



**SEAGOVILLE, TEXAS
CITY COUNCIL MEETING AGENDA
MONDAY, MARCH 2, 2020**

**City Council Chambers, City Hall
702 N. Hwy 175
Seagoville, Texas 75159**

WORK SESSION – 6:30 P.M.

Call to Order

- A. Discuss regular session agenda items**

Adjourn

REGULAR SESSION - 7:00 P.M.

ROUTINE ANNOUNCEMENTS, RECOGNITIONS, and PROCLAMATIONS

Call to Order

Invocation

Pledge of Allegiance

Mayor's Report

Citizens Public Comment Period- *This portion of the meeting is to allow each speaker up to six (6) minutes to address the council on items not posted on the current agenda. Council may not discuss these items but may respond with factual data or policy information, or place the item on a future agenda. Citizens wishing to speak on posted agenda items will be called upon at that time. Anyone wishing to speak shall submit a Speaker Request Form to the City Secretary.*

CONSENT AGENDA- The Consent Agenda contains items which are routine in nature and will be acted upon in one motion.

- 1. Consider approving City Council Meeting minutes for February 24, 2020 (City Secretary)**

2. Discuss and consider a Resolution of the City of Seagoville, Texas, ordering cancellation of the General Election on May 2, 2020, and declaring the Election of Unopposed Candidates for Place 1, Place 3, and Place 5 of the City Council of the City of Seagoville, Texas; providing for the posting of this Resolutions at each polling place on Election Day; and providing an effective date (City Secretary)

Discuta y considere una Resolucion de la Ciudad de Seagoville, Texas, ordenando la cancelacion de las Elecciones Generales el 2 de may de 2020, y declarando la Eleccion de Candidatos sin oposicion par el Lugar 1, Lugar 3 y Lugar 5 del Consejo de la Ciudad del Ciudad de Seagoville, Texas; prever la publicacion de estas Resoluciones en cada lugar de votacion el dia de las elecciones; y proporcionar una fech efectiva (Secretario de la ciudad)

3. Discuss and consider a Resolution of the City of Seagoville, Texas, authorizing continued participation with the Steering Committee of Cities served by ONCOR; and authorizing the payment of seven cents (\$0.07) per capita to the Steering Committee to fund regulatory and legal proceedings and activities related to Oncor Electric Delivery Company, LLC (Director of Administrative Services)

REGULAR AGENDA-

4. Acceptance of City of Seagoville's Comprehensive Annual Financial Report (CAFR) for Fiscal Year 2019 (Finance Director)

5. Conduct a public hearing to discuss a change in zoning from Residential Single Family (R-5) to Plan Development-Residential Single Family-5 (PD-20-01) for approximately 29.25± acres of land in the John D. Merchant Abstract 850, located southwest of East Farmers Road, between May Road and Alto Road, Seagoville, Dallas County, Texas (Community Development Director)

6. Discuss and consider approving an Ordinance of the City of Seagoville, 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 Residential Single Family (R-5) to Plan Development-Residential Single Family-5 (PD-20-01) for approximately 29.25± acres of land in the John D. Merchant Abstract 850, located southwest of East Farmers Road, between May Road and Alto Road, Seagoville, Dallas County, Texas, and being legally described in Exhibit "A" attached hereto and incorporated herein; providing for 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 fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense; and providing an effective date (Community Development Director)

7. Discuss and consider approving an Ordinance of the City of Seagoville, Texas, vacating, abandoning and releasing a 15 foot (15') wide by 354.10 feet long alley way, being 4,912 square feet, located on Lot 1R, Block 4 of the Town & Country Shopping Center, John D. Merchant Survey, Abstract No. 850, as depicted in Exhibit "A", which is attached hereto and incorporated herein, to the abutting property owner; providing for the furnishing of a certified copy of this ordinance for recording in the Real Property Records of Dallas County, Texas, as a quit claim deed; and providing for an effective date (Community Development Director)

8. Discuss and consider a Resolution of the City Council of the City of Seagoville, Texas, ratifying and approving the Economic Development Incentive Agreement by and between the SEDC and John Bunker Sands Wetland Center, Inc., in an amount not to exceed One Hundred Thousand Dollars (\$100,000.00), to be paid in two installments, said agreement being attached hereto as Exhibit A; authorizing the City Manager / Executive Director to execute the Agreements; providing for a repealing clause; providing for a severability clause; and providing an effective date (Community Development Director)

9. Receive Councilmember Reports/Items of Community Interest - as authorized by Section 551.0415 of the Texas Government Code.

10. Future Agenda Items – Council to provide direction to staff regarding future agenda items. These items will not be discussed and no action will be taken at this meeting.

Adjourn

Posted Thursday, February 27, 2020 by 5:00 P.M.

Kandi Jackson
Kandi Jackson, City Secretary



As authorized by Section 551.071(2) of the Texas Government Code, this meeting may be convened into closed executive session for the purpose of seeking confidential legal advice from the City Attorney on any agenda item listed herein.

The City of Seagoville does not discriminate on the basis of disability in the admission or access to, or treatment or employment in, its programs or activities. If you have a request for services that will make this program accessible to you, please contact the City of Seagoville at least 72 hours in advance at (972) 287-6819. (TDD access 1-800-RELAY-TX)

DATES TO REMEMBER

- **Monday, March 16, 2020 Regular City Council Meeting**
- **Monday, April 6, 2020 Regular City Council Meeting**
- **Monday, April 20, 2020 Regular City Council Meeting**

Consent Session Agenda Item: 1

Meeting Date: March 2, 2020

ITEM DESCRIPTION:

Consider approving City Council Meeting minutes for February 24, 2020.

BACKGROUND OF ISSUE:

Approve City Council Meeting minutes for February 24, 2020.

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

Staff recommends approval.

EXHIBITS:

February 24, 2020 Work Session Minutes
February 24, 2020 Regular Meeting Minutes



**MINUTES OF CITY COUNCIL
WORK SESSION
FEBRUARY 24, 2020**

The Work Session of the City Council of the City of Seagoville, Texas was called to order at 6:30 p.m. on Monday, February 24, 2020, at City Hall, 702 N. Hwy 175, Seagoville, Texas with a quorum present, to wit:

Dennis Childress	Mayor
Jon Epps	Mayor Pro Tem
Jose Hernandez	Councilmember
Rick Howard	Councilmember
Harold Magill	Councilmember
Mike Fruin	Councilmember

The following staff members were also present: City Manager Patrick Stallings, Police Chief Ray Calverley, Community Development Director Ladis Barr, City Attorney Nicole Corr, Library Director Liz Gant, Director of Administrative Services Cindy Brown, and City Secretary Kandi Jackson.

A. Discuss Regular Session Agenda Items

B. Police Department & Animal Control Update (Police Chief)

Chief Calverley presented the Police Department & Animal Control Update.

C. Receive presentation concerning dangerous dog procedures (Police Chief)

Chief Calverley presented dangerous dog procedures.

In response to a question by Councilmember Hernandez, Chief Calverley stated a dog can only be deemed dangerous by Municipal Court.

Adjourned at 6:53 p.m.

APPROVED:

Mayor Dennis K. Childress

ATTEST:

Kandi Jackson, City Secretary



**MINUTES OF CITY COUNCIL
REGULAR SESSION
FEBRUARY 24, 2020**

The Regular Session of the City Council of the City of Seagoville, Texas was called to order at 7:00 p.m. on Monday, February 24, 2020, at City Hall, 702 N. Hwy 175, Seagoville, Texas with a quorum present, to wit:

Dennis Childress	Mayor
Jon Epps	Mayor Pro Tem
Jose Hernandez	Councilmember
Rick Howard	Councilmember
Harold Magill	Councilmember
Mike Fruin	Councilmember

The following staff members were also present: City Manager Patrick Stallings, Police Chief Ray Calverley, Library Director Liz Gant, Community Development Director Ladis Barr, City Attorney Nicole Corr., Director of Administrative Services Cindy Brown, and City Secretary Kandi Jackson.

Invocation – *Invocation was led by Mayor Childress.*

Pledge of Allegiance – *Pledge of Allegiance was led by Mayor Childress.*

Mayor’s Report – *Mayor Childress introduced Masonic Lodge Secretary Danny Wright. Masonic Lodge Secretary Danny Wright presented an Outstanding Non-Mason Award to Brandi Letson Hunsaker.*

Mayor Childress asked Library Director Gant to give an update concerning the 2020 Census. Library Director Gant encouraged everyone to respond to the 2020 Census as the received responses determines money received for economic growth in all communities.

Citizens Public Comment Period- *This portion of the meeting is to allow each speaker up to six (6) minutes to address the council on items not posted on the current agenda. Council may not discuss these items but may respond with factual data or policy information, or place the item on a future agenda. Citizens wishing to speak on posted agenda items will be called upon at that time. Anyone wishing to speak shall submit a Speaker Request Form to the City Secretary.*

Nathan Timmerman at 2801 Prescott Lane stated he would like to speak on the Planned Development Item. Mayor Childress stated he would call Mr. Timmerman at that time.

1. Recessed into Executive Session at 7:10 p.m.

Council will recess into Executive Session in compliance with Texas Government Code:

A. §551.071. Consultation with Attorney: receive legal advice relate to Councils ability to guide staff on residential development

2. Reconvened Into Regular Session at 7:29 p.m.

Council will reconvene into open session, and take action, if any, on matters discussed in Executive Session.

A. §551.071. Consultation with Attorney: receive legal advice relate to Councils ability to guide staff on residential development

No action taken.

CONSENT AGENDA- The Consent Agenda contains items which are routine in nature and will be acted upon in one motion.

3. Consider approving City Council Meeting minutes for January 27, 2020 and Joint Meeting with Seagoville Economic Development Corporation minutes for February 3, 2020 (City Secretary)

Motion to approve City Council Meeting minutes for January 27, 2020 and Joint Meeting with Seagoville Economic Development Corporation minutes for February 3, 2020 – Howard, seconded by Epps; motion passed with all ayes. 5/0

REGULAR AGENDA-

4. Discuss and consider a Resolution of the City Council of the City of Seagoville, Texas, authorizing the Mayor to accept and file the Police Department’s 2019 Racial Profiling Report, providing for the repeal of any and all Resolutions in conflict; providing for a severability clause; and providing an effective date (Police Chief)

Chief Calverley presented a bio and introduced Mr. Del Carmen of De Carmen Consulting LLC. Mr. Del Carmen presented the Seagoville Police Department’s 2019 Racial Profiling Report.

Motion to approve a Resolution of the City Council of the City of Seagoville, Texas authorizing the Mayor to accept and file the Police Department’s 2019 Racial Profiling Report, providing for the repeal of any and all Resolutions in conflict: providing for a severability clause; and providing an effective date – Magill, seconded by Hernandez; motion passed with all ayes 5/0

5. Discuss and consider a Resolution of the City of Seagoville, Texas, awarding a bid to Ed Bell Construction Company for the Crestview Lane and Malloy Bridge Road Reconstruction Project in the amount of Two Million Two Hundred Forty Five Thousand Three Hundred Sixty Four Dollars (\$2,245,364.00); Authorizing the City Manager to execute any and all necessary documents, and providing an effective date

Mayor Childress asked Dallas Commissioner John Wiley Price to speak. Commissioner Price stated they just completed the Seventh Call for Projects and he looks forward to continuing the relationship with the City of Seagoville.

Motion to approve a Resolution of the City of Seagoville, Texas, awarding a bid to Ed Bell Construction Company for the Crestview Lane and Malloy Bridge Road Reconstruction Project in the amount of Two Million Two Hundred Forty Five Thousand Three Hundred Sixty Four Dollars (\$2,245,364.00); Authorizing the City Manager to execute any and all necessary documents, and providing an effective date – Epps, seconded by Hernandez; motion passed with all ayes. 5/0

6. Conduct a public hearing on a request to change the zoning from Single Family (R-2) to Planned Development – Residential Single Family- 5 (PD-20-02) for three (3) tracts of land described as Tract 1 being approximately 135.08± acres commonly referred to as 2301 Simonds Road, 2219 Simonds Road, 2219 E. Simonds Road, and 1320 E. Stark Road and Tract 2 being approximately 22.95± acres of the land commonly referred to as 2301 Simonds Road and Tract 3 being approximately 88.96± acres of the land located on the southeast corner of Stark Road and Lasater Road, all in the City of Seagoville, Dallas County, Texas. Dennis and Janis Wolford own Tract 1 and Tract 2. Richard Jones and Gary Jones own Tract 3 (Community Development)

Mayor Childress opened the public hearing at 7:50 p.m.

Community Development Director Barr stated it was a pleasure working with the Cameron's on this Planned Development. He stated this Planned Development changes the zoning from R-2 to R-5, will have several homes will have side entry garages, eighty percent (80%) masonry on the homes, two (2) concrete lanes with sidewalks on Stark Road and Lasater Road, a pool area, and walking trails.

Marie Cameron presented the Planned Development.

Councilmember Hernandez asked how many phases will it take to complete the development. Marie Cameron stated two (2) to three (3) phases.

Mr. Timmerman, Theodore Wojtowicz, Jerry Becker, Keri Sanders, Cindy Timmerman, Keith Meek, Rusty Olgetree, and Bambi Wade spoke in opposition.

Stepper Sebastian spoke in favor.

Mayor Childress closed the public hearing at 8:31 p.m.

7. Discuss and consider 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 Single Family (R-2) to Planned Development – Residential Single Family-5 (PD-20-02) for three (3) tracts of land described as Tract 1 being approximately 135.08 ± acres commonly referred to as 2301 Simonds Road, 2219 Simonds Road, 2219 E. Simonds Road, and 1320 E. Stark Road and Tract 2 being approximately 22.95 ± acres of the land commonly referred to as 2301 Simonds Road and, Tract 3 being approximately 88.96 ± acres of land located on the southeast corner of Stark Road and Lasater Road, all in the City of Seagoville, Dallas County, Texas and each tract being legally described in Exhibit “A”, attached hereto and incorporated herein; providing for development regulations; providing for the approval of the concept plan, which is attached hereto and incorporation 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 (Community Development Director)

Motion to approve 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 Single Family (R-2) to Planned Development – Residential Single Family-5 (PD-20-02) for three (3) tracts of land described as Tract 1 being approximately 135.08 ± acres commonly referred to as 2301 Simonds Road, 2219 Simonds Road, 2219 E. Simonds Road, and 1320 E. Stark Road and Tract 2 being approximately 22.95 ± acres of the land commonly referred to as 2301 Simonds Road and, Tract 3 being approximately 88.96 ± acres of land located on the southeast corner of Stark Road and Lasater Road, all in the City of Seagoville, Dallas County, Texas and each tract being legally described in Exhibit “A”, attached hereto and incorporated herein; providing for development regulations; providing for the approval of the concept plan, which is attached hereto and incorporation 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 – Hernandez, seconded by Fruin; motion passed with all ayes. 5/0

8. Discuss and consider a Resolution of the City Council of the City of Seagoville, Texas approving Amendment No. 1 to the Mowing Services Agreement between the City of Seagoville, and Good Earth Corporation, which is attached hereto as Exhibit “A”, by amending Article I to provide for a term to run concurrent with the City’s Fiscal Year and, by amending Article IV to increase the compensation amount to mirror the amount set forth in the FY 2020 Budget for said services, being Two Hundred Fifteen Thousand Dollars (\$215,000.00); authorizing the City Manager to execute any and all necessary documents; and providing an effective date (Community Development Director)

Motion to approve a Resolution of the City Council of the City of Seagoville, Texas approving Amendment No. 1 to the Mowing Services Agreement between the City of Seagoville, and Good Earth Corporation, which is attached hereto as Exhibit “A”, by amending Article I to provide for a term to run concurrent with the City’s Fiscal Year and, by amending Article IV to increase the compensation amount to mirror the amount set forth in the FY 2020 Budget for said services, being Two Hundred Fifteen Thousand Dollars (\$215,000.00); authorizing the City Manager to execute any and all necessary documents; and providing an effective date-Howard, seconded by Magill; motion passed with all ayes. 5/0

9. Discuss and consider a Resolution of the City of Seagoville, Texas, approving engagement of C&M Concrete to replace the entrance off Bruce Way into C.O. Bruce “Central” park and replace the roadway and parking area on the south side for compensation in an amount not to exceed Two Hundred Twenty Thousand One Hundred Fifty Nine Dollars and Fourteen Cents (\$220,159.14), as set forth in Exhibit “A”, which is attached hereto and incorporated herein; authorizing the City Manager to execute any and all necessary documents for the work to be performed; and providing an effective date (Community Development Director)

Motion to approve a Resolution of the City of Seagoville, Texas, approving engagement of C&M Concrete to replace the entrance off Bruce Way into C.O. Bruce “Central” park and replace the roadway and parking area on the south side for compensation in an amount not to exceed Two Hundred Twenty Thousand One Hundred Fifty Nine Dollars and Fourteen Cents (\$220,159.14), as set forth in Exhibit “A”, which is attached hereto and incorporated herein; authorizing the City Manager to execute any and all necessary documents for the work to be performed; and providing an effective date – Magill, seconded by Epps; motion passed with all ayes. 5/0

10. Discuss and consider a Resolution of the City of Seagoville, Texas, approving engagement C&M Concrete to replace the back roadway inside C.O. Bruce “Central” Park from the south side to the north side of said park and the head wall located thereon for compensation in an amount not to exceed One Hundred Seventeen Thousand Nine Hundred Thirty Six Dollars and No Cents (\$117,396.00), as set forth in Exhibit “A”, which is attached hereto and incorporated herein; authorizing the City Manager to execute any and all necessary documents for the work to be performed; and providing an effective date (Community Development Director)

Motion to approve a Resolution of the City of Seagoville, Texas, approving engagement C&M Concrete to replace the back roadway inside C.O. Bruce “Central” Park from the south side to the north side of said park and the head wall located thereon for compensation in an amount not to exceed One Hundred Seventeen Thousand Nine Hundred Thirty Six Dollars and No Cents (\$117,396.00), as set forth in Exhibit “A”, which is attached hereto and incorporated herein; authorizing the City Manager to execute any and all necessary documents for the work to be performed; and providing an effective date- Magill, seconded by Howard; motion passed with all ayes. 5/0

11. Discuss and consider directing Staff on the selection of the movie(s) to view at the annual “ Movie in the Park” event to be held on: Saturday, September 26, 2020 and October 24, 2020 (Community Development Director)

Council selected “A Dog’s Journey” to view on September 26, 2020 and “The Secret Life of Pets 2” to view on October 24, 2020.

Councilmember Hernandez requested Animal Control to hold an adoption event at the “Movie in the Park” events.

Community Development Director Barr stated In n Out Burger will be serving food at the events.

12. Update on the TXDOT lane reversal on South Highway 175 (Community Development Director)

Community Development Director Barr provided a visual and updated Council on the TXDOT lane reversal on South Highway 175.

City Manager Stallings stated the point is to gain commercial and retail space.

13. Discuss and consider a Resolution of the City of Seagoville, Texas, approving and ratifying the Seagoville Economic Development Corporations approval of an Agreement for Professional Engineering Services on a Defined Scope of Services Basis with Halff Associates, Inc. to perform the Electrical Engineering Design Services as set forth in Attachment “1” and Exhibit “A” thereto, which are attached hereto and incorporated herein, for compensation in an amount not to exceed Twenty One Thousand Seven Hundred Ten Dollars and No Cents (\$21,710.00); authorizing the City Manager/Executive Director to execute said agreement: providing for a repealing clause; providing for a severability clause; and providing an effective date (City Manager)

Motion to approve a Resolution of the City of Seagoville, Texas, approving and ratifying the Seagoville Economic Development Corporations approval of an Agreement for Professional Engineering Services on a Defined Scope of Services Basis with Halff Associates, Inc. to perform the Electrical Engineering Design Services as set forth in Attachment “1” and Exhibit “A” thereto, which are attached hereto and incorporated herein, for compensation in an amount not to exceed Twenty One Thousand Seven Hundred Ten Dollars and No Cents (\$21,710.00); authorizing the City Manager/Executive Director to execute said agreement: providing for a repealing clause; providing for a severability clause; and providing an effective date – Hernandez, seconded by Magill; motion passed with all ayes. 5/0

14. Discuss and consider directing City Manager to request funding from the Seagoville Economic Development Corporation for the purchase of a new Christmas tree to be utilized during the month of December during the Christmas season (Mayor Pro Tem Epps)

Mayor Pro Tem Epps stated the City’s current Christmas Tree is about thirteen (13) years old and needs to be replaced. Also, he stated he would like to direct the City Manager to request funding from the Seagoville Economic Development Corporation for the purchase of a new Christmas tree.

15. Discuss and consider declaring a possible vacancy and new appointment to the Seagoville Economic Development Corporation (Mayor Childress)

Councilmember Hernandez stated he would like to table this item until the next Council Meeting.

16. Receive Councilmember Reports/Items of Community Interest – as authorized by Section 551.0415 of the Texas Government Code.

Mayor Pro Tem Epps thanked Staff and stated he wants to keep moving forward.

Councilmember Hernandez invited Council to the Cub Scouts Blue & Gold this upcoming Saturday.

17. Future Agenda Items – Council to provide direction to staff regarding future agenda items. These items will not be discussed and no action will be taken at this meeting.

Councilmember Hernandez requested a review of Council’s Rules of Procedures and more specifically to include Censorship and Ethics and Compliance.

Councilmember Magill requested an update from Retail Coach.

Adjourned at 8:46 p.m.

APPROVED:

Mayor Dennis K. Childress

ATTEST:

Kandi Jackson, City Secretary

Consent Session Agenda Item: 2

Meeting Date: March 2, 2020

ITEM DESCRIPTION:

Discuss and consider a Resolution of the City of Seagoville, Texas, ordering cancellation of the General Election on May 2, 2020, and declaring the Election of Unopposed Candidates for Place 1, Place 3, and Place 5 of the City Council of the City of Seagoville, Texas; providing for the posting of this Resolutions at each polling place on Election Day; and providing an effective date.

BACKGROUND OF ISSUE:

The filing deadline of February 14, 2020 passed with only one City Council candidate application being submitted for each one of the three expiring terms/positions up for election. Additionally, the deadline of February 18, 2020 for write-in candidates passed with no applications being submitted. With no opposed candidates the City can cancel its election and declare the unopposed candidates elected.

FINANCIAL IMPACT:

Staff has not received an estimated cost of General Election 2020 from Dallas County.

RECOMMENDATION:

Staff recommends approval.

EXHIBITS

Order of Cancellation (English)
Order of Cancellation (Spanish)
Certification of Unopposed Candidates

RESOLUTION NO. __-R-2020

A RESOLUTION OF THE CITY OF SEAGOVILLE, TEXAS, ORDERING CANCELLATION OF THE GENERAL ELECTION ON MAY 2, 2020, AND DECLARING THE ELECTION OF UNOPPOSED CANDIDATES FOR PLACE 1, PLACE 3 AND PLACE 5 OF THE CITY COUNCIL OF THE CITY OF SEAGOVILLE, TEXAS; PROVIDING FOR THE POSTING OF THIS RESOLUTION AT EACH POLLING PLACE ON ELECTION DAY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, by Resolution No. 14-R-2020, the City Council called for an election on May 2, 2020, to elect Council Members for Places 1, 3 and 5; and,

WHEREAS, the time for filing as a candidate for the May 2, 2020, City Council election has passed; and,

WHEREAS, Subchapter C, Election of Unopposed Candidate of the Election Code provides that a municipality may cancel an election for council members if each candidate whose name is to appear on the ballot is unopposed and no proposition or special election has been called to appear; and,

WHEREAS, as required by law, the City Secretary has delivered a written certification to the City Council certifying that the candidates for election for Council Members for Places 1, 3 and 5 are unopposed; and, been delivered to the City Council; and,

WHEREAS, that in accordance with the Texas Election Code, City Council desires to cancel such election and declare the unopposed candidates elected to office.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY THE CITY COUNCIL OF THE CITY OF SEAGOVILLE, TEXAS:

SECTION 1. That the election called for May 2, 2020, to elect Council Members for Places 1, 3 and 5 is cancelled.

SECTION 2. That the following unopposed candidates have been certified as unopposed and are declared elected:

NAME OF CANDIDATE	OFFICE SOUGHT	TERM
Rick Howard	Council – Place 1	Full – 2-year
Harold Magill	Council – Place 3	Full – 2-year
Jon Epps	Council – Place 5	Full – 2-year

SECTION 3. That a copy of this Resolution will be posted on Election Day at each polling place that would have been used in the election, as required by the Election Code.

SECTION 4. That a certification of election will be issued to each candidate in the same manner and at the same time as provided for a candidate elected at the election, as required by the Election Code.

AND IT IS SO RESOLVED AND ORDERED.

APPROVED AND ADOPTED by the City Council of the City of Seagoville, Texas the 2nd day of March 2020.

This resolution and order shall be effective from and after the date of its enactment as provided by law.

