

RESOLUTION NO. 14-21

A RESOLUTION RELATING TO A CONDITIONAL USE PERMIT FOR PROPERTY LOCATED AT 2810 FM 3218; 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 17th day of June 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 2810 FM 3218, 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 June 3, 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;

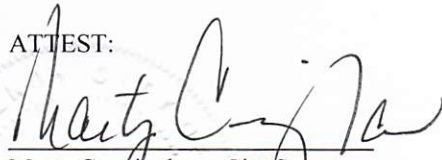
BE IT RESOLVED, that the City Secretary be authorized and she is hereby authorized to attest to the signature of the Mayor to said Resolution;

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 17th day of June 2014.

ATTEST:


Marty Cunningham, City Secretary

(seal)

CITY OF COMMERCE, TEXAS

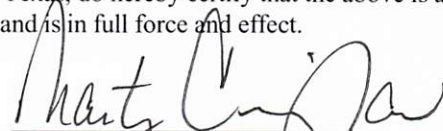

John Ballotti, Mayor

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.

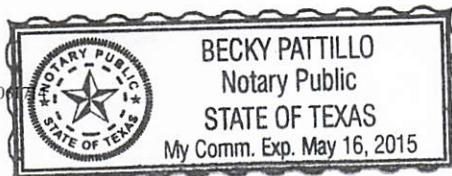
(seal)


Marty Cunningham, City Secretary
City of Commerce, Texas

Sworn to and subscribed before me, on this the 18th day of June, 2014, to certify which witness my hand and seal of office.

(seal)

DayCareCondUse.06/14




Notary Public, State of Texas



Conditional/Special Use Application

1119 Alamo St.

Commerce, TX 75428

903-886-1101 (Office)

903-886-2851 (Fax)

Property Information

Property Address: Z 810 Fm 3218

Legal Description: Subdivision Garner D, Tract 18 Block N/A Lot N/A

Proposed Use Learning Center Present Use Vacant

Applicant Information

Name: Shelley M. Smith

Address: 7306 Mayo State Texas Zip 75428

Phone Number 903 449-2409

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) Shelley M. Smith

Applicant Signature [Signature] Date 5/9/14

Owner Signature (if other than applicant) _____ Date 5/9/14

Permit (To be completed by the Planning Department)

