



**AGENDA**  
**PLANNING AND ZONING COMMISSION MEETING**  
**TUESDAY, DECEMBER 7, 2021 - 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: 890 0513 4280  
PASSWORD: 636705**

**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 November 9, 2021 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 from Kevin McCormick of Furniture-n-Cabinets, Inc. for a Specific Use Permit (SUP-49) to allow light manufacturing and assembly processing of furniture and cabinetry in conjunction with a furniture office/showroom store located at 2400 Tabor Parkway. The property is a 1.879 acre lot located on Lot 4, Heritage Park Addition (PID 49846). The property is zoned Commercial District (C). (Z-19-21)
3. Conduct a public hearing and make a recommendation to City Council on the Preliminary Plat and Land Study of La Vega Ranch Addition and variances to the Subdivision Regulations, Section III, "Subdivision Design Standards", Section 3.1 "Streets" specific to private street construction and Section V, "Improvements Required Prior to Acceptance of the Subdivision by the City", Section 5.7 "Screening and Landscaping Construction Regulations, Requirements and Design Criteria", specific to screening. The property being a tract of land containing approximately 92 acres, situated in the Thomas Lowrie Survey, Abstract No. 285 and in Kaufman's Extraterritorial Jurisdiction (ETJ). The subject property is generally located at 2075 CR 4104, Crandall, Texas 75114, northeast of Star Trail (Wynchase Corssing Addition, Phase 1) (PIDs 208804, 213296, 198586, 213262, 209865, 209789, 209823, 213286, 213299, & 208803). The proposed subdivision will contain 10 lots and 1 private street. (Case No. PP-05-21)
  - A. Presentation of requested Subdivision Regulations variances and La Vega Ranch Preliminary Plat.
  - B. PUBLIC HEARING
  - C. Consider and make a recommendation on Subdivision Ordinance variance requests.
  - D. Consider and make a recommendation on the La Vega Ranch Preliminary Plat request.

## **DISCUSSION/ACTION ITEMS**

4. Consider and make a recommendation to City Council on the revised Site Plan of the Kaufman County Justice Center, being a tract of land containing 45 acres, situated in the D. Falcon Survey, Abstract No. 151. The property is platted as Lot 1, Law Enforcement Center Addition and addressed as 1902 East Highway 175. A 24,021 square foot expansion to the Justice Center is proposed. The property is zoned Highway Commercial. (SP-07-21)

## **APPOINTMENTS**

5. Consider and take appropriate action on the appointment of the Chairman of the Planning and Zoning Commission
6. Consider and take appropriate action on the appointment of the Vice-Chairman of the Planning and Zoning Commission

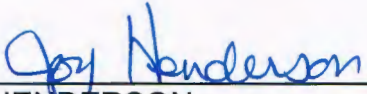
## **ANNOUNCEMENTS AND REPORTS FROM DEVELOPMENT SERVICES DIRECTOR**

7. Special City Council and Planning and Zoning Commission Joint Workshop Meeting on Monday, December 20, 2021 at 5:30 pm to discuss proposed amendments to the Kaufman Subdivision Regulations Ordinance.
8. Tractor Supply Grand Opening Rescheduled to Saturday, December 18, 2021.

**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, DECEMBER 3, 2021 AND REMAINED SO POSTED CONTINUOUSLY FOR AT LEAST 72 HOURS PRECEDING THE SCHEDULE TIME OF SAID MEETING.

  
\_\_\_\_\_  
JOY HENDERSON  
PLANNING TECHNICIAN

**\*\*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](https://www.zoom.us/join) OR (888)788-0099 (TOLL FREE) MEETING/WEBINAR ID: 890 0513 4280 PASSWORD: 636705**

**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, NOVEMBER 9, 2021 - 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  
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**PLEDGE OF ALLEGIANCE US FLAG and 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 Brown called the meeting to order at 6:05 p.m. Tuesday, November 9, 2021. Commissioners present were Chairman Burton Brown, Vice-Chairman Patrick Cardoza, Commissioner Richard Dunn, and Commissioner Porfilo Lopez. Director of Development Services Marcy Ratcliff and Planning Technician Joy Henderson are present. Present in the audience were Brian of Mitchell Welding and Scott 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 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 October 5, 2021 Planning and Zoning Commission meeting.

### **END OF CONSENT AGENDA**

Commissioner Dunn made a motion to approve the consent agenda for item 1. The motion was seconded by Commissioner Lopez. Chairman Brown called for a vote with all voting AYE, the motion carried by a vote of 4-0.

### **PUBLIC HEARING**

2. **CONDUCT A PUBLIC HEARING AND MAKE A RECOMMENDATION TO CITY COUNCIL TO REZONE PROPERTY FROM AGRICULTURE-OPEN (A-O) TO LIGHT INDUSTRIAL (LI) FOR PROPERTY OWNED BY GLENN GROUP INVESTMENTS, LLC. THE PROPERTY IS APPROXIMATELY 2.356 ACRES OF LAND GENERALLY LOCATED AT 3201 EAST HIGHWAY 175 (PID 408), SITUATED IN THE CHARLES ASKINS SURVEY, ABSTRACT NO. 2, CITY OF KAUFMAN, KAUFMAN COUNTY, TEXAS. (CASE #Z-17-21)**

- a. The Public Hearing is opened at 6:08 p.m.

Marcy Ratcliff, Director of Development Services, stated the request to rezone 2.356-acres from Agriculture-Open District (A-O) to Light Industrial District (LI) was submitted by Jane Lucas of Mitchell Welding Supply. The property was annexed and zoned to Agriculture-Open (A-O) in 2012 by the City of Kaufman. The property has never developed because approximately 1/3 of the property is located within the flood plain and is undevelopable. The applicant requests the Light Industrial (LI) zoning district designation so they can request a specific use permit (SUP) for a propane storage tank for wholesale use only. The proposed development is a low intensity use that does not require a lot of usable land.

The Agriculture-Open District (A-O) is used as an interim zoning district for any newly annexed property until the property owner applies to rezone the property in compliance with the Future Land Use Plan (FLUP). The proposed application request for the Light Industrial District complies with the Future Land Use Plan.

- b. The Public Hearing is closed at 6:14 p.m.

Commissioner Dunn made a motion to approve the rezoning property from Agriculture-Open (A-O) to Light Industrial (L-I) for property located at 3201 East Highway 175 (PID 408). The motion was seconded by Vice-Chairman Cardoza. Chairman Brown called for a vote with all voting AYE, the motion carried by a vote of 4-0.

- 3. **CONDUCT A PUBLIC HEARING AND MAKE A RECOMMENDATION TO CITY COUNCIL FOR A SPECIFIC USE PERMIT (SUP-48) FOR PROPANE DISTRIBUTION, STORAGE AND WHOLESALE FACILITIES FOR PROPERTY OWNED BY GLENN GROUP INVESTMENTS, LLC. THE PROPERTY IS APPROXIMATELY 2.356 ACRES OF LAND GENERALLY LOCATED AT 3201 EAST HIGHWAY 175 (PID 408), SITUATED IN THE CHARLES ASKINS SURVEY, ABSTRACT NO. 2, CITY OF KAUFMAN, KAUFMAN COUNTY, TEXAS. (CASE #Z-18-21)**

- a. The Public Hearing is opened at 6:15 p.m.

Marcy Ratcliff, Director of Development Services, stated Jane Lucas of Mitchell Welding Supply submitted a request for specific use permit for a proposed propane distribution, storage and wholesale facility, on property located at 3201 East Highway 175. The lot contains a total of 2.356 acres.

The land was originally zoned Agriculture-Open District (A-O) and the applicant is requesting (Z-17-21) the Light Industrial (LI) zoning district designation so they can request a specific use permit (SUP) for a propane storage tank for wholesale use only. The property has never developed because approximately 1/3 of the property is located within the flood plain and is undevelopable. The proposed development is a low intensity use that does not require a lot of usable land. The majority of the trees located within the flood plain and at the very rear of the property will remain in place. These trees will serve as a visual buffer between the proposed propane storage tank and the adjacent existing residential subdivision to

The applicant is proposing a 30,000-gallon propane tank and a bulkhead pump site to fill delivery trucks with propane. The proposed tank size will be 109 feet x 66 feet and located on a 3-foot masonry riser and enclosed within a 6-foot chain link fence.

The proposed asphalt driveway width at the entrance will be 53 feet wide on East Highway 175. The interior driveway around the tank will be 30 feet wide.

According to the Railroad Commission all trees located within 50 feet of the tank will need to be removed. They also require the 6-foot security chain link fence surrounding the tank and bulkhead pump site.

The property is located along the southeastern city limit line. There is an existing residential subdivision located behind the property in Kaufman County. As a matter of courtesy Staff additionally notified all those property owners within 300 feet of 3201 East Highway 175 that are not in the city limits.

Commissioner Lopez asked if the tank would have a sensor since the gas would be heavier than the air around the tank. There are sensors and alarms that are reasonable prices and it calls a predetermined phone number if it senses gas. How many feet will the tank be off of the road? Is there a way to add a guard rail to the front of the property or tank to keep vehicles from running off of the road and hitting the tank? How wide is the driveway into the property? Would there be a way to widen it to allow the delivery trucks more turning range?

Vice-Chairman Cardoza asked if there is a way to include lighting at night and adding a 3 foot high concrete riser to help protect the tank from being hit by a vehicle.

Brain of Welding Supplies stated the tanks are low pressure tanks and they do not have any sensors on them. The Rail Road Commission dictates what can be done and what is inspected and when. The tank will be installed by the specifications set forth by the Commission, which includes being 50 feet off the roadway, any trees be removed that are within 90 feet of the unit, and a fence surrounding the tank. The tank will be inspection by the Rail Road Commission on a regular schedule afterwards. Hooking up a light and adding a 3 foot high concrete riser to protect the tank would not be a problem.

b. The Public Hearing is closed at 6:41 p.m.

Commissioner Dunn made a motion to approve Specific Use Permit (SUP-48) for propane distribution, storage and wholesale facilities for property located at 3201 East Highway 175 (PID 408), with the flowing conditions:

1. No outside storage of used or new propane tanks.
2. No parking on unimproved surfaces.

The motion was seconded by Commissioner Lopez. Chairman Brown called for a vote with all voting AYE, the motion carried by a vote of 4-0.

