

ORDINANCE NO. O-2018-42

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 DEVELOPMENT DISTRICT SITE PLAN AMENDMENT ON LOT 2B OF NCB 1293, ONE LOT TOTALING APPROXIMATELY 45.40 ACRES OF LAND LOCATED SOUTH OF THE SOUTHWEST INTERSECTION OF WEST SOUTHWEST LOOP 323 AND SOUTH BROADWAY AVENUE (4601 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 PD18-008

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 2B of NCB 1293, one lot totaling approximately 45.40 acres of land located south of the southwest intersection of West Southwest Loop 323 and South Broadway Avenue (4601 South Broadway Avenue) and as described and shown and in accordance with the final site plan attached hereto as Exhibit "A" 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.

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 May 25th, 2018.

PASSED AND APPROVED this the 23rd day of May A.D., 2018.



MARTIN HEINES, MAYOR
OF THE CITY OF TYLER, TEXAS

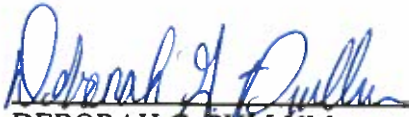
ATTEST:

APPROVED:



CASSANDRA BRAGER, CITY CLERK





DEBORAH G. PULLUM,
CITY ATTORNEY

ORDINANCE NO. O-2018-42 EXHIBIT "A" FINAL SITE PLAN - PAGE 1/2

BROADWAY SQUARE MALL
TYLER, TEXAS

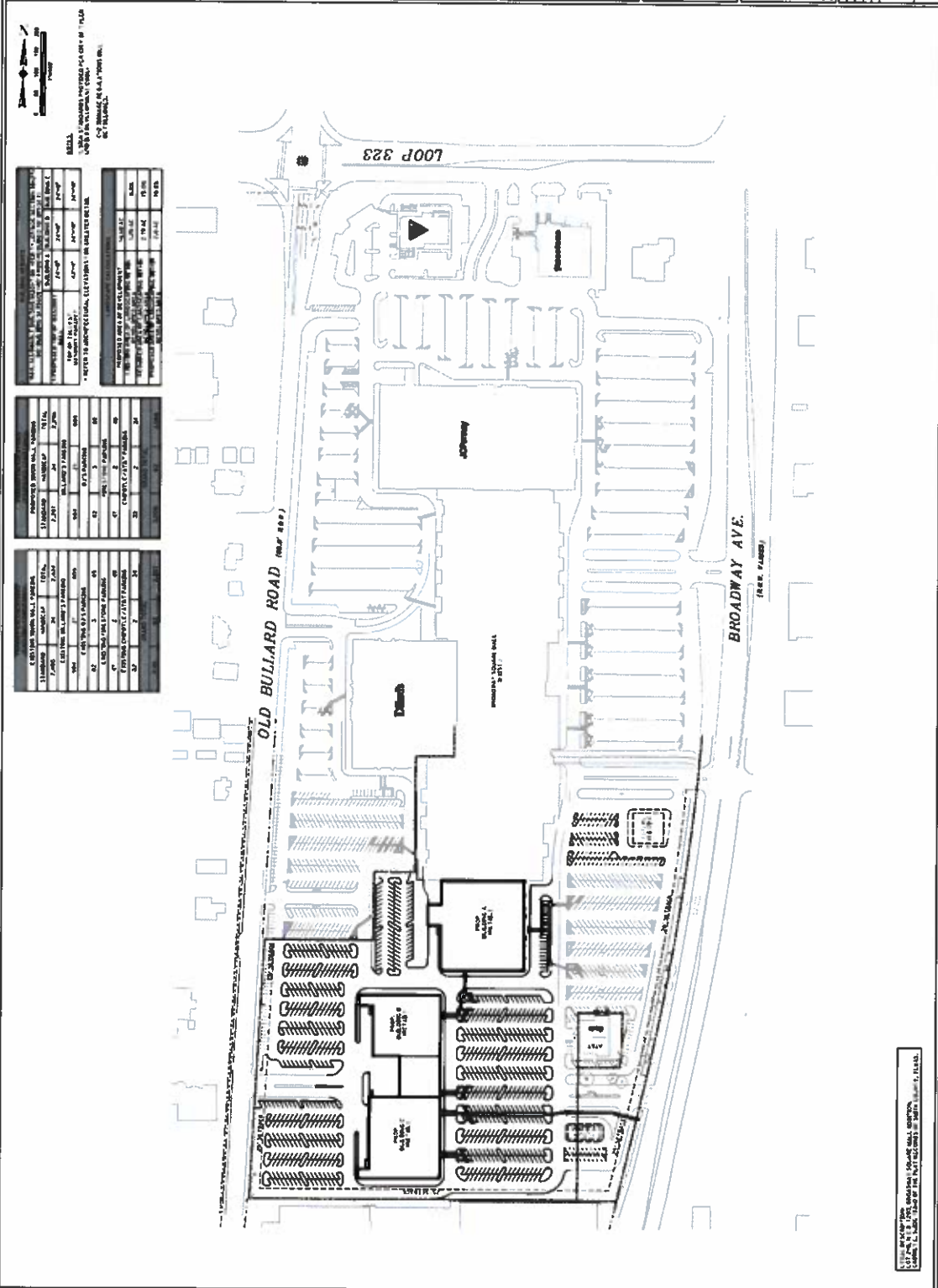
NO.	DATE	REVISION	BY	APP. BY

PRELIMINARY
FOR PRESENTATION ONLY

THIS PLAN IS NOT TO BE USED FOR CONSTRUCTION WITHOUT THE APPROVAL OF THE CITY OF TYLER. ANY CHANGES TO THIS PLAN MUST BE APPROVED BY THE CITY ENGINEER AND THE CITY COMMISSIONERS.

SIMON
SIMON PROPERTY GROUP (TEXAS), LP.

