



AGENDA
PLANNING AND ZONING COMMISSION MEETING
TUESDAY, AUGUST 6, 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 July 2, 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 to rezone an approximate 43.757-acre tract of land (Property ID 16826) out of the Levi L. York Survey, Abstract No. 608, City of Kaufman, Kaufman County, Texas, from Light Industrial District (LI) and Single-Family Residential-8 District (SF-8) to Planned Development-29 (PD-29) for light industrial uses, said property being generally located at the northeast corner of State Highway 34 and Rand Road. (Case No: Z-07-24)

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 5:00 P.M. ON FRIDAY, AUGUST 2, 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, JULY 2, 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 6:00 p.m. on Tuesday, July 2, 2024. Commissioners present were Chairman Richard Dunn, Vice-Chairman Burton Brown, Commissioner Lindsey Haynes, Commissioner Kathleen Sisson, and Commissioner Mike Slye. City of Kaufman staff present were Director of Development Services Andrew Bogda and Planner Joy Henderson.

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 June 4, 2024 Planning and Zoning Commission meeting.

END OF CONSENT AGENDA

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

PUBLIC HEARING

P&Z Commission Minutes
7/2/2024

2. Conduct a public hearing for a revision to Specific Use Permit-47 (SUP-47) for a private club in conjunction with a restaurant (with conditions) located at 5962 Fair Road. (Case No. Z-06-24)

The Public Hearing opened at 6:03 p.m.

Director of Development Services Andrew Bogda presented a report on the revised SUP for 5962 Fair Road. Details of the case can be found in report Z-06-24 dated 07-02-2024.

The Public Hearing closed at 6:12 p.m.

Commissioner Slye stated the business only has enough parking for a total of 24 people.

Commissioner Slye made a motion to approve the **Revised SUP-47**, with the following conditions:

1. The Property, including all buildings, premise, or land used pursuant to this SUP-47R 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-47R 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. The Owner and/or Operator of the Property shall retroactively obtain all required building permits and receive and pass all inspections for the covered patio and storage shed; shall remedy any defects, as directed by the Building Official or their designee, during the permitting and inspection process; and shall pay all required fees related to permitting, investigation, and inspection.
3. The Owner and/or Operator of the Property shall possess and continuously maintain a current Texas Alcoholic Beverage Commission (TABC) Private Club license for the continued operation of the Property for Central Business District with Specific Use Permit-47R zoning designation.
4. The Owner and/or Operator of the Property shall possess and continuously maintain a current City of Kaufman Alcohol Permit for the Property.
5. All sales of alcoholic beverages shall be allowed for on-premise consumption only.
6. Fifty percent (50%) or more of sales transacted upon the Property shall be from food.

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

ANNOUNCEMENTS AND REPORTS FROM DEVELOPMENT SERVICES DIRECTOR

Director of Development Services Andrew Bogda provided the following updates:

- The next Planning and Zoning Commission meeting will be on August 6th at 6:00 pm.
- Cases the Planning and Zoning will be seeing in the near future are:
 - The Trails, a new residential development that will be located off FM 2727.
 - An industrial development that will be located off the Highway 34 bypass.

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. Issues raised may be referred to Staff for research and possible future action.

- Commissioner Slye asked for an update on South Pointe.
- Vice-Chairman Brown asked for an update on Soulman's BBQ and the TxDOT property located at the corner of South Washington Street and South Houston Street.

Director of Development Services Andrew Bogda provided the requested project updates.

ADJOURNMENT

Chairman Dunn adjourned the meeting at 6:27 p.m.

APPROVED:

**RICHARD DUNN
CHAIRMAN**

ATTEST:

**JOY HENDERSON
PLANNER**



Planning and Zoning Commission Report

Meeting Date: August 6, 2024

SUBJECT: Conduct a public hearing and make a recommendation to City Council for a request to rezone an approximate 43.757-acre tract of land (Property ID 16826) out of the Levi L. York Survey, Abstract No. 608, City of Kaufman, Kaufman County, Texas, from Light Industrial District (LI) and Single-Family Residential-8 District (SF-8) to Planned Development-29 (PD-29) for light industrial uses, said property being generally located at the northeast corner of State Highway 34 and Rand Road. (Case No: Z-07-24)

BACKGROUND/SUMMARY:

The subject property consists of 43.757 acres located at the northeast corner of State Highway 34 (SH 34) and Rand Road (FM 1836). The western portion of the property is currently zoned "LI" Light Industrial District, while the eastern portion of the property is currently zoned "SF-8" Single-Family Residential-8 District. The developer plans to develop a cold storage warehouse and distribution facility on the property, as well as a ground-mounted solar panel system as an accessory use. The proposed Planned Development-29 (PD-29) zoning will allow for these uses, as well as other similar light industrial uses. In addition, PD-29 will provide for development standards that provide for an increase in building height, specific parking requirements, minimum architectural requirements, appropriate signage standards, and some relief from some of the landscaping and screening requirements that also ensure adequate tree plantings and screening of parking areas and solar panel systems from the streets.

Development Controls:

The property will use the base zoning of "LI" Light Industrial. PD-29 also provides for regulations wherein the case of a conflicting provision between the Zoning Ordinance and the PD or between the conceptual plans and the written regulations, the written regulations of the PD shall control.

The PD regulations require all development to undergo site plan review and approval to ensure compliance with the regulations of PD-29 and the base zoning requirements, as applicable.

