

**ORDINANCE NO. O-2015-20**

**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-2", GENERAL COMMERCIAL DISTRICT TO "PMXD-1", PLANNED MIXED USE DISTRICT WITH SITE NARRATIVE ON LOT 72A OF NCB 669, ONE LOT CONTAINING APPROXIMATELY 1.07 ACRES OF LAND LOCATED WEST OF THE NORTHWEST INTERSECTION OF WEST GENTRY PARKWAY AND NORTH GLENWOOD AVENUE (1827 WEST GENTRY PARKWAY); 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 Z02-15-035**

That the following described property, which has heretofore been zoned "C-2", General Commercial District, shall hereafter bear the zoning classification of "PMXD-1", Planned Mixed Use District, to wit:

Lot 72A of NCB 669, one lot containing approximately 1.07 acres of land located west of the northwest intersection of West Gentry Parkway and North Glenwood Avenue (1827 West Gentry Parkway), in accordance with the written narrative attached hereto as Exhibit "A".

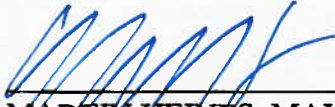
**PART 2:** That the City Manager is hereby ordered and directed to cause the zoning map to be amended to reflect the above described zoning and the Future Land Use Guide to be amended to reflect High-Density Mixed-Use Center.

**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.

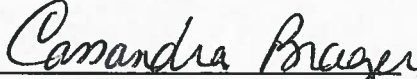
**PART 4:** That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine as provided in Section 1-4 of the Tyler Code. Each day such violation shall

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 February 27<sup>th</sup>, 2015.

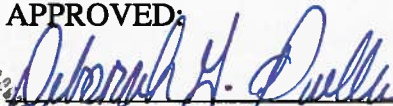
**PASSED AND APPROVED** this the 25th day of February, A.D., 2015.

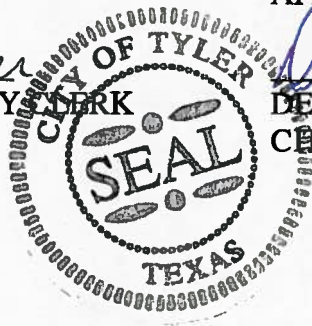
  
\_\_\_\_\_  
MARTIN HEINES, MAYOR  
OF THE CITY OF TYLER, TEXAS

ATTEST:

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

APPROVED:

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



## **ORDINANCE NO. O-2015-20**

### **Exhibit "A"**

#### **PMXD-1 Narrative**

**The development of the property will conform to "C-2", General Commercial District standards and signage will comply with "C-2" standards. All allowable uses shall be designated under "PMXD-1" in the UDC use table identified with a "P". This narrative does not limit any future uses on the property that are identified with a "P" in the UDC use table.**

The Tyler facility will be an Alcoholic/Narcotic Patient Care Center comprising of two programs: a medically supported detoxification program and a short-term inpatient program. The detoxification program provides stabilization for patients going through active withdrawal symptoms associated with substance abuse. Medical support including individualized medication protocols are provided around the clock. The short-term inpatient program provides non-emergency care and includes a planned, professionally implemented program for people with substance abuse and mental health disorders. Comprehensive, individualized treatment plans include group and individual counseling, education for gender-specific issues, life skills training, and education for family members.

Referrals will be accepted from hospitals, clinics, doctor offices, self-referrals, and counseling programs. For the safety of our patients and employees, Cenikor programs do not accept violent criminals or sex offenders to our programs. All patients are given the American Society of Addiction Medicine (ASAM) Criteria screening by a licensed professional to determine the individualized level of care needed for each patient.

Patients will pay for treatment through Medicaid, self-pay, Department of State Health Services, or private insurance. Cenikor expects approximately 3 admissions and 3 discharges per day, Monday through Friday. Parking will be provided for visitation, admissions, staff, and other personnel.

Federal guidelines require patient confidentiality be maintained at all times and that patients cannot be seen in treatment. A privacy fence no taller than 15 feet will be erected to provide patients an outside area that is not visible from the street or surrounding buildings.

The facility will have 24-hour surveillance cameras inside and outside to provide safety for our patients, staff, and the community surrounding the facility. This is in addition to safety and security training for staff. The facility will also offer other security protocols to keep patients and staff safe from any outside interference.

The majority of our approximately forty staff will be licensed professionals including Master level counselors, nurses, medical director, and professional management staff that will oversee daily operations and administration. There will also be food service staff, and behavioral health technicians to assist patients with the treatment services.