APPROVED:

DENNIS K. CHILDRESS, MAYOR
CITY OF SEAGOVILLE, TEXAS

ATTEST:

KANDI JACKSON, CITY SECRETARY
CITY OF SEAGOVILLE, TEXAS

APPROVED AS TO FORM:

VICTORIA THOMAS, CITY ATTORNEY

RESOLUCION NO. __-R-2020

UNA RESOLUCION DE LA CIUDAD DE SEAGOVILLE, TEXAS, ORDENANDO LA CANCELACION DE LAS ELECCIONES GENERALES EL DIA 2 DE MAYO DEL 2020, Y DECLARANDO LA ELECCION DE CANDIDATOS SIN OPOSICION PARA EL LUGAR 1, LUGAR 3 Y LUGAR 5 DEL CONSEJO MUNICIPAL DE LA CIUDAD DE SEAGOVILLE, TEXAS; PROPORCIONANDO PARA LA PUBLICACION DE ESTA RESOLUCION EN CADA CENTRO ELECTORAL EL DIA DE LAS ELECCIONS; Y PROPORCIONANDO UNA FECHA EFECTIVA.

CONSIDERANDO que, por Resolución no. 14-R-2020, el Consejo Municipal pidió una elección el día 2 de mayo del 2020, para elegir a los miembros del Consejo para los lugares 1, 3 y 5; y,

CONSIDERANDO que, el tiempo para la presentación como candidato para el día 2 mayo del 2020, la elección del Concejo Municipal ha pasado; y,

CONSIDERANDO que, el subcapítulo C, elección del candidato sin oposición del código de la elección establece que un municipio puede cancelar una elección para los miembros del Consejo si cada candidato cual nombre va aparecer en la balota electoral no es opuesto y ninguna proposición o elección especial ha sido llamado a aparecer; y,

CONSIDERANDO que, como lo requiere la ley, el Secretario de la ciudad ha entregado una certificación por escrito al Consejo Municipal que certifica que los candidatos para la elección de los miembros del Consejo para los lugares 1, 3 y 5 no son opuestos; y, sido entregado al Consejo Municipal; y,

CONSIDERANDO que, de acuerdo con el código electoral de Texas, el Consejo Municipal desea cancelar dicha elección y declarar a los candidatos sin oposición elegidos para el cargo.

AHORA, POR LO TANTO, SEA RESUELTO Y ORDENADO POR EL CONSEJO MUNICIPAL DE LA CIUDAD DE SEAGOVILLE, TEXAS:

SECCION 1. Que la elección convocada para el día 2 de mayo del 2020, para elegir a los miembros del Consejo para los lugares 1, 3 y 5 se cancela.

SECCION 2. Que los siguientes candidatos sin oposición han sido certificados como sin oposición y son declarados elegidos:

NOMBRE DEL CANDIDATO	OFICINA BUSCO	PLAZO
Rick Howard	Consejo - lugar 1	Completo – 2-ano
Harold Magill	Consejo - lugar 3	Completo – 2-ano
Jon Epps	Consejo - lugar 5	Completo – 2-ano

SECCION 3. Que una copia de esta resolución sea publicada el día de las elecciones en cada lugar de votación que se habría utilizado en la elección, como lo requiere el código de la elección.

SECCION 4. Que una certificación de la elección será emitida a cada candidato de la misma manera y al mismo tiempo que se proporciona para un candidato elegido en la elección, como lo requiere el código de la elección.

Y ESTA TAN RESUELTO Y ORDENADO.

APROBADO Y ADOPTADO por el Consejo Municipal de la ciudad de Seagoville, Texas el día 2 de Marzo del 2020.

Esta resolución y orden será efectiva desde y después de la fecha de su promulgación según lo estipula la ley.

APROBADO:

DENNIS K. CHILDRESS, ALCADO
CITY OF SEAGOVILLE, TEXAS

DAR FE:

KANDI JACKSON, CITY SECRETARY
CITY OF SEAGOVILLE, TEXAS

APROBADO EN CUANTO A LA FORMA:

VICTORIA THOMAS, CITY ATTORNEY

CERTIFICATION OF UNOPPOSED CANDIDATES

To: Presiding Officer of Governing Body

Al: Presidente de la entidad gobernante

As the authority responsible for having the official ballot prepared, I hereby certify that the following candidates are unopposed for election to office for the election scheduled to be held on May 2, 2020.

Como autoridad a cargo de la preparación de la boleta de votación oficial, por la presente certifico que los siguientes candidatos son candidatos únicos para elección para un cargo en la elección que se llevará a cabo el 2 de mayo de 2020.

List offices and names of candidates:

Lista de cargos y nombres de los candidatos:

Offices (cargo)	Candidate (candidato)
Place 1 (<i>Concejal Lugar 1</i>)	Rick Howard
Place 3 (<i>Concejal Lugar 3</i>)	Harold Magill
Place 5 (<i>Concejal Lugar 5</i>)	Jon Epps

Kandi Jackson

Kandi Jackson, City Secretary (*Ciudad Secretario*)

March 2, 2020

Date of Signing (*Fecha de firma*)

Consent Session Agenda Item: 3

Meeting Date: March 2, 2020

ITEM DESCRIPTION:

Discuss and consider a Resolution of the City of Seagoville, Texas, authorizing continued participation with the Steering Committee of Cities served by ONCOR; and authorizing the payment of seven cents (\$0.07) per capita to the Steering Committee to fund regulatory and legal proceedings and activities related to Oncor Electric Delivery Company, LLC.

BACKGROUND OF ISSUE:

The City of Seagoville is a regulatory authority under the Public Utility Regulatory Act (PURA) and has exclusive original jurisdiction over the rates and services of Oncor Electric Delivery Company, LLC (Oncor) within the municipal boundaries. The Steering Committee of Cities Served by Oncor (Steering Committee) has historically intervened in Oncor rate proceedings and electric utility related rulemakings to protect the interests of municipalities and electric customers residing within the City. For the Steering Committee to continue its participation in these activities, which affects the provision of electric utility service and the rates to be charged, it must assess its members for such costs.

Municipalities have original jurisdiction over the electric distribution rates and services within the city. The Steering Committee has been in existence since the late 1980s. It took on a formal structure in the early 1990s. Empowered by city resolutions and funded by per capita assessments, the Steering Committee has been the primary public interest advocate before the Public Utility Commission, ERCOT, the courts, and the Legislature on electric utility regulation matters for over two decades.

The Steering Committee is actively involved in rate cases, appeals, rulemakings, and legislative efforts impacting the rates charged by Oncor Electric Delivery Company, LLC within the City. Steering Committee representation is also strong at ERCOT. It is possible that additional efforts will be necessary on new issues that arise during the year, and it is important that the Steering Committee be able to fund its participation on behalf of its member cities. A per capita assessment has historically been used and is a fair method for the members to bear the burdens associated with the benefits received from that membership.

FINANCIAL IMPACT:

\$1,181.46

RECOMMENDATION:

Staff recommends approval.

EXHIBITS:

Resolution

CITY OF SEAGOVILLE, TEXAS

RESOLUTION NO. ____-R-2020

A RESOLUTION OF THE CITY OF SEAGOVILLE, TEXAS, AUTHORIZING CONTINUED PARTICIPATION WITH THE STEERING COMMITTEE OF CITIES SERVED BY ONCOR; AND AUTHORIZING THE PAYMENT OF SEVEN CENTS (\$0.07) PER CAPITA TO THE STEERING COMMITTEE TO FUND REGULATORY AND LEGAL PROCEEDINGS AND ACTIVITIES RELATED TO ONCOR ELECTRIC DELIVERY COMPANY, LLC.

WHEREAS, the City of Seagoville is a regulatory authority under the Public Utility Regulatory Act (PURA) and has exclusive original jurisdiction over the rates and services of Oncor Electric Delivery Company, LLC (Oncor) within the municipal boundaries of the city; and

WHEREAS, the Steering Committee of Cities Served by Oncor (Steering Committee) has historically intervened in Oncor rate proceedings and electric utility related rulemakings to protect the interests of municipalities and electric customers residing within municipal boundaries; and

WHEREAS, the Steering Committee is participating in Public Utility Commission dockets and projects, as well as court proceedings, and legislative activity, affecting transmission and distribution utility rates; and

WHEREAS, the City is a member of the Steering Committee; and

WHEREAS, the Steering Committee functions under the direction of an Executive Committee which sets an annual budget and directs interventions before state and federal agencies, courts and legislatures, subject to the right of any member to request and cause its party status to be withdrawn from such activities; and

WHEREAS, the Executive Committee in its December 2019 meeting set a budget for 2020 that compels an assessment of seven cents (\$0.07) per capita; and

WHEREAS, in order for the Steering Committee to continue its participation in these activities which affects the provision of electric utility service and the rates to be charged, it must assess its members for such costs.

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

SECTION 1. That the City is authorized to continue its membership with the Steering Committee of Cities Served by Oncor to protect the interests of the City of Seagoville and protect the interests of the customers of Oncor Electric Delivery Company, LLC residing and conducting business within the City limits.

SECTION 2. The City is further authorized to pay its assessment to the Steering Committee of seven cents (\$0.07) per capita based on the population figures for the City shown in the latest TML Directory of City Officials.

SECTION 3. A copy of this Resolution and the assessment payment check made payable to “*Steering Committee of Cities Served by Oncor*” shall be sent to Brandi Stigler, Steering Committee of Cities Served by Oncor, c/o City Attorney’s Office, Mail Stop 63-0300, 101 S. Mesquite St., Suite 300, Arlington, Texas 76010.

PRESENTED AND PASSED on this the 2ND day of March, 2020, by a vote of _____ ayes and _____ nays at a regular meeting of the City Council of the City of Seagoville, Texas.

APPROVED:

Dennis K. Childress, Mayor

ATTEST:

Kandi Jackson, City Secretary

APPROVED AS TO FORM:

Victoria Thomas, City Attorney
(REV. cdb 02/21/20)

City of Arlington, c/o Oncor Cities
 Steering Committee
 Attn: Brandi Stigler
 101 S. Mesquite St., Ste. 300
 MS # 63-0300
 Arlington, TX 76010

Invoice

Date	Invoice #
2/6/2020	20-125

Bill To
City of Seagoville

Item	Population	Per Capita	Amount
2020 Membership Assessment	16,878	0.07	1,181.46
Please make check payable to: Oncor Cities Steering Committee and mail to Oncor Cities Steering Committee, Attn: Brandi Stigler, Arlington City Attorney's Office, 101 S. Mesquite St., Ste. 300, MS #63-0300, Arlington, Texas 76010			Total \$1,181.46

Regular Session Agenda Item: 4

Meeting Date: March 2, 2020

ITEM DESCRIPTION:

Acceptance of City of Seagoville's Comprehensive Annual Financial Report (CAFR) for Fiscal Year 2019.

BACKGROUND OF ISSUE:

The City of Seagoville is required to have an audit of its financial records performed annually. The City retained the firm of Fox, Byrd and Company, PC of Dallas, Texas to perform and report on the audit of the fiscal year ended September 30, 2019. Frank Conroy, Partner of Fox, Byrd will present the audit to Council. The Audit Committee has met with Mr. Conroy and City staff to discuss the audit in detail during the month of February, 2020.

Patrick Harvey, Director of Finance will present the CAFR for Council acceptance.

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

EXHIBITS:

Regular Session Agenda Item: 5

Meeting Date: **March 2, 2020**

ITEM DESCRIPTION:

Conduct a public hearing to discuss a change in zoning from Residential Single Family (R-5) to Plan Development-Residential Single Family-5 (PD-20-01) for approximately 29.25± acres of land in the John D. Merchant Abstract 850, located southwest of East Farmers Road, between May Road and Alto Road, Seagoville, Dallas County, Texas.

BACKGROUND OF ISSUE:

The land is currently unimproved and is located southwest of East Farmers Road between May Road and Alto Road.

Pat Atkins, representing his company KPA Consulting Inc. and property owners, Paul & Rhonda Edmonds, in their request for a zoning change from (vacant) land zoned R-5 to a residential subdivision in a plan development with an R-5 base zoning. The proposed development regulations include:

- Development in accordance with a submitted concept plan
- Minimum front yard depth of 20-feet
- Minimum rear yard depth of 10-feet
- Minimum side yard width of 5-feet
- Minimum lot width of 50-feet
- Minimum lot depth of 110-feet
- Minimum lot area of 5,500 square feet
- Minimum living area of the houses to be:
 - 15% having at least 1,600-square feet;
 - 70% having at least 1,700-square feet; and
 - 15% having at least 1,800-square feet;
- Maximum 35-feet height of each house

The existing zoning, land uses, and relevant portions of the City's comprehensive plan are each referenced in the attached staff report. The report also provides a recommendation from Staff on whether the P&Z should deny or approve the applicant's request.

There are thirty-four (34) properties and parts of six (6) public streets within 200-feet of the boundary of the subject area. The owners of each parcel were notified in compliance with the 200-foot rule by mail on Tuesday, January 28, 2020. A legal ad was also published per the Texas Local Government Code in the Monday, January 27, 2020, edition of the Daily Commercial Record newspaper. No (zero) letters were returned as undeliverable by the U.S. Postal Service. One (1) written response has been returned in favor of the request. No one (zero) spoke for or against the project at the Planning and Zoning Commission meeting.

For the City Council meeting, the owners of each parcel were again notified in compliance with the 200-foot rule by mail on Wednesday, February 19, 2020, about the City Council meeting. A legal ad was also published per the Texas Local Government Code in the Friday, February 14, 2020, edition of the Daily Commercial Record newspaper. As of the date of this report, Wednesday, February 26, 2020, no (zero) additional letters have been returned as undeliverable by the U.S. Postal Service. Three (3) written responses have been returned. Any responses received after the emailing of the packet to the Council will be provided at the meeting.

FINANCIAL IMPACT:

Not applicable

RECOMMENDATION:

On February 11th, the Planning and Zoning Commission voted five (5) to zero (0) in favor of recommending approval with conditions on the request to development with R-5, Residential Single Family, base zoning) on the 29.25-acres of land owned by Paul and Rhonda Edmonds, and situated in the John D. Merchant Abstract 850 in Seagoville, Dallas County, Texas, being all of 6.507-acre tract described in a deed recorded in Volume 2001055 Page 769 of the Deed Records of Dallas County, Texas (D.R.D.C.T.), all of Tract 1 and part of Tract 2 described in a deed recorded as Instrument 201300036608 D.R.D.C.T., part of Tract I described in a deed recorded in Volume 99066 Page 5469 D.R.D.C.T., and part of a 20.0-acre tract described in a deed recorded in Volume 2003184 Page 2980 D.R.D.C.T. The conditions of approval were:

- Addition of a 5-foot wide sidewalk along East Farmers Road at the same time as its pavement improvements.
- All other constructed streets to have 4-foot wide sidewalks on both sides unless otherwise shown on the concept plan.
- With the Final Plat of this subdivision, right-of-way dedication plus sidewalk and pavement construction of widened East Farmers Road along frontage of owners' land outside of subdivision.

Staff supports the requested change with the listed conditions of approval in addition to the internal trail system to have 4-foot sidewalks maintained by the Home Owners' Association when the trail is not located within a street right-of-way.

EXHIBITS:

Each of the following are set for printing on letter-sized paper unless otherwise listed.

1. Staff Report (6 pages)
2. 2019 aerial photograph from DCAD website
3. Dimensional reference map from DCAD website
4. Zoning map reference (dimensional map with zoning added)
5. Application packet
 - a. Application
 - b. Proposed development regulations
 - c. Title Survey of combined properties (11x17)
 - d. Concept plan (11 x 17)
6. Legal notice to newspaper
 - a. Planning and Zoning Commission
 - b. City Council
7. Letters to property owners
 - a. Planning and Zoning Commission (2 pages)
 - b. City Council (2 pages)
8. Responses received
 - a. Planning and Zoning Commission (2 pages)
 - b. City Council (3 pages)
9. List of property owners within 200-feet of property (2 pages)
10. Presentation (20 pages)



COMMUNITY DEVELOPMENT
702 NORTH HIGHWAY 175
SEAGOVILLE, TX 75159
PHONE: (972) 287-2050

DATE: MARCH 2, 2020
AUTHOR: JENNIFER BONNER, PLANNER
APPLICANTS: K.P.A. CONSULTING INC.; PAUL & RHONDA EDMONDS
PARCELS: 65085006510060000; 65085006510060300;
 65085006510060400; 65085006510060500; AND
 65085006510060600
LOCATION: ALL OF TRACT 6.5 AND TRACT 6.6; PARTS OF TRACTS 6, 6.3, AND 6.4
 OF JOHN D. MERCHANT ABSTRACT 850

REQUEST SUMMARY:

The applicants are requesting that the current zoning be changed from R-5 to PD-R5, a plan development for a residential subdivision of detached single family houses.

The subdivision and plan development will be located on the about 29+acres that are outlined in red and under the yellow star.



REQUEST LOCATION: Inside City; Dallas County

SIZE OF PROPERTY	EXISTING ZONING	SURROUNDING ZONING	EXISTING LAND USE	SURROUNDING LAND USE
29.25± acres	R-5, Single Family Residential	<p>North: R-3, Single Family Residential <u>and</u> R-5, Single Family Residential</p> <p>West: R-5, Single Family Residential <u>and</u> PD-R5, Plan Development with R-5, Residential Single Family base zoning</p> <p>East: R-5, Single Family Residential <u>and</u> R-2, Single Family Residential</p> <p>South: R-5, Single Family Residential <u>and</u> PD-R5, Plan Development with R-5, Residential Single Family base zoning</p>	Agriculture	Low Density Residential

PLANNING AND ZONING COMMISSION RECOMMENDATION:

On February 11th, the Planning and Zoning Commission voted five (5) to zero (0) in favor of recommending approval with conditions on the request to development with R-5, Residential Single Family, base zoning) on the 29.25-acres of land owned by Paul and Rhonda Edmonds, and situated in the John D. Merchant Abstract 850 in Seagoville, Dallas County, Texas, being all of 6.507-acre tract described in a deed recorded in Volume 2001055 Page 769 of the Deed Records of Dallas County, Texas (D.R.D.C.T.), all of Tract 1 and part of Tract 2 described in a deed recorded as Instrument 201300036608 D.R.D.C.T., part of Tract I described in a deed recorded in Volume 99066 Page 5469 D.R.D.C.T., and part of a 20.0-acre tract described in a deed recorded in Volume 2003184 Page 2980 D.R.D.C.T. The conditions of approval were:

- Addition of a 5-foot wide sidewalk along East Farmers Road

Planning & Zoning Commission reviews and makes a recommendation to the City Council, which makes the final decision on the request.	
Detailed explanations follow on the attached pages.	
STANDARD:	ANALYSIS:
Development Calendar (Deadlines)	Has Met
Application(s) Requirements	Has Met
Zoning Code	Has Met

at the same time as its pavement improvements.

- All other constructed streets to have 4-foot wide sidewalks on both sides unless otherwise shown on the concept plan.
- With the Final Plat of this subdivision, right-of-way dedication plus sidewalk and pavement construction of widened East Farmers Road along frontage of owners' land outside of subdivision.

Staff supports the requested change with the listed conditions of approval in addition to the internal trail system to have 4-foot sidewalks maintained by the Home Owners' Association when the trail is not located within a street right-of-way.

COMPARISON TO ADOPTED CITY MASTER PLANS

STAFF ANALYSIS

PLAN GOALS OR GUIDELINES

2002 Future Land Use Plan and Map

The subject area is outlined in red and under the light pink star outlined in the darker pink/purple. This entire area of Seagoville is in an area expected to remain as Low Density Residential (light yellow color).

Meets Standard

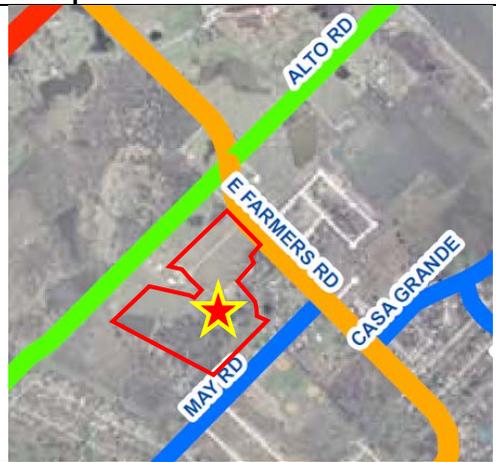


2006 Thoroughfare Plan and Map

The subject area is outlined in red and under the red star outlined in the yellow. The properties currently only have access via East Farmers Road (a future Minor Arterial requiring a total of 100-feet of right-of-way).

A second access for the subdivision will be created by a new internal street that will extended through this development towards the southwest and will eventually reach Highway 175 via Greenhaven Drive. Several other new internal residential streets will be dedicated and constructed with sidewalks in both sides as part of the development.

Meets Standard

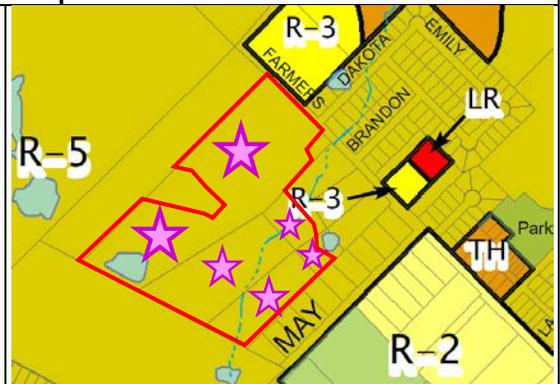


2009 Zoning Plan and Map

The plan development encompasses 29+acres of land outlined in red and under the 6 light pink stars outlined in the darker pink/purple.

The applicants are requesting that the property be rezoned for the development of a residential subdivision with a PD-R5 zoning. The development's base zoning would be R-5 to match the surrounding parcels. The plan development would reduce the lot sizes in exchange for homes with larger than the code-minimum size that R-5 requires.

Meets Standard



REVIEW CRITERIA	STAFF ANALYSIS	
1. Will the development provide for a superior design of the lots or buildings?	Yes	Narrower lots are being requested in exchange for a mixture of home sizes that will be primarily larger-than-the-code-required R-5 minimum.
2. Will the development or land use provide for increased recreation and open space opportunities for public use and enjoyment?	Yes	There are planned areas that will be designated for open space within the subdivision.
3. Will the development or land use provide amenities or features that would be of special benefit to the property users or to the overall community?	Yes	The smaller common area has a lake over an acre in size and the developer plans to add a walking path around. The larger common area is over seven acres in size and has a small creek and many large mature trees that will remain.
4. Will the development or land use protect or provide natural amenities and environmental assets?	Yes	There is a small existing creek. The existing pond may need to be revised to address control of increased stormwater runoff from the subdivision into the creek to protect downstream neighbors from flooding.
5. Will the development or land use protect or preserve existing historical buildings, structures, features, or places?	No	There are no identified locations at this time that have been identified for historical protection or preservation.
6. Will the development or land use provide an appropriate balance between the intensity of the development and the ability to provide adequate supporting public facilities and services?	Yes	The development will expand the existing water and sanitary sewer services in this area. Each utility will be required to be engineered to provide adequate service to each structure built within the development.
7. Will the development or land use meet or exceed the planned development regulations?	Yes	The lot dimensions shown on this concept plan are to be typically 50-feet wide by 110-feet deep.
8. Will the use be designated, located, and operated so that the public health, safety, and welfare will be protected?	Yes	Water, sanitary sewer, and storm utility services will be designed, engineered and operated to protect public health, safety, and welfare.
9. Will the land use be compatible with other area properties located nearby?	Yes	This area of Seagoville is almost exclusively detached single family homes other than a few townhomes to the southeast in an existing development.
10. Will the use be in compliance with all provisions of the zoning amendments portion of the Municipal Code?	Yes	The requirements for the change in zoning have been met (application, legal notifications, etc.).
11. Will the use be compliant with all applicable provisions in the Code for the district in which the use is to be located?	Yes	The primary land use in the proposed base zoning district will be residential.
12. Will the use facilitate public convenience at that location?	Yes	The current (and only) access is via East Farmers Road. A second access for the subdivision will be created by a new internal street that will extended through this development towards the southwest and will eventually reach Highway 175 via Greenhaven Drive.
13. Will the use conform to off-street parking and loading requirements?	Yes	This requirement will have to be met at the time the construction plat, and later the final plat, are submitted.
14. Are the ingress, egress, and pedestrian ways adequate?	Yes	All ingress and egress ways will be constructed by the City's contractor as part of the site's development. Improvements will include construction of sidewalks and ramps along each street.

