



**SEAGOVILLE, TEXAS  
CITY COUNCIL MEETING AGENDA  
MONDAY, APRIL 2, 2018**

**City Council Chambers, City Hall  
702 N. Hwy 175  
Seagoville, Texas 75159**

**WORK SESSION – 6:30 P.M.**

**Call to Order**

- A. Discuss regular session agenda items**

**Adjourn**

**REGULAR SESSION - 7:00 P.M.**

**ROUTINE ANNOUNCEMENTS, RECOGNITIONS, and PROCLAMATIONS**

**Call to Order**

**Invocation**

**Pledge of Allegiance**

**Proclamation – National Public-Safety Telecommunications Week**

**Mayor's Report**

**Citizens Public Comment Period-** *This portion of the meeting is to allow each speaker up to six (6) minutes to address the council on items not posted on the current agenda. Council may not discuss these items but may respond with factual data or policy information, or place the item on a future agenda. Citizens wishing to speak on posted agenda items will be called upon at that time. Anyone wishing to speak shall submit a Speaker Request Form to the City Secretary.*

**CONSENT AGENDA-** The Consent Agenda contains items which are routine in nature and will be acted upon in one motion.

- 1. Consider approving City Council Meeting minutes for March 19, 2018 (City Secretary)**
- 2. Consider a Resolution declaring certain City property surplus and authorizing the City Manager to sell, trade, or dispose of the property in accordance with the processes established in the Code of Ordinances (Police Chief)**

3. **Consider the second reading of Resolution No. 17-R-2018, authorizing the Seagoville Economic Development Corporation to undertake a project for the creation of jobs and expansion of business development in the City, including a reimbursement grant in an amount not to exceed thirty thousand dollars (\$30,000.00), in accordance with the Texas Local Government Code; and providing an effective date (Director of Administrative Services)**

#### **REGULAR AGENDA-**

4. **Conduct a public hearing and discuss and consider an Ordinance of the City of Seagoville, Texas, amending the comprehensive zoning Ordinance, as amended by changing the zoning from “PD-R-5” Planned Development – Residential-5 to “PD-5-SUP” Planned Development-Residential-5 with a special use permit, which shall expire on September 29, 2018, to allow for a temporary batch plant, on Lots 1 through 5, Block E, of the Highland Meadows Phase III Subdivision located on the north side of Lasater Road between Stark Road and Shannon Loop, in the City of Seagoville, Texas; providing for an approved site plan which is attached hereto and incorporated herein as Exhibit “A”; providing for the repeal of all Ordinances in conflict; providing a severability clause; providing for a penalty of fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense; and providing an effective date (Community Development Director)**
5. **Conduct a public hearing and discuss and consider an Ordinance of the City of Seagoville, Dallas County, Texas amending the comprehensive zoning Ordinance and map of the City of Seagoville, Dallas County, Texas, as heretofore amended by granting a change in zoning from Residential-5 (R-5) to Planned Development – Residential-5 (PD-18-01) for approximately 28.5 ± acres of land located in the John D. Merchant Survey Abstract No. 850, generally described as west of May Road and adjacent /east of Alto Road in Seagoville, Dallas County, Texas, and being legally described in Exhibit “A”, attached hereto and incorporated herein: drainage plan, which is attached hereto and incorporated as Exhibit “B”; providing for a repealing clause; providing a severability clause; providing a savings clause; providing for a penalty of fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense; and providing an effective date (Community Development Director)**
6. **Receive Councilmember Reports/Items of Community Interest - as authorized by Section 551.0415 of the Texas Government Code.**
7. **Future Agenda Items – Council to provide direction to staff regarding future agenda items. These items will not be discussed and no action will be taken at this meeting.**

#### **Adjourn**

Posted Thursday, March 29, 2018 by 5:00 P.M.

  
\_\_\_\_\_  
Kandi Jackson, City Secretary



---

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

The City of Seagoville does not discriminate on the basis of disability in the admission or access to, or treatment or employment in, its programs or activities. If you have a request for services that will make this program accessible to you, please contact the City of Seagoville at least 72 hours in advance at (972) 287-6819. (TDD access 1-800-RELAY-TX)

**DATES TO REMEMBER**

- **Monday, April 16, 2018 is the next regular City Council meeting.**

# PROCLAMATION

## Of the Mayor Of the City of Seagoville, Texas

*WHEREAS*, Public Safety Telecommunicators are the first and most critical contact our citizens have with emergency services;

*WHEREAS*, when an emergency occurs the prompt response of police officers, firefighters, and emergency medical personnel is critical to the protection of life and preservation of property; and

*WHEREAS*, Public Safety Telecommunicators work for the most part ‘behind the scenes’, where they support the work of the first responders, fire, police and emergency medical personnel.

*WHEREAS*, the safety of our police officers and firefighters is dependent upon the quality and accuracy of information obtained from citizens who telephone the Seagoville Communications Center; and

*WHEREAS*, Public Safety Telecommunicators are the single vital link for our police officers, firefighters, and emergency medical personnel by monitoring their activities by radio, providing them information and insuring their safety; and

*WHEREAS*, each Public Safety Telecommunicator has exhibited compassion, understanding and professionalism during the performance of their job in the past year.

*NOW, THEREFORE, IT IS PROCLAIMED* by the Mayor and City Council of the City of Seagoville, Texas, **the week of April 8 through 14, 2018, to be National Public-Safety Telecommunications Week** in Seagoville, in honor of the men and women whose diligence and professionalism keep our city and citizens safe.

**IN WITNESS WHEREOF**, I have hereunto set my hand and cause the Seal of the City of Seagoville to be affixed on this 2<sup>nd</sup> day of April, 2018.

---

Mayor Dennis K. Childress

## *Consent Session Agenda Item: 1*

**Meeting Date:** April 2, 2018

**ITEM DESCRIPTION:**

Consider approving City Council Meeting minutes for March 19, 2018.

**BACKGROUND OF ISSUE:**

Approve City Council Meeting minutes for March 19, 2018.

**FINANCIAL IMPACT:**

N/A

**RECOMMENDATION:**

Staff recommends approval.

**EXHIBITS**

March 19, 2018 City Council Work Session Meeting minutes  
March 19, 2018 City Council Regular Session Meeting minutes



**MINUTES OF CITY COUNCIL  
WORK SESSION  
MARCH 19, 2018**

**The Work Session of the City Council of the City of Seagoville, Texas was called to order at 6:30 p.m. on Monday, March 19, 2018, at City Hall, 702 N. Hwy 175, Seagoville, Texas with a quorum present, to wit:**

Dennis Childress	Mayor
Jon Epps	Mayor Pro Tem
Jose Hernandez	Councilmember Arrived at 6:31 p.m.
Rick Howard	Councilmember
Harold Magill	Councilmember
Mike Fruin	Councilmember

The following staff members were also present: City Manager Patrick Stallings, Police Chief Ray Calverley, Community Development Director Ladis Barr, City Attorney Alexis Allen, Finance Director Patrick Harvey, Director of Administrative Services Cindy Brown, Fire Chief Todd Gilcrease, and City Secretary Kandi Jackson.

**A. Discuss regular session agenda items**

- 1. Consider approving City Council Meeting minutes for February 5, 2018 and Joint Meeting with Seagoville Economic Development Corporation for February 12, 2018 (City Secretary)*

*No questions*

**B. AE Com presentation**

*(Councilmember Hernandez arrived at 6:31 p.m.)*

*Cecilia Salvans and Tatum Lau with AE Com presented the City of Seagoville Fire Station Analysis Study.*

**Adjourned at 6:50 p.m.**

**APPROVED:**

---

Mayor Dennis K. Childress

**ATTEST:**

---

Kandi Jackson, City Secretary



**MINUTES OF CITY COUNCIL  
REGULAR SESSION  
MARCH 19, 2018**

**The Regular Session of the City Council of the City of Seagoville, Texas was called to order at 7:01 p.m. on Monday, March 19, 2018, at City Hall, 702 N. Hwy 175, Seagoville, Texas with a quorum present, to wit:**

Dennis Childress	Mayor
Jon Epps	Mayor Pro Tem
Jose Hernandez	Councilmember
Rick Howard	Councilmember
Harold Magill	Councilmember
Mike Fruin	Councilmember

The following staff members were also present: City Manager Patrick Stallings, Police Chief Ray Calverley, Community Development Director Ladis Barr, City Attorney Alexis Allen, Finance Director Patrick Harvey, Director of Administrative Services Cindy Brown, and City Secretary Kandi Jackson.

**Invocation** – *Invocation was led by Mayor Childress.*

**Pledge of Allegiance** – *Pledge of Allegiance was led by Mayor Childress.*

**Mayor's Report** – *Mayor Childress stated the City Manager has been extremely busy as the City has several ongoing projects at this time.*

**Citizens Public Comment Period**- *This portion of the meeting is to allow each speaker up to six (6) minutes to address the council on items not posted on the current agenda. Council may not discuss these items but may respond with factual data or policy information, or place the item on a future agenda. Citizens wishing to speak on posted agenda items will be called upon at that time. Anyone wishing to speak shall submit a Speaker Request Form to the City Secretary.*

*Cheryl Fowler at 217 E. Bluff Road stated her mother was seeking reassurance that the backflow switch was installed and the yard has been decontaminated.*

**CONSENT AGENDA**- The Consent Agenda contains items which are routine in nature and will be acted upon in one motion.

**1. Consider approving City Council Meeting minutes for March 5, 2018 (City Secretary)**

*Motion to approve City Council Meeting minutes for March 5, 2018 – Magill, seconded by Howard; motion passed with all ayes.*

**REGULAR AGENDA-**

- 2. Acceptance of City of Seagoville’s Comprehensive Annual Financial Report for Fiscal Year 2017 and Popular Annual Financial Report for Fiscal Year 2017 (Finance Director)**

*Finance Director Harvey presented the Comprehensive Annual Financial Report for Fiscal Year 2017.*

*Finance Director Harvey introduced Frank Conroy with Fox, Byrd & Company, of Dallas. Frank Conroy presented and reviewed the audit portion of the Financial Report for Fiscal Year 2017.*

*Finance Director Harvey thanked Council for their leadership.*

- 3. Discuss and consider the first reading of Resolution No. 17-R-2018, authorizing the Seagoville Economic Development Corporation to undertake a project for the creation of jobs and expansion of business development in the City, including a reimbursement grant in an amount not to exceed thirty thousand dollars (\$30,000.00), in accordance with the Texas Local Government Code; and providing an effective date (Director of Administrative Services)**

*Director of Administrative Services Cindy Brown stated this is the first reading of Resolution No. 17-R-2018, authorizing the Seagoville Economic Development Corporation to undertake a project for the creation of jobs and expansion of business development in the City, including a reimbursement grant in an amount not to exceed thirty thousand dollars (\$30,000.00), in accordance with the Texas Local Government Code; and providing an effective date.*

**4. Discuss Storm Drain in a 15-foot wide easement for Woodside Lane between Lot 9 and Lot 10, Block 12A, Brook Valley 7 Phase 1 (between 1106 and 1108 Woodside Lane) (Community Development Director)**

*Community Development Director Barr stated a Storm Drain in a 15-foot wide easement for Woodside Lane between Lot 9 and Lot 10, Block 12A, Brook Valley 7 Phase 1 (between 1106 and 1108 Woodside Lane) fell approximately 8-feet. He stated the failure was due to erosion. The erosion at 1108 Woodside Lane is approximately 20-feet from the structure and the erosion at 1106 Woodside Lane is approximately 16 to 18-feet from the structure. He stated Halff Associates provided an estimate for of \$500,000 (five hundred thousand dollars) to \$750,000 (seven hundred fifty thousand dollars). He also stated this is only an estimate the cost could change as there are different scenarios to be considered.*

*City Manager Stallings stated Staff will continue working with Halff Associates to provide an engineered plan for Council's approval.*

*Council directed Staff to proceed.*

**5. Receive Councilmember Reports/Items of Community Interest - as authorized by Section 551.0415 of the Texas Government Code.**

*Councilmember Fruin stated he would like to thank City Manager Stallings and City Hall Staff for working together as a team. He also stated Hall Road is completed and is very nice.*

*Councilmember Hernandez stated there will be a Community Meeting at Seagoville High School tomorrow at 6:00 p.m. concerning gun violence and gun safety.*

**6. Future Agenda Items – Council to provide direction to staff regarding future agenda items. These items will not be discussed and no action will be taken at this meeting.**

*None.*

**7. Recessed into Executive Session at 7:33 p.m.**

**Recess into Executive Session in compliance with Texas Government Code:**

**(A) § 551.087: Discuss or deliberate regarding commercial or financial information that the City has received from a business prospect that the City seeks to have locate, stay, or expand in or near the City and with which the City is conducting economic development negotiations, and to deliberate the offer of a financial or other incentive to a business prospect, to wit: “Project Cake.”**

**(B) § 551.087: Discuss or deliberate regarding commercial or financial information that the City has received from a business prospect that the City seeks to have locate, stay, or expand in or near the City and with which the City is conducting economic development negotiations, and to deliberate the offer of a financial or other incentive to a business prospect, to wit: “Wes Parnell.”**

**(C) § 551.071: Consultation with the City Attorney to seek legal advice concerning the Home Rule Charter**

**8. Reconvene Into Regular Session at 7:57 p.m.**

**Council will reconvene into open session, and take action, if any, on matters discussed in Executive Session.**

*No action taken*

**Adjourned at 7:57 p.m.**

**APPROVED:**

\_\_\_\_\_  
Mayor Dennis K. Childress

**ATTEST:**

\_\_\_\_\_  
Kandi Jackson, City Secretary

## *Consent Session Agenda Item: 2*

**Meeting Date: April 2, 2018**

### **ITEM DESCRIPTION**

Consider a Resolution declaring certain City property surplus and authorizing the City Manager to sell, trade, or dispose of the property in accordance with the processes established in the Code of Ordinances.

### **BACKGROUND OF ISSUE:**

City staff has identified the vehicles listed in Exhibit A as surplus vehicles, these vehicles have served both the Police Department and Animal Services well; however, they are no longer a viable asset to the City based on mileage and maintenance issues. City Ordinance requires that Council declare these items as surplus property before the City Manager may dispose, sell, or trade these items in accordance with established city ordinance guidelines.

Staff proposes to sell and/or auction of the listed vehicles which consists of (1) 2009 Ford Crown Victoria, (2) 2011 Ford Crown Victoria black and white, and (1) 2006 Ford F-250 truck with a 2000 model animal containment attached. If granted by council these vehicles will be sold through an on-line auction company known as (Propertyroom.com). Propertyroom.com will take physical possession of the vehicles that has been stripped of all emergency equipment, communications equipment and any other law enforcement or related components as prescribed by law. Propertyroom.com will dispose of this vehicle through the online auction process, and a portion of the proceeds will be forwarded to the City. Please see the attached Exhibit A for a complete description on each vehicle.

### **FINANCIAL IMPACT:**

The City of Seagoville has an existing agreement with Propertyroom.com for their services. Propertyroom.com charges 12.5% for their service and remits 87.5% of the sale back to the City.

### **RECOMMENDATION:**

Staff recommends declaring the listed property in Exhibit A as surplus property.

### **EXHIBITS**

A spreadsheet of vehicles suggested as surplus property

**A RESOLUTION OF THE CITY OF SEAGOVILLE, TEXAS**

**RESOLUTION NO. 18-R-2018**

**A RESOLUTION OF THE CITY OF SEAGOVILLE, TEXAS, DECLARING CERTAIN CITY PROPERTY SURPLUS AND AUTHORIZING THE CITY MANAGER TO SELL, TRADE AND/OR DISPOSE OF IT IN ACCORDANCE WITH THE PROCESS ESTABLISHED IN THE CODE OF ORDINANCES; PROVIDING FOR THE REPEAL OF ANY AND ALL RESOLUTIONS IN CONFLICT; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS,** the City Council recognizes that in the normal course of providing municipal services, the various Departments will exhaust the useful life of its capital equipment, and other property that does not meet the capital equipment threshold, to the point where it is no longer cost effective to maintain and operate; and

**WHEREAS,** the above categories of property and equipment do not contribute to providing municipal services and need to be removed from City inventories and storage; and

**WHEREAS,** the City Council, according to the Code of Ordinances, declares the property more specifically described in exhibit A as one 2009 Ford Crown Victoria, two 2011 Ford Crown Victoria's and 1 2006 Ford F-250 truck with attached 2000 model animal containment unit as surplus property; and

**WHEREAS,** the City Secretary shall maintain inventory records of each item of surplus property sold or disposed of and the sale price of or destination of each item; and

**WHEREAS,** the City Council has determined that declaring this property as surplus is in the best interest of the City of Seagoville; and

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEAGOVILLE, TEXAS:**

**SECTION 1.** The City Council declares the property specifically described in exhibit A as surplus property and authorizes the City Manager to sell, trade and/or dispose of the property according to law.

**SECTION 2.** All resolutions of the City of Seagoville heretofore adopted which are in conflict with the provisions of this Resolution be, and the same are hereby repealed, and all resolutions of the City of Seagoville not in conflict with the provisions hereof shall remain in full force and effect.

**SECTION 3.** If any article, paragraph, subdivision, clause or provision of this Resolution, as hereby amended, be adjudged invalid or held unconstitutional for any reason, such judgment or holding shall not affect the validity of this Resolution as a whole or any part or provision thereof, as amended hereby, other than the part so declared to be invalid or unconstitutional.

**SECTION 4.** This Resolution shall take effect immediately from and after its passage, and it is accordingly so resolved.

**DULY ORDERED** by the City Council of the City of Seagoville, Texas, this the \_\_\_\_  
Day of April, 2018

APPROVED:

\_\_\_\_\_  
DENNIS K. CHILDRESS, MAYOR

ATTEST:

\_\_\_\_\_  
KANDI JACKSON, CITY SECRETARY

APPROVED AS TO FORM:

\_\_\_\_\_  
ALEXIS ALLEN, CITY ATTORNEY



# City of Seagoville Police Department

600 North US Highway 175  
Seagoville, Texas 75159  
Phone 972.287.2999 Fax 972.287.2917  
www.seagoville.us



## Seagoville Police Department Surplus Property Inventory

### Exhibit A

Mayor, Mayor Pro-Tem, Council, and Mr. City Manager, please see below a list of vehicles that Police Department staff have deemed as surplus property. Each of these vehicles have served the City well, however, due to mileage, maintenance, or prohibitive associated costs have lived out their expected feasibility to serve in any capacity within the City.

Year	Make and Model	VIN	Miles	Unit #
2009	Ford Crown Victoria	2FAHP71V49X118655	148,998	259
2011	Ford Crown Victoria	2FABP7BV4BX108945	125,500	261
2011	Ford Crown Victoria	2FABP7BV9BX128219	117,765	263
2006	Ford F-250	1FTRF17W6YKA56692	116,510	A/C - 1

## ***Consent Session Agenda Item: 3***

**Meeting Date: April 2, 2018**

### **Item Description**

Discuss and consider the second reading of Resolution No. 17-R-2018, authorizing the Seagoville Economic Development Corporation to undertake a project for the creation of jobs and expansion of business development in the City, including a reimbursement grant in an amount not to exceed thirty thousand dollars (\$30,000.00), in accordance with the Texas Local Government Code; and providing an effective date.

### **BACKGROUND OF ISSUE:**

On Monday, March 12, 2018, Yolanda Cole the owner of Shorty's Texas BAR-B-Q presented her application to the SEDC for a Reimbursement Grant for sewer and solid waste facilities to service the property, the installation of plumbing and a grease trap feature. The SEDC Board of Directors unanimously approved the Reimbursement Grant in an amount not to exceed \$30,000.00 for the aforementioned purpose.

Yolanda Cole and her husband Brad Cole are in the process of renovating the feed store located at 705 N. US Highway 175 and turning it into a BBQ restaurant. The Cole's have over ten (10) years of experience in the operation and ownership of a BBQ restaurant in Sunnyvale Texas. Based on their experience and review of their financial reports, Staff recommends approval of this Grant.

### **FINANCIAL IMPACT:**

The SEDC will reimburse Shorty's Texas BAR-B-Q up to \$30,000.00 for the aforementioned purpose. Appropriate financial budget adjustments will be made to the SEDC Budget.

