

ORDINANCE NO. 2024 – 11- 02

**AN ORDINANCE OF THE CITY OF COMMERCE, TEXAS, APPROVING A
CHANGE IN ZONING FROM INDUSTRIAL (I) DISTRICT TO SINGLE-
FAMILY DWELLING DISTRICT, 7,000 SQ. FEET (R7) SINGLE-FAMILY
DWELLING DISTRICT FOR PROPERTY ID: 21898, LEGAL
DESCRIPTION: A0109 BOND W, TRACT 26 ACRES 16.659, 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 19th day of November 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 James Grenfell to request approval of a change in zoning from Industrial District (I) to Single-Family Dwelling District, 7,000 Sq. Ft. (R-7) for the following:

- Property ID: 21898, Legal Description: A0109 Bond W, Tract 26, Acres 16.659

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 10th day of October 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 Industrial District (I) to Single-Family Dwelling District, 7,000 sq. ft. (R-7) 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 “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 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 blue in exhibit “B”, 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 Industrial District (I) to Single-Family Dwelling District, 7,000 Sq. Ft. (R-7) 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 15th 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 19th day of November 2024.

ATTEST:

CITY OF COMMERCE, TEXAS


Molly Jacobsen, City Secretary


Teddy Reel, Mayor

(seal)

APPROVED AS TO FORM:


Charles Anderson, City Attorney

Exhibit A



Rezoning Application

Property Information

Property Address: TBD Prichard Road, Commerce TX
Legal Description: see attached survey Subdivision Parcel ID 21898 Block Lot
Present Zoning: Industrial Present Use: vacant lot
Proposed Zoning: R7 Single Family Residential District Proposed Use: Single family dwellings

Applicant Information

Name: James Grenfell
Address: 77 Loose Moose Trail State Montana Zip 59875
Phone Number 406-360-9575

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) Terrance S. Young

Applicant Signature [Signature]

Date 9/9/2024

Owner Signature (if other than applicant) [Signature]

James Grenfell

Date 9/9/2024

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 _____

Exhibit B



Exhibit C



MINUTES

Planning and Zoning Commission

October 10th, 2024 - 5:30 p.m.

Commerce City Hall

1119 Alamo Street, Commerce, TX 75428

Members Present:	Carolyn Trezevant, Terry Harris, Gary Thompson, Jayson Douglas
Members Absent:	Aracely Castro, Thomas Deaton, Michelle Martinez
City Staff Present:	Director of Community Development Jon Harper, Development Specialist Bethany Arnold
Others Present:	Bethany Williams, Terrance Young, Ifran Ali

1. Call to Order:

Chairperson Carolyn Trezevant called the meeting to order at 5:34 p.m.

2. Pledge of Allegiance.

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

Chairperson Carolyn Trezevant brought to the Commission to approve the minutes from the September 4th, 2024 meeting with one correction being made to the minutes. Member Jayson Douglas made the motion to approve the minutes with the change. Member Gary Thompson seconded the motion resulting in the motion passing unanimously.

4. Public Hearing and Consideration of a Request by James Grenfell, for a Change in Zoning from I Industrial District to R7 Single-Family Dwelling District for Property ID: 21898, Legal Description: A0109 BOND W, TRACT 26, ACRES 16.659.

Jon Harper, Director of Community Development, stated that the applicant approached staff to re-zone the property stated above to residential. Jon Harper stated that this property has been to Planning and Zoning back in 2021/2022 for the re-zoning but that development fell apart. With the previous development dissolving, the property needs to be voted on by Planning and Zoning again. Jon Harper stated staff recommends approval with the conditions of landscaping/screening between Legacy Homes and the proposed development and a development schedule.

Chairperson Carolyn Trezevant opened the public hearing at 5:40 PM.

Terrance Young, surveyor and relative of property owner, stated that he will be working on the development for the residential plans for the property and sees the growth happening with the city and university. Bethany Williams, realtor for the property, spoke before the board stating she is in favor of the approval so growth can continue to the City of Commerce. Ifran Ali, proposed developer for the project, stated while he has not been to the property, he is excited about the project and the proposed development.

Chairperson Carolyn Trezevant asked for any other public comments. There being none, the public hearing was closed at 5:43 PM.

Member Jayson Douglas made the motion to approve the zoning change from I Industrial District to an R-7 Single-Family Dwelling District for property ID 21898, with the conditions of a landscaping and screening plan

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between Legacy Homes and the proposed development submitted during the platting process and a development Schedule submitted during the platting process. Member Gary Thompson seconded the motion resulting in the motion passing unanimously.

5. **Adjourn:**

Member Jayson Douglas made the motion to adjourn the meeting. Member Gary Thompson seconded the motion resulting in the motion passing unanimously.
Chairman Carolyn Trezevant adjourned the commission at 5:44 PM.

Carolyn Trezevant
Chairperson Carolyn Trezevant

Bethany Arnold
Bethany Arnold, Community Development Specialist

11/07/2024
Date