

Planning and Zoning Commission  
December 10, 2019

The Waxahachie Planning & Zoning Commission held a regular meeting on Tuesday, December 10, 2019 at 7:00 p.m. in the Council Chamber at 401 S. Rogers St., Waxahachie, TX

Members Present: Rick Keeler, Chairman  
Melissa Ballard, Vice Chairman  
Betty Square Coleman  
Bonney Ramsey  
Jim Phillips  
David Hudgins  
Erik Test

Others Present: Shon Brooks, Director of Planning  
Colby Collins, Senior Planner  
Chris Webb, Planner  
Macey Martinez, Graduate Engineer  
Amber Villarreal, Acting City Secretary  
Tommy Ludwig, Assistant City Manager  
Mary Lou Shipley, Council Representative

1. **Call to Order**
2. **Invocation**

Chairman Rick Keeler called the meeting to order and gave the invocation.

3. **Public Comments**

None

4. **Consent Agenda**

- a. Minutes of the regular Planning & Zoning Commission meeting of November 19, 2019
- b. Minutes of the Planning and Zoning Commission briefing of November 19, 2019

**Action:**

*Ms. Bonney Ramsey moved to approve items a. and b. on the Consent Agenda. Mr. David Hudgins seconded, All Ayes.*

5. **Public Hearing on a request by Steven Nelson, Marc Jones Construction LLC DBA Sunpro Solar, for a Specific Use Permit (SUP) for Rooftop Solar Panel System use within a Single Family-2 zoning district located at 200 Sycamore Street (Property ID 173402) – Owner: Paul Beller & Glenda Buchanan (SU-19-0149)**

Chairman Keeler announced the applicant requested to withdraw SU-19-0149.

6. **Consider recommendation of Zoning Change No. SU-19-0149**

*No action taken.*

7. **Public Hearing on a request by Dalton Bradbury, Southfork Capital, for a Zoning Change from a Planned Development-30-Office zoning district to Planned Development-Single Family-3, with Concept Plan, located at 315 N Rogers (Property ID 193492) - Owner: Southfork Capital LLC (PD-19-0147)**

Chairman Keeler opened the Public Hearing and announced the applicant requested to continue PD-19-0147 to the December 17, 2019 Planning & Zoning Commission meeting.

8. **Consider recommendation of Zoning Change No. PD-19-0147**

**Action:**

*Vice Chairman Melissa Ballard moved to continue the Public Hearing on a request by Dalton Bradbury, Southfork Capital, for a Zoning Change from a Planned Development-30-Office zoning district to Planned Development-Single Family-3, with Concept Plan, located at 315 N Rogers (Property ID 193492) - Owner: Southfork Capital LLC (PD-19-0147) to the December 17, 2019 Planning & Zoning Commission meeting. Mr. Jim Phillips seconded, All Ayes.*

9. **Continue Public Hearing on a request by Brian Shaw, Blue Bonnet Trail LLC, for a Zoning Change from a Planned Development-11-Multiple Family-1 zoning district to Planned Development-Multiple Family-1, with Concept Plan, located at the SW corner of Northgate Drive at Stadium Drive (Property ID 239255) - Owner: Blue Bonnet Trail LLC (PD-19-0135)**

Chairman Keeler continued the Public Hearing and announced the applicant requested to continue PD-19-0135 to the December 17, 2019 Planning & Zoning Commission meeting.

10. **Consider recommendation of Zoning Change No. PD-19-0135**

**Action:**

*Vice Chairman Melissa Ballard moved to continue the Public Hearing on a request by Brian Shaw, Blue Bonnet Trail LLC, for a Zoning Change from a Planned Development-11-Multiple Family-1 zoning district to Planned Development-Multiple Family-1, with Concept Plan, located at the SW corner of Northgate Drive at Stadium Drive (Property ID 239255) - Owner: Blue Bonnet Trail LLC (PD-19-0135) to the December 17, 2019 Planning & Zoning Commission meeting. Ms. Bonney Ramsey seconded, All Ayes.*

11. **Consider request by Michael Crocker, Canyon Creek, for a Plat of Palomino Estates for 4 residential lots being 5.043 acres situated in the W. Berry Survey, Abstract 73 (Property ID 180064) in the Extra Territorial Jurisdiction - Owner: Paula Upchurch Crabtree (PL-19-0141)**

Planner Chris Webb reviewed PL-19-0141 noting the applicant requested to subdivide an existing lot into four 1+ acre lots. Staff requested the applicant dedicate 40' of right-of-way from the centerline of the road to meet the City's future thoroughfare plan. The applicant requested a petition of relief from City Council for the right-of-way dedication explaining the enforcement could force the applicant to lose one of their proposed lots. Due to non-compliance, staff recommended denial.