EXH-01A



REPAIR GARAGE

NO.	DATE	REVISION	BY	APP. BY

REPAIR SHOP

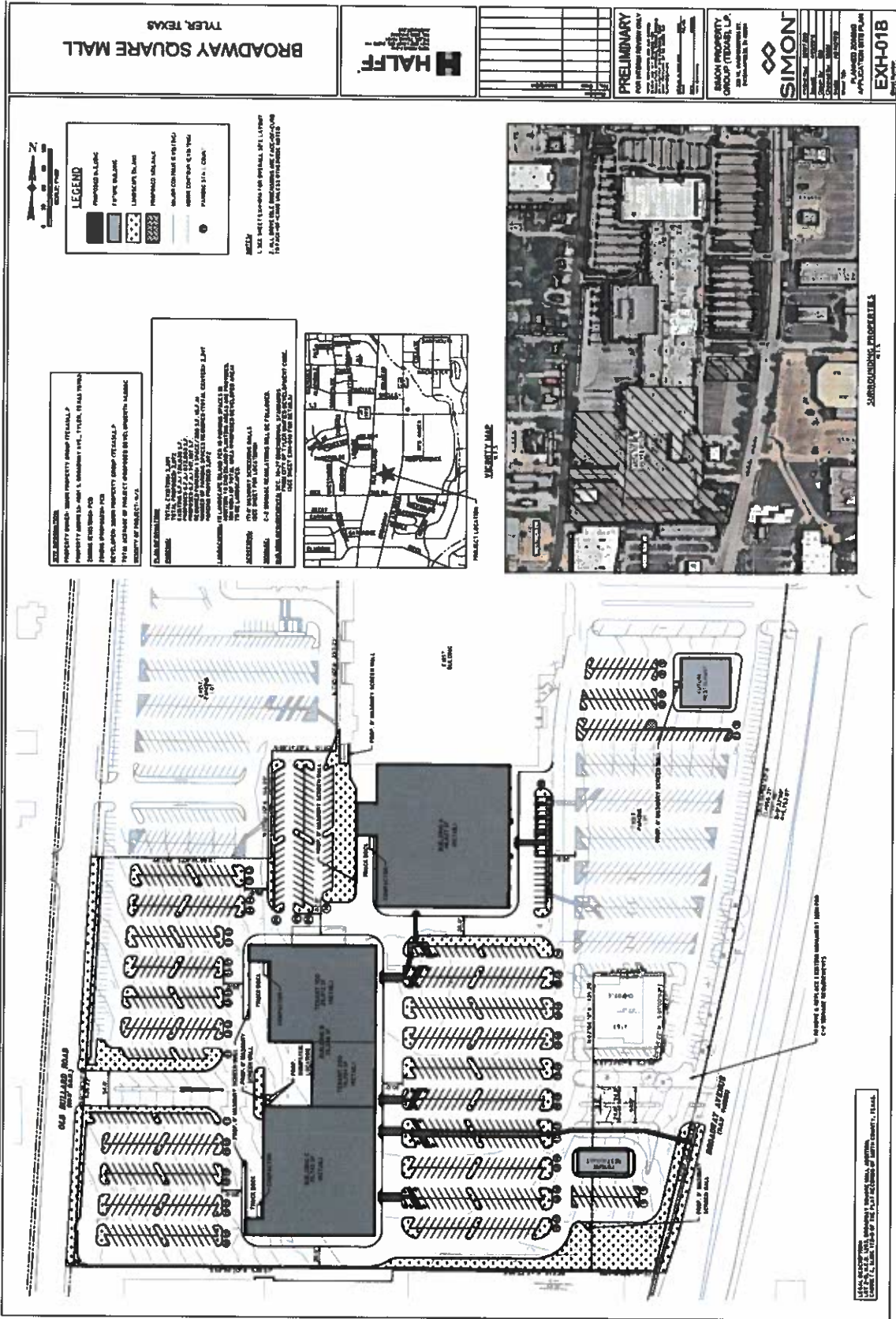
NO.	DATE	REVISION	BY	APP. BY

REPAIR STORAGE

NO.	DATE	REVISION	BY	APP. BY

THIS PLAN IS NOT TO BE USED FOR CONSTRUCTION WITHOUT THE APPROVAL OF THE CITY OF TYLER. ANY CHANGES TO THIS PLAN MUST BE APPROVED BY THE CITY ENGINEER AND THE CITY COMMISSIONERS.

ORDINANCE NO. O-2018-42
EXHIBIT "A"
FINAL SITE PLAN - PAGE 2/2



BROADWAY SQUARE MALL
TYLER, TEXAS



PRELIMINARY	FOR REVIEW ONLY	
REVISIONS		
NO. 1	DATE	DESCRIPTION

SIMON	BROADWAY SQUARE MALL
11th. CON.	
01/15/19	

ARCHITECT	HOK
ENGINEER	HOK
PLANNING	HOK
LANDSCAPE ARCHITECT	HOK
INTERIOR ARCHITECT	HOK
MECHANICAL ENGINEER	HOK
ELECTRICAL ENGINEER	HOK
CIVIL ENGINEER	HOK
STRUCTURAL ENGINEER	HOK
ENVIRONMENTAL ENGINEER	HOK
ARCHITECTURAL RENDERING	HOK

PLANNED ZONING	COMMERCIAL
APPLICATION NUMBER	18-0118
EXH-018	



PROPERTY ADDRESS: BROADWAY SQUARE MALL, TYLER, TEXAS 75701
PROJECT 11th. CON.

