



## MINUTES

for the  
SEAGOVILLE PLANNING AND ZONING COMMISSION

**Meeting scheduled to begin at  
5:30 p.m. on Tuesday, March 13, 2018**  
in the City Hall Council Chambers  
at 702 North U.S. Highway 175; Seagoville, Texas

Chairman Raymond Covert called the meeting to order at 5:37 p.m.

Commissioners present: Commissioner & Chairman Raymond Covert  
Commissioner & Vice-Chairman Mike Dupuis  
Commissioner James Sudduth  
Commissioner Lowell Sherman  
Commissioner Garry (Butch) Adams  
Commissioner David (Allen) Grimes  
Commissioner Scott Englert

City Staff present: Community Development Director Ladis Barr and  
Jr. Planner/P&Z Liaison Jennifer Bonner

Commissioner Lowell Sherman gave the invocation and led those present in the Pledge of Allegiance. Planner Bonner introduced new Commissioners David (Allen) Grimes and Scott Englert before the meeting began.

1. **Approval of Minutes:** Chair Ray Covert asked for a motion and second to approve the minutes. Commissioner James Sudduth moved and Vice Chair Mike Dupuis seconded the motion to approve the minutes from the February 27, 2018, meeting of the Planning and Zoning Commission. The vote was cast with all unanimously in favor of approving the minutes.

Highway 175 Highway Overlay District Workshop: Chairman Raymond Covert opened the workshop discussion at 6:38 p.m. Planner Bonner by providing a brief history on how the language being looked at tonight got to where it is in review and discussion tonight (original adoption, codified, repealed, City Council asked Planning and Zoning to look at re-instating). The staff suggestions you see tonight are typed into the old codified version of the language. She continued by stating that all of the old codified language for the Highway Overlay District in Exhibit A is in the black text. Suggested removals of old text are in the crossed-out blue text that is also slightly smaller in font size than the black text. Suggested additions to

the old text are in the bolder red (that is also slightly larger in font size than the black text). In this way you can look at the old text and suggested new text all at one time. She asked that if anyone has a color-blindness issue, they let her know so she can select different colors for the next set of revisions. For those new to the commission, at different times during tonight's meeting you will hear from different Commissioner on "their" portion of the H/O language that they were assigned to review for our meeting in December 2017. Please keep in mind that these suggestions are exactly that. You can keep them. You can trash them. You can say let's change this to read like this ... Based on our last meeting, we were hoping that tonight we could finish up the location and (land) use sections as these are the only 2 large portions of the proposed language that we haven't discussed yet. If we can come to an agreement tonight on how the language should read, then at the next meeting Staff can place this on the agenda to make a recommendation to move this document and language back to City Council for them to work on. We are only trying to get a point where you all agree before moving it back to City Council. The language was repealed by City Council because they felt the language was not doing what it was intended for. Commissioner James Sudduth followed up with his comment that he has always made – this is too intrusive on the existing property owners. This was originally for only along Highway 175, but now we are looking more city-wide. Why not just change the code so that everyone has the same rules regardless of where they are located? He is happy with all the new construction that we have had in the last 5 years so it feels like we might be spinning our wheels.

As location was the first item that all agreed to discuss, Planner Bonner got up and moved an older version of the zoning map onto her chair (which served as an easel for the discussion) next to the podium so that all the Commissioners could see the map as she pointed to different locations as the discussion continued. She also referenced the 2002 Master Thoroughfare Plan that is leaning against the left wall of the Council Chambers. Those classified 2002 streets were used to create the table in the staff suggestions. The list has been narrowed to what you see in the table tonight. The old zoning map with the red tape lines show what would be inside the overlay district if the distance is measured from the right-of-way line. For example, the Interstate classification of Future Loop 9 is not shown because TXDOT is still trying to figure out where it would go. The Freeway classification of Highway 175 shows 600 feet from the existing right-of-way line and covers from the city limits with Dallas on the northwest end to the city limits in Kaufman County on the southeast end. The Major Arterial classifications includes both Seagoville Road and Malloy Bridge Road. These roads show 500 feet from the approximate required right-of-way lines when the streets are fully-built out and widened to match the Master Thoroughfare Plan and Map. Malloy Bridge Road's coverage would run from the Trinity River on the south end (because Director Barr has stated that the city intends to annex all the way to the River) and to the city limit line with Mesquite on the north end. Seagoville Road would run from the city limits line with Dallas on the north end to the intersection with Highway 175 on the south end. In discussions with Director Barr this evening before the meeting, Staff is recommending **NOT** to include Minor Arterial Stark Road since those areas that are currently and proposed to be commercial are already covered by the proposed Highway 175 area. The rest of the road is

