

AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS

ORDINANCE NO. 17-2019

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 PLANNED DEVELOPMENT - RESIDENTIAL 5 (PD-17-04) TO PLANNED DEVELOPMENT - RESIDENTIAL 5 – AMENDED (PD 17-04A1) FOR LAND LOCATED WEST OF ALTO ROAD BETWEEN WOOLEY WAY AND E. FARMERS ROAD, SEAGOVILLE, DALLAS COUNTY, TEXAS, AND BEING LEGALLY DESCRIBED IN EXHIBIT “A”, ATTACHED HERETO AND INCORPORATED HEREIN; PROVIDING FOR AMENDED DEVELOPMENT REGULATIONS; PROVIDING FOR THE APPROVAL OF THE CONCEPT PLAN, WHICH IS ATTACHED HERETO AND INCORPORATED HEREIN AS EXHIBIT “B”; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Planning and Zoning Commission and the governing body of the City of Seagoville, Texas, in compliance with the laws of the State of Texas, and pursuant to the Comprehensive Zoning Ordinance of the City of Seagoville, have given requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally, and to all persons interested and situated in the affected area and in the vicinity thereof, the said governing body is of the opinion that Zoning Application No. Z2018-26 (PD 17-04A1) should be approved, and in the exercise of legislative discretion have concluded that the Comprehensive Zoning Ordinance and Map should be amended.

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

SECTION 1. That the Comprehensive Zoning Ordinance and Map of the City of Seagoville, Texas, duly passed by the governing body of the City of Seagoville, Texas, as heretofore amended, be and the same is hereby amended by granting a change in zoning from Planned Development - Residential 5 (PD-17-04) to Planned Development - Residential 5 – Amended (PD 17-04A1) land located west of Alto Road between Wooley Way and E. Farmers Road,

Seagoville, Dallas County, Texas, and being legally described in Exhibit "A", attached hereto and incorporated herein.

SECTION 2. The property shall be developed and used in accordance with the City of Seagoville Zoning Ordinance and Construction Standards and Ordinance No. 18-2017, except as amended herein, and the following development regulations:

- A. That the size of the development shall be corrected to reflect 88.831 acres.
- B. A six foot (6') masonry wall adjacent to the residential lots shall be constructed on Farmers Road.
- C. Enhanced screening along Farmers Road on HOA Lot 2 will not be required unless the existing trees are removed and the lot is developed.
- D. That a 6' homebuilder fence with enhanced parkway shall be constructed on Alto Road.
- E. The enhanced parkway on Alto Road shall include an eight foot (8') wide trail and three (3") inch large trees plated every forty (40') feet on center.
- F. The hike and bike trail shall be eight feet (8') in width and 3,500 feet in length, which length shall include the construction of a hike/bike trail in lieu of sidewalks along the proposed Alto Road frontage.
- G. The amenity area will consists of the two (2) gazebos, one (1) playground, and one (1) acre play field.
- H. All common areas, detention ponds, green space, screening walls and unimproved surfaces shall be maintained by the Homeowners' Association.
- I. Myers Road shall be paved concrete, curb, and gutter roadway with four (4') foot sidewalks abutting the back of the curb.
- J. The minimum lot depth will be reduced to the extent shown on the concept plan attached hereto as Exhibit "B" where a fifty (50') foot gas easement outside the lots is required by Atmos Energy.
- K. Except as amended herein, all construction shall comply with the construction standards and ordinances of the City of Seagoville, Texas, Ordinance No. 18-2017, and the approved concept plan.

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

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

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

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

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

SECTION 8. That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Seagoville, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

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

DULY PASSED by the City Council of the City of Seagoville, Texas, this the 25th day of February, 2019.

