

**ORDINANCE NO. O-2015-55**

**AN ORDINANCE AMENDING THE CITY OF TYLER ZONING  
ORDINANCE OF THE CODE OF ORDINANCES OF THE CITY OF  
TYLER, TEXAS; BY APPROVING A "PMXD-1", PLANNED MIXED USE  
DISTRICT FINAL SITE PLAN AMENDMENT ON LOT 43 OF NCB 1546,  
ONE LOT CONTAINING 4.37 ACRES OF LAND LOCATED NORTH OF  
THE NORTHWEST INTERSECTION OF WEST CUMBERLAND ROAD  
AND SOUTH BROADWAY AVENUE (8389 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 Z06-15-061**

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 "PMXD-1", Planned Mixed Use District to wit:

Lot 43 of NCB 1546, one lot containing 4.37 acres of land located north of the northwest intersection of West Cumberland Road and South Broadway Avenue (8389 South Broadway Avenue) and in accordance with the site plan attached hereto as Exhibit "A" and which is 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 June 26<sup>th</sup>, 2015.

**PASSED AND APPROVED** this the 24<sup>th</sup> day of June, A.D., 2015.

*Martin Heines*  
MARTIN HEINES, MAYOR  
OF THE CITY OF TYLER, TEXAS

A T T E S T:

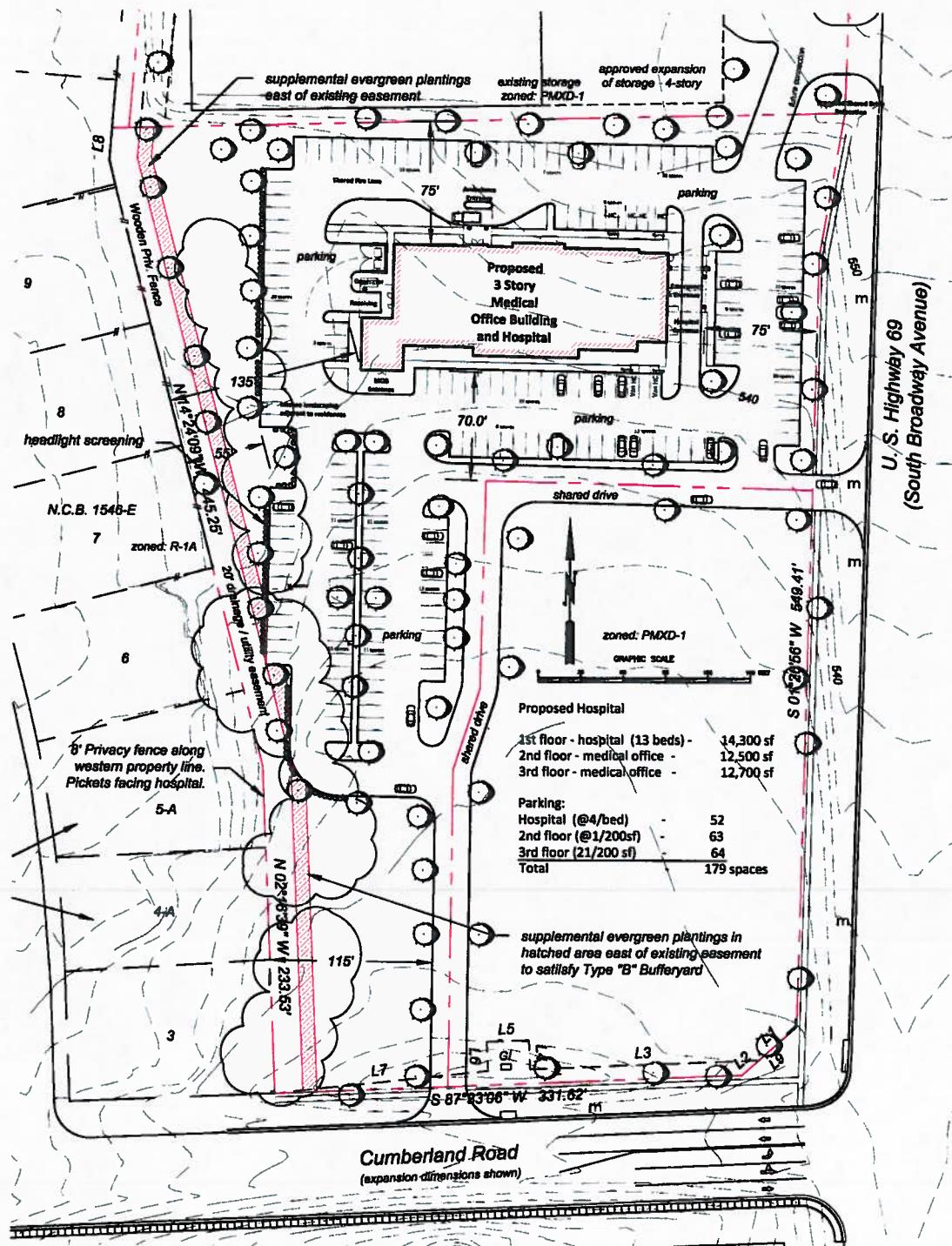
*Cassandra Brager*  
CASSANDRA BRAGER, CITY CLERK

