

ORDINANCE NO. 16 - 11

**AN ORDINANCE OF THE CITY OF COMMERCE, TEXAS,
VACATING AND ABANDONING AN ALLEY;
REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES
IN CONFLICT HERewith.**

BE IT ORDAINED BY THE CITY OF COMMERCE, TEXAS:

WHEREAS, the owners of this tract of land has requested an abandonment of the area which exists within the property as it relates to the parcel, as shown on Exhibit "A", attached; and,

WHEREAS, the City Council has reviewed this request and recommends that the same should be abandoned; and,

WHEREAS, the City Council finds it is no longer in the public interest for the City to maintain said alley, it has no present use or reasonable future use of said alley, and therefore agrees to abandon the same;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COMMERCE, TEXAS:

SECTION 1. The recitals set forth above are hereby found by the Council to be true and correct, and are incorporated by reference herein and expressly made a part hereof as if copied verbatim.

SECTION 2. That the City hereby abandons and vacates the alley as shown on Exhibit "A", attached.

SECTION 3. The terms and provisions of this Ordinance shall be deemed to be severable in that if any portion hereinabove described shall be held or declared to be invalid, the same shall not affect the validity of the balance and remainder of the Ordinance.

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 is authorized to execute and all instruments requisite to implementing this Ordinance

BE IT FURTHER RESOLVED that the City Secretary be 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 BY THE GOVERNING BODY of the City Council of the City of Commerce, Texas, on first reading this the 20th day of September 2016.

PASSED BY THE GOVERNING BODY of the City Council of the City of Commerce, Texas, on second reading this the 18th day of October 2016.

ATTEST:

CITY OF COMMERCE, TEXAS

Becky Pattillo
Becky Pattillo, Acting City Secretary

Wyman Williams
Wyman Williams, Mayor

(seal)

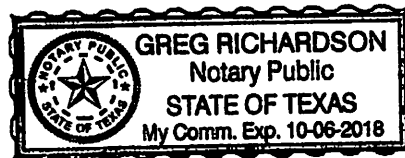
I, Becky Pattillo, Acting City Secretary of the City of Commerce, Texas, do hereby certify that the above is a true and correct copy of an Ordinance, and that the same has not been repealed and is in full force and effect.

(seal)

Becky Pattillo
Becky Pattillo, Acting City Secretary
City of Commerce, Texas

Sworn to and subscribed before me, on this the 1st day of November, 2016,
to certify which witness my hand and seal of office.

(Seal)



Greg Richardson
Notary Public, State of Texas



Rezoning Application

Alley Abandonment #175

Property Information

Property Address: 2407 BOIS D'ARC / 1804 JACKSON

Legal Description: Subdivision S2520 COLLEGE HEIGHTS ADDITION Block 12 Lot 124
9-10

Present Zoning: _____ Present Use: _____

Proposed Zoning: _____ Proposed Use: _____

Applicant Information

Name: JAMES HUDSON (NOFIN LLC)

Address: 3225 TURTLE CREEK BLVD #804 State DALLAS, TX Zip 75219

Phone Number 972-965-5091

I hereby certify that all information contained herein is true and correct and that all required submissions (see reverse) have been submitted.

Applicant Name (please print) JAMES HUDSON

Applicant Signature James Hudson Date 8.1.16

Owner Signature (if other than applicant) _____ Date _____

Permit (To be completed by the Planning Department)