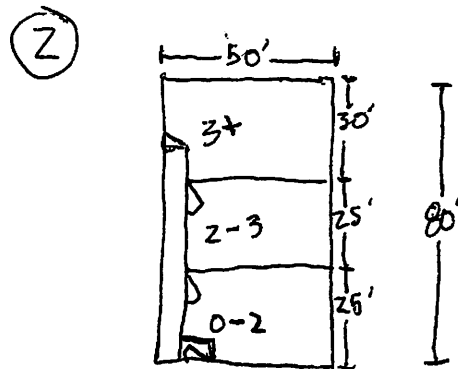
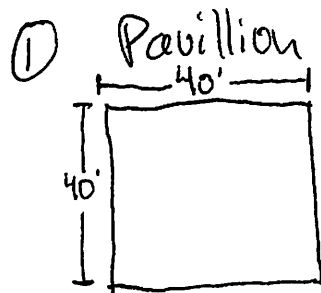
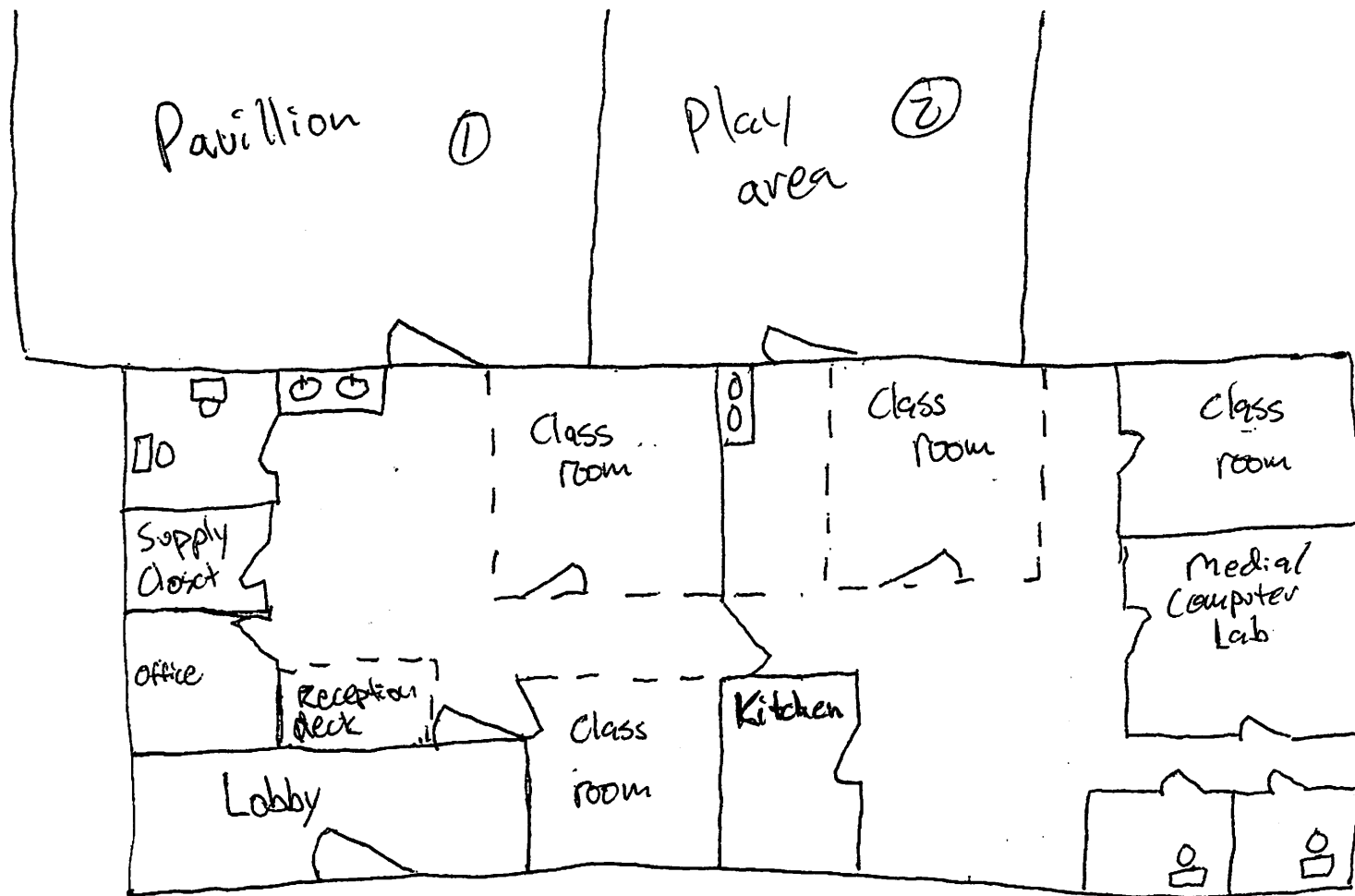
A Conditional/Special Use Permit is hereby: Approved ☐ Disapproved ☐

Conditionally Approved ☐ (Conditions attached)

