



MINUTES

for the
SEAGOVILLE PLANNING AND ZONING COMMISSION

**Meeting scheduled to begin at
6:30 p.m. on Tuesday, March 27, 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 6:31 p.m.

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

Commissioners absent: Commissioner Garry (Butch) Adams

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

Chair Ray Covert gave the invocation and then led those present in the Pledge of Allegiance.

1. **Public Hearings:**

A. Zoning Request Z2018-02: Chairman Raymond Covert opened the public hearing at 6:32 p.m. Junior Planner Jennifer Bonner began by reading parts of the Staff Report (Exhibit A) on the request to change the zoning of more than 28 acres at 405 May Road from the current zoning of R-5 (Residential Single Family) to a planned development with R-5 base zoning (PD-R5) and referencing the various exhibits (A, I, J) following the staff report. She did state that the planned development documents have not been submitted for staff to review so any review criteria that would reference those items have not been reviewed for compliance with code minimums. She also stated that no responses had been received from neighbors prior to the publication of the packet documents to the Commissioners but has received 2 in writing and one verbal since then. The written responses were included in the paper copy of the packet tonight. The verbal response was from a neighbor was against the R-5 zoning preferred an R-2 (Residential Single Family) zoning at this location. 75 neighbors were sent written notification of the public hearing tonight. Those names and addresses are included in

Exhibit G. She concluded her report by stating that Staff is recommending the rezoning and concept plan provided be accepted with the following conditions: the concept be revised to show the required on-site drainage detention and that the property owner and City Council review the revised concept plan. Vice Chair Dupuis asked about engineering drainage and where it will go. Planner Bonner responded that that was an item of concern for staff and the primary reason why they are asking for a revised concept plan since that one-page document didn't provided enough information to determine the answers to those questions.

Chair Covert recognized Pat Atkins, representing Saddle Star Development (with an office in Rockwall, Texas), for the applicant's rebuttal and slide presentation (hard copy provided as Exhibit J in Commissioner's packets). Mr. Atkins began by stating that the owner of the property, Ms. Tredway, was also present if the Commissioners had questions for her. He continued by stating no particular builder has yet been selected for this subdivision, but that the applicants are in discussions with several at this time. Expected home price range of \$220,000 to \$225,000 for the expected 2-story house with 2-car garage with minimum 1,700 square foot homes on conceptual minimum 50-foot by 110-foot lots (configuration issues), but lots would contain over 6,000 square feet. Building market may demand even larger homes than those currently called for as the minimum. He referenced Bearden Park and its use by these future owners. The site would be built in 2 phases per agreement with Ms. Tredway with the area along Alto Road as Phase 1 (working with the Hart Meadows PD development to west for the Alto Road improvements) and the area along May Road as Phase 2. This is an exciting location being right next door to the school and proper widening and lengthening of Alto Road. Landscape and masonry buffer and screening along Alto Road. A home owners association will be created to deal with maintenance and upkeep of certain ("non-private") areas. Larger lots sizes to west in Hart Meadows but same minimum house size. Expected higher property values than those to the south (built in 1960s and 1970s in Woodhaven). Regarding the drainage questions raised by Jennifer, he referenced email he had sent to her (which she then handed out copies of those 3 pages – one being the concept plan with handwritten drainage calculations and approximate locations for detention ponds). Final calculations will probably result in the loss of a couple of lots in the northeast corner. City water and sewer are available for connecting to for providing service to this planned subdivision. After Mr. Atkins completed his presentation and answered the questions the Commissioners had at that time, he asked that he be allowed to respond to comments from the public before the Commission begins their discussion.

Chair Covert opened the floor for comments from the public. He reminded each that they only had six (six) minutes to speak so that everyone could be heard. Using the sign-in sheet that had been provided at the front door, Chair Covert recognized Robert Corder of 1607 Parkhaven Street to speak first. He was glad to see that drainage was mentioned as his area has newly repaved streets (also has all new curb and gutters) that are still holding water and nowhere for the water to go. He was also concerned with the

smaller lots size because it can create traffic issues when too many people live in such a condensed area. R-5 lots of 60 by 120 are already pretty small postage stamp-sized lots and going smaller gives nothing on the sides unless going to a zero-lot-line.

