

ORDINANCE NO. 08-12

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 15th day of July 2008 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 on the south east corner of Washing and Charity in the City of Commerce, reference is made thereto for all purposes, said owners have made application for a zoning change from AG to R-10, 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 June 26, 2007, 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 from AG to R-10, recommended to the City Council of the City of Commerce, Texas, that said application be approved, and that a zoning change from AG to R-10 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 from AG to R-10, deems it in the best interest and general welfare of the City of Commerce that said application for a Zoning Change from AG to R-10 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 he 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 15th day of July 2008.

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 August 2008.

ATTEST:


Marty Cunningham, City Secretary

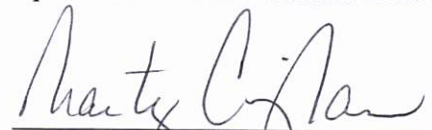
(seal)

CITY OF COMMERCE, TEXAS


Quay Throgmorton, Mayor

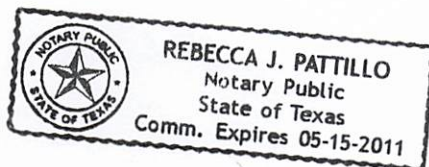
I, Marty Cunningham, City Secretary of the City of Commerce, Texas, do hereby certify that the above is a true and correct copy of a Ordinance, and that the same has not been repealed and is in full force and effect.

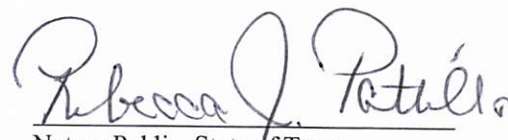
(seal)


Marty Cunningham, City Secretary
City of Commerce, Texas

Sworn to and subscribed before me, on this the 6th day of August, 2008 to certify which witness my hand and seal of office.

(Seal)




Notary Public, State of Texas

MINUTES
PLANNING AND ZONING COMMISSION MEETING
June 26, 2007-5:30 p.m.

MEMBERS PRESENT: Chairman Charles Elliott, Carolyn Trezevant, James Owens, Henry Ross.

MEMBERS ABSENT: Sharon Arce, Bob Monday, Ken Washer.

OTHERS PRESENT: City Planner Janet Castleberry, Community Development Office Manager Delena M. Trentham.

1. Call to Order.

Chairman Charles Elliott called the meeting to order at 5:31 p.m.

2. Approval of Minutes.

Chairman Charles Elliott entertained a motion to approve the minutes of May 22, 2007. Member Carolyn Trezevant moved for approval with Member Henry Ross seconding. The vote in favor was unanimous.

3. Discussion and possible action taken on a Conditional Use application for the property located at 1205 Main for use as a private club within the Corridor District.

Tim Johnson stated that he plans to open a private club at 1205 Main Street. The club would be of the same nature as previous establishments at this location. Chairman Elliott entertained a motion to approve the Conditional Use application. Member Carolyn Trezevant moved for approval with Member Henry Ross seconding. The vote in favor was unanimous.

4. Discussion and possible action taken on a Rezone application for property located at Washington/Charity R26367 and part of property located at S. Washington Street off Charity R26355 from AG to R-10.

City Planner Janet Castleberry explained that Mr. Gene Leslie owns a large piece of property that he wants to subdivide. The property is currently zoned AG and must be rezoned to R-10 before it can be built upon. Chairman Elliott entertained a motion to rezone the property from AG to R-10. Member Henry Ross moved to do so with Member Carolyn Trezevant seconding. The vote in favor was unanimous.

5. Discussion and possible action taken on a Final Plat application for property located at Washington/Charity R26367 and part of property located at S. Washington Street off Charity R26355.

Mrs. Mary Wyse stated her concern about some drainage problems on Arapaho Street where she resides. She asked if there could be potential more drainage issues

once Mr. Leslie's property was developed. Chairman Elliott entertained a motion to table the item until a drainage study could be performed due to current flooding in the area. Member Carolyn Trezevant moved to do so with Member James Owens seconding. The vote in favor was unanimous.

6. Discussion of proposed amendment to zoning ordinance adding a section, Planning and Zoning Commission, to Part IV: Administration and Enforcement.

The proposed amendment to the zoning ordinance was discussed. The amendment was accepted with grammatical and spelling changes to be brought back before the Planning & Zoning Commission at a later date for recommendation to City Council.

7. Other Business.

There was no other business.

