

A G E N D A

The Waxahachie Planning & Zoning Commission will hold a regular meeting on ***Tuesday, January 25, 2022 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 January 11, 2022
 - b. Minutes of the Planning and Zoning Commission briefing of January 11, 2022
5. ***Consider*** a request by Emile Sirchia, for a Replat of Lots 1A, Emerald Forest, to create Lots 1A1, 1A2 & 1A3, Block 2, Emerald Forest, 3 Residential Lots, being 4.818 acres, located at 136 Oak Hill Court, in the Extra Territorial Jurisdiction (Property ID 150256) – Owner: EMILE A & KATHERINE A SIRCHIA (SUB-181-2021)
6. ***Consider*** a request by Roger Borgelt, Dycal Land Holdings, LLC, for a Plat of Robnett Acres, Lot 1-6, Block A, being 22.682 acres, located at Robnett Road, situated in the Ashton Slayback Survey, Abstract 1005, an addition in the Extra Territorial Jurisdiction of the City of Waxahachie (Property ID 191155) – Owner: BUTCHER-ROBINETT REALTY LLC (SUB-169-2021)

7. **Public Hearing** on a request by Kenyatta Henderson, YaYa's Yniversity, for a Specific Use Permit (SUP) for a Child Daycare Center use within a Single Family-2 (SF-2) zoning district located at 323 Kirksey Street (Property ID 193801) - Owner: SEVENTH DAY ADVENTIST (ZDC-216-2021)
8. **Consider** recommendation of Zoning Change No. ZDC-216-2021
9. **Public Hearing** on a request by George Salvador, Waxahachie One Development, for a Zoning Change from a Future Development (FD) zoning district to a Single Family-1 (SF-1) zoning district, located at 3811 Blackchamp Road (Property ID 225711) - Owner: CHRIS & HEATHER NOWELS (ZDC-217-2021)
10. **Consider** recommendation of Zoning Change No. ZDC-217-2021
11. 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) 309-4006 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, January 11, 2022 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, Executive Director of Development Services
Jennifer Pruitt, Director of Planning
Zack King, Planner
Macey Martinez, Graduate Engineer
Amber Villarreal, City Secretary
Melissa Olson, 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 December 28, 2021
- b. Minutes of the Planning and Zoning Commission briefing of December 28, 2021

Action:

Ms. Bonney Ramsey moved to approve items a. and b. on the Consent Agenda. Vice Chairman Melissa Ballard seconded, All Ayes.

5. **Continue Public Hearing on a request by Terrance Jobe, Alluvium Development, Inc., for a Zoning Change from a General Retail (GR) and Future Development (FD) zoning districts to Planned Development Mixed-Use Residential (PD-MUR) zoning district, located west of 2374 W Highway 287 Bypass (Property ID 185971, 185978, 185972, 185886) - Owner: CAROLYN J HAMAN L/E (ZDC-188-2021)**

Chairman Keeler continued the Public Hearing.

Planning Director Jennifer Pruitt presented the case noting the applicant is requesting approval of a Planned Development to allow development of single-family homes, cottage style homes, retail/office, and park/open space on 188.46 acres. Staff recommended approval per the following staff comment:

(4a)

1. If approved, a mutually agreed upon Development Agreement must be signed by the applicant.

Ms. Pruitt explained the applicant revised the concept plan based on the Commission's comments. She noted the development will offer five architectural styles: Contemporary, Modern Farm, Tudor, Mediterranean, and Craftsman, with the remaining 40% of the lots to be determined by the market. The applicant also revised the exterior finish materials, floor plan variation, and garage door orientations. She noted staff received one letter of support and four letters of opposition.

Todd Winters, 201 Windco Circle, Wylie, Texas, explained architectural styles were updated with 12% allowed for each style. He noted the developer will fully fund and coordinate with the City of Waxahachie and TxDOT for the design and installation of a traffic signal at the southern entrance to Montclair Heights. Mr. Winters provided distinctive elevation/architectural illustrations and added a non-repetitive clause to the development agreement.

Commissioner Jim Phillips asked if the cottages will include the five architectural styles and Mr. Winters concurred.

Chairman Keeler asked if there will be sidewalks included on the other side of the green space and Mr. Winters noted there will be. Chairman Keeler commended Mr. Winters for the improvements on the elevations.

Commissioner Betty Square Coleman inquired about screening between the retail and residential and Mr. Winters explained there will be a distinct wall separating the two.

There being no others to speak for or against ZDC-188-2021, Chairman Keeler closed the Public Hearing.

6. Consider recommendation of Zoning Change No. ZDC-188-2021

Action:

Mr. Jim Phillips moved to approve a request by Terrance Jobe, Alluvium Development, Inc., for a Zoning Change from a General Retail (GR) and Future Development (FD) zoning districts to Planned Development Mixed-Use Residential (PD-MUR) zoning district, located west of 2374 W Highway 287 Bypass (Property ID 185971, 185978, 185972, 185886) - Owner: CAROLYN J HAMAN L/E (ZDC-188-2021). Mr. Erik Test seconded, All Ayes.

