

**ORDINANCE NO. O-2013-108**

**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-2", GENERAL COMMERCIAL DISTRICT TO "PCD", PLANNED COMMERCIAL DISTRICT WITH FINAL SITE PLAN ON LOTS 27A AND 28A OF NCB 669M, TWO LOTS TOTALING APPROXIMATELY 0.61 ACRES LOCATED AT THE SOUTHEAST INTERSECTION OF NORTH ENGLEWOOD AVENUE AND WEST GENTRY PARKWAY (1326 WEST GENTRY 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 Z11-13-005**

That the following described property, which has heretofore been zoned "C-2", General Commercial District, shall hereafter bear the zoning classification of "PCD", Planned Commercial District with final site plan, to wit:

Lots 27A and 28A of NCB 669M, two lots totaling approximately 0.61 acres located at the southeast intersection of North Englewood Avenue and West Gentry Parkway (1326 West Gentry Parkway), and consistent with the site plan attached hereto as Exhibit "A".

**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 13<sup>th</sup>, 2013.

**PASSED AND APPROVED** this the 11<sup>th</sup> day of December, A.D., 2013.




**BARBARA BASS, MAYOR  
OF THE CITY OF TYLER, TEXAS**

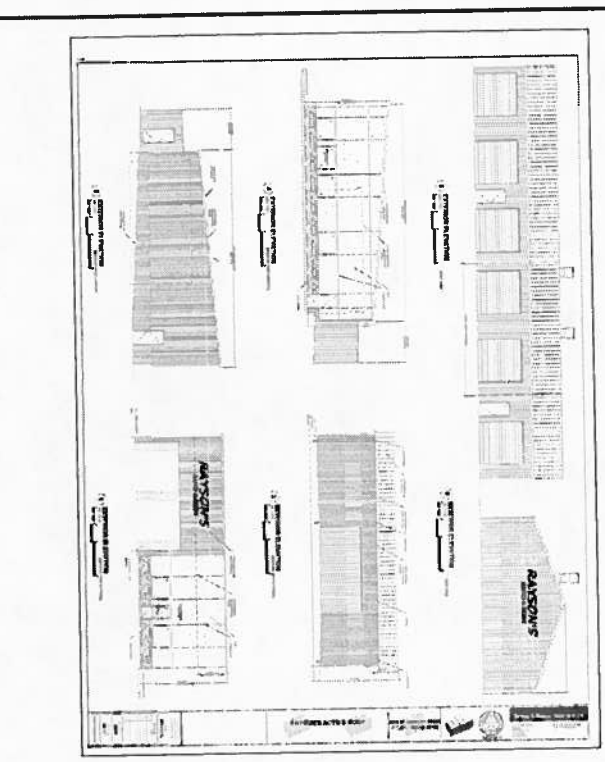
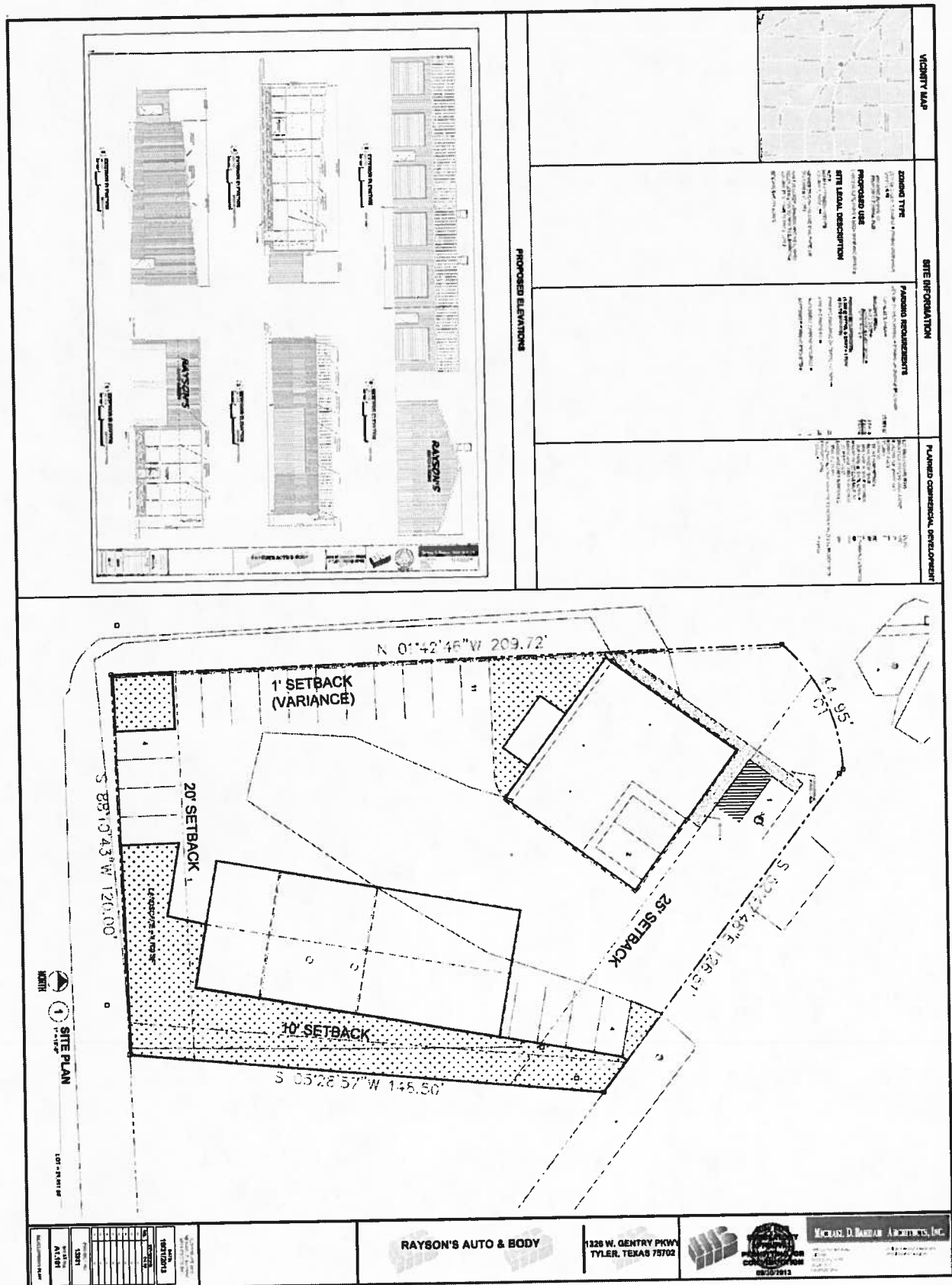
**ATTEST:**

  
**CASSANDRA BRAGER, CITY CLERK**

**APPROVED:**

  
**DEBORAH G. PULLUM,  
CITY ATTORNEY**

**ORDINANCE NO. O-2013-108**  
**Exhibit "A"**



VICINITY MAP		SITE INFORMATION		PLANNED COMMERCIAL DEVELOPMENT	
<p><b>ZONING TYPE</b> C-1 (COMMERCIAL GENERAL)</p> <p><b>PROPOSED USE</b> AUTO REPAIR AND SERVICE</p> <p><b>SITE LEGAL DESCRIPTION</b> [Detailed legal description of the property]</p>		<p><b>PERMITTED REQUIREMENTS</b> [List of zoning requirements and how they are met]</p>		<p><b>PLANNED COMMERCIAL DEVELOPMENT</b> [Details of the development project]</p>	

NO.	REVISION	DATE
1	ISSUED FOR PERMIT	08-27-2013

**RAYSON'S AUTO & BODY**

1328 W. GENTRY PKWY  
TYLER, TEXAS 75702



**MICHAEL D. BAIRD ARCHITECTS, INC.**  
[Address and contact information]