

ORDINANCE NO. O-2024-28

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 TO “PMXD-1”, PLANNED MIXED-USE DISTRICT WITH FINAL SITE NARRATIVE ON LOT 4B OF NCB 658, ONE LOT CONTAINING APPROXIMATELY 2.61 ACRES OF LAND LOCATED AT THE NORTHEAST INTERSECTION OF SOUTH BECKHAM AVENUE AND EAST SECOND STREET (1318 SOUTH BECKHAM AVENUE); DIRECTING THE AMENDMENT OF THE ZONING MAP; DIRECTING THE AMENDMENT OF THE FUTURE LAND USE GUIDE 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 PD24-001

That the following described property, which has heretofore been zoned “C-1”, Light Commercial District, shall hereafter bear the zoning classification of “PMXD-1”, Planned Mixed-Use District with final site narrative, to wit:

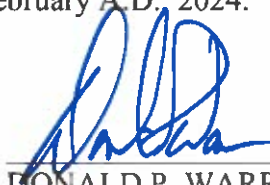
On Lot 4B of NCB 658, one lot containing approximately 2.61 acres of land located at the northeast intersection of South Beckham Avenue and East Second Street (1318 South Beckham Avenue) and in accordance with the Final Site Narrative in Exhibit “A” and Exhibit “B” attached hereto and incorporated herein.

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 the Future Land Use Guide to reflect Mixed-Use Center.

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 March 1st, 2024.

PASSED AND APPROVED this the 28th day of February A.D. 2024.

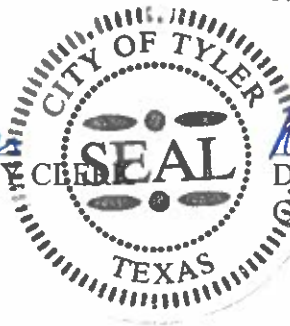


DONALD P. WARREN, MAYOR
OF THE CITY OF TYLER, TEXAS

ATTEST:

APPROVED:


CASSANDRA BRAGER, CITY CLERK




DEBORAH G. PULLUM,
CITY ATTORNEY

**ORDINANCE NO. O-2024-28
EXHIBIT "A"
FINAL SITE NARRATIVE**



Planned District Narrative – Midtown Property

All regulations and uses per the Tyler UDC except where noted below. This development is intended as both a horizontal and vertical mixed use development inspired by the Midtown Planning District. Uses identified in the Midtown Area Plan are encouraged and flexibility for future revisions is anticipated.

PMXD-1

Lot 4-B, NCB 658

2.610 acres

Uses –

- o Commercial (C-1) with Drive Thru
- o Office
- o Multi-family residential, and Attached Single-Family Residences/Townhouses (as defined in UDC) on a single lot.

Setbacks – Minimum 20' from Beckham
Minimum 15' between from East 2nd
Minimum 15' South Fleishel
Minimum 10' between structures

Maximum Height – 5 story / 55'

Density – 24 units per acre max

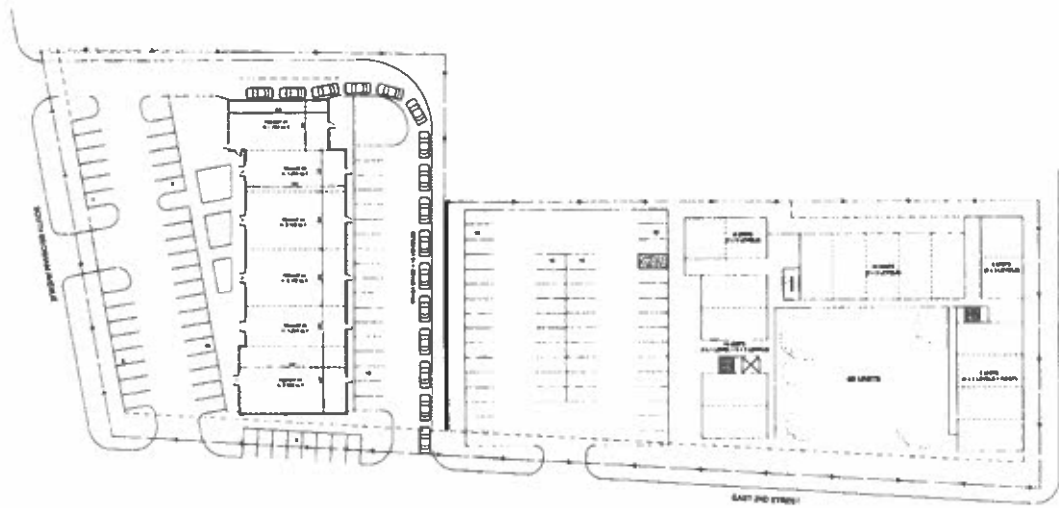
Maximum Lot Coverage – 60%

Parking to be shared amongst all uses on the lot. Commercial and Office uses to meet UDC minimums for their respective uses. Multi-family to meet DBAC parking requirements based on the number of units permitted. Drive thru stacking requirements will meet UDC standards.

Access along Beckham to be approved by TxDOT.

Landscaping to meet or exceed UDC standards.

**ORDINANCE NO. O-2024-28
EXHIBIT "B"
FINAL SITE PLAN**



★ Head-in Parking Permissible