### **DISCUSSION/ACTION ITEMS**

4. **CONSIDER AND MAKE A RECOMMENDATION TO CITY COUNCIL ON THE SITE PLAN OF 3637 E HIGHWAY 175 (PIDS 417, 419 AND 412) FOR A 2,337 SQUARE FOOT ADDITION TO THE EXISTING FAITH FAMILY CHURCH FELLOWSHIP HALL. THE 3.87 ACRE TRACT IS LOCATED IN THE CHARLES ASKINS SURVEY, ABSTRACT NO.2, CITY OF KAUFMAN, KAUFMAN COUNTY, TEXAS. THE PROPERTY IS ZONED AGRICULTURE/OPEN DISTRICT. (SP- 06-21)**

Marcy Ratcliff, Director of Development Services, stated Faith Family Church is requesting to expand their existing Family Life Center by 2,337 square feet. The expansion area will be located on an existing concrete foundation where a fellowship hall was located in the early 1990's but had been demolished due to storm damage. The building will initially only be a shell building and will be finished out at a future date.

Faith Family Church was given some erroneous information when they initially inquired about whether a building permit was needed and began work on the project. Staff discovered work had begun and sent a letter to the church to let them know a site plan and building permit were needed before they could proceed any further. The Church has willingly stopped work and has brought in all the needed information for the site plan and is working on the building permit.

The property was annexed and zoned to Agriculture-Open (A-O) in 2012 by the City of Kaufman. The Agriculture-Open District (A-O) is used as an interim zoning district for any newly annexed property until the property owner applies to rezone the property in compliance with the Future Land Use Plan (FLUP).

Churches are a permitted use in the Agriculture/Open District. Required off-street parking is based on the seating area for the sanctuary. No additional parking spaces will be required for the expansion.

Commissioner Dunn made a motion to approve the Site Plan of 3637 E Highway 175 (PIDs 417, 419 and 412) for a 2,337 sf addition to the existing Faith Family Church fellowship hall. The motion was seconded by Commissioner Lopez. Chairman Brown called for a vote with all voting AYE, the motion carried by a vote of 4-0.

### **ANNOUNCEMENTS AND REPORTS FROM DEVELOPMENT SERVICES DIRECTOR**

Marcy Ratcliff, Director of Development Services, updated the Planning and Zoning members with the following items.

5. **SPECIAL CITY COUNCIL AND PLANNING AND ZONING COMMISSION JOINT WORKSHOP MEETING ON MONDAY, DECEMBER 20, 2021 AT 5:30 PM TO DISCUSS PROPOSED AMENDMENTS TO THE KAUFMAN SUBDIVISION ORDINANCE.**
6. **TABOR PARKWAY & GEORGETOWN AT KINGS FORT PHASE 1B RIBBON CUTTING CEREMONY ON NOVEMBER 16, 2021 AT 2:30PM**
7. **TRACTOR SUPPLY GRAND OPENING, FRIDAY, NOVEMBER 26, 2021**
8. **CHRISTMAS PARADE AND TREE LIGHTING – SATURDAY, DECEMBER 4, 2021 AT 6 PM**

**BOARD INQUIRY** If a member of the board makes a spontaneous inquiry about a subject not on this agenda, then the board or an appropriate staff member may make a statement of factual information or policy in response to such an inquiry. 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**

Vice-Chairman Cardoza made a motion to adjourn at 6:54 p.m., seconded by Commissioner Lopez. Chairman Brown called for a vote with all voting AYE, the motion carried by a vote of 4-0.

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BURTON BROWN  
CHAIRMAN

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JOY HENDERSON  
PLANNING TECHNICIAN



## **Planning and Zoning Commission Report**

**Meeting Date:** December 7, 2021

**SUBJECT:** Conduct a public hearing and make a recommendation to City Council on a request from Kevin McCormick of Furniture-n-Cabinets for a Specific Use Permit (SUP-49) to allow light manufacturing and assembly processing of furniture and cabinetry in conjunction with a furniture office/showroom store located at 2400 Tabor Parkway. The property is a 1.879 acre lot located on Lot 4, Heritage Park Addition (PID 49846). The property is zoned Commercial District (C). (Z-19-21)

### **BACKGROUND/SUMMARY:**

The applicant, Kevin McCormick of Furniture-n-Cabinets is requesting a Specific Use Permit to allow light manufacturing and assembly processing of furniture and cabinetry in conjunction with a furniture office/showroom store. The property is located at 2400 Tabor Parkway, on 1.879 acres and platted as Lot 4, Heritage Park Addition (PID 49846). The property is developed with an existing 37,500 SF metal building with paved parking and loading areas. The building was once occupied by ABox Packaging Company. The required number of off-street parking spaces for the office/showroom is 32 spaces.

The property is developed with an existing driveway on Tabor Parkway and Kings Fort Parkway. The applicant proposes to add a second 24 foot wide driveway on Kings Fort Parkway to access the paved parking area in the rear, which currently has no paved access to the street.

The applicant proposes the following exterior building improvements:

#### King's Fort Parkway Elevation Side

1. Install faux stone veneer panels and ledge molding 36 inches above ground level
2. Install window & door wood trim accent around existing windows
3. Install new glass entrance door with wood trim accents on sides and top (new customer entrance to showroom area)
4. Install new fence around rear concrete parking area.

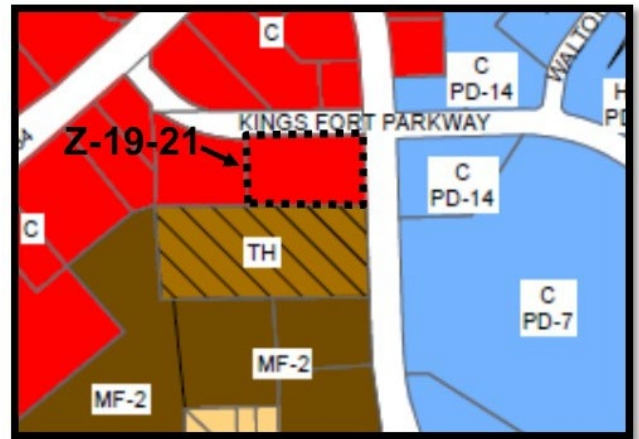
#### Tabor Parkway Elevation Side

1. Install faux stone veneer panels and ledge molding 36 inches above ground level
2. Install window & door wood trim accents around existing windows
3. Install new overhead doors

The proposed light manufacturing and assembly processing hours of operation is proposed to be limited to 7:30 am to occasionally 6:00 pm Monday through Friday. To reduce the noise level, standard woodworking machinery will be used instead of industrial caliber machinery. The proposed showroom/retail store hours are from 9:00 am to 4:00 pm Monday through Saturday.

## SURROUNDING ZONING AND EXISTING LAND USES:

|               | <b>Zoning</b>    | <b>Existing Land Use</b>                                                                                |
|---------------|------------------|---------------------------------------------------------------------------------------------------------|
| <b>North:</b> | <b>C</b>         | <b>Kaufman Self Storage, Printing Company &amp; medical billing business</b>                            |
| <b>South:</b> | <b>TH</b>        | <b>Village of Kaufman</b>                                                                               |
| <b>East:</b>  | <b>PD-14 (C)</b> | <b>Texas Dentistry, Great Clips, UPS Store, Euphoria Nail Spa, Dickey's BBQ, Roma's, AT&amp;T Store</b> |
| <b>West:</b>  | <b>C</b>         | <b>Undeveloped, Chicken Express</b>                                                                     |



## COMPREHENSIVE PLAN:

### **Land Use Plan:**

The 2014 Future Land Use Plan designates the land use of the subject property as Future Commercial Use. The property is zoned Commercial. The Planned Development-15 zoning complies with the 2014 Future Land Plan.

### **Thoroughfare Plan:**

Kings Fort Parkway and Tabor Parkway are designated as a Type C, Major Collector, which requires a minimum 80 foot wide right of way width and has already been dedicated.

## DETERMINATIONS NECESSARY FOR CONSIDERING SUP'S

### **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 to ensure that the intent of the district is 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.
- C. No Specific Use Permit shall be granted unless the applicant, owner, and grantee of the Specific Use Permit shall be willing to accept and agree to be bound by and comply with the written requirements or conditions of the Specific Use Permit, as incorporated into the amending ordinance establishing the SUP, and as reviewed by the Planning and Zoning Commission and approved by the City Council.
- \*H. A time limit may be imposed as a condition upon the granting of a SUP. If a time limit has been imposed, the SUP automatically terminates when the time limit expires. Except as otherwise provided in Subsection 30.2.I.; the applicant shall go through the procedures outlined above in Subsection 30.2.A-30.2G to renew a SUP.

#### PROPERTY OWNER RESPONSES:

The City of Kaufman mailed out notification letters to 12 property owners within 300' of 2400 Tabor Parkway. The results are as follows:

- Property owners returned letters in opposition to the request = 0
- Property owners returned the letter in agreement to the request = 0
- Property owners who have not responded = 12

If 20% of the area 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 20% rule is a State law.

## RECOMMENDATIONS:

Staff recommends approval of Z-19-21, a Specific Use Permit (SUP-49) for light manufacturing and assembly processing of furniture and cabinetry in conjunction with a furniture office/showroom store located at 2400 Tabor Parkway, on Lot 4, Heritage Park Addition (PID 49846) with the following conditions.

1. Revise the rear parking lot area to show:
  - a. The required 24 foot wide driving lane
  - b. The 90 degree angle parking spaces shown adjacent to the building changed to fit 9 foot x 22 foot parallel parking spaces.
2. Revise the total number of off-street parking spaces available to reflect the revisions noted in item #1.
3. Limit the hours of shop operation from 7:30 am to 6:00 pm Monday through Friday.

