

**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

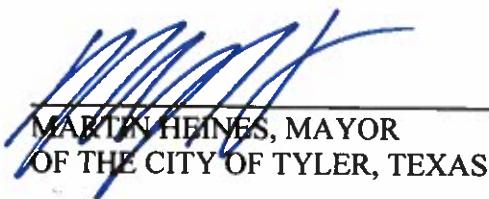
3. No balloons
4. No banners
5. No flags
6. No large painted graphics
7. No streamers
8. Building façade sign not to exceed 100 square feet
9. Monument sign not to exceed 32 square feet
10. No loud speakers located outside
11. Ten-foot (10') privacy fence or eight-foot (8') masonry wall along the north 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.

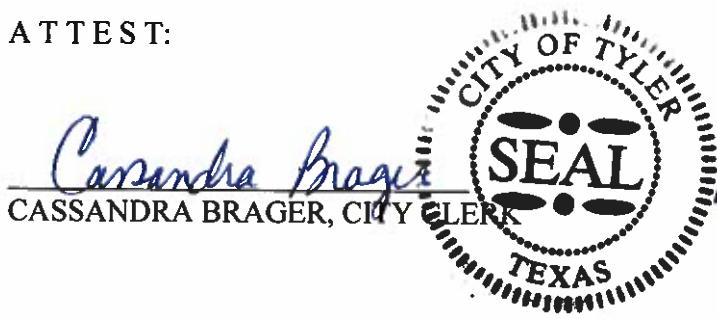
**PART 4:** That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine as provided in Section 1-4 of the Tyler Code. Each day such violation shall continue, or be permitted to 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 28<sup>th</sup>, 2018.

**PASSED AND APPROVED** this the 26<sup>th</sup> day of September A.D., 2018.

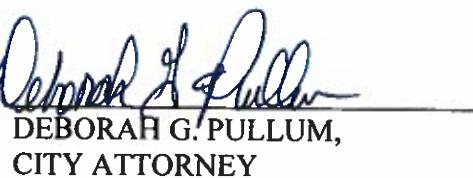


MARTIN HEINES, MAYOR  
OF THE CITY OF TYLER, TEXAS

ATTEST:



APPROVED:

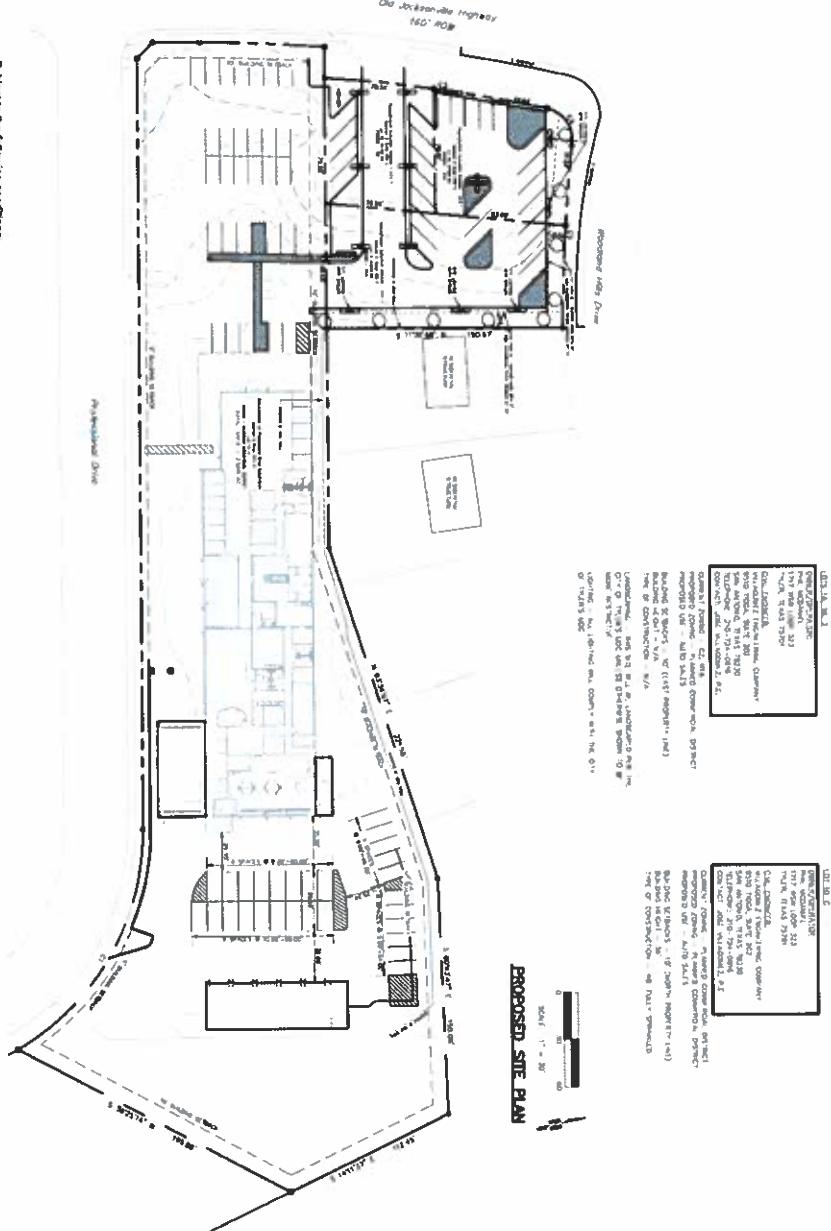


Deborah G. Pullum  
DEBORAH G. PULLUM,  
CITY ATTORNEY

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EXHIBIT "A"  
FINAL SITE PLAN**

Subject to the following conditions:

2. All balloons will be down windward
3. No balloons
4. No banners
5. No advertising flags
6. No large painted graphics
7. No streamers
8. Building height sign not to exceed 100 square feet
9. Monument sign not to exceed 32 square feet
10. No loud, sudden, booted sounds
11. Terrock (107) fence or signpost (if) trajectory will swing in the direction of the property line, which abuts the residential homes from north.
12. After no service day occurs along the north side of the property to abut the residential homes from north.



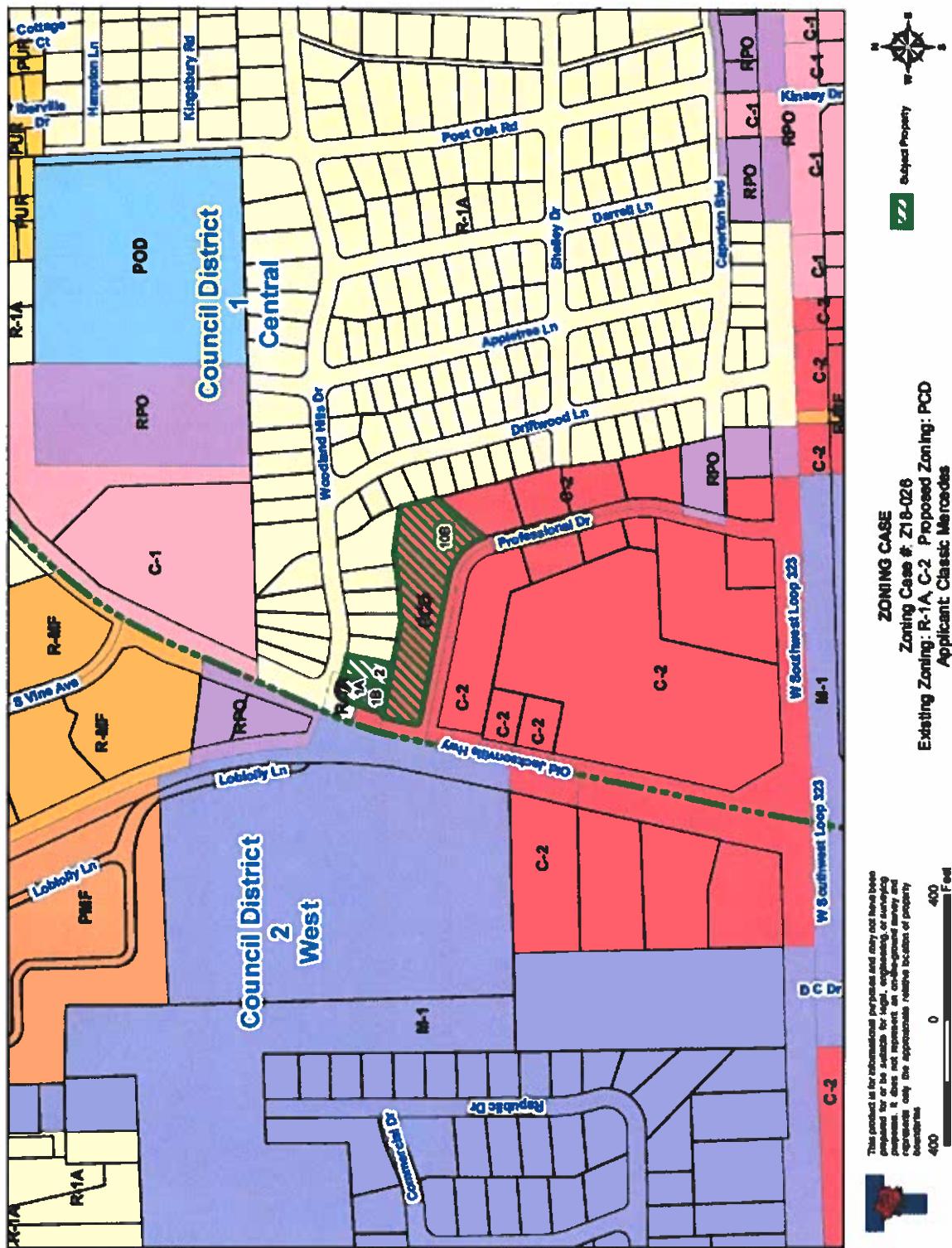
**MERCEDES-BENZ**  
PARKING LOT EXTENSION  
1174 PROFESSIONAL DR.