Lot, Area, Yard, Lot Coverage, and Height Restrictions:

For lot, area, yard, and lot coverage requirements, PD-29 will adhere to the regulations for the "LI" Light Industrial District, as stated in the Zoning Ordinance. The maximum height allowed for all structures in PD-29 is 80 feet, which is an increase from the typical 30 feet.

Permitted Uses:

The primary permitted uses include a cold storage facility, distribution center, scientific or research laboratory, light manufacturing and assembly processes, low risk industrial manufacturing wholly enclosed within a building, office showroom/warehouse, general business and professional offices, and storage or wholesale warehouse.

The permitted accessory uses include a commercial accessory building, outside storage of equipment or materials (fully screened from public view), seasonal and temporary uses (with approval of a Temporary Use Permit), temporary field or construction yard/office (with approval of a Temporary Use Permit), and solar panel system.

While the intended primary use is a cold storage warehouse with a solar panel system as an accessory use, the list of permitted uses allow for future flexibility for similar uses while prohibiting industrial uses that might be incompatible with the surrounding area.

Off-Street Parking, Loading, and Access:

The off-street parking and loading requirements shall generally follow the regulations stated in Section 35 of the Zoning Ordinance as applicable to light industrial uses, with the following exceptions:

- Parking requirement based on use: 1 space per every 1 employee during peak operating shift
- Screening of truck docks adjacent to residential districts: Screening is not required on the north side of the truck docks since the adjacent property is already zoned or expected to be rezoned for commercial/industrial uses. Screening is not required on the east side of the truck docks since adequate distance and a future thoroughfare will buffer the truck docks from the residential-zoned school property.

Landscaping:

The landscaping requirements shall generally follow the regulations stated in Section 36 of the Zoning Ordinance as applicable to light industrial uses, with the following exceptions:

- Landscape Area Percentage: The full requirements, as stated in the Zoning Ordinance, shall only apply to the front yard located between the building and the right-of-way line of SH 34. Outside this area, only grass or turf shall be required, along with the Required Trees as stated in the Zoning Ordinance.
- Required Shrubs: This requirement shall only apply to the front yard between the building and the right-of-way of SH 34.
- Parking Lots and Vehicular Use Area Landscaping: The requirement to screen parking and vehicular use areas from all abutting properties and rights-of-way shall only apply to such areas facing SH 34.
- Solar Panel System Screening: For areas containing the solar panel system within 100' of a public right-of-way, a buffer area shall be placed adjacent to the roadway which shall include a minimum 3'-tall solid shrub hedge, berm, or combination of these, but not to exceed 5' in height. In no case, shall the slope of a berm exceed a ratio of 3:1 unless it is being retained on the private property side of the berm.

Screening:

Given the development's adjacency to commercial/industrial uses to the north, the planned shrub screening along SH 34, the planned solar panel system screening, and the building's distance from Rand Road and the future thoroughfare to the east, no perimeter fencing or screening shall be required.

The property owner may install decorative black, metal, open-style fencing to provide for security. In addition, the property owner may install additional solid screening around the truck dock area

(in the form of a masonry or concrete wall that matches the building). The final location and design specifications for all optional fencing is subject to approval by the Director of Development Services or their designee.

Architectural Design Standards:

- The building shall include primarily concrete tilt-wall and insulated metal panel construction. Masonry, metal, and cementitious fiber may be used as accent materials.
- Building design shall generally be consistent with the conceptual elevations provided in Exhibit D, with the final details to be determined during the Site Plan review process.
- Horizontal banding (change in color) shall be provided across the top of the building.
- Vertical banding (change in color) shall be provided at minimum 100' intervals.
- Screening of roof-mounted equipment shall be required for the office portion of the building only.

Signage:

The signage requirements shall generally follow the regulations stated in Section 44 of the Zoning Ordinance as applicable to light industrial uses, with the following exceptions:

- Pole/pylon signs are prohibited.
- In lieu of pole/pylon signs being prohibited, monument signs may be allowed to go up to 15' in height and up to 150 sq. ft. in area. Monument signs shall not encroach any easement.

Lighting, Ground-Mounted Equipment, and Trash Enclosures:

- Lighting requirements shall be in accordance with Section 42 of the Zoning Ordinance.
- All ground equipment shall be screened by walls that match the building or dense evergreen shrubs. For clarity, this requirement shall not apply to the Solar Panel Systems, since addressed in the landscaping regulations of the PD.
- All dumpsters or trash containers shall be screened by a masonry trash enclosure (designed to match or complement the building) with opaque metal or wood gates that completely conceal the dumpsters. A proper loading area for the trash truck shall be provided.

Concept Plan:

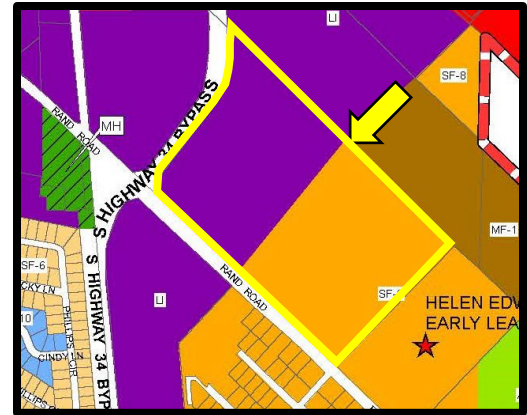
A concept plan has been provided, which shows the general intended location of the building on the west-central portion of the property, with the parking area on the west side of the building (facing SH 34), the truck docks on the north side of the building, and full driveway access around the building, with access points on SH 34 and Rand Road. The future potential expansion of the building, future secondary parking lot, and the relocation of driveways is also shown. In addition, the solar panel system is generally shown to be along the southern portion of the property along Rand Road. A detention pond and right-of-way dedication for a future north-south collector to connect Rand Road and SH 243 are shown on the eastern portion of the property.