APPROVED:



DENNIS K. CHILDRESS, MAYOR

ATTEST:



KANDI JACKSON, CITY SECRETARY

APPROVED AS TO FORM:



VICTORIA W. THOMAS, CITY ATTORNEY
(/cdb 02/19/2019 TM106306)

EXHIBIT "A"
(Legal Property Description)

METES AND BOUNDS DESCRIPTION:

Being a 88.855-acre tract of land and being a portion of that tract of land described in a deed to Seagoville Farms, LLC, a Texas Limited Liability Company as recorded in Instrument Number 200700124784 of the Official Public Records of Dallas County, Texas, out of the Herman Heider Survey, Abstract 541, in the City of Seagoville, Dallas County, Texas. Said 88.855-acre tract being more fully described as follows, with bearings based on the Texas coordinate system established for the North Central Zone from the North American Datum of 1983 (NAD 83 {NA2011} Epoch 2010.00);

BEGINNING at a found 5/8-inch iron rod on the southwest right-of-way line of Farmers Road, a 60-foot right-of-way, on the east corner of Tract 1, described in deed to Carl Reece Henley and Elaine Henley recorded in Volume 2005156, Page 8736 of the Deed Records of Dallas County, Texas, being the north corner of said Seagoville Farms tract and the herein described tract;

THENCE South 45 degrees 38 minutes 36 seconds East, along and with the southwest right-of-way line of said Farmers Road, also being the northeast line of said Seagoville Farms tract, a distance of 993.25 feet to a found 1/2-inch iron rod at the north corner of a tract described in deed to Roberto Rodriguez and Alma Rodriguez recorded in Volume 2005051, Page 5273 of the Deed Records of Dallas County, Texas, being the northernmost, east corner of said Seagoville Farms tract and the herein described tract;

THENCE South 43 degrees 59 minutes 51 seconds West, departing the southwest right-of-way line of said Farmers Road, along and with the northwest line of said Rodriguez tract, being the southeast line of said Seagoville Farms tract, a distance of 475.04 feet to a found 3-inch fence post at the west corner of said Rodriguez tract, a re-entrant corner of said Seagoville Farms tract and the herein described tract;

THENCE South 45 degrees 30 minutes 26 seconds East, along and with the southwest line of said Rodriguez tract, being the northeast line of said Seagoville Farms tract, passing at a distance of 418.13 feet to a found 1/2-inch iron rod at the south corner of said Rodriguez tract, to the east corner in East Farmers Road, a 60-foot right-of-way, continuing for a total distance of 457.08 feet a found 1/2-inch iron rod with yellow cap marked "RPLS 5430" on the northwest line of the Galvan Addition subdivision recorded in Volume 20000220, Page 27 of the Plat Records of Dallas County, Texas, being the east corner of said Seagoville Farms tract and the herein described tract;

THENCE South 44 degrees 59 minutes 52 seconds West, departing the southwest right-of-way line of said East Farmers Road, along and with the northwest line of said Galvan Addition subdivision, being the southeast line of said Seagoville Farms tract, passing at a distance of 1729.53 feet the west corner of said Galvan Addition subdivision and the north corner of a tract described in a deed to H.C. Tredway Jr. and Jan Sebetlka, continuing for a total distance of 2247.24 feet to a found 1/2-inch iron rod with yellow cap marked "PACHECO KOCH" at the east intersection of the northeast right-of-way line of Wooley Way, a 60-foot right-of-way with the southeast right-of-way line of Alto Road, a 60-foot right-of-way dedicated in the Seagoville North Elementary School Subdivision recorded in Instrument 201800026932 of the Plat Records of Dallas County, Texas, being the south corner of the herein described tract;

THENCE North 45 degrees 10 minutes 55 seconds West, departing the northwest line of said H.C. Tredway Jr. and Jan Sebelka tract, along and with the northeast right-of-way line of said Wooley Way, being the southwest line said Seagoville Farms tract, a distance of 625.56 feet to a set 1/2-inch iron rod with cap marked "PAPE-DAWSON" at the north intersection of the northeast right-of-way line of said Wooley Way with the northwest right-of-way line of Travers Trail, a 60-foot right-of-way, being a re-entrant corner of the herein described tract;

THENCE along and with the northwest right-of-way line of said Travers Trail, being the southeast line of the herein described tract, the following bearings and distances:

South 39 degrees 59 minutes 52 seconds West, a distance of 296.49 feet to a set 1/2-inch iron rod with cap marked "PAPE-DAWSON" for an angle point;

Southwesterly, along a tangent curve to the right, said curve having a radius of 420.00 feet, a central angle of 23 degrees 46 minutes 09 seconds, a chord bearing and distance of South 51 degrees 52 minutes 56 seconds West, 172.97 feet, for an arc length of 174.21 feet to a found 1/2-inch iron rod at the east corner of a Drainage and Detention Easement recorded in Instrument 201500026932 of the Plat Records of Dallas County, Texas, being the south corner of the herein described tract;

THENCE departing the northwest right-of-way line of said Travers Trail, along and with the northeast lines of said Drainage and Detention Easement, of a tract of land deeded to Jesus Garcia and Daisy Bahena as recorded in Instrument Number 201600027383 of the Official Public Records of Dallas County, Texas, of Russell Zelaska recorded in Volume 99008, Page 1599 of the Deed Records of Dallas County, Texas, the following bearings and distances:

North 45 degrees 06 minutes 12 seconds West, a distance of 107.56 feet to a found 1/2-inch iron rod at the east corner of said Jesus Garcia and Daisy Bahena tract, being the north corner of said Drainage and Detention Easement;

North 43 degrees 29 minutes 14 seconds West, a distance of 199.93 feet to a found 1-inch iron pipe at the south corner of a tract described in a deed to Stephanie Dunn recorded in Instrument Number 20174245 of the Official Public Records of Dallas County, Texas, being the west corner of said Seagoville Farms tract and the herein described tract;

THENCE departing the northeast line of said Russell Zelaska tract, along and with the southeast lines of Dunn tract, also of a tract described in a deed to Shanna Epps recorded in Instrument Number 201700274246 of the Official Public Records of Dallas County, Texas, being the northwest line of said Seagoville Farms tract, the following bearings and distances:

North 45 degrees 12 minutes 51 seconds East, a distance of 212.96 feet to a found 1-inch iron pipe at the east corner of said Dunn tract, being the south corner of said Epps tract;

North 44 degrees 41 minutes 26 seconds East, a distance of 108.39 feet to a found 1-inch iron pipe at the east corner of said Epps tract, a re-entrant corner of said Seagoville Farms tract and the herein described tract;

THENCE North 44 degrees 40 minutes 17 seconds West, along and with the northeast line of said Epps tract, being the southwest line of said Seagoville Farms tract, a distance of 199.39

feet to a found 1-inch iron pipe on the southeast right-of-way line Myers Road, a 40-foot right-of-way, being the north corner of said Epps tract, being a west corner of said Seagoville Farms tract;

THENCE North 44 degrees 55 minutes 20 seconds East, along and with the southeast right-of-way line said Myers Road, a distance of 20.83 feet to a set 1/2-inch iron rod with cap marked "PAPE-DAWSON" at the east corner of said Myers Road, a re-entrant corner of said Seagoville Farms tract;

THENCE North 53 degrees 20 minutes 06 seconds West, along and with the northeast right-of-way line said Myers Road, being the northeast line of a tract described in deed to Lackey Sebastian Jr. recorded in Volume 2000071, Page 6757 of the Official Public Records of Dallas County, Texas, being the southwest line of said Seagoville Farms tract, a distance of 154.95 feet to a found 6-inch fence post at the north corner of said Sebastian tract, being the west corner of said Seagoville Farms tract;