Next to be recognized by Chair Covert was Jerry Becker of 700 May Road. He recently wanted to add storage building and covered carport and was told by code enforcement about concrete from side property line. How close are houses going to be to one another? Guess houses are gonna be more than one story because we have new city fire truck that can handle 2- or 3-stories. May Road originally planned as Minor Thoroughfare, but when widening the road was proposed several years ago because of increasing traffic it couldn't be done specifically because of this particular piece of property. The city didn't have right-of-way across this piece of property at that time to widen the road even though all the other R-2 properties along May Road already had the right setbacks and dedicated right-of-way. Additional R-5 developments since then along May and Farmers Roads so more traffic continues to "fly by our houses". The builder for the new development along May Road (Baylee and other street) agreed to build new R-2 houses facing May Road to keep the aesthetics intact. It was recommended to Council by P&Z at the time and expected by the neighbors when development began. Between the P&Z, City Council, and developer (a former mayor), that did never happen. Houses have since been sold and flipped and now we have a bunch of section 8 housing in all these R-5 areas all over town. Section 8 housing seems to be tiny houses on tiny lots and people with 10-12 cars and family (or not family members) all living in the house with cars parked everywhere. Maybe we want some R-3 or R-4 or even some R-2? The street at my driveway is now 2-feet taller because of the recent street resurfacing. So now we are going to build another subdivision adding even more houses and traffic? The Minor Thoroughfare was supposed to help alleviate the parking problems and getting in and out of driveways by having a wider roadway, but apparently we are not going to get it. Just going to plant some trees at May Road access? Still going to have traffic flying with 136 or so additional homes. Just can't grasp the concept of considering this for a PD-R5 for adding \$31 million. Incomplete plans. Items are typical, typical, typical, ... Sounds like things are still in a state of flux. Plans aren't all together. Serious runoff issues already in the area. He keeps saying we will work on it, our intent, we will, ... but if we don't get it in writing, then we haven't got what we need.

Chair Covert asked any of the others on the list wished to speak. As no one else asked to be recognized, the public hearing was closed at 7:02 p.m. The chairman stated that members of the public were welcome to stay and observe the procedures but were asked to not disrupt the discussion.

Mr. Atkins was asked by Chair Covert to return to the podium to provide responses the public had made during the public comment period that had just ended. The intent of the PD district is the first of several steps in the process. Addressing drainage issues will be part of that process. Dedicating road right-of-way for May and Alto Roads as well as preliminary platting of the lots and drainage areas are also part of the process. Only after

all required items have been provided in the plans can the construction and building of those improvements take place near the end of the process. Only once improvements are in place can the final plat process be completed. The final step of development is the construction of the homes – which won't happen until about a year from now for this planned subdivision. We are truly only at the first beginning stages of the process. We are discussing with several builders right now. Drainage and right-of-way are solvable and will be implemented into the plan as required by code. Circulation pattern is provided by both Alto Road and May Road. Connectivity to the south (via Greenhaven in the Woodhaven Subdivision) is also provided. This is a process that takes time. Builders that plan to bring will complement Seagoville. Housing market will dictate (along with land and development costs) affect the final pricing of the homes. The expected range is high \$100,000 to mid-\$250,000. There will be 10-foot separation between structures – not zero-lot-lines. Final property values at the end of creation are expected to be higher than those existing adjacent properties to the south and to the east. Chair Covert asked what is a reasonable timeframe for seeing better engineered solution on the drainage? Mr. Atkins responded that a preliminary drainage solution should be available before the project moves forward to City Council. The southern boundary of this proposed development is the ridge separating this drainage area from the subdivision to the south. All on-site flows would go to the northeast, nothing off-site to the south.