Concept Elevations:

Concept elevations have been provided, which show the general intended design of the building, including a mix of concrete tilt-wall and insulated metal panels, articulation, and the banding and planned color scheme. Numerous windows are shown around the office area and there are several overhead doors along the truck dock elevation.

SURROUNDING ZONING AND EXISTING LAND USES:

	Zoning	Existing Land Use
North:	LI & MF-1	Vacant land
West:	LI (across SH 34)	Vacant land
South:	LI & SF-8	Mica Steel Works & single-family residences
East:	SF-8	Helen Edwards School



COMPREHENSIVE PLAN:

Land Use Plan:

The 2014 Future Land Use Plan designated the future land use of the subject as mostly Future Multi-Family (Low-Density), with some area of Commercial along SH 34. While the requested light industrial zoning is not in conformance with the Future Land Use Plan, it is consistent with the existing zoning on the western portion of the property and the land uses to the north (Trinity Valley Electric) and south (Mica Steel Works). The requested PD-29 zoning also limits the light industrial uses to cleaner and less-intensive uses that would not adversely impact surrounding properties.

Thoroughfare Plan:

The Thoroughfare Plan designates SH 34 as a major regional arterial (Type AA; 6 lanes), with a minimum right-of-way width of 120 feet. Rand Road (FM 1836) is designated as a minor arterial (Type B; 3 – 4 lanes), with a minimum right-of-way width of 100 feet. The necessary right-of-way for SH 34 and Rand Road (FM 1836) already exists.

In addition, a Type C future north-south collector (with a minimum right-of-way width of 80 feet) to connect Rand Road and SH 243 is shown through the property. The future right-of-way for this collector is shown along the east property line, to be dedicated at the time of platting.

PROPERTY OWNER RESPONSES:

The City of Kaufman mailed out notification letters to 23 property owners within 300' of the subject property. The results are as follows:

- Property owners returned letters in opposition to the request = 2
- Property owners returned the letter in agreement to the request = 0
- Property owners who have not responded = 21

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.

Responses within 300':

Date: 8-2-24 RE: Conduct a public hearing and make a recommendation to City Council for a request to rezone an approximate 43.757-acre tract of land (Property ID 16826) out of the Levi L. York Survey, Abstract No. 608, City of Kaufman, Kaufman County, Texas, from Light Industrial District (LI) and Single-Family Residential-8 District (SF-8) to Planned Development-29 (PD-29) for light industrial uses, said property being generally located at the northeast corner of State Highway 34 and Rand Road. (Case No: Z-07-24)

Name: Carolyn Harrison

Address: 1589 Anthony

City & State: Kaufman, Tx 75142 ☐ I AM IN FAVOR ☒ I OBJECT

Phone #: 214-399-7573 Email Address: _____

COMMENTS: We don't need this in our area. Too much traffic already. We already loose electricity in a high wind that will be a tremendous load on our power system.

Carolyn Harrison NAME PRINTED SIGNATURE

Date: 8-2-24 RE: Conduct a public hearing and make a recommendation to City Council for a request to rezone an approximate 43.757-acre tract of land (Property ID 16826) out of the Levi L. York Survey, Abstract No. 608, City of Kaufman, Kaufman County, Texas, from Light Industrial District (LI) and Single-Family Residential-8 District (SF-8) to Planned Development-29 (PD-29) for light industrial uses, said property being generally located at the northeast corner of State Highway 34 and Rand Road. (Case No: Z-07-24)

Name: Leonard Campos

Address: 1587 Anthony St

City & State: Kaufman TX ☐ I AM IN FAVOR ☒ I OBJECT

Phone #: 2148618589 Email Address: camposleonard985mail.com

COMMENTS: THIS IS A BAD IDEA they need to go somewhere else where there is enough traffic with schools and people trying to get to work KAUFMAN DOES NOT NEED THIS like city always say lets stay small

Leonard Campos NAME PRINTED SIGNATURE

Response outside 300':

Date: 8-2-24 RE: Conduct a public hearing and make a recommendation to City Council for a request to rezone an approximate 43.757-acre tract of land (Property ID 16826) out of the Levi L. York Survey, Abstract No. 608, City of Kaufman, Kaufman County, Texas, from Light Industrial District (LI) and Single-Family Residential-8 District (SF-8) to Planned Development-29 (PD-29) for light industrial uses, said property being generally located at the northeast corner of State Highway 34 and Rand Road. (Case No: Z-07-24)

Name: Betty Jane Tallas

Address: 1604 Anthony

City & State: Kaufman, Tx 75142 ☐ I AM IN FAVOR ☒ I OBJECT

Phone #: 214-707-6057 Email Address: _____

COMMENTS: We have enough traffic in our area already with school and commuters.

Betty Jane Tallas NAME PRINTED SIGNATURE

RECOMMENDATION:

Staff recommends approval of Z-07-24, a request for a change of zoning from Light Industrial District (LI) and Single-Family Residential-8 District (SF-8) to Planned Development-29 (PD-29) for light industrial uses on approximately 43.757 acres out of the Levi L. York Survey, Abstract No. 608, City of Kaufman, Kaufman County, Texas, said property being generally located at the northeast corner of State Highway 34 and Rand Road (Property ID 16826).

