



AGENDA
PLANNING AND ZONING COMMISSION MEETING
TUESDAY, FEBURARY 4, 2025 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 be 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 December 3, 2024 Planning and Zoning Commission meeting.

END OF CONSENT AGENDA

PUBLIC HEARING

2. Conduct a public hearing and make a recommendation to City Council for a request for a Specific Use Permit (SUP-58) for Automobile Repair Major, on approximately 3.577 acres out of the D. Falcon Survey, Abstract No. 151, City of Kaufman, Kaufman County, Texas, generally located at 3175 US Highway 175 (Property ID 5305). The property is zoned Highway Commercial (HC). (Case Z-01-25)
3. Conduct a public hearing and make a recommendation to City Council for a request to

rezone an approximate 142.35-acre tract of land out of the D. Falcon Survey, Abstract No. 151, City of Kaufman, Kaufman County, Texas, from Highway Commercial District (HC), Single-Family Residential-6 District (SF-6), Retail District (R), and Light Industrial District (LI) to Planned Development-31 ("PD-31") for light industrial uses, said property being generally located on the west side of US Highway 175, the south side of Wayne Gent Drive, and the north side of Fair Road. (Property IDs 5313, 5388, 49240, 178591, 178592). (Case No: Z-02-25) *The applicant requested this item be tabled until the March 4th Planning and Zoning Commission Meeting. The item is on the agenda since the public notice was mailed out and placed in the newspaper, but will not be discussed.*

DISCUSSION/ACTION ITEMS

ANNOUNCEMENTS AND REPORTS FROM ASSISTANT CITY MANAGER

4. The City Council will meet on Monday, February 24th, to discuss the approved cases.

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, 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 FRIDAY, JANUARY 31, 2025 AND REMAINED SO POSTED CONTINUOUSLY FOR AT LEAST 72 HOURS PRECEDING THE SCHEDULE TIME OF SAID MEETING.

JOY HENDERSON
PLANNER

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, DECEMBER 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.

Chairman Dunn called the meeting to order at 6:02 p.m. on Tuesday, December 3, 2024. Commissioners present were Chairman Richard Dunn, Vice-Chairman Burton Brown, Commissioner Lindsey Haynes, Commissioner Porfirio Lopez, Commissioner Kathleen Sisson, Commissioner Mike Slye, and Commissioner Kathy Thorpe. City of Kaufman staff present included: Director of Development Services Andrew Bogda and Planner Joy Henderson. Present in the audience were Jason Thurston, Yared Assefa, Semi Girma, Brian Smith and Steven Smith.

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 be 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 November 4, 2024, Planning and Zoning Commission meeting.

END OF CONSENT AGENDA

Commissioner Slye made a motion to approve the consent agenda for item 1. The motion was seconded by Commissioner Lopez, with the members voting 6-0-1, with Vice-Chairman Brown abstaining. The motion passed.

PUBLIC HEARING

2. Continue the public hearing for a request to **rezone** approximately **3.95 acres** from Single-Family Residential-8 District (SF-8) to **Planned Development-30 District (PD-30)** for attached single-family residential (townhomes and/or duplexes) and detached single-family residential uses, generally located on the west side of Clay St. and the north side of Hickory St. (Case No: Z-08-24)

The Public Hearing opened at 6:04 p.m.

Director of Development Services Andrew Bogda presented a report on the rezoning of approximately 3.95 acres located on the west side of Clay St. and the north side of Hickory St. Details of the case can be found in report Z-08-24 dated 12-03-2024.

Vice-Chairman Brown asked what the depth of the backyard will be?

Commissioner Lopez asked what kind of garage doors will be installed and if the homes would be pet friendly.

Commissioner Sisson stated cookie cutter homes would not negatively affect the neighborhood.

Commissioner Slye stated the historical homes in the area are on pier and beams. By saying "Highly encouraged but not required" does not give staff the ability to enforce the item. Sometimes a shared driveway gets taken over by one tenant at the expense of the other tenant.

Commissioner Thorpe questioned who would care for the yards?

Steven Smith stated the pier and beams are more expensive, but they can construct the houses, so it looks similar to them having pier and beam foundations. Garage doors, on the homes, are going to be up to the custom home builder. The lots are going to be sold so a house can be built on each lot, but the townhomes are going to be kept by the company and leased out. Each lot of the townhouses will have their own backyard. The fencing will be built 15' back from the back of the townhouse and the HOA will care for the front yard and backyard. The townhomes are not going to be pet friendly.

The Public Hearing closed at 6:15 p.m.

