

**MINUTES**  
**PLANNING AND ZONING COMMISSION**  
**REGULAR MEETING**

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Monday, July 10, 2006 - 6:00 P.M.  
CITY HALL  
209 South Washington Street, Kaufman, Texas 75142

CHAIRMAN	VACANT
VICE-CHAIRMAN	ANITA HALL
COMMISSIONER	BURTON BROWN
COMMISSIONER	LARRY NELSON (Absent)
COMMISSIONER	TOM RADEKE
COMMISSIONER	LOUIS TIJERINA
COMMISSIONER	VACANT

**CALL TO ORDER**

1. **VICE-CHAIRMAN STATES TIME AND DATE; DECLARES A QUORUM PRESENT.**

Vice-Chairman Hall called the meeting to order at 6:06 p.m. Monday, July 10, 2006. Commissioners present were Vice-Chairman Anita Hall, Commissioner Burton Brown, Commissioner Tom Radeke, and Commissioner Louis Tijerina. Vice-Chairman Hall declared a quorum present. Director of Development Services Terry Capehart and Planning Technician Joy Henderson were also present. Present in the audience was Keith Dillon.

**INVOCATION & PLEDGE OF ALLEGIANCE**

**PUBLIC HEARING**

1. **CONSIDER A REQUEST FROM KEITH DILLION, AGENT FOR RODNEY RAY ADAMS, REGARDING A ZONING CHANGE FROM SINGLE-FAMILY 6 (SF-6) TO PLANNED DEVELOPMENT FOR SINGLE-FAMILY RESIDENTIAL USES; GENERALLY LOCATED SOUTH OF BECKY LANE AND BETWEEN THE EAST AND WEST SECTIONS OF PHILLIPS CIRCLE, BEING DESCRIBED AS A 3.052 ACRE TRACT OF LAND BEING ALL OF PHASE 5 OF THE VALLEY PARK ADDITION, AS RECORDED IN A DEED TO RODNEY RAY ADAMS IN VOLUME 587, PAGE 608 OF THE DEED RECORDS OF KAUFMAN COUNTY, AND BEING PART OF THE A.L. CARTER SURVEY, ABSTRACT NO. 98 CITY OF KAUFMAN, KAUFMAN COUNTY, TEXAS. CASE NO. Z-05-06**

Terry Capehart stated the applicant is requesting a change in zoning from Single-Family 6 (SF-6) to Planned Development (PD) for Single-Family Residential on a 3.052 acre tract of land in order to develop Phase 5 of a master planned

community called Valley Park. The first three phases of the Valley Park Addition which surround Phase 5 were all platted prior to the current zoning ordinance and thus were under the 1980 zoning ordinance which called for a minimum 900 square foot house size with a single car garage. The current code requires a minimum of 1,200 square feet with a two car garage. Phase 4 was built to the current codes and as a result the affordability of the homes became an issue as evidenced by the fact that almost 50% of Phase 4 buyers have experienced foreclosure. The 3.052 acre tract of land consists of twelve (12) lots originally platted in August 2003 with lots ranging in size from 6,641 square feet to 12,991 square feet. Since Phase 5 is entirely surrounded with housing built under the previous code the applicant is proposing to provide affordable, high quality, single-family residences with a minimum of 1,000 square feet with two parking spaces, one of which must be enclosed, in order to be consistent with the previous development. Phase 5 will be the final phase of the Valley Park Addition.

**a. CONDUCT PUBLIC HEARING**

Vice-Chairman Hall declared the Public Hearing open at 6:08 p.m.

Keith Dillon stated in Valley Park Phase 4, there were 16 homes built. Three homes were sold to individual families and the other sixteen were sold to investors to be used as rental houses. By reducing the price of the homes it would allow more families to be able to purchase the homes, which could improve the neighborhood.

**b. ACT UPON RECOMMENDATION TO CITY COUNCIL**

Not hearing any requests to speak, Vice-Chairman Hall declared the Public Hearing closed at 6:19 p.m.

Commissioner Tijerina made a motion to approve the zoning change from Single-Family 6 (SF-6) to Planned Development for single-family residential uses; generally located south of Becky Lane and between the east and west sections of Phillips Circle, being described as a 3.052 acre tract of land being all of Phase 5 of the Valley Park Addition. The motion was seconded by Commissioner Brown. Vice-Chairman Hall called for a vote with all voting AYE, the motion carried by a vote of 4-0.

**ZONING ORDINANCE UPDATE:**

**WORK SESSION**

- 1. CONDUCT DISCUSSION OF PROPOSED REVISIONS TO SECTIONS 22-32 (NON-RESIDENTIAL DISTRICT REQUIREMENTS AND OVERLAY DISTRICTS) OF THE ZONING ORDINANCE O-14-99 AS RECOMMENDED BY THE ZONING ORDINANCE STEERING COMMITTEE.**

Terry Capehart highlighted the propose changes and the committee members discussed the proposed revisions that were marked in the draft Zoning Ordinance.

## **PUBLIC HEARING**

- 1. CONDUCT A PUBLIC HEARING AND TAKE CITIZENS COMMENTS ON PROPOSED REVISIONS TO SECTIONS 22-32 (NON-RESIDENTIAL DISTRICT REQUIREMENTS AND OVERLAY DISTRICTS) OF THE ZONING ORDINANCE O-14-99 AS RECOMMENDED BY THE ZONING ORDINANCE STEERING COMMITTEE.**

Terry Capehart highlighted the propose changes on the previous agenda item.

- a. OPEN PUBLIC HEARING**

Vice-Chairman Hall declared the Public Hearing open at 7:32 p.m.

- b. CLOSE PUBLIC HEARING**

Not hearing any requests to speak, Vice-Chairman Hall declared the Public Hearing closed at 7:33 p.m.

## **ACTION AGENDA**

- 1. CONSIDER PROPOSED REVISIONS TO SECTIONS 22-32 (NON-RESIDENTIAL DISTRICT REQUIREMENTS AND OVERLAY DISTRICTS) OF THE ZONING ORDINANCE O-14-99 AND ACT UPON A RECOMMENDATION TO THE CITY COUNCIL.**

Commissioner Brown made a motion to approve the zoning revisions to Sections 22-32 (Non-Residential District requirements and Overlay Districts) of the Zoning Ordinance O-14-99. The motion was seconded by Commissioner Tijerina. Vice-Chairman Hall called for a vote with Commissioner Brown, Commissioner Radeke, and Commissioner Tijerina voting AYE; Vice-Chairman Hall voting NAY. The motion carried by a vote of 3-1.

## **CONSENT AGENDA**

- 1. CONSIDER AND ACT UPON APPROVAL OF THE PLANNING AND ZONING COMMISSION MINUTES FROM THE JUNE 5, 2006 REGULAR MEETING AND JUNE 12, 2006 SPECIAL MEETING.**

Commissioner Brown made a motion to approve the minutes from the June 5, 2006 Regular Meeting and June 12, 2006 Special Meeting, seconded by Commissioner Tijerina. Vice-Chairman Hall called for a vote with all voting AYE, the motion carried by a vote of 4-0.

**MISCELLANEOUS**

**1. OPEN FORUM.**

No comments or questions.

**ADJOURNMENT**

Commissioner Tijerina made a motion to adjourn at 7:34 p.m. seconded by Commissioner Brown. Vice-Chairman Hall called for a vote with all voting AYE, the motion carried by a vote of 4-0.

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ANITA HALL  
VICE-CHAIRMAN

ATTEST:

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JOY HENDERSON  
PLANNING TECHNICIAN