Director Barr stated that any design (engineering, drainage, streets, etc.) would all be reviewed by the City's contract reviewing engineers of Halff Associates before staff can accept them. Commissioner James Sudduth if that would be information that would be reviewed before this item moved forward to City Council? Director Barr responded by stating that those items would not be reviewed until time of approval of construction drawings. Mr. Atkins responded by stating that preliminary site drainage can be approximated and designed prior to City Council. Chair Covert thanked Mr. Atkins for helping answer some of the issues raised. Chair Covert asked each of the Commissioners if they had any additional questions or concerns that hadn't been discussed. Planner Bonner reminded everyone in the room that P&Z makes a recommendation to City Council who makes the final decision. Their meeting on this item is this coming Monday, April 2, at 6:30 p.m. in this same room. Chair Covert stated then that it was his understanding that Mr. Atkins could get revised drainage and concept plan information to Staff for them to review prior to the City Council meeting. He asked for a motion from one of the Commissioners. Commissioner Sudduth moved to recommend acceptance of the development with staff conditions. Commissioner Englert seconded the motion for the zoning change. The vote of the commission was unanimously in favor of recommending approval of the zoning change of more than 28 acres from the current zoning of R-5 (Residential Single Family) to a planned development with R-5 base zoning (PD-R5) with the conditions set forward by the Staff.

- B. Zoning Request Z2018-03:** Chairman Raymond Covert opened the public hearing at 7:12 p.m. Junior Planner Jennifer Bonner began by reading parts of the Staff Report (Exhibit A) on the request to change the zoning of more than 0.8 acres (inside the

already approved 73+ acre development of Highland Meadows Phase III) from the current zoning of a planned development with R-5 base zoning (PD-R5) to a planned development with R-5 base zoning and special use permit for a temporary concrete batch plant (PD-R5-SUP). She began by stating that there is an approved construction plat for Phase III as well as mostly approved construction plans. If the SUP is not approved, truck traffic on city streets will be greatly increased as each load of concrete will need to be delivered from an off-site location to this new subdivision. Specifically, the area under the request is lots 1 through 5 of Block E of the new subdivision is about 0.8 acres. The whole subdivision is almost 74 acres. She completed her report by stating that Staff is asking that the concept plan provided be accepted with the following conditions: all deliveries be made only via Interstate 20 and Lasater Road (all other routes will be ticketed); the Special Use Permit only be good for 180 days with no time extensions; and the operational hours be limited to Monday through Friday from 7:00 AM to 6:00 PM and Saturdays from 7:00 AM to 5:00 PM. Because this SUP is temporary in nature there are several items that we can only look at temporarily (parking, signage, landscaping, screening, etc.). Temporary concrete batch plants are allowed in all zoning districts – as long as they acquire a SUP. There were 91 adjoining neighbors identified (Exhibit G) but there have been no responses sent to Staff other than one letter returned as undeliverable. Exhibit H is the letter from the paving contractor to the Planning and Zoning Commission, and who operated the temporary concrete batch plants for the earlier phases of the Highland Meadows Subdivision. Exhibit I is a slightly better labeling of where the batch plant would be located.

Mr. Mark Leonard, representing Gilco Contracting Inc. followed with the applicant's rebuttal. He explained that they typically use the batch plants for budgeting and scheduling reasons. If trucks can be limited to only supplying their site, the work can be completed in a shorter amount of time and limit the amount of truck traffic onto surrounding city streets. Using trucks from a permanent batch plant based off-site would require 10-12 trucks per hour (if can find and schedule them that tightly). Off-site scheduling currently requires asking for some date 2 to 4 weeks in advance of actual need and could take more than 8 days to do all the paving. An on-site plant can reasonably complete this entire site in less than 6 days if the weather cooperates and can be completed when the site is ready instead of possibly needing to wait until delivery slots are available from an off-site plant. Only trucks coming to the site would be limited to the supply trucks (1 or 2 per day) delivering cement, sand, or rock. Trucks hauling mixed cement from the plant to the actual paving site would remain inside the boundary of the subdivision until the site is complete. Commissioner Sherman asked if all delivery trucks would come in from Interstate 20 and Lasater Road. Mr. Leonard responded that none of the trucks delivering supplies to the batch plant should be on any road except Lasater Road and Interstate 20. He continued by stating that if the timing is matched correctly with the weather, the plant should only be on-site about 14 days and then it will be gone. And they clean the batch plant site area and haul off anything that won't be reused elsewhere on the site later on in the project.