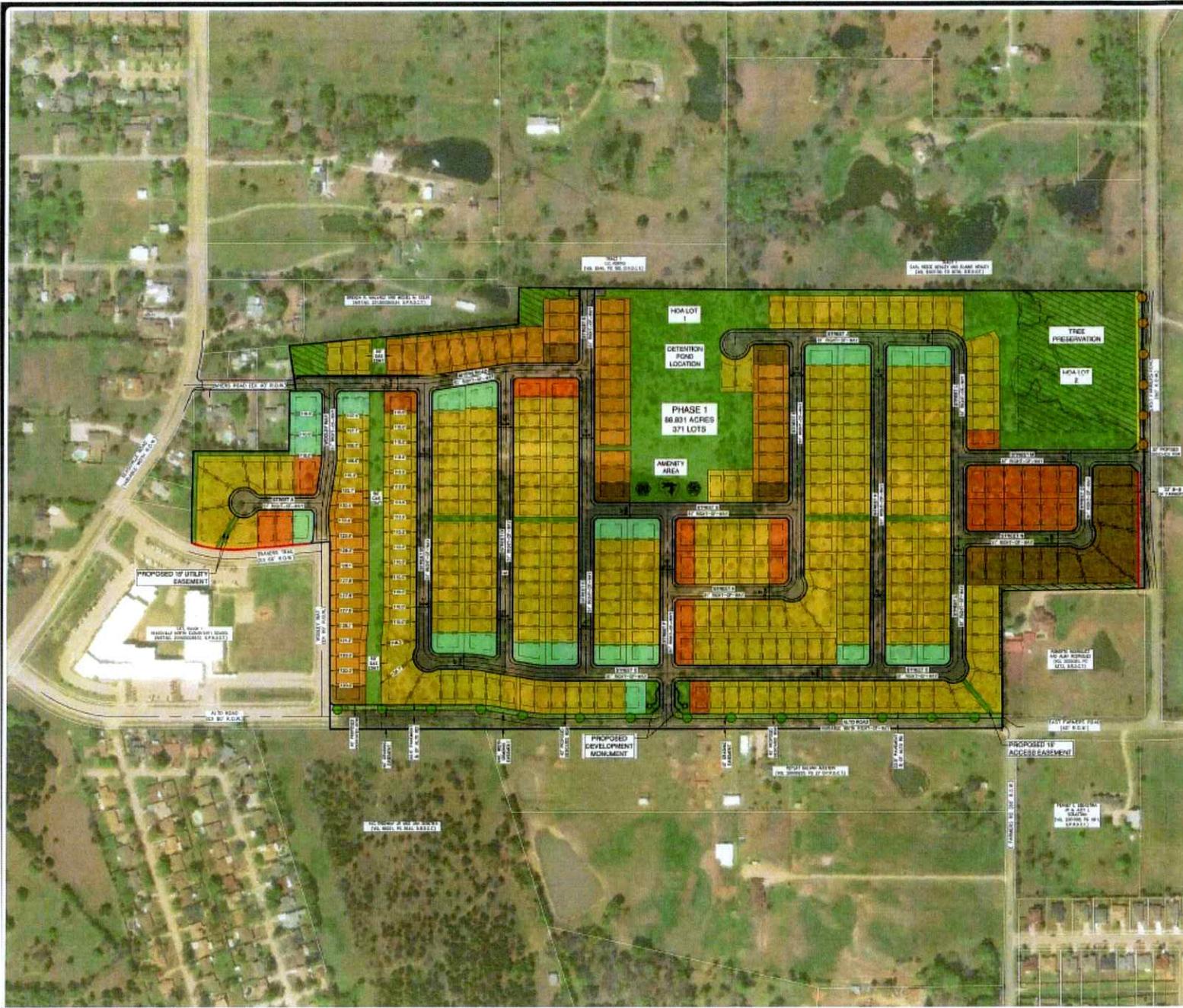
THENCE North 39 degrees 45 minutes 59 seconds East, along and with the southeast line of a tract described in a deed to Brenda R. Malvaez and Miguel M. Colin recorded in Instrument Number 201300350534 of the Official Public Records of Dallas County, Texas, being the northwest line of said Seagoville Farms tract, a distance of 771.41 feet to a found 1-inch iron pipe at the east corner of said Brenda R. Malvaez and Miguel M. Colin tract, a re-entrant corner of said Seagoville Farms tract and the herein described tract;

