



AGENDA
PLANNING AND ZONING COMMISSION MEETING
TUESDAY, JANUARY 4, 2022 - 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.**

ANNOUNCEMENTS AND REPORTS FROM DEVELOPMENT SERVICES DIRECTOR

1. Introduction to Helen-Eve Beadle, AICP of HE Planning-Design, LLC.
2. Marcy Ratcliff's retirement party will be held at the Civic Center on Monday, January 24, 2022, from 2:00 pm until 4:00 pm.

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."

3. Consider and make a recommendation to City Council on the **Final Plat of Lot 5, Block E, Kings Fort Kaufman**, being a tract of land containing 2.054-acres (PID 215291), situated in the D. Falcon Survey, Abstract No. 151, Kaufman County, Kaufman, Texas. The property will be addressed as 750 East Highway 175. The property is zoned Planned Development - 15 for Highway Commercial (PD-15-HC). A subdivision of one commercial lot is proposed. (Case FP-01-22)
4. Consider and take appropriate action on the minutes of the December 7, 2021 Planning and Zoning Commission meeting.
5. Consider and take appropriate action on the minutes of December 20, 2021 for the Joint Workshop with Planning and Zoning Commissioners and City Council regarding the new proposed Subdivision Regulations.

END OF CONSENT AGENDA

PUBLIC HEARING

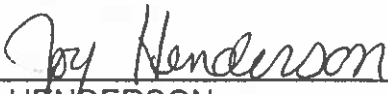
6. Conduct a public hearing and make a recommendation to City Council for a request by Vincent Whitehead for a Specific Use Permit (SUP-50) for light equipment sales or rental with outdoor display to be located in the front yard of property zoned Commercial (C). The property is approximately 5.792 acres of land, located at 3440 East Highway 175 (PID 378), situated in the C. Askins Survey, City of Kaufman, Kaufman County, Texas. (Case Z-01-22)

DISCUSSION/ACTION ITEMS

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 DECEMBER, 30, 2021 AND REMAINED SO POSTED CONTINUOUSLY FOR AT LEAST 72 HOURS PRECEDING THE SCHEDULE TIME OF SAID MEETING.


JOY HENDERSON
PLANNING TECHNICIAN OF DEVELOPMENT SERVICES

****PURSUANT TO SECTION 551.127, TEXAS GOVERNMENT CODE, ONE OR MORE COUNCILMEMBERS OR EMPLOYEES MAY ATTEND THIS MEETING REMOTELY USING VIDEOCONFERENCING TECHNOLOGY. THE VIDEO AND AUDIO FEED OF THE VIDEOCONFERENCING EQUIPMENT CAN BE VIEWED AND HEARD BY THE PUBLIC BY ACCESSING [WWW.ZOOM.US/JOIN](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.



Planning and Zoning Commission Report

Meeting Date: January 4, 2022

SUBJECT: Consider and make a recommendation to City Council on the **Final Plat of Lot 5, Block E, Kings Fort Kaufman**, being a tract of land containing 2.054-acres (PID 215291), situated in the D. Falcon Survey, Abstract No. 151, Kaufman County, Kaufman, Texas. The property will be addressed as 750 East Highway 175. The property is zoned Planned Development - 15 for Highway Commercial (PD-15-HC). A subdivision of one commercial lot is proposed. (Case FP-01-22)

SUMMARY:

Lot 5, Block E of the Kings Fort Kaufman, containing 2.054 acres (89,472 SF), is proposed to be developed as a Lone Star Credit Union.

The proposed Final Plat shows Lot 5 will not have any cross access points to the lots located on the west side of the proposed lot due to a drainage easement. The building will front along East Highway 175. The two access points are located on the east side of the property along Meara Drive and the rear of the property along Kings Fort Parkway. There are no shared driveways for this property.

THOROUGHFARE PLAN: All the rights of way required for East Highway 175, Meara Drive and Kings Fort Parkway have already been dedicated. Meara Drive is not a designated thoroughfare. Kings Fort Parkway is designated as a Type C, Major Collector, which requires a minimum 80 foot wide right of way width.