After Mr. Leonard completed his presentation and answered the questions the Commissioners had at that time, Chair Covert opened the floor for comments from the public. He reminded each that they only had six (6) minutes to speak so that everyone could be heard. Using the sign-in sheet that had been provided at the front door, Chair Covert recognized Karl Boss of 2701 Old Farm Drive to speak first. He stated that he wasn't against the batch plant, but the way the existing contractors have been treating the existing Highland Meadows homes and streets. Sand and rock trucks using existing streets in Highland Meadows. Water truck yesterday filling at Lasater Road had traffic stopped because couldn't see around it so even a school bus had to stop and wait for him to finish filling the truck before anyone could proceed. Trucks turning around in driveways. Trucks tracking dirt and mud into streets and not cleaning it up. City just finished repairing some internal streets and roads in Highland Meadows. D.R. Horton says it's not their fault by blaming their hired contractors. School buses serving the neighborhood run from 6:45 AM until 9:00 AM each morning. There needs to be some kind of give and take, but not one where "when the cat's away the mice play" attitude the current Highland Meadows residents seem to be currently getting.

Chair Covert asked any of the others on the list wished to speak. As no one else asked to be recognized, the public hearing was closed at 7:26 p.m. The chairman stated that members of the public were welcome to stay and observe the procedures but were asked to not disrupt the discussion.

Vice Chair Dupuis agreed that the only route trucks should be using is Interstate 20 and Lasater Road. And that all non-compliant trucks should be ticketed. If drivers aren't smart enough to get from Interstate 20 down Lasater to the site, then they probably shouldn't be driving. Trucks shouldn't be on other streets in Highland Meadows or other city streets. Truck owners/companies don't pay those tickets – the drivers do. Start writing tickets and the drivers get the message that there is only one approved route. Commissioner Sudduth asked if the start time should may be later in the morning if we are already having issues with school buses. 8:00? Commissioner Englert stated that school buses in that area are going to almost always run until 9:00 to get everyone picked up. Commissioner Sudduth asked Director Barr if there was something Staff could do. Director Barr responded by stating they can work with the contractor on the bringing in, setting up, tearing down, and hauling off the plant as well as when deliveries of materials arrive. Mr. Leonard responded from the audience that the expected paving period will likely be August (before school returns in the fall). Commissioner Englert agreed there should be limitations on the hours of deliveries to help keep traffic issues to a minimum. Director Barr stated that if paving will be in August, then school buses won't be an issue. Reaching an end of the discussion, Chair Covert moved that the Planning and Zoning Commission recommend to the City Council approval of the SUP for a temporary concrete batch plant on Lots 1 through 5 Block E of Highland Meadows Phase III (approved construction plat) to be used exclusively in the Highland Meadows Phase III with Staff provided conditions of approval. Commissioner David Grimes seconded the motion. A vote was held and the results were unanimously in favor of the

Planning and Zoning Commission recommending approval of the zoning change on 0.8 acres from the current zoning of planned development with R-5 base zoning (PD-R5) to a current zoning of planned development with R-5 base zoning (PD-R5) with a special use permit in the Highland Meadows Phase III project with the conditions set forward by the Staff.

As Commissioner James Sudduth is the property owner of the subject parcels in the next public hearing, a short break was taken at 7:32 p.m. to allow him to leave the room and building. Once Director Barr had confirmed he had left, the Commissioners were brought back to order and the next item of business begun.

