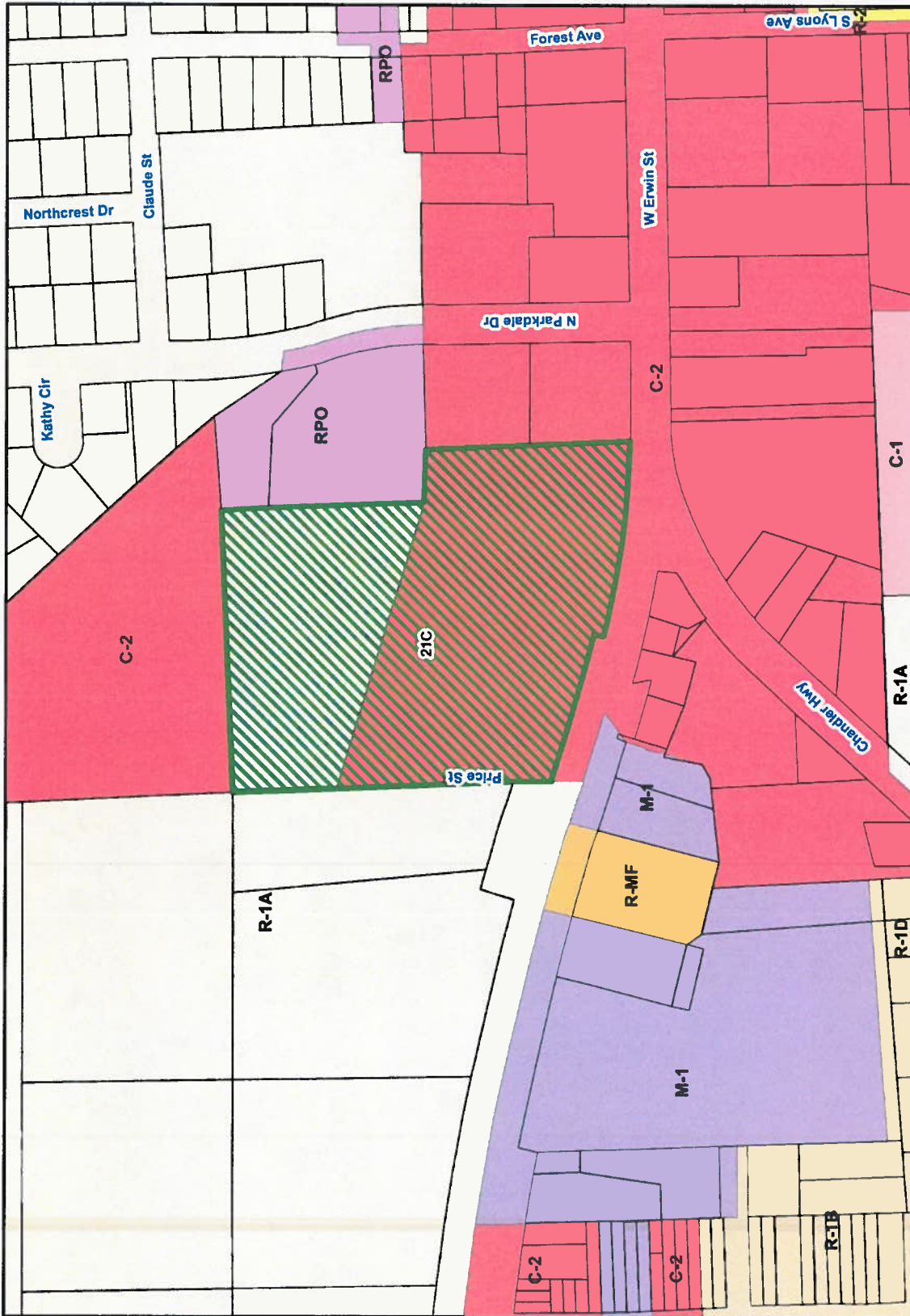
Notice to the FAA is not required at the analyzed location and
height for
slope, height or Straight-In procedures. Please review the 'Air
Navigation'
section for notice requirements for offset IFR procedures and
EMI.

