



AGENDA
PLANNING AND ZONING COMMISSION MEETING
TUESDAY, MAY 5, 2020 - 6:00 PM
KAUFMAN CITY HALL COUNCIL CHAMBERS
209 SOUTH WASHINGTON STREET,
KAUFMAN, TEXAS 75142

**This meeting will be held using
videoconferencing/teleconferencing
technology with public access via:
[WWW.ZOOM.US/JOIN](https://www.zoom.us/join) OR
(888)788-0099 (TOLL FREE)
MEETING/WEBINAR ID: 932-4126-7643
PASSWORD: 443058**

PLEDGE OF ALLEGIANCE

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

1. Consider and take appropriate action on the minutes of the March 3, 2020, Planning and Zoning Commission Meeting

END OF CONSENT AGENDA

PUBLIC HEARING

2. Conduct a public hearing and make a recommendation to City Council on a request by Tyler Adams of Green Light Studio, LLC to rezone a 54 acre tract of land (PID 56876), out of the D. Falcon Survey, Abstract No. 151 and generally located at the northwest corner of S. Houston Street (FM 1388) and SH 34 Bypass, with additional frontage on S. Washington Street from Planned Development -1 (PD-1) to a new planned development district. The new planned development district is proposed to be a mixed use development including an indoor multi-sports facility, office, retail, restaurants, multi-family, townhouse and single family uses. (Z-01-20)
3. Conduct a public hearing and make a recommendation to City Council on a request by Alvin Chandler of Kaufman 175 Properties LLC to rezone a 1.28 acre tract of land (PID 57160), addressed as 3471 E. Highway 175, in the Charles Askins Survey, Abstract No. 2, from Agriculture-Open Space District (A-O) to Highway Commercial (HC). The property is proposed to be used for retail sales. (Z-02-20)

DISCUSSION/ACTION ITEMS

4. Consider and take appropriate action regarding possible amendments to Chapter 118, "Zoning" of the Code of Ordinances, specifically to Section 33.4 Use Regulations, Chart 8, Commercial Uses and 33.5 Definitions relative to permitting outside storage as a specific use permit in the Central Business District (CBD).

ADJOURNMENT

I, JOY HENDERSON, 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 DAY, MONTH DD, YYYY AND REMAINED SO POSTED CONTINUOUSLY FOR AT LEAST 72 HOURS PRECEDING THE SCHEDULE TIME OF SAID MEETING.

JOY HENDERSON
PLANNING TECHNICIAN,
DEVELOPMENT SERVICES

****PURSUANT TO SECTION 551.127, TEXAS GOVERNMENT CODE, ONE OR MORE COUNCILMEMBERS OR EMPLOYEES MAY ATTEND THIS MEETING REMOTELY USING VIDEOCONFERENCING TECHNOLOGY. THE VIDEO AND AUDIO FEED OF THE**

VIDEOCONFERENCING EQUIPMENT CAN BE VIEWED AND HEARD BY THE PUBLIC BY ACCESSING WWW.ZOOM.US/JOIN OR (888)788-0099 (TOLL FREE) MEETING/WEBINAR ID: 932-4126-7643 PASSWORD: 443058

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 OF THE
PLANNING AND ZONING
COMMISSION MEETING
BOARD MEETING
TUESDAY, MARCH 3, 2020 - 6:00 PM
CITY HALL COUNCIL CHAMBERS
209 S. WASHINGTON STREET
KAUFMAN, TEXAS 75142**

PLEDGE OF ALLEGIANCE

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

Chairman Brown called the meeting to order at 6:03 p.m. Tuesday, March 3, 2020. Commissioners present were Chairman Burton Brown, Vice-Chairman Cardoza, Commissioner Richard Dunn, Commissioner Pelo Lopez, Commissioner Gladis Saldana, and Commissioner Curtis Snow. Director of Development Services Marcy Ratcliff and Planning Technician Joy Henderson were present. Present in the audience were Jim Meara, Pan Sribhen, Jorge Diez, Ramon Diaz, Pedro Acaredo, Mark Panyanouvong, and Matt Chumtep.

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

P&Z Commissioner Curtis Snow made a motion to approve CONSENT AGENDA as presented. The motion was seconded by P&Z Commissioner Richard Dunn and 6/0.

1. Consider and take appropriate action on the Minutes of November 5, 2019 Planning and Zoning Commission Meeting.
2. Consider and take appropriate action on the Minutes of December 3, 2019, Planning and Zoning Commission Meeting.

PUBLIC HEARING

DISCUSSION/ACTION ITEMS

3. Consider and take appropriate action on a Site Plan from TSKF II Ltd for development of four buildings for retail, restaurant and office development at 101 and 201 Kings Fort Parkway (across the street from Dickey's BBQ). The property is currently platted as Lots 1R-1 and Lot 2R-1, Block B, Kings Fort Addition, Phase 1. The two lot areas combined contain 2.394 acres. The lots are zoned Planned Development -14 for Commercial. (Case No. SP-01-20)

Marcy Ratcliff, Director of Development Services, stated TSKF II, Ltd. the owner of the Lots 1R-1 and 2R-1, Block B, Kings Fort Addition, Phase 1 is proposing development of four buildings for retail, restaurant and office spaces. The property is currently undeveloped. A driveway entrance to the two lots was installed during the initial construction of Kings Fort Parkway. This driveway entrance will be removed. A new driveway entrance will be installed approximately 20 feet to the east. The proposed building height is 24 feet high. The exterior elevations of the four buildings match the strip center on the south side of Kings Fort Parkway. Two monument signs are proposed. One sign at the corner of Tabor Parkway and Kings Fort Parkway and the other at Walton Drive and Kings Fort Parkway. No pole signs are proposed at this time. The site is required to provide 15% landscaped area and 28.89% landscaped area is proposed.

Jim Meara stated the dumpster will be located in the back of the lot. One third of the employees will be parking near dumpster area. The buildings can be divided into 2 or 3 different suites. He is hoping someone will take the whole building. Building 3 has been leased to an urgent care clinic so they will be occupying the whole building.

P&Z Commissioner Richard Dunn made a motion to approve the Site Plan for development of four buildings for retail, restaurant and office development at 101 and 201 Kings Fort Parkway. The property is currently platted as Lots 1R-1 and Lot 2R-1, Block B, Kings Fort Addition, Phase 1. The two lot areas combined contain 2.394 acres. The lots are zoned Planned Development -14 for Commercial. (Case No. SP-01-20) as presented. The motion was seconded by P&Z Commissioner Gladis Saldana and Passed 5/0.

4. Consider and take appropriate action on a site plan from Jorge Diez for redevelopment of 208 S. Washington from a church family life center to a grocery store/restaurant (across the street from City Hall) and 208 S. Jackson for an accessory parking lot. The proposed grocery store/restaurant is platted as Lots 5, 6, 7, and 8, Block 22, Kaufman Original Addition. The parking lot is platted as Lots 6, 7, and 8, Block 21, Kaufman Original Addition. The properties are zoned Washington Street Corridor (WSC). (Case No. SP-02-20)

Marcy Ratcliff, Director of Development Services, stated the site plan request is for redevelopment of the existing 9,898 SF building at 208 S. Washington (formerly known as the First Baptist Church Family Life Center and Cooley's Supermarket) to a grocery store and restaurant. The site plan request including the development of a paved accessory parking lot at 208 S Jackson. The grocery store area is approximately 5,896 SF and will require 30 off street parking spaces. The restaurant area is approximately 2,350 SF, with seating for 32 persons and will require 11 off street parking spaces. Currently, the parking lot area facing S. Washington has about 18 spaces, but the driving lane between the spaces is less than the required 24 feet. This parking lot area will be restriped and laid out with 9 off street parking spaces, in accordance with the zoning ordinance. Currently, the parking area along W. Chestnut, on the south side of the building, there are 12 head-in spaces, partially located in the public right-of-way. These spaces require all vehicle maneuvering to partially be in the public right-of-way, which does not comply with the zoning ordinance. The applicant proposes to add a 10 foot wide sidewalk and add striping for 5 parallel off street parking spaces along W. Chestnut. The parking area behind the west side of the building and along S. Jackson Street, is being converted from parking spaces to the grocery store's delivery loading/unloading area. Proposed on the 208 S. Jackson lot (northwest corner of S. Jackson Street and W. Chestnut) will be a paved parking lot for 27 off street parking spaces. The combined parking will provide the required 41 off street parking spaces. The property has been historically used as an unpaved parking lot. Parking lots are typically an accessory use to a principal use on the same lot. In this case, there is no principal use on the property. The existing lot is considered a non-conforming accessory use that satisfies the required parking for 208 S. Washington. The parking lot is required to be paved, because the use of the building is changing from a family life center to a grocery store/restaurant. A new enclosed trash dumpster will be located on the same site. The exterior elevation changes are limited to adding parapet walls to the roof line at the S. Washington building entrance and to the W. Chestnut building entrance. All future signage will be in accordance with the Sign Regulations. The grocery store/restaurant platted as Lots 5, 6, 7, and 8, Block 22, Kaufman Original Addition will be replatted to Lot 5R, Block 22, Kaufman Original Addition to one lot containing approximately 20,000 SF. The accessory parking lot platted as Lots 6, 7, and 8, Block 21, Kaufman Original Addition will be replatted to Lot 6R, Block 21, Kaufman Original Addition to one lot containing approximately 15,000 SF.

Jorge Diez stated there is a small area for the restaurant and the rest of the area will be a grocery store.

P&Z Commissioner Richard Dunn made a motion to approve the site plan for redevelopment of 208 S. Washington from a church family life center to a grocery store/restaurant and 208 S. Jackson for an accessory parking lot. The proposed grocery store/restaurant is platted as Lots 5, 6, 7, and 8, Block 22, Kaufman Original Addition. The parking lot is platted as Lots 6, 7, and 8, Block 21, Kaufman Original Addition. The properties are zoned Washington Street Corridor (WSC). (Case No. SP-02-20) as presented. The motion was seconded by P&Z Vice Chairman Patrick Cardoza and Passed 5/0.

ANNOUNCEMENTS AND REPORTS FROM DEVELOPMENT SERVICES DIRECTOR

5. Receive an update and discussion regarding the following:

A. Report on upcoming Planning and Zoning Commission cases

Marcy Ratcliff, Director of Development Services, stated the 54 acres located at the corner of the 34 Bypass and South Houston Street. There will be a sports park, 3 to 4 story sports complex for kids with exceptional talent. There will also be a parking lot that will be 3 to 4 stories high. Once the developer puts in all of the infrastructure, the City of Kaufman will deed the property to the developer.

Chairman Brown asked who will be making the decision to give the public property to the developer for private developer? Marcy Ratcliff stated there will be a public hearing that will have to be approved, starting with the Planning and Zoning and then finishing with City Council.

Chairman Brown asked if the building will be a metal building? Marcy Ratcliff stated they City of Kaufman was discussing putting a deed restriction on the type of material that will be used.

B. Census Day, April 1, 2020

The Census Bureau is starting their 10 year census count for 2020. The most under counted age limit is from birth to 5 years old.

C. Neighborhood Enhancement Action Team (NEAT) Cleanup - April 18 - Cottage Heights Neighborhood

The next NEAT date is April 18, 2020. We have just finished sending out letters to the property owners for the NEAT area, which is in the Cottage Heights area. We are always looking for groups to help assist with different events.

ADJOURNMENT

There being no further business, Chairman Brown adjourned the meeting at TIME.

JOY HENDERSON
PLANNING TECHNICIAN



Planning and Zoning Commission Agenda Item: 2

Meeting Date: May 5, 2020

Consent: No

Discussion/Action: Yes

SUBJECT: Conduct a public hearing and make a recommendation to City Council on a request by Tyler Adams of Green Light Studio, LLC, to rezone a 54 acre tract of land (PID 56876), out of the D. Falcon Survey, Abstract No. 151 and generally located at the northwest corner of S. Houston Street (FM 1388) and SH 34 Bypass, with additional frontage on S. Washington Street from Planned Development -1 (PD-1) to a new planned development district. The new planned development district is proposed to be a mixed use development including an indoor multi-sports facility, office, retail, restaurants, multi-family, townhouse and single family uses. (Z-01-20)

BACKGROUND/SUMMARY:

Tyler Adams, of Green Light Studio, LLC, is requesting to rezone an undeveloped 54 acre tract of land (PID 56876), owned by the City of Kaufman from Planned Development – 1 (PD-1) to a new planned development district for a mixed use development. The development is divided into four subdistricts (A-D). The Commercial District is the base zoning for subdistricts A-C. The Townhouse District is base zoning for subdistrict D. The mixed use development is proposed to be developed in four phases. Below is a general summary of the proposed planned development.

Landscaping and Screening:

1. 35 foot landscape buffer yard along S. Houston and SH 34 Bypass.
2. 20 foot landscape buffer yard along S. Washington.
3. Additional landscape buffers not required unless shown on concept plan
4. Areas noted as common areas and greenbelt easements will be maintained by an home owner's association/commercial owner's association (HOA/COA)
5. Screening is not required between uses within the PD
6. 8 foot wrought iron fence with evergreen solid landscape screening is required between the residential uses and adjacent Kaufman County land to the north

Building Setbacks:

1. 50 feet along S. Houston
2. 75 feet along SH 34 Bypass.

