

AGENDA

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 24, 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 February 10, 2026

5. ***Public Hearing*** on a request by Jasmine Martinez, CBG Surveying Texas, LLC for a Replat of Lots 1, 2, and 3, Block 183, New Town Heights Addition, to create Lot 1R, Block 183, NB Housing Investments Addition, 1 Residential Lot, being 0.23 acres, located at 1206 Wyatt Street (Property ID 174823) – Owner(s): NB Housing Investments, LLC (SUB-6-2026)
6. ***Consider*** approval of SUB-6-2026

7. ***Public Hearing*** on a request by Jorge Restrepo, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single Family-3 zoning district located at 810 S College Street (Property ID 172443) - Owner: Jorge Restrepo (ZDC-175-2025)
8. ***Consider*** recommendation of ZDC-175-2025
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
February 10, 2026

A regular meeting of the Planning & Zoning Commission of the City of Waxahachie was 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.

Members Present: Wendy Johnson, Chair
Jenny Bridges, Vice Chair
Terry Connor
Ryan Simpson
Bart Underwood

Members Absent: Jimmy Poarch
Chad Hicks

Others Present: Shon Brooks, Executive Director of Development Services
Trenton Robertson, Senior Director of Planning
Zack King, Planning Manager
Patrick Souter, Council Representative
Amber Villarreal, City Secretary

1. Call to Order

Chair Wendy Johnson called the meeting to order.

2. Invocation

Ryan Simpson gave the invocation.

3. Public Comments

None.

4. Consent Agenda

- 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)

Action:

Jenny Bridges moved to approve the Consent Agenda, subject to the recommendations of staff. Motion was seconded by Ryan Simpson and carried unanimously (5-0).

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)

Planner David Jones presented the Item. 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 six 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.

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. 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.

Chair Johnson opened the Public Hearing at approximately 7:03 p.m.

There being no others to speak for or against ZDC-172-2025, Chair Johnson closed the Public Hearing at approximately 7:03 p.m.

6. Consider recommendation of ZDC-172-2025

Action:

Ryan Simpson moved to recommend approval of ZDC-172-2025, a Specific Use Permit for a Short-Term Rental use, subject to the conditions of the staff report, authorizing the Mayor and/or City Manager to execute all documents accordingly. Motion was seconded by Jenny Bridges and carried unanimously (5-0).

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)

Planner Caleb Ensley presented the Item and owner Kelly Dlabaj requested approval. The applicant intends to amend Ordinance 3121 to eliminate the required HOA amenity lot in an approved 7-lot Creek Planned Development.

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 a 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.

The applicant is proposing to eliminate the designated HOA amenity lot within this Planned Development. 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.

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

Chair Johnson opened the Public Hearing at approximately 7:11 p.m.

There being no others to speak for or against ZDC-178-2025, Chair Johnson closed the Public Hearing at approximately 7:11 p.m.

8. Consider recommendation of ZDC-178-2025

Action:

Jenny Bridges moved 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 zoning district, subject to the conditions of the staff report. Motion was seconded by Ryan Simpson and carried unanimously (5-0).

9. Adjourn

Senior Planning Director Trenton Robertson announced that he is working with the City Attorney to coordinate training for the Commission and will provide additional details soon.

There being no further business, the meeting adjourned at 7:13 p.m.

Respectfully submitted,

David Jones, Planner

Planning & Zoning Department

Plat Staff Report

Case: SUB-6-2026



MEETING DATE(S)

Planning & Zoning Commission: February 24, 2026

CAPTION

Public Hearing on a request by Jasmine Martinez, CBG Surveying Texas, LLC for a **Replat** of Lots 1, 2, and 3, Block 183, New Town Heights Addition, to create Lot 1R, Block 183, NB Housing Investments Addition, 1 Residential Lot, being 0.23 acres, located at 1206 Wyatt Street (Property ID 174823) – Owner(s): NB Housing Investments, LLC (SUB-6-2026)

RECOMMENDED MOTION

*"I move to approve SUB-6-2026 for a **Replat** of Block 183, Lots 1, 2, and 3 of the New Town Heights Addition to create one (1) residential use lot, subject to the conditions of the staff report, authorizing the Planning & Zoning Commissioner to sign the associated documents accordingly."*

APPLICANT REQUEST

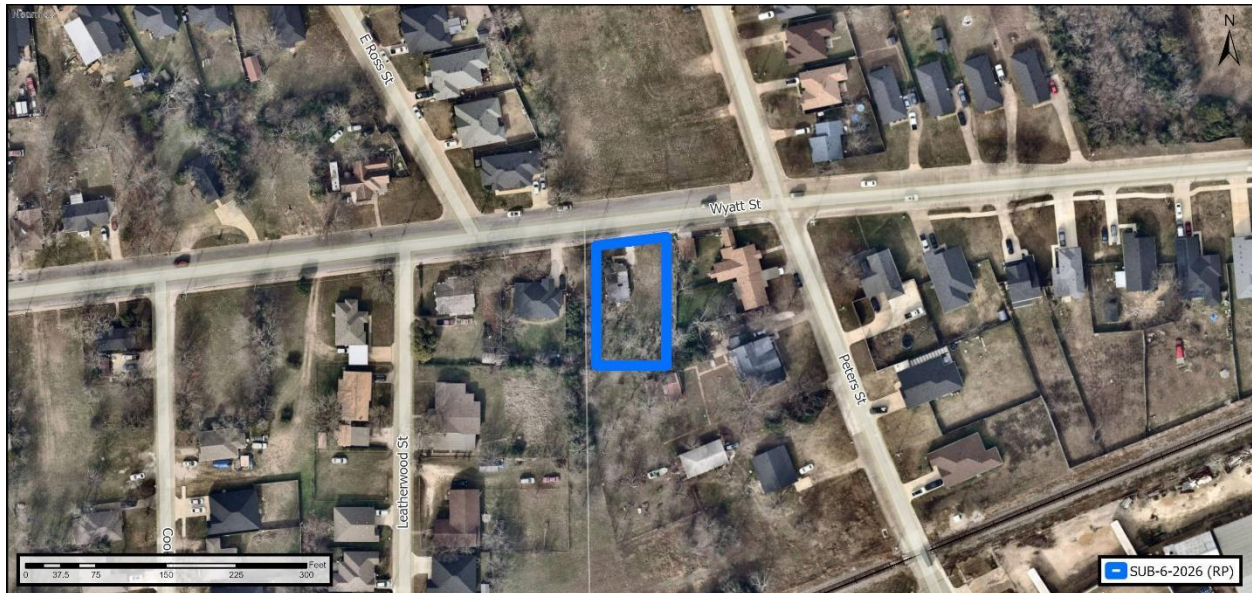
The Applicant requests to Replat Block 183, Lots 1, 2, and 3 of the New Town Heights Addition to create one (1) lot for residential use.

