



**SEAGOVILLE, TEXAS
CITY COUNCIL MEETING AGENDA
MONDAY, NOVEMBER 5, 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**
- B. Police Department & Animal Control Quarterly Update – Police Chief**

Adjourn

REGULAR SESSION - 7:00 P.M.

ROUTINE ANNOUNCEMENTS, RECOGNITIONS, and PROCLAMATIONS

Call to Order

Invocation

Pledge of Allegiance

Proclamation – Municipal Courts 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 October 15, 2018 (City Secretary)**

REGULAR AGENDA-

- 2. Discuss and consider a Resolution of the City of Seagoville, Texas, authorizing the City Manager to execute an agreement with Halff Associate, Inc. for professional services on a task order basis; and approving task order authorization No. #1 for general on-call consultation services related to incorporating the City's GIS Maps for its utilities into the City Works Software platform, and general on-call water and wastewater engineering service in an amount not to exceed \$30,000.00; providing an effective date (Water Utilities)**
- 3. Discuss and consider approving a Resolution of the City of Seagoville, Texas, authorizing the City Manager to execute an agreement with Halff Associates, Inc. for professional services on a task order basis; and approving task order authorization No. #1 for assistance with the City's Storm Water Management Plan in an amount not to exceed \$29,400.00; and providing an effective date (Water Utilities)**
- 4. Conduct a public hearing on request Z2018-21a to change the zoning from LM, Light Manufacturing, to R-5, Residential Single Family, on about 0.6-acres described as part of Block 6 of Original Town of Seagoville and Henry D. Bohannon Abstract 0178, and commonly referred to as 307 North Watson Street (Junior Planner)**
- 5. Discuss and consider an Ordinance of the City of Seagoville, Texas, amending the Comprehensive Zoning Ordinance and Map of the City of Seagoville, as amended, by granting a change in zoning from LM, Light Manufacturing, to R-5, Residential-5 Single Family, on real property described as Block 6, Tract 14 of Original Town of Seagoville, commonly referred to as 307 N. Watson Street, in the City of Seagoville, Dallas County, Texas, and being legally described and depicted in Exhibits "A" and "B", respectively, which are attached hereto and incorporated herein; providing for a repealing clause; providing for a savings clause; providing for a severability clause; providing for a penalty of fine not to exceed Two Thousand Dollars (\$2,000.00) for each offense; and providing for an effective date (Junior Planner)**
- 6. Conduct a public hearing on request Z2018-21b to change the zoning from LM, Light Manufacturing, to R-5, Residential Single Family, on 3 tracts totaling about 1-acre described as Lots 6, 8, 9, and 10 and Tract 7 Block 6 of Original Town of Seagoville and part of the Henry D. Bohannon Abstract 0178, and commonly referred to as 100 Ward Street and two vacant lots addressed by Dallas County as 410 Peck Street and 7 No Name Street (Junior Planner)**

7. Discuss and consider an Ordinance of the City of Seagoville, Texas, amending the Comprehensive Zoning Ordinance and map of the City of Seagoville, as amended, by granting a change in zoning from LM, Light Manufacturing, to R-5, Residential-5 Single Family, on five (5) tracts of real property described as block 6, tracts 6 and 7 of Original Town Seagoville, commonly referred to as 410 Peck Street and 7 No Name, respectively, and block 6, tracts 8, 9 and 10 of Original Town Seagoville- Fenley's Unrecorded, commonly referred to as 100 Ward Street, in the City of Seagoville, Dallas County, Texas, and being legally described in exhibits "A" and "B", respectively, and depicted in exhibits "C" and "D", respectively, which are attached hereto and incorporated herein; providing for a repealing clause; providing for a savings clause; providing for a severability clause; providing for a penalty of fine not to exceed Two Thousand Dollars (\$2,000.00) for each offense; and providing for an effective date (Junior Planner)

8. Conduct a public hearing on request Z2018-21c to change the zoning from LM, Light Manufacturing, to R-5, Residential Single Family, on about 0.2-acres described as Lot 5 Block 6 of Original Town of Seagoville and Henry D. Bohannon Abstract 0178, and commonly referred to as 301 North Watson Street (Junior Planner)

9. Discuss and consider an Ordinance of the City of Seagoville, Texas, amending the Comprehensive Zoning Ordinance and Map of City of Seagoville, as amended, by granting a change in zoning from LM, Light Manufacturing, to R-5, Residential-5 Single Family, on real property described as Block 6, Tract 5 of Original Town of Seagoville, commonly referred to as 301 N. Watson Street, in the City of Seagoville, Dallas County, Texas, and being legally described and depicted in Exhibits "A" and "B", respectively, which are attached hereto and incorporated herein; providing for a repealing clause; providing for a savings clause; providing for a severability clause; providing for a penalty of fine not to exceed Two Thousand Dollars (\$2,000.00) for each offense; and providing for an effective date (Junior Planner)

10. Conduct a public hearing on a zoning request Z2018-15 to amend the zoning on about 2-acres of real property located at 401 West Simonds Road (also known as the unplatted Tract 37 of the Herman Heider Abstract number 541 on page 490) from the R-5, Residential Single Family, zoning district to the LM, Light Manufacturing, zoning district (Junior Planner)

11. Discuss and consider an Ordinance of the City of Seagoville, Texas, amending the Comprehensive Zoning Ordinance and Map of City of Seagoville, as amended, by granting a change in zoning from R-5, Residential Single Family, to LM, Light Manufacturing, on approximately 2± acres of real property located at 401 West Simonds Road in the City of Seagoville, Dallas County, Texas, being legally described as Tract 37, Herman Heider Survey, Abstract 541 and being depicted in Exhibit "A", attached hereto and incorporated herein; providing for a repealing clause; providing for a savings clause; providing for a severability clause; providing for a penalty of fine not to exceed Two Thousand Dollars (\$2,000.00) for each offense; and providing for an effective date (Junior Planner)

12. Discuss and consider approving a Resolution of the City of Seagoville, Texas, appointing Janice Mckee as Presiding Municipal Court Judge for a two-year term; providing for the repeal of all resolutions in conflict; providing a severability clause; and providing an effective date (City Attorney)

13. Discuss and consider approving a Resolution of the City of Seagoville, Texas, reappointing Kimberly Lafferty as Associate Municipal Court Judge for a two-year term; providing for the repeal of all resolutions in conflict; providing a severability clause; and providing an effective date (City Attorney)

14. Discuss and consider approving a Resolution of the City of Seagoville, Texas, appointing Cathy Penn as an Alternate Associate Municipal Court Judge commencing on November 17, 2018 through December 23, 2018; providing for the repeal of all resolutions in conflict; providing a severability clause; and providing an effective date (City Attorney)

15. Discuss and consider a Resolution of the City of Seagoville, Texas appointing member to initial 9-1-1 District Board; providing for the repeal of any and all Resolutions in conflict; providing for severability clause; and providing an effective date (Police Support Services Manager)

16. Discuss and consider remanding to the Planning & Zoning Commission side yard or setback language for lots in all single-family residential zoning districts (Junior Planner)

17. Approval of Resolution No. 52-R-2018 approving an Amendment to the Professional Services Agreement with C&M Concrete to provide for additional scope of services to the emergency repairs on Seagoville Road in an amount not to exceed \$43,550.00 and authorizing the City Manager to execute said Amendment (City Manager)

18. Receive Councilmember Reports/Items of Community Interest – as authorized by Section 551.0415 of the Texas Government Code.

19. 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.

20. Executive Session

Recess into Executive Session in compliance with Texas Government Code:

Section § 551.074 Personnel, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee to wit: Municipal Judges

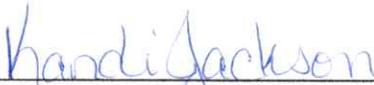
21. Reconvene into Regular Session

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

Section § 551.074 Personnel, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee to wit: Municipal Judges

Adjourn

Posted Friday, November 2, 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, November 19, 2018 Regular City Council Meeting**
- **Monday, December 3, 2018 Regular City Council Meeting**



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 City Council Presentation

Seagoville Animal Services Stats for the 3RD quarter 2018

Canine Intakes, Adoptions, Rescues, and Return to Owner

Description	July	August	September	Total	YTD Total
Stray	50	35	40	125	362
Surrenders	1	3	1	5	26
Adoptions	30	38	18	86	237
Rescues	2	12	11	25	60
Return to Owner	13	8	11	32	113

Feline Intakes, Adoptions, Rescues, and Return to Owner

Stray	21	16	5	42	98
Surrenders	1	0	0	1	2
Adoptions	22	15	4	41	93
Rescues	0	0	0	0	0
Return to Owner	1	0	0	1	4

Animal Services Activity for the 3RD quarter of 2018

Calls for Service	209	163	147	519	1576
After Hour Calls	62	49	33	144	447
Volunteer Hours	306	337	290	933	2637
Verbal Warnings	1	3	1	5	13
Written Warning	1	2	0	3	7
Citations	1	0	0	1	4

2018 Crime Statistics
Seagoville Police Department

SEAGOVILLE POLICE DEPARTMENT
CONSOLIDATION OF MONTHLY CRIMINAL ACTIVITY

UNIFORM CLASSIFICATION OF OFFENSES	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	This year to date	Last year to date	%+- For Same Period Last Year	
1A. CRIMINAL HOMICIDE: MURDER	0	0	0	0	0	0	0	0	0				0	1	-1	-100.00%
1B. MANSLAUGHTER BY NEGLIGENCE	0	0	0	0	0	0	0	0	0				0	1	-1	-100.00%
2. FORCIBLE RAPE	0	0	0	0	0	0	0	0	0				0	0	0	0.00%
3. ROBBERY	0	0	0	0	0	1	0	1	0				2	6	-4	-66.67%
4. AGGRAVATED ASSAULT	1	0	0	2	0	0	1	1	1				6	10	-4	-40.00%
5. BURGLARY-BREAKING OR ENTERING	5	3	9	1	5	9	4	5	11				52	61	-9	-14.75%
6. THEFT - LARCENY	29	12	16	10	15	16	12	16	22				148	190	-42	-22.11%
7. MOTOR VEHICLE THEFT	12	5	13	10	7	7	10	6	8				78	59	19	32.20%
8. ARSON	0	0	0	0	0	0	0	0	0				0	1	-1	-100.00%
TOTAL - PART I OFFENSES	47	20	38	23	27	33	27	29	42	0	0	0	286	329	-43	-13.07%

**SEAGOVILLE POLICE DEPARTMENT
POLICE CHIEF'S MONTHLY REPORT**

	September 2018	September 2017	% CHANGE	2018 YTD	2017 YTD	% CHANGE
PART I OFFENSES	42	32	31%	295	334	-12%
CRIME INDEX RATE	2.61	1.99	31%	18.32	21.44	-15%
TOWN POPULATION	16100	15580	3%	16100	15580	3%
CLEARANCE INDEX	9	7	29%	60	69	-13%
CLEARANCE INDEX RATE	0.56	0.45	24%	3.73	4.43	-16%
VALUE PROPERTY STOLEN	\$ 143,558	\$ 82,905	73%	\$ 874,443	\$ 911,021	-4%
VALUE PROPERTY RECOVERED	\$ 21,499	\$ 51,820	-59%	\$ 488,399	\$ 616,724	-21%

ACTUAL OFFENSES PER 1,000 POPULATION AND CLEARANCE RATE

CRIMINAL HOMICIDE RATE	0 0.00	0 0.00	0% 0%	0 0.00	1 0.06	-100% -100%
CASES CLEARED CLEARANCE RATE	0 0.00	0 0.00	0% 0%	0 0.00	1 0.00	-100% 0%
FORCIBLE RAPE RATE	0 0.00	0 0.00	0% 0%	0 0.00	0 0.00	0% 0%
CASES CLEARED CLEARANCE RATE	0 0.00	0 0.00	0% 0%	0 0.00	0 0.00	0% 0%
ROBBERY RATE	0 0.00	0 0.00	0% 0%	2 0.124	6 0.39	-67% -68%
CASES CLEARED CLEARANCE RATE	0 0.00	0 0.00	0% 0%	1 0.00	0 0.00	100% 0%
AGGRAVATED ASSAULT RATE	1 0.06	2 0.13	-50% -52%	6 0.37	10 0.64	-40% -42%
CASES CLEARED CLEARANCE RATE	1 0.06	3 0.19	-67% -68%	5 83.33	9 90.00	-44% -7%
BURGLARY RATE	11 0.68	5 0.32	120% 113%	61 3.79	67 4.30	-9% -12%
CASES CLEARED CLEARANCE RATE	2 18.18	0 0.00	100% 100%	6 9.84	14 20.90	-57% -53%
LARCENY RATE	22 1.37	20 1.28	10% 6%	148 9.19	189 12.13	-22% -24%
CASES CLEARED CLEARANCE RATE	5 22.73	4 20.00	25% 14%	30 20.27	39 20.63	-23% -2%
AUTO THEFT RATE	8 0.50	5 0.32	60% 55%	78 4.84	59 3.79	32% 28%
CASES CLEARED CLEARANCE RATE	1 12.50	0 0.00	100% 100%	18 23.08	6 10.17	200% 127%
ARSON RATE	0 0.00	0 0.00	0% 0%	0 0.00	2 0.13	-100% -100%
CASES CLEARED CLEARANCE RATE	0 0.00	0 0.00	0% 0%	0 0.00	0 0.00	0% 0%

**SEAGOVILLE POLICE DEPARTMENT
POLICE CHIEF'S MONTHLY REPORT**

	September 2018	September 2017	% CHANGE	2018 YEAR TO DATE	2017 YEAR TO DATE
TRAFFIC					
ACCIDENTS INVESTIGATED	14	13	8%	92	114
NON-INJURY ACCIDENTS	4	9	-56%	50	77
INJURY ACCIDENTS	9	4	125%	40	36
FATAL ACCIDENTS	1	0	100%	2	1
CITATIONS					
TOTAL CITATIONS ISSUED	91	180	-49%	1036	1174
TOTAL VIOLATIONS	145	300	-52%	1677	2015
MOVING VIOLATIONS	40	53	-25%	345	615
NON-MOVING VIOLATIONS	105	247	-57%	1332	1400
ARRESTS					
FELONY	2	3	0%	17	19
MISDEMEANOR	5	6	-17%	32	54
ALCOHOL RELATED	3	0	100%	16	13
DWI ARRESTS	1	0	100%	4	4
PUBLIC INTOXICATION	2	0	100%	12	9
MINOR POSSESSION	0	0	0%	0	0
JUVENILE CUSTODY	1	2	-50%	6	10
TOTAL ARRESTS	45	33	36%	381	335
POLICE RESPONSE DATA					
POLICE CALLS FOR SERVICE	985	1239	-20.5%	9909	10048
AVERAGE RESPONSE TIMES					
PRIORITY II, III, & IV	9.37	9.66	-3.0%	10.15	9.54
PRIORITY I	6.02	6.17	-2.4%	6.28	7.43
EMERGENCY COMMUNICATIONS					
ALL DISPATCHED CALLS FOR SERVICE	2290	2904	-21%	22768	24891
9-1-1 CALLS (PHONE CALLS)	1135	1320	-14%	10435	11215
PERSONNEL DATA					
AUTHORIZED SWORN		24			
AUTHORIZED SWORN ACTUAL		24			
AUTHORIZED SWORN VACANCIES		0			
ACTUAL SWORN (PT)		3			
AUTHORIZED RESERVE STRENGTH		5			
ACTUAL RESERVE STRENGTH		0			
SUPPORT SERVICE MANAGER (FT)		1			
SUPPORT SERVICE MANAGER (FT) VACANCIES		0			
AUTHORIZED CIVILIAN PST (FT)		6			
AUTHORIZED CIVILIAN PST (FT) VACANCIES		1			
AUTHORIZED CIVILIAN PST (PT)		4			
AUTHORIZED CIVILIAN PST (PT) VACANCIES		2			
AUTHORIZED CIVILIAN SST (FT)		3			
AUTHORIZED CIVILIAN SST VACANCIES		0			
SCHOOL CROSSING GUARD (PT)		3			
SCHOOL CROSSING GUARD (PT) VACANCIES		0			
AUTHORIZED OFFICERS PER 1000 POP.		1.49			
TOTAL EMPLOYEES PER 1000		1.80			

**SEAGOVILLE POLICE DEPARTMENT
POLICE CHIEF'S MONTHLY REPORT**

	September 2018	September 2017	%	2018 YEAR TO DATE	2017 YEAR TO DATE
ALARM CALLS FOR SERVICE					
TOTAL ALARMS RECEIVED	111	54	106%	1154	668
TRUE ALARMS	3	1	0%	5	3
FALSE ALARMS	108	53	104%	1149	665
VEHICLES IMPOUNDED					
INCIDENTAL TO ARREST	7	4	75%	73	23
ABANDONED ROADWAY	1	11	-91%	33	90
RECOVERED STOLEN	3	2	50%	54	37
UNLICENSED DRIVER	0	0	0%	4	2
ACCIDENT	10	10	0%	100	145
WARRANTS SERVED					
SEAGOVILLE COURTS	64	44	45%	472	483
OTHER COURTS	50	56	-11%	451	462
CRIMINAL INVESTIGATIONS					
NUMBER OF CASES RECEIVED	122	111	10%	1127	1085
CASES CLEARED BY ARREST	30	21	43%	265	212
FALSE REPORTS	0	0	0%	0	1
EXCEPTIONAL MEANS	7	11	-36%	112	90
SUSPENDED / NO LEADS	45	24	88%	310	351
OTHER	19	21	-10%	248	217
UNFOUNDED	0	1	-100%	6	12
REVENUE FRONT WINDOW	6502.60	8628.92	-24.6%	108414.45	100522.78

**SEAGOVILLE POLICE DEPARTMENT
POLICE CHIEF'S MONTHLY REPORT**

	September 2018	September 2017	% CHANGE	2018 YEAR TO DATE	2017 YEAR TO DATE	% CHANGE
TRAFFIC						
ACCIDENTS INVESTIGATED	14	13	8%	92	114	-19%
NON-INJURY ACCIDENTS	4	9	-56%	50	77	-35%
INJURY ACCIDENTS	9	4	125%	40	36	11%
FATAL ACCIDENTS	1	0	100%	2	1	100%
CITATIONS						
TOTAL CITATIONS ISSUED	91	180	-49%	1036	1174	-12%
TOTAL VIOLATIONS	145	300	-52%	1677	2015	-17%
MOVING VIOLATIONS	40	53	-25%	345	615	-44%
NON-MOVING VIOLATIONS	105	247	-57%	1332	1400	-5%
ARRESTS						
FELONY	2	3	0%	17	19	-11%
MISDEMEANOR	5	6	-17%	32	54	-41%
ALCOHOL RELATED	3	0	100%	16	13	23%
DWI ARRESTS	1	0	100%	4	4	0%
PUBLIC INTOXICATION	2	0	100%	12	9	33%
MINOR POSSESSION	0	0	0%	0	0	0%
JUVENILE CUSTODY	1	2	-50%	6	10	-40%
TOTAL ARRESTS	45	33	36%	381	335	14%
POLICE RESPONSE DATA						
POLICE CALLS FOR SERVICE	985	1239	-20.5%	9909	10048	-1%
AVERAGE RESPONSE TIMES						
PRIORITY II, III, & IV	9.37	9.66	-3.0%	10.15	9.54	6.4%
PRIORITY I	6.02	6.17	-2.4%	6.28	7.43	-15.5%
EMERGENCY COMMUNICATIONS						
ALL DISPATCHED CALLS FOR SERVICE	2290	2904	-21%	22768	24891	-9%
9-1-1 CALLS (PHONE CALLS)	1135	1320	-14%	10435	11215	-7%
PERSONNEL DATA						
AUTHORIZED SWORN		24				
AUTHORIZED SWORN ACTUAL		24				
AUTHORIZED SWORN VACANCIES		0				
ACTUAL SWORN (PT)		3				
AUTHORIZED RESERVE STRENGTH		5				
ACTUAL RESERVE STRENGTH		0				
SUPPORT SERVICE MANAGER (FT)		1				
SUPPORT SERVICE MANAGER (FT) VACANCIES		0				
AUTHORIZED CIVILIAN PST (FT)		6				
AUTHORIZED CIVILIAN PST (FT) VACANCIES		1				
AUTHORIZED CIVILIAN PST (PT)		4				
AUTHORIZED CIVILIAN PST (PT) VACANCIES		2				
AUTHORIZED CIVILIAN SST (FT)		3				
AUTHORIZED CIVILIAN SST VACANCIES		0				
SCHOOL CROSSING GUARD (PT)		3				
SCHOOL CROSSING GUARD (PT) VACANCIES		0				
AUTHORIZED OFFICERS PER 1000 POP.		1.49				
TOTAL EMPLOYEES PER 1000		1.80				

**SEAGOVILLE POLICE DEPARTMENT
POLICE CHIEF'S MONTHLY REPORT**

	September 2018	September 2017	%	2018 YEAR TO DATE	2017 YEAR TO DATE	%
			CHANGE			CHANGE
ALARM CALLS FOR SERVICE						
TOTAL ALARMS RECEIVED	111	54	106%	1154	668	73%
TRUE ALARMS	3	1	0%	5	3	67%
FALSE ALARMS	108	53	104%	1149	665	73%
VEHICLES IMPOUNDED						
INCIDENTAL TO ARREST	7	4	75%	73	23	217%
ABANDONED ROADWAY	1	11	-91%	33	90	-63%
RECOVERED STOLEN	3	2	50%	54	37	46%
UNLICENSED DRIVER	0	0	0%	4	2	100%
ACCIDENT	10	10	0%	100	145	-31%
WARRANTS SERVED						
SEAGOVILLE COURTS	64	44	45%	472	483	-2%
OTHER COURTS	50	56	-11%	451	462	-2%
CRIMINAL INVESTIGATIONS						
NUMBER OF CASES RECEIVED	122	111	10%	1127	1085	4%
CASES CLEARED BY ARREST	30	21	43%	265	212	25%
FALSE REPORTS	0	0	0%	0	1	-100%
EXCEPTIONAL MEANS	7	11	-36%	112	90	24%
SUSPENDED / NO LEADS	45	24	88%	310	351	-12%
OTHER	19	21	-10%	248	217	14%
UNFOUNDED	0	1	-100%	6	12	-50%
REVENUE FRONT WINDOW	6502.60	8628.92	-24.6%	108414.45	100522.78	7.9%

PROCLAMATION
Municipal Courts Week
November 5-9, 2018

Whereas, the Municipal Court of Seagoville, a time honored and vital part of local government, has existed since July 10, 1965.

Whereas, more people, citizens and non-citizens alike, come in personal contact with municipal courts than all other Texas courts combined, and

Whereas, public impression of the entire Texas judicial system is largely dependent upon the public's experience in municipal court,

Whereas, Municipal Judges and court support personnel have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all, and conform to the standards set by the Canons of Judicial Conduct,

Whereas, the Municipal Courts play a significant role in preserving the quality of life in Texas communities through the adjudication of traffic offenses, ensuring a high level of traffic safety for our citizens,

Whereas, the Municipal Courts serve as the local justice center for the enforcement of local ordinances and fine-only state offenses that protect the peace and dignity of our community,

Whereas, the Municipal Judges and Clerks continually strive to improve the administration of justice through participation in judicial education programs, seminars, workshops and the annual meetings of their state and local professional organizations.

Therefore, it is most appropriate that we recognize the accomplishments of the 916 Texas Municipal Courts, and salute their critical role in preserving public safety, protecting the quality of life in Texas communities, and deterring future criminal behavior,

Now, I, Dennis Childress, Mayor of the City of Seagoville, do recognize the week of November 5 - November 9, 2015 as *Municipal Court Week*, and further extend appreciation to all City of Seagoville Municipal Judges and court support personnel for the vital services they perform and their exemplary dedication to our community. I call upon all residents of Seagoville to join with the City Council in recognizing the vital service they perform and their exemplary dedication to the communities they represent.

Dated this 5th day of November, 2018.

Dennis Childress, Mayor

ATTEST:

Kandi Jackson, City Secretary

Consent Session Agenda Item: 1

Meeting Date: November 5, 2018

ITEM DESCRIPTION:

Consider approving City Council Meeting minutes for October 15, 2018.

BACKGROUND OF ISSUE:

Approve City Council Meeting minutes for October 15, 2018.

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

Staff recommends approval.

EXHIBITS:

October 15, 2018 City Council Work Session Meeting minutes
October 15, 2018 City Council Regular Session Meeting minutes



**MINUTES OF CITY COUNCIL
WORK SESSION
OCTOBER 15, 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, October 15, 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, Library Director Liz Gant, Fire Chief Todd Gilcrease, Director of Administrative Services Cindy Brown, and City Secretary Kandi Jackson.

B. Presentation – Seagoville High School Interns (Library Director)

Library Director Gant presented a biography and an overview of the Seagoville High School Interns.

A. Discuss Regular Session Agenda Items

- 3. Discuss and consider a Resolution of the Seagoville Economic Development Corporation approving the terms and conditions of an Exchange Agreement ("Agreement") by and between the City of Seagoville and the Seagoville Economic Development Corporation, attached hereto as Attachment "1", and the exhibits thereto, and authorizing the Executive Director to execute the Agreement on behalf of the SEDC; and approving the Exchange Agreement by and between the Seagoville Economic Development Corporation ("SEDC") and Charlotte Lee Taylor ("Taylor"), attached hereto as Attachment "2" and the exhibits thereto; authorizing the Executive Director to execute the Agreement on behalf of the SEDC; providing for a repealing clause; providing for a*

severability clause; and providing an effective date (City Attorney & City Manager)

4. *Discuss and consider a Resolution approving the terms and conditions of an Exchange Agreement ("Agreement") by and between the City of Seagoville ("City") and the Seagoville Economic Development Corporation ("SEDC"), attached hereto as Attachment "1" and the exhibits thereto; approving an Exchange Agreement between the SEDC and Charlotte Taylor, attached hereto as Attachment "2"; and approving the Exchange Agreement between Charlotte Lee Taylor and the City of Seagoville, attached hereto as Attachment "3"; authorizing the Mayor to execute the Agreements on behalf of the City; providing for a repealing clause; providing for a severability clause; and providing an effective date (City Attorney & City Manager)*

City Attorney Allen explained these two items are a land exchange. The City will convey a piece of property to the Seagoville Economic Development Corporation (SEDC). The Seagoville Economic Development Corporation will then convey said property to Ms. Taylor. Ms. Taylor will convey a separate parcel of property owned by her to the City of Seagoville. City Attorney Allen also stated the Seagoville Economic Development Corporation will not expend any funds, they only serve as an avenue to exchange property.

City Manager Stallings stated the property will be utilized for a new Fire Station #2.

Adjourned at 6:50 p.m.

APPROVED:

Mayor Dennis K. Childress

ATTEST:

Kandi Jackson, City Secretary



**MINUTES OF CITY COUNCIL
JOINT SEAGOVILLE ECONOMIC DEVELOPMENT CORPORATION
OCTOBER 15, 2018**

The Regular Session of the City Council of the City of Seagoville, Texas was called to order at 7:00 p.m. on Monday, October 15, 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

Jose Hernandez	Board Chair	
Stepper Sebastian	Board Vice-Chair	Absent
Barbara Sherman	Board Member	
Martin Ashley	Board Member	
Howard Sanders	Board Member	
Harold Magill	Board Member	
Alvin Ross	Board Member	

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

City Council Call to Order at 7:00 p.m.

SEDC Call to Order at 7:00 p.m.

Invocation – *Invocation was led by Dr. Don Cole.*

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

1. Consider approval of a budget amendment for the fiscal year ended September 30, 2019 (SEDC-Finance Director)

Finance Director Harvey explained the Seagoville Economic Development Corporation has been utilizing City Staff for human resource services and clerical support services. He also stated the City has approached the Seagoville Economic Development Corporation (SEC) concerning remuneration.

Motion to approve a budget amendment for the fiscal year ended September 30, 2019 – Magill, seconded by Ashley; motion passed with all ayes. 6/0

2. Discussion with and presentation from Mr. Justin Thompson of Site Location Partnership (SLP) concerning proposed custom contract services for the Seagoville Economic Development Corporation

Mr. Justin Thompson of Site Location Partnership (SLP) presented custom contract services for the Seagoville Economic Development Corporation.

After some discussion, City Manager Stallings stated Site Location Partnership would be brought back to the Seagoville Economic Development Corporation (SEDC) and if approved, will be brought back to the City Council at a later date.

3. Discuss and consider a Resolution of the Seagoville Economic Development Corporation approving the terms and conditions of an Exchange Agreement ("Agreement") by and between the City of Seagoville and the Seagoville Economic Development Corporation, attached hereto as Attachment "1", and the exhibits thereto, and authorizing the Executive Director to execute the Agreement on behalf of the SEDC; and approving the Exchange Agreement by and between the Seagoville Economic Development Corporation ("SEDC") and Charlotte Lee Taylor ("Taylor"), attached hereto as Attachment "2" and the exhibits thereto; authorizing the Executive Director to execute the Agreement on behalf of the SEDC; providing for a repealing clause; providing for a severability clause; and providing an effective date (City Attorney & City Manager)

City Manager Stallings stated this project is a property transaction that will provide property to build a second Fire Station. He also stated in order to avoid any mistakes the City Attorney will lead everyone through the process.

City Attorney Allen stated the City of Seagoville will convey a piece of property to the Seagoville Economic Development Corporation (SEDC). The SEDC will convey the same property to Ms. Taylor. Ms. Taylor will convey a separate piece of property to the City of Seagoville which will be used to build a second Fire Station. She also stated the SEDC will not incur any costs.

Motion to approve a Resolution of the Seagoville Economic Development Corporation approving the terms and conditions of an Exchange Agreement (“Agreement”) by and between the City of Seagoville and the Seagoville Economic Development Corporation, attached hereto as Attachment “1”, and the exhibits thereto, and authorizing the Executive Director to execute the Agreement on behalf of the SEDC; and approving the Exchange Agreement by and between the Seagoville Economic Development Corporation (“SEDC”) and Charlotte Lee Taylor (“Taylor”), attached hereto as Attachment “2” and the exhibits thereto: authorizing the Executive Director to execute the Agreement on behalf of the SEDC; providing for a repealing clause; providing for a severability clause; and providing an effective date – Magill, seconded by Sherman; motion passed with all ayes. 6/0

Motion to approve a Resolution of the Seagoville Economic Development Corporation approving the terms and conditions of an Exchange Agreement (“Agreement”) by and between the City of Seagoville and the Seagoville Economic Development Corporation, attached hereto as Attachment “1”, and the exhibits thereto, and authorizing the Executive Director to execute the Agreement on behalf of the SEDC; and approving the Exchange Agreement by and between the Seagoville Economic Development Corporation (“SEDC”) and Charlotte Lee Taylor (“Taylor”), attached hereto as Attachment “2” and the exhibits thereto: authorizing the Executive Director to execute the Agreement on behalf of the SEDC; providing for a repealing clause; providing for a severability clause; and providing an effective date – Epps, seconded by Howard; motion passed with all ayes. 5/0

4. Discuss and consider a Resolution approving the terms and conditions of an Exchange Agreement ("Agreement") by and between the City of Seagoville ("City") and the Seagoville Economic Development Corporation (“SEDC”), attached hereto as Attachment “1” and the exhibits thereto; approving an Exchange Agreement between the SEDC and Charlotte Taylor, attached hereto as Attachment “2”; and approving the Exchange Agreement between Charlotte Lee Taylor and the City of Seagoville, attached hereto as Attachment “3”; authorizing the Mayor to execute the Agreements on behalf of the City; providing for a repealing clause; providing for a severability clause; and providing an effective date (City Attorney & City Manager)

Motion to approve a Resolution approving the terms and conditions of an Exchange Agreement (“Agreement”) by and between the City of Seagoville (“City”) and the Seagoville Economic Development Corporation (“SEDC”), attached hereto as Attachment “1” and the exhibits thereto; approving an Exchange Agreement between the SEDC and Charlotte Taylor, attached hereto as Attachment “2”; and approving the Exchange Agreement between Charlotte Lee Taylor and the City of Seagoville, attached hereto as Attachment “3”; authorizing the Mayor to execute the Agreements on behalf of the City; providing for a repealing clause; providing for a severability clause; and providing an effective date – Hernandez, seconded by Epps; motion passed with all ayes. 5/0

SEDC Adjourn at 7:46 p.m.

Mayor's Report – *Mayor Childress requested Police Chief Calverley provide a report of a situation that occurred on Wednesday, October 3, 2018.*

Police Chief Calverley stated there was a situation on Wednesday, October 3, 2018 involving a juvenile and a replica gun. He explained the situation was concluded without injuries to the juvenile due to the excellent work of Police Officers on scene. He also stated the replica gun looks exactly like a duty weapon but is an airsoft gun and he provided photos of the gun to Council Members.

Mayor Pro Tem Epps stated, "With that said Chief, I would like to say that is very commendable because this day and time a lot of cops don't have time to think about stuff like that. It could have been a lot worse provided the stuff that is going on this day and age. I speak for myself, I appreciate the way you all handled that." He asked "This was also a black male, right?" Police Chief Calverley stated, "Yes, sir."

Mayor Childress stated the restraint displayed during this situation was extraordinary. He also stated he wanted to congratulate Police Chief Calverley and all of the Seagoville Police Department by extending a hand of praise.

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.*

None.

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

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

6. Consider approving a Resolution designating the Daily Commercial Record as the City of Seagoville official newspaper (City Secretary)

Councilmember Magill asked how the Newspaper is distributed. City Secretary Jackson stated is online as well as delivery with a subscription.

Motion to approve Consent Agenda as read – Magill, seconded by Howard; motion passed with all ayes. 5/0

REGULAR AGENDA-

7. Consider ratifying the SEDC Board approval of a budget amendment for the fiscal year ended September 30, 2019 (Finance Director)

Motion to approve ratifying the SEDC Board approval of a budget amendment for the fiscal year ended September 30, 2019 – Hernandez, seconded by Howard; motion passed with all ayes. 5/0

8. Conduct a public hearing on a zoning request Z2018-19 to change the zoning on about 0.4-acres at 209 and 211 Avenue B (also known as all of Lot 17 & part of Lot 18 Block A of Shady Grove Estates 3rd Inst. Addition) from the R-5, Residential Single Family, zoning district to the LR, Local Retail, zoning district (Community Development Director)

Mayor Childress opened the public hearing at 8:00 p.m.

Donna Martin at 301 Ave C stated she is against the change in zoning because it will change the quiet neighborhood. She also requested should the rezone be approved, could the retail entrance and exit be located on the service road and not a neighborhood road.

Jack Wilson, the property owner, recited the history of the property and stated these pieces of property are the only parcels that are not zoned commercial or local retail in that area. He also stated the zone change would be beneficial for all citizens.

Mayor Childress closed the public hearing at 8:06 p.m.

9. 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 the R-5, Residential Single Family, zoning district to the LR, Local Retail, on two (2) tracts of land being a combined total of approximately 0.4-acres of real property described as all of Lot 17 & part of Lot 18 Block A of Shady Grove Estates 3rd Inst. Addition, commonly referred to as 209 and 211 Avenue B, Seagoville, Dallas County, Texas, as described and depicted in attached Exhibit “A”, which is attached hereto and incorporated herein; providing for the repealing of all ordinances in conflict; providing for a repealing clause; providing for a savings clause; providing for 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)

Councilmember Hernandez asked Community Development Director Barr would Texas Department of Transportation (TxDOT) require or approve the entrance and exit to local retail from the service road. Community Development Director Barr stated it would be a decision made by TxDOT but it normally requires a two hundred and fifty (250) foot separation.

After some discussion, motion to approve 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 the R-5, Residential Single Family, zoning district to the LR, Local Retail, on two (2) tracts of land being a combined total of approximately 0.4-acres of real property described as all of Lot 17 & part of Lot 18 Block A of Shady Grove Estates 3rd Inst. Addition, commonly referred to as 209 and 211 Avenue B, Seagoville, Dallas County, Texas, as described and depicted in attached Exhibit “A”, which is attached hereto and incorporated herein; providing for the repealing of all Ordinances in conflict; providing for a repealing clause; providing for a savings clause; providing for 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 – Fruin, seconded by Howard; motion passed 4/1 (For: Howard, Magill, Fruin, and Epps; Against: Hernandez)

10. Conduct a public hearing on a zoning request Z2018-20 to change the zoning on about 0.7-acres at 208, 210, and 212 Avenue B (also known as all of Lots 8 & 9 and part of Lot 9-A Block B of the Shady Grove Estate 3rd Inst. Addition) from the R-5, Residential Single Family, zoning district to the LR, Local Retail, zoning district (Community Development Director)

Mayor Childress opened the public hearing at 8:14 p.m.

City Secretary Jackson stated she would copy the citizen's comments from the public hearing on Agenda Item #8 to Agenda Item # 10.

Donna Martin at 301 Ave C stated she is against the change in zoning because it will change the quiet neighborhood. She also requested should the rezone be approved, could the retail entrance and exit be located on the service road and not a neighborhood road.

Jack Wilson, the property owner, recited the history of the property and stated these pieces of property are the only parcels that are not zoned commercial or local retail in that area. He also stated the zone change would be beneficial for all citizens.

Mayor Childress closed the public hearing at 8:15 p.m.

11. 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 the R-5, Residential Single Family, zoning district to the LR, Local Retail, on three (3) tracts of land being a combined total of approximately 0.7-acres of real property described as Lot 8, Lot 9 & Lot 9-A Block B of Shady Grove Estates 3rd Inst. Addition, commonly referred to as 208, 210, and 212 Avenue B, Seagoville, Dallas County, Texas, as described and depicted in Exhibit “A”, which is attached hereto and incorporated herein; providing for the repealing of all ordinances in conflict; providing for a repealing clause; providing for a savings clause; providing for 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)

Motion to approve 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 the R-5, Residential Single Family, zoning district to the LR, Local Retail, on three (3) tracts of land being a combined total of approximately 0.7-acres of real property described as Lot 8, Lot 9 & Lot 9-A Block B of Shady Grove Estates 3rd Inst. Addition, commonly referred to as 208, 210, and 212 Avenue B, Seagoville, Dallas County, Texas, as described and depicted in Exhibit “A”, which is attached hereto and incorporated herein; providing for the repealing of all Ordinances in conflict; providing for a repealing clause; providing for a savings clause; providing for 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 – Fruin, seconded by Hernandez; motion passed with 4/1. (For: Hernandez, Magill, Fruin, and Epps; Against: Howard)

12. Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas authorizing the City Manager to purchase a 41’ pre-lit Christmas Tree, in an amount not to exceed Fifty Three Thousand Seven Hundred Seventy Dollars and No Cents (\$53,770.00), providing for a repealing clause; providing for a severability clause; and providing an effective date (Community Development Director)

Community Development Director stated this Resolution will allow the Staff to purchase a new Christmas Tree for C.O. Bruce Park. He stated the current Christmas Tree is approximately ten (10) years old and is damaged. He also stated Staff researched the option of leasing a Christmas and it is more economical to purchase a Christmas Tree.

Motion to approve a Resolution of the City Council of the City of Seagoville, Texas authorizing the City Manager to purchase a 41’ pre-lit Christmas Tree, in an amount not to exceed Fifty-Three Thousand Seven Hundred Seventy Dollars and No Cents (\$53,770.00), providing for a repealing clause; providing for a severability clause; and providing an effective date – Epps, seconded by Fruin; motion failed. 2/3 (For: Epps and Fruin; Against: Howard, Hernandez, and Magill)

13. Approval of a Resolution for the purchase of a 2019 Chevrolet Tahoe with all required emergency equipment, communication equipment, departmental graphics, black and white paint, camera system, and all other accessories, total cost of Sixty Seven Thousand, Eight Hundred Eighty Two Dollars and Fifteen cents (\$67,882.15); authorizing the City Manager to execute any and all necessary documents; and providing an effective date (Police Chief)

Motion to approve a Resolution for the purchase of a 2019 Chevrolet Tahoe with all required emergency equipment, communication equipment, departmental graphics, black and white paint, camera system, and all other accessories, total cost of Sixty-Seven Thousand, Eight Hundred Eighty Two Dollars and Fifteen Cents (\$67,882.15); authorizing the City Manager to execute any and all necessary documents; and providing an effective date – Hernandez, seconded by Fruin; motion passed with all ayes. 5/0

14. Discuss and consider approving a Resolution of the City of Seagoville, Texas authorizing the purchase of a 2019 Ford Interceptor SUV Police vehicle for an amount not to exceed Thirty Nine Thousand Seven Hundred Ninety Four Dollars and No Cents (\$39,794.00) purchased from Five Star Ford; providing for the repeal of any and all Resolutions in conflict; providing for severability clause; and providing an effective date (Police Chief)

Motion to approve a Resolution of the City of Seagoville, Texas authorizing the purchase of a 2019 Ford Interceptor SUV Police vehicle for an amount not to exceed Thirty-Nine Thousand Seven Hundred Ninety Four Dollars and No Cents (\$39,794.00) purchased from Five Star Ford; providing for the repeal of any and all Resolutions in conflict; providing for severability clause; and providing an effective date – Magill, seconded by Howard; motion passed with all ayes 5/0

(Mayor Childress called for a five (5) minute recess at 8:28 p.m.)

(Reconvened at 8:35 p.m.)

15. Discuss side yard setbacks (Councilmember Magill)

Councilmember Magill stated he requested this item on the Agenda because the minimum side yard setbacks on some lots are not large enough. He stated some residents have trouble with carports and other various items due to the minimum side yard setbacks being too small. He also stated he would like to see all minimum side yard setbacks the same for all areas.

After some discussion, Council directed Staff return to with recommendations.

16. Receive Councilmember Reports/Items of Community Interest – as authorized by Section 551.0415 of the Texas Government Code.

Councilmember Magill stated Seagoville Road is looking great.

Councilmember Howard stated he agrees that Seagoville Road is looking great.

17. 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.

Councilmember Howard stated some residence are storing trash cans in front of their houses instead of storing them on side of the house.

18. Recessed into Executive Session at 8:48 p.m.

Recess into Executive Session in compliance with Texas Government Code:

(A) § 551.074 Personnel, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee to wit: Water Utilities Employees

19. Reconvene into Regular Session at 8:55 p.m.

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

No action taken.

City Council Adjourned at 8:55 p.m.

APPROVED:

Mayor Dennis K. Childress

ATTEST:

Kandi Jackson, City Secretary

Regular Session Agenda Item: 2

Meeting Date: November 5, 2018

Item Description

Discuss and consider a Resolution of the City of Seagoville, Texas, authorizing the City Manager to execute an agreement with Halff Associates, Inc. for professional services on a task order basis; and approving task order authorization No. #1 for general on-call consultation services related to incorporating the City's GIS Maps for its utilities into the City Works Software platform, and general on-call water and wastewater engineering services in an amount not to exceed \$30,000.00; providing an effective date.

BACKGROUND OF ISSUE:

The City of Seagoville has contracted with HALFF Associates, Inc., for an on-call consultation services and various other water and wastewater engineering issues. The services of a full-time engineer are not feasible at this point, however, staff finds it necessary many times throughout the year to consult with various professionals to ensure the best possible service for our community is provided. Approval of this Agenda Item, will ensure that staff will have the ability to consult with extremely competent engineering professionals in the area of water and wastewater services to ensure that we make the best possible decisions for our residents, businesses and visitors to our community.

FINANCIAL IMPACT:

Approved FY2018-2019 Budget \$30,000.00 for professional services on a task order basis.