PLANNING AND DESIGN: HOK

ARCHITECT: HOK

ENGINEER: HOK

LANDSCAPE ARCHITECT: HOK

MECHANICAL ENGINEER: HOK

ELECTRICAL ENGINEER: HOK

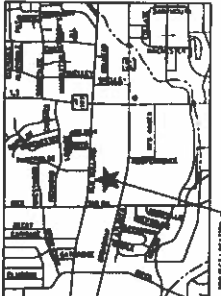
CIVIL ENGINEER: HOK

STRUCTURAL ENGINEER: HOK

ENVIRONMENTAL ENGINEER: HOK

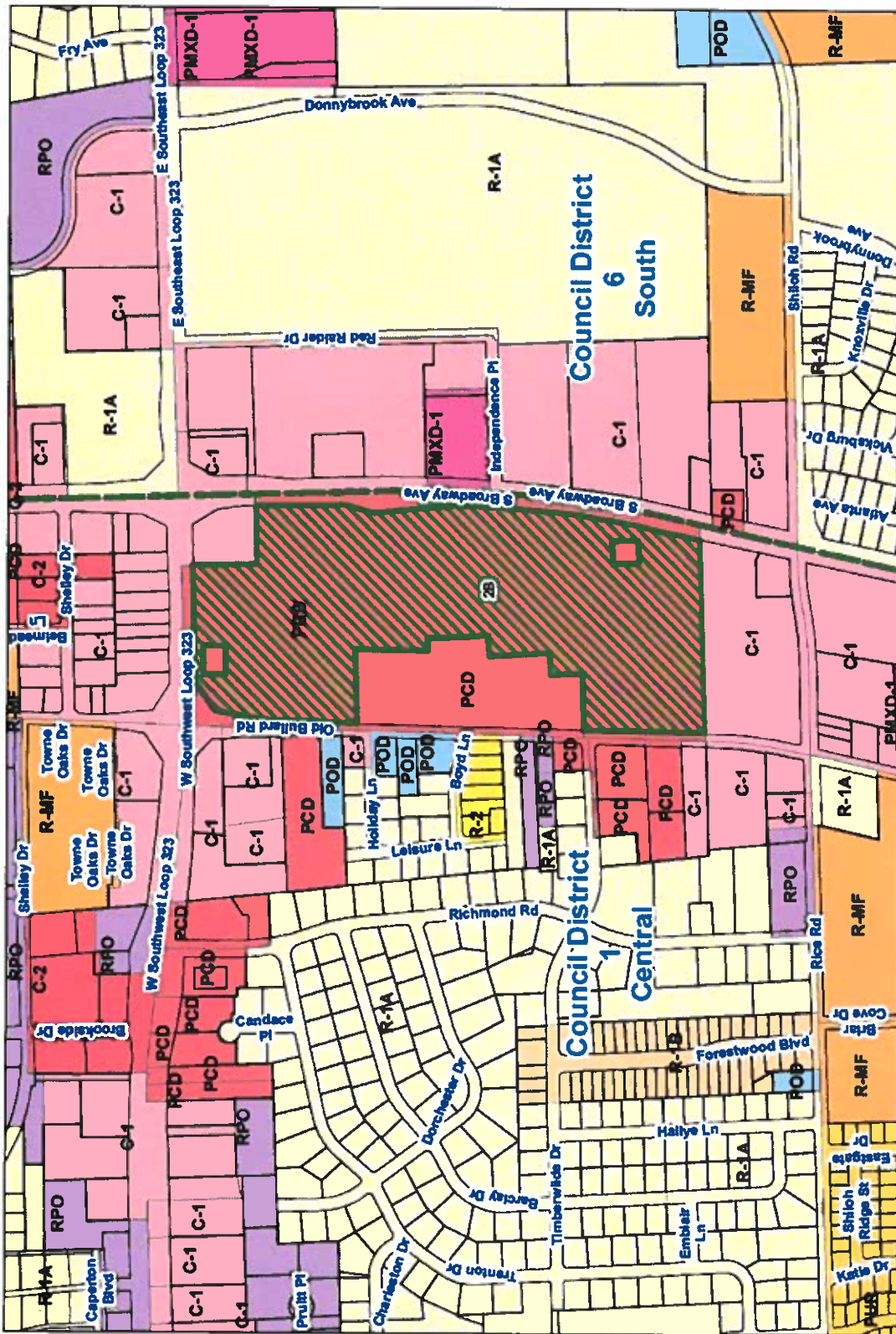
ARCHITECTURAL RENDERING: HOK

DATE: 01/15/19



SCALE: 1/8" = 1'-0"

