



MINUTES

for the
SEAGOVILLE PLANNING AND ZONING COMMISSION

**Meeting scheduled to begin at
6:30 p.m. on Tuesday, September 25, 2018**
in the City Hall Council Chambers
at 702 North U.S. Highway 175; Seagoville, Texas

Chairman Mike Dupuis called the meeting to order at 6:31 p.m.

Commissioners present: Commissioner & Chairman Mike Dupuis
Commissioner Howard Sanders
Commissioner David Grimes
Commissioner Lowell Sherman

Commissioners absent: Vice-Chairman Scott Englert (father in hospital)
Commissioner James Sudduth
Position 3 is vacant.

City Staff present: City Manager Patrick Stallings
City Secretary Kandi Jackson
Staff Attorney Alexis Allen

Commissioner Lowell Sherman gave the invocation and then led those present in the Pledge of Allegiance.

1. **Approval of Minutes:** Commissioner David Grimes moved to accept the minutes of the August 28, 2018, meeting. Commissioner Howard Sanders seconded the motion. The commissioners voted unanimously (four to zero) by a show of hands to accept the minutes as presented.
2. **Calendar Discussion:** Chairman Dupuis reminded everyone that at our meeting on August 28th, the group decided to cancel the second meeting of the P&Z in December 2018. The Chairman asked if there was any further discussion. As there was not, he asked for a motion. Commissioner Grimes moved that there not be a second P&Z meeting in the month of December 2018. Commissioner Sherman seconded the motion. By a show of hands, the vote was unanimous (four to zero) to cancel the second meeting in December.
3. **Public Hearings:**
 - A. **Request Z2018-19:** Chairman Dupuis asked for a staff report. City Manager Pat

Stallings gave a summary of the report and Staff's recommendation to recommend approval of the change in zoning from the R-5, Residential Single Family, zoning district to the LR, Local Retail, zoning district to the City Council. The 2002 Future Land Use Plan and Map shows this area to become Retail. Chairman Dupuis asked the Commissioners if they had any questions about this item. He explained that his understanding is that there are no development plans at this time.

The chairman asked the applicant Jack Wilson to come forward and state his case. Mr. Wilson stated that he would like to being by read to the audience the letter he addressed to the Planning and Zoning Commission and City Council where explains his reasoning on for the request. (A copy was included in each of the commissioner's packet as part of Exhibit 5.) As he had no additional comments at this time, he returned to his seat. The chairman opened the period for public comments at 6:39 pm.

Ms. Donna Martin of 301 Avenue C approached the podium and began to speak. She has lived there 25 years. She loves her neighbors and neighborhood. Likes the nice quiet area. She does not want a business to move into the area. Understands that the change in zoning would allow an increase in the amount of taxes and city revenue collected, but there are other locations that re growing that she feels should be filled up first. Walkers – children and older folks - in the neighborhood. Because there weren't any businesses any closer than there are, was one of the reasons they bought the property. She hopes the commissioners will consider that when they make their decision. She then returned to her seat.

Mr. Mero Ruiz of 211 Avenue C approached the podium. He wanted to speak against the change because the newly zoned property would butt up against the back of his house. He just wants to make sure the commission knew that he didn't want a business behind his house. He then returned to his seat. No one else approached to podium to speak so Chairman Dupuis closed the public hearing at 6:41 pm. The chairman reminded everyone that they are welcome to stay and observe but may not comment or otherwise interrupt the meeting.

Commissioner Grimes was asked first for any comments, questions, or concerns. As the chairman lives within the neighborhood of the request, he recused himself from the room before the discussion began. As the vice-chair is not present tonight, two (2) of the remaining members of the Commission made the following decision. Commissioner Sherman moved to make Commissioner Sanders the Interim Chair for the rest of this discussion. Commissioner Grimes seconded the motion. No vote was cast as there were only 3 commissioners in the room.