**STAFF REPORT
Z2019-32**

REVIEW CRITERIA	STAFF ANALYSIS	
15. Have safeguards limiting noxious or offensive emissions, including light, noise, glare, dust, and odor been addressed?	Yes	No perimeter safeguards for this planned development will be required since the surrounding land uses are existing single family residences.
16. Will the proposed landscaping and screening be compliant with all City regulations?	Yes	Since no detailed landscaping or screening information for the subdivision was provided for along East Farmers Road, it will be required to meet code-defined minimums with its construction plat submittal and approval.
17. Will the signage be compliant with those portions of the Municipal Code?	Yes	Signage for this site will be limited to those allowed by code. Signage is a separate review conducted by Staff.
18. Will all open space(s) be maintained by the owner/developer?	Yes	The property owner will be required to maintain the property until the development is complete, when maintenance will be turned over to either private lot owners or a homeowners' association.
19. Are the size and shape of the site as well as the arrangement of the proposed structure(s) in keeping with the intent of the Code?	Yes	The submitted request is asking for approval to plan for lots that will be smaller-than-required in exchange for providing larger-than-required homes.
20. Will granting the permit be authorizing less than the minimum requirements in regards to height, area, setbacks, parking, or landscaping?	No	Some of these regulations are allowed by code to be changed if part of a plan development. Each change is required to be defined in the subdivision's regulating ordinance. A list of the requested changes from code can be found in attached Exhibit 5b.
21. Have the provisions of the existing master thoroughfare plan been met to protect the public interest?	Yes	The quantities of right-of-way for East Farmers Road and its improvements will be required to meet the 2006 Thoroughfare Plan. Additionally, staff is asking that right-of-way be dedicated and the construction of a 5-foot sidewalk and widened East Farmers Road pavement extend outside of subdivision along the remaining frontage of owners' land as part of the Final Plat of this subdivision.
22. Have the provisions of any existing future land use plan been met to protect the public interest?	Yes	Chapter 5 (Future Land Use) of the 2002 Comprehensive Plan calls for this area to be Low Density Residential.
23. Have the provisions of any existing capital improvements plan been met to protect the public interest?	N/A	There currently is no active capital improvement plan.
24. Have the provisions of any community facilities plan been met to protect the public interest?	Yes	In the 2002 Comprehensive Plan, Chapter 6 (Parks, Recreation, and Open Space) and Chapter 7 (Infrastructure Systems) discuss community facilities. A zoning change is not affected by these chapters of the Plan.
25. Have the provisions of any other adopted document for providing required necessary public facilities been met to protect the public interest?	N/A	Chapter 8 (Public Facilities) of the 2002 Comprehensive Plan addresses municipal facilities primarily. Changing the zoning is not affected by these chapters of the Plan.

Public Comments Received: There are thirty-four (34) properties and parts of six (6) public streets within 200-feet of the boundary of the subject area. The owners of each parcel were notified in compliance with the 200-foot rule by mail on Tuesday, January 28, 2020. A legal ad was also published per the Texas Local Government Code in the Monday, January 27, 2020, edition of the Daily Commercial Record newspaper. No (zero) letters have been returned as undeliverable by the U.S. Postal Service. One (1) written response has been returned in favor of the

request. No one (zero) spoke for or against the project at the Planning and Zoning Commission meeting.

For the City Council meeting, the owners of each parcel were again notified in compliance with the 200-foot rule by mail on Wednesday, February 19, 2020, about the City Council meeting. A legal ad was also published per the Texas Local Government Code in the Friday, February 14, 2020, edition of the Daily Commercial Record newspaper. As of the date of this report, Wednesday, February 26, 2020, no (zero) additional letters have been returned as undeliverable by the U.S. Postal Service. Three (3) written responses have been returned. Any responses received after the emailing of the packet to the Council will be available at the meeting.

Other comments: Below is a table that compares land uses listed in the municipal code for each relevant zoning

district. Reference the table to the right to determine which symbols depict land uses that would be permitted or require a special use permit. Any land use that is not listed in the table or that has a blank cell to its right are prohibited in that district. The land use table is sorted alphabetically.

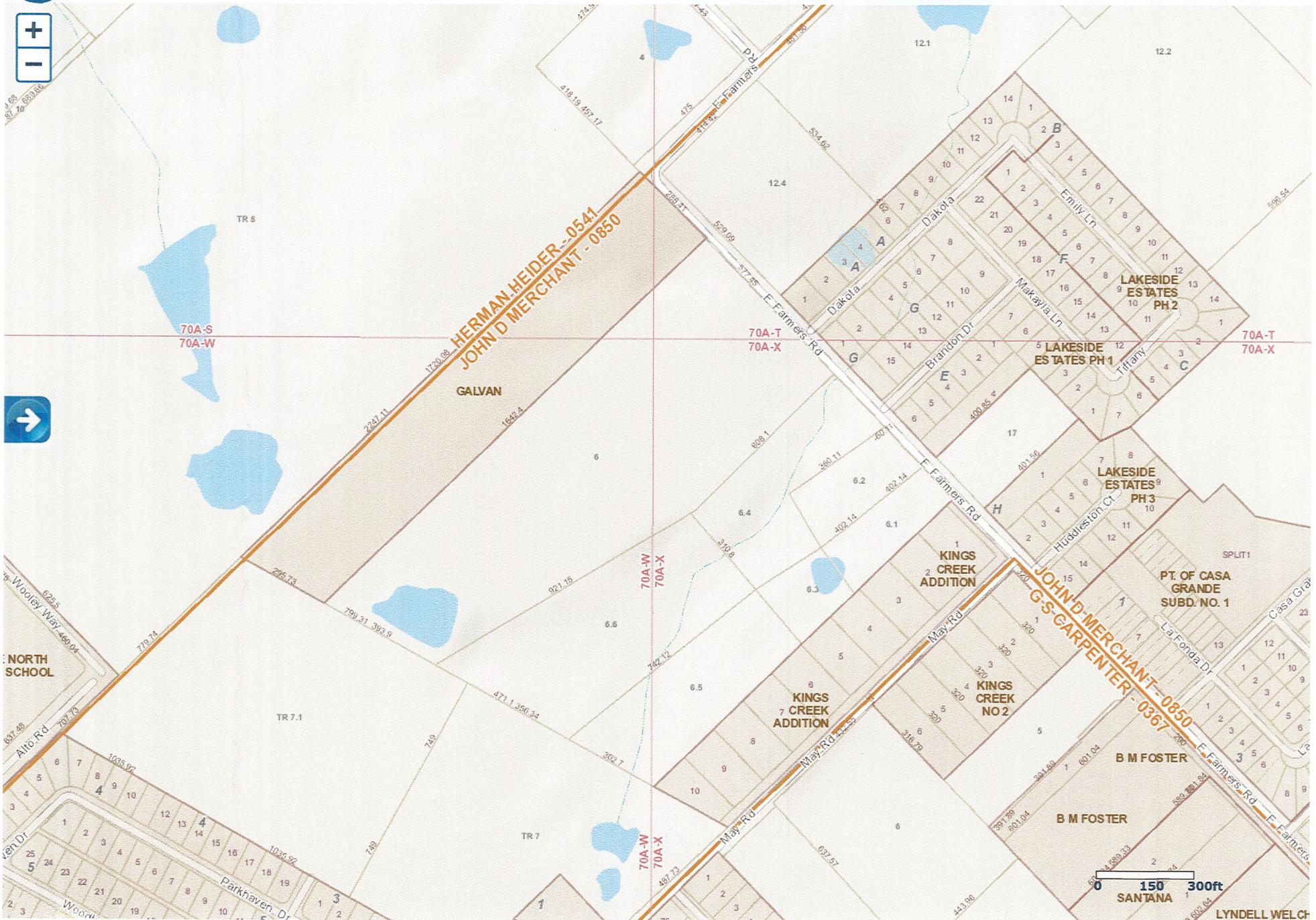
Key to Uses:	Zoning Districts:
P = Permitted Use	R-5, Residential Single-family
SUP = Special Use Permit required	

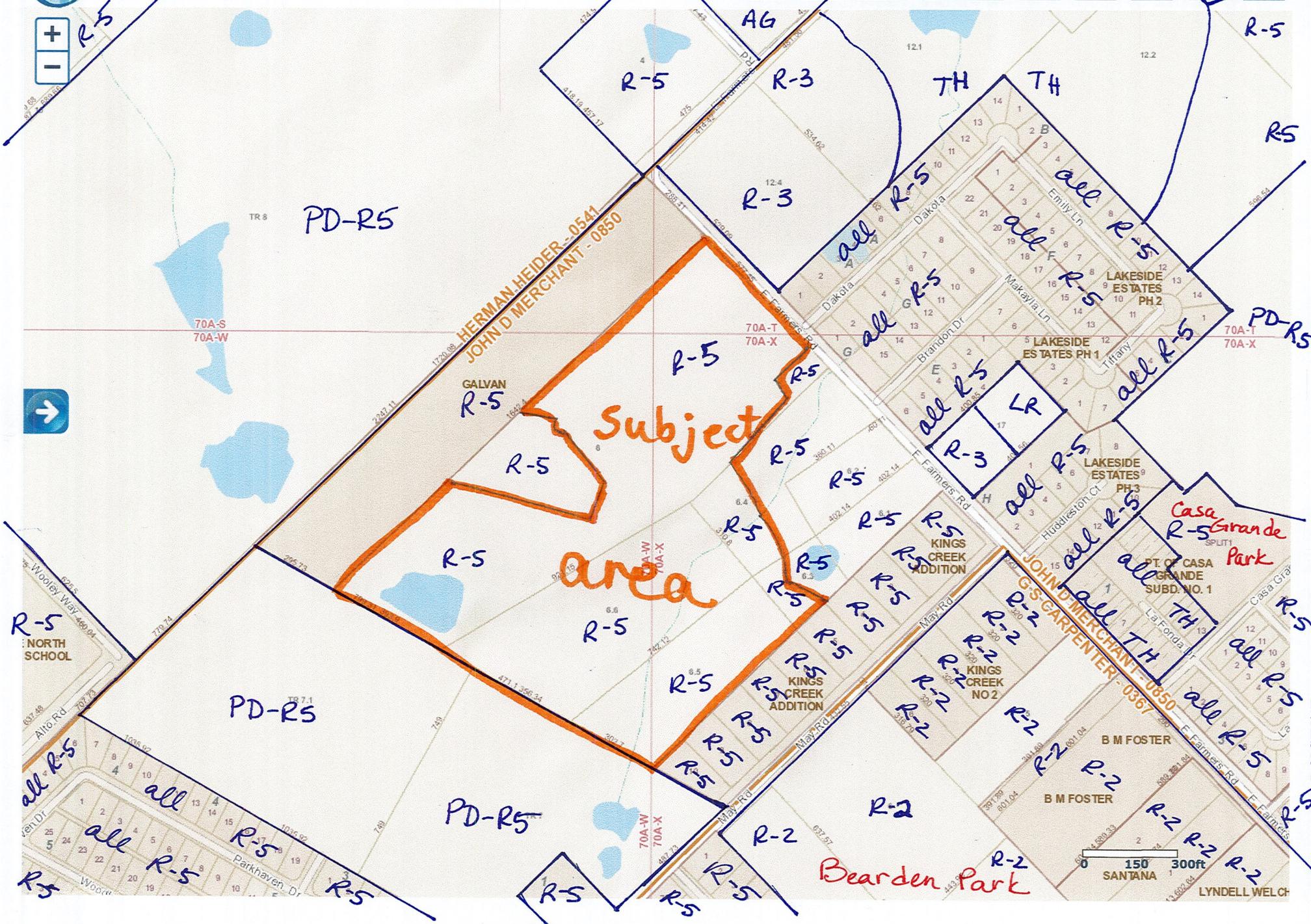
Type of Use	Zoning District	Residential
		R-5
Accessory buildings		P
Addition of pre-packaged food or beverages sales to a retail or business already operating		SUP
Airport or airport facilities		SUP
Art gallery		P
Breezeway attaching accessory to the main building		P
Carnival		SUP
Cemetery		SUP
Children's home on 5 acres or more		SUP
Church or religious worship facility		P
Circus		SUP
Commercial amusement, temporary		SUP
Community building on 3 acres or more		SUP
Concrete batching plant		SUP
Convalescent home on 5 acres or more		SUP
Daycare or nursery with fewer than four unrelated children		P
Daycare or nursery with more than four unrelated children		SUP
Detached dwelling for servants employed on-site		P
Dog kennels on farm of 5 acres or more		SUP
Drive-in theatre on 10 acres or more		SUP
Driving range		SUP
Earth excavation		SUP
Educational institutions		SUP
Electrical public utility regulating station		SUP
Farm without on-site retail or wholesale business		P
Fire station		P
Garden without on-site retail or wholesale business		P
Golf course without driving range		P
Government use - local, county, state, federal		SUP
Gravel excavation		SUP
Greenhouse		SUP
Greenhouse without on-site retail or wholesale business		P
Homes for narcotics on 20 acres or more		SUP
Homes for the alcoholic on 20 acres or more		SUP
Homes for the feeble-minded on 20 acres or more		SUP
Homes for the insane on 20 acres or more		SUP

**STAFF REPORT
Z2019-32**

Type of Use	Zoning District	Residential
Hospital on 5 acres or more		R-5 SUP
Kindergarten - public or private		SUP
Landing airfield or facilities		SUP
Library		P
Maternity home on 5 acres or more		SUP
Miniature golf course		SUP
Miniature train ride		SUP
Mixed-Use projects of private housing and shopping center on 3 acres or more		SUP
Museum		P
Natural gas public utility regulating station		SUP
Neighborhood recreation center (swimming pool, social or hobby rooms)		P
Normal household pets		P
Nursery		SUP
Nursery school - public or private		SUP
Nursery without on-site retail or wholesale business		P
Old people's home on 5 acres or more		SUP
Orchard without on-site retail or wholesale business		P
Park		P
Passenger train station		P
Philanthropic institutions		SUP
Playgrounds		P
Pony rides		SUP
Private carport and/or garage		P
Private school, equivalent to a public school		P
Public school (elementary through high school)		P
Public stable on 5 acres or more		SUP
Public utility - privately or publicly owned		SUP
Radio or television broadcasting stations		SUP
Radio or television broadcasting towers		SUP
Radio or television transmitter tower		SUP
Railway ROW & tracks, but no railroad yards, team tracks or storage yards		P
Religious institutions		SUP
Riding academy on 5 acres or more		SUP
Rock quarry		SUP
Rodeo		SUP
Sale of pre-packaged food/beverages, in combination, that exceeds 10% of an establishment's gross annual sales revenues		SUP
Sand excavation		SUP
Sewage treatment plant		SUP
Single-family residence (detached)		P
Telephone exchange without office, repair or storage facilities		P
Temporary and seasonal sales establishment, such as flea market or produce stand		SUP
Temporary buildings to be used for construction purposes only		P
Travel trailer park		SUP
Veterinary hospital on 5 acres or more		SUP
Water pumping plant		P
Water supply reservoir		P
Water tower or artesian well		P
Wind energy conversion system (WEC)		SUP







Subject

Area

Bearden Park

Casa Grande Park

0 150 300ft
SANTANA



ZONING APPLICATION

City of Seagoville, Texas

ANTICIPATED MEETING DATES: P&Z: _____ City Council: _____

DATE OF PRE-APPLICATION CONFERENCE WITH CITY REPS & PLANNER (required): _____

Application Type:

- Initial Zoning (newly annexed or Agricultural property)
- Rezoning (property currently zoned)
- Planned Development (PD) – see Zoning Ordinance for special requirements and procedures
- Specific Use Permit (SUP) – see Zoning Ordinance for special requirements and procedures

Name of Subdivision or Project: Edmonds Farms

Physical Location of Property: 1609 E Farmers Rd, Seagoville, Texas 75159

[General Location -- approximate distance to nearest existing street corner]

Brief Legal Description of Property (must also attach accurate Surveyor's metes and bounds description): _____

JOHN D MERCHANT ABST 850 PG 065 TR (6, 6.2, 6.3, 6.4, 6.5, 6.6)

[Survey/Abstract No. and Tracts; or platted Subdivision Name with Lots/Block]

Acreage: 29.250 Existing Zoning: R-5 Requested Zoning: Planned Development

[Attach a detailed description of requested zoning & development standards, if a PD]

Applicant / Owner's Name: Paul D. Edmonds

Applicant or Owner? (circle one)

Contact Person: Paul D. Edmonds

Title: Owner

Company Name: _____

Street/Mailing Address: 1609 Farmers Rd

City: Seagoville

State: TX

Zip: 75159

Phone: (214) 957-3216

Fax: (____) _____

Email Address: rhonda@edmondspaving.com

Engineer / Representative's Name: KPA Consulting Inc.

Contact Person: Pat Atkins

Title: President

Company Name: Saddle Star Land Development

Street/Mailing Address: 3076 Hays Lane

City: Rockwall

State: TX

Zip: 75087

Phone: (972) 388-6383

Fax: (____) _____

Email Address: kpatatkins@yahoo.com

SUBMITTAL DEADLINE: 30 DAYS PRIOR TO P&Z PUBLIC HEARING DATE. (All zoning applications must be advertised in the newspaper, and notices must be mailed to all property owners within 200 feet of the subject property. Please contact City staff in advance for submittal deadlines.)

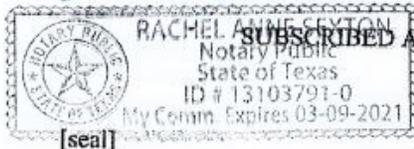
All applications must be COMPLETE before they will be scheduled for P&Z agenda. It is the applicant's responsibility to be familiar with, and to comply with, all City submittal requirements (in the Zoning & Subdivision Ordinances, and any separate submittal policies, requirements and/or checklists that may be obtained from City staff), including the number of plans to be submitted, application fees, etc. Please contact City staff in advance for submittal requirements.

All application materials (one copy) must be delivered to the City's Planner. The name, address, phone number, etc. of the City's Planner can be obtained from City staff. Failure to submit all materials to the City's Planner may result in delays scheduling the zoning application for a P&Z agenda.

Notice of Public Records. The submission of plans/drawings with this application makes such items public record, and the applicant understands that these items may be viewed by the general public. Unless the applicant expressly states otherwise in writing, submission of this application (with associated plans/drawings) will be considered consent by the applicant that the general public may view and/or reproduce (i.e., copy) such documents.

I hereby certify that I am the Owner, or the duly authorized agent of the Owner (proof of authorization attached), for the purposes of this application, and that all information submitted herein is complete, true and correct to the best of my knowledge. I understand that submitting this application does not constitute approval, and incomplete applications will result in delays and possible denial.

Signed: Paul D. Edmonds Title: Owner Date: 10/16/19



SUBSCRIBED AND SWORN TO before me, this the 16 day of October, 2019.
 Notary Public in and for the State of Texas: Rachel Anne Denton
 My Commission Expires On: 3/9/2021

Office Use Only: Date Rec'd: 10/18/19 Fees Paid: \$ 1500 Check #: 1463 Receipt #: 591227
 Zoning Case # 2019-32 Accepted By: ASB Official Submittal Date: 10/18/19



PAT ATKINS

President

KPA Consulting, Inc.

3076 Hays Lane, Rockwall Texas 75087

972.388.6383 | kpatatkins@yahoo.com

January 27, 2020

Planned Development Use and Regulation

RE: Edmonds Farms - Seagoville, Texas

The property consists of 29.250 acres of land, located at 1609 Farmers Road.

The property will allow for residential use New home construction will range from \$200k and up. The target market for homes is young families, young professionals, and empty nesters.

The property will generate an additional \$23.5 million to the City of Seagoville tax base. Edmonds Farms will have a Master H.O.A. requirement within the development of the property.

The density is based on guidelines set forth in the Comprehensive Plan creating an exclusive, high-end residential neighborhood.

In accordance with the guidelines set out in the Comprehensive Plan the design of this community provides open space throughout the residential neighborhood quadrants.

Development regulations to include:

Minimum Lot Size 50'x110'

Minimum Side Yard 5'

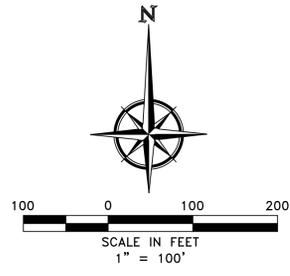
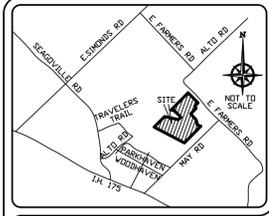
Minimum Front Yard 20'

Minimum Rear Yard 10'

Minimum Lot Size 5500sf

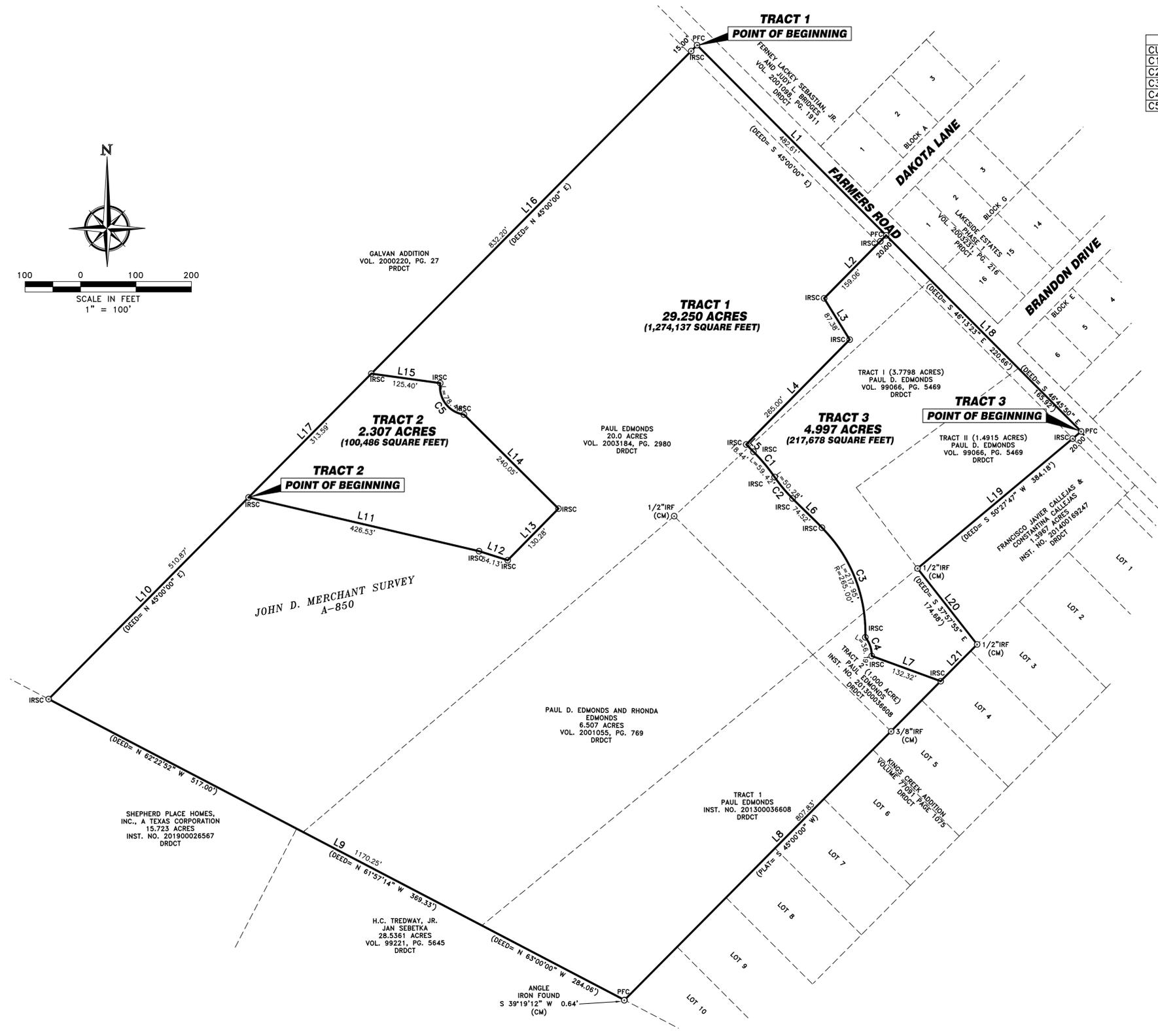
Minimum House Size: 15% of lots = 1600 s.f.
70% of lots = 1700 s.f.
15% of lots = 1800 s.f.

Maximum House Height 35'



CURVE TABLE						
CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH	
C1	59.42'	325.00'	10°28'31"	S 40°01'00" E	59.34'	
C2	50.28'	275.00'	10°28'31"	S 40°01'00" E	50.21'	
C3	217.95'	265.00'	47°07'21"	S 21°41'35" E	211.86'	
C4	36.19'	50.00'	41°28'26"	S 18°58'04" E	35.41'	
C5	78.48'	50.00'	89°55'42"	N 37°09'36" W	70.67'	

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 44°57'34" E	482.61'
L2	S 44°44'43" W	159.06'
L3	S 31°51'43" E	87.38'
L4	S 44°44'43" W	265.00'
L5	S 45°15'16" E	18.44'
L6	S 45°15'16" E	74.52'
L7	S 70°01'08" E	132.32'
L8	S 44°53'10" W	807.83'
L9	N 62°30'29" W	1170.25'
L10	N 44°52'43" E	510.87'
L11	S 76°55'29" E	426.53'
L12	S 72°29'43" E	54.13'
L13	N 44°40'11" E	130.28'
L14	N 45°15'16" W	240.05'
L15	N 82°11'45" W	125.40'
L16	N 44°52'43" E	832.20'
L17	N 44°52'43" E	313.59'
L18	S 44°57'34" E	497.47'
L19	S 50°11'48" W	384.04'
L20	S 38°14'45" E	173.67'
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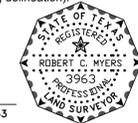


LEGEND	
ABBREVIATIONS	
IRSC	5/8" IRON ROD SET W/CAP STAMPED "RPLS 3963"
IRF	5/8" IRON ROD FOUND W/CAP STAMPED "RPLS 3963"
IRSCR	5/8" IRON ROD SET FOR REFERENCE W/ CAP STAMPED "RPLS 3963"
U.G.	UNDER GROUND
(CM)	CONTROL MONUMENT
DRCT	DEED RECORDS, DALLAS COUNTY, TEXAS
PRDCT	PLAT RECORDS, DALLAS COUNTY, TEXAS

- NOTES:
1. Basis of Bearings = State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983. Adjustment Realization CORS2011.
 2. This survey does not show any improvements and the undersigned has not performed any research to locate or discover any documents relating to easements, restrictions, setbacks or otherwise, which may affect this property.

