

ORDINANCE NO. O-2013-99

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 "R-2", TWO-FAMILY RESIDENTIAL DISTRICT TO "PCD", PLANNED COMMERCIAL DEVELOPMENT DISTRICT WITH FINAL SITE PLAN 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; 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 Z11-13-004

That the following described property, which has heretofore been zoned "R-2", Two-Family Residential District, shall hereafter bear the zoning classification of "PCD", Planned Commercial Development District with final site plan, 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 consistent with the site plan attached hereto as Exhibit "A".

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 November 15th, 2013.

PASSED AND APPROVED this the 13th day of November, A.D., 2013.

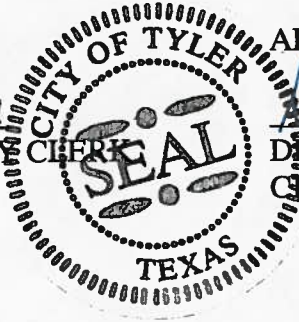


BARBARA BASS, MAYOR
OF THE CITY OF TYLER, TEXAS

ATTEST:



CASSANDRA BRAGER, CITY CLERK



APPROVED:



DEBORAH G. PULLUM,
CITY ATTORNEY

0-2013-99
Exhibit "A"

The site plan illustrates the proposed development at the intersection of West 32nd Street and North Border Avenue. The main building footprint is L-shaped, with a large central hall area labeled "AREA: 6,150 SF". To the left of this hall are two smaller rectangular sections, each labeled "AREA: 7,250 SF". To the right of the hall is another section labeled "AREA: 3,390 SF". At the top right corner of the building complex is a separate rectangular structure labeled "AREA: 5,850 SF". A parking lot, indicated by dashed lines for stalls, is located to the west of the building. The plan also shows setbacks from the streets: a 20' front setback, a 20' side setback, and a 12' side corner setback. A north arrow is present in the upper right corner.

SITE PLAN

WEST 32ND STREET
NORTH BORDER AVENUE

OLD GRIFFIN ELEMENTARY SCHOOL

GLASS AVENUE

NORTH BORDER AVENUE

Property Owner: Tyler Independent School District
 Property Address: 3000 North Border Avenue
 Legal Description: Lot 1C, NCB 501UA
 Zoning (existing): "R-2", Two-Family Residential District
 Zoning (Proposed): "PCD", Planned Commercial District
 Uses limited to: Day Care Center (Children), Pre-School/
 Kindergarten, Elementary School, Secondary School
 Maximum Height: 42' + 1'/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 UDC Section 10-360.
 Signage Limited to 32 square feet monument sign up to 8 feet tall,
 may be substituted with facade sign of same size per street
 frontage.

MAHIE O. GRIFFIN ELEMENTARY
 MASTERPLAN
 TYPICAL TEXAS 10729

WEST 32ND STREET

20' Front

12' Side Corner

AREA:
5,850 SF

AREA:
13,250 SF

AREA:
7,250 SF

AREA:
6,150 SF

AREA:
74,000 SF

AREA:
3,390 SF

20' Front

5' Side