Commissioner Lopez made a motion to approve the **Rezoning from Single-Family Residential-8 District (SF-8) to Planned Development-30 District (PD-30)** with the following conditions:

The second sentence in provision 15.e of the Development Standards is revised to state "To reduce curb cuts along Hickory Street, the sharing of driveway approaches is encouraged".

The motion was seconded by Commissioner Sisson, with the members voting 7-0. The motion passed.

3. Consider a request to revise Planned Development-11R, the First Baptist Church, on 42.319 acres located at 2000 W. Fair Street. (Case No: Z-10-24)

The Public Hearing opened at 6:30 p.m.

Director of Development Services Andrew Bogda presented a report on the revision to Planned Development-11R for the First Baptist Church. Details of the case can be found in report Z-10-24 dated 12-03-2024.

Commissioner Lopez asked if the baptismal was going to drain into the pond?

Jason Thurston stated the baptismal and the pond are two separate bodies of water and will be kept separate. The baptismal will have a water recycling system and will maintain low water except when it is being used. At that time the water level will be raised.

The Public Hearing closed at 6:37 p.m.

Commissioner Lopez made a motion to approve the **Revision to Planned Development-11-R District (PD-11R)** with the following conditions:

Provision 13.e of the Development Regulations is revised to state "Two monument signs are allowed at each driveway. Each sign may have masonry walls and may include various types of illumination."

The motion was seconded by Commissioner Sisson, with the members voting 7-0. The motion passed.

DISCUSSION/ACTION ITEMS

4. Planning and Zoning Commission Training/Workshop

Director of Development Services Andrew Bogda presented a report on the responsibilities of the Planning and Zoning Commission which include: Comprehensive Planning (long-range planning), sub-area and neighborhood planning, Parks & Recreation planning, Zoning Ordinance administration, and Subdivision Ordinance administration. There was also discussion on what staff does before the item is even presented to the Planning and Zoning Commissioner, which include: Development Review Committee, reviewing (Zoning Changes & Planned Developments, Specific Use Permits, Subdivision Plats, and Site Plans), Civil (Construction) Plans, Annexations, Development & Facilities Agreements, and Variances which goes to the Zoning Board of Adjustment.

5. Selection of Chairman and Vice-Chairman

Vice-Chairman Brown made a motion to approve Richard Dunn as Chairman of the Planning and Zoning Commission for 2025. The motion was seconded by Commissioner Slye, with the members voting 7-0. The motion passed.

Vice-Chairman Brown made a motion to approve Kathy Thorpe as Vice-Chairman of the Planning and Zoning Commission for 2025. Kathy Thorpe declined the nomination.

Vice-Chairman Brown made a motion to approve Porfirio Lopez as Vice-Chairman of the Planning and Zoning Commission for 2025. The motion was seconded by Commissioner Sisson, with the members voting 7-0. The motion passed.

ANNOUNCEMENTS AND REPORTS FROM DEVELOPMENT SERVICES DIRECTOR

Director of Development Services Andrew Bogda stated there are no announcements or reports.

BOARD INQUIRY

There were no inquiries from the Planning and Zoning Commissioners.

ADJOURNMENT

The meeting is adjourned at 7:26 pm.

RICHARD DUNN
CHAIRMAN

JOY HENDERSON
PLANNER

Planning and Zoning Commission Report

Meeting Date: February 4, 2025

SUBJECT: Conduct a public hearing and make a recommendation to City Council for a request for a Specific Use Permit (SUP-58) for Automobile Repair Major, on approximately 3.577 acres out of the D. Falcon Survey, Abstract No. 151, City of Kaufman, Kaufman County, Texas, generally located at 3175 US Highway 175 (Property ID 5305). The property is zoned Highway Commercial (HC). (Case Z-01-25)

SUMMARY:

The applicant submitted a Specific Use Permit application for Automobile Repair Major, which also includes Automobile Repair Minor, on the property located at 3175 US Highway 175, which is situated at the corner of US Highway 175 and Fair Road. The property is located in the Highway Commercial District (HC). The property has 3.577 acres and is a one-story building containing 3992 square feet of space. The proposed use on the leased property is for an automobile shop to occupy and operate within the space.

A site plan/floor plan has been provided, showing the building divided into two sections. Located in the southern section of the building, the area has office spaces and restrooms. The northern section shows 9 vehicles parked in the bay where the mechanical work will be completed.

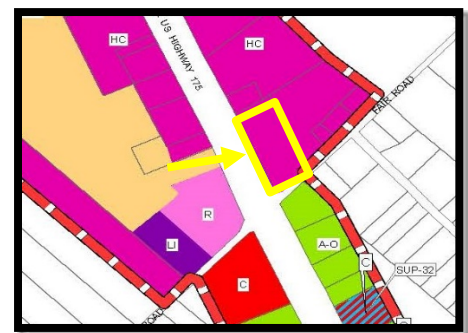
On the exterior of the building, the drawings show 11 vehicle parking spaces, with 5 vehicles being parked to the east of the building, and 6 vehicles being parked to the south of the building.

