

**ORDINANCE NO. O-2014-43**

**AN ORDINANCE AMENDING THE CITY OF TYLER ZONING ORDINANCE OF THE CODE OF ORDINANCES OF THE CITY OF TYLER, TEXAS; BY APPROVING A ZONE CHANGE FROM "C-1", LIGHT COMMERCIAL DISTRICT TO "PMXD-1", PLANNED MIXED USE DISTRICT WITH FINAL SITE PLAN ON LOT 11A OF NCB 976, ONE LOT TOTALING APPROXIMATELY 1.94 ACRES OF LAND LOCATED AT THE SOUTHEAST INTERSECTION OF GOLDEN ROAD AND OLD TROUP HIGHWAY (2105 OLD TROUP HIGHWAY); 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 Z05-14-041**

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

Lot 11A of NCB 976, one lot totaling approximately 1.94 acres of land located at the southeast intersection of Golden Road and Old Troup Highway (2105 Old Troup Highway) and in accordance with the site plan 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.

**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 30<sup>th</sup>, 2014.

**PASSED AND APPROVED** this the 28<sup>th</sup> day of May, A.D., 2014.

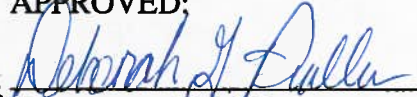
  
MARTIN HEINES, MAYOR  
OF THE CITY OF TYLER, TEXAS

ATTEST:

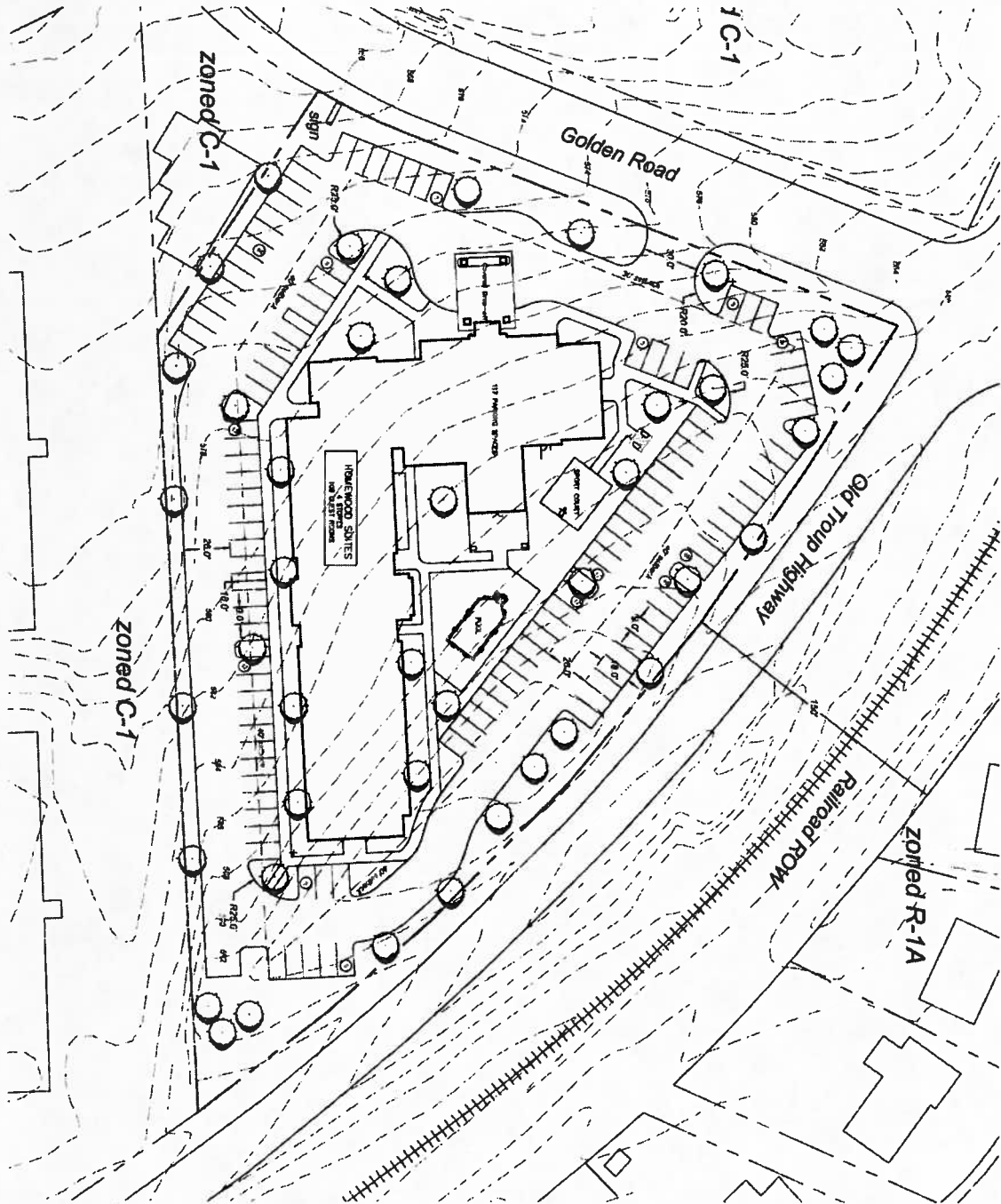
  
CASSANDRA BRAGER, CITY CLERK



APPROVED:

  
DEBORAH G. PULLUM,  
CITY ATTORNEY

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**Exhibit "A"**



**HOMEWOOD  
 SUITES**  
 Hilton

**Site Data:**

Total Acreage - 2.25 ac.  
 Zoning: Current - C-1  
 Proposed - PMXD-1  
 Parking: 109 Rooms  
 Required - 105 (per UDC)

Setbacks: Golden Road - 30'  
 All other setbacks - 40'  
 Landscaping: Landscaping per  
 City of Tyler UDC minimums.

Trees shown for conceptual  
 purposes only and may be  
 adjusted based on final  
 engineering plans.

Signage: Signage per City of  
 Tyler UDC C-1 standards  
 Height: Maximum Height - 4 Stories

**Owner:**

Hemata LLC  
 Attn: Amit Patel  
 506 West Bay Area Blvd  
 Webster, TX 77598  
 281-369-5749  
 Amit.Patel@LodgingHospitality.com



PLANNING  
 CONCEPTS  
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