split with other communities and is largely residential in nature – which the Commission has already decided would not be required to do improvements unless part of a new or re-development project. Major Collector F.M. 1389 is not shown on the old zoning map, but we have approximated its location and are showing its coverage area from the city limits line with Combine to the south all the way to Highway 175 on the north end. Minor Collector Hall Road/Street is already being covered by the Highway 175 overlay offset. There would be some very minor inclusions to pick up the area all the way south to the center of Kaufman Street on the south and to the center of Farmers Road on the north. If the Commissioners want to move these distances to be from the centerline of these roadways instead of the right-of-way lines that can be done and will greatly reduce the areas of coverage. For example, using a 600-foot offset from the centerline of Highway 175 instead of the right-of-way line would decrease the area of coverage from about 2,000-foot wide strip to a strip only 1,200-foot wide.

Commissioner Sudduth asked about the alignment of Future Loop 9. He stated he hadn't heard from TXDOT in several years, but he didn't know if any of the city's had had meetings to discuss the alignment because they had been trying to stay out of the floodplain. Planner Bonner stated that a proposed potential development around F.M. 1389 had come in and they had something showing the alignment closer to the intersection of the Kaufman Street and Kaufman County Line than is shown on the 2002 Master Thoroughfare Plan and Map, but the Staff haven't seen anything official or on paper to confirm that change. Chair Covert asked if selecting a specific distance (width or length) provided any issues when developments come in. Director Barr stated that really the P&Z has semi-final say in where they want the district located and that the City Council can change the amount and locations when they adopt the ordinance. Vice Chair Dupuis said that he feels that Commissioner Sudduth is right in that this appears to be city-wide because we are covering almost all of the commercial areas. He continued by stating that city-wide for all commercial would eliminate any grey areas (do they or don't they) want enforcement during the development process. Chair Covert said maybe then there is less confusion. He continued by asking about Future Loop 9 and all the roadway changes that will come with that. Director Barr said that the Commissioners also need to keep in mind what they want the City to look like as it grows in the 10-20 years. We are starting to see some positive changes now with the developments that are coming or are underway. This is your city. What do you want it to look like?

Commissioner Butch Adams asked about the codes. He asked Director Barr to confirm that these refinements and changes really only apply to commercial properties. Director Barr said yes, this only applies to commercial properties. Commissioner Adams then continued, so we could select all commercial properties and not be specific about which roads? Director Barr said that is what the Planning and Zoning needs to decide. You pick a specific classification of road from the Master Thoroughfare Plan and Map throughout the entire town. Or you can select specific roads and only deal with those properties. Chair Covert stated he can see just the areas suggested by Staff but can also see the reasoning for the argument to just apply city-wide. He asked Planner Bonner for her thoughts on which way to

