



MINUTES

for the
SEAGOVILLE PLANNING AND ZONING COMMISSION

**Meeting scheduled to begin at
6:30 p.m. on Tuesday, September 10, 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 6:38 p.m.

Commissioners present: Commissioner and Chairman Mike Dupuis
Commissioner and Vice Chairman David Grimes
Commissioner Charles Galbreth
Commissioner ~~Ferry Lemond~~

Commissioners absent: Positions 6 and 7 are vacant.

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

Commissioner Charles Galbreth gave the invocation. Chairman Mike Dupuis then led those present in the Pledge of Allegiance.

Chairman Dupuis gave an opportunity for the public to comment on items not on the agenda. No one approached the podium.

- Approval of Minutes:** Chairman Dupuis asked if there were any corrections to the minutes of the last meeting, which was held on August 27th. Commissioner Olajimi moved to accept the minutes as submitted. Vice Chairman Grimes seconded the motion. By a show of hands, the minutes were approved unanimously (five to zero).
- Zoning Request Z2019-20: Public Hearing** Chairman Dupuis introduced the request to amend the zoning on approximately 20+ acres of unplatted Tract 1 of Jeremiah H. Halford Abstract 570 located approximately 150-feet northwest of the intersection of Lasater Road and Wynnegate Drive from AG, Agriculture, to PD-19-01, the first plan development created in 2019, for a subdivision only partially located in Seagoville. The request will define development regulations and improvements to Lasater Road.

Chairman Dupuis then opened the public hearing at 6:42 pm.

Jr. Planner Bonner began by stating the property is unimproved. The list of requested development regulations has been typed into the Agenda Comm, but can also be seen in Exhibit 6b in the form that it was initially submitted with this application. She also mentioned that the overall subdivision for this request will include land in both the City of Mesquite as well as the City of Dallas, but tonight's application focuses on the area in Seagoville.

Moving on to the Staff Report, she covered the map on the first page to note the various parts of the adjoining municipalities within the planned overall subdivision. She then covered the surrounding zoning and other land uses within the immediate region of the planned development. She mentioned that since there are three cities are within the subdivision, she reviewed the surrounding land uses by not only what can be seen in aerial photographs on the county website, but also the Future Land Use Plan for each city.

Planner Bonner then moved on to the recommendation of Staff – to approve the request with conditions. She stated that she has already shared some of these items with the applicant's representative. Staff's has several recommended conditions. One is to have the applicant re-submit the concept plan prior to submittal to City Council so that all lots shown would meet all of the requested development's regulations. Another is for no approval be given for a construction plat until access to water and sewer services had been determined, granted, engineered, and accepted because at this location there is no City of Seagoville water or sewer service. Since those services will have to be provided from either the City of Dallas or the City of Mesquite, Seagoville will need written approval from the service provider for each utility. Finally, the improvements to Lasater Road will need to include the construction of a 5-foot wide sidewalk.

Moving on to page 2, comparisons of the application to Seagoville's 2002 Future Land Use Plan, 2006 Thoroughfare Plan, and 2009 Zoning Map are provided. Planner Bonner stated that she made sure that the City of Mesquite and City of Dallas areas were labeled on each map. Seagoville's portion of the overall subdivision will contain about 20-acres and the location is noted in the map for each plan. She pointed out that Lasater Road is classified as a Major Arterial on the Thoroughfare Plan and that is why it will be improved with the construction of the subdivision's infrastructure. Additionally, the requested zoning is to be similar in nature to the PD for both the existing Highland Meadows subdivision to the east and the planned Wellington Farms subdivision across Lasater Road that will be in both Seagoville and Dallas.

