



AGENDA
PLANNING AND ZONING COMMISSION MEETING
TUESDAY, JUNE 4, 2024 AT 6:00 PM
KAUFMAN CITY HALL COUNCIL CHAMBERS
209 SOUTH WASHINGTON STREET,
KAUFMAN, TEXAS 75142

PLEDGE OF ALLEGIANCE US FLAG

TEXAS FLAG

"HONOR THE TEXAS FLAG. I PLEDGE ALLEGIANCE TO THEE, TEXAS ONE STATE UNDER GOD, ONE AND INDIVISIBLE".

INVOCATION

CALL MEETING TO ORDER Chairman calls the Meeting to order, states the date and time, states members present, and declares a quorum present.**

CITIZENS COMMENTS / REQUEST TO SPEAK ON AGENDA ITEMS (5 MINUTES) Comments about any of the agenda items may be taken into consideration at this time or during the agenda item. Comments are limited to five (5) minutes per individual unless additional time is otherwise required by law for translation. Speaking time is not transferable. Citizens may address the P&Z Commission on any subject but must first complete a Request to Speak Form so that the Chairman may call your name to speak at the appropriate time on the Agenda. Comments must be directed to the P&Z Commission as a whole. **When addressing the P&Z Commission, please step forward to the speaker's podium, state your name and address, and direct your comments to the Chairman and P&Z Commission.**

CONSENT AGENDA "All matters listed under the Consent Agenda, are considered to be routine by the Planning and Zoning Commission and will be enacted by one motion. There will not separate discussion of these items. If discussion is desired, that item will be removed from the consent agenda and will be considered separately. For a citizen to request removal of an item, a request must be submitted to the Planning and Zoning Commission Secretary."

1. Consider and take appropriate action on the minutes of the May 7, 2024 Planning and Zoning Commission meeting.

END OF CONSENT AGENDA

PUBLIC HEARING

2. Conduct a public hearing and make a recommendation to City Council for a request for a change in zoning from Agriculture/Open District (A-O) to Highway Commercial District (HC) on approximately 1.1934 acres out of the C. Askins Survey, City of Kaufman, Kaufman County, TX, generally located in the 3300 block of East Highway 175, approximately 500 feet south of Fair Road (Property ID 409). (Case Z-02-24)

3. Conduct a public hearing and make a recommendation to City Council for a revision to Specific Use Permit (SUP-49), being a Specific Use Permit for light manufacturing and assembly processing of furniture and cabinetry in conjunction with a furniture office/showroom (with conditions) on property located in the Commercial District (C). The property is approximately 1.879 acres located at 2400 Tabor Parkway, being Lot 4 of the Heritage Park Addition, City of Kaufman. (Property ID 49846). (Case Z-03-24)
4. Conduct a public hearing and make a recommendation to City Council for a request for a change of zoning from Planned Development District-7-SF-6 (5,000 sq. ft.) to PD Planned Development District-27 for single-family residential uses on approximately 41.00 acres out of the D. Falcon Survey, Abstract No. 151, City of Kaufman, Kaufman County, TX, generally located on the east side of Tabor Parkway, approximately 1,300 feet south of Kings Fort Parkway and 850 feet north of Dillard Lane (Property ID 57208). (Case Z-04-24)

DISCUSSION/ACTION ITEMS

ANNOUNCEMENTS AND REPORTS FROM DEVELOPMENT SERVICES DIRECTOR

BOARD INQUIRY If a member of the board makes a spontaneous inquiry about a subject not on this agenda, then the board or an appropriate staff member may make a statement of factual information or policy in response to such an inquiry. However, in accordance with Open Meetings Act Section 551.042, the Planning and Zoning Commission cannot discuss issues raised or make any decisions on that subject at that time. Issues raised may be referred to Staff for research and possible future action.

ADJOURNMENT

I, ANDREW BOGDA, DO HEREBY CERTIFY THAT THIS NOTICE OF MEETING WAS POSTED ON THE WINDOW AT KAUFMAN CITY HALL, 209 S. WASHINGTON, KAUFMAN, TEXAS, A PLACE CONVENIENT AND READILY ACCESSIBLE TO THE GENERAL PUBLIC AT ALL TIMES AND SAID NOTICE WAS POSTED AT THE KAUFMAN CITY HALL, 209 S. WASHINGTON, KAUFMAN, TEXAS AT 6:00 P.M. ON FRIDAY, MAY 31, 2024 AND REMAINED SO POSTED CONTINUOUSLY FOR AT LEAST 72 HOURS PRECEDING THE SCHEDULE TIME OF SAID MEETING.



ANDREW BOGDA
DIRECTOR OF DEVELOPMENT SERVICES

THE BUILDING IN WHICH THE ABOVE MEETING WILL BE CONDUCTED IS WHEELCHAIR ACCESSIBLE AND PARKING SPACES FOR THE MOBILITY IMPAIRED ARE AVAILABLE. PERSONS WITH DISABILITIES WHO PLAN TO ATTEND THIS MEETING AND WHO MAY NEED AUXILIARY AIDS OR SERVICES SUCH AS INTERPRETERS FOR PERSONS WHO ARE DEAF OR HEARING IMPAIRED, READERS, OR LARGE PRINT ARE REQUESTED TO CONTACT THE CITY SECRETARY'S OFFICE AT 972-932-2216 AT LEAST TWO (2) WORKING DAYS PRIOR TO THE TIME OF THE MEETING SO THAT APPROPRIATE ARRANGEMENTS CAN BE MADE.



MINUTES
PLANNING AND ZONING COMMISSION MEETING
TUESDAY, MAY 7, 2024 AT 6:00 PM
KAUFMAN CITY HALL
COUNCIL CHAMBERS
209 SOUTH WASHINGTON STREET
KAUFMAN, TEXAS 75142

PLEDGE OF ALLEGIANCE US FLAG

TEXAS FLAG

"HONOR THE TEXAS FLAG. I PLEDGE ALLEGIANCE TO THEE, TEXAS ONE STATE UNDER GOD, ONE AND INDIVISIBLE".

INVOCATION

CALL MEETING TO ORDER Chairman calls the Meeting to order, states the date and time, states members present, and declares a quorum present.

Chairman Dunn called the meeting to order at 6:02 p.m. on Tuesday, May 7, 2024. Commissioners present were Chairman Richard Dunn, Vice-Chairman Burton Brown, Commissioner Kathleen Sisson, Commissioner Mike Slye, and Commissioner Kathy Thorpe. City of Kaufman staff present were Assistant City Manager Rachel Mendoza, Planner Joy Henderson, and Permit Technician Gladis Saldana.

CITIZENS COMMENTS / REQUEST TO SPEAK ON AGENDA ITEMS (5 MINUTES)

Comments about any of the agenda items may be taken into consideration at this time or during the agenda item. Comments are limited to five (5) minutes per individual unless additional time is otherwise required by law for translation. Speaking time is not transferable. Citizens may address the P&Z Commission on any subject but must first complete a Request to Speak Form so that the Chairman may call your name to speak at the appropriate time on the Agenda. Comments must be directed to the P&Z Commission as a whole. **When addressing the P&Z Commission, please step forward to the speaker's podium, state your name and address, and direct your comments to the Chairman and P&Z Commission.**

CONSENT AGENDA "All matters listed under the Consent Agenda, are considered to be routine by the Planning and Zoning Commission and will be enacted by one motion. There will not separate discussion of these items. If discussion is desired, that item will be removed from the consent agenda and will be considered separately. For a citizen to request removal of an item, a request must be submitted to the Planning and Zoning Commission Secretary."

1. Consider and take appropriate action on the minutes of the April 2, 2024 Planning and Zoning Commission meeting.

END OF CONSENT AGENDA

Commissioner Sisson made a motion to approve the consent agenda for item 1. The motion was seconded by Commissioner Thorpe. The motion passed by a vote of 5-0.

PUBLIC HEARING

DISCUSSION/ACTION ITEMS

2. Consider and make a recommendation to City Council on the **Final Plat of Kaufman County Justice Center Addition, Block A, Lot 1**, being a revision of Lot 1 of Kaufman County Law Enforcement Center Addition, being a tract of land containing 52.454 acres (Property IDs 202753), situated in the D. Falcon Survey, Abstract No. 151, City of Kaufman, Kaufman County, Texas. The property is zoned Highway Commercial ("HC"), Planned Development – 17R – Multi-Family Residential-2 ("PD-17R-MF-2"), and Planned Development 15 – Light Industrial ("PD-15-LI") and is generally located at 1902 E. U.S. Highway 175, with right-of-way extending up to SH 34. The final plat is for 1 non-residential lot and right-of-way. (Case No. FP-04-24)

Assistant City Manager Rachel Mendoza presented a report on the **Final Plat of Kaufman County Justice Center Addition, Block A, Lot 1** generally located at 1902 E. U.S. Highway 175, with right-of-way extending up to SH 34, City of Kaufman. Details of the case can be found in report FP-04-24 dated 05-07-2024.

Commissioner Sisson made a motion to approve the **Final Plat of Kaufman County Justice Center Addition, Block A, Lot 1**, being a revision of Lot 1 of Kaufman County Law Enforcement Center Addition for 1 non-residential lot and right-of-way with the following conditions:

1. The recording information for the deed for the portion of property to be acquired by Kaufman County from the Kaufman Economic Development Corporation is added to the plat prior to plat recordation.
2. The addresses (as assigned by Kaufman County 911 Addressing and approved by the City) are added to the plat prior to plat recordation.

The motion was seconded by Commissioner Slye. The motion passed by a vote of 5-0.

