



MINUTES

for the
SEAGOVILLE PLANNING AND ZONING COMMISSION

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

Commissioners present: Commissioner & Chairman Mike Dupuis
Commissioner & Vice-Chairman Scott Englert
Commissioner Howard Sanders
Commissioner David Grimes

Commissioners absent: Commissioner James Sudduth
Commissioner Lowell Sherman
Position 3 is vacant.

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

Commissioner Lowell Sherman was asked to led the invocation and Pledge of Allegiance.

1. **APPROVAL OF MINUTES:**

Minutes from the November 13th regular meeting were moved to be approved by Vice-Chair Scott Englert. Commissioner David Grimes seconded the motion. By show of hands, the vote was unanimously (5 to zero) in favor of approving the minutes as provided.

2. **PUBLIC HEARINGS:**

A. Zoning Request Z2018-24: At 6:33 pm Chairman Dupuis opened zoning request Z2018-24, a zoning change request for property located at 113 West Farmers Road from LM, Light Manufacturing, to R-5, Residential Single Family. He then asked for the staff report.

Junior Planner Jennifer Bonner began by asking those in the audience tonight that wish to speak to please sign the sheet at the podium when they speak so that she can get everyone's name spelled correctly in the minutes of the meeting. She then summarized the request of the property owner to change the zoning on the property from LM, Light Manufacturing, to R-5, Residential Single Family, so that she can continue to maintain her home at this location. The property was zoned to LM at some point prior to 1978. The LM zoning district regulations do not allow residential uses of the property. Staff is

recommending approval of the request because the current Comprehensive Land Use Plan shows the subject parcel to become Low Density Residential. The property has been used as a residence for about 100 years. Only a limited amount of manufacturing land uses are actually in the area. Planner Bonner continued by summarizing the Staff Report on adjoining zoning, size, etc. in comparison to the Comprehensive Land Use Plan, the Master Thoroughfare Plan, the current (2009) zoning map, and the review criteria. She continued by summarizing the legal notifications and referencing the other exhibits in this packet item. With no questions from the Commissioners, she then returned to her seat.

Chairman Dupuis asked if anyone was present to represent the owner or otherwise wanted to be able to speak on this item. No response from the audience so he closed the public hearing at 6:38 pm. He then asked for comments, questions, or other discussion from the commissioners. No one had any so the chairman asked for a motion on the item.

Vice Chair Scott Englert moved for the Planning and Zoning Commission to recommend the approval of the request to change the zoning on about 0.6-acres commonly known as 113 West Farmers Road (being the unplatted Tract 83 in the John D. Merchant Abstract 850) from the LM, Light Manufacturing, to R-5, Residential Single Family, zoning district. Commissioner David Grimes seconded the motion. By show of hands, the vote was unanimously (5 to zero) in favor of recommending the approval of the request to change the zoning.

Vice Chair Englert then asked Staff if this item goes to City Council. Planner Bonner replied yes. He then asked when it would be heard. Planner Bonner replied that she is to get with the City Secretary tomorrow to find out what the City Council decided about a second meeting in December. Once Planner Bonner has that information, she will know what date needs to be listed in the next notice to the adjoining owners, which will focus on the date and time of the City Council meeting where this item will be heard. The same will also be true for the other public hearing items on the rest of tonight's agenda.

- B. Zoning Request Z2018-25:** Chairman Dupuis announced zoning request Z2018-25, a request for a 90-day time extension on a previously approved Special Use Permit (SUP) for a temporary concrete batch plant on 0.779-acres located on the north side of Lasater Road in the Highland Meadows Phase III planned development. He opened the public hearing at 6:44 PM and then asked for the staff report.

Junior Planner Jennifer Bonner began by stating that this request is for a time extension on an approved SUP for a temporary batch plant from earlier this year. The time extension is being asked for due to delays in utility relocations that were outside their control. This SUP was initially approved in April of this year. The only paving that has not been completed is the required widening of Lasater Road once the overhead utility lines and poles are moved out of the way. The utility company has now confirmed that the poles and lines should be moved in the next 30-days, so the applicant finally has a time line for when they can complete the work for the subdivision. Adjoining owners have been notified again by mail along with a legal notice in the newspaper, but no responses have been received.

Planner Bonner continued by stating that the Staff Report from before is provided again with updated information on surrounding properties as well as Staff's recommended

conditions of approval. There really aren't any significant changes from the initial hearing on this project in April. She then summarized the other exhibits in the commissioners' packets. She asked for questions or concerns from the commissioners before she returned to her seat.

