

**MINUTES**  
FOR THE  
**SEAGOVILLE PLANNING AND ZONING COMMISSION**  
**Meeting scheduled to begin at 7:00 p.m.,**  
**Thursday, August 13, 2009**  
in the Council Chambers of City Hall,  
located at 702 N. Highway 175 – Seagoville, Texas

**CHAIRPERSON**  
**VICE-CHAIRPERSON**  
**COMMISSIONER**  
**COMMISSIONER**  
**COMMISSIONER**  
**COMMISSIONER**  
**COMMISSIONER**

**CARL HENLEY**  
**DENNIS CHILDRESS**  
**JERRY BECKER**  
**BEVERLY WILSON**  
**RITHA EDWARDS**  
**(VACANT)**  
**(VACANT)**

► As authorized by Section 551.071(2) of the Texas Government Code, this meeting may be convened into Executive Session for the purpose of seeking confidential legal advice from the City Attorney on any agenda item listed herein.

I. CALL TO ORDER

Chairperson Henley declared a quorum present and called the meeting to order at 7:03 p.m. Commissioners present were Dennis Childress, Ritha Edwards, Carl Henley and Beverly Wilson. Commissioner Jerry Becker was absent. Also present were ACM/Director of Public Works Mike Hitt, City Planner Sherry Sefko with The Sefko Group and Planning Technician Cindy Kintz.

II. INVOCATION & PLEDGE OF ALLEGIANCE

Vice-Chairperson Childress gave the invocation and the commissioners led in the Pledge of Allegiance.

III. ELECT A CHAIRPERSON AND VICE-CHAIRPERSON

(Terms expire in June 2010)

Commissioner Wilson made a motion, seconded by Vice-Chairperson Childress, to nominate Carl Henley as Chairperson of the Planning & Zoning Commission with the term expiring in June 2010. Chairperson Henley called for a vote with all

present commissioners voting AYE. The motion carried (3-0). Commissioner Becker was absent.

Commissioner Wilson made a motion, seconded by Commissioner Edwards, to nominate Dennis Childress as Vice-Chairperson of the Planning & Zoning Commission with the term expiring in June 2010. Chairperson Henley called for a vote with all present commissioners voting AYE. The motion carried (3-0). Commissioner Becker was absent.

IV. APPROVAL OF MINUTES

A. Approval of the Minutes for the regular meeting held on July 23, 2009.

Vice-Chairperson Childress made a motion, seconded by Commissioner Edwards, to approve the minutes for the regular meeting held on July 23, 2009. Chairperson Henley called for a vote with all present commissioners voting AYE. The motion carried (3-0). Commissioner Becker was absent.

V. PUBLIC HEARINGS

None

VI. ACTION ITEMS

A. Discuss and take necessary action on a request to re-approve and reinstate a construction plat for the Seagoville Corners III Addition, generally located in the northeast quadrant of U.S. Highway 175 and Malloy Bridge Road in Seagoville, Texas.

Applicant: *S-SI Rio Grande, L.P*

(The Commission approved the original construction plat during their meeting on August 9, 2007. The approval was valid for six months and expired on February 5, 2008 due to a lack of construction activity on the property.)

City Planner Sherry Sefko presented the reinstatement of Seagoville Corners III Addition construction plat to the commissioners for their consideration and re-approval. Mrs. Sefko informed the commissioners that she thoroughly reviewed the construction plat submitted to the City on Thursday, July 23<sup>rd</sup>. She stated that the only notable difference between this construction plat and the one the Commission approved on August 9, 2007 were minor adjustments to a few easements that City Staff had recommended in 2007. She commented that the City was aware of a single tenant occupancy would be on Lot 1, Block A rather than a multi-tenant occupancy as was proposed in 2007. She informed the commissioners the property owners were currently proposing to develop the property in phases with development of Lot 1, Block

A and Lot 3, Block B being part of Phase I. She informed the commissioners that as of this date City Staff had only received an incomplete set of preliminary construction plans with minimal pages included. She informed the commissioners that she and ACM/Director of Public Works Mike Hitt were giving the owners the benefit of the doubt by presenting the reinstatement of the construction plat to the commissioners for their re-approval that evening without a current tax certificate from the Dallas County Tax Assessor's Office and asked to make submission of the current tax certificate her fifth condition for recommendation.

Chairperson Henley asked if the continuation of Crestview Drive would be constructed through Lots 1 and 3 of Block A. Mrs. Sefko informed the commissioners that Chairperson Henley was correct and that the City would make it mandatory that Crestview Drive be constructed during Phase I of the project.

