



AGENDA
PLANNING AND ZONING COMMISSION MEETING
TUESDAY, SEPTEMBER 3, 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 August 6, 2024 Planning and Zoning Commission meeting.

END OF CONSENT AGENDA

PUBLIC HEARING

DISCUSSION/ACTION ITEMS

2. Consider and make a recommendation to City Council on the **Site Plan of CiCi's Pizza**, situated on approximately 1.24 acres (Property ID 202752) out of the D. Falcon Survey, Abstract No. 151, City of Kaufman, Kaufman County, Texas, said property being generally located at the southwest corner of S. Washington St. & Roundup Dr. on a portion of

Block B of the Five Points Addition (Property ID 235266). The property is zoned Planned Development-22, Sub-District A ("PD-22-A") for "C" Commercial uses. (Case No. SP-02-24)

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 30, 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, AUGUST 6, 2024 AT 6:00 PM
KAUFMAN CITY HALL COUNCIL CHAMBERS
209 S. WASHINGTON ST.
KAUFMAN, TEXAS 75142

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TEXAS FLAG

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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 6:01 p.m. on Tuesday, August 6, 2024. Commissioners present were Chairman Richard Dunn, Vice-Chairman Burton Brown, Commissioner Porfirio Lopez, Commissioner Mike Slye, and Commissioner Kathy Thorpe. City of Kaufman staff present included Director of Development Services Andrew Bogda, Planner Joy Henderson, and EDC Director Stewart McGregor.

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 action on the minutes of the July 2, 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 Lopez. The motion passed by a vote of 5-0.

PUBLIC HEARING

2. Conduct a public hearing to rezone approximately 43.757 acres from Light Industrial District (LI) and Single-Family Residential-8 District (SF-8) to Planned Development-29 (PD-29), located at the northeast corner of State Highway 34 and Rand Road. (Case No: Z-07-24)

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

Director of Development Services Andrew Bogda presented a report on the requested zoning change for property located at the northeast corner of State Highway 34 and Rand Road. Details of the case can be found in report Z-07-24 dated 08-06-2024.

The Public Hearing closed at 6:17 p.m.

Chairman Dunn asked about the expected traffic, especially relative to the peak morning and afternoon traffic the school generates. Stewart McGregor responded that the proposed development has a more steady and lighter traffic pattern. Andrew Bogda stated that most of the development's traffic is expected to use State Highway 34, while the school traffic predominantly uses Rand Road, and also stated that the traffic, and any needed mitigation would be evaluated more during the civil plan review and site planning stage. Mr. Bogda also indicated that the future thoroughfare along the eastern boundary will help to provide traffic relief.

Vice-Chairman Brown asked how the City decides which zoning district gets assigned to the different areas. Mr. Bogda responded that the P&Z Commission and City Council determines the zoning of properties after receiving recommendations from Staff. Mr. Bogda also stated that this area has historically included industrial uses, including Mica Steel Works and Trinity Valley Electric, and has been more desirable for commercial and industrial uses since the opening of the 34 bypass.

Vice-Chairman Brown also asked if the applicant had considered other industrial areas in town, including Millennium Business Park. Mr. McGregor stated that the subject property best meets the needs of the applicant and that Millennium Business Park cannot accommodate this large of a facility.

Commissioner Slye asked why we were not requiring fencing since their solar panels could be damaged by trespassers and if the fencing language can be added to the PD. Mr. Bogda stated that the PD provides the developer the option to add security fencing, but it could be made a requirement of the PD if desired. Chris Austin, the

applicant, indicated that they would likely include security fencing. Mr. Bogda indicated that fencing details could likely be better determined at the site planning stage.

Commissioner Slye also reminded the applicant that overhead utilities are not allowed.

Commissioner Slye made a motion to approve the requested zoning change from Light Industrial District (LI) and Single-Family Residential-8 District (SF-8) to Planned Development-29 (PD-29) for the 43.757 acres located at the northeast corner of State Highway 34 and Rand Road. The motion was seconded by Commissioner Lopez. 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 September 3rd at 6:00 pm.

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.

ADJOURNMENT

Since there is no further business, we stand adjourned at 6:41 p.m.

