

ORDINANCE NO. O-2018-75

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-1A", SINGLE-FAMILY RESIDENTIAL DISTRICT AND "C-2", GENERAL COMMERCIAL DISTRICT TO "PCD", PLANNED COMMERCIAL DEVELOPMENT DISTRICT WITH FINAL SITE PLAN, AND AMEND THE EXISTING "PCD", PLANNED COMMERCIAL DEVELOPMENT DISTRICT SITE PLAN ON LOTS 1A, 1B, 2, AND 10B OF NCB 900L FOUR LOTS CONTAINING APPROXIMATELY 3.03 ACRES OF LAND LOCATED AT THE SOUTHEAST INTERSECTION OF OLD JACKSONVILLE HIGHWAY AND WOODLAND HILLS DRIVE (1628 AND 1632 WOODLAND HILLS DRIVE, 3708 OLD JACKSONVILLE HIGHWAY AND 3274 PROFESSIONAL DRIVE); 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 Z18-026

That the following described property, which has heretofore been zoned "R-1A", Single-Family Residential District and "C-2", General Commercial District, shall hereafter bear the zoning classification of "PCD", Planned Commercial Development District, and that the existing site development plan is hereby amended by approving the site plan attached hereto as Exhibit "A", on the following described property zoned "PCD", Planned Commercial Development District, to wit:

Lots 1A, 1B and 2 of NCB 900L and amend the existing "PCD", Planned Commercial Development District site plan on Lot 10B of NCB 900L, four lots containing approximately 3.03 acres of land located at the southeast intersection of Old Jacksonville Highway and Woodland Hills Drive (1628 and 1632 Woodland Hills Drive, 3708 Old Jacksonville Highway and 3274 Professional Drive) and in accordance with Exhibit "A", and subject to the following conditions which are incorporated herein:

1. Ten-foot (10') minimum side setback from the north property line
2. All lighting will be down shielded

3. No balloons
4. No banners
5. No flags
6. No large painted graphics
7. No streamers
8. Building façade sign not to exceed 100 square feet
9. Monument sign not to exceed 32 square feet
10. No loud speakers located outside
11. Ten-foot (10') privacy fence or eight-foot (8') masonry wall along the north property line, which abuts the residentially zoned property.
12. Allow no service bay doors along the north side of the property to shield the residential homes from noise.

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 September 28th, 2018.

PASSED AND APPROVED this the 26th day of September A.D., 2018.


MARTIN HEINES, MAYOR
OF THE CITY OF TYLER, TEXAS

ATTEST:

APPROVED:

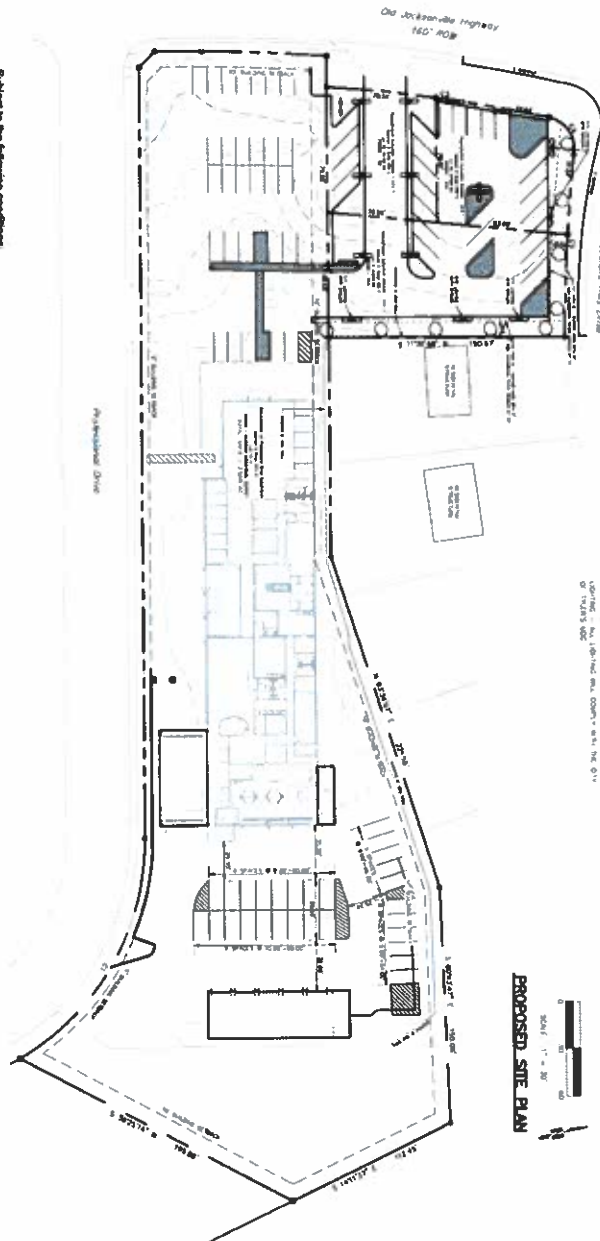

CASSANDRA BRAGER, CITY CLERK




DEBORAH G. PULLUM,
CITY ATTORNEY

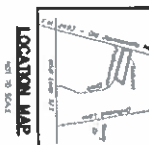
Subject to the following conditions:

1. Ten-foot (10') minimum side setback from the north property line
2. All lighting will be down shielded
3. No balconies
4. No barriers
5. No advertising flags
6. No large painted graphics
7. No signs
8. Building facade sign not to exceed 100 square feet
9. Monument sign not to exceed 32 square feet
10. No two signs located outside
11. Ten-foot (10') parking space or sign-lane (if necessary) wall along the north property line, which abuts the residentially zoned property.
12. Deliver no service day doors along the north side of the property to inhibit the residential character from within.



PROPOSED SITE PLAN

100

[illegible][illegible]

THE SCAL

[illegible]

NE

MERCEDES-BENZ
PARKING LOT EXTENSION
3274 PROFESSIONAL DR.
TYLER, TX 75701



Mercedes-Benz

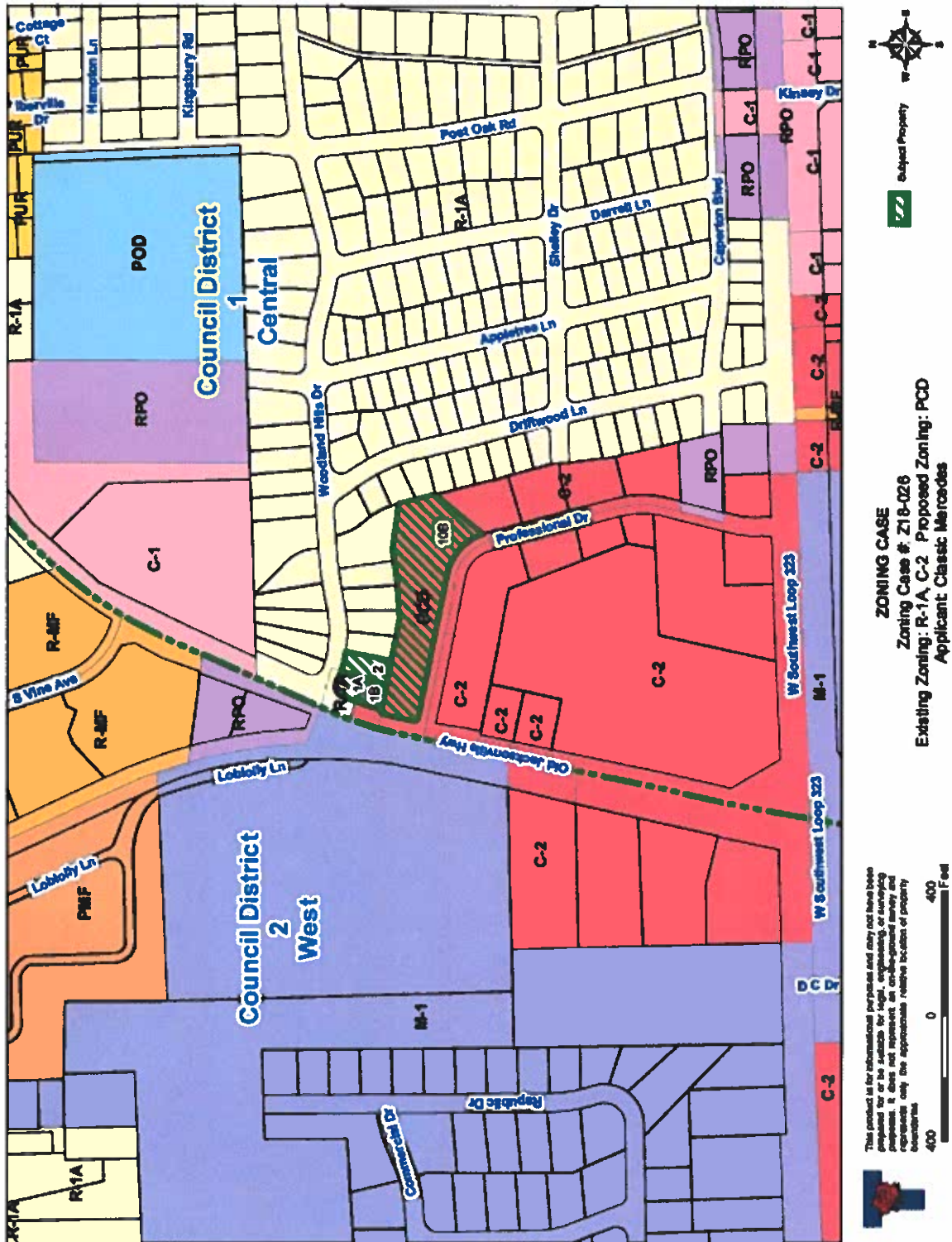
FOR SERVICE, SEND
THIS CARD TO THE
MANAGING EDITOR,
PUBLICATIONS OF
CONSTRUCTION.



