



MINUTES

for the
SEAGOVILLE PLANNING AND ZONING COMMISSION

**Meeting scheduled to begin at
6:30 p.m. on Tuesday, February 26, 2019**
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 Howard Sanders
Commissioner David Grimes
Commissioner Lowell Sherman

Commissioners absent: Vice-Chairman Scott Englert
Positions 1 and 3 are vacant.

City Staff present: Community Development Director Ladis Barr
Junior Planner Jennifer Bonner

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

1. **APPROVAL OF MINUTES:**

- A. **November 27, 2018:** The minutes were reviewed. Commissioner David Grimes moved to accept the minutes. Commissioner Howard Sanders seconded the motion. By a show of hands, the motion passed unanimously in favor (four to zero).
- B. **January 8, 2019:** The minutes were reviewed. Commissioner Sherman moved to accept the minutes. Commissioner Grimes seconded the motion. By a show of hands, the motion passed unanimously in favor (four to zero).

2. **PUBLIC HEARING: Request Z2019-06:** Chairman Dupuis introduced the request to change the zoning on about 4.3-acres on Lot 1 of the Carey Addition located at Seagoville Road and Cain Street from PD, Planned Development, to R-5, Residential Single Family. He opened the public hearing at 6:33 p.m. and then asked for a staff report.

Junior Planner Bonner summarized the Staff Report by stating that applicant is asking to change the zoning from a Planned Development (PD) to R-5 so he can construct a single

family home for his family. In 2002, the approximate 4.3-acre parcel was zoned to a PD for a retirement community of 20 residential structures and community center. A 22-foot-wide through street and associated parking for the structures was also included in the concept in Exhibit 9. The property was zoned R-5 at the time the PD was initially requested. The metes-and-bounds legal description in the PD was copied from the plat of the Carey Addition plat, which is why the property description in the legal notices do not match the legal description in the PD-creating ordinance in Exhibit 9. The creation of the Carey Addition does not define the amount of dedicated right-of-way existing on either Seagoville Road nor Cain Street so when the lot develops Staff will require the dedication of any needed quantity to match the city's 2006 Master Thoroughfare Plan. The surrounding properties are R-5 on the north, south, and west, with the properties to the east and southeast being D (Duplex) and C (Commercial). The Land Use Plan and Map call for this entire side of Cain Street to be Low Density Residential until the intersection with the frontage road of Highway 175 is reached, when it should become Retail. The Land Use Plan calls for the other side of Cain Street to either be High Density Residential or Retail. The 2009 Thoroughfare Plan and Map calls for Seagoville Road to be a Major Arterial. Cain Street is not listed in the Plan, so by its language should be a residential street. Again, right-of-way for both streets most likely will be required when the property develops. The 2009 Zoning Map shows that the surrounding properties on this side of Cain Street are all R-5 except for the property along the easternmost property line, which shows that property to be zoned D, Duplex. The property on the other side of Cain Street is all in a PD.

Planner Bonner then moved to summarizing the review criteria for the zoning change. Item 7 asks about the adequacy of all ingress, egress, and pedestrian ways. Planner Bonner stated that there is currently an unpaved driveway onto each street and that there are no sidewalks or pedestrian accesses along either street. Item 8 asks about safeguards for limiting emissions from the property. If the property is used for a single family dwelling or similar use permitted in that type of zoning district, no safeguards are required. If the property is zoned to any other type of use, safeguards would have to be installed per PD requirements to limits things like light, noise, glare, dust, and odor. No landscape plans have been submitted with the application. Staff will only permit signs as allowed per city code when the application is submitted. With the planned single family home, none is expected. The lot dimensions do exceeds all code minimums. At this time there has been on application for any particular structures with a plan for a single family home at some point in the future – which will have to meet requirements at that time for setbacks, height, parking, landscaping, etc.

Again with no defined right-of-way on the Carey Addition plat, Staff will be requiring the minimums listed on the Thoroughfare Plan when development application is made. She summarized the legal notifications and responses and that she had provided a table of uses at the end of the staff report so that the Commission would be able to see the difference between the existing permitted uses and a standard R-5 zoning district. She then summarized all of the exhibits in the rest of the packet for this item of business and asked if the Commission had any questions for her. With no questions from the Commission, Planner Bonner returned to her seat.

The Chairman asked if any one representing the applicant was present. Planner Bonner responded to state that there was not.

The Chairman asked if there was anyone present who wished to speak to this agenda item. There was no response. Chairman Dupuis closed the public hearing at 6:39 p.m.

Discussion among the Commissioners then began.

Commissioner Grimes had some questions about uses within the Planned Development. Director Barr answered and added that the PD requires 2 points of ingress and egress, which makes sense for what the past proposal wanted. He continued by stating that if the property was rezoned back to R-5, the applicant could build a shop or storage building, but no commercial use of the property would be allowed.

Commissioner Grimes continued by asking about animals on the property. Director responded by stating that large animals are limited to one per acre, but are not allowed within 100-feet of any residence. Commissioner Grimes then said, so a horse track would not be permitted. Director Barr said no. Chairman Dupuis said they would be able to have chickens. Planner Bonner responded chickens are limited to not more than 6 per acre fenced away from the house. Director Barr also added that roosters are not allowed unless there are also chickens and there is over an acre of land fenced separate from the house.

Commissioner Sherman asked if part of the land could be sold and then the house built. Director Barr stated that due to the limited amount of frontage on both Cain Street and Seagoville Road, a public through street would have to be constructed if more than 2 houses were to be built (one facing each street). The street would have to meet City requirements listed in the subdivision regulations.

Commissioner Grimes stated that he doesn't want to stop the owner from doing what he wants, but he also doesn't want what has happened down the street (where animals have been moved into a neighborhood) to also at this location.

At the end of the discussion, Chairman Dupuis asked for a motion. Commissioner Sanders moved to recommend approval of the zoning change to R-5. Commissioner Sherman seconded the motion. By a show of hands, three (3) commissioners voted in favor and one (1) against (Commissioner Grimes).

Chairman Dupuis announced that the next City Council meeting will be on Monday, March 4th. If there is business, the next Planning and Zoning Commission meeting will be on March 12th. He then announced that tonight is the last evening that we will have Commissioner Sherman with us. He is resigning because of his eye sight issues. Each person took a moment to shake Mr. Sherman's hand and thank him for his work and presence on the Commission. Director Barr also publicly thanked Mrs. Sherman, who also serves on another board for the City in addition as acting as her husband's driver to Commission meetings for the last several months.

Chairman Dupuis adjourned the meeting at 6:48 pm.



Mike Dupuis
Planning and Zoning Commission Chairman

ATTEST:



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