## ATTACHMENTS:

1. Location map
2. Applicant's Letter
3. Site Plan

Marcy Ratcliff  
Development Services  
972-932-2216 ext. 117  
[Kaufmanplanning@kaufmantx.org](mailto:Kaufmanplanning@kaufmantx.org)

Location Map



Applicant's Letter

*Furniture-n-Cabinets*  
Your Home, Your Way

10640 W US Highway 80 Forney, Texas 972-552-1914

11/04/2021

*Furniture-n-Cabinets inc. provides the finest products and services available within the kitchen cabinet and unfinished Furniture industries. We will tailor our product around your budget, as basic or elaborate as desired. Our luxury crafted cabinets are designed to embrace and accentuate your lifestyle and personality.*

*Furniture-n-Cabinets builds and installs custom cabinetry for any room in you home or business including Kitchen Cabinets, Bookcases, Entertainment, Computer and Media Centers, Home Office, Garage Cabinets, Custom Closet cabinets, Laundry Centers and Bathrooms. All created to your specifications in materials, style and design.*

*Our custom upgrades are endless to what we can do for you. If you have an idea of what you want, we are committed to helping create that dream for you. Whether it's a decorative Vent Hood, Pantry with Pull-out Shelving, Plate & Wine Racks, or simply making your Spice Rack more easily accessible for you.*

*Our knowledge and experience help in making your decision process go a little more smoothly and efficiently.*

*Furniture-n-Cabinets*  
Your Home, Your Way

10640 W US Highway 80 Forney, Texas 972-552-1914

11/04/2021

FURNITURE-N-CABINETS INC. IS A CUSTOM CABINET SHOP PROVIDING WOOD CABINET TYPE PRODUCTS FOR YOUR HOME  
WE HAVE BEEN IN FURNITURE/CABINET BUSINESS FOR 30+ YEARS DESIGNING AND FABRICATING ALL VARITIES OF CUSTOM  
PIECES

WE SERVE A LIMITED NUMBER OF RESIDENTIAL CUSTOM HOME BUILDERS WITH CUSTOM CABINETS FOR THEIR NEW HOMES  
WORKING DIRECTLY WITH THEIR CUSTOMERS

OUR SHOWROOM/STORE SERVES HOMEOWNERS WITH CUSTOM FURNITURE AND CABINETS FOR THEIR HOMES WHETHER IT BE  
REMODELING THEIR KITCHEN OR A CUSTOM PIECE OF FURNITURE TO FIT THEIR NEEDS

WE OFFER DELIVERY AND INSTALLATION OF ALL OF OUR PRODUCTS IN BOX VAN TYPE TRUCKS ONLY

CURRENTLY WE HAVE 22 PEOPLE EMPLOYED IN SHOP, SHOWROOM, AND OFFICE

DESIGN AND INSTALL RESIDENTIAL CUSTOM CABINETS

HOURS OF SHOP OPERTION 7:30AM TO 4:00PM (OCCASIONAL OVERTIME TILL 6:00PM) MONDAY THRU FRIDAY

HOURS OF SHOWROOM/RETAL STORE 9:00AM TO 4:00PM MONDAY THRU SATURDAY

LOW LEVEL OF NOISE CREATED-- STANDARD WOODWORKING MACHINERY USED

# *Furniture-n-Cabinets*

**Your Home, Your Way**

**WE WOULD LIKE TO IMPROVE THE ASTHETICS OF CURRENT BUILDING TO INCLUDE THE FOLLOWING:**

**INSTALL STONE AND LEDGER 36" UP FROM GROUND LEVEL ON THE KINGS PORT PKWY AND TABOR PKWY SIDES OF BUILDING TO COMPLIMENT THE SURROUNDING BUSINESS AREA**

**INSTALL WINDOW AND DOOR WOOD TRIM ACCENTS AROUND EXISTING WINDOWS**

**INSTALL NEW SHOWROOM ENTRANCE GLASS DOOR ON KINGS PORT PKWY SIDE OF BUILDING WITH WOOD TRIM ON SIDES AND TOP OF NEW GLASS DOOR, THIS WOULD BE CUSTOMER ENTRANCE FOR SHOWROOM / RETAIL STORE**

**INSTALL NEW OVERHEAD DOORS TO ENHANCE THE OUTWARD APPEARANCE OF BUILDING**

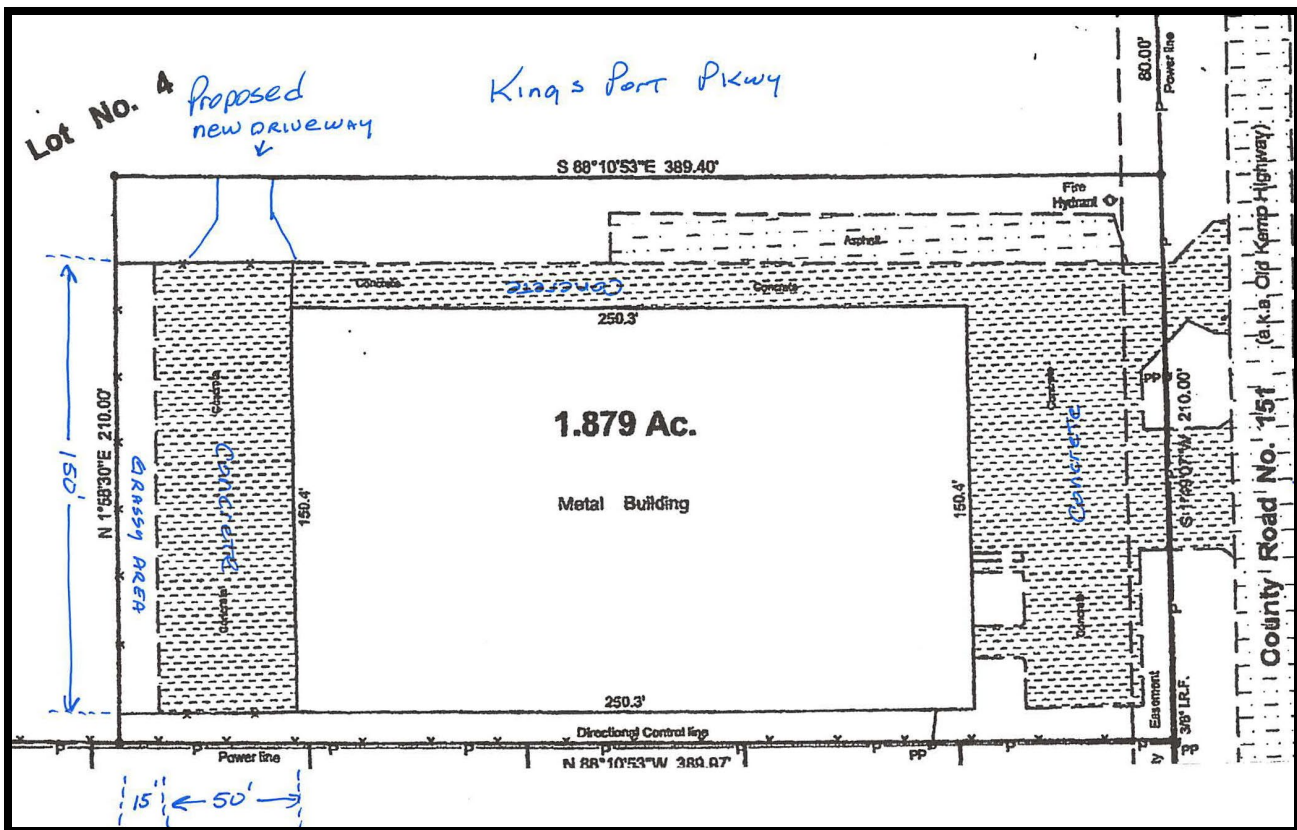
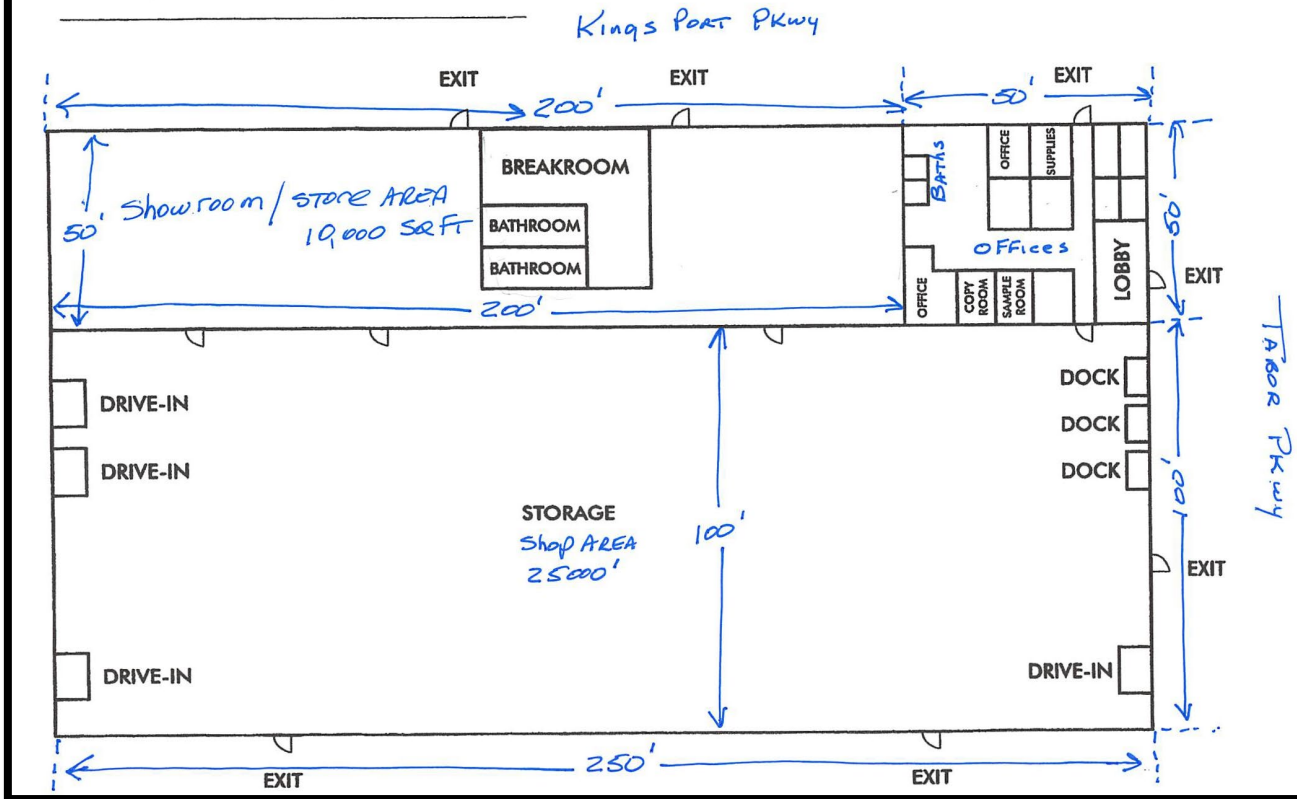
**OVERALL FRESHEN AND CLEAN UP OUTSIDE OF BUILDING TO MAKE MORE RETAIL CUSTOMER FRIENDLY**

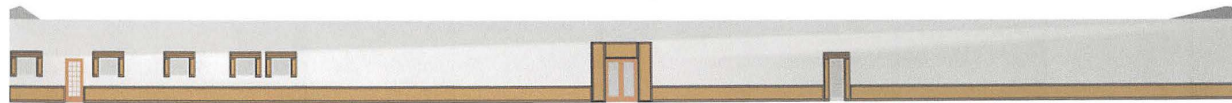
**INSTALL NEW FENCE AROUND REAR CONCRETE PARKING AREA**

**ADD NEW DRIVEWAY/ENTRANCE AT REAR PORTION OF PROPERTY ON KINGS PORT PKWY FOR ACCESS TO PARKING LOT IN REAR OF BUILDING, ALSO TO CREATE A ONE-WAY ENTRANCE AND EXIT ON KINGS PORT PKWY**

[illegible]