Planning and Zoning Commission took action on _____ 20____

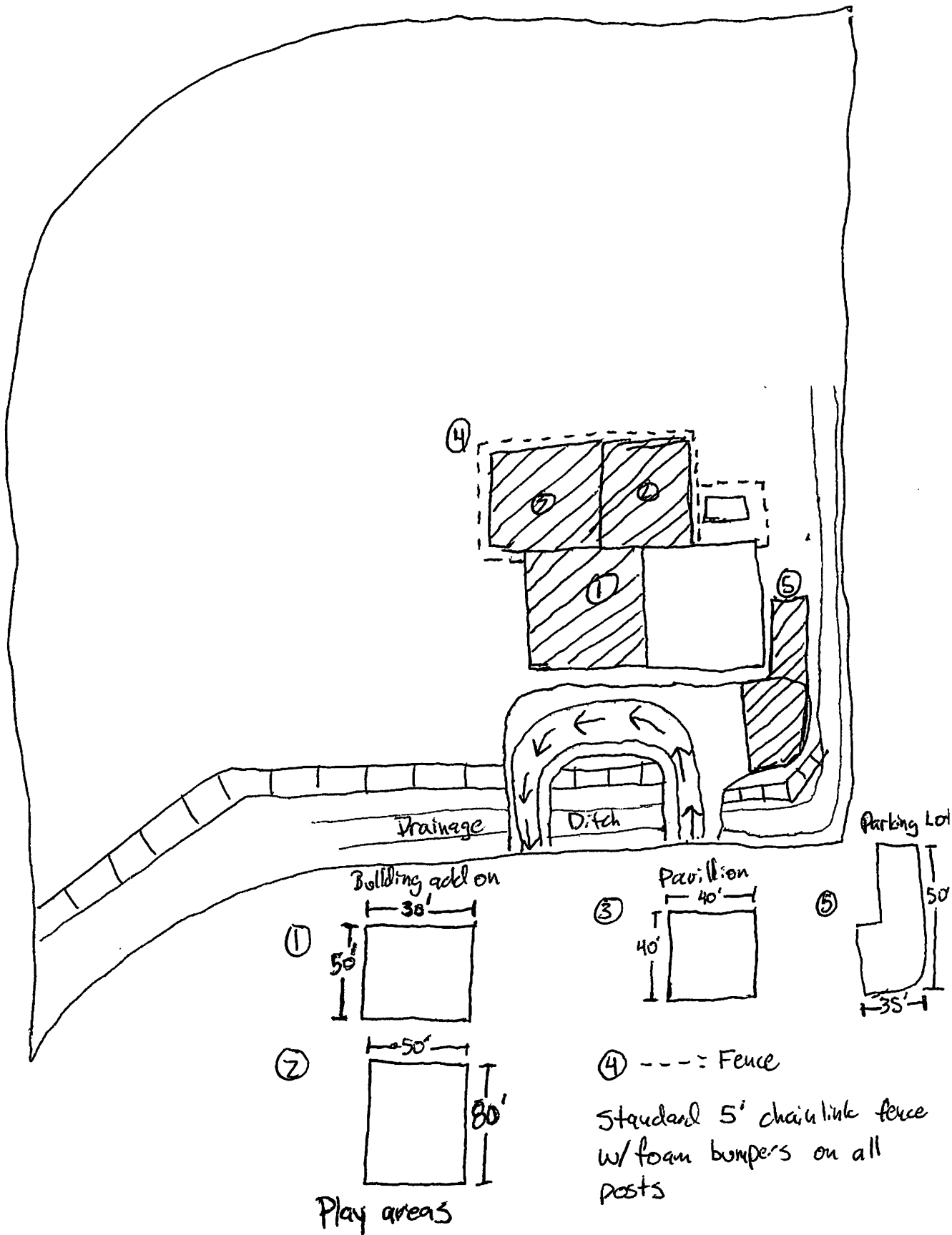
Director of Community Development

Date

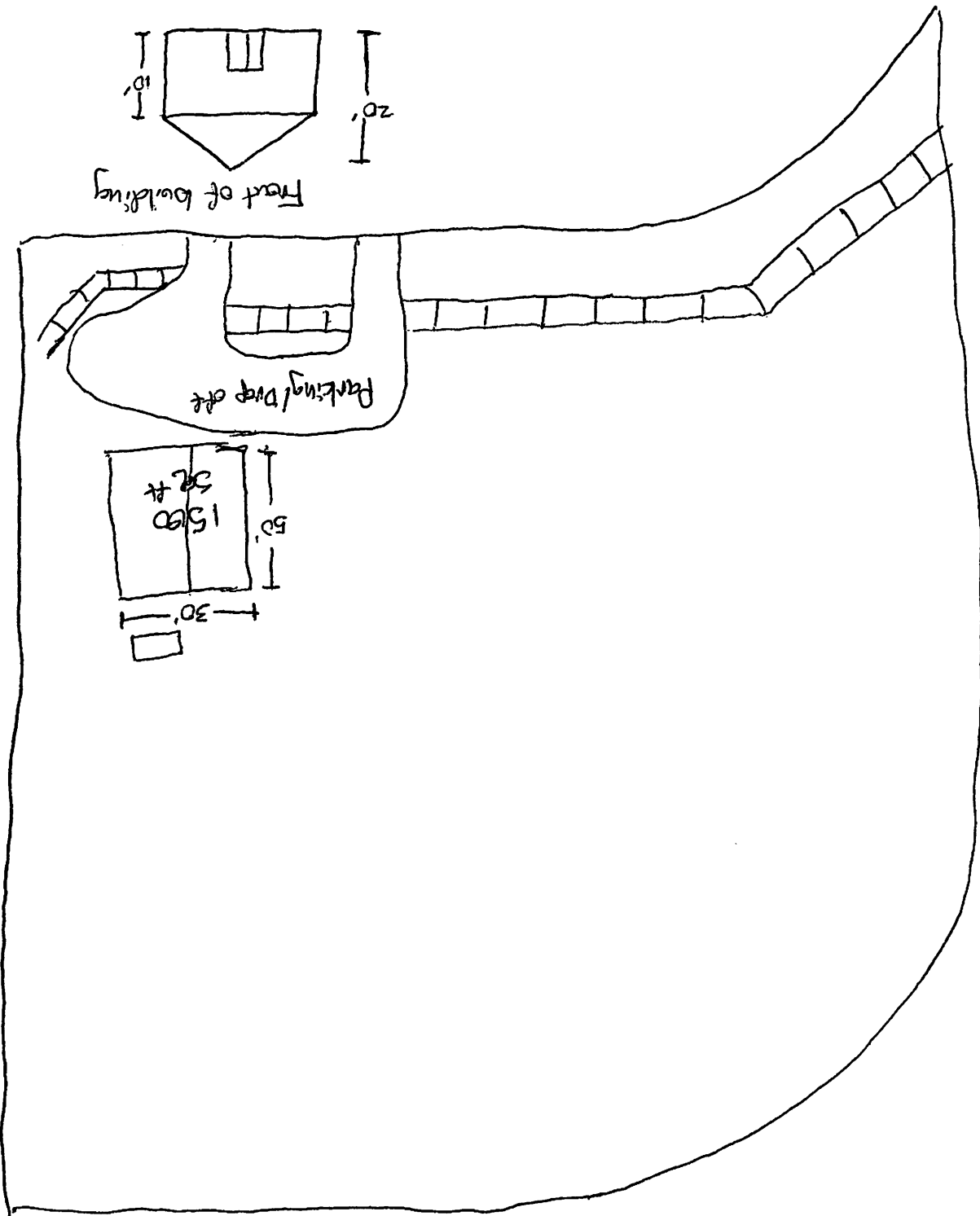


Ages for equipment in each yard

Proposed improvements



Existing Improvements



Elementary
School

Ball Fields

Lot in
Question

Middle
School

Bus
Barn

EDDIE MOORE PARK

CENTENNIAL
PARK

Property
Requesting
CUP

STIRLING HART EAST

TS

R25005

R113233

R105664

R25000

R25002 R25001

R105665

R25006

R25004

R105639

HARLOW ST.