3. Consider and make a recommendation to City Council on the **Preliminary Plat of Lexington Addition, Phase 2**, being a tract of land containing 2.430 acres, situated in the A.L. Carter Survey, Abstract No. 98, City of Kaufman, Kaufman County, Texas, said property being generally located on the east side of S. Wilson St. and at the east end of E. 3rd St. (Property IDs 36568 & 60582). The property is zoned Townhouse Residential ("TH"). The preliminary plat is for 11 residential lots (to accommodate 22 duplex units) and right-of-way. (Case No. PP-01- 24)

Assistant City Manager Rachel Mendoza presented a report on the **Preliminary Plat of Lexington Addition, Phase 2**, for a preliminary plat is for 11 residential lots and right-of-way generally located on the east side of S. Wilson St. and at the east end of

E. 3rd St, City of Kaufman. Details of the case can be found in report PP-01-24 dated 05-07-2024.

Wade Hebb stated Valley Park has fencing at the back of the lots. There is also a drainage flume that will help the flow of rainwater.

Commissioner Slye made a motion to approve the **Preliminary Plat of Lexington Addition, Phase 2**, for a preliminary plat is for 11 residential lots and right-of-way. The motion was seconded by Commissioner Sisson, with the members voting 5-0 to approve the motion.

ANNOUNCEMENTS AND REPORTS FROM DEVELOPMENT SERVICES DIRECTOR

Assistant City Manager Rachel Mendoza stated that the City of Kaufman has received a Forestry Grant to help provide trees to the parks.

BOARD INQUIRY If a member of the board makes a spontaneous inquiry about a subject not on this agenda, then the board or an appropriate staff member may make a statement of factual information or policy in response to such an inquiry. However, in accordance with Open Meetings Act Section 551.042, the Planning and Zoning Commission cannot discuss issues raised or make any decisions on that subject at that time. Issues raised may be referred to Staff for research and possible future action.

ADJOURNMENT

Chairman Dunn adjourned the meeting at 6:20 p.m.

APPROVED:

RICHARD DUNN
CHAIRMAN

ATTEST:

JOY HENDERSON
PLANNER



Planning and Zoning Commission Report

Meeting Date: June 4, 2024

SUBJECT: Conduct a public hearing and make a recommendation to City Council for a request for a change in zoning from Agriculture/Open District (A-O) to Highway Commercial District (HC) on approximately 1.1934 acres out of the C. Askins Survey, City of Kaufman, Kaufman County, TX, generally located in the 3300 block of East Highway 175, approximately 500 feet south of Fair Road (Property ID 409). (Case Z-02-24)

BACKGROUND/SUMMARY:

The request to rezone 1.1934 acres from "A-O" Agriculture-Open District to "HC" Highway Commercial District was submitted by the owner, Jacob Mohr. The property was given the base zoning designation A-O Agriculture-Open District when it was annexed into the City of Kaufman. We have seen properties along this section of US 175 be incrementally rezoned to the "HC" district as they come in for development, as the use of the property changes, or as its nonconforming status changes. The property owner is seeking to develop a contractor shop and is requesting the Highway Commercial zoning designation to allow for this use.

SURROUNDING ZONING AND EXISTING LAND USES:

	Zoning	Existing Land Use
North:	A-O	Vacant land w/ propane tank
South:	A-O	Premier Diesel Engines
East:	ETJ	Single-family residential and vacant land
West:	C	US 175; Kaufman Lumber across the highway



COMPREHENSIVE PLAN:

Land Use Plan:

The 2014 Future Land Use Plan designated the land use of the subject property as Future Commercial. The requested Highway Commercial zoning designation is compatible with the 2014 Future Land Use Plan designation.

Thoroughfare Plan:

The Thoroughfare Plan designates East Highway 175 as a “Type AA”, Major Regional Arterial, requiring a future right-of-way width of 240 feet. Any additional necessary right-of-way dedication is done during the platting process. A plat is not required during the rezoning process.

PROPERTY OWNER RESPONSES:

The City of Kaufman mailed out notification letters to 13 property owners within 300 feet of the subject property. The State requires a 200-foot notification and the City of Kaufman notifies an extra 100-foot radius for every notification required in the Comprehensive Zoning Ordinance. The results are as follows:

- Number of property owners who returned letter in agreement with the request: 0
- Number of property owners who returned letter in opposition of the request: 0
- Number of property owners have not responded: 13

If 20% of the area within 200 feet of the request objects to the application, then a favorable vote of $\frac{3}{4}$ of all members of the City Council (which is 6 members) shall be required to approve any change in zoning. The 20% rule is a State law.

RECOMMENDATION:

Staff recommends approval of Z-02-24 to rezone 1.1934 acres from “A-O” Agriculture-Open District to “HC” Highway Commercial District, said property generally located in the 3300 block of East Highway 175, approximately 500 feet south of Fair Road (Property ID 409).

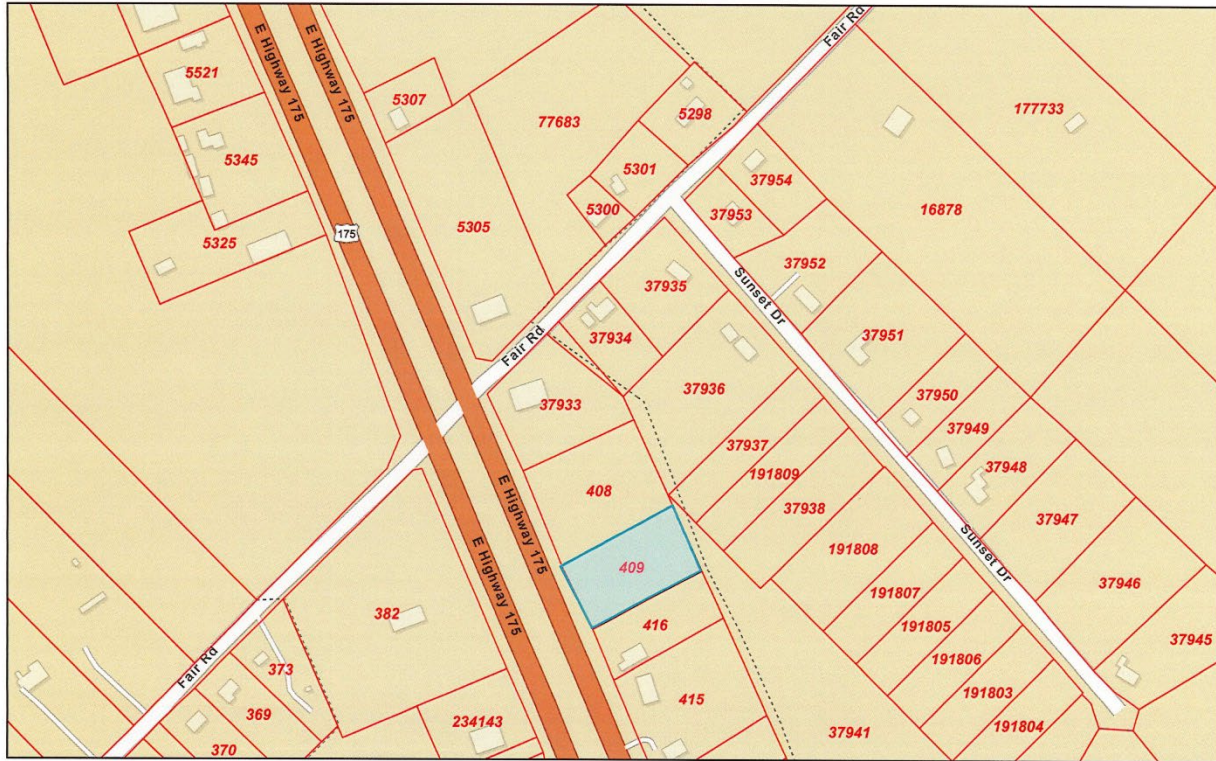
ATTACHMENTS:

- Location Map
- Property Description
- Survey

Andrew Bogda, AICP
Director of Development Services
972-932-2216 ext. 117
abogda@kaufmantx.org

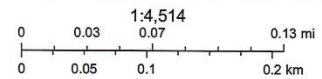
Location Map

3300 Block of Highway 175



5/10/2024, 2:20:25 PM

Parcels



Esri Community Maps Contributors, Baylor University, Kaufman County, Texas Parks & Wildlife, © OpenStreetMap, Microsoft, CONANP, Esri,

Kaufman County Appraisal District, BIS Consulting - www.bisconsulting.com

Disclaimer: This product is for informational purposes only and has not been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of boundaries.

Property Description

#2020-0033555 Recording Date: 10/28/2020 09:13:55 AM Page 4 of 4 B: OPR V: 6655 P: 225

EXHIBIT 'A'

File No.: KCT-2202244 (AR)
Property: 0000 Hwy 175, Kaufman, TX 75142

ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND, PART OF THE CHARLES ASKINS SURVEY ABSTRACT NO. 2, KAUFMAN COUNTY, TEXAS, AS EVIDENCED BY THE DEED TO JUDITH C. JANICEK AS RECORDED, IN VOLUME 6199, PAGE 122 OF THE OFFICIAL PUBLIC RECORDS OF KAUFMAN COUNTY, TEXAS AND BEING MORE COMPLETELY DESCRIBED FOLLOWS:

BEGINNING AT AN IRON ROD FOUND FOR CORNER AT THE SOUTHWEST CORNER OF SAID JANICEK TRACT, IN THE NORTHEAST RIGHT OF WAY LINE OF U. S. HIGHWAY NO. 175 AND BEING THE SOUTHEAST CORNER COUNCIL ESTATE TRACT AS RECORDED IN VOLUME 2746, PAGE 349 OF SAID PUBLIC RECORDS;

THENCE N 62 DEG. 26 MIN. 08 SEC. E, ALONG THE COMMON LINE OF SAID COUNCIL TRACT AND SAID JANICEK TRACT, A DISTANCE OF 357.42 FEET TO A 1/2 INCH IRON ROD ON THE SOUTHWESTERLY LINE OF THE ORLANDO GARCIA TRACT AS RECORDED IN VOLUME 5638, PAGE 452 OF SAID PUBLIC RECORDS;

THENCE S 25 DEG. 33 MIN. 25 SEC. E, WITH THE COMMON LINE OF SAID JANICEK TRACT AND SAID GARCIA TRACT, A DISTANCE OF 139.96 FEET TO THE NORTHWEST CORNER OF THE DENNIS AND CHERI CHILDRESS LIVING TRUST TRACT AS RECORDED IN VOLUME 4930, PAGE 212 OF SAID PUBLIC RECORDS, A 5/8 INCH IRON ROD SET FOR CORNER.

