

ORDINANCE NO. O-2018-87

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 TO "PCD", PLANNED COMMERCIAL DEVELOPMENT DISTRICT WITH FINAL SITE PLAN ON LOT 13C OF NCB 852-T, ONE LOT TOTALING APPROXIMATELY 2.69 ACRES OF LAND LOCATED EAST OF THE NORTHEAST INTERSECTION OF BENNETT AVENUE AND EARL CAMPBELL PARKWAY (2469 EARL CAMPBELL PARKWAY); 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 PD18-019

That the following described property, which has heretofore been zoned "M-1", Light Industrial District, shall hereafter bear the zoning classification of "PCD", Planned Commercial Development District, to wit:

Lot 13C of NCB 852-T, one lot totaling approximately 2.69 acres of land located east of the northeast intersection of Bennett Avenue and Earl Campbell Parkway (2469 Earl Campbell Parkway) and as described and shown and in accordance with the final site plan attached hereto as Exhibit "A" 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 December 14th, 2018.

PASSED AND APPROVED this the 12th day of December A.D., 2018.



MARTIN HEINES, MAYOR
OF THE CITY OF TYLER, TEXAS


ATTEST:

APPROVED:



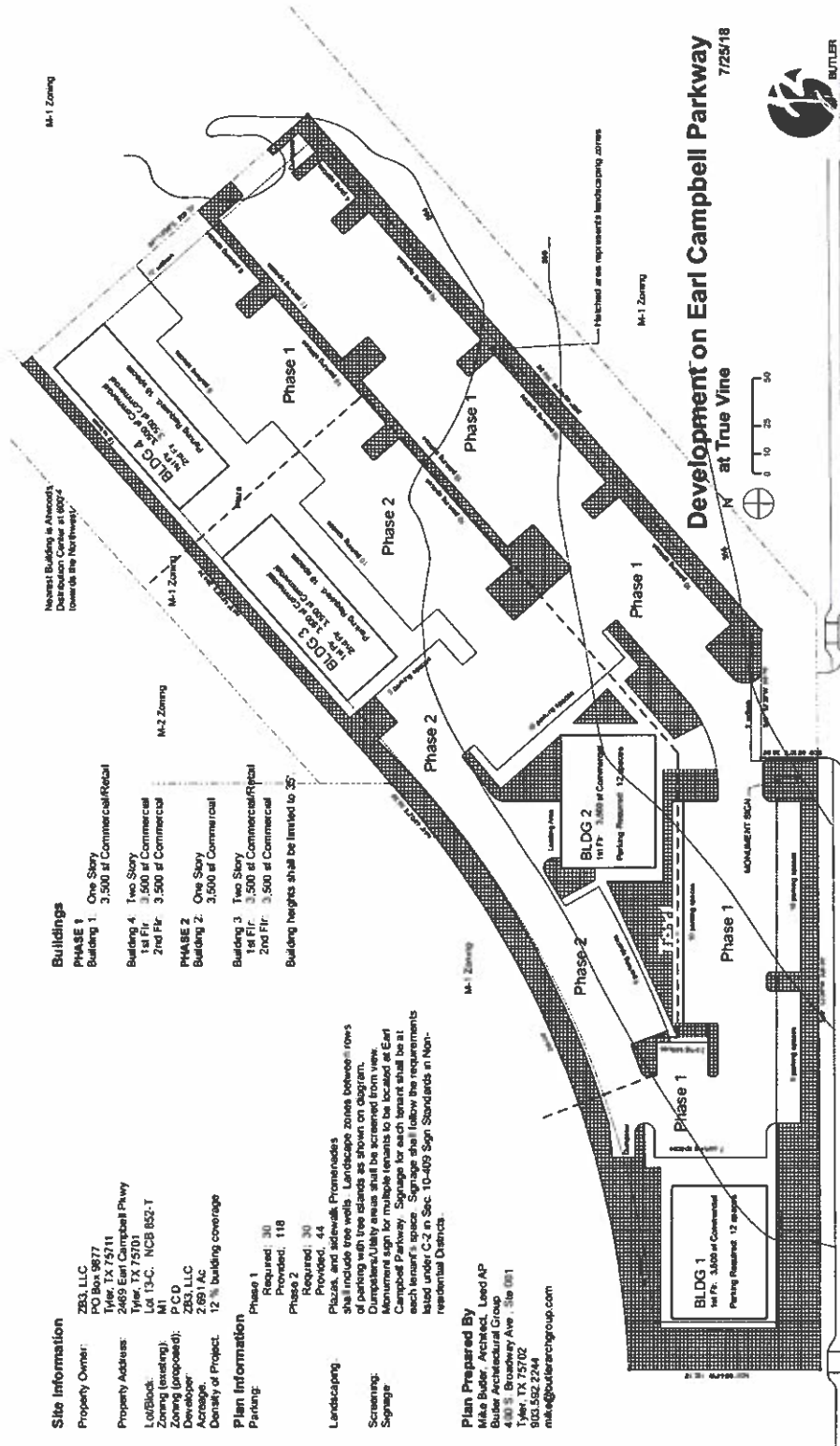
CASSANDRA BRAGER, CITY CLERK





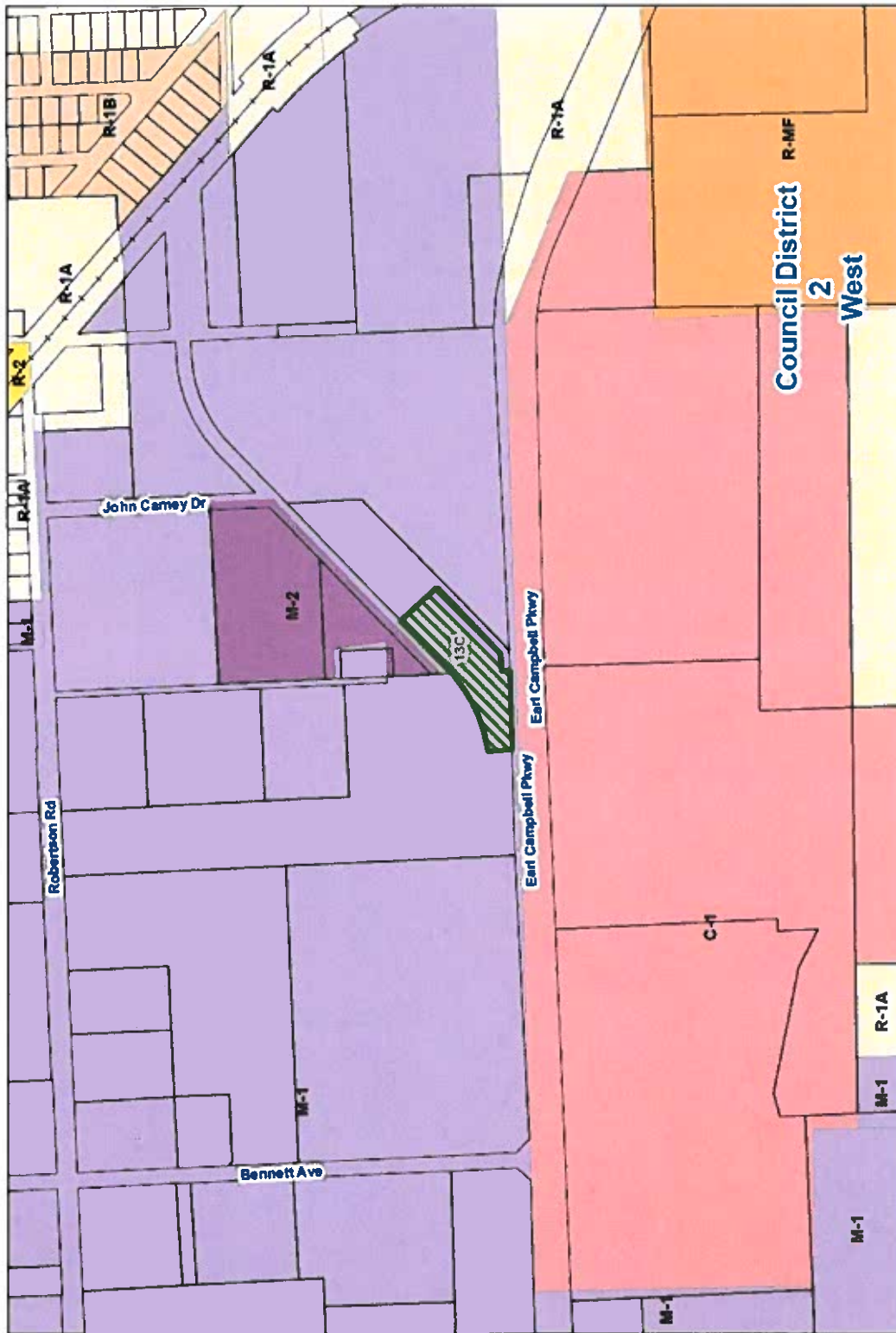
DEBORAH G. PULLUM,
CITY ATTORNEY

EXHIBIT "A"
FINAL SITE PLAN



All uses will be consistent with approved PCD uses in UDC

ORDINANCE NO. O-2018-87
EXHIBIT "B"
LOCATION MAP



ZONING CASE
 Zoning Case # PD18-019
 Existing Zoning: M-1 Proposed Zoning: PCD
 Applicant: ZB3 Properties, LLC

