

A G E N D A

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

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

1. Call to Order
2. Invocation
3. ***Public Comments:*** Persons may address the Planning & Zoning Commission on any issues. This is the appropriate time for citizens to address the Commission on any concern whether on this agenda or not. In accordance with the State of Texas Open Meetings Act, the Commission may not comment or deliberate such statements during this period, except as authorized by Section 551.042, Texas Government Code.
4. ***Consent Agenda***

All matters listed under Item 4, Consent Agenda, are considered routine by the Planning & Zoning Commission and will be enacted by one motion. There will not be separate discussion of these items. Approval of the Consent Agenda authorizes the Chairman to execute all matters necessary to implement each item. Any item may be removed from the Consent Agenda for separate discussion and consideration by any member of the Planning & Zoning Commission.

 - 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
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)
6. ***Consider*** recommendation of Zoning Change No. SU-19-0149
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)
8. ***Consider*** recommendation of Zoning Change No. PD-19-0147

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)
10. **Consider** recommendation of Zoning Change No. PD-19-0135
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)
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)
13. **Consider** recommendation of Zoning Change No. SU-19-0140
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)
15. **Consider** recommendation of Zoning Change No. SU-19-0150
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)
17. **Consider** recommendation of Zoning Change No. SU-19-0151
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)
19. **Consider** recommendation of Zoning Change No. SU-19-0144
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)
21. **Consider** recommendation of Zoning Change No. SU-19-0143

22. Adjourn

The P&Z reserves the right to go into Executive Session on any posted item.

This meeting location is wheelchair-accessible. Parking for mobility-impaired persons is available.

Any request for sign interpretive services must be made forty-eight hours ahead of the meeting.

To make arrangements, call the City Secretary at (469) 309-4005 or (TDD) 1-800-RELAY TX.

Notice of Potential Quorum

One or more members of the Waxahachie City Council may be present at this meeting.

No action will be taken by the City Council at this meeting.

The Waxahachie Planning & Zoning Commission held a regular meeting on Tuesday, November 19, 2019 at 7:00 p.m. in the Council Chamber at 401 S. Rogers St., Waxahachie, TX.

Members Present: Rick Keeler, Chairman
Bonney Ramsey
Jim Phillips
David Hudgins
Erik Test

Members Absent: Melissa Ballard, Vice Chairman
Betty Square Coleman

Others Present: Shon Brooks, Director of Planning
Colby Collins, Senior Planner
Chris Webb, Planner
Macey Martinez, Graduate Engineer
Amber Villarreal, Acting City Secretary
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 12, 2019
- b. Minutes of the Planning and Zoning Commission briefing of November 12, 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 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 opened the Public Hearing and announced the applicant requested to continue PD-19-0135 to the December 10, 2019 Planning and Zoning Commission meeting.

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

(40)

Action:

Mr. David Hudgins moved to continue a 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 10, 2019 Planning & Zoning Commission meeting. Mr. Jim Phillips seconded, All Ayes.

7. **Consider request by John Ed Justice, BKG Legacy Ranch 1 LLC, for a Replat of Lots 2 and 3, Block A, Legacy Ranch Phase One, to create Lots 2R-A, 2R-B, 3R-A and 3R-B Block A, Legacy Ranch Phase One, 2.540 acres (Property ID 267510 and 267509) – Owner: BKG Legacy Ranch 1 LLC (RP-19-0136)**

Planner Chris Webb reviewed RP-19-0136 noting the applicant is requesting a replat to divide property into four lots to allow for more storefronts for businesses and staff recommended approval as presented.

Action:

Mr. Jim Phillips moved to approve a request by John Ed Justice, BKG Legacy Ranch 1 LLC, for a Replat of Lots 2 and 3, Block A, Legacy Ranch Phase One, to create Lots 2R-A, 2R-B, 3R-A and 3R-B Block A, Legacy Ranch Phase One, 2.540 acres (Property ID 267510 and 267509) – Owner: BKG Legacy Ranch 1 LLC (RP-19-0136). Ms. Bonney Ramsey seconded, All Ayes.

8. **Consider request by Ricardo Doi, Pettitt & Associates, for a Replat of Springside Estates Phase 1 to re-configure the easements along the dedicated Rights of Way, 88.651 acres (Property ID 273522, 273517, 273563, 273568, 273554, 273544, 273540, 273549, 273552, 273570, 273518, 273547, 273532, 273539, 273527, 273546, 273560, 273537, 273542, 273565, 273551, 273536, 273525, 273553, 273579, 273528, 273529, 273548, 273533, 273557, 273581, 273573, 273523, 273531, 273555, 273530, 273564, 273558, 273574, 273521, 273541, 273534, 273567, 273571, 273543, 273566, 273580, 273524, 273516, 273519, 273572, 273561, 273556, 273526, 273550, 273569, 273535, 273520, 273538 and 273559) in the Extra Territorial Jurisdiction - Owner: AKP Stillwater Partnership (RP-19-0138)**

Mr. Webb reviewed RP-19-0138 noting the applicant is requesting a replat to update utility easements running through a portion of the property and to update location for monument signs. Staff recommended approval as presented.

Action:

Mr. Jim Phillips moved to approve a request by Ricardo Doi, Pettitt & Associates, for a Replat of Springside Estates Phase 1 to re-configure the easements along the dedicated Rights of Way, 88.651 acres (Property ID 273522, 273517, 273563, 273568, 273554, 273544, 273540, 273549, 273552, 273570, 273518, 273547, 273532, 273539, 273527, 273546, 273560, 273537, 273542, 273565, 273551, 273536, 273525, 273553, 273579, 273528, 273529, 273548, 273533, 273557, 273581, 273573, 273523, 273531, 273555, 273530, 273564, 273558, 273574, 273521, 273541, 273534, 273567, 273571, 273543, 273566, 273580, 273524, 273516, 273519, 273572, 273561, 273556, 273526, 273550, 273569, 273535, 273520, 273538 and 273559) in the Extra Territorial

(4A)

Jurisdiction - Owner: AKP Stillwater Partnership (RP-19-0138). Mr. David Hudgins seconded, All Ayes.

9. **Consider request by Adam C Ridgway for a Plat of Ridgway Addition for 1 lot being 2.052 acres situated in the James Barker Survey, Abstract 40 (Property ID 179527) in the Extra Territorial Jurisdiction - Owner: Nelson C Ridgway (PL-19-0134)**

Mr. Webb reviewed PL-19-0134 noting the applicant is requesting a plat to create a 2.000 acre tract of property from an existing 18.815 acres and leaving a remainder of 16.763 acres. Staff recommended approval as presented.

Action:

Ms. Bonney Ramsey moved to approve a request by Adam C Ridgway for a Plat of Ridgway Addition for 1 lot being 2.052 acres situated in the James Barker Survey, Abstract 40 (Property ID 179527) in the Extra Territorial Jurisdiction - Owner: Nelson C Ridgway (PL-19-0134). Mr. Erik Test seconded, All Ayes.

10. **Public Hearing on a request by Brandon Edgley, Sunrpo Solar, for a Specific Use Permit (SUP) for Rooftop Solar Panel System use within a Single Family-2 zoning district, located at 227 Equestrian Drive (Property ID 236368) – Owner: Christina and Dan R Orona III (SU-19-0137)**

Chairman Keeler opened the Public Hearing.

Mr. Webb reviewed SU-19-0137 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-19-0137, Chairman Keeler closed the Public Hearing.

11. **Consider recommendation of Zoning Change No. SU-19-0137**

Action:

Mr. David Hudgins moved to approve a request by Brandon Edgley, Sunrpo Solar, for a Specific Use Permit (SUP) for Rooftop Solar Panel System use within a Single Family-2 zoning district, located at 227 Equestrian Drive (Property ID 236368) – Owner: Christina and Dan R Orona III (SU-19-0137). Mr. Erik Test seconded, All Ayes.

12. **Public Hearing on a request by Toby Fitzgerald, Bulldog Electrical Contractors, for a Specific Use Permit (SUP) for Rooftop Solar Panel System use within a Single Family-3 zoning district, located at 204 Frierson (Property ID 171323) – Owner: Stephen D Hale & Sherayah Dillaha (SU-19-0139)**

Chairman Keeler opened the Public Hearing.

Mr. Webb reviewed SU-19-0139 noting the applicant is requesting the use of residential solar panels and staff recommended approval as presented.

(4a)

There being no others to speak for or against SU-19-0139, Chairman Keeler closed the Public Hearing.

13. Consider recommendation of Zoning Change No. SU-19-0139

Action:

Mr. Erik Test moved to approve a request by Toby Fitzgerald, Bulldog Electrical Contractors, for a Specific Use Permit (SUP) for Rooftop Solar Panel System use within a Single Family-3 zoning district, located at 204 Frierson (Property ID 171323) – Owner: Stephen D Hale & Sherayah Dillaha (SU-19-0139). Ms. Bonney Ramsey seconded, All Ayes.

14. Adjourn

There being no further business, the meeting adjourned at 7:08 p.m.

Respectfully submitted,

Amber Villarreal
Acting City Secretary

The Waxahachie Planning & Zoning Commission held a briefing session on Tuesday, November 19, 2019 at 6:30 p.m. in the City Council Conference Room at 401 S. Rogers St., Waxahachie, TX.

- Members Present: Rick Keeler, Chairman
Bonney Ramsey
Jim Phillips
David Hudgins
Erik Test
- Members Absent: Melissa Ballard, Vice Chairman
Betty Square Coleman
- Others Present: Shon Brooks, Director of Planning
Colby Collins, Senior Planner
Chris Webb, Planner
Macey Martinez, Graduate Engineering
Amber Villarreal, Acting City Secretary
Mary Lou Shipley, Council Representative

1. Call to Order

Chairman Rick Keeler called the meeting to order.

2. Conduct a briefing to discuss items for the 7:00 p.m. regular meeting

Planning Director Shon Brooks announced the applicant for PD-19-0135 requested a continuance to the December 10, 2019 Planning and Zoning Commission meeting.

