



**MEETING MINUTES
PLANNING AND ZONING COMMISSION
August 6, 2015**

The Planning and Zoning Commission of the City of Palestine, Texas convened in a Regular Meeting on August 6, 2015 in the City Hall Council Chambers, 504 N. Queen Street, Palestine, Texas, with the following people present:

Names of Members Present: Dan Davis, Chairman, Mary Cox, Alex Nemer, III, Bob Snow and Richard Farris

Absent: Edwina Miller, James Neel Warren, III,

Other staff present: Jeffrey Lyons, Director of Development Services and Alene Leveston, Administrative Assistant

CALL TO ORDER – REGULAR MEETING

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

APPROVAL OF THE MINUTES

Consider the minutes of the July 2, 2015 regular meeting.

Commissioner Snow made a motion to approve the previous meeting minutes, seconded by Commissioner Cox.

REGULAR AGENDA

Conduct a public hearing and consider making a recommendation to the City Council on a specific use permit request by the Palestine Independent School District to allow an off-premise sign for All Star Ford to be located at Northside Elementary at 2509 US Highway 155 North. Case XZ-15-08. Applicant Palestine Independent School District.

Chairman Davis opened the public hearing. Applicant Fernando Varela, spoke in favor of having the specific use permit approved. David Long, on behalf of Palestine Independent School District was also present to speak on behalf of this specific use permit and stated that the off-premise sign would advertise All Star Ford and would list events and activities that would occur on the school campus. There was no one present to speak in opposition of this request. The public hearing was closed.

Staff presented the request to the Commission and explained why the sign was considered off-premise. Upon conclusion of the discussion, Commissioner Cox made a motion to approve the specific use permit, seconded by Commissioner Nemer. Commissioner Snow abstained from voting.

Conduct a public hearing and consider making a recommendation to the City Council on a specific use permit request by the Palestine Independent School District to allow an off-premise sign for All Star Ford to be located at 1600 S. Loop 256. Case XZ-15-09. Applicant Palestine Independent School District.

Chairman Davis opened the public hearing. Applicant David Long, on behalf of Palestine Independent School District was present to speak in favor of this specific use permit to allow and off-premise sign to advertise All Star Ford. He stated that All Star Ford donated the sign to the school district and would like to display their business name along with the Ford logo affixed to both sides of the sign. Mr. Long stated that they would like the option to place the off-premise sign either on a free-standing pole sign or on the facade of the main



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campus building. There was no one present to speak in opposition of this request. The public hearing was closed.

Staff presented the request to the Commission and explained why the sign was considered off-premise. Upon conclusion of the discussion, Commissioner Cox made a motion to approve this specific use permit with the option to place the off-premise sign on the facade of the main campus building or on a free-standing pole sign, seconded by Commissioner Farris. The motion carried, Commissioner Snow abstained from voting.

Conduct a public hearing and consider making a recommendation to the City Council on an amended specific use permit request by Owen Palestine, L.P. for and off-premise sign to be located on a 0.447 acre tract of land in the William S. McDonald Survey, A-43 which is generally located at the southwest corner of the intersections of S. Loop 256 and Old Elkhart Road. The sign will advertise the off-site businesses in the multi-tenant building located directly to the south of the property where the off-premise sign will be installed. Case XZ-15-10. Applicant Owen Palestine, L.P.

Chairman Davis opened the public hearing. Becky Williams, representative for Owen, L.P., was present to speak on behalf of this specific use permit for an off-premise sign. She stated that the sign would be constructed of pylon. Kevin Lilly was present, owner of McDonald's was present and relayed his concerns about whether or not the pole sign would block visibility of the McDonald's pole sign. He also stated that he would like to see the sign placed as far from S. Loop 256 as possible. Carla Legard was present to speak in opposition of this sign request. The public hearing was closed.

Upon conclusion of the discussion, Commissioner Farris made a motion to approve this specific use permit, seconded by Commissioner Cox. The motion carried unanimously.

Conduct a public hearing and consider making a recommendation to the City Council on a request for a variance by Benjamin W. Rhone from the requirement to provide city owned water and sewer facilities on a 5.292 acre tract described in Volume 1870, Page 335 of the Deed Records of Anderson County. The property is generally located on the west side of Crockett Road approximately 270 feet north of the intersection of Crockett Road and Anderson County Road 145. Applicable code section: Chapter 40 Development Code, Article VIII, Section 40-208, (b). Case V-15-01. Applicant Benjamin W. Rhone.

Chairman Davis opened the public hearing. Benjamin W. Rhone, applicant was present to speak on behalf of having this variance approved. He stated that the property is zoned C-4 Highway Commercial and was annexed into the city limits on December 31, 2006 and that water and sewer are not available to this property. There was no one present to speak opposition to this request. The public hearing was closed.

Staff presented the request to the Commission and discussed lack of city-owned water and sewer service to the property. Staff also advised the Commission that the area was served by Walston Springs Water Supply Corporation and that if city-owned water was extended, the city could not require the owner to connect to the city-owned line. Fire Chief, Alan Wilcher, was present and discussed the lack of fire protection to this property due to the nearest hydrant being over 800-feet from the property. The Commission voiced concerns of the city's policy of annexing property and requiring a property owner to pay the costs of extending city-owned water and sewer lines to serve a new development. Commissioner Nemer asked what the city's liability would be if the variance was approved that did not



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require the city-owned water line to be extended including the installation of a fire hydrant and the building caught fire. Fire Chief Alan Wilcher stated that the Fire Department would respond and use the existing fire hydrant on Richland Drive to fight the fire.

Upon conclusion of the discussion, Commissioner Nemer made a motion to grant the variance, subject to the owner/developer installing a new fire hydrant on the Walston Springs water line within 300-feet of the new building and obtaining permission from Walston Springs Water Supply Corporation authorizing the City of Palestine to use the hydrant for firefighting purposes, seconded by Commissioner Farris. The motion carried unanimously.

Consider a preliminary plat of the Rhone Addition submitted by Benjamin W. Rhone being a 5.292 acre tract described in Volume 1870, Page 335 of the Deed Records of Anderson County. The property is generally located on the west side of Crockett Road approximately 270 feet north of the intersection of Crockett Road and Anderson County Road 145. Case P-15-01.

Staff recommended approval of the preliminary plat as presented. Commissioner Snow made a motion to approve the preliminary plat, seconded by Commissioner Nemer. The motion carried unanimously.

Consider a final plat of the Rhone Addition submitted by Benjamin W. Rhone being a 5.292 acre tract described in Volume 1870, Page 335 of the Deed Records of Anderson County. The property is generally located on the west side of Crockett Road approximately 270 feet north of the intersection of Crockett Road and Anderson County Road 145. Case P-15-02.

Staff recommended approval of the final plat as presented. Commissioner Nemer made a motion to approve the final plat, seconded by Commissioner Cox. The motion carried unanimously.

OTHER BUSINESS


Jeffrey Lyons, Director of Development Services gave an update on the zoning ordinance.

ADJOURN

With no other business to come before the Planning and Zoning Commission, the meeting was adjourned at 2:40 p.m.


Dan Davis, Chairman

ATTEST:


Alene Leveston, Development Services
Administrative Assistant