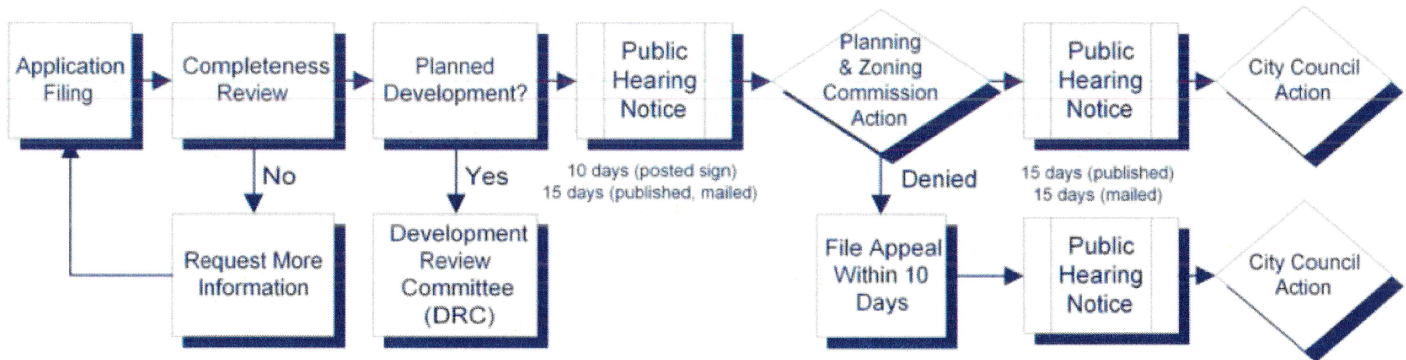




PROCESS

- A. All zoning is by ordinance and only the City Council has the authority to adopt or to change an ordinance. The Council has assigned the study of zoning to the City Planning and Zoning Commission, which will make recommendations to the City Council. If the Commission recommends a request for rezoning, it will not be effective until it is passed by the City Council. The rezoning process normally requires a period of sixty (60) days.
- B. All requests must be filed in the Planning and Zoning Department located at 423 West Ferguson, Tyler, TX. A filing fee must be received with the completed application form. (See Fee Schedule and Deadline Dates.) **The applicant must also post a zoning notification provided by the Planning and Zoning Department along with a \$20 deposit that is refundable upon return of the sign.** The sign must be placed in the front yard of the subject property no later than seven days after the application has been submitted. **If the sign is not posted in the required time frame, the application process will cease and the applicant will be required to reapply.**
- C. Please have a representative present at all public hearings. The applicant has the duty to produce evidence before the Planning and Zoning Commission and City Council to justify the proposed zoning change. This generally requires a showing that conditions affecting the property have substantially changed since the last zoning classification decision of the City.
- D. All requests that require site plan submittals must include a hard copy site plan and digital site plan with the completed application form.



OFFICE USE ONLY

Zoning Application
 Receipt No.: _____ Amount: _____

Sign Deposit
 Receipt No.: _____ Amount: _____

Signed By: _____

APPLICATION

A. Requesting: (One Check per Application)

- Site Plan
- Site Plan Amendment

B. Description & Location of Property:

1. Lot, Block and Addition (required): 7M, 1153
2. Property Address of Location (required): 8910 S. Broadway Ave.

PRESENT ZONING	PROPOSED ZONING
CLASSIFICATION <u>PCD</u>	CLASSIFICATION <u>PCD</u>
OVERLAY (IF APPLICABLE) _____	OVERLAY (IF APPLICABLE) _____
AREA (ACREAGE) _____	AREA (ACREAGE) <u>0.82</u>
	DWELLING UNITS/ACRE (if applicable) _____

C. Reason(s) for Request (please be specific):

Site plan administrative change to show new property lines.

D. Statement Regarding Restrictive Covenants/Deed Restrictions

I have searched all applicable records and, to my best knowledge and belief, there are no restrictive covenants that apply to the property as described in Part (B) which would be in conflict with this rezoning request.

