



**SEAGOVILLE, TEXAS
CITY COUNCIL MEETING AGENDA
MONDAY, JANUARY 4, 2021**

Notice is hereby given in accordance with the Order of the Office of the Governor issued March 16, 2020, the City of Seagoville will conduct a Regular Meeting by video conference in order to advance the public health goal of limiting face-to-face meetings (also called “social distancing”) to slow the spread of the Coronavirus (CoVID-19).

To access the meeting video conference (which provides two-way communication for Public Comment during that portion of the Meeting), use the following link or phone number:

Video Conference: <https://webinar.ringcentral.com/j/1482025078>

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.*

If you would like to make a Public Comment, please email Kandi Jackson, City Secretary, at kjackson@seagoville.us no later than 6:00 P.M. on Monday, January 4, 2021.

Please include the following information in your email:

- **Name**
- **Address**
- **Email Address and Phone Number**
- **Agenda Item or general subject of your comment**

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 December 21, 2020 (City Secretary)**

REGULAR AGENDA-

- 2. Conduct a public hearing on a request to grant a change in zoning from PD-19-02 to PD-19-02-A1 for approximately 20.351± acres of land described as Tract 1 of Jeremiah H. Halford Abstract 570, being located approximately 150± feet northwest of the intersection of Lasater Road and Wynnegate Drive, Seagoville, Dallas County, Texas, by approving an amended concept plan (Community Development Director)**
- 3. 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 PD-19-02 to PD-19-02-A1 for approximately 20.351± acres of land described as Tract 1 of Jeremiah H Halford Abstract 570, being located approximately 150± feet northwest of the intersection of Lasater Road and Wynnegate Drive, Seagoville, Dallas County, Texas, by approving an Amended Concept Plan attached hereto as Exhibit “A”; providing a severability clause; providing a conflicts resolution clause; and providing an effective date (Community Development Director)**
- 4. Conduct a public hearing on a request for a change in the zoning from R-2, Residential Single Family-2, to AG, Agriculture, on an approximately 157.98± acres tract commonly known as 850 East Malloy Bridge Road in the City of Seagoville, Dallas and Kaufman Counties, Texas (Community Development Director)**
- 5. Discuss and consider approving an Ordinance of the City of Seagoville, Texas, amending the Comprehensive Zoning Ordinance and Map of the City of Seagoville, as amended, by granting a change in zoning from R-2, Residential Single Family-2, to AG, Agriculture, on approximately 157.98± acres tract commonly known as 850 East Malloy Bridge Road in the City of Seagoville, Dallas and Kaufman Counties, Texas, and being legally described by metes and bounds in Exhibit “A” attached hereto and incorporated herein; providing for a repealing clause; providing for a savings clause; providing for a severability clause; providing for a penalty of fine not to exceed Two Thousand Dollars (\$2,000.00) for each offense; and providing for an effective date (Community Development Director)**
- 6. Receive Councilmember Reports/Items of Community Interest - as authorized by Section 551.0415 of the Texas Government Code.**
- 7. 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, December 31, 2020 by 5:00 P.M.


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, January 25, 2021 Regular City Council Meeting**
- **Monday, February 1, 2021 Regular City Council Meeting**
- **Monday, February 22, 2021 Regular City Council Meeting**
- **Monday, March 1, 2021 Regular City Council Meeting**

Consent Session Agenda Item: 1

Meeting Date: January 4, 2021

ITEM DESCRIPTION:

Consider approving City Council Meeting minutes December 21, 2020.

BACKGROUND OF ISSUE:

Approve City Council Meeting minutes for December 21, 2020.

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

N/A

EXHIBITS:

December 21, 2020 Work Session Meeting Minutes
December 21, 2020 Regular Meeting Minutes



**MINUTES OF CITY COUNCIL
WORK SESSION
DECEMBER 21, 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, December 21, 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 Victoria Thomas, Interim Finance Director Gail French, Finance Consultant Patrick Harvey, Water Utilities Director Chris Ryan, Police Support Services Manager Christine Wirth, and City Secretary Kandi Jackson.

A. Discuss Regular Session Agenda Items

1. Consider approving City Council Meeting minutes for December 7, 2020 (City Secretary)

No questions.

2. Appoint City Councilmembers to serve on the Finance Committee (Finance Director)

City Manager Stallings stated we will appoint City Councilmembers to serve on the Finance Committee.

3. Receive a presentation concerning the Financial Statements for the Fourth Quarter of FY 2020 (Finance Consultant)

City Manager Stallings stated Finance Consultant Harvey will present the Financial Statements for the Fourth Quarter of FY 2020 during Regular Session.

