

ORDINANCE NO. O-2018-37

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 “PUR”, PLANNED UNIT RESIDENTIAL DISTRICT TO “PXR”, PLANNED MIXED RESIDENTIAL DISTRICT WITH SITE NARRATIVE ON A 1.35 ACRE PORTION OF TRACT 11, 16, 17 AND 18, ONE TRACT TOTALING APPROXIMATELY 22.28 ACRES OF LAND LOCATED WEST OF THE NORTHWEST INTERSECTION OF OSCAR BURKETT ROAD AND RHONES QUARTER ROAD (1.35 ACRES OF LAND); 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 PD18-004

That the following described property, which has heretofore been zoned “PUR”, Planned Unit Residential District, shall hereafter bear the zoning classification of “PXR”, Planned Mixed Residential District with site narrative, to wit:

A 1.35 acre portion of Tract 11, 16, 17 and 18, one tract totaling approximately 22.28 acres of land located west of the northwest intersection of Oscar Burkett Road and Rhones Quarter Road (1.35 Acres of Land), and as described in Exhibit “A” and subject to the narrative 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 and amend the Future Land Use Guide to reflect Single Family and Single-Family Attached.

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 April 27, 2018.

PASSED AND APPROVED this the 25th day of April A.D., 2018.



MARTIN HEINES, MAYOR
OF THE CITY OF TYLER, TEXAS

ATTEST:

APPROVED:



CASSANDRA BRAGER, CITY CLERK





DEBORAH G. PULLUM,
CITY ATTORNEY

ORDINANCE NO. O-2018-37
EXHIBIT "A"
METES AND BOUNDS DESCRIPTION
1 OF 2



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

6712 Paluxy Drive • Tyler, Texas 75703 • 903.581.7800 • 903.581.3756

EXHIBIT "A"
1.2 Acre Tract
Victor Loupey Survey, Abstract No. 616

Being a 1.2 acre tract of land situated in the Victor Loupey Survey, Abstract No. 616, City of Tyler, Texas, and being part of a called 51.997 acre tract of land described in a Deed from RSJB Properties, LLC to Tyler Park Hill Ventures, LLC recorded under County Clerk's File No. R2014-00011446 of the Official Public Records of Smith County, Texas, (O.P.R.S.C.T.), said 1.2 acre tract being more particularly described by metes and bounds as follows:

Beginning at a 1/2" iron rod with plastic cap stamped "K.L.K. #4687" found in the East right of way line of Hillside Avenue, (60.00-foot wide right of way), for the Southwest corner of Lot 1-A, N.C.B. 1490-R of Guinn Farms Unit 2, Fourth Amendment according to an Amended Final Plat thereof recorded in Cabinet E, Slide 374-D of the Plat Records of Smith County, Texas, (P.R.S.C.T.);

Thence North 88 degrees 01 minute 22 seconds East, a distance of 78.37 feet along the South boundary line of said Lot 1-A to a 1/2" iron rod with plastic cap stamped "K.L.K. #4687" found for the Southeast corner of same, also being the Southwest corner of Lot 2-A, N.C.B. 1490-R of Guinn Farms, Unit 2 according to an Amended Final Plat thereof recorded in Cabinet E, Slide 317-B, P.R.S.C.T.;

Thence North 83 degrees 24 minutes 57 seconds East, a distance of 30.90 feet along the South boundary line of said Lot 2-A to a 1/2" iron rod with plastic cap stamped "K.L.K. #4687" set;

Thence South 02 degrees 03 minutes 47 seconds East, a distance of 229.46 feet to a 1/2" iron rod with plastic cap stamped "K.L.K. #4687" set;

Thence South 16 degrees 14 minutes 20 seconds East, a distance of 63.61 feet to a 1/2" iron rod with plastic cap stamped "K.L.K. #4687" set;

Thence South 42 degrees 42 minutes 09 seconds East, a distance of 139.32 feet to a 1/2" iron rod with plastic cap stamped "K.L.K. #4687" set;

Thence South 02 degrees 34 minutes 17 seconds East, a distance of 35.00 feet to a 1/2" iron rod with plastic cap stamped "K.L.K. #4687" set in the South boundary line of said 51.997 acre tract and said Victor Loupey Survey and the North boundary line the Wm. Newell Survey, Abstract No. 744;

Thence South 87 degrees 25 minutes 41 seconds West, a distance of 163.04 feet along the South boundary line of said 51.997 acre tract and said Victor Loupey Survey and the North

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EXHIBIT "A"
METES AND BOUNDS DESCRIPTION
2 OF 2

boundary line of said Wm. Newell Survey to a 1/2" iron rod with plastic cap stamped "K.L.K. #4687" set in the proposed East right of way line of Hillside Avenue;