7. **Continue Public Hearing on a request by Yomi and Siyanade Fayiga for a Zoning Change from a Future Development Zoning to Planned Development-General Retail zoning district, located at Broadhead Road (Property ID 178923) - Owner: EQUITY TRUST COMPANY CUSTODIAN FBO (ZDC-146-2021)**

Chairman Keeler continued the Public Hearing.

Ms. Pruitt presented the case noting the applicant is requesting to rezone the property from Future Development to Planned Development-General Retail to allow for a Planned Development consisting of retail (front of property) and townhomes (rear of property). Staff recommended approval per the following staff comments:

(4a)

1. A mutually agreed upon Development Agreement must be signed by staff and the applicant.
2. A detailed site plan for the development be reviewed by City Council as well.

Ms. Pruitt reviewed the following changes from the Planning and Zoning Commission meeting of November 23, 2021:

- Townhomes
 - Reduced townhome lot count from 22 to 21
 - Proposing 3-story townhomes along western (6 units) and eastern (6 units) boundaries of the property
 - Rear entry lot sizes will be 2,500 sq. ft. (front entry lots will remain 3,680 sq. ft.)
 - Building setbacks:
 - Front setback (front entry): 20 ft.
 - Front setback (rear entry): 10 ft.
 - Side setback: 10 ft
 - Rear setback (front entry): 10 ft.
 - Rear setback (rear entry): 5 ft.
- Landscaping
- Building design/façade
- Conformance with Comprehensive Plan

Dr. Yomi Fayiga, 111 W. Main, Waxahachie, Texas, thanked the Commission and Planning Department for their assistance with the development.

There being no others to speak for or against ZDC-146-2021, Chairman Keeler closed the Public Hearing.

8. Consider recommendation of Zoning Change No. ZDC-146-2021

Action:

Vice Chairman Melissa Ballard moved to approve a request by Yomi and Siyanade Fayiga for a Zoning Change from a Future Development Zoning to Planned Development-General Retail zoning district, located at Broadhead Road (Property ID 178923) - Owner: EQUITY TRUST COMPANY CUSTODIAN FBO (ZDC-146-2021) as presented. Mr. David Hudgins seconded, All Ayes.

9. Adjourn

There being no further business, the meeting adjourned at 7:17 p.m.

Respectfully submitted,

Amber Villarreal, City Secretary

The Waxahachie Planning & Zoning Commission held a briefing session on Tuesday, January 11, 2022 at 6:30 p.m. in the City Council Conference Room 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, Executive Director of Development Services
Jennifer Pruitt, Director of Planning
Zack King, Planner
Macey Martinez, Graduate Engineer
Amber Villarreal, City Secretary
Melissa Olson, 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 Jennifer Pruitt reviewed the following cases:

- ZDC-188-2021, the applicant is requesting approval of a Planned Development to allow development of single-family homes, cottage style homes, retail/office, and park/open space on 188.46 acres. Staff recommends approval per staff comments. She noted the applicant provided five architectural styles as requested by the Commission.
- ZDC-146-2021, the applicant is requesting approval to rezone the property from Future Development to Planned Development-General Retail to allow for a Planned Development consisting of retail (front of property) and townhomes (rear of property). Staff recommends approval per staff comments. She noted the applicant took into consideration the Commission's concerns and updated their plan.

3. Adjourn

There being no further business, the meeting adjourned at 6:50 p.m.

Respectfully submitted,

Amber Villarreal
City Secretary

(5)

Planning & Zoning Department
Plat Staff Report

Case: SUB-181-2021



MEETING DATE(S)

Planning & Zoning Commission: January 25, 2021

CAPTION

Consider a request by Emile Sirchia, for a **Replat** of Lots 1A, Emerald Forest, to create Lots 1A1, 1A2 & 1A3, Block 2, Emerald Forest, 3 Residential Lots, being 4.818 acres, located at 136 Oak Hill Court, in the Extra Territorial Jurisdiction (Property ID 150256) – Owner: EMILE A & KATHERINE A SIRCHIA (SUB-181-2021)

APPLICANT REQUEST

The applicant is requesting to replat the subject property into three (3) lots for single family residential use.

CASE INFORMATION

Applicant: Tim Jackson, Texas Realty Capture & Surveying LLC

Property Owner(s): Emile A. Sirchia and Katherine A. Sirchia

Site Acreage: 4.818 acres

Number of Lots: 3 lots

Number of Dwelling Units: 3 units

Park Land Dedication: N/A (ETJ)

Adequate Public Facilities: Adequate public facilities are available to the site.

SUBJECT PROPERTY

General Location: 136 Oak Hill Court

Parcel ID Number(s): 150256

Current Zoning: N/A (ETJ)

Existing Use: A single family home currently exists on the subject property.

Platting History: The subject property is currently platted as Lot 1A, Block 2 of Emerald Forest.