Planner Chris Webb reviewed the following cases:

- RP-19-0136, applicant is requesting a replat to divide property into four lots to allow for more storefronts for businesses. Staff recommended approval.
- RP-19-0138, applicant is requesting a replat to update utility easements running through a portion of the property, and to update location for monument signs. Staff recommended approval.
- PL-19-0134, applicant is requesting a plat to create a 2.000 acre tract of property from an existing 18.815 acres, and leaving a remainder of 16.763 acres. Staff recommended approval.
- SU-19-0137, applicant is requesting residential solar panels and staff recommended approval.
- SU-19-0139, applicant is requesting residential solar panels and staff recommended approval.

3. Adjourn

There being no further business, the meeting adjourned at 6:42 p.m.

Respectfully submitted,

Amber Villarreal
Acting City Secretary

(5&6)



Memorandum

To: Honorable Mayor and City Council
From: Shon Brooks, Director of Planning
Thru: Michael Scott, City Manager
Date: December 3, 2019
Re: SU-19-0149 – 200 Sycamore – Rooftop Solar Panel System

On December 3, 2019, the applicant asked staff to withdraw case no. SU-19-0149 from the December 10, 2019 Planning and Zoning Commission agenda, as well as the December 16, 2019 City Council meeting agenda.

(748)



Memorandum

To: Honorable Mayor and City Council
From: Shon Brooks, Director of Planning
Thru: Michael Scott, City Manager
Date: December 4, 2019
Re: PD-19-0147 – Bradbury Addition

On December 3, 2019, the applicant requested to continue case no. PD-19-0147 to the December 17, 2019 Planning and Zoning meeting and the January 6, 2020 City Council meeting agenda.

(9810)



Memorandum

To: Honorable Mayor and City Council
From: Shon Brooks, Director of Planning
Thru: Michael Scott, City Manager
Date: December 5, 2019
Re: PD-19-0135 – The Park at Northgate

On December 5, 2019, the applicant requested to continue case no. PD-19-0135 to the December 17, 2019 Planning and Zoning meeting and the January 6, 2019 City Council meeting agenda.

On the aforementioned meeting dates, the proposed development will be reviewed as a detailed Site Plan under case number SP-19-0176 by the Planning and Zoning Commission and City Council.

(11)

Planning & Zoning Department Plat Staff Report

Case: PL-19-0141



MEETING DATE(S)

Planning & Zoning Commission: December 10, 2019

City Council: December 16, 2019

CAPTION

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)

APPLICANT REQUEST

The purpose of this request is to subdivide an existing lot into four (4) 1+ acre lots.

CASE INFORMATION

Applicant: Michael Crocker, Canyon Creek

Property Owner(s): Paula Ladd

Site Acreage: 5.043 acres

Number of Lots: 4 lots

Number of Dwelling Units: 1 unit

Park Land Dedication: N/A (ETJ)

Adequate Public Facilities: A water letter was received from Sardis Lone Elm stating that adequate facilities are available for the property and that adequate fire flow was present.

SUBJECT PROPERTY

General Location: 1032 Blackchamp Road

Parcel ID Number(s): 180064

Current Zoning: N/A (ETJ)

Existing Use: One (1) Single Family Residence is currently located on the property.

Platting History: 73 WM BERRY Survey

(11)

Site Aerial:



STAFF CONCERNS

1. Staff is requesting that the applicant dedicate 40' of right-of-way from the centerline of the road to meet the City's future thoroughfare plan.

APPLICANT RESPONSE TO CONCERNS

1. The applicant is requesting a petition of relief from City Council for relief from the ROW dedication. The County will not be enforcing the 40' of ROW dedication. The enforcement of 40' of dedication could force the applicant to lose one (1) of their proposed lots.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, the Planning and Zoning Department recommends:

- Disapproval
 1. Waxahachie's Subdivision Ordinance 3.1(c.6) states that "The property owner shall provide all rights-of-way required for existing or future streets, and for all required street improvements, including perimeter streets and approach roads, as shown in the Thoroughfare Plan or other valid development plans approved by City Council." The applicant is proposing a 30' ROW dedication while requesting a petition of relief for the additional 10' of dedication as indicated in the City's Thoroughfare plan.
- Approval, as presented.
- Approval, per the following conditions:

ATTACHED EXHIBITS

1. Plat drawing
2. City Thoroughfare Plan Exhibit

APPLICANT REQUIREMENTS

1. If approved by City Council, within 30 days the applicant shall provide the Planning Department one revised electronic plan set that incorporates all comments.

(11)

CITY REQUIREMENTS FOR PLAT RECORDING AND FILING

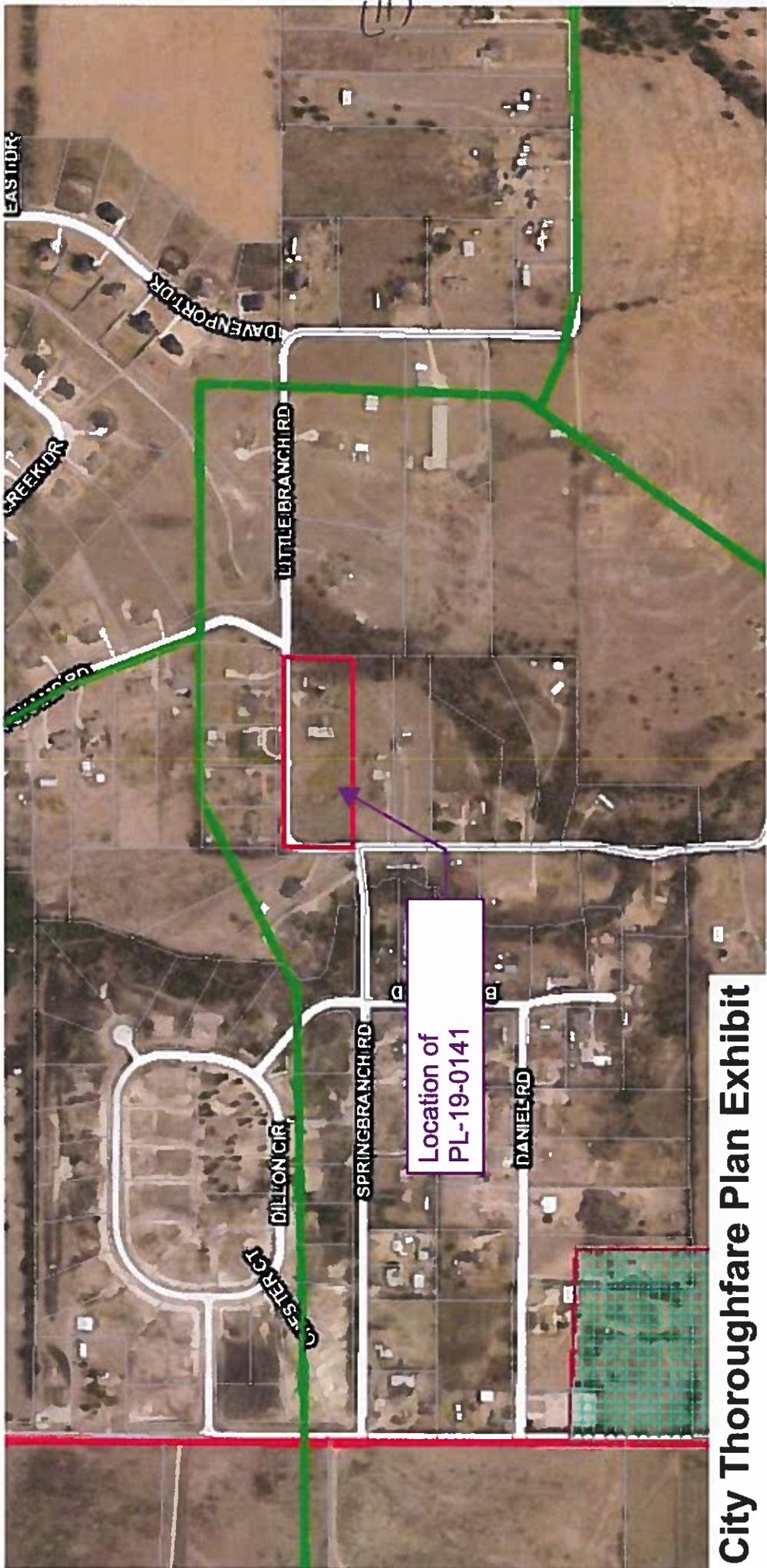
A plat shall not be filed with the Ellis County Clerk until:

1. All utilities, infrastructure, and other required improvements have been installed and a letter of acceptance associated with the utilities and infrastructure installation has been received from the Public Works Department;
2. A drainage study has been conducted and/or a traffic impact analysis has been conducted as required by the City's subdivision ordinance.

STAFF CONTACT INFORMATION

Prepared by:
Chris Webb
Planner
cwebb@waxahachie.com

Reviewed by:
Shon Brooks, AICP
Director of Planning
sbrooks@waxahachie.com



Location of
PL-19-0141

City Thoroughfare Plan Exhibit

(11)

(12)

Planning & Zoning Department Zoning Staff Report



Case: SU-19-0140

MEETING DATE(S)

Planning & Zoning Commission: December 10, 2019

City Council: December 16, 2019

CAPTION

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)

APPLICANT REQUEST

The purpose of this request is to permit the use of residential solar panels.

CASE INFORMATION

Applicant: Kayla Sterling, Sunrun Installation Services Inc.

Property Owner(s): Walter Jackson

Site Acreage: 0.585 acres

Current Zoning: Planned Development Single Family-1

Requested Zoning: Specific Use Permit for Rooftop Solar Panel System

SUBJECT PROPERTY

General Location: 313 Lakeshore Drive

Parcel ID Number(s): 174787

Existing Use: Single Family Residence

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	PD-23-SF-1	Single Family Residence
East	PD-23-SF-1	Single Family Residence
South	PD-23-SF-1	Lake Waxahachie
West	PD-23-SF-1	Single Family Residence

Future Land Use Plan: Estate Residential

(12)

Comprehensive Plan:

This use is representative of traditional, single-family detached dwellings on large lots that are over one acre in size. This type of land is envisioned to primarily be located in the southern portion of the City and in the ETJ area south and west of Waxahachie.

