

ORDINANCE NO. 2024 – 10- 04

**AN ORDINANCE OF THE CITY OF COMMERCE, TEXAS, APPROVING A
CHANGE IN ZONING FROM (A-2) APARTMENT DWELLING
DISTRICT TO (PD) PLANNED DEVELOPMENT DISTRICT FOR
PROPERTY ID: 37618, BEING A 1.718 ACRE TRACT OF LAND
SITUATED IN THE J. WILLIAMS SURVEY, ABSTRACT NUMBER 1140,
HUNT COUNTY, TEXAS, AND BEING A PORTION OF A NAMED 2-
ACRE TRACT OF LAND (REMAINING PORTION) DESCRIBED BY
DEED TO KAREN SUE SCOTT, RECORDED IN VOLUME 1760, PAGE
480, DEED RECORDS OF HUNT COUNTY; PROVIDING A
SEVERABILITY CLAUSE; PROVIDING A PENALTY; 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 1st day of October 2024 at 6:00 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 by Jeff Tavener to request approval of a change in zoning from Apartment Dwelling District (A-2) to Planned Development District (PD) for the following:

- Property ID: 37618, Legal Description: A1140 Williams J, Tract 11, Acres 1.718; in Commerce, TX, 75428.

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, written notice has been published in the official newspaper and given to adjacent property owners within 200 feet of the property;

WHEREAS, the Planning and Zoning Commission of the City of Commerce, Texas, conducted a public hearing on the 4th day of September 2024, at 5:30 p.m. in accordance with Section 19-102 and 19-103, 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 change in zoning from Apartment Dwelling District (A2) to Planned Development (PD) District for said properties, the Planning and Zoning Commission

unanimously voted to approve the zoning change request as reflected in the minutes of the meeting attached hereto, marked exhibit "B", 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 change in zoning, deems it in the best interest and general welfare of the City of Commerce, Texas, that said zoning change request should be authorized for said properties, highlighted in red in Exhibit "C", attached to this Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Commerce, Texas that:

SECTION 1. This rezoning request from A2 to PD for uses in accordance with the Development Plan attached to this ordinance and made a part hereof for all purposes, for the above described property is approved and that the Mayor of the City of Commerce, Texas, is hereby authorized to execute this Ordinance, and the City Manager, or his designate, in accordance with this Ordinance shall file the appropriate revisions to the Zoning Map of the City of Commerce with the City Secretary;

SECTION 2. Any person, firm, or corporation found guilty of violating any of the provisions of this Ordinance shall be subject to a fine not to exceed two thousand dollars (\$2,000.00), together with the costs of such prosecution. Each day during which a violation continues shall be considered a separate offense.

SECTION 3. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City Council of the City of Commerce hereby declares that it would have passed this Ordinance, and each section, subsection, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences clauses and phrases be declared unconstitutional or invalid.

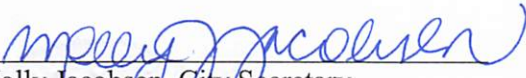
SECTION 4. This Ordinance shall take effect immediately from and after its passage.

PASSED AND APPROVED on the FIRST READING at a regular meeting of the City Council of the City of Commerce, Texas, on the 1st day of October 2024.

PASSED AND APPROVED on the SECOND READING at a regular meeting of the City Council of the City of Commerce, Texas on this the 15th day of October 2024.

ATTEST:

CITY OF COMMERCE, TEXAS


Molly Jacobsen, City Secretary


Teddy Reel, Mayor

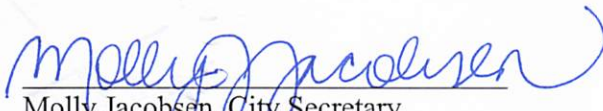
(seal)

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



Rezoning Application

Property Information

Property Address: 0000 Hwy 11 Commerce Tx
Legal Description: Subdivision A 1140 Williams J, Tract 11 Acres 1.718 Block _____ Lot _____
Present Zoning: A-2 Present Use: Vacant
Proposed Zoning: PD- Planned Development Proposed Use: Auto Laundry/ Retail Space

Applicant Information

Name: Jeff Tavenor
Address: 10352 Hwy 224 State Tx Zip 75428
Phone Number 903 366 2142

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) Jeff Tavenor
Applicant Signature [Signature] Date 4/25/24
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 September 4 2024
[Signature] 09/4/2024
Director of Community Development Date



MINUTES

Planning and Zoning Commission

September 4th, 2024 - 5:30 p.m.