This document was prepared under 22 TAC 663.21, and does not reflect the results of an on the ground survey and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared (Zoning delineation).

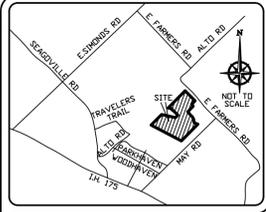
ROBERT C. MYERS
R.P.L.S. NO. 3963



R.C. MYERS SURVEYING, LLC
 "Registered Professional Land Surveyors"
 488 ARROYO COURT (214) 532-0636 Voice
 SUNNYVALE, TEXAS 75182 Firm No. 10192300
 Robert "Calvin" Myers, RPLS 3963
 rmsurveying@gmail.com

Client: PAUL EDMONDS
 Job No.: 487 Drawn by: MZG Date: 01-10-20 Sheet 1 of 2

PARCEL EXHIBIT
 OF
TRACTS 1, 2, & 3
 SITUATED IN THE
JOHN D. MERCHANT SURVEY, A-850
 CITY OF SEAGOVILLE,
 DALLAS COUNTY, TEXAS



LEGAL DESCRIPTION OF TRACT 1

BEING 29.250 acres of land situated in the John D. Merchant Survey, Abstract No. 850, Dallas County, Texas and being all of called 6.507 acre tract of land described in a Deed to Paul D. Edmonds and Rhonda Edmonds, recorded in Volume 2001055, Page 769 of the Deed Records of Dallas County, Texas (DRDCT), all of Tract 1 and part of Tract 2 described in a Deed to Paul Edmonds, recorded as instrument No. 201300036608 (DRDCT), part of a Tract 1 described in a Deed to Paul D. Edmonds and Rhonda Edmonds, recorded in Volume 99066, Page 5469 (DRDCT), part of a called 20.0 acre tract of land described in a Deed to Paul Edmonds, recorded in Volume 2003184, Page 2980 (DRDCT), and this tract being more particularly described as follows:

BEGINNING at a point for corner near the center of Farmers Road at the most northern corner of said 20.0 acre tract common to the most eastern corner of Galvan Addition, an Addition to the City of Seagoville, recorded in Volume 2000220, Page 27 of the Plat Records of Dallas County, Texas (PRDCT), from which a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", set for reference bears South 44°52'43" West a distance of 15.00 feet;

THENCE South 44°57'34" East along and near the center of said Farmers Road and with the northeast line of said 20.0 acre tract, a distance of 482.61 feet, to a point for corner thereof, from which a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", set for reference bears South 44°44'44" West a distance of 20.00 feet;

THENCE traversing across said 20.0 acre tract, said Tract 1 in Volume 99066, Page 5469, and said Tract 2 in Instrument No. 201300036608, the following courses:

South 44°44'44" West, a distance of 159.06 feet, to a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", set for corner;

South 31°51'43" East, a distance of 87.38 feet, to a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", set for corner;

South 44°44'44" West, a distance of 265.00 feet, to a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", set for corner;

South 45°15'16" East, a distance of 18.44 feet, to a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", set for corner at the beginning of a tangent curve to the right, having a radius of 325.00 feet a chord which bears South 40°01'00" East a distance of 59.34 feet;

Southeasterly with said curve to the right, having a central angle of 10°28'31", an arc distance of 59.42 feet, to a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", set for corner at the beginning of a reverse curve to the left, having a radius of 275.00 feet, and a chord which bears South 40°01'00" East a distance of 50.21 feet;

Southeasterly with said curve to the left, having a central angle of 10°28'31", an arc distance of 50.28 feet, to a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", set for corner;

South 45°15'16" East, a distance of 74.52 feet to a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", set for corner at the beginning of a tangent curve to the right, having a radius of 265.00 feet and a chord which bears South 21°41'35" East a distance of 211.86 feet;

Southeasterly with said curve to the right, having a central angle of 47°07'21", an arc distance of 217.95 feet, to a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", set for corner at the beginning of a non-tangent curve to the right, having a radius of 50.00 feet, and a chord which bears South 18°58'04" East a distance of 35.41 feet;

Southeasterly with said curve to the right, having a central angle of 41°28'26", an arc distance of 36.19 feet, to a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", set for corner;

South 70°01'08" East, a distance of 132.32, to a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", set for corner in the southeast line of said Tract 2 of Instrument No. 201300036608 common to the northwest line of Kings Creek Addition, an Addition to the City of Seagoville, recorded in Volume 77091, Page 1075 (PRDCT);

THENCE South 44°53'10" West, along the southeast lines of last mentioned Tract 2 and Tract 1 of the same Instrument No., respectively, common to the northwest line of last mentioned Addition, a distance of 807.83, to a point for corner in the northeast line of a called 28.5361 acre tract of land described in a Deed to H.C. Tredway, Jr. and Jan Sebetka, recorded in Volume 99221, Page 5645 (DRDCT) at the most southern corner of last mentioned Tract 1 common to the most western corner of last mentioned Addition from which an Angle Iron found for reference bears South 39°19'12" West a distance of 0.64 feet;

THENCE North 62°30'29" West, along the southwest lines of last mentioned Tract 1, said 6.507 acre tract, and said 20.0 acre tract, respectively, common to the northeast lines of said 28.5361 acre tract and a called 15.723 acre tract of land described in a Deed to Shepherd Place Homes, Inc., A Texas Corporation, recorded as Instrument No. 201900026567 (DRDCT), a distance of 1170.25 feet, to a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", set for corner in the northeast line of said 15.723 acre tract at the most western corner of said 20.0 acre tract common to the most southern corner of said Galvan Addition;

THENCE North 44°52'43" East, along the northwest line of said 20.0 acre tract common to the southeast line of said Galvan Addition, a distance of 510.87 feet, to a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", set for corner thereof;

THENCE traversing across said 20.0 acre tract, the following courses:

South 76°55'29" East, a distance of 426.53 feet, to a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", set for corner;

South 72°29'43" East, a distance of 54.13 feet, to a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", set for corner;

North 44°40'11" East, a distance of 130.28 feet, to a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", set for corner;

North 45°15'16" West, a distance of 240.05 feet, to a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", set for corner at the beginning of a non-tangent curve to the right, having a radius of 50.00 feet and a chord which bears North 37°09'36" West a distance of 70.67 feet;

Northwesterly with said curve to the right, having a central angle of 89°55'42", an arc distance of 78.48 feet, to a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", set for corner;

North 82°11'45" West, a distance of 125.40 feet, to a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", set for corner in the northwest line of said 20.0 acre tract common to the southeast line of said Galvan Addition;

THENCE North 44°52'43" East, along the common line of last mentioned tracts and Addition, a distance of 832.20 feet, to THE POINT OF BEGINNING and containing 1,274,137 square feet, or 29.250 acres of land.

LEGAL DESCRIPTION OF TRACT 2

BEING 2.307 acres of land situated in the John D. Merchant Survey, Abstract No. 850, Dallas County, Texas and being part of a called 20.0 acre tract of land described in a Deed to Paul Edmonds, recorded in Volume 2003184, Page 2980 (DRDCT), and this tract being more particularly described as follows:

BEGINNING a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", set for corner in the northwest line of said 20.0 acre tract common to the southeast line of Galvan Addition, an Addition to the City of Seagoville, recorded in Volume 2000220, Page 27 of the Plat Records of Dallas County, Texas (PRDCT) from which a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", found for reference at the west corner of said 20.0 acre tract bears South 44°52'43" West a distance of 510.87 feet;

THENCE North 44°52'43" East, along the northwest line of said 20.0 acre tract common to the southeast line of said Galvan Addition, a distance of 313.59 feet, to a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", set for corner thereof;

THENCE traversing across said 20.0 acre tract, the following courses:

South 82°11'45" East, a distance of 125.40 feet, to a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", set for corner at the beginning of a non-tangent cul-de-sac curve to the left having a radius of 50.00 feet and a chord which bears South 37°09'36" East a distance of 70.67 feet;

Southeasterly with said curve to the left, having a central angle of 89°55'42" an arc distance of 78.48 feet, to a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", set for corner;

South 45°15'16" East, a distance of 240.05 feet, to a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", set for corner;

South 44°40'11" West, a distance of 130.28 feet, to a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", set for corner;

North 72°29'43" West, a distance of 54.13 feet, to a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", set for corner;

North 76°55'29" West, a distance of 426.53 feet, to the POINT OF BEGINNING and containing 100,486 Square Feet, or 2.307 Acres

LEGAL DESCRIPTION OF TRACT 3

BEING 4.997 acres of land situated in the John D. Merchant Survey, Abstract No. 850, Dallas County, Texas and being part of a 3.7798 acre Tract I and all of a 1.4915 acre Tract II as described in a Deed to Paul D. Edmonds and Rhonda Edmonds, recorded in Volume 99066, Page 5469 of the Deed Records of Dallas County, Texas (DRDCT), a part of a 1.000 acre Tract 2 described in a Deed to Paul Edmonds, recorded as Instrument No. 201300036608 (DRDCT), and part of a called 20.0 acre tract of land described in a Deed to Paul Edmonds, recorded in Volume 2003184, Page 2980 (DRDCT), and this tract being more particularly described as follows:

BEGINNING at a point for corner near the center of Farmers Road at the east corner of said 1.4915 acre Tract II common to the north corner of a called 1.3967 acre tract of land described in a Deed to Francisco Javier Callejas and Constantina Callejas, recorded as Instrument No. 201400169247 (DRDCT) from which a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", set for reference bears South 50°11'48" West a distance of 20.00 feet;

THENCE South 50°11'48" West, along the southeast line of last mentioned Tract II common to the northwest line of said 1.3967 acre tract, a distance of 384.04 feet, to a 1/2" iron rod found for corner at the most southern corner thereof common to the most western corner of said 1.3967 acre tract, at the most northern corner of said 1.000 acre Tract 2, said point also being an exterior ell corner of said 3.7798 acre Tract I;

THENCE South 38°14'45" East, along the northeast line of said 1.000 acre Tract 2 common to the southwest line of said 1.3967 acre tract, a distance of 173.67 feet, to a 1/2" iron rod found at a common corner thereof, said point also being in the northwest line of Kings Creek Addition, an Addition to the City of Seagoville, recorded in Volume 77091, Page 1075 of the Plat Records of Dallas County, Texas (PRDCT);

THENCE South 44°53'10" West, along the southeast line of said 1.000 acre Tract 2 common to the northwest line of said Kings Creek Addition, a distance of 93.17 feet, to a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", set for corner thereof;

THENCE traversing across said 1.000 acre Tract 2, 3.7798 acre Tract I, and said 20.0 acre tract, respectively, the following courses:

North 70°01'08" West, a distance of 132.32 feet, to a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", set for corner at the beginning of a non-tangent curve to the left, having a radius of 50.00 feet, and a chord which bears North 18°58'04" West a distance of 35.41 feet;

Northwesterly with said curve to the left, having a central angle of 41°28'26", an arc distance of 36.19 feet, to a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", set for corner at the beginning of a non-tangent curve to the left, having a radius of 265.00 feet and a chord which bears North 21°41'35" West a distance of 211.86 feet;

Northwesterly with curve to the left, having a central angle of 47°07'21", an arc distance of 217.95 feet, to a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", set for corner;

North 45°15'16" West, a distance of 74.52 feet, to a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", set for corner at the beginning of a tangent curve to the right, having a radius of 275.00 feet with a chord which bears North 40°01'00" West a distance of 50.21 feet;

Northwesterly along said curve to the right, having a central angle of 10°28'31", an arc distance of 50.28 feet, to a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", set for corner at the beginning of a reverse curve to the left, having a radius of 325.00 feet and a chord which bears North 40°01'00" West a distance of 59.34 feet;

Northwesterly along said curve to the left, having a central angle of 10°28'31", an arc distance of 59.42 feet, to a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", set for corner;

North 45°15'16" West, a distance of 18.44 feet, to a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", set for corner;

North 44°44'44" East, a distance of 265.00 feet, to a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", set for corner;

North 31°51'43" West, a distance of 87.38 feet, to a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", set for corner;

North 44°44'44" East, a distance of 159.06 feet, to a point for corner near the center of said Farmers Road in the northeast line of said 20.0 acre tract, from which a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", set for reference bears South 44°44'44" West a distance of 20.00 feet;

THENCE South 44°57'34" East, near the center of said Farmers Road and along the northeast lines of said 20.0 acre tract, Tract I and Tract II, respectively, a distance of 497.47 feet, to the POINT OF BEGINNING and containing 217,678 Square Feet, or 4.997 Acres of land.

CURVE TABLE					
CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	59.42'	325.00'	10°28'31"	S 40°01'00" E	59.34'
C2	50.28'	275.00'	10°28'31"	S 40°01'00" E	50.21'
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LINE TABLE		
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NOTES:

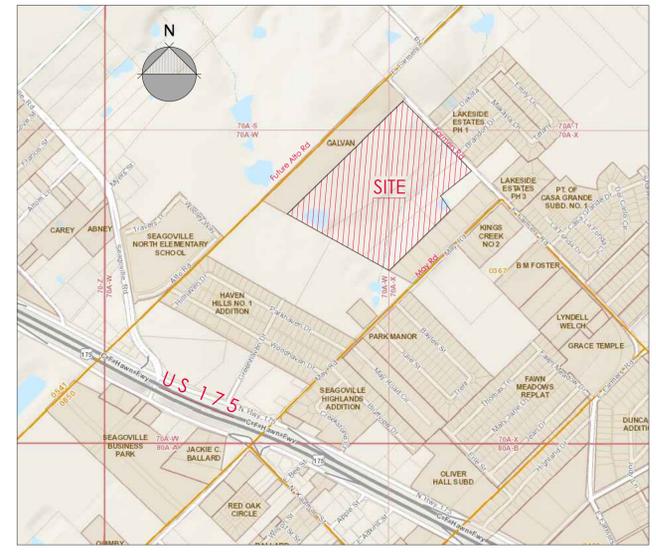
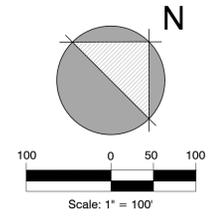
1. Basis of Bearings = State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983. Adjustment Realization CORS2011.
2. This survey does not show any improvements and the undersigned has not performed any research to locate or discover any documents relating to easements, restrictions, setbacks or otherwise, which may affect this property.

R.C. MYERS SURVEYING, LLC
 "Registered Professional Land Surveyors"
 488 ARROYO COURT (214) 532-0636 Voice
 SUNNYVALE, TEXAS 75182 Firm No. 10192300
 Robert "Calvin" Myers, RPLS 3963
 rcmsurveying@gmail.com



Client: PAUL EDMONDS
 Job No.: 487 Drawn by: MZG Date: 01-10-20 Sheet 2 of 2

PARCEL EXHIBIT
 OF
TRACTS 1, 2, & 3
 SITUATED IN THE
JOHN D. MERCHANT SURVEY, A-850
CITY OF SEAGOVILLE,
DALLAS COUNTY, TEXAS



LOCATION MAP

- OPEN SPACE
- TYPICAL LOT 50'x110' - 93 LOTS

29.25 ACRES
 93 Residential Lots (18.58 Ac.)
 50'x110' (Typ. Lot)
 4 Common Area Lot (10.67 Ac.)

CONCEPT PLAN EDMONDS FARMS

BEING A 29.25 ACRE TRACT OF LAND
 CITY OF SEAGOVILLE, DALLAS COUNTY, TEXAS

Owner:
 PAUL & RHONDA EDMONDS
 1609 E. Farmers Rd.
 Seagoville, Texas 75159

Developer:
 3930 Glade Rd. Suite 108-322
 Colleyville, Texas 76034
 469.688.8224 | 111tcci@att.net
 Tommy Canler - President





COMMUNITY DEVELOPMENT
702 NORTH HIGHWAY 175
SEAGOVILLE, TX 75159
PHONE: (972) 287-2050



January 24, 2020

via email: notices@dailycommercialrecord.com

Daily Commercial Record
706 Main Street
Dallas, Texas 75202

Please publish the legal notice below in the Monday, January 27, 2020 issue of your newspaper. Please send the affidavit of publication to the ATTN: Kandi Jackson at the address above. If you need to contact Kandi, her office direct number is (972) 287-6819 and her email is citysecretary@seagoville.us Kandi's normal office hours are Monday through Friday from 8:00 AM to 5:00 PM.



**NOTICE OF PUBLIC HEARING
SEAGOVILLE PLANNING & ZONING COMMISSION
ZONING CASE Z2019-32**

The Seagoville Planning and Zoning Commission will hold a public hearing on Tuesday, February 11, 2020, at 6:30 p.m. in the Council Chambers in City Hall, 702 North U. S. Highway 175; Seagoville, Texas, to consider a request to change the zoning from R-5, Residential Single Family, to PD-20-01 (plan development with R-5, Residential Single Family, base zoning) on the 29.25-acres of land owned by Paul and Rhonda Edmonds, and situated in the John D. Merchant Abstract 850 in Seagoville, Dallas County, Texas, being all of 6.507-acre tract described in a deed recorded in Volume 2001055 Page 769 of the Deed Records of Dallas County, Texas (D.R.D.C.T.), all of Tract 1 and part of Tract 2 described in a deed recorded as Instrument 201300036608 D.R.D.C.T., part of Tract I described in a deed recorded in Volume 99066 Page 5469 D.R.D.C.T., and part of a 20.0-acre tract described in a deed recorded in Volume 2003184 Page 2980 D.R.D.C.T.

All individuals may appear at the public hearing to state their opinions or may send a written notice prior to 4:30 PM on the day of the public hearing to Planner Jennifer Bonner at 702 North U.S. Highway 175; Seagoville, TX 75159.

CITY OF SEAGOVILLE
Kandi Jackson
City Secretary





COMMUNITY DEVELOPMENT
702 NORTH HIGHWAY 175
SEAGOVILLE, TX 75159
PHONE: (972) 287-2050

January 28, 2020

**NOTICE OF PUBLIC HEARING
SEAGOVILLE PLANNING & ZONING COMMISSION
ZONING CASE Z2019-32**

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Note: This item has been previously heard by the Planning and Zoning Commission, but was sent back by staff prior to reaching City Council for their review.

Indicate your opinion in this matter by checking the appropriate box below. Provide any additional comments that you might have. Please sign and provide your name and address below.

I am in favor of against Zoning Request Z2019-32 as it is described herein.

Additional Comments (attach additional sheets as necessary): _____

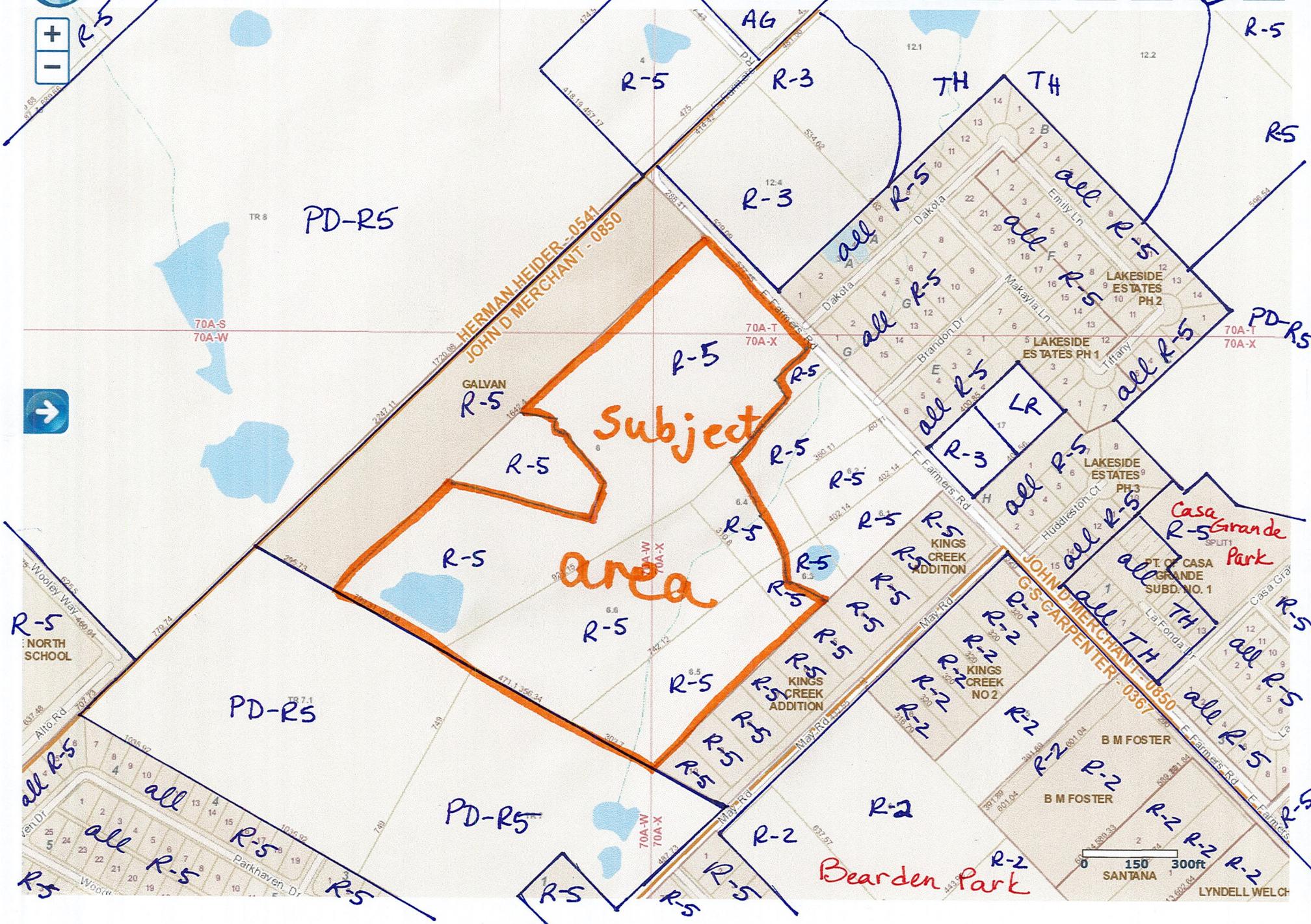
Signature(s): _____

Printed Name(s): _____

Address: _____

City, State & Zip code: _____

Phone Number: _____



Subject

area

Bearden Park

Casa Grande Park

Exhibit 7a



SANTANA LYNELLE WELCH



February 18, 2020

COMMUNITY DEVELOPMENT
702 NORTH HIGHWAY 175
SEAGOVILLE, TX 75159
PHONE: (972) 287-2050

**NOTICE OF PUBLIC HEARING
SEAGOVILLE CITY COUNCIL
ZONING CASE Z2019-32**

The Seagoville City Council will hold a public hearing on Monday, March 2, 2020, at 6:30 PM in the Council Chambers in City Hall at 702 North U.S. Highway 175; Seagoville, TX 75159 to consider a request to change the zoning from R-5, Residential Single Family, to PD-20-01 (plan development with R-5, Residential Single Family, base zoning) on the 29.25-acres of land owned by Paul and Rhonda Edmonds, and situated in the John D. Merchant Abstract 850 in Seagoville, Dallas County, Texas, being all of 6.507-acre tract described in a deed recorded in Volume 2001055 Page 769 of the Deed Records of Dallas County, Texas (D.R.D.C.T.), all of Tract 1 and part of Tract 2 described in a deed recorded as Instrument 201300036608 D.R.D.C.T., part of Tract I described in a deed recorded in Volume 99066 Page 5469 D.R.D.C.T., and part of a 20.0-acre tract described in a deed recorded in Volume 2003184 Page 2980 D.R.D.C.T.

