

Dan Davis, Chairman
Edwina Miller
Bob Snow
Bill Fraser



Richard Farris, Jr.
Mary Cox
Alex Nemer, II

NOTICE OF MEETING
PLANNING AND ZONING COMMISSION AGENDA
Thursday, August 18, 2016 @ 1:30 PM
City Council Chambers
504 N. Queen Street, Palestine, Texas

CALL TO ORDER

MINUTES

1. Consider the minutes of the July 7, 2016 regular meeting.

PUBLIC HEARINGS--ZONING ITEMS

1. Consider a a specific use permit to allow a church/place of worship at 2110 Court Drive. This property is zoned R-1, Single Family Detached, Low Density District and is generally located approximately 360-feet east of the intersections of Court Drive and Buttermilk Drive, on the south side of Court Drive.

COMMISSION COMMENTS AND FUTURE AGENDA ITEMS

The Commission may discuss and recieve input from staff concerning the status of current and proposed development projects, zoning and development code items, and other relevent information.

ADJOURN

NOTE: Pursuant to Section 551.071 of the Texas Local Government Code, the Planning and Zoning Commission reserves the right to adjourn into a closed meeting at any time regarding any item on the agenda for which it is legally permissable.

The City of Palestine City Council Chambers is accessible in accordance with the Americans with Disabilities Act. reasonable accommodations will be prvided for persons attending this meeting. Requests for accommodations or interpretive services must be made 48 hours prior to the meetings. Please contact the City Secretary at (903) 731-8414 for further information.

CERTIFICATION

I, the undersigned authority, do hereby certify that this Notice of Meeting was posted on the outside bulletin board at the main entrance to City Hall, 504 North Queen Street, Palestine, Texas, on the following date and time:

Sunday, August 14, 2016 at 5:00 pm



Jeffrey Lyons,
Development Services Director



**MEETING MINUTES
PLANNING AND ZONING COMMISSION
July 7, 2016**

The Planning and Zoning Commission convened in a regular meeting on July 7, 2016 at 1:30 pm in the City Hall Council Chambers at 504 N. Queen Street , Palestine Texas.

Members Present: Dan Davis, Chairman, Bob Snow, Bill Fraser, Richard Farris, Jr., and Alex Nemer II

Staff Present: Jeffrey Lyons, Director of Development Service

CALL TO ORDER

Chairman Davis called the meeting to order at 1:30 p.m.

APPROVAL OF THE MINUTES

Commissioner Fraser made a motion to approve the minutes of the June 2, 2016 special meeting as submitted, seconded by Commissioner Fraser. Upon vote, the motion carried unanimously.

REGULAR AGENDA

Consider a zoning change request from R-2, Single Family Detached, Medium Density District to C-2, Local Retail Commercial located at 321 W. Palestine Avenue being Lot 4, Block 33 of the Green's North Hills Addition and generally located approximately 70-feet north of the intersections of W. Palestine Avenue and Tennessee Avenue on the east side of Tennessee Avenue.

Chairman Davis opened the public hearing for those wishing to speak in favor of the request. Applicant M. Mohiuddin spoke in favor of the request. He stated that his intentions were to demolish the existing convenience store and construct a new one on a portion of the property that was zoned for single family uses. No one spoke in opposition. The public hearing was closed.

Development Services Director, Jeffrey Lyons discussed the request and stated that the applicant had received a variance to allow the new store to be located closer to the rear property line than what the current setbacks allowed. Also, he stated that due to the additional parking needed for the retail spaces, the building could not be placed in the same location as the existing one and would have to be closer to the rear property line within the area of the property zoned for single family uses.

At the conclusion of the discussion, Commissioner Farris made a motion to approve the zoning change request, seconded by Commissioner Fraser. Upon vote, the motion carried unanimously.

COMMISSION COMMENTS AND FUTURE AGENDA ITEMS

Staff updated the Commission on current and proposed development projects and the status of the zoning ordinance update.



**MEETING MINUTES
PLANNING AND ZONING COMMISSION
July 7, 2016**

ADJOURN

With no further business, the meeting was adjourned at 1:57 pm.