OBSTRUCTION STANDARDS

FAR 77.17(a)(1): DNE 499 ft AGL

FAR 77.17(a)(2): DNE - Airport Surface

**ORDINANCE NO. O-2015-96
EXHIBIT "B"
LOCATION MAP**

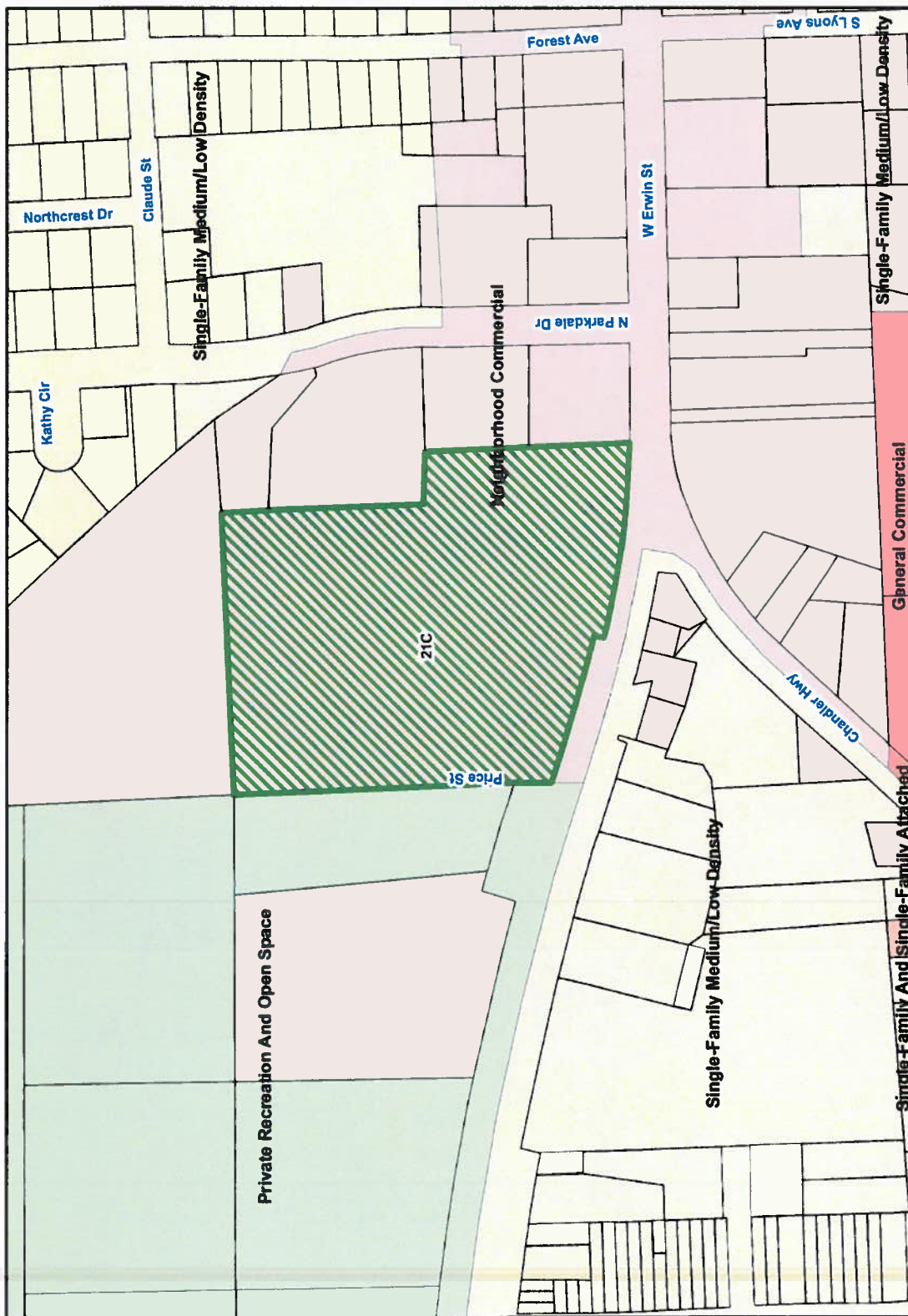


Special Use Permit
Special Use Permit #: S07-15-013
Special Use Permit: Antenna Tower (2703 W. Erwin)
Applicant: Willowbrook Country Club

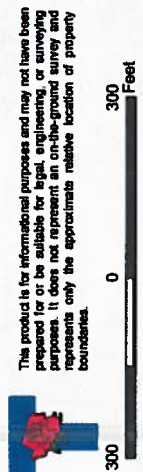
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

300 0 300 Feet

**ORDINANCE NO. O-2015-96
EXHIBIT "C"
TYLER 1ST FUTURE LAND USE GUIDE**



Special Use Permit
Special Use Permit #: S07-15-013
Special Use Permit: Antenna Tower (2703 W. Erwin)
Applicant: Willowbrook Country Club



This product is for informational purposes and may not have been prepared in accordance with the standards of a professional surveyor. It is not intended to be used for legal purposes and represents only the approximate relative location of property boundaries.

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Special Use Permit

Special Use Permit #: S07-15-013
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 Subject Property
 200' Notification Buffer