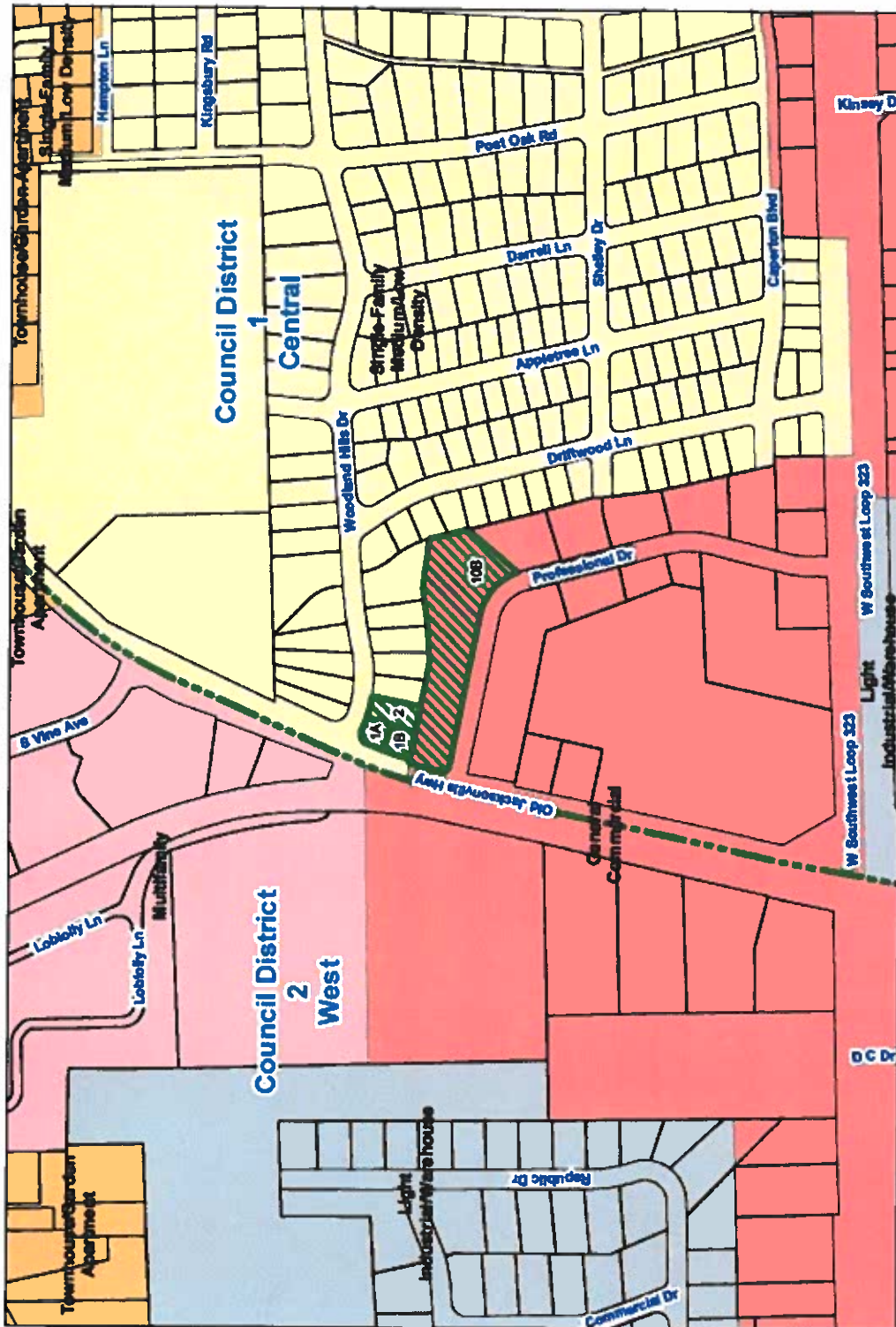
**P.P. Box 5300
TYLER TX 75712**
P 903.877.4128
F 903.877.4449
www.layconstructionllc.com