CASE INFORMATION

<i>Applicant:</i>	Jasmine Martinez, CBG Surveying Texas, LLC
<i>Property Owner(s):</i>	NB Housing Investments, LLC
<i>Site Acreage:</i>	0.23 acres
<i>Number of Lots:</i>	1 lot
<i>Number of Dwelling Units:</i>	1 unit
<i>Park Land Dedication:</i>	Not applicable
<i>Adequate Public Facilities:</i>	Adequate public facilities are available to the subject property

SUBJECT PROPERTY

<i>General Location:</i>	1206 Wyatt Street
<i>Parcel ID Number(s):</i>	174823
<i>Current Zoning:</i>	Single Family-3 (SF-3)
<i>Existing Use:</i>	Single family residential use
<i>Platting History:</i>	The subject property is platted as Block 183, Lots 1, 2, and 3 of the New Town Heights Addition

Site Aerial:

PLANNING ANALYSIS

The subject property consists of three (3) platted lots proposed to be combined into a single (1) residential lot through the replat process. As part of the replat, the property owner is required to dedicate 2'-6" of right-of-way (ROW) along Wyatt Street, which is designated as a Minor Collector on the City of Waxahachie Thoroughfare Plan. In addition, ROW along Rodriguez Street, an unimproved ROW, must be dedicated to align with the existing ROW dedication immediately south of the subject property. A fifteen-foot (15') utility easement is also required along all dedicated ROW.

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 replat shall be accompanied by a tax certificate in accordance with State law.
2. Per Section 2.3 of the Waxahachie Subdivision Ordinance, a title search is required to locate all easements on the property. Label the existing easement width and recording information.
3. Per Section 2.3.a.1 of the Waxahachie Subdivision Ordinance, Wyatt Street is identified as a Minor Collector (60' ROW) on the City's master thoroughfare plan. Please dedicate 2'-6" ROW for Wyatt Street.
4. 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 subdivided, and that no delinquent taxes exist against the property.

Conditions (continued):

5. Per Section 2.4.c of the Waxahachie Subdivision Ordinance, please provide the adjacent property information;

Lot 1, Block A
Peters Addition
6. Per Section 2.4.c.1 of the Waxahachie Subdivision Ordinance, a correct vicinity map must be provided. Revise to BREEZEWAY and PETERS.
7. Per Section 2.4.c.4 of the Waxahachie Subdivision Ordinance, only streets, alleys, and easements are required to be shown on the replat. Please remove all existing structures from the replat.
8. Per Section 2.4.c.9 of the Waxahachie Subdivision Ordinance an accurate scale is required.
9. 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.
10. Per Section 2.6.j of the Waxahachie Subdivision Ordinance, the title shall identify the document as:

Replat
NB Housing Investments Addition
Block 183, Lot 1R
0.23 acres / 9,954.98 sqft

Being a Replat of Block 183, Lots 1-3 of the New Town Heights Addition, an addition to the City of Waxahachie, Texas, as recorded in Vol. 211, Pg. 35, PRECT

SUB-6-2026

Zoning: SINGLE FAMILY-3 (SF-3)

Date: (Updated date)

11. Per Section 3.1.c.6 of the Waxahachie Subdivision Ordinance, dedication of right-of-way is required along Rodriguez St. in relation to the planned width. Right-of-way dedication is expected to align with the right-of-way dedication on the south side of the property.
12. Per Section 3.3.a of the Waxahachie Subdivision Ordinance, a 15' utility easement along the ROW (Wyatt Street and Rodriguez Street) is required to be dedicated with this replat.

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 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

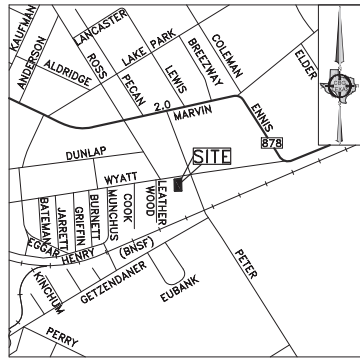
oanh.vu@waxahachie.com

Reviewed by:

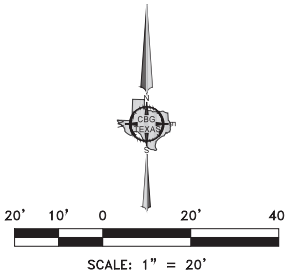
Trenton Robertson, AICP

Senior Director of Planning

trenton.robertson@waxahachie.com



VICINITY MAP
NOT TO SCALE



LEGEND

D.R.E.C.T.	DEED RECORDS, ELLIS COUNTY, TEXAS
P.R.E.C.T.	PLAT RECORDS, ELLIS COUNTY, TEXAS
O.P.R.E.C.T.	OFFICIAL PUBLIC RECORDS, ELLIS COUNTY, TEXAS
CM	CONTROLLING MONUMENT
R.O.W.	RIGHT-OF-WAY
F.K.A.	FORMERLY KNOWN AS
SQ. FT.	SQUARE FEET
VOL.	VOLUME
PG.	PAGE
INST. NO.	INSTRUMENT NUMBER
CAB.	CABINET
S.L.D.	SLIDE
IRF	IRON ROD FOUND
YC	YELLOW CAP
ESMT.	EASEMENT