4. First Reading - Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas, approving the Economic Development Project between the Seagoville Economic Development Corporation and Seagoville Trinity Plaza, LLC as reflected in the terms and conditions of a Real Estate Purchase and Sale Agreement and an Economic Development Incentive Agreement between the parties; and providing an effective date (City Manager)

City Manager Stallings stated this Resolution will approve the Seagoville Economic Development Corporations (SEDC) Real Estate Purchase and Sale Agreement and an Economic Development Incentive Agreement with Seagoville Trinity Plaza, LLC. He stated he will have City Attorney Thomas answer any questions. He also stated the SEDC approved the Agreement unanimously at their last meeting.

5. Discuss and direct Staff concerning Council Meetings for January 18, 2021 and February 15, 2021 (City Secretary)

City Secretary Jackson explained the City Council Meetings for January 18, 2021 and February 15, 2021 fall on holidays and requested direction from Council concerning rescheduling.

6. Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas authorizing the City Manager to enter into a Service Agreement with Motorola Solutions (“Motorola”) approving the terms and conditions of the Agreement between the City of Seagoville and Motorola which is attached hereto as Exhibit “A”; repealing all Resolutions in conflict; providing an effective date (Police Support Services Manager)

Police Support Services Manager Wirth explained this Resolution approves a Service Agreement with Motorola Solutions.

7. Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas, authorizing the City Manager to enter into an Annual Agreement (also referred to as the Work Order) attached hereto as Exhibit “A” with the City of Garland, Texas (“Garland”) in accordance with and governed by the Master Interlocal Radio Service Agreement between the City of Seagoville and Garland; repealing all Resolutions in conflict; providing an effective date (Police Support Services Manager)

Police Support Services Manager Wirth explained this Resolution approves an Annual Agreement with the City of Garland in accordance with and governed by the Master Interlocal Radio Service Agreement with the City of Garland.

8. Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas, authorizing the City Manager to enter into a Master Interlocal Radio Service Agreement (the “Work Order”) with the City of Garland, Texas (“Garland”); attached hereto as Exhibit “A”; repealing all Resolutions in conflict; providing an effective date (Police Support Services Manager)

Police Support Services Manager Wirth explained this Resolution approves a Master Interlocal Radio Service Agreement with the City of Garland.

9. Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas authorizing the City Manager to sign a Master Interlocal Agreement with Dallas County for participation in the Major Capital Improvement Projects (MCIP) for the purpose of transportation improvements on roads inside Dallas County that are in the Dallas County Mobility Plan, said agreement to be in substantially the form of that attached hereto as Exhibit “A”; providing for the repeal of any and all Resolutions in conflict; providing for a severability clause; and providing an effective date (Community Development Director)

City Manager Stalling stated we applied with Dallas County for Four Million Dollars (\$4,000,000.00) for Simonds Road from Highway 175 to Clover Hill. He stated Dallas County funded half of the project through this Agreement. He thanked Dallas County for supporting the City of Seagoville.

Community Development Director Barr stated this Resolution approves an Agreement with Dallas County for participation in the Major Capital Improvements Projects (MCIP) for the purpose of transportation improvements on roads inside Dallas County that are in the Dallas County Mobility Plan.

10. Discuss and consider a Resolution of the City Council of the City of Seagoville, Texas, authorizing the City Manager to execute Work Order Authorization Agreement No. 3 with Halff Associates, Inc. for Professional Engineering Services on a Task Order Basis for Development Plan Review Assistance in an amount not to exceed Twenty Nine Thousand Five Hundred Dollars and No Cents (\$29,500.00); and providing an effective date (Community Development Director)

Community Development Director Barr stated this Resolution approves a Work Order Authorization Agreement No. 3 with Halff Associates, Inc. for Professional Engineering Services on a Task Order Basis for Development Plan Review Assistance in an amount not to exceed Twenty Nine Thousand Five Hundred Dollars and No Cents.

11. Second Reading - Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas, approving the Economic Development Project between the Seagoville Economic Development Corporation and Seagoville Trinity Plaza, LLC as reflected in the terms and conditions of a Real Estate Purchase and Sale Agreement and an Economic Development Incentive Agreement between the parties; and providing an effective date (City Manager)

City Manager Stallings stated this is the Second Reading for the Resolution to approve the Seagoville Economic Development Corporations (SEDC) Real Estate Purchase and Sale Agreement and an Economic Development Incentive Agreement with Seagoville Trinity Plaza, LLC.

B. Receive presentation concerning manholes

Utilities Director Ryan provided a presentation and explained the manhole rehabilitation process.