### **EXHIBITS**

Exhibit A. SEDC Reimbursement Grant between Shorty's Texas BAR-B-Q and the SEDC

**A RESOLUTION OF THE CITY OF SEAGOVILLE, TEXAS**

**RESOLUTION NO. 17-R-2018**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEAGOVILLE, TEXAS AUTHORIZING THE SEAGOVILLE ECONOMIC DEVELOPMENT CORPORATION TO UNDERTAKE A PROJECT FOR THE CREATION OF JOBS AND EXPANSION OF BUSINESS DEVELOPMENT IN THE CITY, INCLUDING A REIMBURSEMENT GRANT IN AN AMOUNT NOT TO EXCEED THIRTY THOUSAND DOLLARS (\$30,000.00), IN ACCORDANCE WITH THE TEXAS LOCAL GOVERNMENT CODE; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, the City of Seagoville, Texas is a home-rule municipality located in Dallas, County; and,

**WHEREAS**, the City of Seagoville, Texas, after voter approval, has established a Type B Economic Development Corporation to consider economic development projects within the city; and,

**WHEREAS**, Shorty's Texas BAR-B-Q has made an application concerning property located at 705 N. Highway 175; and,

**WHEREAS**, the Company has advised the SEDC that a contributing factor that would induce the Company to improve the Property and construct the Improvement would be an agreement by the SEDC to provide an economic development grant to the Company to reimburse the costs of the Infrastructure for Property; and,

**WHEREAS**, the Improvements will provide a suitable location for business and will result in the creation of jobs; and,

**WHEREAS**, the economic development client has requested a grant in an amount not to exceed \$30,000.00 from the Seagoville Economic Development Corporation for the Project; and,

**WHEREAS**, in conformance with Section 505.158(b) of the Texas Local Government Code, the governing body of the City by resolution should consider whether or not such project should be undertaken by the Seagoville Economic Development Corporation for an economic incentive grant; and,

**WHEREAS**, the City Council, after holding two separate readings of this resolution finds it in the best interest of the citizens of Seagoville to approve the expenditure by the Seagoville Economic Development Corporation for the Project.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEAGOVILLE, TEXAS THAT:**

**SECTION 1.** The Board of Directors for the Seagoville Economic Development Corporation should consider whether or not it is appropriate to give an economic development grant for such project at said location, in compliance with the Corporation's Incentive Reimbursement Grant Policy and,

**SECTION 2.** The Corporation, after considering such grant, the policies and procedures of the Seagoville Economic Development Corporation, has approved the Project and has recommended that it be presented to Council for final approval in accordance with the Bylaws of the Corporation; and

**SECTION 3.** The City Council for the City of Seagoville, Texas hereby finds that the Project will result in the creation of jobs and the expansion of business development within the City and approves the Project for funding by the Seagoville Economic Development Corporation.

**SECTION 4.** Nothing contained in this resolution shall be construed as approval in advance of any such grant, nor does this resolution establish that the Project currently complies with all applicable use and development regulations or other legal requirements required by law for development of the Project in accordance with the City's ordinances, rules and regulations.

**SECTION 4.** That this resolution shall take effect immediately from and after its passage as the law and charter in such cases provide.

**DULY PASSED AND APPROVED** First Reading by the City Council of the City of Seagoville, Texas, on this the 19<sup>th</sup> day of March, 2018.

**DULY PASSED AND APPROVED** Second Reading by the City Council of the City of Seagoville, Texas, on this the 2nd day of April, 2018.

APPROVED:

---

DENNIS K. CHILDRESS, MAYOR

ATTEST:

---

KANDI JACKSON, CITY SECRETARY

APPROVED AS TO FORM:

---

ALEXIS G. ALLEN, CITY ATTORNEY

STATE OF TEXAS           §  
  §           ECONOMIC DEVELOPMENT INCENTIVE AGREEMENT  
COUNTY OF DALLAS       §

This Economic Development Incentive Agreement (“Agreement”) is made by and between the Seagoville Economic Development Corporation (“SEDC”) and Yolanda Cole, *d/b/a* Shorty's Texas BAR-B-Q, a Sole Proprietorship (“Company”) (each a “Party” and collectively the “Parties”), acting by and through their respective authorized officers.

**WITNESSETH:**

**WHEREAS**, Company desires to develop, construct and operate a restaurant (hereinafter defined) on approximately 0.447 acre of land in Seagoville described as Tract 32 of the R D Fallon Abstract 489, commonly referred to as 705 N. Highway 175, Seagoville, Texas (the “Property”); and

**WHEREAS**, the Company intends to develop the Property which will result in approximately \$50,000.00 in improvements to the Property and intends to invest approximately \$50,000.00 in infrastructure, facilities, furniture, fixtures & equipment; and

**WHEREAS**, Company intends to construct a kitchen, indoor seating and causal area for the restaurant (collectively, the “Improvements”); and

**WHEREAS**, the Improvements will provide a suitable location for business and will result in the creation and retention of new jobs; and

**WHEREAS**, the Company has advised the SEDC that a contributing factor that would induce the Company to improve the Property and construct the Improvements would be an agreement by the SEDC to provide an economic development grant to the Company to reimburse the costs of the Infrastructure for the Property; and

**WHEREAS**, SEDC has adopted programs for promoting economic development; and

**WHEREAS**, the Development Corporation Act, Chapters 501 – 505 of the TEXAS LOCAL GOVERNMENT CODE (the “Act”) authorizes SEDC to provide economic development grants for the creation and retention of jobs; and

**WHEREAS**, SEDC has determined that the Grant to be made hereunder is required or suitable to create and retain new jobs and develop new or expanded business enterprises and constitutes a “project”, as that term is defined in the Act; and

**WHEREAS**, SEDC has determined that making an economic development grant to Company in accordance with this Agreement will further the objectives of SEDC, will benefit the City and the City’s inhabitants and will promote local economic development and stimulate business and commercial activity in the City.

**NOW, THEREFORE**, in consideration of the foregoing, and other consideration the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

## **ARTICLE I DEFINITIONS**

Wherever used in this Agreement, the following terms shall have the meanings ascribed to them:

“SEDC” shall mean the Seagoville Economic Development Corporation, a Texas non-profit corporation organized as a Type B corporation pursuant to the Act.

“Bankruptcy or Insolvency” shall mean the dissolution or termination of Company’s existence, insolvency, employment of receiver for any part of Company’s property and such appointment is not terminated within ninety (90) days after such appointment is initially made, any general assignment for the benefit of creditors or the commencement of any proceedings under any bankruptcy or insolvency laws by or against Company and such proceedings are not dismissed within ninety (90) days after the filing thereof.

“City” shall mean the City of Seagoville, Texas, acting by and through its city manager or designee.

“Commencement Date” shall mean the later of: (i) the date the first construction permit is issued; and (ii) the date the first final permanent certificate of occupancy is issued by the City for the restaurant is open for business and serving the citizens of the City and its visitors.

“Company” shall mean Yolanda Cole, *dba* Shorty's Texas BAR-B-Q, a Sole Proprietorship.

"Completion of Construction" shall mean that final inspection has been conducted and acceptance has been issued by the City of Seagoville for the Infrastructure.

“Effective Date” shall mean the last date of execution hereof.

“Expiration Date” shall mean the date the Parties have fully satisfied their respective obligations hereunder.

“Force Majeure” shall mean any contingency or cause beyond the reasonable control of a Party including, without limitation, acts of God or the public enemy war, riot, civil commotion, insurrection, government or de facto governmental action (unless caused by acts of omissions of the Party), fires, explosions or floods, strikes, slowdowns or work stoppages, but may not impact any payments to be made hereunder.

“Impositions” shall mean all taxes, assessments, use and occupancy taxes, charges, excises, license and permit fees, and other charges by public or governmental authority, general and special, ordinance and extraordinary, foreseen and unforeseen, which are or may be assessed, charged,

levied, or imposed by any public or governmental authority on Company with respect to the Infrastructure or any property or any business owned by Company within the City.

“Improvements” collectively shall mean the building housing the restaurant, the common-areas and all other structures, driveways, parking areas, and other improvements constructed or installed on the Property.

"Infrastructure" shall mean the sewer and solid waste disposal facilities to service the property, including plumbing and grease trap.

“Property” shall mean the approximate 0.447 acre of land in Seagoville described as Tract 32 of the R D Fallon Abstract 489, commonly referred to as 705 N. Highway 175, Seagoville, Dallas County, Texas.

“Project” shall mean the Improvements following construction thereof.

"Reimbursement Grant" shall mean an economic development grant to reimburse the actual and reasonable costs and expenses incurred by the Company for the construction of Infrastructure, not to exceed Thirty Thousand Dollars (\$30,000.00), to be paid as set forth herein.

“Required Use” shall mean the continued operation of the restaurant and related amenities open to the public and serving the adjacent business community and the citizens of the City.

## **ARTICLE II TERM**

The term of this Agreement shall begin on the Effective Date and continue until the Expiration Date, unless sooner terminated as provided herein.

## **ARTICLE III ECONOMIC DEVELOPMENT GRANT**

3.1 Reimbursement Grant. Subject to the obligation of the Company to repay the Infrastructure Grant pursuant to Section 5.2 hereof and the continued satisfaction of all the terms and conditions of this Agreement by the Company, the SEDC agrees to provide the Company with the Reimbursement Grant in an amount not to exceed Thirty Thousand and No/100 Dollars (\$30,000.00). The Grant payment shall be made within thirty (30) days after notice by the Company of compliance with the conditions of the Grant and upon remittance of actual invoices for Infrastructure expenditures.

3.2 The Infrastructure Grant made hereunder shall be provided solely from lawful available funds. The SEDC shall not be obligated to pay any commercial bank, lender or similar institution for any loan or credit agreement made by Company. None of the obligations of the SEDC under this Agreement shall not be pledged or otherwise encumbered in favor of any commercial lender and/or similar financial institution without the prior written consent of the SEDC.

3.3 Required Use. Beginning on the Commencement Date, and continuing thereafter until the Expiration Date, or earlier termination, the Restaurant shall not be used for any purpose other than the Required Use and the Company shall not allow the operation of the Restaurant in conformance with the Required Use to cease for more than thirty (30) days, except in connection with and to the extent of an event of Casualty or Force Majeure.

#### **ARTICLE IV CONDITIONS TO ECONOMIC DEVELOPMENT GRANT**

The satisfaction of Company of the terms and conditions of this Agreement are subject to each of the following conditions:

4.1 Good Standing. Company shall not have an uncured breach or default of this Agreement, or a Related Agreement.

4.2 Performance Criteria. Company shall open and operate a restaurant on the Property and shall remain in operation as a restaurant for a period of five (5) calendar years.

#### **ARTICLE V TERMINATION**

5.1 This Agreement shall terminate upon any one of the following:

- (a) by written agreement of the Parties;
- (b) Expiration Date;
- (c) upon written notice by either Party in the event the other Party breaches any of the terms or conditions of this Agreement or Related Agreement and such breach is not cured within thirty (30) days after written notice thereof; provided, however, if such breach cannot reasonably be cured within such thirty (30) day period, such breaching party shall be allowed additional time not to exceed thirty (30) additional days to cure such breach so long as the breaching party begins the cure within the initial thirty (30) days and diligently pursues the cure to completion within sixty (60) days after written notice of such breach;
- (d) upon written notice by SEDC, if Company suffers an event of Bankruptcy or Insolvency;
- (e) upon written notice by SEDC, if any Impositions owed to City or the State of Texas by Company shall become delinquent after thirty (30) days written notice is delivered pursuant to this Agreement (provided, however, Company retains the right to timely and property protest and contest any such Impositions); and

(f) upon written notice by either Party, if any subsequent Federal or State legislation or any decision of a court of competent jurisdiction declares or renders this Agreement invalid, illegal or unenforceable.

5.2 In the event the Agreement is terminated by SEDC due to Company's failure to operate as a restaurant for the required five (5) calendar years, the Company shall immediately repay to SEDC an amount equal to the Reimbursement Grant.

## **ARTICLE VI MISCELLANEOUS**

6.1 Binding Agreement; Assignment. This Agreement shall be binding upon and inure to the benefit of the heirs, successors, affiliates, administrators, executors, and permitted assigns of the respective Parties. This Agreement may not be assigned without the prior written consent of the SEDC; provided, however, Company may collaterally assign or pledge Company's rights in the Property under this Agreement to Company's Lender as security for a loan for the Project.

5.2 Limitation on Liability. It is acknowledged and agreed by the Parties that the terms hereof are not intended to and shall not be deemed to create a partnership or joint venture among the Parties. It is understood and agreed between the Parties that the Parties, in satisfying the conditions of this Agreement, have acted independently, and SEDC assumes no responsibilities or liabilities to third parties in connection with these actions. Company agrees to indemnify and hold harmless SEDC from all such claims, suits, and causes of actions, liabilities and expenses, including reasonable attorney's fees, of any nature whatsoever arising out of Company's performance of the conditions under this Agreement.

6.3 Authorization. Each Party represents that it has full capacity and authority to grant all rights and assume all obligations that are granted and assumed under this Agreement.

6.4 Notice. Any notice required or permitted to be delivered hereunder shall be deemed received upon the earlier of (a) actual receipt or (b) three (3) days thereafter sent by United States Mail, postage prepaid, certified mail, return receipt requested, addressed to the Party at the address set forth below, or such other address as is designated by applicable Party from time to time, or on the day actually received as sent by courier or otherwise hand delivered.

If intended for SEDC, to:

With a copy to:

Patrick Stallings, City Manager  
Seagoville Economic Development  
Corporation  
105 N. Kaufman Street  
Seagoville, Texas 75159  
Facsimile: (972) 287-9939

Alexis G. Allen  
Nichols, Jackson, Dillard,  
Hager & Smith, LLP  
1800 Ross Tower  
500 N. Akard  
Dallas, Texas 75201

If intended for Company, to:

With a copy to:

Yolanda Cole  
1612 Combine Road  
Seagoville, Texas 75159

6.5 Entire Agreement. This Agreement is the entire Agreement between the Parties with respect to the subject matter covered in this Agreement. There is no other collateral oral or written Agreement between the Parties that in any manner relates to the subject matter of this Agreement, except as provided in any Exhibits attached hereto.

6.6 Governing Law. This Agreement shall be governed by the laws of the State of Texas, and venue for any action concerning this Agreement shall be in the State District Court of Dallas County, Texas. The Parties agree to submit to the personal and subject matter jurisdiction of this Court.

6.7 Amendment. This Agreement may be amended by the mutual written agreement of the Parties.

6.8 Legal Construction. In the event any one or more of the provisions contain this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect other provisions, and it is the intention of the Parties to this Agreement that in lieu of each provision that is found to be illegal, invalid, or unenforceable, a provision be added to this Agreement which is legal, valid and enforceable and is as similar in terms as possible to the provisions found to be illegal, invalid or unenforceable.

6.9 Recitals. The recitals to this Agreement are incorporated herein.

6.10 Counterparts. This Agreement may be executed in counterparts. Each of the counterparts shall be deemed an original instrument, but all of the counterparts shall constitute one and the same instrument.

6.11 Survival of Covenants. Any of the representations, warranties, covenants, and obligations of the Parties, as well as any rights and benefits of the Parties, pertaining to a period of time following the termination of this Agreement shall survive termination.

6.12 Employment of Undocumented Workers. During the term of this Agreement, the Company agrees not to knowingly employ any undocumented workers and, if convicted of a violation under 8 U.S.C. Section 1324a (f), the Company shall repay the Infrastructure Grant, and any other funds received by the Company from the SEDC as of the date of such violation within one hundred twenty (120) days after the conviction of such violation, plus interest at the rate of 6% compounded annually from the date of violation until paid.

*Signature Page to Follow*

**EXECUTED** on this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

**SEAGOVILLE ECONOMIC DEVELOPMENT  
CORPORATION**

By: \_\_\_\_\_  
Dr. C. Don Cole, Chairman

**EXECUTED** on this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

**YOLANDA COLE**  
***dba Shorty's Texas BAR-B-Q***

By: \_\_\_\_\_  
Yolanda Cole

## ***Regular Session Agenda Item: 4***

**MEETING DATE:      April 2, 2018**

### **ITEM DESCRIPTION**

Conduct a public hearing and discuss and consider an Ordinance of the City of Seagoville, Texas, amending the comprehensive zoning Ordinance, as amended by changing the zoning from “PD-R-5” Planned Development – Residential-5 to “PD-5-SUP” Planned Development – Residential-5 with a special use permit, which shall expire on September 29, 2018, to allow for a temporary batch plant, on Lots 1 through 5, Block E, of the Highland Meadows Phase III Subdivision located on the north side of Lasater Road between Stark Road and Shannon Loop, in the City of Seagoville, Texas; providing for a special conditions; providing for an approved site plan which is attached hereto and incorporated herein as Exhibit “A”; providing for the repeal of all Ordinances in conflict; providing a severability clause; providing for penalty of fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense; and providing an effective date.

### **BACKGROUND OF ISSUE:**

The land is currently vacant. The applicant has approved construction plans to construct a subdivision containing about 270 lots for single family homes. The paving contractor for each of the earlier phases of Highland Meadows has also made a request for a temporary concrete batch plant for paving those new internal streets that have since been dedicated to the public. Other than weather delays, there have been no complaints from neighbors during the use of the past temporary concrete batch plants for Highland Meadows Subdivision.

The existing zoning, land uses, and relevant portions of the City’s comprehensive plan are each referenced in the attached staff report. The report also provides a recommendation from Staff on whether the P&Z and City Council should deny or approve the applicant’s request.

### **FINANCIAL IMPACT:**

No city funds will be used for the development of this project. Allowing an onsite temporary concrete batch plant will limit truck traffic on city streets, and the repair bills to related truck traffic.

## **RECOMMENDATION:**

The Commission voted 6 to 0 in favor of recommending the **APPROVAL** of the request to rezone 2517 and 7100 Shannon Loop (a/k/a Lots 1 through 5 Block E of Highland Meadows Phase III) from a Planned Development with a R-5 base zoning (PD-R5) to a Planned Development with a R-5 base zoning (PD-R5) with a Special Use Permit for a temporary concrete batch plant for exclusive use within the Highland Meadows Phase III residential subdivision **WITH THE CONDITIONS** of approval recommended by Staff. These conditions include:

- **Deliveries must only access the site via Interstate 20 and Lasater Road.**
- **This Special Use Permit is only good for 180 days. There will be no time extensions. If additional time is needed, another SUP will need to be applied for and approved.**
- **Operational hours are limited to Monday through Friday from 7:00 AM to 6:00 PM and Saturdays from 7:00 AM to 5:00 PM.**

## **EXHIBITS:**

Each of the following are set for printing on letter-sized paper unless otherwise listed.

- A. Staff Report (4 pages)
- B. 2017 aerial photograph from DCAD website
- C. Dimensional reference map from DCAD website
- D. Zoning application (3 pages with page 3 on 11x17 paper)
- E. Public hearing notice to newspaper
- F. Public hearing notice to property owners within 200 feet
- G. List of Property Owners within 200 feet of subject parcel (3 pages of legal paper)
- H. Gilco Contracting, Inc. letter to P&Z Commission
- I. Approved construction plat for Highland Meadows Phase III with batch plant location marked

**AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS**

**ORDINANCE NO. 07-2018**

**AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE, AS AMENDED, BY CHANGING THE ZONING FROM "PD-R-5" PLANNED DEVELOPMENT - RESIDENTIAL-5 TO "PD- R-5-SUP" PLANNED DEVELOPMENT - RESIDENTIAL-5 WITH A SPECIAL USE PERMIT, WHICH SHALL EXPIRE ON SEPTEMBER 29, 2018, TO ALLOW FOR A TEMPORARY BATCH PLANT, ON LOTS 1 THROUGH 5, BLOCK E, OF THE HIGHLAND MEADOWS PHASE III SUBDIVISION LOCATED ON THE NORTH SIDE OF LASATER ROAD BETWEEN STARK ROAD AND SHANNON LOOP, IN THE CITY OF SEAGOVILLE, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR AN APPROVED SITE PLAN WHICH IS ATTACHED HERETO AND INCORPORATED HEREIN AS EXHIBIT "A"; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the Planning and Zoning Commission of the City of Seagoville and the City Council of the City of Seagoville, in compliance with the laws of the State of Texas with reference to the granting of zoning classifications and changes, have given the requisite notices by publication and otherwise, and have held due hearings and afforded a full and fair hearing to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof, and the City Council of the City of Seagoville is of the opinion and finds that a zoning change should be granted and that the Comprehensive Zoning Ordinance and Map should be amended; Now, Therefore,

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SEAGOVILLE, TEXAS:**

**SECTION 1.** That the Comprehensive Zoning Ordinance and Map of the City of Seagoville, Texas, as amended, be, and the same are amended by changing the zoning from "PD-R- 5" Planned Development - Residential-5 to "PD-R-5-SUP" Planned Development - Residential-5 with a Special Use Permit, which shall expire on September 29, 2018, to allow for a Temporary Batch Plant, on Lots 1 through 5, Block E, of the Highland Meadows Phase III Subdivision located on the north side of Lasater Road between Stark Road and

Shannon Loop, in the City of Seagoville, Texas.

**SECTION 2.** The property shall be developed and used in accordance with the development standards under the Seagoville Zoning Ordinance, ordinances of the City of Seagoville, and the following special conditions:

- (A) that the special use permit for the temporary batch plant shall be limited to the Highland Meadows, Phase III, Block E, Lots 1 through 5 only;
- (B) that the special use permit for the temporary batch plan shall expire on September 29, 2018;
- (C) that the hours of operation for the batch plant shall be from 7:00 am. to 6:00 p.m., Monday through Friday, and from 7:00 a.m. to 5:00 p.m. on Saturday;
- (D) deliveries shall only access the site via Interstate 20 and Lasater Road;
- (E) that the property shall be developed in accordance with the approved site plan, which is attached hereto as conditions to the use granted herein;
- (F) except as amended herein, the property shall be developed in accordance with the regulations included in Ordinance No. 14-15, Planned Development Residential 5.

**SECTION 3.** That the Site Plan attached hereto as Exhibit "A", and made a part hereof for all purposes, is hereby approved.