ATTACHMENTS:

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

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

Location Map

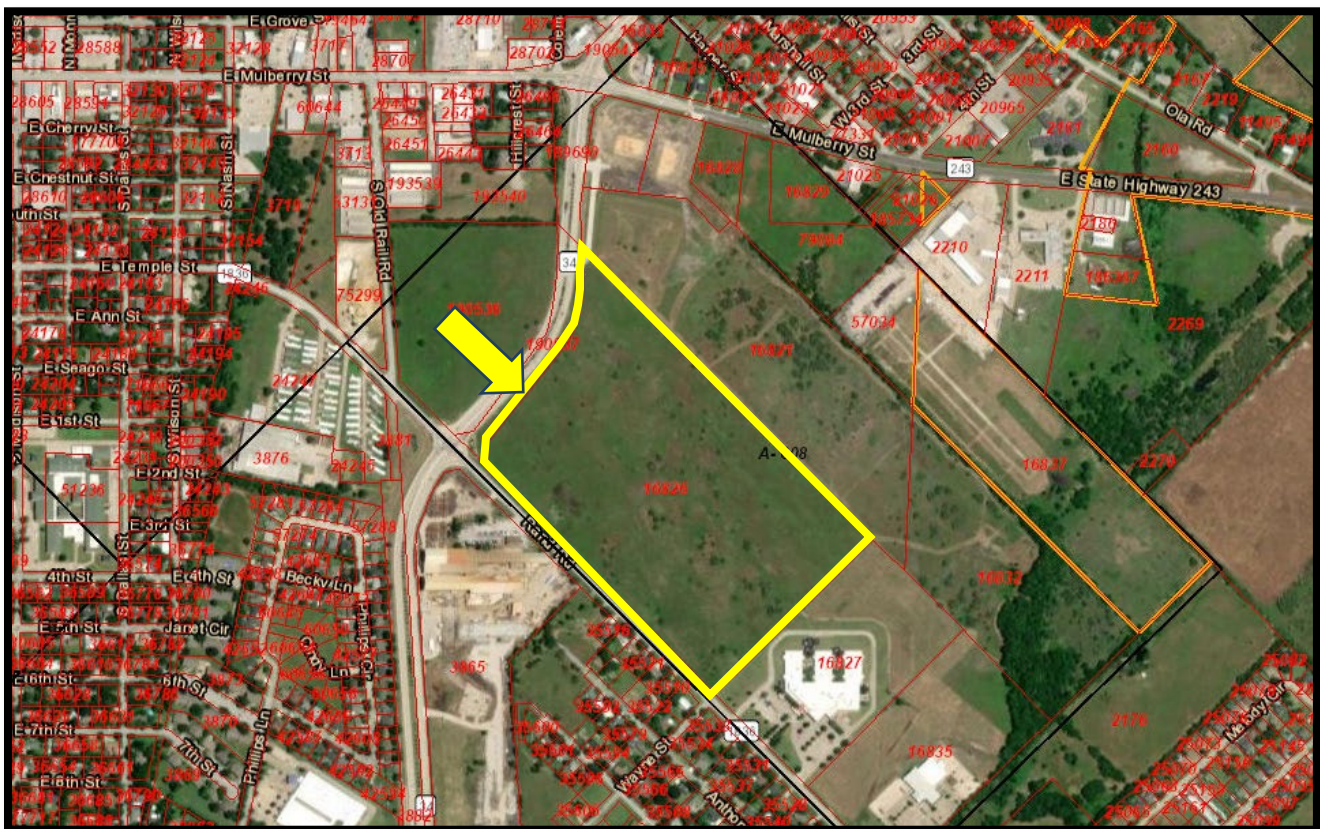


Exhibit A – Property Description/Survey

“Exhibit A”

Z-07-24

Planned Development-29 (PD-29)

LEGAL DESCRIPTION

BEING a 43.7570 acre (1,906,054 square foot) tract of land situated in the Levi York Survey, Abstract No. 608, City of Kaufman, Kaufman County, Texas, said tract being part of that tract of land described in Special Warranty Deed to Robert W. Williams recorded in Instrument No. 2012-17776 of the Official Public Records of Kaufman County, Texas; said tract being more particularly described as follows:

BEGINNING at a brass disk stamped "TXDOT" found at the intersection of the southeast right-of-way line of State Highway No. 34 (a variable width right-of-way) and the northeast right-of-way line of Rand Road (a variable width right-of-way);

THENCE continuing along the said southeast right-of-way line of State Highway No. 34 the following three (3) calls:

North 42°42'07" East, a distance of 404.66 feet to a Brass disk stamped "TXDOT" found for corner; said point being the beginning of a tangent curve to the left;

In a northeasterly direction, with said tangent curve to the left, having a radius of 760.00 feet, a central angle of 39°01'01", and a chord bearing and distance of North 23°11'36" East, 507.60 feet and an arc distance of 517.54 feet to a brass disk stamped "TXDOT" found for corner;

North 03°41'06" East, a distance of 164.46 feet to a brass disk stamped "TXDOT" found for corner;

THENCE South 47°02'22" East, departing the said southeast right-of-way line of State Highway No. 34, a distance of 239.80 feet to a point for corner;

THENCE South 46°04'01" East, a distance of 1,776.27 feet to a 5/8-inch iron rod with cap stamped "KHA" set for corner;

THENCE South 44°23'06" West, a distance of 1,063.93 feet to a 5/8-inch iron rod with cap stamped "KHA" set for corner in the northeast right-of-way line of said Rand Road;

THENCE North 46°44'45" West, along the said northeast right-of-way line of Rand Road, a distance of 1,635.38 feet to a brass disk stamped "TXDOT" found for corner;

THENCE North 02°17'53" West, a distance of 107.57 feet to the **POINT OF BEGINNING** and containing 1,906,054 square feet or 43.7570 acres of land, more or less.