Dan Davis, Chairman

Attest:
Jeffrey Lyons
Development Services Director



SPECIFIC USE PERMIT APPLICATION

APPLICANT INFORMATION

Applicant Name: BENJAMIN D. ERBE
Address: 205 INWOOD Dr
City: PALESTINE State: TX Zip: 75801
Phone Number: 469 363 3981 Email: benjaminerbe985 Fax: _____
@49600.com

PROPERTY DESCRIPTION

Address (if available): 2110 Court Drive
Subdivision: _____ Lot: _____ Block: _____
Anderson County Appraisal District Block Map # 1224 Tract #: 19
Existing Deed Restrictions: Yes (Attach a copy with the application) No
Proposed Deed Restrictions: Yes (Attach a copy with the application) No

PRESENT USE OF PROPERTY

Describe how the property is currently being used: REPAIRS of EXISTING BUILDING

PROPOSED USE OF PROPERTY

Describe the proposed use of the property (be specific): FOR CHURCH SERVICES AND WORSHIP AND BIBLE STUDIES.

Attach additional sheets if necessary including any surveys or drawings that will show the proposed improvements on the property.

Application continued on the second page.



SPECIFIC USE PERMIT APPLICATION

PROPERTY OWNER OR AUTHORIZED APPLICANT ACKNOWLEDGEMENT

I acknowledge under penalty of perjury that I am the legal owner of the property described in the application or, alternatively, that I am authorized to represent all of the owners of the property described in this application.

State of: TEXAS County of: ANDERSON

This instrument was acknowledged before me on the 1st / August / 2016
Day/Month/Year