**SECTION 4.** That the above property shall be used only in the manner and for the purpose provided for by the Comprehensive Zoning Ordinance of the City of Seagoville, as heretofore amended, and as amended herein, and that the development of the property herein shall be in accordance with building regulations, zoning ordinances, and any applicable ordinances except as may be specifically altered or amended herein.

**SECTION 5.** That all provisions of the Ordinances of the City of Seagoville, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions not in conflict with the provisions of this ordinance shall remain in full force and effect.

**SECTION 6.** That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect

the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be unconstitutional, illegal or invalid, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

**SECTION 7.** Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance shall be fined not more than Two Thousand Dollars (\$2,000.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

**DULY PASSED** by the City Council of the City of Seagoville, Texas, on the 2<sup>nd</sup> day of April, 2018.

**APPROVED:**

\_\_\_\_\_  
**DENNIS K. CHILDRESS, MAYOR**

**ATTEST:**

\_\_\_\_\_  
**KANDI JACKSON, CITY SECRETARY**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**ALEXIS G. ALLEN, CITY ATTORNEY**

(/cdb)





COMMUNITY DEVELOPMENT  
702 NORTH HIGHWAY 175  
SEAGOVILLE, TX 75159  
PHONE: (972) 287-2050

STAFF REPORT  
Z2018-03

**DATE:** APRIL 2, 2018  
**AUTHOR:** JENNIFER BONNER, JUNIOR PLANNER  
**APPLICANT:** D.R. HORTON TEXAS, LTD.  
**PARCELS:** 650-570-710-10030000 & 650-570-710-10060000  
**LOCATION:** LOTS 1 THROUGH 5 BLOCK E OF PROPOSED HIGHLAND MEADOWS PHASE III

**REQUEST SUMMARY:**

The applicant has an approved construction plat for Highland Meadows Phase III. They also have approved construction plans for most of the related public infrastructure. Once the decision is made on this SUP, the applicant will know whether they will be able to have an on-site batch plant (where the green star with the green outline is located on the map to the right) or if they will need to haul concrete in by the truckload. If the SUP is approved, a pre-construction meeting can be held for the paving of streets and public sidewalks within the subdivision upon the completion of the installation of all public utilities.



**REQUEST LOCATION:** Inside City

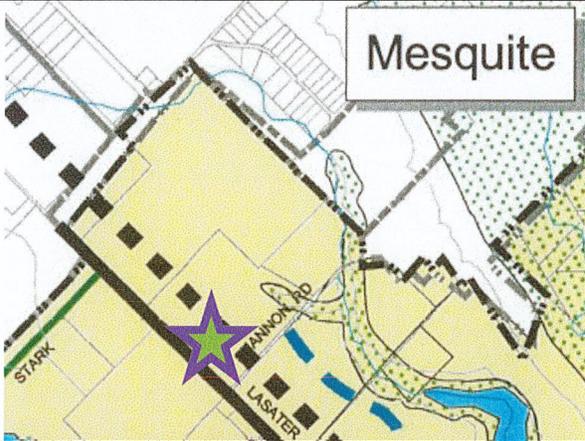
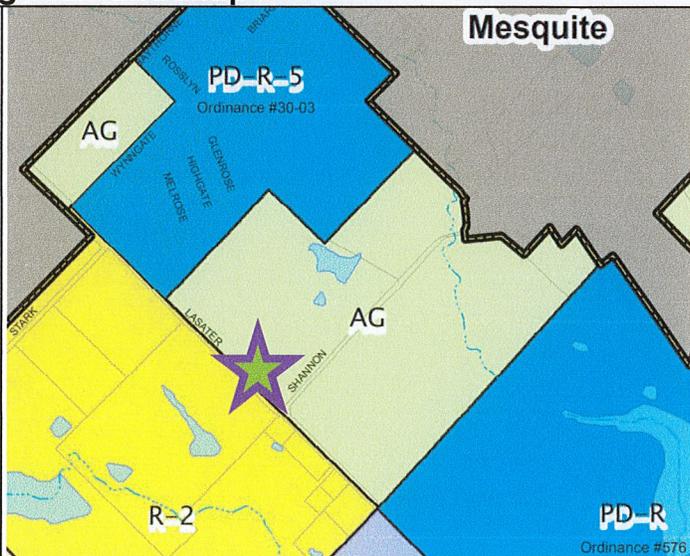
SIZE OF PROPERTY	EXISTING ZONING	SURROUNDING ZONING	EXISTING LAND USE	SURROUNDING LAND USE
0.779 acres in request; 73.9 acres for total subdivision	PD-R5, Planned Development with R-5 (Single Family Residential) base zoning	Northwest: PD-R5 Southwest: R-2, Single Family Residential Northeast: Out of City (Mesquite) Southeast: R-2, Single Family Residential	Low Density Residential	Northwest: Low Density Residential Southwest: Low Density Residential Northeast: Low Density Residential Southeast: Low Density Residential

**PLANNING AND ZONING COMMISSION RECOMMENDATION:**

The Commission voted 6 to 0 in favor of recommending the **APPROVAL** of the request to rezone 2517 and 7100 Shannon Loop (a/k/a Lots 1 through 5 Block E of Highland Meadows Phase III) from a Planned Development with a R-5 base zoning (PD-R5) to a Planned Development with a R-5 base zoning (PD-R5) with a Special Use Permit for a temporary concrete batch plant for exclusive use within the Highland Meadows Phase III residential subdivision **WITH THE CONDITIONS** of approval recommended by Staff. These conditions include:

- Deliveries must only access the site via Interstate 20 and Lasater Road.
- This Special Use Permit is only good for 180 days. There will be no time extensions. If additional time is needed, another SUP will need to be applied for and approved.
- Operational hours are limited to Monday through Friday from 7:00 AM to 6:00 PM and Saturdays from 7:00 AM to 5:00 PM.

Detailed explanations follow on the attached pages.	
<b>STANDARD:</b>	<b>STAFF ANALYSIS:</b>
Development Calendar (Deadlines)	Has Met
Application(s) Requirements	Has Met
Zoning Code	Has Met

<b>COMPARISON TO ADOPTED CITY MASTER PLANS</b>	
<b>STAFF ANALYSIS</b>	<b>PLAN GOALS OR GUIDELINES</b>
<b>2002 Future Land Use Plan and Map</b>	
<p>The request (green star outlined in purple) is located in a planned Low Density Residential (light yellow color) area in the map to the right. All white areas are outside the city limits of Seagoville. Areas outlined in black with blue-grey spots are with a FEMA-recognized floodplain area.</p>	<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Meets Standard</p> 
<b>2009 Master Thoroughfare Plan and Map</b>	
<p>The proposed site for this request (green star outlined in purple) will only have access to Lasater Road (labeled and shown in red on the map to the right). Shannon (labeled and shown in blue on the map) is immediately east of Highland Meadows. Insufficient road right-of-way has previously been dedicated for Lasater Road so additional right-of-way will be dedicated to the City during the final plat of the subdivision. The road will be constructed and paved once all utility improvements are complete.</p>	<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Does Not Meet Standard</p> 
<b>2009 Zoning Plan and Map</b>	
<p>The green star outlined in purple shows the planned location of the temporary concrete batch plant. Although the zoning map (dated 2009) to the right does not reflect the fact that the property is zoned PD-R5 to match the first two (2) phases of the Highland Meadows, its zoning was changed from AG, Agriculture to a planned development with R-5, Single Family Residential, base zoning (PD-R5) by Ordinance 14-15 in July 2015.</p>	<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Meets Standard</p> 

APRIL 2, 2018

Municipal Code §§25.02.633 provides criteria to be met for special use permits to be approved. Criteria very similar to the rest of those below are used in other cities when reviewing applications for special use permits and are listed these to help determine if this request should be approved. The Planning and Zoning Commission and/or the City Council may impose conditions on any special use permit request.

REVIEW CRITERIA	STAFF ANALYSIS	
1. Will the use conform to off-street parking and loading requirements?	N/A	As this Special Use Permit (SUP) is for a temporary use, it has no parking or loading requirements other than both activities must be contained within the boundary of the SUP site itself.
2. Has a site plan been submitted showing the layout of the proposed development/use?	No	A plan has been submitted for where the batch plant will be located, but nothing has been provided that shows how the area of the use itself will be laid out.
3. Are all of the ingress and egress ways adequate?	Yes	Since ingress and egress will be via existing or proposed public streets, these criteria will be met.
4. Are the size and shape of the site as well as the arrangement of the proposed structure(s) in keeping with the intent of the Code?	Yes	The application is for the smallest area needed (about 0.8 acres) of the total subdivision's site (73.9 acres) for the plat to operate. There will be no structures for the batch plant that will remain on-site after all paving has been completed.
5. Will granting the permit be authorizing less than the minimum requirements in regards to height, area, setbacks, parking, or landscaping?	N/A	These items have code-defined minimums for permanent installations. This Special Use Permit is for a limited time (temporary for about 180 days) so is not controlled by these code sections.
6. Are there any outside lighting or screening controls that needs to be installed?	N/A	No information has been provided to address these possible concerns. Staff recommends that all lighting be pointed into the subdivision (not along Lasater). Due to the large distance between the site and the closest residential uses, Staff is recommending that screening of the batch plant only be required for controlling/containing dust and other air-borne erosion-related items.
7. Will the proposed landscaping and screening be compliant with all City regulations?	N/A	These requirements are usually for permanent installations and this operation will be temporary in nature.
8. Are there any special setbacks that are needed between this use and adjoining properties?	No	The two (2) closest residential uses from the batch plant will be over 800-feet away to the west along Lasater Road and over 1100-feet away to the east along Lasater Road. All other nearby properties are either vacant (undeveloped) or have an agriculture-related use.
9. What type of surfacing will be applied to parking areas and drives?	N/A	The batch plant area will not receive any paving for its parking areas. The drives used to access the plant site are part of those to be paved with the subdivision improvements. These include the street that will front the 5 lots once the plant is removed, the internal streets on either end of the block where the lots are located; and Lasater Road (to be widened from the current 2-lane road to a 4-lane road along the "back" of the lots where the plant will be).

**STAFF REPORT  
Z2018-03**

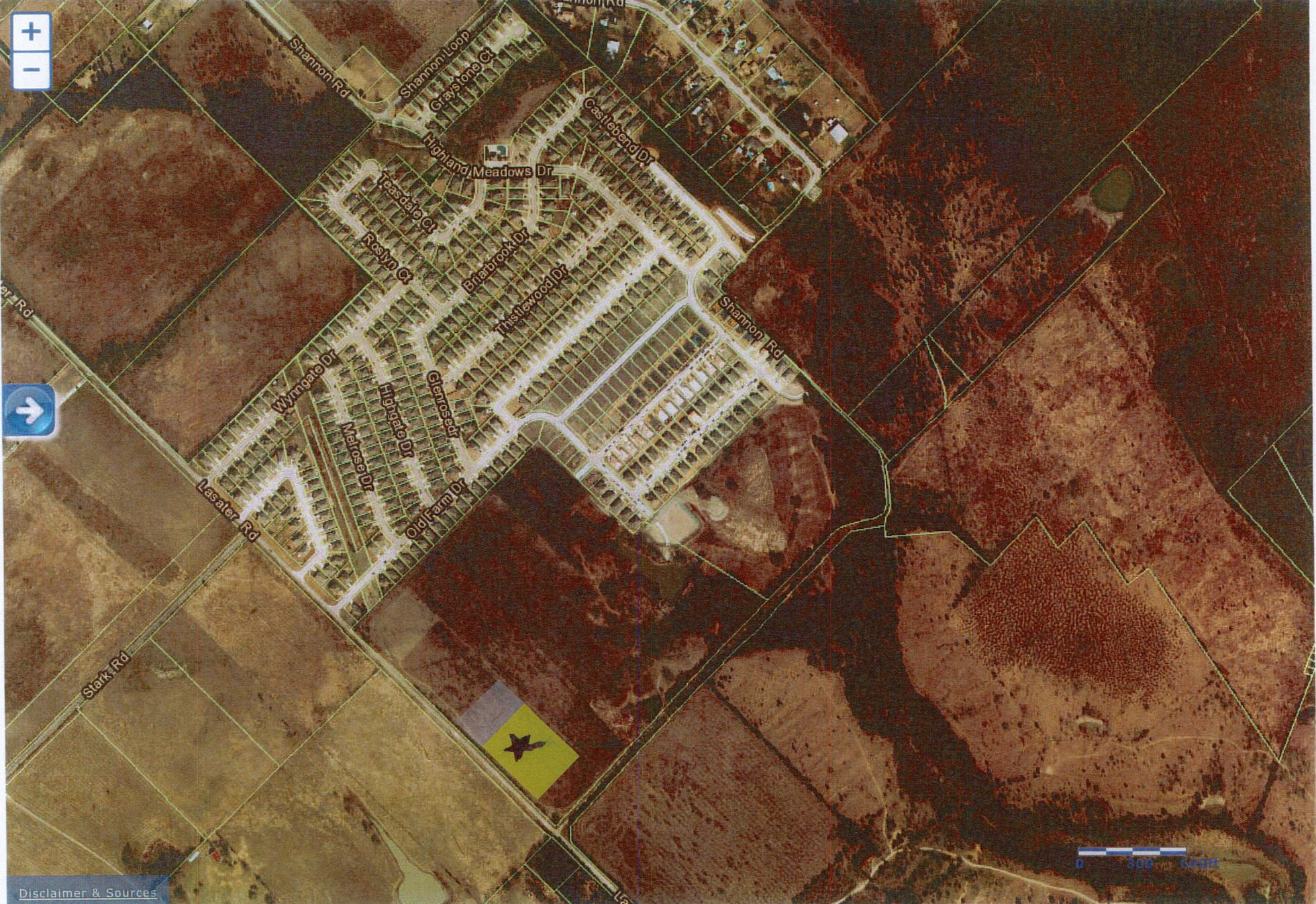
Municipal Code §§25.02.633 provides criteria to be met for special use permits to be approved. Criteria very similar to the rest of those below are used in other cities when reviewing applications for special use permits and are listed these to help determine if this request should be approved. The Planning and Zoning Commission and/or the City Council may impose conditions on any special use permit request.

REVIEW CRITERIA	STAFF ANALYSIS	
10. Will curbs and drainage structures be installed as part of the project?	Yes	The batch plant will be used for the paving of all public concrete areas – streets, sidewalks, handicap ramps, curbs-and-gutters, etc. The plant will also mix any concrete for streetlight piers; blocking for water lines; cast-in-place manholes, headwalls, curb inlets, junction boxes, scour control pads, outlet control structures, flumes, etc. shown in the plans for the storm sewer system.
11. Will granting the permit be authorizing any use that is not allowed or that defies the intent of the district it will be located in?	No	The Special Use Permit portion of the code allows temporary concrete batch plants in all zoning districts.
12. Will the use be designated, located, and operated so that the public health, safety, and welfare will be protected?	Yes	The batch plant will be located in the middle of three (3) of the new internal streets for Highland Meadows Phase III as well as Lasater Road – the road that Staff is requiring as the truck route for all deliveries.
13. Will the land use be compatible with other area properties located nearby?	Yes	Once all streets are paved and other concrete has been placed, the batch plant will be removed and the area converted into five (5) residential building lots.
14. Will the use conform to all provisions in the Code for the district in which the use is to be located?	N/A	The Special Use Permit portion of the code allows <u>temporary</u> concrete batch plants in all zoning districts. Permanent asphalt and concrete plants are only allowed in the Heavy Manufacturing zoning district.
15. Will the use facilitate public convenience at that location?	Yes	Lasater Road is an existing road that will be widened and improved as part of the subdivision’s infrastructure installation and/or creation during the current phase of the project.
16. Have safeguards limiting noxious or offensive emissions, including light, noise, glare, dust, and odor been addressed?	Yes	These items will be controlled through a state permit with the Texas Commission on Environmental Quality as well as city code enforcement.
17. Will the signage conform to those portions of the Municipal Code?	N/A	There will be limited signage on-site for directing deliveries as the plant will be located only during the construction and installation of to-be-dedicated public infrastructure.
18. Will the open space be maintained by the owner/developer?	N/A	Open spaces connected to the subdivision are not part of this Special Use Permit application.

**Public Comments Received:** No property owners have responded verbally (by phone) or in writing (copies attached) with comments on the request. One (1) neighbor spoke at the Commission meeting, although there were several others in attendance that did not speak. This neighbor was not against the batch plant but the way subcontractors are blocking traffic and/or accessing the site through the existing neighborhood. Any additional public comment responses received by Staff after the emailing of the packet to the City Council will have copies provided to the Council members at their meeting on April 2, 2018.



DCAD Property Map



Disclaimer & Sources



# DCAD Property Map



Disclaimer & Sources



Exhibit D  
RECEIVED

FEB 16, 2018 9:18



# ZONING APPLICATION

City of Seagoville, Texas

ANTICIPATED MEETING DATES: P&Z: 3/27/18 City Council: 4/2/18  
DATE OF PRE-APPLICATION CONFERENCE WITH CITY REPS & PLANNER (required): \_\_\_\_\_

**Application Type:**

- Initial Zoning (newly annexed or Agricultural property)
- Rezoning (property currently zoned)
- Planned Development (PD) – see Zoning Ordinance for special requirements and procedures
- Specific Use Permit (SUP) – see Zoning Ordinance for special requirements and procedures

Name of Subdivision or Project: Highland Meadows, Phase III  
 Physical Location of Property: Lasater Road & Stockton Drive  
[General Location – approximate distance to nearest existing street corner]  
 Brief Legal Description of Property (must also attach accurate Surveyor's metes and bounds description):  
J.A. Halford Survey Abstract 570  
[Survey/Abstract No. and Tracts; or platted Subdivision Name with Lots/Block]  
 Acreage: 0.8 Existing Zoning: SF Requested Zoning: Temporary Concrete Batch Plant  
[Attach a detailed description of requested zoning & development standards, if a PD]

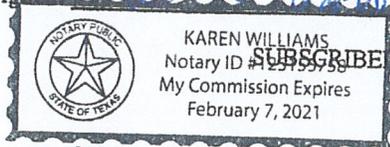
Applicant / Owner's Name: D.R. Horton, Ltd Applicant or Owner? (circle one)  
 Contact Person: Damon Ainsworth Title: Land Development Manager  
 Company Name: D.R. Horton, Ltd  
 Street/Mailing Address: 4306 Miller Road City: Rowlett State: TX Zip: 75088  
 Phone: (214) 607-4244 Fax: ( ) Email Address: dainsworth@drhorton.com

Engineer / Representative's Name: Corwin Engineering, Inc.  
 Contact Person: Warren Corwin Title: President  
 Company Name: Corwin Engineering, Inc.  
 Street/Mailing Address: 200 W. Belmont Dr., Suite E City: Allen State: TX Zip: 75013  
 Phone: (972) 396-1200 Fax: (972) 396-4987 Email Address: wcorwin@corwinengineering.com

**SUBMITTAL DEADLINE: 30 DAYS PRIOR TO P&Z PUBLIC HEARING DATE.** (All zoning applications must be advertised in the newspaper, and notices must be mailed to all property owners within 200 feet of the subject property. Please contact City staff in advance for submittal deadlines.)  
**All applications must be COMPLETE before they will be scheduled for P&Z agenda.** It is the applicant's responsibility to be familiar with, and to comply with, all City submittal requirements (in the Zoning & Subdivision Ordinances, and any separate submittal policies, requirements and/or checklists that may be obtained from City staff), including the number of plans to be submitted, application fees, etc. Please contact City staff in advance for submittal requirements.  
**All application materials (one copy) must be delivered to the City's Planner.** The name, address, phone number, etc. of the City's Planner can be obtained from City staff. Failure to submit all materials to the City's Planner may result in delays scheduling the zoning application for a P&Z agenda.  
**Notice of Public Records.** The submission of plans/drawings with this application makes such items public record, and the applicant understands that these items may be viewed by the general public. Unless the applicant expressly states otherwise in writing, submission of this application (with associated plans/drawings) will be considered consent by the applicant that the general public may view and/or reproduce (i.e., copy) such documents.

I hereby certify that I am the Owner, or the duly authorized agent of the Owner (proof of authorization attached), for the purposes of this application, and that all information submitted herein is complete, true and correct to the best of my knowledge. I understand that submitting this application does not constitute approval, and incomplete applications will result in delays and possible denial.

Signed: [Signature] Title: Asst Date: 2-15-18



AND SWORN TO before me, this the 15 day of February, 2018  
[Month] [Year]  
 Notary Public in and for the State of Texas: Karen Williams  
 My Commission Expires On: 2/7/21

Office Use Only: Date Rec'd: 2/16/18 Fees Paid: \$ 250 Check #: 17324 Receipt #: \_\_\_\_\_  
 Zoning Case # 22018-03 Accepted By: [Signature] Official Submittal Date: 2/16/18

CORWIN ENGINEERING, INC.

