

Mary Cox, Commissioner
Edwina Miller, Commissioner
Rick Farris, Jr. Commissioner



Bob Snow, Commissioner
Bill Fraser, Commissioner
Alex Nemer, II, Commissioner

Dan Davis, Chairman

NOTICE OF MEETING
PLANNING AND ZONING COMMISSION AGENDA

Friday, August 3, 2018 at 1:00 p.m.
City Council Chambers
504 N. Queen Street
Palestine, Texas

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 permissible.

REGULAR MEETING

A. CALL TO ORDER

B. ROLL CALL

C. CONFLICT OF INTEREST DISCLOSURES

D. APPROVAL OF MINUTES

- 1) July 13th, 2018 meeting.

E. PUBLIC HEARINGS / ITEMS FOR CONSIDERATION

- 1) Conduct a public hearing and consider a specific use permit to allow a tattoo parlor on property zoned CBD, Central Business District at 219 W. Main Street. Case Number XZ-18-05. Applicant Seth Blood.

F. OTHER ITEMS

- 1) Discuss draft zoning ordinance.

G. COMMISSION COMMENTS AND FUTURE AGENDA ITEMS

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

H. ADJOURN

CERTIFICATION

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

Tuesday, July 31st, 2018 at 11:30 a.m.

Jeffrey Lyons,
Development Services Director

In compliance with the Americans with Disabilities Act, the City of Palestine will provide for reasonable accommodations for persons attending City Council meetings. Requests for accommodations or interpretive services must be made 48 hours prior to the meetings. Please contact the City Secretary's office for further information at 903-731-8414.

Minutes of the Planning and Zoning Commission Regular Meeting July 13, 2018

THE STATE OF TEXAS §
COUNTY OF ANDERSON §
CITY OF PALESTINE §

The Planning and Zoning Commission convened in a Regular Meeting on Thursday, July 13, 2018 at 1:00 P.M. in City Council Chambers at 504 N. Queen Street, Palestine, Texas.

CALL TO ORDER – REGULAR MEETING

Chairman Davis called meeting to order at 1:00 P.M.

Roll Call by Commissioner Davis with the following present:

Commissioners Dr. Mary Cox, Dan Davis, Bill Fraser and Alex Nemer

Absent: Rick Farris, Jr, Edwina Miller, II Bob Snow

Others present: Jeffrey Lyons, Director of Development Services and Athena Petty, Development Services Administrative Assistant.

CONFLICT OF INTERESTS DISCLOSURES

None

APPROVAL OF THE MINUTES

Commissioner Fraser made a motion to approve the minutes of the June 7, 2018 meeting as presented, seconded by Commissioner Cox. Upon vote, the motion carried unanimously.

PUBLIC HEARINGS / ITEMS FOR CONSIDERATION

- 1) Conduct a public hearing and consider a specific use permit to allow propane sales and distribution on property zoned C-4, highway commercial located at 6010 N. Loop 256. Case Number XZ-18-02. Applicant W&J Propane Properties, LLC / Nelson Propane.

Chairman Davis opened the public hearing for those speaking in favor of Case XZ-18-02. Jeff Nelson, applicant, made a presentation to the Commission. Kelly Hughes, Fire Marshall, spoke in favor of the new equipment being installed. No one spoke in opposition. The public hearing was closed.

Development Services Director, Jeffrey Lyons provided a staff report and recommended approval of the specific use permit. Commissioner Frasier made a motion to recommend approval of the specific use permit, seconded by Commissioner Cox. Upon vote, the motion carried.

- 2) Conduct a public hearing and consider a specific use permit to allow a tattoo parlor on property zoned RPO, restricted professional office at 1010 N. Church Street. Case Number XZ-18-03. Applicant Kyle Williams.

Chairman Davis opened the public hearing for those speaking in favor of Case XZ-18-03. Kyle Williams, applicant, made a presentation to the Commission. No one spoke in opposition. The public hearing was closed.

Development Services Director, Jeffrey Lyons provided a staff report and recommended approval of the specific use permit. Commissioner Frasier made a motion to recommend approval, seconded by Commissioner Cox. Upon vote, the motion carried unanimously.

- 3) Conduct a public hearing and consider a change of zoning from I-1, general industrial to R-3, single family detached, high density district on Lot 1 of the Thomas Plumbing Addition being 2.163 acres located at the southeast corner of Academy Drive and Murchison Street. Case Number XZ-18-04. Applicant Alex Claymon.

