

**ORDINANCE NO. O-2015-106**

**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 "C-1", LIGHT COMMERCIAL DISTRICT AND "C-2", GENERAL COMMERCIAL DISTRICT TO "C-2", GENERAL COMMERCIAL DISTRICT ON A 4.53 ACRE PORTION, AND TO "PMF", PLANNED MULTI-FAMILY ON A 2.40 ACRE PORTION OF LOTS 5 AND 6 OF NCB 1660G, TWO LOTS CONTAINING APPROXIMATELY 6.93 ACRES OF LAND LOCATED WEST OF THE NORTHWEST INTERSECTION OF ELKTON TRAIL AND OAK HILL BOULEVARD (2800 ELKTON TRAIL); DIRECTING THE AMENDMENT OF THE ZONING MAP; PROVIDING A SEVERABILITY CLAUSE; 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 Z12-15-008**

That the following described property, which has heretofore been zoned "C-1", Light Commercial District and "C-2", General Commercial District, shall hereafter bear the zoning classification "C-2", General Commercial District and "PMF", Planned-Multi Family District with written narrative, to wit:

Lots 5 and 6 of NCB 1660G, two lots containing approximately 6.93 acres of land located west of the northwest intersection of Elkton Trail and Oak Hill Boulevard (2800 Elkton Trail), in accordance with the written narrative attached herto as Exhibit "A" and incorporated herein.

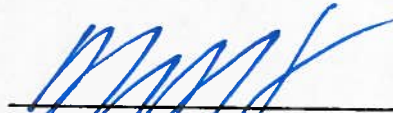
**PART 2:** That the City Manager is hereby ordered and directed to cause the zoning map to be amended to reflect the above described zoning.

**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

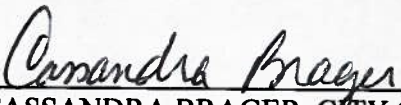
punished by a fine as provided in Section 1-4 of the Tyler Code. Each day such violation shall continue, or be permitted to continue, shall be deemed a separate offense. Since this ordinance has a penalty for violation, it shall not become effective until after its publication in the newspaper as provided by Section 85 of the Charter of the City of Tyler, Texas, which date is expected to be December 11<sup>th</sup>, 2015.


**PASSED AND APPROVED** this the 9<sup>th</sup> day of December, A.D., 2015.

  
\_\_\_\_\_  
MARTIN HEINES, MAYOR  
OF THE CITY OF TYLER, TEXAS


APPROVED:

ATTEST:

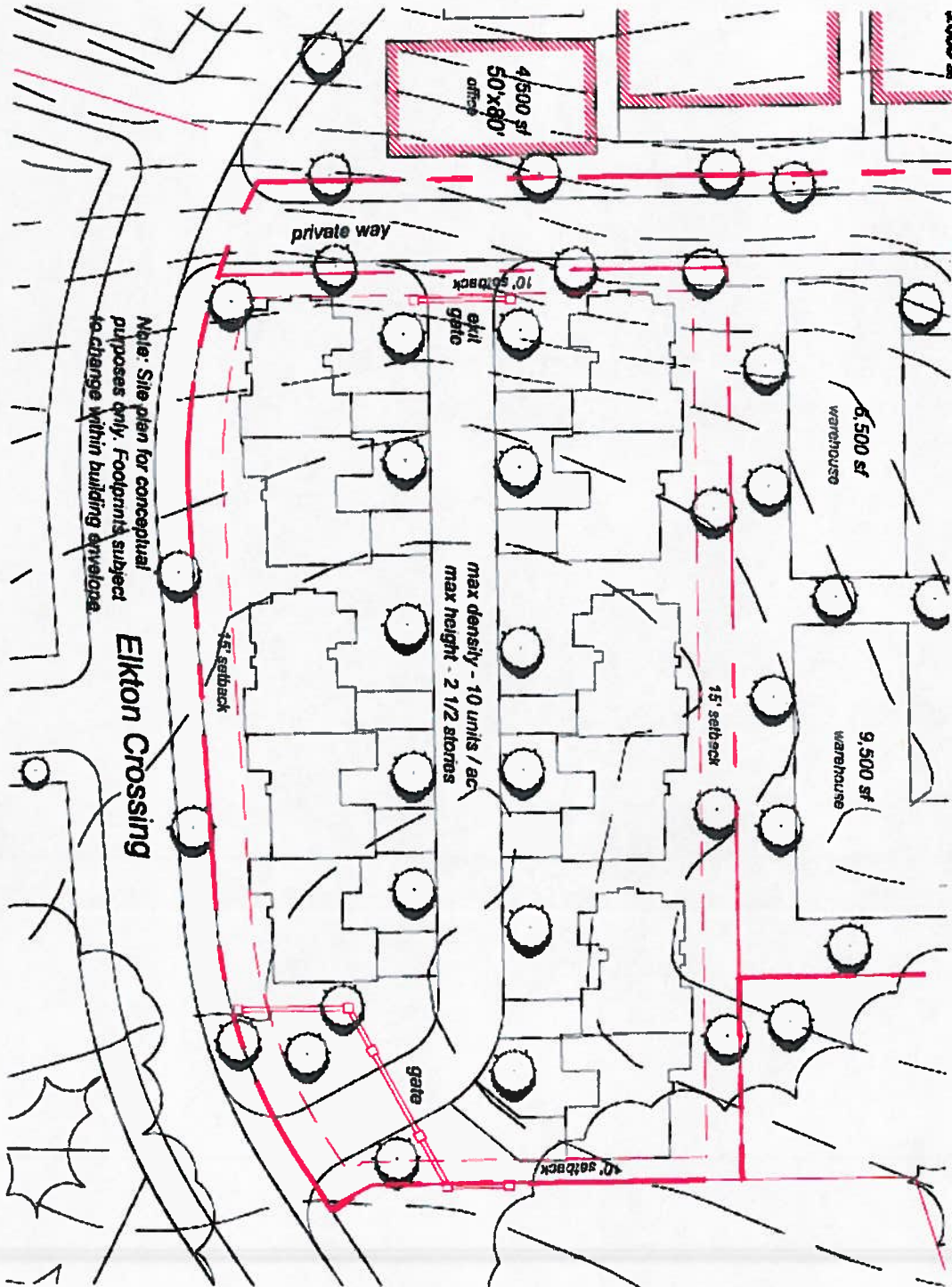
  
\_\_\_\_\_  
CASSANDRA BRAGER, CITY CLERK



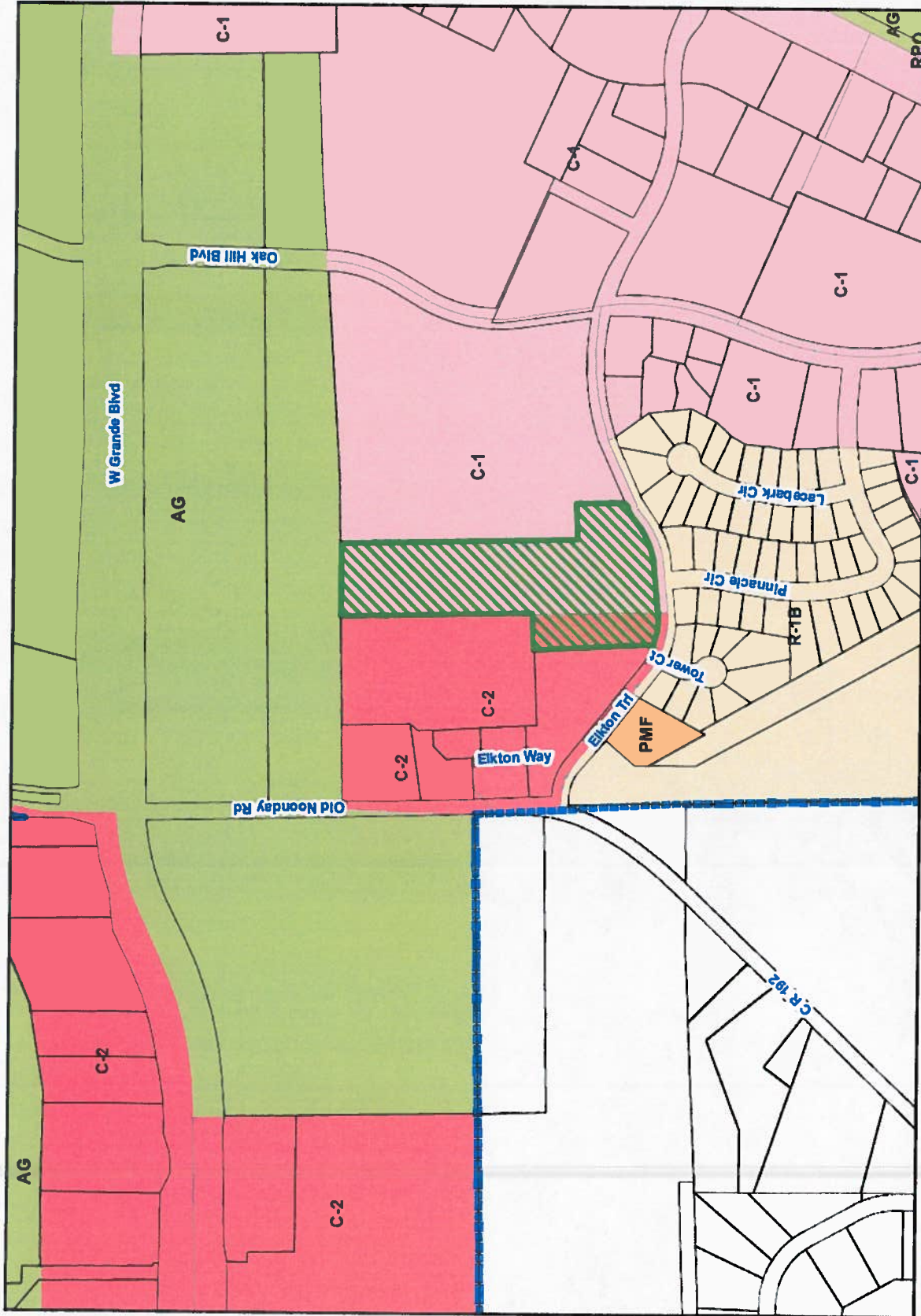
The seal is circular with a double-line border. The outer ring contains the text "CITY OF TYLER" at the top and "TEXAS" at the bottom. The inner circle contains the word "SEAL" in the center, flanked by two horizontal lines with dots at their ends.