17324

02/16/2018

City of Seagoville

SUP Application Fee for Highland Meadows, Phase III

250.00

RECEIVED

FEB 16, 2018

8%  
LF

SUP Application Fee for Highland Meadows, Ph. III

250.00

City of Seagoville  
This is Your Receipt

02/16/2018 10:26:52 sruiz

Receipt Number: 506418 10.10.10.110

Subsys: 0192500000 250.00 N

ZONING AND PLAT FEES

Payee: Zoning and Plat

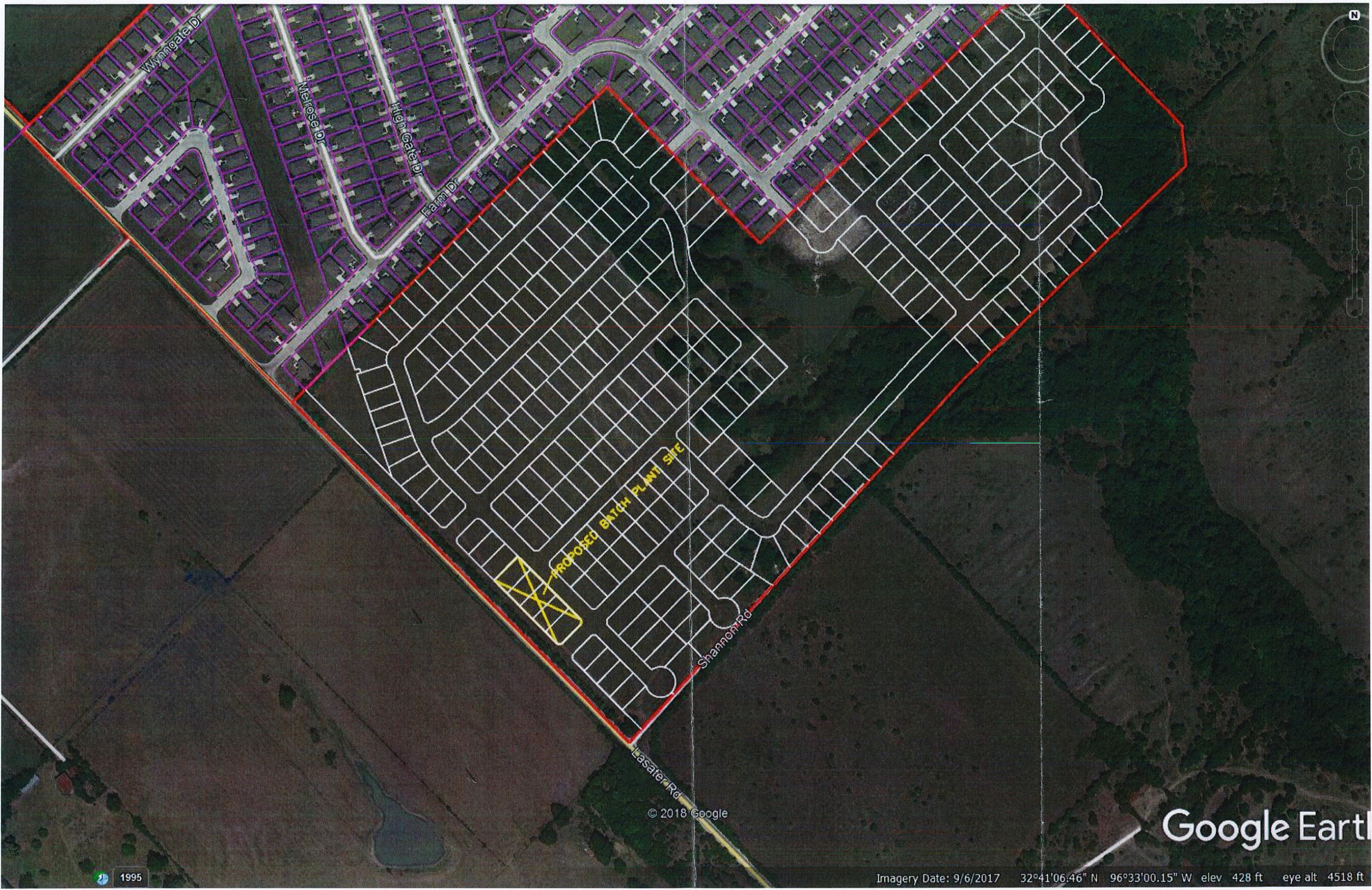
Payee: Lasater and Starks  
High Meadow Concrete

Total: 250.00  
Check 250.00

Tender Reference: 17324

Change Due: .00

Thank You



PROPOSED BATCH PLANT SITE

Wynngate Dr

Melrose Dr

Highgate Dr

Farm Dr

Shannon Rd

Lasater Rd

© 2018 Google

Google Earth

1995

Imagery Date: 9/6/2017 32°41'06.46" N 96°33'00.15" W elev 428 ft eye alt 4518 ft



COMMUNITY DEVELOPMENT  
702 NORTH HIGHWAY 175  
SEAGOVILLE, TX 75159  
PHONE: (972) 287-2050

March 2, 2018

via email: [notices@dailycommercialrecord.com](mailto:notices@dailycommercialrecord.com)

Daily Commercial Record  
706 Main Street  
Dallas, Texas 75202

Please publish the legal notice below in the March 6, 2018 issue of your newspaper. Please send the affidavit of publication to the ATTN: Jennifer Bonner at the address above. If you need to contact Jennifer, her office direct number is (972) 287-6833 and her email is [jbonner@seagoville.us](mailto:jbonner@seagoville.us) Jennifer's normal office hours are Monday through Friday from 8:00 AM to 5:00 PM.



**NOTICE OF PUBLIC HEARINGS  
SEAGOVILLE PLANNING & ZONING COMMISSION AND CITY COUNCIL  
ZONING CASE Z2018-03**

A public hearing will be held by the Seagoville Planning and Zoning Commission on Tuesday, March 27, 2018, at 6:30 PM in the City Council Chambers in City Hall at 702 North U.S. Highway 175; Seagoville, TX 75159 to consider a request from D.R. Horton to amend the existing planned development zoning of PD-R5 (Planned Development with R-5, Residential Single Family, base zoning) with a Special Use Permit to allow a Temporary Concrete Batch Plant on 0.779- acres on the north side of Lasater Road between Stark Road and Shannon Loop in the Highland Meadows Phase III planned development.

A public hearing will also be held by the Seagoville City Council on Monday, April 2, 2018, at 6:30 PM in the City Council Chambers in City Hall at 702 North U.S. Highway 175; Seagoville, TX 75159 to consider the recommendation from the Planning and Zoning Commission on this request.

All individuals may appear at the public hearings to state their opinions or may send a written notice prior to 4:30 PM on the day of each public hearing to Jr. Planner Jennifer Bonner at 702 North U.S. Highway 175; Seagoville, TX 75159.

**CITY OF SEAGOVILLE**

Kandi Jackson  
City Secretary

Jennifer Bonner  
Jr. Planner



March 12, 2018

COMMUNITY DEVELOPMENT  
702 NORTH HIGHWAY 175  
SEAGOVILLE, TX 75159  
PHONE: (972) 287-2050

**NOTICE OF PUBLIC HEARINGS  
SEAGOVILLE PLANNING & ZONING COMMISSION AND CITY COUNCIL  
ZONING CASE Z2018-03**

A public hearing will be held by the Seagoville Planning and Zoning Commission on Tuesday, March 27, 2018, at 6:30 PM in the City Council Chambers in City Hall at 702 North U.S. Highway 175; Seagoville, TX 75159 to consider a request from D.R. Horton to amend the existing planned development zoning of PD-R5 (Planned Development with R-5, Residential Single Family, base zoning) with a Special Use Permit to allow a Temporary Concrete Batch Plant on 0.779- acres on the north side of Lasater Road between Stark Road and Shannon Loop in the Highland Meadows Phase III planned development.

A public hearing will also be held by the Seagoville City Council on Monday, April 2, 2018, at 6:30 PM in the City Council Chambers in City Hall at 702 North U.S. Highway 175; Seagoville, TX 75159 to consider the recommendation from the Planning and Zoning Commission on this request.

All individuals may appear at the public hearings to state their opinions or may send a written notice prior to 4:30 PM on the day of each public hearing to Jr. Planner Jennifer Bonner at 702 North U.S. Highway 175; Seagoville, TX 75159.

As an adjoining property owner, this is the first of 3 opportunities to voice your opinion about this project for the record. The second and third opportunities will be at each of the public hearings listed above.

*Please indicate your opinion in this matter by checking the appropriate box below.  
Please provide any additional comments that you might have in the provided space.  
Please also sign and complete the name and address portion below.*

I am      in favor of       against       Zoning Request Z2018-03 as it is described herein.

Additional Comments (attach additional sheets as necessary): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature(s): \_\_\_\_\_

Printed Name(s): \_\_\_\_\_

Address: \_\_\_\_\_; Seagoville, TX 75159

Phone Number: \_\_\_\_\_

MARCH 12, 2018  
1

Exhibit G

**Property Owners List for Highland Meadows SUP on Lasater Road  
ZONING REQUEST Z2018-03 by D. R. Horton Texas, LTD.**

Mailed out a total of 91 certified letters on Wednesday, March 13, 2018, before 12 noon

Subject or adjoiner?	Site Address	owner	DCAD acc't	Mailing Address 1	Address 2	City	State	Zip
Subject	2517 Shannon Loop	D. R. Horton Texas LTD	65057071010030000	4306 Miller Road		Rowlett	TX	75088-8035
Subject	7100 Shannon Loop	D. R. Horton Texas LTD	65057071010060000	4306 Miller Road		Rowlett	TX	75088-8035
Adjoiner	7200 Shannon Loop	Brooksie C. Rorie	65015013010010100	814 Faith Trail		Heath	TX	75032-5967
Adjoiner	2 Shannon Loop	James L. Rabe	65015013010020000	814 Faith Trail		Heath	TX	75032-5967
Adjoiner	1401 IH 20	Flurd Corporation	65056870010030400	c/o Spencer W. Alpert	701 5th Avenue; Suite 7100	Seattle	WA	98104-7044
Adjoiner	7500 Shannon Loop	Hongxin Zhang	65080570510030000	2901 Masters Circle		Plano	TX	75093-3405
Adjoiner	1450 Lasater Road	Louis A. Elliott Et Al	65054142510130000	315 Crestview Street		Red Oak	TX	75154-6401
Adjoiner	1500 Lasater Road	Doris Jean Jones	65054142010120000	c/o Richard T. Jones	1103 Mere Drive	Pinehurst	TX	77362-2543
Adjoiner	900 Stark Road	Doris Jean Jones	65054142010110000	c/o Richard T. Jones	1103 Mere Drive	Pinehurst	TX	77362-2543
Adjoiner	Street ROW	City of Seagoville		702 North Highway 175		Seagoville	TX	75159-1774
Adjoiner	2502 Old Farm Drive	Marta E. & Damian M. Rodriguez	500195300J0010000	2502 Old Farm Drive		Seagoville	TX	75159-5460
Adjoiner	2 Old Farm Drive	H.O.A. of Highland Meadows Inc.	500195300J0020000	c/o Margie Maxell	2500 Legacy Drive; Suite 220	Frisco	TX	75034-1848
Adjoiner	2504 Old Farm Drive	Mary A. Lopez-Verver & Trinidad Delgado	500195300J0030000	2504 Old Farm Drive		Seagoville	TX	75159-5460
Adjoiner	2506 Old Farm Drive	Edna G. & David J. Molina	500195300J0040000	2506 Old Farm Drive		Seagoville	TX	75159-5460
Adjoiner	2508 Old Farm Drive	Sharon D. Taylor	500195300J0050000	2508 Old Farm Drive		Seagoville	TX	75159-5460
Adjoiner	2510 Old Farm Drive	Robert A. Jackson	500195300J0060000	2510 Old Farm Drive		Seagoville	TX	75159-5460
Adjoiner	2512 Old Farm Drive	Latasha M. Eaglin	500195300J0070000	2512 Old Farm Drive		Seagoville	TX	75159-5460
Adjoiner	2514 Old Farm Drive	Michael A. Green	500195300J0080000	2514 Old Farm Drive		Seagoville	TX	75159-5460
Adjoiner	2516 Old Farm Drive	Joanna Walker	500195300J0090000	2516 Old Farm Drive		Seagoville	TX	75159-5460
Adjoiner	2518 Old Farm Drive	Olivia Jules & Jose Moreno	500195300J0100000	2518 Old Farm Drive		Seagoville	TX	75159-5460
Adjoiner	2520 Old Farm Drive	Marciela Medellin	500195300J0110000	2520 Old Farm Drive		Seagoville	TX	75159-5460
Adjoiner	2602 Old Farm Drive	Elida & Ernesto Hernandez Jr.	500195300J0120000	2602 Old Farm Drive		Seagoville	TX	75159-5461
Adjoiner	2604 Old Farm Drive	Amy M. Gober & Jason K. Starr	500195300J0130000	2604 Old Farm Drive		Seagoville	TX	75159-5461
Adjoiner	2606 Old Farm Drive	Elaine Gonsalves & Jay D. Bowen	500195300J0140000	2606 Old Farm Drive		Seagoville	TX	75159-5461
Adjoiner	2608 Old Farm Drive	Moila Fearon	500195300J0150000	2608 Old Farm Drive		Seagoville	TX	75159-5461
Adjoiner	2610 Old Farm Drive	Starla D. Taylor	500195300J0160000	2610 Old Farm Drive		Seagoville	TX	75159-5461
Adjoiner	Street ROW	City of Seagoville		702 North Highway 175		Seagoville	TX	75159-1774
Adjoiner	2612 Old Farm Drive	Eli Chisley III	500195300J0170000	2612 Old Farm Drive		Seagoville	TX	75159-5461
Adjoiner	2702 Old Farm Drive	Jose M. Gomez Castaneda & Manuel Gomez	500195300J0180000	2702 Old Farm Drive		Seagoville	TX	75159-4016
Adjoiner	2704 Old Farm Drive	Milton David Barton Jr.	500195300J0190000	2704 Old Farm Drive		Seagoville	TX	75159-4016
Adjoiner	2706 Old Farm Drive	Albert Deleon	500195300J0200000	2706 Old Farm Drive		Seagoville	TX	75159-4016
Adjoiner	2708 Old Farm Drive	Norman McClendon Jr.	500195300J0210000	2708 Old Farm Drive		Seagoville	TX	75159-4016
Adjoiner	Street ROW	City of Seagoville		702 North Highway 175		Seagoville	TX	75159-1774

**Property Owners List for Highland Meadows SUP on Lasater Road  
ZONING REQUEST Z2018-03 by D. R. Horton Texas, LTD.**

Mailed out a total of 91 certified letters on Wednesday, March 13, 2018, before 12 noon

Subject or adjoiner?	Site Address	owner	DCAD acc't	Mailing Address 1	Address 2	City	State	Zip
Adjoiner	2710 Old Farm Drive	Jose G. Mata	500195400Q0050000	2710 Old Farm Drive		Seagoville	TX	75159-4016
Adjoiner	2901 Old Farm Drive	Porscha Jackson	500195400Q0040000	2901 Old Farm Drive		Seagoville	TX	75159-4017
Adjoiner	2903 Old Farm Drive	Jaime Morales & Sanjuanita N. Hernandez Castillo	500195400Q0030000	2903 Old Farm Drive		Seagoville	TX	75159-4017
Adjoiner	2905 Old Farm Drive	Regina L. & Terrence Webb Jr.	500195400Q0020000	2905 Old Farm Drive		Seagoville	TX	75159-4017
Adjoiner	2907 Old Farm Drive	John Martinez	500195400Q0010000	2907 Old Farm Drive		Seagoville	TX	75159-4017
Adjoiner	2501 Old Farm Drive	Lorena Gutierrez	500195300H0290000	2501 Old Farm Drive		Seagoville	TX	75159-5462
Adjoiner	2503 Old Farm Drive	Cesar Valdelamar	500195300H0280000	2503 Old Farm Drive		Seagoville	TX	75159-5462
Adjoiner	27 Old Farm Drive	H.O.A. of Highland Meadows Inc.	500195300H0270000	27 Old Farm Drive		Seagoville	TX	75159-5462
Adjoiner	2505 Old Farm Drive	Christopher Lambeth & Kimberly Deavila	500195300H0260000	2505 Old Farm Drive		Seagoville	TX	75159-5462
Adjoiner	2507 Old Farm Drive	Judy Lovelady	500195300H0250000	2507 Old Farm Drive		Seagoville	TX	75159-5462
Adjoiner	3000 Melrose Drive	Christopher Fuentes	500195200G0170000	3000 Melrose Drive		Seagoville	TX	75159-5464
Adjoiner	3001 Highgate Drive	Tubonemi & Patience Dikibo	500195200G0160000	3001 Highgate Drive		Seagoville	TX	75159-5464
Adjoiner	3002 Highgate Drive	Brandon B. Quach	500195200F0240000	3002 Highgate Drive		Seagoville	TX	75159-1074
Adjoiner	3001 Glenrose Drive	Shranda Nicole Pierson	500195200F0230000	3001 Glenrose Drive		Seagoville	TX	75159-1432
Adjoiner	2701 Old Farm Drive	Heather M. & Karl J. Boss Jr.	500195300E0260000	2701 Old Farm Drive		Seagoville	TX	75159-5466
Adjoiner	2703 Old Farm Drive	Saul Villegas Espino & Denisse G. Garza	500195300E0270000	2703 Old Farm Drive		Seagoville	TX	75159-5466
Adjoiner	2705 Old Farm Drive	Claudia Erika Martinez	500195300E0280000	2705 Old Farm Drive		Seagoville	TX	75159-5466
Adjoiner	2707 Old Farm Drive	Maria & Rafael P. Macias	500195300E0290000	2707 Old Farm Drive		Seagoville	TX	75159-5466
Adjoiner	Street ROW	City of Seagoville		702 North Highway 175		Seagoville	TX	75159-1774
Adjoiner	2909 Old Farm Drive	Anthony & Mary Diane Priftis	500195400P0010000	2909 Old Farm Drive		Seagoville	TX	75159-4017
Adjoiner	2911 Old Farm Drive	Jose E. Gomezruiz	500195400P0020000	2911 Old Farm Drive		Seagoville	TX	75159-4017
Adjoiner	2913 Old Farm Drive	Rodney & Jennifer Gonzales	500195400P0030000	2913 Old Farm Drive		Seagoville	TX	75159-4017
Adjoiner	2915 Old Farm Drive	Angelica & Ivan Romero Oviedo	500195400P0040000	2915 Old Farm Drive		Seagoville	TX	75159-4017
Adjoiner	2917 Old Farm Drive	Tinashe Chisenwa	500195400P0050000	2917 Old Farm Drive		Seagoville	TX	75159-4017
Adjoiner	2919 Old Farm Drive	Gary Sheffield	500195400P0060000	2919 Old Farm Drive		Seagoville	TX	75159-4017
Adjoiner	2802 Aberdeen Drive	Stephania Brown	500195300K0010000	2802 Aberdeen Drive		Seagoville	TX	75159-5467
Adjoiner	2804 Aberdeen Drive	Dwight Styles Jr.	500195300K0020000	2804 Aberdeen Drive		Seagoville	TX	75159-5467
Adjoiner	Street ROW	City of Seagoville		702 North Highway 175		Seagoville	TX	75159-1774
Adjoiner	2801 Englenook Drive	Darryl Q. Morant Sr.	500195400K0350000	2801 Englenook Drive		Seagoville	TX	75159-4010
Adjoiner	2802 Englenook Drive	Roman de Leon Hidalgo & Basulto Dayneri B. Garcia	500195400M0010000	2802 Englenook Drive		Seagoville	TX	75159-4014
Adjoiner	2801 Balleywood Drive	Alonso Orozco Varela	500195400M0300000	2801 Balleywood Drive		Seagoville	TX	75159-4020
Adjoiner	2802 Balleywood Drive	Christina M. & William P. Rowe	500195400N0010000	2802 Balleywood Drive		Seagoville	TX	75159-4022
Adjoiner	2801 Lismore Drive	Andy L. Hughes-Mendoza	500195400N0300000	2801 Lismore Drive		Seagoville	TX	75159-4030
Adjoiner	2803 Lismore Drive	Juan P. & Martha I. Lemus	500195400N0290000	2803 Lismore Drive		Seagoville	TX	75159-4030

**Property Owners List for Highland Meadows SUP on Lasater Road  
ZONING REQUEST Z2018-03 by D. R. Horton Texas, LTD.**

Mailed out a total of 91 certified letters on Wednesday, March 13, 2018, before 12 noon