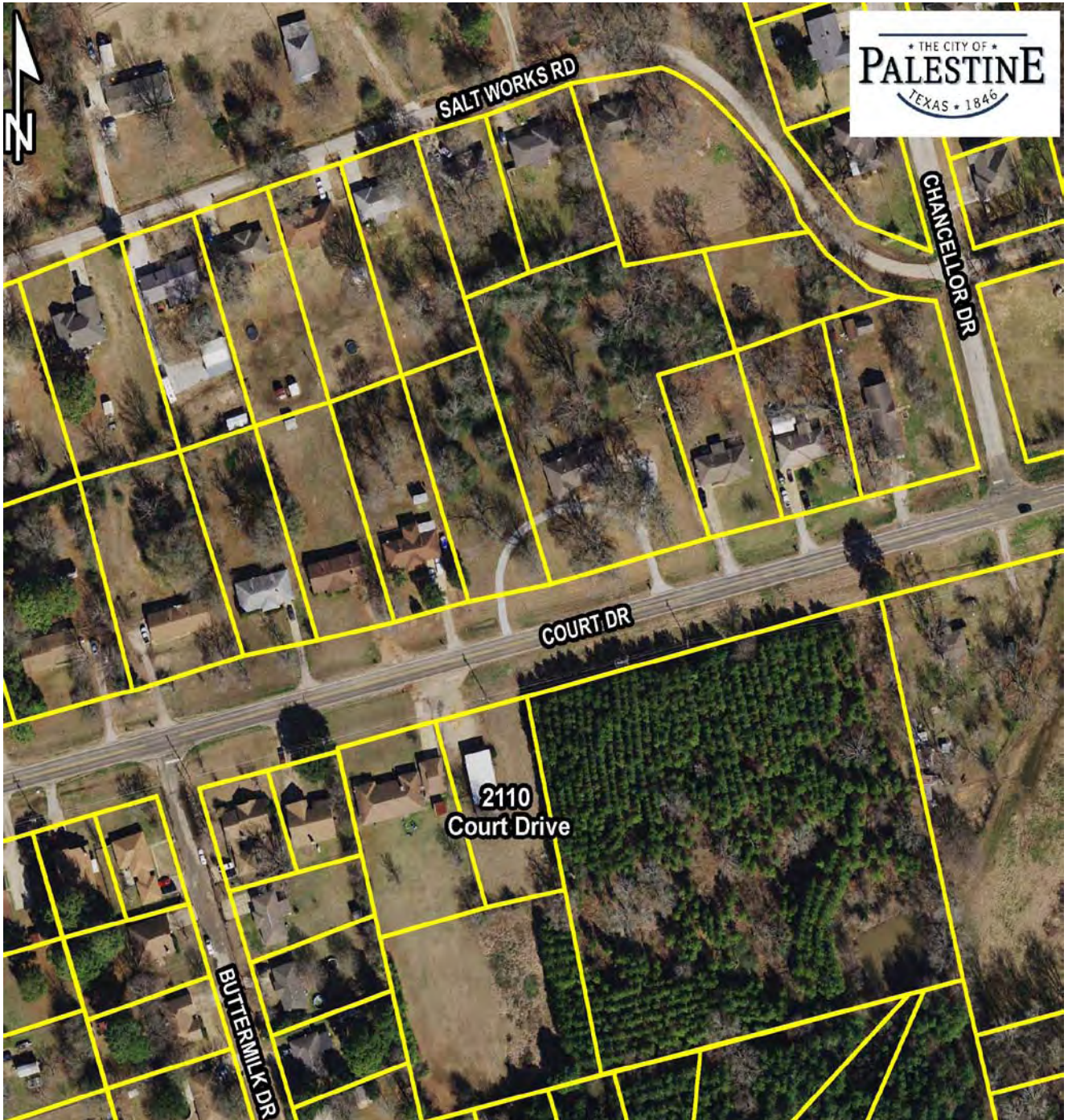
By: Benjamin EGBE

Janet Migliaccio
Signature of Notary Public

[Signature]
Signature of Applicant



**SPECIFIC USE PERMIT
PROPERTY LOCATION MAP
XZ-16-03 / 2110 COURT DRIVE**





PLANNING AND ZONING COMMISSION

August 18, 2016 Special Meeting
Agenda Item XZ-16-03 / Staff Report

Case No.	XZ-16-03
Hearing Date:	August 18, 2016 @ 1:30 pm
Request:	Specific use permit request to allow the existing structure at 2110 Court Drive to be used as a church / place of worship
Applicant:	Mr. Benjamin Embe
Exhibits:	1. Specific use permit application. 2. Public notice and subject property location map
Prepared By:	Jeffrey Lyons, Development Services Director

Request

A specific use permit to operate a church / place of worship at 2110 Court Drive. This property is zoned R-1, Single Family Detached, Low Density District. Churches are allowed to operate in residential zones only by approval of a specific use permit.

Property Information

The property is currently zoned R-1, Single Family Detached, Low Density District and is approximately .3 acres. A 1,500 square foot commercial structure was built at this location in 1976 prior to being annexed into the city limits. The structure is currently unoccupied and is being renovated to accommodate the use of a church. Previous uses include a plumbing office and community outreach center.

Surrounding Zoning/Land Use

Properties in the immediate area of 2110 Court Drive are zoned for single family uses. There are no commercial or non-residential uses nearby.

Surrounding land uses include single family to the north and west and vacant land to the south and the east.

Public Notification

On August 5, 2016, 16 notices were mailed to property owners within 200-feet of the property requesting the variances. None have been returned in favor or opposition.

Staff Comments and Recommendation

The existing structure at 2110 Court Drive was being renovated to accommodate the use of a church prior to the Building Official issuing a stop work order due to the zoning restrictions. There are no records to indicate that the structure was ever used as a church in the past or obtained a specific use permit to operate a church at this location.



PLANNING AND ZONING COMMISSION

August 18, 2016 Special Meeting
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Concerning off-street parking, the existing building may accommodate approximately 50 people for church services thus requiring at least 10 off-street parking spaces. Some of the area in front of the existing building is paved, however, additional paving may be necessary to satisfy the off-street parking requirements.

Based on the existing conditions of the property and the fact that a small church would probably be a low-impact use to the surrounding residences, Staff recommends approval of the specific use permit.