Site Aerial:



PLATTING ANALYSIS

The applicant is proposing to plat the subject property into three (3) lots for single family residential use. Adequate public water facilities are available via the Carroll Water Company. Each lot will be serviced by on-site sewage systems. The proposed replat adheres to all lot size and dimension requirements.

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.

ATTACHED EXHIBITS

1. Replat
2. Water Letter

APPLICANT REQUIREMENTS

1. If approved by the Planning & Zoning Commission, within 30 days the applicant shall provide the Planning Department one revised electronic plan set that incorporates all comments.
2. Once the revised plans are provided, staff will verify all outstanding comments were satisfied.
 - a. If comments were not satisfied, then applicant will be notified to make corrections.
 - b. If all comments satisfied, applicant shall provide five signed, hard-copy plats.

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:
 Zack King
 Planner
zking@waxahachie.com

Reviewed by:
 Jennifer Pruitt, AICP, LEED-AP, CNU-A
 Senior Director of Planning
jennifer.pruitt@waxahachie.com

(5)



PLANNING & ZONING DEPARTMENT
401 South Rogers Street | Waxahachie, Texas 75168
(469) 309-4290 | www.waxahachie.com/Departments/PlanningandZoning



WATER UTILITY PROVIDER'S ENDORSEMENT

Applicant Name: Emile Strachia Parcel ID #: 150256
Subdivision Name: Lt A B I L 2 Emerald Forest

The City of Waxahachie requires new lots in subdivisions have adequate water flow and pressure to comply with TCEQ and latest Insurance Service Office (ISO) guidelines. Subdivisions served by water providers outside of the City of Waxahachie will need to ensure they can provide water flow/pressure per TCEQ and fire flow per the latest ISO guidelines.

Applicants, please submit this form to your water provider for completion. This completed form must be turned in at the time you submit your application packet to the Planning Department.

Contact Information:

- Buena Vista-Bethel SUD (972) 937-1212
- Carroll Water Company (972) 617-0817
- Mountain Peak SUD (972) 775-3765
- Rockett SUD (972) 617-3524
- Sardis-Lone Elm WSC (972) 775-8566
- Nash Foreston WSC (972) 483-3039

To be completed by the water utility provider:

	Yes	No
1. I have reviewed a copy of the proposed plat.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. The platted lots fall within our CCN area.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Our water system can provide water flow and pressure for domestic service per TCEQ regulations.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Our water system can provide the water flow and pressure for firefighting per ISO guidelines.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. The water line size servicing the lots is <u>3</u> inches.	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Patty Hilton
Print Name of General Manager of water provider or Designee

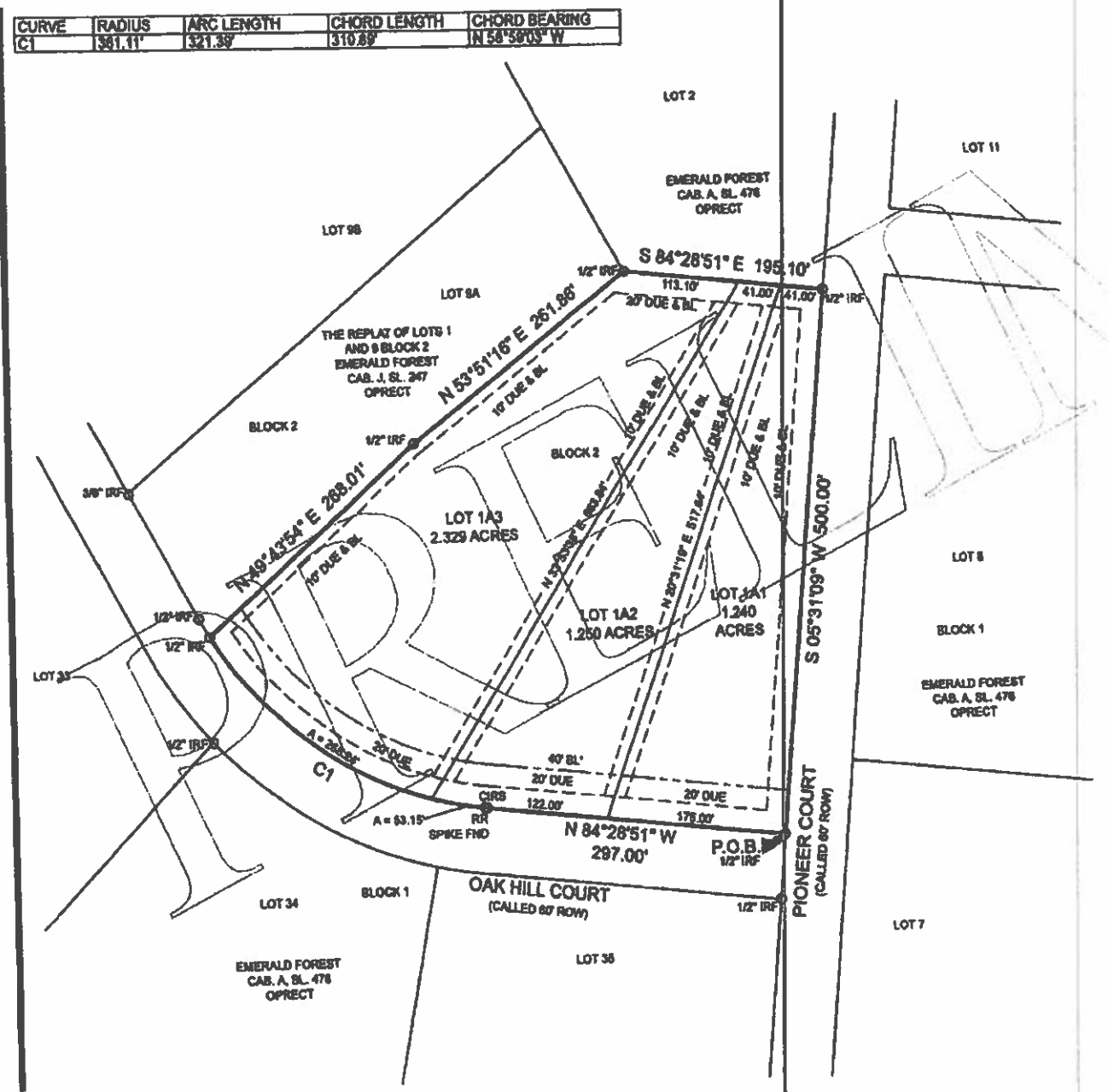
Carroll Water Co.
Name of water provider company