Subject or adjoiner?	Site Address	owner	DCAD acc't	Mailing Address 1	Address 2	City	State	Zip
Adjoiner	2805 Lismore Drive	Catina M. Jones & M. Taylor Lionel	500195400N0280000	2805 Lismore Drive		Seagoville	TX	75159-4030
Adjoiner	2807 Lismore Drive	Kenneth Lee Ballard Jr.	500195400N0270000	2807 Lismore Drive		Seagoville	TX	75159-4030
Adjoiner	2809 Lismore Drive	Audre Peel & Constance L. Rosemond	500195400N0260000	2809 Lismore Drive		Seagoville	TX	75159-4030
Adjoiner	2811 Lismore Drive	Walter L. Higgins Jr.	500195400N0250000	2811 Lismore Drive		Seagoville	TX	75159-4030
Adjoiner	2901 Lismore Drive	Lisa J. Hale	500195400N0240000	2901 Lismore Drive		Seagoville	TX	75159-4028
Adjoiner	2903 Lismore Drive	Karina Mendez	500195400N0230000	2903 Lismore Drive		Seagoville	TX	75159-4028
Adjoiner	2905 Lismore Drive	Joseph McFann	500195400N0220000	2905 Lismore Drive		Seagoville	TX	75159-4028
Adjoiner	2907 Lismore Drive	Jose A. Flores Martinez & Teresa Murcia	500195400N0210000	2907 Lismore Drive		Seagoville	TX	75159-4028
Adjoiner	2909 Lismore Drive	Jimmy L. Lewis Jr. & Javoszia L. Sterling	500195400N0200000	2909 Lismore Drive		Seagoville	TX	75159-4028
Adjoiner	2911 Lismore Drive	Alyssa West & Traveon Goldman	500195400N0190000	2911 Lismore Drive		Seagoville	TX	75159-4028
Adjoiner	2913 Lismore Drive	Dillon J. Chavez & Jimenez Guadalupe	500195400N0180000	2913 Lismore Drive		Seagoville	TX	75159-4028
Adjoiner	2915 Lismore Drive	Keyondra R. Gent	500195400N0170000	2915 Lismore Drive		Seagoville	TX	75159-4028
Adjoiner	2917 Lismore Drive	Gilbert R. Rios Jr. & Anna B. Camacho-Rios	500195400N0160000	2917 Lismore Drive		Seagoville	TX	75159-4028
Adjoiner	2802 Lismore Drive	Mayra Ornelas	500195400O0150000	2802 Lismore Drive		Seagoville	TX	75159-4031
Adjoiner	2804 Lismore Drive	Leandro R. Torres	500195400O0140000	2804 Lismore Drive		Seagoville	TX	75159-4031
Adjoiner	2806 Lismore Drive	Ronica G. Jackson	500195400O0130000	2806 Lismore Drive		Seagoville	TX	75159-4031
Adjoiner	2808 Lismore Drive	Tammie J. Reneau & Stephen T. Reneau	500195400O0120000	2808 Lismore Drive		Seagoville	TX	75159-4031
Adjoiner	2810 Lismore Drive	Ena J. Martinez Jaimes	500195400O0110000	2810 Lismore Drive		Seagoville	TX	75159-4031
Adjoiner	2812 Lismore Drive	Markeith & Denise Austin	500195400O0100000	2812 Lismore Drive		Seagoville	TX	75159-4031
Adjoiner	2902 Lismore Drive	Rezaul K. Syed	500195400O0090000	2902 Lismore Drive		Seagoville	TX	75159-4029
Adjoiner	2904 Lismore Drive	Adan & Patricia Botello	500195400O0080000	2904 Lismore Drive		Seagoville	TX	75159-4029
Adjoiner	2906 Lismore Drive	James Collier	500195400O0070000	2906 Lismore Drive		Seagoville	TX	75159-4029
Adjoiner	2908 Lismore Drive	Eddy Esquivel & Claudia Martinez	500195400O0060000	2908 Lismore Drive		Seagoville	TX	75159-4029
Adjoiner	2910 Lismore Drive	Raymond Simmons	500195400O0050000	2910 Lismore Drive		Seagoville	TX	75159-4029
Adjoiner	2912 Lismore Drive	Jeffrey S. & Nini P. Ihori	500195400O0040000	2912 Lismore Drive		Seagoville	TX	75159-4029
Adjoiner	2914 Lismore Drive	Pamishia Cook	500195400O0030000	2914 Lismore Drive		Seagoville	TX	75159-4029
Adjoiner	2916 Lismore Drive	Bryant K. & Betty M. Bertrand	500195400O0020000	2916 Lismore Drive		Seagoville	TX	75159-4029
Adjoiner	2918 Lismore Drive	Jose J. Arellano Esquivel	500195400O0010000	2918 Lismore Drive		Seagoville	TX	75159-4029
Adjoiner	Street ROW	City of Seagoville		702 North Highway 175		Seagoville	TX	75159-1774
Adjoiner	2914 St. Andrews Drive	Saul Garza	500195400L0110000	2914 St. Andrews Drive		Seagoville	TX	75159-4027
Adjoiner	2916 St. Andrews Drive	Taneshia Noel	500195400L0120000	2916 St. Andrews Drive		Seagoville	TX	75159-4027
Adjoiner	2918 St. Andrews Drive	Cody A. Simmons	500195400L0130000	2918 St. Andrews Drive		Seagoville	TX	75159-4027
Adjoiner	2920 St. Andrews Drive	Francisco J. Mares & Flor C. Palacio	500195400L0140000	2920 St. Andrews Drive		Seagoville	TX	75159-4027



February 6, 2018

City of Seagoville  
Attn: Ms. Jennifer Bonner  
702 N. Highway 175  
Seagoville, TX. 75159

Re: Temporary Concrete Batch Plant  
Highland Meadows Phase 3

Ms. Bonner,

Gilco would like to set up a Temporary Concrete Batch Plant to produce concrete pavement for the improvements of Highland Meadows Phase 3 project in the City of Seagoville. The ideal location for the plant, to prevent tracking and maintain accessibility, is on Block E, lots 1-5. The total acreage of these lots is roughly 32,000sf or approximately .75 of 1 acre. With City approval, hours of operation are Monday through Friday 7AM to 6PM, and Saturday 7AM to 5PM. The plant will be used to produce concrete exclusively for the Highland Meadows project. Please let me know if you need any additional information.

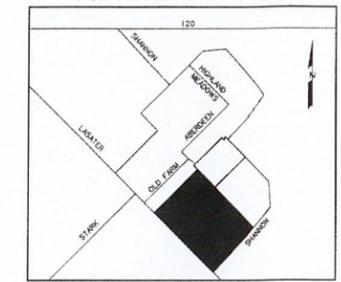
Sincerely,

A handwritten signature in blue ink, appearing to read "Leia McQuien", with a long horizontal flourish extending to the right.

Leia McQuien  
Operations Director  
(817) 521-1288

6331 Southwest Blvd.  
Benbrook, Texas 76132  
Office: 817.735.1600  
Fax: 817.735.1613

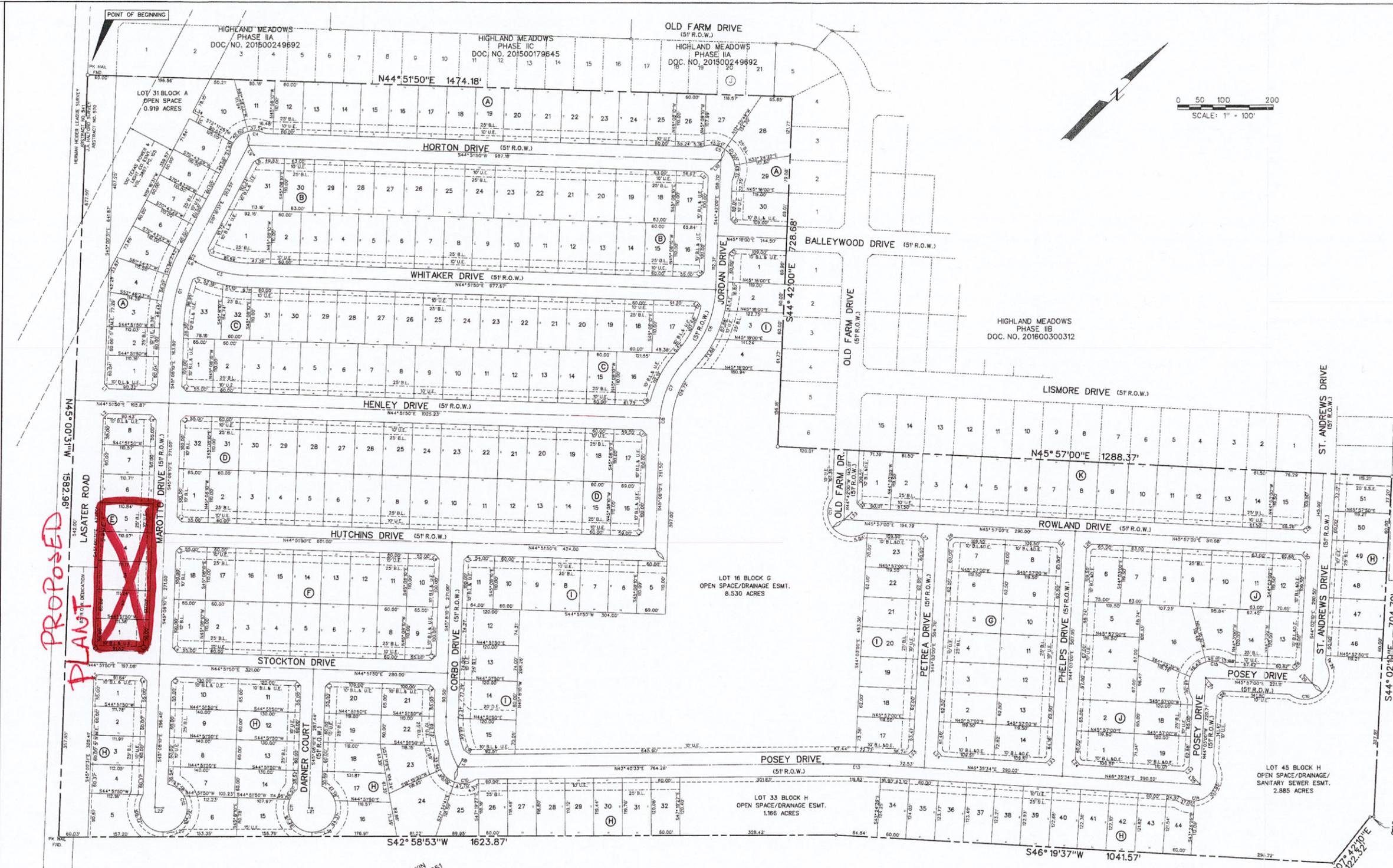
Exhibit I



LOCATION MAP  
N.T.S.

LINE TABLE

LINE NO.	BEARING	DISTANCE
1.	N 89°55'40" E	14.13'
2.	S 00°04'20" E	14.16'
3.	N 00°08'10" W	14.14'
4.	S 89°51'50" W	14.14'
5.	S 20°52'01" W	13.76'
6.	N 70°43'29" E	15.85'
7.	S 66°08'25" E	13.67'
8.	N 12°47'40" E	16.95'
9.	S 77°12'20" E	23.01'
10.	S 00°04'55" W	27.68'
11.	S 89°55'05" E	14.09'
12.	N 89°42'00" W	14.14'
13.	S 00°18'58" W	14.14'
14.	N 00°04'55" E	14.20'
15.	S 85°30'06" E	12.95'
16.	N 04°57'56" E	15.34'
17.	N 89°51'50" E	14.14'
18.	N 76°36'33" E	16.59'
19.	N 15°57'22" W	16.15'
20.	N 46°47'31" W	9.95'
21.	N 44°51'50" W	6.51'
22.	N 44°51'50" W	17.49'
23.	S 01°16'17" W	14.06'
24.	S 88°43'43" E	14.22'
25.	N 89°39'27" W	21.69'
26.	S 00°57'00" W	14.14'
27.	S 89°03'00" W	20.51'
28.	S 00°57'25" W	14.14'
29.	N 89°02'35" W	21.92'
30.	N 89°02'35" W	14.14'
31.	N 89°03'00" W	14.14'
32.	S 89°22'30" E	14.22'
33.	N 00°37'30" E	21.80'
34.	S 72°11'26" W	15.00'
35.	N 16°33'4" W	15.00'
36.	N 46°47'51" W	8.72'



PROPOSED  
PLANT



ZHANG HONKWIN  
DOC. NO. 201300304951

CURVE TABLE

CURVE NO.	DELTA	RADIUS	LENGTH	TANGENT	CHORD	BEARING
1.	25°18'31"	325.50'	143.78'	73.08'	142.61'	N32°28'55"W
2.	00°33'08"	325.50'	3.14'	1.57'	3.14'	N19°33'05"W
3.	25°51'39"	250.00'	112.84'	57.40'	111.88'	S57°47'40"W
4.	115°49'22"	50.00'	101.07'	79.74'	84.72'	N12°47'40"E
5.	142°07'12"	50.00'	124.02'	145.71'	94.59'	S89°55'05"E
6.	41°10'19"	225.00'	161.68'	84.51'	158.23'	N24°06'51"W
7.	38°53'07"	200.00'	135.74'	70.60'	133.15'	N22°58'15"W
8.	02°43'22"	200.00'	9.50'	4.75'	9.50'	N43°46'29"W
9.	30°50'11"	199.50'	107.37'	55.02'	106.08'	S60°33'16"E
10.	13°14'36"	50.00'	120.64'	131.09'	93.43'	N76°52'57"E
11.	62°07'37"	50.00'	259.94'	51.60'	51.60'	N36°07'38"E
12.	68°31'04"	50.00'	254.37'	56.29'	56.29'	N19°49'04"E
13.	03°55'00"	2025.50'	138.46'	69.26'	138.44'	N44°38'04"E
14.	161°27'43"	50.00'	140.90'	98.69'	98.69'	N01°45'57"E
15.	163°44'23"	50.00'	142.89'	98.99'	98.99'	N00°57'00"E
16.	159°49'00"	50.00'	139.47'	98.45'	98.45'	N00°57'25"E
17.	159°10'49"	50.00'	138.91'	98.35'	98.35'	N89°22'30"W

- NOTES
- Bearing are referenced to Highland Meadows Phase I, as described in the Plat Records of Dallas County, Texas.
  - Allot lines are radial or perpendicular to the street unless otherwise noted by bearing.
  - 1/2" iron rods with "CORWIN ENGR. INC." caps set at all boundary corners, block corners, points of curvature, points of tangency, and angle points in public right-of-way unless otherwise noted.
  - C.M. - Controlling Monuments  
IRF - Iron Rod Found  
H.O.A. - Homeowners Association  
U.E. - Utility Easement  
B.L. - Building Line  
D.E. - Drainage Easement  
S.S.E. - Sanitary Sewer Easement  
- Street Name Change
  - All open spaces, drainage areas, sanitary sewer easements to be maintained by the HOA/POA.

CONSTRUCTION PLAT  
OF  
**HIGHLAND MEADOWS  
PHASE III**  
OUT OF THE  
J.A. HALFORD SURVEY, ABSTRACT NO. 570  
IN THE

CITY OF SEAGOVILLE  
DALLAS COUNTY, TEXAS

OWNER  
D.R. HORTON, LTD.  
4306 MILLER RD. STE. A  
ROWLETT, TEXAS 75088  
214-607-4244

PREPARED BY  
CORWIN ENGINEERING, INC.

200 W. BELMONT, SUITE E  
ALLEN, TEXAS 75013  
972-396-1200

TOTAL LOTS 267  
TOTAL ACRES 76.130

JANUARY 2018 SCALE: 1"=100'

## ***Regular Session Agenda Item: 5***

**MEETING DATE: April 2, 2018**

### **ITEM DESCRIPTION**

Conduct a Public Hearing and discuss and consider an Ordinance of the City of Seagoville, Dallas County, Texas, amending the comprehensive zoning Ordinance and map of the City of Seagoville, Dallas County, Texas, as heretofore amended by granting a change in zoning from Residential-5 (R-5) to Planned Development - Residential-5 (PD-18-01) for approximately 28.5± acres of land located in the John D. Merchant Survey Abstract No. 850, generally described as west of May Road and adjacent/east of Alto Road in Seagoville, Dallas County, Texas, and being legally described in Exhibit “A”, attached hereto and incorporated herein; Providing for development regulations; providing for the approval of the concept/preliminary drainage plan, which is attached hereto and incorporated as Exhibit “B”; providing for a repealing clause; providing a severability clause; providing for a savings clause; providing for a penalty of fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense; and providing an effective date.

### **BACKGROUND OF ISSUE:**

The land is currently vacant. The applicant plans to develop the property into a subdivision of single family homes. The concept plan shows 136 lots; 6 green open spaces along the required widen portions of the right-of-way for May Road and Alto Road; but no storm detention pond area(s). The planned development concept calls for the minimum lot width to be 50-feet and the minimum lot depth to be 110-feet. Standard R-5 zoning district requirements are a minimum lot width of 60-feet and minimum lot depth of 120-feet.

The existing zoning, land uses, and relevant portions of the City’s comprehensive plan are each referenced in the attached staff report. Planning & Zoning Commission makes a recommendation to City Council, who will make the final decision.

### **FINANCIAL IMPACT:**

This project will benefit the city through the tax base of an additional 136 single family homes and lots. No city funds will be used for the development of this project.

## **RECOMMENDATION:**

The Commission voted 6 to 0 in favor of recommending the **APPROVAL** of the request to rezone 405 May Road (a/k/a Tract 1 of the John D. Merchant Abstract number 850 on page 065) from R-5, Residential Single Family to a Planned Development with a R-5 base zoning (PD-R5) **WITH THE CONDITIONS** of approval recommended by Staff. These conditions include:

- Revising the concept to show the planned location of the required on-site drainage detention;
- Acceptance of the revised concept by the owner; and
- Acceptance of the revised concept by the City Council.

## **EXHIBITS:**

Each of the following are set for printing on letter-sized paper unless otherwise listed.

- A. Staff Report (4 pages plus written responses from adjoining owners)
- B. 2017 aerial photograph from DCAD website
- C. Dimensional reference map from DCAD website
- D. Zoning application (3 pages)
- E. Public hearing notice to newspaper
- F. Public hearing notice to property owners within 200 feet
- G. List of Property Owners within 200 feet of subject parcel (2 pages of 11x17 paper)
- H. Concept plan for Tredway Estates with 136 lots (11x17 paper)

**AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS**

**ORDINANCE NO. 08-2018**

**AN ORDINANCE OF THE CITY OF SEAGOVILLE, DALLAS COUNTY, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP OF THE CITY OF SEAGOVILLE, DALLAS COUNTY, TEXAS, AS HERETOFORE AMENDED, BY GRANTING A CHANGE IN ZONING FROM RESIDENTIAL-5 (R-5) TO PLANNED DEVELOPMENT-RESIDENTIAL -5 (PD-18-01) FOR APPROXIMATELY 28.53± ACRES OF LAND LOCATED IN THE JOHN D. MERCHANT SURVEY ABSTRACT NO. 850, GENERALLY DESCRIBED AS WEST OF MAY ROAD AND ADJACENT/EAST OF ALTO ROAD, SEAGOVILLE, DALLAS COUNTY, TEXAS, AND BEING LEGALLY DESCRIBED IN EXHIBIT "A", ATTACHED HERETO AND INCORPORATED HEREIN; PROVIDING FOR DEVELOPMENT REGULATIONS; PROVIDING FOR THE APPROVAL OF THE CONCEPT/PRELIMINARY DRAINAGE PLAN, WHICH IS ATTACHED HERETO AND INCORPORATED HEREIN AS EXHIBIT "B"; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the City Planning and Zoning Commission and the governing body of the City of Seagoville, Texas, in compliance with the laws of the State of Texas, and pursuant to the Comprehensive Zoning Ordinance of the City of Seagoville, have given requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally, and to all persons interested and situated in the affected area and in the vicinity thereof, the said governing body is of the opinion that Zoning Application No. Z2018-02 (PD 18-01) should be approved, and in the exercise of legislative discretion have concluded that the Comprehensive Zoning Ordinance and Map should be amended.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SEAGOVILLE, TEXAS:**

**SECTION 1.** That the Comprehensive Zoning Ordinance and Map of the City of Seagoville, Texas, duly passed by the governing body of the City of Seagoville, Texas, as heretofore amended, be and the same is hereby amended by granting a change in zoning from Residential-5 (R-5) to Planned Development-Residential-5 (PD 18-01) for approximately 28.53± acres of land located

in the John D. Merchant Survey Abstract No. 850, generally described as west of May Road and adjacent/east of Alto Road, Seagoville, Dallas County, Texas, and being legally described in Exhibit “A”, attached hereto and incorporated herein.

**SECTION 2.** The property shall be developed and used in accordance with the City of Seagoville Zoning Ordinance and Construction Standards, except as amended herein, and the following development regulations:

- A. The property shall be developed in accordance with the approved Concept Plan, which is attached hereto and made a part of the ordinance
- B. Front yard shall have a minimum depth of not less than 20 feet
- C. Side yard shall have a width of not less than 5 feet
- D. Side yard with street shall have a width of not less than 10 feet
- E. Rear yard shall have a minimum depth of not less than 20 feet
- F. Minimum area of the lot shall be not less than 5,500 square feet
- G. Minimum depth of the lot shall be not less than 110 feet
- H. Minimum width of the lot shall be not less than 50 feet
- I. Minimum living area of the dwelling shall be 1,700 square feet
- J. Maximum height of the dwelling shall be 35 square feet
- K. One-half of May Road, that portion that runs the full length of the property abutting May Road, shall be paved concrete, curb, and gutter roadway
- L. One-half of Alto Road, that portion that runs the full length of the property abutting Alto Road, shall be paved concrete, curb, and gutter roadway
- M. The property shall be landscaped in compliance with Division 21 of the City of Seagoville Zoning Ordinance
- N. All signage shall comply with Article 21.09 of the City of Seagoville Code of Ordinances

- O. Except as amended herein, all construction shall comply with the construction standards and ordinances of the City of Seagoville, Texas

**SECTION 3.** The property shall be developed and used only in accordance with the conceptual/preliminary drainage plan attached as Exhibit “B” and incorporated herein for all purposes, and which is hereby approved.