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Additional Comments (attach additional sheets as necessary): _____

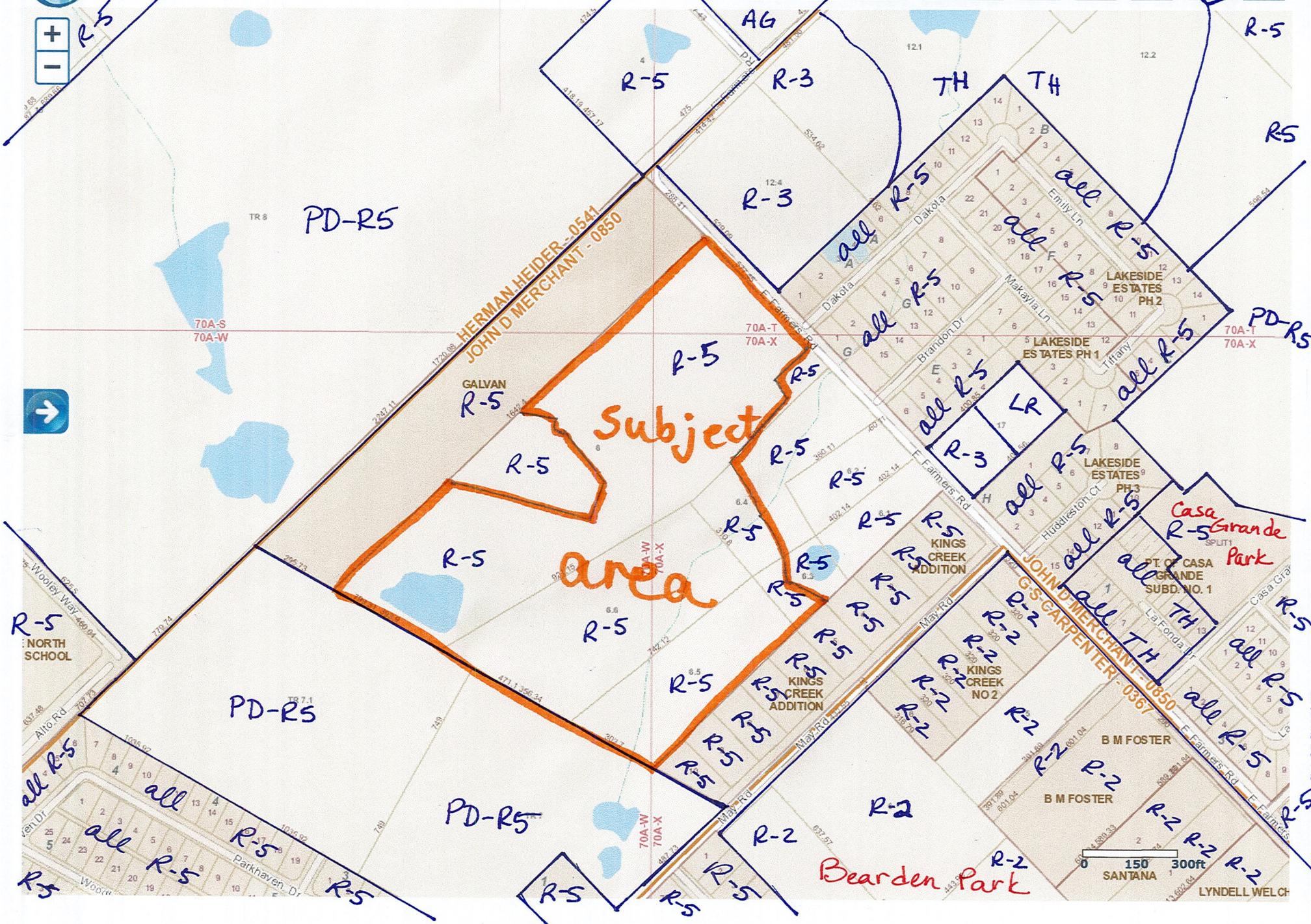
Signature(s): _____

Printed Name(s): _____

Address: _____

City, State & Zip code: _____

Phone Number: _____



Subject

Area

Bearden Park

Casa Grande Park

0 150 300ft
SANTANA

Exhibit 7b



COMMUNITY DEVELOPMENT
702 NORTH HIGHWAY 175
SEAGOVILLE, TX 75159
PHONE: (972) 287-2050

January 28, 2020

NOTICE OF PUBLIC HEARING
SEAGOVILLE PLANNING & ZONING COMMISSION
ZONING CASE Z2019-32

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Indicate your opinion in this matter by checking the appropriate box below. Provide any additional comments that you might have. Please sign and provide your name and address below.

I am in favor of against Zoning Request Z2019-32 as it is described herein.

Additional Comments (attach additional sheets as necessary): _____

Signature(s):

Printed Name(s): SHEPHERD PLACE HOMES, INC.

Address: dba ROBBIE HALE HOMES

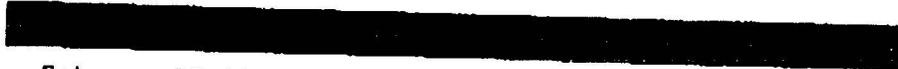
City, State & Zip code: 972-475-1100

Phone Number: 620 ROWLETT RD.

GARLAND, TX 75043-8703

RECEIVED
FEB 06 2010
BY: gds

JANUARY 28, 2020



February 19, 2020

COMMUNITY DEVELOPMENT
702 NORTH HIGHWAY 175
SEAGOVILLE, TX 75159
PHONE: (972) 287-2050

NOTICE OF PUBLIC HEARING
SEAGOVILLE CITY COUNCIL
ZONING CASE Z2019-32

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I am in favor of against Zoning Request Z2019-32 as it is described herein.

Additional Comments (attach additional sheets as necessary):

Signature(s): *Robbie Lee Hale*
Printed Name(s): ROBBIE LEE HALE
Address: 620 RAINLETT RD
City, State & Zip code: GARLAND TX 75043
Phone Number: 972. 475. 1100

RECEIVED
FEB 25 2020
BY: *Q.P.B.*

FEBRUARY 19, 2020

COMMUNITY DEVELOPMENT
702 NORTH HIGHWAY 175
SEAGOVILLE, TX 75159
PHONE: (972) 287-2050

February 19, 2020

MARCH 2ND
6:30

NOTICE OF PUBLIC HEARING
SEAGOVILLE CITY COUNCIL
ZONING CASE Z2019-32

The Seagoville City Council will hold a public hearing on Monday, March 2, 2020, at 6:30 PM in the Council Chambers in City Hall at 702 North U.S. Highway 175; Seagoville, TX 75159 to consider a request to change the zoning from R-5, Residential Single Family, to PD-20-01 (plan development with R-5, Residential Single Family, base zoning) on the 29.25-acres of land owned by Paul and Rhonda Edmonds, and situated in the John D. Merchant Abstract 850 in Seagoville, Dallas County, Texas, being all of 6.507-acre tract described in a deed recorded in Volume 2001055 Page 769 of the Deed Records of Dallas County, Texas (D.R.D.C.T.), all of Tract 1 and part of Tract 2 described in a deed recorded as Instrument 201300036608 D.R.D.C.T., part of Tract I described in a deed recorded in Volume 99066 Page 5469 D.R.D.C.T., and part of a 20.0-acre tract described in a deed recorded in Volume 2003184 Page 2980 D.R.D.C.T.

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Additional Comments (attach additional sheets as necessary): DRAINAGE
CONCERN S - @ Farmers Rd
A 4 FOOT DRAIN UNDER WITH A 1 FT OUT

Signature(s): FL Stepper
Printed Name(s): FL STEPPER SEBASTIAN
Address: 1650 E FARMERS
City, State & Zip code: 75159
Phone Number: 972 287 2230

RECEIVED
FEB 25 2020
BY: QJB

FEBRUARY 19, 2020

COMMUNITY DEVELOPMENT
702 NORTH HIGHWAY 175
SEAGOVILLE, TX 75159
PHONE: (972) 287-2050

February 19, 2020

MARCH 2ND
6:30

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Additional Comments (attach additional sheets as necessary):
DRAINAGE
CONCERN S - @ Farmers Rd
A 4 FOOT DRAIN UNDER WITH A 1 FT OUT

Signature(s): FL Stepper
Printed Name(s): FL STEPPER SEBASTIAN
Address: 1650 E Farmers
City, State & Zip code: 75159
Phone Number: 972 287 2230

RECEIVED
FEB 25 2020
BY: APB

FEBRUARY 19, 2020

Property Owner List for PD-19-06

Exhibit 9

ZONING REQUEST Z2019-32: Create Plan Development

Mailed out a total of 34 certified letters on Tuesday, January 28, 2020, before 5:00 PM

Subject or adjoiner?	Site Address	DCAD acc't	Owner	Mailing Address	City	State	Zip
Subject	1631 East Farmers Road	65085006510060000	Paul Edmonds	1609 East Farmers Road	Seagoville	TX	75159
Subject	1601 East Farmers Road	65085006510060300	Paul D. Edmonds	1609 East Farmers Road	Seagoville	TX	75159
Subject	1617 East Farmers Road	65085006510060400	Paul D. & Rhonda Edmonds	1609 East Farmers Road	Seagoville	TX	75159
Subject	1601 East Farmers Road	65085006510060500	Paul D. Edmonds	1609 East Farmers Road	Seagoville	TX	75159
Subject	1601 East Farmers Road	65085006510060600	Paul D. & Rhonda Edmonds	1609 East Farmers Road	Seagoville	TX	75159
Adjoiner	1609 East Farmers Road	65085006510060200	Paul & Rhonda Edmonds	1609 East Farmers Road	Seagoville	TX	75159
Adjoiner	1601 East Farmers Road	65085006510060100	Francisco Javier Constantina Callejas	1601 East Farmers Road	Seagoville	TX	75159
Adjoiner	719 May Road	50021600000010000	Robert Ortega	719 May Road	Seagoville	TX	75159
Adjoiner	715 May Road	50021600000020000	Orlando P. Camacho & Jazmin Flores Gonzalez	715 May Road	Seagoville	TX	75159
Adjoiner	711 May Road	50021600000030000	Paul D. Jeannet	711 May Road	Seagoville	TX	75159
Adjoiner	707 May Road	50021600000040000	Leland Lavern Hall, Jr.	707 May Road	Seagoville	TX	75159
Adjoiner	703 May Road	50021600000050000	Onesimo Sandoval & Maria Gutierrez	703 May Road	Seagoville	TX	75159
Adjoiner	619 May Road	50021600000060000	Jeffrey C. & Renita J. Baker	619 May Road	Seagoville	TX	75159
Adjoiner	615 May Road	50021600000070000	Kenneth R. Massie et ux	615 May Road	Seagoville	TX	75159
Adjoiner	611 May Road	50021600000080000	Estate of Marian F. Sugden	611 May Road	Seagoville	TX	75159
Adjoiner	607 May Road	50021600000090000	Rubal Farms L.P.	601 South Pearl Expressway	Dallas	TX	75201
Adjoiner	605 May Road	50021600000100000	Everette E. Hoskins	605 May Road	Seagoville	TX	75159
Adjoiner	405 May Road	65085006510070000	H. C. Tredway, Jr.	405 May Road	Seagoville	TX	75159
Adjoiner	405 May Road	65085006510070100	Shepherd Place Homes Inc.	620 Rowlett Road	Garland	TX	75043
Adjoiner	1601 East Farmers Road	50014750000000000	Francisco & Raquel Galvan	1643 East Farmers Road	Seagoville	TX	75159
Adjoiner	1650 East Farmers Road	65085006510120400	Judy L. & Ferney L. Sebastian, Jr.	2210 North Highway 175	Seagoville	TX	75159
Adjoiner	801 Dakota Lane	500219900A0010000	David L. & Dianne A. Jernigan	801 Dakota Lane	Seagoville	TX	75159
Adjoiner	803 Dakota Lane	500219900A0020000	Rachel Nelson-Cooper	803 Dakota Lane	Seagoville	TX	75159
Adjoiner	804 Dakota Lane	500219900G0030000	Bryan R. & Shanna E. Petrea	804 Dakota Lane	Seagoville	TX	75159
Adjoiner	802 Dakota Lane	500219900G0020000	Matthew J. Millard Trust and Jason L. Austin Trust	802 Dakota Lane	Seagoville	TX	75159
Adjoiner	800 Dakota Lane	500219900G0010000	Jody Lee & Teresa Crawson	800 Dakota Lane	Seagoville	TX	75159
Adjoiner	801 Brandon Lane	500219900G0160000	Aurelio Vazquez	801 Brandon Lane	Seagoville	TX	75159
Adjoiner	803 Brandon Lane	500219900G0150000	Johnny Jeff Belvin	803 Brandon Lane	Seagoville	TX	75159

Exhibit 9

Property Owner List for PD-19-06
ZONING REQUEST Z2019-32: Create Plan Development

Exhibit 9

Mailed out a total of 34 certified letters on Tuesday, January 28, 2020, before 5:00 PM

Subject or adjoiner?	Site Address	DCAD acc't	Owner	Mailing Address	City	State	Zip
Adjoiner	805 Brandon Lane	500219900G0140000	Baucum Fulk	50 Gloucester Drive	Little Rock	AR	72227
Adjoiner	804 Brandon Lane	500219900E0040000	Janice Ross	804 Brandon Lane	Seagoville	TX	75159
Adjoiner	802 Brandon Lane	500219900E0050000	Anthony Campbell, Sr.	802 Brandon Lane	Seagoville	TX	75159
Adjoiner	800 Brandon Lane	500219900E0060000	Terence B. & Latonia Ayers	800 Brandon Lane	Seagoville	TX	75159
Adjoiner	1610 East Farmers Road	500219900E0070000	Salvador Gutierrez	817 Amarosa Road	Dallas	TX	75217
Adjoiner	1606 East Farmers Road	65085006510170000	Maricruz O.R. & Jose A. Ramirez and Maribel R. Arredondo	1606 East Farmers Road	Seagoville	TX	75159
Adjoiner							

Exhibit 9



**TACK TEAM
INVESTMENTS LLC**

LAND DEVELOPMENT

Edmonds Farms

~93 Lots~

Seagoville, Texas



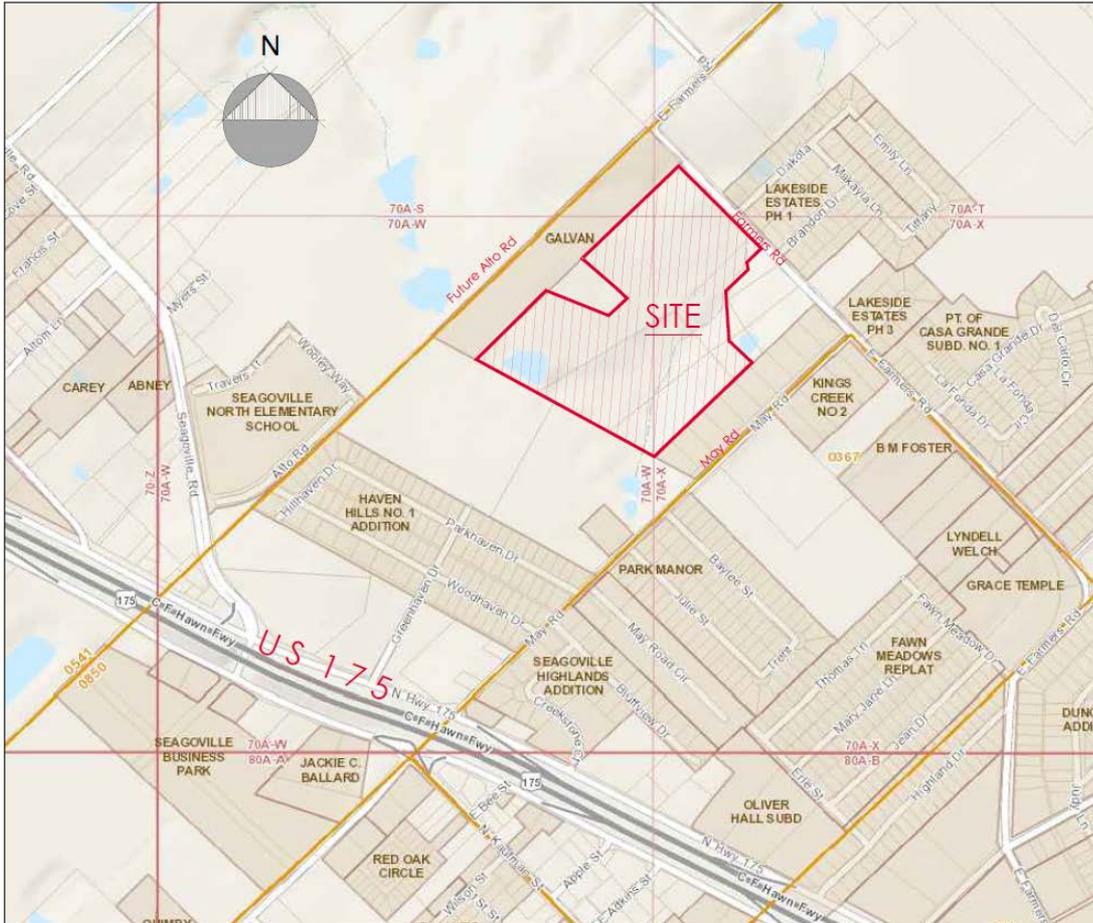
TROPHY
signature homes

February, 2020

CONTENTS

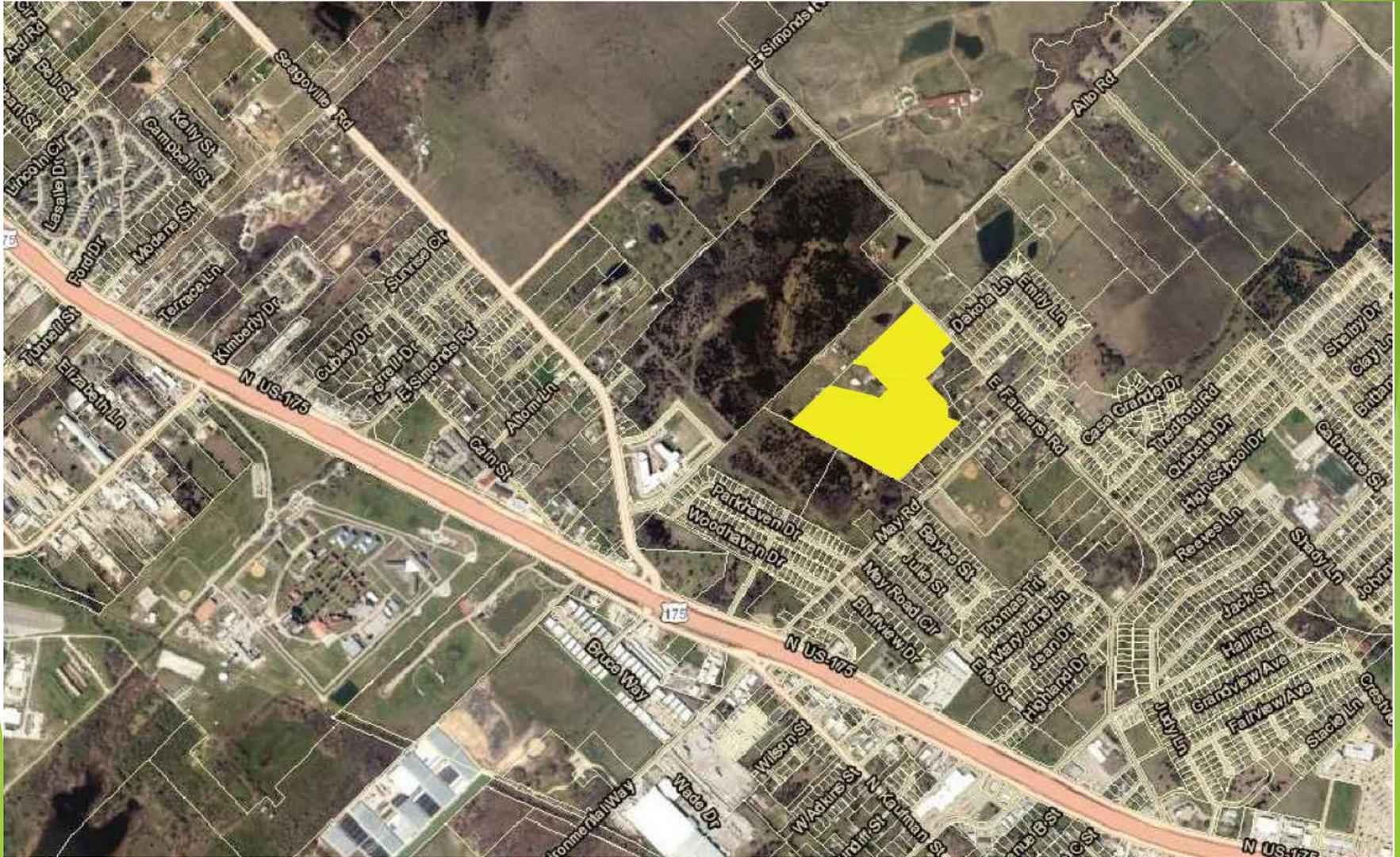
- I. LOCATION
- II. AERIAL OF SITE
- III. PROPERTY DESCRIPTION
- IV. PROPOSED DEVELOPMENT
- V. DEVELOPMENT PLAN
- VI. BUILDING STANDARDS
- VII. PERIMETER SCREENING /
NEIGHBORHOOD
IDENTITY

I. LOCATION



Location Map

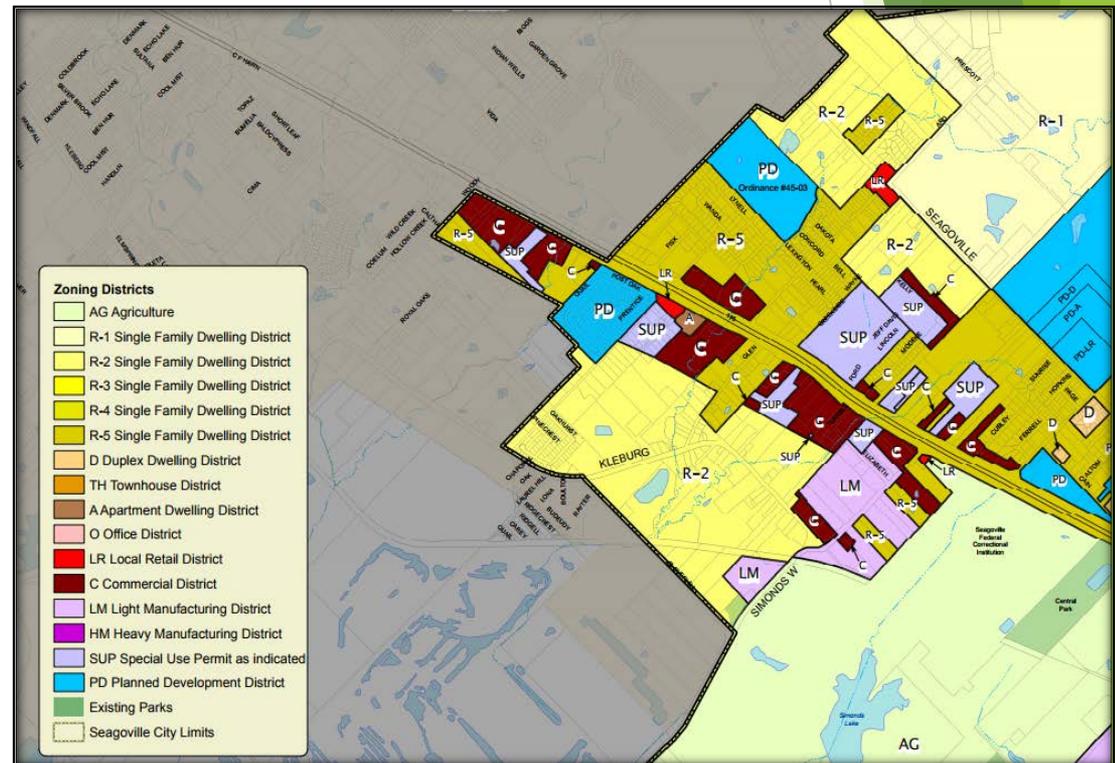
II. AERIAL OF SITE



III. PROPERTY DESCRIPTION

29.25 acres

- ▶ Current zoning – R-5
- ▶ South - Tredway Estates PH. 1 & 2
- ▶ West – Existing Individual Owner
- ▶ East – Kings Creek Addition
- ▶ North – Lakeside Estates Ph. 1



IV. PROPOSED DEVELOPMENT

Detached Single-Family uses

- ▶ **93 single-family detached** homes (\$225K and up)
- ▶ Target market — young families, young professionals, empty nesters , active seniors
- ▶ Additional tax base for the City of Seagoville:
\$20 million, substantially exceeding the cost of services
- ▶ Proposed density and development patterns based on guidelines in the City of Seagoville Comprehensive Plan
- ▶ Master H.O.A. required with the development of the property

IV. PROPOSED DEVELOPMENT

Screening Landscaping E. Farmers Road

- ▶ 9.80 acre +/- of internal Common Area
- ▶ Maintenance by the master HOA

Coordination with

- ▶ City of Seagoville
- ▶ Seagoville Dallas Independent School District

V. DEVELOPMENT PLAN

Concept Plan



V. DEVELOPMENT PLAN – LOTS

Lot Inventory				
Lot Type	Typical Lot Size (FT)	Minimum Lot Size (SF)	Dwelling Units (#)	Dwelling Units (%)
A	50' x 110'	5,500 SF	93	100
Maximum Permitted Units:			93 (4.3 units/acre)	100.00%
Lot Layout (See Concept Plan)			A	
Minimum Lot Width ⁽¹⁾			50'	
Minimum Lot Depth			110'	
Minimum Lot Area			5,500 SF	
Minimum Front Yard Setback ⁽²⁾			20'	
Minimum Side Yard Setback			5'	
Minimum Side Yard Setback (Adjacent to a Street) ⁽²⁾			10'	
Minimum Length of Driveway Pavement			20'	
Maximum Height ⁽³⁾			35'	
Minimum Rear Yard Setback ⁽⁴⁾			20'	
Minimum Area/Dwelling Unit (SF)			1,700 SF	

