MINUTES OF THE
PLANNING AND ZONING
COMMISSION MEETING
BOARD MEETING
TUESDAY, JULY 7, 2020 - 6:00 PM
CITY HALL COUNCIL CHAMBERS
209 S. WASHINGTON STREET
KAUFMAN, TEXAS 75142

PLEDGE OF ALLEGIANCE

Chairman Brown called the Planning and Zoning meeting to order at 06:03 PM. Board members present were Burton Brown, Patrick Cardoza, Richard Dunn, Porfirio Lopez, and Curtis Snow. Chairman Brown declared a quorum present. Also present were Director of Development Services Marcy Ratcliff, Permit Technician Joy Henderson, and City Secretary Jessie Hanks.

The board conducted the Pledge of Allegiance.

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.**

No comments were given.

CONSENT AGENDA

1. Consider and take appropriate action on the Minutes of June 2, 2020 Planning and Zoning Commission Meeting

   Curtis Snow made a motion to approve Consent Agenda Item 1, seconded by Commissioner Dunn. Chairman Brown called for a vote with all voting AYE, the motion carried by a vote of 5--0.

END OF CONSENT AGENDA

DISCUSSION/ACTION ITEMS

2. 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 3, Accessory and Incidental Uses, Chart 6, Retail and Services Uses, Section 33.5 Definitions and Section 25, Central Business District relative to outside sidewalk display of retail goods,

merchandise and materials (not overnight) as a permitted use and outside sidewalk display or retail goods, merchandise and materials (overnight) as a specific use permit in the Central Business District (CBD).

Marcy Ratcliff, Director of Development Services, presented the Commissioners with a report on the draft language for outside display for more than 24 hours for the Central Business District. The Commissioners met on June 2, 2020, and May 5, 2020, to discuss the possibility of adding the additional use for the downtown area only. She reviewed the discussions on this topic from the previous meetings as well as the staff's discussions. She outlined the amendment options the Board could consider. She informed the board there would be a joint public hearing with City Council on July 27, 2020.

Commissioner Snow asked about the actions required tonight before the public hearing. Ms. Ratcliff informed the board any amendments they wanted to make to the ordinance could be done before the public hearing.

Chairman Brown requested elaboration on what the City Attorney said and what other cities are doing regarding similar matters. Ms. Ratcliff outlined the attorney's guidance regarding the amendments. There were discussions about the special use permit, the time frame for that permit, and the way other cities handle similar situations. Chairman Brown inquired about the enforcement of the proposed amendments. Ms. Ratcliff stated it would be on a trial basis and continued monitoring of the district.

Commissioner Snow asked about the attorney's concern regarding the liabilities issues for the city. He inquired about the need for a public hearing if the board recommends no amendments be made.

Commissioner Cardoza stated the options are either amendment for no overnight storage or overnight storage with a SUP. Ms. Ratcliff informed the board of their options in regards to the amendments.

There were discussions about the proposed amendments to the ordinance, the attorney's concerns, and what the board would like to see changed from the proposed language.

Commissioner Cardoza made comments about whether the board would prefer overnight display being permitted.

Commissioner Snow made a motion to make a recommendation to move forward with the proposed language with the removal of the Outside sidewalk display with overnight storage and the use of display on sidewalk be done by a SUP, seconded by Commissioner Cardoza. Chairman Brown called for a vote, the motion failed by a vote of 2-3.

Commissioner Dunn made a motion to make a recommendation with the staff recommendation with no overnight and no sup, seconded by Commissioner Lopez. Chairman

Brown called for a vote, the motion failed by a vote of 2-3.

Commissioner Cardoza made a motion to make a recommendation to move forward with the no overnight storage and sidewalk storage with a SUP, seconded by Commissioner Snow. Chairman Brown called for a vote, the motion passed by a vote of 5/0.

Chairman Brown made a statement regarding his feelings toward the store that sparked this whole amendment discussion.

ANNOUNCEMENTS AND REPORTS FROM DEVELOPMENT SERVICES DIRECTOR

3. New Developments

A. 214 E Mulberry Detour Restaurant Grand Opening July 11, 2020 (former Sonic Restaurant)

The Grand opening for the Detour Restaurant is July 11, 2020.

B. Future Gateway Entry Signage Amendments

There will be a possible amendment to the sign ordinance for gateway entry signage to allow for off premise marketing.

C. Future Zoning Case on Rubio Property at Southwest Corner of S. Houston Street and W. Highway 175

The board will be hearing a zoning case on the Rubio Property at the Southwest Corner of S. Houston and W. HWY 175 at a future meeting.

ADJOURNMENT

There being no further business, Chairman Brown adjourned the meeting at 7:24 PM.

JOY HENDERSON
PLANNING TECHNICIAN