

A G E N D A

A regular meeting of the Planning & Zoning Commission of the City of Waxahachie to be held at the Waxahachie Civic Center, 2000 Civic Center Lane, Meeting Rooms A and B, Waxahachie, Texas, on ***Tuesday, February 10, 2026 at 7:00 p.m.***

Commission Members: Wendy Johnson, Chair
Jenny Bridges, Vice Chair
Terry Connor
Chad Hicks
Ryan Simpson
Jimmy Poarch
Bart Underwood

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. ***Speakers must observe the three (3) minute time limit.***

In order to be recognized during Public Comments or during a Public Hearing, please complete a Public Appearance Card located at the entrance of the meeting room. If you would like to speak on more than one Public Hearing item, please submit a separate card for each item. Please present the card(s) to the City Secretary, or their designee, by 6:50 p.m., ten minutes before the start of the 7:00 p.m. regular business meeting. [Online Public Appearance Cards](#) must be submitted by 4:00 p.m. on the day of the meeting.

4. ***Consent Agenda***

All matters listed under Item 4, Consent Agenda, are considered to be 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 Planning & Zoning Commissioner 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 27, 2026
- b. Minutes of the regular Planning & Zoning Commission meeting of January 29, 2026
- c. Consider a request by Joey Stephens, Stephens Engineering, for a Replat of Block A, Lot 9 of the Buffalo Creek Addition, to create 2 non-residential use lots, being 5.13 acres, located at 51 Indian Drive (Property IDs 295119, 313308– Owners: Buffalo Creek Plaza LLC & OV Waxahachie LLC (SUB-1-2026)
- d. Consider a request by Gerado Garcia, for a Plat of Garcia ADDITION, lot 1, Block A being 4.08 acres, located immediately to the north of 1664 FM 387, situated in the Ashton Slayback Survey, Abstract No. 1005 and the John F. Stroope Survey Abstract

No. 1042, an addition to the City of Waxahachie (Property ID 294342 & 297998) – Owners: Gerado Garcia and Crystal Rodriguez (SUB-2-2026)

5. **Public Hearing** on a request by Derrick & Shawna Cunningham for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single Family-2 (SF-2) zoning district located at 707 Dunn Street (Property ID 173450) - Owner: Derrick & Shawna Cunningham (ZDC-172-2025)
6. **Consider** recommendation of ZDC-172-2025
7. **Public Hearing** on a request by Kelly Dlabaj for an Amendment to Ordinance No. 3121, to eliminate the requirement for a HOA Amenity lot within an approved 7-lot Planned Development-Single Family-3 (PD-SF-3) zoning district located at 300 Haley Drive (Property ID 314068) - Owner: Kelly Dlabaj and Adrian Tijerina (ZDC-178-2025)
8. **Consider** recommendation of ZDC-178-2025
9. Adjourn

The Planning and Zoning Commission reserves the right to go into Executive Session as authorized by Section 551.071(2) of the Texas Government Code, for the purpose of seeking confidential legal advice from legal counsel on any agenda item listed herein.

ACCESSIBILITY STATEMENT

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 ADA Coordinator at (469) 309-4000 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.***

Planning and Zoning Commission
January 27, 2026

A regular meeting of the Planning & Zoning Commission of the City of Waxahachie to be held at the Waxahachie Civic Center, 2000 Civic Center Lane, Meeting Rooms A and B, Waxahachie, Texas, on Tuesday, January 27, 2026 at 7:00 p.m.

Please note: The Waxahachie Planning and Zoning Commission meeting originally scheduled for 7:00 p.m. on Tuesday, January 27, 2026, at the Waxahachie Civic Center, 2000 Civic Center Lane, Meeting Rooms A and B, has been postponed to 4:30 p.m. on Thursday, January 29, 2026, at the Charles Beatty Municipal Services Building, Mean Green Conference Room, 408 S. Rogers Street. Such postponement is pursuant to Section 551.411 of the Texas Government Code. As a result of a winter snow, sleet and ice storm that has affected and impacted all of North Texas, and requests by state and local emergency services personnel that individuals refrain from driving due to said storms, it is deemed in the public interest and public safety that any meetings be postponed until such time as passage on public roadways is safe and secure. At the time of the posting of this Agenda, there existed the threat of continued negative effects of the winter snow, sleet and ice storm upon travel on streets and roadways. Further, it is the desire of the City of Waxahachie that its citizens continue to monitor travel advisories and stay off roads, especially bridges and overpasses, until such time as emergency services personnel suggest that travel is safe.

Respectfully submitted,
Amber Villarreal, City Secretary

Please note: The Waxahachie Planning and Zoning Commission meeting originally scheduled for 7:00 p.m. on Tuesday, January 27, 2026, at the Waxahachie Civic Center, 2000 Civic Center Lane, Meeting Rooms A and B, has been postponed to 4:30 p.m. on Thursday, January 29, 2026, at the Charles Beatty Municipal Services Building, Mean Green Conference Room, 408 S. Rogers Street. Such postponement is pursuant to Section 551.411 of the Texas Government Code. As a result of a winter snow, sleet and ice storm that has affected and impacted all of North Texas, and requests by state and local emergency services personnel that individuals refrain from driving due to said storms, it is deemed in the public interest and public safety that any meetings be postponed until such time as passage on public roadways is safe and secure. At the time of the posting of this Agenda, there existed the threat of continued negative effects of the winter snow, sleet and ice storm upon travel on streets and roadways. Further, it is the desire of the City of Waxahachie that its citizens continue to monitor travel advisories and stay off roads, especially bridges and overpasses, until such time as emergency services personnel suggest that travel is safe.

A regular meeting of the Planning & Zoning Commission of the City of Waxahachie was held at the Charles Beatty Municipal Services Building, Mean Green Conference Room, 408 S. Rogers Street, Waxahachie, Texas, on Thursday, January 29, 2026 at 4:30 p.m.

Members Present: Wendy Johnson, Chair
Terry Connor
Chad Hicks
Ryan Simpson
Jimmy Poarch
Bart Underwood

Member Absent: Jenny Bridges, Vice Chair

Others Present: Trenton Robertson, Senior Director of Planning
Zack King, Planning Manager
Patrick Souter, Council Representative

1. Call to Order

Chair Wendy Johnson called this meeting to order at 4:30 PM

2. Invocation

Commissioner Jimmy Poarch gave the invocation.

3. Public Comments

None.

4. Consent Agenda

- a. Minutes of the regular Planning & Zoning Commission meeting of January 13, 2026

Action:

Chad Hicks moved to approve the Consent Agenda as presented. Motion was seconded by Terry Connor and carried unanimously (6-0).

- 5. Public Hearing on a request by Derrick & Shawna Cunningham for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single Family-2 (SF-2) zoning district located at 707 Dunn Street (Property ID 173450) - Owner: Derrick & Shawna Cunningham (ZDC-172-2025)**

Action:

Chad Hicks moved to continue the Public Hearing for ZDC-172-2025 to the February 10, 2026 Planning and Zoning Commission meeting. Motion was seconded by Jimmy Poarch and carried unanimously (6-0).

- 6. Consider recommendation of ZDC-172-2025**

No action taken.

- 7. Public Hearing on a request by Kelly Dlabaj for an Amendment to Ordinance No. 3121, to eliminate the requirement for a HOA Amenity lot within an approved 7-lot Planned Development-Single Family-3 (PD-SF-3) zoning district located at 300 Haley Drive (Property ID 314068) - Owner: Kelly Dlabaj and Adrian Tijerina (ZDC-178-2025)**

Action:

Jimmy Poarch moved to continue the Public Hearing for ZDC-178-2025 to the February 10, 2026 Planning and Zoning Commission meeting. Motion was seconded by Chad Hicks and carried unanimously (6-0).

- 8. Consider recommendation of ZDC-178-2025**

No action taken.

- 9. Adjourn**

There being no further business, the meeting adjourned at 4:37 p.m.

Respectfully submitted,

Caleb Ensley, Planner

Planning & Zoning Department

Plat Staff Report

Case: SUB-1-2026



MEETING DATE(S)

Planning & Zoning Commission:

February 10, 2026

CAPTION

Consider a request by Joey Stephens, Stephens Engineering, for a **Replat** of Block A, Lot 9 of the Buffalo Creek Addition, to create 2 non-residential use lots, being 5.13 acres, located at 51 Indian Drive (Property IDs 295119, 313308— Owners: Buffalo Creek Plaza LLC & OV Waxahachie LLC (SUB-1-2026)

RECOMMENDED MOTION

*"I move to approve SUB-1-2026 for a **Replat** of Block A, Lot 9 of the Buffalo Creek Addition to create two (2) non-residential use lots, subject to the conditions of the staff report, authorizing the Planning & Zoning Commissioner to sign the associated documents accordingly."*

APPLICANT REQUEST

The Applicant requests to Replat Block A, Lot 9 of the Buffalo Creek Addition to create two (2) lots for non-residential use.

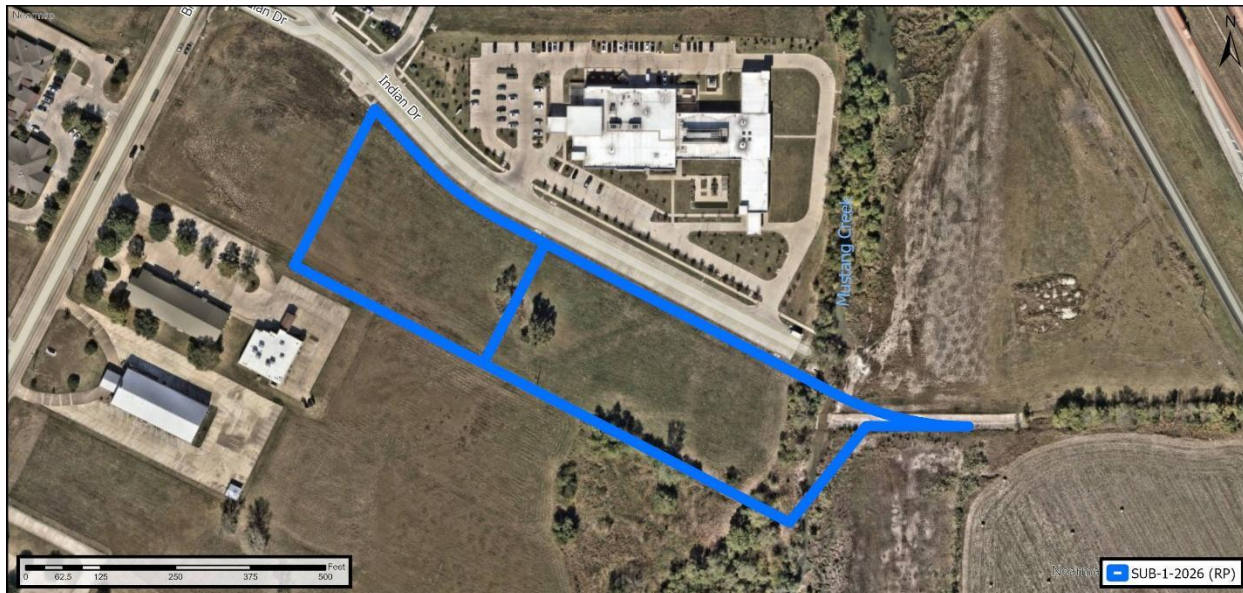
CASE INFORMATION

<i>Applicant:</i>	Joey Stephens, Stephens Engineering
<i>Property Owner(s):</i>	Buffalo Creek Plaza, LLC and OV Waxahachie, LLC
<i>Site Acreage:</i>	5.13 acres
<i>Number of Lots:</i>	2 lots
<i>Number of Dwelling Units:</i>	0 units
<i>Park Land Dedication:</i>	The applicant shall pay a park land dedication fee of \$3,078.00 prior to recording the plat
<i>Adequate Public Facilities:</i>	Adequate public facilities are available to the subject property from the City through infrastructure extension

SUBJECT PROPERTY

<i>General Location:</i>	51 Indian Drive
<i>Parcel ID Number(s):</i>	295119 and 313308
<i>Current Zoning:</i>	General Retail (GR) and GR with Specific Use Permit (SUP) for a Self-Storage Facility
<i>Existing Use:</i>	Undeveloped
<i>Platting History:</i>	The subject property is platted as Block A, Lot 9 of the Buffalo Creek Addition in 2022

Site Aerial:



PLANNING ANALYSIS

The subject property consists of a platted lot that the property owners propose to subdivide into two (2) non-residential lots through the replat process. The Applicant proposes to dedicate additional utility easements as part of the replat; however, Staff requests clarification regarding the purpose and necessity of these easements. Staff further notes that the property owner of proposed Lot 9B previously dedicated the required right-of-way (R.O.W.) and utility easements through the original platting process.