# BUILDING LAYOUT





Room 19 no ceiling

1 : 100

Stone and ledger installed 36" above ground level  
 Kings Port Pkwy side of building  
 Install window & door wood trim accents around existing windows  
 Install new glass entrance door on Kings Port Pkwy side of building  
 with wood trim accents on sides & top  
 this would be the customer new entrance for the showroom/store



Room 19 no ceiling

1 : 75

2400 Tabor Parkway Tabor Pkwy side

Stone and ledger installed 36" above ground level  
 Tabor Parkway side of building  
 Install window & door wood trim accents around existing windows  
 Install new overhead doors





Examples of proposed faux stone veneer with ledger 36" above ground level:



Pictures of existing showroom of furniture and cabinetry





Custom in house design cabinets





## Garage Cabinets









## **Planning and Zoning Commission Report**

**Meeting Date:** December 7, 2021

**SUBJECT:** Conduct a public hearing and make a recommendation to City Council on the Preliminary Plat and Land Study of La Vega Ranch Addition and variances to the Subdivision Regulations, Section III, "Subdivision Design Standards", Section 3.1 "Streets" specific to private street construction and Section V, "Improvements Required Prior to Acceptance of the Subdivision by the City", Section 5.7 "Screening and Landscaping Construction Regulations, Requirements and Design Criteria", specific to screening. The property being a tract of land containing approximately 92 acres, situated in the Thomas Lowrie Survey, Abstract No. 285, and in Kaufman's Extraterritorial Jurisdiction (ETJ). The subject property is generally located at 2075 CR 4104, Crandall, Texas 75114, northeast of Star Trail (Wynchase Crossing Addition, Phase 1) (PIDs 208804, 213296, 198586, 213262, 209865, 209789, 209823, 213286, 213299, & 208803). The proposed subdivision will contain 10 lots and 1 private street. (Case No. PP-05-21)

### **DECEMBER 2021 BACKGROUND/PURPOSE:**

A Preliminary Plat of La Vega Ranch has been submitted by Field and Permits in conjunction with the other property owners within the proposed subdivision. See the Historical Summary March 1, 2021 Background section below the requested variances. The preliminary plat proposes 10 lots for development and the private street as another lot. Subdivisions with private streets are required to have a property owners' association. The association shall own and be responsible for the maintenance of private streets and appurtenances. Below is a summary of requirements the applicant is requesting to vary from

1. All new streets are required to be constructed of Portland cement. The street is proposed to be constructed with asphalt.
2. Private streets shall be permitted only within a subdivision satisfying all 6 criteria. The applicant is requesting to vary from 3 of those criteria.
3. The maximum cul-de-sac length is 600 feet. The proposed cul-de-sac length is 2,600 feet, which is over 4x longer than allowed.
4. All subdivisions are required to have two points of access. The proposed subdivision only has one point of access.
5. Construction of new concrete streets are required to be constructed in accordance to the TCSS manuals of North Central Texas Council of Governments (NCTCOG). The proposed construction will be in accordance to the TCSS manuals for an asphalt street.
6. Sidewalks 4 feet wide are required. No sidewalks are proposed.
7. Electric services are required to be underground. Electrical services are already installed overhead.
8. Screening is required when a subdivision is adjacent to a collector type street. CR 4104 is a Type C Collector. No screening fence is proposed.

## VARIANCES REQUESTED TO SUBDIVISION DESIGN STANDARDS

1. Section 3.1.c.7 – **Street Construction Required Material:** Portland cement
  - a. Requesting 100% variance - The street is proposed to be paved with asphalt material.
2. Section 3.1.c.10.a.1 - **Private Street Subdivision criteria** shall be no fewer than 50 residential lots
  - a. Requesting 78% variance The proposed subdivision contains 10 lots and one lot for the street
3. Section 3.1.c.10.a.3 – **Private Street Subdivision criteria** proposed subdivision to be surrounded on at least 3 sides by natural barriers (e.g. creeks and flood plains) or similar barriers (e.g. golf course or linear park created by man)
  - a. Requesting 75% variance There is an existing flood plain area on 1 side of the subdivision
4. Section 3.1.p. **Cul-de-sac Requirements** maximum cul-de-sac length 600 feet with a turnaround bulb with outside pavement diameter of at least 80 feet and a ROW diameter of at least 100 feet
  - a. Requesting 333% variance to exceed the maximum length of a cul-de sac allowing a 2,600-foot-long cul-de-sac.
5. Section 3.1.t – **Points of Access** -two points of access are required into subdivision
  - a. Requesting 50% variance proposing only one entrance. The proposed pavement width is 24 feet.
6. Section 3.1.u **Construction of New Streets** – Proposed streets will be constructed in accordance to the TCSS manuals that are in effect at the time of subdivision construction
  - a. Requesting a 100% variance to the TCSS requirements for concrete but the applicant does not specify if they would meet the TCSS requirements for asphalt. The requirements for asphalt specifications would be 2 inches of asphalt, 6 inches flex based compacted to 95%, and 8 inches of lime treated sub-grade. Core samples would be required to prove compliance.
7. Section 3.5 – **Sidewalk Requirements** - residential 4-foot-wide concrete sidewalks –
  - a. Requesting 100% variance - No sidewalks are proposed.
8. Section 3.8.d . – **Utility Services (not provided by the City of Kaufman)** All electrical and telephone support equipment, including transformers, amplifiers, and switching devises necessary for underground installations shall be pad-mounted or mounted underground not overhead (unless the subdivision is served from perimeter overhead electrical facilities)
  - a. Requesting 100% variance - Overhead electric lines currently exist and are all over head in the area.
9. Section 5.7.a.1 Screening a subdivision when the side or rear lots are adjacent to a collector type street (CR 4104 is a Type C, Collector for 4 lanes) –
  - a. Requesting 100% variance - No screening fence is proposed.

## CRITERIA FOR APPROVING VARIANCES:

The purpose for the Subdivision Regulations is to establish principles, minimum standards and requirements for the platting and development of subdivisions within the City of Kaufman. The adopted regulations are designed and intended to encourage the development of a quality urban

environment by establishing standards for the provision of adequate light, air, open space, storm water drainage, transportation, public utilities and facilities, and other needs necessary for ensuring the creation and continuance of a healthy, attractive, safe and efficient community that provides for the conservation, enhancement and protection of its human and natural resources.

If an applicant requests variances to the Subdivision Regulations, the Planning and Zoning Commission and City Council must **consider the requested variances and make specific motions on each request whether to approve or deny and why**. The Subdivision Ordinance in Section 1.11 outlines standards to use when considering variance requests:

“Where it is found that unreasonable hardships or difficulties may result from strict compliance with the Subdivision Ordinance, and/or where the purposes of these regulations may be served to a greater extent by an alternative proposal, it may approve a variance to portions of these regulations so that substantial justice may be done and the public interest is secured, provided that the variance shall not have the effect of nullifying the intent and purpose of these regulations, and further provided that the City Council shall not approve variances unless it shall make findings based upon the evidence presented to it in each specific case that:

1. Granting the variance will not be detrimental to the public safety, health, welfare, and will not be injurious to other property.
2. The conditions upon which the request for a variance is based are unique to the property for which the variance is sought and are not applicable generally to other property.
3. An alternative design will achieve the same results or intent as the standards and regulations prescribed herein.

**After considering the variance requests, the Planning and Zoning Commission must act on the proposed plat and make one the following recommendations on any type of plat:**

1. **Approval**
2. **Approval with specific conditions relative to the subdivision regulations**
3. **Denial for failure to comply with specific sections of the subdivision regulations**

#### HISTORICAL SUMMARY: MARCH 01, 2021 BACKGROUND:

The subject property has been farmland for numerous years. In March of 2021, Field & Permits, LLC submitted an application for a development plat of La Vega Ranch for 10 lots located at 2075 CR 4104, Crandall, Texas 75114. The applicant constructed a gravel road and divided the approximately 92 acres into 10 tracts and sold off 9 of the proposed lots in early 2020.

Gravel roads are not allowed by the City of Kaufman Subdivision Ordinance. Initially, there was no water, electricity, or other utilities to the tracts at that time. Trinity Valley Electric Co-op had gotten the necessary off-site and on-site easements needed to extend electrical service to the tracts. The applicant has been working with Gastonia-Scurry Special Utility District (SUD) to get the necessary easements to extend water lines to the tracts. Gastonia Scurry SUD has approved the civil construction plans for the water line installation but does not have the necessary easements which would normally be included on a final plat.

The property owner's needed addresses from Kaufman County 911, but were unable to get those addresses because the property had not been subdivided in accordance with the City of Kaufman's Subdivision Regulations and was not filed at the Kaufman County District Clerk's

office. Field and Permits, LLC had listed themselves as the sole owner of the approximate 92-acre tract and provided only their signature on the application. The Development Plat application did not include the signatures of the other property owners.

Staff recommended **denial** the La Vega Ranch Development Plat because of the issues with property owner signatures authorizing the application and outstanding issues with the plat as it was submitted. The applicant submitted a letter on March 1, 2021 requesting to withdraw the application.

From what staff can discover on the Kaufman County Appraisal District's web page Field & Permits and the subsidiary companies purchased the property sometime between 2018 and 2019. Field & Permits filed a reservation and dedication deed (Document No. 2020-0005384) at the District Clerk's office on February 27, 2020, to dedicate and reserve a road and utility easement for use as a public street, utilities, and right-of-way, and for such other uses as public streets may be used (see Attachment 2). The document did not dedicate the street to any public entity, nor does this document address maintenance.

A cost maintenance agreement (Document No. 2020-0030767) was filed by Field & Permits at the District Clerk's office on October 6, 2020 (see Attachment 3). This document is not considered a Home Owner's Association that would be responsible for the maintenance of a private street. The document requires one of the parties involved to act as the agent to get bids to do the maintenance work and collect from each party their share of the cost.

#### KAUFMAN COUNTY THOROUGHFARE PLAN:

CR 4104 is designated as a Collector (Type C 2-3 lanes) requiring a minimum right of way dedication of 80. The proposed plat shows a 40-foot right-of-way dedication for CR 4104. Typically, on county roads, the property owner owns up to the center of the road until a plat is approved.

#### COMPREHENSIVE PLAN:

The property is not zoned because it is located in the Extra Territorial Jurisdiction (ETJ) of the City of Kaufman, a one-mile radius around the city limit lines. The future land use designation is single family residential low density. Ten lots are proposed and appear to be residentially used.