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EXHIBIT "B"
LOCATION MAP

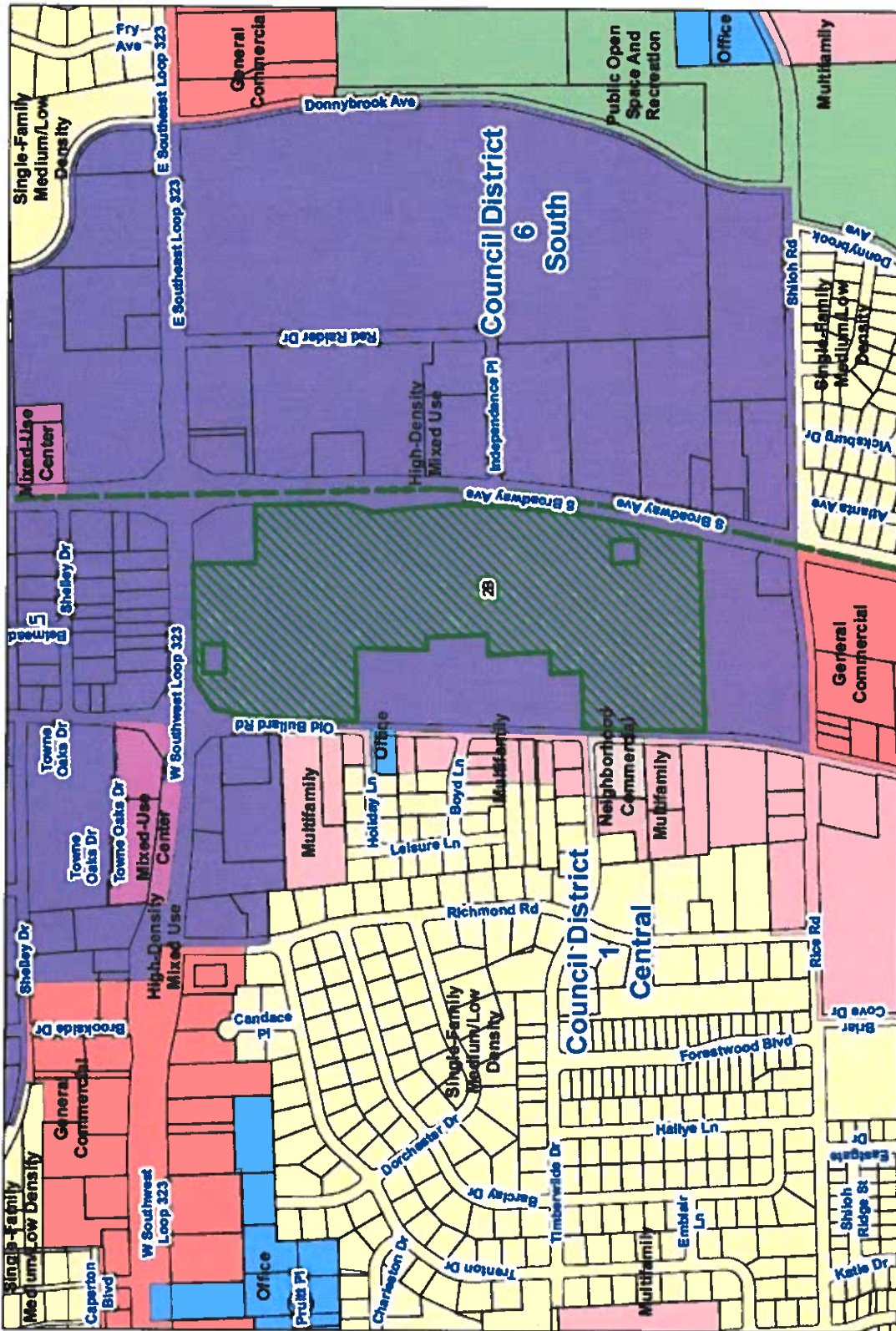


ZONING CASE
 Zoning Case #: PD18-008
 Existing Zoning: PCD Proposed Zoning: PCD
 Applicant: Simon Property Group Texas, LP

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 boundaries, only the approximate relative location of property boundaries.