Signage:

1. All signage shall be in accordance with Section 44, Sign Regulations with the following exceptions:

- a. Off-premise signage for the uses contained within the PD are allowed by right
 - i. 2 off-premise monument signs are proposed with a maximum height of 35 feet
 - ii. Maximum sign area per side is 200 SF
 - iii. Maximum changeable area is 200 SF
 - iv. Strobe lights, beacon lights, and rotating or revolving signs are not permitted
 - v. Pole signs are not allowed as an off-premise sign.
 - vi. No maximum depth requirement

Phase 1 (subdistrict B) includes the indoor sportsplex and hotel. The indoor multi-sports facility and hotel is proposed to have a maximum height of 6 stories, or 75 feet, above the average grade of the main building. The hotel will possibly have 80 or more rooms. The base zoning district is Commercial (C).

Phase 2 (subdistrict A) includes 4 commercial pad sites (3 for possible restaurants and a combination convenience store with gas pumps and a restaurant), an office building site and a site set aside for a City of Kaufman future water tower. Phase 2 development can occur with Phase 1. The base zoning district is Commercial (C).

Phase 3 (subdistrict C) includes a mixed use development with retail, office, commercial, and restaurants on the first floor and multi-family units above. The maximum height is proposed to be 6 stories or 75 feet. There will be underground parking in this area. Development of phase 3 cannot begin until phase 1 is complete. The base zoning district is Commercial (C).

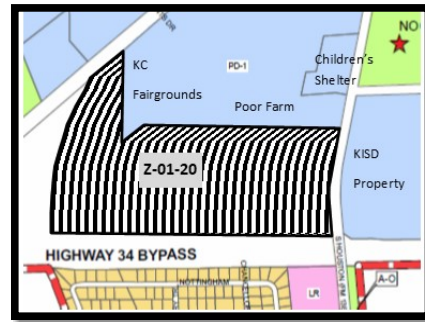
Phase 4 (subdistrict D) includes townhouses, patio homes, duplex, and triplex development is allowed. Single family development is limited to 15% of the overall developments. There are approximately 87 lots shown on the concept plan. A maximum of 6 contiguous units may comprise a single building. Phase 4 contains a community splash pad park that will be dedicated to the City of Kaufman. Development of phase 4 cannot begin until phases 1-3 are complete.

Attached in this memo is a letter defining an indoor multi-sports facility, the exact proposed planned development language and a summary of the requested differences between the planned development and the base district.

Two separate attachments include the conceptual drawings that will be included in the planned development ordinance that also highlights the additional requirements and amendments to the base district and the applicant's PowerPoint presentation.

SURROUNDING ZONING AND EXISTING LAND USES:
Zoning Map

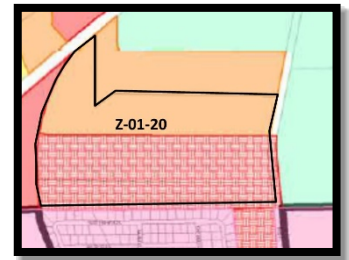
	Zoning	Existing Land Use
Left:	Unzoned	Unused KC Property for SH 34 Bypass
Right:	PD-1	KISD property Ag Barn & undeveloped
Top:	PD-1	KC Fairgrounds, Poor Farm, Children's Shelter
Bottom:	SF-8 & LR	Windsor Park & Undeveloped



COMPREHENSIVE PLAN:

Land Use Plan:

The 2009 Future Land Use Plan designated the land use of the subject property as a Future Multi Family (High Density – orange color) and Neighborhood Services (red weave color). The proposed planned development incorporates a variety of multi family type units and provides commercial development that will service the residential uses along with the community and is in compliance with the 2014 Future Land Use Plan. Remember future land use areas are generally located on a map and are not like zoning districts. Future land use plan maps are typically for planning at least 20 years out into the future.



Thoroughfare Plan:

The Thoroughfare Plan designates S. Houston as a “Type B”, Minor Arterial requiring a future right-of-way width of 100 feet and State Highway 34 Bypass as a “Type AA”, Major Regional Arterial, requiring a future right-of-way width of 240 feet. The existing right-of-ways are developed and maintained by the State of Texas. TxDOT controls all the driveway accesses. The applicant will be required to have a driveway permit approved by TxDOT.

PROPERTY OWNER RESPONSES:

The City of Kaufman mailed out notification letters to 28 property owners within 300’ of the 54 acre tract (PID 56876). The results are as follows:

- Property owners returned letters in opposition of the request: 0.
- Property owners returned the letter in agreement of the request: 0.
- Property owners who have not responded: 28.

If 20% of the area within 200 feet of the request objects 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.

RECOMMENDATIONS:

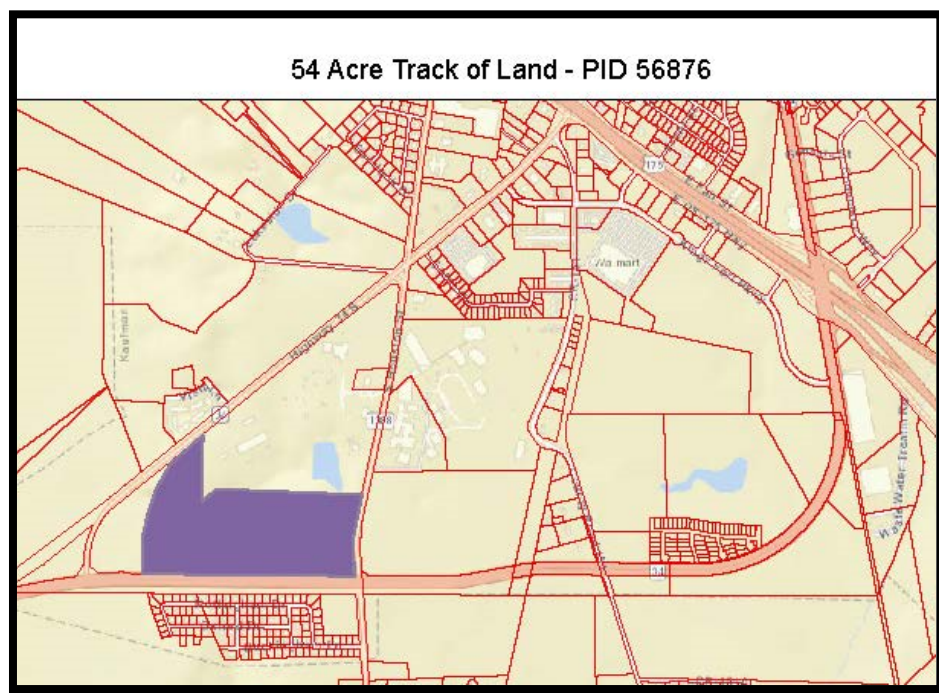
Staff recommends approval of Z-01-20 to rezone from Planned Development -1 (PD-1) to a new planned development district (PD) for the 54 acre tract (PID 56876) at the northwest corner of S Houston and SH 34 Bypass.

ATTACHMENTS:

1. Location map
2. Applicant's Letter defining indoor sports facility
3. New Planned Development Language
4. Requested Zoning Changes Summary

Marcy Ratcliff
Development Services
972-932-2216 ext. 117
Kaufmanplanning@kaufmantx.org

Location Map



GREENLIGHT

STUDIO, LLC

Memorandum

April 29, 2020

TO: City of Kaufman Development Services
PO Box 1168
209 S. Washington
Kaufman, TX 75142

REF: Indoor Sports Facility description for South Pointe Park

To whom it may concern:

The Indoor sports facility at South Pointe Park is an indoor venue for a mix of different sports. This facility will provide year-round training and competition for some of the most popular sports in Texas. The facility will be used for tournaments, events, and provide support to Kaufman ISD. The facility will require a myriad of jobs on full, part-time, and contract basis. The features of this facility include:

- 8 Multi-Purpose Courts – convertible to basketball, volleyball, etc.
- Fitness Room/Cardio with locker rooms
- Indoor Soccer field
- Kitchen and cafe
- Flex space for education and teams
- Parking garage

The facility will be professionally managed by Sports Advisory's Sports Facility Management Division, lending its world-class sport expertise to the operations of the facility and overall development.

If you have any further questions, please feel free to contact me (tyler@gldevco.com) or Dr. David Willis (dwillis@rei-development.com).

Thank you,



Tyler Adams, AIA

100 N. Cottonwood Drive | Suite 104 | Richardson, Texas | 75080 | 214.810.4535
www.gldevco.com

PD NO. 18 SOUTH POINTE PARK AT KAUFMAN SPORTS VILLAGE

1.1 GENERAL PURPOSE AND DESCRIPTION:

PD-18 is designed to provide a sports and health destination to the city of Kaufman, specifically at the south side of the city. The plans and language are designed to preserve the natural character of the land, allow the use of a mixed indoor sports facility, encourage mixed development in retail, hospitality, healthcare, office, sports, housing, and provide quality connection points to both the on-site amenities as well as surrounding assets.

1.2 IN GENERAL

- A. PD-18 is subject to all codes, procedures, and applicable zoning ordinances except as modified herein. If any information conflicts, the planned development shall govern.
- B. Established Right of Ways and Splash Pad will be dedicated to the City of Kaufman.

1.3 DESIGNATION OF SUBDISTRICTS:

- A. PD-18 is broken into four separate subdistricts governed independently by individual concept plans as established in the PD documents. Each subdistrict is governed by the base zoning and will be developed under the enforceable zoning regulations as published on May 18, 2020, along with the exceptions noted herein.

1.4 GENERAL MINIMUM STANDARDS

- A. A 35' landscape buffer is required along State Highway 34 and South Houston Street.
- B. A 75' building setback is established along State Highway 34.
- C. A 50' building setback is established along South Houston Street.
- D. A 20' landscape buffer is established along S. Washington Street.
- E. Additional landscape buffers are not required unless shown on the concept plans.
- F. Screening is not required between uses within the PD.
- G. Proximity slopes and additional setbacks are not required between uses within the PD.
- H. Screening between the TH districts and adjacent land/ROW as indicated on the zoning plan.
- I. No outside storage shall be allowed by SUP only in subdistricts A and B.
- J. Parking requirements in PD-18 are indicated in each subdistrict.
- K. Street lighting design shall be approved by city staff.
- L. Dumpsters shall be enclosed by a 8' high masonry screen wall with finishes consistent with the main building. Painted steel gates to provide access.
- M. The first residential building permit will be issued in accordance with the development agreement.
- N. A 8' wrought iron fence with evergreen solid landscape screening is required between the residential uses and adjacent county land to the north.

1.5 HOA/COA ESTABLISHED

- A. An HOA/COA will be filed with the state and shall be an enforceable entity for the maintenance of the common areas, greenbelt easements, and general quality and character of the development. The entity must be filed and in place before the first building permit issued.

1.6 SIGNAGE

- A. Signage Shall be in accordance with Section 44, Sign Regulations, with the following exceptions:

Last Revision: 04.29.2020

- a. Off-premises signage for the uses contained in this PD is allowed by right.
 - i. Locations of signage are indicated on the concept plans and will be limited to two signs.
 - ii. Off premises signs may be Changeable Message Signs with a maximum size of 200 SF on each side
 - iii. Strobe lights, beacon lights, and rotating or revolving signs are not permitted.
 - iv. Maximum height: 35'
 - v. Each side of sign face shall be a maximum of 200 SF. Remaining façade of monument must be of masonry materials consistent with the overall development.
 - vi. Pole signs are not allowed as an off premise sign.
 - vii. There is no maximum depth.
- b. Signage shall not be allowed in the middle of street medians.

1.7 LANDSCAPING

- A. All development in the PD shall comply with the City of Kaufman Landscape Ordinance.
- B. This planned development is exempt from any tree mitigation as of the effective date of the ordinance as well as any future mitigation ordinances.

1.8 TEMPORARY STRUCTURES

- A. Temporary structures for the construction of the developments, sales, leasing, and other marketing and development uses are an allowed use in this PD.

2.1 SUBDISTRICT A

- A. Subdistrict A is established with the base zoning district Commercial (C) with the general PD regulations as well as the following:
 - a. Required Parking:
 - i. The maximum parking required for any retail uses is 1 space per 150 SF or the requirement based on the use, whichever is less.

2.2 SUBDISTRICT B

- A. Subdistrict B is established with the base zoning district Commercial (C) with the general PD regulations as well as the following:
 - a. Permitted uses:
 - i. The Mixed Indoor Sports Facility is established as its own use and is allowable in this subdistrict.
 - 1. Required parking for the sports facility is 1,000 spaces based on a 174,000 SF facility. If the size of the facility differs, the developer must provide a new justified number.
 - 2. Parking for this facility may be shared with other facilities.
 - 3. No overnight parking is allowed from off-site uses.
 - b. Height regulations:
 - i. Maximum Height: Six (6) stories or seventy-five feet above average grade plane (75') for the main building.
 - c. Size of yards:
 - i. Front, Rear, and Side yard Setbacks shall be 15' with the exceptions of those indicated in section 1.