APPROVED:

**RICHARD DUNN
CHAIRMAN**

ATTEST:

**JOY HENDERSON
PLANNER**



Planning and Zoning Commission Report

Meeting Date: September 3, 2024

SUBJECT: Consider and make a recommendation to City Council on the **Site Plan of CiCi's Pizza**, situated on approximately 1.24 acres (Property ID 202752) out of the D. Falcon Survey, Abstract No. 151, City of Kaufman, Kaufman County, Texas, said property being generally located at the southwest corner of S. Washington St. & Roundup Dr. on a portion of Block B of the Five Points Addition (Property ID 235266). The property is zoned Planned Development-22, Sub-District A ("PD-22-A") for "C" Commercial uses. (Case No. SP-02-24)

BACKGROUND/SUMMARY:

The subject property consists of 1.24 acres located at the southwest corner of S. Washington St. and Roundup Dr., backing up to Five Points Drive, within the Five Points planned development. The 99.5-acre Five Points development received zoning and preliminary plat approval in 2022, while the site plan and final plat for The Rivers at Five Points apartment development and the right-of-way for the spine road were approved in 2023. The spine road has been completed and the construction of the apartments is ongoing.

This proposed site plan for CiCi's Pizza represents the initial commercial development within Five Points and comprises 1.24 acres of a larger 9.821-acre commercial tract. Among other commercial uses, Sub-District A of PD-22 (in which this property is located) authorizes the proposed restaurant use.

Site Plan

Two access points, one on Roundup Dr. and one on Five Points Dr., provide the primary access into the site, both of which are served by a shared access easement and fire lane which wraps around the front and west sides of the building. 61 parking spaces (3 of which are ADA-accessible) are provided, which exceeds the 50 spaces that are required. Direct pedestrian access is provided via crosswalk connections to the existing sidewalks along Roundup Dr. and Five Points Dr., and a sidewalk wraps around the entire building.

The building is 5,000 sq. ft. in size, with the main public entrances and exits located on the front of the building and maintenance, emergency, and delivery entrances located on the side and rear of the building. The trash enclosure is located behind the building. No monument signage is currently planned due to the presence of utility easements along the main street frontages. Notes have been added to the plans requiring concrete paving, prohibiting the outside storage of materials or merchandise, requiring a masonry trash enclosure with opaque metal gates, requiring the screening of all rooftop and ground equipment, requiring lighting to adhere to the Zoning Ordinance, and requiring signage to adhere to the PD or Zoning Ordinance (as applicable).

Some of the parking spaces, the eastern driveway, and the perimeter shrubs and ornamental trees along Roundup Dr. partially encroach a water easement along the front of the property; the applicant has provided a note indicating they will be responsible for the cost of removing and replacing any pavement, landscaping, or other improvements due to any easement-related work.

The property generally drains to the east. An underground storm drainage system has been provided, which will tie into a detention area across Roundup Dr.

Building Elevations, Floor Plan, and Roof Plan

The building includes predominantly cement stucco materials, with a masonry base around the entire building, and additional masonry on the southwest corner of the building near the main entrance, which also projects above the height of the remainder of the building. The building ranges in height from 21' to 25'-8". Abundant windows and metal awnings are provided on the front and sides of the building, while a metal coping finish accentuates the top of the building. The building will predominantly include a mix of cream and gray colors, with black and aluminum accents, and a natural stone color for the masonry materials. Wall signs will be provided on the south and east elevations (facing S. Washington St. and Roundup Dr., respectively).

A floor plan has been provided, which shows a large dining area in the central and eastern portions of the building, the kitchen and serving area in the western portion of the building, and a game room and restrooms in the rear of the building. A roof plan has also been provided, which shows the location of the rooftop equipment relative to the building parapets, as well as the different roof slopes.

Landscaping

Landscaping will include shrubs around the perimeter of the parking lot and driving aisles, shade trees in the parking lot islands, ornamental trees along Roundup Drive and in the parking lot islands facing Washington Street, shrubs and groundcover around the building, and ornamental trees in the parking lot islands near the building. Due to the presence of water lines, the applicant has requested relief from the requirement to plant trees along S. Washington St. and Five Points Dr. In exchange, the applicant has exceeded the shrub requirements, the parking lot tree requirements, and has planted double the amount of trees along Roundup Dr. (since they are ornamental trees instead of shade trees), which also partially wrap around the intersection with Five Points Dr.

SURROUNDING ZONING AND EXISTING LAND USES:

	Zoning	Existing Land Use
East:	PD-22-A	Roundup Dr.; detention pond and vacant land (future commercial) across street
West:	PD-22-A	Vacant land (future commercial)
South:	PD-1	S. Washington St.; Kaufman County Courthouse annex (across street)
North:	PD-22-D	Five Points Dr.; vacant land (future townhomes) across street



COMPREHENSIVE PLAN:

Land Use Plan:

The 2014 Future Land Use Plan designated the land use of the overall 99.5-acre Five Points property as a mixture of high-density multi-family and commercial uses. The Planned Development zoning approved for the property in 2022 allowed for commercial uses on the 1.24-acre subject property. The proposed site plan is consistent with the zoning and the overall mixture of uses envisioned for the larger tract by the Future Land Use Plan.