Thence North 17 degrees 38 minutes 49 seconds West, a distance of 152.97 feet along said proposed East right of way line of Hillside Avenue to a 1/2" iron rod with plastic cap stamped "K.L.K. #4687" set;

Thence continuing along said proposed East right of way line of Hillside Avenue and along a curve in a clockwise direction having a delta of 15 degrees 36 minutes 08 seconds, a radius of 340.00 feet, a chord bearing of North 09 degrees 50 minutes 44 seconds West, a chord distance of 92.30 feet, and an arc length of 92.59 feet to a 1/2" iron rod with plastic cap stamped "K.L.K. #4687" set;

Thence North 02 degrees 02 minutes 40 seconds West, a distance of 154.15 feet continuing along said proposed East right of way line of Hillside Avenue to a 1/2" iron rod with plastic cap stamped "K.L.K. #4687" set;

Thence continuing along said proposed East right of way line of Hillside Avenue and along a curve in a clockwise direction having a delta of 02 degrees 19 minutes 06 seconds, a radius of 940.00 feet, a chord bearing of North 00 degrees 53 minutes 07 seconds West, a chord distance of 38.03 feet, and an arc length of 38.03 feet to the place of beginning containing 1.2 acres of land.

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EXHIBIT "B"
SITE NARRATIVE**

Setbacks:

- Front: 10 feet if rear loaded access, 25 feet if front loaded
- Rear: 15 feet
- Side: 7.5 feet end units, otherwise attached

Minimum Lot

- .064 acre minimum

Maximum Height

- 42 feet (from pad not from street)