THENCE S 60 DEG. 51 MIN. 59 SEC. W, ALONG THE COMMON LINE OF SAID JANICEK TRACT AND SAID CHILDRESS TRACT, A DISTANCE OF 361.10 FEET TO THE SOUTHWEST CORNER OF SAID CHILDRESS TRACT, AND BEING IN THE NORTHEAST RIGHT OF WAY LINE OF U. S. HIGHWAY NO. 175.

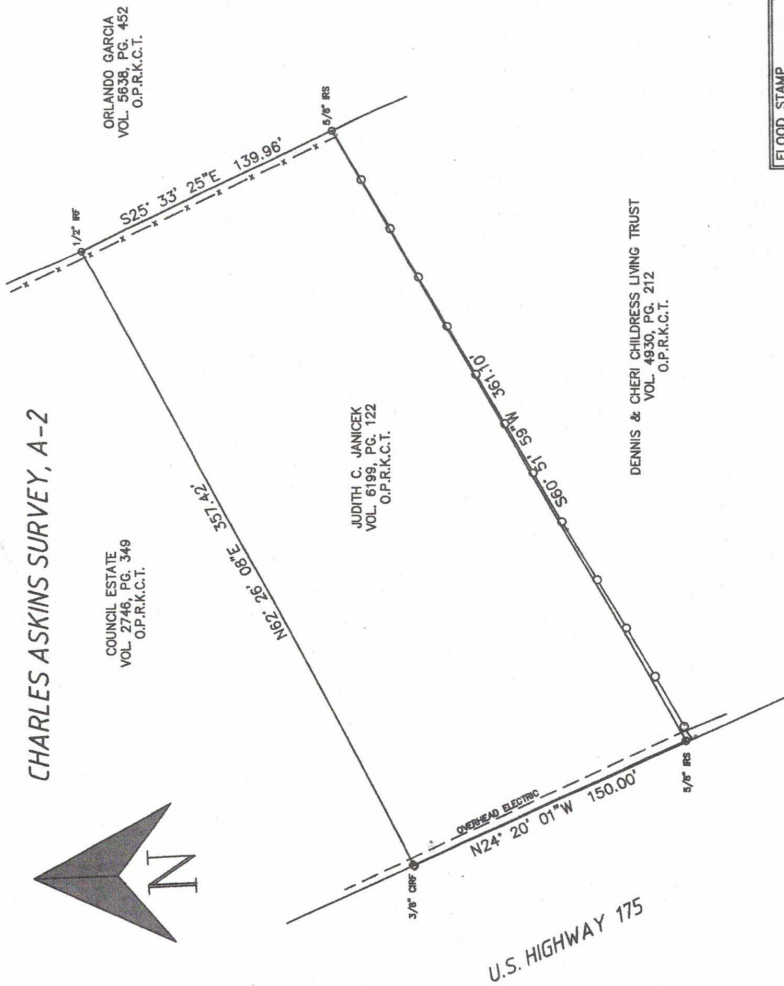
THENCE N 24 DEG. 20 MIN. 01 SEC. W, WITH SAID LINE AND WITH SAID RIGHT OF WAY LINE, A DISTANCE OF 150.00 FEET TO THE PLACE OF BEGINNING, CONTAINING 1.1934 ACRES (51,984 SQ. FT.) OF LAND.

Note: The Company is prohibited from insuring the area or quantity of the land described herein. Any statement in the above legal description of the area or quantity of land is not a representation that such area or quantity is correct, but is made only for informational and/or identification purposes and does not override Item 2 of Schedule B hereof.

A.P.N. 409

Survey

CHARLES ASKINS SURVEY, A-2



All that certain lot, tract or parcel of land, part of the Charles Ask Kaufman County, Texas, as evidenced by the deed to Judith C. Janicek, Volume 6199, Page 122 of the Official Public Records of Kaufman County, Texas, more completely described follows:

BEGINNING at an iron rod found for corner at the southwest corner of the northeast right of way line of U. S. Highway No. 175, corner Council Estate tract as recorded in Volume 2746, Page 349 of the Official Public Records of Kaufman County, Texas;

THENCE 62 deg. 26 min. 08 sec. E, along the common line of said Janicek tract, a distance of 357.42 feet to a 1/2 inch iron rod set for the corner of the Orlando Garcia tract as recorded in Volume 5638, Page 452 of the Official Public Records of Kaufman County, Texas;

THENCE S 25 deg. 33 min. 25 sec. E, with the common line of said Garcia tract, a distance of 139.96 feet to the northwest corner of the Childress Living Trust tract as recorded in Volume 4930, Page 21 of the Official Public Records of Kaufman County, Texas;

THENCE S 60 deg. 51 min. 59 sec. W, along the common line of said Childress tract, a distance of 361.10 feet to the southwest corner of the Dennis & Cheri Childress Living Trust tract as recorded in Volume 4930, Page 212 of the Official Public Records of Kaufman County, Texas;

THENCE N 24 deg. 20 min. 01 sec. W, with said line and with a distance of 150.00 feet to the **PLACE OF BEGINNING**, contain (51,984 SQ. FT.) of land.

NOTES FROM SCHEDULE B:

- Exemption dated January 9, 1928 executed by Joe R. Gillette to Texas Power & Light Company, Volume 205, Page 38, Deed Records of Kaufman County, Texas. (UNABLE TO DETAIL)
- Exemption dated September 23, 1927 executed by Joe R. Gillette to Texas Power & Light Company, Volume 212, Page 589, Deed Records of Kaufman County, Texas. (UNABLE TO DETAIL)
- Exemption Agreement dated October 5, 1954 executed by Roy L. Knowles and L. J. Zent, Soil Conservation District, recorded in Volume 380, Page 404, Deed Records of Kaufman County, Texas. (CONTAINS UNPLOTTABLE ELEMENTS)

FLOOD STAMP
THIS SURVEY HAS BEEN VISUALLY INTERPOLATED
DATE MAPS, PANEL NO. 40527030300, THIS
PROPERTY IS NOT IN A FLOOD PRONE AREA,
ZONE X.

KAUFMAN COUNTY TITLE & ABSTRACT CO.
G.F. NO.: KCT 2202244
PURCHASER: MOHR

Notes:

- All bearings are based on Texas State Plane Coordinate System, Zone 4202.

GRAPHIC SCALE



1 inch = 60 ft.



TO ALL PARTIES INTERESTED IN PREMISES SURVEYED INCLUDING KAUFMAN COUNTY TITLE AND ABSTRACT CO., GF No. KCT-2202204, AND JACOB MOHR:

I, Brian C. Wright, Registered Professional Land Surveyor, do hereby certify that the above description correctly represents the results of a survey made on the ground under my direct supervision.

Brian C. Wright

Brian C. Wright R.P.L.S. No. 4560
September 15, 2020

EXHIBIT "A"
1.1934 ACRES IN THE
CHARLES ASKINS SURVEY, A-2
KAUFMAN COUNTY, TEXAS
VOL. 6199, PG. 122
O.P.R.K.C.T.



Planning and Zoning Commission Report

Meeting Date: June 4, 2024

SUBJECT: Conduct a public hearing and make a recommendation to City Council for a revision to Specific Use Permit (SUP-49), being a Specific Use Permit for light manufacturing and assembly processing of furniture and cabinetry in conjunction with a furniture office/showroom (with conditions) on property located in the Commercial District (C). The property is approximately 1.879 acres located at 2400 Tabor Parkway, being Lot 4 of the Heritage Park Addition, City of Kaufman. (Property ID 49846). (Case No. Z-03-24)

BACKGROUND/SUMMARY:

The applicant has submitted an application for a revision to Specific Use Permit-49 (SUP-49) primarily to authorize the expansion of the parking lot, which will also include some other enhancements, including landscaping and dumpster relocation and screening, as well as provisions for a future monument sign. SUP-49 was approved in December 2021 and allowed light manufacturing and assembly processing of furniture and cabinetry in conjunction with a furniture office/showroom (with conditions) on the 1.879-acre property located at 2400 Tabor Parkway. The business Furniture-N-Cabinets operates on the property. No changes to the building or to the use of the property are planned.

Revised Site Plan:

The Site Plan has been revised to show 21 new parking spaces with curb stops located in front of the building facing Kings Fort Parkway; 2 of the spaces are ADA-accessible. Due to space constraints, the new spaces will be angled and served by a one-way access drive, with the traffic being routed from east to west. The existing parking spaces on the sides of the building will remain, as will the three access points on Kings Fort Parkway and Tabor Parkway. The additional parking is necessary to provide more convenient and well-defined parking spaces for showroom customers, as well as provide additional employee parking, as the business has grown and continues to grow. No changes are planned to the building or floor plan.

In addition, the dumpster will be located to a less-visible location at the southwest corner of the site and will be screened by a 6' solid wood fence w/ gate. A future monument sign has been identified at the northeast corner of the property (facing the intersection of Tabor Parkway & Kings Fort Parkway), which will comply with the zoning regulations.