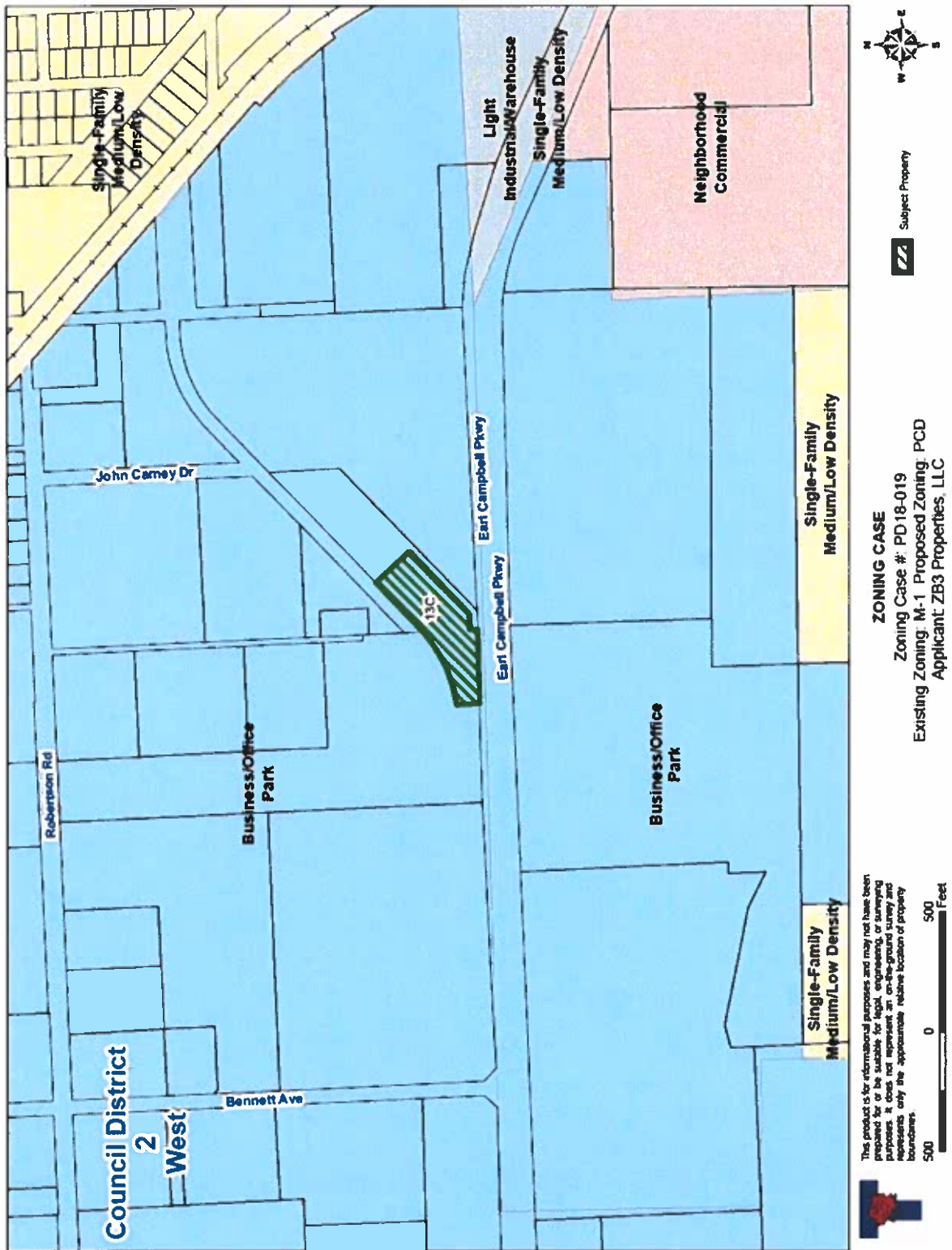
Subject Property

Scale
 500 0 500 Feet

North Arrow

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.

ORDINANCE NO. O-2018-87
EXHIBIT "C"
TYLER 1ST FUTURE LAND USE GUIDE



**ORDINANCE NO. O-2018-87
EXHIBIT "D"
NOTIFICATION MAP**

