

ORDINANCE NO. O-2018-54

AN ORDINANCE AMENDING THE CITY OF TYLER ZONING ORDINANCE OF THE CODE OF ORDINANCES OF THE CITY OF TYLER, TEXAS; APPROVING A "PMXD-2", PLANNED MIXED USE DISTRICT FINAL SITE PLAN AMENDMENT ON LOT 19B OF NCB 91, ONE LOT TOTALING APPROXIMATELY 3.75 ACRES OF LAND LOCATED AT THE NORTHWEST INTERSECTION OF WEST ERWIN STREET AND NORTH BONNER AVENUE (527 WEST ERWIN STREET); 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 PD18-014

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-2", Planned Mixed Use District, to wit:

Lot 19B of NCB 91, one lot totaling approximately 3.75 acres of land located at the northwest intersection of West Erwin Street and North Bonner Avenue (527 West Erwin Street) and in accordance with Exhibit "A" which is attached hereto and incorporated herein.

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 July 13th, 2018.

PASSED AND APPROVED this the 11th day of July A.D., 2018




MARTIN HEINES, MAYOR
OF THE CITY OF TYLER, TEXAS

ATTEST:



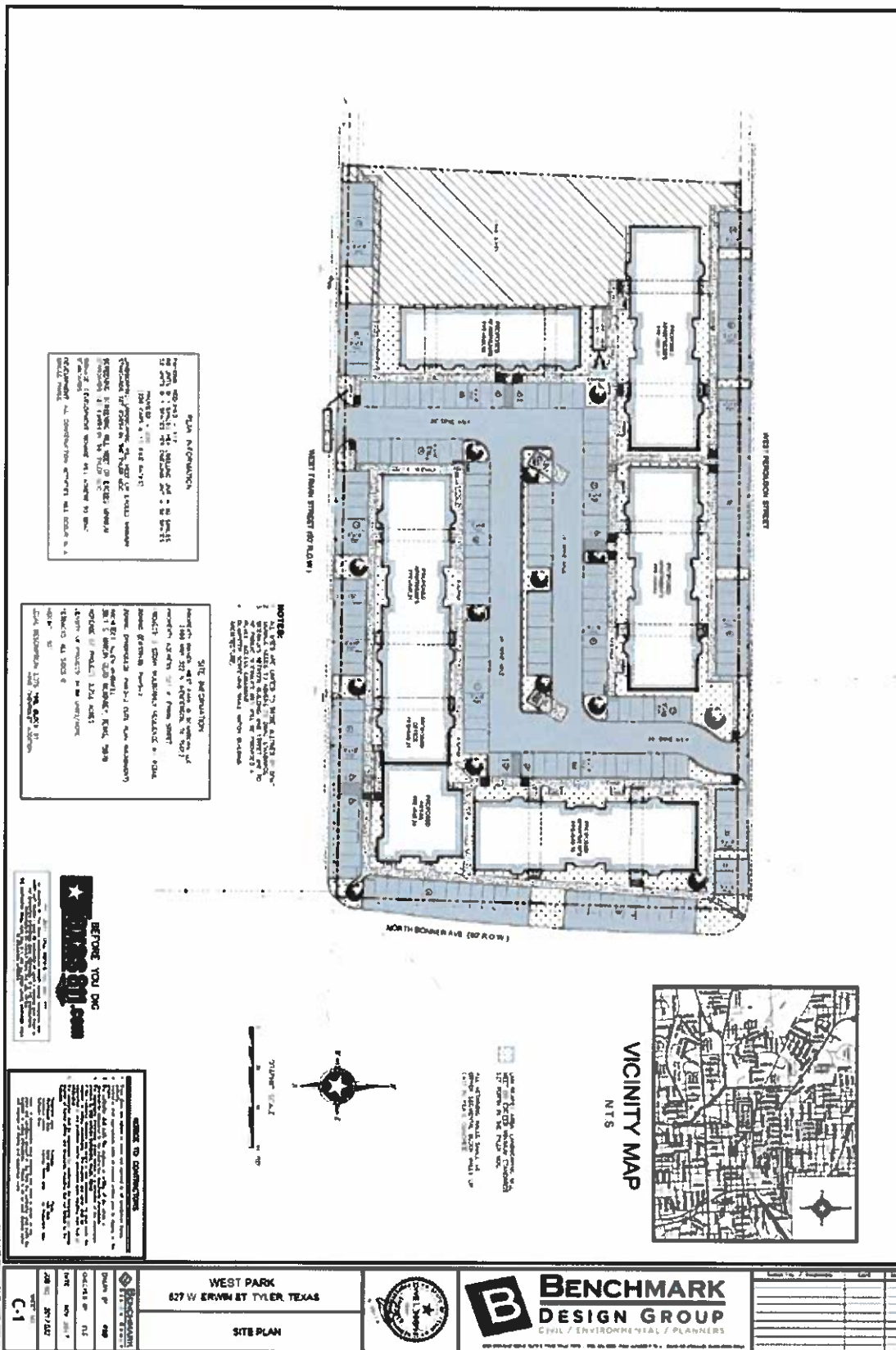
CASSANDRA BRAGER, CITY CLERK



APPROVED:



STEVEN M. KEAN,
DEPUTY CITY ATTORNEY





The map displays Council District 2 West, characterized by a grid of streets and various land use zones. The district is bounded by N Oakwood St to the west and N Palace Ave to the east. Key streets include N Bonner Ave, W Locust St, W Fergusson St, W Erwin St, S Bonner Ave, S Vine Ave, S College Ave, S Bots D Arc Ave, W Elm St, W Hickory St, N Oakwood St, N Ellis Ave, N Grand Ave, N Palace Ave, and Scott Ave. Land use zones are color-coded: purple for residential areas (Single-Family, Medium/Low Density, High-Density Mixed Use), green for public open space and recreation, and yellow for commercial and neighborhood commercial areas. Public Open Space and Recreation areas are shown in green. The map also includes a legend for land use and a scale bar.



Zoning Case #: PD18-014

TPMXD-2 Site Plan Amendment
Applicant: Semper Partners LLC


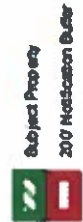
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

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**ORDINANCE NO. O-2018-54
EXHIBIT "D"
NOTIFICATION MAP**



ZONING CASE
Zoning Case #: PD18-014
"PMXD-2" Site Plan Amendment
Applicant: Semper Partners LLC

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