**SECTION 4.** That the above property shall be used only in the manner and for the purpose provided for by the Comprehensive Zoning Ordinance of the City of Seagoville, as heretofore amended and as amended herein.

**SECTION 5.** That all provisions of the Ordinances of the City of Seagoville, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions not in conflict with the provisions of this ordinance shall remain in full force and effect.

**SECTION 6.** That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be unconstitutional, illegal or invalid, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

**SECTION 7.** An offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Comprehensive Zoning Ordinance, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

**SECTION 8.** That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Seagoville, as heretofore amended, and upon conviction shall be punished

by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

**SECTION 9.** That this ordinance shall take effect immediately from and after its passage and the publication of its caption, as the law and charter in such cases provide.

**DULY PASSED** by the City Council of the City of Seagoville, Texas, this the 2<sup>nd</sup> day of April, 2018.

APPROVED:

---

DENNIS K. CHILDRESS, MAYOR

ATTEST:

---

KANDI JACKSON, CITY SECRETARY

APPROVED AS TO FORM:

---

ALEXIS G. ALLEN, CITY ATTORNEY  
(/cdb)

**EXHIBIT "A"**  
**(Legal Property Description)**

LEGAL DESCRIPTION

BEING a 28.5361 acre tract, situated in the John D. Merchant Survey, Abstract No. 850, in Dallas County, Texas, and being the same tract of land conveyed to Douglas A. Sears, Trustee of the Douglas Sears Living Trust, D.O.T., June 3, 1993, or his successors in trust by deed recorded in Volume 96229, Page 02344, Deed Records, Dallas County, Texas, being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8 inch iron rod set at the south corner of the Kings Creek Addition, an Addition to the city of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 77091, Page 1075, Map Records, Dallas County, Texas in May Road, (45 foot right-of-way);

THENCE South 44 degrees 53 minutes 58 seconds West, a distance of 481.33 feet to a 5/8 inch iron rod set;

THENCE North 45 degrees 06 minutes 01 seconds West, passing a 5/8 inch iron rod set at the east corner of a "save and except" tract recorded in said Volume 96229, Page 02344, Deed Records, Dallas County, Texas on the northwest right-of-way line of said May Road, at a distance of 15.32 feet and continuing along the northeast property line of said save and except tract, a total distance of 255.32 feet to a 5/8 inch iron rod set at the north corner of said save and except tract;

THENCE South 44 degrees 53 minutes 59 seconds West, along the northwest property line of said save and except tract, a distance of 200.48 feet to a 5/8 inch iron rod set at the west corner of said save and except tract;

THENCE South 62 degrees 30 minutes 01 seconds East, along the southwest property line of said save and except tract, a distance of 35.05 feet to a 5/8 inch iron rod set;

THENCE South 45 degrees 06 minutes 01 seconds East, continuing along the southwest property line of said save and except tract, passing a 5/8 inch iron rod set at the south corner of said save and except tract on said May Road northwest right-of-way line, at a distance of 206.56 feet and continuing a total distance of 221.88 feet to a 5/8 inch iron rod set in said May Road;

THENCE South 44 degrees 53 minutes 59 seconds West, a distance of 118.78 feet to a 5/8 inch iron rod set at the east corner of the Haven Hills No. 1 Addition, an Addition to the County of Dallas, according to the plat thereof recorded in Volume 28, Page 137, Map Records, Dallas County, Texas;

THENCE North 62 degrees 24 minutes 00 seconds West, along the northeast property line of said Haven Hills No. 1 Addition, a distance of 1724.00 feet to a 5/8 inch iron rod set at the north corner of said Haven Hills No. 1 Addition on the southeast property line of a 95.679 acre tract conveyed to Ralph Wallace Hart by deed recorded in Volume 75215, Page 905, Deed Records, Dallas County, Texas;

THENCE North 44 degrees 55 minutes 51 seconds East, along said Hart southeast property line, a distance of 779.74 feet to a 5/8 inch iron rod set at the west corner of a 5.4562 acre tract of land conveyed to Francisco Galvin and Raquel Galvin by deed recorded in County Clerk's File No. 9910211921, Deed Records, Dallas County, Texas;

THENCE South 62 degrees 43 minutes 58 seconds East, along the southwest property line of said Galvin tract, passing the south corner of said Galvin tract and the west corner of a 20 acre tract of land conveyed to Joe C. Wright and Linda S. Wright by deed recorded in Volume 98232, Page 01149, Deed Records, Dallas County, Texas, at a distance of 293.30 feet and continuing along the southwest property line of said Wright tract, passing the south corner of said Wright tract and the west corner of a 6.507 acre tract conveyed to Donald R. Stockton and Donna R. Stockton by deed recorded in Volume 96211, Page 00793, Deed Records, Dallas County, Texas, at a distance of 812.30 feet and continuing along the southwest property line of said 6.507 acre tract, passing the south corner of said 6.507 acre tract and the west corner of a 3.842 acre tract, at a distance of 1181.63 feet and continuing along the southwest property line of said 3.842 acre tract, passing the south corner of said 3.842 acre tract and the west corner of said Kings Creek Addition, at a distance of 1465.69 feet and continuing along the southwest property line of said Kings Creek Addition, a total distance of 1726.71 feet to the POINT OF BEGINNING and containing 1,243,031 square feet or 28.5361 acres of land.





COMMUNITY DEVELOPMENT  
702 NORTH HIGHWAY 175  
SEAGOVILLE, TX 75159  
PHONE: (972) 287-2050

**DATE:** MARCH 28, 2018  
**AUTHOR:** JENNIFER BONNER, JUNIOR PLANNER  
**APPLICANT:** SADDLE STAR DEVELOPMENT (PAT ATKINS)  
**PARCEL:** 650-850-065-10070000  
**LOCATION:** 405 MAY ROAD

**REQUEST SUMMARY:**

The applicant is requesting that the subject parcel (under the green star outlined in purple in the map on the right) have its zoning changed from R-5 (Residential Single Family) to a Planned Development with an R-5 Base zoning (PD-R5).

A copy of the concept plan for the proposed residential development is attached as Exhibit I.

A paper copy of the applicant's slide presentation about the planned development is attached in Exhibit J.



**REQUEST LOCATION:** Inside City

SIZE OF PROPERTY	EXISTING ZONING	SURROUNDING ZONING	EXISTING LAND USE	SURROUNDING LAND USE
28.45 acres	R-5, Single Family Residential	<p>Northwest: R-5, Single Family Residential</p> <p>Southwest: R-5, Single Family Residential</p> <p>Northeast: R-5, Single Family Residential &amp; R-2, Single Family Residential for Bearden Park</p> <p>Southeast: LR, Local Retail; PD, Planned Development; &amp; A, Apartment</p>	Low Density Residential	<p>Northwest: Low Density Residential</p> <p>Southwest: Low Density Residential</p> <p>Northeast: Low Density Residential &amp; Recreation/Parks</p> <p>Southeast: Low Density Residential &amp; High Density Residential</p>

**PLANNING AND ZONING COMMISSION RECOMMENDATION:**

The Commission voted 6 to 0 in favor of recommending the **APPROVAL** of the request to rezone 405 May Road (a/k/a Tract 1 of the John D. Merchant Abstract number 850 on page 065) from R-5, Residential Single Family to a Planned Development with a R-5 base zoning (PD-R5) **WITH THE CONDITIONS** of approval recommended by Staff. These conditions include:

- Revising the concept to show the planned location of the required on-site drainage detention;
- Acceptance of the revised concept by the owner; and
- Acceptance of the revised concept by the City Council.

Detailed explanations follow on the attached pages.	
STANDARD:	STAFF ANALYSIS:
Development Calendar (Deadlines)	Has Met
Application(s) Requirements	Has Met
Zoning Code	Has Met
Subdivision Code (Drainage)	Has Not Met

COMPARISON TO ADOPTED CITY MASTER PLANS

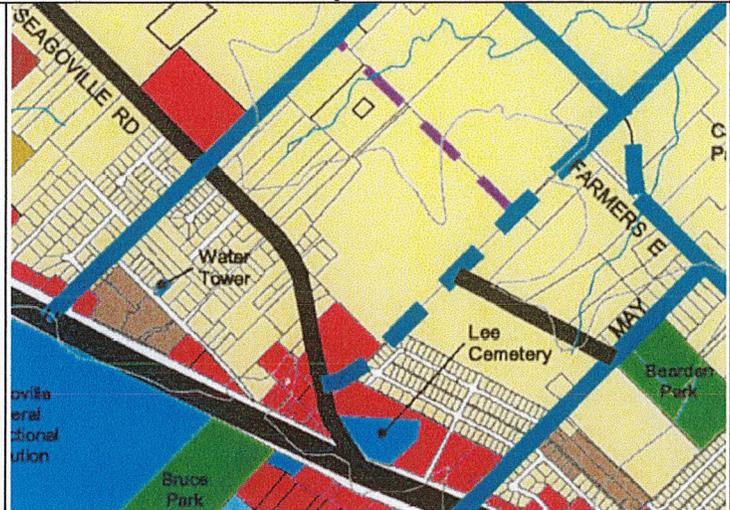
STAFF ANALYSIS

PLAN GOALS OR GUIDELINES

2002 Future Land Use Plan and Map

The lot in the request (where the words "Lee Cemetery" are written in the map to the right) is located in an area that the Future Land Use Plan and Map shows to be a Low Density Residential (light yellow color) area. The orange-red areas in the map are expected to become Retail. The blue areas are expected to be Public or Semi-Public uses. The green areas are parks and other public open spaces. The light brown area across May Road was planned for High Density Residential.

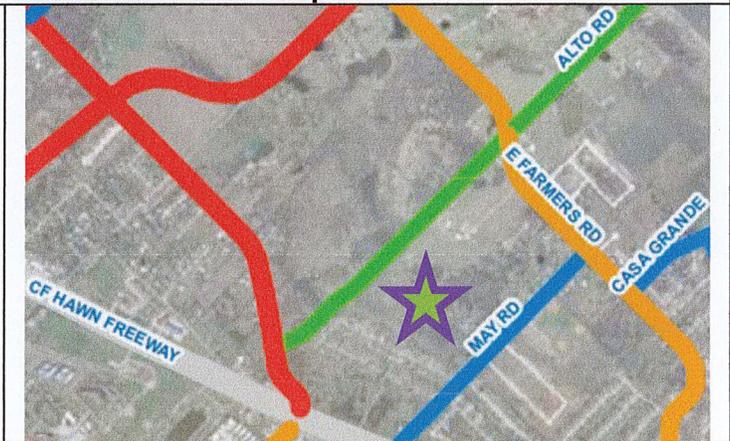
Meets Standard



2009 Master Street Plan and Map

The property in the request (under the green star outlined in purple on the map to the right) will have access to both Alto Road (labeled and shown by the green line) and May Road (labeled and shown by the blue line). Insufficient road right-of-way has previously been dedicated for May Road so additional right-of-way will be required with the development of the subdivision. The right-of-way for Alto Road currently ends at the south property line of the proposed residential subdivision.

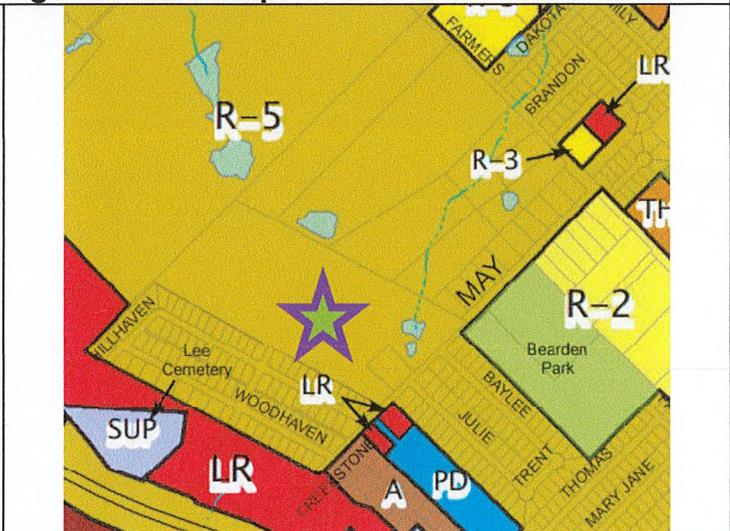
Does Not Meet Standard



2009 Zoning Plan and Map

The lot in the request (under the green star outlined in purple on the map) is located in the R-5, Single Family Residential zoning district area (mustard yellow color). The applicant is requesting that the zoning be changed from the R-5 district to a planned development with a R-5 base zoning (PD-R5). The concept plan call for the lots to be both 10-feet narrower and 10-feet less deep than required by code for an R-5 zoning district, but the house on each lot will exceed the minimum living area requirement by an additional 100-square-feet.

Meets Standard



There are no review criteria currently in the municipal code when reviewing applications for zoning changes. Jr. Planner Jennifer Bonner has seen criteria very similar to those below used in other cities. She has listed these to help the Planning and Zoning Commission as well as City Council determine if this request should be approved or denied.

REVIEW CRITERIA	STAFF ANALYSIS	
1. Will the use be designated, located, and operated so that the public health, safety, and welfare will be protected?	Yes	All lots will be residential in use. Each will be connected to public water and sewer. Each lot will be located on a to-be-constructed and dedicated public street.
2. Will the land use be compatible with other area properties located nearby?	Yes	The concept plan shows all lots will be used for single-family residences.
3. Will the use be in compliance with all of the provisions of the Zoning Amendments portion of the Municipal Code?	Yes	The requirements for the change in zoning have been met (application, concept, legal notifications, etc.)
4. Will the use be compliant with all applicable provisions in the Code for the district in which the use is to be located?	No	The concept for the lots calls for the minimum lot width to be 50-feet and the minimum lot depth to be 110-feet. Standard R-5 zoning district requirements are a minimum lot width of 60-feet and minimum lot depth of 120-feet. No area is shown for setting aside (to-be-dedicated) for the location of required on-site storm drainage retention.
5. Will the use facilitate public convenience at that location?	Yes	One of the planned streets will be a through street from May Road to Alto Road. There will be other internal streets to the subdivision so that each lot can be directly accessed from a public street.
6. Will the use conform to off-street parking and loading requirements?	N/A	There was no planned development language submitted with the application. That language might help determine if this requirement can be met with the concept plan provided.
7. Are all of the ingress, egress, and pedestrian ways adequate?	Yes	Staff will require pedestrian ways that meet the subdivision code at the time of construction plat approval. Lot and building ingresses and egresses will be reviewed as part of each proposed structure's building permit review-and-approval process.
8. Have safeguards limiting noxious or offensive emissions, including light, noise, glare, dust, and odor been addressed?	No	No planned development language has been submitted for review-and-comment to staff.
9. Will the proposed landscaping and screening be compliant with all City regulations?	No	No landscape or screening plan has been submitted yet. No planned development language has been submitted for review-and-comment to staff.
10. Will the signage be compliant with those portions of the Municipal Code?	No	No landscape or screening plan has been submitted yet. No planned development language has been submitted for review-and-comment to staff.
11. Will all open space(s) be maintained by the owner/developer?	No	No planned development language has been submitted for review-and-comment to staff.

**STAFF REPORT  
Z2018-02**

There are no review criteria currently in the municipal code when reviewing applications for zoning changes. Jr. Planner Jennifer Bonner has seen criteria very similar to those below used in other cities. She has listed these to help the Planning and Zoning Commission as well as City Council determine if this request should be approved or denied.

REVIEW CRITERIA	STAFF ANALYSIS	
12. Are the size and shape of the site as well as the arrangement of the proposed structure(s) in keeping with the intent of the Code?	No	The size and shape of the subdivision meets this requirement. The planned development is requesting smaller lots (minimum 50' by 110' vs. code-required 60' by 120') but with larger-than-required houses (1700-square-feet vs. 1600-square-feet by code). No area is shown for setting aside (to-be-dedicated) for the location of required on-site storm drainage retention.
13. Will granting the permit be authorizing less than the minimum requirements in regards to height, area, setbacks, parking, or landscaping?	No	No planned development language has been submitted for review-and-comment by staff. Unless that language calls for the development to have quantities different than the code minimums, Staff will require the code to be met when the lots are built upon or otherwise improved.
14. Have the provisions of the existing master thoroughfare plan been met to protect the public interest?	No	No, additional right-of-way is required along both May Road and Alto Road.
15. Have the provisions of any existing future land use plan been met to protect the public interest?	Yes	Chapter 5 (Future Land Use) of the 2002 Comprehensive Plan provides suggestions on locations for different types of land use. The subject lot is shown in an area to become Low Density Residential.
16. Have the provisions of any existing capital improvements plan been met to protect the public interest?	N/A	There currently is no city capital improvement plan.
17. Have the provisions of any community facilities plan been met to protect the public interest?	N/A	Chapter 6 (Parks, Recreation, and Open Space) and Chapter 7 (Infrastructure Systems) of the 2002 Comprehensive Plan discuss other community facilities. Changing the zoning of the subject parcels is not affected by these chapters of the Plan.
18. Have the provisions of any other adopted document for providing required necessary public facilities been met to protect the public interest?	Yes	Chapter 8 (Public Facilities) of the 2002 Comprehensive Plan addresses municipal facilities primarily. Neither the existing zoning or requested zoning change are affected by the Plan.

**Public Comments Received:** As of the date of this report, March 28, 2018, two (2) property owners have responded in writing (copies attached) with comments on the request. Additionally, one (1) property owner responded verbally (by phone) to Staff prior to the Planning and Zoning Commission meeting. Two (2) neighbors also spoke at the Commission meeting, although there were several others in attendance that did not speak. Another written response (copy attached) was found in the water department's drop box the morning after the P&Z meeting. Any additional responses received by Staff after the emailing of the packet to the City Council will have copies provided to the Council members at their meeting on April 2, 2018.

MARCH 28, 2018



March 12, 2018

COMMUNITY DEVELOPMENT  
702 NORTH HIGHWAY 175  
SEAGOVILLE, TX 75159  
PHONE: (972) 287-2050

RECEIVED  
MAR 26 2018

BY: JLS

**NOTICE OF PUBLIC HEARINGS  
SEAGOVILLE PLANNING & ZONING COMMISSION AND CITY COUNCIL  
ZONING CASE Z2018-02**

A public hearing will be held by the Seagoville Planning and Zoning Commission on Tuesday, March 27, 2018, at 6:30 PM in the City Council Chambers in City Hall at 702 North U.S. Highway 175; Seagoville, TX 75159 to consider a request from Saddle Star Land Development to change the zoning on more than 28-acres of property at 405 May Road from the current zone of R-5 (Residential Single Family) to a Planned Development with R-5 base zoning (PD-R5).

A public hearing will also be held by the Seagoville City Council on Monday, April 2, 2018, at 6:30 PM in the City Council Chambers in City Hall at 702 North U.S. Highway 175; Seagoville, TX 75159 to consider the recommendation from the Planning and Zoning Commission on this request.

All individuals may appear at the public hearings to state their opinions or may send a written notice prior to 4:30 PM on the day of each public hearing to Jr. Planner Jennifer Bonner at 702 North U.S. Highway 175; Seagoville, TX 75159.

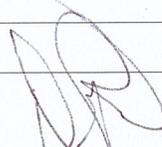
As an adjoining property owner, this is the first of 3 opportunities to voice your opinion about this project for the record. The second and third opportunities will be at each of the public hearings listed above.

*Please indicate your opinion in this matter by checking the appropriate box below.  
Please provide any additional comments that you might have in the provided space.  
Please also sign and complete the name and address portion below.*

I am in favor of  against  Zoning Request Z2018-02 as it is described herein.

Additional Comments (attach additional sheets as necessary): \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature(s):   
Printed Name(s): DEWAYNE BURNS  
Address: 1700 PARKWAY; Seagoville, TX 75159  
Phone Number: (214) 538-9651

MARCH 12, 2018  
1



March 12, 2018

COMMUNITY DEVELOPMENT  
702 NORTH HIGHWAY 175  
SEAGOVILLE, TX 75159  
PHONE: (972) 287-2050

RECEIVED  
MAR 26 2018  
BY: *gjs*

**NOTICE OF PUBLIC HEARINGS  
SEAGOVILLE PLANNING & ZONING COMMISSION AND CITY COUNCIL  
ZONING CASE Z2018-02**

A public hearing will be held by the Seagoville Planning and Zoning Commission on Tuesday, March 27, 2018, at 6:30 PM in the City Council Chambers in City Hall at 702 North U.S. Highway 175; Seagoville, TX 75159 to consider a request from Saddle Star Land Development to change the zoning on more than 28-acres of property at 405 May Road from the current zone of R-5 (Residential Single Family) to a Planned Development with R-5 base zoning (PD-R5).

A public hearing will also be held by the Seagoville City Council on Monday, April 2, 2018, at 6:30 PM in the City Council Chambers in City Hall at 702 North U.S. Highway 175; Seagoville, TX 75159 to consider the recommendation from the Planning and Zoning Commission on this request.