EXHIBITS

Resolution – Approving an agreement for Professional Services on a Task Order Basis

Agreement for Professional Services on a Task Order Basis Authorization #1

THE CITY OF SEAGOVILLE, TEXAS

RESOLUTION NO. 53-R-2018

A RESOLUTION OF THE CITY OF SEAGOVILLE, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH HALFF ASSOCIATES, INC. FOR PROFESSIONAL SERVICES ON A TASK ORDER BASIS; AND APPROVING TASK ORDER AUTHORIZATION NO. #1 FOR GENERAL ON-CALL CONSULTATION SERVICES RELATED TO INCORPORATING THE CITY'S GIS MAPS FOR ITS UTILITIES INTO THE CITY WORKS SOFTWARE PLATFORM, AND GENERAL ON-CALL WATER AND WASTEWATER ENGINEERING SERVICES IN AN AMOUNT NOT TO EXCEED \$30,000.00; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council for the City of Seagoville, Texas has identified the need for occasional professional engineering services; and

WHEREAS, Halff Associates, Inc. has been determined to be the most qualified to perform such engineering services and has offered to perform such services on a task order basis for a reasonable and equitable fee; and

WHEREAS, Halff Associates, Inc. has provided a proposal for professional engineering services on a task order basis, and has also provided a proposal for Task Order Authorization No. 1, providing on-call consultation services related to the incorporation of the City's GIS into the City Works Software Platform, and on-call water and wastewater engineering services; and

WHEREAS, the City Council for the City of Seagoville, Texas finds it to be in the best interest of the City of Seagoville to approve the Professional Services Agreement with Halff Associates, Inc for engineering services on a task order basis, and to approve Task Order Authorization No. 1.

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

Section 1. The City Manager is hereby authorized, on behalf of the City of Seagoville, Texas, to sign an agreement with Halff Associates, Inc. for Professional Engineering Services on a Task-Order Basis, which is attached hereto and incorporated herein as Exhibit "1".

Section 2. The City Manager is hereby authorized to execute, on behalf of the City of Seagoville, Task Order Authorization No. 1, attached hereto as Exhibit "2", for on-call consultation services related to the incorporation of the City's GIS utility maps into the City Works software platform, and for on-call water and wastewater engineering services, in an amount not to exceed \$30,000.00.

Section 3. This resolution shall take effect immediately from and after its passage and it is accordingly so resolved.

TM

PASSED AND APPROVED by the City Council of the City of Seagoville, Texas this 5th day of November, 2018.

APPROVED:

Dennis K. Childress, Mayor

ATTEST:

Kandi Jackson, City Secretary

APPROVED AS TO FORM:

Alexis G. Allen, City Attorney
(:cdb 10/29/2018)

AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES ON A TASK ORDER BASIS

This Agreement for Professional Engineering Services, hereinafter called "Agreement," is entered into by the City of Seagoville a Home Rule City of the State of Texas, hereinafter referred to as "Client", duly authorized to act by the City Council of said Client, and HALFF ASSOCIATES, INC., a Texas corporation, acting through a duly authorized officer, herein called "Engineer," relative to Engineer providing professional engineering services to the Client. Client and Engineer when mentioned collectively shall be referred to as the "Parties".

WITNESSETH:

For the mutual promises and benefits herein described, the Client and Engineer agree as follows:

I. Term of Agreement. This Agreement shall become effective on the date of its execution by both Parties, and shall continue in effect thereafter until terminated as provided herein.

II. Services to be Performed by Engineer. Engineer shall provide to the Client basic engineering services on an "as needed" or "task order" basis as determined by the Client which services may include, but will not be limited to, those services normally rendered by an engineer to a similar client. It is anticipated that such services may include, but not be limited to planning, surveying, project design, project development, and consultation regarding general engineering issues, review of documentation, GIS services, database services, and defined construction phase services to assist the Client, as determined by the Client. Engineer, upon specific written request by the Client, will prepare a detailed fee schedule for the Client's review and approval. Should the Client request, Engineer may agree to assist the Client in developing and preparing a scope(s) of services responsive to a particular Task Order. Such task orders shall be bound by and interpreted by the terms of this Agreement. Task Orders shall be numbered sequentially. Task Orders will be individual stand-alone proposals and when executed by both Parties shall incorporate the terms of this Agreement such that this Agreement shall be amended. Engineer shall perform its obligations under this Agreement as an independent contractor and not as an agent or fiduciary of any other party.

III. Compensation of Engineer. Client agrees that Engineer shall be paid for any services requested by the Client, at the hourly rates reflected on Exhibit A, attached hereto, plus reasonable and necessary reimbursable expenses (Direct Costs) incurred by Engineer in the performance of the requested services. Direct costs shall include, but are not limited to, long distance telephone, postage, equipment, expendables, mileage, subcontractors or special consultants, freight, testing fees, copies and blueprints. See Exhibit B for the current Unit Pricing Schedule for direct costs. Direct Costs shall be billed at 1.1 times actual costs. If additional services, trips or expenses are requested, Engineer will not provide such additional services until authorized by the Client in writing to proceed.

Engineer agrees to submit monthly statements to the Client for basic professional engineering services. These statements will be based upon Engineer's actual services performed and reimbursable expenses incurred, if any, and the Client shall endeavor to make prompt payments. Each monthly invoice submitted by Engineer to the Client shall be reasonably itemized to show the amount of work performed during that month broken down by the identity of the person(s) performing such work, the amount of time expended by such person(s) in performing that work, the billing rate for each such person, and a brief summary of the work performed by each such person. If the Client fails to pay Engineer within thirty (30) calendar days of the receipt of Engineer's invoice, Engineer may, after giving ten (10) days written notice to the Client, suspend professional engineering services until payment is received. Client agrees that Engineer shall be entitled to interest on accounts that are greater than 45 days and such interest shall be reimbursed to Engineer at a rate of one percent (1%) per month. The assessment of interest on accounts receivable shall not preclude Engineer from suspending services as described above.

IV. Client's Obligations. The Client agrees that it will (i) designate a specific person to act as the Client's representative, (ii) provide Engineer with any previous studies, reports, data, budget constraints, special Client requirements, or other pertinent information known to the Client, when necessitated by a project, (iii) assist Engineer in obtaining access to property necessary for performance of Engineer's work for the Client, (iv) make prompt payments in response to Engineer's statements and (v) respond in a timely fashion to requests from Engineer. Engineer is entitled to rely upon and use, without independent verification and without liability, all information and services provided by the Client

or the Client's representatives.

V. Termination of Work - Either the Client or the Engineer may terminate this Agreement at any time with or without cause upon giving the other Party ten (10) calendar days' prior written notice. Client agrees that termination of Engineer for Client's convenience shall only be utilized in good faith, and shall not be utilized if either the purpose or the result of such termination is the performance of all or part of Engineer's services under this Agreement by Client or by another service provider. Following Engineer's receipt of such termination notice the Client shall, within ten (10) calendar days of Client's receipt of Engineer's final invoice, pay the Engineer for all services rendered and all costs incurred up to the date of Engineer's receipt of such notice of termination.

VI. Ownership of Documents - Upon Engineer's completion of services and receipt of payment in full, Engineer shall grant to Client a non-exclusive license to possess the final drawings and instruments produced in connection with Engineer's performance of the work under this Agreement, if any. Said drawings and instruments may be copied, duplicated, reproduced and used by Client for the purpose of constructing, operating and maintaining the improvements. Client agrees that such documents are not intended or represented to be suitable for reuse by Client or others for purposes outside the Scope of Services of this Agreement. Notwithstanding the foregoing, Client understands and agrees that any and all computer programs, GIS applications, proprietary data or processes, and certain other items related to the services performable under this Agreement are and shall remain the sole and exclusive property of Engineer and may not be used or reused, in any form, by Client without the express written authorization of Engineer. Client agrees that any reuse by Client, or by those who obtain said information from or through Client, without written verification or adaptation by Engineer, will be at Client's sole risk and without liability or legal exposure to Engineer or to Engineer's employees, agents, representatives, officers, directors, affiliates, shareholders, owners, members, managers, attorneys, subsidiary entities, advisors, subconsultants or independent contractors or associates. Engineer may reuse all drawings, reports, data and other information developed in performing the services described by this Agreement in Engineer's other activities.

VII. Notices. Any notices to be given hereunder by either party to the other may be affected either by personal delivery, in writing, or by registered or certified mail.

VIII. Sole Parties and Entire Agreement. This Agreement shall not create any rights or benefits to anyone except the Client and Engineer, and contains the entire agreement between the parties. Oral modifications to this Agreement shall have no force or effect.

IX. Insurance. Engineer shall, at its own expense, purchase, maintain and keep in force throughout the duration of this Agreement and for a period of four (4) years thereafter, professional liability insurance. The limits of liability shall be \$1,000,000 per claim and in the aggregate. Engineer shall submit to the Client a certificate of insurance prior to commencing work for the Client.

X. Prompt Performance by Engineer. All services provided by Engineer hereunder shall be performed in accordance with the degree of care and skill ordinarily exercised under similar circumstances by competent members of the engineering profession in the State of Texas applicable to such engineering services contemplated by this Agreement.

XI. Client Objection to Personnel. If at any time after entering into this Agreement, the Client has any reasonable objection to any of Engineer's personnel, or any personnel, professionals and/or consultants retained by Engineer, Engineer shall promptly propose substitutes to whom the Client has no reasonable objection, and Engineer's compensation shall be equitably adjusted to reflect any difference in Engineer's costs occasioned by such substitution.

XII. Assignment and Delegation. Neither the Client nor Engineer may assign their rights or delegate their duties without the written consent of the other party. This Agreement is binding on the Client and Engineer to the fullest extent permitted by law. Nothing herein is to be construed as creating any personal liability on the part of any Client officer, employee or agent.

XIII. Jurisdiction and Venue - This Agreement shall be administered under the substantive laws of the State Texas (and not its conflicts of law principles) which shall be used to govern all matters arising out of, or relating to, this Agreement and

all of the transactions it contemplates, including without limitation, its validity, interpretation, construction, performance and enforcement. Exclusive venue shall lie in Dallas County, Texas.

XIV. Integration, Merger and Severability – This Agreement and the authorized Task Orders are fully incorporated herein and represent the entire understanding of Client and Engineer. No prior oral or written understanding shall be of any force or effect with respect to those matters covered herein. The Agreement may not be modified or altered except in writing signed by both Parties. This Agreement constitutes, represents and is intended by the Parties to be the complete and final statement and expression of all of the terms and arrangements between the Parties to this Agreement with respect to the matters provided for in this Agreement. This Agreement supersedes any and all prior or contemporaneous agreements, understandings, negotiations, and discussions between the Parties and all such matters are merged into this Agreement. Should any one or more of the provisions contained in this Agreement be determined by a court of competent jurisdiction or by legislative pronouncement to be void, invalid, illegal, or unenforceable in any respect, such voiding, invalidity, illegality, or unenforceability shall not affect any other provision hereof, and this Agreement shall be considered as if the entirety of such void, invalid, illegal, or unenforceable provision had never been contained in this Agreement.

XV. Exclusivity of Remedies – The Parties acknowledge and agree that the remedies set forth in this Agreement, including those set forth in Article XIX. Agreed Remedies are and shall remain the Parties' sole and exclusive remedy with respect to any claim arising from, or out of, or related to, the subject matter of this Agreement. The Parties agree that Engineer is to have no liability or responsibility whatsoever to Client for any claim(s) or loss(es) of any nature, except as set forth in this Agreement. No Party shall be able to avoid the limitations expressly set forth in this Agreement by electing to pursue some other remedy.

XVI. Timeliness of Performance - Engineer shall perform its professional services with due and reasonable diligence consistent with sound professional practices.

XVII. Dispute Resolution. In the event of any disagreement or conflict concerning the interpretation of this Agreement, and such disagreement cannot be resolved by the signatories hereto, the signatories agree to schedule a series of no less than two meetings of senior personnel of Client and Engineer in which the disagreement or conflict will be discussed. The first of such meetings will be scheduled as soon as possible following identification of such disagreement or conflict and the second meeting must occur within thirty (30) days following the initial meeting. Subsequent meetings, if any may be scheduled upon mutual agreement of the parties. The parties agree that these two meetings are conditions precedent to the institution of legal proceedings unless such meetings will adversely affect the rights of one or more of the parties as such rights relate to statutes of limitation or repose.

XVIII. Signatories. The Client and Engineer mutually warrant and represent that the representation of each who is executing this Agreement on behalf of the Client or Engineer, respectively, has full authority to execute this Agreement and bind the entity so represented.

XIX. PROJECT ENHANCEMENT - IF DUE TO ANY ALLEGED OR ACTUAL BREACH OF CONTRACT, NEGLIGENCE, ERROR, OR DEFICIENCY IN THE SERVICES OF ENGINEER OR ANY OF ITS CONSULTANTS, ANY ITEM, COMPONENT, OR CONDITION OF THE SERVICES IS INACCURATE OR OMITTED FROM ANY OF THE DESIGN DOCUMENTS PRODUCED THROUGH ENGINEER'S SERVICES, ENGINEER'S AND ITS CONSULTANT'S LIABILITY, IF ANY, SHALL BE LIMITED TO THE DIFFERENCE BETWEEN: I) THE COST OF ADDING, CORRECTING OR REPLACING THE ITEM AT THE TIME THE ERROR IS DISCOVERED, AND II) THE COST HAD THE ITEM OR COMPONENT BEEN INCLUDED OR CORRECT IN THE DESIGN DOCUMENTS PROVIDED PRIOR TO THE TIME CONSTRUCTION BEGAN. HOWEVER, IF THE CORRECTION TO THE DESIGN PROVIDES ADDED VALUE, UPGRADE, OR ENHANCEMENT TO THE PROJECT OF CLIENT/OWNER, THE AMOUNT OF DAMAGES, IF ANY, SHALL BE ADJUSTED DOWN BASED ON SUCH ADDED VALUE, UPGRADE, OR ENHANCEMENT OF THE PROJECT. CLIENT/OWNER SHALL BE RESPONSIBLE FOR ANY COST OR EXPENSE ASSOCIATED WITH THE CORRECTION THAT PROVIDES ADDED VALUE, UPGRADE, OR ENHANCEMENT OF THE PROJECT. IN NO EVENT AND REGARDLESS OF THE LEGAL THEORY OR FACTUAL BASIS OF ANY CLAIM, SHALL ENGINEER'S OR ITS CONSULTANT'S LIABILITY INCLUDE ANY COST OR EXPENSE THAT PROVIDES ADDED VALUE, UPGRADE, OR ENHANCEMENT OF THE PROJECT. IN ADDITION, IF ANY SUCH ITEM, COMPONENT, OR CONDITION HAS AN IDENTIFIABLE USEFUL LIKE THAT IS LESS THAN THE BUILDING ITSELF, THE DAMAGES OF THE CLIENT/OWNER SHALL BE REDUCED TO THE EXTENT THAT THE USEFUL LIFE OF THE COMPONENT WILL BE EXTENDED BY THE REPLACEMENT THEREOF.

XX. AGREED REMEDIES

A. IT IS THE INTENT OF THE PARTIES TO THIS AGREEMENT THAT ENGINEER'S SERVICES UNDER THIS AGREEMENT SHALL NOT SUBJECT ENGINEER'S INDIVIDUAL EMPLOYEES, OFFICERS OR DIRECTORS TO ANY PERSONAL LEGAL EXPOSURE FOR CLAIMS AND RISKS ASSOCIATED WITH THE SERVICES PERFORMED OR PERFORMABLE UNDER THIS AGREEMENT.

B. IN RECOGNITION OF THE RELATIVE RISKS AND BENEFITS OF THE PROJECT TO BOTH THE CLIENT AND THE ENGINEER, AND ACKNOWLEDGING THAT THE ALLOCATION OF RISKS AND LIMITATIONS OF REMEDIES ARE BUSINESS UNDERSTANDINGS BETWEEN THE PARTIES AND THESE RISKS AND REMEDIES SHALL APPLY TO ALL POSSIBLE LEGAL THEORIES OF RECOVERY. CLIENT FURTHER AGREES, TO THE FULLEST EXTENT PERMITTED BY LAW, AND NOTWITHSTANDING ANY OTHER PROVISIONS OF THIS AGREEMENT OR ANY REFERENCE TO INSURANCE OR THE EXISTENCE OF APPLICABLE INSURANCE COVERAGE, THAT THE TOTAL LIABILITY, IN THE AGGREGATE, OF THE ENGINEER AND ENGINEER'S OFFICERS, DIRECTORS, EMPLOYEES, AGENTS, AND SUBCONSULTANTS TO THE CLIENT OR TO ANYONE CLAIMING BY, THROUGH OR UNDER THE CLIENT, FOR ANY AND ALL CLAIMS, LOSSES, COSTS OR DAMAGES WHATSOEVER ARISING OUT OF, RESULTING FROM, OR IN ANY WAY RELATED TO, THE SERVICES UNDER THIS AGREEMENT FROM ANY CAUSE OR CAUSES OF THE ENGINEER OR THE ENGINEER'S OFFICERS, DIRECTORS, EMPLOYEES, AGENTS, AND SUBCONSULTANTS, SHALL NOT EXCEED THE ENGINEER'S FEE FOR THE SERVICES PERFORMED UNDER THIS AGREEMENT OR \$50,000, WHICHEVER IS GREATER. INCREASED LIMITS MAY BE NEGOTIATED FOR ADDITIONAL FEE.

C. NOTWITHSTANDING ANY OTHER PROVISION OF THE AGREEMENT, ENGINEER SHALL HAVE NO LIABILITY TO THE CLIENT FOR CONTINGENT, CONSEQUENTIAL OR OTHER INDIRECT DAMAGES INCLUDING, WITHOUT LIMITATION, DAMAGES FOR LOSS OF USE, REVENUE OR PROFIT; OPERATING COSTS AND FACILITY DOWNTIME; OR OTHER SIMILAR BUSINESS INTERRUPTION LOSSES, HOWEVER, THE SAME MAY BE CAUSED.

D. CLIENT MAY NOT ASSERT ANY CLAIM AGAINST ENGINEER AFTER THE SHORTER OF (1) 3 YEARS FROM SUBSTANTIAL COMPLETION OF SERVICES GIVING RISE TO THE CLAIM, OR (2) THE STATUTE OF LIMITATION PROVIDED BY LAW.

XXI. Waiver - Any failure by Engineer to require strict compliance with any provision of this Agreement shall not be construed as a waiver of such provision, and Engineer may subsequently require strict compliance at any time, notwithstanding any prior failure to do so.

IN WITNESS WHEREOF, the parties, having read and understood this Agreement, have executed such in duplicate copies, each of which shall have full dignity and force as an original, on the _____ day of _____, 20__.

HALFF ASSOCIATES, INC.

CLIENT: CITY OF SEAGOVILLE, TEXAS

By:


Signature

By:

Signature

Jayson Melcher, PE
Printed Name

Printed Name

Dallas Operations Manager
Title

Title

September 21, 2018
Date

Date

EXHIBIT A

Labor Category	Level	Billing Rate Range	
		Low	High
Architect	I	79.00	90.00
	II	93.00	123.00
	III	130.00	166.00
	IV	205.00	219.00
	V	232.00	325.00
Engineer	I	91.00	109.00
	II	110.00	144.00
	III	146.00	186.00
	IV	182.00	237.00
	V	239.00	350.00
Scientist	I	75.00	83.00
	II	98.00	118.00
	III	133.00	161.00
	IV	164.00	176.00
	V	221.00	350.00
Landscape/ Planner	I	70.00	84.00
	II	88.00	110.00
	III	121.00	153.00
	IV	158.00	201.00
	V	209.00	340.00
Surveyor	I	83.00	95.00
	II	96.00	118.00
	III	139.00	139.00
	IV	149.00	186.00
Field Tech	I	53.00	67.00
	II	67.00	81.00
	III	79.00	107.00
	IV	119.00	138.00
	V	161.00	216.00
Office Tech	I	45.00	67.00
	II	68.00	85.00
	III	86.00	109.00
	IV	110.00	144.00
	V	141.00	182.00
Administrative	I	30.00	67.00
	II	69.00	85.00
	III	85.00	109.00
	IV	114.00	143.00
	V	150.00	350.00
Specialist	I	71.00	91.00
	II	95.00	124.00
	III	118.00	166.00
	IV	172.00	207.00
	V	237.00	333.00
Intern		28.00	69.00

EXHIBIT B

Unit Number	Unit Name	Billing Rate
LOC1M	Designating (QL-B) (1-Man)	80.00 <i>per hour</i>
LOC2M	Designating (QL-B) (2-Man)	160.00 <i>per hour</i>
SPAR1M	Spar Designating (QL-B) (2-Man)	230.00 <i>per hour</i>
POT2M	Potholing (QL-A) (2-Man)	260.00 <i>per hour</i>
PRNT1	Print - Letter and Legal / B&W	0.10 <i>per sheet</i>
PRNT2	Print - Letter and Legal / Color	0.20 <i>per sheet</i>
PRNT3	Print - Oversize (11x17) / B&W	0.75 <i>per sheet</i>
PRNT4	Print - Oversize (11x17) / Color	1.50 <i>per sheet</i>
PLOT1	Plot - Full Size / B&W	1.00 <i>per plot</i>
PLOT2	Plot - Full Size / Color	15.00 <i>per plot</i>
SURV1M	1-Man Survey Crew	100.00 <i>per hour</i>
SURV1R	1-Man Survey Crew (Robotics)	150.00 <i>per hour</i>
SURV2M	2-Man Survey Crew	165.00 <i>per hour</i>
SURV2R	2-Man Survey Crew (Robotics)	185.00 <i>per hour</i>
SURV3M	3-Man Survey Crew	230.00 <i>per hour</i>
SURVSCN	3D Laser Scanner	1,300.00 <i>per day</i>
BMAP1	Basemap Services	100.00 <i>per each</i>

Mileage will be billed at the current IRS Rate.

**City of Seagoville, Texas
Task Order Authorization Agreement
For
Professional Engineering Services with Halff Associates, Inc.**

**Task Order Authorization No. 1
General Engineering Consultation
October 1, 2018**

The City of Seagoville has requested Halff's assistance on needs that may arise throughout the course of the year regarding engineering matters, or other services that Halff can provide. Halff Associates will provide on-call consultation services under the terms and conditions described in the **Agreement for Professional Engineering Services on a Task Order Basis (Agreement)**, dated October 1, 2018, between Halff Associates and the City of Seagoville.

Scope of Work:	Provide general engineering consultation to Seagoville in FY 2019 at City's request.
Items Furnished by Seagoville:	As Requested
Schedule:	As Needed
Fees:	This Task will be billed on a time and materials basis in accordance with the Agreement. The proposed budget for these services is as follows: Task Order #1 Total: \$ 30,000

Submitted:
HALFF ASSOCIATES, INC.

Approved:
CITY OF SEAGOVILLE, TEXAS

By: 
Signature

By: _____
Signature

Jayson Melcher, PE
Printed Name

Printed Name

Dallas Operations Manager
Title

Title

September 21, 2018
Date

Date

Regular Session Agenda Item: 3

Meeting Date: November 5, 2018

Item Description

Discuss and consider approving a Resolution of the City of Seagoville, Texas, authorizing the City Manager to execute an agreement with Halff Associates, Inc. for professional services on a task order basis; and approving task order authorization No.#1 for assistance with the City's Storm Water Management Plan in an amount not to exceed \$29,400.00; and providing an effective date.

BACKGROUND OF ISSUE:

The City of Seagoville has contracted with HALFF Associates, Inc., for its Storm Water Maintenance Plan and various other water and wastewater engineering issues. The services of a full-time engineer are not feasible at this point, however, staff finds it necessary many times throughout the year to consult with various professionals to ensure the best possible service for our community is provided. Approval of this Agenda Item, will ensure that staff will have the ability to consult with extremely competent engineering professionals in the area of water and wastewater services to ensure that we make the best possible decisions for our residents, businesses and visitors to our community.

FINANCIAL IMPACT:

Approved FY2018-2019 Budget \$29,400.00 for Storm Water Management.

EXHIBITS

Resolution – Approving agreement for Professional Services on a Task Order Basis for Assistance with the City's Storm Water Management Plan

Agreement for Professional Services on a Task Order Basis for Assistance with the City's Storm Water Management Plan

THE CITY OF SEAGOVILLE, TEXAS

RESOLUTION NO. 54-R-2018

A RESOLUTION OF THE CITY OF SEAGOVILLE, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH HALFF ASSOCIATES, INC. FOR PROFESSIONAL SERVICES ON A TASK ORDER BASIS; AND APPROVING TASK ORDER AUTHORIZATION NO. #1 FOR ASSISTANCE WITH THE CITY'S STORM WATER MANAGEMENT PLAN IN AN AMOUNT NOT TO EXCEED \$29,400.00; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council for the City of Seagoville, Texas has identified the need for occasional professional engineering services; and

WHEREAS, Halff Associates, Inc. has been determined to be the most qualified to perform such engineering services and has offered to perform such services on a task order basis for a reasonable and equitable fee; and

WHEREAS, Halff Associates, Inc. has provided a proposal for professional engineering services on a task order basis, and has also provided a proposal for Task Order Authorization No. 1, to include services related to the City's Storm Water Management Plan; and

WHEREAS, the City Council for the City of Seagoville, Texas finds it to be in the best interest of the City of Seagoville to approve the Professional Services Agreement with Halff Associates, Inc for engineering services on a task order basis, and to approve Task Order Authorization No. 1.

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

Section 1. The City Manager is hereby authorized, on behalf of the City of Seagoville, Texas, to sign an agreement with Halff Associates, Inc. for Professional Engineering Services on a Task-Order Basis, which is attached hereto and incorporated herein as Exhibit "1".

Section 2. The City Manager is hereby authorized to execute, on behalf of the City of Seagoville, Task Order Authorization No. 1, attached hereto as Exhibit "2", for services related to the City's Storm Water Management Plan, in an amount not to exceed \$29,400.00.

Section 3. This resolution shall take effect immediately from and after its passage and it is accordingly so resolved.

PASSED AND APPROVED by the City Council of the City of Seagoville, Texas this 5th day of November, 2018.

APPROVED:

Dennis K. Childress, Mayor

ATTEST:

Kandi Jackson, City Secretary

APPROVED AS TO FORM:

Alexis G. Allen, City Attorney
(:cdb 10/29/2018)

AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES ON A TASK ORDER BASIS

This Agreement for Professional Engineering Services, hereinafter called "Agreement," is entered into by the **City of Seagoville** a Home Rule City of the State of Texas, hereinafter referred to as "Client", duly authorized to act by the **City Council** of said Client, and **HALFF ASSOCIATES, INC.**, a Texas corporation, acting through a duly authorized officer, herein called "Engineer," relative to Engineer providing professional engineering services to the Client. Client and Engineer when mentioned collectively shall be referred to as the "Parties".

WITNESSETH:

For the mutual promises and benefits herein described, the Client and Engineer agree as follows:

I. Term of Agreement. This Agreement shall become effective on the date of its execution by both Parties, and shall continue in effect thereafter until terminated as provided herein.

II. Services to be Performed by Engineer. Engineer shall provide to the Client basic engineering services on an "as needed" or "task order" basis as determined by the Client which services may include, but will not be limited to, those services normally rendered by an engineer to a similar client. It is anticipated that such services may include, but not be limited to planning, surveying, project design, project development, and consultation regarding general engineering issues, review of documentation, GIS services, database services, and defined construction phase services to assist the Client, as determined by the Client. Engineer, upon specific written request by the Client, will prepare a detailed fee schedule for the Client's review and approval. Should the Client request, Engineer may agree to assist the Client in developing and preparing a scope(s) of services responsive to a particular Task Order. Such task orders shall be bound by and interpreted by the terms of this Agreement. Task Orders shall be numbered sequentially. Task Orders will be individual stand-alone proposals and when executed by both Parties shall incorporate the terms of this Agreement such that this Agreement shall be amended. Engineer shall perform its obligations under this Agreement as an independent contractor and not as an agent or fiduciary of any other party.

III. Compensation of Engineer. Client agrees that Engineer shall be paid for any services requested by the Client, at the hourly rates reflected on **Exhibit A**, attached hereto, plus reasonable and necessary reimbursable expenses (Direct Costs) incurred by Engineer in the performance of the requested services. Direct costs shall include, but are not limited to, long distance telephone, postage, equipment, expendables, mileage, subcontractors or special consultants, freight, testing fees, copies and blueprints. See **Exhibit B** for the current Unit Pricing Schedule for direct costs. Direct Costs shall be billed at 1.1 times actual costs. If additional services, trips or expenses are requested, Engineer will not provide such additional services until authorized by the Client in writing to proceed.

Engineer agrees to submit monthly statements to the Client for basic professional engineering services. These statements will be based upon Engineer's actual services performed and reimbursable expenses incurred, if any, and the Client shall endeavor to make prompt payments. Each monthly invoice submitted by Engineer to the Client shall be reasonably itemized to show the amount of work performed during that month broken down by the identity of the person(s) performing such work, the amount of time expended by such person(s) in performing that work, the billing rate for each such person, and a brief summary of the work performed by each such person. If the Client fails to pay Engineer within thirty (30) calendar days of the receipt of Engineer's invoice, Engineer may, after giving ten (10) days written notice to the Client, suspend professional engineering services until payment is received. Client agrees that Engineer shall be entitled to interest on accounts that are greater than 45 days and such interest shall be reimbursed to Engineer at a rate of one percent (1%) per month. The assessment of interest on accounts receivable shall not preclude Engineer from suspending services as described above.

IV. Client's Obligations. The Client agrees that it will (i) designate a specific person to act as the Client's representative, (ii) provide Engineer with any previous studies, reports, data, budget constraints, special Client requirements, or other pertinent information known to the Client, when necessitated by a project, (iii) assist Engineer in obtaining access to property necessary for performance of Engineer's work for the Client, (iv) make prompt payments in response to Engineer's statements and (v) respond in a timely fashion to requests from Engineer. Engineer is entitled to rely upon and use, without independent verification and without liability, all information and services provided by the Client

or the Client's representatives.

V. Termination of Work - Either the Client or the Engineer may terminate this Agreement at any time with or without cause upon giving the other Party ten (10) calendar days' prior written notice. Client agrees that termination of Engineer for Client's convenience shall only be utilized in good faith, and shall not be utilized if either the purpose or the result of such termination is the performance of all or part of Engineer's services under this Agreement by Client or by another service provider. Following Engineer's receipt of such termination notice the Client shall, within ten (10) calendar days of Client's receipt of Engineer's final invoice, pay the Engineer for all services rendered and all costs incurred up to the date of Engineer's receipt of such notice of termination.

VI. Ownership of Documents - Upon Engineer's completion of services and receipt of payment in full, Engineer shall grant to Client a non-exclusive license to possess the final drawings and instruments produced in connection with Engineer's performance of the work under this Agreement, if any. Said drawings and instruments may be copied, duplicated, reproduced and used by Client for the purpose of constructing, operating and maintaining the improvements. Client agrees that such documents are not intended or represented to be suitable for reuse by Client or others for purposes outside the Scope of Services of this Agreement. Notwithstanding the foregoing, Client understands and agrees that any and all computer programs, GIS applications, proprietary data or processes, and certain other items related to the services performable under this Agreement are and shall remain the sole and exclusive property of Engineer and may not be used or reused, in any form, by Client without the express written authorization of Engineer. Client agrees that any reuse by Client, or by those who obtain said information from or through Client, without written verification or adaptation by Engineer, will be at Client's sole risk and without liability or legal exposure to Engineer or to Engineer's employees, agents, representatives, officers, directors, affiliates, shareholders, owners, members, managers, attorneys, subsidiary entities, advisors, subconsultants or independent contractors or associates. Engineer may reuse all drawings, reports, data and other information developed in performing the services described by this Agreement in Engineer's other activities.

VII. Notices. Any notices to be given hereunder by either party to the other may be affected either by personal delivery, in writing, or by registered or certified mail.

VIII. Sole Parties and Entire Agreement. This Agreement shall not create any rights or benefits to anyone except the Client and Engineer, and contains the entire agreement between the parties. Oral modifications to this Agreement shall have no force or effect.

IX. Insurance. Engineer shall, at its own expense, purchase, maintain and keep in force throughout the duration of this Agreement and for a period of four (4) years thereafter, professional liability insurance. The limits of liability shall be \$1,000,000 per claim and in the aggregate. Engineer shall submit to the Client a certificate of insurance prior to commencing work for the Client.

X. Prompt Performance by Engineer. All services provided by Engineer hereunder shall be performed in accordance with the degree of care and skill ordinarily exercised under similar circumstances by competent members of the engineering profession in the State of Texas applicable to such engineering services contemplated by this Agreement.

XI. Client Objection to Personnel. If at any time after entering into this Agreement, the Client has any reasonable objection to any of Engineer's personnel, or any personnel, professionals and/or consultants retained by Engineer, Engineer shall promptly propose substitutes to whom the Client has no reasonable objection, and Engineer's compensation shall be equitably adjusted to reflect any difference in Engineer's costs occasioned by such substitution.

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all of the transactions it contemplates, including without limitation, its validity, interpretation, construction, performance and enforcement. Exclusive venue shall lie in Dallas County, Texas.

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C. NOTWITHSTANDING ANY OTHER PROVISION OF THE AGREEMENT, ENGINEER SHALL HAVE NO LIABILITY TO THE CLIENT FOR CONTINGENT, CONSEQUENTIAL OR OTHER INDIRECT DAMAGES INCLUDING, WITHOUT LIMITATION, DAMAGES FOR LOSS OF USE, REVENUE OR PROFIT; OPERATING COSTS AND FACILITY DOWNTIME; OR OTHER SIMILAR BUSINESS INTERRUPTION LOSSES, HOWEVER, THE SAME MAY BE CAUSED.

D. CLIENT MAY NOT ASSERT ANY CLAIM AGAINST ENGINEER AFTER THE SHORTER OF (1) 3 YEARS FROM SUBSTANTIAL COMPLETION OF SERVICES GIVING RISE TO THE CLAIM, OR (2) THE STATUTE OF LIMITATION PROVIDED BY LAW.

XXI. Waiver - Any failure by Engineer to require strict compliance with any provision of this Agreement shall not be construed as a waiver of such provision, and Engineer may subsequently require strict compliance at any time, notwithstanding any prior failure to do so.

IN WITNESS WHEREOF, the parties, having read and understood this Agreement, have executed such in duplicate copies, each of which shall have full dignity and force as an original, on the ____ day of _____, 20__.

HALFF ASSOCIATES, INC.

CLIENT: CITY OF SEAGOVILLE, TEXAS

By:


Signature

By:

Signature

Jayson Melcher, PE
Printed Name

Printed Name

Dallas Operations Manager
Title

Title

September 21, 2018
Date

Date

EXHIBIT A

Labor Category	Level	Billing Rate Range	
		Low	High
Architect	I	79.00	90.00
	II	93.00	123.00
	III	130.00	166.00
	IV	205.00	219.00
	V	232.00	325.00
Engineer	I	91.00	109.00
	II	110.00	144.00
	III	146.00	186.00
	IV	182.00	237.00
	V	239.00	350.00
Scientist	I	75.00	83.00
	II	98.00	118.00
	III	133.00	161.00
	IV	164.00	176.00
	V	221.00	350.00
Landscape/ Planner	I	70.00	84.00
	II	88.00	110.00
	III	121.00	153.00
	IV	158.00	201.00
	V	209.00	340.00
Surveyor	I	83.00	95.00
	II	96.00	118.00
	III	139.00	139.00
	IV	149.00	186.00
Field Tech	I	53.00	67.00
	II	67.00	81.00
	III	79.00	107.00
	IV	119.00	138.00
	V	161.00	216.00
Office Tech	I	45.00	67.00
	II	68.00	85.00
	III	86.00	109.00
	IV	110.00	144.00
	V	141.00	182.00
Administrative	I	30.00	67.00
	II	69.00	85.00
	III	85.00	109.00
	IV	114.00	143.00
	V	150.00	350.00
Specialist	I	71.00	91.00
	II	95.00	124.00
	III	118.00	166.00
	IV	172.00	207.00
	V	237.00	333.00
Intern		28.00	69.00

EXHIBIT B

Unit Number	Unit Name	Billing Rate
LOC1M	Designating (QL-B) (1-Man)	80.00 <i>per hour</i>
LOC2M	Designating (QL-B) (2-Man)	160.00 <i>per hour</i>
SPAR1M	Spar Designating (QL-B) (2-Man)	230.00 <i>per hour</i>
POT2M	Potholing (QL-A) (2-Man)	260.00 <i>per hour</i>
PRNT1	Print - Letter and Legal / B&W	0.10 <i>per sheet</i>
PRNT2	Print - Letter and Legal / Color	0.20 <i>per sheet</i>
PRNT3	Print - Oversize (11x17) / B&W	0.75 <i>per sheet</i>
PRNT4	Print - Oversize (11x17) / Color	1.50 <i>per sheet</i>
PLOT1	Plot - Full Size / B&W	1.00 <i>per plot</i>
PLOT2	Plot - Full Size / Color	15.00 <i>per plot</i>
SURV1M	1-Man Survey Crew	100.00 <i>per hour</i>
SURV1R	1-Man Survey Crew (Robotics)	150.00 <i>per hour</i>
SURV2M	2-Man Survey Crew	165.00 <i>per hour</i>
SURV2R	2-Man Survey Crew (Robotics)	185.00 <i>per hour</i>
SURV3M	3-Man Survey Crew	230.00 <i>per hour</i>
SURVSCN	3D Laser Scanner	1,300.00 <i>per day</i>
BMAP1	Basemap Services	100.00 <i>per each</i>

Mileage will be billed at the current IRS Rate.

City of Seagoville, Texas
Task Order Authorization Agreement
For
Professional Engineering Services with Halff Associates, Inc.

Task Order Authorization No. 1
FY 2019 Seagoville SWMP Implementation Assistance
October 1, 2018

The City of Seagoville has requested that Halff assist the City with implementation of its Storm Water Management Plan (SWMP) to meet the requirements of the small Municipal Separate Storm Sewer System (MS4) permit. Halff Associates will perform the following proposed services under the terms and conditions described in the **Agreement for Professional Engineering Services on a Task Order Basis (Agreement)**, dated October 1, 2018, between Halff Associates and the City of Seagoville.

Scope of Work:	<p><u>Task # 1 – Meetings</u></p> <ol style="list-style-type: none"> 1. Council Presentation - Provide an update of Seagoville’s stormwater management plan to City Council. 2. Staff Meetings – Lead up to three (3) meetings with City staff to review SWMP implementation requirements and schedule, BMP goals, responsibilities, and progress. Review and provide feedback for activities in progress. 3. Neighborhood Watch Group Presentation – Provide a presentation to a watch group to teach the group how to detect and report illicit discharges. <p><u>Task # 2 – General Coordination, BMP Assistance and Review</u> Typical effort in this task may include:</p> <ol style="list-style-type: none"> 1. Provide ongoing support and guidance throughout the year outside of regularly scheduled meetings. 2. Assist in development of public education and outreach materials <ul style="list-style-type: none"> - Develop an educational stormwater brochure to be inserted in City water bills (BMP 1.6) 3. MS4 Map Updates <ul style="list-style-type: none"> - Compile relevant data from existing records. - Update MS4 Map in GIS and provide hard copy maps. 4. MCM 2, Illicit Discharge Detection <ul style="list-style-type: none"> - Provide assistance in dry-weather screening (BMP 2.7) - Develop educational materials for a Neighborhood Watch Group (BMP 2.9) <p><u>Task #3 – Prepare Annual Report</u></p> <ol style="list-style-type: none"> 1. Prepare Annual Report for FY 2018 – Year 4 of the 2013 MS4 permit. This report will document stormwater
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City of Seagoville, Texas
Task Order Authorization Agreement
For
Professional Engineering Services with Halff Associates, Inc.

	management activities conducted between October 1, 2017 and September 30, 2018.										
Deliverables:	<ol style="list-style-type: none"> 1. Updated MS4 Map 2. Illicit Discharge Detection Documents 3. Annual Report for 2017-2018 4. Stormwater brochure for water bills (5,000 copies) 										
Items Furnished by City:	1. Records, logs, documentation of stormwater activities performed.										
Schedule:	Complete by September 30, 2019.										
Fees:	<p>This Task will be billed on a time and materials basis in accordance with the Agreement. The proposed budget for these services is as follows:</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Task #1:</td> <td style="text-align: right;">\$ 10,000</td> </tr> <tr> <td>Task #2:</td> <td style="text-align: right;">\$ 13,000</td> </tr> <tr> <td>Task #3:</td> <td style="text-align: right;">\$ 4,000</td> </tr> <tr> <td><u>Reimbursable Expenses</u></td> <td style="text-align: right;"><u>\$ 2,400</u></td> </tr> <tr> <td>Work Order #1 Total:</td> <td style="text-align: right;">\$ 29,400</td> </tr> </table>	Task #1:	\$ 10,000	Task #2:	\$ 13,000	Task #3:	\$ 4,000	<u>Reimbursable Expenses</u>	<u>\$ 2,400</u>	Work Order #1 Total:	\$ 29,400
Task #1:	\$ 10,000										
Task #2:	\$ 13,000										
Task #3:	\$ 4,000										
<u>Reimbursable Expenses</u>	<u>\$ 2,400</u>										
Work Order #1 Total:	\$ 29,400										

Submitted:
HALFF ASSOCIATES, INC.

Approved:
CITY OF SEAGOVILLE, TEXAS

By:  _____
Signature

By: _____
Signature

Jayson Melcher, PE _____
Printed Name

Printed Name

Dallas Operations Manager _____
Title

Title

September 20, 2018 _____
Date

Date

Regular Session Agenda Item: 4

Meeting Date: November 5, 2018

ITEM DESCRIPTION

Conduct a public hearing on request Z2018-21a to change the zoning from LM, Light Manufacturing, to R-5, Residential Single Family, on about 0.6-acres described as part of Block 6 of Original Town of Seagoville and Henry D. Bohannon Abstract 0178, and commonly referred to as 307 North Watson Street.

BACKGROUND OF ISSUE:

Mr. Timothy and Mrs. Elizabeth Ramsey, applicants and owners, are requesting the zoning change to be able to continue maintaining and/or improving their home on the south side of Watson Street near the corner with Durham Road. There are also at least two (2) small outbuildings on the property. This application addresses only their home at 307 North Watson Street, even though they also own the vacant lot between their house and the corner of Watson Street and Durham Road, which is also zoned LM (the existing zoning of the subject parcel) and the adjacent unimproved property to the south-southwest that has a split zoning of LM and R-5. The entire back width of the subject parcel abuts the existing R-5 zoning on the adjacent lot. This is the first of 3 portions in this neighborhood rezone.

The existing zoning, land uses, and relevant portions of the City's comprehensive plan are each referenced in the attached staff report.

FINANCIAL IMPACT:

No city funds will be used for the development of this project.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

Besides the parcels in question, there are twenty-one (21) properties, and three (3) public streets within 200-feet of the boundary of the subject area. The owners of each parcel were notified in compliance with the 200-foot rule by mail on Thursday, September 20, 2018. A legal ad was also published per the Texas Local Government Code in the Monday, September 17, 2018 edition of the Daily Commercial Record newspaper. Prior to the Planning and Zoning Commission meeting on Tuesday, October 9, 2018, five (5) property owners have responded in writing for the request and none (zero) have responded against it. The City has received their six (6) letters. No (zero) letters had been returned as undeliverable by the U.S. Postal Service. Two (2) property owners spoke in favor of the request at the Planning and Zoning Commission meeting. As of the date of this report, October 30, 2018, no (zero) additional property owners have responded in writing or verbally for or against the request. Additionally, no (zero) letters have been returned as undeliverable by the U.S. Postal Service. Any responses received after the emailing of the packet to the Council will be available for review at the meeting.