Density

- 16 units per acre

Parking

- 2 spaces per unit maximum required parking or per UDC whichever is less

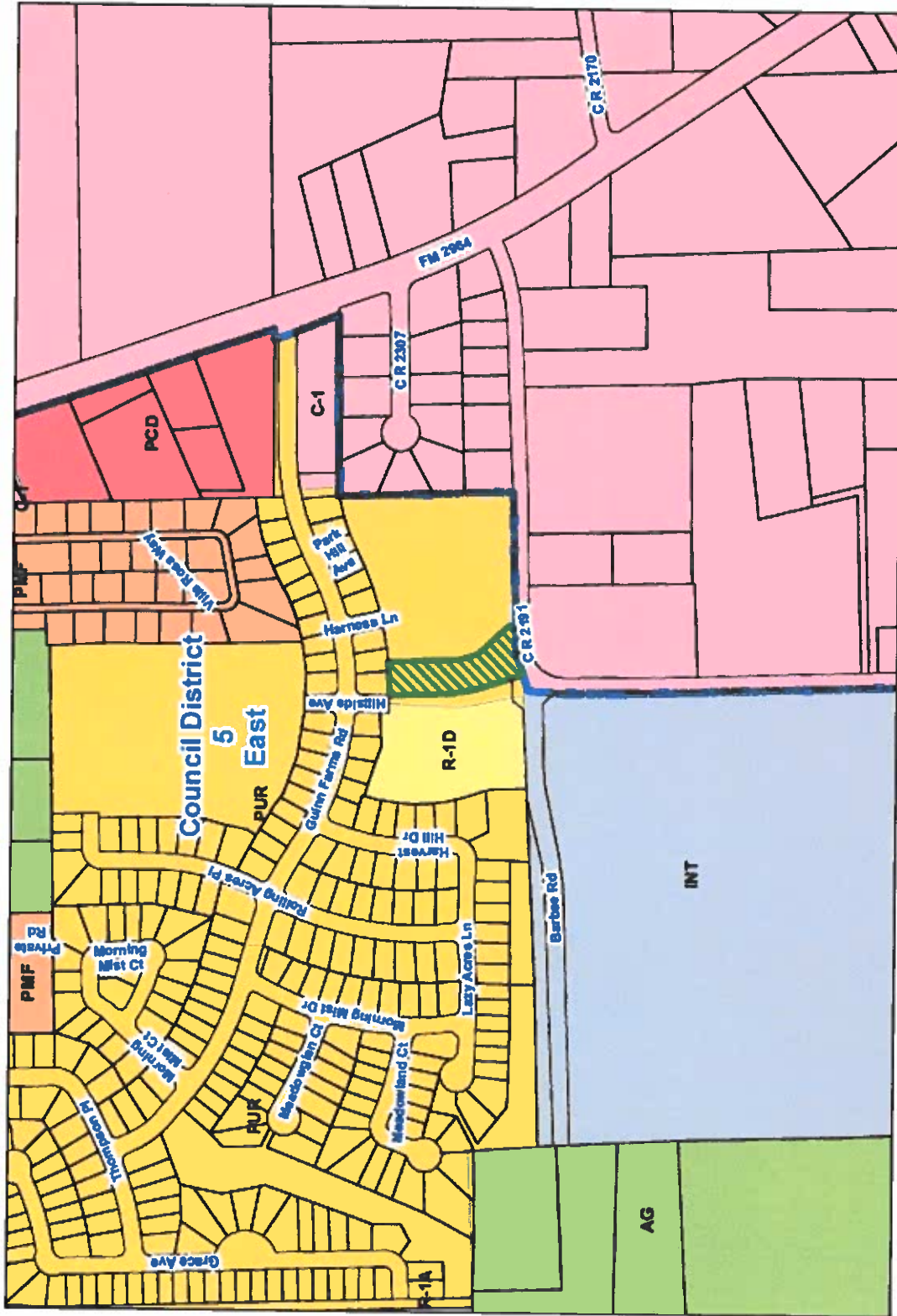
Signage

- Per UDC

Allowed uses

- Condo
- Townhome
- Garden Home
- Model Home

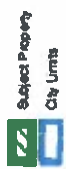
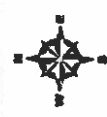
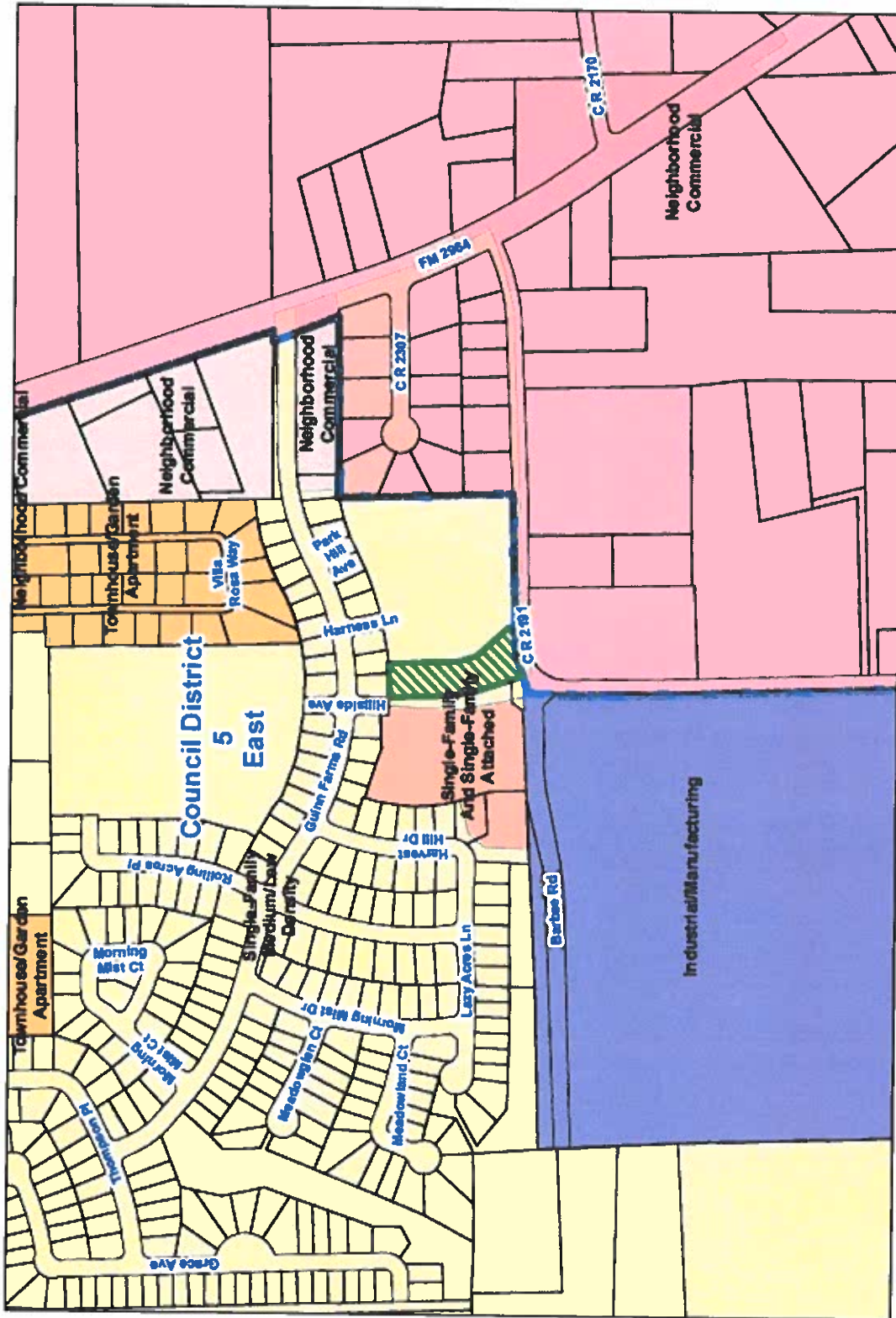
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 EXHIBIT "C"
 LOCATION MAP



ZONING CASE
 Zoning Case #: PD18-004
 Existing Zoning: PUR Proposed Zoning: PXR
 Applicant: Tyler Park Hill Ventures LLC

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.