Planner Bonner then moved on to the review criteria on page 3 of the Staff Report. Under Criteria 1, the applicant is asking for a smaller minimum lot size of 50-feet wide by 120-feet deep in exchange for providing larger minimum house living areas of 1,700 square feet. A standard R-5 lot is of 60-feet wide by 120-feet deep with a minimum living area of 1,600 square feet in each house. Under Criteria 2, there will not be any areas for recreation or

open space for public use. Under Criteria 3, the required detention pond will only provide a protective feature to those living downstream from this site. The detention pond in Seagoville and creek area in Dallas and Mesquite, in Criteria 4, will have to be designed to work together to address the increased stormwater runoff from the overall subdivision. If done correctly, these designs will provide some natural amenities to the immediate area. No historical buildings, structures, features, or places exist as questioned in Criteria 5. Since Seagoville has no water or sewer services in this area, under Criteria 6, development cannot occur in the Seagoville portion of the overall subdivision until these services can be provided. Under Criteria 7, Planner Bonner covered the shortfalls of the certain lots in the concept plan in comparison to the requested development regulations. She then stated that the rest of the review criteria were either met, exceeded, or the change of zoning didn't apply to with various community plans.

Planner Bonner then moved to page 5 of the Staff Report where she summarized the legal notifications and covered the land use table provided. Once she completed her coverage of items in the Staff Report, Planner Bonner moved on to the other exhibits following it. Because of the number of jurisdictional lines located within this immediate area, Exhibit 5 provides a copy of the map from the Dallas Central Appraisal District showing not only the multiple city limits, but also the line between the Dallas and Mesquite school districts. Exhibit 6 includes several parts: the application, the development regulations, the overall subdivision with each city in a different color, and the concept plan for the Seagoville area only which is easier to read the lot information on. There should be a loose single page in front of each commissioner on the dais that looks like Exhibit 7, which is the one response that staff received just this morning from an adjoining property owner.

Upon the conclusion of Planner Bonner's summary, Director Barr stated no amenity center is to be provided with this development. In the city codes, developers are provided the option to either provide an amenity center in a plan development or to pay park fees of \$500.00 per lot in Seagoville. This developer plans to pay the park fees instead of dedicating land and installing an amenity center like was done within Highland Meadows. These collected fees will then be spent within another Seagoville city park.

Chairman Dupuis asked if any of the commissioners had any questions for Planner Bonner. Commissioner Olajimi stated he had a question about Review Criteria 7 – in particular about tonight's lot sizes, plan developments, and standard R-5 zoning. Are we looking at a zoning change or a plan development? Planner Bonner responded that in this case a zoning change is working hand-in-hand with a plan development. The PD regulations outlined in the zoning chapter of the city code essentially let an applicant write their own zoning for their development. Staff, however, is required in their review to compare the requested PD (applicant written zoning) regulations to the closest existing zoning district. Because of the requested development regulations for this particular application, she had to compare the proposed regulations to a "standard R-5 zoning". Director Barr expanded the explanation by stating that applicants can ask for certain items – such as lot width – to be reduced within a plan development, but usually have to provide a "upgrade" or increase – such as house

living area – in exchange for getting the development to be approved. Commissioner Olajimi thanked Director Barr for his explanation. Chairman Dupuis asked if anyone else had questions. None did.

Chairman Dupuis then asked for a representative of the applicant to come forward. Mr. Pat Atkins of Tack Team Investments, LLC came forward and introduced himself. He began by stating that the group is excited with the commitment of K Hovnanian Homes as the builder of all homes within this overall development. He then proceeded through the PowerPoint slide presentation he had prepared and that Planner Bonner had provided a copy of to each commissioner at their seat. He will need to get approvals from each city – Seagoville, Dallas, and Mesquite. A summary of the overall subdivision includes 88 residential lots in Seagoville, master HOA for the entire subdivision, all lots in Mesquite school district, 2 playgrounds in open space somewhere in overall subdivision, Lasater Road improvements in Seagoville. The pictures are products that K Hov is currently building in western Fort Worth, Van Alstyne, and plan to bring to Seagoville. Excited to bring K Hov back to the area. There is to be a new elementary school built for Mesquite on the corner of Shannon Road and its intersection with Highland Meadows Drive. After completing the slides, Mr. Atkins back-tracked through the slides to the aerial photograph to talk about the surrounding developments and land uses. Planner Bonner used the mouse on the computer to help point out the various items Mr. Atkins mentioned. Once completed, Mr. Atkins stated he would then be willing to answer any questions.