Last Revision: 04.29.2020

2.3 SUBDISTRICT C

- A. Subdistrict C is established with the base zoning district Commercial (C) with the general PD regulations as well as the following:
- a. Permitted uses:
 - i. Multifamily is included as an acceptable use in this district with a maximum density of 100 units per acre.
 - b. Height Regulations:
 - i. Maximum Height: Six (6) stories or seventy-five feet (75') for the main building.
 - c. Size of Yards:
 - i. Front, Rear, and Side yard Setbacks shall be 15' with the exceptions of those indicated in section 1.
 - d. Required Parking:
 - i. The maximum parking required for any retail uses is 1 space per 150 SF or the requirement based on the use, whichever is less.

2.3 SUBDISTRICT D

- A. Subdistrict D is established with the base zoning district Townhouse Residential (TH) with the general PD regulations as well as the following:
- a. Maximum Height
 - i. Forty Feet (40').
 - b. Size of lots:
 - i. Minimum Lot Area is 3,000 SF.
 - 1. Detached single family housing requires a minimum lot size of 5,000 SF and is limited to 15% of the units of the overall development.
 - ii. No minimum lot width.
 - iii. No minimum lot depth.
 - c. Size of yards:
 - i. Minimum front yard is 25'.
 - 1. Porches and awnings may protrude up to 8' into the yard.
 - ii. Minimum side yard is 10' if adjacent to another building or screen wall. Otherwise, the side yard is 15'.
 - iii. Minimum rear yard is 15'.
 - d. Additional Requirements
 - i. Building plan articulation no less than 4' is required every two units or 100', whichever is less. Porches and balconies are not considered for this requirement.
 - ii. A maximum of six (6) contiguous units may comprise one building.
 - iii. A 20' landscape/building setback along S. Washington Street.
 - iv. A 6' wood screen will be

Last Revision: 04.29.2020

Requested Zoning Changes Summary

South Pointe Park at Kaufman Sports Village 04.29.2020

Subdistrict A – Commercial (C)

PERMITTED USES: Those uses specified in Section 33 (Use Charts).	No change
Maximum Height: 1. Three (3) stories or forty-five feet (45') for the main building. 2. One (1) story for accessory buildings. 3. Other (Section 40).	No Change
Size of Lot: 1. Minimum Lot Area - Ten Thousand (10,000) square feet 2. Minimum Lot Width - One Hundred feet (100') 3. Minimum Lot Depth - One hundred feet (100')	No change
Size of Yards: 1. Minimum Front Yard - Twenty-five feet (25') 2. Minimum Side Yard - Fifteen feet (15'); twenty-five feet (25') if adjacent to a street. The side or rear setback, whichever is adjacent to a residential zoning district or property line, shall observe a setback equal to a 3:1 slope from the residential property line, three feet (3') of setback for each one foot (1') of height. 3. Minimum Rear Yard - Twenty feet (20')	Additional setbacks and landscape buffers along S Houston and TX-34
Maximum Lot Coverage: 1. Fifty (50%) percent for the main structure	No Change
Parking Regulations: As established by Section 35, Off-Street Parking and Loading Requirements.	Maximum parking requirement of 1 space for every 150 SF

Subdistrict B – Commercial (C)

PERMITTED USES: Those uses specified in Section 33 (Use Charts).	Adds a new use for indoor mixed sports facility.
Maximum Height:	6 Stories or 75'
1. Three (3) stories or forty-five feet (45') for the main building. 2. One (1) story for accessory buildings. 3. Other (Section 40).	
Size of Lot: 1. Minimum Lot Area - Ten Thousand (10,000) square feet 2. Minimum Lot Width - One Hundred feet (100') 3. Minimum Lot Depth - One hundred feet (100')	No change
Size of Yards: 1. Minimum Front Yard - Twenty-five feet (25') 2. Minimum Side Yard - Fifteen feet (15'); twenty-five feet (25') if adjacent to a street. The side or rear setback, whichever is adjacent to a residential zoning district or property line, shall observe a setback equal to a 3:1 slope from the residential property line, three feet (3') of setback for each one foot (1') of height. 3. Minimum Rear Yard - Twenty feet (20')	Additional setbacks and landscape buffers along S Houston and TX-34 15' setbacks between parcels No landscape buffers between parcels
Maximum Lot Coverage: 1. Fifty (50%) percent for the main structure	No Change
Parking Regulations: As established by Section 35, Off-Street Parking and Loading Requirements.	Indoor mixed sports facility: 1,000 spaces for 174,000 SF facility. Parking for sports facility can share parking with other uses.

Subdistrict C – Commercial (C)

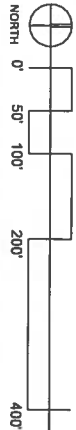
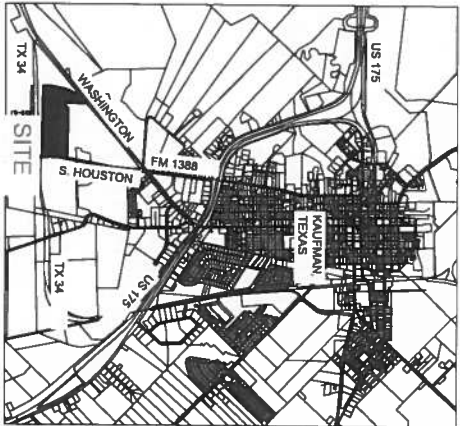
PERMITTED USES: Those uses specified in Section 33 (Use Charts).	Adds multifamily as an acceptable use at 100 units per acre.
Maximum Height: 1. Three (3) stories or forty-five feet (45') for the main building. 2. One (1) story for accessory buildings. 3. Other (Section 40).	6 Stories or 75'
Size of Lot: 1. Minimum Lot Area - Ten Thousand (10,000) square feet 2. Minimum Lot Width - One Hundred feet (100')	No change
3. Minimum Lot Depth - One hundred feet (100')	
Size of Yards: 1. Minimum Front Yard - Twenty-five feet (25') 2. Minimum Side Yard - Fifteen feet (15'); twenty-five feet (25') if adjacent to a street. The side or rear setback, whichever is adjacent to a residential zoning district or property line, shall observe a setback equal to a 3:1 slope from the residential property line, three feet (3') of setback for each one foot (1') of height. 3. Minimum Rear Yard - Twenty feet (20')	Additional setbacks and landscape buffers along S Houston and TX-34 15' setbacks between parcels No landscape buffers between parcels
Maximum Lot Coverage: 1. Fifty (50%) percent for the main structure	No Change
Parking Regulations: As established by Section 35, Off-Street Parking and Loading Requirements.	Maximum parking requirement of 1 space for every 150 SF

Subdistrict D – Townhouse Residential (TH)

PERMITTED USES: 1. Those uses specified in Section 33 (Use Charts). 2. Single-family detached dwellings (must meet all requirements of SF-6 zoning). 3. Such uses as may be permitted under the provisions of Specific Use Permits, Section 30.	No Change
Maximum Height: 1. Thirty feet (30') for the main building. 2. One (1) story for accessory buildings. 3. Other (see Section 40).	Forty feet (40') for the main building
Size of Lots: 1. Minimum Lot Area – Patio Home (Zero-Lot-Line) - 4,500 sq. ft. 5,000 sq. ft. corner lot w/zero lot line 6,000 sq. ft. corner lot w/o zero lot line (same as SF-6) Single Family Attached (Townhome) – 3,000 sq. ft. interior unit w/o side yard 3,500 sq. ft. exterior unit w/ side yard 4,500 sq. ft.	Minimum Lot Size: 3,000 SF No minimum lot width. No Monimum Lot Depth.
Two-Family (Duplex) – 3,500 sq. ft. per dwelling unit, 4,500 sq. ft. if unit is on corner lot 2. Minimum Lot Width – Thirty feet (30'); Thirty-Five feet (35'); Forty-Five feet (45'); Fifty feet (50'); or sixty feet (60') respectively 3. Minimum Lot Depth - One hundred feet (100')	

Size of Yards: 1. Minimum Front Yard - Twenty-five feet (25') 2. Minimum Side Yard – Patio Homes - One (1) side yard reduced to zero feet (0'); other side yard a minimum of ten feet (10') required with fifteen feet (15') required on corner lots adjacent to a street; Townhomes and Duplexes – a side yard minimum of five (5') feet on exterior units to create a minimum of ten (10') feet between buildings, fifteen feet (15') on corner lots adjacent to a street. 3. Minimum Rear Yard - Fifteen feet (15') for the main building; twenty feet (20') from a garage to an alley; ten feet (10') from a main building to an accessory building. Accessory buildings (other than garages) may be placed three feet (3') from rear or side property line. (See Section 37 for additional accessory building requirements)	Additional setbacks and landscape buffers along S Houston and TX-34 15' setbacks between parcels No landscape buffers between parcels A. Minimum front yard is 25.' a. If in a designated nature conservation area, the front yard is 20.' b. Porches and awnings may protrude up to 8' into the yard. B. Minimum side yard is 10' if adjacent to another building or screen wall. Otherwise, the side yard is 15'. C. Minimum rear yard is 15.
Maximum Lot Coverage: Forty percent (40%) by main buildings; not to exceed fifty percent (50%) total impervious area including accessory buildings, driveways and parking areas.	No Change
Parking Regulations: 1. Each Dwelling Unit - A minimum of two (2) parking spaces one of which must be enclosed and placed behind the front building line and on the same lot as the main structure. Carports are only allowed in lieu of an enclosed garage on in-fill lots in which existing neighboring homes were predominantly constructed without garages. 2. Other - (See Section 35, Off-Street Parking and Loading Requirements)	No Change
Additional requirements	A. Building plan articulation no less than 4' is required every two units or 100', whichever is less. Porches and balconies are not considered for this requirement. B. A maximum of six (6) contiguous units may comprise one building. C. A landscape buffer and building setback of 20' required on S. Washington.

- NOTES
- THIS PLANNED DEVELOPMENT IS BROKEN INTO SUBDISTRICTS. EACH SUBDISTRICT HAS A GOVERNING CONCEPT PLAN AND ZONING. REFER TO THE SHEETS INDICATED ON THE PARCEL PLAN.
 - IMPROVEMENTS AND AMENITIES IN RIGHT OF WAYS, GREENBELT EASEMENTS AND ASSOCIATED INFRASTRUCTURE SHALL BE PERMANENTLY PLACED ALONGSIDE DEVELOPMENT CONCEPT OF EACH PROJECT. THESE CONCEPT PLANS ARE PRELIMINARY ONLY AND ARE SUBJECT TO ADJUSTMENTS. THE CITY MAY REQUIRE A REVISED CONCEPT PLAN FOR A SUBDISTRICT IF THE DEVELOPMENT DEVIATES BY MORE THAN 15% IN ANY MATTER. A GOVERNING HOWCOA WILL BE FORMED AND ARTICLES WRITTEN BEFORE A BUILDING PERMIT IS ISSUED FOR THE FIRST DEVELOPMENT WHILE WILL APPLY TO THE ENTIRE PLANNED DEVELOPMENT.
 - THESE PLANS SHOW IMPROVEMENTS TO COUNTY AND STATE ROADS AND HIGHWAYS. THESE IMPROVEMENTS ARE SUBJECT TO CHANGE. ADJUSTMENTS TO THESE IMPROVEMENTS WILL NOT REQUIRE A REVISED CONCEPT PLAN UNLESS THE CHARACTER OF THE SUBDISTRICT IS AFFECTED.



PLANNED DEVELOPMENT 18 (PD-18)
SOUTH POINTE AT KAUFMAN SPORTS
VILLAGE ADDITION

PART OF D. FALCON SURVEY, ABSTRACT 151
52.5 ACRES / PID # 56876
PREPARATION DATE: 12/20/2019
CITY OF KAUFMAN, TEXAS
KAUFMAN COUNTY, TEXAS
PROJECT NO. Z-01-20