go. She responded by stating that based on her past experience, since this language started as an overlay district, she can see the City Council telling the Planning and Zoning Commission (if they recommend something city-wide) to go back and try again. The City Council will want to know how the P&Z Commission got from an overlay to something to be enforced city-wide. That is not what they told you to look at (re-)creating. These numbers can work, but maybe they are too big. She continued by stating for those who haven't read the language in great detail like herself multiple times these numbers have been reduced 3 times and could be further reduced. For example, Highway 175 started with a suggested 2,000-foot right-of-way offset. She also had a lot more streets on the list of streets to be offset and would have resulted in city-wide enforcement. Many of these were a grab a number to start a discussion. Vice Chair Dupuis asked if we wanted these regulations enforced elsewhere in town, wouldn't just a code or ordinance reference this to enforce elsewhere? Director Barr responded the overlay won't create legal issues because this language just sits over top (or lays over) the areas identified for where enforcement will be required. Commissioner Adams then recommended that the overlay language reflect that these changes apply to all current and future properties zoned commercial and/or industrial/manufacturing. He continued by stating that he would like to increase the overlay offsets for Minor Collectors to 300-feet.

Planner Bonner continued for several minutes on how the table in the location section of the draft language compares to the old zoning map that has been marked with the red tape lines (no Future Loop 9; Stark Road limited to those areas in the Highway 175 overlay; Hall Road near Kaufman Street; etc.). Not shown on the map is the Hall Road/Street area between Highway 175 and Judy Lane. Discussion moved on to sections of Malloy Bridge Road. Discussion included clarifying not listing any particular street now in the regulations doesn't preclude adding that location later. Director Barr suggesting adding Environmental Way and Simonds Road south of Highway 175 to the city limits line. Commissioners Englert and Adams were both verbally supportive of adding those 2 streets back into the table of streets where the regulations would be applied. Chair Covert asked about including Stark now but our "plan" for development now doesn't happen so removing it from the list later. Director Barr stated that most of Stark Road is already built-out as residential in both Seagoville as well as Dallas so unless there is re-development in that area, Stark won't probably ever have much more commercial than we have already called on the map tonight. Planner Bonner clarified length of each mentioned road section. Commissioner Adams agreed with each length listed. He doesn't foresee and commercial development on the northern end of Simonds any time soon, but having the language in place would be beneficial for when the city grows the P&Z would have to look at those zoning changes. Discussion continued between the commissioners about whether Future Loop 9 should be included in the list since it currently doesn't exist and it has been discussed at the state level for over 40 years. The state is currently widening Interstates 20 and 635. Who knows when they will actually get around to building more of the proposed loop? Commissioner Adams recommended removing references to the Interstate classification (Future Loop 9) since it doesn't exist now. The other agreed because when the loop is built lots of other things will change. Commissioner Adams suggested the language be reflective of defaulting applicability to

commercial properties (regardless of location). Commissioner Sudduth said then that “so Simonds goes from Highway 175 south to the city limits” and not continue on north to the Future Loop 9 interchange? Commissioner Adams said correct, getting the verbiage of the language right to automatically apply to all commercially zoned property. Commissioner agreed that what we should be looking at is only what currently exists. As discussion continued, Chair Covert confirmed with both staff and the other commissioners that they all understand that a future P&Z could recommend to City Council to change whether a road is or isn't included in the overlay district. After more discussion Planner Bonner asked if the following change to the first line of the proposed location section of the language satisfied everyone's concerns: “The Highway Overlay District regulations shall apply to those commercial developing properties along those existing Master Thoroughfare Plan corridors designated below...”? The commissioners agreed that that change was fine. Planner Bonner then continued by summarizing the changes in the table: removing the entire line of the table that starts with the word “Interstate”; removing the entire line of the table that starts with the phrase “Minor Arterials”; the offset distance for the Minor Collectors is changed to 300-feet (from 200-feet); Hall Street's area is re-written to include those areas around Kaufman Street that were discussed; and to the table are added lines for Environmental Way and Simonds Road south of Highway 175.