Chairman Dupuis asked if the same builder would be used for all parts of the overall development. Mr. Atkins said, yes, K Hov is the only planned builder for this subdivision so that there will be consistency in the building of the houses built. Vice Chairman Grimes asked that the consistency will not be monotonous, though? Mr. Atkins responded that K Hov has standards to ensure neighborhood feel but not have the same product look on every house. Mr. Atkins and the Vice Chair then spoke briefly about the “too small” lots on the concept plan. Chairman Dupuis asked if anyone else had any other questions for Mr. Atkins. None of the commissioners responded. Planner Bonner mentioned to Mr. Atkins that he should review the table in the slides to make sure they also match the development regulations as she sees the lot depth line of text that doesn't match.

Mr. Atkins returned to his seat.

Chairman Dupuis asked for any comments from the public. No one approached the podium, so at 7:08 pm the Chair closed the public hearing.

The chair asked if the commissioners had any further questions or discussion. There was no response.

The chair asked for a motion on the item. Vice Chairman Grimes moved to recommend to City Council approval with conditions of the request for a change in the zoning on approximately 20± acres of Tract 1 of Jeremiah H. Halford Abstract 570 located

approximately 150-feet northwest of the intersection of Lasater Road and Wynnegate Drive in Seagoville, Dallas County, Texas, from AG, Agriculture, to PD-19-01 for residential development. The conditions of approval were:

- Re-submittal (prior to City Council review of this application) of a concept plan where the lots meet all of the requested development regulations.
- No approval of a construction plat for this development until access to water and sewer services has been determined, granted, engineered, and approved.
- Addition of 5-foot wide sidewalk along Lasater Road with its pavement improvements.

The motion was seconded by Commissioner Galbreth. By a show of hands, the motion was approved unanimously (five to zero).

There was one audience member who handed Planner Bonner her response letter as she left the meeting.

- 3. Zoning Request Z2019-26: Public hearing** Chairman Dupuis introduced the item. He then read a statement that that said, "In regards to agenda item Zoning Request Z2019-26, the public hearing will be held, but the item will be tabled until a complete set of documents have been obtained." The Chair then opened the public hearing at 7:12 pm. He then asked for the Staff Report.

Planner Bonner began with the Agenda Comm by describing the location of the site. She continued by informing the P&Z that the Seagoville Economic Development Corporation (SEDC) had purchased the property to aid a new business planning to build on the site. As the property owner, the SEDC is requesting tonight's amendment to the plan development (PD). She then gave history of the site's land uses and PD zoning from the creation of the original PD in April 1984 through today. Today the subject area contains two platted parcels with different base zonings within the PD so Planner Bonner described the size, location, and controlling PD ordinances for each. She then described the number of properties notified by mailed legal notices, legal ad in the newspaper and number of responses from the mailed letters. There is a list of attached exhibits on the end of the Agenda Comm which includes each of the ordinances referenced earlier regarding the zoning of the property.

Planner Bonner then moved on to the Staff Report. She began with the aerial photograph on the first page and the different colored stars to denote those lots today that were within the limits of original PD area versus tonight's subject parcels. Again she states that she has no idea how many lots existed at the time of the original PD creation. Tonight's total area is about 5.5-acres and is the vacant land within this area. Planner Bonner then moved into the surrounding zoning districts and land uses. Staff is recommending approval with conditions. These conditions primarily include submittal of a concept plan for completing the application and a code-required review of the request. A typical new commercial development is also required by code to have P&Z do a conceptual review of the site, landscape, and irrigation plans as well as building elevations, so this is the other Staff-recommended condition of approval. Again, Staff does not want this application to move forward until it is complete, and P&Z can finish their review.