Adjourned at 7:00 p.m.

APPROVED:

Mayor Dennis K. Childress

ATTEST:

Kandi Jackson, City Secretary



**MINUTES OF CITY COUNCIL
REGULAR SESSION
DECEMBER 21, 2020**

The Regular Session of the City Council of the City of Seagoville, Texas was called to order at 7:07 p.m. on Monday, December 21, 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 Victoria Thomas, Finance Consultant Patrick Harvey, Finance Director Gail French, Police Support Services Manager Christine Wirth, Public Works Director Chris Ryan, and City Secretary Kandi Jackson.

Invocation – *Invocation was led by Harold Magill.*

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

Presentation by the Seagoville Chamber of Commerce – *Mike McDaniel and Ritha Edwards with the Seagoville Chamber of Commerce presented “The Heart of Seagoville” and “The Employee of the Year” Awards.*

Presentation - Certificate of Achievement for Excellence in Financial Reporting (CAFR)

Award – *Mayor Childress presented the Certificate of Achievement for Excellence in Financial Reporting to the Finance Department.*

Mayor’s Report – *Mayor Childress stated the Christmas Star is visible tonight and that is God’s call to the look to the future of the United States of America.*

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.*

None.

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 December 7, 2020 (City Secretary)

Motion to approve City Council Meeting minutes for December 7, 2020 – Hernandez, seconded by Howard; motion passed with all ayes. 5/0

REGULAR AGENDA-

2. Appoint City Councilmembers to serve on the Finance Committee (Finance Director)

Motion to reappoint Councilmember Howard and Councilmember Hernandez to the Finance Committee – Epps, seconded by Magill; motion passed with all ayes. 5/0

3. Receive a presentation concerning the Financial Statements for the Fourth Quarter of FY 2020 (Finance Consultant)

Finance Consultant Harvey presented the Financial Statements for the Fourth Quarter of fiscal year 2020.

4. First Reading - Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas, approving the Economic Development Project between the Seagoville Economic Development Corporation and Seagoville Trinity Plaza, LLC as reflected in the terms and conditions of a Real Estate Purchase and Sale Agreement and an Economic Development Incentive Agreement between the parties; and providing an effective date (City Manager)

Mayor Childress read Item #4 and stated no motion is required for the First Reading.

5. Discuss and direct Staff concerning Council Meetings for January 18, 2021 and February 15, 2021 (City Secretary)

Council directed Staff to reschedule the January 18th meeting for January 25th and the February 15th meeting for February 22nd.

6. Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas authorizing the City Manager to enter into a Service Agreement with Motorola Solutions (“Motorola”) approving the terms and conditions of the Agreement between the City of Seagoville and Motorola which is attached hereto as Exhibit “A”; repealing all Resolutions in conflict; providing an effective date (Police Support Services Manager)

Motion to approve a Resolution of the City Council of the City of Seagoville, Texas authorizing the City Manager to enter into a Service Agreement with Motorola Solutions (“Motorola”) approving the terms and conditions of the Agreement between the City of Seagoville and Motorola which is attached hereto as Exhibit “A”; repealing all Resolutions in conflict; providing an effective date – Hernandez, seconded by Magill; motion passed with all ayes. 5/0

7. Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas, authorizing the City Manager to enter into an Annual Agreement (also referred to as the Work Order) attached hereto as Exhibit “A” with the City of Garland, Texas (“Garland”) in accordance with and governed by the Master Interlocal Radio Service Agreement between the City of Seagoville and Garland; repealing all Resolutions in conflict; providing an effective date (Police Support Services Manager)

Motion to approve a Resolution of the City Council of the City of Seagoville, Texas, authorizing the City Manager to enter into an Annual Agreement (also referred to as the Work Order) attached hereto as Exhibit “A” with the City of Garland, Texas (“Garland”) in accordance with and governed by the Master Interlocal Radio Service Agreement between the City of Seagoville and Garland; repealing all Resolutions in conflict; providing an effective date – Magill, seconded by Hernandez; motion passed with all ayes. 5/0

8. Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas, authorizing the City Manager to enter into a Master Interlocal Radio Service Agreement (the “Work Order”) with the City of Garland, Texas (“Garland”); attached hereto as Exhibit “A”; repealing all Resolutions in conflict; providing an effective date (Police Support Services Manager)

Motion to approve a Resolution of the City Council of the City of Seagoville, Texas, authorizing the City Manager to enter into a Master Interlocal Radio Service Agreement (the “Work Order”) with the City of Garland, Texas (“Garland”); attached hereto as Exhibit “A”; repealing all Resolutions in conflict; providing an effective date – Magill, seconded by Howard; motion passed with all ayes. 5/0

9. Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas authorizing the City Manager to sign a Master Interlocal Agreement with Dallas County for participation in the Major Capital Improvement Projects (MCIP) for the purpose of transportation improvements on roads inside Dallas County that are in the Dallas County Mobility Plan, said agreement to be in substantially the form of that attached hereto as Exhibit “A”; providing for the repeal of any and all Resolutions in conflict; providing for a severability clause; and providing an effective date (Community Development Director)

Motion to approve a Resolution of the City Council of the City of Seagoville, Texas authorizing the City Manager to sign a Master Interlocal Agreement with Dallas County for participation in the Major Capital Improvement Projects (MCIP) for the purpose of transportation improvements on roads inside Dallas County that are in the Dallas County Mobility Plan, said agreement to be in substantially the form of that attached hereto as Exhibit “A”; providing for the repeal of any and all Resolutions in conflict; providing for a severability clause; and providing an effective date – Hernandez, seconded by Magill; motion passed with all ayes. 5/0

10. Discuss and consider a Resolution of the City Council of the City of Seagoville, Texas, authorizing the City Manager to execute Work Order Authorization Agreement No. 3 with Halff Associates, Inc. for Professional Engineering Services on a Task Order Basis for Development Plan Review Assistance in an amount not to exceed Twenty Nine Thousand Five Hundred Dollars and No Cents (\$29,500.00); and providing an effective date (Community Development Director)

Motion to approve a Resolution of the City Council of the City of Seagoville, Texas, authorizing the City Manager to execute Work Order Authorization Agreement No. 3 with Halff Associates, Inc. for Professional Engineering Services on a Task Order Basis for Development Plan Review Assistance in an amount not to exceed Twenty Nine Thousand Five Hundred Dollars and No Cents (\$29,500.00); and providing an effective date – Magill; seconded by Hernandez; motion passed with all ayes. 5/0

11. Second Reading - Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas, approving the Economic Development Project between the Seagoville Economic Development Corporation and Seagoville Trinity Plaza, LLC as reflected in the terms and conditions of a Real Estate Purchase and Sale Agreement and an Economic Development Incentive Agreement between the parties; and providing an effective date (City Manager)

Motion to approve a Resolution of the City Council of the City of Seagoville, Texas, approving the Economic Development Project between the Seagoville Economic Development Corporation and Seagoville Trinity Plaza, LLC as reflected in the terms and conditions of a Real Estate Purchase and Sale Agreement and an Economic Development Incentive Agreement between the parties; and providing an effective date, and amending 14. I on the Real Estate Purchase Agreement from Collin County to Dallas County – Hernandez, seconded by Howard; motion passed with all ayes. 5/0

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

Mayor Pro Tem Epps stated thanked Staff for the street repair in front of the school on Seagoville Road.

Councilmember Magill stated he agrees with Mayor Pro Tem Epp concerning the street repair.

Councilmember Hernandez wished everyone a Happy Holiday.

13. 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.

Councilmembers Howard and Magill wished everyone a Merry Christmas.

Mayor Childress wished everyone a Merry Christmas and Happy New Year. He also thanked everyone for their work and stated that makes his job as Mayor easy.

Adjourned at 7:34 p.m.

APPROVED:

Mayor Dennis K. Childress

ATTEST:

Kandi Jackson, City Secretary

Regular Session Agenda Item: 2

Meeting Date: January 4, 2021

ITEM DESCRIPTION:

Conduct a public hearing on a request to grant a change in zoning from PD-19-02 to PD-19-02-A1 for approximately 20.351± acres of land described as Tract 1 of Jeremiah H. Halford Abstract 570, being located approximately 150± feet northwest of the intersection of Lasater Road and Wynnegate Drive, Seagoville, Dallas County, Texas, by approving an amended concept plan.

BACKGROUND OF ISSUE:

The land is currently unimproved and is located on the north side of Lasater Road about 150± feet northwest of its intersection with Wynnegate Drive.

Pat Atkins, representing his company KPA Consulting Inc. and property owners, Carl Porter Caldwell Jr. & GST Trust, in their request to amend the concept plan for the planned development. The changes requested are a result of the site engineering. Generally, these changes are the relocation of the detention pond, the removal of one street, and a reduction in the total number of lots.

The overall subdivision also has approximately 42-acres in the City of Dallas and 13-acres in the City of Mesquite.

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.