T:\Dev Services\Planning & Zoning\P&Z Reports\2024 PZ Reports\Z-07-24 PD-29 Agile Cold Storage 08-06-24\Z-07-24 PZR Agile Cold Storage PD-29.docx

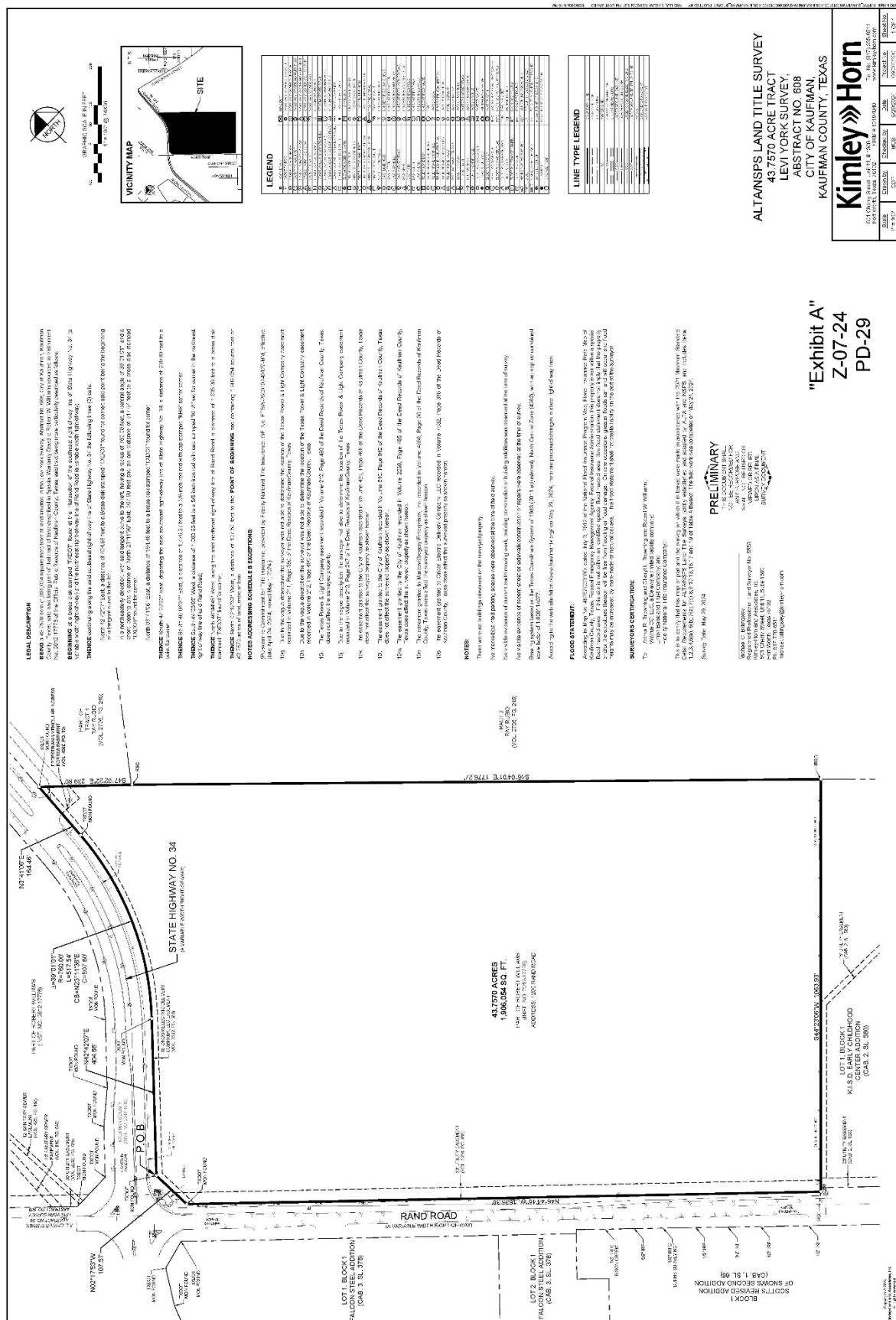


Exhibit B – Planned Development Standards

“Exhibit B” Development Standards Z-07-24 Planned Development-29 (PD-29)

1. Purpose

The purpose of this Planned Development-29 (PD-29) is to provide for a light industrial development, principally a cold storage facility with a ground-mounted solar panel system as an accessory use, while also allowing for other similar light industrial uses to ensure continuous use of the property should the intended use change in the future. These PD regulations will also allow for increased building height, some flexibility in landscaping and screening, and some assurance as it relates to building architecture, among other considerations.

2. Property Location and Size

The property consists of approximately 43.757 acres generally located at the northeast corner of State Highway 34 and Rand Rd. (FM 1836) as more particularly described in “**Exhibit A**” of this Ordinance.

3. Zoning Controls

- a. If there is a conflict between the PD-29 regulations (“Exhibit B”), the concept plan (“Exhibit C”), and the conceptual elevations (“Exhibit D”), the PD-29 regulations (“Exhibit B”) shall control.
- b. **Base Zoning:** For regulations not expressly identified in this PD-29, the base zoning of the property is “**LI**” **Light Industrial District** as specified in the City of Kaufman Zoning Ordinance O-02-07, as amended. If there is a conflict between the regulations in this PD-29 and the regulations in the City of Kaufman Zoning Ordinance, the regulations in this PD-29 shall control.
- c. The concept plan and conceptual elevations shall serve as a general guide for use and development of the property. The details concerning development of the property shall be governed by a Site Plan for the property, to be reviewed by City Staff and the Planning & Zoning Commission and approved by City Council.