On page 2 of the Staff Report, Planner Bonner explained how the table compares the application to the 2002 Future Land Use Plan, 2006 Thoroughfare Plan, and the 2009 Zoning Map. Topics covered included planned surrounding land uses, lot accesses, street right-of-ways, and surrounding zoning districts. Moving into the review criteria section, Planner Bonner began by stating that she has not sat in on any of the meetings with the new business and since no concept plan has been submitted, she had to ask Director Barr to help complete this review with those items that she had not been made aware of. Most of the review criteria items 1 through 20 cannot be completed or be considered to have met code requirements since they are tied to the missing concept plan. And the remaining review criteria are typically not affected by a requested change of zoning since they ask if the development will meet the provisions of various city plans to protect the public's interest. Legal notices were briefly touched on again. The table of land uses includes Apartments, Office, Local Retail, and Commercial districts since three of these are either an existing base zoning, requested base zoning, or states "any permitted use in the [lower/fourth] zoning district". The table runs from page 5 to page 11.

Planner Bonner then covered the rest of the exhibits. Exhibit 5b was pointed out as title survey, not a concept plan or official plat of the property. When she finished, she asked if there were any questions the commissioners would like her to answer.

Vice Chairman Grimes asked if these were the lots that the church used to own. Planner Bonner responded that yes, Victory Baptist Church used to own these lots. Director Barr added that these two lots will be re-platted into a single parcel. Planner Bonner added the city has requested quotes for completing the re-platting process. There is also a utility easement through the larger of the lots that is being that may need to be worked around. Director Barr stated that research is also being done to see if there are any lines within the easement to determine if it can be vacated.

Chairman Dupuis asked if someone was present to speak as the applicant. Director Barr responded and said he would pass at this time.

As there were no audience members left, the Chairman closed the public hearing at 7:28 pm.

The chair asked for a motion to table any action on the item. The vice chairman then moved to table the item until a concept plan is provided. Commissioner Lemond seconded the motion. By a show of hands, the motion passed unanimously (five to zero). Planner Bonner added that she would place this on the agenda following the required submittal, but she has no idea how soon that will be.

- 4. September 24th meeting: Discussion** Chairman Dupuis introduced the item. He then asked for Staff Report.

Planner Bonner stated this item has no written staff report, but she will cover the item as presented in the Agenda Comm. At the last P&Z meeting, it was mentioned that for the next P&Z meeting (Sept. 24th), a quorum will not be available since both the Chairman and Commissioner Lemond will be out of town. This discussion at that time was for the decision to be made tonight if that meeting will be cancelled or re-scheduled.

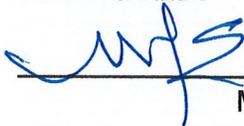
After some discussion, Vice Chairman Grimes moved to re-schedule the Tuesday, Sept. 24th meeting to Thursday, Sept. 26th at 6:30 pm. Commissioner Olajimi seconded the motion. By show of hands, the motion was approved unanimously (five to zero).

Planner Bonner followed up by stating that at one of the October meetings, she will have similar discussions about cancelling or re-scheduling the meetings for Tuesday before Thanksgiving and the evening of Christmas Eve. Please start looking at your calendars now so we can discuss how each of those meetings will be handled at that later date.

5. **Announcements:** Planner Bonner then gave a summary of upcoming city meetings. Director Barr added that Commissioner Lemond had stated before the meeting began that he will not be attending the October 8th meeting unless he arrives back in town earlier much than expected that evening.

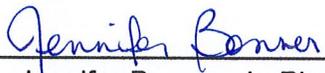
Chairman Dupuis adjourned the meeting at 7:34 pm.

APPROVED:



Mike Dupuis
Planning and Zoning Commission Chairman

ATTEST:



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