- None
- Copy Attached

Chapter 10 Article VIII (Development Approval Procedures) Section 10-652
Site Development Plan Check List

Project Name: Whataburger Cumberland

Location: 8910 S. Broadway Ave.

- Name and address of applicant and/or owner of the property
- Name and address of person preparing the Site Development Plan
- North point, scale, and location map.
- Current zoning and proposed zoning.
- Proposed use.
- Legal description of the property (lot and block numbers if designated in plat book; metes and bounds description if any portion of the property does not have assigned lot and block numbers).
- Property dimensions of the site and lot area.
- Existing streets located within or adjacent to the subject property
- The proposed size, elevations, location and arrangement of buildings, landscaping, screening and parking areas.
- The proposed arrangement of, and number of, streets, parking spaces, entrance and exit driveways, and their relationship to existing streets, alleys and other public property.
- Adjacent properties, including the location and type of buildings and structures thereon.
- Any required and proposed screening walls, fences, retaining walls, headlight screens, dumpster screens or living screens. Include height and type of construction.
- Indicate all landscaped areas.
- The existing topography with contour intervals no greater than five feet (5') unless waived by the Planning and Zoning Director.
- If development is to occur in phases, the phases which will be followed in the construction of the planned development shall be indicated on the Site Development Plan.
- Additional requirements as to building setbacks, height and area limitations, landscaping, lighting, screening, accessways, driveways, signs or other advertising devices, and other like requirements may be imposed by the Planning and Zoning Commission for the protection of adjoining and surrounding properties.
- Provide and complete the following charts:

<u>Site Information</u>
Property Owner
Property Address
Zoning (Existing)
Zoning (Proposed)
Developer or Architect
Acreage of Project
Density of Project

<u>Plan Information</u>
Parking:
Landscaping:
Screening:
Signage:

Applicant: _____


Date: _____

*For all requests that require site plan submittals, Requestor must complete and sign the site plan checklist.

AUTHORIZATION OF AGENT

A. I (we), the undersigned, being owner(s) of the real property described above, do hereby authorize (please print name) Ryan Francis to act as our agent in the matter of this request. The term agent shall be construed to mean any lessee, developer, option holder, or authorized individual who is legally authorized to act in behalf of the owner(s) of said property. (Application must be signed by all owners of the subject property).

(Please print all but signature)

Owner(s) Name: <u>Taylor Thomas</u>	Owner(s) Name: _____
Address: <u>9548 US HWY 271</u>	Address: _____
City, State, Zip: <u>Tyler TX 75708</u>	City, State, Zip: _____
Phone: <u>903 576 4814</u>	Phone: _____
Signature: 	Signature: _____
Email: <u>TThomas@DKTInvestments.com</u>	Email: _____
Authorized Agent's Name: <u>Ryan Francis</u>	Signature: <u>Ryan Francis</u>
Address: <u>700 SSE Loop 323</u>	City, State, Zip: <u>Tyler, TX 75702</u>
Phone: <u>903 207 6567</u>	Email: <u>Ryanfrancis@jacobsbras.com</u>

SUPPORTING INFORMATION

- A. PROVIDE A SITE PLAN
- B. COMPLETED AND SIGNED CHECKLIST

FULL PATH: S:\Project\Feb2023\23-180-Whataburger-Cumulative\01-Drawing\01-Cumulative\Site Plan
 PLOTTER: Bluebeam PDF
 PLOT TIME: 1:44:22 PM
 PLOT DATE: Friday, February 02, 2024
 PLOTTED BY: Megan

