

ORDINANCE NO. O-2014-52

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 ON LOT 41, NCB 1546, LAND TOTALING APPROXIMATELY 2.39 ACRES LOCATED NORTH OF THE NORTHWEST INTERSECTION OF SOUTH BROADWAY AVENUE AND CUMBERLAND ROAD (8225 SOUTH BROADWAY AVENUE); DIRECTING THE AMENDMENT OF THE ZONING MAP; DIRECTING THE AMENDMENT TO 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 Z06-14-048

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 41, NCB 1546, land totaling approximately 2.39 acres located north of the northwest intersection of South Broadway Avenue and Cumberland Road (8225 South Broadway Avenue) 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 and to amend the Future Land Use Guide from General Commercial to 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 June 27th, 2014.

PASSED AND APPROVED this the 25th day of June, A.D., 2014.

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

ATTEST:

Cassandra Brager
CASSANDRA BRAGER, CITY CLERK

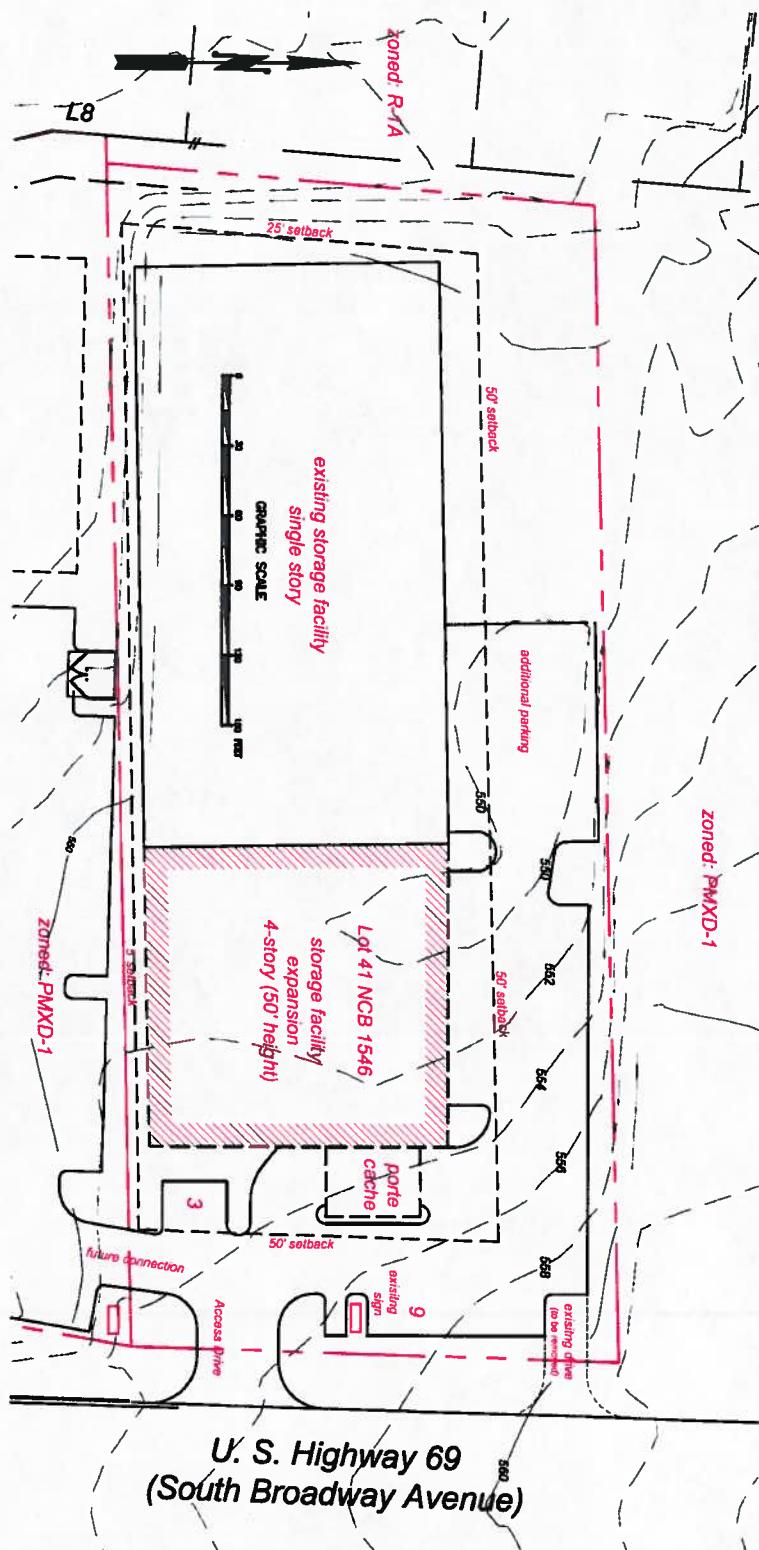
APPROVED:

Deborah G. Pullum
DEBORAH G. PULLUM,
CITY ATTORNEY



ORDINANCE NO. O-2014-52
Exhibit "A"

Cumberland Storage



DEVELOPER:

ELAM SWANN PROPERTIES LTD
7328 OLD JACKSONVILLE HWY
TYLER, TX 75703-0000

site plan prepared by:

PLANNING
CONCEPTS
Object Planning • Design • Land Use/Development
Permitting • Zoning • Code Compliance
2477 Old Market St. • Tyler, Texas 75701 • 409.592.9499

SITE INFORMATION:

PROJECT: Expansion of indoor self storage facility.
ACREAGE: LOT 41, NCB 1546 2.458± ACRES
CURRENT ZONING: PMXD-1
PROPOSED ZONING: PMXD-1
SETBACKS: Front - 50' North - 50' South 5' Rear - 25'
HEIGHT: Four (4) Story / 50 Maximum
SIGNAGE: (per UDC Sign Chart Section 10-409)
Facade Signs - existing sign to be moved to expanded
facade. Existing pole sign to remain.

PARKING REQUIRED: 4 (per City of Tyler UDC)
@ 1 sp/250 S.F. office area
PARKING PROVIDED: 12 (with additional paved areas for
overflow/tailler.

LANDSCAPING: Existing building not altered. However,
expansion will encroach toward street. Therefore,
site will comply with minimum standards set forth
in UDC.