As part of the review of the Replat application, staff identified technical items that conflict with the requirements of the City of Waxahachie's Subdivision Ordinance. These technical items are required to be corrected prior to filing the Replat. The correction of each item has been identified as a condition of approval in the staff recommendation section below.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, the Planning Department recommends approval of the Replat, subject to the following conditions.

Conditions:

1. Per Section 1.3 of the Waxahachie Subdivision Ordinance, the plat shall be accompanied by a tax certificate in accordance with State law.
2. Per Section 2.3.b of the Waxahachie Subdivision Ordinance, the plat shall not be certified or signed for filing with Ellis County by the City until all utilities, infrastructure, and other required improvements have been constructed according to the engineering/construction plans, as approved by the Public Works and Engineering Director, unless provisions are made for the completion of the improvements. At the time the developer files a plat application, he shall also file a certificate showing that all taxes have been paid on the property to be subdivided, and that no delinquent taxes exist against the property.
3. Per Section 2.4.c.3 of the Waxahachie Subdivision Ordinance, please include the adjoining subdivisions shall show the names of owners of record and/or the recording information.
4. Per Section 2.4.C.4 of the Waxahachie Subdivision Ordinance, the replat shall clearly depict the location and width of all streets, alleys, and easements, whether existing or proposed, both within the subdivision limits and adjacent to the subdivision. No structures may encroach into any easement areas.
5. Per Section 2.4.c.16 of the Waxahachie Subdivision Ordinance, a correct Title Block is required. Please revise the zoning for the subject property to "GENERAL RETAIL (GR)".

Conditions continued:

6. Per section 2.4.c.21 of the Waxahachie subdivision ordinance, all easements should be shown. There is an outstanding comment on the civil plan submittal regarding the inclusion of detention for this property. If a detention pond is added, an encompassing drainage easement will need to be shown on the plat.
7. Per Section 2.4.c.23 of the Waxahachie Subdivision Ordinance, a correct title block must be provided. Please revise the case number to "SUB-1-2026".
8. Per Section 2.4.c.25.vi of the Waxahachie Subdivision Ordinance, the actual name and title of the signatory for the Plat needs to be printed in the signature block. Please revise accordingly.
9. Per Section 2.4.e of the Waxahachie Subdivision Ordinance, it is highly recommended to propose an access easement for future access and utilities that would be required should the remaining of Lot 1 of the Roy Addition to be legally subdivided and developed.
10. Per Section 2.6.j of the Waxahachie Subdivision Ordinance, the title shall identify the document as:

Replat
Buffalo Creek Addition
Block A, Lots 9A and 9B

Being a Replat of Block A, Lot 9 of the Buffalo Creek Addition, an addition to the City of
Waxahachie, Texas, as recorded in Cabinet M, Slides 139-140, PRECT

SUB-1-2026
Zoning: General Retail (GR)

11. Per Section 3.3.b of the Waxahachie Subdivision Ordinance, please provide a Drainage Easement that encompasses the FEMA floodplain.
12. Per Section 3.3.e of the Waxahachie Subdivision Ordinance, public utilities are not expected in this location. If this is for private utilities, please designate the maintenance responsibility in a note on the plat and name the easement accordingly.
13. Per Sections 5.6 and 5.7 of the Waxahachie Subdivision Ordinance, screening walls, retaining walls, and fences should not be located in utility easements. Please add this language to the notes.
14. Per Section 7.2.h of the Waxahachie Subdivision Ordinance, Filing Fees are required to be paid with the plat application prior to plat filing. The total replat filing fees with the Ellis County are \$103.00.

ATTACHED EXHIBITS

1. Replat

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. The Applicant has paid the Park Land Dedication fee of \$3,078.00.
2. The Applicant has paid the recording fee of \$103.00.
3. The Applicant has received a letter of acceptance from the Public Works Department confirming all utilities, infrastructure, and other required improvements have been installed, inspected, and accepted by the City.

STAFF CONTACT INFORMATION

Prepared by:

Oanh Vu

Senior Planner

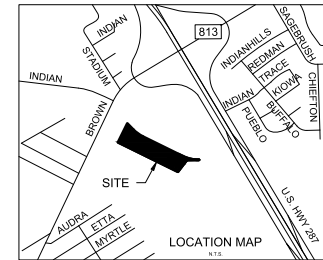
oanh.vu@waxahachie.com

Reviewed by:

Trenton Robertson, AICP

Senior Director of Planning

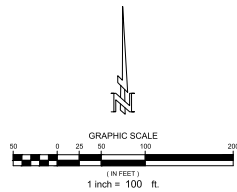
trenton.robertson@waxahachie.com



NOTES:

- COORDINATES AND BEARINGS ARE BASED UPON THE TEXAS COORDINATE SYSTEM OF 1983, NORTH CENTRAL ZONE.
- ZONING FOR THIS SITE IS GENERAL RETAIL (GR)
- ACCORDING TO FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAPS FOR ELLIS COUNTY, TEXAS, COMMUNITY - PANEL NO. 48139 0190 F, DATED JUNE 3, 2013, THIS PROPERTY IS LOCATED IN FLOOD ZONE "X" - "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN" AND WITHIN ZONE "X" (SHADED), DEFINED AS "AREAS OF 0.2% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD." ZONE AND WITHIN ZONE "AE", DEFINED AS "BASE FLOOD ELEVATIONS DETERMINED." ZONE AND WITHIN ZONE "AE" (FLOODWAY), DEFINED AS "THE FLOODWAY IS THE CHANNEL OF A STREAM PLUS ANY ADJACENT FLOODPLAIN AREAS THAT MUST BE KEPT FREE OF ENCROACHMENT SO THAT THE 1% ANNUAL CHANCE FLOOD CAN BE CARRIED WITHOUT SUBSTANTIAL INCREASES IN FLOOD HEIGHTS." ZONE AS DEFINED BY THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, FEDERAL INSURANCE ADMINISTRATION, OR THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

LEGEND	
O.P.R.E.C.T.	OFFICIAL PUBLIC RECORD ELLIS COUNTY TEXAS
D.R.E.C.T.	DEED RECORD ELLIS COUNTY TEXAS
P.R.E.C.T.	PLAT RECORD ELLIS COUNTY TEXAS
S.F.	SQUARE FOOT
AC.	ACRES
B.L.	BUILDING LINE
U.E.	UTILITY EASEMENT
R.O.W.	RIGHT OF WAY
N.	NORTHING
E.	EASTING



LINE TABLE		
LINE NO.	BEARING	LENGTH
L1	S26°12'54"W	145.85'
L2	S63°47'23"E	325.43'
L3	S26°12'57"W	15.00'
L4	N63°47'23"W	285.43'
L5	S26°12'59"W	46.98'
L6	N63°47'01"W	15.00'
L7	N26°12'59"E	46.97'
L8	N63°47'23"W	39.98'
L9	N26°12'34"E	160.85'
L10	S63°47'01"E	390.88'
L11	S63°47'01"E	397.00'

REPLAT BUFFALO CREEK ADDITION LOT 9, BLOCK A

SUB-XXX-2025

5.13 ACRES (223,412.78 SQ. FT.)

2 LOTS AND 1 BLOCK

IN THE J.B. ANN ADAMS SURVEY, A-5
AND JOHN GOOCH SURVEY, A-393
CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS



360 SURVEYING
310 H.G. MOSLEY PKWY, LONGVIEW, TEXAS 75604
(903) 387-2577 WWW.360SURVEY.COM
TBPLS 1019403

SURVEYOR

360 SURVEYING
310 H.G. MOSLEY PKWY
LONGVIEW, TEXAS 75604
CONTACT: BRET READ, RPLS
903-387-2577

ENGINEER

STEPHENS ENGINEERING
111 BLAINE TRAIL
LONGVIEW, TEXAS 75604
TBPE FIRM REG. #F-20395
PH# 903-215-8990

OWNER

BUFFALO CREEK PLAZA, LLC
440 GINGERBREAD LANE
WAXAHACHIE, TEXAS 75165
CONTACT: JOE RUST
972-333-4143

OV WAXAHACHIE, LLC
729 N BISHOP AVE
DALLAS, TEXAS 75208
CONTACT: BRAD TIDWELL
PH #214-460-8442

Planning & Zoning Department

Plat Staff Report

Case: SUB-2-2026



MEETING DATE(S)

Planning & Zoning Commission: February 10, 2026

CAPTION

Present a request by Gerado Garcia, for a **Plat** of Garcia ADDITION, lot 1, Block A being 4.08 acres, located immediately to the north of 1664 FM 387, situated in the Ashton Slayback Survey, Abstract No. 1005 and the John F. Stroope Survey Abstract No. 1042, an addition to the City of Waxahachie (Property ID 294342 & 297998) – Owners: Gerado Garcia and Crystal Rodriguez (SUB-2-2026)

RECOMMENDED MOTION

"I move to approve SUB-2-2026, a Plat of the Garcia Addition, Lot 1, Block A, subject to the conditions the staff report, authorizing the Planning & Zoning Commissioner to sign the associated documents accordingly."

APPLICANT REQUEST

The applicant requests to plat the property into one (1) residential lot.