V. DEVELOPMENT PLAN

Open Space



VI. BUILDING STANDARDS

- ▶ Masonry requirement (90% brick or HardiPlank)
- ▶ Roof pitch (8:12)
- ▶ Garage orientation (front facing allowed with 20' setback)
- ▶ Fencing (standard materials—no cypress, smooth finished, painted or stained)
- ▶ Landscape buffer (10', trees, shrubs, groundcover; irrigated)
- ▶ Perimeter screening improvements on E. Farmers Rd. (wrought iron or tubular steel or wood fencing masonry columns, 6' in height)

VI. BUILDING STANDARDS

- ▶ Lighting (pole max. 20' in height, down-light/cut-off type fixtures)
- ▶ Sidewalk (2' parkway, 4' wide)
- ▶ Neighborhood identity signage (at major subdivision entry point on on E. Farmers Rd.)
- ▶ Homeowners association - creation and responsibilities (maintenance of landscape buffer, central open space)
- ▶ Variances (if requested, per Code of Ordinance requirements)

VI. BUILDING STANDARDS



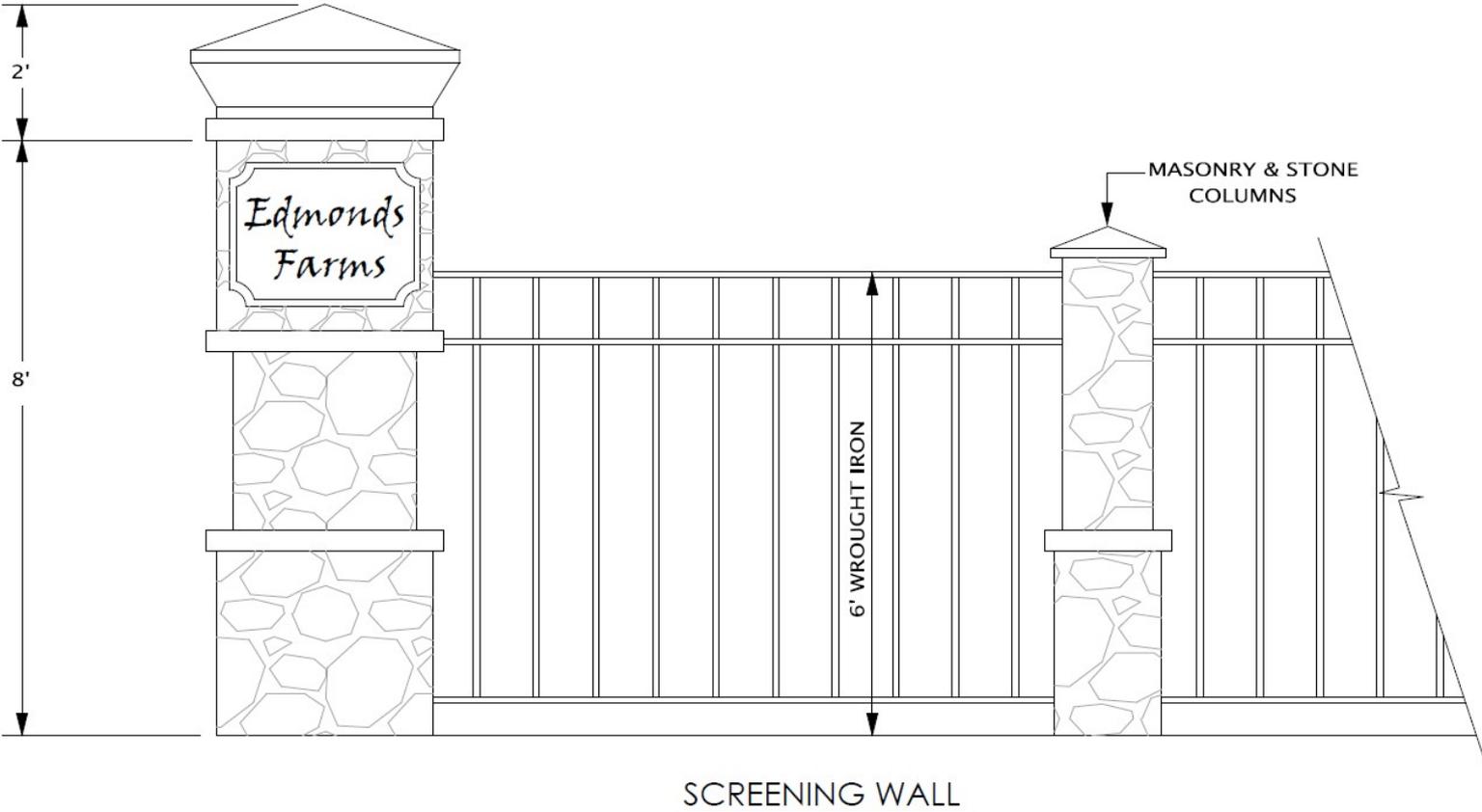
TROPHY
signature homes



VI. BUILDING STANDARDS



VII. PERIMETER SCREENING / NEIGHBORHOOD IDENTITY



COMPARABLE INTERIORS



COMPARABLE INTERIORS



COMPARABLE INTERIORS



COMPARABLE INTERIORS



COMPARABLE INTERIORS



Regular Session Agenda Item: 6

Meeting Date: **March 2, 2020**

ITEM DESCRIPTION:

Discuss and consider approving an Ordinance of the City of Seagoville, 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 Residential Single Family (R-5) to Plan Development-Residential Single Family-5 (PD-20-01) for approximately 29.25± acres of land in the John D. Merchant Abstract 850, located southwest of East Farmers Road, between May Road and Alto Road, Seagoville, Dallas County, Texas, and being legally described in Exhibit “A” attached hereto and incorporated herein; providing for 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 fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense; and providing an effective date.

BACKGROUND OF ISSUE:

The land is currently unimproved and is located southwest of East Farmers Road between May Road and Alto Road.

Pat Atkins, representing his company KPA Consulting Inc. and property owners, Paul & Rhonda Edmonds, in their request for a zoning change from (vacant) land zoned R-5 to a residential subdivision in a plan development with an R-5 base zoning. The proposed development regulations include:

- Development in accordance with a submitted concept plan
- Minimum front yard depth of 20-feet
- Minimum rear yard depth of 10-feet
- Minimum side yard width of 5-feet
- Minimum lot width of 50-feet
- Minimum lot depth of 110-feet
- Minimum lot area of 5,500 square feet
- Minimum living area of the houses to be:
 - 15% having at least 1,600-square feet;
 - 70% having at least 1,700-square feet; and
 - 15% having at least 1,800-square feet;
- Maximum 35-feet height of each house

The existing zoning, land uses, and relevant portions of the City’s comprehensive plan are each referenced in the attached staff report. The report also provides a recommendation from Staff on whether the P&Z should deny or approve the applicant’s request.

There are thirty-four (34) properties and parts of six (6) public streets within 200-feet of the boundary of the subject area. The owners of each parcel were notified in compliance with the 200-foot rule by mail on Tuesday, January 28, 2020. A legal ad was also published per the Texas Local Government Code in the Monday, January 27, 2020, edition of the Daily Commercial Record newspaper. No (zero) letters were returned as undeliverable by the U.S. Postal Service. One (1) written response has been returned in favor of the request. No one (zero) spoke for or against the project at the Planning and Zoning Commission meeting.

For the City Council meeting, the owners of each parcel were again notified in compliance with the 200-foot rule by mail on Wednesday, February 19, 2020, about the City Council meeting. A legal ad was also published per the Texas Local Government Code in the Friday, February 14, 2020, edition of the Daily Commercial Record newspaper. As of the date of this report, Wednesday, February 26, 2020, no (zero) additional letters have been returned as undeliverable by the U.S. Postal Service. Three (3) written responses have been returned. Any responses received after the emailing of the packet to the Council will be provided at the meeting.

FINANCIAL IMPACT:

Not applicable

RECOMMENDATION:

On February 11th, the Planning and Zoning Commission voted five (5) to zero (0) in favor of recommending approval with conditions on the request to development with R-5, Residential Single Family, base zoning) on the 29.25-acres of land owned by Paul and Rhonda Edmonds, and situated in the John D. Merchant Abstract 850 in Seagoville, Dallas County, Texas, being all of 6.507-acre tract described in a deed recorded in Volume 2001055 Page 769 of the Deed Records of Dallas County, Texas (D.R.D.C.T.), all of Tract 1 and part of Tract 2 described in a deed recorded as Instrument 201300036608 D.R.D.C.T., part of Tract I described in a deed recorded in Volume 99066 Page 5469 D.R.D.C.T., and part of a 20.0-acre tract described in a deed recorded in Volume 2003184 Page 2980 D.R.D.C.T. The conditions of approval were:

- Addition of a 5-foot wide sidewalk along East Farmers Road at the same time as its pavement improvements.
- All other constructed streets to have 4-foot wide sidewalks on both sides unless otherwise shown on the concept plan.
- With the Final Plat of this subdivision, right-of-way dedication plus sidewalk and pavement construction of widened East Farmers Road along frontage of owners' land outside of subdivision.

Staff supports the requested change with the listed conditions of approval in addition to the internal trail system to have 4-foot sidewalks maintained by the Home Owners' Association when the trail is not located within a street right-of-way.

EXHIBIT:

Each of the following are set for printing on letter-sized paper unless otherwise listed.

1. Ordinance (7 pages)

AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SEAGOVILLE, 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 RESIDENTIAL SINGLE FAMILY (R-5) TO PLAN DEVELOPMENT-RESIDENTIAL SINGLE FAMILY-5 (PD-20-01) FOR APPROXIMATELY 29.25± ACRES OF LAND IN THE JOHN D. MERCHANT ABSTRACT 850, LOCATED SOUTHWEST OF EAST FARMERS ROAD, BETWEEN MAY ROAD AND ALTO ROAD, SEAGOVILLE, DALLAS COUNTY, TEXAS, AND BEING LEGALLY DESCRIBED IN EXHIBIT “A”, ATTACHED HERETO AND INCORPORATED HEREIN; PROVIDING FOR 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. Z2019-32 (PD 20-01) 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, as heretofore amended, be and the same is hereby amended by granting a change in zoning from Residential Single Family (R-5) to Plan Development-Residential Single Family-5 (PD-20-01) for approximately 29.25± acres of land in the John D. Merchant Abstract 850, located southwest of East Farmers Road, between May Road and Alto 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, except as amended herein, and the following development regulations:

- A. Development in accordance with a submitted concept plan

- B. Minimum front yard depth of 20-feet
- C. Minimum rear yard depth of 10-feet
- D. Minimum side yard width of 5-feet
- E. Minimum lot width of 50-feet
- F. Minimum lot depth of 110-feet
- G. Minimum lot area of 5,500 square feet
- H. Minimum living area of the houses to be:
 - 15% having at least 1,600-square feet;
 - 70% having at least 1,700-square feet; and
 - 15% having at least 1,800-square feet;
- I. Maximum 35-feet height of each house
- J. A five (5') foot wide sidewalk shall be constructed for the full length of the Planned Development along East Farmers Road at the same time as its pavement improvements
- K. All new streets constructed inside the Planned Development shall have a four (4') foot sidewalk on both sides of each street, unless otherwise depicted as a five (5') walk on the approved concept plan

SECTION 3. The property shall be developed and used only in accordance with the conceptual 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 2nd day of March 2020.

APPROVED:

DENNIS K. CHILDRESS, MAYOR

ATTEST:

KANDI JACKSON, CITY SECRETARY

APPROVED AS TO FORM:

VICTORIA THOMAS, CITY ATTORNEY
(/cdb 02/25/2020)

EXHIBIT "A"
LEGAL DESCRIPTION

BEING 29.250 acres of land situated in the John D. Merchant Survey, Abstract No. 850, Dallas County, Texas and being all of called 6.507 acre tract of land described in a Deed to Paul D. Edmonds and Rhonda Edmonds, recorded in Volume 2001055, Page 769 of the Deed Records of Dallas County, Texas (DRDCT), all of Tract 1 and part of Tract 2 described in a Deed to Paul Edmonds, recorded as Instrument No. 201300036608 (DRDCT), part of a Tract I described in a Deed to Paul D. Edmonds and Rhonda Edmonds, recorded in Volume 99066, Page 5469 (DRDCT), part of a called 20.0-acre tract of land described in a Deed to Paul Edmonds, recorded in Volume 2003184, Page 2980 (DRDCT), and this tract being more particularly described as follows:

BEGINNING at a point for corner near the center of Farmers Road at the most northern corner of said 20.0-acre tract common to the most eastern corner of Galvan Addition, an Addition to the City of Seagoville, recorded in Volume 2000220, Page 27 of the Plat Records of Dallas County, Texas (PRDCT), from which a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", set for reference bears South 44°52'43" West a distance of 15.00 feet;

THENCE South 44°57'34" East along and near the center of said Farmers Road and with the northeast line of said 20.0-acre tract, a distance of 482.61 feet, to a point for corner, from which a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", set for reference bears South 44°44'44" West a distance of 20.00 feet;

THENCE traversing across said 20.0-acre tract, said Tract I in Volume 99066, Page 5469, and said Tract 2 in Instrument No. 201300036608, the following courses:

South 44°44'44" West, a distance of 159.06 feet, to a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", set for corner;

South 31°51'43" East, a distance of 87.38 feet, to a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", set for corner;

South 44°44'44" West, a distance of 265.00 feet, to a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", set for corner;

South 45°15'16" East, a distance of 18.44 feet, to a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", set for corner at the beginning of a tangent curve to the right, having a radius of 325.00 feet a chord which bears South 40°01'00" East a distance of 59.34 feet;

Southeasterly with said curve to the right, having a central angle of 10°28'31", an arc distance of 59.42 feet, to a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", set for corner at the beginning of a reverse curve to the left, having a radius of 275.00 feet, and a chord which bears South 40°01'00" East a distance of 50.21 feet;

Southeasterly with said curve to the left, having a central angle of 10°28'31", an arc distance of 50.28 feet, to a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", set for corner;

South 45°15'16" East, a distance of 74.52 feet to a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", set for corner at the beginning of a tangent curve to the right, having a radius of 265.00 feet and a chord which bears South 21°41'35" East a distance of 211.86 feet;

Southeasterly with said curve to the right, having a central angle of 47°07'21", an arc distance of 217.95 feet, to a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", set for corner at the beginning of a non-tangent curve to the right, having a radius of 50.00 feet, and a chord which bears South 18°58'04" East a distance of 35.41 feet;

Southeasterly with said curve to the right, having a central angle of 41°28'26", an arc distance of 36.19 feet, to a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", set for corner;

South 70°01'08" East, a distance of 132.32, to a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", set for corner in the southeast line of said Tract 2 of Instrument No. 201300036608 common to the northwest line of Kings Creek Addition, an Addition to the City of Seagoville, recorded in Volume 77091, Page 1075 (PRDCT);

THENCE South 44°53'10" West, along the southeast lines of last mentioned Tract 2 and Tract 1 of the same Instrument No., respectively, common to the northwest line of last mentioned Addition, a distance of 807.83, to a point for corner in the northeast line of a called 28.5361 acre tract of land described in a Deed to H.C. Tredway, Jr. and Jan Sebetka, recorded in Volume 99221, Page 5645 (DRDCT) at the most southern corner of last mentioned Tract 1 common to the most western corner of last mentioned Addition from which an Angle Iron found for reference bears South 39°19'12" West a distance of 0.64 feet;

THENCE North 62°30'29" West, along the southwest lines of last mentioned Tract 1, said 6.507 acre tract, and said 20.0-acre tract, respectively, common to the northeast lines of said 28.5361 acre tract and a called 15.723 acre tract of land described in a Deed to Shepherd Place Homes, Inc., A Texas Corporation, recorded as Instrument No. 201900026567 (DRDCT), a distance of 1170.25 feet, to a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", set for corner in the northeast line of said 15.723 acre tract at the most western corner of said 20.0-acre tract common to the most southern corner of said Galvan Addition;

THENCE North 44°52'43" East, along the northwest line of said 20.0-acre tract common to the southeast line of said Galvan Addition, a distance of 510.87 feet, to a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", set for corner thereof;

THENCE traversing across said 20.0-acre tract, the following courses:

South 76°55'29" East, a distance of 426.53 feet, to a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", set for corner;

South 72°29'43" East, a distance of 54.13 feet, to a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", set for corner;

North 44°40'11" East, a distance of 130.28 feet, to a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", set for corner;

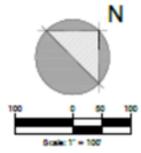
North 45°15'16" West, a distance of 240.05 feet, to a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", set for corner at the beginning of a non-tangent curve to the right, having a radius of 50.00 feet and a chord which bears North 37°09'36" West a distance of 70.67 feet;

Northwesterly with said curve to the right, having a central angle of 89°55'42", an arc distance of 78.48 feet, to a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", set for corner;

North 82°11'45" West, a distance of 125.40 feet, to a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", set for corner in the northwest line of said 20.0-acre tract common to the southeast line of said Galvan Addition;

THENCE North 44°52'43" East, along the common line of last mentioned tracts and Addition, a distance of 832.20 feet, to THE POINT OF BEGINNING and containing 1,274,137 square feet, or 29.250 acres of land.

EXHIBIT "B" CONCEPTUAL PLAN



LOCATION MAP

- OPEN SPACE
- TYPICAL LOT 50'x110' - 93 LOTS

29.25 ACRES
93 Residential Lots (18.58 Ac.)
50'x110' (Typ. Lot)
4 Common Area Lot (10.67 Ac.)

CONCEPT PLAN EDMONDS FARMS

BEING A 29.25 ACRE TRACT OF LAND
CITY OF SEAGOVILLE, DALLAS COUNTY, TEXAS

Owner:
PAUL & RHONDA EDMONDS
1807 E. Farmers Rd.
Seagoville, Texas 75157

9990 Clade Rd, Suite 108-402
Colleyville, Texas 75004
469.818.8224 | 1111cc@kpc.net
Tommy Casler - President



January 29, 2020

Regular Session Agenda Item: 7

Meeting Date: **March 2, 2020**

ITEM DESCRIPTION:

Discuss and consider approving an Ordinance of the City of Seagoville, Texas, vacating, abandoning and releasing a 15 foot (15') wide by 354.10 feet long alley way, being 4,912 square feet, located on Lot 1R, Block 4 of the Town & Country Shopping Center, John D. Merchant Survey, Abstract No. 850, as depicted in Exhibit "A", which is attached hereto and incorporated herein, to the abutting property owner; providing for the furnishing of a certified copy of this ordinance for recording in the Real Property Records of Dallas County, Texas, as a quit claim deed; and providing for an effective date.

BACKGROUND OF ISSUE:

HomeBank is going to demolish and then re-construct their building to eliminate the duplication of large public areas, make the building more energy-efficient (requiring the use of less electricity to heat and cool it), add drive-through and ATM lanes while also "turning" and "moving" the building so that it faces the highway more directly for better visibility of the building along its frontage. The reconstruction will also allow a more than doubling the current amount of green and open space on the lot outside of the building. Plans for the revised site along with proposed building elevations, landscaping and irrigation were reviewed and approved by the Planning and Zoning Commission on June 11, 2019. Building plans were submitted on October 24, 2019, and approved with comments the following week. Since then, the City has been waiting on the bank to complete the state-required asbestos abatement so that a demolition permit can be issued.

Prior to the issuance of a building permit, the property needs to be re-platting to combine all parcels addressed along Highway 175 into a single parcel because the property is actually in several parcels. However, part of the area that they own was platted as a 15-foot alley along the west side of Block 4 of Bennett Estates in Volume 14 on Pages 449 and 450 in January 1950.

FINANCIAL IMPACT:

Not applicable

RECOMMENDATION:

Staff recommends approval.

EXHIBIT:

1. Ordinance (3 pages)

AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS, VACATING, ABANDONING AND RELEASING A 15 FOOT (15') WIDE BY 354.10 FEET LONG ALLEY WAY, BEING 4,912 SQUARE FEET, LOCATED ON LOT 1R, BLOCK 4 OF THE TOWN & COUNTRY SHOPPING CENTER, JOHN D. MERCHANT SURVEY, ABSTRACT NO. 850, AS DEPICTED IN EXHIBIT "A", WHICH IS ATTACHED HERETO AND INCORPORATED HEREIN, TO THE ABUTTING PROPERTY OWNER; PROVIDING FOR THE FURNISHING OF A CERTIFIED COPY OF THIS ORDINANCE FOR RECORDING IN THE REAL PROPERTY RECORDS OF DALLAS COUNTY, TEXAS, AS A QUIT CLAIM DEED; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Seagoville, Texas, has determined that the alley described herein and depicted in Exhibit A no longer serves a public purpose and is of no use to the public or the City of Seagoville; and

WHEREAS, the City Council has determined that the described property should be abandoned, released and quitclaimed to the abutting property owner.

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

SECTION 1. That the City of Seagoville hereby abandons, releases and quitclaims in favor of the abutting property owner, the alley described herein and depicted in Exhibit A, which is attached hereto and incorporated herein for all purposes, the same as if fully copied herein.

SECTION 2. That the City Secretary is hereby directed to certify a copy of the Ordinance and furnish the same to the property owner, and the recording of this abandonment Ordinance in the Deed Records of Dallas County, Texas, shall serve as a quitclaim deed of the City of Seagoville to the said property owner, of such right, title or

interest of the City of Seagoville in and to such right-of-way described and depicted in Exhibit A, either in fee simple or by easement or otherwise.

SECTION 3. That the abandonment provided for herein shall extend only to the public right, title and interest which the City of Seagoville, Texas, may have in and to the surface of said strip of publicly owned land, and shall be construed to extend only to such interests that the governing body of the City of Seagoville, Texas, may legally and lawfully abandon.

SECTION 4. That this ordinance shall take effect immediately from and after its passage as the law and charter in such cases provide, and upon recordation.

DULY PASSED by the City Council of the City of Seagoville, Texas, on the 2nd day of March, 2020.