#### VARIANCE RECOMMENDATIONS:

1. Section 3.1.c.7 – **Street Construction Required Material:** Portland cement
  - a. Requesting 100% variance - The street is proposed to be paved with asphalt material.
  - b. Staff Recommendation: **Denial**
2. Section 3.1.c.10.a.1 - **Private Street Subdivision criteria** shall be no fewer than 50 residential lots –
  - a. Requesting 78% variance - The proposed subdivision contains 10 lots and one lot for the street. (This variance has to be approved in order to approve the plat)
  - b. Staff Recommendation: **Approval**

3. Section 3.1.c.10.a.3 – **Private Street Subdivision criteria** proposed subdivision to be surrounded on at least 3 sides by natural barriers (e.g. creeks and flood plains) or similar barriers (e.g. golf course or linear park created by man)
  - a. Requesting 75% variance There is an existing flood plain area on 1 side of the subdivision. (This variance has to be approved in order to approve the plat)
  - b. Staff Recommendation: **Approval**
4. Section 3.1.p. **Cul-de-sac Requirements** maximum cul-de-sac length 600 feet with a turnaround bulb with outside pavement diameter of at least 80 feet and a ROW diameter of at least 100 feet
  - a. Requesting 333% variance to exceed the maximum length of a cul-de sac allowing a 2,600-foot-long cul-de-sac. (This variance has to be approved in order to approve the plat)
  - b. Staff Recommendation: **Approval**
5. Section 3.1.t – **Points of Access** -two points of access are required into subdivision
  - a. Requesting 50% variance proposing only one entrance. (This variance has to be approved in order to approve the plat)
  - b. Staff Recommendation: **Approval**
6. Section 3.1.u **Construction of New Streets** – Proposed streets will be constructed in accordance to the TCSS manuals that are in effect at the time of subdivision construction
  - a. Requesting a 100% variance to the TCSS requirements for concrete but the applicant does not specify if they would meet the TCSS requirements for asphalt. The requirements for asphalt specifications would be 2 inches of asphalt, 6 inches flex based compacted to 95%, and 8 inches of lime treated sub-grade. Core samples would be required to prove compliance.
  - b. Staff Recommendation: Denial
7. Section 3.5 – **Sidewalk Requirements** - residential 4-foot-wide concrete sidewalks –
  - a. Requesting 100% variance - No sidewalks are proposed.
  - b. Staff Recommendation: **Approval**
8. Section 3.8.d . – **Utility Services (not provided by the City of Kaufman)** All electrical and telephone support equipment, including transformers, amplifiers, and switching devises necessary for underground installations shall be pad-mounted or mounted underground not overhead (unless the subdivision is served from perimeter overhead electrical facilities)
  - a. Requesting 100% variance proposed with overhead electric lines.
  - b. Staff Recommendation: **Approval**
9. Section 5.7.a.1 Screening a subdivision when the side or rear lots are adjacent to a collector type street (CR 4104 is a Type C, Collector for 4 lanes) –
  - a. Requesting 100% variance - No screening fence is proposed.

**b. Staff Recommendation: Approval**

**PLAT RECOMMENDATION:**

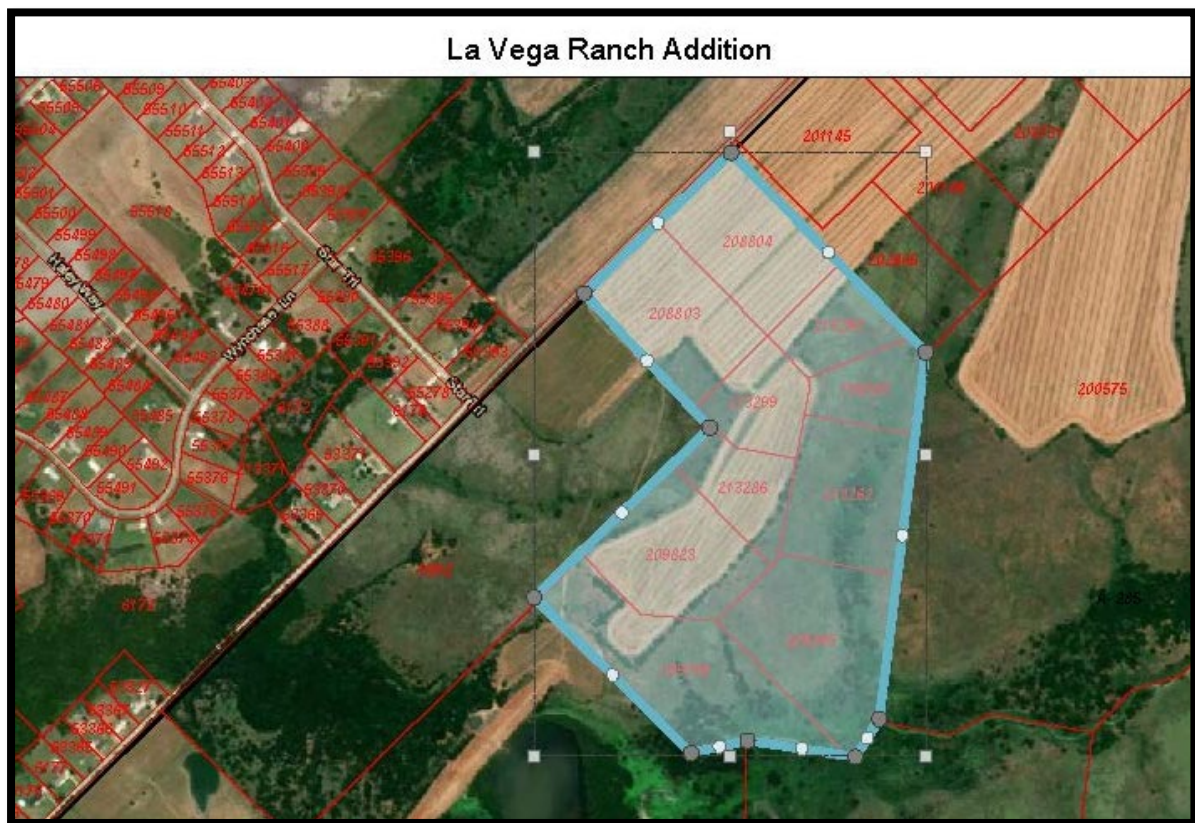
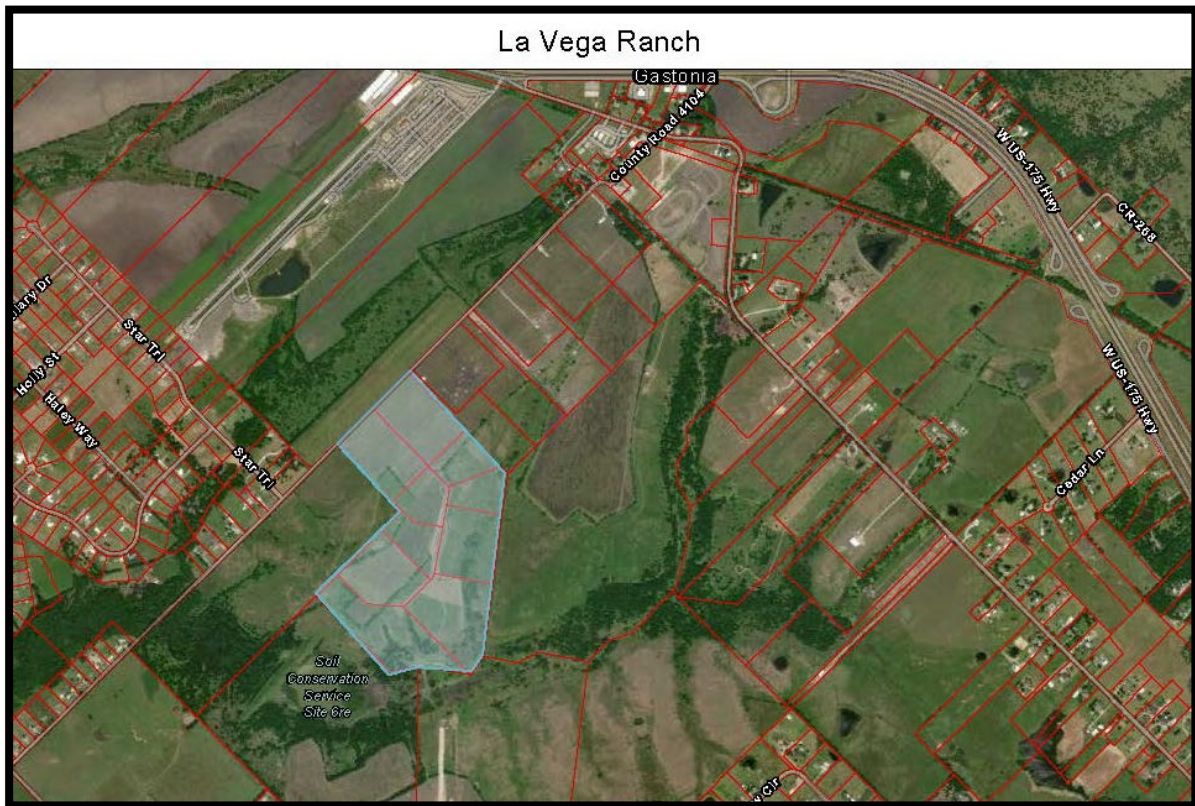
Staff recommends conditional approval of the Preliminary Plat of La Vega Ranch Addition. The Preliminary Plat cannot be approved unless variance requests #2, #3, #4, and #5 are recommended for approval.

**ATTACHMENTS:**

1. Location Maps
2. Letter of Intent
3. Preliminary Plat of La Vega Ranch
4. Introduction Letter from Applicant
5. Response Letter from Applicant on the requested variances
6. Land Study Map of La Vega Ranch
7. Preliminary Drainage Area Map of La Vega Ranch
8. Kaufman County Deputy Fire Marshal's response to cul-de-sac length
9. Pictures of Overhead Lines in the vicinity

Marcy Ratcliff  
Development Services Director  
972-932-2216 ext. 117 [Kaufmanplanning@kaufmantx.org](mailto:Kaufmanplanning@kaufmantx.org)

## Location Map



## Letter of Intent

### City of Kaufman Development Services Department

#### **INTRODUCTION:**

The purpose of this application is to submit the Preliminary Plat Application as required by the City of Kaufman Subdivision Ordinance. The development, La Vega Subdivision, consists of ten (10) lots, which are all greater than five (5) acres. The proposed development is intended to install all utilities for its lot owners and build a private road for access to lots. Additionally, establish a Homeowner Association for the maintenance of the private road.

#### **HISTORY:**

The 92.72 acres property was purchased by Field & Permits LLC on January 19, 2018 from Sunbelt Estates, LLC.

Lot 1 of 10.768 acres was purchased on March 31, 2020 by Antonio Carmona and Magaly Lopez.

Lot 2A of 5.240 acres was purchased on September 25, 2020 by Antonio Carmona and Magaly Lopez.

Lot 3 of 10.524 acres was purchased on August 31, 2020 by Pablo Aaron Alvarez and Maria Ortiz Alvarez.