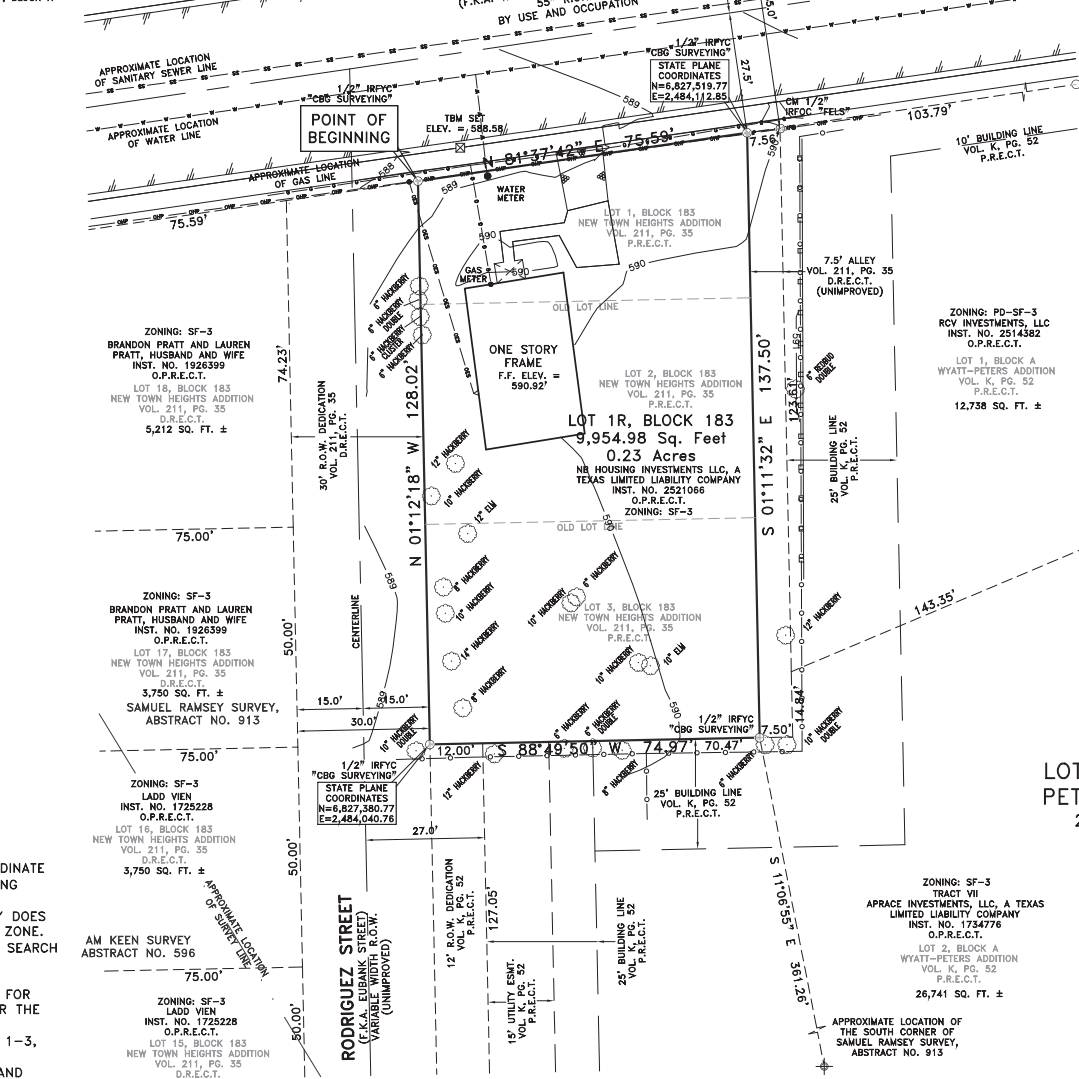
GENERAL NOTES:

- 1) THE BASIS OF BEARING FOR THIS SURVEY IS THE TEXAS COORDINATE SYSTEM OF 1983, NORTH CENTRAL ZONE, (4202) GEODETIC BEARING ESTABLISHED BY GPS MEASUREMENTS.
- 2) ACCORDING TO THE F.I.R.M. NO. 48139C0190G, THIS PROPERTY DOES LIE IN ZONE X AND DOES NOT LIE WITHIN THE 100-YEAR FLOOD ZONE.
- 3) THE SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS, ENCUMBRANCES, OR ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.
- 4) THE SURVEYOR, AS REQUIRED BY STATE LAW, IS RESPONSIBLE FOR SURVEYING INFORMATION ONLY AND BEARS NO RESPONSIBILITY FOR THE ACCURACY OF THE ENGINEERING DATA ON THIS PLAT.
- 5) THE PURPOSE OF THIS PLAT IS TO CREATE 1 LOT FROM LOTS 1-3, BLOCK 183, NEW TOWN HEIGHTS ADDITION.
- 6) RETAINING WALLS SHALL NOT BE CONSTRUCTED PARALLEL TO AND WITHIN ANY PORTION OF A UTILITY EASEMENT.
- 7) SCREENING FENCES/WALLS SHALL NOT BE CONSTRUCTED PARALLEL TO AND WITHIN ANY PORTION OF A UTILITY EASEMENT UNLESS WRITTEN PROVISIONS ARE MADE AND APPROVED BY THE PUBLIC WORKS AND ENGINEERING DIRECTOR FOR ACCESS AND MAINTENANCE OF THE UTILITY EASEMENT.

ZONING: PD-SF-3
SAMANTHA ASHLEY MCCULLEY,
A SINGLE WOMAN
INST. NO. 2512922
O.P.R.E.C.T.
LOT 1, BLOCK A
TREYING HELMS ADDITION
CAB. J, SLD, 275
P.R.E.C.T.
6,020 SQ. FT. ±

18.5' BUILDING LINE
CAB. J, SLD, 275
P.R.E.C.T.
15' UTILITY ESMT.
CAB. J, SLD, 275
P.R.E.C.T.
CM 1/2" IRFVC
"4480" @ SW
CORNER OF LOT
1, BLOCK A

ZONING: SF-3
BLOCK 213
NEW MOUNT ZION MISSIONARY
BAPTIST CHURCH
VOL. 1086, PG. 401
D.R.E.C.T.
94,569 SQ. FT. ±
196.07' ±

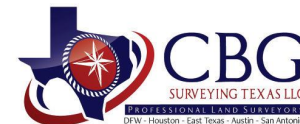


**LOT 2, BLOCK A
PETERS ADDITION**
26,741 SQ. FT.
0.6139 ACRES

SHEET 1 OF 2

NB HOUSING INVESTMENTS ADDITION

1R, BLOCK 183
9,954.98 SQ.FT. / 0.23 ACRES
BEING A REPLAT OF LOTS 1-3, BLOCK 183,
NEW TOWN HEIGHTS ADDITION,
AS SHOWN IN VOL. 211, PG. 35, P.R.E.C.T.
AND BEING A TRACT OF LAND SITUATED IN THE
SAMUEL RAMSEY SURVEY, ABSTRACT NO. 913
CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS



PLANNING & SURVEYING
Main Office
1413 E. IH-30, Ste. 7
Garland, TX 75043
P 214.349.9485
F 214.481.8716
Firm No. 10168800
www.cbgtllc.com

OWNER: NB HOUSING INVESTMENTS, LLC
AGENT: NESTOR BAHENA
610 EWING ROAD
FERRIS, TEXAS, 75125
PHONE: 214-429-5240
EMAIL: BAHENA.NESTOR@YAHOO.COM

SCALE: 1"=20' / DATE: 12/22/2025 / JOB NO. 1891 / DRAWN BY: JLA

Item 5&6

STATE OF TEXAS §
COUNTY OF ELLIS §

WHEREAS NB Housing Investments, LLC, is the owner of a 9,954.98 square foot tract of land situated in the Samuel Ramsey Survey, Abstract Number 913, Ellis County, Texas, same being Lots 1–3, Block 183, New Heights Addition, an Addition to the City of Waxahachie, Ellis County, Texas, according to the Plat thereof recorded in Volume 211, Page 35, Plat Records, Ellis County, Texas, same being a tract of land conveyed to NB Housing Investment LLC, a Texas limited liability company, by General Warranty Deed, recorded in Instrument Number 2521066, Official Public Records, Ellis County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod with yellow cap stamped "CBG Surveying" found for corner, said corner being in the intersection of the East right-of-way line of Rodríguez Street (a variable width right-of-way) and the South right-of-way line of Wyatt Street (a 55 foot right-of-way);

THENCE North 81 degrees 37 minutes 42 seconds East, along the South right-of-way line of said Wyatt Street, a distance of 75.59 feet to a 1/2 inch iron rod with yellow cap stamped "CBG Surveying" found for corner, said corner being the Northwest corner of a 7.5 foot wide alley recorded in Volume 211, Page 35, Deed Records, Ellis County, Texas;

THENCE South 01 degree 11 minutes 32 seconds East, along the West right-of-way line of said 7.5 foot wide alley, a distance of 137.50 feet to a 1/2 inch iron rod with yellow cap stamped "CBG Surveying" found for corner, said corner being Southwest corner of said 7.5 foot wide alley, same being along the a North line of Lot 2, Block A, Wyatt–Peters Addition, an Addition to the City of Waxahachie, Ellis County, Texas, according to the Plat thereof recorded in Volume K, Page 52, Plat Records, Ellis County, Texas;

THENCE South 88 degrees 49 minutes 50 seconds West, along a North line of said Lot 2, Block A, of said Wyatt–Peters Addition, a distance of 74.97 feet to a 1/2 inch iron rod with yellow cap stamped "CBG Surveying" found for corner, said corner being along an East right-of-way line of said Rodríguez Street;

THENCE North 01 degree 12 minutes 18 seconds West, along an East line of said Rodríguez Street, a distance of 128.02 feet to the POINT OF BEGINNING and containing 9,954.98 square feet and or 0.23 acres of land.

SURVEYOR'S STATEMENT:

KNOW ALL MEN BY THESE PRESENTS:

That I, Bryan Connally, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon as set were properly placed under my personal supervision in accordance with the Subdivision Ordinance of the City of Waxahachie.

RELEASED FOR REVIEW ON 01/05/2025, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSES AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT.

Bryan Connally
Registered Professional Land Surveyor 5513

STATE OF TEXAS §
COUNTY OF ELLIS §

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Bryan Connally, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed.

Given under my hand and seal of office, this _____ day of _____, 20____.

Notary Public in and for the State of Texas

;My Commission Expires On:

GENERAL NOTES:

- 1) THE BASIS OF BEARING FOR THIS SURVEY IS THE TEXAS COORDINATE SYSTEM OF 1983, NORTH CENTRAL ZONE, (4202) GEODETIC BEARING ESTABLISHED BY GPS MEASUREMENTS.
- 2) ACCORDING TO THE F.I.R.M. NO. 48139C0190G, THIS PROPERTY DOES LIE IN ZONE X AND DOES NOT LIE WITHIN THE 100-YEAR FLOOD ZONE.
- 3) THE SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS, ENCUMBRANCES, OR ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.
- 4) THE SURVEYOR, AS REQUIRED BY STATE LAW, IS RESPONSIBLE FOR SURVEYING INFORMATION ONLY AND BEARS NO RESPONSIBILITY FOR THE ACCURACY OF THE ENGINEERING DATA ON THIS PLAT.
- 5) THE PURPOSE OF THIS PLAT IF TO CREATE 1 LOT FROM LOTS 1–3, BLOCK 183, NEW TOWN HEIGHTS ADDITION.
- 6) RETAINING WALLS SHALL NOT BE CONSTRUCTED PARALLEL TO AND WITHIN ANY PORTION OF A UTILITY EASEMENT.
- 7) SCREENING FENCES/WALLS SHALL NOT BE CONSTRUCTED PARALLEL TO AND WITHIN ANY PORTION OF A UTILITY EASEMENT UNLESS WRITTEN PROVISIONS ARE MADE AND APPROVED BY THE PUBLIC WORKS AND ENGINEERING DIRECTOR FOR ACCESS AND MAINTENANCE OF THE UTILITY EASEMENT.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That NB Housing Investments, LLC, acting herein by and through its duly authorized agent, Nestor Bahena, do hereby adopt this plat designating the herein above described property as NB HOUSING INVESTMENTS 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 approved subject to all platting ordinances, rules, regulations and resolutions of the City of Waxahachie, Texas

WITNESS, my hand, this the _____ day of _____, 20____.

BY:

NB Housing Investments, LLC (Owner)
Nestor Bahena (Agent)

STATE OF TEXAS §
COUNTY OF ELLIS §

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Nestor Bahena, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed.

Given under my hand and seal of office, this _____ day of _____, 20____.