Parcel Plan

G101

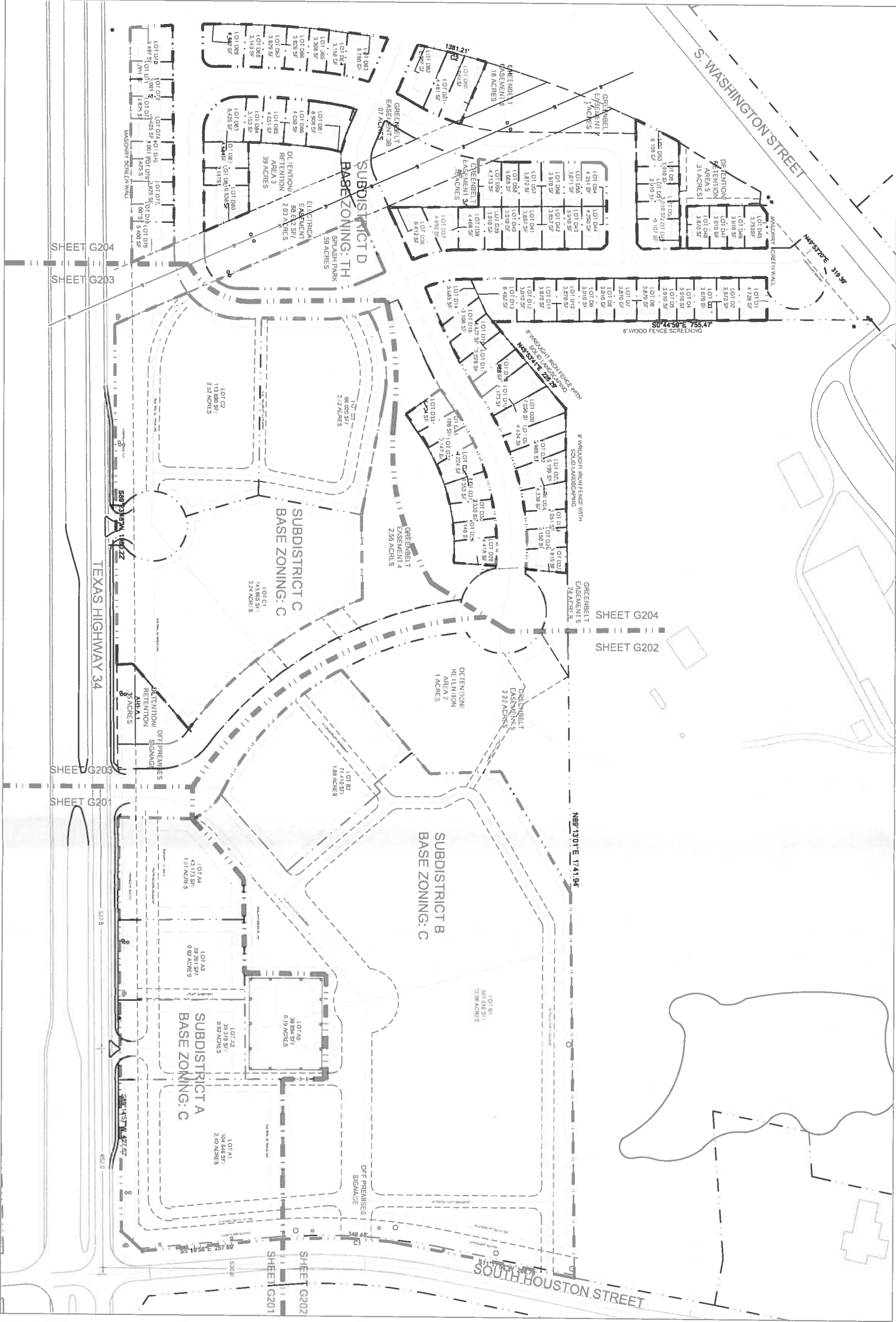
South Pointe Park at
Kaufman Sports Village
Part of D. Falcon Survey, Abstract 151
Kaufman County, Texas

DATE: 04/29/2020
PROJECT NO. 19007
REVISION:

SHEET NUMBER:

1 Parcel Plan

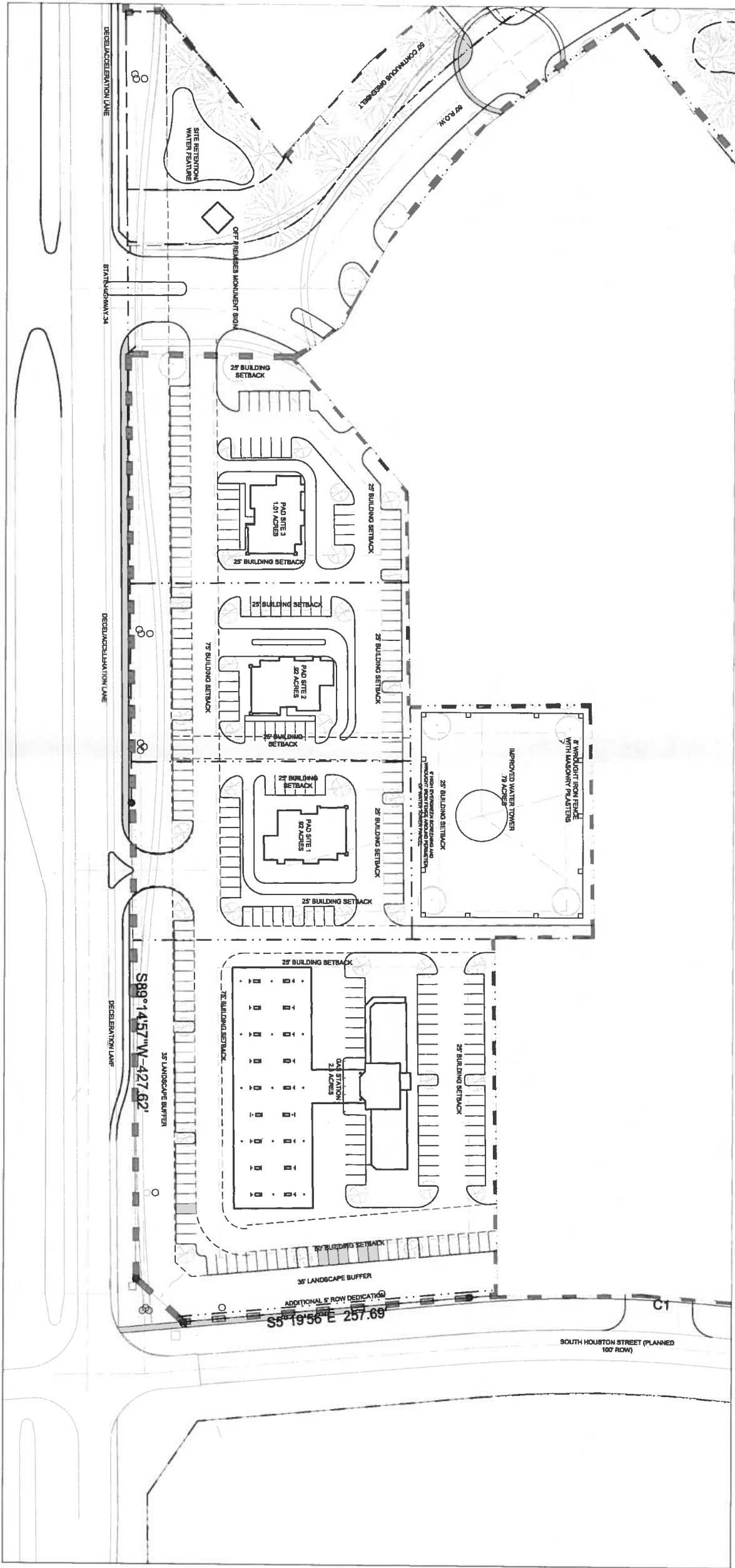
SCALE: 1" = 100'-0"



Architect/Applicant:
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1001 Greenlight Drive
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Civil Engineer:
Greenlight Studio, LLC
1001 Greenlight Drive
Kaufman, Texas 75139

South Pointe Park at
Kaufman Sports Village
Part of D. Falcon Survey, Abstract 151
Kaufman County, Texas

DATE:	04/29/2020
PROJECT NO:	19007
REVISION:	
SHEET TITLE:	Concept Plan: Subdistrict A
SHEET NUMBER:	



1 Concept Plan - Subdistrict A

ZONING DATA

- BASE ZONING: COMMERCIAL (C) DISTRICT
ADDITIONAL REQUIREMENTS:
- BUILDING SETBACK FROM TEXAS HIGHWAY 34: 75'
 - BUILDING SETBACK FROM SOUTH HOUSTON STREET: 50'
 - 36' LANDSCAPE BUFFER ALONG TEXAS HIGHWAY 34 AND SOUTH HOUSTON STREET
 - ARCHITECTURAL DESIGN SUBJECT TO HOACOA REVIEW AND RESTRICTIONS
 - OFF PREMISES SIGNAGE IS ALLOWED FOR USES FOR THE ENTIRE PLANNED DEVELOPMENT

NOTES:

- THIS PLAN IS FOR CONCEPTUAL PURPOSES ONLY. ALL BUILDING PLANS REQUIRE REVIEW AND APPROVAL BY DEVELOPMENT SERVICES.
- DEVELOPMENTAL UNITS SHALL BE SCREENED FROM PUBLIC VIEW.
- ALL SIGNAGE AREAS AND LOCATIONS ARE SUBJECT TO APPROVAL BY DEVELOPMENT SERVICES.
- THIS PLAN IS SUBJECT TO REQUIREMENTS OF THE HOACOA GOVERNING THE SITE.

KEY PLAN



PLANNED DEVELOPMENT 18 (PD-18)
SOUTH POINTE AT KAUFMAN SPORTS
VILLAGE ADDITION

PART OF D FALCON SURVEY, ABSTRACT 151
52.5 ACRES / PID # 56876
PREPARATION DATE: 12/20/2019
CITY OF KAUFMAN, TEXAS
KAUFMAN COUNTY, TEXAS
PROJECT NO. 2-01-20

DATE	04/29/2020
PROJECT NO.	19007
REVISION	
SHEET NAME	Concept Plan: Subdistrict c

ZONING DATA

- BASE ZONING: COMMERCIAL (C) DISTRICT
ADDITIONAL ZONING: TEXAS HIGHWAY 34, 75'
• 35' BUILDING SETBACK FROM TEXAS HIGHWAY 34
• 35' LANDSCAPE BUFFER ALONG TEXAS HIGHWAY 34
• FRONT, REAR AND SIDE YARD SETBACK AT 15'
• ARCHITECTURAL DESIGN SUBJECT TO HOMOCOA REVIEW AND RESTRICTIONS.
• OFF PREMISES SIGNAGE IS ALLOWED FOR USES FOR THE ENTIRE PLANNED DEVELOPMENT.
• ADDITIONAL USES:
*** MULTIFAMILY UP TO 100 UNITS PER ACRE

PARKING DATA - PHASE 1

USE	UNIT	TOTAL
1 SPACE PER ROOM	80	80
1 SPACE PER 5 SEATS	50	10
MEETING SPACE (1:125 SF)	4000	32
1 SPACE PER 2 EMPLOYEES	20	10
TOTAL REQUIRED:		132
TOTAL PROVIDED:		136

PARKING DATA - PHASE 2

USE	UNIT	TOTAL
2.25 SPACES PER UNIT	80	180
MIX OF RETAIL USES (1:150 SF)	19000	100
TOTAL REQUIRED		280
TOTAL PROVIDED		325

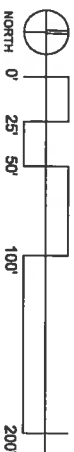
PARKING DATA - PHASE 3

USE	UNIT	TOTAL
2.25 SPACES PER UNIT	180	405
TOTAL REQUIRED		405
TOTAL PROVIDED		416

NOTES:

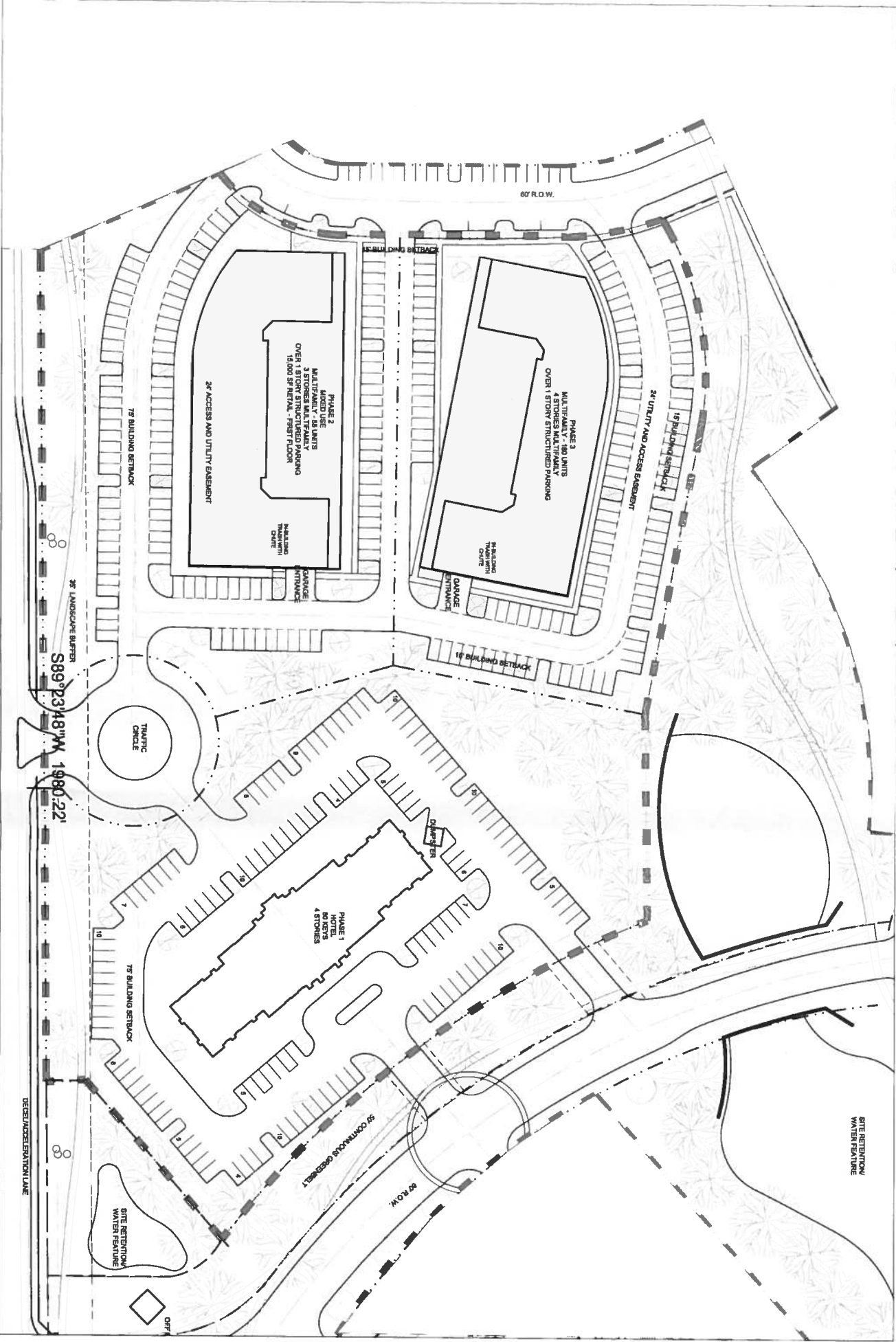
- THIS PLAN IS FOR CONCEPTUAL PURPOSES ONLY. ALL BUILDING PLANS REQUIRE REVIEW AND APPROVAL BY DEVELOPMENT SERVICES.
- ALL MECHANICAL UNITS SHALL BE SCREENED FROM PUBLIC VIEW.
- ALL SIGNAGE AREAS AND LOCATIONS ARE SUBJECT TO APPROVAL BY DEVELOPMENT SERVICES.
- THIS PLAN IS SUBJECT TO REQUIREMENTS OF THE HOMOCOA GOVERNING THE SITE.