APPROVED:

Dennis K. Childress, Mayor

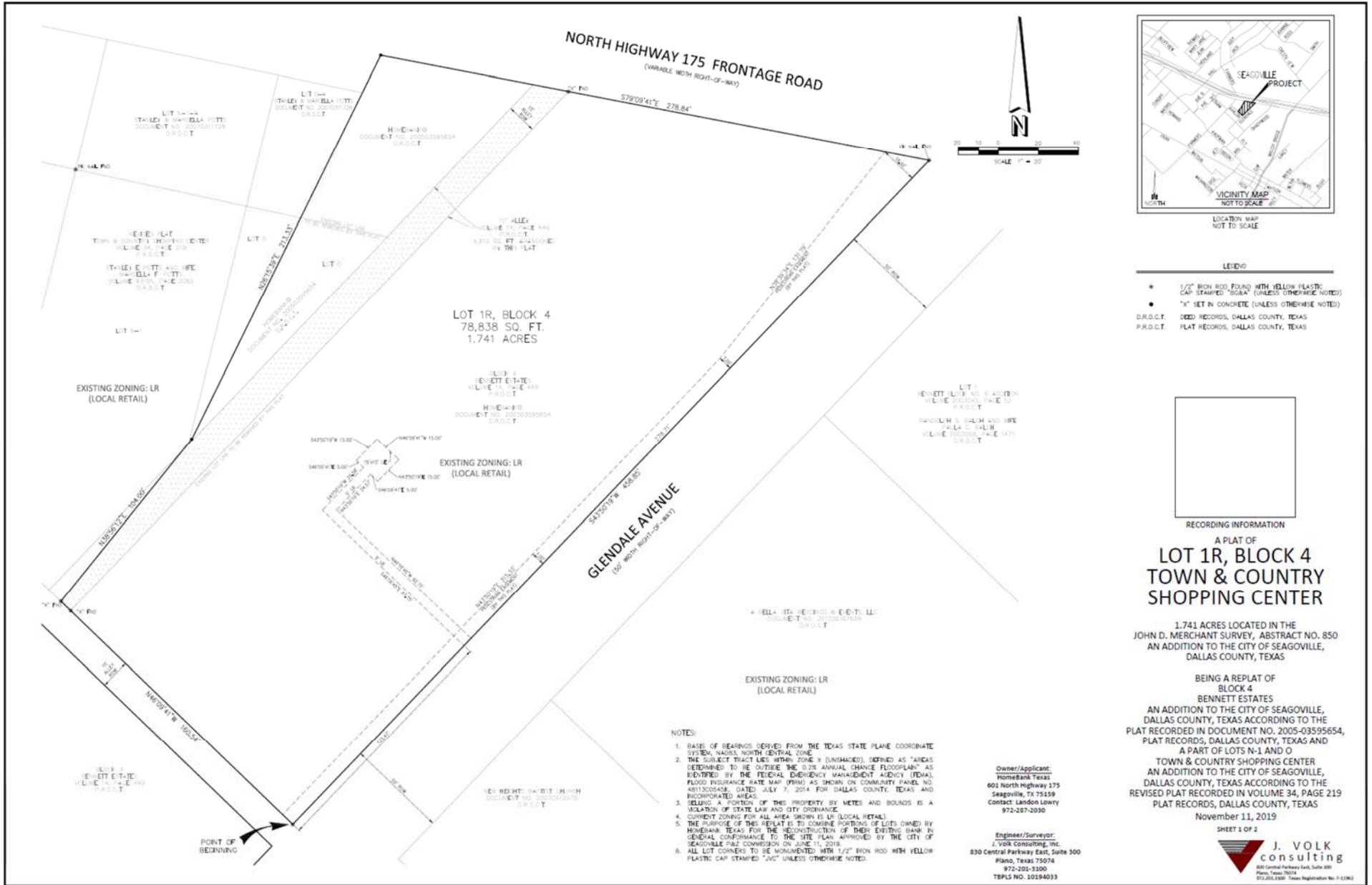
ATTEST:

Kandi Jackson, City Secretary

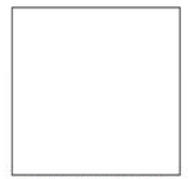
APPROVED AS TO FORM:

Victoria Thomas, City Attorney
(:cdb 02/21/2020)

Exhibit "A"



- LEGEND
- * 1/2" IRON ROD FOUND WITH YELLOW PLASTIC CAP STAMPED "SCGA" (UNLESS OTHERWISE NOTED)
 - "X" SET IN CONCRETE (UNLESS OTHERWISE NOTED)
 - D.R.D.C.T. DEED RECORDS, DALLAS COUNTY, TEXAS
 - P.R.D.C.T. PLAT RECORDS, DALLAS COUNTY, TEXAS



RECORDING INFORMATION

A PLAT OF

LOT 1R, BLOCK 4 TOWN & COUNTRY SHOPPING CENTER

1.741 ACRES LOCATED IN THE
JOHN D. MERCHANT SURVEY, ABSTRACT NO. 850
AN ADDITION TO THE CITY OF SEAGOVILLE,
DALLAS COUNTY, TEXAS

BEING A REPLAT OF
BLOCK 4
BENNETT ESTATES
AN ADDITION TO THE CITY OF SEAGOVILLE,
DALLAS COUNTY, TEXAS ACCORDING TO THE
PLAT RECORDED IN DOCUMENT NO. 2005-03595654,
PLAT RECORDS, DALLAS COUNTY, TEXAS AND
A PART OF LOTS N-1 AND O
TOWN & COUNTRY SHOPPING CENTER
AN ADDITION TO THE CITY OF SEAGOVILLE,
DALLAS COUNTY, TEXAS ACCORDING TO THE
REVISED PLAT RECORDED IN VOLUME 34, PAGE 219
PLAT RECORDS, DALLAS COUNTY, TEXAS

- NOTES:
1. BASE OF BEARINGS DERIVED FROM THE TEXAS STATE PLANE COORDINATE SYSTEM, ZONE 14N, NORTH-CENTRAL ZONE.
 2. THE SUBJECT TRACT LIES WITHIN ZONE X (UNSHADED), DEFINED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN" AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) AS SHOWN ON COMMUNITY PANEL NO. 4813300436, DATED JULY 7, 2014 FOR DALLAS COUNTY, TEXAS AND INCORPORATED AREAS.
 3. BELIEVED A PORTION OF THIS PROPERTY BY METES AND BOUNDS IS A VIOLATION OF STATE LAW AND CITY ORDINANCE.
 4. CURRENT ZONING FOR ALL AREA SHOWN IS LR (LOCAL RETAIL).
 5. THE PURPOSE OF THIS REPLAT IS TO COMBINE PORTIONS OF LOTS OWNED BY BENNETT ESTATES FOR THE RECONSTRUCTION OF THEIR EXISTING BANK IN GENERAL CONFORMANCE TO THE SITE PLAN APPROVED BY THE CITY OF SEAGOVILLE P&Z COMMISSION ON JUNE 11, 2019.
 6. ALL LOT CORNERS TO BE MONUMENTED WITH 1/2" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "SC" UNLESS OTHERWISE NOTED.

Owner/Applicant:
HomeBank Texas
602 North Highway 175
Seagoville, TX 75159
Contact: Landon Lowry
972-287-2030

Engineer/Surveyor:
J. Volk Consulting, Inc.
830 Central Parkway East, Suite 300
Plano, Texas 75074
972-201-3100
T&PS NO. 10194033



Regular Session Agenda Item: 8

Meeting Date: January 27, 2020

ITEM DESCRIPTION:

Discuss and consider a Resolution of the City Council of the City of Seagoville, Texas, ratifying and approving the Economic Development Incentive Agreement by and between the SEDC and John Bunker Sands Wetland Center, Inc., in an amount not to exceed One Hundred Thousand Dollars (\$100,000.00), to be paid in two installments, said agreement being attached hereto as Exhibit A; authorizing the City Manager / Executive Director to execute the Agreements; providing for a repealing clause; providing for a severability clause; and providing an effective date.

BACKGROUND OF ISSUE:

The Seagoville Economic Development Corporation (“SEDC”) is authorized by the Development Corporation Act, Chapters 501-505, Texas Local Government Code (the “Act”), specifically section 505.152, authorizes SEDC to provide economic development grants for buildings, equipment, facilities, and improvements for entertainment, tourist, convention and public park purposes and events, including auditoriums, amphitheatres, parks and park facilities, open space improvements, museums, exhibition facilities, and related improvements that enhance any of these items. SEDC Board of Directors has determined that the Agreement as attached herein, and will further the objectives of the City and the SEDC. Also, the SEDC finds that the expenditure of funds pursuant to the Agreement is authorized by the Act and that the Agreement should be approved.

FINANCIAL IMPACT:

\$100,000.00

EXHIBITS:

Resolution
Economic Development Incentive Agreement

A RESOLUTION OF THE CITY OF SEAGOVILLE

RESOLUTION NO. –R-2020

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEAGOVILLE, TEXAS, RATIFYING AND APPROVING THE ECONOMIC DEVELOPMENT INCENTIVE AGREEMENT BY AND BETWEEN THE SEDC AND JOHN BUNKER SANDS WETLAND CENTER, INC., IN AN AMOUNT NOT TO EXCEED ONE HUNDRED THOUSAND DOLLARS (\$100,000.00), TO BE PAID IN TWO INSTALLMENTS, SAID AGREEMENT BEING ATTACHED HERETO AS EXHIBIT A; AUTHORIZING THE CITY MANAGER / EXECUTIVE DIRECTOR TO EXECUTE THE AGREEMENTS; PROVIDING FOR A REPEALING CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Development Corporation Act, Chapters 501-505, Texas Local Government Code (the “Act”), specifically section 505.152, authorizes SEDC to provide economic development grants for buildings, equipment, facilities, and improvements for entertainment, tourist, convention and public park purposes and events, including auditoriums, amphitheatres, parks and park facilities, open space improvements, museums, exhibition facilities, and related improvements that enhance any of these items; and

WHEREAS, the Seagoville Economic Development Corporation (SEDC) has conducted a public hearing to consider a project under that section with the John Bunker Sands Wetland Center, as reflected in the Economic Development Incentive Agreement attached hereto as Exhibit A; and

WHEREAS, the SEDC Board of Directors has determined that the Agreement, Exhibit A, will further the objectives of the City and the SEDC; and

WHEREAS, the SEDC finds that the expenditure of funds pursuant to the Agreement is authorized by the Act and accomplishes the purposes required thereunder and that the Agreement should therefore be approved and ratified by the City Council;

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

SECTION 1. The City Council hereby approves and ratifies the project as set forth in the Economic Development Incentive Agreement by and between the SEDC and John Bunker Sands Wetland Center as set forth in Exhibit A attached to this Ordinance, in an amount not to exceed one hundred thousand dollars (\$100,000.00), to be paid in two installments as set forth in Exhibit A hereto.

SECTION 2. That the City Manager/Executive Director of the Seagoville Economic Development Corporation is authorized to execute the Agreement or an agreement with the John Bunker Sands Wetland Center in substantially the form of that Agreement attached hereto as Exhibit A for and on behalf of the SEDC.

SECTION 3. That all resolutions of the SEDC heretofore adopted which are in conflict with the provisions of this resolution be, and the same are hereby repealed, and all resolutions of the SEDC not in conflict with the provisions hereof shall remain in full force and effect.

SECTION 4. That if any article, paragraph, subdivision, clause or provision of this Resolution, as hereby amended, be adjudged invalid or held unconstitutional for any reason, such judgement or holding shall not affect the validity of this Resolution as a whole or any part or provision thereof, as amended hereby, other than the part so declared to be invalid or unconstitutional.

SECTION 5. That this resolution shall take effect immediately from and after its passage, and it is accordingly resolved and approved by the City Council as required by law.

PASSED AND APPROVED by the City Council of the City of Seagoville, Texas on the 2nd day of March 2020.

APPROVED:

Dennis K. Childress, Mayor

ATTEST:

Kandi Jackson, City Secretary

APPROVED AS TO FORM:

Victoria Thomas, City Attorney

Exhibit "A"
Economic Development Agreement
(to be attached)

**STATE OF TEXAS §
 § ECONOMIC DEVELOPMENT INCENTIVE AGREEMENT
COUNTY OF DALLAS §**

This Economic Development Incentive Agreement (“Agreement”) is made by and between John Bunker Sands Wetland Center, Inc., a Texas nonprofit corporation (“JBS”), and the Seagoville Economic Development Corporation (“SEDC”), each acting by and through their respective authorized representatives. SEDC and JBS may be referred to herein each as a “Party” and collectively as the “Parties”.

W I T N E S S E T H:

WHEREAS, JBS is a Texas nonprofit corporation, with its principal place of business (the “Center”) located on land owned by Wetlands Management LP and located at 655 Martin Lane, Seagoville, Texas (the “WM Property”); and

WHEREAS, JBS has located the Center on the WM Property in accordance with an easement for a term of 100 years granted by Wetlands Management LP to JBS, a true and correct copy of which is attached hereto as Exhibit “A”; and

WHEREAS, JBS was established as a component of a partnership between the North Texas Municipal Water District and The Rosewood Corporation to construct a 2,000 acre man-made wetland called the East Fork Water Reuse Project and has a mission and vision to be the premier education and destination nature center serving the North Texas region and beyond, providing education and research opportunities in the areas of water reuse, quality, supply, wildlife, conservation and wetland systems; and

WHEREAS, at the Center, JBS provides a venue for events, entertainment, tourism, and environmental education programs annually to thousands of students and adults from across North Texas and beyond focusing on regional water, naturalists training, and wetland and wildlife conservation at the East Fork Water Reuse Project; and

WHEREAS, in 2020, the goals of JBS are to provide enhanced environmental and event programming at the Center and increase the number of students and adults served at its education and destination nature center facilities; and

WHEREAS, in reaching its 2020 goals JBS intends to construct a 5,700 square foot expansion of the Center, with the expansion including 2 enclosed smart technology classrooms (1,400 square feet), 1 enclosed restroom/storage structure (700 square feet), 1 flexible outdoor amphitheater and terrace (2,500 square feet), and 1 flexible outdoor storage/classroom (900 square feet) (collectively, the “Expanded Facilities”); and

WHEREAS, the Expanded Facilities would be constructed on the WM Property and, additionally, on a small portion of real property owned by the North Texas Municipal Water District (the “NTMWD Property”); and

WHEREAS, JBS is currently in the process of finalizing an easement agreement with North Texas Municipal Water District for the NTMWD Property which would provide JBS an easement for use of the NTMWD Property, including but not limited to the construction and operation of the Expanded Facilities thereon; and

WHEREAS, JBS has advised the SEDC that a contributing factor that would induce JBS to construct the Expanded Facilities would be an agreement by SEDC to provide an economic development grant to JBS to defray a portion of the costs of construction of the Expanded Facilities; and

WHEREAS, SEDC has adopted programs for promoting economic development; and

WHEREAS, the Development Corporation Act, Chapters 501-505, Texas Local Government Code (the “Act”), specifically section 505.152, authorizes SEDC to provide economic development grants for buildings, equipment, facilities, and improvements for entertainment, tourist, convention and public park purposes and events, including auditoriums, amphitheaters, parks and park facilities, open space improvements, museums, exhibition facilities, and related improvements that enhance any of these items; and

WHEREAS, SEDC has determined that the Grant (hereinafter defined) to be made hereunder is required or suitable to provide and enhance buildings, equipment, facilities, and improvements for entertainment, tourist, convention and public park purposes and events, including auditoriums, amphitheaters, parks and park facilities, open space improvements, museums, exhibition facilities, and related improvements and constitutes a “project”, as that term is defined in the Act; and

WHEREAS, the City has determined that providing an economic development incentive in accordance with this Agreement will further the objectives of the City and the SEDC, will benefit the City and the City’s inhabitants, and will promote local economic development and stimulate business and commercial activity in the City;

NOW THEREFORE, in consideration of the foregoing, and on the terms and conditions hereinafter set forth, and other valuable consideration the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

Article I Definitions

For purposes of this Agreement, each of the following terms shall have the meaning set forth herein unless the context clearly indicates otherwise:

“Bankruptcy or Insolvency” shall mean the dissolution or termination of JBS’s existence as a going business, insolvency, appointment of receiver for any part of JBS’s property and such appointment is not terminated within ninety (90) days after such appointment is initially made, any general assignment for the benefit of creditors, or the

commencement of any proceeding under any bankruptcy or insolvency laws by or against JBS and such proceeding is not dismissed within ninety (90) days after the filing thereof.

“Center” shall mean the currently existing improvements owned by JBS and located on the Property.

“City” shall mean the City of Seagoville, Texas.

“Commencement of Construction” shall mean that (1) the NTMWD Easement has been executed and a copy delivered to the SEDC; (2) the plans have been prepared and all approvals thereof required by applicable governmental authorities have been obtained for the Expanded Facilities, (3) all necessary permits for the Expanded Facilities have been issued by all applicable governmental authorities, and (4) construction of the vertical elements of the Expanded Facilities” has commenced.

“Completion of Construction” shall mean that the (1) Expanded Facilities have been substantially completed, (2) a final, permanent certificate of occupancy for the Expanded Facilities has been issued, and (3) JBS is open and conducting business during normal business hours utilizing the Expanded Facilities.

“Effective Date” shall mean the last date of execution hereof.

“Expanded Facilities” shall mean the 5,700 square foot expansion to the Center, JBS’s current facility, which expansion shall include 2 enclosed smart technology classrooms (1,400 square feet), 1 enclosed restroom/storage structure (700 square feet), 1 flexible outdoor amphitheater and terrace (2,500 square feet), and 1 flexible outdoor storage/classroom (900 square feet) (collectively, the “Expanded Facilities”), all as illustrated and described further in Exhibit “B” hereto which is incorporated herein by reference.

“Expiration Date” shall mean the fifth (5th) anniversary of Completion of Construction.

“Force Majeure” shall mean any contingency or cause beyond the reasonable control of a Party including, without limitation, acts of God or the public enemy, war, terrorist act, or threat thereof, riot, civil commotion, insurrection, government action or inaction (unless caused by the intentionally wrongful acts or omissions of the Party), fires, earthquake, tornado, hurricane, explosions, floods, strikes, slowdowns or work stoppages.

“Grant” shall mean an economic development grant in the amount equal to the costs incurred and paid by JBS for the Expanded Facilities, as defined herein, not to exceed One Hundred Thousand Dollars (\$100,000.00), to offset a portion of the costs paid and incurred by JBS for the Expanded Facilities, to be paid in two payments, each payment to be not more than \$50,000.00, with the first payment to be made at the Commencement of Construction, and the last payment to be made at the Completion of Construction, each being payable only upon receipt by SEDC of written application for said payment

accompanied by evidence of satisfaction of all conditions precedent as set forth in this Incentive Agreement.

“Impositions” shall mean all taxes, assessments, use and occupancy taxes, charges, excises, license and permit fees, and other charges by public or governmental authority, general and special, ordinary and extraordinary, foreseen and unforeseen, which are or may be assessed, charged, levied, or imposed by any public or governmental authority on JBS or any property or any business owned by JBS within the City.

“JBS” shall mean the John Bunker Sands Wetland Center, Inc., a Texas nonprofit corporation, and its officers, agents, successors, and permitted assigns.

“Nature Center Easement Agreement” shall mean the easement agreement between Wetlands Management LP and JBS at the cost of \$10 for a 100-year easement to the WM Property, a true and correct copy of said easement being attached hereto as Exhibit “A”.

“NTMWD Easement” shall mean an easement to be negotiated and executed by and between North Texas Municipal Water District and JBS granting an easement of at least fifty (50) years to JBS for use of the NTMWD Property, including the right to construct and operate the Expanded Facilities thereon

“NTMWD Property” shall mean that parcel of real property owned by the North Texas Municipal Water District upon which a portion of the Expanded Facilities shall be located and which shall be subject to an easement for a term of at least fifty (50) years in favor of JBS allowing JBS the use of the NTMWD Property, including but not limited to the construction and operation of the Expanded Facilities thereon.

“Related Agreement” shall mean any agreement (other than this Agreement) by and between the JBS and SEDC or the City.

“Required Use” shall mean JBS’s continuous occupancy of the Center and the Expanded Facilities for operation of the John Bunker Sands Wetland Center providing wildlife, water, and conservation educational programming, environmental and event community programming, and destination nature center facilities, all of which shall be open to the public and serving the citizens of the City.

“SEDC” shall mean the Seagoville Economic Development Corporation.

“WM Property” shall mean the real property owned by Wetlands Management LP and located at 655 Martin Lane, Seagoville, Texas, the same being subject to the Nature Center Easement Agreement.

Article II
Term

The term of this Agreement shall begin on the last date of execution hereof (the “Effective Date”) and continue until the Expiration Date, unless sooner terminated as provided herein.

Article III
Grant

3.1 Grant. SEDC agrees, subject to the continued satisfaction of all the terms and conditions of this Agreement by JBS and the obligation of JBS to repay the value or the costs incurred by SEDC to provide the Grant pursuant to Article V hereof, to provide JBS with the Grant as set forth herein.

3.2 Grant Limitations. Under no circumstances shall the obligations of SEDC hereunder be deemed to create any debt within the meaning of any constitutional or statutory provision. SEDC shall not be obligated to pay any commercial bank, lender or similar institution for any loan or credit agreement made by JBS. None of the obligations of SEDC under this Agreement shall be pledged or otherwise encumbered by JBS in favor of any commercial lender and/or similar financial institution.

3.3 Current Revenue. The Grant made hereunder shall be paid solely from lawfully available funds that have been appropriated by SEDC. SEDC shall have no obligation or liability to provide any Grant except as allowed by law. SEDC shall not be required to provide any of the Grant if prohibited under federal or state legislation or a decision of a court of competent jurisdiction.

Article IV
Conditions to Grant

JBS shall during the term of this Agreement satisfy and comply with the terms and conditions of this Agreement and specifically, each term and condition of this Article IV. The obligation of SEDC to provide the Grant or any portion thereof shall be conditioned upon JBS’s compliance with and satisfaction of the terms and conditions of this Agreement and each of the conditions set forth in this Article IV.

4.1 Good Standing. JBS shall not have an uncured breach or default of this Agreement or a Related Agreement.

4.2 Commencement of Construction. Commencement of Construction, as that term is defined herein, shall occur not later than twelve (12) months after the Effective Date of this Agreement.

4.3 Completion of Construction. Completion of Construction, as that term is defined herein, shall occur not later than twenty-four (24) months after the Effective Date of this Agreement

4.4 Required Use. During the term of this Agreement following Completion of Construction and continuing thereafter until expiration of this Agreement or earlier termination JBS shall continuously occupy, under the respective easements granted to JBS, the WM Property and the NMWD Property and shall further continuously operate and maintain the Center and the Expanded Facilities, all of which shall not be used during the term of this Agreement for any purpose other than the Required Use. Further, during the term of this Agreement, such occupation and use shall not cease for more than thirty (30) days except in connection with, and to the extent of, an event of Force Majeure.

4.5 Advertisement. Beginning on the Effective Date and continuing until the Expiration Date, JBS shall, well in advance of all special events and programs which are open to the public at the Center and/or the Expanded Facilities provide, publish or advertise an announcement advising of the date, time, location, and general nature of each such special event and program (1) to the general public using JBS's social media platforms and area newspapers, when available at no cost to JBS, (2) to area libraries, including the City of Seagoville Library and to area radio stations, and (3) to the SEDC with the understanding that the SEDC may display some or all of such information on the SEDC's LED sign located within the City.

4.6 City Use of Center and Expanded Facilities. During the term of this Agreement beginning on the Effective Date and continuing thereafter until the Expiration Date and subject to availability, the City and/or the SEDC shall be allowed to schedule and utilize the Center and/or the Amphitheater portion of the Expanded Facilities for City or SEDC sponsored meetings and/or events at no cost to the City or the SEDC once each quarter, for a total of four times per twelve-month period. Meetings and events must be coordinated with JBS through the Center. City and SEDC shall be entitled, under this provision 4.6, to a maximum of three(3) meetings and one (1) special event per twelve- period.

4.7 Discounted Memberships. During the term of this Agreement beginning on the Effective Date and continuing thereafter until the Expiration Date, JBS shall offer to all residents of the City, upon request therefor and presentation of proper proof of such residency, a discount of twenty-five (25) percent in the cost of an annual individual membership for the Center (including the Expanded Facilities).

4.8 Display of City Brochures. During the term of this Agreement beginning on the Effective Date and continuing thereafter until the Expiration Date, JBS shall allow the display, in the lobby area of the Center, of a number, not to exceed twenty-five (25), of the City of Seagoville's City informational brochure.

4.9 Capital Expenditure. JBS's Capital Investment for the Expanded Facilities as of the Completion of Construction shall be not less than One Thousand (\$100,000.00) Dollars. JBS shall, not later than four (4) months after the date of Commencement of Construction and again not later than fifteen (15) calendar days after the date of Completion of Construction (as defined herein) of the Expanded Facilities, deliver to SEDC copies of all records, contracts, receipts, invoices, bills, proofs of payment, and such other information as SEDC may reasonably request to document compliance with the required Capital Investment. In the event the final total cost of the construction of the Improvements, as reasonably verified by SEDC, is less than One Thousand (\$100,000.00) Dollars,

JBS shall, within thirty (30) days of receipt by JBS of written demand by SEDC, pay the SEDC the difference in value between \$100,000.00 and the final total cost of the construction of the Expanded Facilities as reasonably verified by SEDC.

Article V Termination; Repayment

5.1 Termination. This Agreement terminates on the Expiration Date, and may, prior to the Expiration Date, be terminated upon any one or more of the following:

- (a) by mutual written agreement of the Parties;
- (b) upon written notice by either Party, if the other Party defaults or breaches any of the terms or conditions of this Agreement or a Related Agreement and such default or breach is not cured within thirty (30) days after written notice thereof;
- (c) upon written notice by SEDC, if any Impositions owed to SEDC, City or the State of Texas by JBS shall have become delinquent (provided, however, JBS retains the right to timely and properly protest and contest any such taxes or Impositions), and such delinquency is not cured within thirty (30) days following JBS's receipt of written notice thereof;
- (d) upon written notice by SEDC, if JBS suffers an event of Bankruptcy or Insolvency;
or
- (e) upon written notice by either Party, if any subsequent Federal or State legislation or any decision of a court of competent jurisdiction declares or renders this Agreement invalid, illegal or unenforceable.

5.2 Repayment due to Breach of Section 5.1(b). In the event the Agreement is terminated by SEDC pursuant to Section 5.1 (b):

- (a) due to a breach of the obligation set forth in section 4.2 hereof, JBS shall immediately refund to the SEDC an amount equal to the value of the Grant received by JBS;
- (b) due to a breach of the obligation set forth in section 4.3 hereof, JBS shall immediately refund to the SEDC an amount equal to eighty percent (80%) of the value of the Grant received by JBS;
- (c) due to a breach of an obligation set forth in section 4.4 hereof during the first three years after Completion of Construction, JBS shall immediately refund to the SEDC an amount equal to sixty percent (60%) of the Grant received by JBS;
- (d) due to a breach of an obligation set forth in section 4.4 hereof during the fourth year after Completion of Construction, JBS shall immediately refund to the SEDC an amount equal to forty percent (40%) of the Grant received by JBS;

- (e) due to a breach of an obligation set forth in section 4.4 hereof during the fifth year after Completion of Construction, JBS shall immediately refund to the SEDC an amount equal to twenty percent (20%) of the Grant received by JBS;
- (f) due to a breach of an obligation set forth in section 4.5, 4.6, 4.7, and/or 4.8 hereof, JBS shall immediately refund to the SEDC an amount equal to twenty percent (20%) of the Grant received by JBS; and
- (g) due to a breach of an obligation set forth in section 4.9 hereof, JBS shall immediately refund to the SEDC an amount equal to the value of the Grant received by JBS.