4. Definitions and Interpretations

- a. **Cold Storage Facility** – A building with temperature-controlled environments for the storage and distribution of temperature-sensitive wholesale products, including food, beverages, pharmaceutical and medical products, and other consumables and goods. The facility may incorporate spaces for items that must be kept refrigerated or frozen, as well as spaces for items that do not need to be refrigerated or frozen. The facility may also include offices, general storage/warehousing areas, loading areas.
- b. **Solar Panel System** – A combination of equipment and/or controls, accessories, interconnection means, and terminal elements for the collection, storage, and distribution of solar energy. Solar panel systems may be ground-

Exhibit B – Planned Development Standards

mounted or roof-mounted. Solar panel systems do not include individually-powered outdoor solar lights such as garden lights, accent lights, security lights, or flood lights.

- c. **Other Definitions** – All other definitions shall be as defined in the City of Kaufman Zoning Ordinance.

5. Primary Uses Permitted

- a. Cold storage facility
- b. Distribution center
- c. Laboratory, scientific or research
- d. Light manufacturing and assembly processes
- e. Low risk industrial manufacturing wholly enclosed within a building
- f. Office showroom/warehouse
- g. Offices, general business and professional
- h. Storage or wholesale warehouse

6. Permitted Accessory Uses

- a. Accessory building – commercial (business or industry)
- b. Outside storage of equipment or materials (fully screened from public view)
- c. Seasonal and temporary uses (only with approval of a Temporary Use Permit)
- d. Temporary field office or construction yard or office (only with approval of a Temporary Use Permit)
- e. Solar panel system

7. Height Regulations

- a. Maximum Height for all structures: 80 feet

8. Area, Lot, Yard, and Lot Coverage Regulations

Area, lot, yard, and lot coverage requirements shall follow the regulations for the “LI” Light Industrial District as specified in Section 27 of the Zoning Ordinance.

9. Off Street Parking and Loading Regulations

Off-street parking and loading requirements shall follow the regulations in Section 35 of the Zoning Ordinance as applicable to light industrial uses, with the following exceptions:

- a. Parking Requirement based upon use:
 - i. Cold Storage Facility: 1 space per every 1 employee during peak operating shift.
- b. Screening of truck docks adjacent to residential districts: Screening is not required on the north side of the truck docks since the adjacent property is

Exhibit B – Planned Development Standards

already zoned or expected to be rezoned for commercial/industrial uses. Screening is not required on the east side of the truck docks since adequate distance and a future thoroughfare will buffer the truck docks from the residential-zoned school property.

10. Landscaping Requirements

Landscaping requirements shall follow the regulations in Section 36 of the Zoning Ordinance as applicable to light industrial uses, with the following exceptions:

- a. **Landscape Area Percentage:** The requirement as defined in the Zoning Ordinance shall only apply to the front yard located between the building and the right-of-way line of Highway 34 (see Figure 1 below with area highlighted in yellow). For portions of the front yard located outside this area, only grass or turf shall be required, along with the Required Trees as stated in the Zoning Ordinance.
- b. **Required Shrubs:** The required shrub requirement shall only apply to the front yard located between the building and the right-of-way line of Highway 34 (see Figure 1 below with area highlighted in yellow).

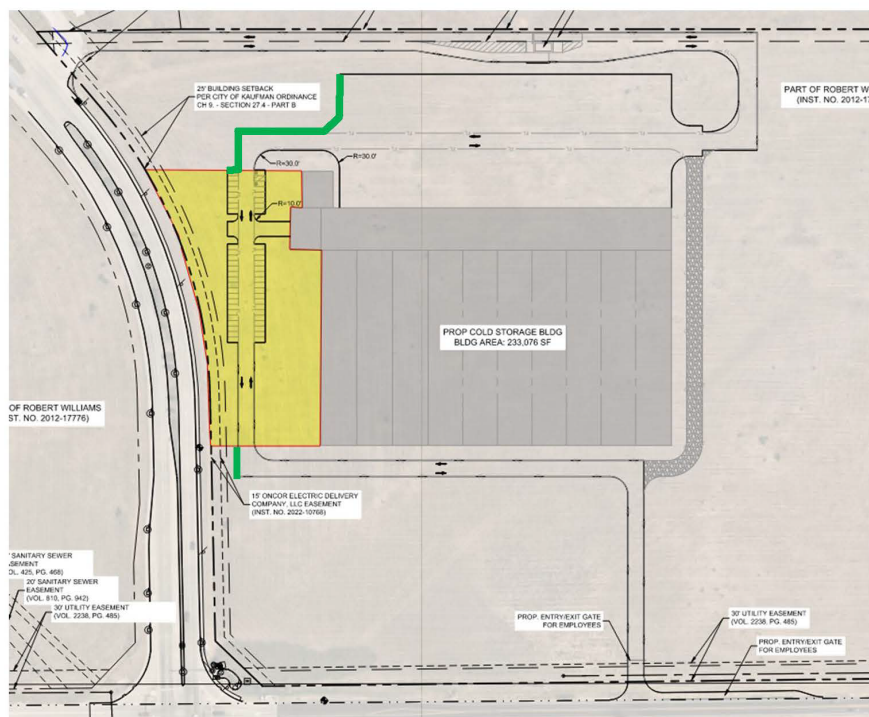


Figure 1

- c. **Parking Lots and Vehicular Use Area Landscaping:**
- i. The requirement to screen parking and vehicular use areas from all abutting properties and rights-of-way shall only apply to the area shaded in yellow in Figure 1 above, as well as additional areas outlined in green in Figure 1 above.