CASE INFORMATION

<i>Applicant:</i>	Gerado Garcia
<i>Property Owner(s):</i>	Gerado Garcia and Crystal Rodriguez
<i>Site Acreage:</i>	4.08 acres
<i>Number of Lots:</i>	1 lot
<i>Number of Dwelling Units:</i>	1 unit
<i>Park Land Dedication:</i>	The cash in lieu of park land dedication for this case is estimated at \$400.00 (\$400.00 per Dwelling for residential lots).
<i>Adequate Public Facilities:</i>	Adequate public facilities are available to the subject property

SUBJECT PROPERTY

<i>General Location:</i>	Immediately to the north of 1664 FM 387
<i>Parcel ID Number(s):</i>	294342 & 297998
<i>Current Zoning:</i>	FD (Future Development)
<i>Existing Use:</i>	The site is vacant.
<i>Platting History:</i>	The subject property has never been platted.

Site Aerial:**PLANNING ANALYSIS**

The applicant proposes to plat the subject property into a residential lot as part of the Garcia Addition. The subject property is located in a Future Development (FD) zoning district and the proposed plat complies with the lot size and dimension requirements of the district. The plat includes a .061-acre right-of-way (ROW) dedication along FM 387. The plat also includes a 20' Rockett SUD easement along FM 387 and a 15' drainage and utility easement along FM 387.

During the review of the plat application, staff identified technical items that conflict with the requirements if the Waxahachie Subdivision Ordinance. These technical items are required to be corrected prior to filing the Replat. The correction of each item has been identified as a condition of approval in the staff recommendation section below.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, staff recommends approval of the Plat request with the motion and conditions noted below.

Conditions:

1. Per section 2.4.c.6 of the Waxahachie Subdivision Ordinance, accurate acreages of the lots are required on the plat. Please verify the acreages add to the total listed in the legal description / title block.
2. Per Section 2.4.c.23 of the Waxahachie Subdivision Ordinance, a correct title block is required to be provided. The correct case number for this plat is "SUB-2-2026", please revise accordingly.
3. Per Section 2.4.c.12 of the Waxahachie Subdivision Ordinance, floodplain information must be correctly referenced on the plat. This FEMA panel was updated 10/19/2023.
4. Per Appendix A, Sec. 1.04.a.iii - Boundaries indicated as approximately following City limits shall be construed as following City Limits. Please confirm/show the Waxahachie City Limit boundary. Our records show the line passing through this lot, approximately 66 ft offset from the north property line; however, it seems possible that the actual limit coincides with the northern property boundary.
5. Per Section 2.3: Perform a title search to locate all easements on the property. Label the existing easement width and recording information.

6. Per section 2.4.c.20 of the Waxahachie Subdivision Ordinance, an accurate location map is required on the plat. Please remove Panorama from the location map. The name of the highlighted road is E SHARPSHIRE.
7. Per Appendix C, II. Section 2.4.c.20 of the Waxahachie Subdivision Ordinance, label the ROW full and centerline widths. Include total ROW after dedication.
8. Per Section 3.8.b of the Waxahachie Subdivision Ordinance, a Water Utility Provider Endorsement Letter from Rockett SUD is required to be provided with your application to verify water for domestic and fire suppression service is available to the property.
9. Per Section 2.4.c.4 of the Waxahachie Subdivision Ordinance, the location and width of all streets, alleys and easements, existing or proposed, within the subdivision limits and adjacent to the subdivision; a list of proposed street names shall be submitted for all new streets (street name approval is required at the time the plat is approved) Please remove the building lines from the plat.

ATTACHED EXHIBITS

1. Plat

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.
2. Once the revised plans are provided, staff will verify all outstanding comments were satisfied.
 - a. If comments were not satisfied, then the applicant will be notified to make corrections.
 - b. If all comments were satisfied, then the 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:

David Jones

Planner

david.jones@waxahachie.com

Reviewed by:

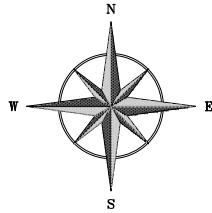
Trenton Robertson, AICP

Senior Director of Planning

trenton.robertson@waxahachie.com

Item 4d

WLSC
Walker Land Surveying Company
P.O. Box 2911 Waxahachie, Texas 75168
TFPELS Firm No. 10112400



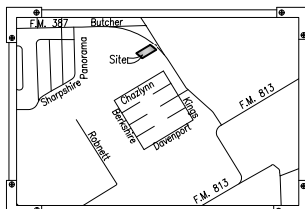
1" = 50'



Residual of 50.489 Acres
Turnerville Holdings, LLC
Inst. No. 2121221
OPRECT

Residual of 80.015 Acres
Trelan Land, LLC
Inst. No. 2121222
OPRECT

Owner/Developer: Gerardo Garcia
2634 Eagle Avenue
Dallas, Texas 75233
Contact: Gerardo Garcia (214) 533-6147
Surveyor: Walker Land Surveying Company
P.O. Box 2911
Waxahachie, Texas 75168
Contact: Shawne Walker, RPLS (214) 317-0379



LOCATION MAP SCALE : 1" = 3000'

Notes

1. Building Lines: 35' Front Building Line and others as shown
2. Utility Easements: as shown
3. This property to be served by on-site sewage disposal service that shall meet or exceed the minimum requirements established by TCEQ.
4. Fences, retaining walls, and screening walls shall not be placed in utility easements.
5. No portion of this property lies within a 100 year flood plain according to the Flood Insurance Rate Map for Ellis County, Texas. Map # 48139C0185 G, Zone X, dated June 3, 2013.
6. Basis of Bearings: GPS Observation, Texas Coordinate System, North Central Zone 4202..

Lot 1

Lot 2

Block A
Carreno Construction
Cab. P. Slide 244
PRECT

4.022 Acres
Lot 1
Block A

Lot 1, Block 1
Montes Addition
Cab. N, Slide 144
PRECT

APPROVED BY: Planning and Zoning Commission
City of Waxahachie

By:

Chairperson

Attest

APPROVED BY: City Council
City of Waxahachie

By:

Chairperson

Attest

Surveyor's Declaration

KNOW ALL MEN BY THESE PRESENTS

That I, J. Shawne Walker, do hereby certify that I have prepared this Plat from an actual and accurate survey made on the ground and that the corner monuments shown hereon were properly placed under my personal supervision, in accordance with the subdivision regulations of the City of Waxahachie, Texas.

FOR INSPECTION PURPOSES ONLY.
AND IN NO WAY OFFICIAL OR
APPROVED FOR RECORD PURPOSES.

J. Shawne Walker, R.P.L.S.
Texas Registration No. 5331

LEGEND

- - Property Corner
- - Iron Rod
- - Found
- - Right of Way
- - Centerline
- - Building Line
- - Utility Easement
- - Easement & Utility Easement
- 1/2" - 1/2" iron rod fnd with cap
- CRF - marked "WLSC RPLS 5331"

Place of Beginning
N-6853628.88
E-2491963.74

R=3214.04'
L=275.97'
Δ=4°54'16"
C=S 56°01'15" E
275.88'

R=3224.04'
L=275.97'
Δ=4°54'16"
C=S 56°01'15" E
275.88'

Zone: Future Development

Zone: Future Development

Zone: Future Development

OWNER'S CERTIFICATION
STATE OF TEXAS
COUNTY OF ELLIS

WHEREAS, Gerardo Garcia and Crystal J. Rodriguez, are the owners of that certain parcel of land being situated in the ASHTON SLAYBACK SURVEY, ABSTRACT NO. 1005 and in the JOHN F. STROOPE SURVEY, ABSTRACT NO. 1042, Ellis County, Texas, and being all of the 3.175 acre tract of land conveyed by General Warranty Deed recorded in Instrument Number 2230324 of the Official Public Records of Ellis County, Texas (OPRECT) and all of the 0.9100 acre tract of land conveyed by General Warranty Deed recorded in Instrument Number 2246827, OPRECT, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found with cap marked "WLSC RPLS 5331" in the southwest line of Farm to Market Highway 387 for the north corner of said 3.175 acre tract and the east corner of Carreno Construction, an addition in Ellis County, Texas according to the Plat thereof recorded in Cabinet P, Slide 244, PRECT, said iron rod lies in a non-tangent curve to the right having a radius of 3224.04 feet and a central angle of 04°54'16";

THENCE in a southeasterly direction along the arc of said curve and along the northeast line of said 3.175 acre tract and the southwest line of F.M. 387, a distance of 275.97 feet (Long Chord - S 56°01'15" E, 275.88) feet to a 1/2" iron rod found with cap marked "WLSC RPLS 5331" for the east corner of said 3.175 acre tract;

THENCE S 58°59'48" W, along the southeast line of said 3.175 acre tract and the northwest line of Montes Addition, a distance of 550.83 feet to a 1/2" iron rod found with cap marked "WLSC RPLS 5331" for the south corner of said 3.175 acre tract and the east corner of said 0.9100 acre tract and the west corner of Montes Addition and the north corner of the 1.494 acre tract of land conveyed to Tyler Carter by General Warranty Deed recorded in Instrument Number 2422802, OPRECT;

THENCE S 59°00'40" W, along the southeast line of said 0.9100 acre tract and the northwest line of said XXXXXXXXXX acre tract, a distance of 217.24 feet to a 1/2" iron rod found with cap marked "WLSC RPLS 5331" for the south corner of said 0.9100 acre tract and the west corner of said 1.494 acre tract;

THENCE N 30°58'46" W, along the southwest line of said 0.9100 acre tract, a distance of 249.78 feet to a 1/2" iron rod found with cap marked "WLSC RPLS 5331" for the west corner of said 0.9100 acre tract;

THENCE N 58°53'59" E, along the northwest line of said 0.9100 acre tract, a distance of 100.02 feet to a 1/2" iron rod found with cap marked "WLSC RPLS 5331" for the north corner of said 0.9100 acre tract and the west corner of said 3.175 acre tract;

THENCE N 58°59'48" E, along the northwest line of said 3.175 acre tract, passing the south corner of Carreno Construction, in all, a distance of 551.28 feet to the PLACE OF BEGINNING and containing 4.085 acres of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That Gerardo Garcia and Crystal J. Rodriguez acting herein by and through its duly authorized officers, does hereby adopt this plat designating the herein above described property as Garcia Addition, an addition to the City of Waxahachie, Texas, and does hereby dedicate, in fee simple, to the public use forever, the streets and alleys shown thereon. The streets and alleys are dedicated for street purposes. The Easements and public use areas, as shown, are dedicated, for the public use forever, for the purposes indicated on this plat. No buildings, fences, trees, shrubs or other improvements or growths shall be constructed or placed upon, over or across the Easements as shown, except that landscape improvements may be placed in Landscape Easements, if approved by the City of Waxahachie. In addition, Utility Easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easement limits the use to particular utilities, said use by public utilities being subordinate to the Public's and City of Waxahachie's use thereof. The City of Waxahachie and public utility entities shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs or other improvements or growths which may in any way endanger or interfere with the construction, maintenance, or efficiency of their respective systems in said Easements. The City of Waxahachie and public utility entities shall at all times have the full right of ingress and egress to or from their respective easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, reading meters, and adding to or removing all or parts of their respective systems without the necessity at any time procuring permission from anyone.

This plat is approved subject to all plotting ordinances, rules, regulations and resolutions of the the City of Waxahachie, Texas.

Witness my hand this the _____ day of _____, 2025.