Notary Public in and for the State of Texas

My Commission Expires On:

SHEET 2 OF 2
REPLAT
NB HOUSING INVESTMENTS ADDITION
1R, BLOCK 183
9,954.98 SQ.FT. / 0.23 ACRES
BEING A REPLAT OF LOTS 1–3, BLOCK 183,
NEW TOWN HEIGHTS ADDITION,
AS SHOWN IN VOL. 211, PG. 35, P.R.E.C.T.
AND BEING A TRACT OF LAND SITUATED IN THE
SAMUEL RAMSEY SURVEY, ABSTRACT NO. 913
CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS



PLANNING & SURVEYING
Main Office
1413 E. IH–30, Ste. 7
Garland, TX 75043
P 214.349.9485
F 214.481.8716
Firm No. 10168800
www.cbgtxllc.com

OWNER: NB HOUSING INVESTMENTS, LLC
AGENT: NESTOR BAHENA
610 EWING ROAD
FERRIS, TEXAS, 75125
PHONE: 214–429–5240
EMAIL: BAHENA.NESTOR@YAHOO.COM

SCALE: 1"=20' / DATE: 12/22/2025 / JOB NO. 1891 / DRAWN BY: JLA

Planning & Zoning Department

Zoning Staff Report



Case: ZDC-175-2025

MEETING DATE(S)

Planning & Zoning Commission: February 24, 2026

City Council: March 16, 2026

CAPTION

Public Hearing on a request by Jorge Restrepo, for a Short-Term Rental use within a Single Family-3 zoning district located at 810 S College Street (Property ID 172443) - Owner: Jorge Restrepo (ZDC-175-2025)

RECOMMENDED MOTION

- "I move to recommend denial of ZDC-175-2025, a Specific Use Permit (SUP) for Short-Term Rental use."
- "I move to recommend approval of ZDC-175-2025, 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 810 S College Street.

CASE INFORMATION

Applicant: Jorge Restrepo

Property Owner(s): Jorge Restrepo

Site Acreage: .36 acres

Current Zoning: SF-3

Requested Zoning: SF-3 with a Specific Use Permit (SUP) for Short-Term Rental use.

SUBJECT PROPERTY

General Location: 810 S College Street

Parcel ID Number(s): 172443

Existing Use: Residential Use

Development History: Lot 1 Block 28 of the Bullard Revision

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	SF-3	Single Family Residence
East	SF-3	Single Family Residence
South	SF-3	Single Family Residence
West	SF-3	Single Family Residence

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 Dewberry Street.

Site Image:

PLANNING ANALYSIS

The Applicant requests a SUP for short-term rental use at 810 S College Street because it is located within the SF-3 zoning district. The subject property consists of a primary structure being approximately 2,844 square feet in size with four (4) bedrooms and a detached 2-car garage. The garage will not be accessible to guests; but there is sufficient space in the driveway to accommodate 4 cars; which is the maximum number of allowed vehicles. A gate currently separates portions of the driveway. Guests will have access to open and park behind the gate. There will be a maximum of 10 guests allowed. The subject property is situated on an approximately 0.36 acres (15,681 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. At the time of this report, the owner has agreed to remove the homestead exemption prior to operating the STR, if this SUP is approved.

The existing driveway for the subject property along Dewberry Street can accommodate the required number of vehicles; but does not actually connect to Dewberry Street. The concrete driveway is separate from the street by approximately 6' of grass. In the recommendation section below, Staff has added a condition that would require the applicant extend the concrete driveway to connect to Dewberry Street in the event this SUP is approved.

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 Camillo Restrepo, 815 College Street, Waxahachie, 75165, which is located approximately 110' 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, 24 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 zero (0) letters of support and zero (0) 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 ten (10) guests per stay.
4. The short-term rental operator shall permit a maximum of four (4) 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 shall be required to extend the concrete driveway to connect to Dewberry Street prior to the approval of registration for the STR.
8. The property owner shall remove the Homestead Tax Exemption on the subject property.

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:

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Planner

david.jones@waxahachie.com

Reviewed by:

Trenton Robertson, AICP
Senior Director of Planning

trenton.robertson@waxahachie.com

EXHIBIT A - LOCATION MAP

Item 7&8



EXHIBIT B -ZONING MAP

Item 7&8
SF-3

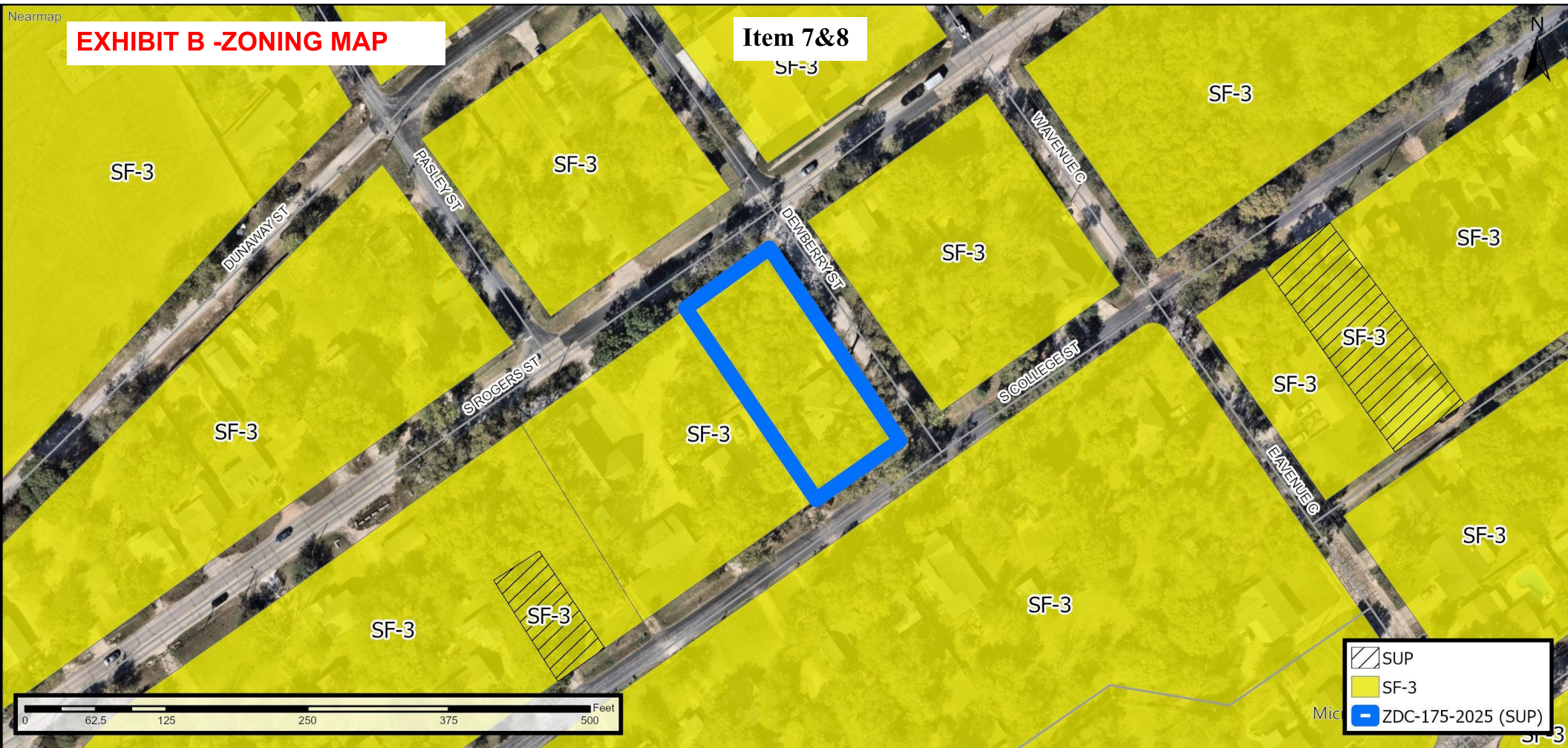
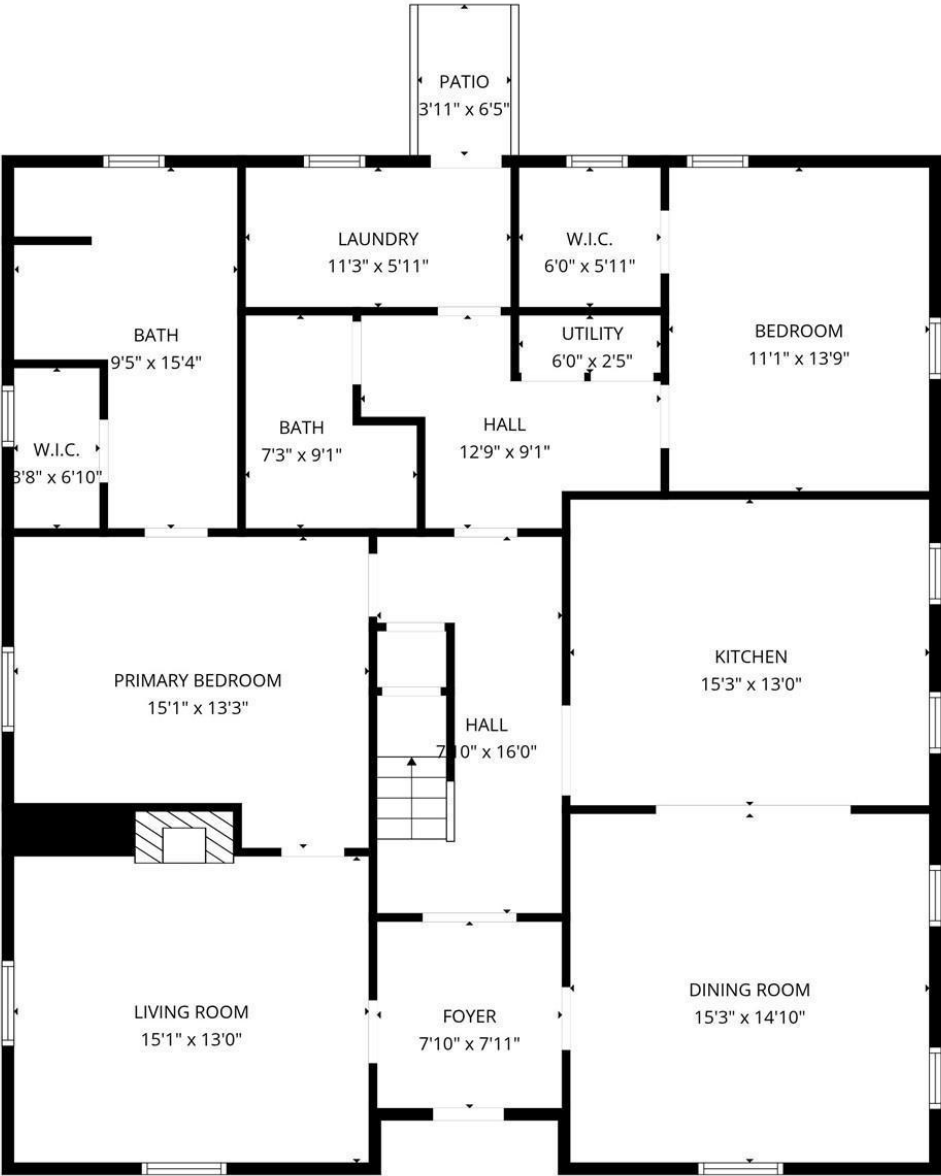
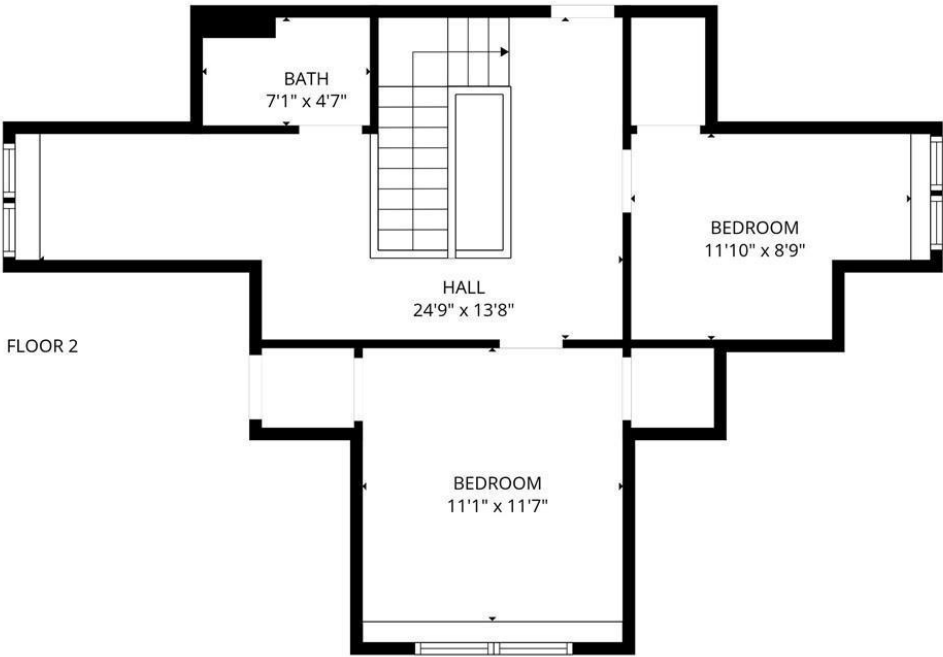