COMPREHENSIVE PLAN: The property is zoned Planned Development-15 for Highway Commercial (PD-15-HC) development. The commercial zoning complies with the 2014 Future Land Plan.

RECOMMENDATIONS:

Staff recommends approval of the Final Plat of Lot 5, Block E, Kings Fort Addition.

ATTACHMENTS:

1. Location Map
2. Final Plat of Lot 5, Block E, Kings Fort

Joy Henderson, Planning Technician
972-932-2216 ext. 115 jhenderson@kaufmantx.org

Location Map





**MINUTES OF THE
PLANNING AND ZONING
COMMISSION MEETING
TUESDAY, DECEMBER 7, 2021 - 6:00 PM
CITY HALL COUNCIL CHAMBERS
209 S. 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 Brown called the meeting to order at 6:02 p.m. Tuesday, December 7, 2021. Commissioners present were Chairman Burton Brown, Vice-Chairman Patrick Cardoza, Commissioner Darril Deaton who arrived at 6:03 pm, Commissioner Richard Dunn, and Commissioner Porfilo Lopez. Director of Development Services Marcy Ratcliff, Planning Technician Joy Henderson, and Development Services Assistant Myra Manriquez were 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

Commissioner Dunn made a motion to approve the consent agenda for items 1. The motion was seconded by Commissioner Deaton. The motion passed with a vote of 5-0.

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)

A. Presentation

Marcy Ratcliff, Director of Development Services, presented a report on the Specific Use request for 2400 Tabor Parkway.

B. Public Hearing

Chairman Brown opened the public hearing at 6:05pm.

Chairman Brown asked about the hours and the amount of parking the lot has. Marcy Ratcliff explained the hours of operation will be Monday- Friday 8 am – 5 pm. They will also be open on Saturdays 9 am-4 pm for people to come by and shop. There will be enough parking for cars.

Kevin McCormick spoke to the commission about how excited they are about moving to Kaufman.

Commissioner Dunn asked how many people will be employed by this business. Mr. McCormick says there will be around 25 people.

Commissioner Cardoza asked about the lighting around the lot. Mr. McCormick explained there are currently light poles but he will add some decorative lights on the Kings Fort side of the building.

Chairman Brown closed the public hearing at 6:10 pm.

C. Consider and make a recommendation on Specific Use Permit (SUP-49).

Commissioner Richard Dunn made a motion to approve the Specific Use Permit (SUP-49) to allow light manufacturing and assembly processing of furniture and cabinetry in conjunction with a furniture office/showroom store for property located at 2400 Tabor Parkway. The motion was seconded by Commissioner Lopez. The motion passed with a vote of 5-0.

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 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)

A. Presentation of requested Subdivision Regulations variances and La Vega Ranch Preliminary Plat.

Marcy Ratcliff, Director of Development Services made a presentation on the Subdivision Regulations variances the owner has requested.

B. PUBLIC HEARING

Chairman Brown opened the public hearing at 6:21pm.

Alanis Morales, 810 Lake Carolyn Pkwy #411 Irving, TX 75039, spoke to the commission about the La Vega Ranch subdivision and the requested variances.

Commissioner Lopez asked who would take charge of ensuring the asphalt or concrete road meets the minimum standards. Ms. Morales explains that they have a civil engineer working with them.

Chairman Brown questioned the drainage on the street. Marcy Ratcliff explained that the drainage will flow through the flood zone and there will be culverts in place to ease the drainage.

Vice-Chairman Cardoza asked about the stability of the asphalt road. Ms. Morales explains that they spoke with the Fire Marshall and they will meet the requirements for building an asphalt road.

Hector Morales Vargas, 810 Lake Carolyn Pkwy #411 Irving, TX 75039, explained that half the properties are in the City of Kaufman's ETJ and the other half is Kaufman County. He is a property owner of one of the lots and loves the area. So he wants to make sure it is beautiful and to a high standard.

Jonathan Najera, 1801 CR 4101 Crandall, TX 75114, addressed the commissioners to explain his opinion of this subdivision. He states the road in La Vega Ranch is already better than a lot of the county roads in the area.

George Martinez, 204 Rio Grand Dr., Crandall, TX 75114, owns one of the lots. He states that none of the roads around him are concrete and he does not see a problem with having an asphalt road.