C. Zoning Request Z2018-04: Chairman Raymond Covert opened the public hearing at 7:34 p.m. Junior Planner Jennifer Bonner began by reading highlights of the Staff Report (Exhibit A) on the request to amend the planned development of PD-13-01A on more than 114 acres. Part of the property was outside the city limits in 2002 but has since been annexed. The original planned development was granted in 2013. (Exhibit J) The first amendment to the PD was granted in January 2016. (Exhibit K) Tonight we are looking at the second amendment application to the PD. (Exhibits D, L, and M). The planned development encompasses all of the Sudduth Addition (Lots 1 through 3 Block A). Lot 1 is zoned PD-R1 (planned development with residential single-family R-1 base zoning). Lots 2 and 3 are zoned PD-C (planned development with commercial base zoning). She continued by stating that Staff is asking that the concept plan provided be accepted with conditions, but there was some difficulty in trying to figure out how to spell out these conditions – which Staff is hoping the P&Z can help with tonight. The area in the planned development is all south of the East Fork of the Trinity River, north of the U.S. Highway 175 service road (upon which vehicular traffic can only travel to the west), and almost entirely in the floodplain. As the site is only used on weekends, it has not been reviewed for compliance with typical code requirements (parking, signage, building setbacks, accessibility, landscaping, screening, height, open space, etc.). Kaufman County lists a “hole” in Lot 1 that belongs with a separate parcel that is actually part of platted Lot 2 so the ownership list (Exhibit G) list 4 subject parcels, even though only 3 lots are generally referenced in the staff report (Exhibit A). Lot 1 is zoned PD-AG (planned development with agricultural base zoning). Also, this application shifts from 3 areas of use (A, B, and C) to 4 areas of use (A, B, C, and D) with Use Area D being primarily the floodplain areas to the north of the planned development area. There have been no replies from any of the 6 adjoining land owners. Exhibit H is a floodplain map from the Kaufman County website. Everything in orange is floodplain. Exhibits I, J, K, L, and M were all briefly described. Exhibits L & M show proposed development use areas A, B, C, and D. Chair Covert asked about which lot has the “hole” in it. Planner Bonner clarified that it is not the parcel that was separately annexed into the city. Looking at Exhibit B, what looks like the letter “D” is actually the hole that belongs to the parcel with the number 15940 in it. The 15940 parcel is not being recognized by Kaufman County as being part of Lot 2 of the Sudduth Addition even though the subdivision plat shows it as part of that lot.

Mr. Brandon Baker, representing Mr. James Sudduth (owner) and Seagoville Trade Days, followed with the applicant's rebuttal. This business venture began 6 years ago with no realization what it might become. Opened the flea market first with plans to give it about 6 months to die. I was wrong. As it grew, we realized the original planned development didn't include all of the other things we wanted it to become. The (Christmas) light park was one of the first items that we realized we also wanted to do. We realized that besides the light park we needed to add several items to the original planned development. Staff at that time suggested that we include "everything" we might ever want to include in the first amendment. Obvious we were very limited in our thoughts at that time since we are now back to expand the list of uses again. As part of our light park, several animals have joined our site and a petting zoo has become a new use that was brought to us and that we had never thought of. In researching the petting zoo idea, it became apparent that the current planned development does not allow anything like that. This time Staff educated us better about thinking outside the box for the "everything" we might want to become. This site has about 12,000 unique visitors every weekend to the flea market – and that does not count the vendors. The light park in its 6-to-8 week run (2017 was its second year in existence) had a 150% increase in traffic over the previous year. We believe that number will continue to increase. We are trying to use the property now as an entertainment venue. We have had a vendor come to us with access to amusement rides so those have been added in the last amendment. The core business will remain the flea market. We obviously cannot do everything on the list as there isn't enough room. But some of the seasonal activities (i.e. Christmas light park) can have the same space used for another seasonal activity (haunted hay rides, Easter park, etc.). We are trying to utilize the property better than we have in the past. Obviously some of these uses would require acquisition of additional property that would then need to be brought into this PD. So this time with staff's help, we really did try to think way outside the box in order to include everything we want. I am happy to try to answer any questions you might have as you go along in your discussion. Mr. Larry Campbell, who is the on-site manager as well as the mad scientist behind some of these ideas, is also here to try to answer any questions you might have.

After Mr. Baker completed his presentation and answered the questions the Commissioners had at that time, Chair Covert opened the floor for comments from the public. As there was no response from the audience, Chair Covert closed the public hearing was closed at 7:51 p.m. The chairman stated that remaining members of the public were welcome to stay and observe the procedures but were asked to not disrupt the discussion.

Chair Covert said he didn't see anything on the list that wasn't healthy or productive for the City of Seagoville and its residents. Commissioner David Grimes asked hours since the current hours of the PD are weekends only. Commissioner Grimes continued by stating that he feels that some of these entertainment venue activities should be available more than just weekends (Friday, Saturday, and Sunday). Director Barr

