

ORDINANCE NO. O-2013-67

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-1", LIGHT COMMERCIAL DISTRICT TO "PMXD-1", PLANNED MIXED USE DISTRICT WITH FINAL SITE PLAN ON LOT 16H OF NCB 1434A, ONE LOT TOTALING APPROXIMATELY 2.10 ACRES OF LAND LOCATED EAST OF THE NORTHEAST INTERSECTION OF WEST HERITAGE DRIVE AND HOLLYOAK DRIVE (309 WEST HERITAGE DRIVE); 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 Z07-13-039

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

Lot 16H of NCB 1434A, one lot totaling approximately 2.10 acres of land located east of the northeast intersection of West Heritage Drive and Hollyoak Drive (309 West Heritage Drive), in accordance with the site plan attached hereto as Exhibit "A" and stipulating that the signage be restricted to "C-1" Light Commercial District standards.

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 that the Future Land Use Guide be revised to reflect 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.

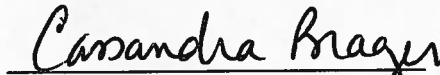
PART 4: That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine as provided in Section 1-4 of the Tyler Code. Each day such violation shall continue, or be permitted to continue, 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 August 30th, 2013.

PASSED AND APPROVED this the 28th day of August, A.D., 2013.



BARBARA BASS, MAYOR
OF THE CITY OF TYLER, TEXAS

ATTEST:



CASSANDRA BRAGER, CITY CLERK

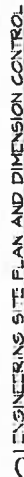
APPROVED:



DEBORAH G. PULLUM,
CITY ATTORNEY



Exhibit "A" - Page 1/4



ORDINANCE NO. O-2013-67
Exhibit "A" - Page 2/4

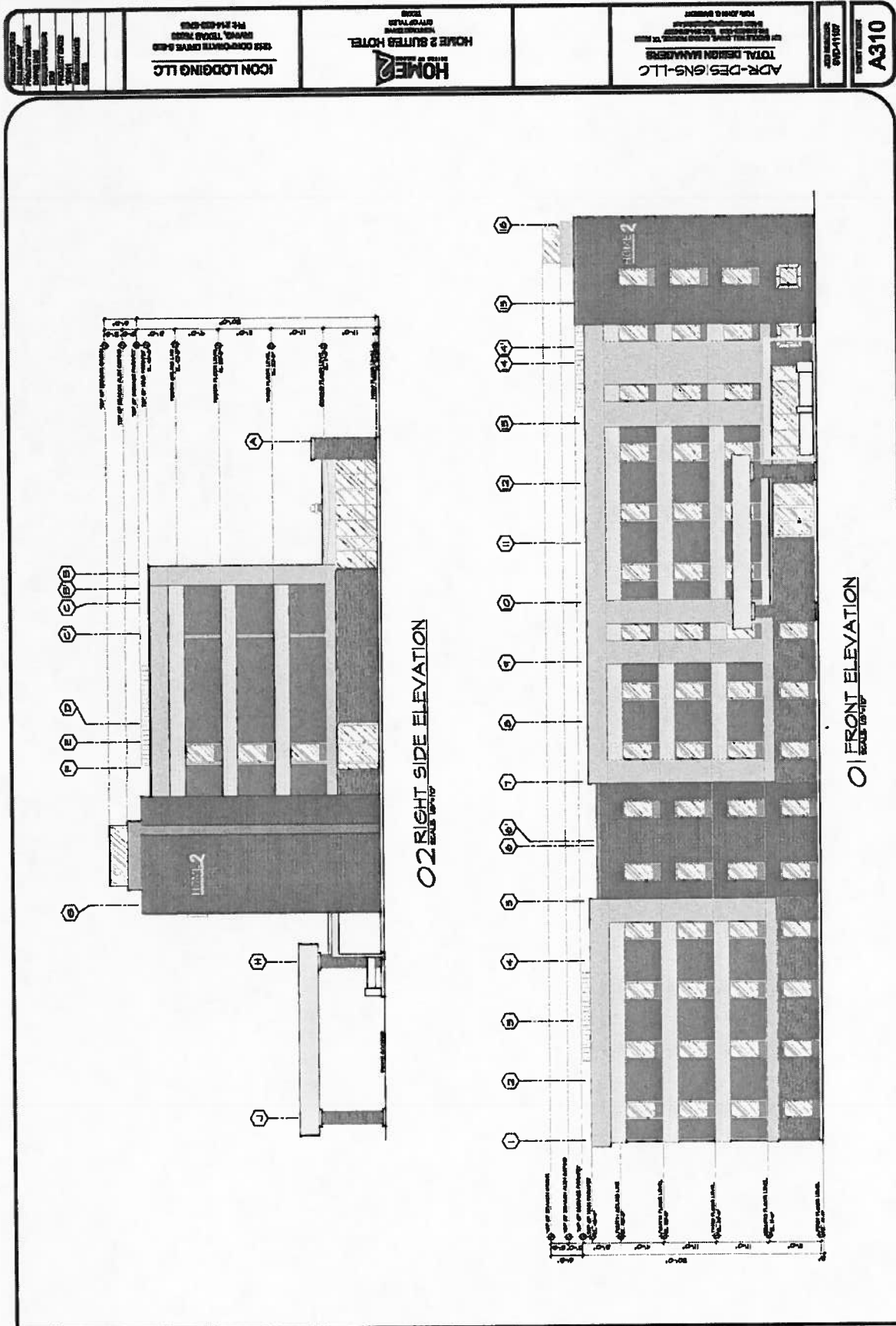


Exhibit "A" - Page 3/4

ADP-DESIGNS-LLC TOTAL DESIGN MANAGERS 10000 W. 10TH AVE. SUITE 100 DENVER, CO 80202 303-755-1111	HOME 2 DESIGN BY OUTLINE HOME 2 SUTTER HOTEL 10000 W. 10TH AVE. SUITE 100 DENVER, CO 80202 303-755-1111	ICON LODGING LLC 10000 W. 10TH AVE. SUITE 100 DENVER, CO 80202 303-755-1111	A311 10000 W. 10TH AVE. SUITE 100 DENVER, CO 80202 303-755-1111
---	---	--	--

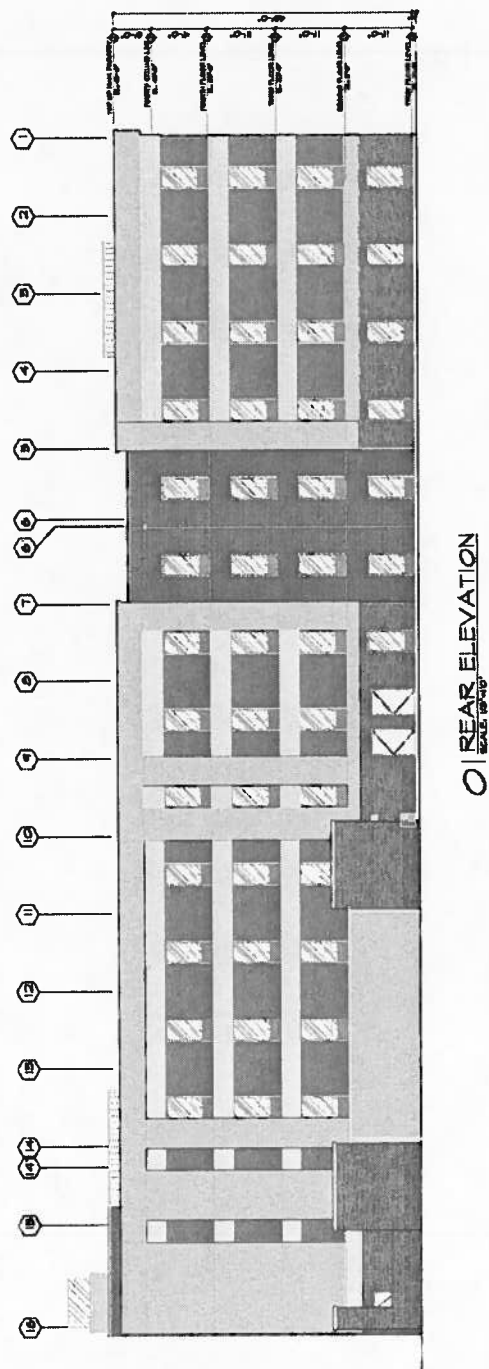
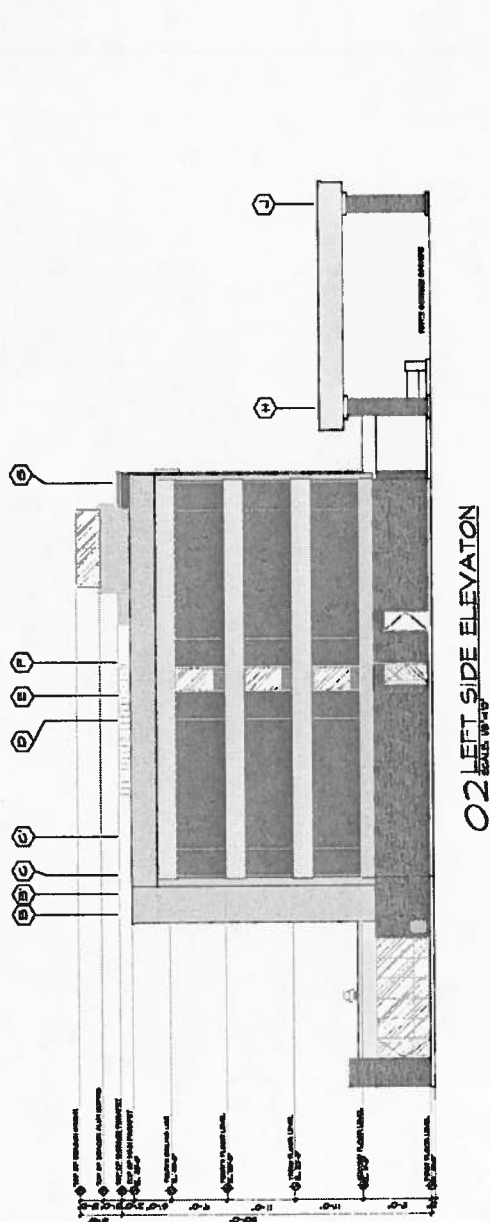


Exhibit "A" - Page 4/4