Commerce City Hall

1119 Alamo Street, Commerce, TX 75428

Members Present: Carolyn Trezevant, Michelle Martinez, Aracely Castro, and Jayson Douglas
Members Absent: Thomas Deaton, Terry Harris, Gary Thompson
City Staff Present: Assistant Director of Community Development Jon Harper and Community Development Specialist Bethany Arnold
Others Present: Jeff Tavener

1. Call to Order:

Chairperson Carolyn Trezevant called the meeting to order at 5:40 p.m.

2. Pledge of Allegiance.

Due to the location of the meeting not having a flag, the pledge of allegiance was dismissed.

3. Consideration of a Motion Approving Minutes from the June 4th, 2024 Meeting:

Member Michelle Martinez made the motion to approve the minutes. Member Jayson Douglas seconded the motion resulting in the motion passing unanimously.

4. Public Hearing and Consideration of a Request by Jeff Tavener for a Change in Zoning from A2 Apartment Dwelling District to PD Planned Development District for Property ID: 37618, Legal Description: A1140 Williams J, Tract 11, Acres 1.718.

Assistant Director of Community Development Jon Harper stated the applicant approached staff in June of this year regarding the car wash and the potential of the retail space. Jon Harper stated that with plans wanting to be done, switching the zoning to Planned Development would be the best option. Jon Harper stated that other city departments such as Public Works and the Fire Department have approved of proposed development. Jon Harper stated that the lot minimum is 2 acres for Planned Development and that this current one is 1.718 acres, but Planning and Zoning Commission can change that acreage requirements and other requirements will need to be fleshed out during the platting process. Jon Harper stated that staff does not see an issue at this time with the process, but the platting process could come into play. Gave staff recommendation of approval.

Developer Jeff Tavener briefly discussed details of the car wash and the retail space.

Chairperson Carolyn Trezevant opened the public hearing at 5:53 PM. There being none, the public hearing closed at 5:53pm.

Member Michelle Martinez made the motion to move to approve the request to allow a Planned Development District for the property located at Property ID:37618, Commerce, TX 75428 with the conditions of landscaping and screening plan submitted during the platting process and a development schedule submitted during the platting process. Additionally, amend the two acre rule requirement to accommodate with the minimum lot area being the 1.718 acres as presented. Member Jayson Douglas seconded the motion resulting in the vote carrying unanimously.

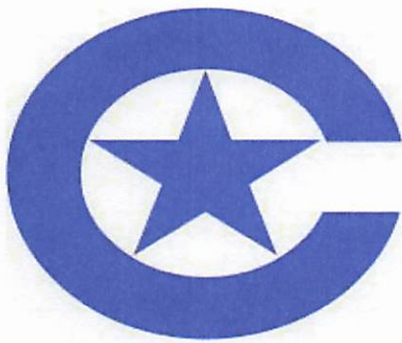
5. **Adjourn:**

Member Michelle Martinez made the motion to adjourn. Member Jayson Douglas seconded the motion.
Chairman Trezevant adjourned the commission at 5:57 PM.

Carolyn Trezevant
Chairperson Carolyn Trezevant

Bethany Arnold, Community Development Specialist

10/15/2024
Date



Planning and Zoning Commission

Agenda Information Sheet

September 4, 2024

Agenda Item:	Public Hearing and Consideration of a Request by Jeff Tavener for a Change in Zoning from A2 Apartment Dwelling District to PD Planned Development District for Property ID: 37618, Legal Description: A1140 Williams J, Tract 11, Acres 1.718.
Applicant:	Jeff Tavener 10352 HWY 224 Commerce, Texas 75428
Property Owner:	Same as Applicant, but different mailing address
Surrounding Property Notices:	5 Notices Sent within 200 feet of the Subject Property 2 Responses Received
Existing Zoning:	A-2 Apartment Dwelling District

Existing Zoning & Location

