

**ORDINANCE NO. O-2025-52**

**AN ORDINANCE AMENDING THE CITY OF TYLER ZONING ORDINANCE OF THE CODE OF ORDINANCES OF THE CITY OF TYLER, TEXAS; APPROVING A SPECIAL USE PERMIT TO ALLOW FOR FUEL SALES ON AN 11.19 ACRE PORTION OF TRACT 1F OF ABST A0825 B ROBBINS, ONE TRACT CONTAINING APPROXIMATELY 21.40 ACRES OF LAND AND ON AN APPROXIMATELY 0.25 ACRE PORTION OF LOT 1-D OF NCB 1154, ONE LOT CONTAINING APPROXIMATELY 6.09 ACRES OF LAND LOCATED SOUTHWEST OF THE SOUTHWEST INTERSECTION OF WEST CUMBERLAND ROAD AND SOUTH BROADWAY AVENUE. (8667 SOUTH BROADWAY AVENUE AND 302 WEST CUMBERLAND ROAD); 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 special use 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 special use is hereby approved as follows:

**I. APPLICATION S25-002**

That the following described property, which is currently zoned PMXD-1, Planned Mixed-Use District-1, shall hereafter be used under a Special Use Permit for an indefinite period of time to allow for fuel sales, to wit:

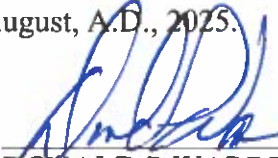
Lot 1-D of NCB 1154, one tax lot containing approximately 0.25 acre of land located southwest of the southwest intersection of West Cumberland Road and South Broadway Avenue (8667 South Broadway Avenue and 302 West Cumberland Road).

**PART 2:** 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 3:** 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 29th, 2025.

**PASSED AND APPROVED** this the 27th day of August, A.D., 2025.


  
DONALD P. WARREN, MAYOR  
OF THE CITY OF TYLER, TEXAS

ATTEST:

  
CASSANDRA BRAGER, CITY CLERK



APPROVED:

  
DEBORAH G. PULLUM,  
CITY ATTORNEY