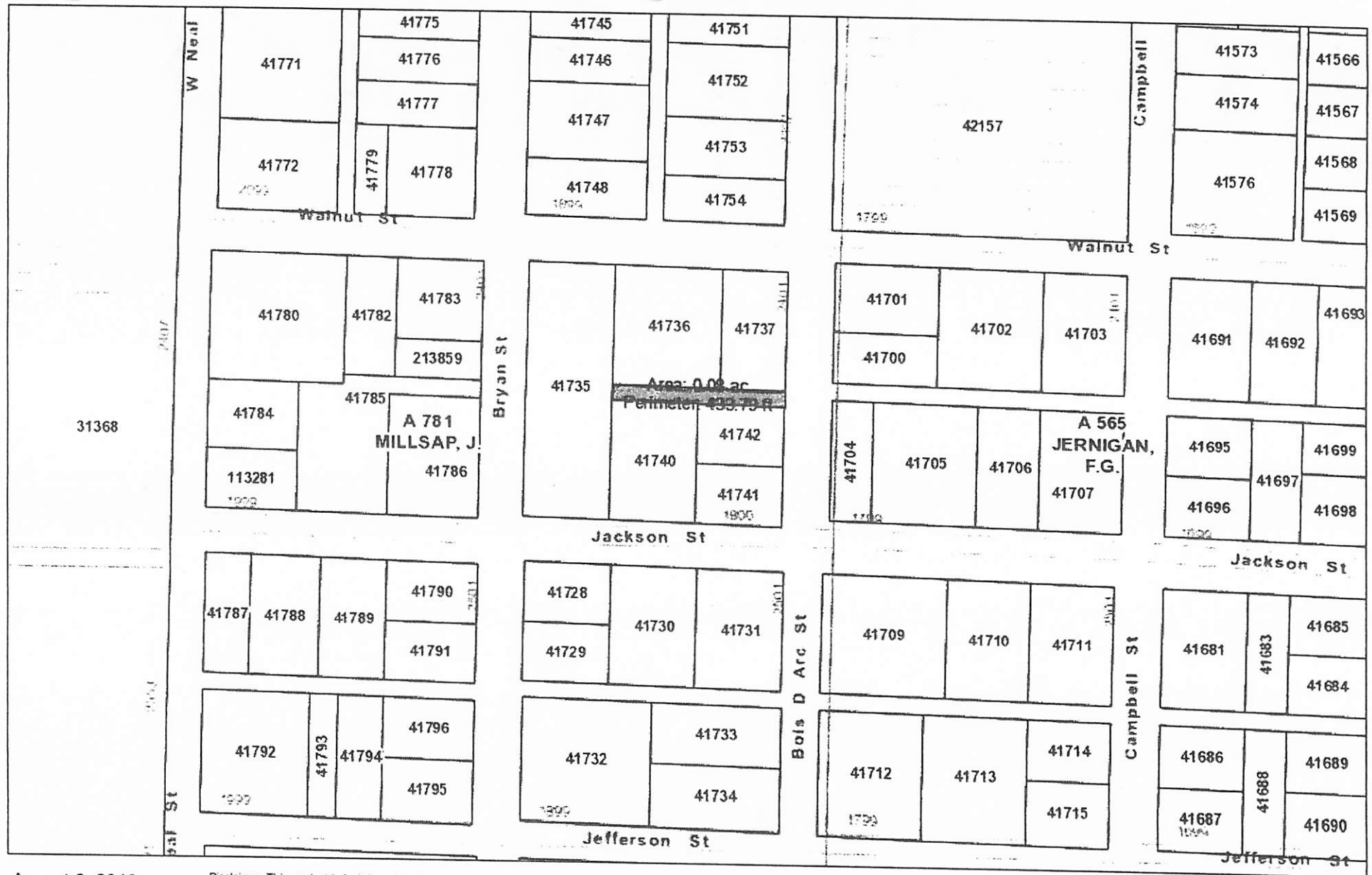
The rezoning request is hereby: Approved ☐ Disapproved ☐

Planning and Zoning Commission took action on _____ 20____

Director of Community Development _____

Date _____

Alley in Question for Abandonment

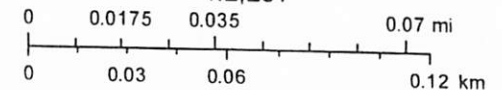


August 8, 2016

- ☐ Parcels
- ☐ Abstracts

Disclaimer: This product is for informational purposes only and has not 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 boundaries

1:2,257



Sources: Esri, HERE, DeLorme, USGS, Intermap, increment P Corp., NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand),

MINUTES
PLANNING AND ZONING COMMISSION MEETING
September 6, 2016 – 5:30 p.m.

