

**ORDINANCE NO. O-2016-84**

**AN ORDINANCE AMENDING THE CITY OF TYLER ZONING ORDINANCE OF THE CODE OF ORDINANCES OF THE CITY OF TYLER, TEXAS; APPROVING A SITE PLAN AMENDMENT ON LOTS 7-B, 7-G, 7-H, 7-J AND 7-K OF NCB 1153, FIVE LOTS CONTAINING APPROXIMATELY 69.19 ACRES OF LAND LOCATED EAST OF THE SOUTHEAST INTERSECTION OF SOUTH BROADWAY AVENUE AND CENTENNIAL PARKWAY (8922, 8982, 8988, 8942, AND 8930 SOUTH BROADWAY AVENUE); 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 Z08-16-056**

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


Lots 7-B, 7-G, 7-H, 7-J and 7-K of NCB 1153, five lots containing approximately 69.19 acres of land located east of the southeast intersection of South Broadway Avenue and Centennial Parkway (8922, 8982, 8988, 8942, and 8930 South Broadway Avenue).

**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 September 30, 2016.

**PASSED AND APPROVED** this the 28<sup>th</sup> day of September, A.D., 2016.


  
\_\_\_\_\_  
MARTIN HEINES, MAYOR  
OF THE CITY OF TYLER, TEXAS

ATTEST:

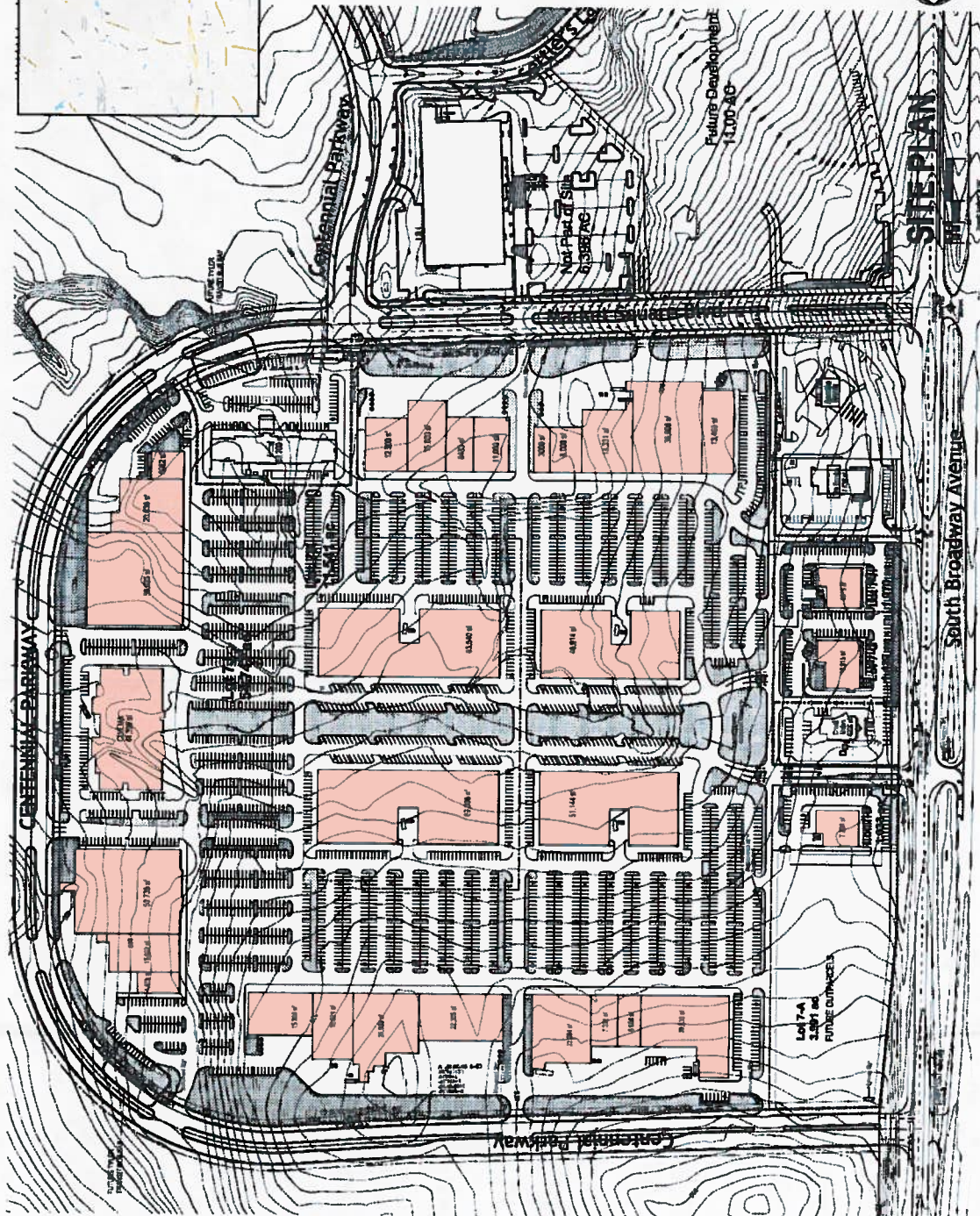
APPROVED:

  
\_\_\_\_\_  
CASSANDRA BRAGER, CITY CLERK



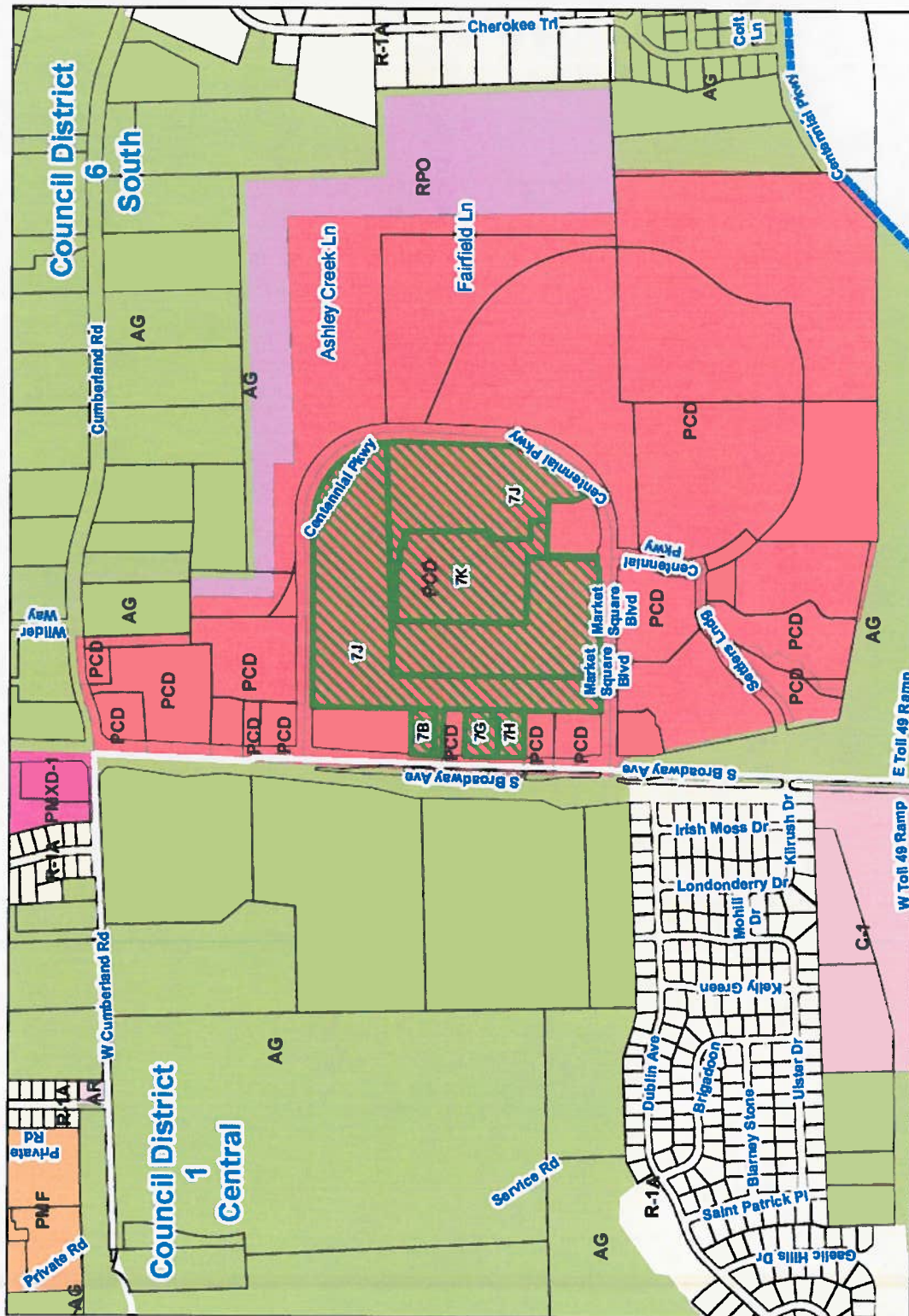
  
\_\_\_\_\_  
DEBORAH G. PULLUM,  
CITY ATTORNEY

LABORATIONS	BLOD AREA	PHOTO NEGAT
Retard	558,911	1203 # 1207
Reassured	75,000	1123 750
Chains (2 1524 spots)	44,350	1st reads 426
<b>TOTAL</b>	<b>678,261</b>	<b>3153</b>

[illegible]