The repayment obligations of the JBS set forth in this Section 5.2 shall survive termination of this Agreement.

5.3 Repayment Due to Breach of Section 5.1(c), (d), and/or (e). In the event the Agreement is terminated by SEDC pursuant to Section 5.1(c), (d), and/or (e), JBS shall immediately refund to SEDC an amount equal to the Grant paid by SEDC to JBS, plus interest at the rate of interest periodically announced by the *Wall Street Journal* as the prime or base commercial lending rate, or if the *Wall Street Journal* shall cease to exist or cease to announce a prime or base lending rate, than at the annual rate of interest from time to time announced by Citibank, N.A. (or by any other New York money center bank selected by the SEDC) as its prime or base commercial lending rate from the date on which the Grant is paid by SEDC until refunded by JBS. The repayment obligation of JBS set forth in this Section 5.3 shall survive termination of this Agreement.

5.3 Offsets. SEDC may, at its option, offset any amounts due and payable under this Agreement against any debt (including taxes) lawfully due to City and/or SEDC from JBS, regardless of whether the amount due arises pursuant to the terms of this Agreement, a Related Agreement, or otherwise, and regardless of whether or not the debt due SEDC has been reduced to judgment by a court.

Article VI Miscellaneous

6.1 Binding Agreement. The terms and conditions of this Agreement are binding upon the successors and permitted assigns of the Parties hereto.

6.2 Limitation on Liability. It is understood and agreed between the Parties that JBS and SEDC, in satisfying the conditions of this Agreement, have acted independently, and SEDC assumes no responsibilities or liabilities to third parties in connection with these actions.

6.3 No Joint Venture. It is acknowledged and agreed by the Parties that the terms hereof are not intended to and shall not be deemed to create a partnership or joint venture among the Parties.

6.4 Authorization. Each Party represents that it has full capacity and authority to grant all rights and assume all obligations that are granted and assumed under this Agreement. The undersigned officers and/or agents of the Parties hereto are the properly authorized officials and have the necessary authority to execute this Agreement on behalf of the Parties hereto.

6.5 Notice. Any notice required or permitted to be delivered hereunder shall be deemed received three (3) days thereafter sent by United States Mail, postage prepaid, certified mail, return receipt requested, addressed to the Party at the address set forth below (or such other address as such Party may subsequently designate in writing), or on the day actually received if sent by courier or otherwise hand delivered.

If intended for SEDC, to:

Seagoville Economic Development
Corporation
Attn: Patrick Stallings, Exec. Director
702 N. Highway 175
Seagoville, Texas 75159

With a copy to:

Victoria W. Thomas
Nichols, Jackson, Dillard,
Hager & Smith, L.L.P.
1800 Ross Tower
500 North Akard
Dallas, Texas 75201

If intended for JBS:

John DeFillipo, Executive Director
John Bunker Sands Wetland Center
655 Martin Lane
Seagoville, Texas 75159

6.6 Entire Agreement. This Agreement constitutes the entire agreement between the Parties with respect to the subject matter of this Agreement. There is no other collateral oral or written agreement among the Parties that in any manner relates to the subject matter of this Agreement.

6.7 Governing Law. The Agreement shall be governed by the laws of the State of Texas, without giving effect to any conflicts of law rule or principle that might result in the application of the laws of another jurisdiction; and exclusive venue for any action concerning this Agreement shall be in the State District Court of Dallas County, Texas. The Parties agree to submit to the personal and subject matter jurisdiction of said court.

6.8 Amendment. This Agreement may only be amended by the mutual written agreement of the Parties.

6.9 Legal Construction. In the event any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect other provisions, and it is the intention of the Parties to this Agreement that in lieu of each provision that is found to be illegal,

invalid, or unenforceable, a provision shall be added to this Agreement which is legal, valid and enforceable and is as similar in terms as possible to the provision found to be illegal, invalid or unenforceable.

6.10 Exhibits. All exhibits to this Agreement are incorporated herein by reference for all purposes wherever reference is made to the same.

6.11 Successors and Assigns. This Agreement may not be assigned without the prior written consent of SEDC.

6.12 Recitals. The recitals to this Agreement are incorporated herein.

6.13 Counterparts. This Agreement may be executed in counterparts. Each of the counterparts shall be deemed an original instrument, but all of the counterparts shall constitute one and the same instrument.

6.14 Survival of Covenants. Any of the representations, warranties, covenants, and obligations of the Parties, as well as any rights and benefits of the Parties, pertaining to a period of time following the termination of this Agreement shall survive termination.

6.15 Employment of Undocumented Workers. During the term of this Agreement, JBS agrees to not knowingly employ any undocumented workers, and if convicted of a violation under 8 U.S.C. Section 1324a (f), JBS shall repay the value or the costs incurred by SEDC to provide the Grants herein and any other funds received by JBS from SEDC as of the date of such violation within 120 days after the date JBS is notified by SEDC of such violation, plus interest at the rate of 4% compounded annually from the date of violation until paid. JBS is not liable for a violation of this section in relation to any workers employed by a subsidiary, affiliate, or franchisee of JBS or by a person with whom the JBS contracts.

[Three Signature Pages to Follow]

EXECUTED on this _____ day of _____, 2020.

**SEAGOVILLE ECONOMIC DEVELOPMENT
CORPORATION**

By: _____
Patrick Stallings, Executive Director

EXECUTED on this _____ day of _____, 2020.

JOHN BUNKER SANDS WETLAND CENTER, INC.

By: _____
John DeFillipo, Executive Director

ACKNOWLEDGMENT

STATE OF TEXAS

COUNTY OF DALLAS

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared John DeFillipo, Executive Director and authorized agent for of John Bunker Sands Wetland Center, Inc., a Texas nonprofit corporation, known or proven to me to be the person and agent whose name is subscribed to the foregoing instrument and acknowledge to me that the same was the act of said John Bunker Sands Wetland Center, Inc., that he was duly authorized to perform the same by appropriate resolution, and that he executed the same as the act of said John Bunker Sands Wetland Center, Inc. for the purpose and consideration therein expressed and in the capacity therein stated after first having been duly authorized so to do.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the ____ day of _____, 2019.

Notary Public, State of Texas

My Commission Expires:

EXHIBIT "A"

Nature Center Easement Agreement

Nature Center Easement Agreement

Date: August 18, 2010

Grantor: Wetlands Management, LP, a Texas limited partnership

Grantor's Mailing Address: 2101 Cedar Springs Road, Suite 1600
 Dallas, TX 75201
 Attn: John Dziminski

Grantee: John Bunker Sands Wetland Center Inc., a Texas nonprofit corporation

Grantee's Mailing Address: 2101 Cedar Springs Road, Suite 1600
 Dallas, TX 75201
 Attn: Wilson Sands

Easement Land: The land described in Exhibit A attached hereto and made a part hereof and owned by Grantor.

Improvements: The improvements on the Easement Land and owned by Grantee, including the building known as the John Bunker Sands Wetland Center and associated parking areas, paths, and similar improvements.

Easement Purpose: To allow Grantee to use the Easement Land and Improvements for Grantee's activities as a charitable nonprofit corporation, including without limitation providing a place of educational opportunity for youth and other members of the community. Provided, however, the Easement created by this agreement and more particularly described and defined below is not, and the Easement Purpose is not to create, a "conservation easement" pursuant to or as described or defined in Chapter 183 of the Texas Natural Resources Code or Section 170(h) of the United States Internal Revenue Code.

Grant of Easement: Grantor hereby grants and conveys to Grantee a nonexclusive easement (the "Easement") over, on, and across the Easement Land for the Easement Purpose throughout the Easement Duration, to have and to hold the Easement. Grantor grants the Easement for the Consideration and Grantor binds itself and its successors and assigns to warrant and defend the title to the Easement in Grantee against every person whomsoever lawfully claiming or to claim the Easement or any part thereof, except as to the terms and conditions of this agreement, the Reservations from Conveyance, and the Exceptions to Warranty, to the extent that such claim arises by, through, or under Grantor but not otherwise.

Access: To provide a means of vehicular ingress and egress between the Easement Land from and to Farm to Market Road 1389 ("FM 1389"), Grantor further hereby grants and conveys to Grantee a nonexclusive license, coterminous with the Easement, for vehicular access over, on, and across the portion of the roadway owned by Grantor and commonly known as Martin Lane, from the intersection of Martin Lane and FM 1389, across property owned by Grantor and property adjacent to the northern boundary of the

Easement Land, to the intersection of Martin Lane and the northeast corner of the Easement Land. Provided, however, Grantor reserves the right from time to time, by written notice to Grantee, to designate alternative path(s) of vehicular access between the Easement Land from FM 1389 or other public roadway(s), in lieu of or in addition to access via Martin Lane.

Easement Duration: The Easement commences as of the date first set out above in this agreement and terminates on August 10, 2104. Provided, however, the Easement may be terminated on such earlier date as the parties may establish by separate agreement, or as expressly provided herein, or by written notice of abandonment by Grantee, or by abandonment by Grantee, or by written notice of termination by Grantor if without Grantor's prior written consent Grantee assigns or otherwise conveys or attempts to assign or otherwise convey its rights under this agreement, or by written notice of termination by Grantor if Grantee fails to use the Easement Land for the Permitted Use for a period of five (5) years or more, or by mutual written agreement of Grantor and Grantee.

Consideration: The sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by Grantor.

Reservations from Conveyance: Grantor reserves all rights, titles, interests, and estates in and to the Easement Land, subject to and except for the rights of Grantee hereunder. Without limitation, Grantor reserves for Grantor and Grantor's successors and assigns the right to continue to use and enjoy the Easement Land for all purposes that do not unreasonably interfere with or unreasonably interrupt the use or enjoyment of the Easement by Grantee for the Easement Purposes. Grantor further reserves for Grantor and Grantor's successors and assigns the right to use all or part of the Easement Land in conjunction with Grantee and the right to convey to others the right to use all or part of the Easement Land in conjunction with Grantee, as long as such further conveyance is subject to the terms and conditions of this agreement.

Exceptions to Warranty: All matters of record or otherwise affecting the Easement Land.

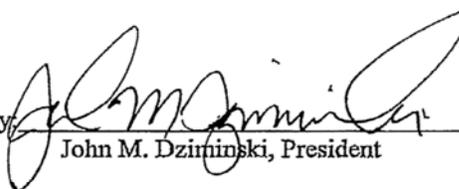
[Remainder of page intentionally left blank. Signatures follow.]

SIGNATURE PAGES TO NATURE CENTER EASEMENT AGREEMENT

GRANTOR:

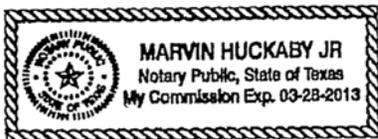
WETLANDS MANAGEMENT, LP

By: Wetlands Management GP, LLC,
its general partner

By: 
John M. Dziminski, President

STATE OF TEXAS §
 §
COUNTY OF DALLAS §

This instrument was acknowledged before me on the 18th day of August, 2010, by John M. Dziminski, President of Wetlands Management GP, LLC, a Delaware limited liability company, in its capacity as general partner of Wetlands Management, LP, a Delaware limited partnership, on behalf of said limited partnership.



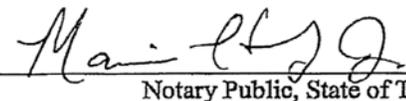

Notary Public, State of Texas

Exhibit A – Easement Land

BEING a tract or parcel of land situated in Kaufman County, Texas, and being part of the Peter Stockman Survey Abstract 445, and being part of the sixth tract listed (Volume 432, Page 352) conveyed to Wetlands Management, LP by deed recorded in Volume 2476, Page 377 of the Deed Records of Kaufman County, and being more particularly described as follows:

BEGINNING at a point for corner at ½" iron rod set that is North 85° 54' 19" East a distance of 3359.7 feet from the intersection of the southerly line of Martin Lane and the southeasterly line of F.M. 1389;

THENCE North 87° 01' 20" East a distance of 351.68 feet to a point for corner at a ½" iron rod set;

THENCE South 7° 43' 09" East a distance of 115.66 feet to a point for corner at a ½" iron rod set;

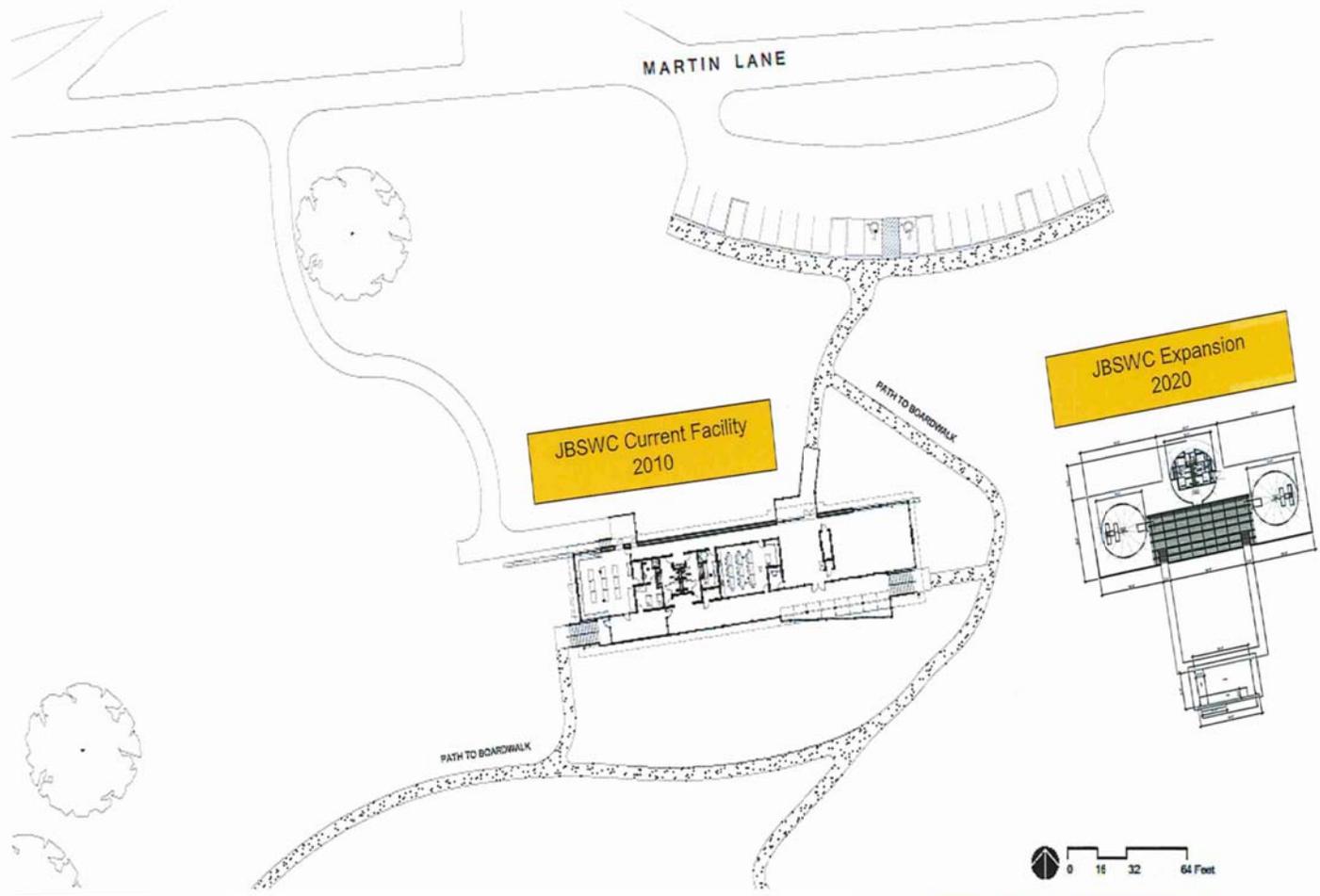
THENCE South 82° 16' 51" West a distance of 139.72 feet to a point for corner at a 1/2 " iron rod set;

THENCE South 7° 43' 09" East a distance of 115.35 feet to a point for corner at a ½" iron road set;

THENCE South 82° 16' 51" West a distance of 210.75 feet to a point for corner at a ½" iron rod set;

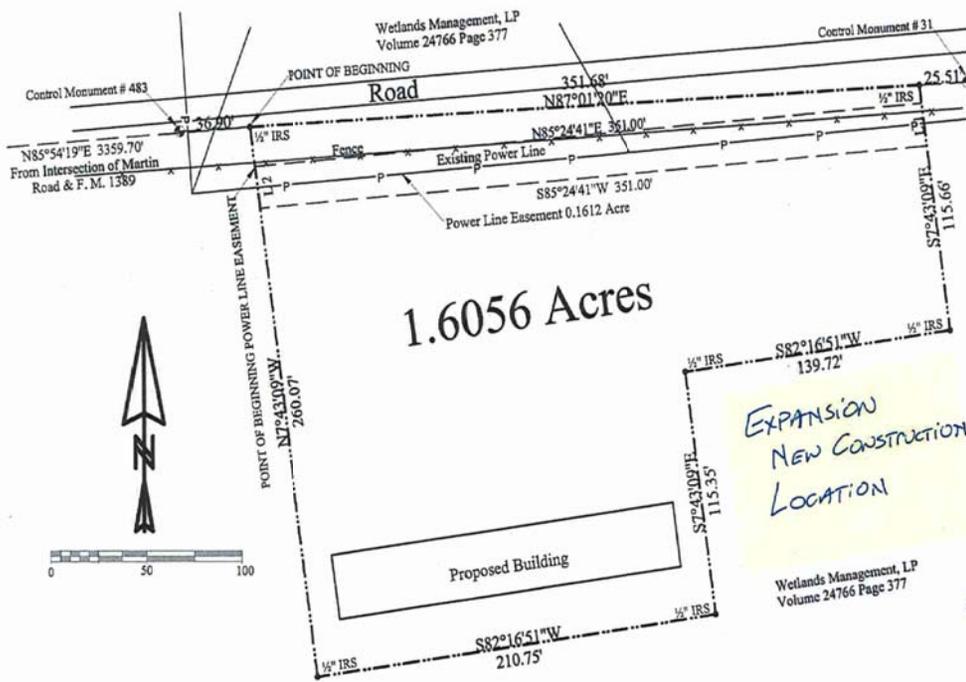
THENCE North 7° 43' 09" West a distance of 260.07 feet to the PLACE OF BEGINNING and containing 1.6056 acres, more or less.

EXHIBIT "B"



PARTIAL SITE PLAN
John B. Sands Wetland Center
Kauffman County, Texas

 **Good Filton & Farrell Architects**
2001 W. Highway 101, Suite 100, Dallas, Texas 75241
PH: 972.382.1100 FAX: 972.382.1101
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POWER LINE EASEMENT
 BEING a tract or parcel of land situated in Kaufman County, Texas, and being part of the Peter Stockman Survey Abstract 445, and being part of the sixth tract listed (Volume 432 Page 352) conveyed to Wetlands Management, LP by deed recorded in Volume 2476 Page 377 of the Deed Records of Kaufman County, and being more particularly described as follows:

BEGINNING at a point for corner that is North 85° 54' 19" East a distance of 3359.7 feet and South 7° 43' 09" East a distance of 18.49 feet from the intersection of the southerly line of Martin Lane and the southeasterly line of F. M. 1389 said point also being in the westerly line of a 1.6056 acre tract;

THENCE North 85° 24' 41" East a distance of 351.00 feet to a point for corner;

THENCE South 7° 43' 09" East a distance of 20.03 feet to a point for corner;

THENCE South 85° 24' 41" West a distance of 351.00 feet to a point for corner;

THENCE North 7° 43' 09" West a distance of 20.03 feet to the PLACE OF BEGINNING and containing 0.1612 acres.

BEING a tract or parcel of land situated in Kaufman County, Texas, and being part of the Peter Stockman Survey Abstract 445, and being part of the sixth tract listed (Volume 432 Page 352) conveyed to Wetlands Management, LP by deed recorded in Volume 2476 Page 377 of the Deed Records of Kaufman County, and being more particularly described as follows:

BEGINNING at a point for corner at a 1/2" iron rod set that is North 85° 54' 19" East a distance of 3359.7 feet from the intersection of the southerly line of Martin Lane and the southeasterly line of F. M. 1389;

THENCE North 87° 01' 20" East a distance of 351.68 feet to a point for corner at a 1/2" iron rod set;

THENCE South 7° 43' 09" East a distance of 115.66 feet to a point for corner at a 1/2" iron rod set;

THENCE South 82° 16' 51" West a distance of 139.72 feet to a point for corner at a 1/2" iron rod set;

THENCE South 7° 43' 09" East a distance of 115.35 feet to a point for corner at a 1/2" iron rod set;

THENCE South 82° 16' 51" West a distance of 210.75 feet to a point for corner at a 1/2" iron rod set;

THENCE North 7° 43' 09" West a distance of 260.07 feet to the PLACE OF BEGINNING and containing 1.6056 acres.

SURVEYOR'S DECLARATION
 I hereby declare that this true and accurate survey made on the ground under my personal supervision on September 18, 2007, correctly shows the relation of the buildings and other structures to the property lines of land indicated hereon, and that there are no encroachments or overlaps onto adjoining property covered by this survey, or of adjoining buildings or structures on said land, except as shown, noted or described on the survey. This survey is subject to any easement not visible on the ground.

N. W. Krieger, Jr.
 SURVEYOR

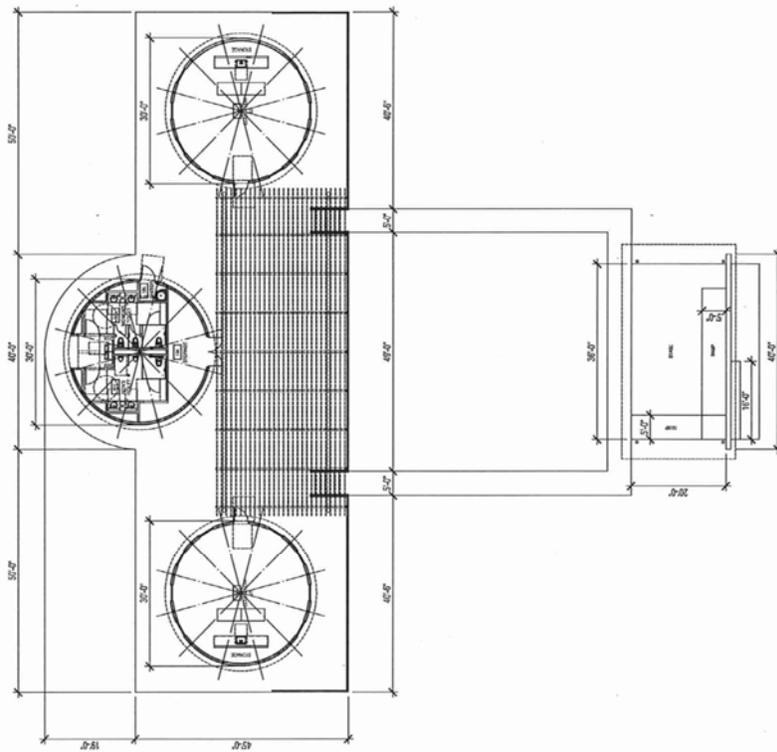
EXPANSION
 NEW CONSTRUCTION
 LOCATION

Survey Plat
 of Part of
 the Peter Stockman Survey Abstract 445
 Kaufman County, Texas
 By
 N. W. Krieger, Jr.
 2409 Park Street
 P. O. Box 1294 Ennis, Texas 75120-1294
 Phone: 972/878-7013









Regular Session Agenda Item: 9

Meeting Date: March 2, 2020

ITEM DESCRIPTION:

Receive Councilmember Reports/ Items of Community Interest

BACKGROUND OF ISSUE:

Section 551.0415 of the Texas Government Code authorizes a quorum of the governing body of a municipality or county to receive reports about items of community interest during a meeting without having given notice of the subject of the report if no action is taken. Section 551.0415 defines an “item of community interest” to include:

- (1) expressions of thanks, congratulations, or condolence;
- (2) information regarding holiday schedules;
- (3) an honorary or salutory recognition of a public official, public employee, or other citizen, except that a discussion regarding a change in status of a person’s public office or public employment is not an honorary or salutory recognition for purposes of this subdivision;
- (4) a reminder about an upcoming event organized or sponsored by the governing body;
- (5) information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the political subdivision; and
- (6) announcements involving an imminent threat to the public health and safety of people in the political subdivision that has arisen after the posting of the agenda.

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

N/A

EXHIBITS:

N/A

Regular Session Agenda Item: 10

Meeting Date: March 2, 2020

ITEM DESCRIPTION:

Future Agenda Items

BACKGROUND OF ISSUE:

Council provides direction to staff regarding future agenda items. These items will not be discussed and no action will be taken at this meeting.

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

N/A

EXHIBITS:

N/A