APPROVED:

*Deborah G. Pullum*  
DEBORAH G. PULLUM,  
CITY ATTORNEY



**ORDINANCE NO. O-2015-55**  
**EXHIBIT "A"**  
**FINAL SITE PLAN**



**DEVELOPER:**  
Emerus Hospitals  
8886 New Trails Drive, STE 100  
The Woodlands, TX 77381  
713-637-1240

site plan prepared by:



**PROJECT:** Proposed 3-Story hospital with 12-18 beds and medical office / clinic uses.  
**ACREAGE:** LOT 43, N.C.B. 1546 4.366± ACRES  
**CURRENT ZONING:** PMXD-1  
**PROPOSED ZONING:** PMXD-1  
**SETBACKS:** All sides 25'

**HEIGHT:** Three (3) Story / 50' Maximum

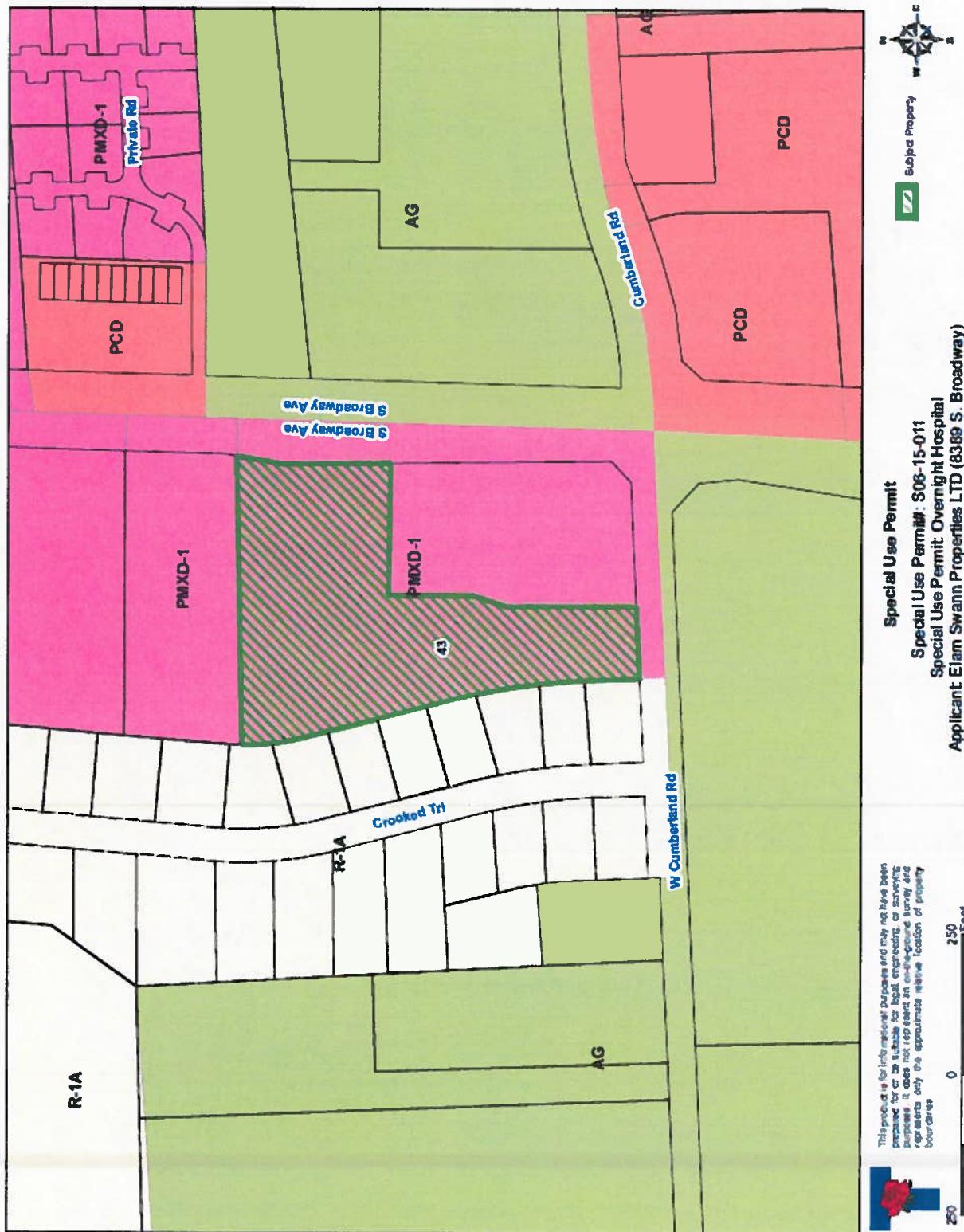
**SIGNAGE:** (per UDC Sign Chart Section 10-409)