All individuals may appear at the public hearings to state their opinions or may send a written notice prior to 4:30 PM on the day of each public hearing to Jr. Planner Jennifer Bonner at 702 North U.S. Highway 175; Seagoville, TX 75159.

As an adjoining property owner, this is the first of 3 opportunities to voice your opinion about this project for the record. The second and third opportunities will be at each of the public hearings listed above.

*Please indicate your opinion in this matter by checking the appropriate box below.  
Please provide any additional comments that you might have in the provided space.  
Please also sign and complete the name and address portion below.*

I am  in favor of  against  Zoning Request Z2018-02 as it is described herein.

Additional Comments (attach additional sheets as necessary): \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature(s): *[Handwritten Signature]*  
Printed Name(s): *MICHAEL A. TRUBAL*  
Address: *607 MAY RD*; Seagoville, TX 75159  
Phone Number: *2144151352*

MARCH 12, 2018  
1



March 12, 2018

COMMUNITY DEVELOPMENT  
702 NORTH HIGHWAY 175  
SEAGOVILLE, TX 75159  
PHONE: (972) 287-2050

BY: gob  
RECEIVED  
MAR 28 2018

**NOTICE OF PUBLIC HEARINGS  
SEAGOVILLE PLANNING & ZONING COMMISSION AND CITY COUNCIL  
ZONING CASE Z2018-02**

A public hearing will be held by the Seagoville Planning and Zoning Commission on Tuesday, March 27, 2018, at 6:30 PM in the City Council Chambers in City Hall at 702 North U.S. Highway 175; Seagoville, TX 75159 to consider a request from Saddle Star Land Development to change the zoning on more than 28-acres of property at 405 May Road from the current zone of R-5 (Residential Single Family) to a Planned Development with R-5 base zoning (PD-R5).

A public hearing will also be held by the Seagoville City Council on Monday, April 2, 2018, at 6:30 PM in the City Council Chambers in City Hall at 702 North U.S. Highway 175; Seagoville, TX 75159 to consider the recommendation from the Planning and Zoning Commission on this request.

All individuals may appear at the public hearings to state their opinions or may send a written notice prior to 4:30 PM on the day of each public hearing to Jr. Planner Jennifer Bonner at 702 North U.S. Highway 175; Seagoville, TX 75159.

As an adjoining property owner, this is the first of 3 opportunities to voice your opinion about this project for the record. The second and third opportunities will be at each of the public hearings listed above.

*Please indicate your opinion in this matter by checking the appropriate box below.  
Please provide any additional comments that you might have in the provided space.  
Please also sign and complete the name and address portion below.*

I am in favor of  against  Zoning Request Z2018-02 as it is described herein.

Additional Comments (attach additional sheets as necessary): \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature(s): Cameron Chambers  
Printed Name(s): Cameron Chambers  
Address: 1720 Parkhaven; Seagoville, TX 75159  
Phone Number: Seagoville, TX. 75159  
972 287 1877 214 837 9806 cell

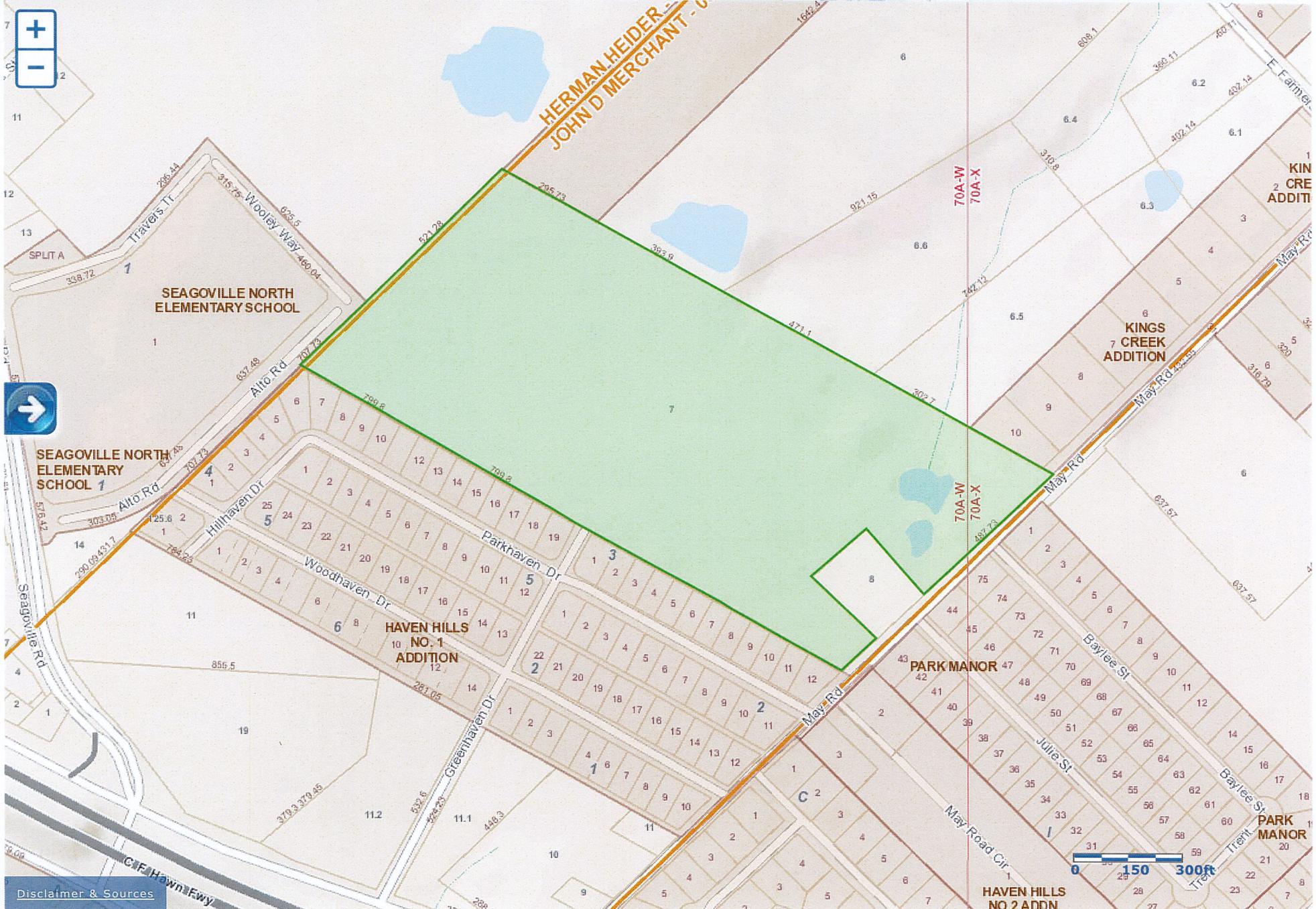
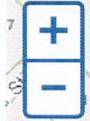
MARCH 12, 2018  
1



Disclaimer & Sources



DCAD Property Map



Disclaimer & Sources



# DEVELOPMENT APPLICATION

City of Seagoville, Texas

ANTICIPATED MEETING DATES: P&Z: 3/27/18 City Council: 4/2/18

DATE OF PRE-APPLICATION CONFERENCE WITH CITY REPS & PLANNER (required): \_\_\_\_\_

<b>Subdivision/Plat:</b>	<b>Site Plan:</b>	<b>Other:</b>
<input type="checkbox"/> Preliminary Plat	<input type="checkbox"/> Preliminary Replat	<input type="checkbox"/> Landscape Plan
<input type="checkbox"/> Final Plat	<input type="checkbox"/> Replat (final)	<input type="checkbox"/> Irrigation Plan
<input type="checkbox"/> Plat Vacation	<input type="checkbox"/> Amended Plat	<input type="checkbox"/> Elevation/Façade Plan
<input type="checkbox"/> Revised Plat (check type above)	<input type="checkbox"/> Revised Site Plan	<input type="checkbox"/> Screening Wall/Fence Plan
		<input type="checkbox"/> Engineering Plans

P.D. ZONING APP.

Name of Subdivision or Project: TREDWAY ESTATES

Physical Location of Property: WEST OF MAIN AND ADJACENT / EAST OF ALTORD. AND ADJ.  
[General Location - approximate distance to nearest existing street corner]

Brief Legal Description of Property (must also attach accurate Surveyor's metes and bounds description):  
28.53 ACRES UOHM HERCHART SURVEY ABST. NO. 850  
[Survey/Abstract No. and Tracts; -or platted Subdivision Name with Lots/Block]

Acreage: 28.53 Existing # of Lots/Tracts: 1 Existing Zoning: R-5  
[If zoned PD, attach a copy of the PD ordinance to this application]

Applicant / Owner's Name: PAT ATKINS - SADDLE STAR Develop. Applicant or Owner? (circle one)

Contact Person: PAT ATKINS Title: DIRECTOR

Company Name: SADDLE STAR Land Dev.

Street/Mailing Address: 30710 Hays Ln. City: Rockwall State: TX Zip: 75087

Phone: ( 972 ) 988-6383 Fax: ( ) \_\_\_\_\_ Email Address: KPATATKINS@seagoville.com

Engineer / Representative's Name: ECDLP ENGINEERING

Contact Person: TODD WINTERS Title: PRESIDENT

Company Name: ECDLP

Street/Mailing Address: 201 WINGO City: Wylie State: TX Zip: 75034

Phone: ( 972 ) 941-8900 Fax: ( ) \_\_\_\_\_ Email Address: TODD@ECDLP.COM

**SUBMITTAL DEADLINE: 28 DAYS PRIOR TO P&Z MEETING DATE.** (Residential replats must be submitted at least 30 days prior to meeting to allow time for public hearing notification - application must include letter waiving 30-day review time. Please contact City staff for all submittal deadlines.)

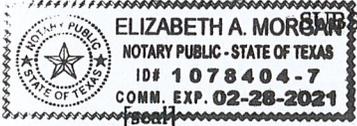
**All applications must be COMPLETE before they will be scheduled for P&Z agenda.** It is the applicant's responsibility to be familiar with, and to comply with, all City submittal requirements (in the Zoning & Subdivision Ordinances, and any separate submittal policies, requirements and/or checklists that may be obtained from City staff), including the number of plans to be submitted, application fees, etc. Please contact City staff in advance for submittal requirements.

**All application materials (one copy) must be delivered directly to the City's Planner (in addition to the required submittal materials delivered to the City - check with City staff and with the City's Planner in advance for submittal requirements for each type of development application).** The name, address, phone number, etc. of the City's Planner can be obtained from City staff. Failure to submit all materials (including full engineering plans, if applicable) to the City's Planner may result in delays scheduling the application for a P&Z agenda.

**Notice of Public Records.** The submission of plans/drawings/etc. with this application makes such items public record, and the applicant understands that these items may be viewed by the general public. Unless the applicant expressly states otherwise in writing, submission of this application (with associated plans/drawings/etc.) will be considered consent by the applicant that the general public may view and/or reproduce (i.e., copy) such documents.

I hereby certify that I am the Owner, or the duly authorized agent of the Owner (proof of authorization attached), for the purposes of this application, and that all information submitted herein is complete, true and correct to the best of my knowledge. I understand that submitting this application does not constitute approval, and incomplete applications will result in delays and possible denial.

Signed: [Signature] Title: DIRECTOR Date: 2/2/18



ELIZABETH A. MORGAN SUBSCRIBED AND SWORN TO before me, this 2 day of Feb, 2018.  
Notary Public in and for the State of Texas: Elizabeth A Morgan  
My Commission Expires On: 02-28-21

Office Use Only: Date Rec'd: 2/15/2018 Fees Paid: \$ 1500 Check #: 1245 Receipt #: 506322  
Development Case # 22018-02 Accepted By: [Signature] Official Submittal Date: 2/15/18

8%  
LF

City copy

City of Seagoville  
This is Your Receipt

02/15/2018 14:37:44 djohanson  
Receipt Number: 506322 10.10.10.88  
Subsys: 0192500000  
ZONING AND PLAT FEES 1500.00 N  
Payee: zoning fee for pd  
tredway estates

Total: 1500.00  
Check 1500.00  
Tender Reference: 1245  
Change Due: .00

Thank You

8%  
LF

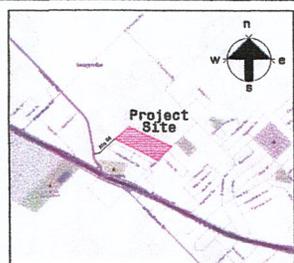
Applicant  
copy

City of Seagoville  
This is Your Receipt

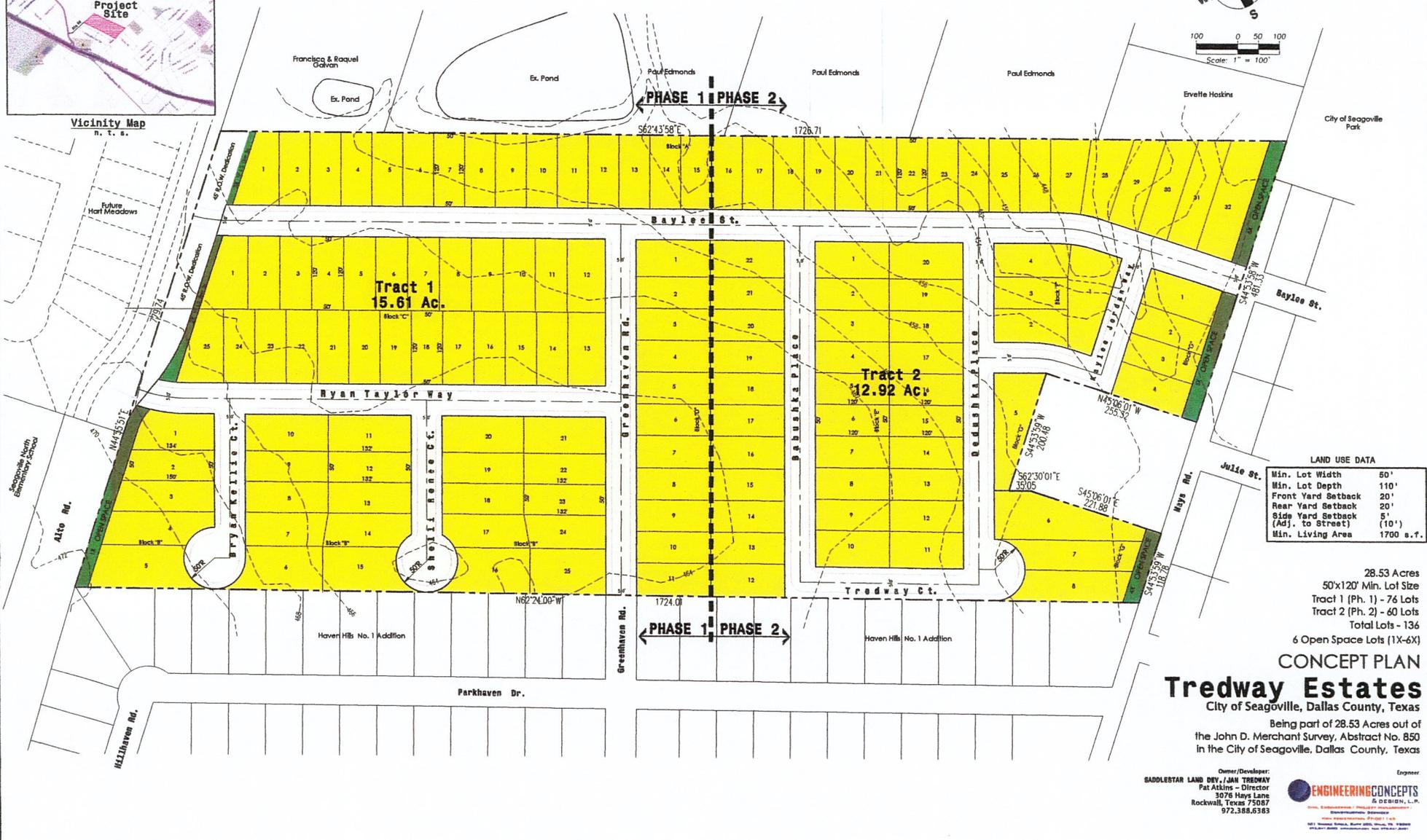
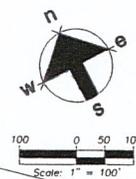
02/15/2018 14:37:44 djohanson  
Receipt Number: 506322 10.10.10.88  
Subsys: 0192500000  
ZONING AND PLAT FEES 1500.00 N  
Payee: zoning fee for pd  
tredway estates

Total: 1500.00  
Check 1500.00  
Tender Reference: 1245  
Change Due: .00

Thank You



Vicinity Map  
N. E. S.



LAND USE DATA

Min. Lot Width	50'
Min. Lot Depth	110'
Front Yard Setback	20'
Rear Yard Setback	20'
Side Yard Setback (Adj. to Street)	(10')
Min. Living Area	1700 s.f.

28.53 Acres  
 50'x120' Min. Lot Size  
 Tract 1 (Ph. 1) - 74 Lots  
 Tract 2 (Ph. 2) - 60 Lots  
 Total Lots - 136  
 6 Open Space Lots (1X-6X)

# CONCEPT PLAN Tredway Estates

City of Seagoville, Dallas County, Texas

Being part of 28.53 Acres out of the John D. Merchant Survey, Abstract No. 850 in the City of Seagoville, Dallas County, Texas

Owner/Developer:  
**SADDLESTAR LAND DEV. / JAN TREDWAY**  
 Pat Atkins - Director  
 1076 Hays Lane  
 Rockwall, Texas 75087  
 972.388.6383





COMMUNITY DEVELOPMENT  
702 NORTH HIGHWAY 175  
SEAGOVILLE, TX 75159  
PHONE: (972) 287-2050

March 2, 2018

via email: [notices@dailycommercialrecord.com](mailto:notices@dailycommercialrecord.com)  
Daily Commercial Record  
706 Main Street  
Dallas, Texas 75202

Please publish the legal notice below in the March 6, 2018 issue of your newspaper. Please send the affidavit of publication to the ATTN: Jennifer Bonner at the address above. If you need to contact Jennifer, her office direct number is (972) 287-6833 and her email is [jbonner@seagoville.us](mailto:jbonner@seagoville.us) Jennifer's normal office hours are Monday through Friday from 8:00 AM to 5:00 PM.



**NOTICE OF PUBLIC HEARINGS  
SEAGOVILLE PLANNING & ZONING COMMISSION AND CITY COUNCIL  
ZONING CASE Z2018-02**

A public hearing will be held by the Seagoville Planning and Zoning Commission on Tuesday, March 27, 2018, at 6:30 PM in the City Council Chambers in City Hall at 702 North U.S. Highway 175; Seagoville, TX 75159 to consider a request from Saddle Star Land Development to change the zoning on more than 28-acres of property at 405 May Road from the current zone of R-5 (Residential Single Family) to a Planned Development with R-5 base zoning (PD-R5).

A public hearing will also be held by the Seagoville City Council on Monday, April 2, 2018, at 6:30 PM in the City Council Chambers in City Hall at 702 North U.S. Highway 175; Seagoville, TX 75159 to consider the recommendation from the Planning and Zoning Commission on this request.

All individuals may appear at the public hearings to state their opinions or may send a written notice prior to 4:30 PM on the day of each public hearing to Jr. Planner Jennifer Bonner at 702 North U.S. Highway 175; Seagoville, TX 75159.

**CITY OF SEAGOVILLE**

Kandi Jackson  
City Secretary

Jennifer Bonner  
Jr. Planner



March 12, 2018

COMMUNITY DEVELOPMENT  
702 NORTH HIGHWAY 175  
SEAGOVILLE, TX 75159  
PHONE: (972) 287-2050

**NOTICE OF PUBLIC HEARINGS  
SEAGOVILLE PLANNING & ZONING COMMISSION AND CITY COUNCIL  
ZONING CASE Z2018-02**

A public hearing will be held by the Seagoville Planning and Zoning Commission on Tuesday, March 27, 2018, at 6:30 PM in the City Council Chambers in City Hall at 702 North U.S. Highway 175; Seagoville, TX 75159 to consider a request from Saddle Star Land Development to change the zoning on more than 28-acres of property at 405 May Road from the current zone of R-5 (Residential Single Family) to a Planned Development with R-5 base zoning (PD-R5).

A public hearing will also be held by the Seagoville City Council on Monday, April 2, 2018, at 6:30 PM in the City Council Chambers in City Hall at 702 North U.S. Highway 175; Seagoville, TX 75159 to consider the recommendation from the Planning and Zoning Commission on this request.

All individuals may appear at the public hearings to state their opinions or may send a written notice prior to 4:30 PM on the day of each public hearing to Jr. Planner Jennifer Bonner at 702 North U.S. Highway 175; Seagoville, TX 75159.

As an adjoining property owner, this is the first of 3 opportunities to voice your opinion about this project for the record. The second and third opportunities will be at each of the public hearings listed above.

*Please indicate your opinion in this matter by checking the appropriate box below.  
Please provide any additional comments that you might have in the provided space.  
Please also sign and complete the name and address portion below.*

I am in favor of  against  Zoning Request Z2018-02 as it is described herein.

