

ORDINANCE NO. O-2015-13

AN ORDINANCE AMENDING THE CITY OF TYLER ZONING ORDINANCE OF THE CODE OF ORDINANCES OF THE CITY OF TYLER, TEXAS; BY APPROVING A "PCD", PLANNED COMMERCIAL DISTRICT SITE PLAN AMENDMENT ON LOT 3 OF NCB 1153, ONE LOT CONTAINING 7.70 ACRES OF LAND LOCATED AT THE SOUTHEAST INTERSECTION OF WEST CUMBERLAND ROAD AND SOUTH BROADWAY AVENUE (8668 SOUTH BROADWAY AVENUE); 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 Z01-15-021

That the existing site development plan is hereby amended by approving the site plan attached hereto as Exhibit "A" on the following described property zoned "PCD", Planned Commercial Development District, to wit:

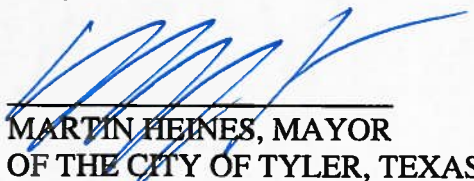
Lot 3 of NCB 1153, one lot containing 7.70 acres of land located at the southeast intersection of West Cumberland Road and South Broadway Avenue (8668 South Broadway Avenue), and in accordance with the site plan attached hereto as Exhibit "A".

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.

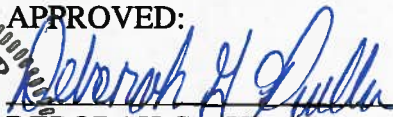
PART 4: That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine as provided in Section 1-4 of the Tyler Code. Each day such violation shall continue, or be permitted to continue, 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 January 30, 2015.

PASSED AND APPROVED this the 28th day of January, A.D., 2015.


MARTIN HEINES, MAYOR
OF THE CITY OF TYLER, TEXAS

ATTEST:


CASSANDRA BRAGER, CITY CLERK

APPROVED:

DEBORAH G. PULLUM,
CITY ATTORNEY



ORDINANCE NO. O-2015-13
Exhibit "A"



Site Information

Owner: Broadway South Development, LLC
 PO Box 1084
 Tyler, TX 75710
 903-610-6317

Project: single story, 65,000 of Retail Store.
 Total Acres - 7.7 Acres Site (535,412 sq ft)
 Current Zoning - P02 Planned Commercial District

Setbacks - 25' front and sides, 0' rear setback
 (All setbacks subject to City Council approval.)

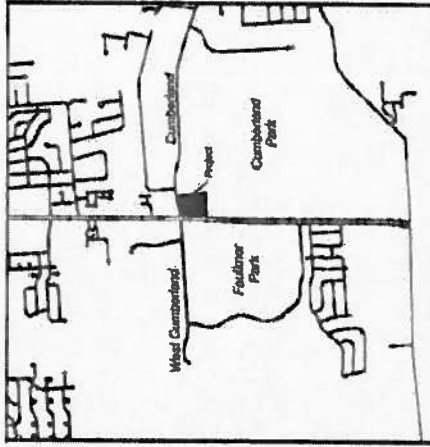
Parking Ratio: 425 (Per City of Tyler Code)
 Parking Provision - 425