By:

Gerardo Garcia

Crystal J. Rodriguez

State of Texas:

Before me the undersigned authority, a notary public in and for the state on this day personally appeared Gerardo Garcia and Crystal J. Rodriguez, known to me to be the persons whose names are 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 the _____ day of _____, 2025.

Notary Public

Plat
Lot 1, Block A
Garcia Addition

Being a 4.085 Acre Addition
1 Residential Lot - 4.022 Acres
Right of Way Dedication - 0.064 Acres
Being all of a 3.175 acre tract
And all of a 0.9100 acre tract
Ashton Slayback Survey, Abstract No. 1005
John F. Stroope Survey, Abstract No. 1042
An Addition in the City of Waxahachie
Ellis County, Texas

Zoned : Future Development
Case No. SUB-XX-2025 Prepared: September, 2025

Planning & Zoning Department

Zoning Staff Report

Case: ZDC-172-2025



MEETING DATE(S)

Planning & Zoning Commission: February 10, 2026
 City Council: February 16, 2026

CAPTION

Public Hearing on a request by Derrick & Shawna Cunningham for a **Specific Use Permit (SUP)** for a **Short-Term Rental** use within a Single Family-2 (SF-2) zoning district located at 707 Dunn Street (Property ID 173450) - Owner: Derrick & Shawna Cunningham (ZDC-172-2025)

RECOMMENDED MOTION

- "I move to recommend denial of ZDC-172-2025, a Specific Use Permit (SUP) for Short-Term Rental use."
- "I move to recommend approval of ZDC-172-2025, a Specific Use Permit (SUP) for a Short-Term Rental use, subject to the conditions the staff report, authorizing the Mayor and/or City Manager to execute all documents accordingly."

APPLICANT REQUEST

The Applicants requests a Specific Use Permit for a Short-Term Rental use at 707 Dunn Street.

CASE INFORMATION

Applicants: Derrick Cunningham and Shawna Cunningham

Property Owner(s): Derrick Cunningham and Shawna Cunningham

Site Acreage: 0.2280 acres

Current Zoning: SF-2

Requested Zoning: SF-2 with a Specific Use Permit (SUP) for Short-Term Rental use.

SUBJECT PROPERTY

General Location: 707 Dunn Street

Parcel ID Number(s): 173450

Existing Use: Residential Use

Development History: Lot 82 of the Ferris Street 2nd Addition.

Direction	Zoning	Current Use
North	SF-2	Single Family Residence
East	SF-2	Single Family Residence
South	SF-2	Single Family Residence
West	SF-2	Single Family Residence

Adjoining Zoning & Uses:

Future Land Use Plan:

Mixed Use Neighborhood

Comprehensive Plan:

A mixed-use neighborhood hearkens back to the pre-suburban development pattern with smaller lots, smaller setbacks, shorter blocks, diverse housing typologies and very importantly, a mix of uses. This mixing of activities and uses allows the area to adapt and change over time to suit the needs of its inhabitants. Though it is not imperative for uses to always be mixed within the same building, it is important to note that large monolithic developments with near exclusive uses such as large multiplex apartments or retail centers with large land area being devoted to automobile parking do not suit mixed-use neighborhoods. Mixed-use neighborhoods are places where residents can live, work and play and are primarily accessible by foot. Given the various housing typologies encouraged in this place type, it is essential to make sure residential uses appropriately transition from one another based on the housing typology.

Thoroughfare Plan:

The subject property is accessible via Dunn Street.

Site Image:



PLANNING ANALYSIS

The Applicant requests a SUP for short-term rental use at 707 Dunn Street because it is located within the SF-2 zoning district. The subject property consists of a primary structure being approximately 1,032 square feet in size, three (3) bedrooms, and will have a maximum of three (3) parking spaces. The applicant has requested to limit the occupancy to 6 guests. The subject property is situated on an approximately 0.2280 acres (9,931 square foot) lot. The applicant has not been operating the subject property as a short-term rental; therefore, they have not been paying local hotel occupancy taxes. The Ellis County Appraisal District (ECAD) identifies the subject property as a Homestead.

During the planning analysis, staff inquired with the Waxahachie Police Department and discovered that there were no nuisance-related calls at this address.

The applicant's local emergency contact is Derrick & Shawanna Cunningham, 491 Krajca Rd, Ennis, 75119, which is located approximately 20 miles from the subject property.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 21 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.

PUBLIC NOTIFICATION RESPONSES

At the time of the publishing this staff report, a total of four (4) letters of support and nine (9) letters of opposition were received by staff.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents associated with the request, if considering a recommendation for approval:

Conditions:

1. The short-term rental operator shall complete the STR registration process with the City's vendor, and pay the annual and a renewal fee set by Ordinance No. 3415, or as amended.
2. The short-term rental operator shall register for a Hotel Occupancy Tax account with the City's vendor.
3. The short-term rental operator shall allow a maximum occupancy of six (6) guests per stay.
4. The short-term rental operator shall permit a maximum of three (3) vehicles to be parked on the subject property. Off-site and/or on-street parking is prohibited.
5. The short-term rental operator shall adhere to all regulations stated in Section 3.27 of the City's Zoning Ordinance.
6. The applicant shall apply for the required STR registration within thirty (30) calendar days from the City Council approval of this SUP.
7. The property owner must remove the Homestead Tax Exemption.

ATTACHED EXHIBITS

1. PON RESPONSES
2. Location Map (Exhibit A)
3. Zoning Map (Exhibit B)
4. Floorplan/Site Plan (Exhibit C)
5. Host Rules (Exhibit D)

STAFF CONTACT INFORMATION

Prepared by:

David Jones

Planner

david.jones@waxahachie.com

Reviewed by:

Trenton Robertson, AICP

Senior Director of Planning

trenton.robertson@waxahachie.com

Case Number: ZDC-172-2025

Item 5&6

City Reference: 173417

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **January 21, 2026** 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, 408 S Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT

☒ OPPOSE

Comments:

Should keep short term rentals
out of residential neighborhoods.

Signature

Date

Printed Name and Title

Address

Jason Jansonius

1/10/26
803 Dunn

Case Number: **ZDC-172-2025**

Item 5&6

City Reference: 193421

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **January 21, 2026** 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, 408 S Rogers Street, Waxahachie, TX 75165.

☒ SUPPORT

☐ OPPOSE

Comments:

Ruth Shugart

Signature

Ruth Shugart / SPRC Board

Printed Name and Title

Member

1-14-25

Date

108 Center St

Address

Case Number: ZDC-172-2025

Item 5&6

City Reference: 173373

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **January 21, 2026** 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, 408 S Rogers Street, Waxahachie, TX 75165.

☒ SUPPORT

☐ OPPOSE

Comments:

Cathy Mitchell
Signature

1-14-25
Date

Cathy Mitchell treasure
Printed Name and Title

108 Center St
Address

Case Number: ZDC-172-2025

Item 5&6

City Reference: 193516

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **January 21, 2026** 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, 408 S Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT

☒ OPPOSE

Comments:

Signature

Angela Carson / Secretary

Printed Name and Title

Date

1-14-25
108 Center St

Address

Case Number: ZDC-172-2025

Item 5&6

City Reference: 286081

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **January 21, 2026** 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, 408 S Rogers Street, Waxahachie, TX 75165.

RECEIVED JAN 21 2026

☐ SUPPORT

☒ OPPOSE

Comments:

Not appropriate location for
proposed use.

Signature

[Signature]

Date

1/14/24

Printed Name and Title

Eric English
owner

Address

625 Cow Alley

Case Number: **ZDC-172-2025**

Item 5&6

City Reference: 173390

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **January 21, 2026** 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, 408 S Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT

☒ OPPOSE

RECEIVED JAN 21 2026

Comments:

I am not comfortable with people in and out that have NO interest in my street or ~~community~~ Community

Frances M. Ruebman

Signature

Date

1-15-26

Frances M. Ruebman

Printed Name and Title

Address

625 Dunn St.

Waxahachie Tx.
75165



City of Waxahachie, Texas
 Notice of Public Hearing
 Case Number: **ZDC-172-2025**

WARSING PAUL & KATY
313 LAKESHORE DR
Waxahachie, TX 75165-2425

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, January 27, 2026 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, February 16, 2026 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

Request by Derrick & Shawna Cunningham for a **Specific Use Permit (SUP)** for a **Short-Term Rental** use within a Single Family-2 (SF-2) zoning district located at 707 Dunn Street (Property ID 173450) - Owner: Derrick & Shawna Cunningham (ZDC-172-2025)

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 scan the QR Code or contact the Planning Department at (469) 309-4290 or Planning@Waxahachie.com for additional information on this request.



Scan for additional information.

Case Number: **ZDC-172-2025**

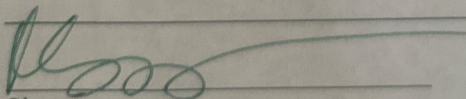
City Reference: 173363

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **January 21, 2026** 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, 408 S Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT

☒ OPPOSE

Comments:


 Signature

1/10/25
 Date

Katy Warsing, Owner
 Printed Name and Title

629 Dunn St Wax TX
 Address 75165

attend the hearings, you may (Item 5&6 the QR Code or
returning the bottom portion of tl 309-4290 or
contact the Planning Department
Planning@Waxahachie.com for additional information on this request.



Scan for additional information.

Case Number: **ZDC-172-2025**

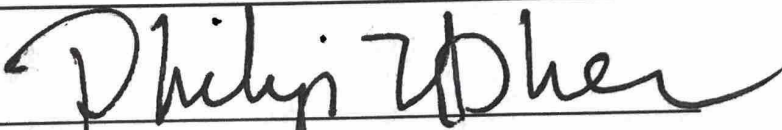
City Reference: 173392

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **January 21, 2026** 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, 408 S Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT

☒ OPPOSE

Comments:


Signature

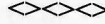
PHILIP USHER
Printed Name and Title

1/12/2026
Date

206 CENTER ST.
Address



City of Waxahachie, Texas
 Notice of Public Hearing
 Case Number: **ZDC-172-2025**



AUTREY & HOWARD REAL ESTATE HOLDINGS LLC
200 S ELM ST
WAXAHACHIE, TX 75165-3606

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, January 27, 2026 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, February 16, 2026 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

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Scan for additional information.

Case Number: **ZDC-172-2025**

City Reference: 239569

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **January 21, 2026** 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, 408 S Rogers Street, Waxahachie, TX 75165.

Comments:



SUPPORT



OPPOSE

Signature

Printed Name and Title

Date

Address

[Handwritten Signature]
 Dusty Autrey - owner

1-12-26
200 S Elm Waxah
75165

Item 5&6



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: **ZDC-172-2025**

KYLE HOWARD & JACKIE SPENDER-KOCH
1333 OLD BRIDGE RD
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, January 21, 2026 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, February 16, 2026 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

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Scan for additional information.

Case Number: **ZDC-172-2025**

City Reference: 173409

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **January 21, 2026** 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, 408 S Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT

☒ OPPOSE

Comments:

Signature

Printed Name and Title

Date

Address

Howard Koch OWNER

1/9/26

133 OLD Bridge Rd



City of Waxahachie, Texas
 Notice of Public Hearing
 Case Number: **ZDC-172-2025**

BSD & M PROPERTIES LLC
 133 OLD BRIDGE RD
 WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, January 27, 2026 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, February 16, 2026 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

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Scan for additional information.