**SITE INFORMATION:**

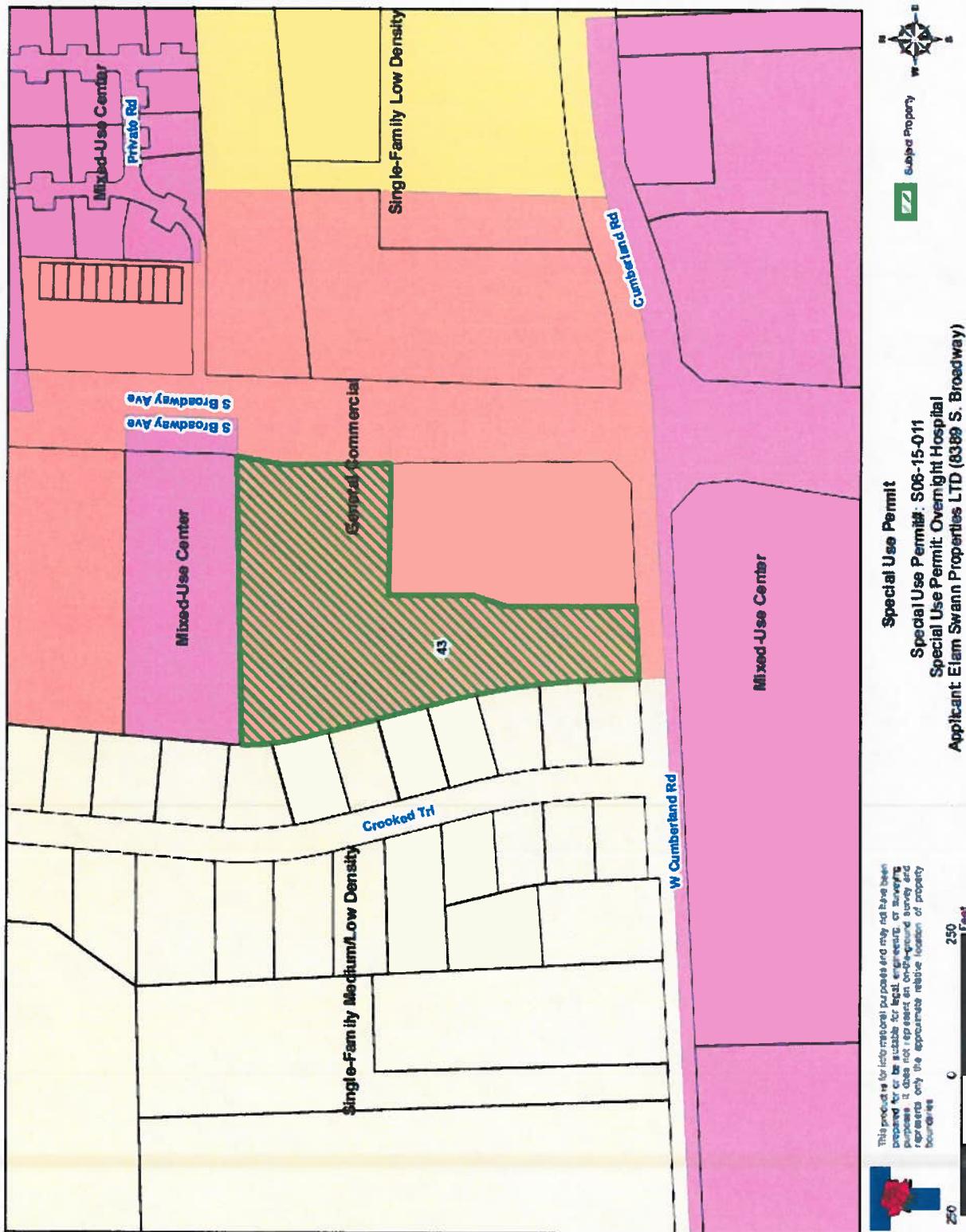
**PARKING:** Required - 179 Provided - 201  
parking to be in compliance with the requirements of the Tyler UDC based on approved plans and final square footage / uses.  
**LANDSCAPING:** Landscaping will meet or exceed minimum standards set forth in the Tyler UDC.  
**SCREENING:** 6' privacy fence along west property line with pickets facing hospital (for security)  
**BUFFERYARD:** Type "B" shown with 8' wood privacy fence

Rev: 5-29-2015

ORDINANCE NO. O-2015-55  
EXHIBIT "B"  
LOCATION MAP



ORDINANCE NO. O-2015-55  
 EXHIBIT "C"  
 TYLER 1<sup>ST</sup> FUTURE LAND USE GUIDE



**ORDINANCE NO. O-2015-55  
EXHIBIT "D"  
NOTIFICATION MAP**