Marcy Ratcliff explains that subdivision regulations are there because if these properties are annexed into the City of Kaufman in the future, then the City would be responsible for the road.

The public hearing closed at 7:13pm.

C. Consider and make a recommendation on Subdivision Ordinance variance requests.

12/7/2021

1. Commissioner Lopez make a motion to approve variance for Street Construction Required Material, motioned seconded by Commissioner Cardoza. The motion passed with a vote of 4-1.
 2. Commissioner Dunn made a motion to approve variance for Private Street Subdivision, motion seconded by Commissioner Deaton. The motion passed with a vote of 5-0.
 3. Commissioner Dunn made a motion to approve variance for Private Street Subdivision, motion is seconded by Commissioner Cardoza. The motion passed with a vote of 5-0.
 4. Commissioner Deaton made a motion to approve Cul-de-Sac Requirements criteria, motion seconded by Commissioner Dunn. The motion passed with a vote of 5-0.
 5. Commissioner Lopez made a motion to approve variance for Points of Access, motioned seconded by Commissioner Cardoza. The motion passed with a vote of 5-0.
 6. Commissioner Lopez made a motion to approve variance of Construction of New Streets, motioned seconded by Commissioner Cardoza. The motion passed with a vote of 5-0.
 7. Commissioner Dunn made a motion to approve variance for Sidewalk Requirements, motion seconded by Commissioner Deaton. The motion passed with a vote of 5-0.
 8. Commissioner Deaton made a motion to approve variance for Utility Services, motioned seconded by Commissioner Lopez. The motion passed with a vote of 5-0.
 9. Commissioner Deaton made a motion to approve variance for Screening a Subdivision, motioned seconded by Commissioner Dunn. The motion passed with a vote of 5-0.
- D. Consider and make a recommendation on the La Vega Ranch Preliminary Plat request.

Commissioner Dunn made a motion to approve the Preliminary Plat of La Vega Ranch with the approved variances. The motion was seconded by Commissioner Lopez. The motion passed with a vote of 5-0.

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)

Marcy Ratcliff, Director of Development Services presented a report to the commission regarding the revised site plan of the Kaufman County Justice Center.

Commissioner Deaton made a motion to approve the revised Site Plan of the Kaufman County Justice Center located at 1902 East Highway 175. The motion was seconded by Vice-Chairman Cardoza. The motion passed with a vote of 5-0.

APPOINTMENTS

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

Chairman Brown nominated Vice-Chairman Cardoza. Chairman Brown made a motion to approve the appointment of the Chairman of the Planning and Zoning Commission as presented. The motion was seconded by Vice-Chairman Cardoza. The motion passed with a vote of 4-1.

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

Chairman Brown nominated Commissioner Dunn. Chairman Brown made a motion to approve on the appointment of the Vice-Chairman of the Planning and Zoning Commission as presented. The motion was seconded by Commissioner Deaton. The motion passed with a vote of 5-0.

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

There being no further business, Chairman Brown adjourned the meeting at 7:48pm.

PATRICK CARDOZA
CHAIRMAN

ATTEST:

JOY HENDERSON
PLANNING TECHNICIAN



**MINUTES
JOINT WORK SESSION BETWEEN
PLANNING AND ZONING MEETING
AND CITY COUNCIL
MONDAY, DECEMBER 20, 2021 - 5:30 PM
CITY HALL COUNCIL CHAMBERS
209 S. WASHINGTON STREET
KAUFMAN, TEXAS 75142**

CALL WORK SESSION TO ORDER

MAYOR CALLS THE WORK SESSION TO ORDER, STATES THE DATE AND TIME, STATE COUNCILMEMBERS PRESENT, ANDDECLARES A QUORUM PRESENT.**

Mayor Jordan called the City Council meeting to order at 5:30 PM. Councilmembers present were Jeff Jordan, Carole Aga, Patty Patterson, and Matt Phillips. Mayor Jordan declared a quorum present. Councilmember Barry Ratcliff arrives at 5:35 PM. Councilmember Council arrived at 5:44 PM. Councilmember Parker arrived at 5:55 PM.