EXHIBIT C - FLOORPLAN/SITE PLAN

Item 7&8



FLOOR 1

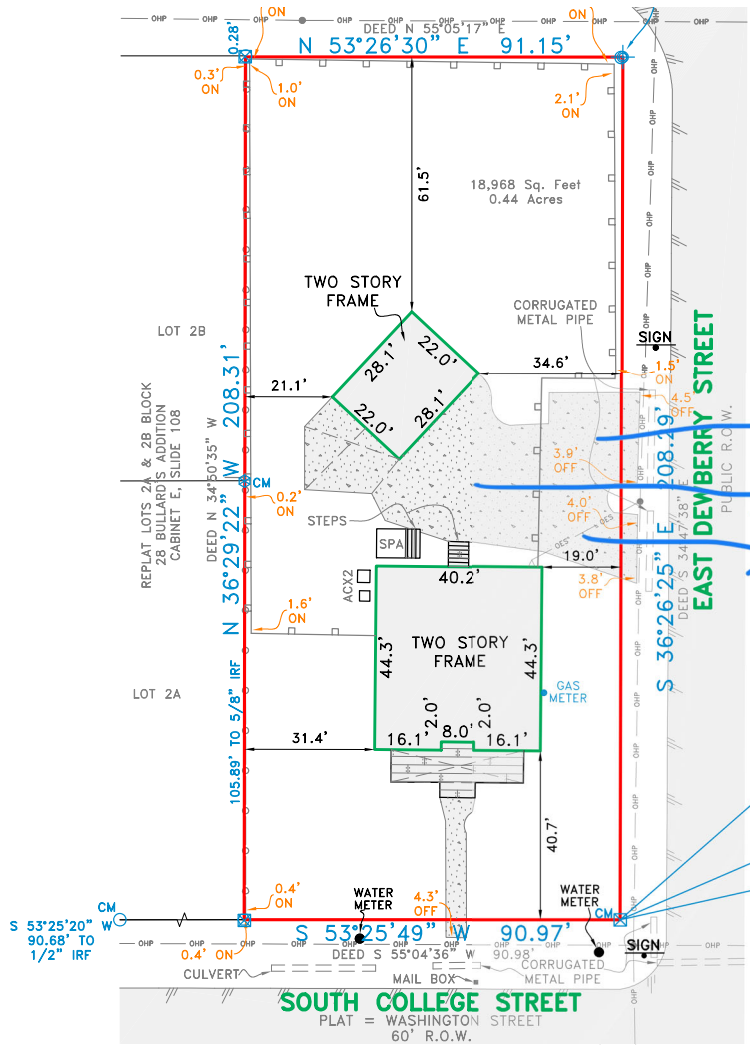


FLOOR 2

EXHIBIT C - FLOORPLAN/SITE PLAN

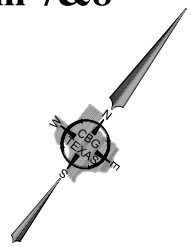
Item 7&8

- 1" ROD FOUND
- POINT FOR CORNER
- 5/8" ROD FOUND
- FENCE POST FOR CORNER
- CM CONTROLLING MONUMENT
- T TRANSFORMER PAD
- AC AIR CONDITIONER
- PE POOL
- EQUIPMENT
- COLUMN
- UNDERGROUND ELECTRIC
- OVERHEAD ELECTRIC
- OVERHEAD ELECTRIC SERVICE
- CHAIN LINK
- WOOD FENCE 0.5' WIDE TYPICAL
- DOUBLE SIDED WOOD FENCE
- IRON FENCE
- BARBED WIRE
- EDGE OF ASPHALT
- EDGE OF GRAVEL
- STONE
- CONCRETE
- COVERED AREA
- BRICK



Parking
Parking
Parking

POINT OF BEGINNING



810 South College Street

Being a portion of land situated in E.W. Rogers Survey, Abstract Number 896, Ellis County, Texas, said tract being a portion of Block 28, of Bullard Heights Addition, an addition to the plat thereof recorded in Volume 92, Page 315 of the Map Records of Ellis County, Texas, same being a tract of land conveyed to David J. Renner and Juliet A. Schumacher, husband and wife, by deed recorded in Instrument Number 1835214, Deed Records of Ellis County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1 inch iron rod found for corner, said corner being the intersection of the Southwest Right-of-Way line of East Dewberry Street (public Right-of-Way) and Northwest Right-of-Way line of South College Street (60-foot Right-of-Way);

THENCE South 53 degrees 25 minutes 49 seconds West, along the Northwest line of said South College Street, a distance of 90.97 feet to a 1 inch iron rod found and 1/2 inch pipe found for corner, said corner being the East corner of that tract of land conveyed to Lot 2A of Replat Lots 2A and 2B Block 28 Bullard's Addition, an addition to the plat thereof recorded in Cabinet E, Slide 108 of the Map Records of Ellis County, Texas, from which a 1/2 inch iron rod found bears South 53 degrees 25 minutes 20 seconds West, a distance of 90.68 feet for witness, from which a 5/8 inch iron rod found bears on-line Northwesterly, a distance of 105.89 feet for witness and being the North corner of Lot 2A and being the East corner of Lot 2B of said Replat Lots 2A and 2B Block 28 Bullard's Addition;

