

ORDINANCE NO. O-2021-42

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 "RPO", RESTRICTED PROFESSIONAL OFFICE DISTRICT TO "PUR", PLANNED UNIT RESIDENTIAL DISTRICT WITH FINAL SITE PLAN ON A 3.20 ACRE PORTION OF TRACT 7A, 16 OF ABSTRACT A0018 T QUEVADO, ONE TRACT CONTAINING APPROXIMATELY 18.79 ACRES OF LAND LOCATED WEST OF THE INTERSECTION OF HILLCROSS COVE AND THREE LAKES PARKWAY (2498 THREE LAKES PARKWAY); DIRECTING THE AMENDMENT OF THE ZONING MAP; 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 PD21-007

That the following described property, which has heretofore been zoned "RPO", Restricted Professional Office District, shall hereafter bear the zoning classification of "PUR", Planned Unit Residential District, to wit:

A 3.20 acre portion of Tract 7A, 16 of Abstract A0018 T Quevado, one tract containing approximately 18.79 acres of land located west of the intersection of Hillcross Cove and Three Lakes Parkway (2498 Three Lakes Parkway) and described by Exhibit "A" attached hereto and incorporated herein and in accordance with the final site plan in 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.

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 May 28th, 2021.

PASSED AND APPROVED this the 26th day of May A.D., 2021.



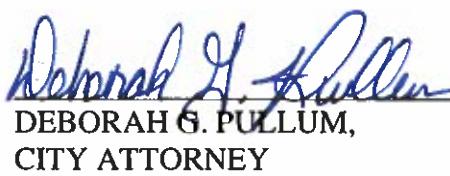
DONALD P. WARREN, MAYOR
OF THE CITY OF TYLER, TEXAS

ATTEST:


CASSANDRA BRAGER, CITY CLERK



APPROVED:


DEBORAH S. PULLUM,
CITY ATTORNEY

ORDINANCE NO. O-2021-42
EXHIBIT "A"
METES AND BOUNDS DESCRIPTION



6712 Paluxy Drive
Tyler, Texas 75703

(903)581-7800
Fax (903)581-3756

- **Surveying**
- **Mapping**
- **Planning**

• **MAPPING**

TBPLS FIRM NO. 10044500

Exhibit "A"
3.154 Acre Tract
Waterview Gardens at The Crossing
Don Thomas Quevedo Survey, Section 5, Abstract No. 18

Being a 3.154 acre tract of land situated in the Don Thomas Quevedo Survey, Section 5, Abstract No. 18, City of Tyler, Smith County, Texas, and part of the remainder of a called 119.715 acre tract described in a Deed from Sandra Crank Taylor, Individually, and Sandra Crank Taylor, Trustee of the Sandra Crank Taylor Special Marital Trust to Werner-Taylor Land & Development, L.P. recorded under County Clerk's File No. 20180100016823 of the Official Public Records of Smith County, Texas (O.P.R.S.C.T.), said 3.154 acre tract being more completely described as follows:

Beginning at a 1/2" iron rod found with plastic cap stamped "KLK #4687 at the Southwest corner of Lot 18, N.C.B. 1660-L of The Blake at Tyler at The Crossing as evidenced by a Final Plat thereof recorded in Cabinet F, Slide 235-A of the Plat Records of Smith County, Texas (P.R.S.C.T.), and being on the North boundary line of Lot 12, N.C.B. 1660-K of Lake Pointe as evidenced by a Final Plat thereof recorded in Cabinet E, Slide 275-D of said P.R.S.C.T.;

Thence South 81 degrees 39 minutes 08 seconds West, a distance of 300.27 feet along the North boundary line of said Lake Pointe to a 1/2" iron rod found with plastic cap stamped 'KLK #4687' at the Northwest corner of Lot 9, N.C.B. 1660-K of said Lake Pointe;

Thence North 30 degrees 11 minutes 45 seconds West, a distance of 45.22 feet to a point for corner;

Thence North 01 degrees 47 minutes 34 seconds West, a distance of 407.12 feet to a point on the South right-of-way line of Three Lakes Parkway (variable width right-of-way);

Thence North 88 degrees 12 minutes 26 seconds East, a distance of 319.82 feet along said South right-of-way line to a 1/2" iron rod found with plastic cap stamped "KLK #4687" at the Northwest corner of said Lot 18;

Thence South 01 degrees 47 minutes 34 seconds East, a distance of 412.62 feet along the West boundary line of said Lot 18 to the place of beginning, containing 3.154 acres of land.

Bearing basis is the Texas State Plane Coordinate System, Grid North Central Zone NAD 83, (Feet) based on the 1993 adjustment of the NAD 83 System. The control monument is TJC1-Tyler, Leica Geosystems Smartnet of North America.

I, Kevin L. Kilgore, Registered Professional Land Surveyor No. 4687, Texas, do hereby certify that the above field note description was prepared from an actual on-the-ground survey made under my direction and supervision during the month of January, 2021.