**ORDINANCE NO. O-2016-84  
EXHIBIT "B"  
LOCATION MAP**

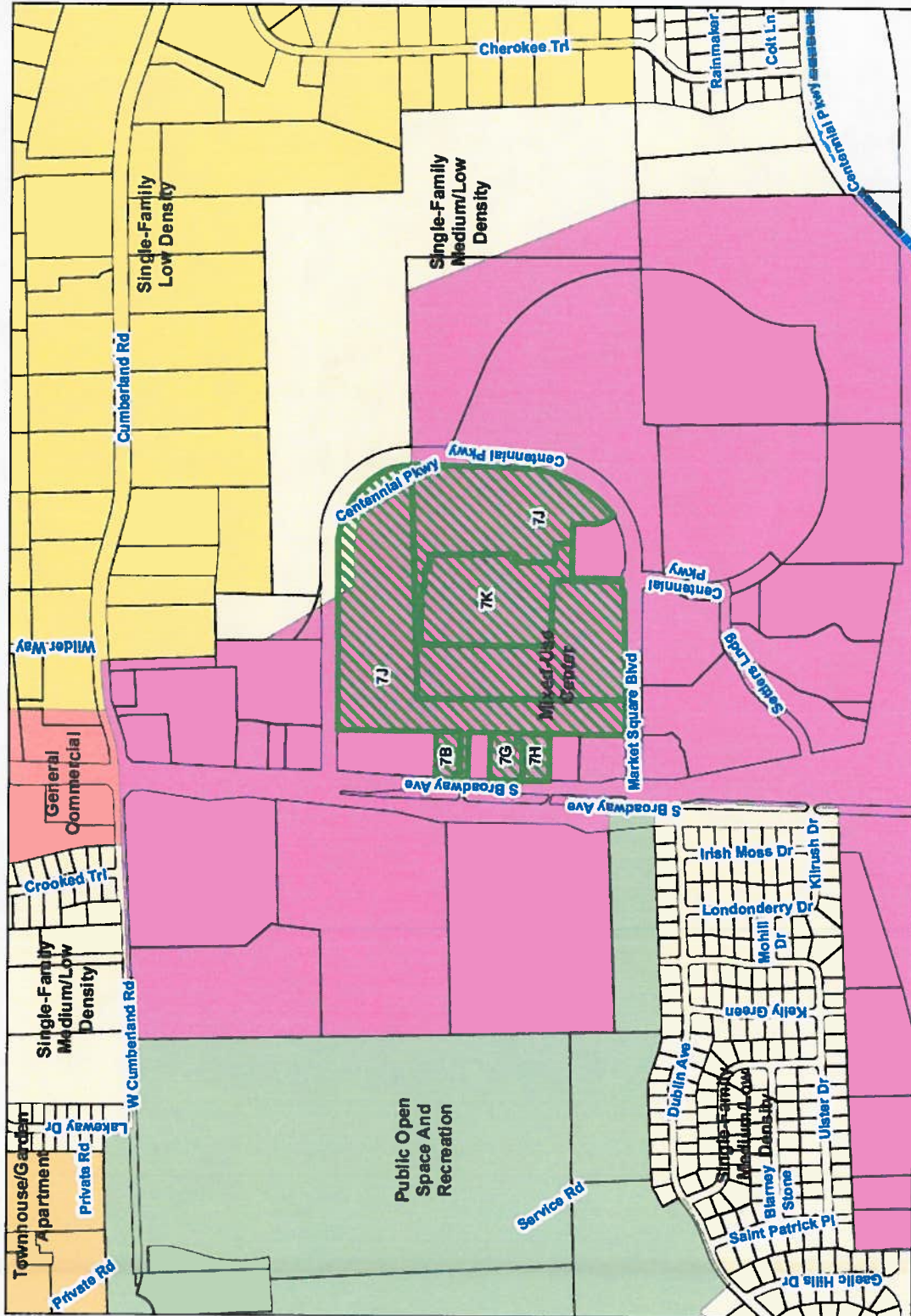


**Zoning Case**  
Zoning Case #: Z08-16-056  
Site Plan Amendment  
Applicant: Tyler Broadway-Centennial LP

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 represents only the approximate relative location of property boundaries.



**ORDINANCE NO. O-2016-84**  
**EXHIBIT "C"**  
**TYLER 1<sup>ST</sup> FUTURE LAND USE GUIDE**



**Zoning Case**  
**Zoning Case #: Z08-16-056**  
**Site Plan Amendment**  
**Applicant: Tyler Broadway-Centennial LP**

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**ORDINANCE NO. O-2016-84  
EXHIBIT "D"  
NOTIFICATION MAP**



**Notification List**

1715	6A	TYLER BROADWAY SETTLERS LP
999		ALLEN ELIZABETH DEE TRUST
		ALLEN ROBERT H TRUST
1715	1	BROADWAY SOUTH DEVELOPMENT A NO 2 LTD KPE GANDER LLC
999		ALLEN ROBERT H TRUST
1715	2	CITIZENS NATIONAL BANK
1715	3	AUSTIN BANK TEXAS NA
1715	5	HALLE PROPERTIES LLC
1153	9	BROOKSHIRE GROCERY COMPANY
1153	7A	TYLER BROADWAY/CENTENNIAL LP
999		ALLEN ROBERT H TRUST
999		ALLEN ROBERT H TRUST
1153	8	FORSTER & GILES INVESTMENTS GP
1153	7F	ALTRA FEDERAL CREDIT UNION
1153	7E	KALUNA HOSPITALITY LLC

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**Zoning Case**  
Zoning Case #: Z08-18-058  
Site Plan Amendment  
Applicant: Tyler Broadway-Centennial LP