The Commission voted unanimously six (6) to zero (0) to recommend the approval of the request to change the current zoning on about 2-acres at 100 Ward Street; 301 and 307 North Watson Street; and 2 vacant lots that Dallas County has addressed 410 Peck Street and 7 No Name Street (also known as Lots 5, 6, 7, 8, 9, and 10 of the unrecorded Fenley's Subdivision of Block 6 of the Town of Seagoville and part of the Henry D. Bohannon Abstract 0178) from the LM, Light Manufacturing, to the R-5, Residential Single Family, zoning district.

Staff is also recommending the approval.

EXHIBITS:

1. Staff Report (11 pages)
2. 2017 aerial photograph from DCAD website
3. Dimensional reference map from DCAD website
4. Zoning map reference (dimensional map with zoning added)
- 5a. Zoning application (2 pages)
6. Public hearing notice to newspaper for CC meeting
7. Public hearing notice to property owners within 200 feet for CC meeting (2 pages)
8. List of property owners within 200 feet of all parcels in this request



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

DATE: NOVEMBER 5, 2018
AUTHOR: JENNIFER BONNER, JUNIOR PLANNER
APPLICANTS: TIMOTHY & LIZ RAMSEY
PARCELS: 50000933399000000
LOCATIONS: 307 NORTH WATSON STREET

REQUEST SUMMARY:

The applicants are requesting that the current zoning on the subject parcels (under the 5 purple stars outlined in orange on the map) on about 2-acres of land be changed from LM, Light Manufacturing, to R-5, Residential Single Family.

Each of these owners wants to be able to continue maintaining and/or improving their homes. The lots were changed to a Light Manufacturing zoning some time prior to 1978. The current zoning district does not allow residential uses.



REQUEST LOCATION: Inside City, Dallas County

SIZE OF PROJECT	EXISTING ZONING	SURROUNDING ZONING	EXISTING LAND USE	EXISTING SURROUNDING LAND USES
About 2-acres	LM, Light Manufacturing	<p>Northwest: LM, Light Manufacturing and C, Commercial</p> <p>Southwest: LM, Light Manufacturing and R-5, Single Family Residential</p> <p>Northeast: C, Commercial</p> <p>Southeast: LM, Light Manufacturing and R-5, Single Family Residential</p>	Low Density Residential	<p>Northwest: Low Density Residential</p> <p>Southwest: Low Density Residential</p> <p>Northeast: Commercial</p> <p>Southeast: Central Area</p>

PLANNING AND ZONING COMMISSION RECOMMENDATION:

The Commission voted unanimously six (6) to zero (0) in favor of recommending the approval of the request to current zoning on about 2-acres at 100 Ward Street; 301 and 307 North Watson Street; and 2 vacant lots that Dallas County has addressed 410 Peck Street and 7 No Name Street (also known as Lots 5, 6, 7, 8, 9, and 10 of the unrecorded Fenley's Subdivision of Block 6 of the Town of Seagoville and part of the Henry D. Bohannon Abstract 0178) from the LM, Light Manufacturing, to the R-5, Residential Single Family, zoning district.

Staff recommends approval of this zoning change.

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

COMPARISON TO ADOPTED CITY MASTER PLANS

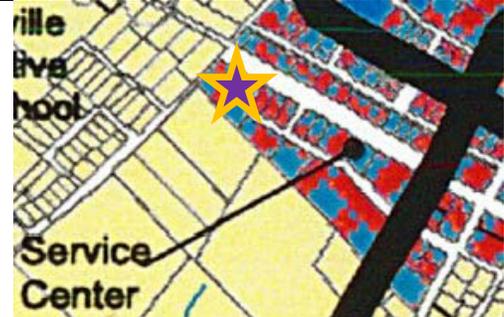
STAFF ANALYSIS

PLAN GOALS OR GUIDELINES

2002 Comprehensive Land Use Plan and Map

The lot in the request (under the purple star) is in the southwestern corner of the Central Area (red and blue mixture) on the 2002 map. The light yellow colored areas surrounding the subject parcels are shown as Low Density Residential areas. Today we might call this part of our Central Business District. The 2002 plan calls for the area to be a mixture of residences, personal and government businesses, and gatherings for cultural and community events.

Meets Standard



2006 Master Thoroughfare Plan and Map

The property in the request (under the green star) only has access to Watson Street (labeled and shown by a blue line) on the northwest side of Malloy Bridge Road. Watson Street occurs in what was originally 150-feet of railroad right-of-way that was later transferred to the City.

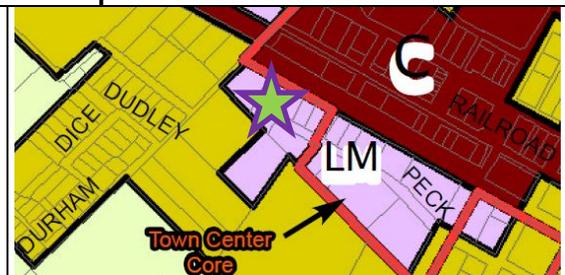
Meets Standard



2009 Zoning Plan and Map

The lot in the request (under the green star) is in the LM, Light Manufacturing zoning district (light purple color). The light green color to the southwest of the subject parcels is currently zoned AG, Agriculture. The applicants are requesting that their lot be changed to the R-5, Single Family Residential zoning district (mustard yellow color) so they can maintain their home on the subject parcel.

Meets Standard



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	Public water and sewer are already connected to the existing house.
2. Will the land use be compatible with other area properties located nearby?	Yes	Most of the lands to the northwest, southwest, and southeast are already zoned R-5, Residential Single Family, and match the requested zoning district.
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, 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?	Yes	This request is being made so that the applicants can maintain their home in a residential zoning district.
5. Will the use facilitate public convenience at that location?	Yes	The lot fronts on an existing city street.
6. Will the use conform to off-street parking and loading requirements?	Yes	The house has a driveway that exceeds the parking requirements.

REVIEW CRITERIA	STAFF ANALYSIS	
7. Are all of the ingress, egress, and pedestrian ways adequate?	No	The house has a driveway. There are no sidewalks in the immediate vicinity of the subject parcels.
8. Have safeguards limiting noxious or offensive emissions, including light, noise, glare, dust, and odor been addressed?	Yes	The properties are residential to the northwest, south, and southwest. To the north and northeast are commercial properties. To the southeast of this lot is another residence.
9. Will the proposed landscaping and screening be compliant with all City regulations?	N/A	No additional landscaping is planned.
10. Will the signage be compliant with those portions of the Municipal Code?	N/A	There has been no request for signage.
11. Will all open space(s) be maintained by the owner/developer?	Yes	The property will be continue to be maintained by the current owners.
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 existing lot dimensions shown on DCAD exceed code. Per DCAD, the improvements meet living space and garage/carport size requirements.
13. Will granting the permit be authorizing less than the minimum requirements in regards to height, area, setbacks, parking, or landscaping?	No	There are no proposed structures at this time. However, the zoning change would allow any non-conformance items to become officially grandfathered until changes are made to the structures on the lots.
14. Have the provisions of the existing master thoroughfare plan been met to protect the public interest?	No	All of Watson Street occurs in what was originally 150-feet of railroad right-of-way that was transferred to the City in 1992.
15. Have the provisions of any existing future land use plan been met to protect the public interest?	N/A	Chapter 5 (Future Land Use) of the Comprehensive Plan provides guidance for different land uses. Residences are listed as a use expected in the Central Area, where the lot is located.
16. Have the provisions of any existing capital improvements plan been met to protect the public interest?	Yes	The most recent plan (2008) has completed all improvements, but the pay-off has not yet been finalized.
17. Have the provisions of any community facilities plan been met to protect the public interest?	N/A	Changing the zoning of parcels is not affected by the community facilities portion of any city Plan.
18. Have the provisions of any other adopted document for providing required necessary public facilities been met to protect the public interest?	N/A	Chapter 8 (Public Facilities) of the Comprehensive Plan addresses municipal facilities primarily. Changing the zoning of parcels does not affect the provisions of any city Plan.

Public Comments Received: Besides the parcel in question, there are twenty-one (24) properties, and three (3) public streets within 200-feet of the boundary of the subject area for all of the parcels in the neighborhood request. The owners of each parcel were notified in compliance with the 200-foot rule by mail on Thursday, September 20, 2018. A legal ad was also published per the Texas Local Government Code in the Monday, September 17, 2018 edition of the Daily Commercial Record newspaper. Prior to the Planning and Zoning Commission meeting on Tuesday, October 9, 2018, five (5) property owners have responded in writing for the request and none (zero) have responded against it. The City has received their six (6) letters. No (zero) letters had been returned as undeliverable by the U.S. Postal Service. Two (2) property owners spoke in favor of the request at the Planning and Zoning Commission meeting. As of the date of this report, October 30, 2018, no (zero) additional property owners have responded in writing or verbally for or against the request. Additionally, no (zero) letters have been returned as undeliverable by the U.S. Postal Service. Any responses received after the emailing of the packet to the Council will be available for review at the meeting.

STAFF REPORT Z2018-21A

Other Staff Comments: Below is a table that compares the types of land uses listed in the zoning code for each zoning district. The table to the right depicts the symbols for which land uses that would be permitted, prohibited, or require a special use permit in each district. The land use table is arranged by zoning district and then each district is listed alphabetically. **Note:** Language in each of the “higher” (more intense) business districts specifies that the uses permitted in the “lower” zoning districts are allowed without being specifically listed each of those uses again.

Land Use Table Key:	Zoning District:
P = Permitted land use	R-5, Residential Single-family
S = Special Use Permit (SUP) required	O, Office
A blank box in the table means that land use is <i>prohibited</i> in that zoning district.	LR, Local Retail
	C, Commercial
	LM, Light Manufacturing

Type of Land Use	Zoning District				
	R-5	O	LR	C	LM
Accessory buildings	P				
Addition of pre-packaged food or beverages sales to a retail or business already operating	S	S	S	S	S
Airport or airport facilities	S	S	S	S	S
Art gallery	P	P	P	P	P
Breezeway attaching accessory to the main building	P				
Carnival	S	S	S	S	S
Cemetery	S	S	S	S	S
Children’s home on 5 acres or more	S	S	S	S	S
Church or religious worship facility	P				
Circus	S	S	S	S	S
Commercial amusement, temporary	S	S	S	S	S
Community building on 3 acres or more	S	S	S	S	S
Concrete batching plant	S	S	S	S	S
Convalescent home on 5 acres or more	S	S	S	S	S
Daycare or nursery with fewer than four unrelated children	P				
Daycare or nursery with more than four unrelated children	S	S	S	S	S
Detached dwelling for servants employed on-site	P				
Dog kennels on farm of 5 acres or more	S	S	S	S	S
Drive-in theatre on 10 acres or more	S	S	S	S	S
Driving range	S	S	S	P	P
Earth excavation	S	S	S	S	S
Educational institutions	S	S	S	S	S
Electrical public utility regulating station	S	S	S	S	S
Farm without on-site retail or wholesale business	P				
Fire station	P				
Garden without on-site retail or wholesale business	P				
Golf course without driving range	P				
Government use - local, county, state, federal	S	S	S	S	S
Gravel excavation	S	S	S	S	S
Greenhouse	S	S	S	S	S
Greenhouse without on-site retail or wholesale business	P				
Homes for narcotics on 20 acres or more	S	S	S	S	S
Homes for the alcoholic on 20 acres or more	S	S	S	S	S
Homes for the feeble-minded on 20 acres or more	S	S	S	S	S
Homes for the insane on 20 acres or more	S	S	S	S	S
Hospital on 5 acres or more	S	S	S	S	S
Kindergarten - public or private	S	S	S	S	S
Landing airfield or facilities	S	S	S	S	S
Library	P	P	P	P	P
Maternity home on 5 acres or more	S	S	S	S	S
Miniature golf course	S	S	S	P	P
Miniature train ride	S	S	S	S	S

Type of Land Use	Zoning District				
	R-5	O	LR	C	LM
Mixed-Use projects of private housing and shopping center on 3 acres or more	S	S	S	S	S
Museum	P				
Natural gas public utility regulating station	S	S	S	S	S
Neighborhood recreation center (swimming pool, social or hobby rooms)	P				
Normal household pets	P				
Nursery	S	S	S	S	S
Nursery school - public or private	S	S	S	S	S
Nursery without on-site retail or wholesale business	P				
Old people's home on 5 acres or more	S	S	S	S	S
Orchard without on-site retail or wholesale business	P				
Park	P				
Passenger train station	P				
Philanthropic institutions	S	S	S	S	S
Playgrounds	P				
Pony rides	S	S	S	S	S
Private carport and/or garage	P	P	P	P	P
Private school, equivalent to a public school	P	S	S	S	S
Public school (elementary through high school)	P	S	S	S	S
Public stable on 5 acres or more	S	S	S	S	S
Public utility - privately or publicly owned	S	S	S	S	S
Radio or television broadcasting stations	S	S	S	S	S
Radio or television broadcasting towers	S	S	S	S	S
Radio or television transmitter tower	S	S	S	S	S
Railway right-of-way and tracks, passenger station but not including railroad yards, team tracks or storage yards	P				
Religious institutions	S	S	S	S	S
Riding academy on 5 acres or more	S	S	S	S	S
Rock quarry	S	S	S	S	S
Rodeo	S	S	S	S	S
Sale of pre-packaged food/beverages, in combination, that exceeds 10% of an establishment's gross annual sales revenues	S	S	S	S	S
Sand excavation	S	S	S	S	S
Sewage treatment plant	S	S	S	S	S
Single-family residence (detached)	P				
Telephone exchange without office, repair or storage facilities	P				
Temporary and seasonal sales establishment, such as flea market or produce stand	S	S	S	S	S
Temporary buildings to be used for construction purposes only	P				
Travel trailer park	S	S	S	S	S
Veterinary hospital on 5 acres or more	S	S	S	S	S
Water pumping plant	P				
Water supply reservoir	P				
Water tower or artesian well	P				
Wind energy conversion system (WEC)	S	S	S	S	S
Railway ROW & tracks, but no railroad yards, team tracks or storage yards	P				
Ambulance service		P	P	P	P
Architect or engineers' offices		P	P	P	P
Attorneys' offices		P	P	P	P
Business offices		P	P	P	P
Consultants' offices		P	P	P	P
Doctors' & dentists' offices		P	P	P	P
Equipment storage (no repairs)		P	P	P	P
Financial offices		P	P	P	P
General offices		P	P	P	P

**STAFF REPORT
Z2018-21A**

Type of Land Use	Zoning District				
	R-5	O	LR	C	LM
Multi-family dwelling units		S	S	S	S
Personal services		P	P	P	P
Political offices		P	P	P	P
Professional offices		P	P	P	P
Real estate offices		P	P	P	P
Records warehousing & storage		P	P	P	P
Salesman's offices		P	P	P	P
Single-family dwelling units		S	S	S	S
Antique shop			P	P	P
Aquarium			P	P	P
Auto laundry inside a building without boiler, heating & steam-cleaning facilities			P	P	P
Auto repair garage - all work inside a building			P	P	P
Auto seat covering			P	P	P
Bakery, retail			P	P	P
Bank			P	P	P
Barber & beauty shop			P	P	P
Bicycle repairs without outside storage or display			P	P	P
Bird & pet shops, retail			P	P	P
Book or stationery store			P	P	P
Bowling alley - if air-conditioned & soundproofed			P	P	P
Brewpub			S	S	S
Camera shop			P	P	P
Candy shop			P	P	P
Caterer			P	P	P
Cleaning & pressing shops smaller than 6,000 square feet			P	P	P
Cleaning, dyeing & laundry station for receiving & delivery of articles only			P	P	P
Clothing - retail sales only			P	P	P
Convenience store or mini-mart between 1,000 & 5,000 square feet			S	S	S
Curtain cleaning shop smaller than 6,000 square feet			P	P	P
Department store			P	P	P
Drive-in for food, beverage, or other service			S	S	S
Drive-in theatre			S		
Drive-through for food, beverage, or other service			S	S	S
Dyeing plant smaller than 6,000 square feet			P	P	P
Electric substation			P	P	P
Electrical goods, retail sales only			P	P	P
Electrical repairing - domestic equipment & autos, retail sales only			P	P	P
Event center in stand-alone building			S		
Exterminating company, retail			P	P	P
Feed store			S		
Film developing & printing			P	P	P
Fix-it shops without outside storage or display			P	P	P
Florist, retail sales only			P	P	P
Frozen food lockers, retail			P	P	P
Furniture repairs & upholstering, retail only without outside storage or display			P	P	P
Furniture store - retail			P	P	P
Gasoline/motor fuel sales			P	P	P
Gasoline/motor fuel sales, automated			P	P	P
Grocery store over 5,000 square feet			P	P	P
Hardware - retail sales only			P	P	P
Household & office appliances - retail			P	P	P
Household & office furniture - retail			P	P	P

**STAFF REPORT
Z2018-21A**

Type of Land Use	Zoning District				
	R-5	O	LR	C	LM
Ice delivery station			P	P	P
Jewelry - retail			P	P	P
Job printing			P	P	P
Laundry - custom laundering & finishing smaller than 6,000 square feet without pickup or delivery			P	P	P
Letter & mimeograph shop			P	P	P
Meat market, retail sales only			P	P	P
Micro-brewery			S	S	S
Mortuary use in stand-alone buildings			S		
Motor raceway			S		
Moving picture theater			P	P	P
Novelty or variety shop			P	P	P
Nursery, retail sale of plants & trees			P	P	P
Office			P	P	P
Office building			P	P	P
Optical goods - retail			P	P	P
Outside display, new materials			P	P	P
Outside storage units			P	P	P
Paint - retail sales only			P	P	P
Parking lot without public garage for passenger cars & trucks			P	P	P
Pharmacy/drug store			P	P	P
Photographer's or artist's studio			P	P	P
Photographic supplies - retail			P	P	P
Piano & musical instruments, retail sales only			P	P	P
Plumbing shop without warehouse facilities, retail sales only			P	P	P
Portable storage units (PODs) - sales & storage			P	P	P
Public garage			P	P	P
Restaurant (dine-in only) over 4,000 square feet			P	P	P
Restaurant (dine-in only) smaller than 4,000 square feet			S	S	S
Restaurant (dine-in/convenience) over 4,000 square feet			P	P	P
Restaurant (dine-in/convenience) smaller than 4,000 square feet			S	S	S
Restaurant (fast food)			S	S	S
Restaurant (outdoor/patio dining)			S	S	S
Restaurant (private club)			S	S	S
Retail sales			P	P	P
Retail store or shop for custom work or the making of articles on-site			P	P	P
Roller skating rink			S		
Rug cleaning shop, chemical type, smaller than 6,000 square feet with all operations inside a building			P	P	P
Sample room			P	P	P
Seamstress, dressmaker, or tailor			P	P	P
Seed store			P	P	P
Shoe repair shop, retail sales only			P	P	P
Sporting goods - retail sales only			P	P	P
Studio for the display & sale of glass, china, art objects, cloth & draperies			P	P	P
Studios, dance, music, drama, health massage & reducing			P	P	P
Taxi stand			P	P	P
Tobacco shop			S	S	S
Tool sharpening, retail only without outside storage or display			P	P	P
Toys - retail sales only			P	P	P
Used car lot			S	P	P
Walk-up for food, beverage, or other service			S	S	S
Wallpaper - retail sales only			P	P	P
Washateria where the customer can wash & handle his laundry			P	P	P

**STAFF REPORT
Z2018-21A**

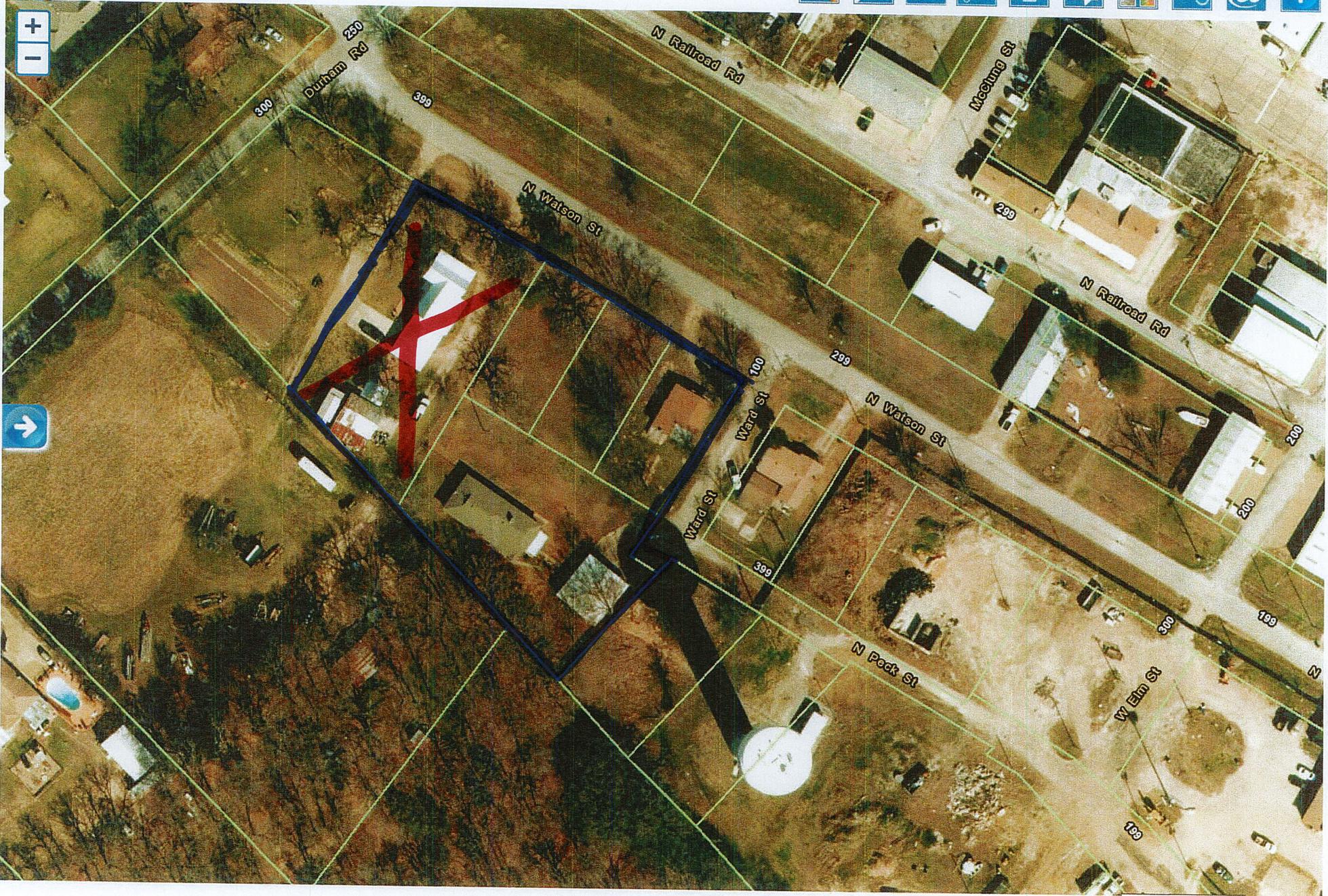
Type of Land Use	Zoning District				
	R-5	O	LR	C	LM
Wearing apparel including clothing, shoes, hats, millinery & accessories			P	P	P
Wedding services in stand-alone building			S		
Wholesale sales office			P	P	P
Wine-tasting room			S	S	S
Aquarium, wholesale				P	P
Artificial flower manufacture				P	P
Artificial limb manufacture				P	P
Auto painting				P	P
Auto upholstery				P	P
Automobile dealers				P	P
Automobile laundry				P	P
Awning manufacture, cloth, metal, wood				P	P
Bakery, commercial				S	P
Bar				S	S
Beer tavern				S	S
Book bindery				P	P
Book printing				P	P
Bottling works with or without syrup manufacture				P	P
Bowling alley				P	P
Bus & truck storage				P	P
Cabinet shop				P	P
Candy manufacture				P	P
Canvas awning manufacture				P	P
Car barns				P	P
Carpenter shop				P	P
Carpet cleaning - with dustproof room & dust-catching equipment				P	P
Carting, express, hauling or storage				P	P
Cement storage				P	P
Ceramic products smaller than 6,000 square feet				P	P
Cleaning & dry cleaning establishment over 6,000 square feet				P	P
Clothing manufacture				P	P
Cold storage plant				P	P
Commercial amusement				P	P
Commercial colleges				P	P
Contractor's storage yard				P	P
Dance hall				S	S
Dog kennel				S	
Dry goods, wholesale & storage				P	P
Dyeing plant over 6,000 square feet				P	P
Egg candling & grading				P	P
Electrical & neon sign manufacture				P	P
Electrical repairing				P	P
Electro-plating; electro-tying				P	P
Engraving plant				P	P
Envelope manufacture				P	P
Feed store, wholesale & storage				P	P
Florist, wholesale				P	P
Food products manufacture, wholesale				P	P
Frozen food lockers, wholesale				P	P
Furniture auction sales				P	P
Furniture repair & upholstery - wholesale				P	P
Handcraft shop smaller than 6,000 square feet				P	P

Type of Land Use	Zoning District				
	R-5	O	LR	C	LM
Hauling, light or heavy				P	P
Homes for narcotics				S	
Homes for the alcoholic				S	
Homes for the feeble-minded				S	
Homes for the insane				S	
Household goods, storage				P	P
Ice cream manufacture				P	P
Ice manufacture				P	P
Job printing & book printing				P	P
Laundry, commercial				P	P
Leather products manufacture				P	P
Lithographing				P	P
Loading or storage tracks				P	P
Loose-leaf book manufacture				P	P
Lounge				S	S
Lumberyard (building material)				P	P
Market - public				P	P
Mattress making & renovating without dust precipitating equipment				P	P
Milk depot, wholesale				P	P
Millinery manufacture				P	P
Mirror re-silvering				P	P
Motel				P	P
Motion picture studio, commercial films				P	P
Motorcycle repairing				P	P
Moving & storage company				P	P
Newspaper printing				P	P
Night club				S	S
Optical goods manufacture				P	P
Outside display, used materials				S	S
Outside storage, new materials				S	P
Outside storage, used materials				S	S
Outside storage of any material over 8-feet tall				S	S
Paint mixing, but no cooking or baking operations				P	P
Paper products & paper box manufacture				P	P
Penal or correctional institutions for insane, feeble-minded, liquor or narcotic				P	P
Photoengraving plant				P	P
Plastic products, molding, casting & shaping				P	P
Print shop				P	P
Printing equipment, supplies, repairs				P	P
Publishing company				P	P
Sale of manufactured homes on 3.5 acres or more				S	
Sale of mobile homes on 3.5 acres or more				S	
Schools - all types including trade & commercial colleges				P	P
Secondhand furniture				P	P
Seed store, wholesale sales & storage				P	P
Sheetmetal shop				P	P
Shoe store, wholesale sales & storage				P	P
Skating rink				P	P
Stone monument works - retail				P	P
Storage & sales of used auto parts & accessories without open storage or display				P	P
Storage of trucks, & gravel				P	P
Streetcar barns				P	P

**STAFF REPORT
Z2018-21A**

Type of Land Use	Zoning District				
	R-5	O	LR	C	LM
Taxicab storage & repairs				P	P
Team tracks & unloading docks, railroads				P	P
Tire retreading & recapping				P	P
Tourist camp				P	P
Trade schools of all types				P	P
Transfer & baggage company				P	P
Travel center				S	S
Trunk manufacturing				P	P
Typesetting				P	P
Venetian blind manufacturing				P	P
Veterinary hospital				S	P
Warehouse, wholesale offices, sales & storage				P	P
Water distillation				P	P
Winery, boutique				S	S
Adding machine manufacture					P
Agricultural implement manufacturing					P
Aircraft parts manufacture					P
Airplane repair & manufacturing					P
Automobile assembly					P
Automobile parts manufacturing					P
Bag manufacturer & cleaning					P
Bank equipment manufacture					P
Blacksmith					P
Boiler manufacture & repair of boilers not exceeding 15 h.p.					P
Bolt & nut manufacture					P
Boot & shoe manufacture					P
Box & crate manufacture (other than paper)					P
Brewery					S
Broom manufacture					P
Building material machinery, or supplying having outside storage					P
Canning & preserving factory					P
Carbon battery manufacture					P
Cargo container					S
Carpet cleaning without dustproof cleaning rooms for dust catching, washing & scouring equipment					P
Celluloid & similar cellulose manufacture					P
Central station, light & power plant					P
Cereal mill					P
Chair manufacture					P
Cheese factory					P
Chick hatchery					P
Coal yard, coal hoist, coal pocket or coal car trestle					P
Coffin manufacture					P
Cooperage company					P
Cotton company					P
Cotton ginning, baling & compressing					P
Cotton oil mill					P
Cotton seed products manufacture					P
Dairy - wholesale					P
Disinfectant manufacture					P
Distillery					S
Dye manufacturing					P
Electric or acetylene welding					P

Type of Land Use	Zoning District				
	R-5	O	LR	C	LM
Electrical power plant					P
Electrical supply manufacture					P
Elevator manufacture					P
Enameling & painting					P
Feed mill					P
Fixture manufacture					P
Flour milling & grain storage & elevators					P
Food processing					P
Fur warehouse					P
Furniture manufacture					P
Gasoline, wholesale storage					P
Grain elevator					P
Hardware manufacture					P
Helicopter terminal					P
Horseshoeing					P
Hosiery mill					P
Insecticide manufacturing					P
Iron works, ornamental					P
Knit goods manufacture					P
Light agricultural implements manufacture					P
Livery stable					P
Machinery manufacture					P
Mattress factory					P
Mattress renovating					P
Metal products, stamping & manufacturing					P
Milk processing plant					P
Paper products manufacture					P
Pattern shop					P
Pecan processing					P
Petroleum, wholesale storage					P
Planing mill					P
Poultry feed manufacturer					P
Poultry slaughtering - dressing & storage					P
Printing ink manufacture					P
Public stable					P
Railroad yards - roundhouse or shop					P
Rice cleaning & polishing					P
Riding academy					P
Riding stable					P
Rock wool manufacture					P
Rug manufacture					P
Shoe factory					P
Stable					P
Stone cutting					P
Storage battery manufacturing					P
Storage of live poultry, or poultry dressing					P
Textile manufacture					P
Tool manufacture					P
Wood products manufacture					P
Woodworking shops					P
Winery					S

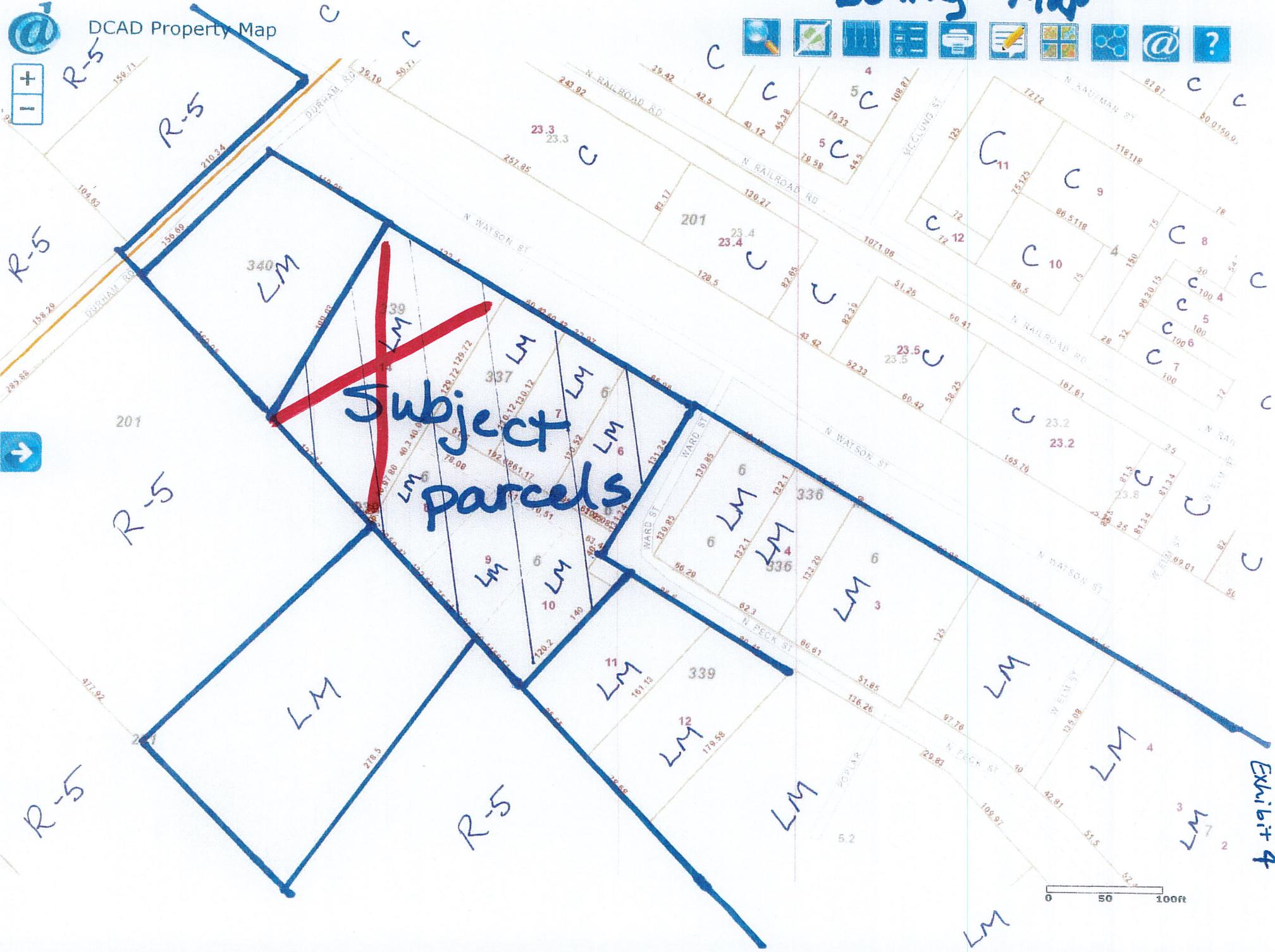
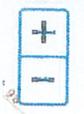


0 50 100ft

Exhibit 2

Zoning Map Exhibit 4

DCAD Property Map



**Subject
parcels**

R-5
R-5
R-5
R-5
R-5
R-5

340
LM

LM

39
LM

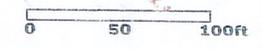


Exhibit 4



ZONING APPLICATION

City of Seagoville, Texas

ANTICIPATED MEETING DATES: P&Z: _____ City Council: _____

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: WATSON Neighborhood

Physical Location of Property: 307 N. WATSON

[General Location – approximate distance to nearest existing street corner]

Brief Legal Description of Property (must also attach accurate Surveyor's metes and bounds description): _____

[Survey/Abstract No. and Tracts; or platted Subdivision Name with Lots/Block]

Acreage: _____ Existing Zoning: LM Requested Zoning: R-5

[Attach a detailed description of requested zoning & development standards, if a PD]

Applicant / Owner's Name: Tim Ramsey Applicant or Owner? (circle one)

Contact Person: LIZ Ramsey Title: _____

Company Name: _____

Street/Mailing Address: 307 N. WATSON City: Seagoville State: TX Zip: 75159

Phone: (214) 236 6436 Fax: () Email Address: _____

Engineer / Representative's Name: LIZ

Contact Person: _____ Title: _____

Company Name: _____

Street/Mailing Address: _____ City: _____ State: _____ Zip: _____

Phone: () Fax: () Email Address: _____

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.)

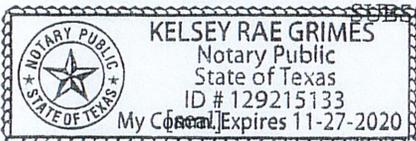
All applications must be COMPLETE before they will be scheduled for P&Z agenda. It is the applicant's responsibility to be familiar with, and to comply with, all City submittal requirements (in the Zoning & Subdivision Ordinances, and any separate submittal policies, requirements and/or checklists that 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: Tim Ramsey Title: Owner Date: 8-20-18



SUBSCRIBED AND SWORN TO before me, this the 20th day of August, 2018

Notary Public in and for the State of Texas: Kelsey Grimes
My Commission Expires On: 11/27/2020

Office Use Only: Date Rec'd: 8/24/18 Fees Paid: \$ 250 Check #: cc Receipt #: 532498
Zoning Case # 22018-19 Accepted By: [Signature] Official Submittal Date: 8/24/18

BEING a tract of 0.62 acres of land, more or less, in the H. D. Bohanan Survey, Abstr. No. 178, Town of Seagoville, Dallas County, Texas, and being a part of Block 6 of said Town of Seagoville and being also a part of a tract of land conveyed to J. Parker by deed recorded Vol. 2930, Page 593, and all of a tract of land conveyed to J. Parker by deed recorded Vol. 3008, Page 323 of the Deed Records of Dallas County, Texas, and being more particularly described as follows:

BEGINNING at an iron rod set in the Northwest line of the said J. Parker tract recorded Vol. 2930, Page 593, that is located 150 ft. measured Southwesterly at right angles from the centerline of the main tract of the Texas and New Orleans Railroad; said iron rod also being located South 59 deg. 31 min. East from the intersection of the said 150 ft. line with the Southeast line of Durham, a 40 ft. wide street;

THENCE South 59 deg. 31 min. East parallel with and 150 ft. distant from the said center line of the T. and N.O.R.R. tracks a distance of 120.00 ft. an iron rod for corner in the Southeast line of said J. Parker tract;

THENCE South 33 deg. 31 min. West along the Southeast line of the said J. Parker tract hereinabove mentioned 241.42 ft. to an iron rod set under a fence at the South corner of the J. Parker tract recorded Vol. 3008, Page 323;

THENCE North 44 deg. 15 min. West along a fence and the last mentioned J. Parker tract, 122.61 ft. an iron rod for corner;

THENCE North 33 deg. 31 min. East 209.04 ft. to the PLACE OF BEGINNING.

This conveyance is made and accepted subject to easement from G. Ward Fenley and wife, Vina Mosteller Fenley to Texas Power & Light Company dated 9/1/34, recorded in Vol. 1862, Page 107, Deed Records of Dallas County, Texas, and subject to any portion of the property lying within the boundaries of dedicated or existing roadways or which may be used for road or street purposes. This conveyance is further made and accepted subject to any and all easements and/or restrictive covenants, if any, appearing of record in the office of the County Clerk of Dallas County, Texas, which affect the herein described property.



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

October 4, 2018

Daily Commercial Record
706 Main Street
Dallas, Texas 75202

via email: notices@dailycommercialrecord.com

Please publish the legal notice below in the October 9, 2018 issue of your newspaper. Please send the affidavit of publication to the ATTN: Kandi Jackson at the address above. If you need to contact Kandi, her office direct number is (972) 287-6819 and her email is citysecretary@seagoville.us Kandi'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 Z2018-21**

A public hearing will be held by the Seagoville City Council on Monday, November 5, 2018, at 6:30 PM in the City Council Chambers of the Seagoville City Hall building at 702 North U.S. Highway 175; Seagoville, TX 75159 to consider a zone change from LM, Light Manufacturing, to R-5, Residential Single Family, on 5 tracts totaling about 2-acres described as Lots 5, 6, 7, 8, 9, and 10 Block 6 of Original Town of Seagoville and part of the Henry D. Bohannon Abstract 0178, and commonly referred to as 100 Ward Street, 301 and 307 North Watson Street, and two vacant lots at 410 Peck Street and 7 No Name Street.

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



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

October 16, 2018

**NOTICE OF PUBLIC HEARINGS
SEAGOVILLE PLANNING & ZONING COMMISSION
ZONING CASE Z2018-21**

A public hearing will be held by the Seagoville City Council on Monday, November 5, 2018, at 6:30 PM in the City Council Chambers of the Seagoville City Hall building at 702 North U.S. Highway 175; Seagoville, TX 75159 to consider a zone change from LM, Light Manufacturing, to R-5, Residential Single Family, on 5 tracts totaling about 2-acres described as Lots 5, 6, 7, 8, 9, and 10 Block 6 of Original Town of Seagoville and part of the Henry D. Bohannon Abstract 0178, and commonly referred to as 100 Ward Street, 301 and 307 North Watson Street, and two vacant lots at 410 Peck Street and 7 No Name Street.

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 opportunity 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 Z2018-21 as it is described herein.

Additional Comments (attach additional sheets as necessary): _____

Signature(s): _____
Printed Name(s): _____
Address: _____
City, State & Zip code: _____
Phone Number: _____

OCTOBER 16, 2018
1

Property Owners List

Rezone of 100 Ward Street, 301 and 307 North Watson Street, and vacant lots at 410 Peck Street, and 7 No Name Street

Mailed out a total of 21 certified letters on Thursday, September 20, 2018, before 12:00 noon

Subject or adjoiner?	Site Address	DCAD Account	Owner	Mailing Address	Address 2	City	State	Zip
Subject	7 No Name Street	50000933378000000	David J. & Robbie G. Koller	100 Ward Street		Seagoville	TX	75159
Subject	301 North Watson Street	50000500060050000	Charlie & Luz Sheperd	785 Martin Lane		Combine	TX	75159
Subject	410 Peck Street	50000500060060000	David J. & Robbie G. Koller	100 Ward Street		Seagoville	TX	75159
Subject	100 Ward Street	50000933381000000	David J. & Robbie G. Koller	100 Ward Street		Seagoville	TX	75159
Subject	307 North Watson Street	50000933399000000	Timothy Leon Ramsey	307 North Watson Street		Seagoville	TX	75159
Adjoiner	495 Durham Street	50000933402000000	Timothy Leon Ramsey	307 North Watson Street		Seagoville	TX	75159
Adjoiner	404 Durham Street	65085010010920000	E. Fondren Blackman	404 Durham Street		Seagoville	TX	75159
Adjoiner	402 Durham Street	65085010010930000	Jose & Lori Valadez	402 Durham Street		Seagoville	TX	75159
Adjoiner	400 Fran Street	65085007510030000	Ralph & Beverly Page	P.O. Box 373		Scurry	TX	75158
Adjoiner	100 North Watson Street	65017812010230000	City of Seagoville	702 North Highway 175		Seagoville	TX	75159
Adjoiner	300 North Watson Street	65017812010230300	Tim & Elizabeth Ramsey	307 North Watson Street		Seagoville	TX	75159
Adjoiner	301 Railroad Avenue	65017812010230400	Charlie W. & Luz N. Shepherd	785 Martin Lane		Seagoville	TX	75159
Adjoiner	209 Railroad Avenue	65017812010230500	Charlie W. & Luz N. Shepherd	785 Martin Lane		Seagoville	TX	75159
Adjoiner	203 North Watson Street	50000500060020000	City of Seagoville	702 North Highway 175		Seagoville	TX	75159
Adjoiner	205 North Watson Street	50000933366000000	City of Seagoville	702 North Highway 175		Seagoville	TX	75159
Adjoiner	207 North Watson Street	50000500060040000	Julio Herrera	207 North Watson Street		Seagoville	TX	75159
Adjoiner	207 North Peck Street	50000500060110000	City of Seagoville	702 North Highway 175		Seagoville	TX	75159
Adjoiner	203 North Peck Street	50000933393000000	City of Seagoville	702 North Highway 175		Seagoville	TX	75159
Adjoiner	400 West Malloy Bridge Road	65017812010050200	City of Seagoville	702 North Highway 175		Seagoville	TX	75159
Adjoiner	502 West Malloy Bridge Road	65017812010190000	Jerry Armstrong	c/o Joe Priest Real Estate	502 West Malloy Bridge Road	Seagoville	TX	75159
Adjoiner	501 Durham Street	65017812010180000	Timothy Leon Ramsey	307 North Watson Street		Seagoville	TX	75159

Regular Session Agenda Item: 5

Meeting Date: November 5, 2018

ITEM DESCRIPTION

Discuss and consider an Ordinance of the City of Seagoville, Texas, amending the Comprehensive Zoning Ordinance and Map of the City of Seagoville, as amended, by granting a change in zoning from LM, Light Manufacturing, to R-5, Residential-5 Single Family, on real property described as Block 6, Tract 14 of Original Town of Seagoville, commonly referred to as 307 N. Watson Street, in the City of Seagoville, Dallas County, Texas, and being legally described and depicted in Exhibits "A" and "B", respectively, which are attached hereto and incorporated herein; providing for a repealing clause; providing for a savings clause; providing for a severability clause; providing for a penalty of fine not to exceed Two Thousand Dollars (\$2,000.00) for each offense; and providing for an effective date.

