

ORDINANCE NO. O-2011-98

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 "PMF", PLANNED COMMERCIAL DEVELOPMENT DISTRICT TO "PXR", PLANNED MIXED RESIDENTIAL DISTRICT ON LOTS 5A THROUGH 18A OF NCB 1540E, LOTS 7A THROUGH 10A OF NCB 1540F, LOTS 1A THROUGH 6A OF NCB 1540G, LOTS 1A THROUGH 6A AND 11A THROUGH 28A OF NCB 1540H, LOTS 10A THROUGH 23A OF NCB 1540J, AND LOTS 1A THROUGH 3A OF NCB 1540K, 61 LOTS CONTAINING APPROXIMATELY 12.6 ACRES OF LAND LOCATED SOUTH OF THE SOUTHWEST INTERSECTION OF WEST GRANDE BOULEVARD AND HOLLYTREE DRIVE (1120 LA VISTA DRIVE); 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 Z11-11-004

That the following described property, which has heretofore been zoned "PMF", Planned Multi-Family District, shall hereafter bear the zoning classification of "PXR", Planned Mixed Residential District, to wit:

Lots 5A through 18A of NCB 1540E, Lots 7A through 10A of NCB 1540F, Lots 1A through 6A of NCB 1540G, Lots 1A through 6A and 11A through 28A of NCB 1540H, Lots 10A through 23A of NCB 1540J, and Lots 1A through 3A of NCB 1540K, 61 lots containing approximately 12.6 acres of land located south of the southwest intersection of West Grande Boulevard and Hollytree Drive (1120 La Vista Drive) 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 that the Future Land Use Guide be revised to reflect "Single-Family and Single-Family Attached".

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 November 18, 2011.

PASSED AND APPROVED this the 16th day of November, A.D., 2011.

Barbara Bass

BARBARA BASS, MAYOR
OF THE CITY OF TYLER, TEXAS

A T T E S T:

Cassandra Brager

CASSANDRA BRAGER, CITY CLERK



APPROVED:

Gary C. Landers

GARY C. LANDERS, CITY ATTORNEY