Thoroughfare Plan:

S. Washington St. is classified as a major arterial (Type A; 4 – 6 lanes), with an ultimate right-of-way of 120'. Roundup Dr. is classified as a major collector (Type C; 3-4 lanes), with an ultimate right-of-way of 80'. Five Points Dr. is not identified on the Thoroughfare Plan, but functions as a minor collector (Type D; 2-3 lanes) with a right-of-way of 60'. All the necessary right-of-way for the surrounding roads has already been dedicated.

RECOMMENDATION:

Staff recommends approval of the Site Plan of CiCi's Pizza at the southwest corner of S. Washington St. and Roundup Dr.

ATTACHMENTS:

- Location Map
- PD-22 Sub-District "A" Regulations
- Approved Preliminary Plat
- Exhibit A – Property Description/Survey
- Exhibit B – Site Plan
- Exhibit C – Floor Plan, Building Elevations, Roof Plan
- Exhibit D – Landscape Plan

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

Location Map



PD-22 Sub-District "A" Regulations

Exhibit "B-1" **Subdistrict PD 22-A Standards** **(commercial)**

- 1) **Base Zoning:** Subdistrict PD 22-A is established with the base zoning district **Commercial (C)** as established by the City of Kaufman Zoning Ordinance. Unless specified herein, all development located within this subdistrict shall be governed by city codes and regulations applicable to this base zoning district.
- 2) **Land Uses Permitted:** All of the following land uses shall be permitted within Subdistrict PD 22-A, by right. Where indicated below, or with respect to other allowable land uses permitted in Commercial (C) districts, such use shall require a specific use permit or authorization from city.
 - A. Retail stores, general merchandise, or services
 - B. Food stores
 - C. Convenience stores without gasoline sales
 - D. Convenience stores with gasoline sales – subject to SUP approval
 - E. Dry cleaners
 - F. Donut, bakery or confectionery shop
 - G. Consignment shop (indoors)
 - H. Antiques (indoors)
 - I. Appliance sales and repair (no outside storage) – subject to SUP approval
 - J. Appliance, tool or furniture rental (indoors)
 - K. Building materials, hardware/home improvement (indoor only)
 - L. Building materials, hardware/home improvement (outdoor storage) – subject to SUP approval
 - M. Laundromat/washateria self-service
 - N. Personal service uses (barber/beauty shop, tailor, shoe repair, seamstress, etc.)
 - O. Massage therapist (state-licensed) – subject to SUP approval
 - P. Pet shop and grooming (no outside kenneling, no overnight boarding)
 - Q. Pharmacy/drug store
 - R. Restaurant with or without drive-through service
 - S. Alcoholic beverage sales in conjunction with a restaurant – subject to SUP approval
 - T. Private club (restaurant alcohol sales) – subject to SUP approval
 - U. Studio for decorator, artist, or photographer
 - V. Studio for music, dance, or drama

PD-22 Sub-District “A” Regulations

Exhibit “B-1” **Subdistrict PD 22-A Standards** **(commercial)**

- W. Used merchandise or secondhand thrift store (inside)
- X. General business and professional office use
- Y. Medical, dental, or optician clinic, laboratory, or office
- Z. Financial institution with or without drive-through service
- AA. Telemarketing agency
- BB. Day care center (childcare for 7+ unrelated children) or day camp for children
- CC. School (business or commercial trade) – subject to SUP approval
- DD. School (private, public, or parochial)
- EE. Church, rectory or temple
- FF. Civic/community center (public)
- GG. Theater or playhouse (indoor)
- HH. Commercial amusement (indoor) or amusement arcade
- II. Health, fitness, sports club (indoors only)
- JJ. Auto parts or accessory sales (indoor)
- KK. Car Washes. – subject to SUP approval

3) Development Standards of Subdistrict PD 22-A:

	Base Zoning District	Subdistrict PD 22-A
Minimum Lot Area	10,000 sf	10,000 sf
Minimum Dwelling Size	Not applicable	- Not applicable
Minimum Lot Width	100 ft	100 ft
Minimum Lot Depth	100 ft	100 ft
Minimum Front Yard	25 ft	25 ft
Minimum Rear Yard	20 ft	20 ft
Minimum Side Yard	15 ft	15 ft
Maximum Height	3 Stories/45 feet	3 Stories/45 feet
Maximum Lot Coverage	50%	55%

4) Special District Development Standards and Requirements:

A. Required Off-Street Parking:

1. The number off-street parking spaces required for a particular use shall be the lesser of: (a) 1 space per 200 sf, *or* (b) the parking space requirement set forth in Section 35.6 of the zoning code. Shared parking spaces may be permitted subject to City review and approval to accommodate multiple uses that may operate at different peak parking times. Up to ten percent (10%) of parking spaces may be compact parking spaces in this Subdistrict.

PD-22 Sub-District "A" Regulations

Exhibit "B-1" **Subdistrict PD 22-A Standards** **(commercial)**

- B. Landscaping: Landscaping in this Subdistrict shall conform to the requirements of landscaping for the commercial ("C") zoning district.
- C. Building Materials Permitted: Up ten percent (10%) of each building façade within the Subdistrict may be constructed with, or be accentuated by, exterior insulation and finishing system (EIFS) materials.
- D. Screening:
 - 1. A living screen or living screen with berm at least 6 feet in height is expressly permitted as a substitute method of screening commercial loading docks and delivery areas from public streets, provided that planting material conforms to city permitted plant list and meets the applicable requirements of Section 35.4 of the zoning code.
 - 2. Refuse dumpsters shall be enclosed by a 6' high masonry screen wall with finishes consistent with the primary building(s) on the lot. Painted steel framed gates shall be installed to provide access to the dumpsters.

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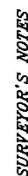