8. Adjourn.

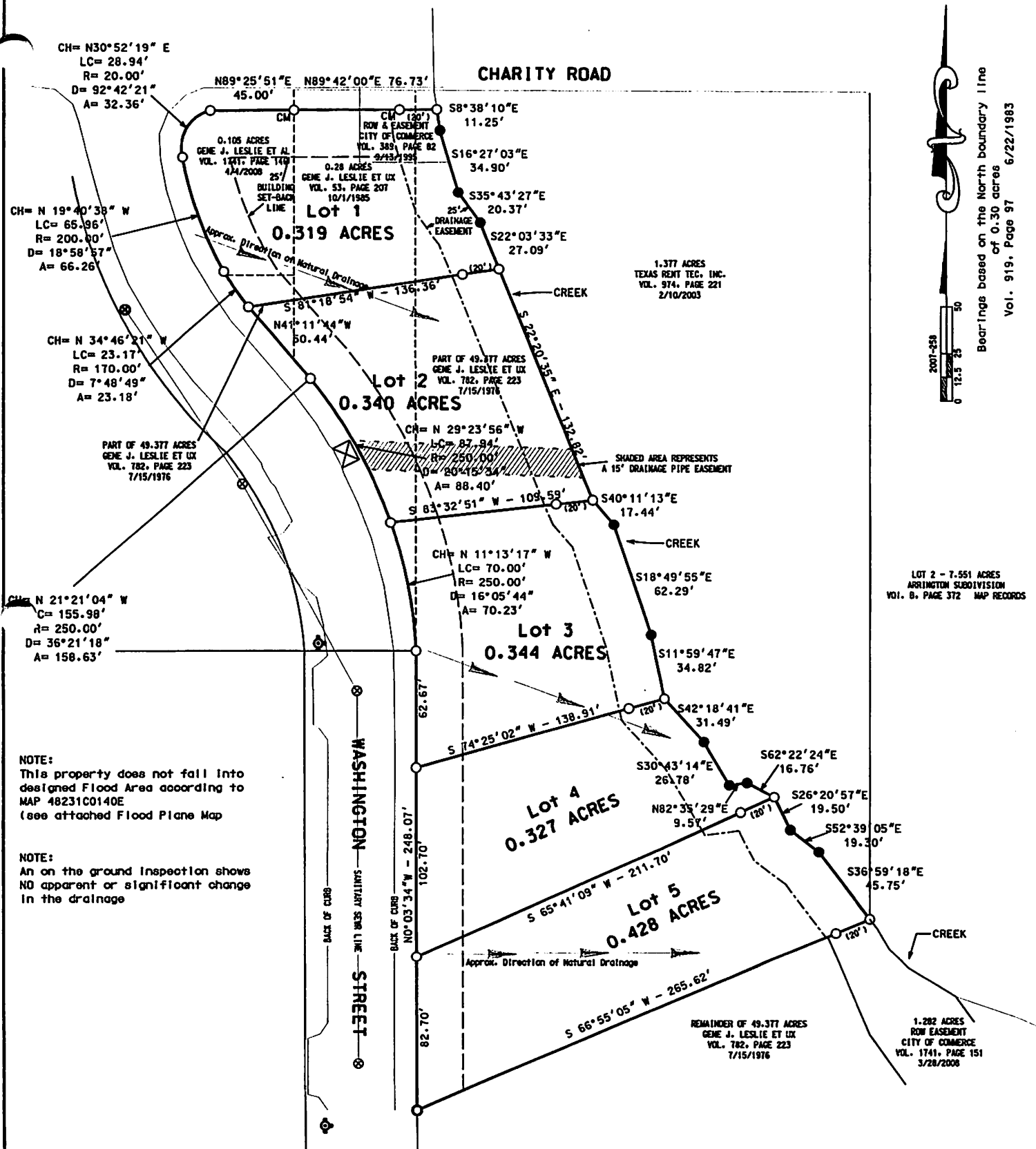
Chairman Charles Elliott entertained a motion to adjourn at 6:39 p.m. Member Henry Ross moved to adjourn with Member James Owens seconding. The vote in favor of adjournment was unanimous.

Chairman Charles Elliott

Delena M. Trentham, Community Development Secretary

Date

Proposed Plat



Bearings based on the North boundary line of 0.30 acres
Vol. 919, Page 97 6/22/1983

LOT 2 - 7.551 ACRES
ARRINGTON SUBDIVISION
VOL. 8, PAGE 372 MAP RECORDS

REMAINDER OF 49.377 ACRES
GENE J. LESLIE ET UX
VOL. 782, PAGE 223
7/15/1976

1.282 ACRES
ROW EASEMENT
CITY OF COMMERCE
VOL. 1741, PAGE 151
3/20/2008