CHAIRMAN CALLS THE WORK SESSION TO ORDER, STATES THE DATE AND TIME, STATE BOARD MEMBERS PRESENT, ANDDECLARES A QUORUM PRESENT.**

Chairman Cardoza called the Planning and Zoning meeting to order at 5:30 PM. Commissioners present were Patrick Cardoza, Derril Deatin, Burton Brown, and Richard Dunn. Chairman Cardoza declared a quorum present.

Also present were City Manager Mike Slye, Assistant City Manager Mike Holder, City Secretary Jessie Hanks, Development Services Director Marcy Ratcliff, Permit Technician Joy Henderson, Customer Service Representative Myra Manriquez, Human Resource Coordinator Audrey Lewis, EDC Executive Director Stewart McGregor, Police Chief Dana Whitaker, Fire Chief Ronnie Davis, Fire Captain Jeremy Hatcher, and Lieutenant Casey Vance.

WORK SESSION

1. JOINT WORK SESSION WITH THE PLANNING AND ZONING COMMISSION TO REVIEW THE PLATTING AND DESIGN STANDARD ISSUES WITH THE CURRENT 1999 SUBDIVISION REGULATIONS, OUTLINE THE NEW PROPOSED SUBDIVISION REGULATIONS AND DESIGN STANDARDS FOR PUBLIC INFRASTRUCTURE AND DISCUSS ADOPTION PLANS.

Tom Rutledge, Executive Vice President of TNP, Inc., provided an overview of the proposed amendments to the City's Subdivision Ordinances. He explained what the issues are with the current ordinance. Ms. Patricia Adams outlined the state laws that changed the platting process for cities.

WORK SESSION ADJOURNMENT

Mayor Jordan adjourned the Work Session at 6:09 PM.

Commissioner Dunn made a motion to adjourn at 6:10 p.m., seconded by Commissioner Brown. Chairman Cardoza called for a vote with all voting AYE, the motion carried by a vote of 4-0.

PATRICK CARDOZA
CHAIRMAN

JOY HENDERSON
PLANNING TECHNICIAN



Planning and Zoning Commission Report

Meeting Date: January 4, 2022

SUBJECT: Conduct a public hearing and make a recommendation to City Council for a request by Vincent Whitehead for a Specific Use Permit (SUP-50) for light equipment sales or rental with outdoor display to be located in the front yard of property zoned Commercial (C). The property is approximately 5.792 acres of land, located at 3440 East Highway 175 (PID 378), situated in the C. Askins Survey, City of Kaufman, Kaufman County, Texas. (Case Z-01-22)

BACKGROUND/SUMMARY:

Vincent Whitehead of Kemp Outfitters submitted a request for specific use permit for a proposed light equipment sales and rental for the display of ATV's, hunting blinds and feeders, on property located at 3440 East Highway 175. The lot contains a total of 5.792 acres.

The land was originally zoned Agriculture-Open District (A-O) when it was annexed into the City of Kaufman on July 23, 2012. On May 19, 2014, the property was then rezoned from Agriculture-Open District (A-O) to Commercial (C). The applicant is now requesting (Z-01-22) a specific use permit (SUP) for light equipment sales and rental for the display of ATV's, hunting blinds and feeders.

Prior to April 16, 2019, the property was Hoover Pole Barn business. Since September 18, 2020 it has been Kemp Outfitters, which is owned by Vincent Whitehead and Kathryn Pison.

The applicant is proposing to limit the outside storage area to 1,800 sf (60'x30') enclosed within a 6-foot chain link fenced area.

Within 5 years of SUP approval, the applicant will install concrete pavement in the TxDOT right-of-way in place of the gravel entrance. The owner knows he will need TxDOT approval before any work has started.

Within 8 years of SUP approval, the applicant will install 206 feet of concrete pavement to replace the existing gravel driveway. The property owner understands these requirements go with the property and will be passed to any new owners. It would be Vincent Whitehead and Kathryn Pison responsibility to inform any future land owners of these stipulations.

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 3440 East Highway 175 that are not in the city limits.