BACKGROUND OF ISSUE:

Mr. Timothy and Mrs. Elizabeth Ramsey, applicants and owners, are requesting the zoning change to be able to continue maintaining and/or improving their home on the south side of Watson Street near the corner with Durham Road. There are also at least two (2) small outbuildings on the property. This application addresses only their home at 307 North Watson Street, even though they also own the vacant lot between their house and the corner of Watson Street and Durham Road, which is also zoned LM (the existing zoning of the subject parcel) and the adjacent unimproved property to the south-southwest that has a split zoning of LM and R-5. The entire back width of the subject parcel abuts the existing R-5 zoning on the adjacent lot. This is the first of three (3) portions in this neighborhood rezone.

FINANCIAL IMPACT:

No city funds will be used for the development of this project.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

Besides the parcels in question, there are twenty-one (21) properties, and three (3) public streets within 200-feet of the boundary of the subject area. The owners of each parcel were notified in compliance with the 200-foot rule by mail on Thursday, September 20, 2018. A legal ad was also published per the Texas Local Government Code in the Monday, September 17, 2018 edition of the Daily Commercial Record newspaper. Prior to the Planning and Zoning Commission meeting on Tuesday, October 9, 2018, five (5) property owners have responded in writing for the request and none (zero) have responded against it. The City has received their six (6) letters. No (zero) letters had been returned as undeliverable by the U.S. Postal Service. Two (2) property owners spoke in favor of the request at the Planning and Zoning Commission meeting. As of the date of this report, October 30, 2018, no (zero) additional property owners have responded in writing or verbally for or against the request. Additionally, no (zero) letters have been returned as undeliverable by the U.S. Postal Service. Any responses received after the emailing of the packet to the Council will be available for review at the meeting.

The Commission voted unanimously six (6) to zero (0) to recommend the approval of the request to change the current zoning on about 2-acres at 100 Ward Street; 301 and 307 North Watson Street; and 2 vacant lots that Dallas County has addressed 410 Peck Street and 7 No Name Street (also known as Lots 5, 6, 7, 8, 9, and 10 of the unrecorded Fenley's Subdivision of Block 6 of the Town of Seagoville and part of the Henry D. Bohannon Abstract 0178) from the LM, Light Manufacturing, to the R-5, Residential Single Family, zoning district.

Staff is also recommending the approval.

EXHIBIT:

1. Ordinance (4 pages)

AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS

ORDINANCE NO. 22-2018

AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP OF THE CITY OF SEAGOVILLE, AS AMENDED, BY GRANTING A CHANGE IN ZONING FROM LM, LIGHT MANUFACTURING, TO R-5, RESIDENTIAL-5 SINGLE FAMILY, ON REAL PROPERTY DESCRIBED AS BLOCK 6, TRACT 14 OF ORIGINAL TOWN SEAGOVILLE, COMMONLY REFERRED TO AS 307 N. WATSON STREET, IN THE CITY OF SEAGOVILLE, DALLAS COUNTY, TEXAS, AND BEING LEGALLY DESCRIBED AND DEPICTED IN EXHIBITS "A" AND "B", RESPECTIVELY, WHICH ARE ATTACHED HERETO AND INCORPORATED HEREIN; PROVIDING FOR A REPEALING CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING FOR 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 requisite notices by publication and otherwise, and have held due public 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, be and the same is hereby amended by granting a change in zoning from LM, Light Manufacturing, to R-5, Residential-5 Single Family, on real property described as Block 6, Tract 14 of Original Town Seagoville, commonly referred to as 307 N. Watson Street, in the City of Seagoville, Dallas County, Texas, and being legally described and depicted in Exhibits "A" and "B", respectively, which are attached hereto and incorporated herein.

SECTION 2: That the land shall be used only for the purposes set out in accordance with the City of Seagoville's Zoning Ordinance for R-5, Residential-5 Single Family Zoning Districtes, and all other ordinances, codes, and policies of the City of Seagoville, as amended.

SECTION 3: That all provisions of the Ordinances of the City of Seagoville, Texas, in conflict with the provisions of this ordinance as amended be hereby repealed and all other provisions not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 4: That should any sentence, paragraph, subdivision, clause, phrase, or section of this ordinance or the Comprehensive Zoning Ordinance, as amended hereby, be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance or the Comprehensive Zoning Ordinance as a whole, or any part or provision thereof, other than the part declared to be invalid, illegal, or unconstitutional.

SECTION 5: That any person, firm, or corporation violating, disobeying, neglecting, refusing to comply with, or resisting the enforcement of any of the provisions or terms of this ordinance or the Comprehensive Zoning Ordinance, as amended hereby, shall be subject to the same penalty of two thousand dollars (\$2,000.00) for each offense as provided for in the Comprehensive Zoning Ordinance of the City of Seagoville, as heretofore amended. Each and every day such a violation continues or is allowed to exist shall constitute a separate offense.

SECTION 6: 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 5th day of November, 2018.

APPROVED:

Dennis, K. Childress, Mayor

ATTEST:

Kandi Jackson, City Secretary

APPROVED AS TO FORM:

Alexis G. Allen, City Attorney
(/cdb 10/09/2018)

EXHIBIT "A"

BEING a tract of 0.62 acres of land, more or less, in the H. D. Bohanan Survey, Abstr. No. 178, Town of Seagoville, Dallas County, Texas, and being a part of Block 6 of said Town of Seagoville and being also a part of a tract of land conveyed to J. Parker by deed recorded Vol. 2930, Page 593, and all of a tract of land conveyed to J. Parker by deed recorded Vol. 3008, Page 323 of the Deed Records of Dallas County, Texas, and being more particularly described as follows:

BEGINNING at an iron rod set in the Northwest line of the said J. Parker tract recorded Vol. 2930, Page 593, that is located 150 ft. measured Southwesterly at right angles from the centerline of the main tract of the Texas and New Orleans Railroad; said iron rod also being located South 59 deg. 31 min. East from the intersection of the said 150 ft. line with the Southeast line of Durham, a 40 ft. wide street;

THENCE South 59 deg. 31 min. East parallel with and 150 ft. distant from the said center line of the T. and N.O.R.R. tracks a distance of 120.00 ft. an iron rod for corner in the Southeast line of said J. Parker tract;

THENCE South 33 deg. 31 min. West along the Southeast line of the said J. Parker tract hereinabove mentioned 241.42 ft. to an iron rod set under a fence at the South corner of the J. Parker tract recorded Vol. 3008, Page 323;

THENCE North 44 deg. 15 min. West along a fence and the last mentioned J. Parker tract, 122.61 ft. an iron rod for corner;

THENCE North 33 deg. 31 min. East 209.04 ft. to the PLACE OF BEGINNING.

Regular Session Agenda Item: 6

Meeting Date: November 5, 2018

ITEM DESCRIPTION

Conduct a public hearing on request Z2018-21b to change the zoning from LM, Light Manufacturing, to R-5, Residential Single Family, on 3 tracts totaling about 1-acre described as Lots 6, 8, 9, and 10 and Tract 7 Block 6 of Original Town of Seagoville and part of the Henry D. Bohannon Abstract 0178, and commonly referred to as 100 Ward Street and two vacant lots addressed by Dallas County as 410 Peck Street and 7 No Name Street.

BACKGROUND OF ISSUE:

Mr. David and Mrs. Robbie Koller, applicants and owners of 100 Ward Street, are requesting the zoning change to be able to continue maintaining and/or improving the home. They also own the two (2) vacant lots that Dallas County addressed as 410 Peck Street and 7 No Name Street but that actually front on Watson Street between 301 and 307 North Watson. There is also an outbuilding on the parcel with the house at 100 Ward Street. This is the second of 3 portions in this neighborhood rezone.

The existing zoning, land uses, and relevant portions of the City's comprehensive plan are each referenced in the attached staff report.

FINANCIAL IMPACT:

No city funds will be used for the development of this project.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

Besides the parcels in question, there are twenty-one (21) properties, and three (3) public streets within 200-feet of the boundary of the subject area. The owners of each parcel were notified in compliance with the 200-foot rule by mail on Thursday, September 20, 2018. A legal ad was also published per the Texas Local Government Code in the Monday, September 17, 2018 edition of the Daily Commercial Record newspaper. Prior to the Planning and Zoning Commission meeting on Tuesday, October 9, 2018, five (5) property owners have responded in writing for the request and none (zero) have responded against it. The City has received their six (6) letters. No (zero) letters had been returned as undeliverable by the U.S. Postal Service. Two (2) property owners spoke in favor of the request at the Planning and Zoning Commission meeting. As of the date of this report, October 30, 2018, no (zero) additional property owners have responded in writing or verbally for or against the request. Additionally, no (zero) letters have been returned as undeliverable by the U.S. Postal Service. Any responses received after the emailing of the packet to the Council will be available for review at the meeting.

The Commission voted unanimously six (6) to zero (0) to recommend the APPROVAL of the request to change the current zoning on about 2-acres at 100 Ward Street; 301 and 307 North Watson Street; and 2 vacant lots that Dallas County has addressed 410 Peck Street and 7 No Name Street (also known as Lots 5, 6, 7, 8, 9, and 10 of the unrecorded Fenley's Subdivision of Block 6 of the Town of Seagoville and part of the Henry D. Bohannon Abstract 0178) from the LM, Light Manufacturing, to the R-5, Residential Single Family, zoning district.

Staff is also recommending the approval.

EXHIBITS:

1. Staff Report (12 pages)
2. 2017 aerial photograph from DCAD website
3. Dimensional reference map from DCAD website
4. Zoning map reference (dimensional map with zoning added)
- 5c. Zoning application (3 pages)
6. Public hearing notice to newspaper for CC meeting
7. Public hearing notice to property owners within 200 feet for CC meeting (2 pages)
8. List of property owners within 200 feet of subject parcel



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

DATE: NOVEMBER 5, 2018
AUTHOR: JENNIFER BONNER, JUNIOR PLANNER
APPLICANTS: DAVID & ROBBIE KOLLER
PARCELS: 50000933381000000, 50000500060060000, and 50000933378000000
LOCATIONS: 100 WARD ST., 410 PECK ST., AND 7 NO NAME ST.

REQUEST SUMMARY:

The applicants are requesting that the current zoning on the subject parcels (under the 3 purple stars outlined in orange on the map) on about 1-acre of land be changed from LM, Light Manufacturing, to R-5, Residential Single Family.
 The owners want to be able to continue maintaining and/or improving their property. The lots were changed to a Light Manufacturing zoning some time prior to 1978. The current zoning district does not allow residential uses.



REQUEST LOCATION: Inside City, Dallas County

SIZE OF PROJECT	EXISTING ZONING	SURROUNDING ZONING	EXISTING LAND USE	EXISTING SURROUNDING LAND USES
About 1-acre	LM, Light Manufacturing	Northwest: LM, Light Manufacturing and C, Commercial Southwest: LM, Light Manufacturing and R-5, Single Family Residential Northeast: C, Commercial Southeast: LM, Light Manufacturing and R-5, Single Family Residential	Low Density Residential	Northwest: Low Density Residential Southwest: Low Density Residential Northeast: Central Area Southeast: Central Area

PLANNING AND ZONING COMMISSION RECOMMENDATION:

The Commission voted six (6) to zero (0) in favor of recommending the approval of the request to current zoning on about 2-acres at 100 Ward Street; 301 and 307 North Watson Street; and 2 vacant lots that Dallas County has addressed 410 Peck Street and 7 No Name Street (also known as Lots 5, 6, 7, 8, 9, and 10 of the unrecorded Fenley’s Subdivision of Block 6 of the Town of Seagoville and part of the Henry D. Bohannon Abstract 0178) from the LM, Light Manufacturing, to the R-5, Residential Single Family, zoning district.

Staff recommends approval of this zoning change.

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

COMPARISON TO ADOPTED CITY MASTER PLANS

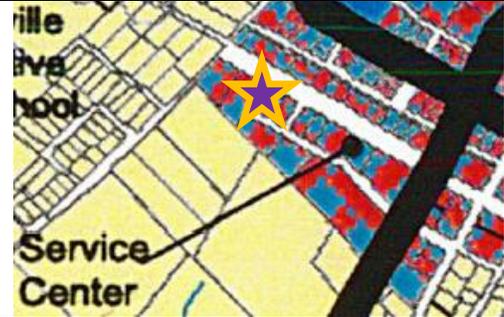
STAFF ANALYSIS

PLAN GOALS OR GUIDELINES

2002 Comprehensive Land Use Plan and Map

The lots in the request (under the purple star) shows to be in the southwestern corner of the Central Area (red and blue mixture) on the 2002 map. The light yellow colored areas surrounding the subject parcels are shown as Low Density Residential areas. Today we might call this part of our Central Business District. The 2002 plan calls for the area to be a mixture residences, personal and government businesses, and gatherings for cultural and community events.

Meets Standard



2006 Master Thoroughfare Plan and Map

The properties in the request (under the green star) have access to either Watson Street (labeled and shown by a blue line), or Ward Street which connects to Watson on the northwest side of Malloy Bridge Road. (Malloy Bridge is the road in red.) All of Watson Street occurs in what was originally 150-feet of railroad right-of-way that was later transferred to the City. It is unclear if the amount right-of-way (previously dedicated by the unrecorded Fenley's Subdivision of Block 6 of the Town of Seagoville in October 1953) for Ward Street and Peck Street meets today's standards.

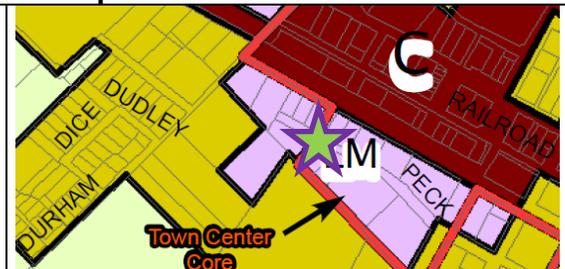
Meets Standard



2009 Zoning Plan and Map

The 3 lots in the request (under the green star) are in the LM, Light Manufacturing zoning district (light purple color). The light green color to the southwest of the subject parcels is currently zoned AG, Agriculture. The applicants are requesting that their lots be changed to the R-5, Single Family Residential zoning district (mustard yellow color) so they can maintain the home on the subject parcels.

Meets Standard



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	Public water and sewer are already connected to existing house.
2. Will the land use be compatible with other area properties located nearby?	Yes	Most of the lands to the northwest, southwest, and southeast are already zoned R-5, Residential Single Family, and match the requested zoning district.
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, 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?	Yes	This request is being made so that the applicants can maintain the home in a residential zoning district.
5. Will the use facilitate public convenience at that location?	Yes	Each lot already fronts on an existing city street.

REVIEW CRITERIA	STAFF ANALYSIS	
6. Will the use conform to off-street parking and loading requirements?	Yes	The house has a driveway that exceeds the parking requirements.
7. Are all of the ingress, egress, and pedestrian ways adequate?	No	The house has a driveway. There are no sidewalks in the immediate vicinity of the subject parcels.
8. Have safeguards limiting noxious or offensive emissions, including light, noise, glare, dust, and odor been addressed?	Yes	The properties are residential to the northwest, south, and southwest. To the north and northeast are commercial properties. To the southeast is owned by the city for use by field personnel in the parks, street, and water departments. Fencing already erected to address issues that might arise from the city property related to noise, dust, and glaring headlights.
9. Will the proposed landscaping and screening be compliant with all City regulations?	N/A	No additional landscaping is planned.
10. Will the signage be compliant with those portions of the Municipal Code?	N/A	There has been no request for signage.
11. Will all open space(s) be maintained by the owner/developer?	Yes	The properties will be continue to be maintained by the current owners.
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 existing lot dimensions shown on DCAD exceed code. Per DCAD, the improvements meet living space and garage/carport size requirements.
13. Will granting the permit be authorizing less than the minimum requirements in regards to height, area, setbacks, parking, or landscaping?	No	There are no proposed structures at this time. However, the zoning change would allow any non-conformance items to become officially grandfathered until changes are made to the structures on the lots.
14. Have the provisions of the existing master thoroughfare plan been met to protect the public interest?	No	All of Watson Street occurs in what was originally 150-feet of railroad right-of-way that was transferred to the City in 1992. It is unclear if the amount right-of-way (previously dedicated by the unrecorded Fenley's Subdivision of Block 6 of the Town of Seagoville in October 1953) for Ward Street and Peck Street meets today's standards. Staff will be reviewing right-of-way when future platting occurs.
15. Have the provisions of any existing future land use plan been met to protect the public interest?	N/A	Chapter 5 (Future Land Use) of the Comprehensive Plan provides guidance for different land use. Residences are listed as a use expected in the Central Area, where these lots are located.
16. Have the provisions of any existing capital improvements plan been met to protect the public interest?	Yes	The most recent plan (2008) has completed all improvements, but the pay-off has not yet been finalized.
17. Have the provisions of any community facilities plan been met to protect the public interest?	N/A	Changing the zoning of parcels is not affected by the community facilities portion of any city Plan.
18. Have the provisions of any other adopted document for providing required necessary public facilities been met to protect the public interest?	N/A	Chapter 8 (Public Facilities) of the Comprehensive Plan addresses municipal facilities primarily. Changing the zoning of parcels does not affect the provisions of any city Plan.

Public Comments Received: Besides the parcel in question, there are twenty-one (24) properties, and three (3) public streets within 200-feet of the boundary of the subject area for all of the parcels in the neighborhood request. The owners of each parcel were notified in compliance with the 200-foot rule by mail on Thursday, September 20, 2018. A legal ad was also published per the Texas Local Government Code in the Monday,

STAFF REPORT Z2018-21B

September 17, 2018 edition of the Daily Commercial Record newspaper. Prior to the Planning and Zoning Commission meeting on Tuesday, October 9, 2018, five (5) property owners have responded in writing for the request and none (zero) have responded against it. The City has received their six (6) letters. No (zero) letters had been returned as undeliverable by the U.S. Postal Service. Two (2) property owners spoke in favor of the request at the Planning and Zoning Commission meeting. As of the date of this report, October 30, 2018, no (zero) additional property owners have responded in writing or verbally for or against the request. Additionally, no (zero) letters have been returned as undeliverable by the U.S. Postal Service. Any responses received after the emailing of the packet to the Council will be available for review at the meeting.

Other Staff Comments: Below is a table that compares the types of land uses listed in the zoning code for each zoning district. The table to the right depicts the symbols for which land uses that would be permitted, prohibited, or require a special use permit in each district. The land use table is arranged by zoning district and then each district is listed alphabetically. **Note:** Language in each of the “higher” (more intense) business districts specifies that the uses permitted in the “lower” zoning districts are allowed without being specifically listed each of those uses again.

Land Use Table Key:	Zoning District:
P = Permitted land use	R-5, Residential Single-family
S = Special Use Permit (SUP) required	O, Office
A blank box in the table means that land use is <i>prohibited</i> in that zoning district.	LR, Local Retail
	C, Commercial
	LM, Light Manufacturing

Type of Land Use	Zoning District				
	R-5	O	LR	C	LM
Accessory buildings	P				
Addition of pre-packaged food or beverages sales to a retail or business already operating	S	S	S	S	S
Airport or airport facilities	S	S	S	S	S
Art gallery	P	P	P	P	P
Breezeway attaching accessory to the main building	P				
Carnival	S	S	S	S	S
Cemetery	S	S	S	S	S
Children’s home on 5 acres or more	S	S	S	S	S
Church or religious worship facility	P				
Circus	S	S	S	S	S
Commercial amusement, temporary	S	S	S	S	S
Community building on 3 acres or more	S	S	S	S	S
Concrete batching plant	S	S	S	S	S
Convalescent home on 5 acres or more	S	S	S	S	S
Daycare or nursery with fewer than four unrelated children	P				
Daycare or nursery with more than four unrelated children	S	S	S	S	S
Detached dwelling for servants employed on-site	P				
Dog kennels on farm of 5 acres or more	S	S	S	S	S
Drive-in theatre on 10 acres or more	S	S	S	S	S
Driving range	S	S	S	P	P
Earth excavation	S	S	S	S	S
Educational institutions	S	S	S	S	S
Electrical public utility regulating station	S	S	S	S	S
Farm without on-site retail or wholesale business	P				
Fire station	P				
Garden without on-site retail or wholesale business	P				
Golf course without driving range	P				
Government use - local, county, state, federal	S	S	S	S	S
Gravel excavation	S	S	S	S	S
Greenhouse	S	S	S	S	S
Greenhouse without on-site retail or wholesale business	P				
Homes for narcotics on 20 acres or more	S	S	S	S	S

Type of Land Use	Zoning District				
	R-5	O	LR	C	LM
Homes for the alcoholic on 20 acres or more	S	S	S	S	S
Homes for the feeble-minded on 20 acres or more	S	S	S	S	S
Homes for the insane on 20 acres or more	S	S	S	S	S
Hospital on 5 acres or more	S	S	S	S	S
Kindergarten - public or private	S	S	S	S	S
Landing airfield or facilities	S	S	S	S	S
Library	P	P	P	P	P
Maternity home on 5 acres or more	S	S	S	S	S
Miniature golf course	S	S	S	P	P
Miniature train ride	S	S	S	S	S
Mixed-Use projects of private housing and shopping center on 3 acres or more	S	S	S	S	S
Museum	P				
Natural gas public utility regulating station	S	S	S	S	S
Neighborhood recreation center (swimming pool, social or hobby rooms)	P				
Normal household pets	P				
Nursery	S	S	S	S	S
Nursery school - public or private	S	S	S	S	S
Nursery without on-site retail or wholesale business	P				
Old people's home on 5 acres or more	S	S	S	S	S
Orchard without on-site retail or wholesale business	P				
Park	P				
Passenger train station	P				
Philanthropic institutions	S	S	S	S	S
Playgrounds	P				
Pony rides	S	S	S	S	S
Private carport and/or garage	P	P	P	P	P
Private school, equivalent to a public school	P	S	S	S	S
Public school (elementary through high school)	P	S	S	S	S
Public stable on 5 acres or more	S	S	S	S	S
Public utility - privately or publicly owned	S	S	S	S	S
Radio or television broadcasting stations	S	S	S	S	S
Radio or television broadcasting towers	S	S	S	S	S
Radio or television transmitter tower	S	S	S	S	S
Railway right-of-way and tracks, passenger station but not including railroad yards, team tracks or storage yards	P				
Religious institutions	S	S	S	S	S
Riding academy on 5 acres or more	S	S	S	S	S
Rock quarry	S	S	S	S	S
Rodeo	S	S	S	S	S
Sale of pre-packaged food/beverages, in combination, that exceeds 10% of an establishment's gross annual sales revenues	S	S	S	S	S
Sand excavation	S	S	S	S	S
Sewage treatment plant	S	S	S	S	S
Single-family residence (detached)	P				
Telephone exchange without office, repair or storage facilities	P				
Temporary and seasonal sales establishment, such as flea market or produce stand	S	S	S	S	S
Temporary buildings to be used for construction purposes only	P				
Travel trailer park	S	S	S	S	S
Veterinary hospital on 5 acres or more	S	S	S	S	S
Water pumping plant	P				
Water supply reservoir	P				
Water tower or artesian well	P				

**STAFF REPORT
Z2018-21B**

Type of Land Use	Zoning District				
	R-5	O	LR	C	LM
Wind energy conversion system (WEC)	S	S	S	S	S
Railway ROW & tracks, but no railroad yards, team tracks or storage yards	P				
Ambulance service		P	P	P	P
Architect or engineers' offices		P	P	P	P
Attorneys' offices		P	P	P	P
Business offices		P	P	P	P
Consultants' offices		P	P	P	P
Doctors' & dentists' offices		P	P	P	P
Equipment storage (no repairs)		P	P	P	P
Financial offices		P	P	P	P
General offices		P	P	P	P
Multi-family dwelling units		S	S	S	S
Personal services		P	P	P	P
Political offices		P	P	P	P
Professional offices		P	P	P	P
Real estate offices		P	P	P	P
Records warehousing & storage		P	P	P	P
Salesman's offices		P	P	P	P
Single-family dwelling units		S	S	S	S
Antique shop			P	P	P
Aquarium			P	P	P
Auto laundry inside a building without boiler, heating & steam-cleaning facilities			P	P	P
Auto repair garage - all work inside a building			P	P	P
Auto seat covering			P	P	P
Bakery, retail			P	P	P
Bank			P	P	P
Barber & beauty shop			P	P	P
Bicycle repairs without outside storage or display			P	P	P
Bird & pet shops, retail			P	P	P
Book or stationery store			P	P	P
Bowling alley - if air-conditioned & soundproofed			P	P	P
Brewpub			S	S	S
Camera shop			P	P	P
Candy shop			P	P	P
Caterer			P	P	P
Cleaning & pressing shops smaller than 6,000 square feet			P	P	P
Cleaning, dyeing & laundry station for receiving & delivery of articles only			P	P	P
Clothing - retail sales only			P	P	P
Convenience store or mini-mart between 1,000 & 5,000 square feet			S	S	S
Curtain cleaning shop smaller than 6,000 square feet			P	P	P
Department store			P	P	P
Drive-in for food, beverage, or other service			S	S	S
Drive-in theatre			S		
Drive-through for food, beverage, or other service			S	S	S
Dyeing plant smaller than 6,000 square feet			P	P	P
Electric substation			P	P	P
Electrical goods, retail sales only			P	P	P
Electrical repairing - domestic equipment & autos, retail sales only			P	P	P
Event center in stand-alone building			S		
Exterminating company, retail			P	P	P
Feed store			S		
Film developing & printing			P	P	P

Type of Land Use	Zoning District				
	R-5	O	LR	C	LM
Fix-it shops without outside storage or display			P	P	P
Florist, retail sales only			P	P	P
Frozen food lockers, retail			P	P	P
Furniture repairs & upholstering, retail only without outside storage or display			P	P	P
Furniture store - retail			P	P	P
Gasoline/motor fuel sales			P	P	P
Gasoline/motor fuel sales, automated			P	P	P
Grocery store over 5,000 square feet			P	P	P
Hardware - retail sales only			P	P	P
Household & office appliances - retail			P	P	P
Household & office furniture - retail			P	P	P
Ice delivery station			P	P	P
Jewelry - retail			P	P	P
Job printing			P	P	P
Laundry - custom laundering & finishing smaller than 6,000 square feet without pickup or delivery			P	P	P
Letter & mimeograph shop			P	P	P
Meat market, retail sales only			P	P	P
Micro-brewery			S	S	S
Mortuary use in stand-alone buildings			S		
Motor raceway			S		
Moving picture theater			P	P	P
Novelty or variety shop			P	P	P
Nursery, retail sale of plants & trees			P	P	P
Office			P	P	P
Office building			P	P	P
Optical goods - retail			P	P	P
Outside display, new materials			P	P	P
Outside storage units			P	P	P
Paint - retail sales only			P	P	P
Parking lot without public garage for passenger cars & trucks			P	P	P
Pharmacy/drug store			P	P	P
Photographer's or artist's studio			P	P	P
Photographic supplies - retail			P	P	P
Piano & musical instruments, retail sales only			P	P	P
Plumbing shop without warehouse facilities, retail sales only			P	P	P
Portable storage units (PODs) - sales & storage			P	P	P
Public garage			P	P	P
Restaurant (dine-in only) over 4,000 square feet			P	P	P
Restaurant (dine-in only) smaller than 4,000 square feet			S	S	S
Restaurant (dine-in/convenience) over 4,000 square feet			P	P	P
Restaurant (dine-in/convenience) smaller than 4,000 square feet			S	S	S
Restaurant (fast food)			S	S	S
Restaurant (outdoor/patio dining)			S	S	S
Restaurant (private club)			S	S	S
Retail sales			P	P	P
Retail store or shop for custom work or the making of articles on-site			P	P	P
Roller skating rink			S		
Rug cleaning shop, chemical type, smaller than 6,000 square feet with all operations inside a building			P	P	P
Sample room			P	P	P
Seamstress, dressmaker, or tailor			P	P	P
Seed store			P	P	P
Shoe repair shop, retail sales only			P	P	P

**STAFF REPORT
Z2018-21B**

Type of Land Use	Zoning District				
	R-5	O	LR	C	LM
Sporting goods - retail sales only			P	P	P
Studio for the display & sale of glass, china, art objects, cloth & draperies			P	P	P
Studios, dance, music, drama, health massage & reducing			P	P	P
Taxi stand			P	P	P
Tobacco shop			S	S	S
Tool sharpening, retail only without outside storage or display			P	P	P
Toys - retail sales only			P	P	P
Used car lot			S	P	P
Walk-up for food, beverage, or other service			S	S	S
Wallpaper - retail sales only			P	P	P
Washateria where the customer can wash & handle his laundry			P	P	P
Wearing apparel including clothing, shoes, hats, millinery & accessories			P	P	P
Wedding services in stand-alone building			S		
Wholesale sales office			P	P	P
Wine-tasting room			S	S	S
Aquarium, wholesale				P	P
Artificial flower manufacture				P	P
Artificial limb manufacture				P	P
Auto painting				P	P
Auto upholstery				P	P
Automobile dealers				P	P
Automobile laundry				P	P
Awning manufacture, cloth, metal, wood				P	P
Bakery, commercial				S	P
Bar				S	S
Beer tavern				S	S
Book bindery				P	P
Book printing				P	P
Bottling works with or without syrup manufacture				P	P
Bowling alley				P	P
Bus & truck storage				P	P
Cabinet shop				P	P
Candy manufacture				P	P
Canvas awning manufacture				P	P
Car barns				P	P
Carpenter shop				P	P
Carpet cleaning - with dustproof room & dust-catching equipment				P	P
Carting, express, hauling or storage				P	P
Cement storage				P	P
Ceramic products smaller than 6,000 square feet				P	P
Cleaning & dry cleaning establishment over 6,000 square feet				P	P
Clothing manufacture				P	P
Cold storage plant				P	P
Commercial amusement				P	P
Commercial colleges				P	P
Contractor's storage yard				P	P
Dance hall				S	S
Dog kennel				S	
Dry goods, wholesale & storage				P	P
Dyeing plant over 6,000 square feet				P	P
Egg candling & grading				P	P
Electrical & neon sign manufacture				P	P

Type of Land Use	Zoning District				
	R-5	O	LR	C	LM
Electrical repairing				P	P
Electro-plating; electro-tying				P	P
Engraving plant				P	P
Envelope manufacture				P	P
Feed store, wholesale & storage				P	P
Florist, wholesale				P	P
Food products manufacture, wholesale				P	P
Frozen food lockers, wholesale				P	P
Furniture auction sales				P	P
Furniture repair & upholstering - wholesale				P	P
Handcraft shop smaller than 6,000 square feet				P	P
Hauling, light or heavy				P	P
Homes for narcotics				S	
Homes for the alcoholic				S	
Homes for the feeble-minded				S	
Homes for the insane				S	
Household goods, storage				P	P
Ice cream manufacture				P	P
Ice manufacture				P	P
Job printing & book printing				P	P
Laundry, commercial				P	P
Leather products manufacture				P	P
Lithographing				P	P
Loading or storage tracks				P	P
Loose-leaf book manufacture				P	P
Lounge				S	S
Lumberyard (building material)				P	P
Market - public				P	P
Mattress making & renovating without dust precipitating equipment				P	P
Milk depot, wholesale				P	P
Millinery manufacture				P	P
Mirror re-silvering				P	P
Motel				P	P
Motion picture studio, commercial films				P	P
Motorcycle repairing				P	P
Moving & storage company				P	P
Newspaper printing				P	P
Night club				S	S
Optical goods manufacture				P	P
Outside display, used materials				S	S
Outside storage, new materials				S	P
Outside storage, used materials				S	S
Outside storage of any material over 8-feet tall				S	S
Paint mixing, but no cooking or baking operations				P	P
Paper products & paper box manufacture				P	P
Penal or correctional institutions for insane, feeble-minded, liquor or narcotic				P	P
Photoengraving plant				P	P
Plastic products, molding, casting & shaping				P	P
Print shop				P	P
Printing equipment, supplies, repairs				P	P
Publishing company				P	P
Sale of manufactured homes on 3.5 acres or more				S	

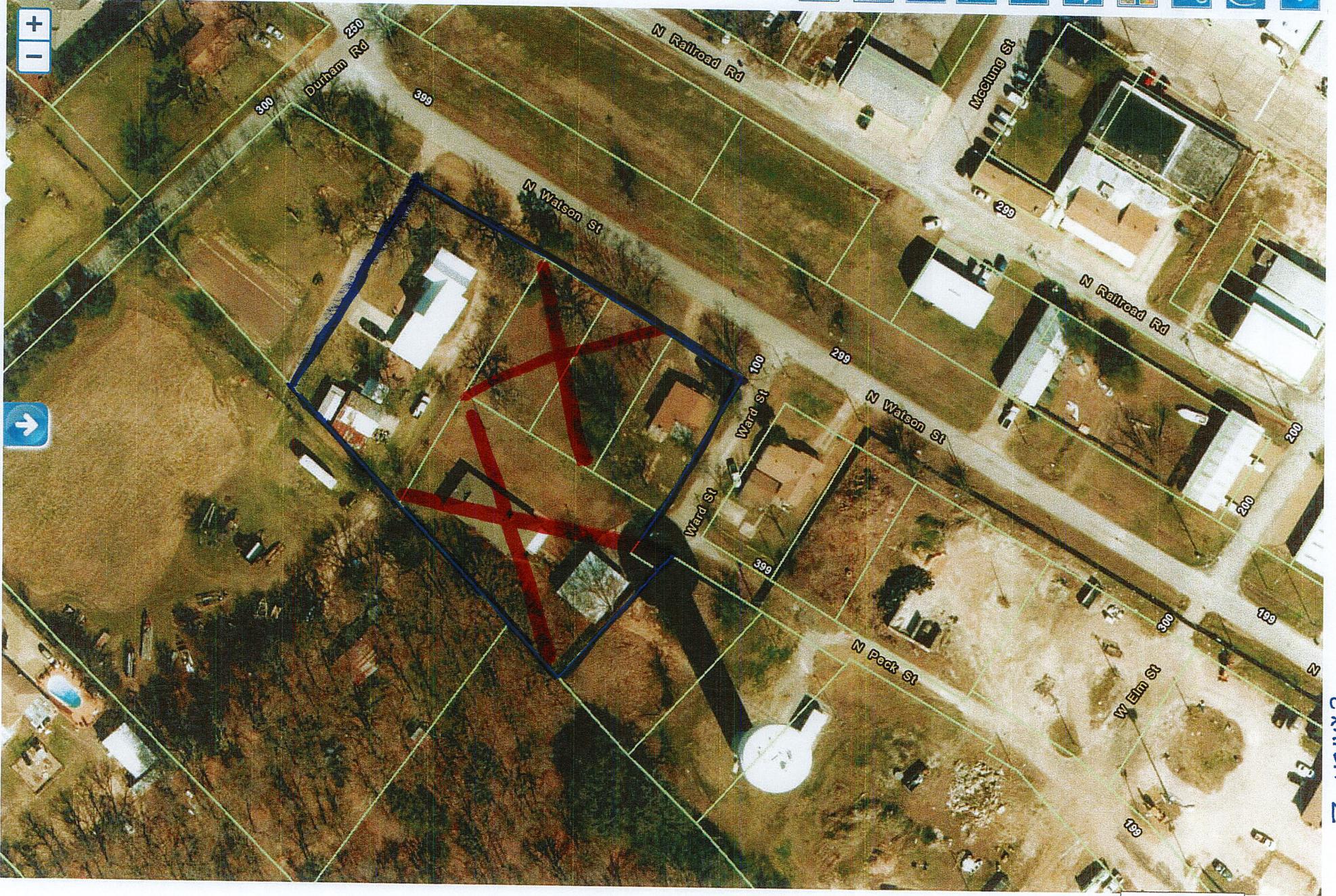
**STAFF REPORT
Z2018-21B**

Type of Land Use	Zoning District				
	R-5	O	LR	C	LM
Sale of mobile homes on 3.5 acres or more				S	
Schools - all types including trade & commercial colleges				P	P
Secondhand furniture				P	P
Seed store, wholesale sales & storage				P	P
Sheetmetal shop				P	P
Shoe store, wholesale sales & storage				P	P
Skating rink				P	P
Stone monument works - retail				P	P
Storage & sales of used auto parts & accessories without open storage or display				P	P
Storage of trucks, & gravel				P	P
Streetcar barns				P	P
Taxicab storage & repairs				P	P
Team tracks & unloading docks, railroads				P	P
Tire retreading & recapping				P	P
Tourist camp				P	P
Trade schools of all types				P	P
Transfer & baggage company				P	P
Travel center				S	S
Trunk manufacturing				P	P
Typesetting				P	P
Venetian blind manufacturing				P	P
Veterinary hospital				S	P
Warehouse, wholesale offices, sales & storage				P	P
Water distillation				P	P
Winery, boutique				S	S
Adding machine manufacture					P
Agricultural implement manufacturing					P
Aircraft parts manufacture					P
Airplane repair & manufacturing					P
Automobile assembly					P
Automobile parts manufacturing					P
Bag manufacturer & cleaning					P
Bank equipment manufacture					P
Blacksmith					P
Boiler manufacture & repair of boilers not exceeding 15 h.p.					P
Bolt & nut manufacture					P
Boot & shoe manufacture					P
Box & crate manufacture (other than paper)					P
Brewery					S
Broom manufacture					P
Building material machinery, or supplying having outside storage					P
Canning & preserving factory					P
Carbon battery manufacture					P
Cargo container					S
Carpet cleaning without dustproof cleaning rooms for dust catching, washing & scouring equipment					P
Celluloid & similar cellulose manufacture					P
Central station, light & power plant					P
Cereal mill					P
Chair manufacture					P
Cheese factory					P
Chick hatchery					P
Coal yard, coal hoist, coal pocket or coal car trestle					P

Type of Land Use	Zoning District				
	R-5	O	LR	C	LM
Coffin manufacture					P
Cooperage company					P
Cotton company					P
Cotton ginning, baling & compressing					P
Cotton oil mill					P
Cotton seed products manufacture					P
Dairy - wholesale					P
Disinfectant manufacture					P
Distillery					S
Dye manufacturing					P
Electric or acetylene welding					P
Electrical power plant					P
Electrical supply manufacture					P
Elevator manufacture					P
Enameling & painting					P
Feed mill					P
Fixture manufacture					P
Flour milling & grain storage & elevators					P
Food processing					P
Fur warehouse					P
Furniture manufacture					P
Gasoline, wholesale storage					P
Grain elevator					P
Hardware manufacture					P
Helicopter terminal					P
Horseshoeing					P
Hosiery mill					P
Insecticide manufacturing					P
Iron works, ornamental					P
Knit goods manufacture					P
Light agricultural implements manufacture					P
Livery stable					P
Machinery manufacture					P
Mattress factory					P
Mattress renovating					P
Metal products, stamping & manufacturing					P
Milk processing plant					P
Paper products manufacture					P
Pattern shop					P
Pecan processing					P
Petroleum, wholesale storage					P
Planing mill					P
Poultry feed manufacturer					P
Poultry slaughtering - dressing & storage					P
Printing ink manufacture					P
Public stable					P
Railroad yards - roundhouse or shop					P
Rice cleaning & polishing					P
Riding academy					P
Riding stable					P
Rock wool manufacture					P
Rug manufacture					P

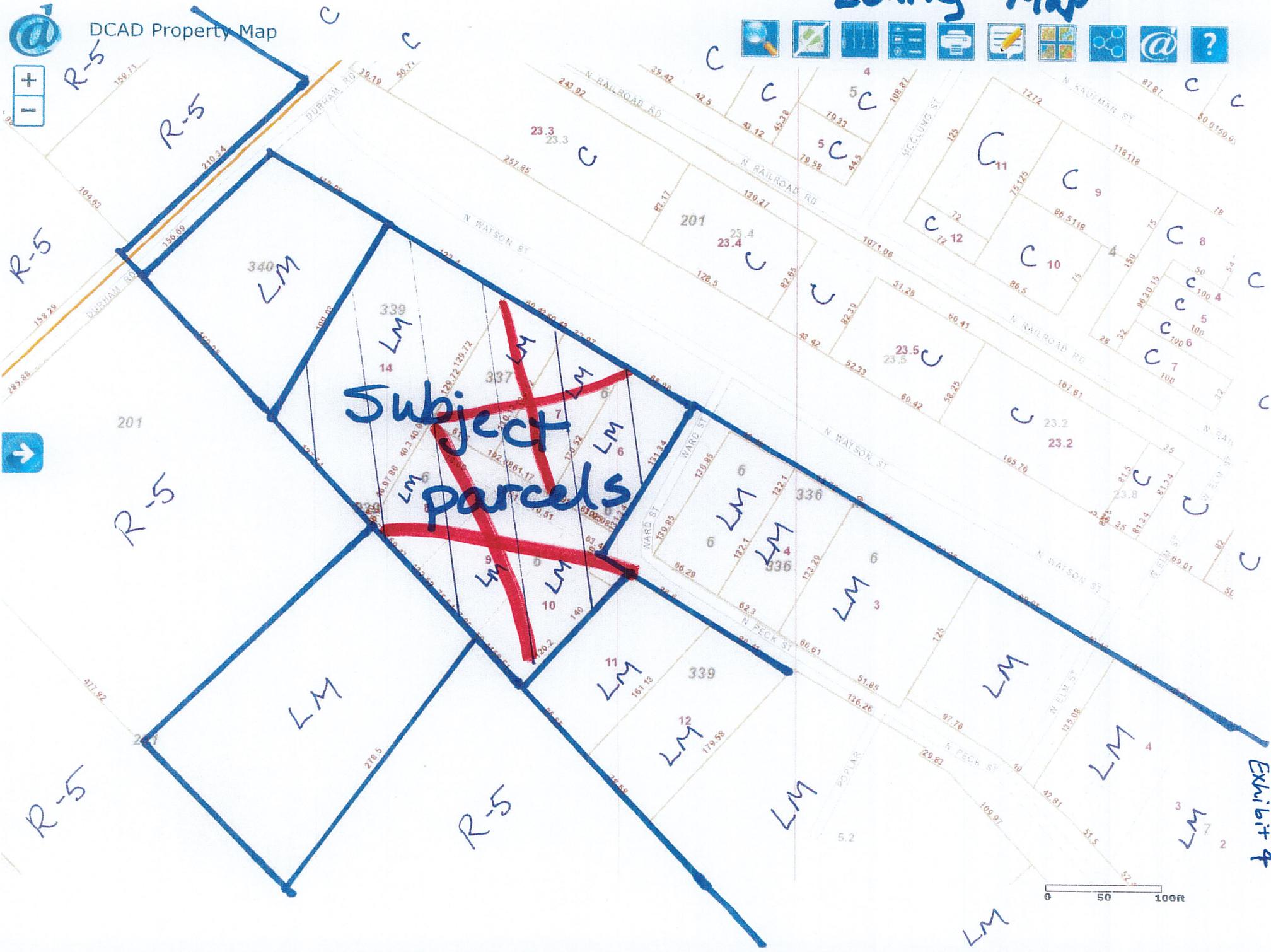
**STAFF REPORT
Z2018-21B**

Type of Land Use	Zoning District				
	R-5	O	LR	C	LM
Shoe factory					P
Stable					P
Stone cutting					P
Storage battery manufacturing					P
Storage of live poultry, or poultry dressing					P
Textile manufacture					P
Tool manufacture					P
Wood products manufacture					P
Woodworking shops					P
Winery					S



Zoning Map Exhibit 4

DCAD Property Map



Subject parcels

R-5
R-5
R-5
R-5
R-5

340 LM

339 LM

337 LM

336 LM

336 LM

336 LM

339 LM

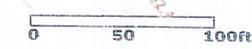
339 LM

LM

LM

LM

Exhibit 4





ZONING APPLICATION

City of Seagoville, Texas

ANTICIPATED MEETING DATES: P&Z: _____ City Council: _____
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: WATSON Neighborhood

Physical Location of Property: 100 WARD ST - 410 PECK ST - 7 NO NAME ST
[General Location – approximate distance to nearest existing street corner]

Brief Legal Description of Property (must also attach accurate Surveyor's metes and bounds description):
SEE DEEDS

[Survey/Abstract No. and Tracts; or platted Subdivision Name with Lots/Block]

Acreage: _____ Existing Zoning: LM Requested Zoning: R-5
[Attach a detailed description of requested zoning & development standards, if a PD]

Applicant / Owner's Name: DAVID + ROBBIE KOLLER Applicant or Owner? (circle one)

Contact Person: DAVID + ROBBIE KOLLER Title: _____

Company Name: _____

Street/Mailing Address: 100 WARD ST. City: SEAGOVILLE State: TX Zip: 75159

Phone: (972) 287-4746 Fax: () _____ Email Address: _____

Engineer / Representative's Name: DAVID

Contact Person: _____ Title: _____

Company Name: _____

Street/Mailing Address: _____ City: _____ State: _____ Zip: _____

Phone: () _____ Fax: () _____ Email Address: _____

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: OWNERS Date: 8-19-2018



SUBSCRIBED AND SWORN TO before me, this the 20 day of August, 2018
Notary Public in and for the State of Texas: [Signature]
My Commission Expires On: 10.19.19

Office Use Only: Date Rec'd: 8/24/18 Fees Paid: \$ 250 Check #: CC Receipt #: 532498
Zoning Case # 22018-19 Accepted By: [Signature] Official Submittal Date: 8/24/18

EXHIBIT "A"

Exhibit 5b

BEING part of Block 6 of the Town of Seagoville, Dallas County, Texas, according to the Official Map thereof, more fully described by metes and bounds as follows:

BEGINNING at the intersection of the Northeast line of Peck Street with the Northwest line of Ward Street;

THENCE Northeasterly along the Northwest line of Ward St. 126 ft. more or less to the Northeast line of Block 6 and the Southwest line of the railroad Right-of-Way;

THENCE Northwesterly along the Northeast line of Block 6, 185 ft. to a point for corner in the Southeast line of the tract of land owned by J. J. Parker in said Block;

THENCE Southwesterly along the Southeast line of Parker's Tract 126 ft. more or less to the Northeast line of Peck Street;

THENCE Southeasterly along the Northeast line of Peck Street 185 ft. to a point for corner in the Northwest line of Ward St., the place of beginning and known as Lots 6 and 7 of Fenley's unrecorded subdivision of part of Block 6 of Seagoville, Texas;

LESS AND EXCEPT: Lot 5 of Fenley's unrecorded subdivision of part of Block 6 of Seagoville, Texas, more particularly described as:

BEGINNING at the intersection of the Northeast line of Peck Street with the Northwest line of Ward Street;

THENCE Northeasterly along the Northwest line of Ward St. 126 ft. more or less to the Northeast line of Block 6 and the Southwest line of the Railroad Right-of-Way;

THENCE Northwesterly along the Northeast line of Block 6, 65 ft. more or less to the Northeast corner of Lot 6 of Fenley's unrecorded subdivision;

THENCE Southwesterly along the Southeast line of Lot 6, 126 ft. more or less to a point in the Northeast line of Peck St.;

THENCE Southeasterly along the Northeast line of Peck St., 65 ft. more or less to the intersection with the Northwest line of Ward St., the place of beginning.