Chairman Davis opened the public hearing for those speaking in favor of Case XZ-18-04. Alex Claymon, applicant, made a presentation to the Commission. No one spoke in opposition. The public hearing was closed.

Development Services Director, Jeffrey Lyons provided a staff report and recommended approval of the change of zoning. Commissioner Fraser asked what size the homes would be. Mr. Claymon stated that they would be around 1,300 square feet. Commissioner Cox made a motion to recommend approval of the zoning change request, seconded by Commissioner Frasier. Upon vote, the motion carried unanimously.

OTHER ITEMS

1. Discuss draft zoning ordinance.

The draft zoning ordinance was presented to the Planning Commission for review. Development Services Director, Jeffrey Lyons proved a summary of the ordinance including the recommendations of the Zoning Ordinance Steering Committee.

During review of the ordinance, the Planning Commission voted to make the following changes:

- a) Remove Section 39.3.4-8 Tree Preservation;
- b) Remove Section 39.3.5-1 Applicability #1, letter b and c;
- c) Remove Section 39.3.5-2 General Standards for Screening and Fencing;
- d) Remove Section 39.3.5-4 Outdoor Storage and Screening.

At the conclusion of the review, Chairman Davis requested that the Commissioners review the Land Use Chart and Definition for the next meeting scheduled for August 3rd at 1:00 p.m.

ADJOURN

With no further business, the meeting was adjourned at 2:30 PM.

Chairman Dan Davis

ATTEST:

Jeffrey Lyons, Development Services Director



SPECIFIC USE PERMIT APPLICATION

APPLICANT INFORMATION			
Applicant Name:	Seth Blouid		
Address:	200 acr 2312		
City:	Montalba	State:	Texas
Phone Number:	903-574-4120	Zip:	75853
		Email:	Sethblouid@gmail
		Fax:	

PROPERTY DESCRIPTION			
Address (if available):	219 W. Main St.		
Subdivision:	Original Wln.	Lot:	
Anderson County Appraisal District Block Map #		Tract #:	
Existing Deed Restrictions:	<input type="checkbox"/> Yes (Attach a copy with the application)	<input type="checkbox"/> No	
Proposed Deed Restrictions:	<input type="checkbox"/> Yes (Attach a copy with the application)	<input type="checkbox"/> No	

PRESENT USE OF PROPERTY	
Describe how the property is currently being used:	Formerly an optometrists office. Currently vacant

PROPOSED USE OF PROPERTY	
Describe the proposed use of the property (be specific):	Would like this location to be Bloodlines Fine Art and Tattoo/Piercing Studio featuring Art galleries and painting projects with classes and events. Possibly art shows featuring art exhibits.

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

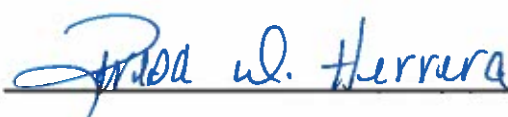
PROPERTY OWNER OR AUTHORIZED APPLICANT ACKNOWLEDGEMENT

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 July 16, 2018
Day/Month/Year

By:  Seth Blood


Signature of Notary Public


Signature of Applicant





**PLANNING AND ZONING COMMISSION
AGENDA DATE: AUGUST 3, 2018
ITEM XZ-18-05 / STAFF REPORT**

REQUEST: A specific use permit to allow a tattoo parlor at 219 W. Main Street.

APPLICANT: Seth Blood

EXHIBITS: Specific Use Permit application

PREPARED BY: Jeffrey Lyons, Development Services Director

PROPERTY INFORMATION

LOCATION: 219 W. Main Street
ZONING: CBD, Central Business District
OVERLAY ZONES: Main Street, Downtown Historic District
LAND USE: Commercial building currently unoccupied
ADJACENT ZONING: CBD, Central Business District
ADJACENT LAND USE: Office and commercial
SUBDIVISION: Original Addition

SUMMARY OF REQUEST

The applicant is requesting a specific use permit to operate a tattoo parlor within an existing building at 219 W. Oak Street. The building is currently unoccupied and has frontage on both Main Street and W. Oak Street. No modifications to the building have been proposed with the exception of external signage which will be reviewed and approved by the Main Street Board.