KEY PLAN



PLANNED DEVELOPMENT 18 (PD-18)
SOUTH POINTE AT KAUFMAN SPORTS
VILLAGE ADDITION

PART OF D. FALCON SURVEY, ABSTRACT 151
52.5 ACRES / PID # 56876
PREPARATION DATE: 12/20/2019
CITY OF KAUFMAN, TEXAS
KAUFMAN COUNTY, TEXAS
PROJECT NO. Z-01-20

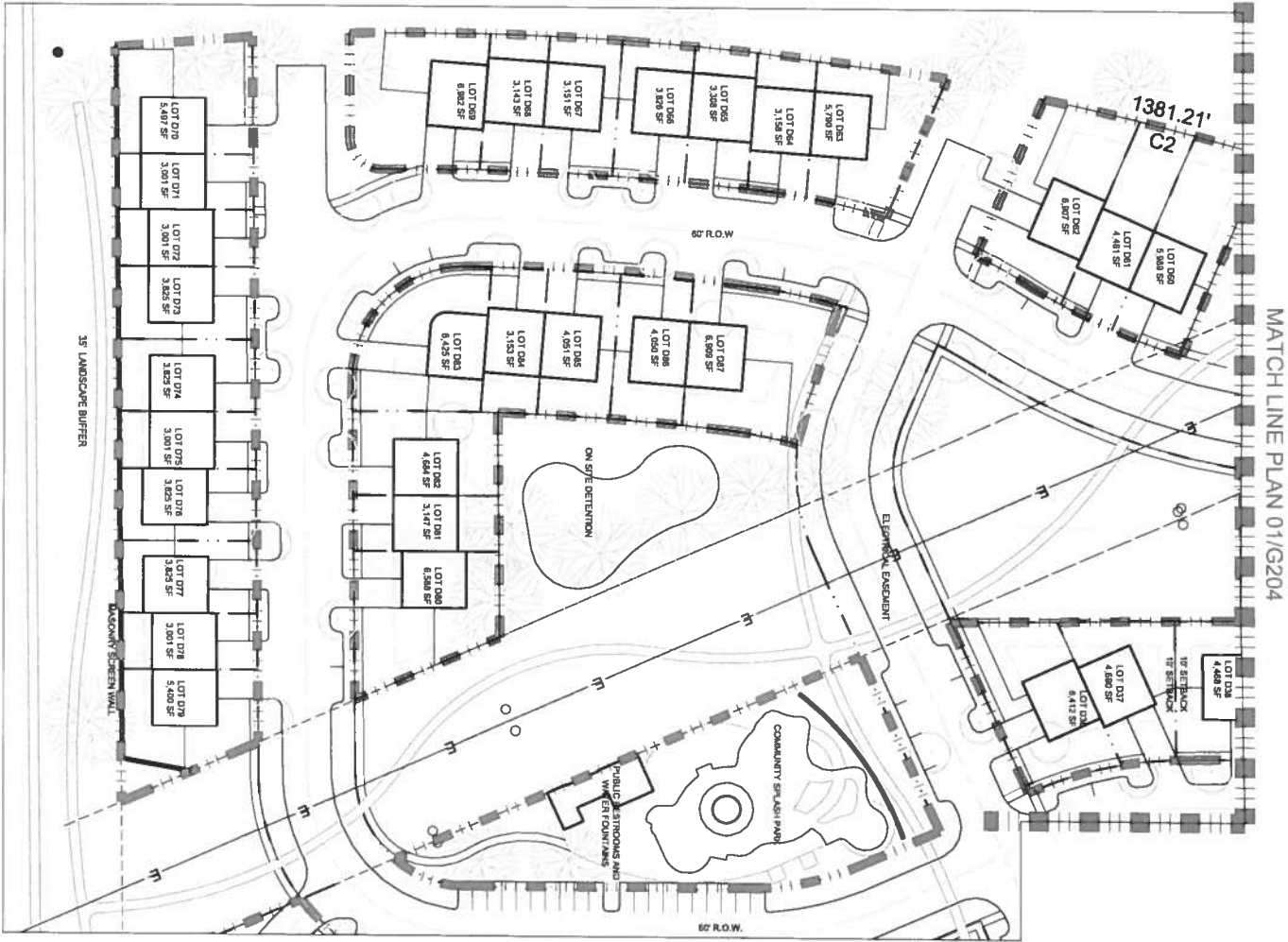


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Houston, Texas 77006
Project No. 201-20

South Pointe Park at
Kaufman Sports Village
Part of D. Falcon Survey, Abstract 151
Kaufman County, Texas

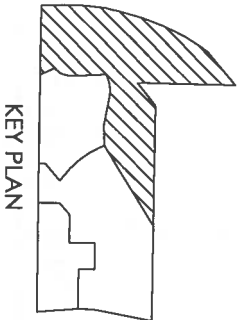
DATE:	04/29/2020
PROJECT NO.:	19007
REVISION:	
SHEET NO.:	
SHEET NAME:	Concept Plan: Subdistrict D

G204



2 Concept Plan - Subdistrict D (2/2)

SCALE: 1" = 50'-0"

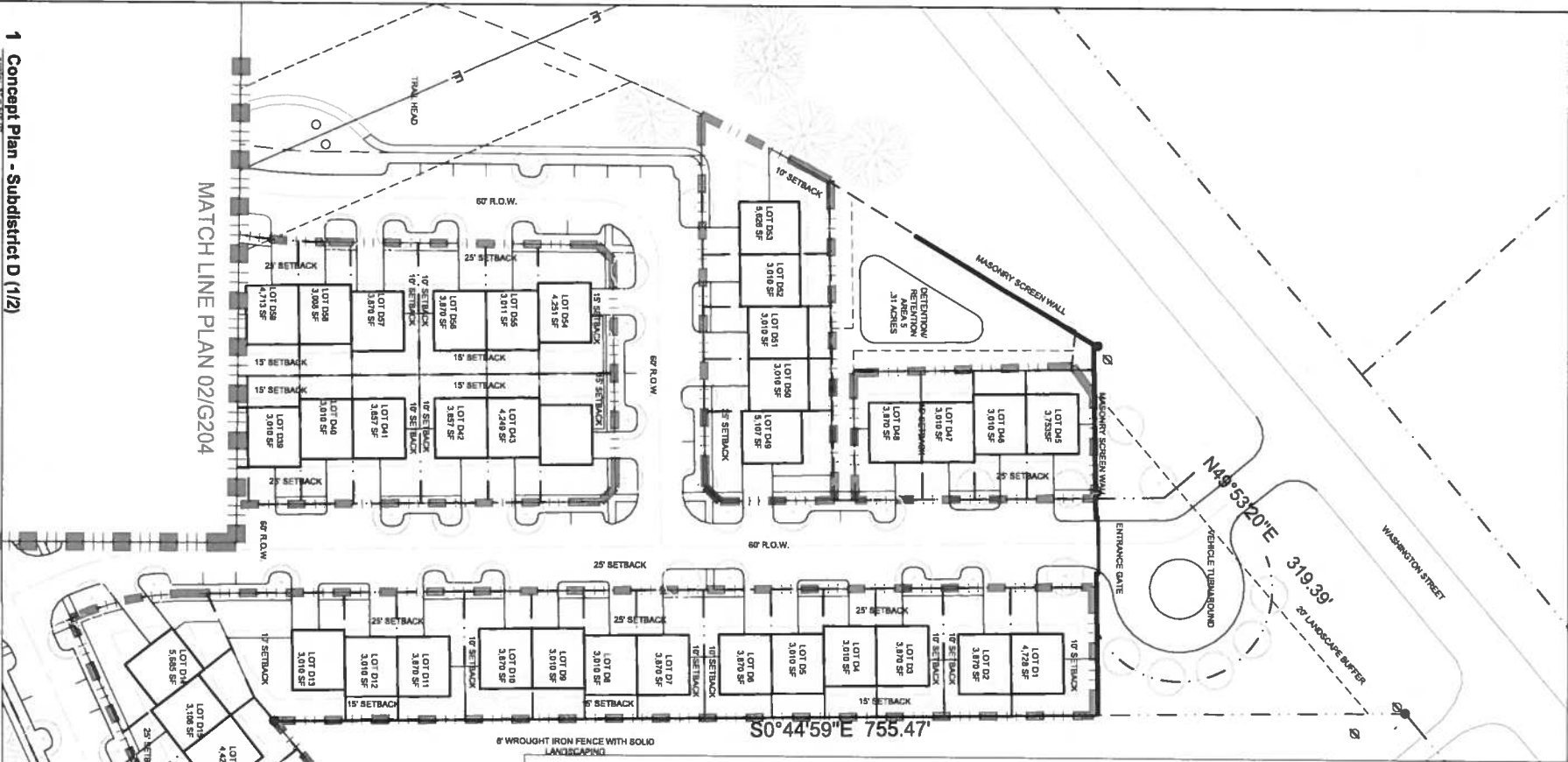


PLANNED DEVELOPMENT 18 (PD-18)
SOUTH POINTE AT KAUFMAN SPORTS
VILLAGE ADDITION

PART OF D. FALCON SURVEY, ABSTRACT 151
52.5 ACRES / PID # 56875
PREPARATION DATE: 12/20/2019
CITY OF KAUFMAN, TEXAS
KAUFMAN COUNTY, TEXAS
PROJECT NO. 201-20