Patty Hilton
Signature of General Manager of water provider or Designee

10-25-2021
Date

(5)

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	361.11'	321.37'	310.89'	N 58° 58' 03" W



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Planning & Zoning Department

Plat Staff Report

Case: SUB-169-2021



MEETING DATE(S)

Planning & Zoning Commission: January 25, 2021

CAPTION

Consider request by Roger Borgelt, Dycal Land Holdings, LLC, for a **Plat** of Robnett Acres, Lot 1-6, Block A, being 22.682 acres, located at Robnett Road, situated in the Ashton Slayback Survey, Abstract 1005, an addition in the Extra Territorial Jurisdiction of the City of Waxahachie (Property ID 191155) – Owner: BUTCHER-ROBINETT REALTY LLC (SUB-169-2021)

APPLICANT REQUEST

The applicant is requesting to Plat the subject property into six (6) lots for single family residential use.

CASE INFORMATION

Applicant: Roger Borgelt, Dycal Land Holdings LLC

Property Owner(s): Keith Davis

Site Acreage: 22.682 acres

Number of Lots: 6 lots

Number of Dwelling Units: 6 units

Park Land Dedication: N/A (ETJ)

Adequate Public Facilities: Adequate Public Facilities are not currently available to the site. Per Rockett SUD requirements, the applicant will upgrade the existing 2 inch water main along Robnett Road to 8 inches in size in order to provide adequate domestic flow to each lot.

SUBJECT PROPERTY

General Location: North of 521 Robnett Road

Parcel ID Number(s): 289910

Current Zoning: N/A (ETJ)

Existing Use: The subject property is currently undeveloped

Platting History: The subject property is located within a portion of the Ashton Slayback Survey, Abstract 1005

(6)

Site Aerial:



PLATTING ANALYSIS

The applicant is proposing to plat the subject property into six (6) lots for single family residential use. Adequate public water facilities are not currently available to the site, however, Rockett SUD has indicated that adequate pressure can be provided if the existing water main is upgraded to an 8" water line. The applicant has stated their intent to install an 8" water line to provide adequate pressure for domestic flow and fire suppression purposes to all lots. The applicant has provided 60' of Right-of-Way (ROW) dedication along Robnett Road in alignment with the City of Waxahachie Thoroughfare Plan.

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, with the following conditions:
 1. The existing 2 inch water main along Robnett Road is replaced with an 8 inch water main to provide adequate domestic water flow to each lot, per Rockett SUD requirements.

ATTACHED EXHIBITS

1. Plat
2. Water Letter

APPLICANT REQUIREMENTS

1. If approved by the Planning & Zoning Commission, within 30 days the applicant shall provide the Planning Department one revised electronic plan set that incorporates all comments.
2. Once the revised plans are provided, staff will verify all outstanding comments were satisfied.
 - a. If comments were not satisfied, then applicant will be notified to make corrections.
 - b. If all comments satisfied, applicant shall provide five signed, hard-copy plats.

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.