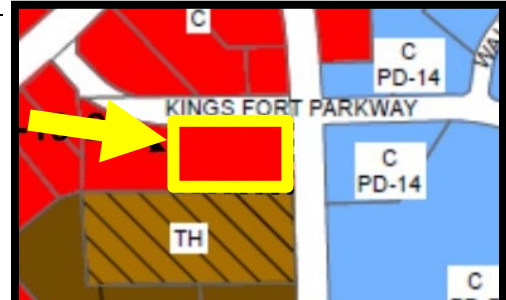
Revised Landscape Plan:

A revised Landscape Plan has been provided, which include a row of 18 3-gallon Boxwood shrubs to screen the new parking spaces, as well as four (4) 45-gallon Live Oak trees at the ends of the parking spaces near the entrance driveways off Kings Fort Parkway. The Zoning Ordinance requires trees in the parking lot (at the ends of parking rows), but it also requires a row of trees in a buffer yard along street frontages. Since there is no room for these trees, due to the presence of a 10' utility easement, the applicant is requesting an exception from Section

36.6.B.3 of the Zoning Ordinance due to these constraints. The applicant has worked with Staff to provide the shrub screen, dumpster screen, and trees at the ends of the parking rows, doing everything they can to try to meet the Ordinance requirements with the constraints they have.

SURROUNDING ZONING AND EXISTING LAND USES:

	Zoning	Existing Land Use
North:	C (across street)	Self storage; print shop
South:	TH	Multi-family residential
East:	PD-14-C (across street)	Retail, professional services, restaurants
West:	C	Vacant land



COMPREHENSIVE PLAN:

Land Use Plan:

The 2014 Future Land Use Plan designates the future land use of the subject property as Future Commercial. The property is zoned “C” Commercial with a Specific Use Permit for light manufacturing and assembly processing of furniture and cabinetry in conjunction with a furniture office/showroom. Staff finds the proposed revisions to the existing SUP-49 to accommodate the growth of the business to be consistent with the Future Land Use Plan.

DETERMINATIONS NECESSARY FOR CONSIDERING SPECIFIC USE PERMITS

Sec 30.2. – SPECIFIC USE PERMIT REGULATIONS:

- A. In recommending that a Specific Use Permit for the premises under consideration be granted, the City shall determine that such uses are harmonious and adaptable to building structures and uses of abutting property and other property in the vicinity of the premises under consideration, and shall make recommendations as to requirements for the paving of streets, alleys and sidewalks, means of ingress and egress to public streets, provisions for drainage, adequate off-street parking, screening and open space, heights of structures, and compatibility of buildings. In approving a requested SUP, the Planning and Zoning Commission and City Council may consider any or all of the following:
1. The use is harmonious and compatible with surrounding existing uses or proposed uses;
 2. The activities requested by the applicant are normally associated with the permitted uses in the base district;
 3. The nature of the use is reasonable;
 4. Any negative impact on the surrounding area has been mitigated; and/or
 5. That any additional conditions specified ensure that the intent of the district purposes are being upheld.
- B. In granting a Specific Use Permit, the Planning and Zoning Commission and City Council may impose conditions which shall be complied with by the owner or grantee before a certificate of occupancy may be issued by the Building Official, or his designee, for use of the building on such property pursuant to such Specific Use Permit and such conditions

precedent to the granting of the certificate of occupancy. Any special conditions shall be set forth in writing by the City Council prior to issuance of the Certificate of Occupancy, and shall be incorporated into the amending ordinance establishing the SUP.

PROPERTY OWNER RESPONSES:

The City of Kaufman mailed out notification letters to 15 property owners within 300 feet of the property. The results are as follows:

- Number of property owners who returned letter in agreement of the request: 0
- Number of property owners who returned letter in opposition of the request: 0
- Number of property owners have not responded: 15

The 20% percent rule for rezoning is if 20% of the area (located within the city limits) within 200 feet of the request objects to the application, then a favorable vote of $\frac{3}{4}$ of all members of the City Council (which is 6 members) shall be required to approve any change in zoning. The zoning change 20% rule is a State law.

RECOMMENDATION:

Staff recommends approval of Z-03-24 for Specific Use Permit-49R (SUP-49R) for a revision to Specific Use Permit (SUP-49), being a Specific Use Permit for light manufacturing and assembly processing of furniture and cabinetry in conjunction with a furniture office/showroom on 1.879 acres located at 2400 Tabor Parkway, with the following conditions:

1. The Property, including all buildings, premise, or land used pursuant to this SUP-56 shall not be enlarged, modified, structurally altered, added to, or otherwise significantly changed in size nor from the layout on the approved Site Plan and associated exhibits unless an amendment to SUP-49 is first approved by the City Council specifically authorizing such enlargement, modification, structural alteration, or change to the Property, Site Plan, or associated exhibits.
2. An exception to Section 36.6.B.3 of the Zoning Ordinance is authorized as there is no room to plant trees along the street frontage due to the presence of a utility easement.

ATTACHMENTS:

- Location Map
- Exhibit A – Property Description/Survey
- Exhibit B – Revised Site Plan
- Exhibit C – Revised Landscape Plan
- Exhibit D – Photo with Easement
- Exhibit E – Photo of Building

Andrew Bogda, AICP
Director of Development Services
972-932-2216 ext. 117
abogda@kaufmantx.org

