

ORDINANCE NO. O-2025-6

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 'M-1', LIGHT INDUSTRIAL DISTRICT AND 'M-2', GENERAL INDUSTRIAL DISTRICT TO 'PCD', PLANNED COMMERCIAL DISTRICT WITH A WRITTEN NARRATIVE ON ABANDONED RAILROAD RIGHT-OF-WAY AND LOT 13Q OF NCB 852-T, TWO LOTS CONTAINING APPROXIMATELY 3.45 ACRES OF LAND LOCATED NORTH OF THE INTERSECTION OF EARL CAMPBELL PARKWAY AND MOSAIC WAY (2453 AND 2457 MOSAIC WAY); 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 Z24-040

That the following described property, which has heretofore been zoned 'M-1', Light Industrial District and 'M-2', General Industrial District, shall hereafter bear the zoning classification of "PCD", Planned Commercial Development District, approving the written narrative attached hereto as Exhibit 'A', on the following described property, to wit:

On abandoned railroad right-of-way and Lot 13Q of NCB 852-T, two lots containing approximately 3.45 acres of land located north of the intersection of Earl Campbell Parkway and Mosaic Way (2453 and 2457 Mosaic Way) as depicted in Exhibit 'A' and in accordance with Exhibit 'B' attached hereto and 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 General Commercial.

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 January 24th, 2025.

PASSED AND APPROVED this the 22nd day of January A.D., 2025.



DONALD P. WARREN, MAYOR
OF THE CITY OF TYLER, TEXAS

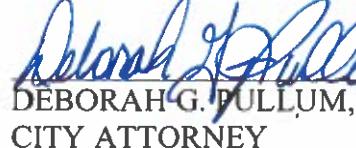
ATTEST:



CASSANDRA BRAGER, CLERK



APPROVED:



DEBORAH G. PULLUM,
CITY ATTORNEY

ORDINANCE NO. O-2025-6
EXHIBIT 'A'
METES AND BOUNDS DESCRIPTION

EXHIBIT 'A'

Metes and Bounds Description
For Zoning Change
0.297 Acre Tract

All that certain tract or parcel of land situated in the Tyre Buckley Survey, Abstract 73, City of Tyler, Smith County, Texas, being out of and a part of Lot 13-Q, New City Block 852-T, of TYLER INDUSTRIAL PARK, FIRST AMENDMENT, as shown on the Amending Replat thereof recorded in Cabinet 'F', Slide 199-B, of the Plat Records of Smith County, Texas, same being out of and a part of that certain called 1.131 acre tract, described in a Special Warranty Deed from Tyler Economic Development Council to Nedwol Properties, LLC, dated July 11, 2024, recorded in C.F.N. 202401019499, of the Official Public Records of Smith County, Texas, being more completely described by metes and bounds as follows:

BEGINNING at the westernmost corner of the herein described tract, same being in the northwest line of said 1.131 acre tract, from which a 1/2" iron rod found for the northwest corner of same bears South 48°51'07" West, a distance of 215.51 feet, for reference;

THENCE, North 48°51'07" East, with said northwest line of said 1.131 acre tract, a distance of 152.87 feet to the northernmost corner of the herein described tract, from which a 1/2" iron rod found for the northeast corner of said 1.131 acre tract bears North 48°51'07" East, a distance of 614.78 feet, for reference;

THENCE, South 41°10'41" East, across said 1.131 acre tract, and across said Lot 13-Q, a distance of 60.21 feet to the northerly east corner of the herein described tract;

THENCE, South 48°38'01" West, continuing across said Lot 13-Q, a distance of 27.20 feet to an interior corner of the herein described tract;

THENCE, South 41°27'51" East, continuing across said Lot 13-Q, a distance of 29.67 feet to the southerly east corner of the herein described tract;

THENCE, South 48°47'41" West, continuing across said Lot 13-Q, a distance of 125.81 feet to the southernmost corner of the herein described tract, same being in the southwest line of said Lot 13-Q;

THENCE, North 41°10'58" West, with said southwest line of said Lot 13-Q, passing the westernmost corner of said Lot 13-Q at a distance of 39.67 feet, continuing across said 1.131 acre tract for a total distance of 90.11 feet to the POINT OF BEGINNING and containing 0.297 acre of land.

