



MEETING MINUTES
PLANNING AND ZONING COMMISSION
REGULAR MEETING
AUGUST 7, 2014

The Planning and Zoning Commission of the City of Palestine, Texas convened in a regular meeting on Thursday, August 7, 2014 at 1:35 p.m. in the City Council Chambers at City Hall, 504 N. Queen Street, Palestine, Texas.

Planning and Zoning Commissioners present:

Chairman Dan Davis

Commissioners: Mary Cox, Richard Farris, Jr., Edwina Miller, Bob Snow, and James Neel Warren.

Planning and Zoning Commissioners absent:

Commissioners: Dennis Knox.

City Staff members present: Jeffrey Lyons, Development Services Director

CALL TO ORDER

Chairman Davis called the meeting to order at 1:35 p.m. A quorum was present.

APPROVAL OF MINUTES

Commissioner Farris made a motion to approve the minutes of the July 3, 2014 regular meeting as submitted. The motion was seconded by Commissioner Warren. Upon vote, the motion carried unanimously.

ITEMS FOR DISCUSSION AND POSSIBLE ACTION

Case XZ-14-05/Zoning Change

Conduct a public hearing and consider a zoning change from MF-1, Multiple Family Low Density District to C-4, Highway Commercial on Lot A, Block 3 of the Norwood Heights Addition (1.5 acres within the city limits of Palestine). The property is generally located on the east side of SH 155, directly across from the northernmost intersection of Gardner Drive and State Highway 155. Nicol Family Partnership/Applicant

Chairman Davis opened the public hearing. Tom Nicol, property owner spoke in favor of the request. No one spoke in opposition. The public hearing was closed.

Staff presented the request to the Commission. Commissioner Snow stated his concern about whether or not approving the zoning change would be considered spot zoning.

Staff advised the Commissioner that the Comprehensive Land Use Plan has designated this property for future commercial uses. Staff reviewed the allowable uses in the C-4 zone with that of the C-3 zone Commissioner Snow stated that it would be more appropriated to rezone the property to C-3 since that zoning district was located directly to the south of the property in question.

After discussion of this item Commissioner Snow made a motion to approve the rezoning of this property to C-3 rather than the requested C-4 zone, seconded by Commissioner Miller. Upon vote, the motion carried unanimously.

Case Z-14-06/Ordinance Amendment

Conduct a public hearing and consider amendments to the regulation of sexually oriented businesses as found in the Palestine Code of Ordinances, Chapter 26, Businesses, Article VII. City of Palestine/Applicant

Chairman Davis opened the public hearing.

No one was present to speak in favor or in opposition to the ordinance amendment. The public hearing was closed.

Staff presented a summary of the ordinance amendment including the City Council's review of the ordinance changes including a description of the proposed sexually oriented business overlay zone. Commissioner Miller stated that her concern was regarding the definition of an adult motel and whether or not the city should allow this use in the ordinance. Commissioner Miller made a motion to table this item and reconsider after the other items on the agenda, seconded by Commissioner Farris. Upon vote, the motion carried unanimously.

Case ZA-14-03/Zoning Text Amendment

Discuss and schedule a public hearing to consider amendments to Appendix A, Zoning pertaining to development standards for hotels. Mr. Alkesh Patel/Applicant

Mr. Alkesh Patel presented the request. He stated that several hotel owners in Palestine would like to see additional development regulations adopted that would include façade standards, minimum sizes for guest rooms and a minimum size for

conference rooms. Also, the request would require all entryways to guest rooms be internal rather than external.

The Commission discussed the request. Commissioner Snow stated that his concern was that by requiring additional construction standards it would require that the owner charge a higher rental rate for the rooms. He also felt that the additional regulations, if adopted would impose an unfair burden on new construction. After discussion, Commissioner Snow made a motion to table the request, seconded by Commissioner Cox. Upon vote, the motion carried unanimously.

Z-14-6/Ordinance Amendment (Continued discussion)

The Commission continued the discussion on the proposed changes to the regulations of sexually oriented businesses. Lt. Jeff Powell was present and answered some of the concerns about adult motels. At the conclusion of the discussion, Commissioner Miller made a motion to approve the amended ordinance as prepared by the City Attorney with the following additions and changes:

1. Add the following language to Section 26-273. Additional Regulations for Adult Motels.

(b) A person commits an offense if, as the person in control of a sleeping room in a hotel, motel, or similar commercial establishment that does not have a sexually oriented business license, he or she rents or sub-rents a sleeping room to a person and within ten (10) hours from the time the room is rented, he or she rents or sub-rents the same sleeping room again.

(c) For purposes of subsection (b) of this section, the terms "rent" and "sub-rent" mean the act of permitting a room to be occupied for any form of consideration.

2. Reduce the allowed square footage for a primary sign from 75 square feet to 32 square feet as shown in Section 26-269. Exterior Portions of Sexually Oriented Businesses, (dz0, (3).

OTHER ITEMS

Staff updated the Commission on recent Council action regarding zoning changes.

ADJOURN

With no other business to come before the Commission, the meeting was adjourned at 2:50 p.m.

Dan Davis

Dan Davis, Chairman

ATTEST:

Alene Leveston

Alene Leveston, Development Services Administrative Assistant