Case Number: **ZDC-172-2025**

City Reference: 173411

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **January 21, 2026** 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, 408 S Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT

☒ OPPOSE

Comments:

[Handwritten signature]

Signature

Date

1/9/26

Printed Name and Title

EDWARD KOCH Managing Manager

Address

133 Old Bridge Rd / 212 Lynn



City of Waxahachie, Texas
 Notice of Public Hearing
 Case Number: **ZDC-172-2025**

RECEIVED JAN 15 2026

LOREN GRAY INVESTMENTS LLC
PO BOX 2868
WAXAHACHIE, TX 75168-8868

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, January 27, 2026 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, February 16, 2026 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

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Scan for additional information.

Case Number: **ZDC-172-2025**

City Reference: 173371

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **January 21, 2026** 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, 408 S Rogers Street, Waxahachie, TX 75165.

☒ SUPPORT

☐ OPPOSE

Comments:

Signature

Date

Printed Name and Title

Address

[Handwritten Signature]
[Handwritten Signature]
 member

1/14/26
 626 Dunn

Case Number: ZDC-172-2025

Item 5&6

City Reference: 173447

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **January 21, 2026** 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, 408 S Rogers Street, Waxahachie, TX 75165.

RECEIVED JAN 16 2026

☐ SUPPORT

☒ OPPOSE

Comments:

Too many houses being used in this manner & taking houses out
of availability for first time home buyers.

Catherine Smoker
Signature

1/11/26
Date

CATHERINE SMOKER
Printed Name and Title

1410 Ferris Avenue, Wax
Address

Mapbox

Exhibit A

Item 5&6



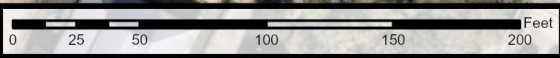
FERRIS AVE

LYNN AVE

DUNN ST

COWALLEY

CENTER ST

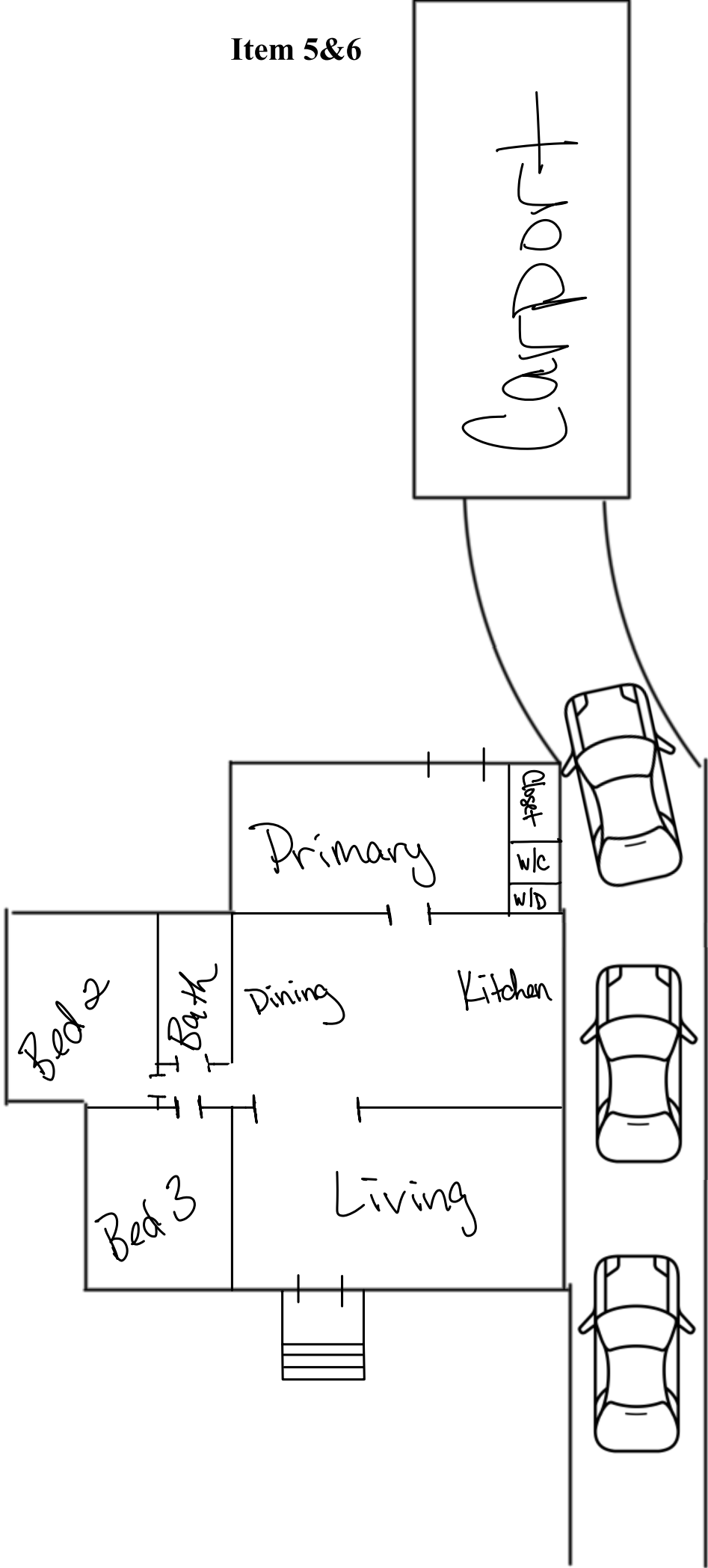


Mic ZDC-172-2025 (SUP)

Exhibit B

Item 5&6





Check Out

Check Out Time

You can check out anytime before 11 am. If you wish to extend your stay, please notify 24 hours prior.

Before you leave

We're so grateful you chose to stay with us. To help us prepare for our next guests, we kindly ask that you take a few moments to tidy up before heading out:

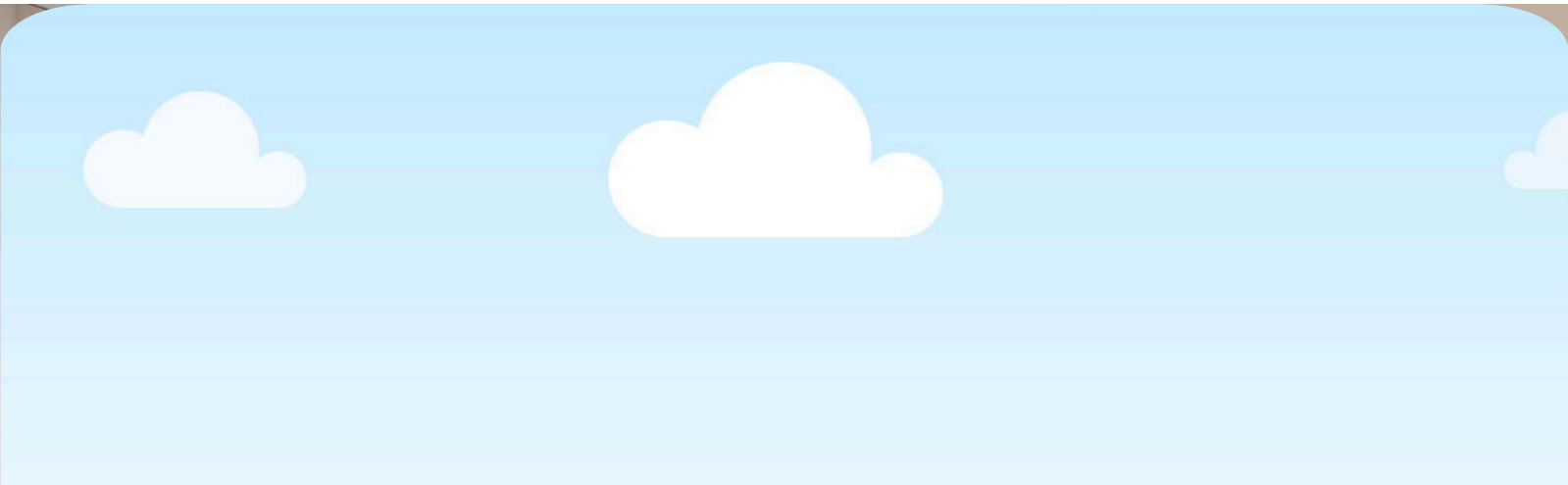
- Please strip the beds and place all used linens in a pile on the bedroom floors.
- Place all used towels in the washing machine and start a wash cycle before you leave.
- Load and start the dishwasher with any used dishes (please give them a quick rinse first).
- Leave pots and pans in the sink for handwashing—our team will take care of those.
- Empty the refrigerator of any perishables and dispose of all trash.
- Set the thermostat to a comfortable, energy-saving temperature (around 74°F in summer / 68°F in winter).
- Check that all doors and windows are locked before you go.

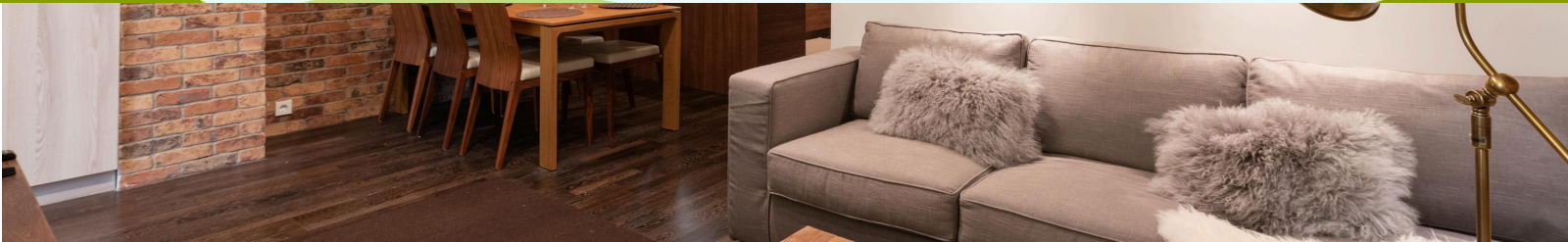
Damages

If you notice any damage or something isn't working properly, please reach out and let us know. Our housekeeper arrives shortly after 11:00 AM to prepare Greenhaven House for the next guest.

Feedback

Thank you for choosing to stay with us—we truly hope your time at Greenhaven House was a five-star experience. Reviews mean so much to our family and help us continue improving. If for any reason your stay felt less than five stars, we'd love to hear your feedback directly so we can make future visits even better.





House Rules

1. Trash Day

If your stay includes a Monday night, please roll the trash bins to the curb for Tuesday morning collection. Pickup runs early, so setting them out the evening before helps ensure service.

2. Supplies

We provide a starter set of essentials for your stay, including toiletries, paper products, and basic cleaning supplies. These items are not replenished during your stay. Bath and wash towels are provided for up to six guests, the maximum occupancy of the property.

3. Groundskeeping

Routine groundskeeping is part of maintaining a safe, enjoyable outdoor space for our guests. You may occasionally see maintenance personnel outside. If you prefer not to have anyone on the property during your stay, please let us know before check-in.