Exhibit B – Planned Development Standards

- d. Solar Panel System Screening: For areas containing the Solar Panel System accessory use located within 100' of a public right-of-way, a buffer area shall be placed adjacent to the roadway which shall include a minimum three-foot-tall (3'-tall) solid shrub hedge, berm, or combination of these, but not to exceed five feet (5') in height. In no case, shall the slope of a berm exceed a ratio of 3:1 unless it is being retained on the private property side of the berm.

11. Fencing, Walls, and Screening Requirements

Given the development's adjacency to commercial and industrial uses to the north, the planned shrub screening along Highway 34, the planned solar panel system screening, and the building's distance from Rand Road and the future thoroughfare to the east, no perimeter fencing or screening shall be required. The property owner may install decorative black, metal, open-style fencing to provide for security, with the final location, design, and specifications to be approved by the Director of Development Services or their designee. In addition, the property owner may install additional solid screening around the truck dock area (in the form of a masonry or concrete wall that matches the building), with the final location and design specifications to be approved by the Director of Development Services. In no case, shall fencing exceed eight feet (8') in height without City Council approval.

12. Architectural Requirements

- a. The building shall include primarily concrete tilt-wall and insulated metal panel construction. Masonry, metal, and cementitious fiber may be used as accent materials.
- b. Building design shall generally be consistent with the conceptual elevations provided in Exhibit D, with the final details to be determined during the Site Plan review process.
- c. Horizontal banding (change in color) shall be provided across the top of the building.
- d. Vertical banding (change in color) shall be provided a minimum of every 100-feet.
- e. Screening of roof-top mounted equipment shall be required for the office portion of the building only.

13. Signage

Signage requirements shall follow the regulations in Section 44 of the Zoning Ordinance as applicable to light industrial uses, with the following exceptions:

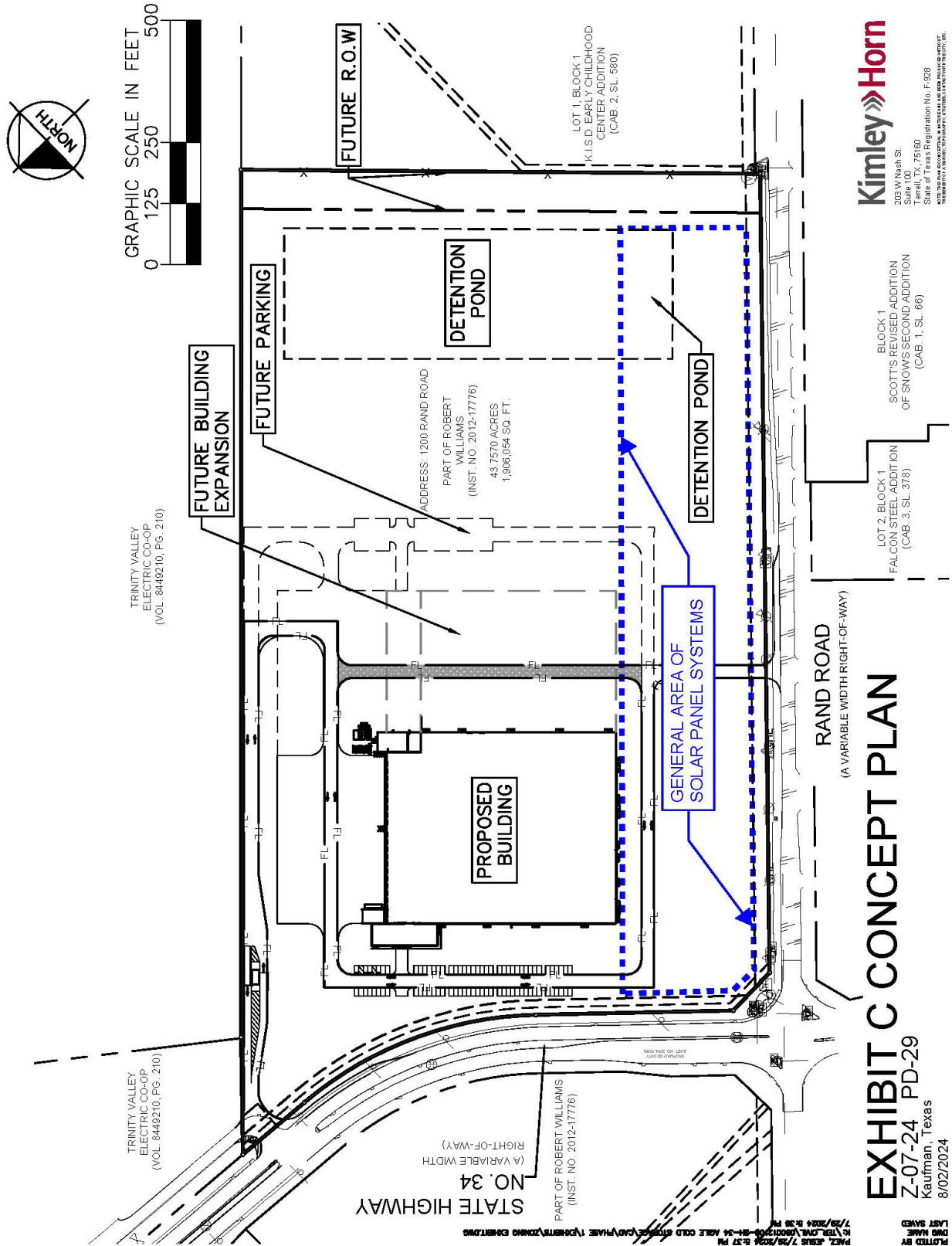
- a. Pole/Pylon Signs are prohibited.
- b. In lieu of pole/pylon signs being prohibited, monument signs may be allowed to go up to 15 feet in height and up to 150 square feet in area. Monument signs shall not encroach any easement.