410 Peck Street and 7 No Name Street

have Granted, Sold and Conveyed, and by these presents do Grant, Sell and Convey unto the said

DAVID J. KOLLER and wife, ROBERT G. KOLLER

of the County of Dallas State of Texas all that certain lot, tract or parcel of land situated in Dallas County, Texas, to-wit:

Being out of Block 6 of the Town of Seagoville, Dallas County, Texas, according to the official map thereof, more fully described by metes and bounds as follows:

BEGINNING at the intersection of the Southwest line of Peck Street with the Southeast line of J. J. Parker Tract;

THENCE Southwesterly along the Southeast line of Parker tract 80 feet more or less to the Southwest line of Block 6;

THENCE Southeasterly along the Southwest line of Block 6, 197 feet to a point for corner;

THENCE in a Northeasterly direction 140 feet, more or less, to a point in the Southwest line of Peck Street 112 feet Southeast of the Southeast line of J. J. Parker Tract;

THENCE Northwesterly along the Southwest line of Peck Street, 112 feet to the point of beginning and known as Lots 4, 5, and 10 of ~~Peck's~~ unrecorded subdivision of part of Block 6 of Seagoville, Texas.

100 Ward Street



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

October 4, 2018

via email: notices@dailycommercialrecord.com

Daily Commercial Record
706 Main Street
Dallas, Texas 75202

Please publish the legal notice below in the October 9, 2018 issue of your newspaper. Please send the affidavit of publication to the ATTN: Kandi Jackson at the address above. If you need to contact Kandi, her office direct number is (972) 287-6819 and her email is citysecretary@seagoville.us Kandi'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 Z2018-21**

A public hearing will be held by the Seagoville City Council on Monday, November 5, 2018, at 6:30 PM in the City Council Chambers of the Seagoville City Hall building at 702 North U.S. Highway 175; Seagoville, TX 75159 to consider a zone change from LM, Light Manufacturing, to R-5, Residential Single Family, on 5 tracts totaling about 2-acres described as Lots 5, 6, 7, 8, 9, and 10 Block 6 of Original Town of Seagoville and part of the Henry D. Bohannon Abstract 0178, and commonly referred to as 100 Ward Street, 301 and 307 North Watson Street, and two vacant lots at 410 Peck Street and 7 No Name Street.

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



October 16, 2018

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

**NOTICE OF PUBLIC HEARINGS
SEAGOVILLE PLANNING & ZONING COMMISSION
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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 opportunity 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 Z2018-21 as it is described herein.

Additional Comments (attach additional sheets as necessary): _____

Signature(s): _____

Printed Name(s): _____

Address: _____

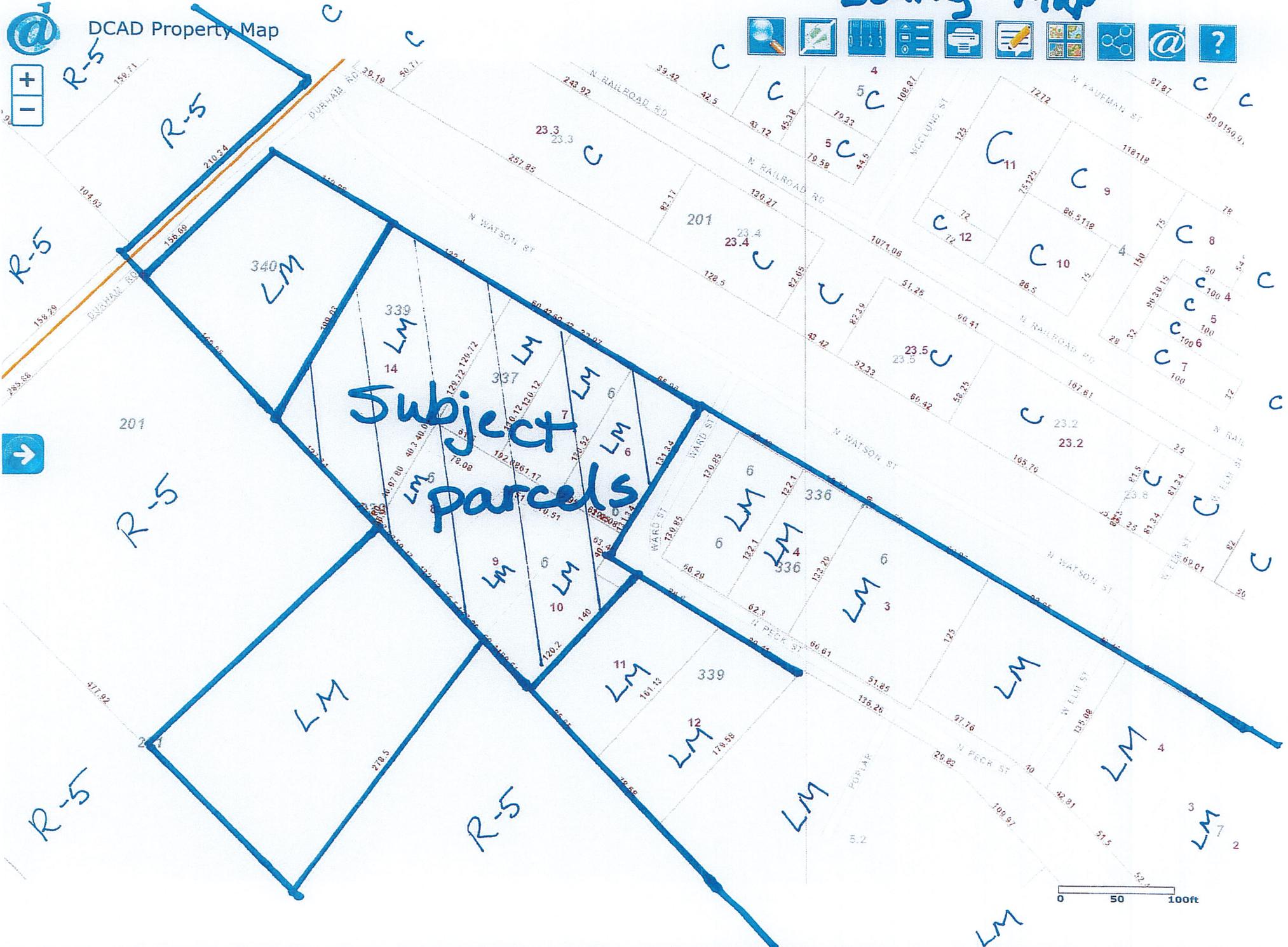
City, State & Zip code: _____

Phone Number: _____

Zoning Map



DCAD Property Map



0 50 100ft

Property Owners List

Rezone of 100 Ward Street, 301 and 307 North Watson Street, and vacant lots at 410 Peck Street, and 7 No Name Street

Mailed out a total of 21 certified letters on Thursday, September 20, 2018, before 12:00 noon

Subject or adjoiner?	Site Address	DCAD Account	Owner	Mailing Address	Address 2	City	State	Zip
Subject	7 No Name Street	5000093337800000	David J. & Robbie G. Koller	100 Ward Street		Seagoville	TX	75159
Subject	301 North Watson Street	50000500060050000	Charlie & Luz Sheperd	785 Martin Lane		Combine	TX	75159
Subject	410 Peck Street	50000500060060000	David J. & Robbie G. Koller	100 Ward Street		Seagoville	TX	75159
Subject	100 Ward Street	50000933381000000	David J. & Robbie G. Koller	100 Ward Street		Seagoville	TX	75159
Subject	307 North Watson Street	50000933399000000	Timothy Leon Ramsey	307 North Watson Street		Seagoville	TX	75159
Adjoiner	495 Durham Street	50000933402000000	Timothy Leon Ramsey	307 North Watson Street		Seagoville	TX	75159
Adjoiner	404 Durham Street	65085010010920000	E. Fondren Blackman	404 Durham Street		Seagoville	TX	75159
Adjoiner	402 Durham Street	65085010010930000	Jose & Lori Valadez	402 Durham Street		Seagoville	TX	75159
Adjoiner	400 Fran Street	65085007510030000	Ralph & Beverly Page	P.O. Box 373		Scurry	TX	75158
Adjoiner	100 North Watson Street	65017812010230000	City of Seagoville	702 North Highway 175		Seagoville	TX	75159
Adjoiner	300 North Watson Street	65017812010230300	Tim & Elizabeth Ramsey	307 North Watson Street		Seagoville	TX	75159
Adjoiner	301 Railroad Avenue	65017812010230400	Charlie W. & Luz N. Shepherd	785 Martin Lane		Seagoville	TX	75159
Adjoiner	209 Railroad Avenue	65017812010230500	Charlie W. & Luz N. Shepherd	785 Martin Lane		Seagoville	TX	75159
Adjoiner	203 North Watson Street	50000500060020000	City of Seagoville	702 North Highway 175		Seagoville	TX	75159
Adjoiner	205 North Watson Street	50000933366000000	City of Seagoville	702 North Highway 175		Seagoville	TX	75159
Adjoiner	207 North Watson Street	50000500060040000	Julio Herrera	207 North Watson Street		Seagoville	TX	75159
Adjoiner	207 North Peck Street	50000500060110000	City of Seagoville	702 North Highway 175		Seagoville	TX	75159
Adjoiner	203 North Peck Street	50000933393000000	City of Seagoville	702 North Highway 175		Seagoville	TX	75159
Adjoiner	400 West Malloy Bridge Road	65017812010050200	City of Seagoville	702 North Highway 175		Seagoville	TX	75159
Adjoiner	502 West Malloy Bridge Road	65017812010190000	Jerry Armstrong	c/o Joe Priest Real Estate	502 West Malloy Bridge Road	Seagoville	TX	75159
Adjoiner	501 Durham Street	65017812010180000	Timothy Leon Ramsey	307 North Watson Street		Seagoville	TX	75159

Regular Session Agenda Item: 7

Meeting Date: November 5, 2018

ITEM DESCRIPTION

Discuss and consider an Ordinance of the City of Seagoville, Texas, amending the Comprehensive Zoning Ordinance and map of the City of Seagoville, as amended, by granting a change in zoning from LM, Light Manufacturing, to R-5, Residential-5 Single Family, on five (5) tracts of real property described as block 6, tracts 6 and 7 of Original Town Seagoville, commonly referred to as 410 Peck Street and 7 No Name, respectively, and block 6, tracts 8, 9 and 10 of Original Town Seagoville- Fenley's Unrecorded, commonly referred to as 100 Ward Street, in the City of Seagoville, Dallas County, Texas, and being legally described in exhibits "A" and "B", respectively, and depicted in exhibits "C" and "D", respectively, which are attached hereto and incorporated herein; providing for a repealing clause; providing for a savings clause; providing for a severability clause; providing for a penalty of fine not to exceed Two Thousand Dollars (\$2,000.00) for each offense; and providing for an effective date.

BACKGROUND OF ISSUE:

The applicants are requesting the zoning change on 5 lots totaling about 1-acre of real property. Mr. David and Mrs. Robbie Koller are requesting the change so they are able to continue maintaining and/or improving the house and outbuilding that they own at 100 Ward Street as well as the two (2) vacant lots that Dallas County addressed as 410 Peck Street and 7 No Name Street. The house and related outbuilding are on the parcel of land that is south-southwest of the now-abandoned North Peck Street and west of Ward Street. The vacant lots are located on the south side of Watson Street and run through to the now-abandoned North Peck Street. This is the second portion of this neighborhood rezone. Only the back width of subject lot 6 abuts an existing R-5 zoning on an adjacent lot. With the approval of the Ramsey portion of the neighborhood rezone a few minutes ago, the property owned by these co-applicants now abuts an R-5 zoning on a second side of the property.

FINANCIAL IMPACT:

No city funds will be used for this project.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

The Commission voted unanimously six (6) to zero (0) to recommend the approval of the request to change the current zoning on about 2-acres at 100 Ward Street; 301 and 307 North Watson Street; and 2 vacant lots that Dallas County has addressed 410 Peck Street and 7 No Name Street (also known as Lots 5, 6, 7, 8, 9, and 10 of the unrecorded Fenley's Subdivision of Block 6 of the Town of Seagoville and part of the Henry D. Bohannon Abstract 0178) from the LM, Light Manufacturing, to the R-5, Residential Single Family, zoning district.

Staff is also recommending the approval.

EXHIBITS:

1. Ordinance (6 pages)

AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS

ORDINANCE NO. 23-2018

AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP OF THE CITY OF SEAGOVILLE, AS AMENDED, BY GRANTING A CHANGE IN ZONING FROM LM, LIGHT MANUFACTURING, TO R-5, RESIDENTIAL-5 SINGLE FAMILY, ON FIVE (5) TRACTS OF REAL PROPERTY DESCRIBED AS BLOCK 6, TRACTS 6 AND 7 OF ORIGINAL TOWN SEAGOVILLE, COMMONLY REFERRED TO AS 410 PECK STREET AND 7 NO NAME, RESPECTIVELY, AND BLOCK 6, TRACTS 8, 9 AND 10 OF ORIGINAL TOWN SEAGOVILLE - FENLEY'S UNRECORDED, COMMONLY REFERRED TO AS 100 WARD STREET, IN THE CITY OF SEAGOVILLE, DALLAS COUNTY, TEXAS, AND BEING LEGALLY DESCRIBED IN EXHIBITS "A" AND "B", RESPECTIVELY, AND DEPICTED IN EXHIBITS "C" AND "D", RESPECTIVELY, WHICH ARE ATTACHED HERETO AND INCORPORATED HEREIN; PROVIDING FOR A REPEALING CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING FOR 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 requisite notices by publication and otherwise, and have held due public 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, be and the same is hereby amended by granting a change in zoning from LM, Light Manufacturing, to R-5, Residential-5 Single Family, on five (5) tracts of real property described as Block 6, Tracts 6 and 7 of Original Town Seagoville, commonly referred to as 410 Peck Street and 7 No Name, respectively, and Block 6, Tracts 8, 9 and 10 of Original Town Seagoville - Fenley's Unrecorded, commonly referred to as 100 Ward Street, in the City of Seagoville, Dallas County, Texas, and being legally described in Exhibits "A" and "B", respectively, and depicted in Exhibits "C" and "D", respectively, which are attached hereto and incorporated herein.

SECTION 2: That the land shall be used only for the purposes set out in accordance with the City of Seagoville’s Zoning Ordinance for R-5, Residential-5 Single Family Districts, and all other ordinances, codes, and policies of the City of Seagoville, as amended.

SECTION 3: That all provisions of the Ordinances of the City of Seagoville, Texas, in conflict with the provisions of this ordinance as amended be hereby repealed and all other provisions not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 4: That should any sentence, paragraph, subdivision, clause, phrase, or section of this ordinance or the Comprehensive Zoning Ordinance, as amended hereby, be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance or the Comprehensive Zoning Ordinance as a whole, or any part or provision thereof, other than the part declared to be invalid, illegal, or unconstitutional.

SECTION 5: That any person, firm, or corporation violating, disobeying, neglecting, refusing to comply with, or resisting the enforcement of any of the provisions or terms of this ordinance or the Comprehensive Zoning Ordinance, as amended hereby, shall be subject to the same penalty of two thousand dollars (\$2,000.00) for each offense as provided for in the Comprehensive Zoning Ordinance of the City of Seagoville, as heretofore amended. Each and every day such a violation continues or is allowed to exist shall constitute a separate offense.

SECTION 6: 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 5th day of November, 2018.

APPROVED:

Dennis, K. Childress, Mayor

ATTEST:

Kandi Jackson, City Secretary

APPROVED AS TO FORM:

Alexis G. Allen, City Attorney
(/cdb 10/29/2018)



DCAD Property Map

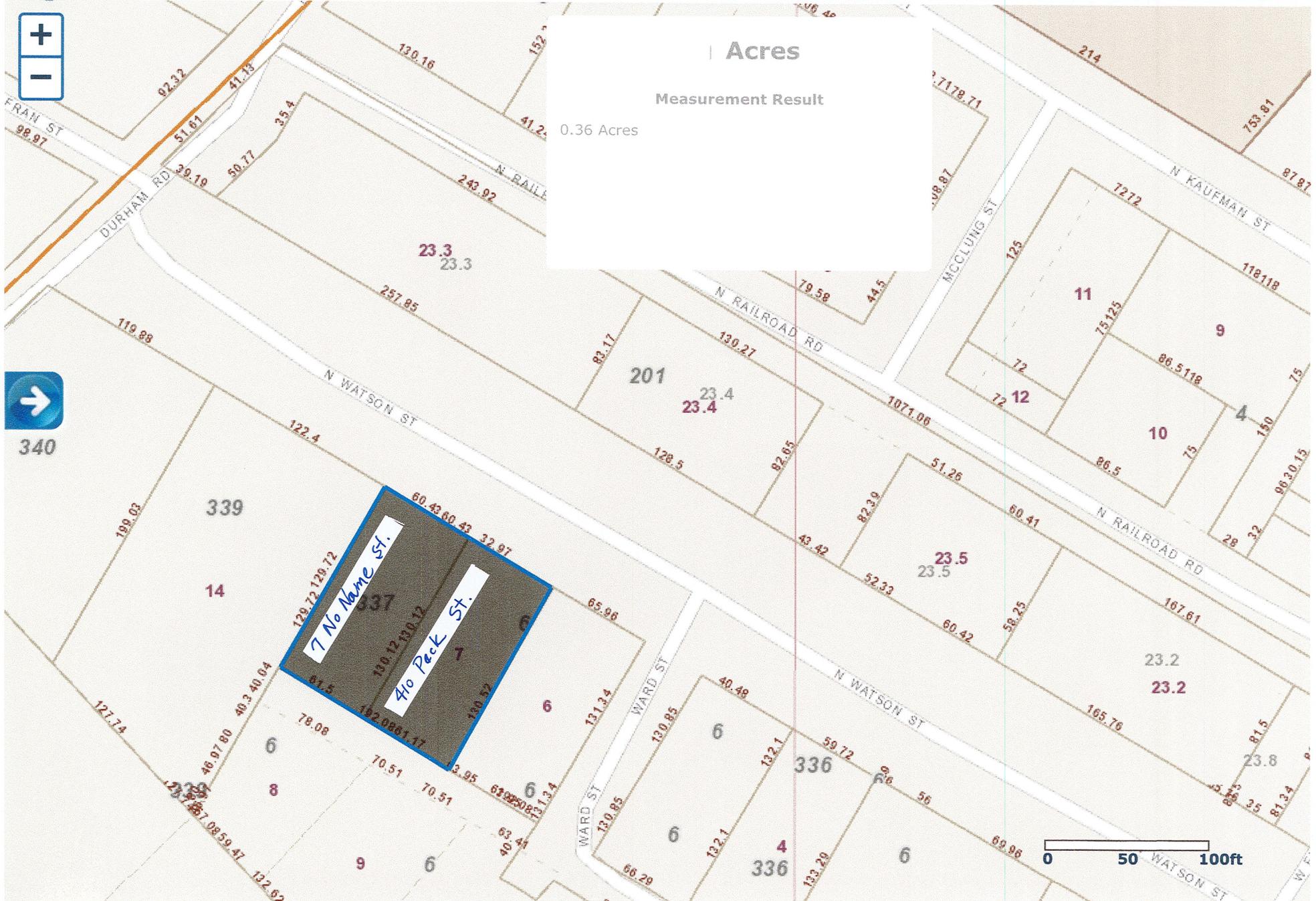


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Acres

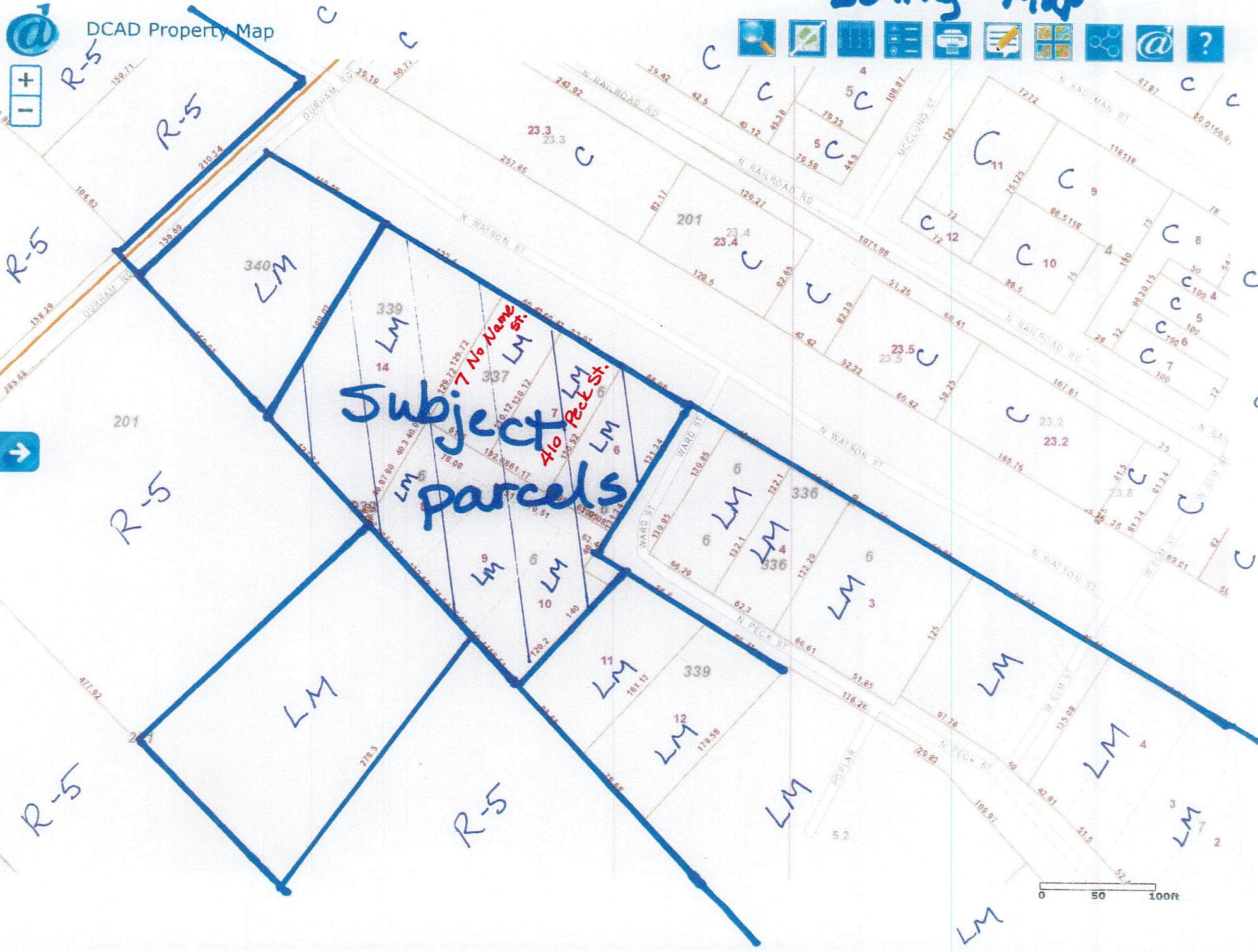
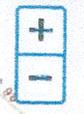
Measurement Result

0.36 Acres



Zoning Map

DCAD Property Map



Subject parcels

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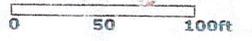
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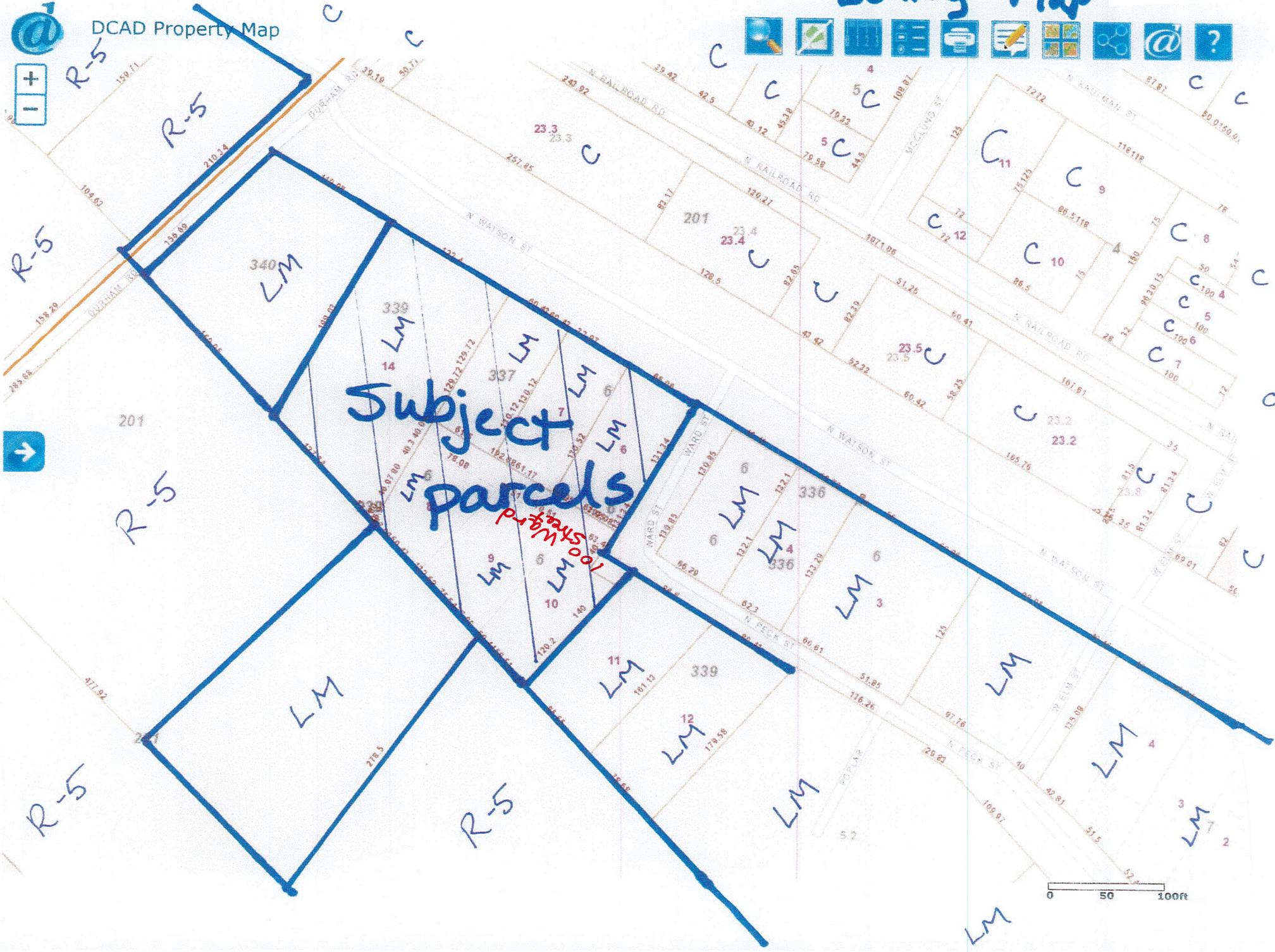
LM 14



Zoning Map



DCAD Property Map



Subject parcels

100th Ward

0 50 100ft

Regular Session Agenda Item: 8

Meeting Date: November 5, 2018

ITEM DESCRIPTION

Conduct a public hearing on request Z2018-21c to change the zoning from LM, Light Manufacturing, to R-5, Residential Single Family, on about 0.2-acres described as Lot 5 Block 6 of Original Town of Seagoville and Henry D. Bohannon Abstract 0178, and commonly referred to as 301 North Watson Street.

BACKGROUND OF ISSUE:

Mr. Charlie and Mrs. Luz Shepherd, owners of 301 North Watson Street, are requesting the zoning change on about 0.2-acres of real property on the west corner of the intersection of Watson Street and Ward Street, to be able to continue maintaining and/or improving the home.

Note: If the Koller rezone was approved by the City Council tonight before this item was reviewed, this lot now abuts an R-5 zoning district on both the northwest and the southwest sides.

The existing zoning, land uses, and relevant portions of the City's comprehensive plan are each referenced in the attached staff report.

FINANCIAL IMPACT:

No city funds will be used for the development of this project.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

Besides the parcels in question, there are twenty-one (21) properties, and three (3) public streets within 200-feet of the boundary of the subject area. The owners of each parcel were notified in compliance with the 200-foot rule by mail on Thursday, September 20, 2018. A legal ad was also published per the Texas Local Government Code in the Monday, September 17, 2018 edition of the Daily Commercial Record newspaper. Prior to the Planning and Zoning Commission meeting on Tuesday, October 9, 2018, five (5) property owners have responded in writing for the request and none (zero) have responded against it. The City has received their six (6) letters. No (zero) letters had been returned as undeliverable by the U.S. Postal Service. Two (2) property owners spoke in favor of the request at the Planning and Zoning Commission meeting. As of the date of this report, October 30, 2018, no (zero) additional property owners have responded in writing or verbally for or against the request. Additionally, no (zero) letters have been returned as undeliverable by the U.S. Postal Service. Any responses received after the emailing of the packet to the Council will be available for review at the meeting.

The Commission voted unanimously six (6) to zero (0) to recommend the approval of the request to change the current zoning on about 2-acres at 100 Ward Street; 301 and 307 North Watson Street; and 2 vacant lots that Dallas County has addressed 410 Peck Street and 7 No Name Street (also known as Lots 5, 6, 7, 8, 9, and 10 of the unrecorded Fenley's Subdivision of Block 6 of the Town of Seagoville and part of the Henry D. Bohannon Abstract 0178) from the LM, Light Manufacturing, to the R-5, Residential Single Family, zoning district.

Staff is also recommending the approval.

EXHIBITS:

1. Staff Report (12 pages)
2. 2017 aerial photograph from DCAD website
3. Dimensional reference map from DCAD website
4. Zoning map reference (dimensional map with zoning added)
- 5c. Zoning application (2 pages)
6. Public hearing notice to newspaper for CC meeting
7. Public hearing notice to property owners within 200 feet for CC meeting (2 pages)
8. List of property owners within 200 feet of subject parcel



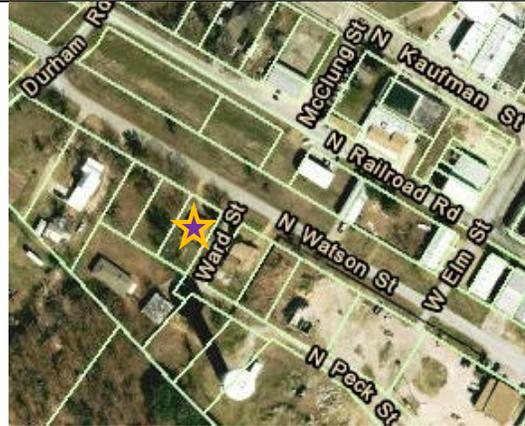
COMMUNITY DEVELOPMENT
702 NORTH HIGHWAY 175
SEAGOVILLE, TX 75159
PHONE: (972) 287-2050

DATE: NOVEMBER 5, 2018
AUTHOR: JENNIFER BONNER, JUNIOR PLANNER
APPLICANTS: CHARLIE & LUZ SHEPHERD
PARCELS: 50000500060050000
LOCATION: 301 NORTH WATSON STREET

REQUEST SUMMARY:

The applicants are requesting that the current zoning on the subject parcel (under the purple star outlined in orange on the map) on about 0.2-acres of land be changed from LM, Light Manufacturing, to R-5, Residential Single Family.

The owners want to be able to continue maintaining and/or improving their home. The lot was changed to a Light Manufacturing zoning some time prior to 1978. The current zoning district does not allow residential uses.



REQUEST LOCATION: Inside City, Dallas County

SIZE OF PROJECT	EXISTING ZONING	SURROUNDING ZONING	EXISTING LAND USE	EXISTING SURROUNDING LAND USES
About 0.2-acres	LM, Light Manufacturing	<p>Northwest: LM, Light Manufacturing and C, Commercial</p> <p>Southwest: LM, Light Manufacturing and R-5, Single Family Residential</p> <p>Northeast: C, Commercial</p> <p>Southeast: LM, Light Manufacturing and R-5, Single Family Residential</p>	Low Density Residential	<p>Northwest: Low Density Residential</p> <p>Southwest: Low Density Residential</p> <p>Northeast: Commercial</p> <p>Southeast: Central Area</p>

PLANNING AND ZONING COMMISSION RECOMMENDATION:

The Commission voted six (6) to zero (0) in favor of recommending the approval of the request to current zoning on about 2-acres at 100 Ward Street; 301 and 307 North Watson Street; and 2 vacant lots that Dallas County has addressed 410 Peck Street and 7 No Name Street (also known as Lots 5, 6, 7, 8, 9, and 10 of the unrecorded Fenley's Subdivision of Block 6 of the Town of Seagoville and part of the Henry D. Bohannon Abstract 0178) from the LM, Light Manufacturing, to the R-5, Residential Single Family, zoning district.

Staff recommends approval of this zoning change.

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

COMPARISON TO ADOPTED CITY MASTER PLANS

STAFF ANALYSIS

PLAN GOALS OR GUIDELINES

2002 Comprehensive Land Use Plan and Map

The lot in the request (under the purple star) is in the southwestern corner of the Central Area (red and blue mixture) on the 2002 map. The light yellow colored areas are Low Density Residential areas. Today, we might call this part of our Central Business District. The 2002 plan calls for the area to be a mixture of residences, personal and government businesses, and gatherings for cultural and community events.

Meets Standard



2006 Master Thoroughfare Plan and Map

The property in the request (under the green star) has access to both Watson Street (labeled and shown by a blue line) and Ward Street northwest of Malloy Bridge Road. (Malloy Bridge is the road in red.) Watson Street is in the original railroad right-of-way that was later transferred to the City. It is unclear if the amount right-of-way (dedicated by the unrecorded Fenley's Subdivision of Block 6 of the Town of Seagoville in October 1953) for Ward Street meets today's standards.

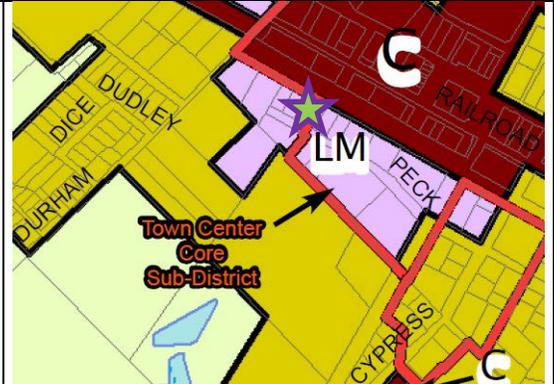
Meets Standard



2009 Zoning Plan and Map

The lot in the request (under the green star) is in the LM, Light Manufacturing zoning district (light purple color). The light green color to the southwest of the subject parcels is currently zoned AG, Agriculture. The owners are requesting that the change to the R-5, Single Family Residential zoning district (mustard yellow color) so they can continue to maintain their home.
Note: If the Koller rezone was approved by the City Council tonight before this item was reviewed, this lot now abuts an R-5 zoning district on both the northwest and the southwest sides.

Meets Standard



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	Public water and sewer are connected to the existing house.
2. Will the land use be compatible with other area properties located nearby?	Yes	Most of the lands to the southwest and southeast are already zoned R-5, Residential Single Family, and match the requested zoning district.
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, 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?	Yes	This request is being made so that the applicants can maintain their home in a residential zoning district.

REVIEW CRITERIA	STAFF ANALYSIS	
5. Will the use facilitate public convenience at that location?	Yes	The lot has driveway accesses onto 2 existing city streets.
6. Will the use conform to off-street parking and loading requirements?	Yes	The house has a driveway that exceeds the parking requirements
7. Are all of the ingress, egress, and pedestrian ways adequate?	No	The house has both a circle and secondary driveway. There are no sidewalks in the immediate vicinity of the subject parcels.
8. Have safeguards limiting noxious or offensive emissions, including light, noise, glare, dust, and odor been addressed?	Yes	Fencing has already been erected along the city property to the southeast to address issues that might arise from the city property related to noise, dust, and glaring headlights.
9. Will the proposed landscaping and screening be compliant with all City regulations?	N/A	No additional landscaping is planned.
10. Will the signage be compliant with those portions of the Municipal Code?	N/A	There has been no request for signage.
11. Will all open space(s) be maintained by the owner/developer?	Yes	The property will be continue to be maintained by the current owners.
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 existing lot dimensions shown on DCAD exceed code. Per DCAD, the existing structure (built in about 1960) does not meet today's living space nor covered parking requirements.
13. Will granting the permit be authorizing less than the minimum requirements in regards to height, area, setbacks, parking, or landscaping?	No	There are no proposed structures at this time. However, the zoning change would allow any non-conformance items to become officially grandfathered until changes are made to the structures on the lots.
14. Have the provisions of the existing master thoroughfare plan been met to protect the public interest?	No	Watson Street occurs in what was originally railroad right-of-way that was transferred to the City in 1992. It is unclear if the amount right-of-way (dedicated by the unrecorded Fenley's Subdivision in October 1953) for Ward Street meets today's standards.
15. Have the provisions of any existing future land use plan been met to protect the public interest?	N/A	Chapter 5 (Future Land Use) of the Comprehensive Plan provides guidance for different land uses. Residences are listed as a use expected in the Central Area, where these lots are located.
16. Have the provisions of any existing capital improvements plan been met to protect the public interest?	Yes	There currently is no active capital improvement plan. The most recent plan (2008) has completed all improvements, but the pay-off has not yet been finalized.
17. Have the provisions of any community facilities plan been met to protect the public interest?	N/A	Changing the zoning of parcels is not affected by the community facilities portion of any city Plan.
18. Have the provisions of any other adopted document for providing required necessary public facilities been met to protect the public interest?	N/A	Chapter 8 (Public Facilities) of the Comprehensive Plan addresses municipal facilities primarily. Changing the zoning of parcels does not affect the provisions of any city Plan.