(4)

STAFF CONTACT INFORMATION

Prepared by:

Zack King

Planner

zking@waxahachie.com

Reviewed by:

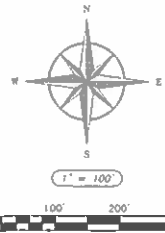
Jennifer Pruitt, AICP, LEED-AP, CNU-A

Senior Director of Planning

jennifer.pruitt@waxahachie.com

(6)

WLSC



Residual of 179.612 Acres
Butcher-Robnett Realty, LLC
Tract No. 2118327
OPRETT

0' 100' 200' 300'

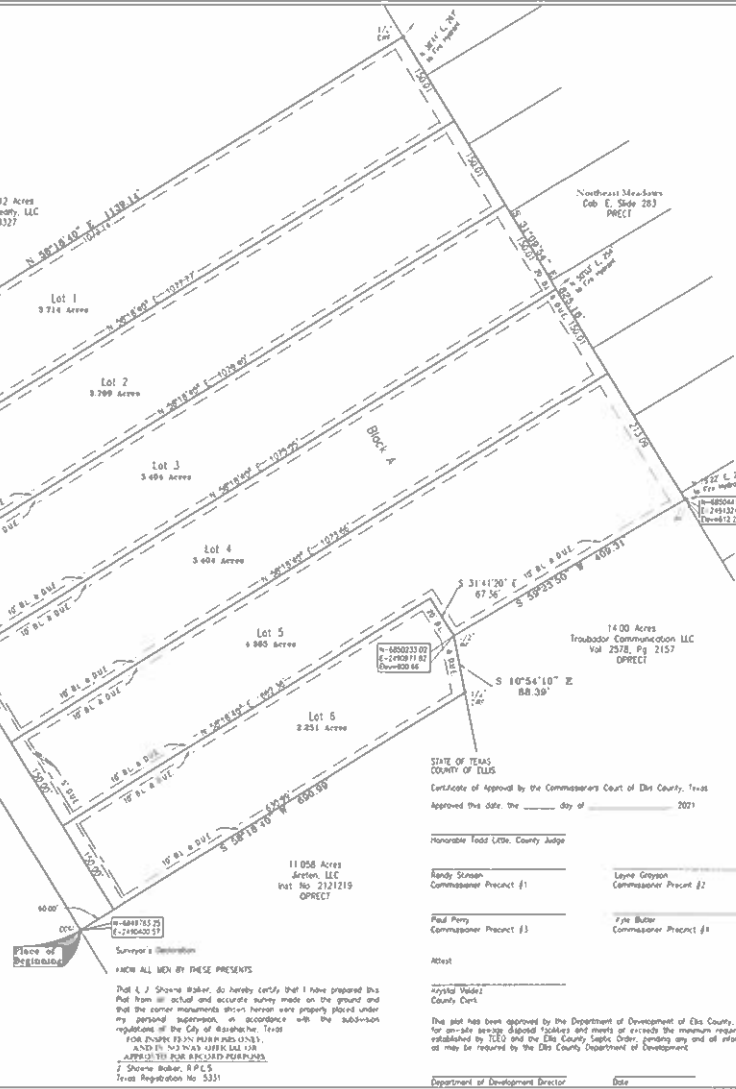
LEGEND

4	Plat
8	Plat
16	Plat
32	Plat
64	Plat
128	Plat
256	Plat
512	Plat
1024	Plat
2048	Plat
4096	Plat
8192	Plat
16384	Plat
32768	Plat
65536	Plat
131072	Plat
262144	Plat
524288	Plat
1048576	Plat
2097152	Plat
4194304	Plat
8388608	Plat
16777216	Plat
33554432	Plat

Registered Agent: Dycor Land Holdings, LLC
P.O. Box 140991
Irving, Texas 75014
Contact: James Moore (800) 214-0839
Surveyor: Baker Land Surveying Company
P.O. Box 2911
Marathon, Texas 75168
Contact: Sherrin Weber, RPLS (214) 317-0379



Walker Land Surveying Company
P.O. Box 2911 Marathon Texas 75168
RPLS Firm No 16112420 Project Number 210001-2



Notes:
1. Building Lines: 25' Front Building Line, 10' Side Building Line, 20' Rear Building Line
2. Utility Easements: 30' (Drainage & Utility Easement along and near property lines, 10' Drainage & Utility Easement along other property lines and others as shown)
3. The portion of this property line within a 100 year flood plain according to the Flood Insurance Rate Map for Elba County, Texas (Map #H1802000-7, Zone 4 (Shaded), dated June 1, 2013)
4. Basis of Bearings: GPS Observations, Texas Coordinate System, North Central Zone, 2011 Datums, Coordinate = Northing=4841781.25, Easting=149420.57

OWNER'S CERTIFICATE
State of Texas
County of Elba

Whereas Dycor Land Holdings, LLC are the owners of that certain parcel of land being situated in the 43RD/TH 53-82C SURVEY, ABSTRACT NO. 1805, Elba County, Texas and being all of 22.614 acre tract of land conveyed to Dycor Land Holdings, LLC by Special Warranty Deed recorded in Instrument Number 212129 of the Official Public Records of Elba County, Texas (OPRETT), and being more particularly described as follows:

BEING all a certain gas pipe found in Robert Hood (a county road) and in the southwest line of the Shaddock Survey and in the northwest line of the Dycor Rice Survey, Abstract No. 317 for the south corner of said Dycor Rice Tract and the east corner of the 11,058 acre tract of land conveyed to Jordon, LLC by Special Warranty Deed recorded in Instrument Number 2121219, OPRETT.

