



MINUTES
PLANNING AND ZONING COMMISSION MEETING
TUESDAY, NOVEMBER 5, 2019 - 6:00 P.M.
KAUFMAN CITY HALL COUNCIL CHAMBERS
209 SOUTH WASHINGTON STREET,
KAUFMAN, TEXAS

CHAIRMAN	BURTON BROWN	
VICE-CHAIRMAN	PATRICK CARDOZA	(Absent)
COMMISSIONER	COLTEN BRANTLEY	(Absent)
COMMISSIONER	RICHARD DUNN	
COMMISSIONER	GLADIS SALDANA	
COMMISSIONER	CURTIS SNOW	
COMMISSIONER	VACANT	

PLEDGE OF ALLEGIANCE

US FLAG

TEXAS FLAG

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

CALL THE MEETING TO ORDER: Chairman calls the meeting or order, states the date and time, states the commissioners present, and declares a quorum present.

Chairman Brown called the meeting to order at 6:00 p.m. Tuesday, November 5, 2019. Commissioners present were Chairman Burton Brown, Commissioner Richard Dunn, Commissioner Gladis Saldana, and Commissioner Curtis Snow. Director of Development Services Marcy Ratcliff was present. Present in the audience were Melinda Polk, Cameron Polk, and Shannon Polk.

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

Comments about any of the Planning and Zoning 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 Planning and Zoning 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 Commissioners as a whole. **When addressing the Planning and Zoning Commissioners, please step forward to the speaker’s podium, state your name and address, and direct your comments to the Chairman and Commissioners.**

PUBLIC HEARING ITEM:

1. CONDUCT A PUBLIC HEARING AND MAKE A RECOMMENDATION TO CITY COUNCIL FOR A REQUEST BY THE CITY OF KAUFMAN FOR AN AMENDMENT TO THE CITY OF KAUFMAN'S COMPREHENSIVE ZONING ORDINANCE O-02-07, AS AMENDED, CODIFIED AS CHAPTER 118 OF THE CITY OF KAUFMAN CODE OF ORDINANCES REGARDING REVISIONS TO SECTION 40.8 TEMPORARY USE PERMITS (Z-08-19)

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

Marcy Ratcliff, Director of Development Services stated Cameron Polk, at the September 24, 2019 Planning and Zoning Commission gave a presentation regarding his mobile food units' specialty coffee sales. He requested amendments to the Zoning Ordinance to allow mobile food units the ability to operate at a permanent fixed location year round in the Central Business District (CBD). Mr. Polk's request does not meet the Zoning Ordinance standards for a permanent use/structure including off-street parking and paving, setbacks, and landscaping.

Staff determined the only way to allow his mobile food unit to occupy private property without meeting the zoning standards was to create a new temporary use in the CBD with specific conditions. The Planning and Zoning Commission, at a special meeting on September 24, 2019, authorized Staff to set a public hearing to consider amending Section 40.8 Temporary Use Permits allowing special food and drink sales in the Central Business District.

The following are boundaries of the Central Business District (CBD): The center of the district is the Kaufman County Courthouse and extends one block from the Court House in all four directions. The majority of the CBD is bounded by properties zoned Commercial (C). The Washington Street Corridor (WSC), located south of Cherry Street and mostly one block off either side of S. Washington. At the northeast corner of the Central Business District there is a one block area zoned Single Family Residential – (SF-6).

Temporary uses are short term or seasonal uses that would not be appropriate on a permanent bases. Temporary uses are approved by the Development Services Department after consideration of the review criteria in Section 40.8.D and E. The review criteria applicable to all temporary uses includes reviewing the land use compatibility, compliance with other regulations, ensuring the site will be restored to its previous condition, the hours of operation and duration, the traffic circulation, off-street parking, determination of public conveniences and litter control, compatibility of the appearance and nuisances with surrounding land uses in the area.

Staff drafted language for a new temporary use special food and drink sales, allowed only within the Central Business District (CBD), lasting up to a maximum of six (6) months, with the possibility of one (1) six (6) month extension. Special food and drink sales can be approved if the eleven (11) specific conditions are met, along with the review criteria in Section 40.8.D and E. Listed below are the eleven (11) specific conditions related solely to special food and drink sales.