Thoroughfare Plan:

This property is accessible via Lakeshore Drive.

Site Image:



PLANNING ANALYSIS

The applicant seeks to install solar panels on the roof of the single family residence. Per the City of Waxahachie Zoning Ordinance, solar panels are permitted with a Specific Use Permit, and must be installed so that they do not front onto the right-of-way. According to the current site plan submitted by the applicant, there will be no solar panel systems facing the public ROW.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 11 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Sun and a sign was visibly posted at the property.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, the Planning and Zoning Department recommends:

- Denial
- Approval, as presented.
- Approval, per the following comments:

ATTACHED EXHIBITS

1. Site Plan

(12)

APPLICANT REQUIREMENTS

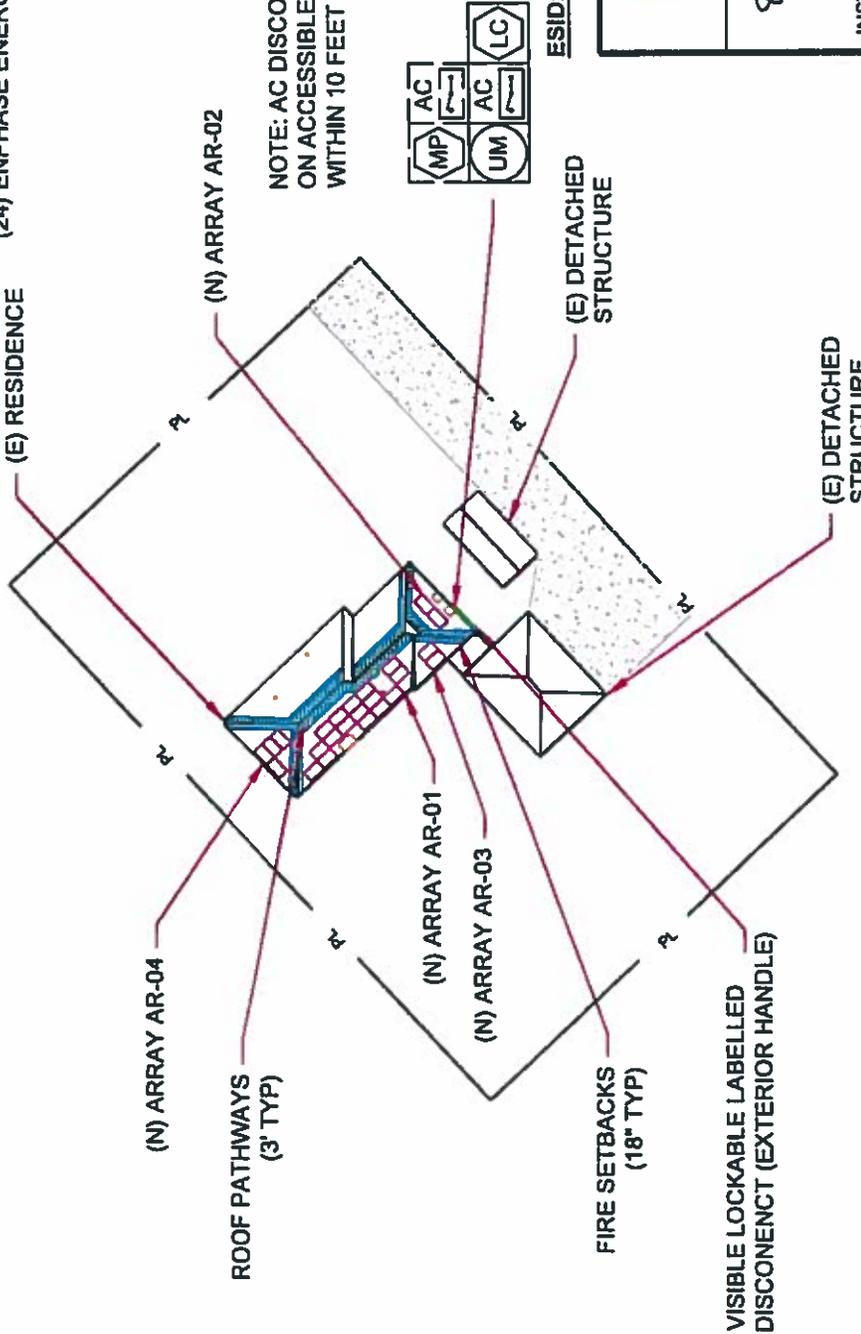
1. If approved by City Council, applicant can apply for building permits from the Building and Community Services Department.

STAFF CONTACT INFORMATION

Prepared by:
Chris Webb
Planner
cwebb@waxahachie.com

Reviewed by:
Shon Brooks, AICP
Director of Planning
sbrooks@waxahachie.com

(24) REC SOLAR: REC290TP2 BLK MODULES
 (24) ENPHASE ENERGY: IQ7-60-X-US INVERTER 1



NOTE: AC DISCONNECT LOCATED ON ACCESSIBLE EXTERIOR WALL WITHIN 10 FEET OF ONCOR METER

ESID: 1044372000411995



PATRICK LAMORE JR.
 PREMIER SOLAR SOLUTIONS
 INSTALLED BY: PREMIER SOLAR SOLUTIONS
 LICENSE NO: 31552



DESIGNED BY: SUNRUN
 LICENSE NO: 28447

CUSTOMER RESIDENCE:
 WALTER R JACKSON
 313 LAKESHORE DR,
 WAXAHACHIE, TX, 75165

PROJECT NUMBER:
 351R-313JACK

REV: A1 10/28/2019

PAGE SITE PLAN

LEGEND

- | | | |
|---------------------|--|----------------------|
| ONCOR UTILITY METER | COMBINER BOX | CHIMNEY |
| MAIN PANEL | SUNRUN METER | ATTIC VENT |
| SUB-PANEL | UTILITY METER | FLUSH ATTIC VENT |
| PV LOAD CENTER | INVERTER(S) WITH INTEGRATED DC DISCONNECT AND AFCI | PVC PIPE VENT |
| DC DISCONNECT(S) | AC DISCONNECT(S) | METAL PIPE VENT |
| | | T-VENT |
| | | SATELLITE DISH |
| | | - PL - PROPERTY LINE |
| | | SCALE: NTS |
-
- | | |
|---------------|------------------------------------|
| SOLAR MODULES | INTERIOR EQUIPMENT SHOWN AS DASHED |
| SNR A MOUNT | FIRE SETBACKS |
| SNR B MOUNT | HARDSCAPE |

(14)

Planning & Zoning Department

Zoning Staff Report



Case: SU-19-0150

MEETING DATE(S)

Planning & Zoning Commission: December 10, 2019

City Council: December 16, 2019

CAPTION

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)

APPLICANT REQUEST

The purpose of this request is to permit the use of residential solar panels.

CASE INFORMATION

Applicant: Bridget Wright, Sunpro Solar

Property Owner(s): Cynthia Joslin

Site Acreage: 0.175 acres

Current Zoning: Planned Development – Single Family -2

Requested Zoning: Specific Use Permit for Rooftop Solar Panel System

SUBJECT PROPERTY

General Location: 131 Lariat Trail

Parcel ID Number(s): 267480

Existing Use: Single Family Residence

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	PD-GR	Knights of Columbus Fraternal Organization
East	PD-SF-2	Single Family Residence
South	PD-SF-2	Single Family Residence
West	PD-SF-2	Single Family Residence

Future Land Use Plan: Low Density Residential

(14)

Comprehensive Plan:

This category is representative of smaller single family homes and some duplex units. The majority of Waxahachie's current development is of a similar density. It is appropriate to have approximately 3.5 dwelling units per acre.

Thoroughfare Plan:

This property is accessible via Lariat Trail.

Site Image:



PLANNING ANALYSIS

The applicant seeks to install solar panels on the roof of the single family residence. Per the City of Waxahachie Zoning Ordinance, solar panels are permitted with a Specific Use Permit, and must be installed so that they do not front onto the right-of-way. According to the current site plan submitted by the applicant, there will be no solar panel systems facing the public ROW.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 20 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Sun and a sign was visibly posted at the property.

PROPERTY OWNER NOTIFICATION RESPONSES

Staff received one (1) letter of support for the proposed rooftop solar panel system.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, the Planning and Zoning Department recommends:

- Denial
- Approval, as presented.
- Approval, per the following comments:

(14)

ATTACHED EXHIBITS

1. Site Plan
2. PON Responses
 - a. 1 support | 0 opposed

APPLICANT REQUIREMENTS

1. If approved by City Council, applicant can apply for building permits from the Building and Community Services Department.