Location Map

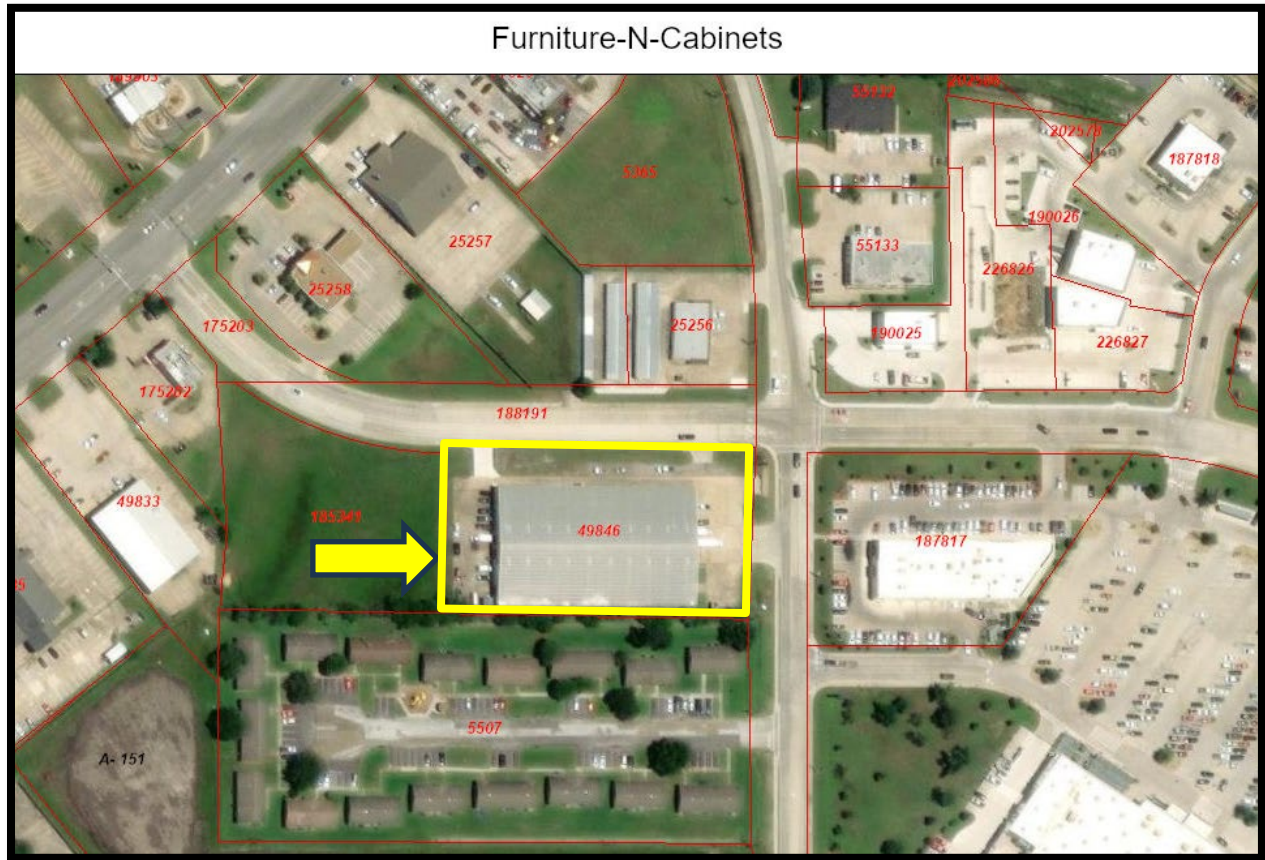


Exhibit A – Property Description/Survey

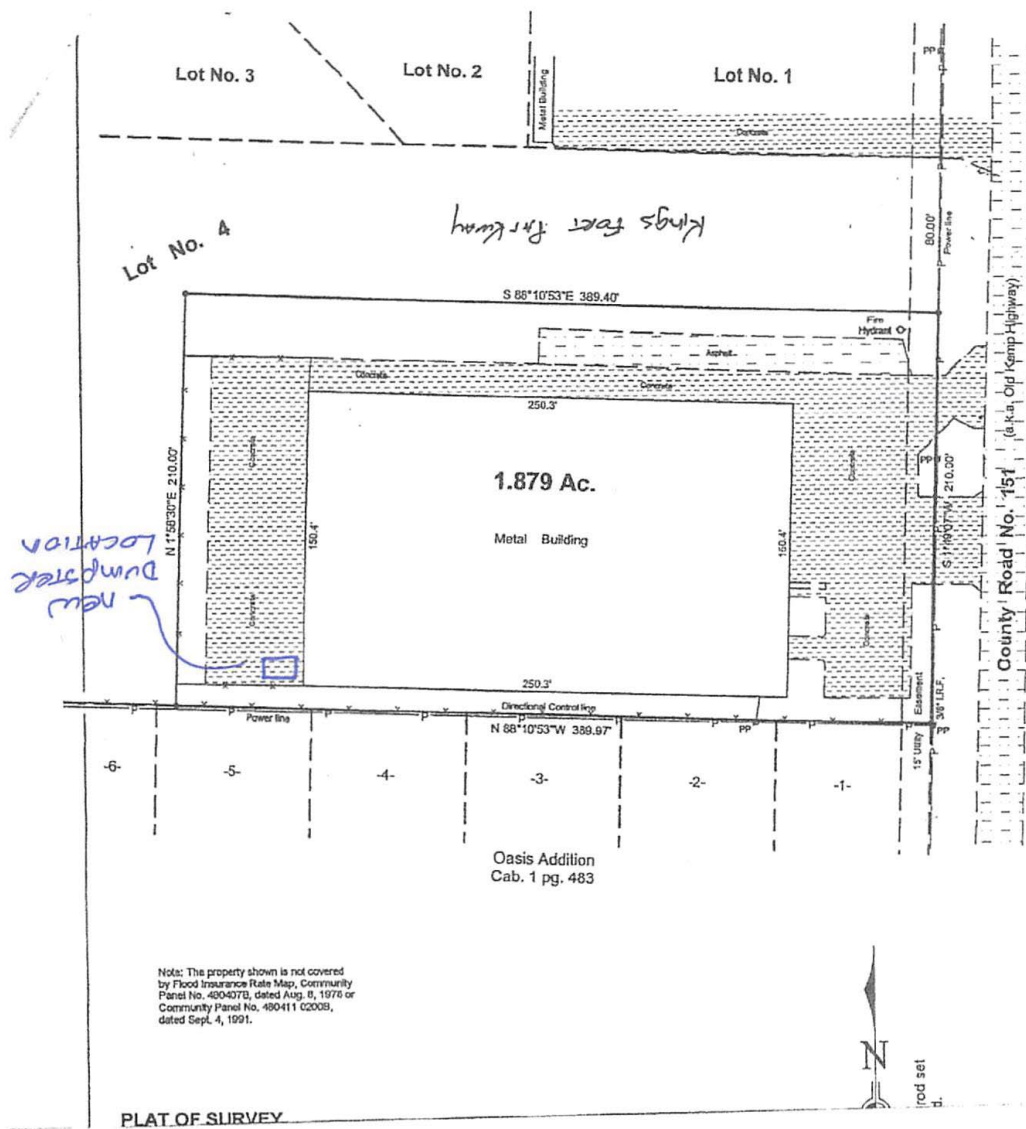
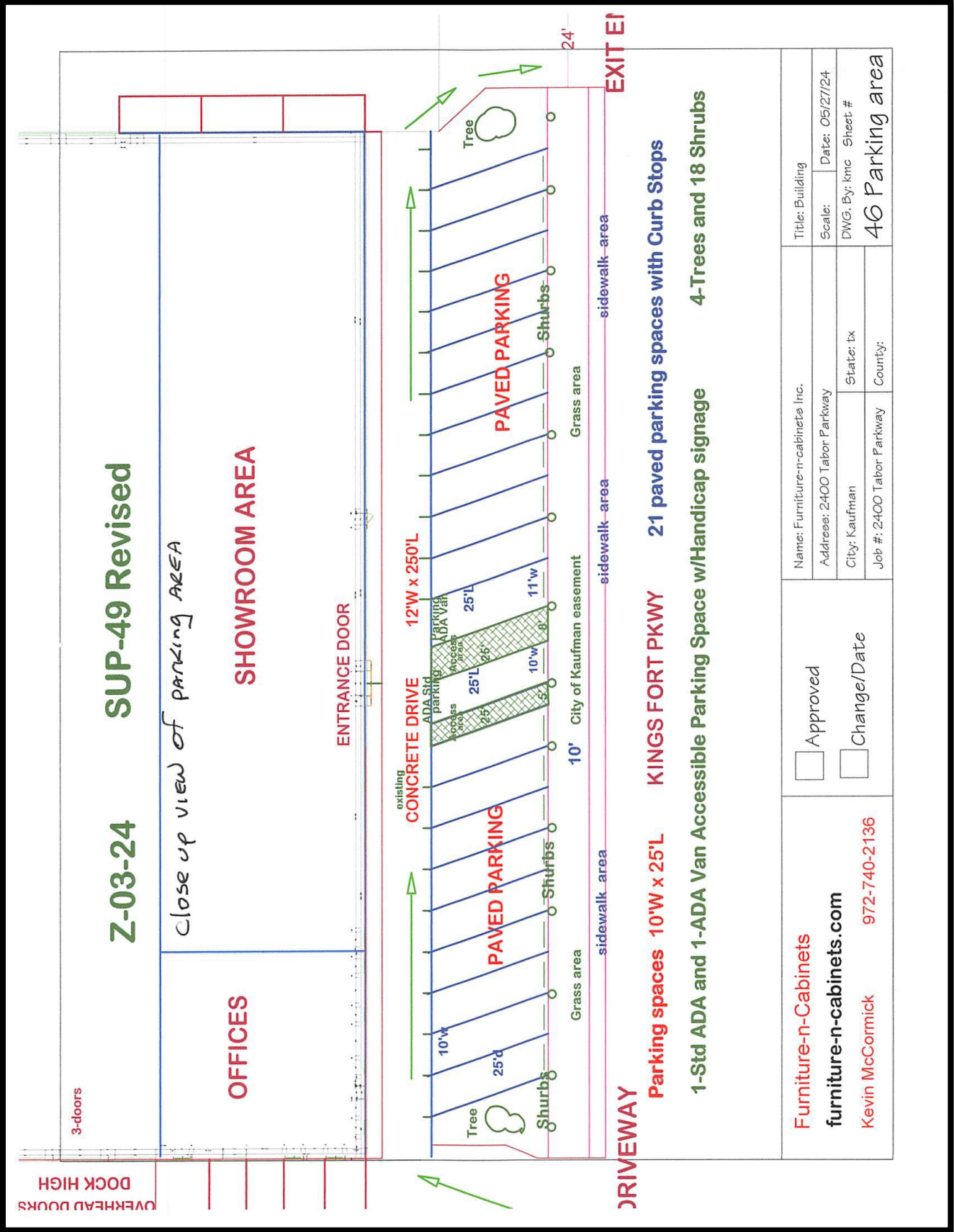


Exhibit B – Revised Site Plan



2400 Tabor Parkway site plan 05 26 24 Furniture-n-cabinets inc

Exhibit "B" Z-03-24 SUP-49 Revised

Add additional paved parking to existing paved parking between entrance and exit driveways on Kings Fort Parkway

19 Paved Parking Spaces with 2 ADA Parking Spaces

1 Standard ADA Parking Space with Signage

1 Van Accessible ADA Parking Space with Signage

Accessible areas at each ADA Parking Space

Standard Parking Spaces are 10'w x 25'L

10' City of Kaufman grass easement area

All Parking Spaces to have Curb Stops

Entrance and Exit signage installed

Parking Lot Stripping in all parking areas

Variance/Exception requested to Section 36.6.B.3 of Zoning to allow for 4-45 Gal Trees installed-Live Oak-at corners of Entrance & Exit Driveways facing Kings Fort Pkwy (2 Less than zoning ordinance)

18-3 Gal Shrubs installed-Boxwoods-to be place at city easement line facing Kings Fort Pkwy

Move Dumpster to southwest corner of building to be more secluded with 6' solid wood fence screen w/gate

Furniture-n-Cabinets furniture-n-cabinets.com Kevin McCormick 972-740-2136	☐ Approved ☐ Change/Date	Name: Furniture-n-cabinets Inc.		Title: Building	
		Address: 2400 Tabor Parkway		Scale:	
		City: Kaufman	State: tx	DWG. By: kmc Sheet #	
		Job #: 2400 Tabor Parkway		County: 45 Exhibit "B"	

2400 Tabor Parkway site plan 05 26 24

Exhibit "B" continued Z-03-24 SUP-49 Revised

Future Monument Sign installed at Northeast corner of property at intersection of Kings Fort & Tabor Parkway, approximately 20' from City and Utility easements installed at 45 angle to intersection will comply with zoning regulations for "C" Commercial zoning district

The property, including all buildings, premise, or land used pursuant to this SUP-49 shall not be enlarged, modified, structurally altered, added to, or otherwise significantly changed in size nor from the layout on the approved Site Plan and associated exhibits(Floorplan and Elevations) unless an amendment to SUP-49 is first approved by the City Council specifically authorizing such enlargement, modification, structural alteration, or change to the Property, Site Plan, or associated exhibits.