Lot 4 of 13.78 acres was purchased on June 4, 2020 by Ignacio Berber and Mara I. Berber.

Lot 5 of 15.27 acres was purchased on April 24, 2020 by Ana Maria Lule.

Lot 6 of 10.355 acres was purchased on May 21, 2020 by Jonathan Najera and Lilived Rojas.

Lot 7A of 5.401 acres was purchased on September 14, 2020 by Jose A. Lamas and Leonor Barrera.

Lot 7B of 5.453 was purchased on September 30, 2020 by Jorge Marcos Martinez Jaimes and Rosaura Elena Cerna Muzquiz.

Lot 8 of 10.767 acres was purchased on March 31, 2020 by Rene Sainz and Rosario Sainz.

Lastly, Lot 2B of 5.167 acres is the remaining portion of the 92.72 acer property owned by Field & Permits LLC.

## Letter of Intent

**City of Kaufman**  
**Development Services Department**

## TRAFFIC IMPACT ANALYSIS (TIA)

In accordance with the City of Kaufman Subdivision Ordinance, a TIA is required for developments of 50 or more dwelling units or for developments generating more than 500 trips in a peak hour. The proposed development, however, is of 10 lots and will generate significantly less than 500 trips in a peak hour. Therefore, a TIA is neither required nor justified.



ETJ LIMIT

## ACCESS

Access is provided from County Road 4104 to the proposed private street, La Vega Roadway. La Vega Roadway provides access to 10 lots. The Homeowner Association proposed in this application will oversee the maintenance of the private road. Road name has been approved by the Kaufman County 911 Addressing.

911 GIS <911gis@kaufmancounty.net>  
to me, 911, Field ▾

| KAUFMAN COUNTY ROAD REVIEW |             |           |           |
|----------------------------|-------------|-----------|-----------|
| Subdivision                | Street Name | PASS/FAIL | HOLD      |
| LA VEGA                    | LA VEGA RD  | PASS      | 5/24/2021 |

Kelley Chastain  
Kaufman County Development Services  
911 Addressing  
469-376-4130  
[911GIS@kaufmancounty.net](mailto:911GIS@kaufmancounty.net)

**City of Kaufman  
Development Services Department**

**EXISTING UTILITIES**

- **Water** – As shown in Exhibit G, there is an 8-inch water line on County Road 4104.
- **Electricity** – Installed and serviced by Trinity Valley Electric Cooperative INC.

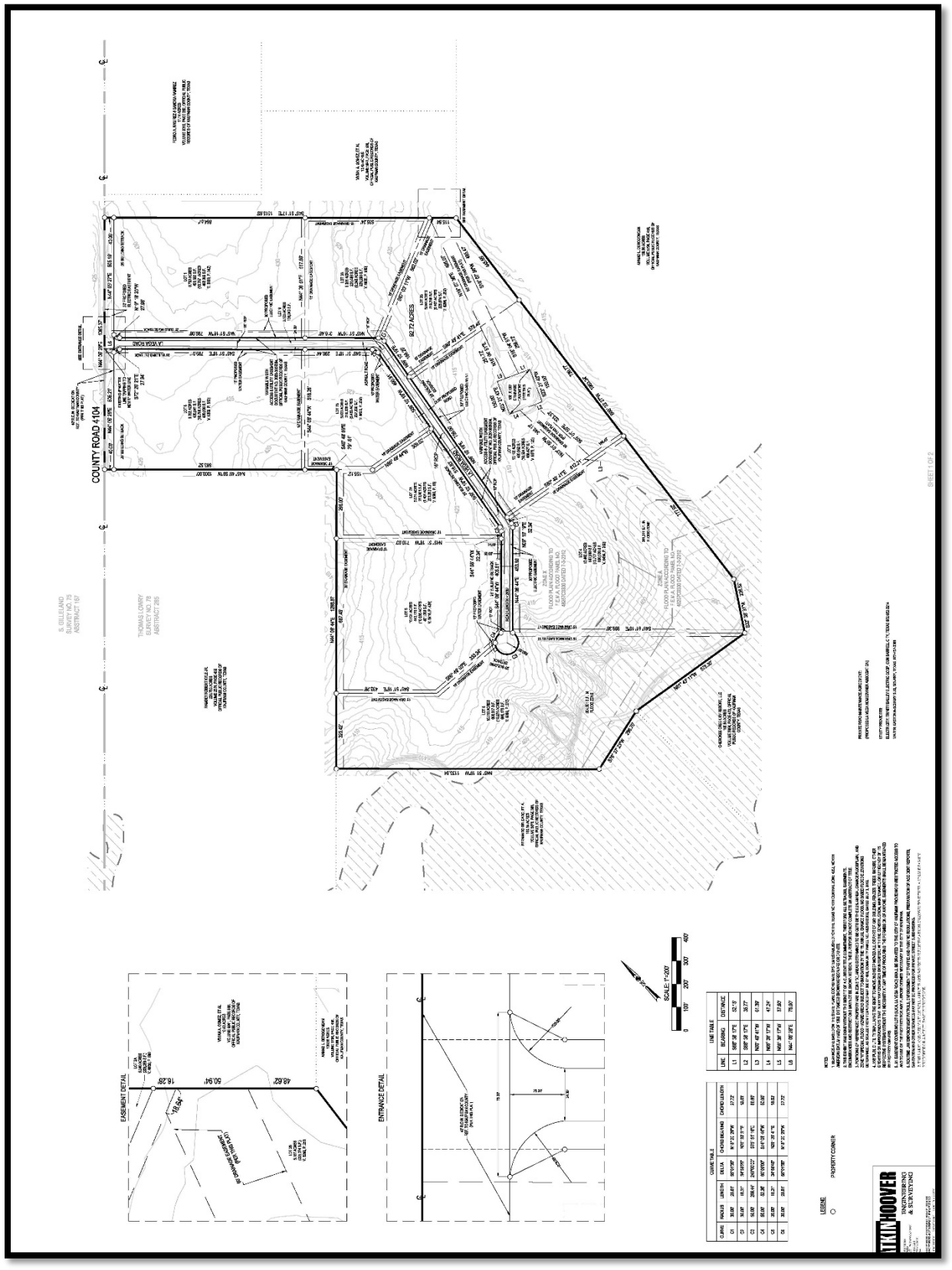
**PROPOSED UTILITY**

- **Water** – A 6-inch water line from County Road 4104, with fire hydrants every 500 ft, extending to La Vega roadway as shown in Exhibit G.

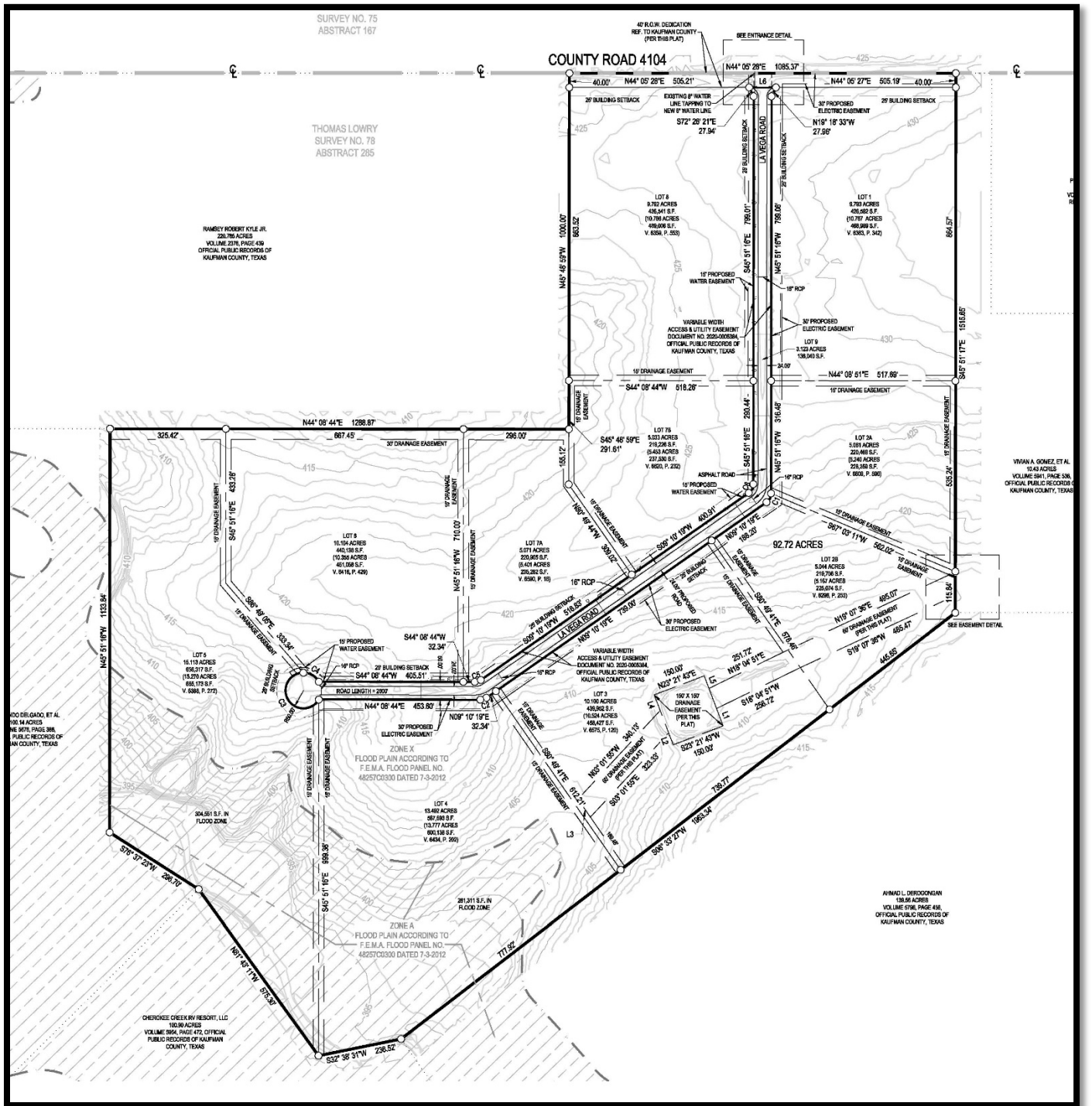
**PROPOSED PRIVATE ROAD**

- Roadway proposed for the access of 10 Lots.
- Roadway width will be 24 ft.
- Road will provide 30 ft turning radius.
- Street will be constructed in accordance to the City's construction standards.
- Variance requested for an asphalt surface road and cul-de-sac length.