MEMBERS PRESENT: Chairman Charles Elliott, Carolyn Trezevant,
Henry Ross, Michelle Martinez

MEMBERS ABSENT: Terry Harris, Gary Thompson, Mike Roberts

OTHERS PRESENT: Mike Wiblin, Acting City Secretary Becky
Pattillo, Gene Casselberry, Betty Casselberry,
Connie Foretich, Dewayne Cogburn, John Holland

1. **Call to Order:**
Chairman Charles Elliot called the meeting to order at 6:17 p.m.
2. **Approval of Minutes:**
Member Carolyn Trezevant made a motion to approve the minutes from the July 5, 2016 regular meeting. Member Henry Ross seconded the motion, resulting in a unanimous vote.
3. **Public Hearing and Consideration on Special Use Application for the property located at 1916 Monroe Street, Legal Description S5150 Taylor W.J. Addition #1, Block 2, Lot 15B:**
Mike Wiblin explained that this was a vacant lot and Dewayne Cogburn and John Holland wanted to build apartments on and because it was in the Corridor District and it was a residential development, it required a Special Use permit.

Dewayne Cogburn stated that they wanted to build 8 units, in a 2-story apartment complex; all one bedroom, a privacy fence, and there would be 17 parking spaces, even though the requirement was two spaces per apartment. The complex would face Greenville Street.

With no further discussion, Board Member Henry Ross made the motion to recommend to the City Council that a special use application be granted. Board Member Michelle Martinez seconded the motion, resulting in a unanimous vote.
4. **Public Hearing and Consideration on an Alley Abandonment Request submitted by James Hudson with Nofin LLC in the area of 2407 Bois d'Arc and 1804 Jackson Streets:**
Mike Wiblin stated that part of this alley was abandoned some time ago and his recommendation would be to abandon the remainder of the alley. He added that if it

passed and then the Council approved it, anyone with vested interest in the alley would then have to submit their plats that will reflect their half of the alley.

Board Member Michelle Martinez made the motion to recommend to City Council to accept the abandonment of the alleyway. Board Member Carolyn Trezevant seconded the motion, resulting in a unanimous vote.

5. **Other Business:**
No other business.

6. **Adjourn:**
Chairman Elliott adjourned the meeting at 6:50 p.m.

Chairman Charles Elliott

Becky Pattillo, Acting City Secretary

Date

TURTLE CREEK INVESTMENTS

email: jhudson@turtlecreekinvestments.com

3225 Turtle Creek Blvd Suite 804 • Dallas TX 75219 • (214) 559-0391 (972) 965-5071

Mike Wiblin
Community Development
City of Commerce
1119 Alamo
Commerce, TX 75428

June 13, 2016

Mike,

We have recently completed the purchase of 2407 Bois D' Arc from the Carol Lilly Estate. The acquisition provides us 100% ownership of the property along the south boundary of the remaining unimproved alley between Bois D' Arc and Bryan Street.

I would like to petition the City of Commerce to abandon the remaining unimproved alley between Bois D' Arc and Bryan Street and allow us to incorporate the unimproved alley into our existing properties to enhance their future redevelopment into new multifamily residential developments. The existing two sites show a potential for an additional 20 units in the near term.

Our long term plan is to continue to build multifamily units south of the TAMU campus between W. Neal Street and Bois D' Arc. We also own redevelopment sites at 1906 Jackson and 2406 W. Neal Street in addition to our University Homes developments on Bryan Street and Maple Street.

The abandonment will relieve the city of maintenance obligations for the alley and add property value to the tax roll while at the same time add to our planned developments.

What steps do we need to take to begin the abandonment process with the City of Commerce?

Sincerely,



James H. Hudson

For Nofin LLC

Turtle Creek Investments

3225 Turtle Creek Blvd # 804

Dallas, Texas 75219

214-559-0391

972-965-5071 (C)

Email: jhudson@turtlecreekinvestments.com