0 600 Feet

ORDINANCE NO. O-2018-42
EXHIBIT "C"
TYLER 1ST FUTURE LAND USE GUIDE

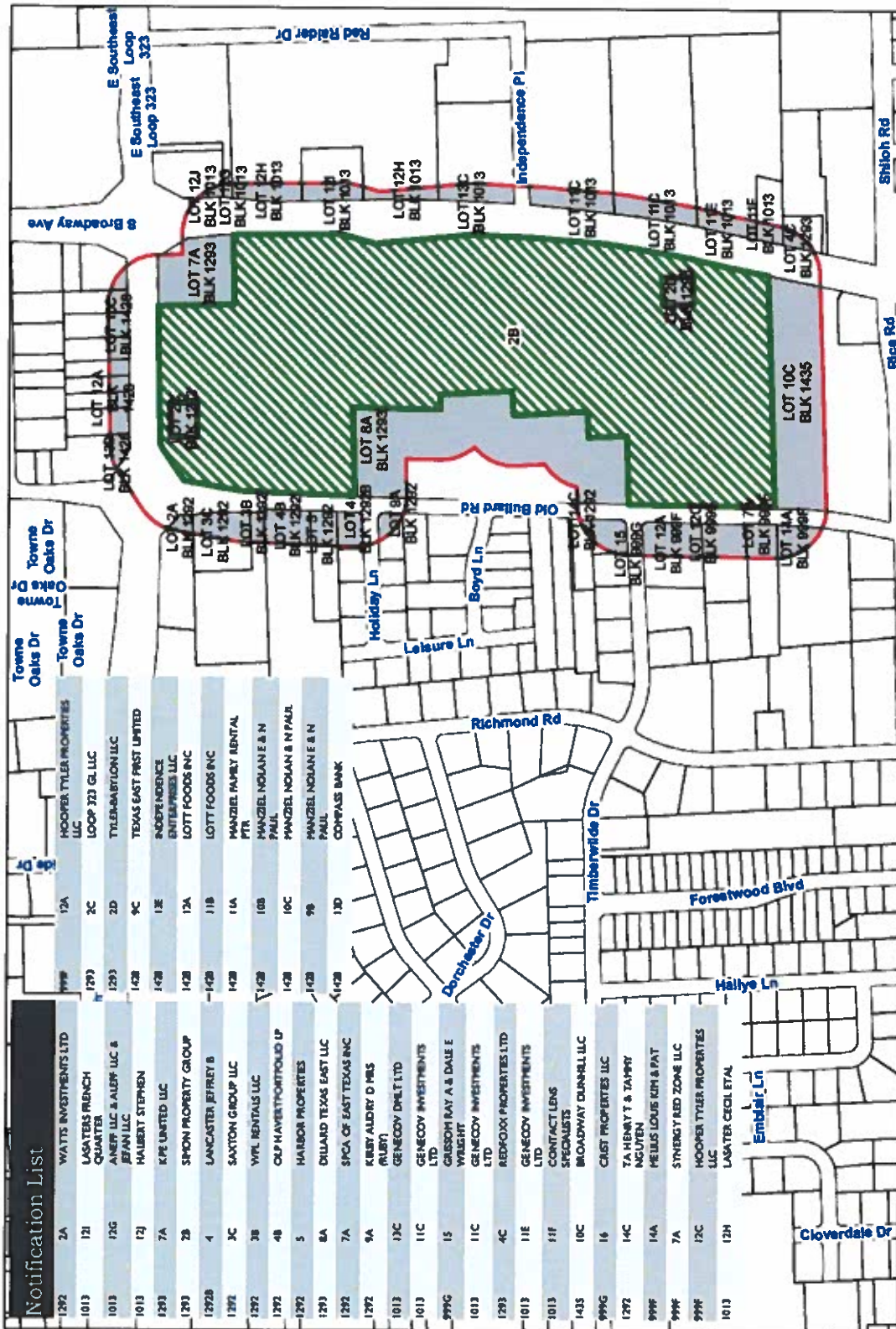


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600 0 600 Feet

**ORDINANCE NO. O-2018-42
EXHIBIT "D"
NOTIFICATION MAP**



Subject Property
200' Notification Buffer

Notification List	
1292	2A WATTS INVESTMENTS LTD
1013	12I LASATERS RANCH QUARTER
1013	12G ANEPY LLC & ALDFY LLC & JEFAN LLC
1013	12J HALBERT STEPHEN
1293	7A KPE UNITED LLC
1293	28 SPON PROPERTY GROUP
12928	4 LANCASTER JEFFREY B
1292	3C SANTON GROUP LLC
1292	38 WFL RENTALS LLC
1292	48 OLP HAVERTH PORTFOLIO LP
1292	5 HARBOR PROPERTIES
1293	8A DILLARD TEXAS EAST LLC
1292	7A SPCA OF EAST TEXAS INC
1292	9A KIRBY ALDRY D MRS (RUBY)
1013	13C GENECOY DM LT LTD
1013	11C GENECOY INVESTMENTS LTD
999G	15 GIBSON RAY A & DALE E WAREHSE
1013	11C GENECOY INVESTMENTS LTD
1293	4C AEPDOXX PROPERTIES LTD
1013	11E GENECOY INVESTMENTS LTD
1013	11F CONTACT LENS SPECIALISTS
1435	10C BROADWAY DUNNELL LLC
999G	16 CREST PROPERTIES LLC
1292	14C TA HENRY T & TAPPY NGUYEN
999F	14A PELLUS LOUIS KIM & PAT
999F	7A STINBERY RED ZONE LLC
999F	12C HOOPER TYLER PROPERTIES LLC
1013	12H LASATER CECIL ETAL

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ZONING CASE
Zoning Case #: PD18-007
Existing Zoning: PCD Proposed Zoning: PCD
Applicant: Simon Property Group Texas, LP