Mr. Justin Crocker, 3441 Plainview Road, Midlothian, Texas, requested a petition of relief from the city for 10' of the right-of-way dedication required. He explained they would potentially lose one of the proposed lots if the petition is not granted.

Graduate Engineer Macey Martinez explained the future 40' right-of-way would be 4 lanes and no medians.

**Action:**

*Mr. Jim Phillips moved to deny a request by Michael Crocker, Canyon Creek, for a Plat of Palomino Estates for 4 residential lots being 5.043 acres situated in the W. Berry Survey, Abstract 73 (Property ID 180064) in the Extra Territorial Jurisdiction - Owner: Paula Upchurch Crabtree (PL-19-0141). Mr. David Hudgins seconded, All Ayes.*

- 12. Public Hearing on a request by Kayla Sterling, Sunrun Installation Services Inc., for a Specific Use Permit (SUP) for Rooftop Solar Panel System use within a Planned Development-23-Single Family-1 zoning district located at 313 Lakeshore Drive (Property ID 174787) – Owner: Walter R Jackson (SU-19-0140)**

Chairman Keeler opened the Public Hearing.

Mr. Webb presented SU-19-0140 noting the applicant is requesting the use of residential solar panels and staff recommended approval as presented.

There being no others to speak for or against SU-19-0140, Chairman Keeler closed the Public Hearing.

- 13. Consider recommendation of Zoning Change No. SU-19-0140**

**Action:**

*Mr. David Hudgins moved to approve a request by Kayla Sterling, Sunrun Installation Services Inc., for a Specific Use Permit (SUP) for Rooftop Solar Panel System use within a Planned Development-23-Single Family-1 zoning district located at 313 Lakeshore Drive (Property ID 174787) – Owner: Walter R Jackson (SU-19-0140). Mr. Erik Test seconded, All Ayes.*

- 14. Public Hearing on a request by Bridget Wright, Marc Jones Construction LLC DBA Sunpro Solar, for a Specific Use Permit (SUP) for Rooftop Solar Panel System use within a Planned Development-Single Family-2 zoning district located at 131 Lariat Trail (Property ID 267480) – Owner: Gary R & Cynthia E Joslin (SU-19-0150)**

Chairman Keeler opened the Public Hearing.

Mr. Webb presented SU-19-0150 noting the applicant is requesting the use of residential solar panels and staff recommended approval as presented.

There being no others to speak for or against SU-19-0150, Chairman Keeler closed the Public Hearing.

**15. Consider recommendation of Zoning Change No. SU-19-0150**

**Action:**

*Mr. Erik Test moved to approve a request by Bridget Wright, Marc Jones Construction LLC DBA Sunpro Solar, for a Specific Use Permit (SUP) for Rooftop Solar Panel System use within a Planned Development-Single Family-2 zoning district located at 131 Lariat Trail (Property ID 267480) – Owner: Gary R & Cynthia E Joslin (SU-19-0150). Ms. Bonney Ramsey seconded, All Ayes.*

**16. Public Hearing on a request by Bridget Wright, Marc Jones Construction LLC DBA Sunpro Solar, for a Specific Use Permit (SUP) for Rooftop Solar Panel System use within a Planned Development-23-Single Family-1 zoning district located at 406 Laguna Vista (Property ID 273631) – Owner: John R & Laurie Musselwhite (SU-19-0151)**

Chairman Keeler opened the Public Hearing.

Mr. Webb presented SU-19-0151 noting the applicant is requesting the use of residential solar panels and staff recommended approval as presented.

There being no others to speak for or against SU-19-0151, Chairman Keeler closed the Public Hearing.