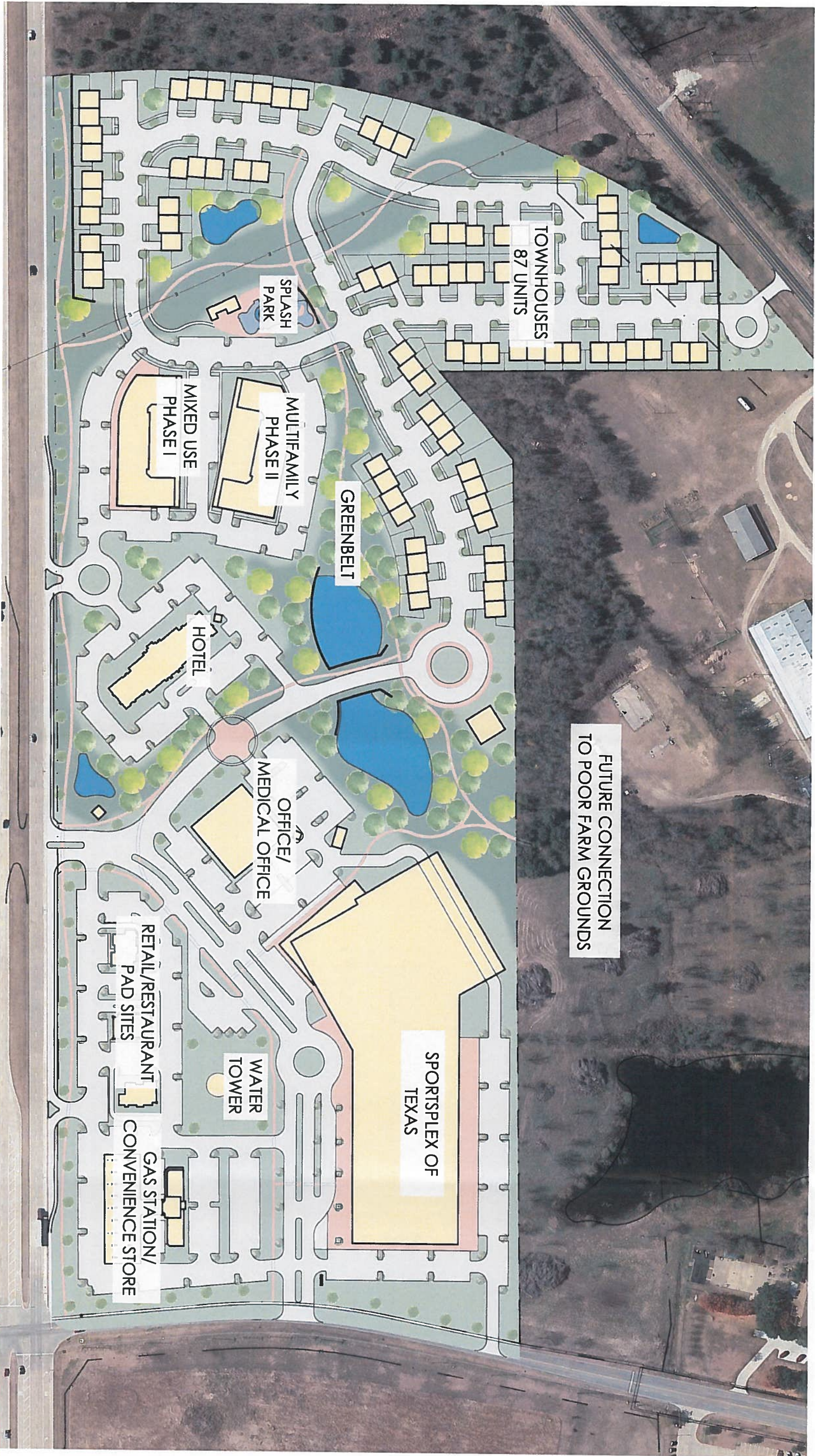


- ZONING DATA**
- BASE ZONING: TOWNHOUSE (TH) DISTRICT
- ADDITIONAL REQUIREMENTS:**
- BUILDING SETBACK FROM TEXAS HIGHWAY 34: 15'
 - 35' LANDSCAPE BUFFER ALONG TEXAS HIGHWAY 34
 - FRONT, REAR AND SIDE YARD SETBACK AT 15'
 - ARCHITECTURAL DESIGN SUBJECT TO HOACOA REVIEW AND RESTRICTIONS
 - 25' LANDSCAPE BUFFER ALONG TEXAS HIGHWAY 34
 - 20' LANDSCAPE BUFFER BUILDING SETBACK LINE ALONG S. WASHINGTON STREET
- AMENDMENTS TO THE TH DISTRICT:**
- MAXIMUM CONTIGUOUS UNITS: 6
 - MINIMUM LOT DEPTH: NONE
 - MINIMUM LOT WIDTH: 30.00'
 - MINIMUM BUILDING SETBACK: 25'
 - BUILDING ARTICULATION: A MINIMUM OF 4' OF PLAN ARTICULATION EVERY TWO UNITS
 - MINIMUM SIDE YARD SETBACK: 10' WHEN ADJACENT TO A NEIGHBORING BUILDING OR SCREEN WALL, OTHERWISE 15' MINIMUM BUILDING SEPARATION: 10'
- NOTES:**
- THIS PLAN IS FOR CONCEPTUAL PURPOSES ONLY. ALL BUILDING PLANS REQUIRE REVIEW AND APPROVAL BY DEVELOPMENT SERVICES.
 - ALL MECHANICAL UNITS SHALL BE SCREENED FROM PUBLIC VIEW.
 - ALL SIGNAGE AREAS AND LOCATIONS ARE SUBJECT TO APPROVAL BY DEVELOPMENT SERVICES
 - THIS PLAN IS SUBJECT TO REQUIREMENTS OF THE HOACOA GOVERNING THE SITE.



1 Concept Plan - Subdistrict D (1/2)

SCALE: 1" = 50'-0"



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April 27, 2020 | **DRAFT COPY**

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Bird's Eye Perspective

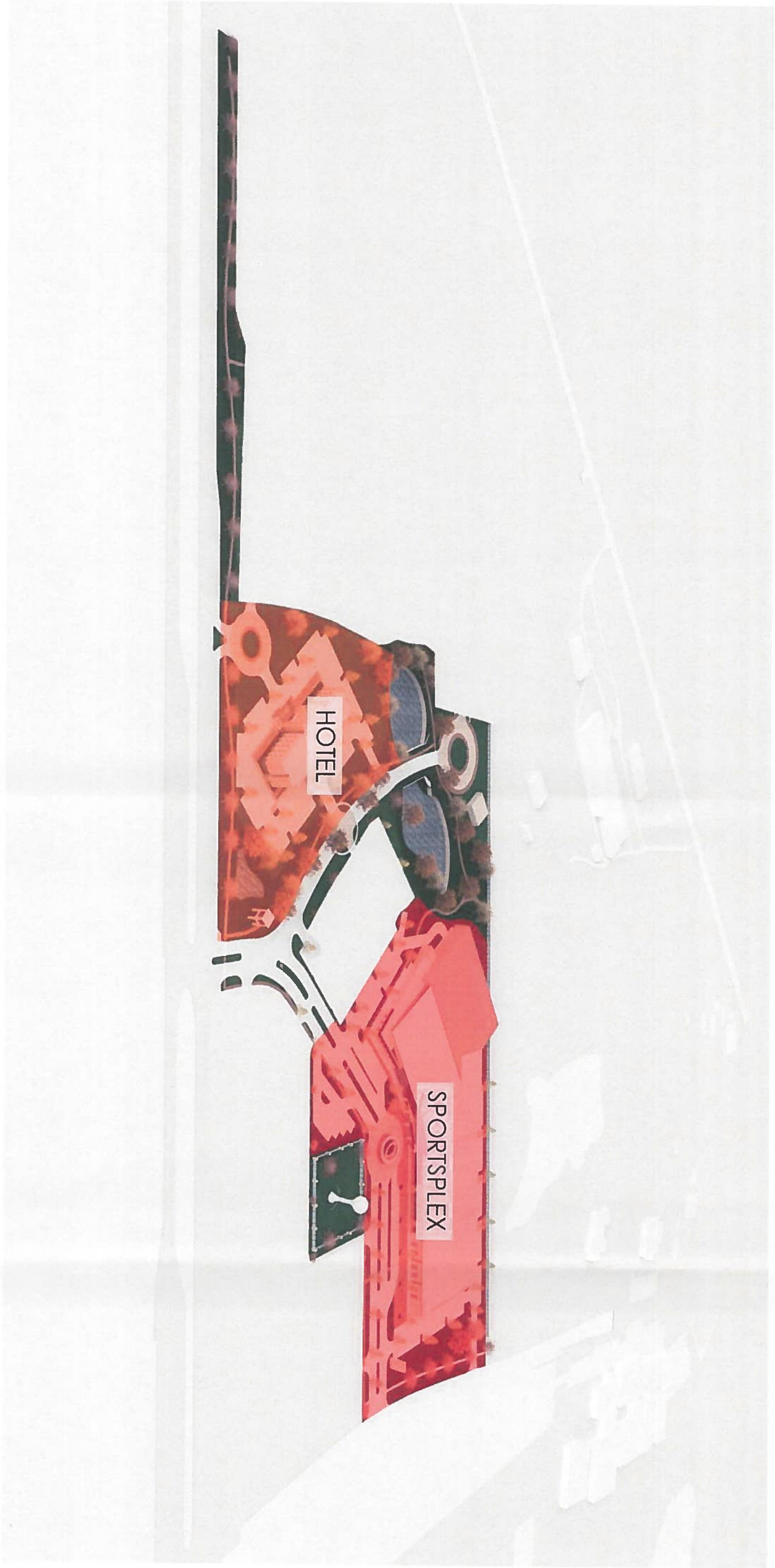
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GREENLIGHT

PEARL ESTIMATE DEVELOPMENT DESIGN, AND ACQUISITION



Phase I

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GREENLIGHT

REAL ESTATE DEVELOPMENT DESIGN AND ACQUISITION



Phase II

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Phase III

Architect and Planner
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GREENLIGHT

REAL ESTATE DEVELOPMENT, DESIGN, AND ACQUISITION



Phase IV

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GREENLIGHT

PEAK ESTIMATE DEVELOPMENT DESIGN AND ACQUISITION



Complete Phasing Plan

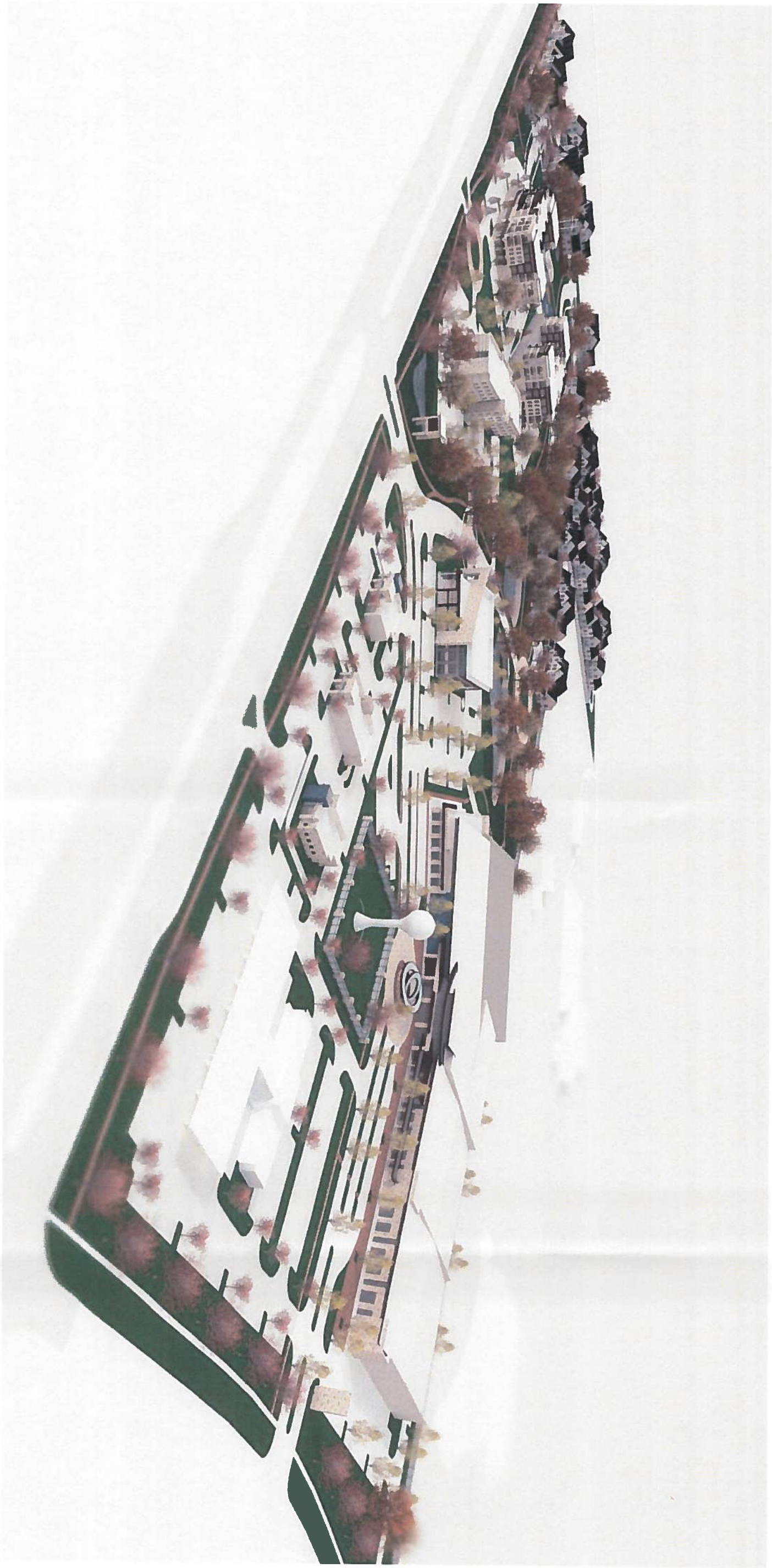
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GREENLIGHT

REAL ESTATE DEVELOPMENT DESIGN AND ACQUISITION



South-east Corner

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GREENLIGHT

REAL ESTATE DEVELOPMENT DESIGN AND CONSTRUCTION



Southwest Corner

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GREENLIGHT

REAL ESTATE DEVELOPMENT DESIGN AND ACQUISITION



Planning and Zoning Commission Agenda Item: 2

Meeting Date: May 5, 2020

Consent: No

Discussion/Action: Yes

SUBJECT: Conduct a public hearing and make a recommendation to City Council on a request by Alvin Chandler of Kaufman 175 Properties, LLC to rezone a 1.28 acre tract of land (PID 57160), addressed as 3471 E. Highway 175, in the Charles Askins Survey, Abstract No. 2, from Agriculture-Open Space District (A-O) to Highway Commercial (HC). The property is proposed to be used for retail sales. (Z-02-20)

BACKGROUND/SUMMARY:

Alvin Chandler, of Kaufman 175 Properties, LLC, purchased 3471 E. Highway 175 in January 2020. The 1.28 acre tract has an existing 2,000 square foot metal building that has been unoccupied/unused for numerous years. The building was constructed in 2002 and occupied by Tonto and Clark Antiques and Collectables. The property was annexed into the city limits on May 21, 2012 (Ord. O-04-12) and was zoned in a city initiated case as Agriculture-Open Space (A-O). The A-O district serves as a holding pattern until the property owner in conjunction with the Future Land Use Plan decides which zoning district is needed for development.