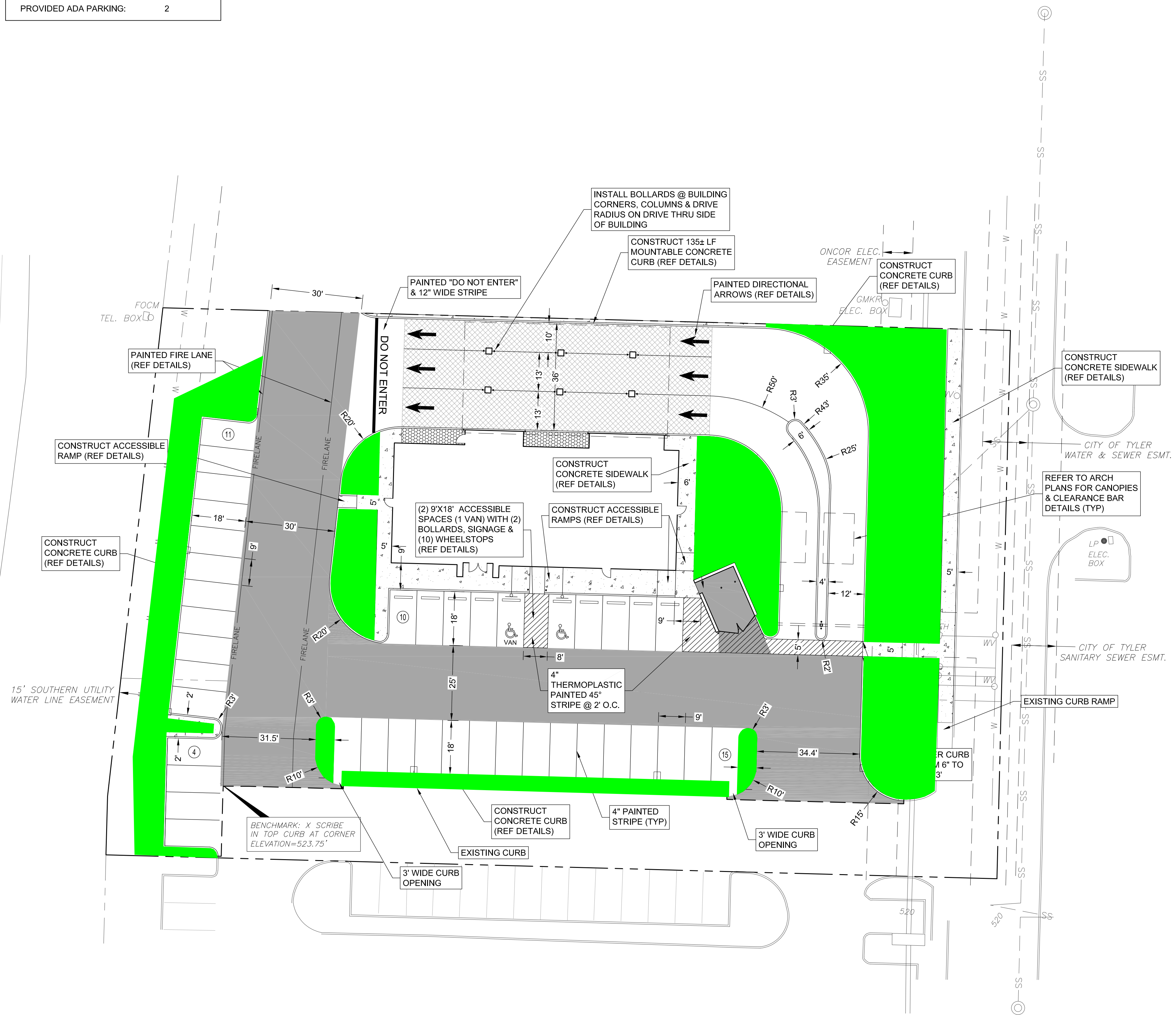
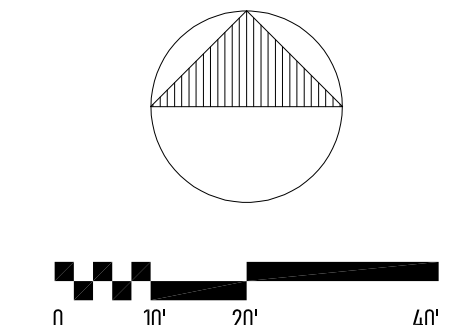
FILENAME: 04.0 SITE PLAN.dwg

LEGEND	
	PROPOSED HEAVY DYED CONCRETE
	PROPOSED BLACK DYED STAMPED CONCRETE*
	PROPOSED SIDEWALK
	PROPOSED BLACK DYED SIDEWALK
	PARKING COUNT
	SITE LIGHTING