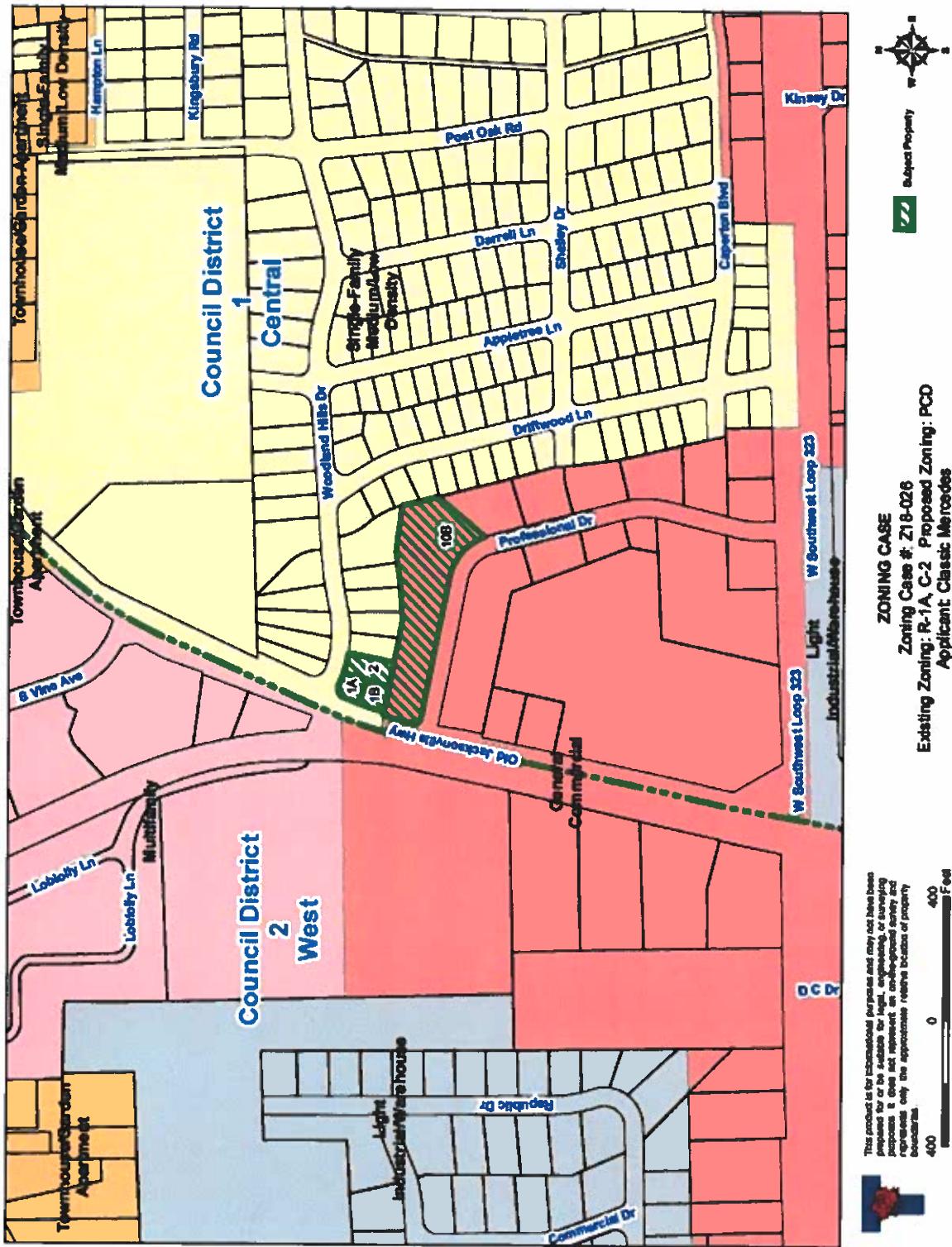
P.P. Box 5300  
TYLER TX 75712  
**P 903.877.4128**  
**F 903.877.4449**  
[www.tylerchamber.com](http://www.tylerchamber.com)

DATE  
08/07/06  
SHEET NO.  
C-1  
REV. 10/00

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



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



**ORDINANCE NO. O-2018-75**  
**EXHIBIT "D"**  
**NOTIFICATION MAP**