Exhibit B – Site Plan

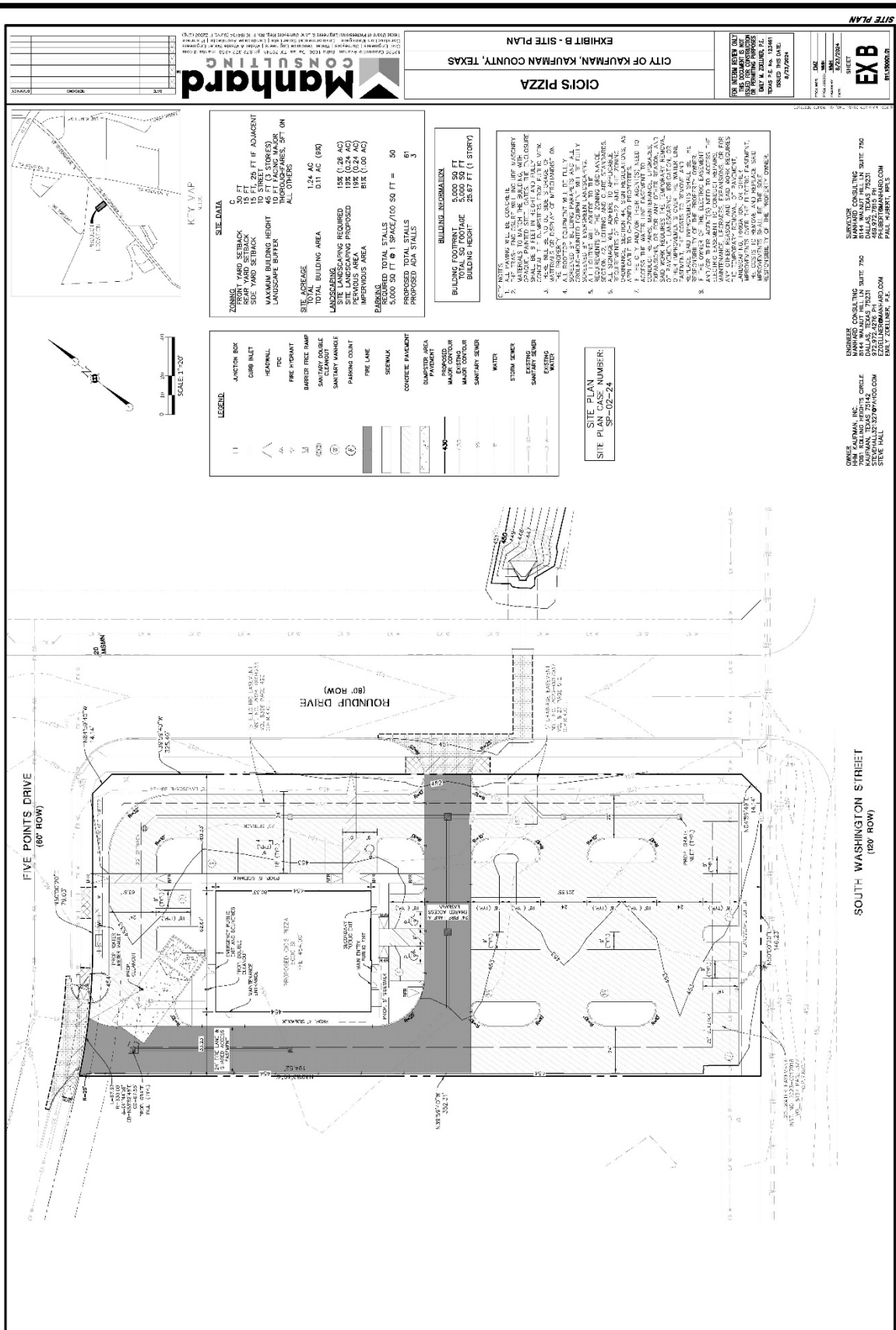


Exhibit C – Floor Plan

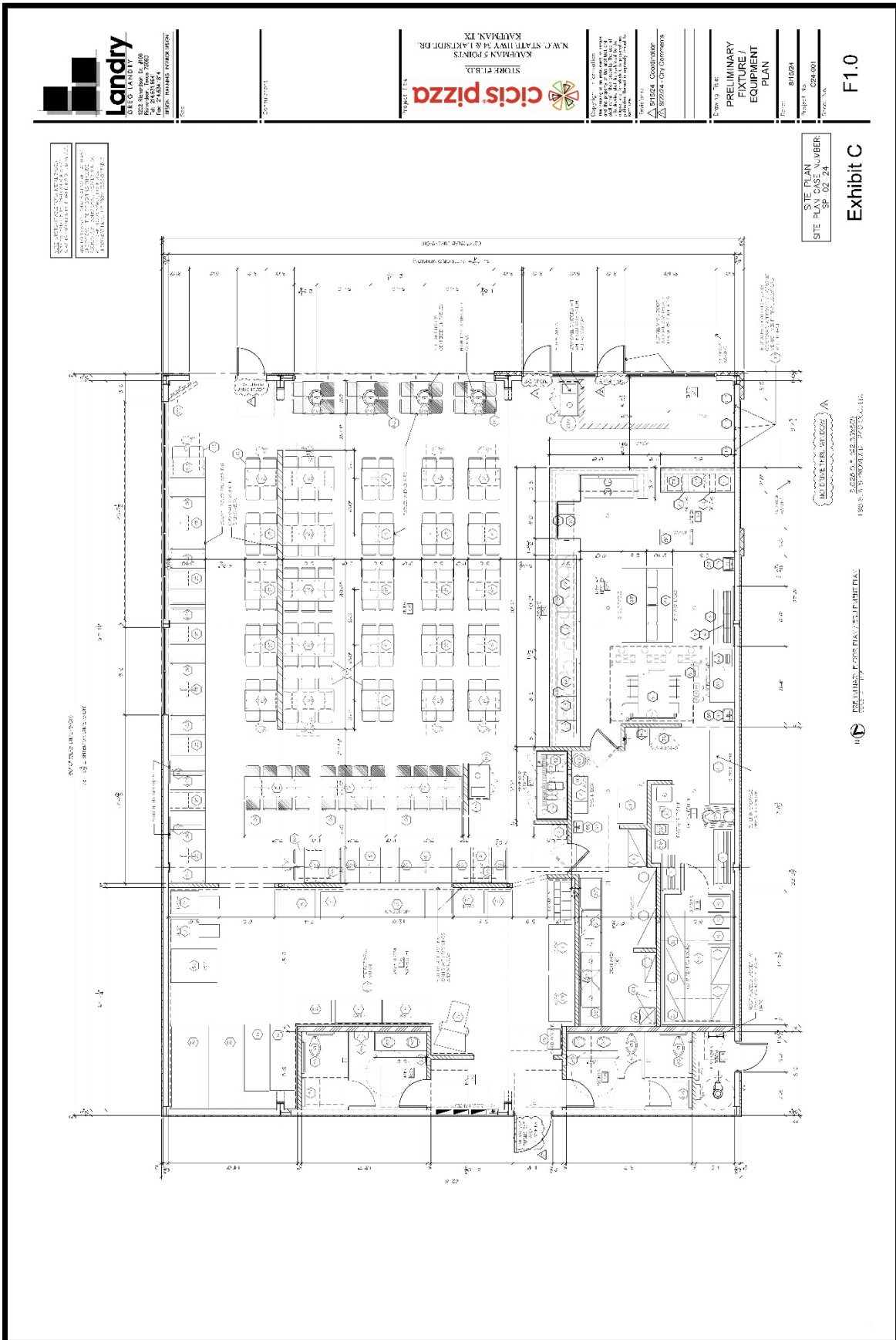
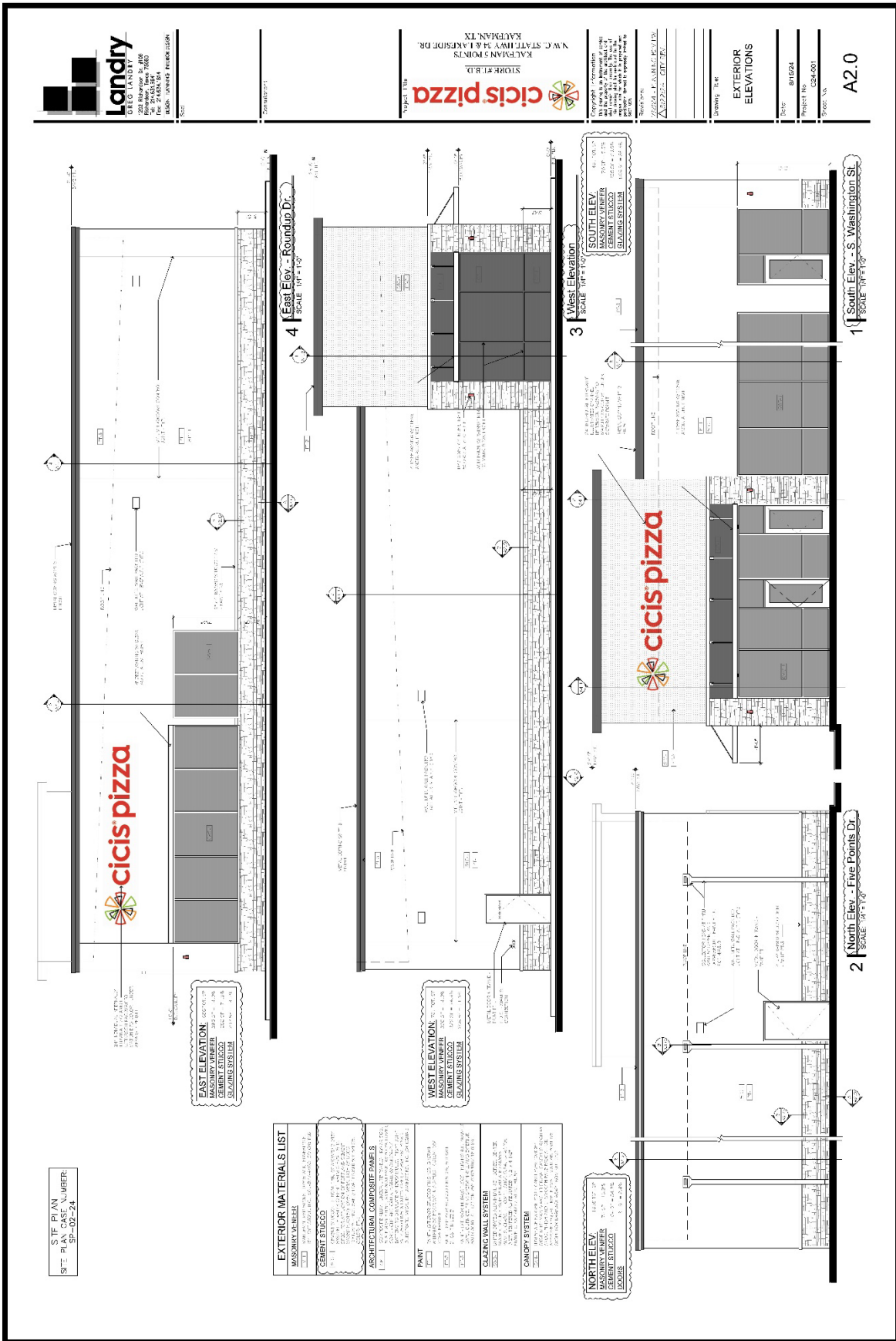


Exhibit C – Building Elevations



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Exhibit D – Landscape Plan

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