*CONTRACTOR TO PROVIDE ALTERNATE UNIT PRICE FOR BLACK DYED CONCRETE WITHOUT STAMPING

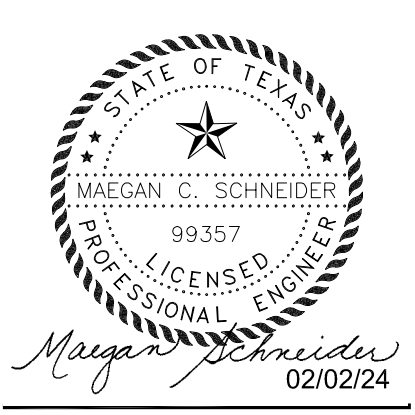
SITE INFORMATION	
SITE ACREAGE:	0.82 AC
ZONING CLASSIFICATION:	PCD
BUILDING AREA:	4,000 SF
REQUIRED PARKING:	40
PROVIDED PARKING:	40
REQUIRED ADA PARKING:	2
PROVIDED ADA PARKING:	2

Proposed Use: Restaurant with Drive Thru
 Lot Information: 7M, Block 1153
 Landscape Areas: Highlighted Below.



- GENERAL NOTES**
- ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY CONSTRUCTION STANDARDS AND SPECIFICATIONS.
 - THE CONTRACTOR SHALL BEGIN WORK AS DIRECTED BY THE OWNER/CITY OR THE NOTICE TO PROCEED.
 - THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS, APPROVALS, AND INSPECTIONS PRIOR TO AND THROUGHOUT CONSTRUCTION.
 - IT IS THE CONTRACTOR'S RESPONSIBILITY TO MAINTAIN NEAT AND ACCURATE CONSTRUCTION RECORDS FOR THE OWNER/CITY'S USE. THE CONTRACTOR SHALL PROVIDE THE CITY CLEAN AND ACCURATE FULL SIZE REPRODUCIBLE RECORD DRAWINGS WHICH CLEARLY DESCRIBE ALL CONSTRUCTION AND ANY DEVIATIONS FROM THE PLANS.
 - ALL SHOP DRAWINGS AND SUBMITTALS SHALL BE PROOFREAD AND REVIEWED BY THE GENERAL CONTRACTOR FOR APPROVAL PRIOR TO SUBMITTAL TO THE ENGINEER. SUBCONTRACTOR / GENERAL CONTRACTOR SHALL CLEARLY INDICATE, MARK, HIGHLIGHT, AND PROPERLY CLARIFY PRODUCTS TO BE CONSIDERED FOR APPROVAL. SUBMITTALS NOT PROOFREAD OR REVIEWED OR CLARIFIED PROPERLY SHALL BE RETURNED UNREVIEWED. CONTRACTOR SHALL RESUBMIT SHOP DRAWINGS AND ALLOW FOR SUITABLE REVIEW TIME. SUITABLE REVIEW TIME SHALL BE SEVEN (7) WORKING DAYS FOR TYPICAL SUBMITTALS AND LONGER DEPENDING ON THE SIZE AND NATURE OF THE SUBMITTAL.
 - CONTRACTOR SHALL BE RESPONSIBLE FOR ALL REQUIRED CONSTRUCTION SURVEYING, QUALITY CONTROL, AND MATERIALS TESTING.
 - ALL ADJACENT PROPERTY DAMAGED BY THE PROPOSED CONSTRUCTION SHALL BE RESTORED TO EQUAL OR BETTER CONDITION THAN WHICH IT WAS FOUND BEFORE SUCH WORK WAS UNDERTAKEN.
 - TEMPORARY CONSTRUCTION SITE SECURITY FENCES ARE REQUIRED.
 - THE CONTRACTOR IS RESPONSIBLE FOR KEEPING EXISTING DRIVEWAYS AND SIDEWALKS FREE OF MUD AND DEBRIS FROM THE CONSTRUCTION AT ALL TIMES.
 - ALL EXCAVATION IS UNCLASSIFIED AND SHALL INCLUDE ALL MATERIALS ENCOUNTERED TO INCLUDE BUT NOT BE LIMITED TO ROCK, RUBBLE, DEBRIS, TRASH, ETC. UNUSABLE EXCAVATED MATERIAL AND ALL WASTE RESULTING FROM SITE CLEARING AND GRUBBING SHALL BE DISPOSED OF OFF SITE AT THE CONTRACTOR'S EXPENSE UNLESS OTHERWISE SPECIFIED OR AGREED TO BY OWNER.