STAFF CONTACT INFORMATION

Prepared by:

Chris Webb

Planner

cwebb@waxahachie.com

Reviewed by:

Shon Brooks, AICP

Director of Planning

sbrooks@waxahachie.com



Production

Utility Bill Savings

5.0 kW system
15 panels

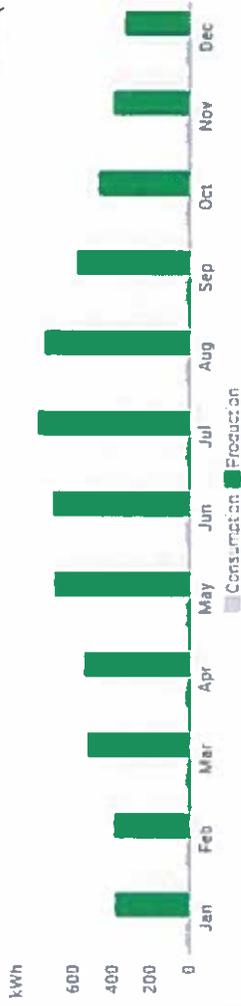
Simulate

ANNUAL PRODUCTION

6,523 kWh
Energy

N/A
Energy Offset

MONTHLY PRODUCTION



SHOW ADVANCED

(14)

Property ID	Owner's Name	Acres	Legal Description	Owner's Address	Owner's City	Owner's State	Owner's ZIP	Physical Address
176923	EQUITY TRUST COMPANY CUSTODIAN FBO KENNETH BOX IRA	4.649	5 J B & A ADAMS 4.649 ACRES	330 HUNTER PASS PO BOX 242	WAXAHACHIE	TX	75165	BROADHEAD RD WAXAHACHIE TX 75165
208231	KNIGHTS COLUMBIAN CLUB INC	5	5 J B & A ADAMS LOCKED GATES ACRES	PO BOX 242	WAXAHACHIE	TX	75165	325 BROADHEAD RD WAXAHACHIE TX 75165
267476	SMITH MARK A & JO ANN	0.175	LOT 5 BLK C BUFFALO RIDGE ADDN PH IIIA .175 AC	123 LARIAT TRL	WAXAHACHIE	TX	75165	123 LARIAT TRL WAXAHACHIE TX 75165
267477	SPENRATH CHRISTOPHER L	0.175	LOT 6 BLK C BUFFALO RIDGE ADDN PH IIIA .175 AC	125 LARIAT TRL	WAXAHACHIE	TX	75165	LARIAT TRL WAXAHACHIE TX 75165
267478	CHILDERS JOSHUA R	0.175	LOT 7 BLK C BUFFALO RIDGE ADDN PH IIIA .175 AC	127 LARIAT TRL	WAXAHACHIE	TX	75165	127 LARIAT TRL WAXAHACHIE TX 75165
267479	HUTCHINSON WILLIAM & CAROL	0.175	LOT 8 BLK C BUFFALO RIDGE ADDN PH IIIA .175 AC	129 LARIAT TRL	WAXAHACHIE	TX	75165	129 LARIAT TRL WAXAHACHIE TX 75165
267480	JOSLIN GARY R & CYNTHIA E	0.175	LOT 9 BLK C BUFFALO RIDGE ADDN PH IIIA .175 AC	131 LARIAT TRL	WAXAHACHIE	TX	75165	131 LARIAT TRL WAXAHACHIE TX 75165
267483	RANDALL MICHELLE & JASON H	0.175	LOT 10 BLK D BUFFALO RIDGE ADDN PH IIIA .175 AC	108 LARIAT TRL	WAXAHACHIE	TX	75165	108 LARIAT TRL WAXAHACHIE TX 75165
267484	DERRICK STACY J & CARMEN HERNANDEZ DERRICK	0.175	LOT 9 BLK D BUFFALO RIDGE ADDN PH IIIA .175 AC	110 LARIAT TRL	WAXAHACHIE	TX	75165	110 LARIAT TRL WAXAHACHIE TX 75165
267485	GULLEY LITISHA S	0.175	LOT 7 BLK D BUFFALO RIDGE ADDN PH IIIA .175 AC	112 LARIAT TRL	WAXAHACHIE	TX	75165	112 LARIAT TRL WAXAHACHIE TX 75165
267486	CARTER RUSTY A	0.186	LOT 8 BLK D BUFFALO RIDGE ADDN PH IIIA .186 AC	114 LARIAT TRL	WAXAHACHIE	TX	75165	114 LARIAT TRL WAXAHACHIE TX 75165
267487	CHANDLER MARK A & ELUSHA	0.186	LOT 9 BLK D BUFFALO RIDGE ADDN PH IIIA .186 AC	117 BROKEN ARROW ST	WAXAHACHIE	TX	75165	117 BROKEN ARROW ST WAXAHACHIE TX 75165
267488	WAITES TIFFANY	0.175	LOT 10 BLK D BUFFALO RIDGE ADDN PH IIIA .175 AC	115 BROKEN ARROW ST	WAXAHACHIE	TX	75165	115 BROKEN ARROW ST WAXAHACHIE TX 75165
267489	ROSADO-GONZALEZ EDWARD & FLORA D QUINTERO-ROMERO	0.213	LOT 11 BLK D BUFFALO RIDGE ADDN PH IIIA .175 AC	113 BROKEN ARROW ST	WAXAHACHIE	TX	75165	113 BROKEN ARROW ST WAXAHACHIE TX 75165
267490	BOATO ANTHONY E L	0.173	LOT 1 BLK R BUFFALO RIDGE ADDN PH IIIA .173 AC	126 GENTLE WINDS RD	WAXAHACHIE	TX	75165	126 GENTLE WINDS RD WAXAHACHIE TX 75165
267500	SFR JV-1 PROPERTY LLC	0.199	LOT 2 BLK R BUFFALO RIDGE ADDN PH IIIA .173 AC	PO BOX 15087	SANTA ANA	CA	92735	201 LARIAT TRL WAXAHACHIE TX 75165
276324	LEGACY GROVE DEVELOPMENT LLC	0.174	LOT 1 BLK A BUFFALO RIDGE PH IV .199 AC	5865 FM 1181	ENNIS	TX	75119	205 LARIAT TRL WAXAHACHIE TX 75165
276325	LEGACY GROVE DEVELOPMENT LLC	0.174	LOT 2 BLK A BUFFALO RIDGE PH IV .174 AC	5865 FM 1181	ENNIS	TX	75119	209 LARIAT TRL WAXAHACHIE TX 75165
276326	LEGACY GROVE DEVELOPMENT LLC	0.174	LOT 3 BLK A BUFFALO RIDGE PH IV .174 AC	5865 FM 1181	ENNIS	TX	75119	210 LARIAT TRL WAXAHACHIE TX 75165
276412	LEGACY GROVE DEVELOPMENT LLC	0.203	LOT 42 BLK R BUFFALO RIDGE PH IV .203 AC	5865 FM 1181	ENNIS	TX	75119	

(14)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: SU-19-0150

SOTO ANTHONY E L
113 BROKEN ARROW ST
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, December 10, 2019 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, December 16, 2019 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

- 1. 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)

You received this notice because your property is within the area of notification as required by law. As an interested party you are welcome to make your views known by attending the hearings. If you cannot attend the hearings, you may express your views by filling in and returning the bottom portion of this notice. Please contact the Planning Department at (469) 309-4290 or via email: Planning@Waxahachie.com for additional information on this request.

Case Number: SU-19-0150
City Reference: 267489

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **Wednesday, December 4, 2019** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 S Rogers, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments: _____

Signature

12/04/19

Date

ANTHONY SOTO

Printed Name and Title

113 Broken Arrow St
Waxahachie TX 75165

Address

It is a crime to knowingly submit a false zoning reply form. (Texas Penal Code 37.10)

If you are not the addressee at the top of this form, but would like to submit a response, please contact the City for a blank form.

(116)

Planning & Zoning Department

Zoning Staff Report



Case: SU-19-0151

MEETING DATE(S)

Planning & Zoning Commission: December 10, 2019

City Council: December 16, 2019

CAPTION

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)

APPLICANT REQUEST

The purpose of this request is to permit the use of residential solar panels.

CASE INFORMATION

Applicant: Bridget Wright, Sunpro Solar

Property Owner(s): John Musselwhite

Site Acreage: 2.18 acres

Current Zoning: Planned Development Single Family-1

Requested Zoning: Specific Use Permit for Rooftop Solar Panel System

SUBJECT PROPERTY

General Location: 406 Laguna Vista Drive

Parcel ID Number(s): 273631

Existing Use: Single Family Residence

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	PD-23-SF-1	Undeveloped
East	PD-23-SF-1	Undeveloped
South	PD-23-SF-1	Single Family Residence
West	PD-23-SF-1	Single Family Residence

Future Land Use Plan: Estate Residential

(16)

Comprehensive Plan:

This use is representative of traditional, single-family detached dwellings on large lots that are over one acre in size. This type of land is envisioned to primarily be located in the southern portion of the City and in the ETJ area south and west of Waxahachie.

Thoroughfare Plan:

This property is accessible via Laguna Vista Drive.

Site Image:



PLANNING ANALYSIS

The applicant seeks to install solar panels on the roof of the single family residence. Per the City of Waxahachie Zoning Ordinance, solar panels are permitted with a Specific Use Permit, and must be installed so that they do not front onto the right-of-way. According to the current site plan submitted by the applicant, there will be no solar panel systems facing the public ROW.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 12 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Sun and a sign was visibly posted at the property.

PROPERTY OWNER NOTIFICATION RESPONSES

Staff received one (1) letter of support for the proposed rooftop solar panel system.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, the Planning and Zoning Department recommends:

- Denial
- Approval, as presented.
- Approval, per the following comments:

(14)

ATTACHED EXHIBITS

1. Site Plan
2. PON Responses
 - a. 1 support | 0 oppose

APPLICANT REQUIREMENTS

1. If approved by City Council, applicant can apply for building permits from the Building and Community Services Department.