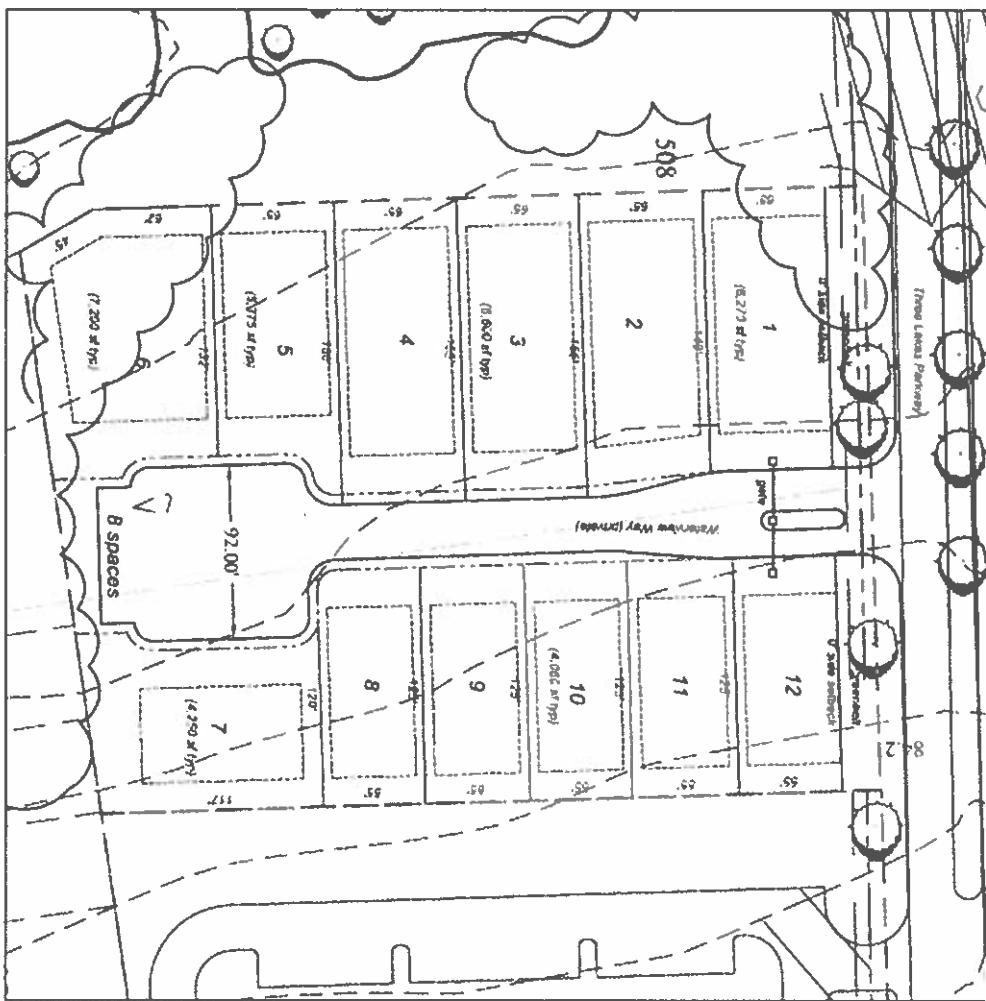
GIVEN UNDER MY HAND AND SEAL, This the 29th day of March, 2021.



Kevin L. Kilgore, R.P.L.S. 4687



ORDINANCE NO. O-2021-42
EXHIBIT "B"
SITE PLAN



Waterview Gardens
tyler, texas

SITE INFORMATION:

DEVELOPER:
 Warner-Taylor Land &
 Development, L.P.
 7256 Crosswater
 Tyler, TX 75703
 Office: (903)592-8634
 mike@crosswaterltd.com

ACREAGE: 3.15± ACRES

CURRENT ZONING: RPO

PROPOSED ZONING: PDR

DENSITY: Total units - 12 (3.8 units/acre)

SETBACKS: Lots 2-11 Front 20' Rear - 15'

Lots 1 & 12 Front 20' Rear - 15'

Streets - 5'0"

HEIGHT: Two Story / 42' Maximum

PARKING: Total RPD - 24 (2 sq per unit)

Provided
 Driveways - 24

Gangs - 24 Guset - 8

NOTES: See final plat for property and lot dimensions. Sidewalks to be consistent with app. exist alternate sidewalk plan.

SIGNAGE: Development signage (per UDC Sign Chart Section 10-4G3) will comply with Tyler UDC. Number and locations determined by Tyler UDC.

LANDSCAPING, BUFFERYARDS: Landscaping to meet or exceed minimum requirements per Tyler UDC. Bufferyards (if req'd) to be installed per UDC.

Fencing along Three Lakes to comply with UDC sight visibility requirements.



PLANNING CONCEPTS
 Landscaping • Design • Architecture
 1000 University Drive • Suite 100 • Tyler, Texas 75702 • 903.592.8634