

ORDINANCE NO. 19 - 06

AN ORDINANCE OF THE CITY OF COMMERCE, TEXAS, APPROVING A CONDITIONAL USE PERMIT IN THE CORRIDOR DISTRICT TO ALLOW "BAR, LOUNGE, OR TAVERN" USE FOR THE PROPERTY LOCATED AT 1136 MAIN STREET, COMMERCE, TX 75428; AUTHORIZING THE MAYOR TO EXECUTE SAID ORDINANCE, AND AUTHORIZING THE CITY SECRETARY TO AUTHENTICATE THE MAYOR'S SIGNATURE TO SAID ORDINANCE; GRANTING AUTHORITY TO THE CITY MANAGER OR HIS DESIGNATE TO AUTHORIZE THE CONDITIONAL USE PERMIT, AND AUTHORIZING THE CITY SECRETARY TO AUTHENTICATE THE CITY MANAGER'S SIGNATURE TO ANY AND ALL INSTRUMENTS REQUISITE IN IMPLEMENTING THIS ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

A regular meeting of the City Council of the City of Commerce, Texas, was held in Commerce, Texas, at City Hall, on the 22nd day of February 2019 at 12:00 p.m., a majority of Council Members being present and constituting a quorum, the following Ordinance was adopted:

WHEREAS, an application, attached hereto and marked exhibit "A", has been submitted to request approval of a conditional use permit in the Corridor District to allow "Bar, Lounge, or Tavern" use for the property located at 1136 Main Street, Commerce, Texas, 75428, described as S4380 Orig. Town of Commerce, Blk. 4, Lot 13, Acres .0661;

WHEREAS, the subject property is currently zoned as Corridor District, and as pursuant to the schedule of uses under Section 10-206(a), Appendix A – Zoning, Part II. – Uses, of the Code of Ordinances of the City of Commerce, Texas, use of the subject property as "Bar, Lounge, or Tavern" is conditional;

WHEREAS, the property owner has submitted a concept plan, attached hereto and marked exhibit "B", depicting the proposed use of the subject property as a "Bar, Lounge, or Tavern", as the term is defined under Section 10-301(54), Appendix A – Zoning, Part II. – Uses, of the Code of Ordinances of the City of Commerce, Texas, and the terms and conditions of this Ordinance are sufficient to make this proposed use compatible with other Corridor District uses on adjacent property;

WHEREAS, the notice pursuant to Sections 19-102 and 19-103, Appendix A – Zoning, Part IV. – Administration and Enforcement, of the Code of Ordinances of the City of Commerce, Texas, has been published in the official newspaper and given to adjacent property owners;

WHEREAS, the Planning and Zoning Commission of the City of Commerce, Texas, conducted a public hearing on the 18th day of February 2019, at 5:30 p.m. in accordance with Section 19, Appendix A – Zoning, Part IV. – Administration and Enforcement, of the Code of Ordinances of the City of Commerce, Texas;

WHEREAS, after conducting a public hearing on said request, wherein public comment was received and considered on the said application, and all other prerequisites relating thereto, and after consideration of the grounds for a conditional use permit in the Corridor District to allow "Bar, Lounge, or Tavern" use the property located at 1136 Main Street, Commerce, Texas, 75428, the Planning and Zoning Commission voted to approve the conditional use permit application as reflected in the minutes of the meeting attached hereto, marked exhibit "C", and made a part hereof as if copied herein verbatim; and,

WHEREAS, the City Council, after having reviewed the action of the Planning and Zoning Commission and its recommendation, as well as having complied with all prerequisites of the Zoning Ordinance of the City of Commerce, Texas, relative to the approval of a conditional use permit in the Corridor District, deems it in the best interest and general welfare of the City of Commerce, Texas, that said application for a conditional use permit for said use should be authorized for said property.

NOW, THEREFORE, BE IT ORDAINED 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 a conditional use permit for said use for said property;

BE IT FURTHER ORDAINED 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; and

BE IT FURTHER ORDAINED that this Ordinance shall take effect immediately from and after its passage.

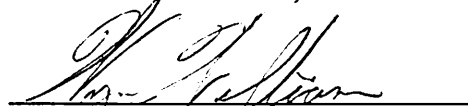
PASSED AND APPROVED on the FIRST READING at a regular meeting of the City Council of the City of Commerce, Texas, on the 19th day of February 2019.

PASSED AND APPROVED on the SECOND READING at a regular meeting of the City Council of the City of Commerce, Texas on this the 22nd day of February 2019.

ATTEST:

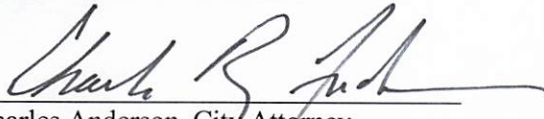

Molly Jacobsen, City Secretary

CITY OF COMMERCE, TEXAS


Wyman Williams, Mayor

(seal)

APPROVED AS TO FORM:


Charles Anderson, City Attorney

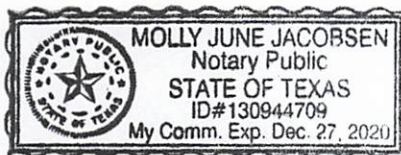
I, Molly Jacobsen, City Secretary of the City of Commerce, Texas, do hereby certify that the above is a true and correct copy of an Ordinance, and that the same has not been repealed and is in full force and effect.

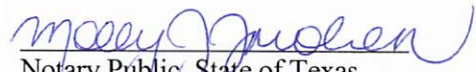
(seal)


Molly Jacobsen, City Secretary
City of Commerce, Texas

Sworn to and subscribed before me, on this the 22nd day of February, 2019 to certify which witness my hand and seal of office.

(Seal)




Notary Public, State of Texas

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of my office, at Austin, Texas, this 1st day of January, 2018.

[Handwritten signature]

