

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, September 7, 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) August 17<sup>th</sup>, 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 316 W. Oak Street. Case Number XZ-18-06. Applicant Seth Blood.

**F. OTHER ITEMS**

- 1) Discuss and recommend changes to the 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:

Friday, August 31<sup>st</sup>, 2018 at 1:30 p.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 Meeting August 17, 2018

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

The Planning and Zoning Commission convened in a Regular Meeting on Friday, August 17<sup>th</sup>, 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, Rick Farris, Jr, Bill Fraser, Edwina Miller, Alex Nemer II, Bob Snow

Others present: Jeffrey Lyons, Director of Development Services

**CONFLICT OF INTERESTS DISCLOSURES**

None

**APPROVAL OF THE MINUTES**

Commissioner Fraser made a motion to approve the minutes of the August 3, 2018 meeting as presented, seconded by Commissioner Cox. Upon vote, the motion carried unanimously.

**DISCUSSION ITEMS**

Review and recommend changes to the draft zoning ordinance.

The Commission reviewed Article V. Division 2, General Definitions and Article V, Division 3 Use Definitions.

Commissioners Mary Cox, Dan Davis, and Bill Fraser presented changes and additions to these sections.

Upon the conclusion of review, Chairman Davis set the next meeting for Friday, September 7<sup>th</sup> at 1:00 pm.

**ADJOURN**

With no further business, the meeting was adjourned at 3:00 PM.

\_\_\_\_\_  
Chairman Dan Davis

ATTEST:

\_\_\_\_\_  
Jeffrey Lyons, Development Services Director

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### SPECIFIC USE PERMIT APPLICATION

APPLICANT INFORMATION			
Applicant Name:	<u>Seth Blood</u>		
Address:	<u>200 Act 2312</u>		
City:	<u>Montalba</u>	State:	<u>TX</u> Zip: <u>75853</u>
Phone Number:	<u>903-574-4170</u>	Email:	<u>SethBlood13@gmail.com</u>

PROPERTY DESCRIPTION			
Address (if available):	<u>312 W Oak St Palestine TX 75801</u>		
Subdivision:	_____	Lot:	_____ Block: _____
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:	<u>Not in use</u>
_____	
_____	

PROPOSED USE OF PROPERTY	
Describe the proposed use of the property (be specific):	<u>Tattoo studio / Art studio</u>
	<u>Piercing studio. Possibly art classes, renter's</u>
	<u>Fix up whole property</u>
_____	
_____	
_____	

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

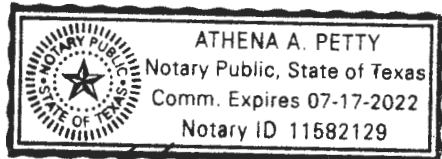
#### PROPERTY OWNER OR AUTHORIZED APPLICANT ACKNOWLEDGEMENT

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: Bradson

This instrument was acknowledged before me on the 8/25/18  
Day/Month/Year

By: [Signature]



[Signature]  
Signature of Notary Public

[Signature]  
Signature of Applicant



**PLANNING AND ZONING COMMISSION  
AGENDA DATE: SEPTEMBER 7, 2018  
ITEM XZ-18-06 / STAFF REPORT**

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**REQUEST:** A specific use permit to allow a tattoo parlor at 316 W. Oak Street.

**APPLICANT:** Seth Blood

**EXHIBITS:** Specific Use Permit application

**PREPARED BY:** Jeffrey Lyons, Development Services Director

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**PROPERTY INFORMATION**

**LOCATION:** 316 W. Oak 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 316 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:

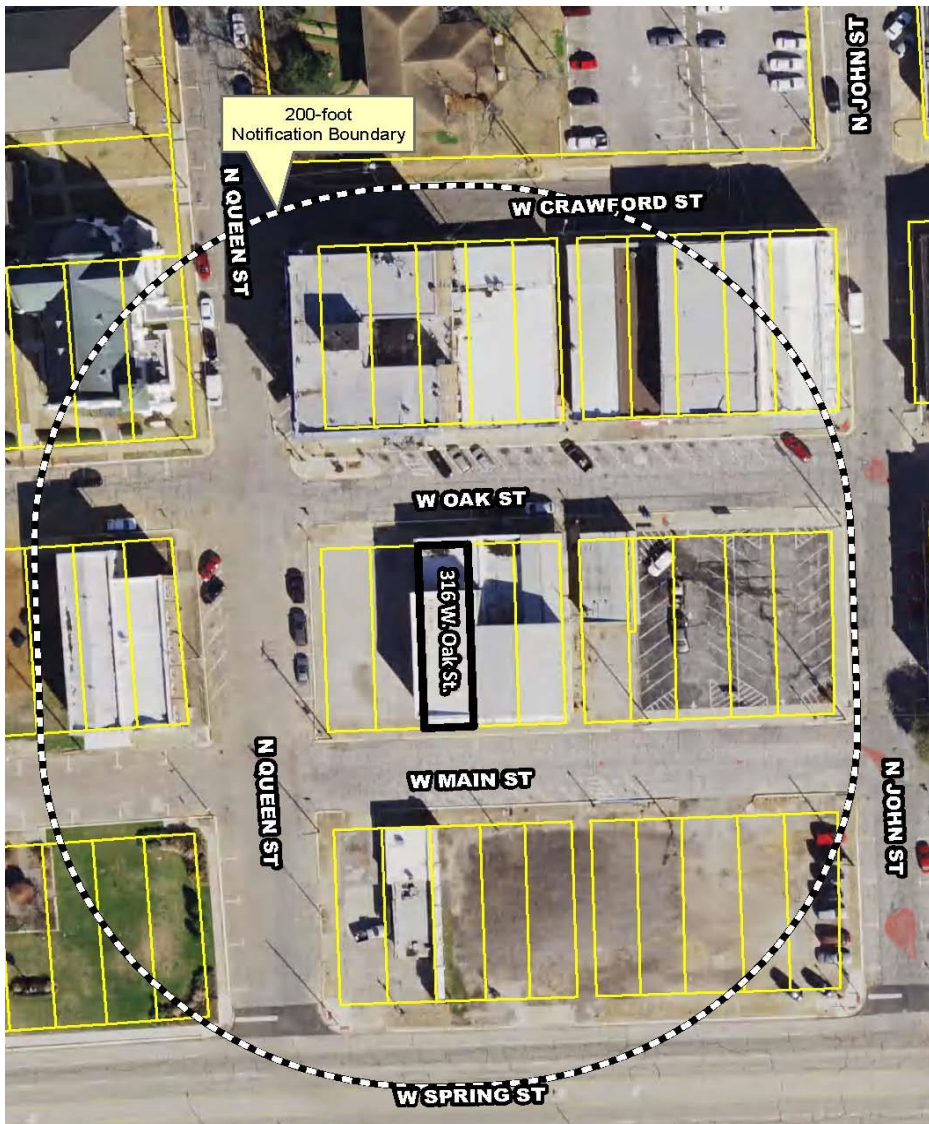
By right in C-2, Local Retail Commercial, C-4 Highway Commercial, and C-3 General Commercial.

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

**PUBLIC NOTICE**

On August 24, 2018, 17 notices were mailed to property owners within 200-feet of the location of the specific use permit request. One has been returned in opposition of the request and none have been returned in favor.

**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 September 10, 2018.