# Preliminary Plat of La Vega Ranch



Preliminary Plat of La Vega Ranch  
Enlargement of the Preliminary Plat of La Vega Ranch



## Response Letter from Applicant on Requested Variances

November 30, 2021

City of Kaufman – Development Services  
Attn. Marcy Ratcliff  
209 S. Washington St.  
Kaufman, TX 75142

Re: Request for Variance – La Vega Subdivision

Dear Ms. Ratcliff,

Field & Permits LLC is requesting a variance for the property located at 2075 County Road 4104. The following variances are being requested for this subdivision:

- a. **Section 3.1.c.7 – Street Construction.** All streets and thoroughfares shall be constructed of Portland cement concrete to City standards and in rights-of-way as required by the Thoroughfare Plan, in accordance with City standards from time to time adopted. – 100% variance proposed for asphalt material.
  - i. A majority of the property is located in the jurisdiction of Kaufman County and a smaller portion of the property is within the ETJ of the City of Kaufman.
  - ii. Investigating the area, it looks like almost every single road and almost all subdivisions in that area of the ETJ also make use of asphalt roads.
  - iii. This road will be a private road and will be maintained by the lot owners as established by the La Vega Homeowners Association and would not result in any cost to the city or the county.
  - iv. Using Portland cement concrete would result in high construction costs that make it unrealistic to build the street in concrete. Not supporting the variance will affect each individual owner because economically the property owners cannot afford to change the road material to Portland cement and could cause the permanence of a gravel street. The viability of the project is reliant upon the use of an asphalt road.
- b. **Section 3.1.c.10.a.1 - Private Street.** The subdivision shall have no fewer than fifty (50) residential lots. - 80% variance proposing 10 lots
  - i. The location of the subdivision being low density area does not meet the need of fifty (50) lots or more and could not meet the cost of an expensive development like that.
- c. **Section 3.1.c.10.a.3 – Private Street.** The subdivision is located in an area that is surrounded on at least three sides (i.e., 75% of the perimeter) by natural barriers (e.g., creeks and flood plains) or similar barriers (e.g., golf course or linear park) created by man (non-qualifying barriers include screening walls, roadways, man-made drainage ditches or berms, utility easements and rights-of-way); – 66% variance proposed with an existing flood plain on two side
  - i. The property is irregular in shape with seven (7) sides. Two (2) of these sides are surrounded by the existing flood plain and the Soil conservation site five (5) dam.
- d. **Section 3.1.c.10.a.6 – Private Street.** The subdivision conforms to any other special guidelines for private street developments as may be approved separately by the City Council. – 100% variance proposed

## Response Letter from Applicant on Requested Variances

- i. We are unaware of any other guidelines that can be met; however, the proposed road meets the width and cul-de-sac recommendation by the Fire Marshall. The street is made private on the recommendation of the City and County.
- e. **Section 3.1.p. Streets.** A cul-de-sac street shall not be longer than six hundred feet (600'), and at the closed end shall have a turn-around bulb with an outside pavement diameter of at least eighty feet (80') and a right-of-way diameter of at least one hundred feet (100'). The length of a cul-de-sac shall be measured from the centerline of the intersecting street to the centerline of the cul-de-sac bulb. – 333 % variance proposed for two thousand and six hundred feet (2,600') cul-de-sac length.
  - i. Kaufman County Fire Marshall's office has indicated that they approve of the cul-de-sac street length. See exhibit "T" for letter from Deputy Fire Marshall.
  - ii. Turn-around outside pavement diameter is ninety-eight feet (98') which meets the required minimum of eighty feet (80').
  - iii. Right-of-way diameter is of one hundred feet (100') which meets requirement.
  - iv. The property's irregular shape and having two (2) of its sides surrounded with existing floodplain caused the longer road to maximize land.
- f. **Section 3.1.t – Points of Access.** All subdivisions shall have at least two (2) points of access from improved public roadways. The two points of access can be from a single entrance onto a public thoroughfare if the thoroughfare is divided, and if the entry into the subdivision is divided. Otherwise, the two points of access shall be from two different entrances either on a single public thoroughfare or on two public thoroughfares. All residential developments shall provide no less than one (1) entrance for every seventy-five (75) lots, or portion thereof, including dead-end stubbed streets that will eventually provide connections into adjacent future developments and thence to an existing arterial or collector street. – 50% variance proposing one entrance
  - i. We provide one (1) entrance for ten (10) lots that connect to an existing collector street.
  - ii. The access onto public collector street to the private street proposed will provide 75 feet of access frontage as primary access.
  - iii. With a width of 75 feet, we can paint lines on the pavement to demarcate two entrances.
- g. **Section 3.1.u – Streets will be constructed in accordance to the TCSS manuals that are in effect at the time of subdivision construction.** – 100% variance proposed
  - i. Due to requesting a variance for the street construction material from Portland Cement to asphalt we would not be meeting 100% accordance to the TCSS manuals. However, the other parameters are met.
- h. **Section 3.5 – Sidewalks.** Pedestrian concrete sidewalks not less than four feet (4') wide shall be provided within all residential subdivisions, and sidewalks not less than five feet (5') wide shall be provided within all non-residential developments and along all perimeter roadways (for both residential and non-residential developments) as set forth in the City of Kaufman TCSS manuals. Sidewalks shall be constructed within the street right-of-way, two and one-half feet (2.5') away from the right-of-way line and shall be installed before the final building inspection by the City. A Certificate of Occupancy will not be issued until the sidewalk is in place. Sidewalks along perimeter streets shall be installed prior to subdivision acceptance. – 100% variance proposed with no sidewalks

## Response Letter from Applicant on Requested Variances

i. The La Vega Subdivision is within the rural/county area and is not zoned. Majority of the existing subdivision in the area do not have sidewalks either, since this is characteristic of rural areas.

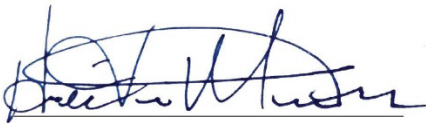
i. **Section 3.8.d . – Utility Services. All electrical and telephone support equipment, including transformers, amplifiers, and switching devices necessary for underground installations, shall be pad-mounted or mounted underground, but not overhead (unless the subdivision is served from perimeter overhead electrical facilities).** – 100% variance proposed with overhead electric lines.

- i. 54% of the property is located in the jurisdiction of Kaufman County and 46% of the property is within the ETJ of the City of Kaufman as shown on Exhibit A. Kaufman County does not require underground electrical lines.
- ii. Investigating the area, it looks like majority of the properties and subdivisions in that area of the ETJ also make use of overhead electric facilities. Please refer to the references on Addendum B.
- iii. Electric company did not consult or recommend the electric installment to be underground but overhead.

The proposed objective of this variance is to subdivide the property, provide all lot owners with utility services, and allow for access onto the properties using an asphalt road. The point of access constructed at County Road 4104 will still be constructed in accordance with city standards, as required.

Approval of this variance request will allow this one lot property to develop into 10 usable lots, which will benefit the Kaufman city/county area. Considering the benefit of this property being developed into 10 lots, the road being maintained privately, and no negative impact to other properties, we respectfully request approval of this variance.

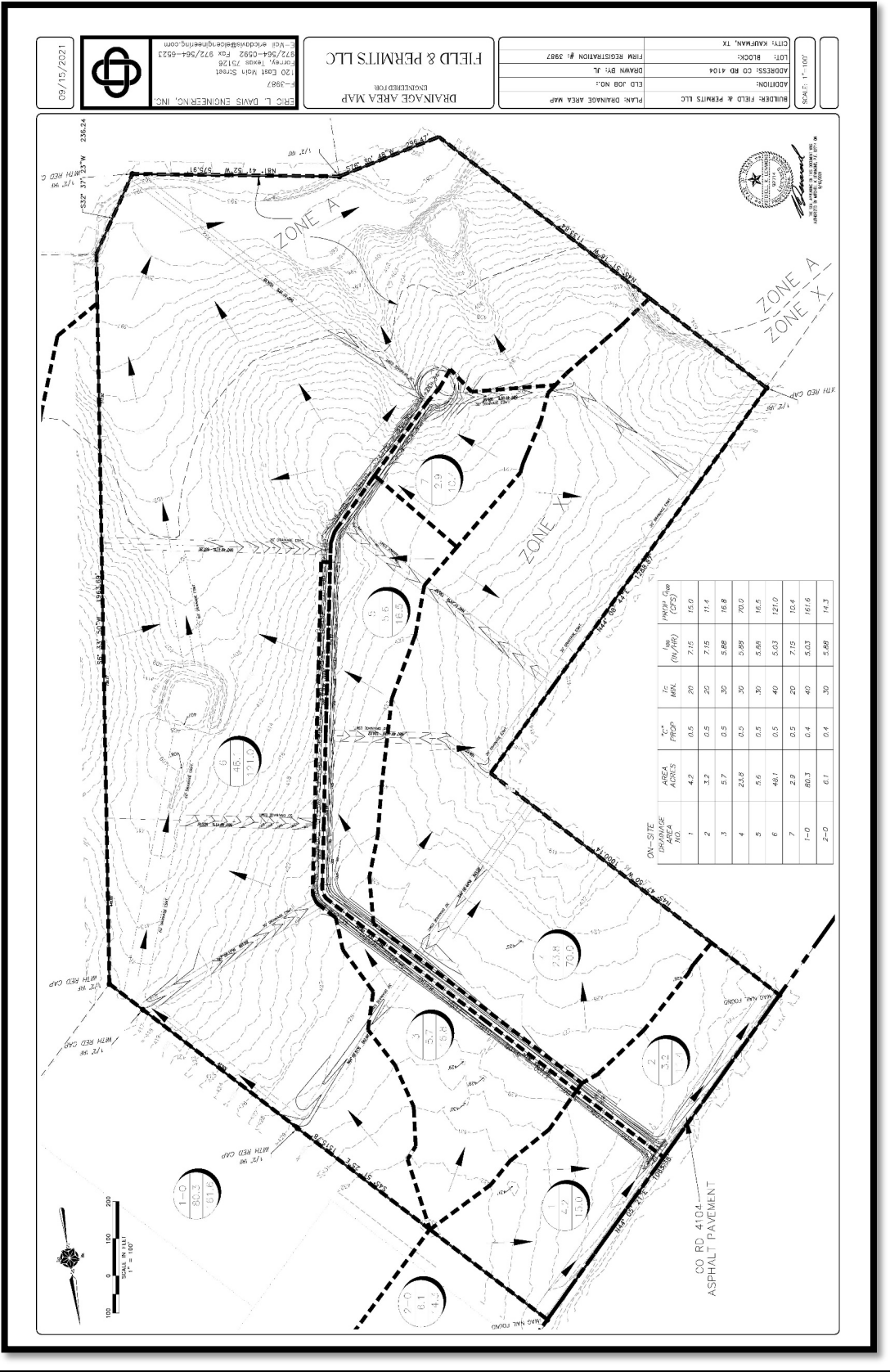
We appreciate the City of Kaufman's consideration for this request. If you have any questions, please feel free to contact me at (969) 300-0521 or e-mail me at [fieldpermits@gmail.com](mailto:fieldpermits@gmail.com).