  
\_\_\_\_\_  
DEBORAH G. PULLUM,  
CITY ATTORNEY

ORDINANCE NO. 0-2015-106  
EXHIBIT "A"  
Written Narrative



**ORDINANCE O-2015-106  
EXHIBIT "B"  
LOCATION MAP**

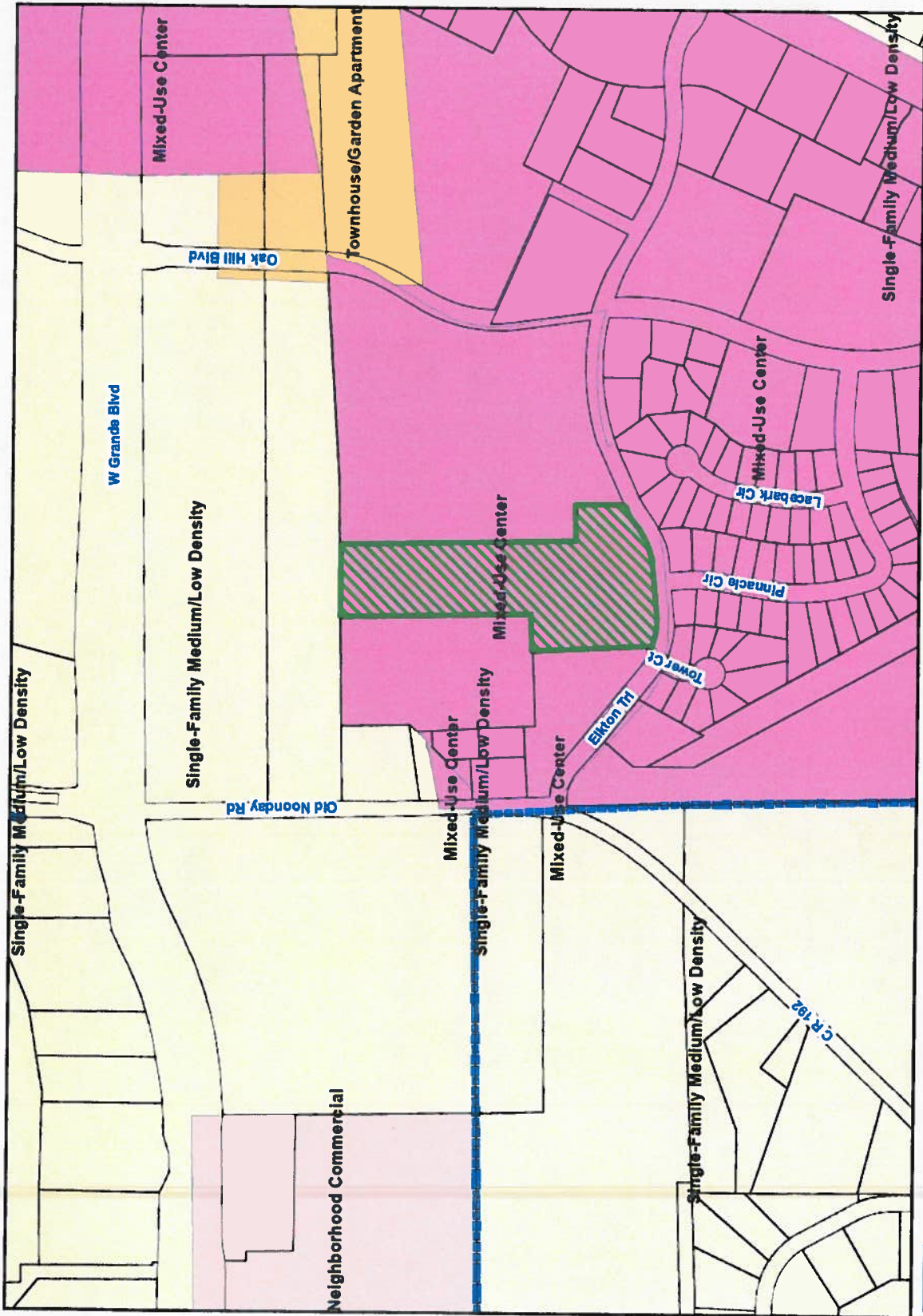


**ZONING CASE**  
 Zoning Case #: Z12-15-008  
 Existing Zoning: C-1 and C-2 Proposed Zoning PMF and C-2  
 Applicant: Davis Thornton, LTD

This product is for informational purposes and may not have been prepared by 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-2015-106  
EXHIBIT "C"  
TYLER 1<sup>ST</sup> FUTURE LAND USE GUIDE MAP**

