



MAYPEARL

The Undiscovered Gem

CITY OF MAYPEARL

104 E. Second St. / P.O. Box 400
Maypearl, Texas 76064

Planning and Zoning Commission- Special Session
Monday, December 18, 2023 @ 7pm
Maypearl City Hall

MINUTES

1. Joe Restivo called the meeting to order at 7pm. Present were members – Joe Restivo, Barbara Pruitt, and Jeanne Harney. Jeremy LaRue and Cindy Jacobson were absent.
2. Citizen/public comments: none
3. Barbara Pruitt motioned to approve minutes for 11/27/2023, seconded by Jeanne Harney, all in favor, motion carried.
4. Conduct a public hearing on the application of Aaron Lawson, the property tenant, requesting an amendment to the Maypearl Zoning Ordinance to approve a Special Use Permit for the sale and or distribution of alcoholic beverages in the city limits of the City of Maypearl, specifically 318 N Main Street, Maypearl, Ellis County, Texas currently zoned C1; and to amend the City's Zoning map to reflect said Special Use Permit. Joe Restivo opened the public hearing 702pm, no visitors or comments, Jeanne Harney motioned to close public hearing, Barbara Pruitt seconded, all in favor motion carried.
5. Barbara Pruitt motioned to open discussion, Jeanne Harney seconded, all in favor, motion carried. Aaron Lawson submitted a site plan and answered questions about parking, drive through, entry and exit locations, drop off and unloading locations. Barbara Pruitt motioned to amend the City's Planning and Zoning Map to reflect P&Z recommends an SUP be issued to Aaron Lawson for Maypearl's Top Shelf located at 318 N Main Street, Maypearl, Ellis County, Texas, Jeanne Harney seconded, all in favor, motion carried.
6. Barbara Pruitt made a motion to adjourn, Jeanne Harney seconded, all in favor, motion carries, meeting adjourned at 709pm.

Joe Restivo, Chairman

Date Approved

NOTICE OF ZONING PUBLIC HEARING

CITY OF MAYPEARL, TEXAS

NOTICE IS HEREBY GIVEN, that the Planning and Zoning Commission of the City of Maypearl, Texas will hold a hold a Public Hearing at its Regular Meeting on May 20, 2024 at 7:00 p.m. and the City Council of the City of Maypearl, Texas will hold a Public Hearing at its Regular Meeting on June 3, 2024 at 7:00 p.m., both to be held at the Maypearl City Hall, 104 E. Second Street, Maypearl, Texas 76064, to consider the application of Erick Thompson, as the property tenant, requesting an amendment to the Maypearl Zoning Ordinance to approve a Specific Use Permit to authorize the sale of distilled spirits, wine and malt beverages for on-premise consumption from real property of approximately 1.287 AC identified as Lot 1 Maypearl Town Center, Maypearl, Ellis County, Texas, commonly known as 705 N Main #117, and currently zoned Commercial C-2; and, to amend the City's Zoning map to reflect said Specific Use Permit. At the said times, the Planning and Zoning Commission may consider recommending to city council the adoption of an ordinance granting the Zoning Change and amending the zoning map to reflect said zoning change on said property, and city council may consider adopting the ordinance granting the same. All interested citizens and property owners of the City, as well as other persons of interest, are invited to attend and participate in the public hearings. Also, any such interested person may attend the meetings to express his or her opinion concerning the proposed zoning change or state their comments by letter addressed to the Maypearl City Secretary, P.O. Box 400, Maypearl, Texas 76064 or email addressed to danell.winter@cityofmaypearl.org.

Danell Winter, City Secretary, Maypearl, Texas

ORDINANCE # _____

AN ORDINANCE OF THE CITY OF MAYPEARL, ELLIS COUNTY, TEXAS, AMENDING THE MAYPEARL COMPREHENSIVE PLAN AND FUTURE LAND USE MAP, AS AMENDED, BY CHANGING THE ZONING ON APPROXIMATELY 1.287 AC IDENTIFIED AS LOT 1 MAYPEARL TOWN CENTER, MAYPEARL, ELLIS COUNTY, TEXAS AND COMMONLY KNOWN AS 705 N MAIN #117, MAYPEARL, TEXAS (THE “PROPERTY”), CURRENTLY ZONED COMMERCIAL C-2, BY AUTHORIZING A SPECIAL USE PERMIT FOR THE SALE OF DISTILLED SPIRITS, WINE AND MALT BEVERAGES FOR ON-PREMISE CONSUMPTION IN THE CITY LIMITS OF MAYPEARL, TEXAS; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND (\$2,000) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Maypearl has received an application for a Special Use Permit to sell distilled spirits, wine and malt beverages from real property of approximately 1.287 acres identified as Lot 1 Maypearl Town Center, Maypearl, Ellis County, Texas and commonly known as 705 N Main Street #117, currently zoned Commercial C-2; and