Mr. Chandler, since buying the property, has greatly improved the appearance of the property by removing the outside collectibles, storage and trash. When Mr. Chandler purchased the property he assumed it was already zoned for commercial uses. Because the property has not been occupied for several years, commercial use of the property is not allowed until it is rezoned to a commercial district. A feed store is proposed to occupy the building with no outside storage. Outside storage requires a specific use permit approved by City Council.

SURROUNDING ZONING AND EXISTING LAND USES:

Zoning Map

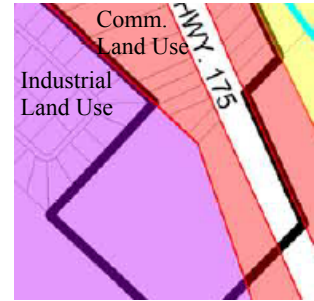
	Zoning	Existing Land Use
Left:	C	Fleet Global Services & Absolute Aire
Right:	A-O	Undeveloped & Vacant com. bldg..
Rear:	Not in City Limits	Undeveloped
Front:	C	Apsco Plumbing Supply & Mueller Metal Roofing & Steel Bldgs.



COMPREHENSIVE PLAN:

Land Use Plan:

The 2009 Future Land Use Plan designated the land use of the subject property as a Future Commercial. The existing A-O zoning is an automatic zoning category given to all annexed properties until the owners request a specific district. The proposed Highway Commercial zoning is in compliance with the 2014 Future Land Use Plan because it allows a variety of commercial/retail uses that prefer highway frontage. Remember future land use areas are generally located on a map and are not like zoning districts. Future land use plan maps are typically for planning at least 20 years out into the future.



Thoroughfare Plan:

The Thoroughfare Plan designates E. Highway 175 as a “Type AA”, Major Regional Arterial, requiring a future right-of-way width of 240 feet. The existing right-of-way is developed and maintained by the State of Texas. TxDOT controls all the driveway accesses. The applicant will be required to have a driveway permit approved by TxDOT.

PROPERTY OWNER RESPONSES:

The City of Kaufman mailed out notification letters to 8 property owners within 300’ of 3471 E. Hwy 175. The results are as follows:

- Property owners returned letters in opposition of the request: 0.
- Property owners returned the letter in agreement of the request: 0.
- Property owners who have not responded: 8.

If 20% of the area within 200 feet of the request objects 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.

RECOMMENDATIONS:

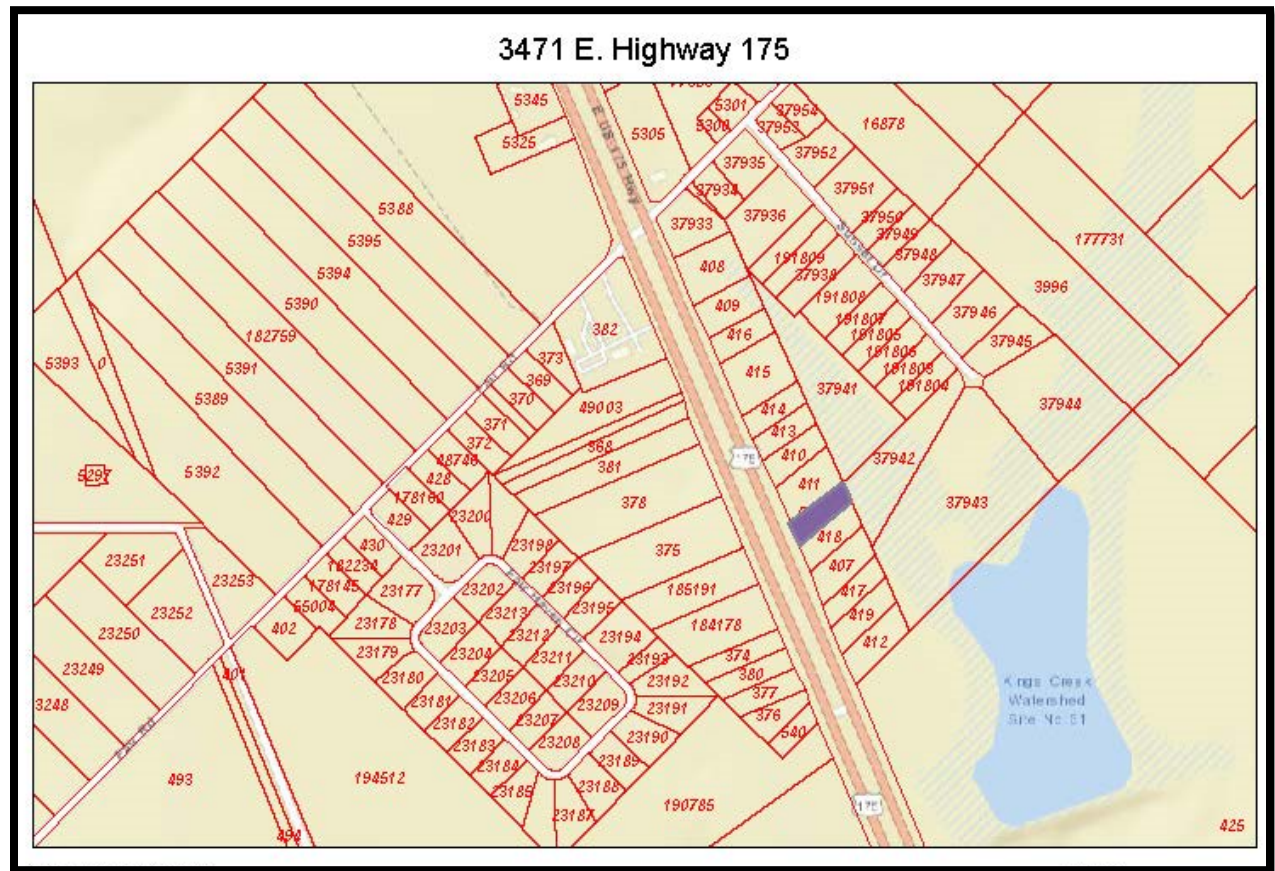
Staff recommends approval of Z-02-20 to rezone from Agriculture-Open Space (A-O) to Highway Commercial (HC) at 3471 E. Highway 175:

ATTACHMENTS:

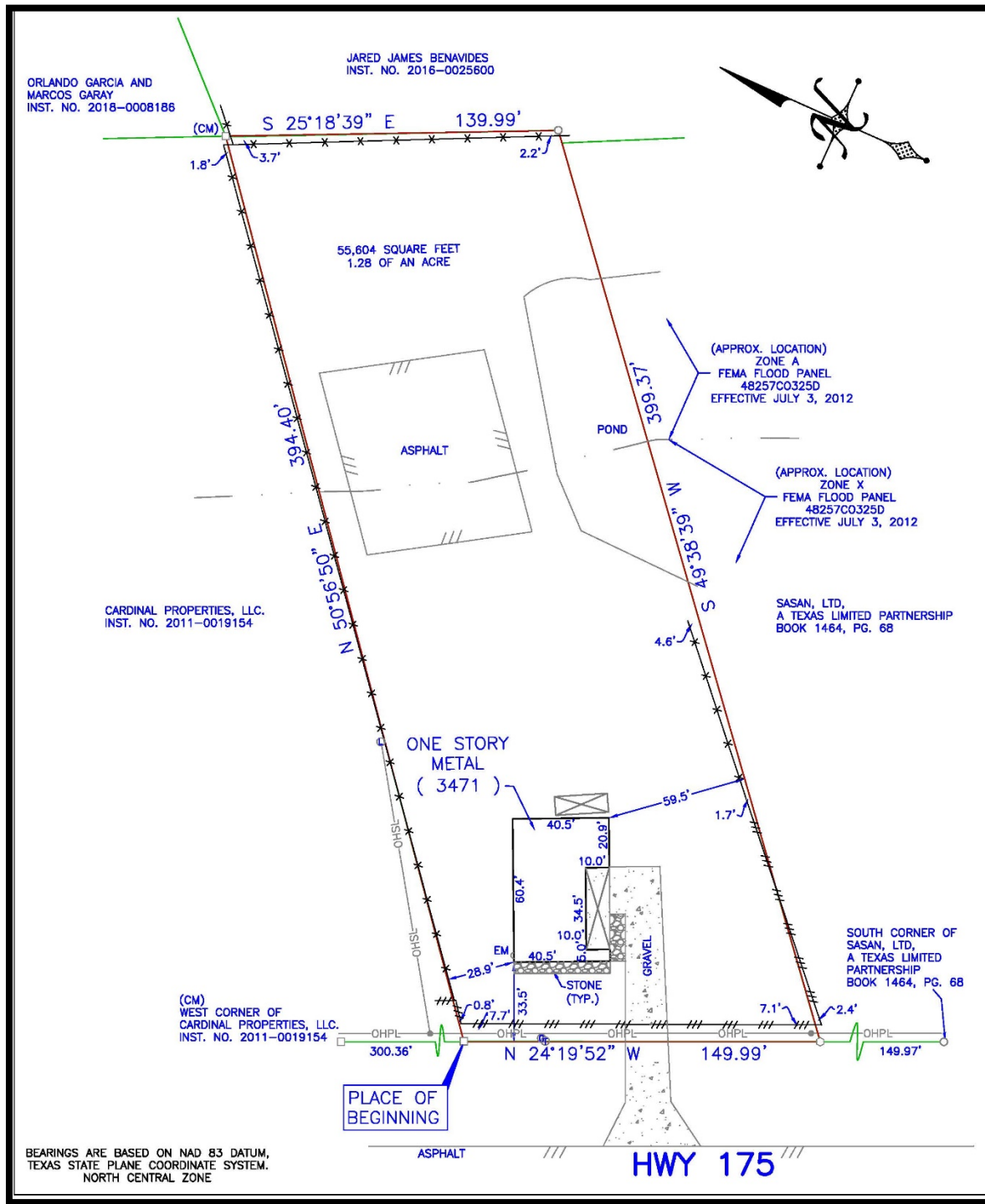
1. Location map
2. Survey
3. Picture of property

Marcy Ratcliff
Development Services
972-932-2216 ext. 117
Kaufmanplanning@kaufmantx.org

Location Map



Survey Map



3471 E Highway 175
April 2020





Planning and Zoning Commission Agenda Item: 4

Meeting Date: May 5, 2020

Consent: No

Discussion/Action: Yes

SUBJECT: Consider and take appropriate action regarding possible amendments to Chapter 118, "Zoning" of the Code of Ordinances, specifically to Section 33.4 Use Regulations, Chart 8, Commercial Uses and 33.5 Definitions relative to permitting outside storage as a specific use permit in the Central Business District (CBD).

BACKGROUND/SUMMARY:

The property at 110 E. Grove (The Mercantile) was found to be in violation of the Zoning Ordinance due to outside storage of goods in the Central Business District (CBD) along the exterior sidewalks. The Mercantile is using the display to act as advertisement they sell antiques and more retail sales. The store sub leases booth areas within the building. The booths sell clothing, clothing accessories (example purses, hats, scarves, etc.) jewelry, pictures, art, collectables, soaps, antique appliances, hardware, building materials, furniture etc. (See the attached pictures) Kellie Stalusky and Doug Haning, owners of the building and the business, came directly to speak with staff regarding the violation and questioned the steps for amending the Zoning Ordinance.

Below is the definition of outside display and outside storage and the zoning district summary chart illustrating which district it is allowed as a matter of right or through approval of a specific use permit. A specific use permit requires notice in the newspaper and to property owners within 300 feet of the public hearing dates for the Planning and Zoning Commission and City Council.

Outside display of retail goods (no overnight display) is defined as the outside temporary (not overnight) display of finished goods being sold by the same retail business that occupies the main building on the lot that are specifically intended for retail sale but not displayed outside overnight. Displays may not occupy any designated parking space or be placed in any street or alley right-of-way.

Outside Display of Retail Goods – Zoning District Summary Table							
Zoning Districts	Local Retail (LR)	Retail (R)	Commercial (C)	Highway Commercial (HC)	Central Business District (CBD)	Washington Street Corridor (WSC)	Light Industrial (LI)
Allowed As	SUP	P	P	P	SUP	P	P

SUP = Specific Use Permit P=Permitted as a matter of right

Outside storage (or open storage) is defined as the permanent and/or continuous keeping, displaying or storing, outside a building, of any goods, materials, merchandise or equipment on a lot or tract for more than 24 hours.

Outside Storage of Goods, Materials, Merchandise or Equipment – Zoning District Summary Table							
Zoning Districts	Local Retail (LR)	Retail (R)	Commercial (C)	Highway Commercial (HC)	Central Business District (CBD)	Washington Street Corridor (WSC)	Light Industrial (LI)
Allowed As			SUP	SUP			P

Blank= Not Allowed SUP= Specific Use Permit P=Allowed as a matter of right

The appearance of downtown structures, its sidewalks, available parking spaces and landscaping are important factors in attracting potential tenants and visitors. City Council recently invested \$3.1 million in the physical improvements to the downtown square. The improvements included replacing water and sewer lines, removing the existing sidewalks and constructing new and wider sidewalks, providing handicapped ramps, landscaping, period street lighting, new crosswalks, new driving patterns and lane striping and new signalization. All these improvements were to make the oldest and most historic commercial development in Kaufman viable, attractive and walker friendly, in order to draw more patrons to the center of town. Prior to the latest physical improvements, the downtown area was in a decline and drew fewer patrons. So, it is important to recognize how amending the use charts of the Zoning Ordinance, can affect the current and future downtown property owners, tenants, and patrons.