responded by stating that we would recommend that they would expand their operational hours to 7 days a week. They wouldn't have to be open all of those days but ask for their operation to not be limited. Mr. Baker returned to the podium to specifically answer. Mr. Baker stated that flea market just doesn't lend itself to during the week. The seasonal aspects are each very short-term activities but easily implemented. We wouldn't mind having the kids and school-aged kids access to the petting zoo or animals during the week. Commissioner Grimes believes that giving the option to the development rather than limiting them to their current hours. Mr. Campbell came to the podium and spoke about it taking 2 whole days to clean the site thoroughly. He wouldn't mind opening during the week for kid activities, but keeping the flea market for weekends. Just the trash management portion of the flea market is a job that requires the crew to work diligently and very hard to get back to the pristine condition that both Mr. Campbell and Mr. Sudduth by Wednesday – rain or shine. We have put up screening fences to help blocks views of neighbors into the property on weekends. The option is expand the hours would be nice, but we don't want to have anyone upset with us. Commissioner Grimes asked what a "Snake Bar" is. After a group laugh, Mr. Baker responded that it is a misspelled "Snack Bar". Commissioner Grimes continued with "so this lists really does allowed the site to expand its uses" because of its proximity to Seagoville, Dallas, and the country? Mr. Baker replied yes, it isn't because we are out-spending our competition. It is because we have defined ourselves to be a simple, light, family-friendly park. People have come from all over the metroplex to have a good time and told us we are the best park. Commissioner Grimes continued by asking about planned area D (most of the floodplain area). Mr. Baker said that there are quite a few things that we can include there – expanding the Christmas light park into that area; a BMX track for once or twice a year events; soccer fields; etc. Commissioner Grimes asked about parking in that area. Mr. Campbell stated that he is trying to put in another phase of parking now. Mr. Baker stated the current parking expansion is really just to get folks into the site and not parking along the service road. Track or trackless train through the Christmas park is not something is the metroplex currently. Neither is a train winding through the animal/petting zoo. Both could easily become destinations for visitors as well as residents of the Seagoville area. Director Barr also mentioned the water park. He also mentioned what Jefferson has done with their train. He continued by stating we are just trying to get everything right for them to operate. Mr. Campbell spoke up to state that the Easter park will be drive-through and also include planted bluebonnet fields. They are looking into planting large areas for folks to come for taking pictures, etc. Mr. Baker responded we just what to get the exposure of the site and therefore Seagoville. He continued with people going to the site on weekends also shop, get gas or propane tanks, eat, buy canopies, and do all sorts of other things in Seagoville while here.

Reaching an end of the discussion, the chair asked for a motion and second. Commissioner David Grimes moved to recommend the amendment to the planned development change to the City Council for their approval. Vice Chair Dupuis seconded the motion. Before a vote could be held, Commissioner Englert asked whether the vote included the expansion of operating days to seven days a week. Both Commissioner

Grimes and Dupuis indicated yes. Planner Bonner reminded the Commissioners that Roberts' Rules of Order (the guiding rules of order for the commission) require that an amendment be voted on first and then the original motion. A vote was held, and the results were unanimously in favor of the Planning and Zoning Commission amending the original motion to include the expansion of allowed days of operation from weekends only (Friday, Saturday, and Sunday) to Wednesday through Sunday. Commissioner Englert moved and Commissioner Sherman seconded that the Planning and Zoning Commission recommend to the City Council to amend the existing planned development to allow more permitted uses and to expand the number of days of operations to Wednesday through Sunday. The vote was held with all Commissioners voting in favor of amending the PD documents by the expansion of the PD uses and days of operation.

The item of business being concluded where Commissioner James Sudduth is the property owner of the subject parcels in the previous public hearing at 8:07 p.m., a short break was taken to allow him to return to the building and the meeting room. Once Commissioner Sudduth had retaken his seat, the Commissioners were brought back to order and the next item of business begun.

