

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

The Planning and Zoning Commission of the City of Palestine convened in a Regular Meeting on Thursday, March 2, 2023, at 1:30 p.m., in the Council Chambers at City Hall, 504 N. Queen Street, Palestine, Texas, with the following people present: Chairman Dan Davis; Commissioners Kristy Wages, Adam Armstrong, and Jennifer Thomason.

Staff present: Interim Development Services Director Kevin Olson, Planning Technician Susan Davis, and City Secretary April Jackson.

Commissioners Alex Nemer, Greg Lindsey, and Grizelda Castillo were absent.

**CALL TO ORDER**

With a quorum present, Chairman Davis called the meeting to order at 1:31 p.m.

**PROPOSED CHANGES OF AGENDA ITEMS**

No changes were made to the agenda items.

**PUBLIC COMMENTS**

No public comments were made.

**CONFLICT OF INTEREST DISCLOSURES**

There were none.

**PUBLIC HEARINGS/ DISCUSSION AND ACTION ITEMS**

1. Public hearing and discussion to consider a request for a zoning change for MCFARLANE ESTATES #3 LOT 1A & 1B, also known as 103 Wesley Drive, from split zoning of Retail Commercial (RC) and Suburban Residential (SR) to Retail Commercial (RC). Applicant Larry E. Legard.

Chairman Davis opened the public hearing at 1:33 p.m. and reported that from the nine notices to the property owners, two property owners were in favor, one property owner was neutral, and none were opposed.

Ray Ver Hay with Staples Commercial Group spoke on behalf of the applicant Larry E. Legard. Mr. Ver Hay stated that a sale is pending and that the highest and best use for MCFARLANE ESTATES #3 LOT 1A & 1B, also known as 103 Wesley Drive, is Retail Commercial. Martin Lawrence who owns the adjacent property opposed the zoning change and discussed concerns about traffic and buffer. Chairman Davis closed the public hearing at 1:51 p.m.

Commissioner Armstrong made a motion that the application be approved, seconded by Commissioner Thomason. Commissioner Wages discussed concerns regarding the negative impact of higher taxes and lower property values. Commissioner Thomason discussed concerns regarding feedback from residents when the issue is scheduled for city council. Kevin Olson addressed TxDOT traffic studies and limitations on building size. Commissioner Armstrong discussed the precedent already set for the McFarlane Addition and the impact on the neighborhood.

Upon vote, motion failed 2-2. Commissioner Armstrong, and Commissioner Thomason voted YAY; Commissioner Davis, and Commissioner Wages voted NAY.

2. Public hearing and discussion to consider a request for a zoning change for MCFARLANE ESTATES #3 Lot 8B, 8C & 8D1, also known as 106 Wesley Drive, from Suburban Residential (SR) to Retail Commercial (RC). Applicant: Beverly Prenoveau.

Chairman Davis opened the public hearing at 2:12 p.m. and reported that from the eight notices to the property owners, two property owners were in favor, and none were opposed. Ray Ver Hay with Staples Commercial

Group spoke on behalf of the owner Beverly Prenoveau who has listed approximately 0.38 acres for sale and discussed the zoning change request for MCFARLANE ESTATES #3 Lot 8B, 8C & 8D1, also known as 106 Wesley Drive, to be Retail Commercial. Martin Lawrence who owns the adjacent property opposed the zoning change and discussed concerns about traffic and noise. Chairman Davis closed the public hearing at 2:26 p.m.

Commissioner Thomason made a motion that the application be approved, seconded by Commissioner Armstrong. Commissioner Armstrong discussed the impact on the neighborhood which the owners have already coexisted with to their detriment but not to the detriment of Mr. Lawrence. Commissioner Wages discussed the negative impact on taxes and the desire to hear from Mrs. Prenoveau. Chairman Davis and Commissioner Thomason discussed approving rezoning of the approximate 0.38 acres instead of both lots. Motion failed 0-4.

Commissioner Armstrong made an amended motion that the application be approved to rezone approximately 0.38 acres, which is assumed to be Lot 8B. Kevin Olson discussed tabling the item to allow for owner input.

Commissioner Armstrong made a second amended motion to table the item. Upon vote, motion carried 4-0.

3. Public hearing and discussion to consider a Specific Use Permit for a manufactured home at 1101 S. Jackson Street, Block 13, Lot 25, 27, 28, 29, 30. Applicant: CMH Homes Inc.

Chairman Davis opened the public hearing at 2:49 p.m. and reported that from the thirteen notices to the property owners, no property owners were in favor, and none were opposed. Morgan Hughey, with Applicant CMH Homes Inc. discussed the zoning change request for 1101 S. Jackson Street, Block 13, Lot 25, 27, 28, 29, 30 to be used for the possible placement of manufactured homes with a specific use permit and noted that the area currently has several vacant homes and homes that are falling down. Chairman Davis closed the public hearing at 3:00 p.m.

Commissioner Wages made a motion that the application be approved, seconded by Commissioner Thomason. Commissioner Wages discussed the number of lots included in the application and confirmed that CMH proposes placing one manufactured home on the lots. Chairman Davis discussed the restrictions on placement of manufactured homes within the city limits. Upon vote, motion carried 4-0.


#### **COMMISSION COMMENTS AND FUTURE AGENDA ITEMS**

Kevin Olson gave a summary of new projects within the city.

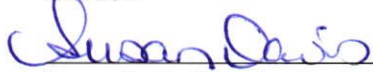
#### **ADJOURN**

With no other business to come before the Commission, Chairman Davis made a motion, seconded by Commissioner Thomason to adjourn the meeting at 3:15 p.m. Motion carried 4-0.

PASSED AND APPROVED THIS 6<sup>TH</sup> DAY OF APRIL 2023.

  
Dan Davis, Chairman

ATTEST:

  
Susan Davis, Planning Technician