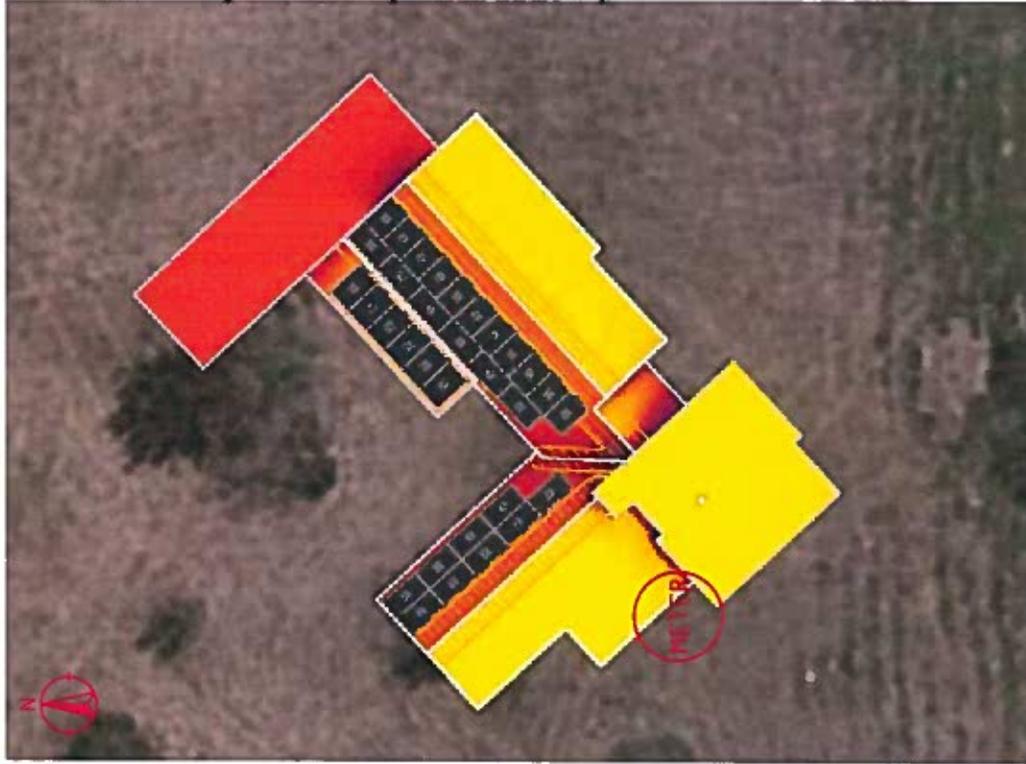
STAFF CONTACT INFORMATION

Prepared by:
Chris Webb
Planner
cwebb@waxahachie.com

Reviewed by:
Shon Brooks, AICP
Director of Planning
sbrooks@waxahachie.com

Install Map - John Musselwhite

Quantity: 32
 Panel: LG 335N1C-V5
 Inverter: Enphase IQ7-60-2-US (240V)



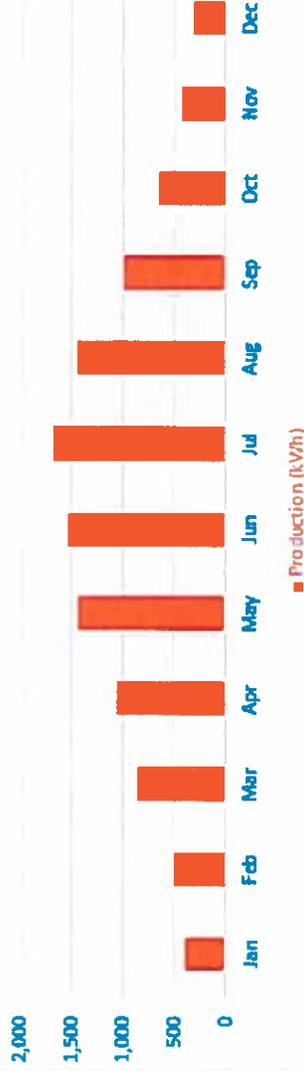
Estimated Energy Savings

	Low	High
Annual Results	11,334	11,334
Estimated Solar Energy Production (kWh/yr)	11,034	11,634
Estimated Energypro Efficiency Savings (kWh/yr)**	2,000	6,000
Solar + Energypro Estimated Annual Benefit (kWh/yr)	13,034	17,634
Monthly Estimates (kWh/mo)	307	1,682

*The solar energy production provided here is only an estimate and does not take into account any pre-existing shade issues. The final solar energy production guarantee will be issued after the job is complete and based on the shade measurements conducted at the day of installation.

**Results from the energy efficiency work conducted by Energypro are estimates only and cannot be guaranteed as every home utilizes different construction methods.

Estimated Monthly Production



NOTE: THIS DESIGN IS NOT ABSOLUTE AND MAY BE SUBJECT TO SHADING OR SITE REVISIONS DUE TO UNFORESEEN OBSTRUCTIONS OR SIZE RESTRICTIONS TO BE APPROVED BY THE HOMEOWNER

***obstructions like vents, heat stacks, etc will cause shading on panels at certain points of the day resulting in minor production loss (issue isolated to panels near obstructions only) ***

I, JOHN MUSSELWHITE, APPROVE THE PROPOSED DESIGN AND ESTIMATED* ENERGY SAVINGS FOR MY SOLAR PANEL INSTALLATION.

DocuSigned by:
JOHN MUSSELWHITE

MARCJONES
 CONSTRUCTION
 residential • commercial • solar

SUNPR
 SOLAR HOME SPECIALISTS

Install:	406 Laguna Vista Rd Waxahachie TX 75165
Jurisdiction:	10.72 kW Solar Panel System
Utility:	City of Waxahachie
Designer:	Oncor ESI ID: 10443720009564889
Date:	M Williams
	11/18/2019 REV. 1

(16)

Property ID	Owner's Name	Acres	Legal Description	Owner's Address	Owner's Lot	Owner's City	Owner's State	Owner's ZIP	Physical Address
174544	HILL RICHARD H	0.129	LOT 7 LAGUNA VISTA 0.129 AC	407 LAGUNA VISTA DR		WAXAHACHIE	TX	75165	407 LAGUNA VISTA DR WAXAHACHIE TX 75165
174545	MELIN LOUIS & KIMBERLY	0.122	LOT 8 LAGUNA VISTA .122 AC	405 LAGUNA VISTA DR		WAXAHACHIE	TX	75165	405 LAGUNA VISTA DR WAXAHACHIE TX 75165
174546	BLAKE LOYD & JOYCE	0.3	LOT 9 & 10 LAGUNA VISTA 0.3 AC	403 LAGUNA VISTA		WAXAHACHIE	TX	75165	403 LAGUNA VISTA DR WAXAHACHIE TX 75165
174549	RUDD DANIEL J	1.523	LOT 11-18 LAGUNA VISTA 1.523 AC	256 LAGUNA VISTA DR	LOT 11	WAXAHACHIE	TX	75165	256 LAGUNA VISTA DR WAXAHACHIE TX 75165
174552	PHILLIPS HOWARD R & VENITA F	0.258	LOT 3 & 4 LAGUNA VISTA .258 AC	415 LAGUNA VISTA DR		WAXAHACHIE	TX	75165	415 LAGUNA VISTA DR WAXAHACHIE TX 75165
174553	WILSON RICKEY & REBECCA	0.258	LOT 5 & 6 LAGUNA VISTA 0.258 AC	409 LAGUNA VISTA DR		WAXAHACHIE	TX	75165	409 LAGUNA VISTA DR WAXAHACHIE TX 75165
190400	ADAY JOHN C	6.91	956 WM STEWART 6.91 ACRES	201 SAGEBRUSH LN		WAXAHACHIE	TX	75165	155 WILLOWCREST WAXAHACHIE TX 75165
190563	VANTREESE DAVID T	1	956 WM STEWART 1 ACRES	205 AUDRA AVE		WAXAHACHIE	TX	75165	LAGUNA VISTA DR WAXAHACHIE TX 75165
194011	VANTREESE DAVID T	0.59	956 WM STEWART 0.59 ACRES	205 AUDRA AVE		WAXAHACHIE	TX	75165	LAGUNA VISTA DR WAXAHACHIE TX 75165
194012	VANTREESE DAVID T	1.43	956 WM STEWART 1.43 ACRES	205 AUDRA AVE		WAXAHACHIE	TX	75165	LAGUNA VISTA DR WAXAHACHIE TX 75165
224033	SPENCE DENNY ANN	0.91	LOT 19 LAGUNA VISTA PLACE SECT 2 0.91 AC	420 LAGUNA VISTA DR		WAXAHACHIE	TX	75165	420 LAGUNA VISTA DR WAXAHACHIE TX 75165
273631	MUSSEL WHITE JOHN R & LAURIE	1.699	LOT 1 BLK 1 LAGUNA VISTA PLACE PH 2 1.699 AC	2022 CHRISTIE LN		CARROLLTON	TX	75007	406 LAGUNA VISTA DR WAXAHACHIE TX 75165

Case Number: SU-19-0151
City Reference: 174546

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **Wednesday, December 4, 2019** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 S Rogers, Waxahachie, TX 75165.

RECEIVED
12/2/19

SUPPORT OPPOSE

SUPPORT

Comments: I strongly support their choice to use solar panels

(16)

Loyd Blake Joyce Blake 11-23-19
Signature Date

Loyd Blake Joyce Blake 403 Laguna Vista
Printed Name and Title Address

It is a crime to knowingly submit a false zoning reply form. (Texas Penal Code 37.10)

If you are not the addressee at the top of this form, but would like to submit a response, please contact the City for a blank form.

(18)

Planning & Zoning Department Zoning Staff Report



Case: SU-19-0144

MEETING DATE(S)

Planning & Zoning Commission: December 10, 2019

City Council: December 16, 2019

CAPTION

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)

APPLICANT REQUEST

The applicant is requesting to construct a 480 sq. ft. addition to an existing garage structure at 109 Willowcrest Dr.

CASE INFORMATION

Applicant: Jarod Scoggin, Scoggin Outdoor Living and Shops

Property Owner(s): Keith and Teresa Williams

Site Acreage: 1.22 acres

Current Zoning: PD-23-SF1

Requested Zoning: PD-23-SF1

SUBJECT PROPERTY

General Location: 109 Willowcrest Dr.

Parcel ID Number(s): 174739

Existing Use: Single Family Residence

Development History: N/A

Table 1: Adjoining Zoning & Uses

Direction	Zoning	Current Use
North	PD-23-SF1	Single Family Residences
East	PD-23-SF1	Single Family Residences
South	---	Waxahachie Lake Pavilion
West	PD-23-SF1	Single Family Residences

Future Land Use Plan: Low Density Residential

(18)

Comprehensive Plan:

This category is representative of smaller single family homes and some duplex units. The majority of Waxahachie's current development is of similar density. It is appropriate to have approximately 3.5 dwelling units per acre.