WHEREAS, the City of Maypearl deems it necessary, for the purpose of promoting the health, safety, morals, or general welfare of the City to amend the City’s zoning ordinance; and

WHEREAS, the City Planning and Zoning Commission and the governing body of the City of Maypearl, Texas, in compliance with the laws of the State of Texas and pursuant to the Zoning Ordinance of the City of Maypearl, have given requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally, and to all persons interested and situated in the affected area and in the vicinity thereof, the said governing body is of the opinion that Zoning Application should be approved, and in the exercise of legislative discretion have concluded that the Zoning Ordinance and Map should be amended.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MAYPEARL, TEXAS:

SECTION 1. That the Maypearl Comprehensive Plan and Future Land Use Map, as amended, is hereby amended by authorizing a Special Use Permit to sell distilled spirits, wine and malt beverages from real property of approximately 1.287 acres identified as Lot 1 Maypearl Town Center, Maypearl, Ellis County, Texas and commonly known as 705 N Main Street #117.

SECTION 2. That the above property shall be used only in the manner and for the purpose provided for by the Maypearl Zoning Ordinance, as heretofore amended, and as amended herein.

SECTION 3. That the development of the property herein shall be in accordance with building regulations, zoning ordinances, and any applicable ordinances applicable to “C-2” Commercial zoning district except where amended herein.

SECTION 4. That should any sentence, paragraph, subdivision, clause, phrase, or section of this ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be unconstitutional, illegal or invalid, and shall not affect the validity of the Maypearl Zoning Ordinance as a whole.

SECTION 5. That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Maypearl Zoning Ordinance, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

SECTION 6. That in addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.

SECTION 7. That this ordinance shall take effect immediately from and after its passage and the publication of its caption, as the law and charter in such cases provide.

APPROVED AND ADOPTED by the City Council of the City of Maypearl, Texas, this _____ day of May, 2024.

By:

Chance Lynch, Mayor
City of Maypearl

ATTEST:

Danell Winter, City Secretary
City of Maypearl

APPROVED AS TO FORM:

Nicole A. Corr, City Attorney



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CITY OF MAYPEARL

104 E. Second St. / P.O. Box 400
Maypearl, Texas 76064

Planning and Zoning Commission
Monday, May 20, 2024, 7pm
Maypearl City Hall

1. Call to Order

2. Citizen/Public Comments:

Citizens may sign up before the meeting begins and will be allowed up to 3 minutes to address the Chair and members of Planning and Zoning. The Chair, Members and/or Staff may not respond to or converse with speakers during this time. The comments from the speaker must be in the form of a statement. By State law, no questions may be asked or answered. If you wish to address an agenda item, you may use your 3 minutes when the item comes up for discussion by the Commission, you will need to indicate such on the sign-up sheet. No one can give their 3 minutes to another person.

3. Consent Agenda:

All matters listed under Consent Agenda require little or no deliberation or are routine by the Commission. If discussion is desired the item will be removed from the consent agenda and considered separately. Otherwise, approval of the consent agenda authorizes the city secretary to implement each item in accordance with the staff's recommendation.

3.1 Approve minutes from the December 18, 2023 Planning and Zoning Commission Meeting.

4. Discussion and Consideration Items:

4.1 Hold a Public Hearing on an ordinance to consider the application of Erick Thompson, the property tenant, requesting an amendment to the Maypearl Zoning Ordinance to approve a Special Use Permit for the sale of distilled spirits, wine and malt beverages for on-premise consumption from real property of approximately 1.287 AC identified as Lot 1 Maypearl Town Center, Maypearl, Ellis County, Texas, commonly known as 705 N Main #117, Maypearl, Ellis County, Texas currently zoned C-2; and to amend the City's Zoning map to reflect said Special Use Permit.

5. Adjournment

This is to certify that the undersigned posted the above agenda at _____ on the _____ day of _____, 20____ on the bulletin board of City Hall, located at 104 East Second Street, Maypearl Texas 76064, a place readily accessible to the general public at all times, and to the City's website www.cityofmaypearl.org, to remain continuously posted for at least 72 hours immediately preceding said meeting, all in accordance with Chapter 551, Texas Government Code.

Danell Winter, City Secretary