Additional Comments (attach additional sheets as necessary): \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature(s): \_\_\_\_\_

Printed Name(s): \_\_\_\_\_

Address: \_\_\_\_\_; Seagoville, TX 75159

Phone Number: \_\_\_\_\_

**Property Owners List for 405 May Road  
ZONING REQUEST Z2018-02 by Saddle Star Land Development**

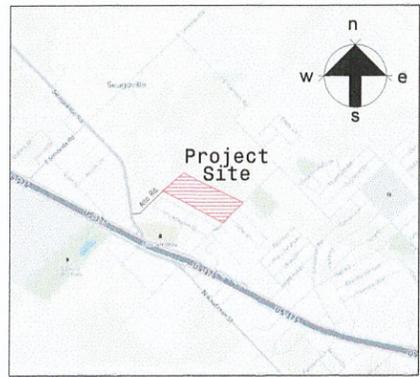
Mailed out a total of 75 certified letters on Tuesday, March 12, 2018, before 12 noon

Subject or adjoiner?	Site Address	Owner	DCAD acc't	Mailing Address 1	Address 2	City	State	Zip
Subject	405 May Road	H. C. TREDWAY, JR.	65085006510070000	405 May Road		Seagoville	TX	75159-2321
Adjoiner	401 May Road	ALVARO HUERTA ARREDONDO	65085006510080000	515 Glen Cove Street		Seagoville	TX	75159-2343
Adjoiner	1602 Parkhaven Street	JOHN MIKULAK III	50017500030120000	1602 Parkhaven Street		Seagoville	TX	75159-2334
Adjoiner	1604 Parkhaven Street	JENNIFER WEAVER	50017500030110000	538 La Grange Drive		Fate	TX	75087-6958
Adjoiner	1606 Parkhaven Street	ESTATE OF ELEUTERIO C. NAVA	50017500030100000	1606 Parkhaven Street		Seagoville	TX	75159-2334
Adjoiner	1608 Parkhaven Street	FLOYD R TALLANT	50017500030090000	1025 Seminary Ridge		Garland	TX	75043-1517
Adjoiner	1610 Parkhaven Street	DFW DEALS LLC	50017500030080000	519 East I30	#602	Rockwall	TX	75087-5408
Adjoiner	1612 Parkhaven Street	JOHN EDWARD MORRISON SR	50017500030070000	1706 Crescent Lane		Duncanville	TX	75137-3664
Adjoiner	1614 Parkhaven Street	BRYAN McMANUS	50017500030060000	1614 Parkhaven Street		Seagoville	TX	75159-2334
Adjoiner	1616 Parkhaven Street	F. L. SEBASTIAN	50017500030050000	2210 North Highway 175		Seagoville	TX	75159-2138
Adjoiner	1618 Parkhaven Street	VICTOR INES DEL RIO CAMPOS	50017500030040000	1618 Parkhaven Street		Seagoville	TX	75159-2334
Adjoiner	1620 Parkhaven Street	TIM B. TARLTON	50017500030030000	1620 Parkhaven Street		Seagoville	TX	75159-2334
Adjoiner	1622 Parkhaven Street	RUTH A. SMITH	50017500030020000	1622 Parkhaven Street		Seagoville	TX	75159-2334
Adjoiner	1624 Parkhaven Street	RYAN W & AMY B. CLARK	50017500030010000	982 Chad Way		Rockwall	TX	75087-2278
Adjoiner	Street ROW	City of Seagoville		702 North Highway 175		Seagoville	TX	75159-1774
Adjoiner	1601 Parkhaven Street	MARCO CESAR FUENTES & VICTORINA VARGAS	50017500020110000	1601 Parkhaven Street		Seagoville	TX	75159-2333
Adjoiner	1603 Parkhaven Street	REBECA ROMEROSANCHEZ & JABIN ESPINOZAHERNANDEZ	50017500020100000	1603 Parkhaven Street		Seagoville	TX	75159-2333
Adjoiner	1605 Parkhaven Street	AIME D JUAREZ SILVA	50017500020090000	1605 Parkhaven Street		Seagoville	TX	75159-2333
Adjoiner	1607 Parkhaven Street	ROBERT L. CORDER	50017500020080000	1607 Parkhaven Street		Seagoville	TX	75159-2333
Adjoiner	1609 Parkhaven Street	MNSF T2 SPE LLC	50017500020070000	6836 Morrison Boulevard	Suite 320	Charlotte	NC	28211-4399
Adjoiner	1611 Parkhaven Street	LEONARD & ARBREDA EVANS	50017500020060000	1611 Parkhaven Street		Seagoville	TX	75159-2333
Adjoiner	1613 Parkhaven Street	JULIA F. May	50017500020050000	1613 Parkhaven Street		Seagoville	TX	75159-2333
Adjoiner	1615 Parkhaven Street	JESSE F. HARRIS TRUST & EVA NELLE HARRIS TRUST	50017500020040000	1000 East Mallory Bridge Road	Apt. 1304	Seagoville	TX	75159-1851
Adjoiner	1617 Parkhaven Street	HERIBERTO SILVA ROJAS & OSCAR GUERRERO CORTES	50017500020030000	1617 Parkhaven Street		Seagoville	TX	75159-2333
Adjoiner	1619 Parkhaven Street	DENNIS MOORE	50017500020020000	1816 Mount Pleasant		Mesquite	TX	75149-6417
Adjoiner	1621 Parkhaven Street	THOMAS & VESTA C. LENAMOND	50017500020010000	1621 Parkhaven Street		Seagoville	TX	75159-2333
Adjoiner	1700 Parkhaven Street	DEWAYNE BURNS	50017500040190000	1700 Parkhaven Street		Seagoville	TX	75159-2336
Adjoiner	1702 Parkhaven Street	NANCY LEA MASSEY ASHLEY	50017500040180000	1702 Parkhaven Street		Seagoville	TX	75159-2336
Adjoiner	1704 Parkhaven Street	GLORIA E. HERRERA	50017500040170000	1704 Parkhaven Street		Seagoville	TX	75159-2336
Adjoiner	1706 Parkhaven Street	LIFE ESTATE OF SHARON MCCANDLESS	50017500040160000	1706 Parkhaven Street		Seagoville	TX	75159-2336
Adjoiner	1708 Parkhaven Street	SAMUEL SANTIAGO BAUTISTA & MINERVA MEJIA GONZALEZ	50017500040150000	1708 Parkhaven Street		Seagoville	TX	75159-2336
Adjoiner	1710 Parkhaven Street	CHRISTOPHER J & STACY A. GAMMONS	50017500040140000	5127 Homeplace Lane		Kaufman	TX	75142-6839
Adjoiner	1712 Parkhaven Street	JAMES E. LAWSON	50017500040130000	1712 Parkhaven Street		Seagoville	TX	75159-2336
Adjoiner	1714 Parkhaven Street	RUSSELL E. CHAMBLESS	50017500040120000	1402 Rapids Court		Rockwall	TX	75087-7232
Adjoiner	1716 Parkhaven Street	JENNIFER & STEPHEN LAWRENCE	50017500040110000	1716 Parkhaven Street		Seagoville	TX	75159-2336
Adjoiner	1718 Parkhaven Street	ROQUE DIAZ ACUNA	50017500040100000	1718 Parkhaven Street		Seagoville	TX	75159-2336
Adjoiner	1720 Parkhaven Street	CAMERON R. CHAMBERS	50017500040090000	1720 Parkhaven Street		Seagoville	TX	75159-2336
Adjoiner	1722 Parkhaven Street	RENE RODRIGUEZ	50017500040080000	1722 Parkhaven Street		Seagoville	TX	75159-2336
Adjoiner	313 Havenhill Street	LIFE ESTATE of CHERIE A. MARSHALL	50017500040070000	1010 Irene Street		Seagoville	TX	75159-4523
Adjoiner	311 Havenhill Street	LONNIE RAY LYNN	50017500040060000	311 Havenhill Street		Seagoville	TX	75159-2313
Adjoiner	309 Havenhill Street	JUANA MARTINEZ & MARIA DEL TORO	50017500040050000	309 Havenhill Street		Seagoville	TX	75159-2313
Adjoiner	307 Havenhill Street	WILLIAMSON REVOCABLE LIVING TRUST	50017500040040000	711 North Kaufman		Seagoville	TX	75159-2931
Adjoiner	1701 Parkhaven Street	ISELA V P. RANGEL & CARLOS MALDONADO	50017500050120000	11050 Woodmeadow Parkway	#1420	Dallas	TX	75228-1485
Adjoiner	1703 Parkhaven Street	SHYRILL D DUKE WALKER	50017500050110000	1703 Parkhaven Street		Seagoville	TX	75159-2335
Adjoiner	1705 Parkhaven Street	MIACHELLE GENTRY	50017500050100000	1705 Parkhaven Street		Seagoville	TX	75159-2335

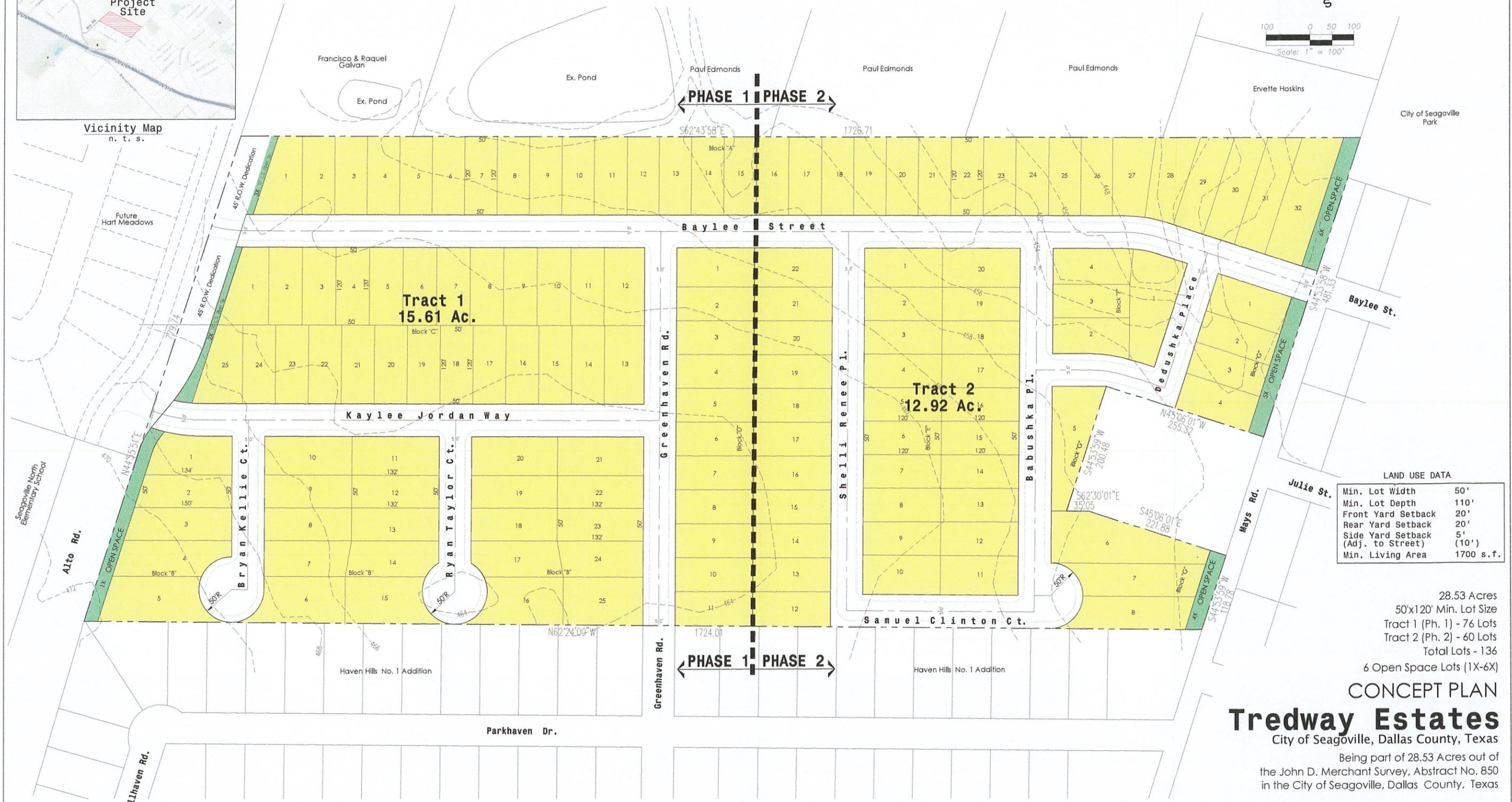
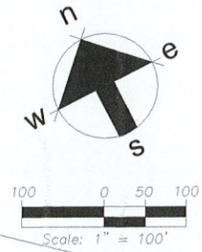
**Property Owners List for 405 May Road  
ZONING REQUEST Z2018-02 by Saddle Star Land Development**

Mailed out a total of 75 certified letters on Tuesday, March 12, 2018, before 12 noon

Subject or adjoiner?	Site Address	Owner	DCAD acc't	Mailing Address 1	Address 2	City	State	Zip
Adjoiner	1707 Parkhaven Street	SERGIO OLVERA NAVARO & DOLORES SUAREZ	50017500050090000	1707 Parkhaven Street		Seagoville	TX	75159-2335
Adjoiner	1709 Parkhaven Street	ANTONIO OLMOS	50017500050080000	1709 Parkhaven Street		Seagoville	TX	75159-2335
Adjoiner	1711 Parkhaven Street	CHAD N. HUFFHINES	50017500050070000	P.O. Box 2638		Forney	TX	75126-2638
Adjoiner	1713 Parkhaven Street	TASHEEN M. JACKSON	50017500050060000	1713 Parkhaven Street		Seagoville	TX	75159-2335
Adjoiner	1715 Parkhaven Street	TOMMY LOU HILL	50017500050050000	1715 Parkhaven Street		Seagoville	TX	75159-2335
Adjoiner	1717 Parkhaven Street	ORIA M. REED	50017500050040000	1717 Parkhaven Street		Seagoville	TX	75159-2335
Adjoiner	1719 Parkhaven Street	MARIA E. HERNANDEZ & EDUARDO JESUS LIRA	50017500050030000	1719 Parkhaven Street		Seagoville	TX	75159-2335
Adjoiner	1721 Parkhaven Street	FABIAN ESCOBEDO	50017500050020000	1721 Parkhaven Street		Seagoville	TX	75159-2335
Adjoiner	1723 Parkhaven Street	RIPLEY J. SCOTT	50017500050010000	1723 Parkhaven Street		Seagoville	TX	75159-2335
Adjoiner	1900 Seagoville Road	DALLAS ISD	50046560010010000	ATTN: Treasurer	9400 North Central Expressway	Dallas	TX	75231-5027
Adjoiner	Street ROW	City of Seagoville		702 North Highway 175		Seagoville	TX	75159-1774
Adjoiner	1900 Seagoville Road	Seagoville FARMS LLC	65054148010080000	13901 Midway Road	#102 LB 243	Farmers Branch	TX	75244-4388
Adjoiner	1601 East Farmers Road	FRANCISCO & Raquel GALVAN	50014750000000000	1643 East Farmers Road		Seagoville	TX	75159-1621
Adjoiner	1631 East Farmers Road	PAUL EDMONDS	65085006510060000	1609 East Farmers Road		Seagoville	TX	75159-1621
Adjoiner	1601 East Farmers Road	PAUL & RHONDA EDMONDS	65085006510060600	1609 East Farmers Road		Seagoville	TX	75159-1621
Adjoiner	1601 East Farmers Road	PAUL EDMONDS	65085006510060500	1609 East Farmers Road		Seagoville	TX	75159-1621
Adjoiner	611 May Road	ESTATE OF MARIAN F. SUGDEN	50021600000080000	611 May Road		Seagoville	TX	75159-2325
Adjoiner	607 May Road	RUBAL FARMS LP	50021600000090000	601 South Pearl Expressway		Dallas	TX	75201-6013
Adjoiner	605 May Road	EVERETTE E. HOSKINS	50021600000100000	605 May Road		Seagoville	TX	75159-2325
Adjoiner	500 May Road	City of Seagoville	65036771010060000	702 North Highway 175		Seagoville	TX	75159-1774
Adjoiner	406 May Road	City of Seagoville	65036771010010200	702 North Highway 175		Seagoville	TX	75159-1774
Adjoiner	1434 Baylee Street	ALFRED & EDNA NIBLET	50031520000010000	1434 Baylee Street		Seagoville	TX	75159-5308
Adjoiner	1432 Baylee Street	PARAG R. SHAH	50031520000020000	2252 New College Lane		Plano	TX	75025-5511
Adjoiner	1430 Baylee Street	YVETTE LASHUN RANDALL	50031520000030000	1430 Baylee Street		Seagoville	TX	75159-5308
Adjoiner	1431 Baylee Street	DONNA S. & ROBERT DALE MURPHY SR.	500315200000750000	1431 Baylee Street		Seagoville	TX	75159-5309
Adjoiner	1429 Baylee Street	ETHEL M. ELLIOTT	500315200000740000	1429 Baylee Street		Seagoville	TX	75159-5309
Adjoiner	1427 Baylee Street	DANIEL DEJESUS RODRIGUEZ BLANCO	500315200000730000	1427 Baylee Street		Seagoville	TX	75159-5309
Adjoiner	1428 Julie Street	MARIE POWELL	50031520000460000	1428 Julie Street		Seagoville	TX	75159-5310
Adjoiner	1430 Julie Street	AUTHORITY REAL ESTATE SOUTHWEST LLC	50031520000450000	P. O. Box 2126		Redondo Beach	CA	90278-7638
Adjoiner	1432 Julie Street	GREGORY & TINA TOAL	50031520000440000	1432 Julie Street		Seagoville	TX	75159-5310
Adjoiner	1435 Julie Street	PROGRESS RESIDENTIAL 2015-2 BORROWER LLC	50031520000430000	P.O. Box 4090		Scottsdale	AZ	85261-4090
Adjoiner	1433 Julie Street	BRANDON & AMADONA MARIE WARREN	50031520000420000	1433 Julie Street		Seagoville	TX	75159-5311
Adjoiner	1431 Julie Street	AUDINE RENEE & EUGENE DAVID PLEYO JR	50031520000410000	1431 Julie Street		Seagoville	TX	75159-5311
Adjoiner	Street ROW	City of Seagoville		702 North Highway 175		Seagoville	TX	75159-1774
Adjoiner	402 May Road	LINDA SALINAS	50018510000020000	P.O. Box 633		Seagoville	TX	75159-0633
Adjoiner	1488 May Road	Seagoville FOUNTAINHEAD LP	50018510000010000	4000 Old Benbrook Road		Fort Worth	TX	76116-7810
Adjoiner	1490 May Road	SETERO SILVA	50018510000030000	1490 May Street		Dallas	TX	75208-0000



Vicinity Map  
n. t. s.



LAND USE DATA

Min. Lot Width	50'
Min. Lot Depth	110'
Front Yard Setback	20'
Rear Yard Setback	20'
Side Yard Setback (Adj. to Street)	5' (10')
Min. Living Area	1700 s.f.

28.53 Acres  
 50'x120' Min. Lot Size  
 Tract 1 (Ph. 1) - 76 Lots  
 Tract 2 (Ph. 2) - 60 Lots  
 Total Lots - 136  
 6 Open Space Lots (1X-6X)

# CONCEPT PLAN

## Tredway Estates

City of Seagoville, Dallas County, Texas

Being part of 28.53 Acres out of the John D. Merchant Survey, Abstract No. 850 in the City of Seagoville, Dallas County, Texas

Owner/Developer:  
**SADDLESTAR LAND DEV./JAN TREDWAY**  
 Pat Atkins - Director  
 3076 Hays Lane  
 Rockwall, Texas 75087  
 972.388.6383



## ***Regular Session Agenda Item: 6***

**Meeting Date: April 2, 2018**

### **ITEM DESCRIPTION**

Receive Councilmember Reports/ Items of Community Interest

### **BACKGROUND OF ISSUE:**

Section 551.0415 of the Texas Government Code authorizes a quorum of the governing body of a municipality or county to receive reports about items of community interest during a meeting without having given notice of the subject of the report if no action is taken. Section 551.0415 defines an “item of community interest” to include:

- (1) expressions of thanks, congratulations, or condolence;
- (2) information regarding holiday schedules;
- (3) an honorary or salutary recognition of a public official, public employee, or other citizen, except that a discussion regarding a change in status of a person’s public office or public employment is not an honorary or salutary recognition for purposes of this subdivision;
- (4) a reminder about an upcoming event organized or sponsored by the governing body;
- (5) information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the political subdivision; and
- (6) announcements involving an imminent threat to the public health and safety of people in the political subdivision that has arisen after the posting of the agenda.

### **FINANCIAL IMPACT:**

N/A

### **EXHIBITS**

N/A

## ***Regular Session Agenda Item: 7***

**Meeting Date: April 2, 2018**

### **ITEM DESCRIPTION:**

Future Agenda Items

### **BACKGROUND OF ISSUE:**

Council provides direction to staff regarding future agenda items. These items will not be discussed and no action will be taken at this meeting.

### **FINANCIAL IMPACT:**

N/A

### **EXHIBITS**

N/A