Commissioner Wilson asked if Crestview Drive would "punch through" or "stub out" at the Swafford property to the Briar Creek Addition once the Swafford property was developed. Mr. Hitt informed the commissioners that St. Ives attempted to purchase a portion of the Swafford property but Mr. Swafford was not interested in selling the property at that particular time. Commissioner Wilson commented on how the extension of Crestview Drive to the Briar Creek Addition would be another point of egress and ingress for the property owners that live in that particular addition. Mr. Hitt agreed with Commissioner Wilson's comment and added the City had a 0% increase rule on storm water impacting a neighboring property.

Commissioner Wilson suggested recommending Lot 4 be considered as a green space complete with a park bench to the developers/property owners. She commented on how she visualized walking from place to place verses driving. Mr. Hitt stated that Commissioner Wilson could make her request during the Commission's reinstatement/re-approval of the Landscape Plans.

Vice-Chairperson Childress commented that he was displeased with the developers not submitting the required documents and plans once again. He inquired as to whether City Staff was comfortable with approving the construction plat and the additional conditions. Mrs. Sefko stated that she was comfortable with the Commission approving that evening the construction plat with the additional conditions. Mr. Hitt reassured the commissioners that the installation of all infrastructure would be included in Phase I of the project.

Commissioner Wilson made a motion, seconded by Vice-Chairperson Childress, to approve the reinstatement of the Seagoville Corners III construction plat subject with the following five conditions:

1. Submission, and subsequent City approval, of complete updated engineering/construction plans (clearly showing all construction phasing) prior to expiration of the construction plat (6 months) and prior to release for construction;
2. Submission, and subsequent P&Z Commission re-approval, of complete applications for the site plans, landscape plans and façade plans for Phase I development (which we assume are still Lot 1/Block A and Lot 3/Block B) prior to expiration of the construction plat (6 months) and prior to release for construction;
3. A stipulation that the shape and configuration of Lots 1 and 4 in Block B are conditional and subject to submission of further information (such as a concept plan or site plan) verifying that a viable use/structure can be constructed on them without building setback, landscaping, parking or any other types of variances (this can be done later on, but prior to final plat approval and filing for these lots); and
4. Any additional additions or alterations to the engineering/construction plans as may be deemed necessary by the City's Engineer, Transportation Engineer, Planner or City staff to address outstanding engineering-related issues.
5. Submission of a current certified tax certificate obtained through the Dallas County Tax Assessor's/Collector's Office reflecting that all property taxes are current prior to release of construction.

Chairperson Henley called for a vote with all present commissioners voting AYE. The motion carried (3-0). Commissioner Becker was absent.

- B. Request to call a Public Hearing to amend the Zoning Ordinance to include a new and unlisted use, metal reclamation/recycling, to determine if any should be allowed within the city and in which zoning district. Sefko

City Planner Sherry Sefko explained to the commissioners that, when City Staff first met with the property owner, she was unclear on whether that type of land use would fit into any of the City's zoning districts. After further review by the City Attorney, he determined that type of land use was classified under scrap metal reduction in the City's Heavy Manufacturing Zoning District. She further explained the property owner would be contacted and advised to submit a zoning application to request a zoning change on his property to the Heavy Manufacturing Zoning District.

Commissioner Wilson commented that she thought it was unfair to have the property owner rezone his property to the Heavy Manufacturing Zoning District for a recycling operation. Chairperson Henley suggested a heavier, heavier zoning district. Vice-Chairperson Childress informed the commissioners that he owned some business property in Kaufman and, at one time, he had rented the property to a recycling operation business. He

commented, when the business moved out, the property was a total mess – vermin, damaged property, etc. He stated that this type of land use really needed to be thoroughly considered.

VII. REQUESTS AND PRESENTATIONS

- A. Hold a Discussion and give Staff Direction on the Comprehensive Plan Update Study. Sefko

City Planner Sherry Sefko reported that she was being assisted by two other planners in her office in tabulating the results from the survey members of the City Council, P&Z Commission as well as City Staff participated in. She hoped to have a report over the results prepared for the Commission's next meeting on August 27<sup>th</sup>.

Mrs. Sefko inquired as to any of the commissioners having any further comments or questions over *Section 2: Baseline Analysis* of the 2002 Comprehensive Plan. Chairperson Henley referred to the portion pertaining to the Dallas Independent School District. Public Works Director/ACM Mike Hitt added portions of the City were also in the Crandall and Mesquite Independent School Districts. The commissioners did not have any other comments or questions over *Section 2: Baseline Analysis*..

VIII. FUTURE AGENDA ITEMS

The commissioners did not have any additions to the list of Future Agenda Items.

IX. ADJOURNMENT

Without any further business to conduct, Commissioner Edwards made a motion, seconded by Commissioner Wilson, to adjourn the meeting at 7:37 p.m. Chairperson Henley called for a vote with all present commissioners voting AYE. Commissioner Becker was absent.

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**CARL HENLEY**  
**CHAIRPERSON**

**ATTEST:**

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**CINDY KINTZ, PLANNING TECHNICIAN**  
**PLANNING AND ZONING COMMISSION LIAISON**