

RESOLUTION NO. 14-02

A RESOLUTION RELATING TO A CONDITIONAL USE PERMIT FOR PROPERTY LOCATED AT 905 COLLEGE STREET; GRANTING AUTHORITY TO THE MAYOR TO EXECUTE SAID RESOLUTION AND AUTHORIZING CITY SECRETARY TO AUTHENTICATE MAYOR'S SIGNATURE TO SAID RESOLUTION, AND AUTHORIZING CITY MANAGER TO EXECUTE ANY AND ALL INSTRUMENTS REQUISITE IN IMPLEMENTING SAID RESOLUTION, AND AUTHORIZING CITY SECRETARY TO AUTHENTICATE CITY MANAGER'S SIGNATURE TO ANY AND ALL INSTRUMENTS REQUISITE IN IMPLEMENTING SAID RESOLUTION.

A regular meeting of the City Council of the City of Commerce, Texas, was held in Commerce, Texas, at City Hall, on the 21st day of January 2014, at 6:00 p.m., a majority of Council Members being present and constituting a quorum, the following resolution was adopted:

WHEREAS, The owner of the personal property located at 905 College Street, reference is made thereto for all purposes, said owner has made a request for a Conditional Use Permit for the use of said premises being more particularly described in said request, as well as in the minutes of the City of Commerce, Texas, Planning and Zoning Commission meeting of January 7, 2014, 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 the authorization of a conditional use permit for the use of that premises described in said request, recommended to the City Council of the City of Commerce, Texas, that said request be approved, and that a Conditional Use Permit 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 the authorization of conditional use permits, deems it in the best interest and general welfare of the City of Commerce that said request for conditional use permit be granted and that conditional use permit should be authorized for the owner of the personal 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 BE IT RESOLVED that the City Manager or his designate in accordance with this Resolution be authorized and he is hereby authorized to issue a Conditional Use Permit on such property described in said request.

NOW THEREFORE, BE IT RESOLVED that the Mayor of the City of Commerce, Texas, be authorized and he is hereby authorized to execute said Resolution;

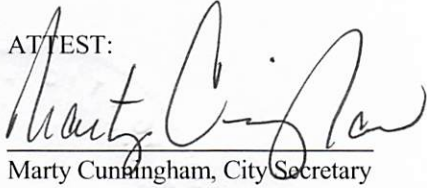
BE IT RESOLVED, that the City Secretary be authorized and she is hereby authorized to attest to the signature of the Mayor to said Resolution;

BE IT FURTHER RESOLVED that the City Manager be authorized and he is hereby authorized to execute any and all instruments requisite in implementing said Resolution;

BE IT FURTHER RESOLVED that the City Secretary be authorized and she is hereby authorized to attest to the signature of the City Manager to any and all instruments requisite to implementing said Resolution.

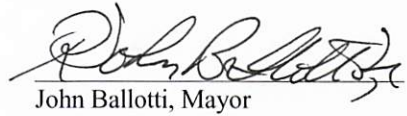
PASSED BY THE GOVERNING BODY of the City Council of the City of Commerce, Texas, on the 21st day of January 2014.

ATTEST:


Marty Cunningham, City Secretary

(seal)

CITY OF COMMERCE, TEXAS

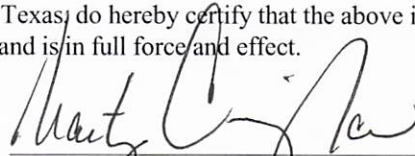

John Ballotti, Mayor

APPROVED AS TO FORM:


Jay Garrett, City Attorney

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 resolution, and that the same has not been repealed and is in full force and effect.

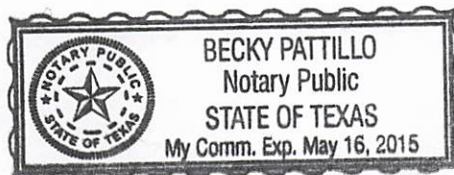
(seal)


Marty Cunningham, City Secretary
City of Commerce, Texas

Sworn to and subscribed before me, on this the 22nd day of January, 2014, to certify which witness my hand and seal of office.

(seal)


Notary Public, State of Texas





1119 Alamo • Commerce • Texas 75428
(903) 886-1100 • FAX (903) 886-8929 www.commercetx.org

Conditional/Special Use Application

Property Information

Property Address: 905 College St.