Commissioner Grimes did state that he had a question. He asked if the City Manager if he knew why the lots were never sold for houses – too small, something else? The Manager said he didn't know, but the applicant might know. Mrs. Wilson stated that one of these 2 lots had had a house on it, but it was moved to another location during the

process of construction by the State of Texas for the new alignment of Highway 175 (which used to follow Kaufman Street). Commissioner Grimes stated he was just curious about what had been there prior to the highway since the one lot in the request is just too small to build upon.

Commissioner Sherman asked about the 2 lots across Avenue B. Are they zoned LR? City Manager Pat Stallings replied that those lots are also currently zoned R-5, and are the second agenda item tonight because the applicants are asking that those lots also be changed to LR zoning.

Interim Chair Sanders stated that he had no questions or concerns that hadn't been addressed. He asked if those present were ready to vote. Commissioner Grimes moved to recommend approval of the zoning change of 209 and 211 Avenue B. Commissioner Sherman seconded the motion. By a show of hands, the vote was unanimous (three to zero) in favor of the change.

- B. Request Z2018-20:** Interim Chair Sanders asked for a staff report. City Manager Pat Stallings gave a summary of the report and Staff's recommendation to recommend approval of the change in zoning from the R-5, Residential Single Family, zoning district to the LR, Local Retail, zoning district to the City Council. Again, the 2002 Future Land Use Plan and Map shows this area to become Retail.

The applicant Mr. Wilson asked if he had any additional comments on these lots. He stated that he has the same comments and letter from before. The public hearing was then opened at 6:48 pm. Ms. Donna Martin of 301 Avenue C was the first to approach. She has the same comments and concerns as previously stated. Mr. Mero Ruiz of 211 Avenue C approached the podium. He has the same comments and concerns as previously stated. Ms. Priscilla Duncan of 204 Avenue B arose in the audience (not at the podium) and stated she also is against the change. Since no one else rose to approach the podium to speak, Interim Chair Sanders closed the public hearing at 6:49 pm. The commissioner discussion followed.

Commissioner Grimes had the same questions as the last item. The Wilsons knew that one of the lots had had a house that was moved, but didn't know about the other lots. Commissioner Sherman said this would then change everything along this frontage road would then be commercial. Manager Stallings said, said no these would be Local Retail. City Council denied Commercial the first time this request was heard. That is why the applicants are back with a Local Retail request in this rezoning application.

Interim Chair Sanders stated that he had no questions or concerns that hadn't been addressed. Commissioner Grimes asked then that the Future Land Use Plan and Map was expecting this area to become Local Retail or Commercial. Manager Stallings stated that his understanding is that in 2002 when the Future Land Use Plan and Map was put into effect that the properties along today's alignment of Highway 175 would be some

sort of Retail, Commercial, Planned Development, or Special Use Permit (SUP). Nothing residential except maybe apartments. Commissioner Grimes wondered how these pieces of property then were missed. Manager Stallings stated that the zoning is old – prior to the 2002 Comprehensive City Plan which had the Future Land Use Plan as part of it. Not sure of the platting date, but definitely older than most of us here tonight.

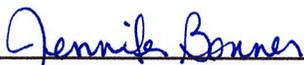
The Interim Chair asked if those present were ready to vote. Commissioner Grimes moved to recommend approval of the zoning change of 208, 210, and 212 Avenue B from R-5 to LR. Commissioner Sherman seconded the motion. By a show of hands, the vote was unanimous (three to zero) in favor of the change at 6:53 pm.

Manager Stallings retrieved Chairman Dupuis and informed of the Commission's decisions and where the group is on the agenda. Chairman Dupuis announced the upcoming city meetings, including those items on tonight's agenda will be acted on by the City Council at their meeting on October 15th at 6:30 pm. He then adjourned the meeting at 6:54 pm.



Mike Dupuis
Planning and Zoning Commission Chairman

ATTEST:



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