Typical Pavings: 8.5' x 18' with 28" Drive Lane

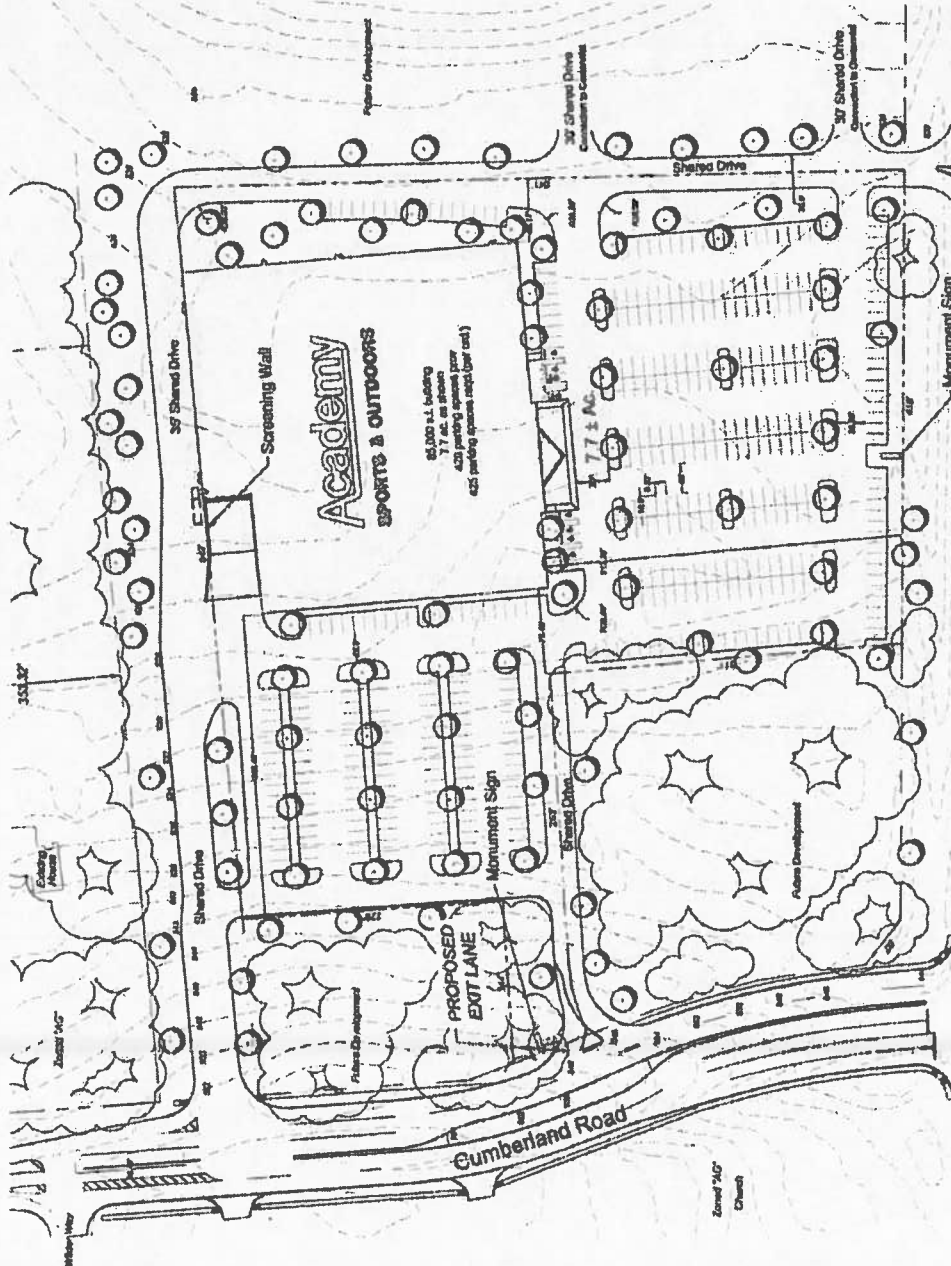
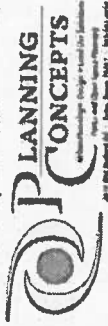
Landscaping provided: 55,400 sq ft (16.5% of site)
 Monument signs not to exceed 100 sq ft and 10' in height

All lighting to be dimmable. Permitted Lighting on Shared Drives.
 No outdoor storage allowed.

Site Plan Prepared by:
 Planning Concepts
 71404, Texas
 903-561-4200



Location Map - Not to Scale
 Revised 5-12-07



GRAPHIC SCALE
 0 50 100 150 200

US 69 (S. BROADWAY)

Note: The survey and site plan shown for informational purposes only. Actual surveys and dimensions may vary based on the plan. Property is subject to final approval by the City of Tyler.

Zone 700
 Undeveloped

Zone 740
 Church

Revised: 11-21-16