Legal Description: Subdivision S4380 Original Town of Commerce Block 40 Lot

Proposed Use Music Studio Present Use Vacant School (old A L Day School)

Applicant Information

Name: Ronald Von Kurnatowski (Tipitinas Foundation)

Address: 4040 Tulane Ave. #6000, New Orleans State LA Zip 70119

Phone Number 504-309-7934

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) City of Commerce

Applicant Signature _____ Date 12-9-2013

Owner Signature (if other than applicant) _____ Date _____

Permit (To be completed by the Planning Department)

A Conditional/Special Use Permit is hereby: Approved ☐ Disapproved ☐

Conditionally Approved ☐ (Conditions attached)

Planning and Zoning Commission took action on _____ 20____

Director of Community Development

Date



Tipitina's Foundation

Protecting & preserving Louisiana's musical culture

- What We Do
 - Instruments A Comin'
 - Sunday Youth Music Workshops
 - Tipitina's Internship Program
 - Music Office Co-Ops
 - Other Initiatives
- What We Are
- Where We Are
 - New Orleans
 - Baton Rouge
 - Lafayette
 - Lake Charles
 - Alexandria
 - Shreveport
 - Monroe
- Get Involved
 - Contact Us
 - Donate
 - Friend of the Foundation
 - Subscribe
 - Become a Supporter
- What Others Are Saying
 - Photos
 - Press

Tipitina's Music Office Co-Ops

There are six (soon to be seven) Tipitina's Music Office Co-Ops in the state of Louisiana that provide fully-equipped work space for musicians, filmmakers, and other digital media professionals. For those who cannot afford, or do not otherwise have access to them, the Co-Ops offer:

- Fast Windows XP and Mac computers
- High-speed Internet connections
- Laser printer and scanner
- Telephones and fax
- Page layout tools
- Web design tools
- Presonus Studio One, Digidesign Pro Tools and Apple Garageband audio software
- Apple Final Cut Pro video editing
- A clean, well-lit, ergonomic work space
- Tutorials on basic computer skills including word processing, spreadsheets, page layout, web design, and press kit creation.
- ELLA Project: A pro-bono music business legal assistance program led by top entertainment business attorney, Ashlye Keaton, that has helped hundreds of local artists secure and protect their intellectual property and resolve contractual issues.
- On-site technical support

- Volunteer production assistance
- Access to our network of music business professionals
- An ever-growing library of specialized information resources

Read more about our services

Music Office Co-Op Quick Links

- **Membership Sign-Up**
- **Economic Impact (18MB PDF)**
- **Press**
- **Sponsors**
- **Donate**