After everyone agreed on how the notes needed to be changed, Chair Covert asked Director Barr if he had any other suggestions on changes to the code. Director Barr mentioned the current masonry requirements. He suggested that if the Commissioners wanted to allow or restrict the language then now is the time to make those changes as well. Planner Bonner referenced where that language could be found in the draft language in front of the commissioners. Before moving on, Commissioner Sherman had a question about the setbacks from the ROW for both Simonds and Environmental Way. Director Barr recommended 500-feet for both roads. Planner Bonner added those comments to her other noted changes to that table. Commissioner Adams about what other types of masonry materials Director Barr might suggest the Commission look at adding. Nothing has been brought to him or Staff but new materials and designs exist. Example of Taco Bell was provided. Currently he and Staff have applicants (wanting to do something not on the current approved list) to come before P&Z to receive approval before the Staff issues permits for new construction. Commissioner Adams suggested maybe a new definition of masonry products. Vice Chair Dupuis mentioned that a lot of metal panels are used now in exterior construction designs as well. Discussion continued amongst the commissioners. Planner Bonner confirmed that they are trying to exclude any of the otherwise allowed alternate masonry materials. The following language is to be added to the end of the first sentence: “... excluding alternate materials listed in said section. Alternate materials must be reviewed and approved by the Planning and Zoning Commission before it can be accepted by Staff. ...” Everyone nodded that this sentence met their intent. Planner Bonner asked if the other sentence that she had added to this section was alright as written. All commissioners were in agreement. Director Barr asked the commission to also consider tilt-wall construction as an allowed exterior material. Planner Bonner was directed to add another sentence to the end of the draft language stating that “Tilt-wall construction is an

allowed exterior material” since tilt-wall can be produced to look like a lot of different materials and surfaces as well as coming in a variety of colors. The commissioners were also content with leaving the elevation area of 200-square-feet as a good place for beginning discussions when applicant’s supply their information for review and approval.

Planner Bonner asked about the landscaping in subsection (g) since there was a lot of discussion on landscaping last time. She wanted feedback on the options she had provided. Commissioner Adams asked if the landscaping was addressed in the Master Thoroughfare Plan. Planner Bonner replied no, the Master Thoroughfare Plan does not address landscaping. Commissioner Englert asked if he was seeing correctly that her suggestions on landscaping would apply to residential in addition to commercial properties. Planner Bonner replied that the Master Thoroughfare plan applies to both residential and commercial properties but does not talk about landscaping at all. New residential developments would only have to meet the standard landscaping requirements if the Commission only wants to see these changes to apply to commercial – which is why she is asking about whether the commissioners want to include residential here. If the phrase “regardless of the site’s zoning” is kept in the overlay district language, this would become the only section of the overlay district to apply to residential districts. Several commissioners agreed that appearance of the overlay is important so applying this section of the overlay language to residential in addition to commercial makes sense because landscaping is required everywhere. Commissioner Adams pointed out that not requiring the landscaping sections in residential zones would essentially create zones without the appearance of landscaping by their lack of not having to meet these requirements. Planner Bonner also mentioned that she had “beefed up” the landscaping section (g) because she had also recommended adding landscaping options in the previous section (d) where fencing and screening are listed. She continued by stating that she was trying to provide the option for a mixture of materials to provide the screening to help “break up” long distances (miles) of solid masonry walls that don’t match. Concerns about coverage, blockage of views, and maintenance were all raised. Language addressing perpetual maintenance and/or replacement was suggested to be added. Planner Bonner suggested the following language (after corrections): “Living material shall be maintained permanently (perpetually). Dead or dying materials shall be removed and replaced with similar materials within three (3) months of notification and shall meet all requirements of this section of this article.” It was also decided that this section d need to specify that these screening materials are to be place in a permanent landscape/screening easement to be maintained by the home owners association or private property owner. Where this language was to be placed within the section was not specified by the commissioners.