1. Each mobile food unit, trailer or push cart must have a written letter of permission from the owner of the property upon which the sales are to take place to operate from that location.
2. Such sales shall be located on private property.
3. All mobile food units, trailers or push carts selling food products must first obtain a health permit from the City prior to receiving a Temporary Use Permit.
4. No mobile food units, trailers or push carts shall be located in the sight visibility triangle.
5. No mobile food units, trailers or push carts shall have flashing, strobing or blinking lights.
6. No mobile food units, trailers or push carts shall operate during an approved event without first obtaining written permission from the City of Kaufman.
7. No mobile food units, trailers or push carts shall be equipped with any sound amplification device that, when operated, violates Section 42-1 or Section 102-5 of the City of Kaufman Code of Ordinances.
8. Mobile food units and any towing vehicle are allowed to park on an unimproved surface (i.e. grass). Any disconnected towing vehicles associated with the mobile food unit and employee vehicles shall park only on an approved paved surface. No customer vehicles are allowed to drive or park on an unimproved surface
9. Garbage storage containers shall be maintained for each mobile food unit, trailer or push cart in a number sufficient to contain all trash and garbage generated by the vendor. All garbage storage containers shall be removed from the site daily.
10. Such sales shall not be located within one hundred (100) feet of an existing fixed business that sells, distributes, or offers for sale goods or services similar to those to be sold, distributed, or offered for sale by each permittee.
11. Toilet rooms shall be designated and be conveniently located and accessible to employees of the mobile food units, trailers or push carts during all hours of operation. Each mobile food unit, trailer or push cart must have a written letter of permission from the owner of the toilet facilities allowing the shared use of the facilities and state the hours of availability.

The Public Hearing closed at 7:45 p.m.

Commissioner Dunn made a motion to approve the amendment to the City of Kaufman's Comprehensive Zoning Ordinance O-02-07, Section 40.8 Temporary Use Permits. The motion was seconded by Commissioner Snow. Chairman Brown called for a vote with all voting AYE. The motion carried by a vote of 4-0.

PLANNING AND ZONING COMMISSION MINUTES:

2. CONSIDER AND TAKE APPROPRIATE ACTION ON THE PLANNING AND ZONING COMMISSION REGULAR MEETING MINUTES FOR OCTOBER 1, 2019.

Commissioner Dunn made a motion to approve the Planning and Zoning Commission minutes for the October 1, 2019 meeting. The motion was seconded by Commissioner Snow. Chairman Brown called for a vote with all voting AYE, the motion carried by a vote of 4-0.

ANNOUNCEMENTS FROM CITY STAFF:

- A. REMINDER OF THE VOLUNTEER BANQUET WHICH WILL BE HELD ON NOVEMBER 7, 2019 AT 6:00 PM AT THE KAUFMAN COMMUNITY CENTER LOCATED AT 607 EAST FAIR STREET.
- B. DEVELOPMENT SERVICES ANNOUNCEMENTS AND REPORTS
- REPORT ON UPCOMING PLANNING AND ZONING COMMISSION CASES
 - I. Farm Village, Phase 1
 - II. Future Land Use Plan for 711 East 1st North Street
 - III. Rezoning for 711 East 1st North Street
 - IV. Preliminary Plat for Sterling Addition
 - V. Final Plat for Sterling Addition
- C. REQUEST AND/OR COMMENTS FROM PLANNING AND ZONING COMMISSIONERS
- UPDATE ON NEW BUILDING PROGRESS
 - I. There are no current updates on new builds.

ADJOURNMENT

Commissioner Dunn made a motion to adjourn at 7:59 p.m., seconded by Commissioner Snow. Chairman Brown called for a vote with all voting AYE, the motion carried by a vote of 4-0.

BURTON BROWN
CHAIRMAN

ATTEST:

**JOY HENDERSON
PLANNING TECHNICIAN**