



# Planning and Zoning Commission Agenda Item Summary Report

**Meeting Date:**  
April 2, 2020

**Submitted by:**  
P. Morgan

**Item Title:**

Hold a public hearing and discuss and consider a request to rezone 117.865 acres of land from Agricultural district to Planned Development district. The property is identified as Kaufman County Appraisal District property id 7811, located adjacent to the west side of F.M. 1641. The proposed use is single-family residential.

**Public Hearing Item [X]  
Consent/Action Item [ ]**

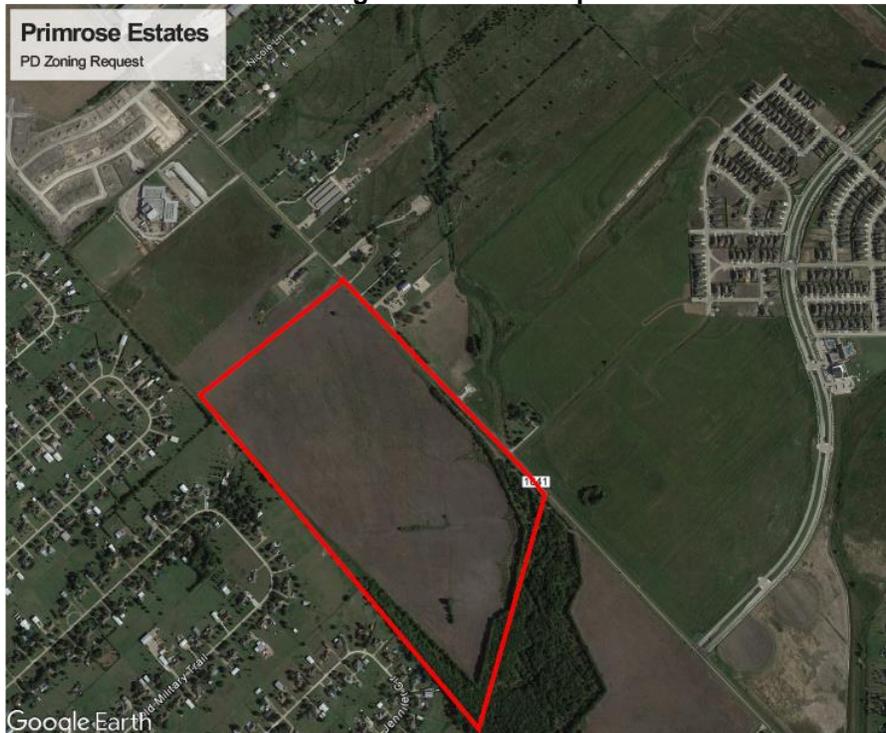
**Documentation Attached:**  
Draft Ordinance  
Legal Description  
Development Standards  
Concept Plan

**Item Summary:**

**Purpose:**

Mr. Tony Shaw, representing the property owner, requests approval of a rezoning of approximately 117.865 acres of property located south of F.M. 1641, north of S. Gateway Boulevard. The purpose of the rezoning is to establish a planned development district with standards for single-family residential development.

**Image 1: Location Map**



**Current Standards:**

The property is currently zoned within the Agricultural District. Property which is annexed into the City is initially zoned Agricultural until a rezoning request is approved. The property is currently

vacant and undeveloped. The property is directly adjacent to F.M. 1641. The property to the west is located outside city limits.

**Rezoning Request:**

The requested rezoning request is to establish a single-family residential Planned Development. The request was originally considered by the Planning and Zoning Commission on February 6, 2020. The Commission did not approve the request. Prior to an appeal at City Council, the applicant decided to bring a revised request back to the Planning and Zoning Commission. There are several notable changes with the revised development standards:

1. The minimum conditioned floor area per dwelling unit is 2,000 square feet. The previous proposal was 1,800 square feet with 50% required to have 2,400 square feet.
2. The minimum side yard (internal lot) is 6 feet. The previous proposal was 5 feet.
3. The minimum side yard (corner lot) is 15 feet adjacent to a street and 6 feet adjacent to a residential lot. The previous proposal was 10 feet adjacent to a street and 5 feet adjacent to a residential lot.
4. The screening fence along F.M. 1641 is required to have masonry columns every 72 feet and/or as needed for consistency along with the lot corners. The previous proposal was for the columns to be located at each property corner.
5. An amenity center shall be constructed before the first occupancy certificate is issued for a home in the second phase. The amenity center shall include, at a minimum, a pool, shade structure and a restroom. The previous proposal did not include an amenity center.
6. Park fees will be paid at the time of final plat filing for each individual phase. The previous proposal was to pay the fee per lot with the building permit.

Notable development standards that remain the same include the following:

1. 30% of the total lots shall have a minimum lot size of 8,000 square feet. 70% of the total lots shall have a minimum lot size of 7,000 square feet.
2. All dwelling units must have a minimum of 1,800 square feet of conditioned floor area. 50% of all dwellings shall have a minimum conditioned floor area of 2,400 square feet.
3. Minimum lot width – 60 feet for 7,000 sq. ft. lot /70 feet for 8,000 sq. ft. lot
4. Minimum lot depth – 115 feet
5. Minimum rear yard – 10 feet
6. Landscape buffer for all perimeter roads and entryway boulevard – 13 feet

**Accessibility:**

The property provides direct access to F.M. 1641.

**Comprehensive Plan:**

The Comprehensive Plan does not provide a future land use recommendation for this property.

<b>Direction</b>	<b>Existing Use</b>	<b>Existing Zoning</b>	<b>Future Land Use</b>
Subject Property	Vacant	Agricultural (AG)	Undefined
North	Church	Agricultural (AG)	Undefined
South	Vacant	Agricultural (AG)	Undefined
East	Vacant	Gateway Parks PD	Residential
West	Residential	Outside City Limits	Outside City Limits

**Zoning Ordinance Considerations:**

The City of Forney Comprehensive Zoning Ordinance provides the following factors for the Planning and Zoning Commission to consider in making a zoning determination:

1. Whether the uses permitted by the proposed change will be appropriate in the immediate area concerned, and their relationship to the general area and to the City as a whole;

2. Whether the proposed change is in accord with any existing or proposed plans for providing public school, streets, water supply, sanitary sewers, and other utilities to the area;
3. The amount of vacant land currently classified for similar development in the vicinity and elsewhere in the City, and any special circumstances which may make a substantial part of such vacant land unavailable for development;
4. The recent rate at which land is being developed in the same zoning classification as the request, particularly in the vicinity of the proposed change;
5. How other areas designated for similar development will be, or are likely to be, affected if the proposed amendment is approved; and
6. Any other factors which will substantially affect the public health, safety, morals or general welfare.

**Future Requirements:**

If approved, future development of the property will require approval of:

1. Preliminary and Final Plats
2. Traffic Impact Analysis
3. Civil Plans
4. Building Plans (staff approved)

**Parkland Dedication:**

Staff recommends acceptance of fees-in-lieu of a land dedication. For 374 single-family lots at a rate of \$1,548 per lot, the total fee is \$578,952. Staff recommends requiring the entire fee to be paid in full at time of platting.