THENCE N 31°41'20" E along the northeast line of said Dycor Rice Tract and the southwest line of Northwest Shaddock Survey and along Shaddock Road, a distance of 300.00 feet to a certain gas pipe found in the west corner of Dycor Rice Tract.

THENCE N 5°18'03" E along the northeast line of Dycor Rice Tract, a distance of 118.16 feet to a 1/2" iron rod found with cap marked "WLS 5331" in the southwest line of Northwest Shaddock, an addition in the County, Texas, according to the Plat thereof recorded in Abstract No. 5368 253 of the Plat Records of Elba County, Texas for the north corner of Dycor Rice Tract.

THENCE N 31°29'54" E along the northeast line of said Dycor Rice Tract and the southwest line of Northwest Shaddock, a distance of 825.16 feet to a 1/2" iron rod found for the north corner of said Dycor Rice Tract and the north corner of the 11,000 acre tract of land conveyed to Troubadour Communication LLC by General Warranty Deed recorded in Volume 2578, Page 2157, OPRETT.

THENCE along the southwest line of said Dycor Rice Tract and the northeast line of said 11,000 acre tract as follows:
1. S 9°23'40" E, a distance of 409.31 feet to a 1/2" iron rod found for corner and
2. N 8°54'10" E, a distance of 68 feet to a 1/2" iron rod found for the southerly west corner of said Dycor Rice Tract and the north corner of said 11,058 acre tract.

THENCE S 32°18'42" E along the southwest line of Dycor Rice Tract and the northeast line of said 11,058 acre tract a distance of 693.99 feet to the PLACE OF BEGINNING and containing 22.612 acres of land as surveyed on the ground.

IN WITNESS WHEREOF, EACH ALL MEN BY THESE PRESENTS

I, Dycor Land Holdings, LLC, do hereby certify and adopt this plat depicting the herein above described property as the Final Plat of Robert Hood, an addition in the E/T of the City of Marathone Elba County, and does hereby dedicate to the public use hereon, for public use hereon, the streets and ways shown hereon. Dycor Land Holdings, LLC do hereby certify the following:

- The streets and ways are dedicated in fee simple for street and alley purposes.
- All public improvements and dedications shall be the cost of all public work, and/or maintenance.
- The easements and public uses shown, are shown, and created by this plat, are dedicated for the public use forever for the purposes indicated on this plat.
- The buildings, trees, crops, timber, or other improvements or growth shall be constructed or placed upon, over or across the easements as shown.
- Elba County is not responsible for registering any improvements in, under or over any easements caused by maintenance or repair.
- Utility easements may also be used for the medical use and accommodation of all public address during use or using the same unless the easement limits the use to particular address used use by public address being subordinate to the public's and Elba County's use thereof.
- Elba County and/or public utilities shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs or other improvements or growth which may, in any way impede or interfere with the construction, maintenance or efficiency of their respective systems in the easements.
- Elba County and public utilities shall at all times have the full right of ingress and egress to and from their respective easements for the purposes of construction, reconstruction, repairing, adjusting, maintaining, moving, widening, and adding to or removing of or parts of their respective systems without the necessity of any time proceeding permission from anyone.
- All modifications to this document shall be by no means made in plot and approved by Dycor Land Holdings, LLC.

This plat is approved subject to all platting ordinances, rules, regulations and resolutions of the Elba County, Texas.

Witness my hand this _____ day of _____, 2021.

By _____
John David Moser
Dycor Land Holdings, LLC

State of Texas

I, _____, before me the undersigned authority, a notary public in and for the state of Texas, personally appeared _____, known to me to be the person whose name is subscribed to the foregoing and acknowledged to me that he executed the same for the purposes herein expressed and in the capacity stated.

Given under my hand and seal of office this _____ day of _____, 2021.

Notary Public

Plat
Lots 1-6
Block A
Robnett Acres
Being 22.612 Acres
In the 43RD/TH Shaddock Survey, Abstract No. 1805
An Addition in the E/T of the City of Marathone
Elba County, Texas
Case No. SUB 169 2021 Prepared Date: May, 2021

(6)



PLANNING & ZONING DEPARTMENT
401 South Rogers Street | Waxahachie, Texas 75168
(469) 309-4290 | www.waxahachie.com/Departments/PlanningandZoning



WATER UTILITY PROVIDER'S ENDORSEMENT

Applicant Name: Dycal Land Holdings LLC Parcel ID #: 289910
Subdivision Name: Robnett Acres

The City of Waxahachie requires new lots in subdivisions have adequate water flow and pressure to comply with TCEQ and latest Insurance Service Office (ISO) guidelines. Subdivisions served by water providers outside of the City of Waxahachie will need to ensure they can provide water flow/pressure per TCEQ and fire flow per the latest ISO guidelines.