THENCE North 44 degrees 33 minutes 46 seconds West, along and with the northeast line of said Brenda R. Malvaez and Miguel M. Colin tract, being the southwest line of said Seagoville Farms tract, a distance of 123.98 feet to a found 1-inch iron pipe on the southeast line of Tract 1, described in a deed to CC. Adkins recorded in Volume 5546, Page 100 of the Deed Records of Dallas County, Texas, being the north corner of said Brenda R. Malvaez and Miguel M. Colin tract, being a west corner of said Seagoville Farms tract and the herein described tract;

THENCE along and with the southeast lines of said Adkins tract and said Henley tract, being the northwest line of said Seagoville Farms tract and the herein described tract, the following bearings and distances:

North 45 degrees 34 minutes 29 seconds East, a distance of 695.07 feet to a found 1/2-inch iron rod at the east corner of said Adkins tract, the south corner of said Henley tract, and an angle point of the herein described tract;

North 45 degrees 22 minutes 32 seconds East, a distance of 1386.09 feet to the **POINT OF BEGINNING**, and containing calculated area 3,869,488 square feet or 88.831 acres, said tract being described in accordance with a survey made on the ground and a survey description and map prepared under Job Number 70086-00 by Pape-Dawson Engineers, Inc.



LEGEND

- PROPERTY BOUNDARY
- PROPOSED SCREENING WALL
- PROPOSED LIVE SCREENING
- PROPOSED FIRE & BIKE TRAIL
- PROPOSED FIRE SCREENING
- PROPOSED 4' SCREENING AT BACK OF CURB
- PROPOSED TREE
- TREE PRESERVATION

PROJECT SUMMARY

LOT COLOR CODE	MIN. LOT SIZE	APPROX. UNITS	PERCENTAGE
07 & 1107	281	75.33%	
07 & 1207	45	12.13%	
07 & 1107	26	3.01%	
07 & 1207	30	4.81%	
07 & 1107	23	6.28%	
TOTAL	371	100.00%	

BUILDING SETBACK
 FRONT 20'
 REAR 10'
 SIDE 10' (MIN. 5')
 SIDE 10' (MIN. 5')

MAXIMUM BUILDING COVERAGE
 50%

TOTAL OPEN SPACE
 15.43+ ACRES

ANTICIPATED LIVING AREA
 MAX 750,000 SF

- NOTES**
- PROPOSED IMPROVEMENTS WILL MEET CURRENT LANDSCAPE REQUIREMENTS.
 - SCREENING WALL SHALL BE LOCATED A-DIST. MINIMUM FROM 8-10' FROM THE PARKING POND.
 - ALL COMMON AREAS, DETENTION PONDS, GREEN SPACE, SIDEWALKS, WALLS AND UNIMPROVED SURFACES SHALL BE MAINTAINED BY THE HOMEOWNER'S ASSOCIATION (HOA).
 - PROPOSED FIRE/BIKE TRAIL TOTAL LENGTH FOOT WILL BE 1,500' TO BE LOCATED IN THE SCREENING/WALLS AREAS.
 - NO DIRECT ACCESS FROM ANY LOT INTO A/DIST. FROM 5'.
 - SCREENING WALL TO BE COMPLETED PRIOR TO FINAL PLAT.
 - TREES WITHIN THE TREE PRESERVATION WILL BE PROTECTED FROM DEVELOPMENT TO THE EXTENT FEASIBLE.

NO.	REVISION	DATE

PAPE-DAWSON ENGINEERS

REGISTERED PROFESSIONAL ENGINEERS
 10000 W. HUNTERS TRAIL, SUITE 100, DALLAS, TEXAS 75244
 TEL: 972.447.1100 FAX: 972.447.1101
 WWW.PAPE-DAWSON.COM

SEAGOVILLE FARMS
 SEAGOVILLE, DALLAS COUNTY, TEXAS

CONCEPT PLAN EXHIBIT

DATE	12/15/2024
BY	
CHECKED BY	
DESIGNED BY	
SCALE	AS SHOWN
PROJECT NO.	2024-001
DATE	DECEMBER 2024