General Guidelines

- No parties or social gatherings.
- No unregistered guests — each unregistered guest is subject to a \$25 per person, per day fee.
- Please do not rearrange the furniture.
- No eating in the bedrooms.
- No smoking inside the home or within 50 feet of the property.
- No pets are allowed.
- Please park only in the driveway.
- Damages exceeding the deposit amount will be billed and reported to Airbnb.
- Quiet hours are from 10:00 PM to 8:00 AM as a courtesy to our neighbors.

Planning & Zoning Department

Zoning Staff Report

Case: ZDC-178-2025



MEETING DATE(S)

Planning & Zoning Commission: February 10, 2026
City Council: February 16, 2026

CAPTION

Public Hearing on a request by Kelly Dlabaj for an **Amendment to Ordinance No. 3121**, to eliminate the requirement for a HOA Amenity lot within an approved 7-lot Planned Development-Single Family-3 (PD-SF-3) zoning district located at 300 Haley Drive (Property ID 276719 & 276718) - Owner: Kelly Dlabaj and Adrian Tijerina (ZDC-178-2025)

RECOMMENDED MOTION

"I move to recommend approval of ZDC-178-2025, a Planned Development Amendment to eliminate the requirement for an HOA Amenity lot within an approved 7-lot Planned Development-Single Family-3 (PD-SF-3) zoning district, subject to the conditions of the staff report."

APPLICANT REQUEST

The purpose of this request is to amend the existing Planned Development Ordinance to eliminate the required HOA Amenity lot.

CASE INFORMATION

Applicant: Kelly Dlabaj
Property Owner(s): Kelly Dlabaj & Adrian Tijerina
Site Acreage: 0.068 acres
Current Zoning: PD-SF-3
Requested Zoning: PD-SF-3 Amendment

SUBJECT PROPERTY

General Location: 300 Haley Drive
Parcel ID Number(s): 314068
Existing Use: Single-Family Residential
Development History: The subject property is platted as an HOA Area Lot, Block 1 of the Haley's Place Addition, and recorded on July 9, 2019.

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	PD-SF-3	Residential
East	C	Undeveloped Lot
South	PD-SF-3	Residential
West	PD-SF-3	Residential

Future Land Use Plan:

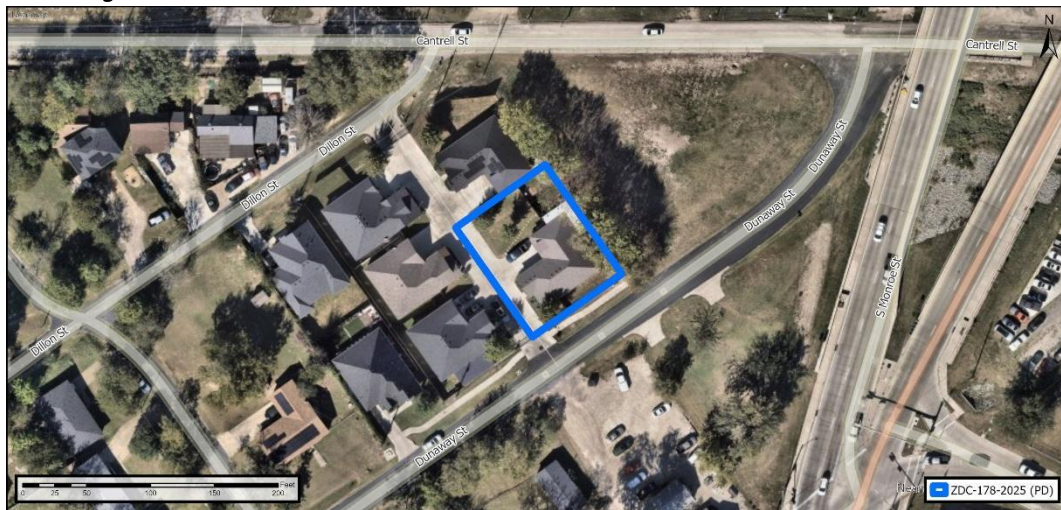
Mixed-Use Neighborhood

Comprehensive Plan:

A mixed-use neighborhood harkens back to the pre-suburban development pattern with smaller lots, smaller setbacks, shorter blocks, diverse housing typologies and very importantly, a mix of uses. This mixing of activities and uses allows the area to adapt and change over time to suit the needs of its inhabitants. Though it is not imperative for uses to always be mixed within the same building, it is important to note that large monolithic developments with near exclusive uses such as large multiplex apartments or retail centers with large land area being devoted to automobile parking do not suit mixed-use neighborhoods. Mixed-use neighborhoods are places where residents can live, work and play and are primarily accessible by foot. Given the various housing typologies encouraged in this placetype, it is essential to make sure residential uses appropriately transition from one another based on the housing typology.

Thoroughfare Plan:

The subject property is accessible via Dunaway Street and Dillion Street.

Site Image:**PLANNING ANALYSIS***Purpose of Request:*

The applicant intends to amend Ordinance 3121 to eliminate the required HOA Amenity Lot in an approved 7-lot Creek Planned Development.

Case History:

Ordinance 3121 was approved on June 17, 2019. The approved ordinance required an HOA Amenity lot that contained required improvements such as two gazebos and fountain. However, these amenities were never constructed, with a bird bath and shade cover being constructed instead. Shortly after the installation of these amenities, these improvements were promptly removed, while the adjacent residential fence extended to encompass the amenity lot, while also expanding into the backyard of the adjacent residents.

Proposed Use:

The applicant is proposing to eliminate the designated HOA Amenity lot within this Planned Development, as shown on the Location Exhibit. The lot the applicant purchased, 300 Haley Drive, was bought with the understanding that the subject property was incorporated within their property boundary based off existing and longstanding fencing. However, the area in which the fencing was placed was originally dedicated as an HOA Amenity lot both under Ordinance No. 3121, and the existing plat for this project, but was never developed as required since the passing of this ordinance or upon plat filing. The entitled amenities delineated within this ordinance, such as two gazebos and a fountain were never constructed; with the area being used as a private rear and side yard, and maintained, by residents of the two directly adjacent lots; because of the current configuration of the existing fencing. Before the applicant was made aware of the existing HOA lot, to resolve this initial boundary dispute, the applicant negotiated and executed a signed agreement with the owners of 304 Haley Drive to transfer them the portion of the parcel that directly connects with their part of the property. The applicant is looking at amending the approved Planned Development so that the amenity lot is no longer reflected under the current ordinance; thereby reflecting the current configuration and character of the subject property. This amendment will remove this amenity designation that was never developed and would allow for a potential future replat and land dedication of the property that is consistent with present zoning regulations.

If City Council chooses to approve this proposed amendment, the revised Ordinance will be in compliance with Single Family-3 zoning district regulations per the City of Waxahachie Zoning Ordinance.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 22 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.

PUBLIC NOTIFICATION RESPONSES

Staff has received three (3) letters of support and one (1) letter of opposition for the proposed zoning change.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, staff recommends approval of the PD request.

ATTACHED EXHIBITS

1. PON Responses
2. Ordinance 3121
3. Exhibit A Location Map
4. Exhibit B Operational Plan
5. Exhibit C Survey

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.
2. Once the revised plans are provided, staff will verify all outstanding comments were satisfied.
 - a. If comments were not satisfied, then the applicant will be notified to make corrections.
 - b. If all comments were satisfied, then the applicant shall provide a set of drawings that incorporate all comments.

STAFF CONTACT INFORMATION

Prepared by:

Caleb Ensley

Planner

caleb.ensley@waxahachie.com

Reviewed by:

Trenton Robertson, AICP

Senior Director of Planning

tremton.robertson@waxahachie.com



City of Waxahachie, Texas
 Notice of Public Hearing
 Case Number: **ZDC-178-2025**

RECEIVED JAN 15 2026

LOREN GRAY INVESTMENTS LLC
PO BOX 2868
WAXAHACHIE, TX 75168-8868

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, January 27, 2026 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, February 16, 2026 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

Request by Kelly Dlabaj for an **Amendment to Ordinance No. 3121**, to eliminate the requirement for a HOA Amenity lot within an approved 7-lot Planned Development-Single Family-3 (PD-SF-3) zoning district located at 300 Haley Drive (Property ID 276718 & 276719) - Owner: Kelly Dlabaj and Adrian Tijerina (ZDC-178-2025)

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 scan the QR Code or contact the Planning Department at (469) 309-4290 or Planning@Waxahachie.com for additional information on this request.



Scan for additional information.

Case Number: **ZDC-178-2025**

City Reference: 298309

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **January 21, 2026** 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, 408 S Rogers Street, Waxahachie, TX 75165.

Comments: ☒ SUPPORT

☐ OPPOSE

Signature

Printed Name and Title

Date

Address

Brad Yates member

1/14/26
600 S. Rogers



City of Waxahachie, Texas
 Notice of Public Hearing
 Case Number: **ZDC-178-2025**

RECEIVED JAN 15 2026

COLONIAL RESTORATION GROUP INC
 PO BOX 2868
 WAXAHACHIE, TX 75168-8868

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, January 27, 2026 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, February 16, 2026 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

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Scan for additional information.

Case Number: **ZDC-178-2025**

City Reference: 172321

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **January 21, 2026** 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, 408 S Rogers Street, Waxahachie, TX 75165.

Comments: ☒ SUPPORT

☐ OPPOSE

Signature

Date

Printed Name and Title

Address

[Signature]
 Brad Yates president

1/14/26
 TBD Cantrell Street



City of Waxahachie, Texas
 Notice of Public Hearing
 Case Number: **ZDC-178-2025**

DLABAJ KELLY & TIJERINA ADRIAN
300 HALEY DR
WAXAHACHIE, TX 75165-2175

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, January 27, 2026 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, February 16, 2026 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

Request by Kelly Dlabaj for an **Amendment to Ordinance No. 3121**, to eliminate the requirement for a HOA Amenity lot within an approved 7-lot Planned Development-Single Family-3 (PD-SF-3) zoning district located at 300 Haley Drive (Property ID 276718 & 276719) - Owner: Kelly Dlabaj and Adrian Tijerina (ZDC-178-2025)

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Scan for additional information.

Case Number: **ZDC-178-2025**

City Reference: 314068

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **January 21, 2026** 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, 408 S Rogers Street, Waxahachie, TX 75165.

☒ SUPPORT

☐ OPPOSE

Comments:

This pertains to my property.