Public Comments Received: Besides the parcel in question, there are twenty-one (24) properties, and three (3) public streets within 200-feet of the boundary of the subject area for all of the parcels in the neighborhood request. The owners of each parcel were notified in compliance with the 200-foot rule by mail on Thursday, September 20, 2018. A legal ad was also published per the Texas Local Government Code in the Monday, September 17, 2018 edition of the Daily Commercial Record newspaper. Prior to the Planning and Zoning

STAFF REPORT Z2018-21c

Commission meeting on Tuesday, October 9, 2018, five (5) property owners have responded in writing for the request and none (zero) have responded against it. The City has received their six (6) letters. No (zero) letters had been returned as undeliverable by the U.S. Postal Service. Two (2) property owners spoke in favor of the request at the Planning and Zoning Commission meeting. As of the date of this report, October 30, 2018, no (zero) additional property owners have responded in writing or verbally for or against the request. Additionally, no (zero) letters have been returned as undeliverable by the U.S. Postal Service. Any responses received after the emailing of the packet to the Council will be available for review at the meeting.

Other Staff Comments: Below is a table that compares the types of land uses listed in the zoning code for each zoning district. The table to the right depicts the symbols for which land uses that would be permitted, prohibited, or require a special use permit in each district. The land use table is arranged by zoning district and then each district is listed alphabetically. **Note:** Language in each of the “higher” (more intense) business districts specifies that the uses permitted in the “lower” zoning districts are allowed without being specifically listed each of those uses again.

Land Use Table Key:	Zoning District:
P = Permitted land use	R-5, Residential Single-family
S = Special Use Permit (SUP) required	O, Office
A blank box in the table means that land use is <i>prohibited</i> in that zoning district.	LR, Local Retail
	C, Commercial
	LM, Light Manufacturing

Type of Land Use	Zoning District				
	R-5	O	LR	C	LM
Accessory buildings	P				
Addition of pre-packaged food or beverages sales to a retail or business already operating	S	S	S	S	S
Airport or airport facilities	S	S	S	S	S
Art gallery	P	P	P	P	P
Breezeway attaching accessory to the main building	P				
Carnival	S	S	S	S	S
Cemetery	S	S	S	S	S
Children’s home on 5 acres or more	S	S	S	S	S
Church or religious worship facility	P				
Circus	S	S	S	S	S
Commercial amusement, temporary	S	S	S	S	S
Community building on 3 acres or more	S	S	S	S	S
Concrete batching plant	S	S	S	S	S
Convalescent home on 5 acres or more	S	S	S	S	S
Daycare or nursery with fewer than four unrelated children	P				
Daycare or nursery with more than four unrelated children	S	S	S	S	S
Detached dwelling for servants employed on-site	P				
Dog kennels on farm of 5 acres or more	S	S	S	S	S
Drive-in theatre on 10 acres or more	S	S	S	S	S
Driving range	S	S	S	P	P
Earth excavation	S	S	S	S	S
Educational institutions	S	S	S	S	S
Electrical public utility regulating station	S	S	S	S	S
Farm without on-site retail or wholesale business	P				
Fire station	P				
Garden without on-site retail or wholesale business	P				
Golf course without driving range	P				
Government use - local, county, state, federal	S	S	S	S	S
Gravel excavation	S	S	S	S	S
Greenhouse	S	S	S	S	S
Greenhouse without on-site retail or wholesale business	P				
Homes for narcotics on 20 acres or more	S	S	S	S	S
Homes for the alcoholic on 20 acres or more	S	S	S	S	S

Type of Land Use	Zoning District				
	R-5	O	LR	C	LM
Homes for the feeble-minded on 20 acres or more	S	S	S	S	S
Homes for the insane on 20 acres or more	S	S	S	S	S
Hospital on 5 acres or more	S	S	S	S	S
Kindergarten - public or private	S	S	S	S	S
Landing airfield or facilities	S	S	S	S	S
Library	P	P	P	P	P
Maternity home on 5 acres or more	S	S	S	S	S
Miniature golf course	S	S	S	P	P
Miniature train ride	S	S	S	S	S
Mixed-Use projects of private housing and shopping center on 3 acres or more	S	S	S	S	S
Museum	P				
Natural gas public utility regulating station	S	S	S	S	S
Neighborhood recreation center (swimming pool, social or hobby rooms)	P				
Normal household pets	P				
Nursery	S	S	S	S	S
Nursery school - public or private	S	S	S	S	S
Nursery without on-site retail or wholesale business	P				
Old people's home on 5 acres or more	S	S	S	S	S
Orchard without on-site retail or wholesale business	P				
Park	P				
Passenger train station	P				
Philanthropic institutions	S	S	S	S	S
Playgrounds	P				
Pony rides	S	S	S	S	S
Private carport and/or garage	P	P	P	P	P
Private school, equivalent to a public school	P	S	S	S	S
Public school (elementary through high school)	P	S	S	S	S
Public stable on 5 acres or more	S	S	S	S	S
Public utility - privately or publicly owned	S	S	S	S	S
Radio or television broadcasting stations	S	S	S	S	S
Radio or television broadcasting towers	S	S	S	S	S
Radio or television transmitter tower	S	S	S	S	S
Railway right-of-way and tracks, passenger station but not including railroad yards, team tracks or storage yards	P				
Religious institutions	S	S	S	S	S
Riding academy on 5 acres or more	S	S	S	S	S
Rock quarry	S	S	S	S	S
Rodeo	S	S	S	S	S
Sale of pre-packaged food/beverages, in combination, that exceeds 10% of an establishment's gross annual sales revenues	S	S	S	S	S
Sand excavation	S	S	S	S	S
Sewage treatment plant	S	S	S	S	S
Single-family residence (detached)	P				
Telephone exchange without office, repair or storage facilities	P				
Temporary and seasonal sales establishment, such as flea market or produce stand	S	S	S	S	S
Temporary buildings to be used for construction purposes only	P				
Travel trailer park	S	S	S	S	S
Veterinary hospital on 5 acres or more	S	S	S	S	S
Water pumping plant	P				
Water supply reservoir	P				
Water tower or artesian well	P				
Wind energy conversion system (WEC)	S	S	S	S	S
Railway ROW & tracks, but no railroad yards, team tracks or storage yards	P				

**STAFF REPORT
Z2018-21C**

Type of Land Use	Zoning District				
	R-5	O	LR	C	LM
Ambulance service		P	P	P	P
Architect or engineers' offices		P	P	P	P
Attorneys' offices		P	P	P	P
Business offices		P	P	P	P
Consultants' offices		P	P	P	P
Doctors' & dentists' offices		P	P	P	P
Equipment storage (no repairs)		P	P	P	P
Financial offices		P	P	P	P
General offices		P	P	P	P
Multi-family dwelling units		S	S	S	S
Personal services		P	P	P	P
Political offices		P	P	P	P
Professional offices		P	P	P	P
Real estate offices		P	P	P	P
Records warehousing & storage		P	P	P	P
Salesman's offices		P	P	P	P
Single-family dwelling units		S	S	S	S
Antique shop			P	P	P
Aquarium			P	P	P
Auto laundry inside a building without boiler, heating & steam-cleaning facilities			P	P	P
Auto repair garage - all work inside a building			P	P	P
Auto seat covering			P	P	P
Bakery, retail			P	P	P
Bank			P	P	P
Barber & beauty shop			P	P	P
Bicycle repairs without outside storage or display			P	P	P
Bird & pet shops, retail			P	P	P
Book or stationery store			P	P	P
Bowling alley - if air-conditioned & soundproofed			P	P	P
Brewpub			S	S	S
Camera shop			P	P	P
Candy shop			P	P	P
Caterer			P	P	P
Cleaning & pressing shops smaller than 6,000 square feet			P	P	P
Cleaning, dyeing & laundry station for receiving & delivery of articles only			P	P	P
Clothing - retail sales only			P	P	P
Convenience store or mini-mart between 1,000 & 5,000 square feet			S	S	S
Curtain cleaning shop smaller than 6,000 square feet			P	P	P
Department store			P	P	P
Drive-in for food, beverage, or other service			S	S	S
Drive-in theatre			S		
Drive-through for food, beverage, or other service			S	S	S
Dyeing plant smaller than 6,000 square feet			P	P	P
Electric substation			P	P	P
Electrical goods, retail sales only			P	P	P
Electrical repairing - domestic equipment & autos, retail sales only			P	P	P
Event center in stand-alone building			S		
Exterminating company, retail			P	P	P
Feed store			S		
Film developing & printing			P	P	P
Fix-it shops without outside storage or display			P	P	P
Florist, retail sales only			P	P	P

Type of Land Use	Zoning District				
	R-5	O	LR	C	LM
Frozen food lockers, retail			P	P	P
Furniture repairs & upholstery, retail only without outside storage or display			P	P	P
Furniture store - retail			P	P	P
Gasoline/motor fuel sales			P	P	P
Gasoline/motor fuel sales, automated			P	P	P
Grocery store over 5,000 square feet			P	P	P
Hardware - retail sales only			P	P	P
Household & office appliances - retail			P	P	P
Household & office furniture - retail			P	P	P
Ice delivery station			P	P	P
Jewelry - retail			P	P	P
Job printing			P	P	P
Laundry - custom laundering & finishing smaller than 6,000 square feet without pickup or delivery			P	P	P
Letter & mimeograph shop			P	P	P
Meat market, retail sales only			P	P	P
Micro-brewery			S	S	S
Mortuary use in stand-alone buildings			S		
Motor raceway			S		
Moving picture theater			P	P	P
Novelty or variety shop			P	P	P
Nursery, retail sale of plants & trees			P	P	P
Office			P	P	P
Office building			P	P	P
Optical goods - retail			P	P	P
Outside display, new materials			P	P	P
Outside storage units			P	P	P
Paint - retail sales only			P	P	P
Parking lot without public garage for passenger cars & trucks			P	P	P
Pharmacy/drug store			P	P	P
Photographer's or artist's studio			P	P	P
Photographic supplies - retail			P	P	P
Piano & musical instruments, retail sales only			P	P	P
Plumbing shop without warehouse facilities, retail sales only			P	P	P
Portable storage units (PODs) - sales & storage			P	P	P
Public garage			P	P	P
Restaurant (dine-in only) over 4,000 square feet			P	P	P
Restaurant (dine-in only) smaller than 4,000 square feet			S	S	S
Restaurant (dine-in/convenience) over 4,000 square feet			P	P	P
Restaurant (dine-in/convenience) smaller than 4,000 square feet			S	S	S
Restaurant (fast food)			S	S	S
Restaurant (outdoor/patio dining)			S	S	S
Restaurant (private club)			S	S	S
Retail sales			P	P	P
Retail store or shop for custom work or the making of articles on-site			P	P	P
Roller skating rink			S		
Rug cleaning shop, chemical type, smaller than 6,000 square feet with all operations inside a building			P	P	P
Sample room			P	P	P
Seamstress, dressmaker, or tailor			P	P	P
Seed store			P	P	P
Shoe repair shop, retail sales only			P	P	P
Sporting goods - retail sales only			P	P	P
Studio for the display & sale of glass, china, art objects, cloth & draperies			P	P	P

**STAFF REPORT
Z2018-21C**

Type of Land Use	Zoning District				
	R-5	O	LR	C	LM
Studios, dance, music, drama, health massage & reducing			P	P	P
Taxi stand			P	P	P
Tobacco shop			S	S	S
Tool sharpening, retail only without outside storage or display			P	P	P
Toys - retail sales only			P	P	P
Used car lot			S	P	P
Walk-up for food, beverage, or other service			S	S	S
Wallpaper - retail sales only			P	P	P
Washateria where the customer can wash & handle his laundry			P	P	P
Wearing apparel including clothing, shoes, hats, millinery & accessories			P	P	P
Wedding services in stand-alone building			S		
Wholesale sales office			P	P	P
Wine-tasting room			S	S	S
Aquarium, wholesale				P	P
Artificial flower manufacture				P	P
Artificial limb manufacture				P	P
Auto painting				P	P
Auto upholstery				P	P
Automobile dealers				P	P
Automobile laundry				P	P
Awning manufacture, cloth, metal, wood				P	P
Bakery, commercial				S	P
Bar				S	S
Beer tavern				S	S
Book bindery				P	P
Book printing				P	P
Bottling works with or without syrup manufacture				P	P
Bowling alley				P	P
Bus & truck storage				P	P
Cabinet shop				P	P
Candy manufacture				P	P
Canvas awning manufacture				P	P
Car barns				P	P
Carpenter shop				P	P
Carpet cleaning - with dustproof room & dust-catching equipment				P	P
Carting, express, hauling or storage				P	P
Cement storage				P	P
Ceramic products smaller than 6,000 square feet				P	P
Cleaning & dry cleaning establishment over 6,000 square feet				P	P
Clothing manufacture				P	P
Cold storage plant				P	P
Commercial amusement				P	P
Commercial colleges				P	P
Contractor's storage yard				P	P
Dance hall				S	S
Dog kennel				S	
Dry goods, wholesale & storage				P	P
Dyeing plant over 6,000 square feet				P	P
Egg candling & grading				P	P
Electrical & neon sign manufacture				P	P
Electrical repairing				P	P
Electro-plating; electro-tying				P	P

Type of Land Use	Zoning District				
	R-5	O	LR	C	LM
Engraving plant				P	P
Envelope manufacture				P	P
Feed store, wholesale & storage				P	P
Florist, wholesale				P	P
Food products manufacture, wholesale				P	P
Frozen food lockers, wholesale				P	P
Furniture auction sales				P	P
Furniture repair & upholstering - wholesale				P	P
Handcraft shop smaller than 6,000 square feet				P	P
Hauling, light or heavy				P	P
Homes for narcotics				S	
Homes for the alcoholic				S	
Homes for the feeble-minded				S	
Homes for the insane				S	
Household goods, storage				P	P
Ice cream manufacture				P	P
Ice manufacture				P	P
Job printing & book printing				P	P
Laundry, commercial				P	P
Leather products manufacture				P	P
Lithographing				P	P
Loading or storage tracks				P	P
Loose-leaf book manufacture				P	P
Lounge				S	S
Lumberyard (building material)				P	P
Market - public				P	P
Mattress making & renovating without dust precipitating equipment				P	P
Milk depot, wholesale				P	P
Millinery manufacture				P	P
Mirror re-silvering				P	P
Motel				P	P
Motion picture studio, commercial films				P	P
Motorcycle repairing				P	P
Moving & storage company				P	P
Newspaper printing				P	P
Night club				S	S
Optical goods manufacture				P	P
Outside display, used materials				S	S
Outside storage, new materials				S	P
Outside storage, used materials				S	S
Outside storage of any material over 8-feet tall				S	S
Paint mixing, but no cooking or baking operations				P	P
Paper products & paper box manufacture				P	P
Penal or correctional institutions for insane, feebleminded, liquor or narcotic				P	P
Photoengraving plant				P	P
Plastic products, molding, casting & shaping				P	P
Print shop				P	P
Printing equipment, supplies, repairs				P	P
Publishing company				P	P
Sale of manufactured homes on 3.5 acres or more				S	
Sale of mobile homes on 3.5 acres or more				S	
Schools - all types including trade & commercial colleges				P	P

**STAFF REPORT
Z2018-21C**

Type of Land Use	Zoning District				
	R-5	O	LR	C	LM
Secondhand furniture				P	P
Seed store, wholesale sales & storage				P	P
Sheetmetal shop				P	P
Shoe store, wholesale sales & storage				P	P
Skating rink				P	P
Stone monument works - retail				P	P
Storage & sales of used auto parts & accessories without open storage or display				P	P
Storage of trucks, & gravel				P	P
Streetcar barns				P	P
Taxicab storage & repairs				P	P
Team tracks & unloading docks, railroads				P	P
Tire retreading & recapping				P	P
Tourist camp				P	P
Trade schools of all types				P	P
Transfer & baggage company				P	P
Travel center				S	S
Trunk manufacturing				P	P
Typesetting				P	P
Venetian blind manufacturing				P	P
Veterinary hospital				S	P
Warehouse, wholesale offices, sales & storage				P	P
Water distillation				P	P
Winery, boutique				S	S
Adding machine manufacture					P
Agricultural implement manufacturing					P
Aircraft parts manufacture					P
Airplane repair & manufacturing					P
Automobile assembly					P
Automobile parts manufacturing					P
Bag manufacturer & cleaning					P
Bank equipment manufacture					P
Blacksmith					P
Boiler manufacture & repair of boilers not exceeding 15 h.p.					P
Bolt & nut manufacture					P
Boot & shoe manufacture					P
Box & crate manufacture (other than paper)					P
Brewery					S
Broom manufacture					P
Building material machinery, or supplying having outside storage					P
Canning & preserving factory					P
Carbon battery manufacture					P
Cargo container					S
Carpet cleaning without dustproof cleaning rooms for dust catching, washing & scouring equipment					P
Celluloid & similar cellulose manufacture					P
Central station, light & power plant					P
Cereal mill					P
Chair manufacture					P
Cheese factory					P
Chick hatchery					P
Coal yard, coal hoist, coal pocket or coal car trestle					P
Coffin manufacture					P
Cooperage company					P

Type of Land Use	Zoning District				
	R-5	O	LR	C	LM
Cotton company					P
Cotton ginning, baling & compressing					P
Cotton oil mill					P
Cotton seed products manufacture					P
Dairy - wholesale					P
Disinfectant manufacture					P
Distillery					S
Dye manufacturing					P
Electric or acetylene welding					P
Electrical power plant					P
Electrical supply manufacture					P
Elevator manufacture					P
Enameling & painting					P
Feed mill					P
Fixture manufacture					P
Flour milling & grain storage & elevators					P
Food processing					P
Fur warehouse					P
Furniture manufacture					P
Gasoline, wholesale storage					P
Grain elevator					P
Hardware manufacture					P
Helicopter terminal					P
Horseshoeing					P
Hosiery mill					P
Insecticide manufacturing					P
Iron works, ornamental					P
Knit goods manufacture					P
Light agricultural implements manufacture					P
Livery stable					P
Machinery manufacture					P
Mattress factory					P
Mattress renovating					P
Metal products, stamping & manufacturing					P
Milk processing plant					P
Paper products manufacture					P
Pattern shop					P
Pecan processing					P
Petroleum, wholesale storage					P
Planing mill					P
Poultry feed manufacturer					P
Poultry slaughtering - dressing & storage					P
Printing ink manufacture					P
Public stable					P
Railroad yards - roundhouse or shop					P
Rice cleaning & polishing					P
Riding academy					P
Riding stable					P
Rock wool manufacture					P
Rug manufacture					P
Shoe factory					P
Stable					P

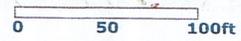
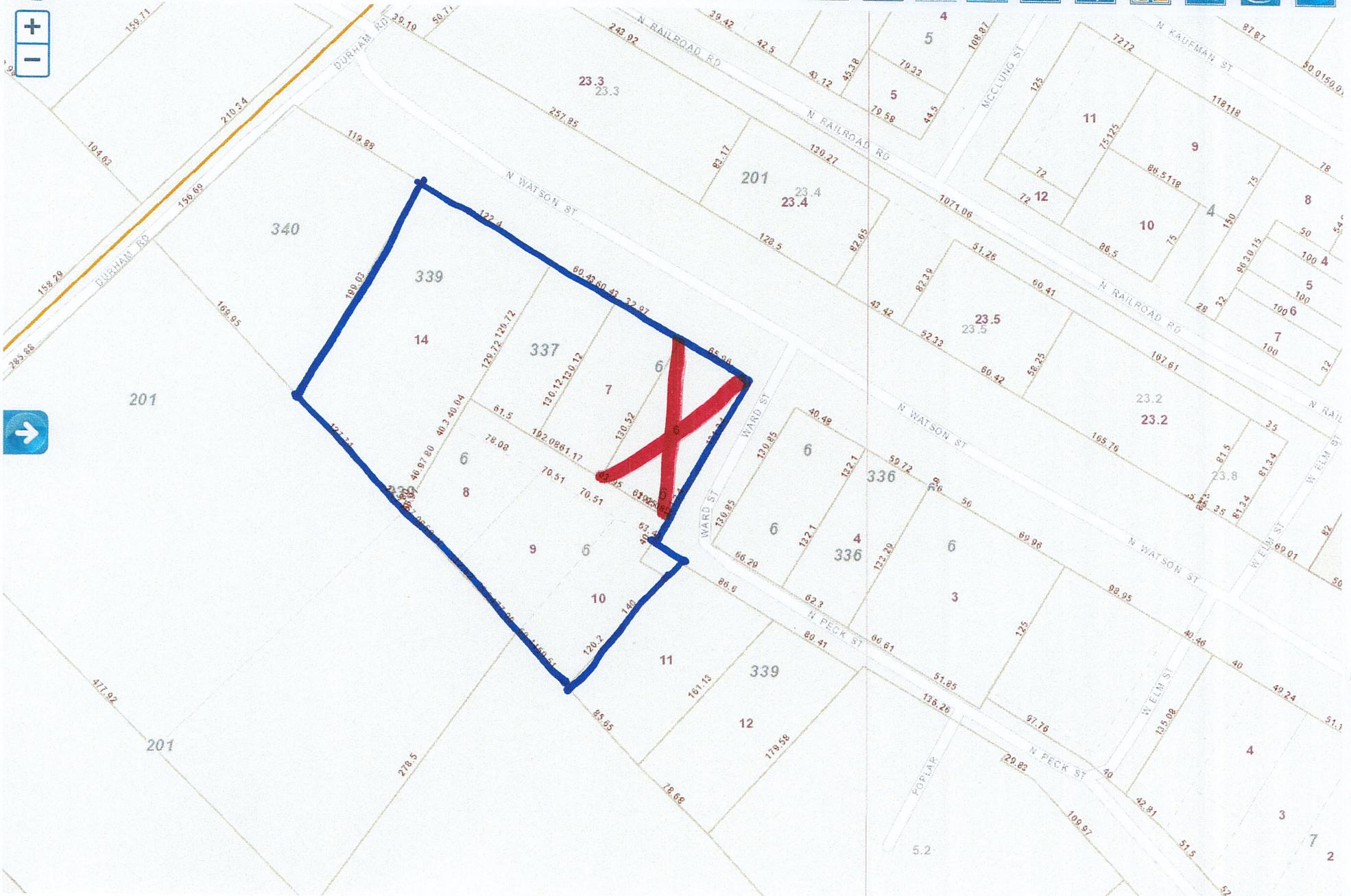
**STAFF REPORT
Z2018-21C**

Type of Land Use	Zoning District				
	R-5	O	LR	C	LM
Stone cutting					P
Storage battery manufacturing					P
Storage of live poultry, or poultry dressing					P
Textile manufacture					P
Tool manufacture					P
Wood products manufacture					P
Woodworking shops					P
Winery					S



0 50 100ft

Exhibit 2



Zoning Map Exhibit 4



DCAD Property Map

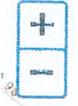


Exhibit 4

0 50 100ft



ZONING APPLICATION

City of Seagoville, Texas

ANTICIPATED MEETING DATES: P&Z: _____ City Council: _____
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: WATSON Neighborhood

Physical Location of Property: 301 N. WATSON
[General Location – approximate distance to nearest existing street corner]

Brief Legal Description of Property (must also attach accurate Surveyor's metes and bounds description):
SEE DEED
[Survey/Abstract No. and Tracts; or platted Subdivision Name with Lots/Block]

Acreage: _____ Existing Zoning: LM Requested Zoning: R-5
[Attach a detailed description of requested zoning & development standards, if a PD]

Applicant / Owner's Name: CHARLIE & LUZ N SHEPHERD Applicant or Owner? (circle one)

Contact Person: CHARLIE 972-358-8685 Title: OWNER

Company Name: _____

Street/Mailing Address: 785 MARTIN LANE City: COMBINE State: TX Zip: 75159

Phone: (972) 358-8685 Fax: () _____ Email Address: CHARLIE.SHEPHERD@REAGAN.COM

Engineer / Representative's Name: _____

Contact Person: _____ Title: _____

Company Name: _____

Street/Mailing Address: _____ City: _____ State: _____ Zip: _____

Phone: () _____ Fax: () _____ Email Address: _____

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: Charlie N Shepherd Title: OWNER Date: 8-24-18



[seal]

Subscribed and sworn to before me, this the 24 day of August, 2018
[Month] [Year]

Notary Public in and for the State of Texas: Dallas County, Margaret Mathis
My Commission Expires On: 1/15/2020

Office Use Only: Date Rec'd: 8/24/18 Fees Paid: \$ 250 Check #: CC Receipt #: 532498
Zoning Case # 22018-21 Accepted By: [Signature] Official Submittal Date: 8/24/18

EXHIBIT "A"

Exhibit 5c

BEING a part of BLOCK 6, of the Town of Seagoville, Dallas County, Texas, according to the official map thereof, and being more fully described by metes and bounds as follows:

BEGINNING at the intersection of the Northeast line of Peck Street with the Northwest line of Ward Street;

THENCE Northeasterly along the Northwest line of Ward Street, 126 feet, more or less, to the Northeast line of said Block 6, and the Southwest line of the Rail Road right of way;

THENCE Northwesterly along the Northeast line of said Block 6, 65 feet to a point for corner;

THENCE Southwesterly and parallel with the Northwesterly line of Ward Street, 126 feet, more or less, to point for corner in the Northeast line of Peck Street;

THENCE Southeasterly along the Northeast line of Peck Street, 65 feet, to point for corner in the Northwest line of Ward Street, the PLACE OF BEGINNING, and being known as Lot 5 of Fenley's unrecorded Subdivision of part of Block 6 of Seagoville, Texas.



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

October 4, 2018

via email: notices@dailycommercialrecord.com

Daily Commercial Record
706 Main Street
Dallas, Texas 75202

Please publish the legal notice below in the October 9, 2018 issue of your newspaper. Please send the affidavit of publication to the ATTN: Kandi Jackson at the address above. If you need to contact Kandi, her office direct number is (972) 287-6819 and her email is citysecretary@seagoville.us Kandi'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 Z2018-21**

A public hearing will be held by the Seagoville City Council on Monday, November 5, 2018, at 6:30 PM in the City Council Chambers of the Seagoville City Hall building at 702 North U.S. Highway 175; Seagoville, TX 75159 to consider a zone change from LM, Light Manufacturing, to R-5, Residential Single Family, on 5 tracts totaling about 2-acres described as Lots 5, 6, 7, 8, 9, and 10 Block 6 of Original Town of Seagoville and part of the Henry D. Bohannon Abstract 0178, and commonly referred to as 100 Ward Street, 301 and 307 North Watson Street, and two vacant lots at 410 Peck Street and 7 No Name Street.

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



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

October 16, 2018

**NOTICE OF PUBLIC HEARINGS
SEAGOVILLE PLANNING & ZONING COMMISSION
ZONING CASE Z2018-21**

A public hearing will be held by the Seagoville City Council on Monday, November 5, 2018, at 6:30 PM in the City Council Chambers of the Seagoville City Hall building at 702 North U.S. Highway 175; Seagoville, TX 75159 to consider a zone change from LM, Light Manufacturing, to R-5, Residential Single Family, on 5 tracts totaling about 2-acres described as Lots 5, 6, 7, 8, 9, and 10 Block 6 of Original Town of Seagoville and part of the Henry D. Bohannon Abstract 0178, and commonly referred to as 100 Ward Street, 301 and 307 North Watson Street, and two vacant lots at 410 Peck Street and 7 No Name Street.

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 opportunity 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 Z2018-21 as it is described herein.

Additional Comments (attach additional sheets as necessary): _____

Signature(s): _____

Printed Name(s): _____

Address: _____

City, State & Zip code: _____

Phone Number: _____

Property Owners List

Rezone of 100 Ward Street, 301 and 307 North Watson Street, and vacant lots at 410 Peck Street, and 7 No Name Street

Mailed out a total of 21 certified letters on Thursday, September 20, 2018, before 12:00 noon

Subject or adjoiner?	Site Address	DCAD Account	Owner	Mailing Address	Address 2	City	State	Zip
Subject	7 No Name Street	50000933378000000	David J. & Robbie G. Koller	100 Ward Street		Seagoville	TX	75159
Subject	301 North Watson Street	50000500060050000	Charlie & Luz Sheperd	785 Martin Lane		Combine	TX	75159
Subject	410 Peck Street	50000500060060000	David J. & Robbie G. Koller	100 Ward Street		Seagoville	TX	75159
Subject	100 Ward Street	50000933381000000	David J. & Robbie G. Koller	100 Ward Street		Seagoville	TX	75159
Subject	307 North Watson Street	50000933399000000	Timothy Leon Ramsey	307 North Watson Street		Seagoville	TX	75159
Adjoiner	495 Durham Street	50000933402000000	Timothy Leon Ramsey	307 North Watson Street		Seagoville	TX	75159
Adjoiner	404 Durham Street	65085010010920000	E. Fondren Blackman	404 Durham Street		Seagoville	TX	75159
Adjoiner	402 Durham Street	65085010010930000	Jose & Lori Valadez	402 Durham Street		Seagoville	TX	75159
Adjoiner	400 Fran Street	65085007510030000	Ralph & Beverly Page	P.O. Box 373		Scurry	TX	75158
Adjoiner	100 North Watson Street	65017812010230000	City of Seagoville	702 North Highway 175		Seagoville	TX	75159
Adjoiner	300 North Watson Street	65017812010230300	Tim & Elizabeth Ramsey	307 North Watson Street		Seagoville	TX	75159
Adjoiner	301 Railroad Avenue	65017812010230400	Charlie W. & Luz N. Shepherd	785 Martin Lane		Seagoville	TX	75159
Adjoiner	209 Railroad Avenue	65017812010230500	Charlie W. & Luz N. Shepherd	785 Martin Lane		Seagoville	TX	75159
Adjoiner	203 North Watson Street	50000500060020000	City of Seagoville	702 North Highway 175		Seagoville	TX	75159
Adjoiner	205 North Watson Street	50000933366000000	City of Seagoville	702 North Highway 175		Seagoville	TX	75159
Adjoiner	207 North Watson Street	50000500060040000	Julio Herrera	207 North Watson Street		Seagoville	TX	75159
Adjoiner	207 North Peck Street	50000500060110000	City of Seagoville	702 North Highway 175		Seagoville	TX	75159
Adjoiner	203 North Peck Street	50000933393000000	City of Seagoville	702 North Highway 175		Seagoville	TX	75159
Adjoiner	400 West Malloy Bridge Road	65017812010050200	City of Seagoville	702 North Highway 175		Seagoville	TX	75159
Adjoiner	502 West Malloy Bridge Road	65017812010190000	Jerry Armstrong	c/o Joe Priest Real Estate	502 West Malloy Bridge Road	Seagoville	TX	75159
Adjoiner	501 Durham Street	65017812010180000	Timothy Leon Ramsey	307 North Watson Street		Seagoville	TX	75159

Regular Session Agenda Item: 9

Meeting Date: November 5, 2018

ITEM DESCRIPTION

Discuss and consider an Ordinance of the City of Seagoville, Texas, amending the Comprehensive Zoning Ordinance and Map of City of Seagoville, as amended, by granting a change in zoning from LM, Light Manufacturing, to R-5, Residential-5 Single Family, on real property described as Block 6, Tract 5 of Original Town of Seagoville, commonly referred to as 301 N. Watson Street, in the City of Seagoville, Dallas County, Texas, and being legally described and depicted in Exhibits "A" and "B", respectively, which are attached hereto and incorporated herein; providing for a repealing clause; providing for a savings clause; providing for a severability clause; providing for a penalty of fine not to exceed Two Thousand Dollars (\$2,000.00) for each offense; and providing for an effective date.

BACKGROUND OF ISSUE:

The applicants are requesting the zoning change on about 0.2-acres of real property on the south side of Watson Street and west side of Ward Street. Mr. Charlie and Mrs. Luz Shepherd, owners and occupants of 301 North Watson Street, are requesting the change to be able to continue maintaining and/or improving their home 301 North Watson Street. This is the last portion of this neighborhood rezone. The property can only be rezoned to R-5 after the property owned by the Kollers are rezoned because the lot does not touch another existing R-5 zoned property.

FINANCIAL IMPACT:

No city funds will be used for the development of this project.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

The Commission voted unanimously six (6) to zero (0) to recommend the approval of the request to change the current zoning on about 2-acres at 100 Ward Street; 301 and 307 North Watson Street; and 2 vacant lots that Dallas County has addressed 410 Peck Street and 7 No Name Street (also known as Lots 5, 6, 7, 8, 9, and 10 of the unrecorded Fenley's Subdivision of Block 6 of the Town of Seagoville and part of the Henry D. Bohannon Abstract 0178) from the LM, Light Manufacturing, to the R-5, Residential Single Family, zoning district.

Staff is also recommending the approval.

EXHIBIT:

1. Ordinance (4 pages)

AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS

ORDINANCE NO. 24-2018

AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP OF THE CITY OF SEAGOVILLE, AS AMENDED, BY GRANTING A CHANGE IN ZONING FROM LM, LIGHT MANUFACTURING, TO R-5, RESIDENTIAL-5 SINGLE FAMILY, ON REAL PROPERTY DESCRIBED AS BLOCK 6, TRACT 5 OF ORIGINAL TOWN SEAGOVILLE, COMMONLY REFERRED TO AS 301 N. WATSON STREET, IN THE CITY OF SEAGOVILLE, DALLAS COUNTY, TEXAS, AND BEING LEGALLY DESCRIBED AND DEPICTED IN EXHIBITS "A" AND "B", RESPECTIVELY, WHICH ARE ATTACHED HERETO AND INCORPORATED HEREIN; PROVIDING FOR A REPEALING CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING FOR 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 requisite notices by publication and otherwise, and have held due public 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, be and the same is hereby amended by granting a change in zoning from LM, Light Manufacturing, to R-5, Residential-5 Single Family, on real property described as Block 6, Tract 5 of Original Town Seagoville, commonly referred to as 301 N. Watson Street, in the City of Seagoville, Dallas County, Texas, and being legally described and depicted in Exhibits "A" and "B", respectively, which are attached hereto and incorporated herein.

SECTION 2: That the land shall be used only for the purposes set out in accordance with the City of Seagoville's Zoning Ordinance for R-5, Residential-5 Single Family Districts, and all other ordinances, codes, and policies of the City of Seagoville, as amended.

SECTION 3: That all provisions of the Ordinances of the City of Seagoville, Texas, in conflict with the provisions of this ordinance as amended be hereby repealed and all other provisions not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 4: That should any sentence, paragraph, subdivision, clause, phrase, or section of this ordinance or the Comprehensive Zoning Ordinance, as amended hereby, be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance or the Comprehensive Zoning Ordinance as a whole, or any part or provision thereof, other than the part declared to be invalid, illegal, or unconstitutional.

SECTION 5: That any person, firm, or corporation violating, disobeying, neglecting, refusing to comply with, or resisting the enforcement of any of the provisions or terms of this ordinance or the Comprehensive Zoning Ordinance, as amended hereby, shall be subject to the same penalty of two thousand dollars (\$2,000.00) for each offense as provided for in the Comprehensive Zoning Ordinance of the City of Seagoville, as heretofore amended. Each and every day such a violation continues or is allowed to exist shall constitute a separate offense.

SECTION 6: 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 5th day of November, 2018.

APPROVED:

Dennis, K. Childress, Mayor

ATTEST:

Kandi Jackson, City Secretary

APPROVED AS TO FORM:

Alexis G. Allen, City Attorney
(/cdb 10/09/2018)

EXHIBIT "A"

BEING a part of BLOCK 6, of the Town of Seagoville, Dallas County, Texas, according to the official map thereof, and being more fully described by metes and bounds as follows:

BEGINNING at the intersection of the Northeast line of Peck Street with the Northwest line of Ward Street;

THENCE Northeasterly along the Northwest line of Ward Street, 126 feet, more or less, to the Northeast line of said Block 6, and the Southwest line of the Rail Road right of way;

THENCE Northwesterly along the Northeast line of said Block 6, 65 feet to a point for corner;

THENCE Southwesterly and parallel with the Northwesterly line of Ward Street, 126 feet, more or less, to point for corner in the Northeast line of Peck Street;

THENCE Southeasterly along the Northeast line of Peck Street, 65 feet, to point for corner in the Northwest line of Ward Street, the PLACE OF BEGINNING, and being known as Lot 5 of Fenley's unrecorded Subdivision of part of Block 6 of Seagoville, Texas.

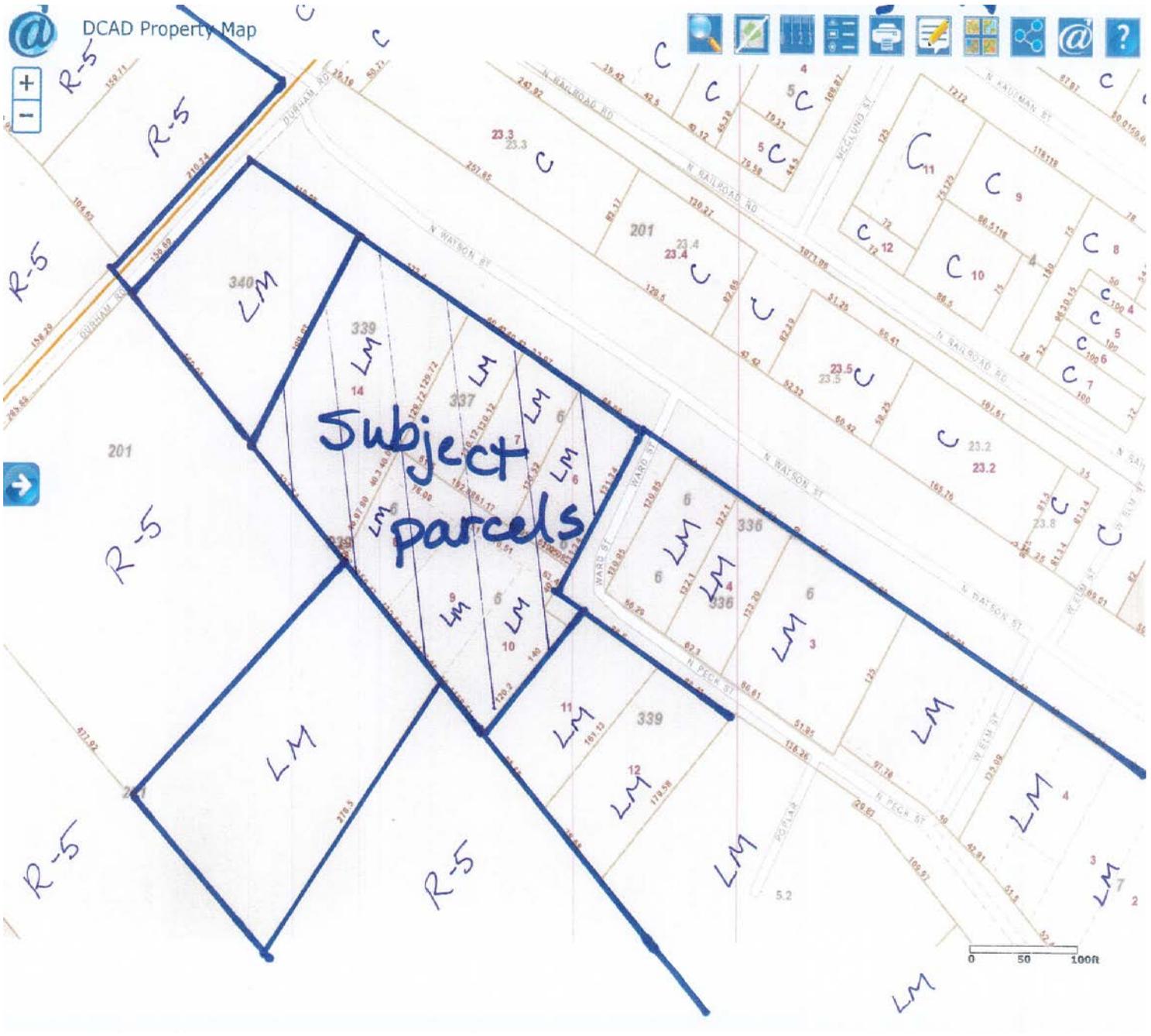


EXHIBIT "B"

Regular Session Agenda Item: 10

Meeting Date: November 5, 2018

ITEM DESCRIPTION

Conduct a public hearing on a zoning request Z2018-15 to amend the zoning on about 2-acres of real property located at 401 West Simonds Road (also known as the unplatted Tract 37 of the Herman Heider Abstract number 541 on page 490) from the R-5, Residential Single Family, zoning district to the LM, Light Manufacturing, zoning district.

BACKGROUND OF ISSUE:

The applicant is requesting that the subject parcel (under the purple star outlined in orange on the map to the right) have the current zoning on about 2-acres of land at 401 West Simonds Road be changed from R-5, Residential Single Family, to LM, Light Manufacturing. He wants to operate his business' office and dispatch center at this location – which are uses not allowed in any residential zoning district. If a tower is needed for the dispatch center, a Special Use Permit (SUP) will need to be acquired before the building permit for the tower could be granted.

The parcel currently has a house (built in about 1955), one larger outbuilding (built in about 2000) and several smaller outbuildings. None of the smaller outbuildings are listed as improvements to the property on the DCAD website.

The existing zoning, land uses, and relevant portions of the City's comprehensive plan are each referenced in the attached staff report.

FINANCIAL IMPACT:

No city funds will be used for the development of this project.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

Besides the parcel in question, there are six (6) other properties plus one (1) parcel for a public street within 200-feet of the boundary of the subject area. The owners of each parcel were notified in compliance with the 200-foot rule by mail on Friday, September 21, 2018. A legal ad was also published per the Texas Local Government Code in the Friday, September 21, 2018 edition of the Daily Commercial Record newspaper. Prior to the Planning and Zoning Commission meeting on Tuesday, October 9, 2018, one (1) letter had been returned as undeliverable by the U.S. Postal Service. No (zero) property owners at the Planning and Zoning Commission meeting. As of the date of this report, October 30, 2018, no (zero) additional property owners have responded in writing or verbally for or against the request. One (1) additional letter has been returned as undeliverable by the U.S. Postal Service. Any responses received after the emailing of the packet to the Council will be available for review at the meeting.

The Commission voted six (6) to zero (0) in favor of recommending the approval of the request to change the current zoning on about 2-acres at 401 West Simonds Road (also known as the unplatted Tract 37 of the Herman Heider Abstract number 541 on page 490) from R-5, Residential Single Family, to the LM, Light Manufacturing, zoning district.

Staff recommends approval of this zoning change. This parcel is mostly surrounded by LM, Light Manufacturing zoning districts. The office portion of the proposed use would fit into any non-residential district. However, the dispatch center requires a minimum of Local Retail, since it is more like an ambulance service center and/or a taxi stand than an office.

EXHIBITS:

1. Staff Report (12 pages)
2. 2017 aerial photograph from DCAD website
3. Dimensional reference map from DCAD website
4. Zoning Map (dimensional map with zoning information added)
5. Application
6. Public hearing notice to newspaper (correction for P&Z and CC)
7. Public hearing notice to property owners within 200 feet (correction for P&Z and CC)
8. List of property owners within 200 feet of subject parcel



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

Exhibit 1
STAFF REPORT
Z2018-15

DATE: NOVEMBER 5, 2018
AUTHOR: JENNIFER BONNER, JUNIOR PLANNER
APPLICANT: MAHMOUD ABDULLA
PARCEL: 650-541-490-103-70000
LOCATION: 401 WEST SIMONDS ROAD (TRACT 37 OF HERMAN HEIDER ABSTRACT 541 PAGE 490)

REQUEST SUMMARY:

The applicant is requesting that the subject parcel (under the purple star outlined in orange on the map to the right) have the current zoning on about 2-acres of land at 401 West Simonds Road be changed from R-5, Residential Single Family, to LM, Light Manufacturing. He wants to operate his business' office and dispatch center at this location – which are uses not allowed in any residential zoning district. If a tower is needed for the dispatch center, a Special Use Permit (SUP) will also be required.