Locations and Hours



New Orleans
4040 Tulane Ave

Phone: (504) 891-0580
Fax: (504) 891-7996
Hours: 10AM-6PM, M-F



Baton Rouge
2600 Government St

Phone: (225) 389-0133
Fax: (225) 389-0129
Hours: 10AM-6PM, M-F



Lafayette
203 Jefferson St

Phone: (337) 534-0951
Fax: (337) 534-0847
Hours: 10AM-6PM, M-F



Lake Charles
2128 Hodges St

Phone: (337) 443-5779
Fax: (337) 433-5780
Hours: 10AM-6PM, M-F



Shreveport
700 Texas St

Phone: (318) 934-0000
Fax: (318) 934-0100
Hours: 11AM-7PM, M-F



Alexandria
321 Desoto St

Phone: (318) 443-9306
Fax: (318) 443-9308
Hours: 10AM-6PM, M-F

Information on the 2010 Co-Op Economic Impact Study

905 College St.



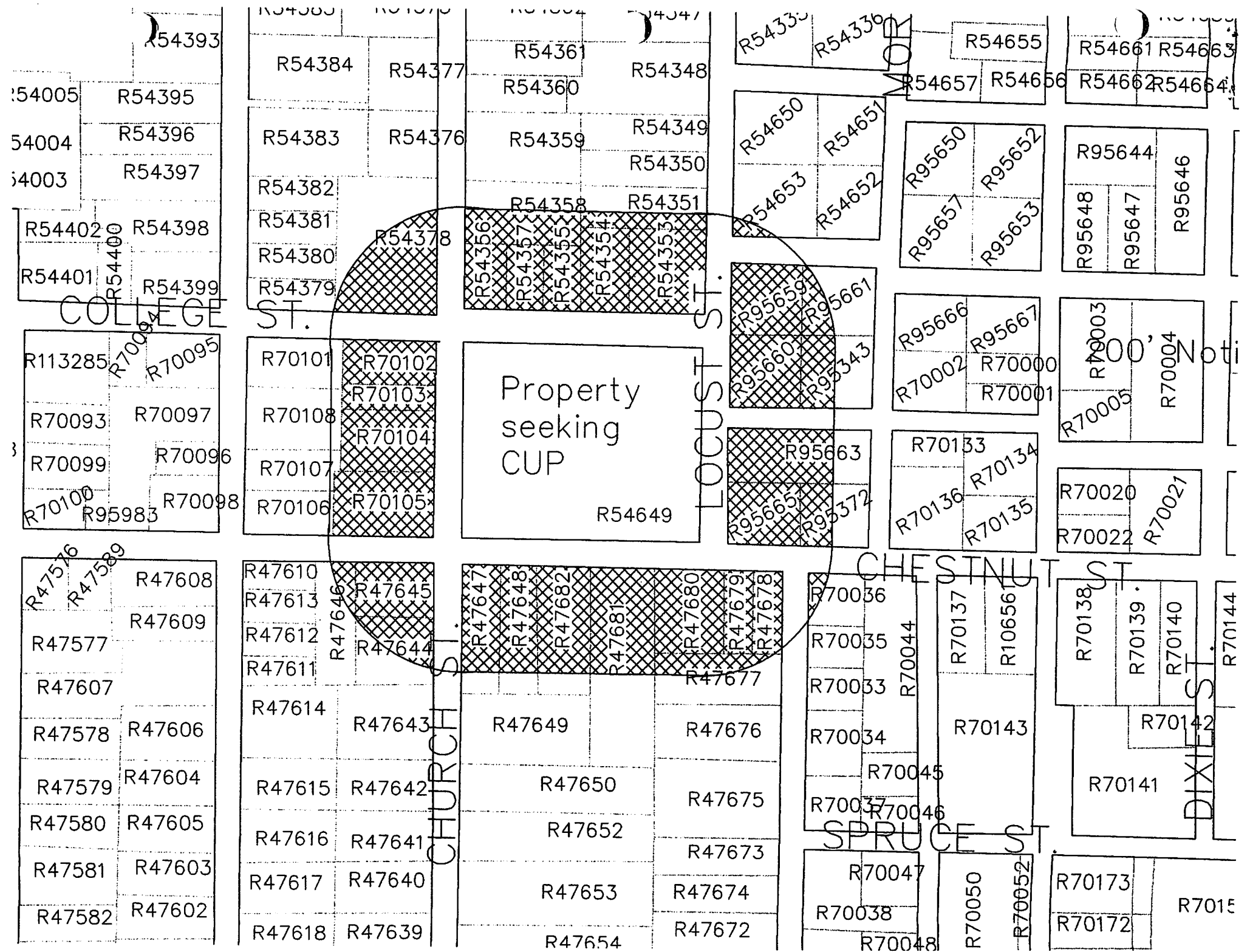
December 30, 2013

☐ Parcels Ownership_Information
☐ City Limits

1:2,407
0 0.02 0.04 0.08 mi
0 0.0325 0.065 0.13 km

Image courtesy of USGS Image courtesy of ImagePatch.com © AND © 2013
Note © AND

Hunt County Appraisal District / BIS Consulting - www.bisconsultants.com
This product is for informational purposes and may not have 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 property boundaries.



MINUTES

PLANNING & ZONING COMMISSION MEETING

January 7, 2014 – 5:30 p.m.

Commerce City Hall, 1119 Alamo Street, Commerce, TX

MEMBERS PRESENT: Chairman Charles Elliott, Carolyn Trezevant, Greg Hulsey, Terry Harris, and Gary Thompson

MEMBERS ABSENT: Henry Ross

OTHERS PRESENT: Director of Community Development, Steve Wilson; Community Development Building Inspector, Mike Wiblin; and Community Development Office Manager/Payroll, Dianne Roberts

1. Call to Order.

Chairman Charles Elliott called the meeting to order at 5:30 pm.

2. Approval of Minutes

Member Carolyn Trezevant moved to approve the minutes of the October 29, 2013 meeting as presented. Member Greg Hulsey seconded the motion. Motion carried unanimously.

3. Public hearing and consideration for a conditional use permit for the property located at 905 College Street to allow a music studio in an A2 (apartment/multifamily) zone.

Chairman Charles Elliott called the meeting to order. Steve Wilson stated that he would be explaining the Conditional Use application since Ronald Von Kurnatwoski was not present.

The property in question is where the old A L Day Elementary School was located. Mr. Kurnatwoski is the founder of the Tipitina's Foundation. This is a nonprofit foundation that provides professional music recording services to local musicians at a very low cost. Several of these studios are located in Louisiana.

Chairman Charles Elliott asked if there were any opposition from the community. Steve Wilson stated that he had received one phone call today representing the people. Their concern was if it would be opened past 9:00 p.m., how sound proof would the building be, and if they were going to put in a playground.

Several concerns were addressed by the committee members, including the noise level, safety issues, renovation to the building and the longevity of the business.

Steve Wilson explained that a Conditional Use Permit is for the committee to review and set conditions for the properties use. The school district still owns the property and the taxes will not change even if bought by Mr. Kurnatwoski due to it being a nonprofit foundation.

Chairman Charles Elliott stated that the question is, "are we willing to give our approval for this use?" After, the review of letters mailed to the property owners, the discussion of the building containing asbestos, and the Noise Ordinance the City has in place, the committee was ready to vote.

Committee Member Greg Hulsey moved to recommend the Conditional Use permit proposal for the property located at 905 College Street to allow a music studio in an A2 zone to the City Council. Committee Member Terry Harris seconded the motion. The motion was approved with (3) three votes for, (1) one vote against, Member Carolyn Trezevant; and Chairman Charles Elliott abstained.

10 . Other Business.

No other business.

11 . Adjourn.

Member Greg Hulsey moved to adjourn the meeting. Member Carolyn Trezevant seconded the motion. The motion was approved unanimously. The meeting was adjourned at 6:05 p.m.

Chairman Charles Elliott

Dianne Roberts
Community Development/Payroll