Hector Morales Vargas  
President  
Field & Permits LLC

[illegible]

Preliminary Drainage Area Map of La Vega Ranch



# Kaufman County Deputy Fire Marshal cul-de-sac length variance request

9/1/2021

Gmail - La vega Ranch CR 4104



Alanis Morales <alanismorales.pm@gmail.com>

## La vega Ranch CR 4104

**Ashley Bowen** <ashley.bowen@kaufmancounty.net>  
To: Alanis Morales <alanismorales.pm@gmail.com>  
Cc: Kristi Dickey <kristi.dickey@kaufmancounty.net>

Wed, Sep 1, 2021 at 5:08 PM

Good Afternoon Alanis.

Per the conversation during our zoom meeting today the Kaufman County Fire Marshal's Office approves the length of the access roadway, width of roadway at 24 feet, and the cul-de-sac at 96 feet in diameter, and providing a 28' turning radius. It was also discussed that at both places the road makes a change in direction a proper turning radius is provided.

Please let me know if you have any further questions.

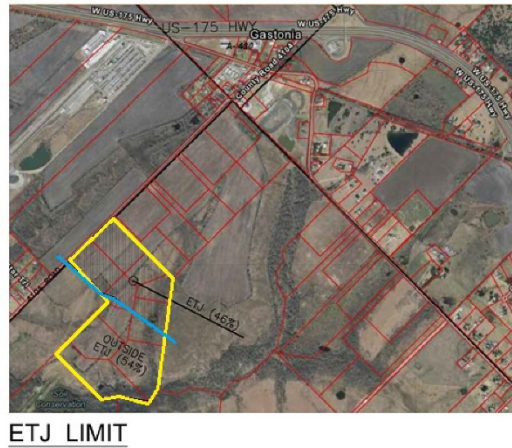


Ashley Bowen  
Deputy Fire Marshal  
469-376-4111

<https://mail.google.com/mail/u/1?ik=e9e96ea577&view=pt&search=all&permmsgid=msg-f%3A1709735169555473694&simpl=msg-f%3A17097351695...> 1/1

## Overhead service lines in the vicinity

**Figure 1**



**Figure 2**

Reference of the use of overhead electric lines in nearby properties on the ETJ.





## **Planning and Zoning Commission Report**

**Meeting Date:** December 7, 2021

**SUBJECT:** Consider and make a recommendation to City Council on the revised Site Plan of the Kaufman County Justice Center, being a tract of land containing 45 acres, situated in the D. Falcon Survey, Abstract No. 151. The property is platted as Lot 1, Law Enforcement Center Addition and addressed as 1902 East Highway 175. A 24,021 square foot expansion to the Justice Center is proposed. The property is zoned Highway Commercial. (SP-07-21)

### **BACKGROUND/SUMMARY:**

City Council approved the site plan for the Kaufman County Justice Center on October 26, 2020. The approved site plan for the Justice Center was for a 3-story structure containing 98,586 SF for all the Courts, Grand Jury, the offices of the County Clerk, the District Clerk, the District Attorney the Public Defender and Adult Probation offices housed in the existing courthouse in downtown Kaufman. City Council approved the site plan for the Animal Adoption Center addressed as 1904 E. Highway 175 on December 14, 2020. The approved site plan was for a 1 story 12,560 SF structure to house 66 dogs and 58 cats. The existing 2 story Kaufman County Law Enforcement Center containing 114,229 SF is located on the same 45 acre property, but addressed as 1900 E. Highway 175.

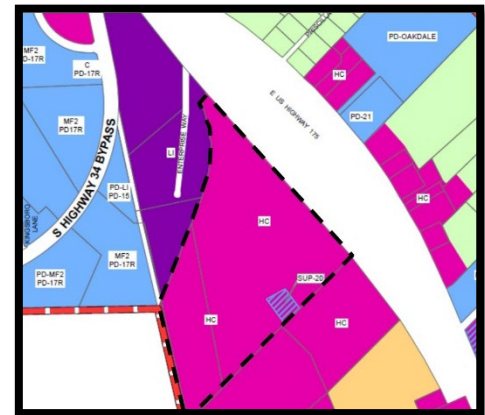
Kaufman County is requesting a 24,021 SF expansion to the Justice Center building for Precinct 1 Court Room and Judges Chamber, offices of the Constable and Deputies, Pre-Trial Services Department, Adult Probation offices and training room, Precinct 4 Court Room and Judges Chamber and offices for the Constable and Deputies. The proposed expansion will be physically connected to the Justice Center but will include a dedicated separate entrance and allow the public having business in the expansion area not to overload the main Justice Center entrance. The expansion will share an interior wall but not have any cross connection to access each side. The total building area of the expanded Justice Center will be 122,705 SF.

The exterior building materials will match the brick, architectural cast stone masonry, and insulated glazing and metal panel systems of the Justice Center.

No new entrances are proposed from the Highway 175 Frontage Road. There are 188 existing off-street parking spaces. The Justice Center (that is under construction) requires 329 off-street parking spaces, for a grand total of 517 off-street parking spaces. The expansion of the Justice Center will require 81 off-street parking spaces and 126 off-street parking spaces are proposed to be provided. The total required number of off-street parking spaces for the Law Enforcement Center and the Justice Center is 764 spaces. The Animal Adoption Center is providing 29 off street parking spaces.

**SURROUNDING ZONING AND EXISTING LAND USES:**  
**Zoning Map**

|               | <b>Zoning</b>             | <b>Existing Land Use</b>                                                 |
|---------------|---------------------------|--------------------------------------------------------------------------|
| <b>Left:</b>  | <b>HC</b>                 | <b>Undeveloped</b>                                                       |
| <b>Right:</b> | <b>LI</b>                 | <b>Undeveloped &amp; Numo<br/>Manufacturing, Advance</b>                 |
| <b>Rear:</b>  | <b>Not in City Limits</b> | <b>Tabco<br/>Undeveloped</b>                                             |
| <b>Front:</b> | <b>HC</b>                 | <b>Hwy 175 Residential<br/>Freeman Park Estates<br/>(Priscilla Lane)</b> |



**COMPREHENSIVE PLAN:**

**Land Use Plan:**

The 2014 Future Land Use Plan designated the land use of the subject property as a Future Public. Future Public is shown on the Future Land Use Plan to identify publically owned property such as schools, parks, city, and county properties. Governmental uses and offices are allowed in all zoning districts. The existing Highway Commercial zoning complies with the Future Land Use Plan because it allows a variety of office, commercial, retail, and service uses that prefer highway frontage.

**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.

**PROPERTY OWNER RESPONSES:**

Property owner notification is not a requirement of the site plan review process.

**RECOMMENDATIONS:**

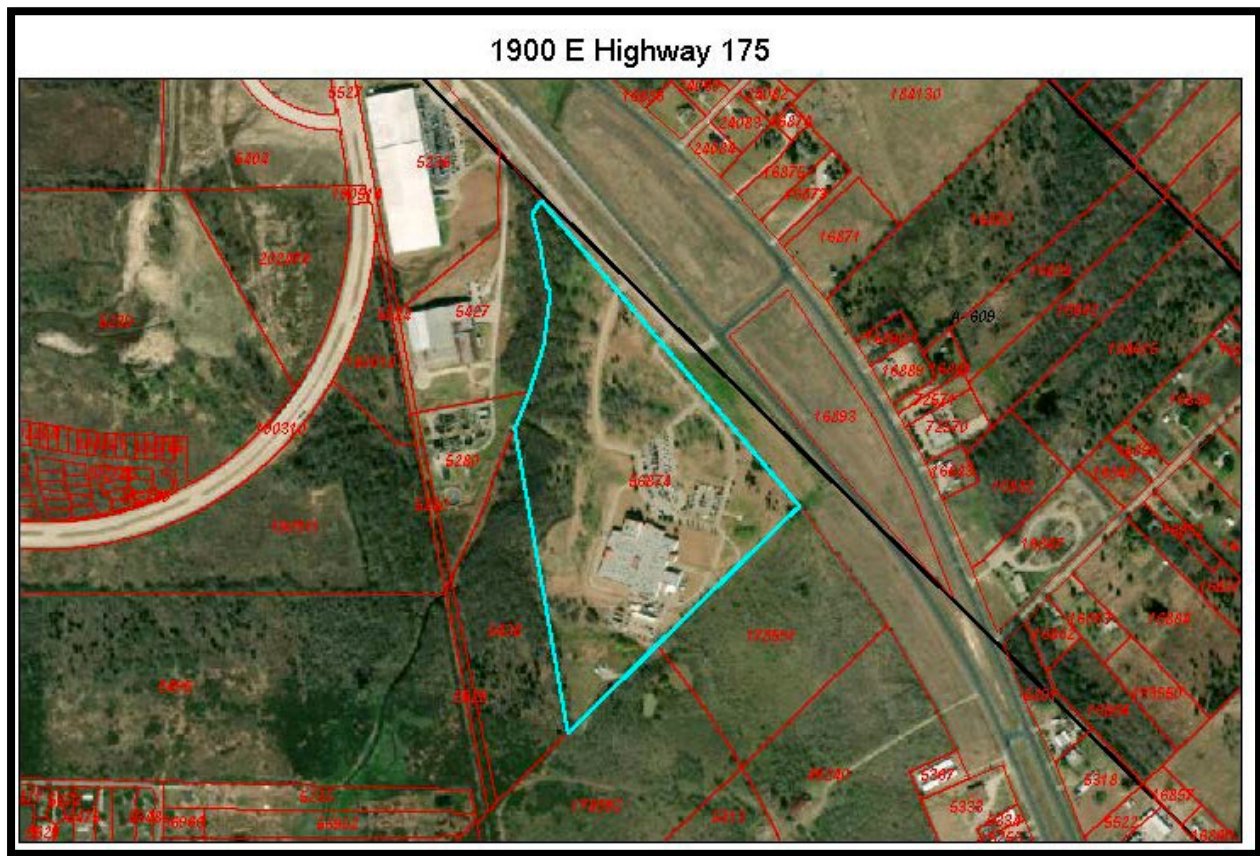
Staff recommends approval of SP-07-21 for a revised Site Plan of 1900 E Highway 175 for the Kaufman County Justice Center.

**ATTACHMENTS:**

1. Location map
2. Letter from applicant
3. Site Plan

Marcy Ratcliff  
 Development Services  
 972-932-2216 ext. 117  
[Kaufmanplanning@kaufmantx.org](mailto:Kaufmanplanning@kaufmantx.org)

### Location Map



## Site Plan