REQUEST LOCATION: Inside City, Dallas County

SIZE OF PROJECT	EXISTING ZONING	SURROUNDING ZONING	EXISTING LAND USE	SURROUNDING LAND USE
About 2-acres	R-5, Single Family Residential	Northwest: LM, Light Manufacturing Southwest: R-5, Single Family Residential Northeast: LM, Light Manufacturing Southeast: AG, Agriculture	Industrial	Northwest: Commercial Southwest: Commercial Northeast: Commercial Southeast: Public or Civic

PLANNING AND ZONING COMMISSION RECOMMENDATION:

The Commission voted six (6) to zero (0) in favor of recommending the approval of the request to change the current zoning on about 2-acres at 401 West Simonds Road (also known as the unplatted Tract 37 of the Herman Heider Abstract number 541 on page 490) from R-5, Residential Single Family, to the LM, Light Manufacturing, zoning district.

Staff recommends approval of this zoning change. This parcel is mostly surrounded by LM, Light Manufacturing zoning districts. The office portion of the proposed use would fit into any non-residential district. However, the dispatch center requires a minimum of Local Retail, since it is more like an ambulance service center and/or a taxi stand than an office.

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

COMPARISON TO ADOPTED CITY MASTER PLANS

STAFF ANALYSIS

PLAN GOALS OR GUIDELINES

2002 Comprehensive Land Use Plan and Map

The lot in the request (under the purple star outlined in orange the Future Land Use Plan and Map shows to be a Commercial (dark brown-red). The red areas to the north are expected to Local Retail. The darker blue areas to the east and southwest are public or semi-public areas. The lighter blue shade to the south will be industrial. The light yellow and mustard-yellow colors are or expected to become Low and Medium Density Residential areas, respectively.

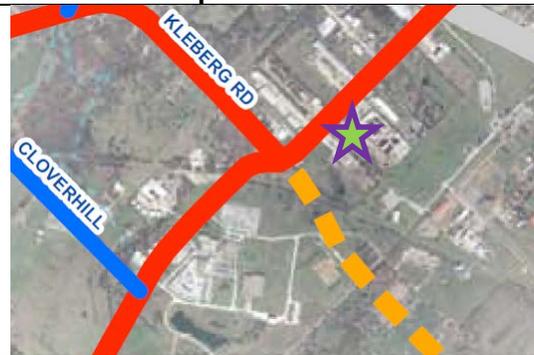
Meets Standard



2006 Master Thoroughfare Plan and Map

The property in the request (under the green star outlined in purple on the map to the right) only has access to West Simonds Road (labeled and shown by a red line). It is unclear if sufficient right-of-way for Simonds Road has been dedicated as no plat has been provided to Staff.

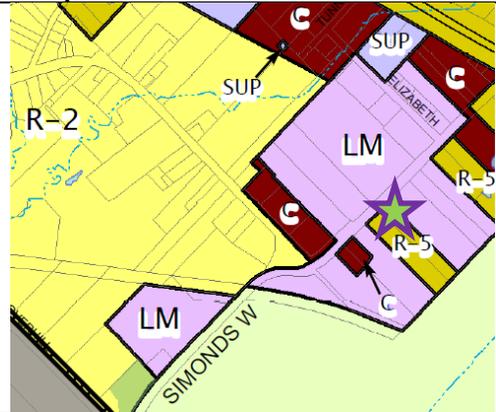
Meets Standard



2009 Zoning Plan and Map

The lot in the request (under the green star outlined in purple on the map) is in the R-5, Single Family Residential zoning district (mustard yellow color). The applicant is requesting that the lot be changed to the LM, Light Manufacturing zoning district (light purple) so he can relocate his business' office and dispatch center at this location. They are currently located on the property next door at 305 West Simonds, which is zoned LM. The LM district permits this type of land use. The light green color to the east of this area is currently zoned AG, Agriculture.

Meets Standard



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	Public water and sewer are already connected to the existing house, which will be used as the office and dispatch center for the business.
2. Will the land use be compatible with other area properties located nearby?	Yes	Lands to the northwest, southwest, and southeast are either already zoned Manufacturing or are being used for an Industrial purpose. They also match the requested zoning district.

REVIEW CRITERIA	STAFF ANALYSIS	
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, 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?	Yes	This request is being made so that the applicant can move his business' office to this location and then open and operate in the correct zoning district.
5. Will the use facilitate public convenience at that location?	Yes	The site is located on a classified major arterial and is within 1,500-feet of Highway 175.
6. Will the use conform to off-street parking and loading requirements?	No	No proposed plans for the site have been submitted. If changes are being made to the building or parking area, then Staff will require parking to be brought up to the current requirements.
7. Are all of the ingress, egress, and pedestrian ways adequate?	No	There is currently two (2) unpaved driveways accessing the lot. The driveway or parking area need to be paved. A sidewalk connecting the parking and the building will also have to be constructed if there currently isn't one.
8. Have safeguards limiting noxious or offensive emissions, including light, noise, glare, dust, and odor been addressed?	No	The property is currently surrounded by a number of other commercial and industrial uses in the area. Staff will be confirming these safeguards have all been addressed before a Certificate of Occupancy is issued.
9. Will the proposed landscaping and screening be compliant with all City regulations?	No	Staff will determine if the site is compliant or needs to be improved to meet these regulations before a Certificate of Occupancy is issued.
10. Will the signage be compliant with those portions of the Municipal Code?	Yes	Staff will require the code to be met when any application is submitted. No application has been submitted yet.
11. Will all open space(s) be maintained by the owner/developer?	Yes	Any areas not maintained will be subject to enforcement actions available through existing legal avenues including, but not limited to, Code Enforcement, tickets, and court decisions.
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?	Yes	The existing lot dimensions exceed code minimums. The existing structure also meets all requirements. Any new driveways, parking areas, structures, and/or expansion of these will require permits and confirmation that all minimums continue to be met.
13. Will granting the permit be authorizing less than the minimum requirements in regards to height, area, setbacks, parking, or landscaping?	No	There are no proposed structures at this time. Any proposed structures will have to all codes at the time they are applied for.
14. Have the provisions of the existing master thoroughfare plan been met to protect the public interest?	No	It is unclear if sufficient right-of-way has been previously dedicated. Staff will be requesting any required right-of-way when platting occurs.
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 be Commercial.
16. Have the provisions of any existing capital improvements plan been met to protect the public interest?	Yes	There currently is no active capital improvement plan. The most recent plan (2008) has completed all improvements, but the pay-off has not yet been finalized.

**STAFF REPORT
Z2018-15**

REVIEW CRITERIA	STAFF ANALYSIS	
17. Have the provisions of any community facilities plan been met to protect the public interest?	N/A	Changing the zoning of parcels is not affected by the community facilities portion of any city Plan.
18. Have the provisions of any other adopted document for providing required necessary public facilities been met to protect the public interest?	N/A	Chapter 8 (Public Facilities) of the 2002 Comprehensive Plan addresses municipal facilities primarily. Changing the zoning of parcels does not affect the provisions of any city Plan.

Public Comments Received: Besides the parcel in question, there are six (6) other properties plus one (1) parcel for a public street within 200-feet of the boundary of the subject area. The owners of each parcel were notified in compliance with the 200-foot rule by mail on Friday, September 21, 2018. A legal ad was also published per the Texas Local Government Code in the Friday, September 21, 2018 edition of the Daily Commercial Record newspaper. Prior to the Planning and Zoning Commission meeting on Tuesday, October 9, 2018, one (1) letter had been returned as undeliverable by the U.S. Postal Service. No (zero) property owners at the Planning and Zoning Commission meeting. As of the date of this report, October 30, 2018, no (zero) additional property owners have responded in writing or verbally for or against the request. One (1) additional letter has been returned as undeliverable by the U.S. Postal Service. Any responses received after the emailing of the packet to the Council will be available for review at the meeting.

Other Staff Comments: Below is a table that compares the types of land uses listed in the zoning code for each zoning district. The table to the right depicts the symbols for which land uses that would be permitted, prohibited, or require a special use permit in each district. The land use table is arranged by zoning district and then each district is listed alphabetically. **Note:** Language in each of the “higher” (more intense) business districts specifies that the uses permitted in the “lower” zoning districts are allowed without being specifically listed each of those uses again.

Land Use Table Key:	Zoning District:
P = Permitted land use	R-5 , Residential Single-family
S = Special Use Permit (SUP) required	O , Office
A blank box in the table means that land use is <i>prohibited</i> in that zoning district.	LR , Local Retail
	C , Commercial
	LM , Light Manufacturing

Type of Land Use	Zoning District				
	R-5	O	LR	C	LM
Accessory buildings	P				
Addition of pre-packaged food or beverages sales to a retail or business already operating	S	S	S	S	S
Airport or airport facilities	S	S	S	S	S
Art gallery	P	P	P	P	P
Breezeway attaching accessory to the main building	P				
Carnival	S	S	S	S	S
Cemetery	S	S	S	S	S
Children’s home on 5 acres or more	S	S	S	S	S
Church or religious worship facility	P				
Circus	S	S	S	S	S
Commercial amusement, temporary	S	S	S	S	S
Community building on 3 acres or more	S	S	S	S	S
Concrete batching plant	S	S	S	S	S
Convalescent home on 5 acres or more	S	S	S	S	S
Daycare or nursery with fewer than four unrelated children	P				
Daycare or nursery with more than four unrelated children	S	S	S	S	S
Detached dwelling for servants employed on-site	P				
Dog kennels on farm of 5 acres or more	S	S	S	S	S
Drive-in theatre on 10 acres or more	S	S	S	S	S

Type of Land Use	Zoning District				
	R-5	O	LR	C	LM
Driving range	S	S	S	P	P
Earth excavation	S	S	S	S	S
Educational institutions	S	S	S	S	S
Electrical public utility regulating station	S	S	S	S	S
Farm without on-site retail or wholesale business	P				
Fire station	P				
Garden without on-site retail or wholesale business	P				
Golf course without driving range	P				
Government use - local, county, state, federal	S	S	S	S	S
Gravel excavation	S	S	S	S	S
Greenhouse	S	S	S	S	S
Greenhouse without on-site retail or wholesale business	P				
Homes for narcotics on 20 acres or more	S	S	S	S	S
Homes for the alcoholic on 20 acres or more	S	S	S	S	S
Homes for the feeble-minded on 20 acres or more	S	S	S	S	S
Homes for the insane on 20 acres or more	S	S	S	S	S
Hospital on 5 acres or more	S	S	S	S	S
Kindergarten - public or private	S	S	S	S	S
Landing airfield or facilities	S	S	S	S	S
Library	P	P	P	P	P
Maternity home on 5 acres or more	S	S	S	S	S
Miniature golf course	S	S	S	P	P
Miniature train ride	S	S	S	S	S
Mixed-Use projects of private housing and shopping center on 3 acres or more	S	S	S	S	S
Museum	P				
Natural gas public utility regulating station	S	S	S	S	S
Neighborhood recreation center (swimming pool, social or hobby rooms)	P				
Normal household pets	P				
Nursery	S	S	S	S	S
Nursery school - public or private	S	S	S	S	S
Nursery without on-site retail or wholesale business	P				
Old people's home on 5 acres or more	S	S	S	S	S
Orchard without on-site retail or wholesale business	P				
Park	P				
Passenger train station	P				
Philanthropic institutions	S	S	S	S	S
Playgrounds	P				
Pony rides	S	S	S	S	S
Private carport and/or garage	P	P	P	P	P
Private school, equivalent to a public school	P	S	S	S	S
Public school (elementary through high school)	P	S	S	S	S
Public stable on 5 acres or more	S	S	S	S	S
Public utility - privately or publicly owned	S	S	S	S	S
Radio or television broadcasting stations	S	S	S	S	S
Radio or television broadcasting towers	S	S	S	S	S
Radio or television transmitter tower	S	S	S	S	S
Railway right-of-way and tracks, passenger station but not including railroad yards, team tracks or storage yards	P				
Religious institutions	S	S	S	S	S
Riding academy on 5 acres or more	S	S	S	S	S
Rock quarry	S	S	S	S	S
Rodeo	S	S	S	S	S

**STAFF REPORT
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Type of Land Use	Zoning District				
	R-5	O	LR	C	LM
Sale of pre-packaged food/beverages, in combination, that exceeds 10% of an establishment's gross annual sales revenues	S	S	S	S	S
Sand excavation	S	S	S	S	S
Sewage treatment plant	S	S	S	S	S
Single-family residence (detached)	P				
Telephone exchange without office, repair or storage facilities	P				
Temporary and seasonal sales establishment, such as flea market or produce stand	S	S	S	S	S
Temporary buildings to be used for construction purposes only	P				
Travel trailer park	S	S	S	S	S
Veterinary hospital on 5 acres or more	S	S	S	S	S
Water pumping plant	P				
Water supply reservoir	P				
Water tower or artesian well	P				
Wind energy conversion system (WEC)	S	S	S	S	S
Railway ROW & tracks, but no railroad yards, team tracks or storage yards	P				
Ambulance service		P	P	P	P
Architect or engineers' offices		P	P	P	P
Attorneys' offices		P	P	P	P
Business offices		P	P	P	P
Consultants' offices		P	P	P	P
Doctors' & dentists' offices		P	P	P	P
Equipment storage (no repairs)		P	P	P	P
Financial offices		P	P	P	P
General offices		P	P	P	P
Multi-family dwelling units		S	S	S	S
Personal services		P	P	P	P
Political offices		P	P	P	P
Professional offices		P	P	P	P
Real estate offices		P	P	P	P
Records warehousing & storage		P	P	P	P
Salesman's offices		P	P	P	P
Single-family dwelling units		S	S	S	S
Antique shop			P	P	P
Aquarium			P	P	P
Auto laundry inside a building without boiler, heating & steam-cleaning facilities			P	P	P
Auto repair garage - all work inside a building			P	P	P
Auto seat covering			P	P	P
Bakery, retail			P	P	P
Bank			P	P	P
Barber & beauty shop			P	P	P
Bicycle repairs without outside storage or display			P	P	P
Bird & pet shops, retail			P	P	P
Book or stationery store			P	P	P
Bowling alley - if air-conditioned & soundproofed			P	P	P
Brewpub			S	S	S
Camera shop			P	P	P
Candy shop			P	P	P
Caterer			P	P	P
Cleaning & pressing shops smaller than 6,000 square feet			P	P	P
Cleaning, dyeing & laundry station for receiving & delivery of articles only			P	P	P
Clothing - retail sales only			P	P	P
Convenience store or mini-mart between 1,000 & 5,000 square feet			S	S	S

STAFF REPORT
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Type of Land Use	Zoning District				
	R-5	O	LR	C	LM
Curtain cleaning shop smaller than 6,000 square feet			P	P	P
Department store			P	P	P
Drive-in for food, beverage, or other service			S	S	S
Drive-in theatre			S		
Drive-through for food, beverage, or other service			S	S	S
Dyeing plant smaller than 6,000 square feet			P	P	P
Electric substation			P	P	P
Electrical goods, retail sales only			P	P	P
Electrical repairing - domestic equipment & autos, retail sales only			P	P	P
Event center in stand-alone building			S		
Exterminating company, retail			P	P	P
Feed store			S		
Film developing & printing			P	P	P
Fix-it shops without outside storage or display			P	P	P
Florist, retail sales only			P	P	P
Frozen food lockers, retail			P	P	P
Furniture repairs & upholstering, retail only without outside storage or display			P	P	P
Furniture store - retail			P	P	P
Gasoline/motor fuel sales			P	P	P
Gasoline/motor fuel sales, automated			P	P	P
Grocery store over 5,000 square feet			P	P	P
Hardware - retail sales only			P	P	P
Household & office appliances - retail			P	P	P
Household & office furniture - retail			P	P	P
Ice delivery station			P	P	P
Jewelry - retail			P	P	P
Job printing			P	P	P
Laundry - custom laundering & finishing smaller than 6,000 square feet without pickup or delivery			P	P	P
Letter & mimeograph shop			P	P	P
Meat market, retail sales only			P	P	P
Micro-brewery			S	S	S
Mortuary use in stand-alone buildings			S		
Motor raceway			S		
Moving picture theater			P	P	P
Novelty or variety shop			P	P	P
Nursery, retail sale of plants & trees			P	P	P
Office			P	P	P
Office building			P	P	P
Optical goods - retail			P	P	P
Outside display, new materials			P	P	P
Outside storage units			P	P	P
Paint - retail sales only			P	P	P
Parking lot without public garage for passenger cars & trucks			P	P	P
Pharmacy/drug store			P	P	P
Photographer's or artist's studio			P	P	P
Photographic supplies - retail			P	P	P
Piano & musical instruments, retail sales only			P	P	P
Plumbing shop without warehouse facilities, retail sales only			P	P	P
Portable storage units (PODs) - sales & storage			P	P	P
Public garage			P	P	P
Restaurant (dine-in only) over 4,000 square feet			P	P	P
Restaurant (dine-in only) smaller than 4,000 square feet			S	S	S

**STAFF REPORT
Z2018-15**

Type of Land Use	Zoning District				
	R-5	O	LR	C	LM
Restaurant (dine-in/convenience) over 4,000 square feet			P	P	P
Restaurant (dine-in/convenience) smaller than 4,000 square feet			S	S	S
Restaurant (fast food)			S	S	S
Restaurant (outdoor/patio dining)			S	S	S
Restaurant (private club)			S	S	S
Retail sales			P	P	P
Retail store or shop for custom work or the making of articles on-site			P	P	P
Roller skating rink			S		
Rug cleaning shop, chemical type, smaller than 6,000 square feet with all operations inside a building			P	P	P
Sample room			P	P	P
Seamstress, dressmaker, or tailor			P	P	P
Seed store			P	P	P
Shoe repair shop, retail sales only			P	P	P
Sporting goods - retail sales only			P	P	P
Studio for the display & sale of glass, china, art objects, cloth & draperies			P	P	P
Studios, dance, music, drama, health massage & reducing			P	P	P
Taxi stand			P	P	P
Tobacco shop			S	S	S
Tool sharpening, retail only without outside storage or display			P	P	P
Toys - retail sales only			P	P	P
Used car lot			S	P	P
Walk-up for food, beverage, or other service			S	S	S
Wallpaper - retail sales only			P	P	P
Washateria where the customer can wash & handle his laundry			P	P	P
Wearing apparel including clothing, shoes, hats, millinery & accessories			P	P	P
Wedding services in stand-alone building			S		
Wholesale sales office			P	P	P
Wine-tasting room			S	S	S
Aquarium, wholesale				P	P
Artificial flower manufacture				P	P
Artificial limb manufacture				P	P
Auto painting				P	P
Auto upholstery				P	P
Automobile dealers				P	P
Automobile laundry				P	P
Awning manufacture, cloth, metal, wood				P	P
Bakery, commercial				S	P
Bar				S	S
Beer tavern				S	S
Book bindery				P	P
Book printing				P	P
Bottling works with or without syrup manufacture				P	P
Bowling alley				P	P
Bus & truck storage				P	P
Cabinet shop				P	P
Candy manufacture				P	P
Canvas awning manufacture				P	P
Car barns				P	P
Carpenter shop				P	P
Carpet cleaning - with dustproof room & dust-catching equipment				P	P
Carting, express, hauling or storage				P	P
Cement storage				P	P

Type of Land Use	Zoning District				
	R-5	O	LR	C	LM
Ceramic products smaller than 6,000 square feet				P	P
Cleaning & dry cleaning establishment over 6,000 square feet				P	P
Clothing manufacture				P	P
Cold storage plant				P	P
Commercial amusement				P	P
Commercial colleges				P	P
Contractor's storage yard				P	P
Dance hall				S	S
Dog kennel				S	
Dry goods, wholesale & storage				P	P
Dyeing plant over 6,000 square feet				P	P
Egg candling & grading				P	P
Electrical & neon sign manufacture				P	P
Electrical repairing				P	P
Electro-plating; electro-tying				P	P
Engraving plant				P	P
Envelope manufacture				P	P
Feed store, wholesale & storage				P	P
Florist, wholesale				P	P
Food products manufacture, wholesale				P	P
Frozen food lockers, wholesale				P	P
Furniture auction sales				P	P
Furniture repair & upholstering - wholesale				P	P
Handcraft shop smaller than 6,000 square feet				P	P
Hauling, light or heavy				P	P
Homes for narcotics				S	
Homes for the alcoholic				S	
Homes for the feeble-minded				S	
Homes for the insane				S	
Household goods, storage				P	P
Ice cream manufacture				P	P
Ice manufacture				P	P
Job printing & book printing				P	P
Laundry, commercial				P	P
Leather products manufacture				P	P
Lithographing				P	P
Loading or storage tracks				P	P
Loose-leaf book manufacture				P	P
Lounge				S	S
Lumberyard (building material)				P	P
Market - public				P	P
Mattress making & renovating without dust precipitating equipment				P	P
Milk depot, wholesale				P	P
Millinery manufacture				P	P
Mirror re-silvering				P	P
Motel				P	P
Motion picture studio, commercial films				P	P
Motorcycle repairing				P	P
Moving & storage company				P	P
Newspaper printing				P	P
Night club				S	S
Optical goods manufacture				P	P

**STAFF REPORT
Z2018-15**

Type of Land Use	Zoning District				
	R-5	O	LR	C	LM
Outside display, used materials				S	S
Outside storage, new materials				S	P
Outside storage, used materials				S	S
Outside storage of any material over 8-feet tall				S	S
Paint mixing, but no cooking or baking operations				P	P
Paper products & paper box manufacture				P	P
Penal or correctional institutions for insane, feebleminded, liquor or narcotic				P	P
Photoengraving plant				P	P
Plastic products, molding, casting & shaping				P	P
Print shop				P	P
Printing equipment, supplies, repairs				P	P
Publishing company				P	P
Sale of manufactured homes on 3.5 acres or more				S	
Sale of mobile homes on 3.5 acres or more				S	
Schools - all types including trade & commercial colleges				P	P
Secondhand furniture				P	P
Seed store, wholesale sales & storage				P	P
Sheetmetal shop				P	P
Shoe store, wholesale sales & storage				P	P
Skating rink				P	P
Stone monument works - retail				P	P
Storage & sales of used auto parts & accessories without open storage or display				P	P
Storage of trucks, & gravel				P	P
Streetcar barns				P	P
Taxicab storage & repairs				P	P
Team tracks & unloading docks, railroads				P	P
Tire retreading & recapping				P	P
Tourist camp				P	P
Trade schools of all types				P	P
Transfer & baggage company				P	P
Travel center				S	S
Trunk manufacturing				P	P
Typesetting				P	P
Venetian blind manufacturing				P	P
Veterinary hospital				S	P
Warehouse, wholesale offices, sales & storage				P	P
Water distillation				P	P
Winery, boutique				S	S
Adding machine manufacture					P
Agricultural implement manufacturing					P
Aircraft parts manufacture					P
Airplane repair & manufacturing					P
Automobile assembly					P
Automobile parts manufacturing					P
Bag manufacturer & cleaning					P
Bank equipment manufacture					P
Blacksmith					P
Boiler manufacture & repair of boilers not exceeding 15 h.p.					P
Bolt & nut manufacture					P
Boot & shoe manufacture					P
Box & crate manufacture (other than paper)					P
Brewery					S

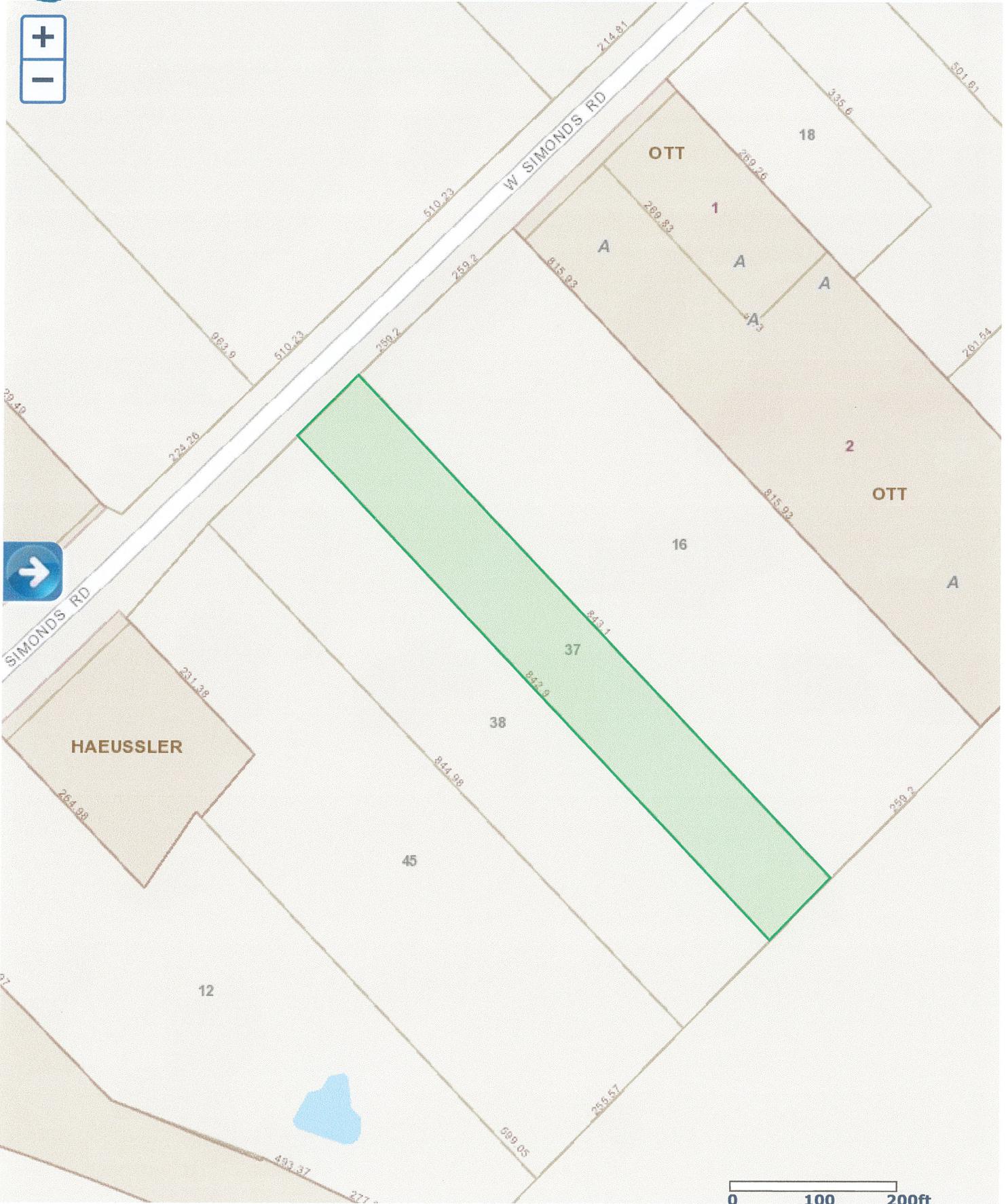
Type of Land Use	Zoning District				
	R-5	O	LR	C	LM
Broom manufacture					P
Building material machinery, or supplying having outside storage					P
Canning & preserving factory					P
Carbon battery manufacture					P
Cargo container					S
Carpet cleaning without dustproof cleaning rooms for dust catching, washing & scouring equipment					P
Celluloid & similar cellulose manufacture					P
Central station, light & power plant					P
Cereal mill					P
Chair manufacture					P
Cheese factory					P
Chick hatchery					P
Coal yard, coal hoist, coal pocket or coal car trestle					P
Coffin manufacture					P
Cooperage company					P
Cotton company					P
Cotton ginning, baling & compressing					P
Cotton oil mill					P
Cotton seed products manufacture					P
Dairy - wholesale					P
Disinfectant manufacture					P
Distillery					S
Dye manufacturing					P
Electric or acetylene welding					P
Electrical power plant					P
Electrical supply manufacture					P
Elevator manufacture					P
Enameling & painting					P
Feed mill					P
Fixture manufacture					P
Flour milling & grain storage & elevators					P
Food processing					P
Fur warehouse					P
Furniture manufacture					P
Gasoline, wholesale storage					P
Grain elevator					P
Hardware manufacture					P
Helicopter terminal					P
Horseshoeing					P
Hosiery mill					P
Insecticide manufacturing					P
Iron works, ornamental					P
Knit goods manufacture					P
Light agricultural implements manufacture					P
Livery stable					P
Machinery manufacture					P
Mattress factory					P
Mattress renovating					P
Metal products, stamping & manufacturing					P
Milk processing plant					P
Paper products manufacture					P
Pattern shop					P

**STAFF REPORT
Z2018-15**

Type of Land Use	Zoning District				
	R-5	O	LR	C	LM
Pecan processing					P
Petroleum, wholesale storage					P
Planing mill					P
Poultry feed manufacturer					P
Poultry slaughtering - dressing & storage					P
Printing ink manufacture					P
Public stable					P
Railroad yards - roundhouse or shop					P
Rice cleaning & polishing					P
Riding academy					P
Riding stable					P
Rock wool manufacture					P
Rug manufacture					P
Shoe factory					P
Stable					P
Stone cutting					P
Storage battery manufacturing					P
Storage of live poultry, or poultry dressing					P
Textile manufacture					P
Tool manufacture					P
Wood products manufacture					P
Woodworking shops					P
Winery					S



0 100 200ft





Zoning Map



ZONING APPLICATION

City of Seagoville, Texas

ANTICIPATED MEETING DATES: P&Z: 8/28 City Council: Sept. 17
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: _____

Physical Location of Property: 401. W. Simonds Rd Seagoville Texas 75159
[General Location -- approximate distance to nearest existing street corner]

Brief Legal Description of Property (must also attach accurate Surveyor's metes and bounds description): The property has an existing home and the rest is land.
[Survey/Abstract No. and Tracts; or platted Subdivision Name with Lots/Block]

Acreage: _____ Existing Zoning: _____ Requested Zoning: _____
[Attach a detailed description of requested zoning & development standards, if a PD]

Applicant / Owner's Name: Mahmoud Abdalla Applicant or Owner? (circle one)

Contact Person: Mahmoud Abdalla Title: OWNER

Company Name: ORANGE FREIGHT

Street/Mailing Address: 401. W. Simonds Rd. City: Seagoville State: Tx Zip: 75159

Phone: (817) 881-2602 Fax: () Email Address: Orange Freight Inc @gmail.com

Engineer / Representative's Name: _____

Contact Person: _____ Title: _____

Company Name: _____

Street/Mailing Address: _____ City: _____ State: _____ Zip: _____

Phone: () Fax: () Email Address: _____

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.)

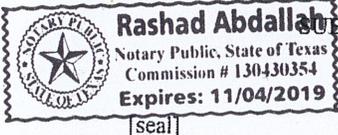
All applications must be COMPLETE before they will be scheduled for P&Z agenda. It is the applicant's responsibility to be familiar with, and to comply with, all City submittal requirements (in the Zoning & Subdivision Ordinances, and any separate submittal policies, requirements and/or checklists that 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: Mahmoud Abdallah Title: OWNER Date: 07/13/18



Subscribed and Sworn to before me, this the 13th day of July, 2018.
Notary Public in and for the State of Texas: [Signature]
My Commission Expires On: 11/04/2019

Office Use Only: Date Rec'd: 7/19/18 Fees Paid: \$ 250 Check #: 2052 Receipt #: 527817
Zoning Case # 22018-15 Accepted By: [Signature] Official Submittal Date: 7/19/18



September 20, 2018

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

**NOTICE OF PUBLIC HEARINGS
SEAGOVILLE CITY COUNCIL - CORRECTION
ZONING CASE Z2018-15**

A public hearing will be held by the Seagoville City Council on Monday, November 5, 2018, at 6:30 PM in the City Council Chambers of the Seagoville City Hall building at 702 North U.S. Highway 175; Seagoville, TX 75159 to consider the recommendation from the Planning and Zoning Commission on a request to change the current zoning on about 2-acres being the unplatted Tract 37 in the Herman Heider Abstract 541 Page 441 (commonly known as 401 West Simonds Road) from R-5, Residential Single Family, zoning district to the LM, Light Manufacturing, zoning district.

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 opportunity to voice your opinion about this project for the record. The second opportunity will be at the public hearing 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 Z2018-15 as it is described herein.

Additional Comments (attach additional sheets as necessary): _____

Signature(s): _____

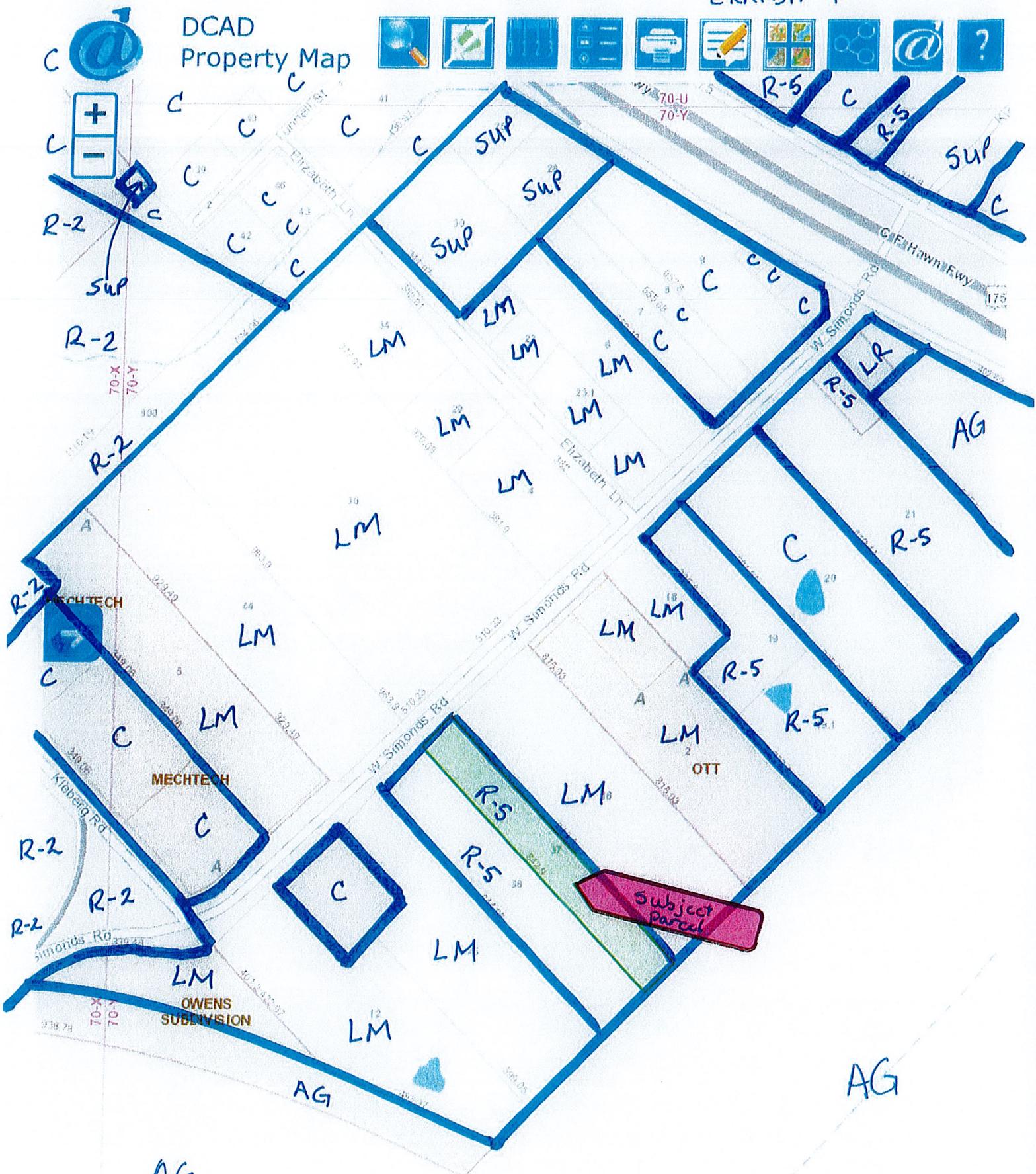
Printed Name(s): _____

Address: _____

City, State & Zip code: _____

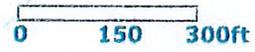
Phone Number: _____

DCAD
Property Map



AG

AG



Zoning Map

Property Owners List
Rezone of 401 West Simonds Road

Mailed out a total of 7 certified letters on Friday, September 21, 2018, before 5:00 PM

Subject or adjoiner?	Site Address	DCAD Account	Owner	Mailing Address 1	Address 2	Address 3	City	State	Zip
Subject	401 W. Simonds Road	65054149010370000	Seago Tire Services Inc.	2502 Royal Glen Court			Arlington	TX	76012-5549
Adjoiner	305 W. Simonds Road	65054149010160000	Seago Tire Services Inc.	305 West Simonds Road			Seagoville	TX	75159-2703
Adjoiner	306 W. Simonds Road	65054149010360000	Quality Trailer Products LP	1015 West Saint Germain Street			Saint Cloud	MN	56301-3459
Adjoiner	312 W. Simonds Road	65054149010440000	Ceco Concrete Construction LLC	10100 N.W. Ambassador Drive	Suite 400		Kansas City	MO	64153-2313
Adjoiner	409 W. Simonds Road	65054149010450000	Heico Realty Holding Company, LLC	c/o Ceco Concrete Construction LLC	10100 N.W. Ambassador Drive	Suite 400	Kansas City	MO	64153-2313
Adjoiner	403 W. Simonds Road	65054149010380000	GreenForest Landscaping & Maintenance, Inc.	P.O. Box 360486			Dallas	TX	75336-0486
Adjoiner	611 W. Simonds Road	65054152510010000	U.S.A.	1100 Commerce Street			Dallas	TX	75242-1001
Adjoiner									

Regular Session Agenda Item: 11

Meeting Date: November 5, 2018

ITEM DESCRIPTION

Discuss and consider an Ordinance of the City of Seagoville, Texas, amending the Comprehensive Zoning Ordinance and Map of City of Seagoville, as amended, by granting a change in zoning from R-5, Residential Single Family, to LM, Light Manufacturing, on approximately 2± acres of real property located at 401 West Simonds Road in the City of Seagoville, Dallas County, Texas, being legally described as Tract 37, Herman Heider Survey, Abstract 541 and being depicted in Exhibit "A", attached hereto and incorporated herein; providing for a repealing clause; providing for a savings clause; providing for a severability clause; providing for a penalty of fine not to exceed Two Thousand Dollars (\$2,000.00) for each offense; and providing for an effective date.

BACKGROUND OF ISSUE:

The applicant is requesting that the subject parcel (under the purple star outlined in orange on the map to the right) have the current zoning on about 2-acres of land at 401 West Simonds Road be changed from R-5, Residential Single Family, to LM, Light Manufacturing. He wants to operate his business' office and dispatch center at this location – which are uses not allowed in any residential zoning district. If a tower is needed for the dispatch center, a Special Use Permit (SUP) will need to be acquired before the building permit for the tower could be granted.

The parcel currently has a house (built in about 1955), one larger outbuilding (built in about 2000) and several smaller outbuildings. None of the smaller outbuildings are listed as improvements to the property on the DCAD website.

FINANCIAL IMPACT:

No city funds will be used for the development of this project.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

Besides the parcel in question, there are six (6) other properties plus one (1) parcel for a public street within 200-feet of the boundary of the subject area. The owners of each parcel were notified in compliance with the 200-foot rule by mail on Friday, September 21, 2018. A legal ad was also published per the Texas Local Government Code in the Friday, September 21, 2018 edition of the Daily Commercial Record newspaper. Prior to the Planning and Zoning Commission meeting on Tuesday, October 9, 2018, one (1) letter had been returned as undeliverable by the U.S. Postal Service. No (zero) property owners at the Planning and Zoning Commission meeting. As of the date of this report, October 30, 2018, no (zero) additional property owners have responded in writing or verbally for or against the request. One (1) additional letter has been returned as undeliverable by the U.S. Postal Service. Any responses received after the emailing of the packet to the Council will be available for review at the meeting.

The Commission voted six (6) to zero (0) in favor of recommending the approval of the request to change the current zoning on about 2-acres at 401 West Simonds Road (also known as the unplatted Tract 37 of the Herman Heider Abstract number 541 on page 490) from R-5, Residential Single Family, to the LM, Light Manufacturing, zoning district.

Staff recommends approval of this zoning change. This parcel is mostly surrounded by LM, Light Manufacturing zoning districts. The office portion of the proposed use would fit into any non-residential district. However, the dispatch center requires a minimum of Local Retail, since it is more like an ambulance service center and/or a taxi stand than an office.

EXHIBIT:

1. Ordinance (3 pages)

AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS

ORDINANCE NO. 25-2018

AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP OF THE CITY OF SEAGOVILLE, AS AMENDED, BY GRANTING A CHANGE IN ZONING FROM R-5, RESIDENTIAL SINGLE FAMILY, TO LM, LIGHT MANUFACTURING, ON APPROXIMATELY 2± ACRES OF REAL PROPERTY LOCATED AT 401 WEST SIMONDS ROAD IN THE CITY OF SEAGOVILLE, DALLAS COUNTY, TEXAS, BEING LEGALLY DESCRIBED AS TRACT 37, HERMAN HEIDER SURVEY, ABSTRACT 541 AND BEING DEPICTED IN EXHIBIT "A", ATTACHED HERETO AND INCORPORATED HEREIN; PROVIDING FOR A REPEALING CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING FOR 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 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, is heretofore amended, be and the same is hereby amended by granting a change in the zoning from the R-5, Residential Single Family, to LM, Light Manufacturing, on approximately 2± acres of real property located at 401 West Simonds Road in the City of Seagoville, Dallas County, Texas, being legally described as Tract 37, Herman Heider Survey, Abstract 541 and being depicted in Exhibit "A", attached hereto and incorporated herein

SECTION 2: That the property described shall be used only for the purposes set out in accordance with the City of Seagoville's Zoning Ordinance for LM, Light Manufacturing Districts, and all other ordinances, codes, and policies of the City of Seagoville, as amended.

SECTION 3: That all provisions of the Ordinances of the City of Seagoville, Texas, in conflict with the provisions of this ordinance as amended be hereby repealed and all other provisions not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 4: That should any sentence, paragraph, subdivision, clause, phrase, or section of this ordinance or the Comprehensive Zoning Ordinance, as amended hereby, be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance or the Comprehensive Zoning Ordinance as a whole, or any part or provision thereof, other than the part declared to be invalid, illegal, or unconstitutional.

SECTION 5: That any person, firm, or corporation violating, disobeying, neglecting, refusing to comply with, or resisting the enforcement of any of the provisions or terms of this ordinance or the Comprehensive Zoning Ordinance, as amended hereby, shall be subject to the same penalty of two thousand dollars (\$2,000.00) for each offense as provided for in the Comprehensive Zoning Ordinance of the City of Seagoville, as heretofore amended. Each and every day such a violation continues or is allowed to exist shall constitute a separate offense.

SECTION 6: 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 5th day of November, 2018.