Applicants, please submit this form to your water provider for completion. This completed form must be turned in at the time you submit your application packet to the Planning Department.

Contact Information:

- Buena Vista-Bethel SUD (972) 937-1212
- Carroll Water Company (972) 617-0817
- Mountain Peak SUD (972) 775-3765
- Rockett SUD (972) 617-3524
- Sardis-Lone Elm WSC (972) 775-8566
- Nash Foreston WSC (972) 483-3039

To be completed by the water utility provider:

	Yes	No
1. I have reviewed a copy of the proposed plat.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. The platted lots fall within our CCN area.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Our water system can provide water flow and pressure for domestic service per TCEQ regulations. <i>* See Comments Below *</i>	<input type="checkbox"/>	<input type="checkbox"/>
4. Our water system can provide the water flow and pressure for firefighting per ISO guidelines.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. The water line size servicing the lots is <u>2</u> inches.	<input type="checkbox"/>	<input type="checkbox"/>

Domestic needs can be met if the existing 2" is replaced with an 8" main per our engineer

Jacob Morales

Rockett Water SUD

Print Name of General Manager of water provider or Designee

Name of water provider company

Jacob Morales

1/5/2022

Signature of General Manager of water provider or Designee

Date

(7)

Planning & Zoning Department

Zoning Staff Report

Case: ZDC-216-2021



MEETING DATE(S)

Planning & Zoning Commission: January 25, 2022

City Council: February 7, 2022

CAPTION

Public Hearing on a request by Kenyatta Henderson, YaYa's Yuniversity, for a **Specific Use Permit (SUP)** for a Child Daycare Center use within a Single Family-2 (SF-2) zoning district located at 323 Kirksey Street (Property ID 193801) - Owner: SEVENTH DAY ADVENTIST (ZDC-216-2021)

APPLICANT REQUEST

The applicant is requesting a Specific Use Permit to allow for a Daycare use on the subject property.

CASE INFORMATION

Applicant: Kenyatta Henderson

Property Owner(s): Seventh Day Adventist

Site Acreage: 0.424 acres

Current Zoning: Single Family-2 (SF-2)

Requested Zoning: Single Family-2 with a SUP for Daycare use (SF-2 w/ SUP)

SUBJECT PROPERTY

General Location: 323 Kirksey St

Parcel ID Number(s): 193801

Existing Use: A church currently exists on the subject property

Development History: The subject property is platted as Lot 3, Block 1 of the Ferris 2nd Revision plat.

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	GR w/ SUP	InterBank (with a drive through)
East	SF-2	Single Family Residential Homes
South	GR w/ SUP	InterBank (with a drive through)
West	SF-2	Single Family Residential Homes

Future Land Use Plan:

Low Density Residential

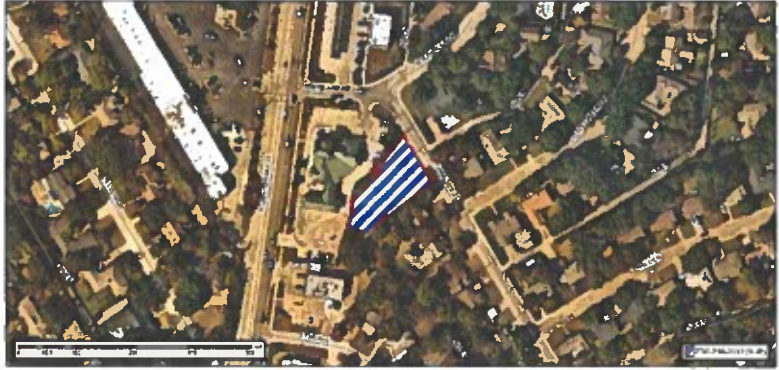
Comprehensive Plan:

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:

The site is accessible via Kirksey Street

Site Image:



PLANNING ANALYSIS

Purpose of Request

The applicant is requesting approval of a Specific Use Permit (SUP) to allow for a daycare use in a Single Family-2 (SF-2) zoning district.

Proposed Use

The applicant is requesting approval of a SUP for the subject property to allow for the opening of YaYa's Yuniversity daycare. The Waxahachie Seventh-day Adventist Church currently occupies the subject property. The applicant is proposing to retrofit the site to meet all state requirements for child daycare centers. These improvements include additional fencing and playground equipment for outdoor spaces as well as a new concrete drop-off and pick-up driveway in front of the building. The applicant plans to operate Monday-Friday from 6:00am to 6:00pm. The applicant anticipates having 10 employees for the daycare, with a minimum of 6 employees present during any given shift.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 16 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 indicating conditional support or conditional opposition to the proposed Specific Use Permit.

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, per the following comments:
 1. The applicant will need to obtain a building permit from the City of Waxahachie Building Inspections Department prior to any construction on the subject property.
 2. Any new pavement added to the site shall be concrete.
 3. The applicant will need to obtain a Certificate of Occupancy (CO) from the City of Waxahachie Building Inspections Department prior to operating on the subject property.