Kelly Dlabaj
 Signature

Kelly Dlabaj
 Printed Name and Title

1/17/26
 Date

300 Haley Dr.
 Address

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on January 21, 2026 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, 408 S Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT☒ OPPOSE

Comments:

I oppose this proposal and do not believe it is
in the best interest of the community

Signature

Terrany White
Printed Name and Title

Date

1/19/2026

Address

513 Dillon St TX 75165



ER NOTIFICATION
ENT AMENDMENT
PLACE - PON MAP

ORDINANCE NO. 3121

AN ORDINANCE AUTHORIZING A ZONING CHANGE FROM COMMERCIAL (C) TO PLANNED DEVELOPMENT-SINGLE FAMILY-3 (PD-SF3), WITH CONCEPT PLAN LOCATED AT 500 DUNAWAY IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 1.031 ACRES KNOWN AS A PORTION OF PROPERTY ID 172322 OF LOT 1B, BLOCK 1, OF THE BULLARD-REV SUBDIVISION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS:

WHEREAS, the City Council of the City of Waxahachie having heretofore adopted a zoning ordinance and map showing the classification of the various property located within the city limits of said City; and

WHEREAS, a proper application for a PD, with Concept Plan has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number PD-19-0062. Said application, having been referred to the Planning and Zoning (P&Z) Commission for their final report, was recommended by the P&Z Commission for zoning change approval of the subject property from C to PD-SF3, with Concept Plan; and

WHEREAS, proper notification has been published for the time and in the manner as prescribed by the city ordinance of the City of Waxahachie for a public hearing thereon; and

WHEREAS, a proper hearing was held as required by law and the Council having heard all arguments for and against said zoning amendment;

NOW, THEREFORE, this property is rezoned from C to PD-SF-3, with Concept Plan in order to construct a single family residential development on the following property: a portion of Property ID 172322 of Lot 1B, Block 1, of the Bullard-Rev subdivision, which is shown on Exhibit A, in accordance with the Concept Plan provisions attached as Exhibit B, Site Plan shown in Exhibit C, and the conceptual elevation/facade plan attached as Exhibit D.

PLANNED DEVELOPMENT

Purpose and Intent

The purpose of this planned development to create a single family residential development and to establish appropriate restrictions and development controls necessary to ensure predictable land development, safe and efficient vehicular and pedestrian circulation, compatible uses of land and compliance with appropriate design standards.

Development Standards

All development on land located within the boundaries of this Planned Development District shall adhere to the rules and regulations set forth in this ordinance. The locations of buildings, driveways, parking areas, amenity areas, trails, fencing, and other common areas shall substantially conform to the locations shown on the approved Site Plan (Exhibit C).

Base Zoning

1. Any zoning, land use requirement or restriction not contained within this zoning ordinance shall conform to those requirements and/or standards prescribed in Exhibits B – Planned Development Provisions. Where regulations are not specified in Exhibit B or in this ordinance, the regulations of Single Family-3 zoning district of the City of Waxahachie Zoning Ordinance shall apply to this development.
2. Façade materials (fiber cement siding w/ stone accent) will match the surrounding character of the neighborhood district.
3. Shared access easements smaller than 28 ft. shall not allow for on-street parking.
4. Gates designed for vehicular access shall be set back from the property line a minimum of twenty (20) feet.

Item 7&8

5. All property lines shall meet in the middle of the street within the Planned Development.
6. The road shall be maintained by the development's HOA.
7. The City of Waxahachie will maintain utilities in the road.
8. Water and sewer utilities will remain public and be placed in the shared drive.
9. The HOA will be required by the bylaws to set aside a percentage of dues for road maintenance.

An emergency is declared to exist in that needed and approved improvements will be unnecessarily delayed if this ordinance is not effective upon passage and this ordinance is to be effective upon passage.

The zoning map of the City of Waxahachie is hereby authorized and directed to be demarked in accordance therewith.

PASSED, APPROVED, AND ADOPTED on this 17th day of June, 2019.



David Hall
MAYOR

ATTEST:

Lori Cartwright
City Secretary



Exhibit A - Location Exhibit

PD-19-0062 EXHIBIT “B”

Concept Plan Provisions

Purpose and Intent

The purpose and intent of this Planned Development (PD) is to allow for the development of seven single family homes.

Key Design Features: The residential architectural style for this development will consist mainly of southern farm house and Texas regional architecture that lends itself to large front porches and homes opening directly on both public and private spaces. Features that Promote a Unique Identity and Quality of Life. Payton’s Place is designed to evoke a neo-classical feel. The architecture within the community is one of similarity and continuity, but with a variety of design options. The main design idea is to mimic the existing Waxahachie “original town” and downtown areas that were constructed in the later 1800s and to mid 1900s.

Sustainability of Site Location: Within 1/8 mile to hike and bike trail and ¼ mile of Downtown Waxahachie. All residential development will be Energy Star rated.

Strategies for Healthy Communities and Indoor Environments: Walkable streets; Vintage street lighting and bike and pedestrian trails that provide connections from the development to the nearby hike and bike trail as well as downtown Waxahachie and the Amphitheater.

Any conditions found within the Single Family Residential District-3 (SF-3) zoning district or Zoning Ordinance that are not written herein, shall default to the City of Waxahachie’s Code of Ordinances, as amended.

Compliance with the City’s Comprehensive Plan

Zoning District (SF-3) is the intended base zoning classification underlying this PD. The SF-3, Single Family Residential District-3, is a residential district intended to provide the highest residential density of four (4) dwelling units per acre. The principal permitted land uses will include single family dwellings, residential areas are permitted in this District.

PD District Development Standards

Description of Request

- We intend to modify the existing zoning commercial requirements under a Planned Development which will allow for the development of seven single family homes.

Proposed Use of Property

- The proposed development is compiled of 7 new single family homes. The development will create a common look that will serve as a model for future development in the surrounding area. The development will feature gated access to all units, wrought iron fencing, large front porches and exterior vintage style lighting. 100% of all landscaping will be maintained by the existing HOA that is currently in place at Franklin Township and Kaufman Township East. We intend to break ground in early summer, with completion of the project in spring 2020.

General Development Requirements

- **Site Plan:** The development plan is attached as Exhibit “C”
- **Elevations:** Per elevation plan Exhibit “D” 100% fiber-cement exterior with stone accents
- **Density:** 7 dwelling units per acre (7 units total)

Item 7&8

- **Sec. 3.06 - Single-Family Residential-3 (SF3).**

(a)

General purpose and description: The Single-Family Residential-3 (SF3) Zoning District is intended to be similar to the SF2 except composed of detached, single-family residences on lots of not less than ten thousand (10,000) square feet.

(b)

SF-3 Standards

Height Regulations	
	2 stories for the main building. 1 story for accessory buildings without garages
Area Regulations	
Minimum Lot Area	10,000 SF
Minimum Lot Width	80'
Minimum Lot Depth	100'
Minimum Front Yard	30'
Minimum Side Yard	10'; 15' on corner lots adjacent to a street
Minimum Rear Yard	25'
Maximum Lot Coverage	50% by main and accessory buildings
Parking Regulations	Minimum of 2 enclosed parking spaces behind the front building line on the same lot as the main structure
Minimum DUA	1,200 SF

Item 7&8

- **Proposed Planned Development Single-Family Residential 3**

Payton's Place Planned Development Standards

Height Regulations	
	2 stories for the main building. 1 story for accessory buildings without garages
Area Regulations	
Minimum Lot Area	5,036 SF
Minimum Lot Width	55'
Minimum Lot Depth	87.5'
Minimum Front Yard	15'
Minimum Side Yard	5'; 15' on corner lots adjacent to a street
Minimum Rear Yard	10'
Maximum Lot Coverage	60% by main and accessory buildings
Parking Regulations	Minimum of 2 covered parking spaces behind the front building line on the same lot as the main structure
Minimum DUA	1,600 SF
Exterior Facade	100 percent fiber-cement exterior façade with stone accents



CHRIS E. ACKER
AIIB CERTIFICATION # 620

Port of Capital
3731 HWY 242 SOUTH
WAXAHACHIE, TEXAS 75165
OFFICE 972.793.5710



LOT 1 ELEVATION



LOT 2 ELEVATION



LOT 3 ELEVATION



LOT 4 ELEVATION



LOT 5 ELEVATION



LOT 6 ELEVATION



ALTERNATE ELEVATION



LOT 7 ELEVATION

Exhibit D - Facade/Elevations



STATE OF TEXAS
DEPARTMENT OF TRANSPORTATION
WWW.STATEOFTEXAS.ORG



JUNE 5th, 2019
EXHIBIT "D"
RD 19.00002 RAYTONS PLACE ADDITION
LOTS 1-8 BLOCK 1
1.011 ACRES
WAXAHACHIE, TEXAS 75165

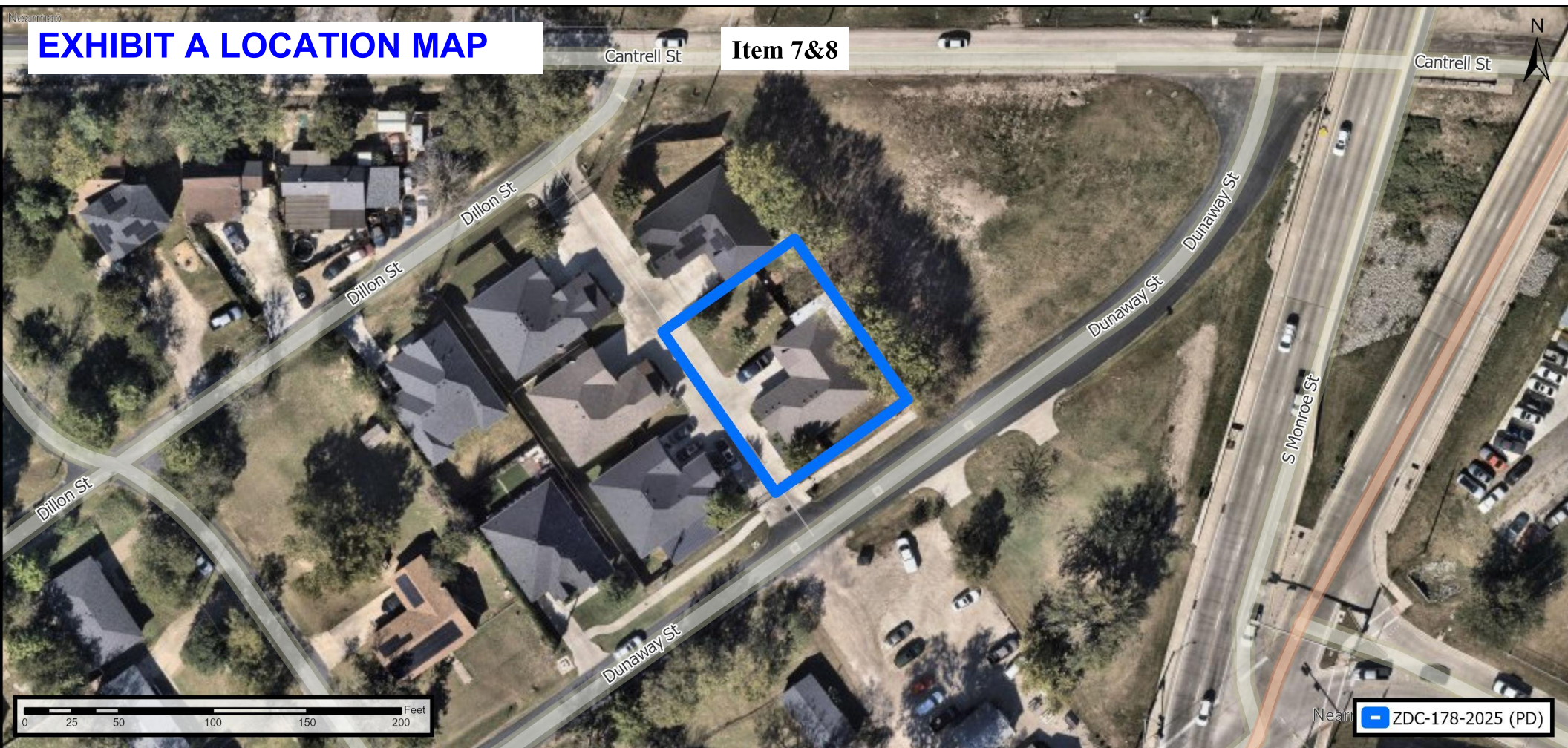


CHELSEA J. ACKER
ABRD - CERTIFICATION # 420

South Fork Capital
2511 HWY 292 SOUTH
WAXAHACHIE, TEXAS 75165
OFFICE: 817-272-2511
CELL: 817-272-2511

EXHIBIT A LOCATION MAP

Item 7&8



December 6, 2025

408 South Rogers Street
Waxahachie, TX 75168

RE: Operational Plan

The residential property located at 300 Haley Drive was purchased in April 2025. In July 2025, it was discovered that a portion of the land believed to be part of our parcel—based on longstanding, developer-installed fencing—was in fact not included within our property boundaries. In August 2025, we purchased the adjacent parcel in question, unaware that the developer had previously submitted plans identifying this land as an HOA amenity lot during the original subdivision approval process.