**ORD. NO. 0-2018-37
EXHIBIT "D"
TYLER 1ST FUTURE LAND USE GUIDE**

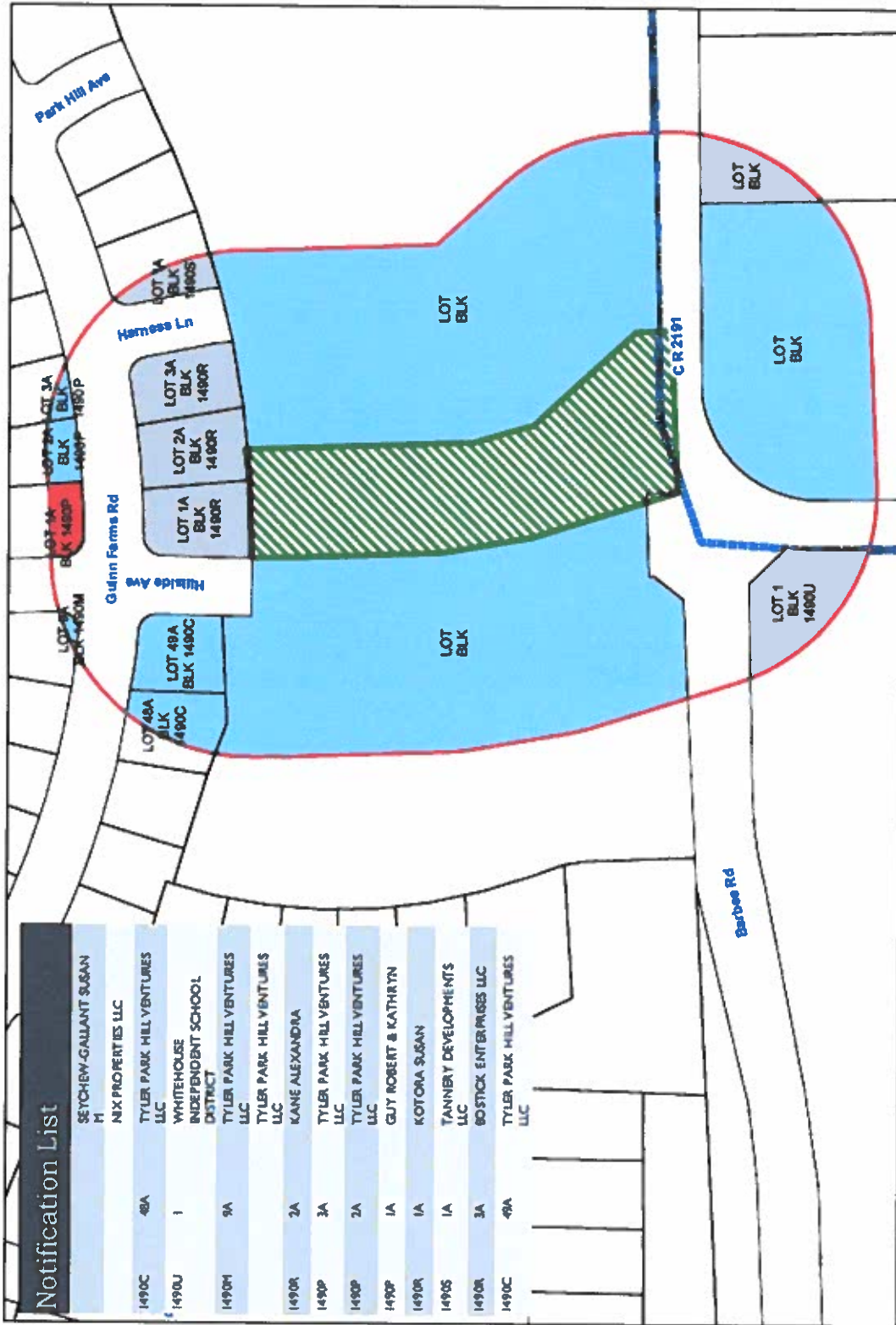


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EXHIBIT "E"
NOTIFICATION MAP**



Notification List	
SEYCHEW-GALLANT SUSAN M	
1490C	48A
1490J	1
1490H	9A
1490R	2A
1490P	3A
1490P	2A
1490P	1A
1490R	1A
1490S	1A
1490R	3A
1490C	48A

ZONING CASE
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 Existing Zoning: PUR Proposed Zoning: PXR
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0 125 Feet