Furniture-n-Cabinets furniture-n-cabinets.com Kevin McCormick 972-740-2136	☐ Approved ☐ Change/Date	Name: Furniture-n-cabinets Inc.		Title: Building	
		Address: 2400 Tabor Parkway		Scale:	Date: 05/26/24
		City: Kaufman	State: tx	DWG. By: kmc Sheet #	
		Job #: 2400 Tabor Parkway		County: 47 Exhibit "B"	

Exhibit C – Revised Landscape Plan



Exhibit D – Photo with Easement

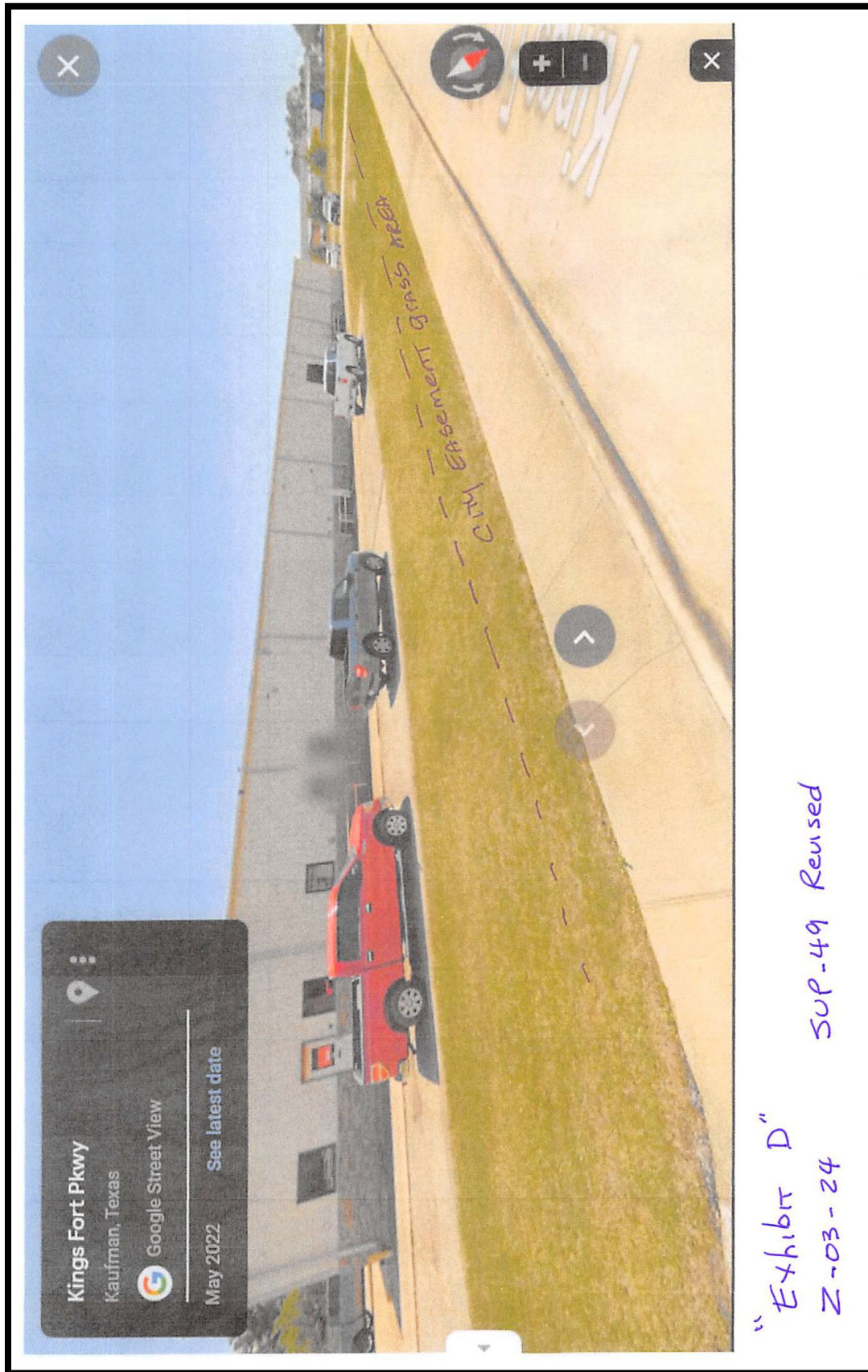
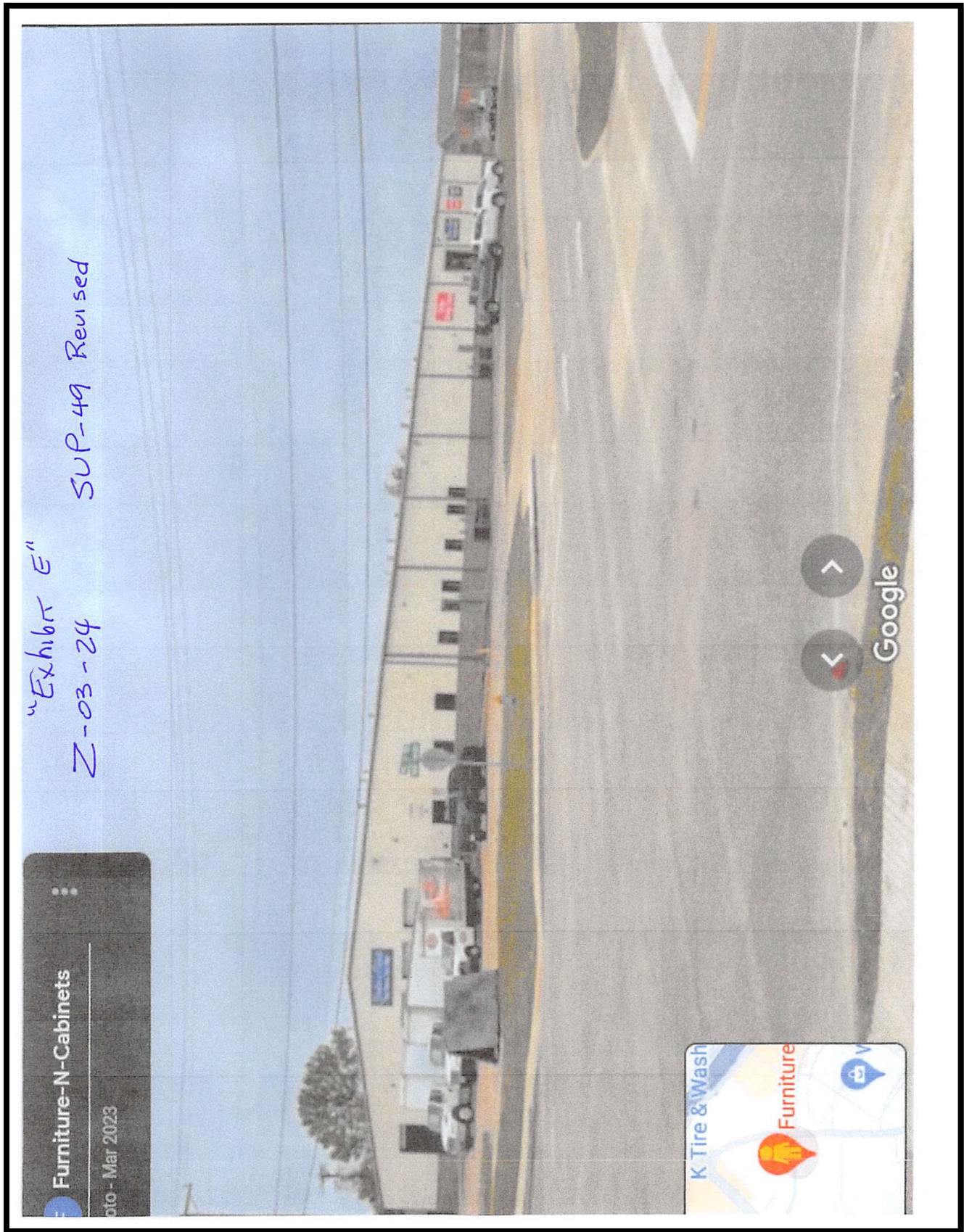


Exhibit D – Photo of Building



"Exhibit E"
Z-03-24 SUP-49 Revised



Planning and Zoning Commission Report

Meeting Date: June 4, 2024

SUBJECT: Conduct a public hearing and make a recommendation to City Council for a request for a change of zoning from Planned Development District-7-SF-6 (5,000 sq. ft.) to PD Planned Development District-27 for single-family residential uses on approximately 41.00 acres out of the D. Falcon Survey, Abstract No. 151, City of Kaufman, Kaufman County, TX, generally located on the east side of Tabor Parkway, approximately 1,300 feet south of Kings Fort Parkway and 850 feet north of Dillard Lane (Property ID 57208). (Case No: Z-04-24)

BACKGROUND/SUMMARY:

Beginning with a preliminary plat and land study that were approved in June 2022 (consistent with the existing zoning), the City has been working with developers on the development of the subject property for the past two years. The final plat for Phase 1 of the development was approved in February 2024. A development agreement was approved in April 2024, which set the framework for the development of the property, including providing some higher development standards than would typically be required with the existing zoning. The development agreement required the rezoning of the property to be consistent with those development standards to ensure those standards would remain in perpetuity.

The requested Planned Development zoning provides for a single-family residential neighborhood with enhanced development standards, as well as recreational amenities and entryway features.

Development Standards:

The development standards allow for a minimum of 215 residential lots.