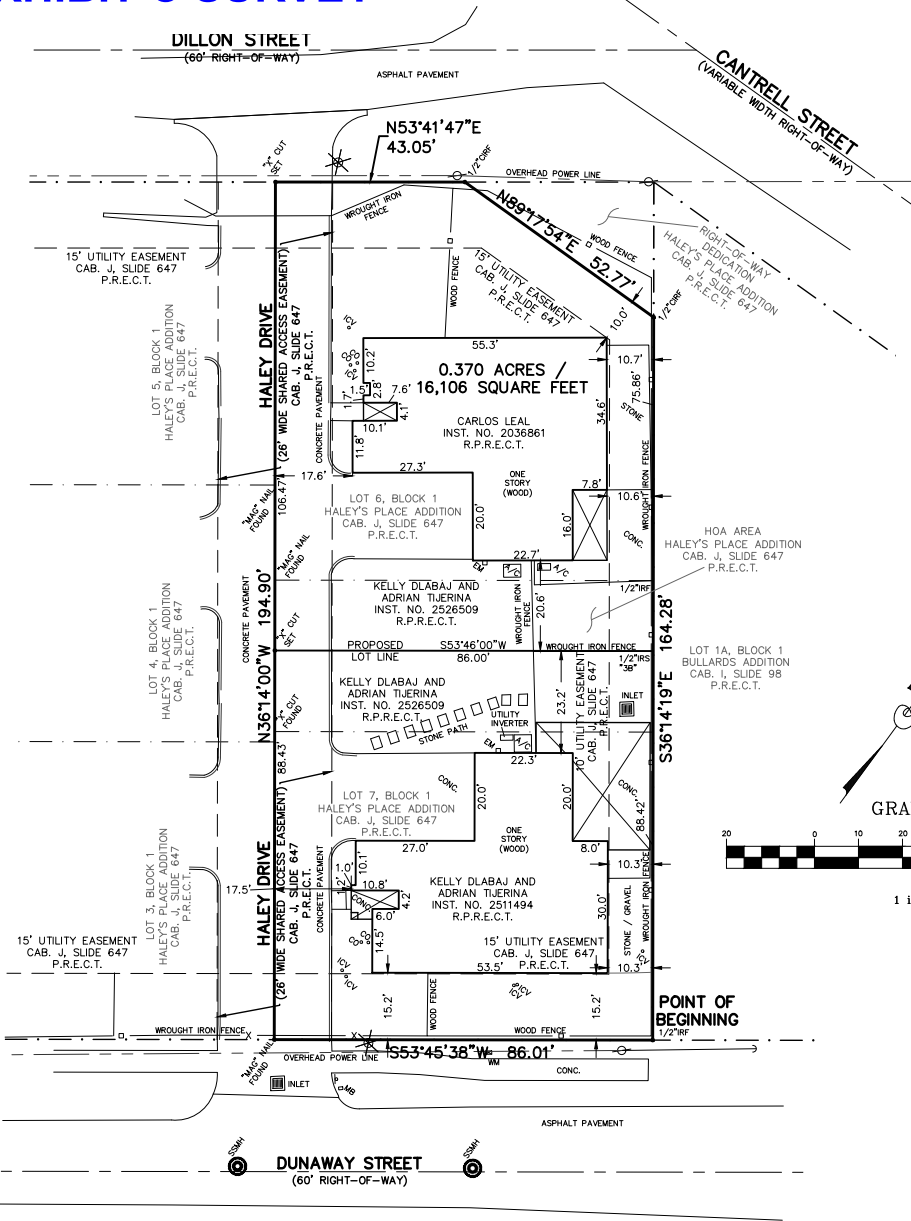
After obtaining and reviewing additional information from the City, we were advised that a Planned Development Amendment Application would be required. This requirement stems from the designation of the parcel as an amenity area intended to include a swimming pool and two gazebos. These amenities, however, were never constructed, and the area has never been developed, improved, or used as a common space. Since initial build-out, residents at 300 and 304 Haley Drive have continuously maintained and utilized the land as part of their private rear and side yards due to the configuration of the original fencing installed by the developer.

To resolve the boundary discrepancy, we negotiated and executed a signed agreement with the owners of 304 Haley Drive to transfer to them the portion of the parcel that adjoins and logically functions as part of their property.

Purpose of Amendment:

This Operational Plan seeks to formally correct the Planned Development documentation so that it accurately reflects the current and intended use of the properties. The amendment removes an amenity designation for facilities that were never built, have no supporting infrastructure, and have no viable path toward future construction. Approval of this amendment will allow the respective property owners to utilize their land consistent with established use patterns and in accordance with actual ownership.

Sincerely,
Adrian Tijerina & Kelly Dlabaj
300 Haley Drive
Waxahachie, TX 75165



LEGAL DESCRIPTION:

BEING all that parcel of land located in the City of Waxahachie, Ellis County, Texas and being a part of the EW Rogers Survey, Abstract No. 896, all of Lot 6, Block 1, all of Lot 7, Block 1 and all of the HOA Area, Haley's Place Addition, an addition to the City of Waxahachie, Texas recorded in Cabinet J, Slide 647, Plat Records Ellis County, Texas, being all of that tract of land described in deed to Kelly Dlabaj and Adrian Tijerina recorded in County Clerk's Instrument Number 2511494 and County Clerk's Instrument Number 2526509, Real Property Records Ellis County, Texas, being all of that tract of land described in deed to Carlos Leal recorded in County Clerk's Instrument Number 2036861, Real Property Records Ellis County, Texas and being further described as follows:

BEGINNING at a one-half inch iron rod found for the east corner of said Lot 7, Block 1, said point being at the south corner of that called Lot 1A, Block 1, Bullards Addition, an addition to the City of Waxahachie, Texas recorded in Cabinet I, Slide 98, Plat records Ellis County, Texas and being in the northwest right-of-way line of Dunaway Street (60' right-of-way);

THENCE South 53 degrees 45 minutes 38 seconds West, 86.01 feet along the northwest right-of-way of Dunaway Street to a "Mag" nail found for the south corner of said Lot 7, Block 1, said point being at the east corner of Lot 3, Block 1, of said Haley's Place Addition and said point being in the approximate center of Haley Drive (a 26' Shared Access Easement recorded in Cabinet J, Slide 647, Plat Records Ellis County, Texas);

THENCE North 36 degrees 14 minutes 00 seconds West, 194.90 feet along the approximate centerline of Haley Drive to an "X" cut in concrete set for the west corner of said Lot 6, Block 1, said point being at the north corner of Lot 5, Block 1 of said Haley's Place Addition and said point being in the southeast right-of-way line of Dillon Street (60' right-of-way);

THENCE North 53 degrees 41 minutes 47 seconds East, 43.05 feet along the west line of said Lot 6, Block 1 to a one-half inch iron rod with cap found at the intersection of the southeast right-of-way line of Dillon Street with the southeast right-of-way line of Cantrell Street (a variable width right-of-way);

THENCE North 89 degrees 17 minutes 54 seconds East, 52.77 feet along the southeast right-of-way of Cantrell Street to a one-half inch iron rod with cap found for the north corner of said Lot 6, Block 1 and said point being in the southwest line of said Lot 1A, Block 1;

THENCE South 36 degrees 14 minutes 19 seconds East, 164.28 feet along the northeast line of said Block 1, Haley's Place Addition and along the southwest line said Lot 1A, Block 1 to the POINT OF BEGINNING and containing 16,106 square feet or 0.370 acres of land.

Basis of Bearing is derived from GPS observations relative to the Texas WDS RTK Network - Texas State Plane Coordinate System, North Central Zone (4202), NAD83.

SURVEY CERTIFICATION:

I hereby certify that this plat and description as shown hereon is a true and accurate representation, to the best of my knowledge and belief, of the property as determined by an on-the-ground survey performed under my supervision during the month of November, 2025.

Edward Scott Bacak, R.P.L.S. No. 6248



SURVEY NOTES:

- 1. SURVEY WAS PERFORMED WITHOUT BENEFIT OF A TITLE COMMITMENT. ALL EASEMENTS MAY NOT BE SHOWN HEREON.
- 2. UNLESS OTHERWISE NOTED HEREON, ALL CORNERS ARE A ONE-HALF INCH IRON ROD WITH CAP STAMPED "3B".

300 AND 304 HALEY DRIVE,
WAXAHACHIE, TEXAS

0.370 ACRE BOUNDARY SURVEY			
EW ROGERS SURVEY,			
ABSTRACT NUMBER 896			
City of Waxahachie, Ellis County, Texas			
NO.	REVISION	BY	DATE
PROJECT NO.: DLA001		SHEET 1 OF 1	
DATED: November 17, 2025			



656 Bacak Road
Ennis, Texas 75119
972-825-7949

FLOOD STATEMENT: According to Community Panel No. 48139C0190G, dated October 19, 2023, of the Federal Emergency Management Agency, National Flood Insurance Program Map, this property is within Flood Zone "X". (areas determined to be outside 500-year floodplain), which is not a special flood hazard area. If this site is not within an identified special flood hazard area, this flood statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This statement shall not create liability on the part of the Surveyor.

LEGEND	
1/2" IR	IRON ROD SET
1/2" IP	IRON PIPE FOUND
1/2" RF	IRON ROD FOUND
A/C	AIR CONDITION UNIT
CO	CLEAN OUT
CONC.	CONCRETE
EM	ELECTRIC METER
ICV	IRRIGATION CONTROL VALVE
MB	MAILBOX
SSMH	SANITARY SEWER MANHOLE
WM	WATER METER
CAB.	CABINET
INST. NO.	INSTRUMENT NUMBER
P.R.E.C.T.	PLAT RECORDS ELLIS COUNTY, TEXAS
R.P.R.E.C.T.	REAL PROPERTY RECORDS ELLIS COUNTY, TEXAS
OP	POWER POLE