R123016

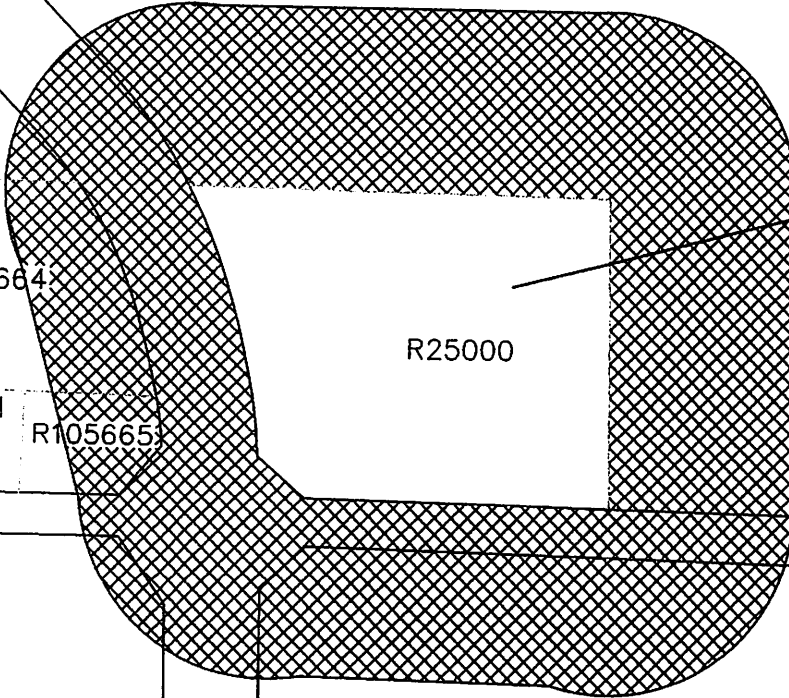
R123035

15

17

15206

DR



MINUTES

PLANNING & ZONING COMMISSION MEETING

June 3, 2014 – 5:30 p.m.

Commerce City Hall, 1119 Alamo Street, Commerce, TX

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

MEMBERS ABSENT: Henry Ross

OTHERS PRESENT: 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 p.m.

2. Approval of Minutes

Member Carolyn Trezevant moved to approve the minutes of the May 6, 2014 meeting as presented. Member Terry Harris seconded the motion. Motion carried unanimously.

3. Public hearing and consideration for a conditional use permit for the property located at 2810 FM 3218 to allow a daycare in an R10 zone.

Chairman Charles Elliott asked Mike Wiblin to inform the committee what he knew about the old church building being used as a childcare facility.

Mike Wiblin stated that Ms. Shelley Smith and her husband had been looking at property within the city for use as a childcare facility. Ms. Smith approached Mr. Wiblin to raise questions about this property, the old Victory Baptist Church. Mr. Wiblin explained the process. Drawings and plans were submitted by Ms. Smith, which reflects things they want to do as time passes. They want to start out small and grow. Mr. Harris had questions about the plans looking like extra buildings. Mr. Wiblin stated that he saw a play area and pavilion, but not extra buildings. Mr. Wiblin also stated that Ms. Billie Biggerstaff contacted the city to voice her approval of the childcare facility being located across from her property at 3501 FM 3218.

Several concerns were addressed by the committee members. Chairman Elliott was apprehensive that no representative was present; Member Trezevant was concerned with the traffic flow; and Member Harris stated that he thought it was a good idea. Chairman Elliott agreed that it was a good use of that property. Member Trezevant asked if the committee had approved other requests without a representative. Mike Wiblin replied the Music Venue was an example.

Chairman Elliott asked for a motion. Member Terry Harris moved to recommend to City Council the conditional use permit for the property located at 2810 FM 3218 to allow a licensed daycare in an R10 zone. Committee Member Carolyn Trezevant seconded the motion. The motion was approved unanimously.

4. Other Business.

Questions were raised by the committee concerning used car lots being developed around the city.

5. Adjourn.

Member Terry Harris moved to adjourn the meeting. Member Gary Thompson 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