The lot and structure standards are summarized as follows:

- Minimum lot area: 5,500 sq. ft. (reduction to 5,000 sq. ft. for three lots on cul-de-sacs)
- Minimum lot width: 50' (reduction to 45' for lots on cul-de-sacs)
- Minimum lot depth: 110' (reduction to 95' for lots on cul-de-sacs)
- Minimum front yard setback: 25'
- Minimum interior side yard setback: 5'
- Minimum exterior side yard setback (for corner lots backing up to rear of another lot): 15'
- Minimum exterior side yard setback (for corner lots backing up to side of another lot): 25'
- Minimum rear yard setback: 10'
- Minimum residential floor area: 1,200 sq. ft. for no more than 10% of the homes; 1,600 sq. ft. for no more than 40% of the homes; 2,400 sq. ft. for the remainder of the homes (at least 50%)

- Accessory Structure Standards: shall be in the rear yard only, shall be allowed a minimum setback to property lines of 3', shall be allowed a reduced minimum distance to the main structure of 5', and shall adhere to all other City zoning regulations and HOA regulations
- Maximum Lot Coverage (by covered structures): 65%
- Maximum Height: 35'

The residential design standards are summarized as follows:

- The same house elevation will not be repeated within a four-lot block on the same side of the street
- Windows or other relief/articulation required at minimum 40' intervals along each floor of each façade of each home to avoid large expanses of blank wall
- All houses shall have an exterior with a minimum of 70% masonry, which shall include brick or natural stone, and cementitious fiber (hardi-board); stucco or wood may be used as accent materials on the remaining 30%
- A minimum of 30% of the houses shall have a front porch with at least 60% of usable space excluding the entryway; front porches may encroach up to 5' into the front yard
- Two-car garages with a minimum 16'-wide driveway required for each house
- Garage doors shall include decorative elements (i.e. window inserts, full-paneled doors, accent hardware, or carriage-style design)
- Two coach lights required on the front of each house
- Full gutters required around each house
- 6:12 roof pitch required for the primary roof on each house
- A minimum 6'-tall wooden privacy fence w/ galvanized posts is required on each lot
- Carports are prohibited; converting required two-car garages into living space is also prohibited

The residential landscaping standards are summarized as follows:

- Each residential lot will have one (1) 3-inch caliper tree planted in the front yard and full sod; each corner lot will have one (1) additional 3-inch caliper tree planted in the exterior side yard

Open Spaces, Amenities, and Perimeter Landscaping & Screening:

The development standards for the entryway landscaping & screening are summarized below:

- Along the rear of the lots backing to Tabor Parkway, the developer will install a 6'-tall board-on-board wood fence (with cap rail) with masonry columns spaced every 20'
- A masonry monument sign displaying the name of the neighborhood, along with landscaping for the property's perimeter open space, medians, perimeters, and entryways shall conform to the approved landscape and civil plans
- The existing trees along Tabor Parkway shall be preserved and protected during construction
- Decorative lighting shall be installed at the entrances to the development, as well as on the interior open space lots (Lot 14X of Block E and Lot 46X of Block A)
- A community mailbox with 4 off-street parking spaces and sidewalks shall be installed on Lot 14X of Block E
- On Lot 46X of Block A, the developer shall provide a trailhead amenity, including a concrete trail at least 10' in width that provides connection to the proposed trail in Kings Fort Park immediately to the southeast as well as the development's sidewalk system; the trailhead shall include a low stone seat wall and/or bench seating, trash receptacle,

pedestrian concrete pavers, shade structure, signage, landscaping, and at least 6 off-street parking spaces

The development standards also provide for the creation of a homeowners' association to maintain the above items, as well as other related requirements.

Concept Plan:

A concept plan exhibit has been provided showing the general planned distribution of the residential lots, streets, and open space in the development. The concept plan is consistent with the preliminary plat and land study that were approved in June 2022. The plan shows a total of 215 residential lots. While not indicated on the plan, the project is divided into two phases, with Phase 1 comprising 101 lots on the west side of the property (as approved in the final plat) and the balance (Phase 2) comprising 114 lots on the east side of the property. Phase 1 includes the perimeter landscaping, screening, and entryway features along Tabor Parkway, as well as a smaller open space lot, while Phase 2 will include a larger open space lot with a trailhead amenity.

The development will include 126 lots between 5,000 – 6,000 sq. ft., 58 lots between 6,000 – 7,000 sq. ft., and 31 lots greater than 7,000 sq. ft.

Access into the development will be provided via two access points off Tabor Parkway, with an additional access point connecting into the Georgetown at Kings Fort development to the south (King Street).

SURROUNDING ZONING AND EXISTING LAND USES:

	Zoning	Existing Land Use
North:	PD-15-C	Retail (Tractor Supply, Walmart) and vacant land
West:	TH & A-O (across street)	Duplexes & single-family residences
South:	PD-17R-SF-6	Single-family residential lots
East:	PD-26	Vacant land



COMPREHENSIVE PLAN:

Land Use Plan:

The 2014 Future Land Use Plan designated the future land use of the subject as Future Multi-Family (High Density). While the medium-density single-family residential zoning proposed for the property is not as intensive as the multi-family residential density identified in the future land use plan, the proposed zoning is consistent with the current zoning of the property.

Thoroughfare Plan:

The Thoroughfare Plan designates Tabor Parkway as a “Type B” Minor Arterial”, requiring a right-of-way width of 100 feet. 100’ of right-of-way for Tabor Parkway already exists and no additional dedication will be required.

PROPERTY OWNER RESPONSES:

The City of Kaufman mailed out notification letters to 13 property owners within 300' of the subject property. The results are as follows:

- Property owners returned letters in opposition to the request = 0
- Property owners returned the letter in agreement to the request = 0
- Property owners who have not responded = 13

If 20% of the area within 300 feet of the request objects to the application, then a favorable vote of $\frac{3}{4}$ of all members of the City Council (which is 6 members) shall be required to approve any change in zoning. The 20% rule is a State law.

RECOMMENDATION:

Staff recommends approval of Z-04-24, a request for a change of zoning from Planned Development District-7-SF-6 (5,000 sq. ft.) to PD Planned Development District-27 for single-family residential uses on approximately 41.00 acres out of the D. Falcon Survey, Abstract No. 151, City of Kaufman, Kaufman County, TX, generally located on the east side of Tabor Parkway, approximately 1,300 feet south of Kings Fort Parkway and 850 feet north of Dillard Lane (Property ID 57208).

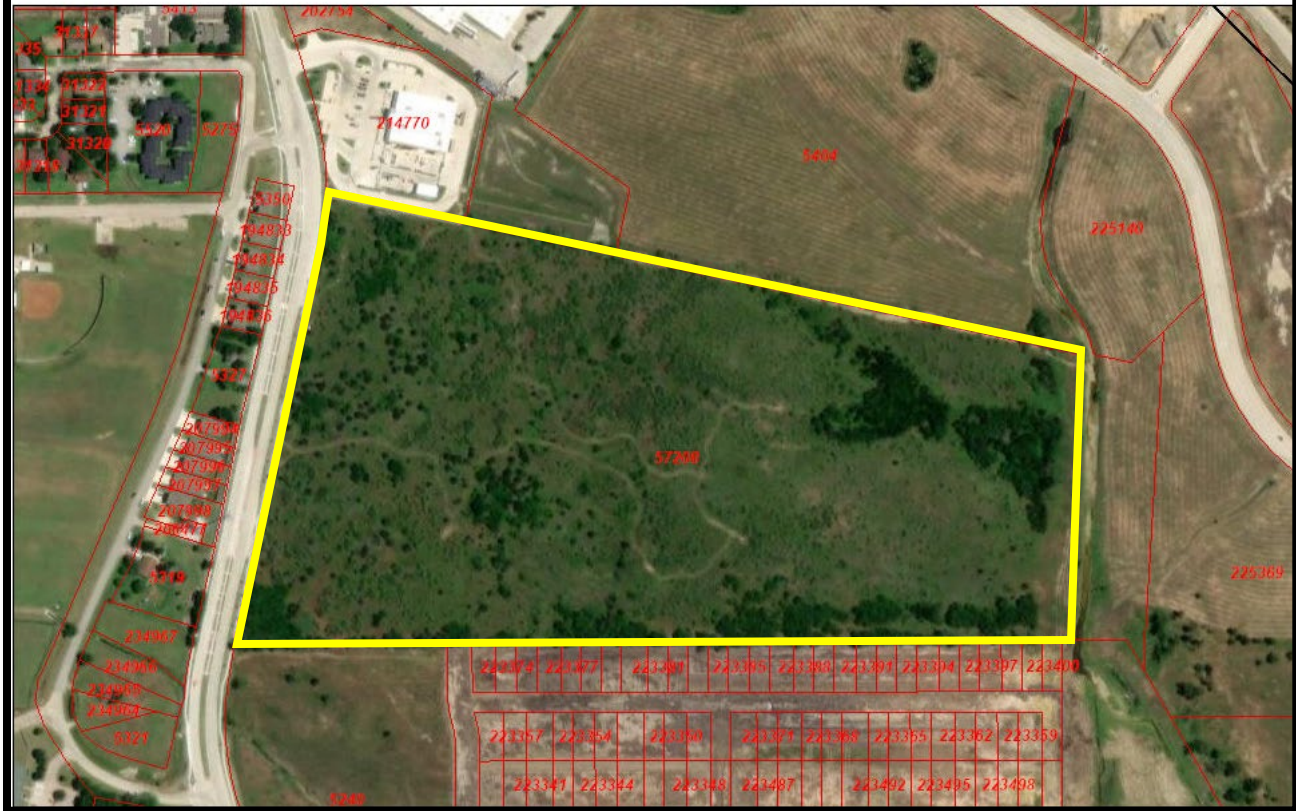
ATTACHMENTS:

- Location Map
- Exhibit A – Property Description/Survey
- Exhibit B – Development Standards
- Exhibit C – Concept Plan

Andrew Bogda, AICP
Director of Development Services
972-932-2216 ext. 117
abogda@kaufmantx.org