Director Barr mentioned loading docks and overhead doors to the Commissioners (section f). The current code language only allows overhead doors facing the street if the land use is an oil/lube business or is an automated car wash. Warehousing districts may need to be able allow overhead doors. Planner Bonner mentioned that the old district language would allow overhead doors if they were screened. The commissioners mentioned how meeting either the old language or even the staff suggestions could be next to be impossible to

enforce the ability to “not ever be able to see” the overhead doors. After quite a bit of discussion, it was decided that this section needs to be completely re-written by staff. The only limitation was that the existing final sentence remains: “Overhead/bay doors shall be in compliance with section 25.02.714(b).” Staff has plans to change the overhead door section in the near future. Planner Bonner read the existing language in section 25.02.714 for the Commission. Commissioner Adams said, let’s give Staff a chance to re-write the language and we review. If we don’t like some part of it, then we try changing to something that the commissioners as well as Staff can live with. Director Barr mentioned that most of the ordinances that we are working with today were written in the 1980’s or before. Planner Bonner confirmed that the primary portion of the overlay language to be re-written by Staff and Director Barr is in subsection (f)(1) where locations for the facing of loading docks is mentioned.

Having covered most other portions of the draft highway overlay, Planner Bonner moved the discussion on to the last page of the draft where suggestions on signage, building heights, planned developments, and “other areas” were added. She specified that in most cases she tried to give more of one part of the code while reducing or limiting another portion of the same code. Director Barr mentioned that the sign code is actually under review for changes as well so he recommends that the sign regulations be referenced. Planner Bonner was directed to add a sentence to the end of the signage section that states: “All signs shall comply with sign regulations in section 21.09.” Director Barr said that the same could be done in the overhead door section so that the final sentence becomes: “Overhead/bay doors shall be in compliance with section 25.02.714(b).” Director Barr also mentioned that Staff will be looking at a city-wide rezoning of properties that really should be zoned Commercial instead of Local Retail, primarily along Highway 175.

Planner Bonner then mentioned tonight’s Exhibits B and C which are the hand-outs that the Commissioners had asked her for at their last meeting. These can be used for determining what should be the permitted and prohibited uses - the last major topic that has not been covered – in the overlay district. She continued by stating that Exhibit B is sorted by zoning district in the zoning code and then listed alphabetically within that district. Exhibit C has been sorted so that all of the uses are listed alphabetically regardless of zoning district. The lists are the same – just sorted differently. These tables are not official. They are just another way of looking at the summary of land uses listed in the zoning code. The other handout provided tonight separately from what had been in the emailed packet comes from the April 12, 2007, P&Z discussion when the highway overlay district language was first created. This is the list of what was used in determining permitted and prohibited uses in first version of the highway overlay. Regardless of which table is used, a P in a box means that use is permitted; a S in a box means a Special Use Permit must be applied for and approved; and a blank box means that this would be a prohibited land use. It was decided to use Exhibit C for determining what should be permitted versus prohibited uses. Discussion continued on various land uses. Staff clarified that neither of them have reviewed the list for the overlay district only. Both are aware that there is a lot of work that needs to be done to the lists. Planner Bonner said she was really just trying to provide a complete list of zoning

district's permitted uses for the commissioners to use for comparison to the highway overlay locations. She suggested that the commissioners really take time to really review the zoning code use lists and figure out if all of the possible uses really should be located along the streets that we have identified tonight as having the overlay district regulations applied. If the Commissioners are comfortable now to move this language forward for a vote at the next P&Z meeting, Staff can add it to the agenda but if you feel like you need more time please let us know so that this continued discussion gets bumped to the meeting in early April because the number of uses to be looked at in addition to the number of re-writes that you have asked for tonight. Also the next P&Z meeting already has 3 really large public hearing items on the agenda. Everyone agreed to have another workshop at the first P&Z meeting of April (on the 10<sup>th</sup>) with a meeting time at 6:30 pm.

Planner Bonner also mentioned that she has provided everyone an updated member list since we have 2 new commissioners that joined us tonight. Director Barr welcomed them the new commissioners to the board and told them that Staff is here to serve them.

Chairman Covert closed the workshop at 7:19 p.m.

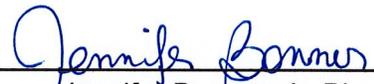
The meeting adjourned at 7:20 p.m.



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Raymond Covert  
Planning and Zoning Commission Chairman

**ATTEST:**



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Jennifer Bonner, Jr. Planner and  
Planning and Zoning Commission Liaison