Thoroughfare Plan:

The subject property is accessible via Willowcrest Dr.

Site Image:



PLANNING ANALYSIS

Purpose of Request:

The applicant intends to construct a 480 sq. ft. addition to an existing 960 sq. ft. garage structure at 109 Willowcrest Dr. Per the City of Waxahachie Zoning Ordinance, "Accessory structures equal to or greater than 700 square feet shall only be permissible by a Specific Use Permit (SUP)".

Proposed Use:

The applicant is requesting approval to construct a 24 ft. x 20 ft. x 13 ft. tall (480 sq. ft.) addition to an existing 960 sq. ft. garage structure (totaling 1,440 sq. ft.). Per ECAD (Ellis County Appraisal District), the existing home on the subject property is 3,304 sq. ft. The applicant intends to construct the proposed addition out of masonry (brick) to be consistent with the existing structure. Per the applicant, the additional space will be used to protect classic cars from inclement weather.

During site visits, staff noticed there was at least one accessory structure over 1,000 sq. ft. within 300 ft. of the subject property. At the time of this report (12/3/2019), staff has yet to receive any calls of opposition from surrounding neighbors. Due to surrounding accessory structures within the neighborhood area, and at least one accessory structure over 1,000 sq. ft. within 300 ft. of the subject property, staff believes such exception will not alter the essential character of the district in which is located.

PON RESPONSES

Staff received one (1) letter of support for the proposed development.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 8 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Sun and a sign was visibly posted at the property.

STAFF CONCERNS

- 1. Staff has no outstanding concerns for the applicant.

APPLICANT RESPONSE TO CONCERNS

- 1. The applicant has addressed all of staff concerns.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, the Planning and Zoning Department recommends:

- Denial
- Approval, as presented.
- 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.

ATTACHED EXHIBITS

- 1. Site Plan
- 2. Site Photos
- 3. PON Responses

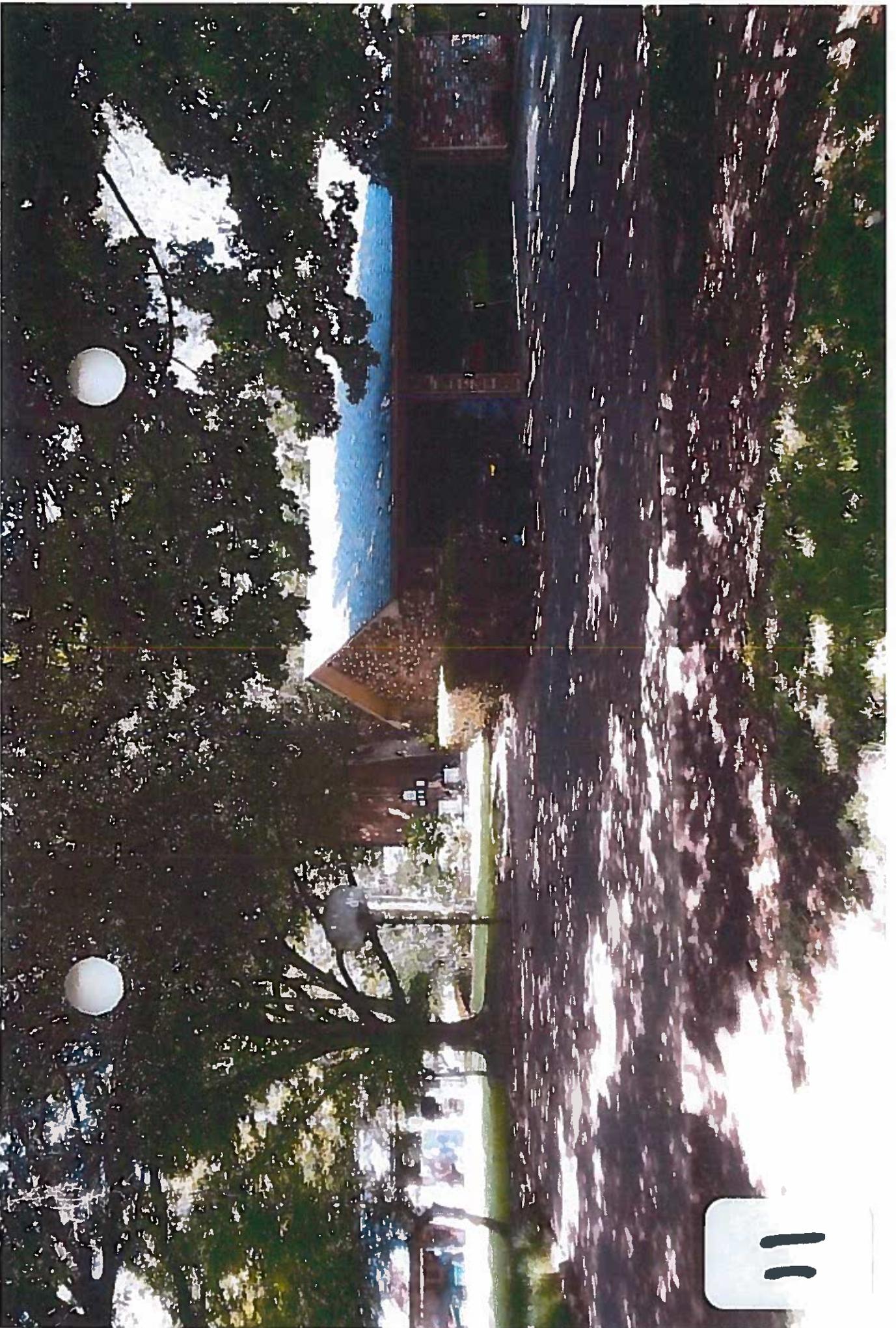
APPLICANT REQUIREMENTS

- 1. If approved by City Council, applicant can apply for building permits from the Building and Community Services Department.

STAFF CONTACT INFORMATION

Prepared by:
 Colby Collins
 Senior Planner
ccollins@waxahachie.com

Reviewed by:
 Shon Brooks, AICP
 Director of Planning
sbrooks@waxahachie.com





21

(18)

Property ID	Owner's Name	Acres	Legal Description	Owner's Address	Owner's City	Owner's State	Owner's Zip	Physical Address
174729	MAJOR WILLIAMS C	1.31	4 LAKEVIEW 1.31 ACRES	113 WILLOWCREST	WAXAHACHIE	TX	75165	113 WILLOWCREST WAXAHACHIE TX 75165
174731	SHARLETON MARVIN E III	4.563	LOT 6R LAKEVIEW-REV 4.563 AC	PO BOX 717	WAXAHACHIE	TX	75168	125 WILLOWCREST WAXAHACHIE TX 75165
174737	JENKINS KENNETH B & KAREN N	1.18	1 LAKEVIEW 1.18 ACRES	2710 OLD ITALY RD	WAXAHACHIE	TX	75165	2710 OLD ITALY RD WAXAHACHIE TX 75165
174738	BARR SIDNEY ANN	1.18	2 LAKEVIEW 1.18 ACRES	105 WILLOWCREST	WAXAHACHIE	TX	75165	105 WILLOWCREST WAXAHACHIE TX 75165
174739	WILLIAMS KEITH M & TERESA A	1.22	LOT 3 LAKEVIEW-REV 1.22 AC	109 WILLOWCREST	WAXAHACHIE	TX	75165	108 WILLOWCREST WAXAHACHIE TX 75165
200101	HARRINGTON D ANNE & RANDY	1	1 D ANNE S PLACE 1 ACRES	100 WILLOWCREST	WAXAHACHIE	TX	75165	100 WILLOWCREST WAXAHACHIE TX 75165
248513	HARRINGTON RANDY & D'ANNE	2.787	956 WM STEWART 2.787 ACRES	100 WILLOWCREST DR	WAXAHACHIE	TX	75165	OLD ITALY RD WAXAHACHIE TX 75165
259868	ALMAND THOMAS L & KAYE F	1	956 WM STEWART 1 ACRES	120 WILLOWCREST	WAXAHACHIE	TX	75165	120 WILLOWCREST WAXAHACHIE TX 75165
269673	WAXAHACHIE HOMESTEAD ESTATES LLC	1.049	LOT 14 BLK A HOMESTEAD ESTATES 1.049 AC	6031 W120 STE 226	ARLINGTON	TX	76017	157 HOMESTEAD LN WAXAHACHIE TX 75165

(18)

RECEIVED
12/11/19



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: SU-19-0144



SINGLETON MARVIN E III
PO BOX 717
WAXAHACHIE, TX 75168

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, December 10, 2019 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, December 16, 2019 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

1. 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)

You received this notice because your property is within the area of notification as required by law. As an interested party you are welcome to make your views known by attending the hearings. If you cannot attend the hearings, you may express your views by filling in and returning the bottom portion of this notice. Please contact the Planning Department at (469) 309-4290 or via email: Planning@Waxahachie.com for additional information on this request.

Case Number: SU-19-0144
City Reference: 174731

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *Wednesday, December 4, 2019* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 S Rogers, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments: _____

Mark Singleton
Signature

12/11/19
Date

Mark Singleton
Printed Name and Title

1256 Willowcrest Dr Waxahachie TX 75165
Address

It is a crime to knowingly submit a false zoning reply form. (Texas Penal Code 37.10)

If you are not the addressee at the top of this form but would like to submit a response please contact the City for a blank form

(pb)

Planning & Zoning Department

Zoning Staff Report



Case: SU-19-0143

MEETING DATE(S)

Planning & Zoning Commission: December 10, 2019

City Council: December 16, 2019

CAPTION

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)

APPLICANT REQUEST

The applicant is requesting approval to allow a proposed Daiquiri Shop within an existing retail strip center (North Grove Business Park).