The prior business parked the company vehicles in the Gated Outdoor Area, but the new business did not assign this area's use.

Since the lot is not paved, none of these spaces are marked and no handicapped spaces are designated. The area to the west shows a gated outdoor area with 8 vehicles.

SURROUNDING ZONING AND EXISTING LAND USES:

	Zoning	Existing Land Use
North:	HC	Vacant Land Lyon's Den Restaurant
South:	R, LI, SF-6	Vacant Land owned by EDC (across Highway)
East:	A-O	Used Car Sales (Used to be Napa)
West:	HC	Vacant Land Residential House



COMPREHENSIVE PLAN:

Land Use Plan:

The 2014 Future Land Use Plan designates the future land use of the subject property as Future Commercial. The property is zoned Highway Commercial (HC), which allows for a mix of retail, restaurant, office, and commercial service uses. Staff finds the proposed use to be consistent with the Future Land Use Plan.

DETERMINATIONS NECESSARY FOR CONSIDERING SPECIFIC USE PERMITS

Sec 30.2. – SPECIFIC USE PERMIT REGULATIONS:

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

PROPERTY OWNER RESPONSES:

The City of Kaufman mailed out notification letters to 12 property owners within 300 feet of the property. The results are as follows:

- Number of property owners who returned letter in agreement of the request: 1
- Number of property owners who returned letter in opposition of the request: 0
- Number of property owners have not responded: 1\12

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

RECOMMENDATION:

Staff recommends approval of Z-01-25 for Specific Use Permit-58 (SUP-58) for Automotive Repair Major at 3175 US Highway 175 with the following conditions:

1. The Property, including all buildings, premise, or land used pursuant to this SUP-58 shall not be enlarged, modified, structurally altered, added to, or otherwise significantly changed in size nor from the layout on the approved Site Plan and associated exhibits (Floor Plan and Elevations/Photos) unless an amendment to SUP-58 is first approved by the City Council specifically authorizing such enlargement, modification, structural alteration, or change to the Property, Site Plan, or associated exhibits.
2. All vehicles shall be parked on a paved concrete parking lot.
3. All vehicles are required to have a current registration.
4. No junk vehicles or parts of a vehicle to be kept on the property.

ATTACHMENTS:

Location Map

Exhibit A – Property Description/Topo Survey

Exhibit B – Site Plan/Floor Plan

Exhibit C – Aerial Photo

Exhibit D – Exterior Photo

Exhibit E – Responses Received

Joy Henderson

Planner

972-932-2216 ext. 115

jhenderson@kaufmantx.org

Location Map

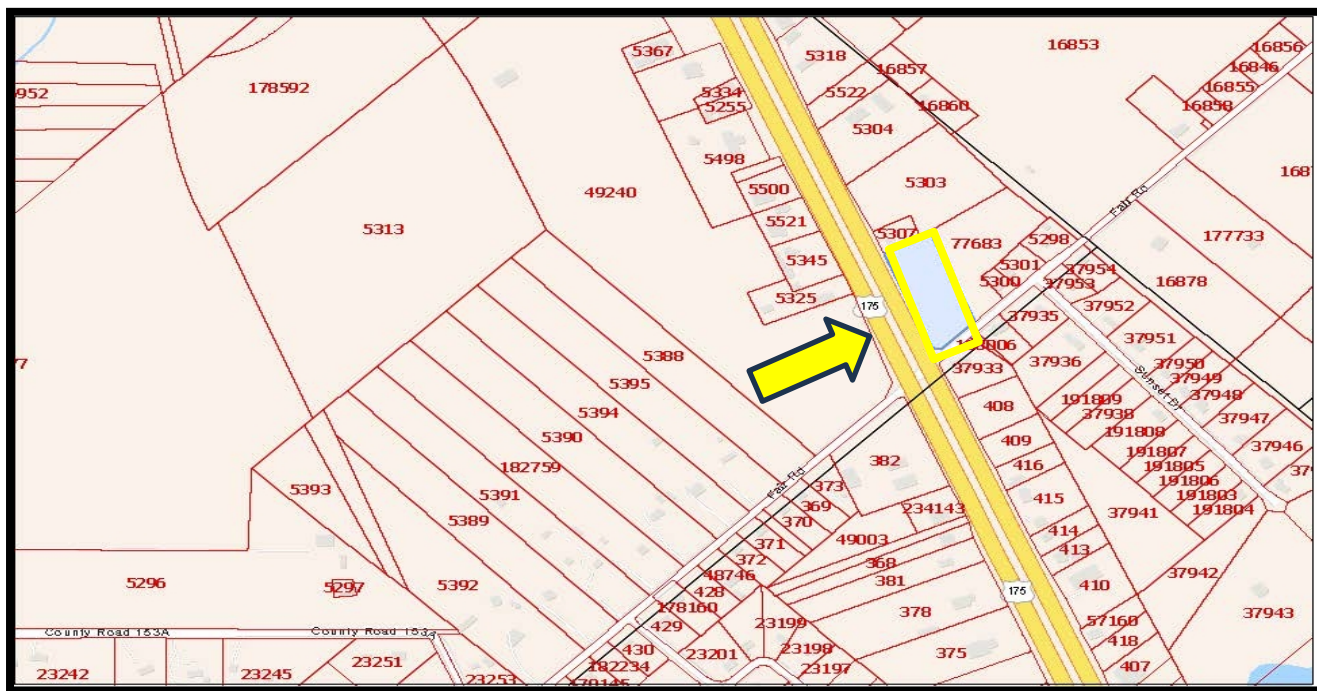
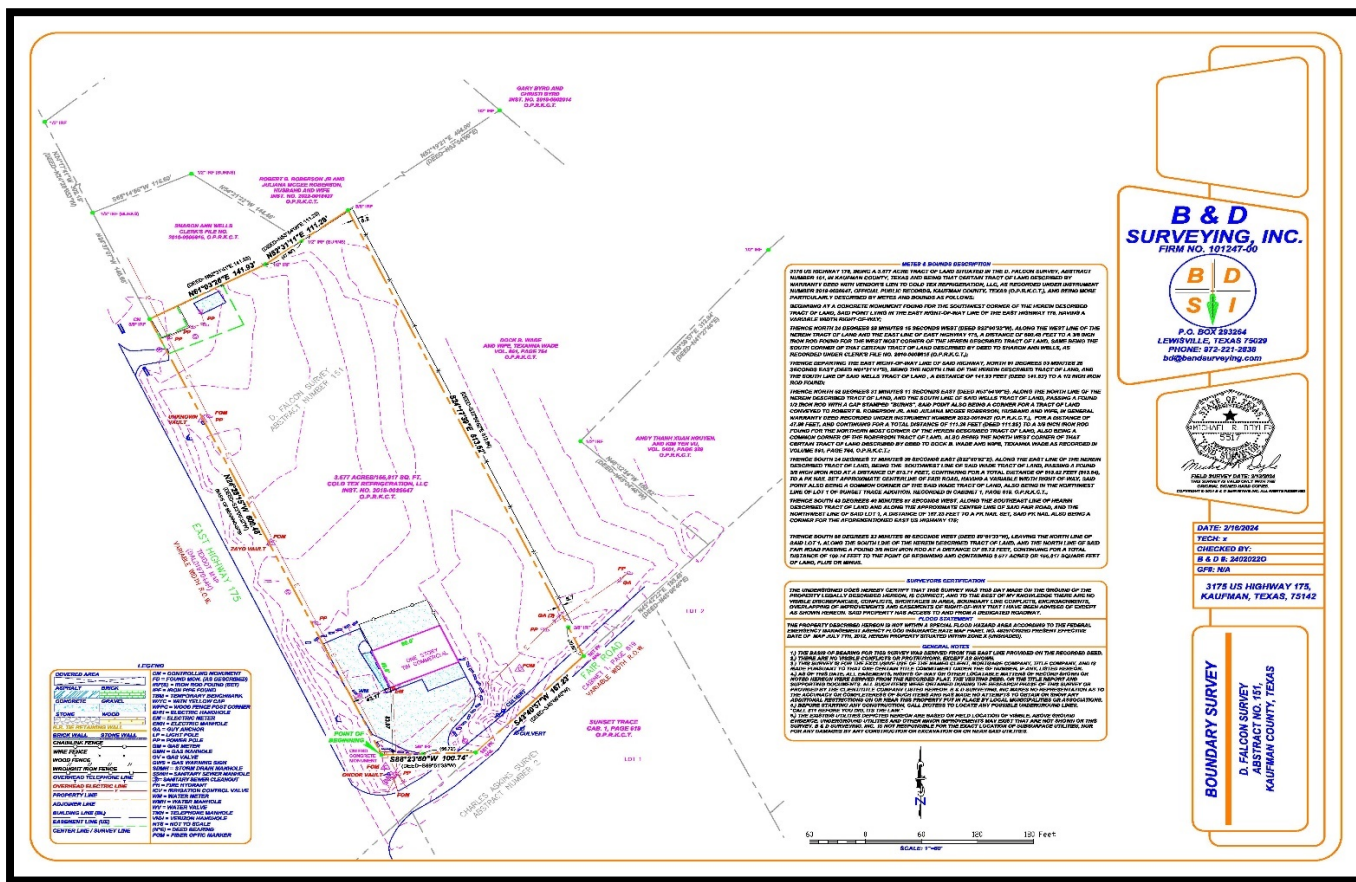
Exhibit A – Property Description/Topo Survey

