

ORDINANCE NO. 06-18

A ORDINANCE RELATING TO A PROPERTY REZONE AUTHORIZING MAYOR TO EXECUTE SAID ORDINANCE, AND AUTHORIZING CITY SECRETARY TO AUTHENTICATE MAYOR'S SIGNATURE TO SAID ORDINANCE, GRANTING AUTHORITY TO THE CITY MANAGER OR HIS DESIGNATE TO AUTHORIZE ZONING CHANGE, AND AUTHORIZING CITY SECRETARY TO AUTHENTICATE CITY MANAGER'S SIGNATURE TO ANY AND ALL INSTRUMENTS REQUISITE IN IMPLEMENTING THIS ORDINANCE.

A regular meeting of the City Council of the City of Commerce, Texas, was held in Commerce, Texas, at City Hall, on the 7th day of November 2006 at 7:00 p.m., a majority of Council Members being present and constituting a quorum, the following Ordinance was adopted:

WHEREAS, the owners of the property located at 2120 Charity Road in the City of Commerce, reference is made thereto for all purposes, said owners have made application for a zoning change to R-16, for the use of said premises being more particularly described in said application, as well as in the minutes of the City of Commerce, Texas, Planning and Zoning Commission meeting of August 22, 2006, and which minutes are attached hereto, marked Exhibit "A" and made a part hereof just as if copied herein verbatim; and

WHEREAS, the Planning and Zoning Commission of the City of Commerce, Texas, in accordance with Section 10, Subsection 10-104 of the Zoning Ordinance of the City of Commerce, Texas, after conducting a public hearing on said request and all other prerequisites relating thereto, and after consideration of the grounds for a zoning change to R-16, recommended to the City Council of the City of Commerce, Texas, that said application be approved, and that a zoning change to R-16 be authorized; and

WHEREAS, the City Council, after having reviewed the action of the Planning and Zoning Commission and this recommendation, as well as having complied with all prerequisites of the Zoning Ordinance of the City of Commerce, Texas, relative to a change in zoning to R-16, deems it in the best interest and general welfare of the City of Commerce that said application for a Zoning Change to R-16 be granted and that Zoning Change should be authorized for the owners of the property shown on map, attached hereto and marked Exhibit "B", as provided for in Article 10, Subsection 10-411 through 10-415 of the Zoning Ordinance of the City of Commerce, Texas.

NOW, THEREFORE, BE IT RESOLVED that the Mayor of the City of Commerce, Texas, be authorized and she is hereby authorized to execute this Ordinance, and the City Manager or his designate in accordance with this Ordinance be authorized and he is hereby authorized to approve zoning change on such property described in said application.

BE IT FURTHER RESOLVED that the City Secretary be authorized and she is hereby authorized to attest to the signature of the Mayor to this Ordinance, and to attest to the signature of the City Manager to any instruments requisite to implementing this Ordinance.

PASSED AND APPROVED on the FIRST READING at a regular meeting of the City Council of the City of Commerce, Texas, on the 7th day of November 2006.

PASSED AND APPROVED on the **SECOND READING** at a regular meeting of the City Council of the City of Commerce, Texas on this the 5th day of December 2006.

ATTEST:

Marty Cunningham
Marty Cunningham, City Secretary

CITY OF COMMERCE, TEXAS

Sheryl Zelhart
Sheryl Zelhart, Mayor

(seal)

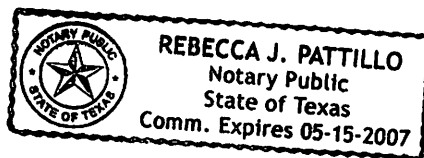
I, Marty Cunningham, City Secretary of the City of Commerce, Texas, do hereby certify that the above is a true and correct copy of a Ordinance, and that the same has not been repealed and is in full force and effect.

(seal)

Marty Cunningham
Marty Cunningham, City Secretary
City of Commerce, Texas

Sworn to and subscribed before me, on this the 8th day of December, 2006 to certify which witness my hand and seal of office.

(Seal)



Rebecca J. Pattillo
Notary Public, State of Texas

MINUTES

PLANNING AND ZONING COMMISSION MEETING

August 22, 2006-5:30 p.m.

MEMBERS PRESENT: Chairman Charles Elliott, Vice Chairman Fred Klaus, Evonne Richardson, Carolyn Trezevant, Tony Henry, Randy Starks, Henry Ross.

MEMBERS ABSENT: None.

OTHERS PRESENT: Director of Community Development Stephen Wilson, City Planner Janet Castleberry, Community Development Office Manager Delena M. Trentham, Richard and Jessica Morgan.

1. **Call to Order.**
Chairman Charles Elliott called the meeting to order at 5:32 p.m.
2. **Approval of Minutes.**
Chairman Charles Elliott entertained a motion to approve the minutes of June 1, 2006. Vice Chairman Fred Klaus moved for approval with Member Carolyn Trezevant seconding. The vote in favor was unanimous.
3. **Discussion and possible action taken on a Rezoning application from AG to R-10 for property located at 2120 Charity.**
Community Development Director Stephen Wilson stated that since the property in question are of comparable size to the R-16 lots adjacent, staff recommends that the lots be rezoned to R-16 instead of R-10. Chairman Charles Elliott entertained a motion for approval for the property to be rezoned to R-16. Member Randy Starks moved for approval with Member Henry Ross seconding. The vote in favor was unanimous.
4. **Discussion and possible action taken on a Preliminary Plat application for property located at 2120 Charity.**
Chairperson Charles Elliott entertained a motion to approve the Preliminary Plat as proposed. Member Carolyn Trezevant moved for approval with Vice Chairman Fred Klaus seconding. The vote in favor was unanimous.
5. **Other Business.**
It was mentioned that parking in front yards needs to be addressed.
6. **Adjourn.**

Chairman Charles Elliott entertained a motion to adjourn at 5:50 p.m. Member Randy Starks moved to adjourn with Member Henry Ross seconding. The vote in favor of adjournment was unanimous.

Chairman Charles Elliott

Delena M. Trentham, Community Development Secretary

Date

R-10

R101988

HARLOW ST.

R113233

R105664

R2500

R30374

R106917

R25002

R25001

R105665

R81429

STIRLING HART EAST

R123024

R123025

CREEKVIEW DR

R16

R123026

R123030

R123031

R123032

R123033

R123034

R123035

R25006

R30400

R30375

R115206

R25004

R30399

R30376

R30377

R30378

R30379

Property to
be Rezoned

CHARITY RD.

R26356

R98401

R26366

R10719

R113210

PL
SC

Property to
be returned