**17. Consider recommendation of Zoning Change No. SU-19-0151**

**Action:**

*Vice Chairman Melissa Ballard moved to approve a request by Bridget Wright, Marc Jones Construction LLC DBA Sunpro Solar, for a Specific Use Permit (SUP) for Rooftop Solar Panel System use within a Planned Development-23-Single Family-1 zoning district located at 406 Laguna Vista (Property ID 273631) – Owner: John R & Laurie Musselwhite (SU-19-0151) subject to Staff Comments. Ms. Bonney Ramsey seconded, All Ayes.*

**18. Public Hearing on a request by Jarod Scoggin, Scoggin Outdoor Living & Shops, for a Specific Use Permit (SUP) for Accessory Building (Residential) Greater than or Equal to 700 S.F. use within a Planned Development-Single Family-1 zoning district located at 109 Willowcrest Drive (Property ID 174739) – Owner: Keith M & Teresa A Williams (SU-19-0144)**

Chairman Keeler opened the Public Hearing.

Senior Planner Colby Collins presented SU-19-0144 explaining the applicant is requesting to construct a 480 square foot addition to an existing 960 square foot garage structure. Staff recommended approval per the following comments:

1. Staff suggests that a Developer's Agreement be in place before final approval.
2. Subject to approval of this application, an approved building permit will be required prior to the commencement of the construction. As part of the building permit review process,

Building Inspections will ensure that the materials and construction complies with all regulations.

There being no others to speak for or against SU-19-0144, Chairman Keeler closed the Public Hearing.

**19. Consider recommendation of Zoning Change No. SU-19-0144**

**Action:**

*Ms. Bonney Ramsey moved to approve a request by Jarod Scoggin, Scoggin Outdoor Living & Shops, for a Specific Use Permit (SUP) for Accessory Building (Residential) Greater than or Equal to 700 S.F. use within a Planned Development-Single Family-1 zoning district located at 109 Willowcrest Drive (Property ID 174739) – Owner: Keith M & Teresa A Williams (SU-19-0144) subject to Staff Comments. Mr. Erik Test seconded, All Ayes.*

**20. Public Hearing on a request by Staci Dean, Daiquiriville, for a Specific Use Permit (SUP) for Convenience Store (Daiquiri Shop) use within a General Retail zoning district located at 2801 N Highway 77, Suite 140 (Property ID 272779) – Owner: SAP Properties LLC (SU-19-0143)**

Chairman Keeler opened the Public Hearing.

Mr. Collins reviewed SU-19-0143 noting the applicant is requesting approval to allow a proposed daiquiri shop within an existing retail strip center (North Grove Business Park). He noted the proposed development will provide food, beer, and wine-base daiquiris. The proposed alcohol to food percentage sales ratio will be seventy percent alcohol to thirty percent food. Per the operational plan, in addition to four owners, there will be three additional employees. Business hours will be:

Tuesday-Thursday: 10:30am-9:00pm

Friday-Saturday: 10:30am-11:00pm

Sunday: 12:00pm-5:00pm

Staff recommended approval per the following staff comments:

1. The business must conform to City of Waxahachie requirements as well as adhere to TABC provisions, as defined in the Alcoholic Beverage Code of the State of Texas.
2. The operator must maintain compliance with State regulations and local ordinances for food service operations.
3. If approved, the City Council shall have the right to review the Specific Use Permit after 12-months if needed.

Staci Dean, 313 Bond Street, Red Oak, TX, explained sealed drinks will be sold on premise to take to go. She explained beer and wine will be available for sale but not to go.

There being no others to speak for or against SU-19-0143, Chairman Keeler closed the Public Hearing.

**21. Consider recommendation of Zoning Change No. SU-19-0143**

**Action:**

*Mr. Jim Phillips moved to approve a request by Staci Dean, Daiquiriville, for a Specific Use Permit (SUP) for Convenience Store (Daiquiri Shop) use within a General Retail zoning district located at 2801 N Highway 77, Suite 140 (Property ID 272779) – Owner: SAP Properties LLC (SU-19-0143). Mr. David Hudgins seconded, **All Ayes.***

**22. Adjourn**

Planning Director Shon Brooks reminded members of the December 17, 2019 Planning & Zoning Commission meeting.

There being no further business, the meeting adjourned at 7:26 p.m.

Respectfully submitted,

Amber Villarreal  
Acting City Secretary