Commissioner Lowell Sherman stated he didn't know if this was the time to mention it, but the large 20-yard gravel trucks have not stayed on Lasater as he had one go past his house this morning as he was picking up his trash can. He recommended that someone get in touch with D.R. Horton again about the trucks since his road just is not sufficient to handle the truck traffic. Director Barr nodded that he would contact Horton.

Chairman Dupuis asked if anyone from D.R. Horton was present and wanted to speak. Mr. Mark Leonard from Gilco, the paving company, rose and stated he would answer any questions that the commissioners might have. No material trucks have been into the site since August or September so he wasn't sure who the truck would have been associated with.

Director Barr stated that the biggest issues on this project have been with Oncor and the relocation of the lowest line on the old power poles that are either cable or fiber optic. New lines were run earlier this year, but no permit was pulled and the work was done before Oncor finally set new poles and moved their lines over. These delays have just kept the applicant and their paving company from getting the project completed. Director Barr stated that we are even having the same problem in city parks. It is just taking 12-18 months to get movement on the utility portion of a project so that other work can either be completed or started.

As no one else approached the podium, Chairman Dupuis closed the public hearing at 6:46 pm. None of the commissioners responded to the chairman's request for comments, discussion or concerns. Vice Chair Englert did state that he had heard the comments from others in the community that Commissioner Sherman had given earlier about large trucks on Simonds. Several mentioned the concerns of meeting Staff's recommended conditions of approval. Chairman Dupuis stated that is part of the reason for putting conditions of approval on a project. No one wants a large gravel truck in their driveway at 6:00 in the morning. Director Barr will follow-up on the concerns mentioned tonight about trucks, noise, etc. that are part of the conditions of approval.

Chairman Dupuis then asked for a motion on the item. Commissioner Grimes moved to send the item forward to the City Council with a recommendation of approval on the SUP with the conditions recommended by staff. Commissioner Howard Sanders seconded the motion. By show of hands, the vote was unanimously (5 to zero) in favor of recommending approval of the SUP.

C. Zoning Request Z2018-26: Chairman Dupuis introduced zoning request Z2018-26, on a request to amend the existing planned development PD-17-04 on 88+acres of land between Seagoville Road and East Farmers Road on the west side of Alto Road to PD-17-04A1 that:

- Corrects the size of the development;
- Reduces the length of the hike-and-bike trail to include part of the sidewalk along Alto Road;
- Reduces the number of lots;
- Changes the percentages of lot types;

- Reduces the lot depth where Atmos Energy may require a 50-foot gas easement outside of any lot; and
- Changes the concept plan.

Junior Planner Jennifer Bonner began summarizing the information in the agenda comm which contained information that was not provided in the Staff Report. First, this is a different owner/applicant and engineer than who brought the initial planned development to the City. Part of the requested changes come from a new survey that the owner had completed after they purchased the land earlier this fall. The rest of the changes are related to the location of an Atmos Energy gas line location on the property. The earlier PD called for the line to be left in place but located under a street, which is something that Atmos doesn't like. The new concept moves everything out of that area and provides a 50-foot easement for the line to be located within. Planner Bonner then continued her summary of the details on each of the requested changes. The applicant did provide some of the information she had provided in the agenda comm – especially the table on page 2.

Planner Bonner then proceeded into the Staff Report. Staff is recommending approval with the following conditions if the Commissioners agree.

- Locate a 1-acre open space/playfield in one of the dry pond areas. The earlier concept had it located in the bottom of the upper (dry) detention pond. The engineer is present and can tell you if this pond may now be a wet retention pond, which would make a play area in the bottom impossible.
- Staff has noted that re-building the cross-section of Myers will include 4-foot sidewalks to be placed at the back of the street's curb. The earlier PD language called for the replacing with concrete street pavement to include curb and gutter, but didn't specify sidewalk width or location.
- The screening wall along Farmers Road is to be masonry. This also was not previously specified in the PD, but Planner Bonner stated she had reviewed the code today and found that this is what the code requires unless otherwise approved.