CASE INFORMATION

Applicant: Staci Dean, Daiquiriville

Property Owner(s): Blain Vinson

Site Acreage: 2.337 acres

Current Zoning: General Retail

Requested Zoning: General Retail

SUBJECT PROPERTY

General Location: 2801 N. Highway 77, Suite 140

Parcel ID Number(s): 272779

Existing Use: Retail Strip Center (North Grove Business Park)

Development History: The Final Plat for North Grove Business Park, Phases 1 & 3 was approved by City Council on December 18, 2017.

Table 1: Adjoining Zoning & Uses

Direction	Zoning	Current Use
North	GR	Chicken Express
East	PD-GR	Currently Undeveloped
South	GR	Currently Undeveloped
West	PD-C	Currently Undeveloped

(20)

Future Land Use Plan:

Retail

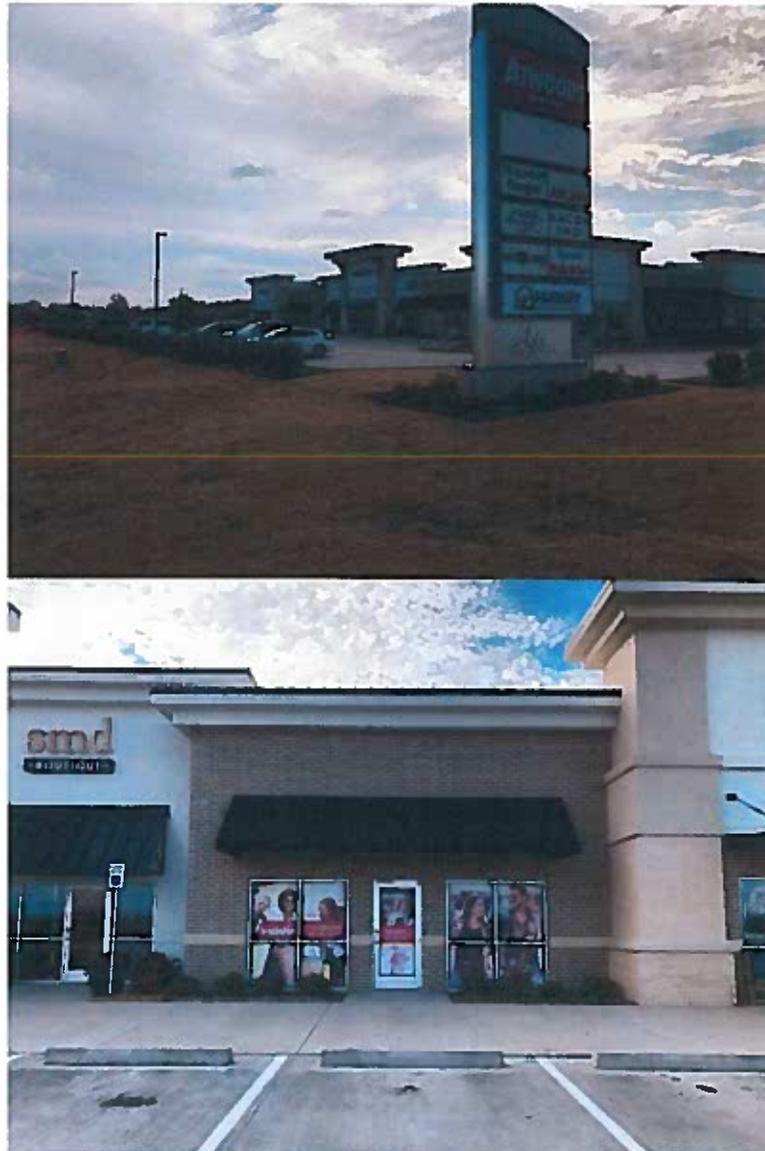
Comprehensive Plan:

Retail includes areas that have restaurants, shops, grocery stores, and personal service establishments. Retail businesses generally require greater visibility than do other types of nonresidential land use (e.g., office, commercial).

Thoroughfare Plan:

The subject property is accessible via U.S. Highway 77.

Site Image:



(20)

PLANNING ANALYSIS

Purpose of Request:

The purpose of this request is to allow a proposed Daiquiri Shop within an existing retail strip center (North Grove Business Park).

Per the City of Waxahachie Zoning Ordinance, a Convenience Store with alcohol sales requires a Specific Use Permit.

Proposed Use:

The applicant is requesting approval to allow a proposed Daiquiri Shop within an existing retail strip center (North Grove Business Park), located along U.S. Highway 77. The proposed development, Daquiriville, will provide food, beer and wine-based Daiquiris. There will also be a kitchen installed so food can be provided to the customers. While the applicant intends to make minor interior remodeling changes, the applicant does not intend on expanding the building in any way. The proposed alcohol to food percentage sales ratio will be seventy (alcohol) to thirty (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

PON RESPONSES

Outside 200 ft. Notification Area: Staff has received three (3) letters of support for the proposed development.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City’s public hearing notice requirements, 6 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Sun and a sign was visibly posted at the property.

STAFF CONCERNS

1. Staff has no outstanding concerns for the applicant.

APPLICANT RESPONSE TO CONCERNS

1. The applicant has addressed all staff concerns.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, the Planning and Zoning Department recommends:

- Denial
- Approval, as presented.
- Approval, per the following 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.

(20)

ATTACHED EXHIBITS

1. Floor Plan
2. Business Plan
3. Menu
4. PON Responses

APPLICANT REQUIREMENTS

1. If approved by City Council, applicant can apply for building permits from the Building and Community Services Department.

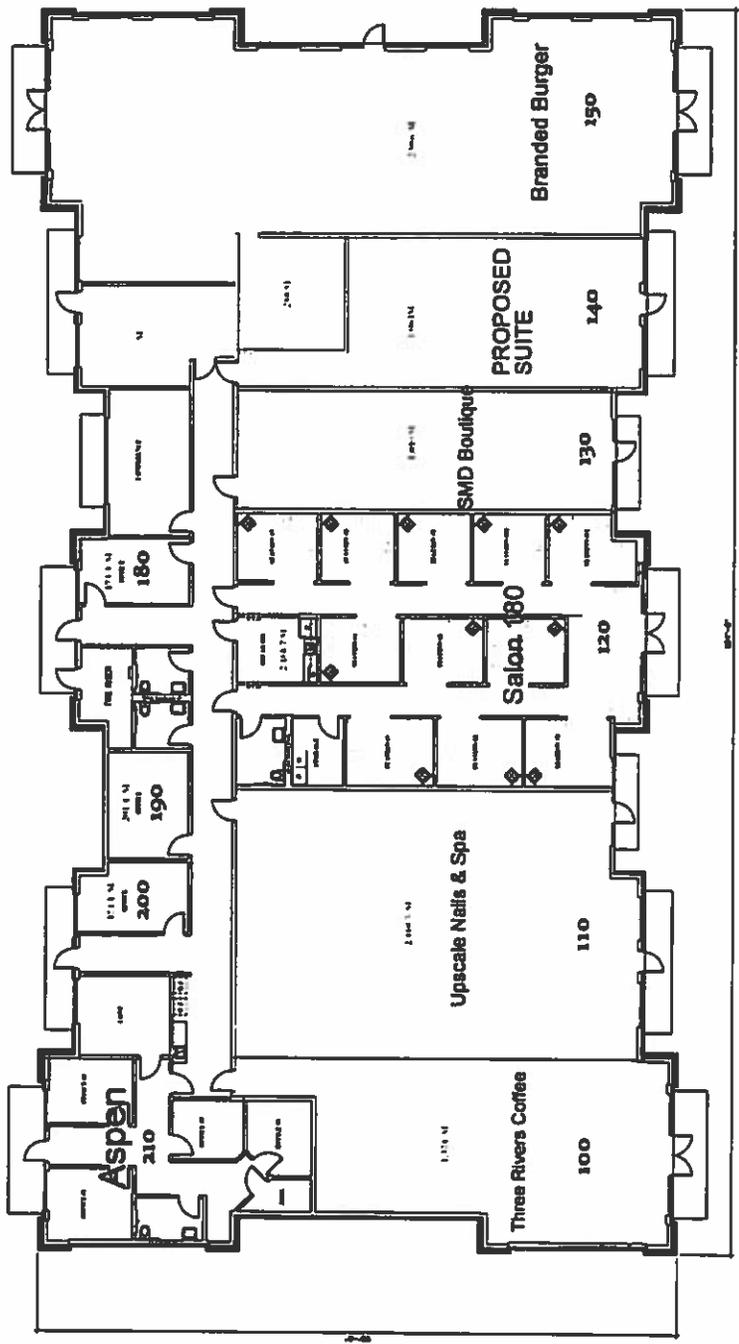
STAFF CONTACT INFORMATION

Prepared by:
Colby Collins
Senior Planner
ccollins@waxahachie.com

Reviewed by:
Shon Brooks, AICP
Director of Planning
sbrooks@waxahachie.com

(20)