14. Lighting, Ground-Mounted Equipment, and Trash Enclosures

Exhibit B – Planned Development Standards

- a. Lighting Requirements shall be in accordance with Section 42 of the Zoning Ordinance.
- b. All ground equipment shall be screened by walls that match the building or dense evergreen shrubs. For clarity, this requirement shall not apply to the Solar Panel Systems since addressed by Section 10.d.
- c. All dumpsters or trash containers shall be screened by a masonry trash enclosure (designed to match or complement the building) with opaque metal or wood gates that completely conceal the dumpsters. A proper loading area for the trash truck shall be provided.

Exhibit C – Concept Plan



T:\Dev Services\Planning & Zoning\P&Z Reports\2024 PZ Reports\Z-07-24 PD-29 Agile Cold Storage 08-06-24\Z-07-24 PZR Agile Cold Storage PD-29.docx

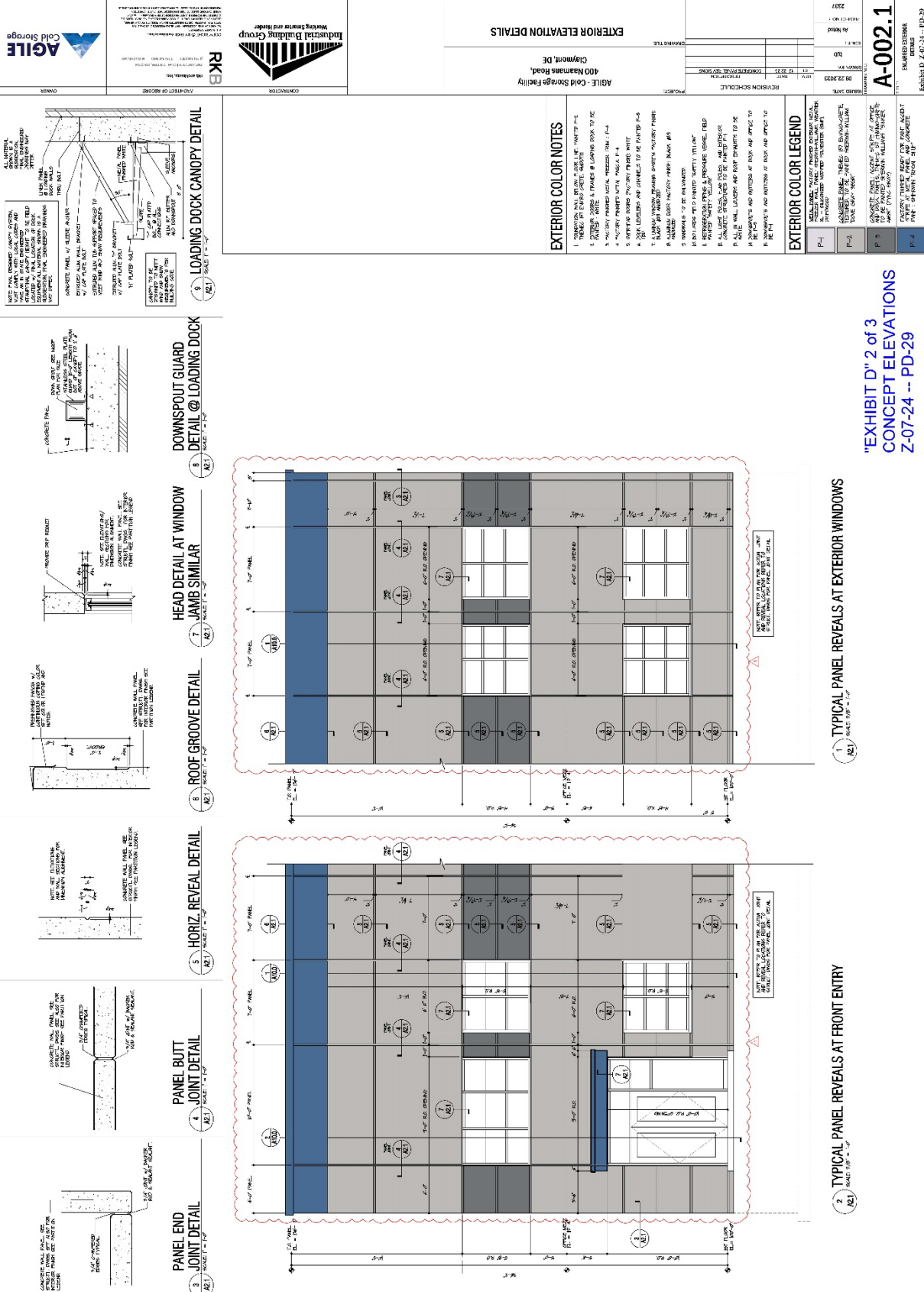


Exhibit D – Concept Elevations