THENCE North 36 degrees 29 minutes 22 seconds West, along the Northeast line of said Replat Lots 2A and 2B Block 28 Bullard's Addition, a distance of 208.31 feet to a 1 inch iron rod found for corner, said corner being along the Northeast line of Replat Lots 2A and 2B Block 28 Bullard's Addition, same said corner being the South corner of the Southeast Right-of-Way line of Rogers Street (public Right-of-Way), from which a 1/2 inch iron rod found bears on-line Northwesterly a distance of 0.28 feet for witness and being the North corner of Lot 2B of said Replat Lots 2A and 2B Block 28 Bullard's Addition;

THENCE North 53 degrees 26 minutes 30 seconds East, along the Southeast Right-of-Way line of said Rogers Street, a distance of 91.15 feet to a point for corner, said corner being the intersection of said Southeast Right-of-Way line of Rogers Street and of said Southwest Right-of-Way line of East Dewberry Street, from which a 1/2 inch iron rod found bears South 39 degrees 04 minutes 25 seconds West, a distance of 0.43 feet for witness;

THENCE South 36 degrees 26 minutes 25 seconds East, along the Southwest Right-of-Way line of said East Dewberry Street, a distance of 208.29 feet to the POINT OF BEGINNING and containing 18,968 square feet or 0.44 acres of land.

SURVEYOR'S CERTIFICATE

The undersigned Registered Professional Land Surveyor hereby certifies to Jorge Hernan Restrepo, Everett Financial, Inc. and Priority Settlement Group, in connection with the transaction described in G.F. C-102523727 that, (a) this survey and the property description set forth hereon were prepared from an actual on-the-ground survey; (b) such survey was conducted by the Surveyor, or under his direction; (c) all monuments shown hereon actually existed on the date of the survey, and the location, size and type of material thereof are correctly shown; Use of this survey by any other parties and/or for other purposes shall be at User's own risk and any loss resulting from other use shall not be the responsibility of the undersigned. The plat hereon is a correct and accurate representation of the property lines and dimensions as are indicated; location and type of buildings are as shown; and EXCEPT AS SHOWN, all improvements are located within the boundaries the distances indicated and there are no visible and apparent encroachments or protrusions on the ground.

Executed this 10th day of November, 2025



Registered Professional Land Surveyor



EXCEPTIONS:

NOTE: PROPERTY SUBJECT TO TERMS, CONDITIONS, AND EASEMENTS CONTAINED IN INSTRUMENTS RECORDED IN VOL. 92, PG. 315, VOL. 228, PG. 37 AND VOL. 318, PG. 353

BEARINGS SHOWN ARE BASED ON NAD 83 TEXAS NORTH CENTRAL ZONE

NOTES: Bearings, easements and building lines are by recorded plat unless otherwise noted.

FLOOD NOTE: According to the F.I.R.M. No. 48139C0190G, this property does lie in Zone X and DOES NOT lie within the 100 year flood zone.

Accepted by: _____ Purchaser
Date: _____ Purchaser

Drawn By: SG

Scale: 1" = 30'

Date: 11/10/25

GF No.: C-102523727

Job No. 2167

CBG
SURVEYING TEXAS LLC
1413 E. IH-30, Ste. 7
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House Rules for an Airbnb

General Rules

- Check-in: 4:00 PM or later
 - Check-out: 11:00 AM
 - No unregistered guests allowed on the property at any time.
 - Government-issued ID required through Airbnb's verification system.
 - No parties or events — Waxahachie enforces strict noise and nuisance ordinances.
-

Noise & Community Respect

Waxahachie is a quiet, family-oriented town. To avoid issues with neighbors or code enforcement:

- Quiet hours: 10:00 PM – 8:00 AM
 - No loud music outdoors or from vehicles.
 - No congregating in front of the property or street after 10PM.
 - Respect neighbors — any noise complaint = immediate cancellation without refund.
-

Smoking, Vaping, & Substances

- Absolutely NO smoking or vaping indoors.

- Outdoor smoking allowed only in designated area (if you have one), with proper disposal.
 - No illegal substances on property.
 - Evidence of smoking indoors = \$250 cleaning fee.
-

Pets (35 lbs and under)

Choose the option that applies:

If allowed:

- Must be disclosed before booking.
 - \$50 pet fee per stay.
 - No pets on furniture or beds.
 - Guest responsible for any damages or extra cleaning.
-

Cleanliness & Care

- Please wash dishes or place in dishwasher and start a cycle before checkout.
 - Dispose of trash in outdoor bins.
 - Do not move furniture—put it back if you must rearrange.
 - Report any damages immediately.
 - Lost keys, garage openers, or access cards carry a \$75 replacement fee.
-

Security

- Lock all doors and windows when leaving.
 - Do not share the door code with anyone not on the reservation.
 - Ring cameras (if installed) are for security only — tampering disables the booking.
-

Utilities & Property Use

- No altering thermostat below 68°F in winter or above 75°F in summer to protect the HVAC.
 - No open flames, candles, or fireworks.
 - Use appliances responsibly (washer, dryer, grill, etc.).
 - Parking only in designated areas — no street parking overnight (vs. HOA restrictions if applicable).
 - Up to 4 Vehicles are allowed to be parked in the premises. In the survey we have noted the parking designated areas. (Find the site plan attached to the email)
 - There will be a maximum of 10 guests allowed
-

Waxahachie-Specific Rules

- The city enforces regulations for short-term rentals; violations can result in immediate cancellation:
 - No outdoor parties.
 - No excessive vehicles.
 - No commercial photography/video without host approval.

- Respect wildlife, land, and property boundaries (common in semi-rural Waxahachie neighborhoods).
-

Fees & Penalties

- Unauthorized guests: \$100 per person
 - Excessive cleaning: \$150
 - Smoking indoors: \$250
 - Late checkout (without approval): \$50 per 30 minutes
 - Party or event violation: Full deposit + immediate removal
-

By Booking, You Agree To Follow All Rules

Failure to follow rules may result in immediate cancellation without refund.

If you want, I can also create:

- ✓ A Waxahachie-themed Welcome Book (PDF)
- ✓ A guest checkout checklist
- ✓ A rental agreement for larger bookings
- ✓ A version in Spanish/dual-language
- ✓ A version tailored to your 4-bed/3-bath property