PROJECT SETTING

The property is currently zoned CBD, Central Business District. Surrounding zoning includes the Central Business District. Surrounding land uses include retail and office.

PRIOR APPROVALS / TATTOO PARLORS

On July 23, 2018, the City Council approved a specific use permit for a tattoo parlor at 1010 N. Church Street. This location is the only permitted tattoo parlor in the city limits.

HEALTH AND LICENSING REQUIREMENTS / TATTOO PARLORS

All tattoo shops within the State of Texas are required to obtain a license to operate with the Department of State Health Services. On-site inspections by the state ensure that the tattoo operator is maintaining the building in a safe and clean manner, is properly washing hands and using personal protective equipment, and maintaining sterilization records showing routine sterilization practices.

ZONING REQUIREMENTS / TATTOO PARLORS

On June 25, 2018, the City Council approved changes to the zoning ordinance as recommended by the Planning Commission to allow tattoo parlors in the following zoning districts:

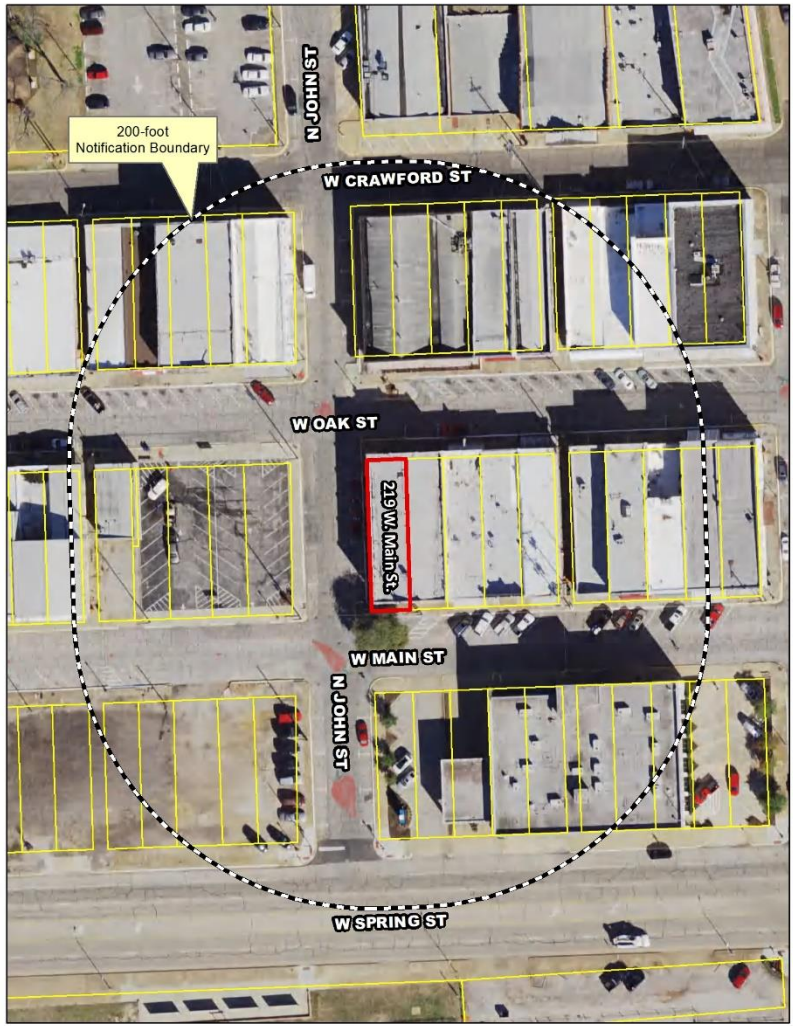
By right in C-2, Local Retail Commercial, C-4 Highway Commercial, and C-3 General Commercial.

By specific use permit in CBD, Central Business District and RPO, Restricted Professional Office.

PUBLIC NOTICE

On July 20, 2018, 23 notices were mailed to property owners within 200-feet of the location of the specific use permit request. None have been returned in favor or in opposition of the request.

SPECIFIC USE PERMIT LOCATION MAP



STAFF RECOMMENDATION

Staff recommends approval of the specific use permit.

COUNCIL REVIEW

If the Planning Commission takes action on the specific use permit, the item will be placed on Council's agenda for consideration on August 13, 2018.