SURROUNDING ZONING AND EXISTING LAND USES:

	Zoning	Existing Land Use
North:	A-O Annexed Area	3395 E US Hwy 175 - Shotgun Tattoos 3443 E US Hwy 175 – Absolute Air 3469 E US Hwy 175 – Vacant Building
South:	N/A	Area located out of City Limits – residential use
East:	Commercial and A-O Annexed Area	3458 E US Hwy 175 – Apaco Plumbing Supplies 3470 E US Hwy 175 – Vacant 3550 E US Hwy 175 – Mueller
West:	Commercial and A-O Annexed Area	3390 E US Hwy 175 - Steve's Diesel 3372 E US Hwy 175 - Williams Paint and Body 3260 E US Hwy 175 - Dance Factory



COMPREHENSIVE PLAN:

Land Use Plan:

The 2014 Future Land Use Plan designated the land use of the subject property as Future Commercial. The proposed Commercial zoning would be in compliance with the 2014 Future Land Use Plan because it allows a variety of commercial, retail, and office uses plus some more intensive uses.

Thoroughfare Plan:

The Thoroughfare Plan designates East Highway 175 as a “Type AA”, Major Regional Arterial, requiring a future right-of-way width of 240 feet. Any additional necessary right-of-way dedication is done during the platting process. A plat is not required during the rezoning process. TxDOT controls all the driveway accesses.

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 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 18 property owners within 300 feet of the 5.792-acres (11 inside the city limits and 7 outside the city limits). The State requires a 200-foot notification and the City of Kaufman notifies an extra 100-foot radius, for every notification required in the Comprehensive Zoning Ordinance. The results are as follow:

- Number of property owners who returned letter in agreement with the request: 1
- Number of property owners who returned letter in opposition of the request: 0
- Number of property owners have not responded: 17

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-01-22 to approve a Specific Use Permit (SUP-50) for light equipment sales or rental with outdoor display to be located in the front yard for property generally located at 3440 East Highway 175 with the following conditions:

1. Limit the outside storage area to a 60' x 30' fenced area
2. Within 5 years of the approval date of SUP-50 the property owner will install concrete pavement in the TxDOT right of way.

3. Within 8 years of the approval date of SUP-50 the property owner will install 206' of concrete pavement for the driveway.
4. If the property is sold, these requirements will be passed to the new property owners.

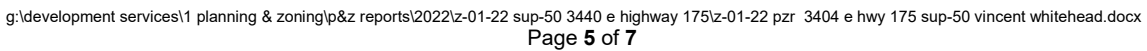
ATTACHMENTS:

1. Location Map
2. Site Plan
3. Survey
4. Property Owner Response

Joy Henderson, Planning Technician
972-932-2216 ext. 115 jhenderson@kaufmantx.org

Location Map of 3440 East Highway 175





[illegible]

Property Owner Response of 3440 East Highway 175

DETACH ON DOTTED LINE

Date: Dec 13, 2021

RE: Conduct a public hearing and make a recommendation to City Council for a request by Vincent Whitehead for a Specific Use Permit (SUP-50) for Light equipment sales or rental (outdoor display) to be located in the front yard of property zoned Commercial (C). The property is approximately 5.792 acres of land, located at 3440 East Highway 175 (PID 378), situated in the C. Askins Survey, City of Kaufman, Kaufman County, Texas. (Case Z-01-22)

Name: CARDINAL PROPERTIES

Address: 80 STONE HEDGE DR

City & State: FAIRVIEW, TX 75069

☒ I AM IN FAVOR

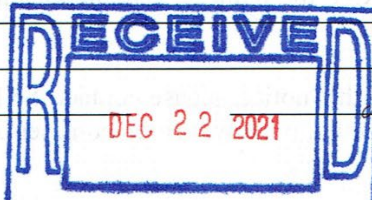
☐ I OBJECT

Phone #: 214-796-4513

Email Address: LAIRD@TIGERRAFINANCIAL.COM

COMMENTS: IT SHOULD NOT BE NECESSARY TO REQUEST A SUP FOR THIS
KIND OF USE IN THIS AREA, BUT THAT HAS TO DO WITH THE MISTAKEN
ZONING.

LAIRD HOLIDAY
PLEASE PRINT YOUR NAME



[Signature]

SIGNATURE