ATTACHED EXHIBITS

1. PON Responses
2. Floor Plan
3. Operational Plan

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:
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(7)

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-216-2021



VINTAGE BANK
PO BOX 557
WAXAHACHIE, TX 75168

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, January 25, 2022 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, February 7, 2022 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 Kenyatta Henderson, YaYa's University, for a Specific Use Permit (SUP) for a Child Daycare Center use within a Single Family-2 (SF-2) zoning district located at 323 Kirksey Street (Property ID 193801) - Owner: SEVENTH DAY ADVENTIST (ZDC-216-2021)

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: ZDC-216-2021

City Reference: 173476

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **Tuesday, January 18, 2022** to ensure inclusion in the Agenda Packet. Forms can be emailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

Interbank has a shared parking agreement with current owners. If that agreement is not honored then they will not have access to parking in the rear of their property.

Signature

Jeff Finley - EUP
Printed Name and Title

Date

1-7-21
300 Hwy 77N. 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.

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Executive Summary

YaYa's Yuniversity is where learning begins and learning never ends. YaYa's Yuniversity will provide full-day, year-round service for educating children ages 6 weeks to 5 years old in Waxahachie, TX. YaYa's Yuniversity is dedicated to teaching children to LEAD (Learning, Excelling, Achieving and Demonstrating) and will focus on providing a comprehensive approach to brain developing, creating, and mastering developmental milestones. Additionally, the Yuniversity will empower families to advocate for their child's education and become life-long learners. Hours of operation are Monday-Friday from 6:00am-6:00pm.

YaYa's Yuniversity will use the E-LAP (Learning Accomplishment Profile) assessment to show children's progress toward achieving developmental and school readiness goals. There will be various learning stations at the center which will include the following: science, technology, engineering art, mathematic, socialization, self-help skills, fine and gross motor skill, pre-writing, cognitive, language, personal and social emotion skills, math, dramatic play, science, woodworking, library, blocks computer, art, writing, sand/water, and music learning. In addition, YaYa's Yuniversity will implement a strong collaboration with families as life-long educators to ensure resources are available to promote a well-balanced partnership between school and home

YaYa's Yuniversity will implement specialized training for staff that promotes innovative learning systems. The center will utilize a research-based curriculum called: 'Frog Street for infants, toddlers and preschoolers' accompanied with STEAM (Science, Technology, Engineer, Art, and Math). YaYa's Yuniversity will emphasize Christian principles while executing CLASS (Classroom Assessment Scoring System). CLASS is a tool that measures the quality of interactions between teachers and children. These measurements will ensure a low teacher-child ratio and continuity of care for children, which will result in high-quality services.

YaYa's Yuniversity will provides a positive and comprehensive experience for children of all socioeconomic backgrounds to create a more inclusive environment for children to flourish. Approximately 15% of the children attending YaYa's Yuniversity will be at or below the poverty line. YaYa's Yuniversity will accept subsidies for childcare services with a goal of becoming a partner of the DFW Workforce Solution. The Workforce Solutions North Central Texas provides qualified families with financial assistance to offset the high cost of childcare for low-income families.

YaYa's Yuniversity will partner with other early childcare agencies, Waxahachie ISD, Ellis County Coalition and Navarro College to enhance the quality of education to young children. The partnerships will give children attending YaYa's Yuniversity a head start for a successful transition into the school system.

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Case: ZDC-216-2021

- **The maximum capacity for children in the daycare.**

We anticipate serving 60 children. The State of Texas Child Care Licensing will approve the number of children we can serve after conducting their inspection.

- **The number of employees you expect to have at the daycare. Please note the total amount of employees and the minimum number of employees on sight during any particular shift.**

We anticipate 10 employees which includes me. 6 minimum during any shift.

- **Hours of operation.**

Monday-Friday 6:00am-6:00pm. We will follow the Waxahachie ISD School Calendar

- **Please detail any fencing or landscape improvements you are proposing for the site.**

We will enclose the playground on the South side of the building with a fence.

- **A statement indicating that you will provide the necessary amount of outdoor space/playground area required for the site by the State of Texas.**

We will provide the necessary amount of outdoor space/playground as required by The State of Texas Child Care Licensing. We recently had 2 Playground Specialists visit the property to inspect the space and provide quotes for the cost. The Child Care Licensing Representative has also visited the property.

(9)



Memorandum

To: Honorable Mayor and City Council

From: Shon Brooks, Executive Director of Development Services

Thru: Michael Scott, City Manager 

Date: January 20, 2022

Re: ZDC-217-2021 – Belmont Farms

On January 19, 2022, the applicant requested to continue case no. ZDC-217-2021 from the January 25, 2022, Planning and Zoning Commission agenda and the February 7, 2022, City Council meeting agenda to the February 15, 2022, Planning and Zoning Commission agenda and the February 21, 2022, City Council meeting agenda.