The definition of outside storage includes a wide variety of items, materials and equipment that could be continuously stored/displayed. The definition of outside display of retail goods better defines what The Mercantile is trying to advertise by the displaying their wares with the exception of the temporary term. Attached is a list of items The Mercantile is currently storing on the sidewalk around the perimeter of the building. The sidewalk width on E. Grove Street is 10.5 feet wide and on N. Madison is 7 feet wide. All the sidewalks located in the CBD are located within the right-of-way. The Mercantile building has no windows on the exterior walls. The building was originally occupied by Ford dealership with large windows, but the windows were enclosed many years ago.

Downtown Development Advisory Board Summary:

The first step taken to consider such amendments was with the Downtown Development Advisory Board (DDAB), who were apprised of the issue and the possible impacts. The DDAB is a board required by the Zoning Ordinance to consider requests for physical improvements/changes to the exterior of the buildings and to report back to the Planning and Zoning Commission. The board is made up of property owners and tenants within the central business district boundaries. The DDAB requested information on what other cities with vibrant downtowns allowed. The DDAB reviewed the findings and recommended the Zoning Ordinance be amended to requiring a specific use permit (SUP) be approved prior to allowing outside

storage in the CBD (see the attached April 13, 2020 minutes). A SUP would allow an application to be reviewed on an individual basis and allow input from surrounding property owners for the Planning and Zoning Commission and City Council to use in their deliberations.

Attached is list of items from various places in and around Kaufman that have been or could possibly be stored and/or displayed. The items highlighted in yellow were items that have been displayed at one time or another by The Mercantile since their opening. Outside storage in any of our commercial type districts is a Pandora's Box. A good definition of continuous outside display would be a must.

RECOMMENDATIONS:

Staff recommends authorizing staff to set a public hearing to amend the Zoning Ordinance to either:

1. Create a second definition of continuous outside display (not as a temporary) and amend Use Chart 8 Commercial Uses by listing outside display continuously as a specific use permit in the Central Business District; or
2. Amend Use Chart 8 Commercial Uses and list outside storage as requiring a specific use permit.

The Commission can also recommend no amendments should be made to the Zoning Ordinance.

ATTACHMENTS:

1. Current Pictures of The Mercantile
2. Possible Outside Storage and Outside Display Items
3. Downtown Development Advisory Board Minutes of April 13, 2020
4. Surveys of Other Cities Regulations of Outside Display vs. Outside Storage
5. Zoning Ordinance Use Chart 8 - Commercial Uses
6. Zoning Ordinance Use Chart 3 –Accessory and Incidental Uses

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Development Services
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Kaufmanplanning@kaufmantx.org

1. Current Pictures of The Mercantile



1. Current Pictures of The Mercantile



2. Possible Outside Storage and Outside Display Items

Items Displayed at The Mercantile Highlighted in Yellow

Animal & Farm Supplies	Feed, feeders, cages, chicken coop, animals, leashes, harnesses, pails, wire, hay, fencing, scales, tractor seats,
Appliances	Stove, refrigerator, freezer, dishwasher, microwave, washer, dryer, pedestals,
Automobile	Fenders, tires, oils, cleaners, gas cans, cargo carriers, campers, cleaning supplies, tarps
Baby & Kids	Stroller, changing table, walkers, wagons, toys, swings, high chairs, strollers, sand boxes, potties, car seats, booster seats,
Camping	Tent, mattress, lanterns, supplies,
Construction	Windows, doors, screen doors, sinks, toilets, post, cabinets, fences, gates, mirrors, heaters, air conditioner, mail boxes, lumber, carpet, flooring, paneling, nails, screws, bolts, lighting, hardware, ceiling fan, windows, display containers, ladder,
Electronics	TV, computer, monitors, games, phones, software packages
Furniture	Couch, chairs, bench, dresser, tables, shelves, desk, beds, bed frame, bed springs, mattress, step stools, cushions, tv stands, room divider, bar stools, file cabinets, wine racks, night stand, cabinets, magazine holder, serving cart, parts of furniture
Houseware	Pots, pans, bowls, glasses, plates, utensils, irons, ironing board, books, knick-knacks, baskets, artificial flower/plants, planters, art, stained glass, water jugs or pitchers, picture frames, fans
Material	Clothing for Men, women and/or children, bedding, towels, curtains, pillows, etc.
Medical Supplies & Devices	Walker, wheel chairs, canes, crutches, beds, poles, potties,
Miscellaneous	Spools, trash cans, crates, lids, boxes, firewood, cork or laminate boards, statues, bird baths, signs,
Musical	Drums, guitars, pianos, organs, speakers,
Outdoor Items	Tables, chairs, swings, planters, wheel burrows, dolly, watering cans, barrels, rakes, shovels, pitchforks, spades, plants, potting soil, bark
Outside Equipment	Mower, weed eater, trimmers, blowers, tillers, tools, tool boxes, handles, spreaders, grills, smokers, furniture, pipe, yard tools,
Sports	Kayak, golf clubs, bikes, trikes, scooters, treadmills, exercise equipment, basketball stands, skis, tennis or racquet ball
Currently being displayed by other businesses	Redbox, ice machines, water dispenser, soda machines, propane, rock, plastic swimming pools, bench, trash cans, fire wood,

3. Downtown Development Board Minutes of April 13,-2020



**CITY OF KAUFMAN
DOWNTOWN DEVELOPMENT ADVISORY BOARD
MONDAY, APRIL 13, 2020 — 12:00 P.M.
CITY HALL – COUNCIL CHAMBERS
209 S. WASHINGTON ST.
KAUFMAN, TEXAS 75142**

PLEDGE OF ALLIGENCE

CALL MEETING TO ORDER: Chairman Phillips called the meeting to order at 12:03 p.m. and declared a quorum was present. Board members present were Keith Philips, Brandon Diviney, Misti Maddron, and Kari Rough. Board members Glee Pugh joined the meeting at 12:06 p.m. Also present were City Manager Mike Slye, Assistant City Manager Mike Holder, and City Secretary Jessie Hanks.

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

No comments were given.

DISCUSSION/ACTION ITEMS

1. Consider and take appropriate action on the December 3, 2019, minutes.

Board member Rough made a motion to approve the December 3, 2019, minutes. The motion was seconded by Board Member Maddron and passed 4/0.

2. Consider and take appropriate action regarding to the Code of Ordinance, Chapter 118, Zoning Ordinance, Central Business District, Section 25.F.1, prohibition of open storage (sidewalk sales/storage) in the Central Business District (Kaufman Square).

Mr. Slye reviewed the discussion from the board's pervious meeting and the information collected by staff from other municipalities. There were discussions regarding other businesses in town that store products outdoors, potentially speaking to the business owners, and how the city could work with the business to allow the open storage.

Board Member Rough made a motion to make a recommendation to the City Council to amend the zoning ordinance to allow a Special Use Permit in the Central Business District to allow this issue to be reviewed on a case by case basis. The motion was seconded by Chairman Phillips and passed 5/0.

3. Consider and take appropriate action on the creation of a Tax Abatement Program for the Central Business District (Kaufman Square)

Mr. Holder gave a presentation on the creation of a Tax Abatement Program for the Central Business District. He reviewed the purpose, the proposed program, and the specific incentives associated with the program. He outlined the process for receiving an incentive, and the payout of the incentives. Mr. Slye discussed the potential role the County may take

3. Downtown Development Board Minutes of April 13,-2020

with this program. There were discussions about the benefits of creating a Tax Incentive Program.

Board Member Diviney made a motion to make a recommendation to the City Council for approval of the proposed Tax Refund Program. The motion was seconded by Board Member Rough and passed 5/0.

ADJOURNMENT

There being no further business, Chairman Phillips adjourned the meeting at 1:15 p.m.

**KEITH PHILLIPS
CHAIRMAN**

ATTEST:

**JESSIE HANKS
CITY SECRETARY**

4. Surveys of Other Cities with Regulations of Outside Display vs. Outside Storage

CITY	OUTSIDE DISPLAY	OUTSIDE/OPEN STORAGE
Waxahachie	SUP - No overnight	SUP Screening required
Ennis	Not in street frontage building setbacks Limited to 5% of building area Over 14 days screening required 5' wide unobstructed walkway	Not allowed in the front Rear yard only screening required
McKinney	Site Plan 16 hours per day Temporary seasonal sales allowed Restaurants outside seating allowed 10% of building only Attached to a wall Screening required	Allowed in specific districts - Use Chart Not allowed in the front of main building 10% of building only Attached to a wall Screening required
Forney	Bulk Goods - 30% of open area available & 50' from public ROW or property line No overnight	Open storage is prohibited in the Central Business District Located behind the front building line and observe all setback requirements. Screening required
Rockwall	Require a permit from the city	Not allowed
Rowlett	SUP TUP permitted a total of 14 consecutive days or less, four times per calendar year 4' wide unobstructed walkway	SUP Screening required
Georgetown for limited	Site Plan – Items actively for sale Not allowed in required setback Set back at least 15 feet from the curb limited to 30% of wall	Site Plan - Items not actively for sale Not allowed in required setback set back at least 15 feet from the curb not in front yard 1,000 sf or 20% of total site Screening required
Georgetown for general	Site Plan - Items actively for sale Not allowed in required setback set back at least 15 feet from the curb limited to 1,000 sf or 10% of site limited to no more than 30% of wall	Site Plan - Items not actively for sale Not allowed in setback Set back 15 feet from the curb 1,000 sf or 20% of total site not in front yard Screening required

5. Zoning Ordinance Use Chart 3

CHART - 8 CITY OF KAUFMAN, TEXAS ZONING ORDINANCE

* Must
follow
Sec. 33.1.B

Legend for Interpreting Schedule of Uses

	Designates use prohibited in District indicated
P	Designates use permitted in District indicated
S	Designates use requires a Specific Use Permit
TU	Designates use requires a Temporary Use Permit

COMMERCIAL USES (See definition 93)	Definitions	AO	SF-20	SF-10	SF-8	SF-6	TH	MF-1	MF-2	MH	O	LR	R	CBD	C	LI	HC	WSC
*Ambulance service	6												S		S	P	S	
Bakery or confectionary (wholesale or commercial)	18												S		P	P	S	S
Bottling works	95															S		
*Contractor shop	49														S	P	S	
*Distribution center	57 241															P	P	
*Feed and grain store	68												S		P	P		
*Food processing plant (no slaughtering of animals)	74															P		
*Heavy machinery, truck tractor, trailer repair	238																	
*Heavy machinery, truck tractor, trailer sales, lease or rental	87 234 239 242															P	S	
Kennel (indoor pens)	96	S													S	P		
Kennel (outdoor pens)	97	S														S		
Laboratory, scientific or research	196										S	S	S	S	P	P	P	
*Light manufacturing and assembly processes	106 241														S	P	P	
Manufactured or industrialized home sales	125																	
Milk depot, dairy or ice cream plant	74														S	S		
*Motel or hotel (less than 75 rooms)	132												S	S	P	P	P	
*Motel or hotel (more than 75 rooms)	132														S	P	P	
Office showroom / warehouse	146												S		P	P	P	S
*Outside storage of equipment or materials (more than 24 hrs.)	151														S	P	S	
*Paint shop	152														S	P		
Portable building sales (outdoor display)	167														S	P		
Printing or lithographic shop	48 170												S	S	S	P	P	S
*Propane sales (retail)	174												S		P	P		
Storage or wholesale warehouse	207 241														S	P	P	
Taxidermist													P		P	P		S

6. Zoning Ordinance Use Chart 3

CHART - 3 CITY OF KAUFMAN, TEXAS ZONING ORDINANCE

* Must
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Sec. 33.1.B

	Designates use prohibited in District indicated
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ACCESSORY & INCIDENTAL USES	Definitions	AO	SF-20	SF-10	SF-8	SF-6	TH	MF-1	MF-2	MH	O	LR	R	CBD	C	LI	HC	WSC
Accessory bldg. - commercial (business or industry)	2										P	P	P	P	P	P	P	
Accessory building - residential	1	P	P	P	P	P	P	P	P	P								P
Caretaker's or guard's residence	31	P	P					P	P	P	S	S	S	S	P	P	P	
* Festivals, carnivals or special events	32										TU	TU	TU	TU	TU	TU	TU	
Garage/accessory dwelling	81	P	S															
Home occupation	90	P	P	P	P	P	P	P	P	P								
Off-street parking ►►	147	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
On-street parking (subject to no parking ordinances)	149	P	P	P	P	P	P	P	P	P				P				
Outside display of retail goods (no overnight display)	150											S	P	S	P	P	P	P
Seasonal and temporary uses	198 143	TU										TU	TU		TU	TU	TU	
Seasonal and temporary uses (CBD only) ►	198													TU				
Temporary classrooms for church or school	226	TU	TU	TU	TU	TU	TU	TU	TU	TU	TU	TU	TU	TU	TU	TU	TU	
Temporary field office or construction yard or office	225	TU	TU	TU	TU	TU	TU	TU	TU	TU	TU	TU	TU	TU	TU	TU	TU	
Wedding receptions in residential districts	249	TU	TU	TU	TU	TU	TU	TU	TU	TU								