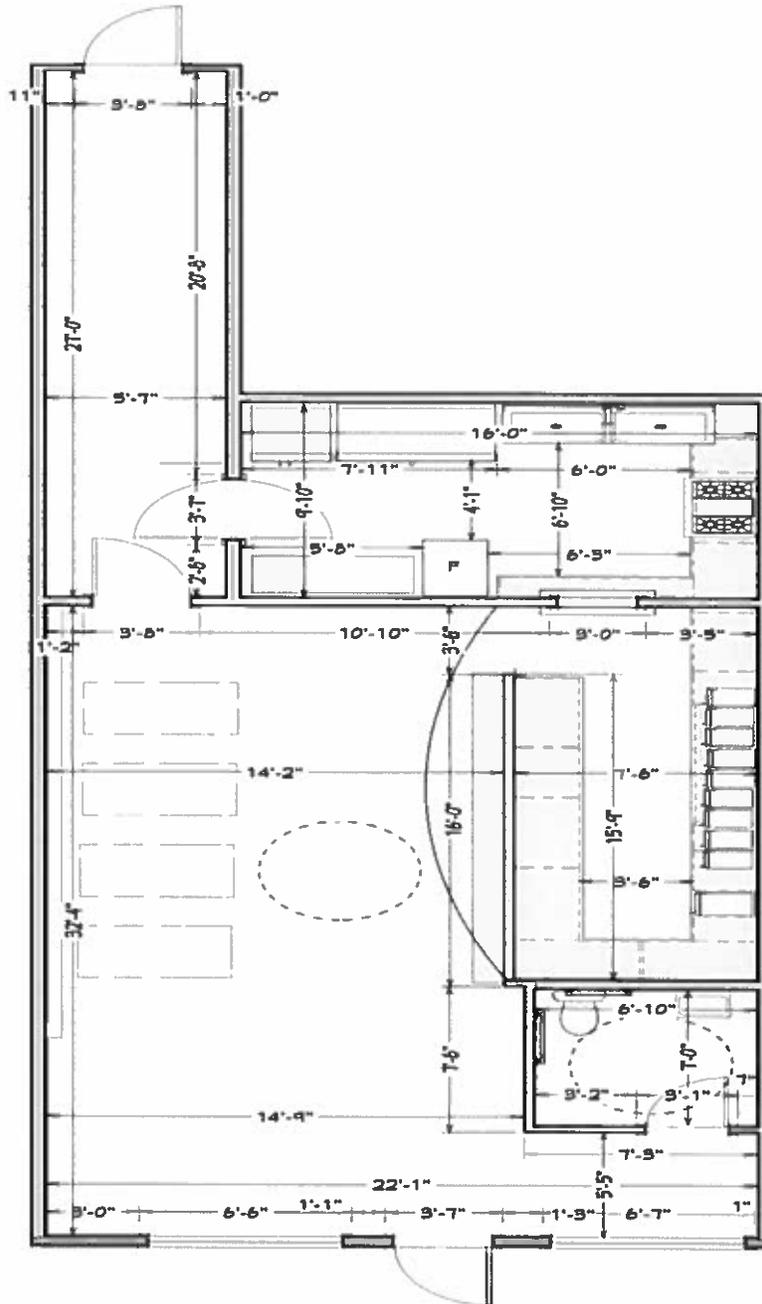
DRAWN BY: Ellis County Reprographics, Inc. 70 JOHNSON AVE. WAXAHACHIE, TEXAS 75090 972 930 5430	NOTES OF NON-RESPONSIBILITY I, the undersigned, being a duly Licensed Professional Engineer, do hereby certify that the above is a true and correct copy of the original as submitted to me for record, and that I am a duly Licensed Professional Engineer in the State of Texas.	SCALE: AS SHOWN DATE: 11/11/07 SHEET NO. 10-00-2010 PROJECT NO. 07-11-07	FLOOR PLAN SECTION A-1	PLANS FOR ASPEN OFFICES 2801 U.S. HIGHWAY 77 WAXAHACHIE, TEXAS
				SHEET NO.



FLOOR PLAN
 1/8" = 1'-0"

(20)

PROPOSED FLOOR LAYOUT



DAIQUIRI VILLE
FOR BIDS ONLY
NOT FOR PERMITS
1116 SQ FT

(20)

Business Plan

Daiquiriville is a local family-based business that will provide food, beer and wine-based Daiquiris. It is owned by Staci, Tina, Lou and Bobby Dean, all Ellis county residents for about 12 years. They are excited to be the first to bring this trendy concept to Waxahachie. This unique service will provide the residence of Waxahachie not only an opportunity to entertain at home with restaurant style beverages but also the opportunity to escape reality with our sit in Daiquiri Bar and food selections.

Daiquiris will be served in gallon, half gallon, 32oz and 16 oz sizes and offered in a variety of flavors. Daiquiris will be mixed with a flavor concentrate and wine in a Daiquiri machine and served frozen. There will be a kitchen and the food menu will range from fried pickles to wings and our unique Pineapple bowls. The proposed beverage to food percentage sales ratio will be seventy (alcohol) to thirty (food).

We plan to have three additional employees on top of the four owners at the beginning stages of opening. Our business hours will be Tuesday through Thursday from 10:30 am to 9:00pm, Friday and Saturday from 10:30am to 11:00pm and Sunday from 12:00PM to 5:00pm. Hours may change depending on the foot traffic in the area. With the 100,000 vehicles that pass through HWY 287, 77 and I-35 everyday we anticipate having anywhere from 50-250 customers daily.

(50)

DAIQUIRIVILLE MENU

Daiquiris

Electric Lemonade

Pineapple Express

Cherry Limeade

Hurricane

Peach

Strawberry Colada

Mango

Margarita

Pink Lemonade (virgin)

Beer

(served by single or bucket)

Bud Light

Coors Light

Miller Light

Corona

Wine

White

Red

Appetizers

Fried Pickles

Hawaiian Ckn Kabobs

Chips and Salsa

House Salad

French Fries

Daiquiriville Specials

Pineapple Shrimp Bowl

Pineapple Teriyaki Bowl

Hot Link Sandwich

Wings

6pc

10pc

18pc

25pc

*Buffalo, BBQ, Mango Habanero,

Lemon Pepper, Cajun

*Served with Celery/Carrots

Dessert

Pineapple Fruit Bowl

*Served with dipping sauce

Cheesecake

(20)

Property ID	Owner's Name	Acres	Legal Description	Owner's Address	Owner's City	Owner's State	Owner's ZIP	Physical Address
169379	SHRIDHARANI CRYSTAL S	8.39	848 A S PRUITT 8.39 ACRES	1204 TRAVIS CIR S	IRVING	TX	75038	HIGHWAY 77 WAXAHACHIE TX 75165
272778	MOMO PROPERTIES LLC	1.148	LOT 2 BLK A NORTH GROVE BUSINESS PARK PH 1 & 3 1.148 AC	200 S ELMI	WAXAHACHIE	TX	75165	2850 N HIGHWAY 77 WAXAHACHIE TX 75165
272779	SAP PROPERTIES LLC	2.337	LOT 1 BLK B NORTH GROVE BUSINESS PARK PH 1 & 3 2.337 AC	207 KIMBERLY DR	CLEBURNE	TX	76031	2831 HIGHWAY 77 WAXAHACHIE TX 75165
272780	SAP PROPERTIES LLC	6.897	LOT 1 BLK D NORTH GROVE BUSINESS PARK PH 1 & 3 6.897 AC	7851 CLARK CT	OVILLA	TX	75154	2801 HIGHWAY 77 WAXAHACHIE TX 75165
272782	SAP PROPERTIES LLC	6.437	LOT 1 BLK E NORTH GROVE BUSINESS PARK PH 1 & 3 6.437 AC	7851 CLARK CT	OVILLA	TX	75154	2000 ENTERPRISE PKWY WAXAHACHIE TX 75165
273975	LEDBETTER REAL ESTATE LTD	1.246	LOT 2 BLK B NORTH GROVE BUSINESS PARK PH 2 & 4 1.246 AC	105 RIDGECREST DR.	WAXAHACHIE	TX	75165	2001 ENTERPRISE PKWY WAXAHACHIE TX 75165
273981	CANCUN'S NG77 PROPERTIES LLC	1.15	LOT 2R-1 BLK E NORTH GROVE BUSINESS PARK PH 2 & 4-REV 1.15 AC	117 TERRACE ST	DESOTO	TX	75115	N HIGHWAY 77 WAXAHACHIE TX 75165 CORPORATE PKWY WAXAHACHIE TX 75165

Case SU-19-0143
Responses Received Outside Required 200' Notification Area
Support: 3 Oppose: 0

PropertyID	Owner's Name	Physical Address
153627	DEBORAH GRUBBS	1201 SOUTHVIEW
156508	REBECCA FARRIS	1110 PANORAMA LOOP
269132	BRANDON BOLING	232 BUCKSKIN DRIVE

(20)

(20)

RECEIVED
10/30/19

To Whom It May Concern:

My name is Deborah Grubbs and I am a resident of Waxahachie, Texas. I would love to have a place like Daiquiriville in the area. It would be convenient to be able to walk in to have dinner and take my drinks to go. The idea of taking a daiquiri home and enjoying it as opposed to drinking it there is better to me than someone drinking at the place of business and then driving home.

Thank you,

Outside Notification Area
PID: 153627

Deborah Grubbs
1201 Southview, Waxahachie

(20)

RECEIVED
10/30/19

Outside Notification Area
PID: 156508

October 28, 2019

City of Waxahachie

To Whom It May Concern:

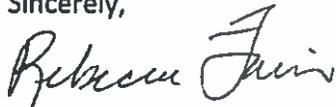
I am a longtime resident of the City of Waxahachie and I would very much like to see the food and drink options in our city expand with a business such as Daiquiriville.

I think it's a great option to have dinner and then be able to take my drink home with me instead of drinking too much and driving home. I believe this would be felt the same by many of the other residents of our city.

We frequent the Cork House Winery on the square and love the option to buy a bottle of wine and take what we don't drink with us. This allows us to purchase what we like, have only a glass and remain a responsible citizen on the road.

I encourage you to welcome Daiquiriville to Waxahachie. Our great city is consistently growing and expanding with new business and ideas bringing more growth to our community. This would be a great option for the citizens of Waxahachie and surrounding cities to enjoy.

Sincerely,



Rebecca Farris

1110 Panorama Loop, Waxahachie

(20)

10-28-2019

RECEIVED
10/30/19

To whom it may concern;

I am writing to notify you that as a resident of Waxahachie my wife and I would thoroughly enjoy a Daiquiri Place within the City. I love the idea of being able to take a drink home to enjoy in the comfort of my own home. The surrounding cities have these establishments and I feel like it would be a great addition to the City of Waxahachie. Thank you for taking the time to read and consider this request.

Sincerely,
Brandon Boling
Brandon Boling

Outside Notification Area
PID: 269132

232 Beckskin Dr. Waxahachie