APPROVED:

Dennis, K. Childress, Mayor

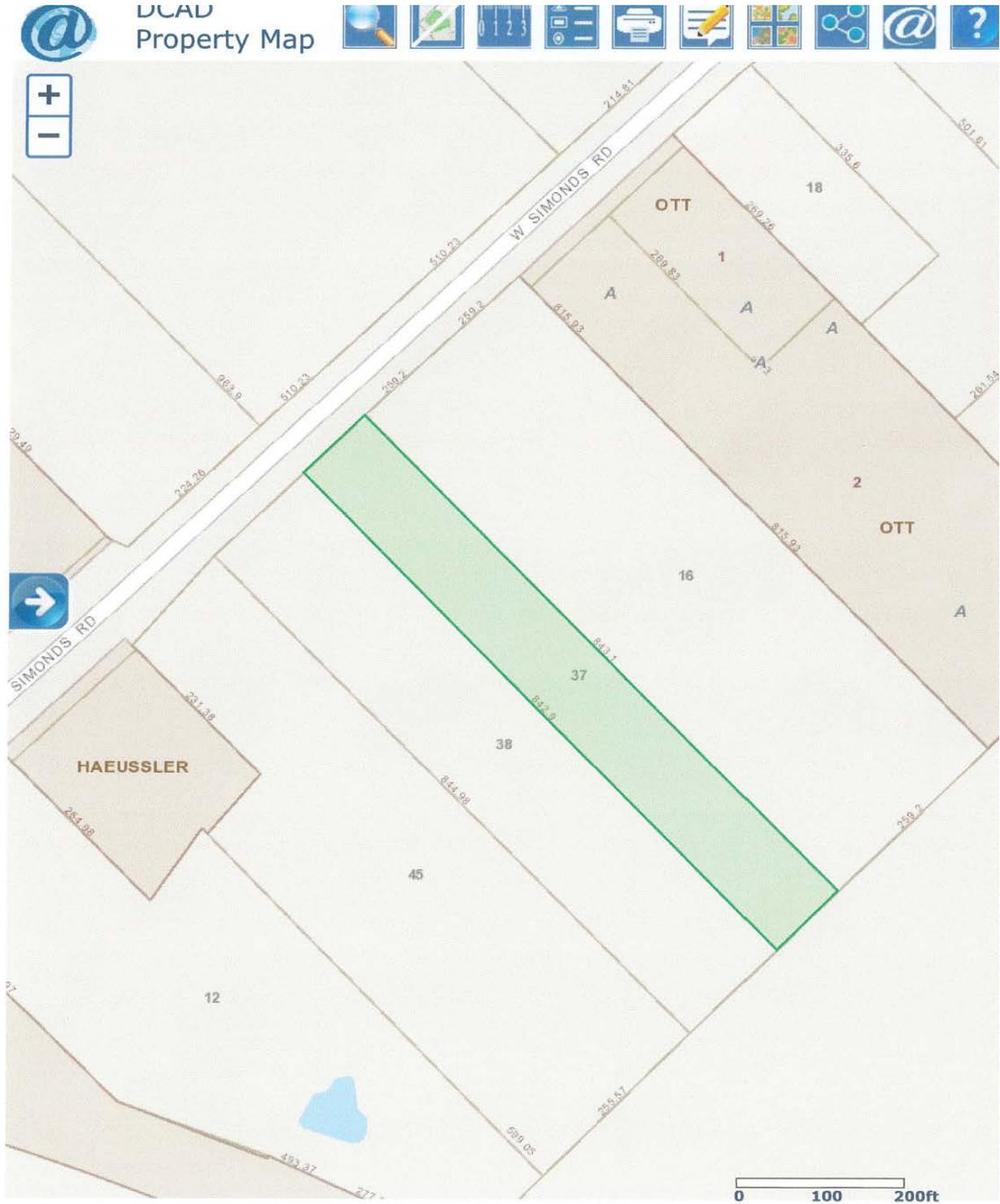
ATTEST:

Kandi Jackson, City Secretary

APPROVED AS TO FORM:

Alexis G. Allen, City Attorney
(/cdb 10/19/2018)

Exhibit "A"



Regular Session Agenda Item: 12

Meeting Date: November 5, 2018

ITEM DESCRIPTION

Discuss and consider approving a Resolution of the City of Seagoville, Texas, appointing Janice Mckee as Presiding Municipal Court Judge for a two-year term; providing for the repeal of all resolutions in conflict; providing a severability clause; and providing an effective date.

BACKGROUND OF ISSUE:

The term for Seagoville's current presiding Judge, Cathy Penn, ends November 17, 2018, and Judge Penn has indicated that she does not wish to renew her contract with the city, due to new employment obligations. The City Council is required to appoint municipal court judges, per Section 5.03 of the City Charter. Judge Mckee has served as an Associate Municipal Court Judge for the City of Seagoville for the past year.

FINANCIAL IMPACT:

This contract provides for payment on an hourly basis for services rendered.

RECOMMENDATION:

EXHIBITS

Resolution and Agreement

CITY OF SEAGOVILLE, TEXAS

RESOLUTION NO. 55-R-2018

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEAGOVILLE, TEXAS, APPOINTING THE PRESIDING JUDGE TO THE CITY OF SEAGOVILLE MUNICIPAL COURT OF RECORD; AUTHORIZING THE RELATED AGREEMENT FOR SERVICE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 5.03. of the Code of Ordinances of the City of Seagoville, Texas provides for the appointment of the Municipal Court Judge, who shall serve at the pleasure of the Council; and

WHEREAS, Janice Mckee presently serves as an Alternate Municipal Court Judge; and

WHEREAS, the current Presiding Municipal Court Judge has indicated that she does not wish to be reappointed to her position; and

WHEREAS, the City Council finds it to be in the public interest to appoint Janice Mckee as the presiding judge for the Seagoville Municipal Court of Record.

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

Section 1. Janice Mckee is hereby appointed to serve as the Presiding Municipal Court Judge for the Municipal Court of Record in the City of Seagoville, Texas, for a term of two years commencing November 17, 2018.

Section 2. The City Manager is hereby authorized to sign an agreement on behalf of the City with Judge Mckee setting forth her duties and responsibilities with respect to the office appointed and the professional service fees for performance of those duties.

Section 3. This Resolution shall be effective immediately upon its approval.

PASSED AND APPROVED this the 5th day of November, 2018

APPROVED:

Dennis K. Childress, Mayor

ATTEST:

Kandi Jackson, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Alexis G. Allen, City Attorney

THE STATE OF TEXAS

§

COUNTIES OF DALLAS/KAUFMAN

§

MUNICIPAL JUDGE AGREEMENT

§

This agreement is made by and between the City of Seagoville (herein called "City"), a home rule municipal corporation located in Dallas and Kaufman Counties, Texas, and Janice Mckee (herein called "Judge"), who has an office at 405 Ripplewood Drive, Mesquite, Texas 75150.

WITNESSETH:

1. The City, acting by and through its City Council, exercising its discretion pursuant to the City Charter, Code of Ordinances, and the laws of State of Texas hereby appoint Janice Mckee as the Municipal Judge of the Seagoville Municipal Court and agrees to compensate the Judge for her services as hereinafter set forth.

2. The Judge agrees to perform the services of Presiding Judge of the Seagoville Municipal Court and to maintain eligibility and the appropriate licenses as may be required by law to serve in such capacity for a term of two (2) years commencing the 17th day of November 2018 appointment, which shall conclude on the 17th day of November 2020.

3. Compensation shall be at a rate of sixty dollars (\$60.00) per hour, portal to portal, for services which would include presiding over municipal court proceedings for and on behalf of the Seagoville Municipal Court as its Presiding Judge, to conduct such services as may be required from time-to-time, including but not limited to, arraignments, issuance of search arrests and/or capias warrants, and such administrative duties and responsibilities as are necessary and incidental to the office of the Presiding Judge of the Municipal Court of the City of Seagoville.

4. The Judge shall provide time and billing records to the City to reflect the time dedicated to the service for and on behalf of the Municipal Court.

5. The Judge is not and shall not be deemed an employee of the City for any purpose and agrees that she serves solely as an independent contractor.

6. The Judge further acknowledges and shall not undertake to exercise her discretion as Presiding Judge from improper influences and shall act as she deems appropriate under her independent judgment as the Presiding Judge of the Municipal Court.

7. The Judge shall perform all services in accordance with the Code of Judicial Conduct applicable to judges of courts in the State of Texas and agrees to conduct herself in a judicial demeanor at all times in representing the City.

8. If the Judge is a licensed attorney or becomes a licensed attorney, the Judge is not precluded from performing such legal services in maintaining her private practice of law and nothing construed herein shall preclude her from maintaining her private legal practice.

9. The Judge hereby agrees not to knowingly undertake or involve herself in any matter that would compromise or conflict with her duties and responsibilities as the Municipal Court Judge or, if a licensed attorney, otherwise knowingly undertake to represent a client on a legal matter against the City.

10. The Parties to this agreement hereby acknowledge that the Judge can be removed for cause in accordance with State Law as provided for in such cases.

11. City agrees, with regard to the services provided herein, to indemnify and hold harmless the Judge for any act, claim or liability for negligence, gross negligence acting on behalf of the City and shall maintain adequate insurance or liability coverage to effectuate this provision.

12. This Agreement consists of this document, upon which the parties have affixed their signatures, and those documents specifically incorporated herein by reference, if any. This Agreement constitutes the entire agreement between the parties, with respect to the subject matter hereof, and supersedes all other previous statement, communications, or agreements, whether oral or written. No modification, alteration, or waiver of any provision hereof shall be binding upon the parties unless evidenced in writing and signed by both parties.

13. The City or the Judge may terminate this Agreement in accordance with state law. If the Agreement is terminated as provided herein, the Judge's fee would be paid for hours worked, which have not already been compensated, performing the services of the City covered by this Agreement.

14. This Agreement shall be renewed for an additional two (2) year term, except by giving written notice one hundred (100) days prior to its expiration date of November 5, 2020.

15. That the City shall pay an appropriate portion to reimburse the Judge's tuition and travel expenses, which shall include lodging and meals, for mandatory judicial continuing education. For the purposes of this Agreement, the appropriate portion shall be determined by the number of Courts wherein the Judge presides.

16. Both the Judge and the City represent that they have full capacity and authority to grant all rights and assume all obligations that they have granted and assumed under this Agreement.

17. The validity of this Agreement and any of its terms or provisions, as well as the rights and duties of the parties shall be governed by the law of the State of Texas and any venue for any action concerning this Agreement shall be in Dallas County, Texas.

18. In the event one or more of the provisions contained in the 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 the Agreement shall be constructed as if such invalid, illegal, or unenforceable provision had never been contained in it.

EXECUTED this ____ day of November, 2018.

**PRESIDING JUDGE
Janice Mckee**

By: _____

CITY OF SEAGOVILLE

By: _____
Pat Stallings, City Manager

ATTEST:

By: Kandi Jackson, City Secretary

Regular Session Agenda Item: 13

Meeting Date: November 5, 2018

ITEM DESCRIPTION

Discuss and consider approving a Resolution of the City of Seagoville, Texas, reappointing Kimberly Lafferty as Associate Municipal Court Judge for a two-year term; providing for the repeal of all resolutions in conflict; providing a severability clause; and providing an effective date.

BACKGROUND OF ISSUE:

Kimberly Lafferty has served as an Associate Municipal Court judge for the last two years. The term for this appointment expires this month. The City Council is required to appoint municipal court judges, per Section 5.03 of the City Charter. Judge Lafferty has expressed a desire to renew this appointment, to continue to serve the City as an Associate Municipal Court Judge.

FINANCIAL IMPACT:

This contract provides for payment on an hourly basis for services rendered.

RECOMMENDATION:

Staff recommends approval of the resolution appointing Kimberly Lafferty as Associate Municipal Court judge, and approving the agreement stating the duties and responsibilities related to the appointment.

EXHIBITS

Resolution and Agreement

CITY OF SEAGOVILLE, TEXAS

RESOLUTION NO. 56-R-2018

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEAGOVILLE, TEXAS, APPOINTING THE ALTERNATE ASSOCIATE MUNICIPAL JUDGE TO THE CITY OF SEAGOVILLE MUNICIPAL COURT OF RECORD; AUTHORIZING THE RELATED AGREEMENT FOR SERVICE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 5.03 of the Code of Ordinances of the City of Seagoville, Texas provides for the appointment of the Municipal Court Judges for the Seagoville Municipal Court, who shall serve at the pleasure of the Council; and

WHEREAS, Kimberly Lafferty presently serves as an Alternate Municipal Court Judge and wishes to be reappointment and renew her Agreement; and

WHEREAS, the City Council finds it to be in the public interest to appoint Kimberly Lafferty as the Alternate Associate Judge for the Seagoville Municipal Court of Record.

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

Section 1. Kimberly Lafferty is hereby reappointed to serve as the Alternate Associate Municipal Court Judge for the Municipal Court of Record in the City of Seagoville, Texas, for a term of two years commencing on the effective date of this Resolution, and the Agreement attached hereto is approved.

Section 2. The City Manager is hereby authorized to sign an agreement on behalf of the City with Judge Lafferty setting forth her duties and responsibilities with respect to the office appointed and the professional service fees for performance of those duties.

Section 3. This Resolution shall be effective immediately upon its approval.

PASSED AND APPROVED this the ____ day of November, 2018

APPROVED:

Dennis K. Childress, Mayor

ATTEST:

Kandi Jackson, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Alexis G. Allen, City Attorney

THE STATE OF TEXAS §
COUNTIES OF DALLAS/KAUFMAN § **ALTERNATE ASSOCIATE MUNICIPAL**
§ **JUDGE**

This agreement is made by and between the City of Seagoville (herein called "City"), a home rule municipal corporation located in Dallas and Kaufman Counties, Texas, and Kimberly Lafferty (herein called "Alternate Associate Municipal Judge), who has an office at 3100 Independence Parkway, Suite 311, Plano, Texas 75075.

WITNESSETH:

1. The City, acting by and through its City Council, exercising its discretion pursuant to the City Charter, Code of Ordinances, and the laws of State of Texas hereby appoints Kimberly Lafferty as an Alternate Associate Municipal Judge of the Seagoville Municipal Court and agrees to compensate the Alternate Associate Municipal Judge for her services as hereinafter set forth.
2. In the absence of both the Presiding and Associate Municipal Judge, the Alternate Associate Municipal Judge agrees to perform the services of Presiding Judge of the Seagoville Municipal Court and to maintain eligibility and the appropriate licenses as may be required by law to serve in such capacity for a term of two (2) years commencing the ____ day of November 2018 appointment, which shall conclude on the ____ day of November 20____.
3. Compensation shall be at a rate of sixty (\$60.00) per hour, portal to portal, for services which would include presiding over municipal court proceedings for and on behalf of the Seagoville Municipal Court as its Presiding Judge, to conduct such services as may be required from time-to-time, including but not limited to, arraignments, issuance of search arrests and/or capias warrants, and such administrative duties and responsibilities as are necessary and incidental to the office of the Alternate Associate Municipal Judge of the Municipal Court of the City of Seagoville.
4. The Alternate Associate Municipal Judge shall provide time and billing records to the City to reflect the time dedicated to the service for and on behalf of the Municipal Court.
5. The Alternate Associate Municipal Judge is not and shall not be deemed an employee of the City for any purpose and agrees that he serves solely as an independent contractor.
6. The Alternate Associate Municipal Judge further acknowledges and shall not undertake to exercise her discretion as Judge from improper influences and shall act as she deems appropriate under her independent judgment as the Presiding Judge of the Municipal Court.
7. The Alternate Associate Municipal Judge shall perform all services in accordance with the Code of Judicial Conduct applicable to judges of courts in the State of Texas and agrees to conduct herself in a judicial demeanor at all times in representing the City.

8. If the Alternate Associate Municipal Judge is a licensed attorney or becomes a licensed attorney, the Alternate Associate Municipal Judge is not precluded from performing such legal services in maintaining her private practice of law and nothing construed herein shall preclude her from maintaining her private legal practice.

9. The Alternate Associate Municipal Judge hereby agrees not to knowingly undertake or involve herself in any matter that would compromise or conflict with her duties and responsibilities as the Municipal Court Judge or, if a licensed attorney, otherwise knowingly undertake to represent a client on a legal matter against the City.

10. The Parties to this agreement hereby acknowledge that the Alternate Associate Judge can be removed for cause in accordance with State Law as provided for in such cases.

11. City agrees, with regard to the services provided herein, to indemnify and hold harmless the Alternate Associate Municipal Judge for any act, claim or liability for negligence, gross negligence acting on behalf of the City and shall maintain adequate insurance or liability coverage to effectuate this provision.

12. This Agreement consists of this document, upon which the parties have affixed their signatures, and those documents specifically incorporated herein by reference, if any. This Agreement constitutes the entire agreement between the parties, with respect to the subject matter hereof, and supersedes all other previous statement, communications, or agreements, whether oral or written. No modification, alteration, or waiver of any provision hereof shall be binding upon the parties unless evidenced in writing and signed by both parties.

13. The City or the Alternate Associate Municipal Judge may terminate this Agreement in accordance with state law. If the Agreement is terminated as provided herein, the Alternate Associate Municipal Judge's fee would be paid for hours worked, which have not already been compensated, performing the services of the City covered by this Agreement.

14. This Agreement shall be renewed for an additional two (2) year term, except by giving written notice sixty (60) days prior to its expiration date of November 2018.

15. That the City shall pay an appropriate portion to reimburse the Alternate Associate Municipal Judge's tuition and travel expenses, which shall include lodging and meals, for mandatory judicial continuing education. For the purposes of this Agreement, the appropriate portion shall be determined by the number of Courts wherein the Alternate Associate Municipal Judge presides.

16. Both the Alternate Associate Municipal Judge and the City represent that they have full capacity and authority to grant all rights and assume all obligations that they have granted and assumed under this Agreement.

17. The validity of this Agreement and any of its terms or provisions, as well as the rights and duties of the parties shall be governed by the law of *the* State of Texas and any venue for any action concerning this Agreement shall be in Dallas County, Texas.

18. In the event one or more of the provisions contained in the 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 the Agreement shall be constructed as if such invalid, illegal, or unenforceable provision had never been contained in it.

EXECUTED this ____ day of _____, 2018

ALTERNATE ASSOCIATE MUNICIPAL JUDGE

Kimberly Lafferty

CITY OF SEAGOVILLE, TEXAS

By: _____
Patrick Stallings, City Manager

Attest: _____
Kandi Jackson, City Secretary

Regular Session Agenda Item: 14

Meeting Date: November 5, 2018

ITEM DESCRIPTION

Discuss and consider approving a Resolution of the City of Seagoville, Texas, appointing Cathy Penn as an Alternate Associate Municipal Court Judge commencing on November 17, 2018 through December 23, 2018; providing for the repeal of all resolutions in conflict; providing a severability clause; and providing an effective date.

BACKGROUND OF ISSUE:

Cathy Penn has served as an Alternate Associate Municipal Court and/or the Presiding Judge since 2010. As a result of being elected to serve Rockwall County as Justice of the Peace, Judge Penn cannot renew her current contract with the City of Seagoville. However, she has expressed a desire to be appointed as Alternate Associate Municipal Court Judge for the period commencing on November 17, 2018 through December 23, 2018. The City Council is required to appoint municipal court judges, per Section 5.03 of the City Charter.

FINANCIAL IMPACT:

This contract provides for payment on an hourly basis for services rendered.

RECOMMENDATION:

Staff recommends approval of the resolution appointing Cathy Penn as an Alternate Associate Municipal Court judge, and approving the agreement stating the duties and responsibilities related to the appointment.

EXHIBITS

Resolution and Agreement

CITY OF SEAGOVILLE, TEXAS

RESOLUTION NO. 57-R-2018

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEAGOVILLE, TEXAS, APPOINTING THE ALTERNATE ASSOCIATE MUNICIPAL JUDGE TO THE CITY OF SEAGOVILLE MUNICIPAL COURT OF RECORD; AUTHORIZING THE RELATED AGREEMENT FOR SERVICE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 5.03 of the Code of Ordinances of the City of Seagoville, Texas provides for the appointment of the Municipal Court Judges for the Seagoville Municipal Court, who shall serve at the pleasure of the Council; and

WHEREAS, Cathy Penn ("Penn") has served the Seagoville Municipal Court as an Associate Judge or Presiding Judge since 2010 and

WHEREAS, Penn has recently been elected Justice of the Peace in Rockwall County, which prevents her reappointment as Presiding Judge; and

WHEREAS, Penn wishes to be appointed to serve the City of Seagoville as Alternate Municipal Judge through December 23, 2018; and

WHEREAS, the City Council finds it to be in the public interest to appoint Cathy Penn as an Alternate Associate Judge for the Seagoville Municipal Court of Record through December 23, 2018.

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

Section 1. Cathy Penn is hereby appointed to serve as an Alternate Associate Municipal Court Judge for the Municipal Court of Record in the City of Seagoville, Texas, commencing on November 17, 2018 through December 23, 2018.

Section 2. The City Manager is hereby authorized to sign an agreement on behalf of the City with Judge Penn setting forth her duties and responsibilities with respect to the office appointed and the professional service fees for performance of those duties.

Section 3. This Resolution shall be effective immediately upon its approval.

PASSED AND APPROVED this the ____ day of November, 2018

APPROVED:

Dennis K. Childress, Mayor

ATTEST:

Kandi Jackson, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Alexis G. Allen, City Attorney
(:cdb 11/01/2018)

THE STATE OF TEXAS §
COUNTIES OF DALLAS/KAUFMAN § **ALTERNATE ASSOCIATE MUNICIPAL**
§ **JUDGE**

This agreement is made by and between the City of Seagoville (herein called "City"), a home rule municipal corporation located in Dallas and Kaufman Counties, Texas, and Cathy Penn (herein called "Alternate Associate Municipal Judge), who has an office at 3021 Ridge Road, Suite 4, Rockwall, Texas 75032.

WITNESSETH:

1. The City, acting by and through its City Council, exercising its discretion pursuant to the City Charter, Code of Ordinances, and the laws of State of Texas hereby appoints Cathy Penn as an Alternate Associate Municipal Judge of the Seagoville Municipal Court and agrees to compensate the Alternate Associate Municipal Judge for her services as hereinafter set forth.

2. In the absence of both the Presiding and Associate Municipal Judge, the Alternate Associate Municipal Judge agrees to perform the services of Presiding Judge of the Seagoville Municipal Court and to maintain eligibility and the appropriate licenses as may be required by law to serve in such capacity commencing the 17th day of November 2018 appointment and shall conclude on the 23rd day of December 2018.

3. Compensation shall be at a rate of sixty (\$60.00) per hour, portal to portal, for services which would include presiding over municipal court proceedings for and on behalf of the Seagoville Municipal Court as its Presiding Judge, to conduct such services as may be required from time-to-time, including but not limited to, arraignments, issuance of search arrests and/or capias warrants, and such administrative duties and responsibilities as are necessary and incidental to the office of the Alternate Associate Municipal Judge of the Municipal Court of the City of Seagoville.

4. The Alternate Associate Municipal Judge shall provide time and billing records to the City to reflect the time dedicated to the service for and on behalf of the Municipal Court.

5. The Alternate Associate Municipal Judge is not and shall not be deemed an employee of the City for any purpose and agrees that he serves solely as an independent contractor.

6. The Alternate Associate Municipal Judge further acknowledges and shall not undertake to exercise her discretion as Judge from improper influences and shall act as she deems appropriate under her independent judgment as the Presiding Judge of the Municipal Court.

7. The Alternate Associate Municipal Judge shall perform all services in accordance with the Code of Judicial Conduct applicable to judges of courts in the State of Texas and agrees to conduct herself in a judicial demeanor at all times in representing the City.

8. If the Alternate Associate Municipal Judge is a licensed attorney or becomes a

licensed attorney, the Alternate Associate Municipal Judge is not precluded from performing such legal services in maintaining her private practice of law and nothing construed herein shall preclude her from maintaining her private legal practice.

9. The Alternate Associate Municipal Judge hereby agrees not to knowingly undertake or involve herself in any matter that would compromise or conflict with her duties and responsibilities as the Municipal Court Judge or, if a licensed attorney, otherwise knowingly undertake to represent a client on a legal matter against the City.

10. The Parties to this agreement hereby acknowledge that the Alternate Associate Judge can be removed for cause in accordance with State Law as provided for in such cases.

11. City agrees, with regard to the services provided herein, to indemnify and hold harmless the Alternate Associate Municipal Judge for any act, claim or liability for negligence, gross negligence acting on behalf of the City and shall maintain adequate insurance or liability coverage to effectuate this provision.

12. This Agreement consists of this document, upon which the parties have affixed their signatures, and those documents specifically incorporated herein by reference, if any. This Agreement constitutes the entire agreement between the parties, with respect to the subject matter hereof, and supersedes all other previous statement, communications, or agreements, whether oral or written. No modification, alteration, or waiver of any provision hereof shall be binding upon the parties unless evidenced in writing and signed by both parties.

13. The City or the Alternate Associate Municipal Judge may terminate this Agreement in accordance with state law. If the Agreement is terminated as provided herein, the Alternate Associate Municipal Judge's fee would be paid for hours worked, which have not already been compensated, performing the services of the City covered by this Agreement.

14. That the City shall pay an appropriate portion to reimburse the Alternate Associate Municipal Judge's tuition and travel expenses, which shall include lodging and meals, for mandatory judicial continuing education. For the purposes of this Agreement, the appropriate portion shall be determined by the number of Courts wherein the Alternate Associate Municipal Judge presides.

15. Both the Alternate Associate Municipal Judge and the City represent that they have full capacity and authority to grant all rights and assume all obligations that they have granted and assumed under this Agreement.

16. The validity of this Agreement and any of its terms or provisions, as well as the rights and duties of the parties shall be governed by the law of *the* State of Texas and any venue for any action concerning this Agreement shall be in Dallas County, Texas.

17. In the event one or more of the provisions contained in the 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 the Agreement shall be constructed as if such invalid, illegal, or unenforceable provision had never been contained in it.

EXECUTED this ____ day of _____, 2018

**ALTERNATE ASSOCIATE
MUNICIPAL JUDGE**

Cathy Penn

CITY OF SEAGOVILLE, TEXAS

By: _____
Patrick Stallings, City Manager

Attest:

Kandi Jackson, City Secretary

Regular Session Agenda Item: 15

Meeting Date: November 5, 2018

ITEM DESCRIPTION

Discuss and consider a Resolution of the City of Seagoville, Texas appointing member to initial 9-1-1 District Board; providing for the repeal of any and all Resolutions in conflict; providing for severability clause; and providing an effective date.

BACKGROUND OF ISSUE:

The North Central Texas Council of Governments (NCTCOG) currently administers 9-1-1 services on behalf of the City of Seagoville under the direction of the Texas Commission on State Emergency Communications. To pay for the provision of these 9-1-1 services, state law provides for a \$.50 fee to be collected each month on individual and business telephone bills. These fees are collected by the State Comptroller's office and the State Legislature determines how much of the funds from these fees are returned to our region. At this time, the state is holding a large amount of the funds generated by these fees.

In the 84th Session of the Legislature, a law was passed (SB 1108) allowing councils of governments to form 9-1-1 Districts whereby all fees collected from citizens and businesses within these districts are remitted directly to the districts to be used solely for the provision of 9-1-1 services. It also called for these districts to be governed by local elected officials from member counties and cities.

In 2016, the jurisdiction for the City of Seagoville passed a resolution supporting the formation of the 9-1-1 District within the NCTCOG region. This district will be created on December 3, 2018. State law stipulates that an initial board meeting be held to determine the size and qualification of a permanent board and to conduct other necessary business. The initial board will be comprised of elected officials appointed by their governing bodies through an official resolution. As an eligible jurisdiction, the City of Seagoville is entitled to appoint said representative, but are not required to do so.

FINANCIAL IMPACT:

There would be no negative financial impact to the City of Seagoville.

RECOMMENDATION:

Staff recommends the appointment of a City of Seagoville official to the 9-1-1 District Board

EXHIBITS

Resolution – Appointing a City of Seagoville Official to the 9-1-1 District

9-1-1 District Bylaws DRAFT

RESOLUTION NO. 58-R-2018

A RESOLUTION OF THE CITY OF SEGOVILLE, TEXAS APPOINTING A MEMBER TO THE INITIAL 9-1-1 DISTRICT BOARD OF MANAGERS; PROVIDING FOR THE REPEAL OF ANY AND ALL RESOLUTIONS IN CONFLICT; PROVIDING FOR SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the North Central Texas Council of Governments (NCTCOG) is the regional planning commission for the 16-county North Central Texas region and provides 9-1-1 service under contract with the Texas Commission on State Emergency Communications (CSEC); and,

WHEREAS, the jurisdictions receiving 9-1-1 services from NCTCOG have determined creating a regional emergency communication district pursuant to Texas Health & Safety Code Chapter 772.601 to locally administer such services is preferable; and,

WHEREAS, in April, 2016, the City of Seagoville passed a resolution/ordinance approving the district's creation; and,

WHEREAS, NCTCOG serves as the fiscal and administrative agent for the district consistent with Texas Health & Safety Code Chapter 772.609; and,

WHEREAS, the district is to be governed by a board of managers, with an initial board composed of primarily elected officials appointed by the governing bodies of participating counties and municipalities responsible for establishing the size of the board and the qualifications of board members; and,

WHEREAS, the City of Seagoville wishes to have an appointee serve on the initial board, count toward purposes of determining a quorum, and has identified a qualified individual to attend the initial board meeting anticipated to occur on December 5, 2018, in Arlington, Texas.

NOW, THEREFORE, BE IT HEREBY RESOLVED THAT:

Section 1. The City of Seagoville appoints _____ to serve on the initial North Central Texas 9-1-1 Emergency Communications District Board.

Section 2. This resolution shall be transmitted to NCTCOG.

Section 3. This resolution shall be in effect immediately upon its adoption.

APPROVED:

Dennis K. Childress, Mayor

ATTEST:

Kandi Jackson, City Secretary

APPROVED AS TO FORM:

Alexis G. Allen, City Attorney



**PROPOSED BYLAWS
OF THE
NORTH CENTRAL TEXAS
EMERGENCY COMMUNICATIONS DISTRICT (NCT9-1-1)**

ARTICLE I: CREATION AND AUTHORITY

- 1.1. The North Central Texas Emergency Communications District (hereinafter “NCT9-1-1” or “District”) was created pursuant to Chapter 772, Subchapter H, of the Texas Health and Safety Code through the passage of resolutions by County Commissioners Courts and City Councils within the District's service area.
- 1.2. The service area of the District consists of all cities within Collin, Ellis, Erath, Hood, Hunt, Johnson, Kaufman, Navarro, Palo Pinto, Parker, Rockwall, Somervell, and Wise counties not served by another emergency communications district, as well as the cities of Balch Springs, Cockrell Hill, Sachse, Seagoville, and Wilmer in Dallas County.
- 1.3. NCT9-1-1 is a political subdivision of the State and carries out essential governmental functions related to the provision of 9-1-1 emergency communications services to all jurisdictions served by the District.

ARTICLE II: BOARD OF MANAGERS

- 2.1. NCT9-1-1 shall be governed by a Board of Managers (hereinafter the “Board”), consisting of elected officials. Each member county may have one Board member, with the exception of the largest county by population, which may have up to six Board members. In addition, one Board member will represent all member cities located in Dallas County. Each Board member shall represent an entity that serves as a Public Safety Answering Point (PSAP). The Board shall be comprised of a maximum of 19 members.
- 2.2. The County Judge of each member county has responsibility to notify NCT9-1-1 of their Board member appointment, except that each member city in Collin County with a Public Safety Answering Point (PSAP) shall be responsible for notifying of its Board member's appointment and the member cities in Dallas County shall be responsible for mutually agreeing to and notifying of their Board member's appointment. Each Board member's term of office shall be two years. Terms will be staggered with half of the initial Board serving a one-year initial term. The length of a Board member's initial term will be determined by a lottery process at the first regularly scheduled meeting. Board members may serve multiple terms.
- 2.3. Regular meeting attendance is expected of Board Members. It is the responsibility of each jurisdiction with a serving Board member(s) to encourage and ensure attendance.
- 2.4. Vacancies occurring during the regular term of a Board Member will be filled for the remainder of the term through appointment consistent with Article 2.2. herein.
- 2.5. The Board shall meet at least quarterly and may meet more frequently as it determines necessary. Meetings will be held at NCT9-1-1 offices. Additional meetings may be called by the President, the Executive Director, or by written request of at least three Board members.
- 2.6. The officers of the Board shall be President, Vice-President and a Secretary, who shall be members



of the Board, and who shall be elected by the Board at its first meeting of each calendar year. Elected officers shall hold office for one (1) year, said term to begin immediately following the aforementioned meeting and continuing until the next election or until such time as a replacement has been duly elected. If both the President and Vice-President are absent at any meeting, Board Members in attendance shall designate a presiding officer pro tem. The President or other presiding Board Member shall vote only in case of a tie.

- 2.7. One-third (1/3) of the appointed Board members shall constitute a quorum for the transaction of business.
- 2.8. The Board shall appoint a technical advisory committee comprised of staff members from the public safety community within the District. Management level experience is preferred. The Board shall be empowered to appoint additional committees as deemed necessary to carry out Board business.
- 2.9. NCT9-1-1 is subject to, and shall operate in accordance with, the Texas Public Information Act and the Texas Open Meetings Act.
- 2.10.A Board member may be removed from his/her position on the Board for cause by a two-thirds majority vote by the total Board members.

ARTICLE III: BOARD OF MANAGERS RESPONSIBILITIES

- 3.1. The Board shall be the governing body of NCT9-1-1 and its duties shall include to name, control, and manage the district.
- 3.2. The Board shall annually adopt NCT9-1-1's strategic plan, budget, and service fee providing for current operation of the District.
- 3.3. The Board may adopt, alter or amend the policies of the District.

ARTICLE IV: ADMINISTRATION

- 4.1. In accordance with Sec. 772.609 of the Health and Safety Code, the Executive Director of the North Central Texas Council of Governments shall serve as the Executive Director of the District and be empowered to employ and compensate professional staff to perform NCT9-1-1 duties, which shall remain employees of the North Central Texas Council of Governments for all purposes
- 4.2. The North Central Texas Council of Governments shall function as the fiscal and administrative agent for the District, in accordance with Sec. 772.609 of the Health and Safety Code.

ARTICLE V: DISSOLUTION

- 5.1. The District may be dissolved by majority approval of a dissolution resolution by the Board (in accordance with Chapter 772.621 Health and Safety Code) and its duties will revert back to the North Central Texas Council of Governments.

ARTICLE VI: AMENDMENTS

- 6.1. The Board may amend these bylaws by a two-thirds (2/3) vote of the Board Members in office at a duly called meeting.
- 6.2. The proposed text of any amendment shall be furnished to all Board Members at least 10 calendar days prior to the meeting at which the amendment is to be considered by the Board.

Regular Session Agenda Item: 16

Meeting Date: November 5, 2018

ITEM DESCRIPTION:

Discuss and consider remanding to the Planning & Zoning Commission side yard or setback language for lots in all single-family residential zoning districts.

BACKGROUND OF ISSUE:

During the last couple of months there have been discussions about the quantity of area needed for side yards (also known as side setbacks) for structures.

Councilmember Harold Magill has requested that the size of side yards in all detached single – family residential zoning districts (subsection (b) of code §25.02.063 for R-1, §25.02.083 for R-2, §25.02.103 for R-3, §25.02.123 for R-4, and §25.02.153 for R-5) be revised to read similar to the effect of the language below.

- b. Side yard. There shall be a side yard on each portion of the lot that is not defined as a front or rear yard. Each side yard shall have a width of not less than 10% of the average lot width or 6-feet, whichever is smaller. When a lot has a property line along more than one street right-of-way, each yard along a street shall meet the requirements of a front yard.

FINANCIAL IMPACT:

No city funds will be used for the development of this project.

RECOMMENDATION:

Remand to the Planning & Zoning Commission for review of existing and drafting of new language for the side yard or setback language for lots in all single-family residential zoning districts.

EXHIBITS:

N/A

Regular Session Agenda Item: 17

Meeting Date: November 5, 2018

Item Description

Approval of Resolution No. 52-R-2018 approving an Amendment to the Professional Services Agreement with C&M Concrete to provide for additional scope of services to the emergency repairs on Seagoville Road in an amount not to exceed \$43,550.00 and authorizing the City Manager to execute said Amendment.

BACKGROUND OF ISSUE:

On August 20, 2018, the City Council approved entering into a Professional Services Agreement with C&M Concrete for the emergency paving repairs to certain area of Seagoville Road for a specific scope of services in an amount not to exceed \$169,728.28. C&M has completed said work as provided under the Agreement. Upon inspection by staff, it has been determined that additional work is necessary on the areas not provided for in the Professional Services Agreement to completely repair the road. Staff has met with C&M and they have agreed to perform the additional work and has provided the estimate for the same.

Based on the foregoing, staff recommends approval of an Amendment to the Professional Services Agreement to allow C&M Concrete to perform the additional repairs to Seagoville Road in an amount not to exceed forty-three thousand five hundred fifty dollars and no cents (\$43,550.00).

FINANCIAL IMPACT:

\$ 43,550.00

EXHIBITS

Resolution No. 52-R-2018
Amendment to Professional Services Agreement, with the Estimate attached thereto

THE CITY OF SEAGOVILLE, TEXAS

RESOLUTION NO. 52-R-2018

A RESOLUTION OF THE CITY OF SEAGOVILLE, TEXAS, APPROVING AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH C&M CONCRETE TO PROVIDE FOR ADDITIONAL SCOPE OF SERVICES TO THE EMERGENCY REPAIRS ON SEAGOVILLE ROAD IN AN AMOUNT NOT TO EXCEED \$43,550.00, WHICH IS ATTACHED HERETO AND INCORPORATED HEREIN AS ATTACHMENT 1; AUTHORIZING THE CITY MANAGER TO EXECUTE SAID AMENDMENT; PROVIDING FOR A REPEALING CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Resolution No. 34-R-2018 passed and approved on August 20, 2018, authorized the City Manager to execute a Professional Services Agreement ("Agreement") with C&M Concrete ("Contractor") for the emergency paving repairs as set forth in the scope of services therein to a specific area of Seagoville Road in an amount not to exceed \$169,728.28; and

WHEREAS, Contractor has now completed said scope of services and is currently in the cleanup process; and

WHEREAS, upon inspection, staff has determined that additional repairs are required in the same area of Seagoville Road specified in the Agreement; and

WHEREAS, Contractor has agreed to perform the additional repairs in an amount not to exceed forty-three thousand five hundred fifty dollars and no cents (\$43,550.00); and

WHEREAS, the City Council for the City of Seagoville, Texas finds it to be in the best interest of the City of Seagoville to approve the amendment to the Professional Services Agreement with Contractor to provide for additional scope of services to the emergency repairs on Seagoville Road in an amount not to exceed \$43,550.00.

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

Section 1. That the City Council hereby approves the Amendment to the Professional Services Agreement with C&M Concrete to provide for additional scope of services to the emergency repairs on Seagoville Road in an amount not to exceed \$43,550.00, which is attached hereto and incorporated herein as Attachment "1", and hereby authorizes the City Manager to execute said Amendment.

Section 2. That any prior Resolutions of the City Council of the City of Seagoville, Texas, in conflict with the provisions contained in this Resolution are hereby repealed and revoked.

Section 3. That if any article, paragraph, clause or provision of this Resolution be adjudged invalid or held unconstitutional for any reason, such judgement or holding shall not affect the validity of this Resolution, as a whole or any part or provision thereof, other than the part so declared to be invalid or unconstitutional.

Section 4. That this resolution shall take effect immediately from and after its passage and it is accordingly so resolved.

PASSED AND APPROVED by the City Council of the City of Seagoville, Texas this 5th day of November, 2018.

APPROVED:

Dennis K. Childress, Mayor

ATTEST:

Kandi Jackson, City Secretary

APPROVED AS TO FORM:

Alexis G. Allen, City Attorney
(:cdb 11/01/2018)

**Amendment to Professional Services Agreement
Between City of Seagoville and C&M Concrete**

This **Amendment to the Professional Services Agreement** (“Amendment”) is made as of the Effective Date by and between the City of Seagoville, Texas, (“Seagoville”) and C&M Concrete, (“Contractor”). Seagoville and Contractor are collectively herein referred to as “Parties”.

RECITALS

WHEREAS, the Parties previously entered into that certain *Professional Services Agreement* effective August 20, 2018 (“the Agreement”), relating to the emergency repairs of that specific portion of Seagoville Road; and

WHEREAS, the Agreement provides for the scope of services and the maximum amount; and

WHEREAS, the Parties find it necessary to amend the Agreement to provide for additional services to be performed on that specific portion of Seagoville Road; and

WHEREAS, the Parties desire to amend the Professional Services Agreement to provide for the additional services and additional costs for said services as set forth in Exhibit A, attached hereto and incorporated herein,

NOW, THEREFORE, the Parties agree as follows:

1.0 That pursuant to Section 6.5 of the Professional Services Agreement, said Agreement is hereby amended to provide for additional scope of services to be performed by the Contractor in an amount not to exceed forty-three thousand five hundred fifty dollars and no cents (\$43,550.00), which is attached hereto and incorporated herein as Exhibit “A”.

2.0 That except as amended herein above, the Parties ratify and affirm the Agreement remains in full force and effect without amendment.

3.0 This Amendment shall be effective when signed by authorized representatives of each of the Parties (“the Effective Date”).

(Signatures on Following Page)

SIGNED AND AGREED this ____ day of _____ 2018.

City of Seagoville, Texas

By: _____
Patrick Stallings, City Manager

SIGNED AND AGREED this ____ day of _____ 2018.

C&M Concrete

By: _____
Chris Bowen, Owner

ATTEST:

Kandi Jackson, City Secretary

APPROVED AS TO FORM:

Alexis G. Allen, City Attorney

Exhibit "A"



C&M Concrete
 362 Linkview Drive
 Duncanville, TX 75137
 (972) 965-4781
 chris@concretepaving.net

Number: E1449
 Date: 10/26/2018

Bill To:

Patrick Stalling City Of Seagoville 702 N HWY 175 Seagoville, TX, 75159
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Ship To:

Seagoville RD

PO Number	Terms	Customer #	Project
			Street Paving (Di

Description	Quantity	Rate	Amount
62' x 12'-6" x 8" inside lane North side	86.80	\$75.00	\$6,510.00
62' x 12'-6" x 8" outside lane North side	86.80	\$75.00	\$6,510.00
111' x 12'-6" x 8" inside lane north side	155.40	\$75.00	\$11,655.00
60' x 12'-6" x 8" outside lane north side	84.00	\$75.00	\$6,300.00
40' x 12'-6" insidelane south side	56.00	\$75.00	\$4,200.00
335 lf Curb Total	335.00	\$25.00	\$8,375.00

SubTotal	\$43,550.00
0.00% on \$0.00	\$0.00
0.00% on \$0.00	\$0.00
Total	\$43,550.00

Regular Session Agenda Item: 18

Meeting Date: November 5, 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 salutory 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 salutory 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: 19

Meeting Date: November 5, 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

Executive Session Agenda Item: 20

Meeting Date: November 5, 2018

ITEM DESCRIPTION:

Executive Session

Recess into Executive Session in compliance with Texas Government Code:

Section § 551.074 Personnel, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee to wit: Municipal Judges.

BACKGROUND OF ISSUE:

N/A

FINANCIAL IMPACT:

N/A

EXHIBITS:

N/A

Executive Session Agenda Item: 21

Meeting Date: November 5, 2018

ITEM DESCRIPTION:

Reconvene into Regular Session

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

Section §551.074 Personnel, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee to wit: Municipal Judges

BACKGROUND OF ISSUE:

N/A

FINANCIAL IMPACT:

N/A

EXHIBITS:

N/A