Location Map

Enclave at Kings Fort



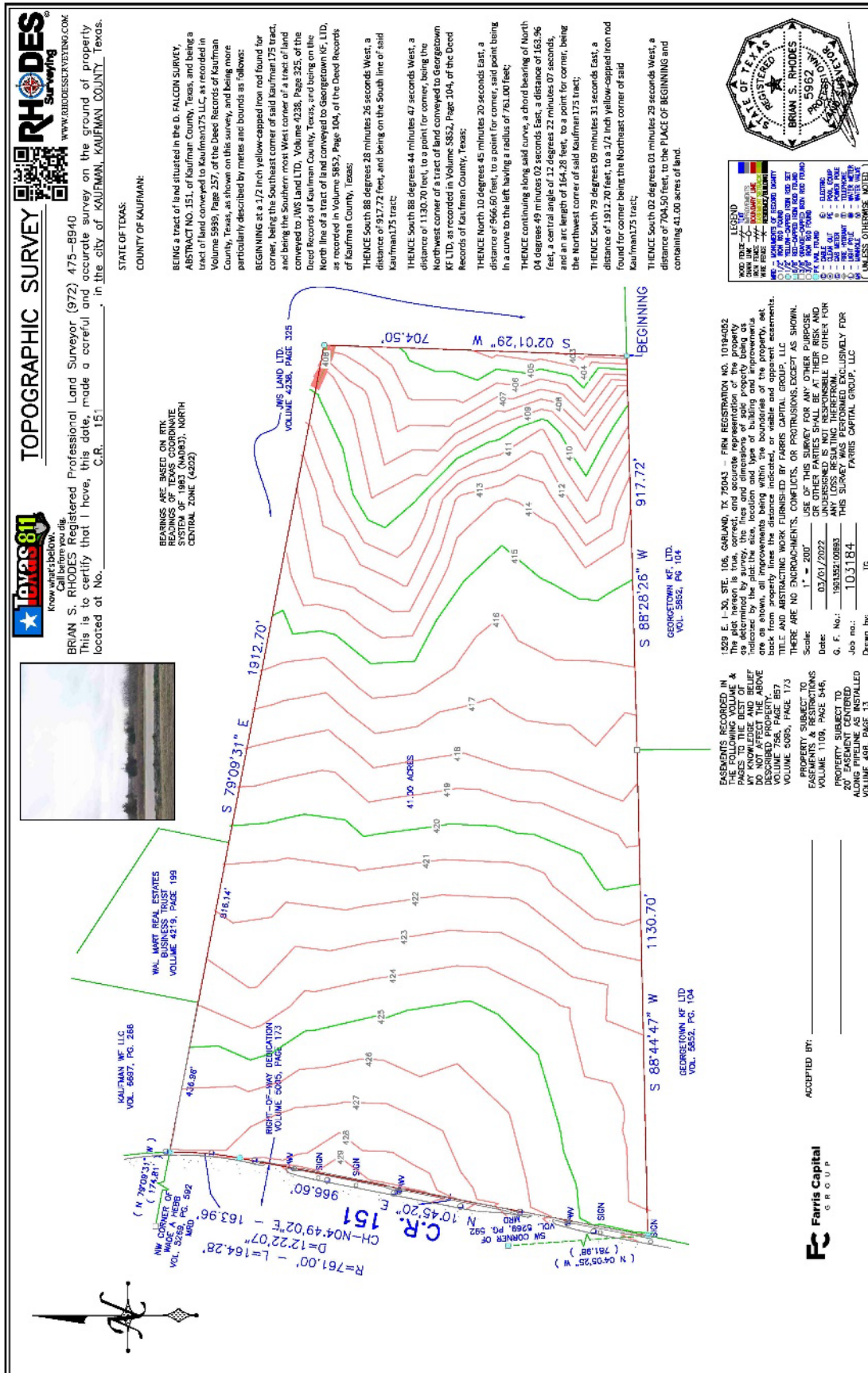


Exhibit B – Planned Development Standards

DEVELOPMENT STANDARDS

1. **Concept Plan:** The overall layout, design, and development of the Property shall generally comply with the Preliminary Plat and Land Study of the Enclave at Kings Fort that was approved by the City in June 2022. The Land Study is attached to this Ordinance as Exhibit C and identified as the Concept Plan. In the case of a conflict between the Concept Plan and these Development Standards, the Development Standards shall control.
2. **Maximum Number of Lots:** The maximum number of residential lots is 215.
3. **Single-Family Residential Lots:**
 - a. The single family detached residential portions of the property shall be in accordance with the development standards set forth below:
 - i. Minimum Lot Size: 5,500 sq. ft., with the exception that three lots (Lots 5, 36, and 39 of Block A, as shown on the Concept Plan) shall be allowed a reduced minimum lot area of 5,000 sq. ft.
 - ii. Minimum Lot Width (as measured at the front building line): 50 feet, except for cul de sac lots, which shall be allowed a reduced minimum lot width of 45 feet.
 - iii. Minimum Lot Depth (as measured at the center of the lot): 110 feet, except for cul de sac lots, which shall be allowed a reduced minimum lot depth of 95 feet.
 - iv. Minimum Front Yard Setback: 25 feet
 - v. Minimum Interior Side Yard Setback: 5 feet
 - vi. Minimum Side Yard Setback on Corner Lot Adjacent to a Street ROW: 15 feet for lots that back to the rear of another lot and 25 feet for lots that back to the side yard of another lot.
 - vii. Minimum Rear Yard Setback: 10 feet.
 - viii. Maximum Lot Coverage (measured as the percentage of the lot covered by buildings): 65 percent.
 - ix. Maximum Building/Structure Height: 35 feet.
 - x. Dwelling Unit Size (defined as air-conditioned, enclosed space used for residential purposes, excluding the garage): Not more than 10% of the lots shall have a minimum dwelling unit size of 1200 sq. ft. Not more than 40% of the lots shall have a minimum dwelling unit size of 1600 sq. ft. The remainder shall have a minimum dwelling unit size of 2400 sq. ft.
 - xi. 2-car garages are required for all lots, with a minimum driveway width of 16 feet.
 - xii. All garage door panels shall include decorative features such as window inserts, full-paneled doors, accent hardware, or carriage-style design.

Exhibit B – Planned Development Standards

- xiii. The front of each house shall include at least two coach lights.
- xiv. A minimum of 30% of the houses shall have a front porch with at least 60 sq. ft. of usable space excluding the entryway (defined as the 4-foot wide section of porch directly in front of the door). Front porches are allowed to encroach up to 5 feet into the front yard setback.
- xv. All houses shall have an exterior with a minimum of 70% masonry, which masonry shall include brick or natural stone, and cementitious fiber (hardi-board). Stucco or wood may be used as accent materials on the remaining 30%.
- xvi. A minimum roof pitch of 6:12 shall be provided for the primary roof for each home.
- xvii. The same elevation may not be repeated within a four-lot block on the same side of the street.
- xviii. Windows or some other sort of relief or articulation shall be provided at minimum 40 ft. intervals along each floor of each façade of each home to avoid large expanses of blank wall. City staff can administratively approve exceptions that meet the spirit or intent of this requirement.
- xix. Full gutters shall be provided around each house.
- xx. A minimum six-foot-tall wooden privacy fence with galvanized posts shall be required on each lot. The privacy fence shall not extend into the front yard setback or exterior side yard setback.
- xxi. Accessory structures are only allowed in the backyard, shall be allowed a reduced minimum setback to property lines of 3 feet, a reduced minimum distance to the main structure of 5 feet, and shall adhere to all other City zoning regulations and neighborhood covenants, conditions, and restrictions.
- xxii. Carports are prohibited. Converting the required 2-car garages into living space is also prohibited.
- xxiii. Each residential lot will have one 3-inch-caliper tree planted in the front yard, and full sod. Each corner lot will be required to have an additional 3-inch-caliper tree planted in the exterior side yard.

4. Open Space, Amenities, and Perimeter Landscaping & Screening:

- a. Open Space, Amenities, and Perimeter Landscaping & Screening shall be provided as set forth below:
 - i. Along the rear of the lots backing to Tabor Parkway, the developer shall install a 6'-tall board-on-board wood fence (with cap rail) with masonry columns spaced every 20'. This fence shall wrap around the exterior side yards of homes that side to the entrances to the development (Alamo Drive and Wentworth Drive).
 - ii. A Masonry monument sign displaying the name of the neighborhood, and landscaping for the Property's Open Space, medians, perimeters,

Exhibit B – Planned Development Standards

and entryways shall conform to the approved Landscape and Civil Plans.

- iii. The existing trees along Tabor Parkway shall be preserved and protected during infrastructure construction by the developer per the approved Landscape and Civil Plans.
- iv. Decorative lighting shall be installed at the entrances to the development and on Lot 14X of Block E and Lot 46X of Block A.
- v. On Lot 14X of Block E, the developer shall install a community mailbox with 4 off-street parking spaces, and concrete sidewalks. An additional community mailbox shall be installed on Lot 46X of Block A and at any other location as required by the U.S. Postal Service.
- vi. On Lot 46X of Block A, the developer shall provide a trailhead and concrete trail at least 10 feet in width that provides a connection to the proposed trail in Kings Fort Park immediately to the southeast. The trail shall connect to the sidewalk system in the development. The trailhead area shall be amenitized with a low stone seat wall and/or bench seating, trash receptacle, pedestrian concrete pavers, shade structure, signage, landscaping, and at least 6 off-street parking spaces.
- vii. All landscaping, screening, and amenities shall be included within the civil plans for each phase of development and subject to approval by City staff.
- viii. The developer shall be eligible for credits towards park fees for the improvements listed above in subsection 4.a.vi on Lot 46X of Block A.
- ix. All open space lots and improvements thereon shall be maintained by the homeowners' association.

5. Homeowners' Association:

A homeowners' association shall be established for the development, which shall be responsible for the maintenance of all open space lots and all improvements thereon, all perimeter landscaping & screening, all entryway features and landscaping (including the median), all drainage facilities, and all amenities. The homeowners' association shall also provide enhanced standards for the maintenance and upkeep of all residential properties. The homeowners' association covenants shall include a statement indemnifying the City from maintenance for any of the aforementioned items, but allowing the City to enter the property to conduct the maintenance of the aforementioned items if the homeowners' association fails to do so at the sole cost of the property owners within the development.