www.beyondbradford.com

ORDINANCE NO. O-2018-75
EXHIBIT "B"
LOCATION MAP



ORDINANCE NO. O-2018-75
EXHIBIT "C"
TYLER 1ST FUTURE LAND USE GUIDE



Subject Property



ZONING CASE

Zoning Case #: 218-026

Existing Zoning: R-1A, C-2 Proposed Zoning: PCO

Applicant: Classic Merceades

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



Notification List

Lot/Block	Owner/Developer
LOT 21A	HOME DEPOT USA INC
LOT 4C	H&B LLC
LOT 1B	SOUTHEAST TEXAS CLASSIC REAL ESTATE INC
LOT 4	BROWNING ROBERT O
LOT 12B	SOUTHEAST TEXAS CLASSIC REAL ESTATE INC
LOT 14A	SOUTHEAST TEXAS CLASSIC REAL ESTATE INC
LOT 8	LEE ROBERT WAYNE
LOT 7	ATKINSON UNOULL & SORRE JOTICE
LOT 14A	SOUTHEAST TEXAS CLASSIC REAL ESTATE INC
LOT 6	WAGGONER CLONIA FAYE
LOT 11A	SOUTHEAST TEXAS CLASSIC REAL ESTATE INC
LOT 6	JORDAN WALTER P
LOT 5	REIDZ GENE M & JENNY
LOT 5	BBG INVESTMENTS LLC
LOT 4	MACOM JERRY E
LOT 4	HALESON N DEWYN
LOT 10B	SOUTHEAST TEXAS CLASSIC REAL ESTATE INC
LOT 3	GAINES TOMY
LOT 3	GLASS JUDITH A
LOT 2	RAY KENNETH
LOT 1B	SOUTHEAST TEXAS CLASSIC REAL ESTATE INC
LOT 3	WELSH LOTO HEYON
LOT 5	CANTRELL GUYEN WYDIE
LOT 2	SOUTHEAST TEXAS CLASSIC REAL ESTATE INC
LOT 6	POOL KENNETH K
LOT 7	COURVILLE OASIS TINA
LOT 1A	SOUTHEAST TEXAS CLASSIC REAL ESTATE INC
LOT 1	FRANZ BRENDA
LOT 1	SNIDER WILLIAM DAVID JR
LOT 1	BIOTLES MICHAEL T
LOT 2	SPITH MICHAEL
LOT 3	COMINS RL & ANDREA TRIST
LOT 4	COURVILLE CHANTELLE

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Subject Property
2007 Modification Order

ZONING CASE
Zoning Case #: Z18-026
Existing Zoning: R-1A C-2 Proposed Zoning: PCO
Applicant: Classic Mercedes