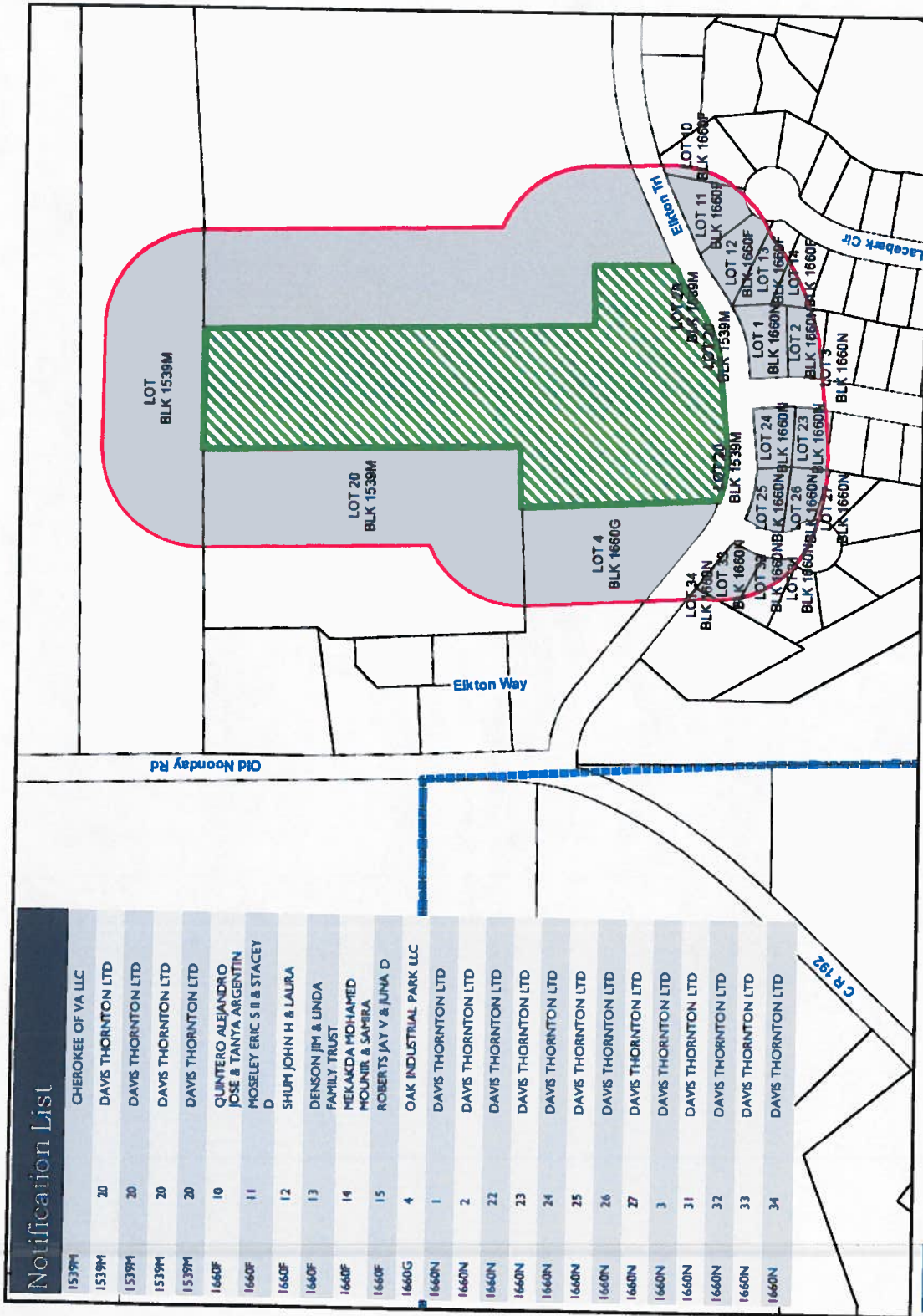


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500 0 500 1000 Feet

**ORDINANCE NO. O-2015-106  
EXHIBIT "D"  
NOTIFICATION MAP**



Notification List	
1539M	CHEROKEE OF VA LLC
1539M	20 DAVIS THORNTON LTD
1539M	20 DAVIS THORNTON LTD
1539M	20 DAVIS THORNTON LTD
1539M	20 DAVIS THORNTON LTD
1660F	10 QUINTERO ALEJANDRO JOSE & TANYA ARGENTIN
1660F	11 MOSELEY ERIC S II & STACEY D
1660F	12 SHUM JOHN H & LAURA
1660F	13 DENSON JIM & LINDA FAMILY TRUST
1660F	14 MEKAKDA MOHAMED MOUNIR & SAMIRA
1660F	15 ROBERTS JAY V & JUNA D
1660G	4 OAK INDUSTRIAL PARK LLC
1660N	1 DAVIS THORNTON LTD
1660N	2 DAVIS THORNTON LTD
1660N	22 DAVIS THORNTON LTD
1660N	23 DAVIS THORNTON LTD
1660N	24 DAVIS THORNTON LTD
1660N	25 DAVIS THORNTON LTD
1660N	26 DAVIS THORNTON LTD
1660N	27 DAVIS THORNTON LTD
1660N	3 DAVIS THORNTON LTD
1660N	31 DAVIS THORNTON LTD
1660N	32 DAVIS THORNTON LTD
1660N	33 DAVIS THORNTON LTD
1660N	34 DAVIS THORNTON LTD

Subject Property
   
 200' Notification Buffer
   
 City Limits

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0 300 Feet