She then summarized the Future Land Use Plan, Master Thoroughfare Plan, and Zoning Map comparisons as well as the review criteria. Of note was that a 20-foot-wide tree preserve along most of the boundary of the subdivision is being proposed with this concept that was not included in the earlier concept. This preserve area will provide protection to some of the existing mature trees, provide some screening between this development and its neighbors, and also provides some natural open spaces that the hike-and-bike trail can be located in. Screening along Alto Road is not spelled out in the earlier PD so is not asked for in this request but may be something that the owner, engineer, and City Council need to work out as this project proceeds. She closed the Staff Report summary by telling the Commissioners that there are 2 recommended motions because certain items will be amending in the text of the PD while other items are only visible on the concept drawing. Both the text and the concept need to be amended with this request for it to be completely approved. She then referenced each of the exhibits following the Staff Report. She provided each commissioner a copy of a replacement of Exhibit 10 (new concept plan) tonight because she had provided an older (wrong) version in the emailed copies of their packets. She stated that the engineer is here to answer any questions the commissioners might have for them or the applicant. She then summarized the legal notices that she had previously skipped.

Vice Chair Englert confirmed that he was reading in the packet that a masonry screening

wall was required along Farmers Road. Planner Bonner said yes, that is what code requires even though it is not stated in the PD text. With no further questions from the commissioners, she returned to her seat.

Chairman Dupuis asked if anyone was representing the owner and wished to speak. Ashley Williams and Humberto Johnson with Pape-Dawson (engineer) approached the podium on behalf of LGI Homes (owner). Director Barr began by stating there was a concern about the location of waterline to be brought to the site from Dakota Lane as part of the infrastructure improvements on the northeastern end of the development. He had spoken with both the City Manager as well as the City's contracted reviewing engineer about the waterline and its location around the house on the west side of future Alto Road at its western intersection with Farmers Road. Ms. Williams asked about line's relocation. Director Barr stated that the new location would provide better access to this water supply line without requiring future developments to go through this development. After several minutes, Director Barr and Ms. Williams seemed to come to a tentative agreement. Ms. Williams said she would need to provide the owner the information for their approval before she could state that it would not be a problem. Vice Chair Englert had a question about the detention pond – will it be dry pond with room for the 1-acre open/space play area. Ms. Williams said that yes, the upper pond would be dry and large enough to provide the play area. There were no other questions from the commissioners.

Chairman Dupuis asked if anyone from the public wanted to speak. No one approached the podium, so he closed the public hearing at 7:03 PM.

He asked for discussion among the commissioners. Vice Chair had a question for the staff. He wanted to confirm that the play area would be seen during a set of revisions. Planner Bonner stated that yes, the next set of submittals would need to show the location of the area. There were no other questions from the commissioners.

Chairman Dupuis asked for a motion on the request. Planner Bonner reminded the commissioners that both the text and the concept need to be amended so that both sample motions in the staff report should be referenced separately.

Vice Chair Englert moved that the P&Z's recommendation to City Council be for the Council to approve Z2018-26, amending the text of PD-17-04 to PD-17-04A1, with staff's-recommended conditions of approval the requested planned development amendment of the text of the planned development by:

- Correcting the size of the development from 88.855-acres to 88.831-acres;
- Reducing the length of the hike-and-bike trail from 5,000-linear-feet to 3,500-linear-feet at 8-feet-wide including part of the sidewalk along Alto Road;
- Reducing the number of lots from 378 lots in 3-phases to 372 lots in a single phase;
- Changing the percentages of lot types by having more small lots and fewer large ones; and
- Reducing the lot depth from 110-feet to 107.4-feet where Atmos Energy may require a 50-foot gas easement outside of any lot.

Commissioner Grimes seconded the motion. By show of hands, the vote was unanimously (5 to zero) in favor of recommending approval of the request to change the planned development's text.

Vice Chair Englert moved that the P&Z's recommendation to City Council be for the

Council to approve Z2018-26, amending the concept of PD-17-04 to PD-17-04A1, with staff's-recommended conditions of approval the requested planned development amendment of the concept of the same planned development including the changes listed in the text of the previous motion as well as the new layout of the development. Commissioner Howard Sanders seconded the motion. After conferring with Director Barr about the waterline – which will need to be resolved between staff, engineer, and owner, Chairman Dupuis asked for a vote. By show of hands, the vote was unanimously (5 to zero) in favor of recommending approval of the request to change the planned development's concept.

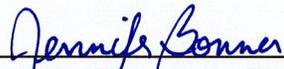
Planner Bonner stated that she does not have a meeting date for City Council review and action on the items on tonight's agenda because of the upcoming holidays. She will be getting with the City Secretary tomorrow. As soon as they get direction from the City Manager on when these items will be heard, Planner Bonner will be letting each of tonight's applicants know when that meeting will be held. It could be December 17th or it may not be until January 7th. She then summarized upcoming city meetings that she was aware of.

Chairman Dupuis adjourned the meeting at 7:09 PM.



Michael Dupuis
Planning and Zoning Commission Vice-Chairman

ATTEST:



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