- D. Zoning Request Z2018-05:** Chairman Raymond Covert opened the item at 8:17 p.m. Junior Planner Jennifer Bonner began by reading parts of the Staff Report (Exhibit A) on the request to approve the façade plans for 3 proposed buildings on Bruce Way in the Seagoville Business Park. The applicants wish to construct the last 3 buildings in the business park to match all others already constructed in the park. Unfortunately, the zoning district code currently requires all structures to be 100% masonry. In addition, the current code does not allow overhead doors to face a public street except in certain limited (land use) conditions. The Master Thoroughfare Plan calls for a Minor Arterial to be extended to the southeast along the approximate alignment of Old Seagoville Road through the business park. Only 60-feet of right-of-way was dedicated for that road with the plat of the business park. The Master Thoroughfare Plan calls for the Minor Arterial called for will require 100-feet of right-of-way. No additional right-of-way is being requested or required at this time. However, if the road is ever extended to the south and west, additional right-of-way may be required at that time. She concluded by stating the Staff has no recommendation for or against the proposed request. Exhibit B is an aerial photo showing where the 3 proposed buildings would be placed. Exhibit E is a copy of the Seagoville Business Park plat. Exhibit F is a copy of the planned elevations/façades. Vice Chair Dupuis asked about the overhead doors shown in Exhibit F. Planner Bonner responded by stating that the use of the buildings had not been provided but the only uses where overhead doors may face the street are 1) oil/lube uses and 2) automated car wash. Without information related to the proposed buildings use, Staff assumed that the use of the building will be neither since these are the only two (2) uses allowing overhead doors facing a street. All the other buildings have at least one overhead door as well as a truck well in front of them. All of the buildings on the site were built between 2000 and 2009. The code changed in 2010 to not allow the overhead doors facing a street as well as separately requiring 100% masonry. Staff code see both sides of the

argument requiring both by code as well as not requiring since then the proposed buildings would then not match the other buildings in the business park.

The applicant, represented by Tom Townley of Tom Townley Architecture, gave his rebuttal to the Staff Report by stating the applicants are simply wishing to build these 3 proposed buildings to match all the others that already exist in the business park (100% steel buildings and at least one overhead door facing the internal street of Bruce Way) with the exception on no truck wells in front of the overhead doors. I designed the entire park in 1999. At that it was known that it would take quite a bit of time to build and rent out each building. There were 3 floor plans for the park. Each lot had its own floor plan. All the civil drawings were completed at that time including drainage and elevations. As far as I and the owner are concerned, these elevations and buildings were approved back in 1999/2000. It has just taken 20 years to get everything built. We (the owners and I) feel that the elevations should remain as close to the original as possible.

Chair Covert asked if the overhead doors would face Bruce Way. Mr. Townley said yes. Commissioner Sudduth said that he felt the Mr. Townley was handicapping the rental of the property without the second overhead door. Mr. Townley said they could always come back and put the second overhead door in if it is needed or they could put it in now, but they have eliminated one (1) of the overhead doors on two (2) of the buildings as one of the existing tenants is looking at renting two (2) of the planned buildings. That person (a plumbing company representative) has stated they don't need the second overhead door nor the truck well so that they have more space available for parking employees. The third building would keep its 2 overhead doors but would remove the truck well. It does not yet have a planned tenant. Chair Covert asked why the park wasn't previously built out. Mr. Townley responded that to have built them in the past and not had a tenant for them would have been very expensive. That is why the project was approved then but was built in phases. Chair Covert asked if there was anyone in the audience who wished to speak about this project. With no response, he closed the public hearing at 8:28 p.m. and opened the discussion of the commissioners. He began the discussion by stating, hey these were all built as metal in 1999. Let's just build these last 3 buildings to match what we have plans for. Vice Chair Dupuis stated that matching the all-metal existing buildings may not be bad. Commissioner Sudduth said he was in favor of matching the existing buildings as long as building setbacks are matched and there are no additional truck wells built. Chair Covert could see in good faith trying to match what has been there. But things like zoning code have changed. Commissioner Sudduth moved to approve the façades as proposed with all-metal buildings that match the building setbacks and with no truck wells. Commissioner Englert was clarifying that the applicant was looking for a waiver in order to build to match the existing buildings in the business park. Vice Chair Dupuis agreed and then seconded the motion. The vote was 5 in favor of allowing the applicant to move forward with their project as proposed and the Chair as the only opposing vote.

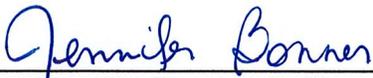
With no other business to address, Chairman Covert adjourned the meeting at 8:31 p.m. after

reminding those that remained that the follow-up City Council meeting next Monday, April 2 at 6:30 p.m. in this room. Planner Bonner also reminded everyone of the next P&Z meeting on Tuesday, April 10 at 6:30 p.m. in this room.



Raymond Covert
Planning and Zoning Commission Chairman

ATTEST:



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