 - THE CONTRACTOR SHALL TAKE ALL AVAILABLE PRECAUTIONS TO CONTROL DUST. CONTRACTOR SHALL CONTROL DUST BY SPRINKLING WATER, OR BY OTHER MEANS, APPROVED BY THE CITY AND ENGINEER.
 - THE CONTRACTOR SHALL MAINTAIN ADEQUATE SITE DRAINAGE DURING ALL PHASES OF CONSTRUCTION. THE CONTRACTOR SHALL USE SILT FENCES (OR OTHER METHODS APPROVED BY THE ENGINEER AND CITY) AS REQUIRED TO PREVENT SILT AND CONSTRUCTION DEBRIS FROM FLOWING ONTO ADJACENT PROPERTIES. CONTRACTOR SHALL COMPLY WITH ALL APPLICABLE FEDERAL, STATE, OR LOCAL EROSION, CONSERVATION, AND SILTATION ORDINANCES. CONTRACTOR SHALL REMOVE ALL TEMPORARY EROSION CONTROL DEVICES UPON COMPLETION OF PERMANENT DRAINAGE FACILITIES THE ESTABLISHMENT OF GRASS OR OTHER GROWTH TO PREVENT EROSION.
 - DISTURBED AREAS THAT ARE SEEDED SHALL BE CHECKED PERIODICALLY FOR FULL COVERAGE OF GRASS. ALL DISTURBED AREAS SHALL BE WATERED, FERTILIZED, AND RESEEDED OR SOODED, AS NECESSARY AND BY DEFINITION "MAINTAINED" UNTIL AN ESTABLISHED STAND OF GRASS CAN BE RELEASED TO THE OWNER.
 - CONTRACTOR SHALL NOT STORE MATERIALS, EQUIPMENT OR OTHER CONSTRUCTION ITEMS ON ADJACENT PROPERTIES OR ADJACENT RIGHT-OF-WAYS WITHOUT THE PRIOR WRITTEN CONSENT OF THE PROPERTY OWNER AND THE CITY. ALL CONSTRUCTION WASTE MATERIALS TO BE REMOVED SHALL BE DISPOSED OF AT A PERMITTED LOCATION OFF SITE, UNLESS WRITTEN APPROVAL IS OBTAINED FROM THE CITY.
 - ALL PAVING DIMENSIONS ARE TO FACE OF CURB, AND EDGE OF PAVEMENT UNLESS OTHERWISE NOTED.
 - ALL REINFORCING STEEL AND DOWEL BARS IN PAVEMENT SHALL BE SUPPORTED AND MAINTAINED AT THE CORRECT CLEARANCES BY THE USE OF BAR CHAIRS OR OTHER APPROVED SUPPORT.
 - JOINT SPACING SHALL BE AS FOLLOWS:
 5 INCH PAVEMENT THICKNESS - 10' JOINT SPACING
 6+ INCH PAVEMENT THICKNESS - 12' JOINT SPACING
 IN AREAS WHERE PAVEMENT THICKNESS VARIES, THE SHORTER JOINT SPACING SHALL GOVERN

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 Ph: 903.244.9899
 www.aqueousengineering.com
 Texas Firm Reg. No.: F-14845



WHATABURGER
 8910 S BROADWAY AVE
 TYLER, TX

Release/Revision:	Date:
ISSUED FOR BID	12.08.23
ISSUED FOR PERMIT	02.02.24

Designed:	-
Drawn:	-
Checked:	-
AE Project No.:	23.180

SHEET TITLE:
SITE PLAN

SHEET NO.:
C3.0



BENCHMARK:
 X SCRIBE IN TOP CURB AT NW CORNER OF EXISTING CURB ON SE SIDE OF PROPERTY ELEVATION=523.75'