Exhibit B – Site Plan/Floor Plan

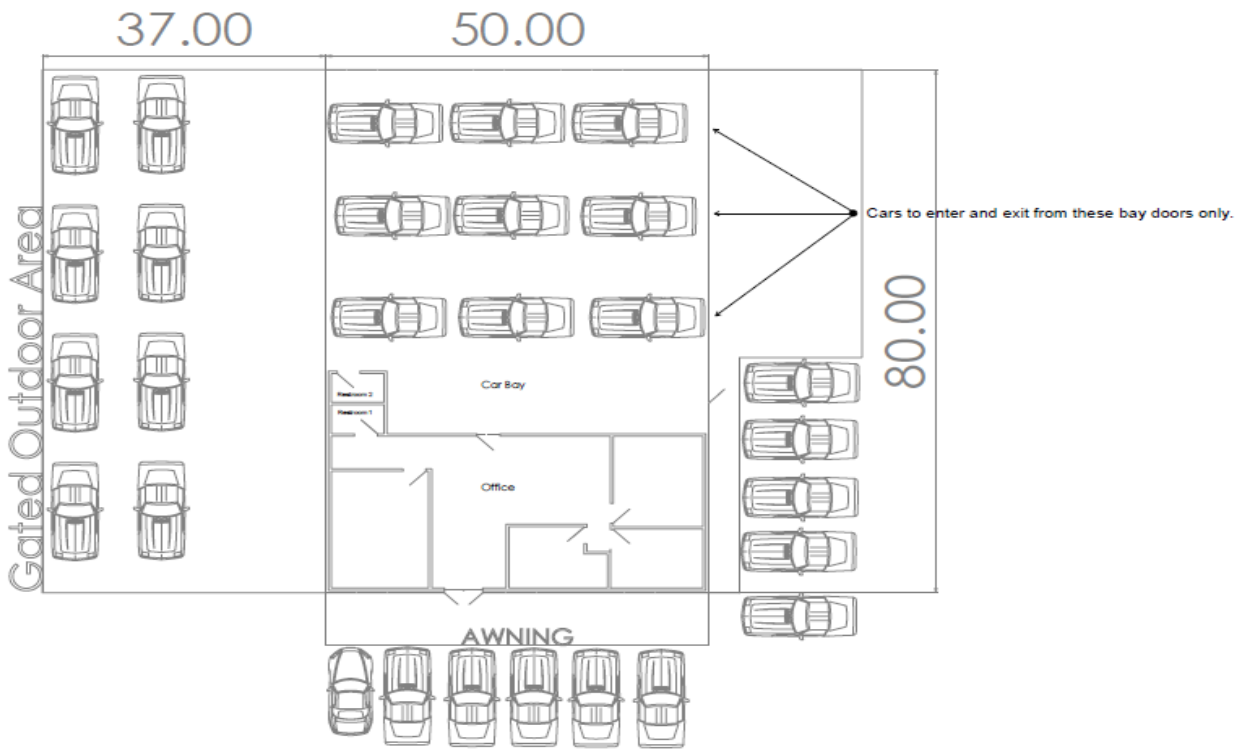


Exhibit C – Aerial Photo



Exhibit D – Exterior Photos



Exhibit E – Responses Received

DETACH ON DOTTED LINE

Date: 1-30-25

Name: CHARLES HETMER

Address: 3066 HWY 175

City & State: KAUFMAN TX

Phone #: 214 8504153

COMMENTS:

RE: Conduct a public hearing and make a recommendation to City Council for a request for a Specific Use Permit (SUP-58) for Automobile Repair Major, on approximately 3.577 acres out of the D. Falcon Survey, Abstract No. 151, City of Kaufman, Kaufman County, Texas, generally located at 3175 US Highway 175 (Property ID 5305). The property is zoned Highway Commercial (HC). (Case Z-01-25)

☒ I AM IN FAVOR ☐ I OBJECT

Email Address: _____

CHARLES HETMER
NAME PRINTED

Charles Hetmer
SIGNATURE