I hereby certify that the above description was prepared from an actual survey made on the ground under my direction and supervision during the Month of December 2024. GIVEN UNDER MY HAND AND SEAL this date, 6 January 2025.

(Bearings are based on the northwest line of said Lot 13-Q, N.C.B. 852-T, of said Tyler Industrial Park, First Amendment, as shown on said Amending Replat thereof recorded in Cabinet 'F', Slide 199-B, of said Plat Records of Smith County, Texas.)

Jordan Vulgamott
Registered Professional Land Surveyor
Texas Registration No. 6613



EXHIBIT 'A'

Metes and Bounds Description
For Zoning Change
0.275 Acre Tract

All that certain tract or parcel of land situated in the Tyre Buckley Survey, Abstract 73, City of Tyler, Smith County, Texas, being out of and a part of that certain called 1.131 acre tract, described in a Special Warranty Deed from Tyler Economic Development Council to Nedwol Properties, LLC, dated July 11, 2024, recorded in C.F.N. 202401019499, of the Official Public Records of Smith County, Texas, being more completely described by metes and bounds as follows:

BEGINNING at a 1/2" iron rod found for the northwest corner of said 1.131 acre tract;

THENCE, North 48°51'07" East (the adjoining tract being described in a deed recorded in Vol. 2193, Pg. 705, S.C.L.R., for reference), with the northwest line of said 1.131 acre tract, a distance of 215.51 feet to the northernmost corner of the herein described tract, from which a 1/2" iron rod found for the northeast corner of said 1.131 acre tract bears North 48°51'07" East, a distance of 767.65 feet, for reference;

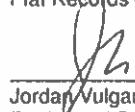
THENCE, South 41°10'58" East, across said 1.131 acre tract, a distance of 50.44 feet to the southeast corner of the herein described tract, same being in the southeast line of said 1.131 acre tract;

THENCE, South 48°49'02" West (the adjoining tracts being shown on plats recorded in Cab. 'F', Slide 199-B, S.C.P.R., and in Cab. 'G', Slide 40-B, S.C.P.R., for reference), with said southeast line of said 1.131 acre tract, a distance of 259.26 feet to a 1/2" iron rod found for the southwest corner of said 1.131 acre tract;

THENCE, North 00°19'20" West (the adjoining tract being described in a deed recorded in C.F.N. 20150100000557, O.P.R.S.C., for reference), with the west line of said 1.131 acre tract, a distance of 66.87 feet to the POINT OF BEGINNING and containing 0.275 acre of land.

I hereby certify that the above description was prepared from an actual survey made on the ground under my direction and supervision during the Month of December 2024. GIVEN UNDER MY HAND AND SEAL this date, 23 January 2025.

(Bearings are based on the northwest line of Lot 13-Q, N.C.B. 852-T, of Tyler Industrial Park, First Amendment, as shown on the Amending Replat thereof recorded in Cabinet 'F', Slide 199-B, of the Plat Records of Smith County, Texas.)


Jordan Vulgamott
Registered Professional Land Surveyor
Texas Registration No. 6613



**ORDINANCE NO. O-2025-6
EXHIBIT 'B'
WRITTEN NARRATIVE**



Planned Commercial District Narrative — ZB3, LLC — Earl Campbell Parkway

PCD — .298 acres

Uses — All PCD uses allowed except Group Living

Building — 3,150 Sq ft

Setbacks — To meet City of Tyler UCD standards for C-1 Zoning

Maximum height — 25'

Parking and landscaping to meet City of Tyler UCD standards for C-1 Zoning

Signage to be consistent with Tyler regulations