A legal ad was published per the Texas Local Government Code in the Friday, November 20, 2020 edition of the Daily Commercial Record newspaper. There are seventy-three (73) properties and parts of six (6) public streets within 200-foot of the boundary of the subject area. The owners of each parcel were notified in compliance with the 200-foot rule by mail on Friday, November 20, 2020. As of Tuesday, December 1, 2020, no (zero) letters were returned for or against the request or as undeliverable by the U.S. Postal Service. On December 1, one written response against the request was received. On the day of the meeting, an additional response was found in the mail. No one (zero) from the public spoke for or against the request at the Planning and Zoning Commission meeting.

For the City Council meeting, a legal ad was published again per the Texas Local Government Code in the Friday, December 18, 2020, edition of the Daily Commercial Record newspaper. The owners of each parcel were again notified in compliance with the 200-foot rule by mail on Friday, December 18, 2020. As of the date of this report, Monday, December 28, 2020, no (zero) additional letters were returned as undeliverable by the U.S. Postal Service and no (zero) additional written responses have been received. Staff will make the Council members aware of any additional responses received at their meeting.

FINANCIAL IMPACT:

Not applicable

RECOMMENDATION:

On December 8th, the Planning and Zoning Commission voted unanimously (four to zero) in favor of recommending approval on the request to amend PD-19-02 to PD-19-02-A1 by amending the concept plan only on approximately 20± acres of Tract 1 in the Jeremiah H. Halford Abstract 570 located at 15000 Lasater Road in Seagoville, Dallas County, Texas.

Staff supports the request. They also reminded the Planning & Zoning Commission that no construction or preliminary plat can be approved until access to water and sewer services has been determined, granted, engineered, and accepted. Seagoville Water Utilities has no services in this area. The water and sanitary sewer services in Highland Meadows are provided by Dallas Water Utilities.

EXHIBITS:

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

1. Staff Report (5 pages)
2. 2019 aerial photograph from DCAD website
3. Dimensional property map from DCAD website
4. Zoning map (zoning information added to dimensional map)
5. Jurisdictional map from Dallas CAD website
6. Floodplain map from Dallas CAD website
7. Application
 - a. Application and request list (2 pages)
 - b. New concept plan (11x17)
8. Public hearing notice to newspaper
 - a. Planning and Zoning Commission
 - b. City Council
9. Public hearing notice to property owners
 - a. Planning and Zoning Commission (2 pages)
 - b. City Council (2 pages)
10. List of property owners within 200 feet of subject parcels (3 sheets of legal)
11. Ordinance 33-2019 creating PD-19-02 (5 pages)
12. Ordinance 02-2020 correcting scrivener's error (2 pages)



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

DATE: JANUARY 4, 2021
AUTHOR: JENNIFER BONNER, PLANNER
APPLICANT: K.P.A. CONSULTING INC.; CARL PORTER CALDWELL, JR.; & GST TRUST
LOCATION: NORTH SIDE OF LASATER ROAD ABOUT 150-FEET NORTHWEST OF INTERSECTION WITH WYNNEGATE DRIVE

REQUEST SUMMARY:

The applicants are requesting that the current concept plan be replaced to address the engineering of the required detention pond, which has reduced the total number of lots and removed one street.

The Seagoville portion of the overall subdivision and plan development will be about 20-acres and is located under the larger yellow star that is outlined in red.

There will also be portions of the subdivision in Mesquite (smaller blue star outlined in orange) and Dallas (smaller green star outlined in purple).



REQUEST LOCATION: Inside City; Dallas County

SIZE OF PROPERTY	EXISTING ZONING	SURROUNDING ZONING	EXISTING LAND USE	SURROUNDING LAND USE
19.8± acres	PD-19-02	<p>North: City of Mesquite West: City of Dallas East: PD-R5, Plan Development with R-5 base zoning South: City of Dallas <i>and</i> R-2, Single Family Residential</p>	vacant	Low Density Residential

PLANNING & ZONING COMMISSION RECOMMENDATION:

On December 8th, the Planning and Zoning Commission voted unanimously (four to zero) in favor of recommending approval on the request to amend PD-19-02 to PD-19-02-A1 by amending the concept plan only on approximately 20± acres of Tract 1 in the Jeremiah H. Halford Abstract 570 located at 15000 Lasater Road in Seagoville, Dallas County, Texas.

Planning & Zoning Commission reviews and makes a recommendation to the City Council, which makes the final decision on the request.

Staff reminded the Planning & Zoning Commission that no construction or preliminary plat can be approved until access to water and sewer services has been determined, granted, engineered, and accepted.

Detailed explanations follow on the attached pages.	
STANDARD:	ANALYSIS:
Development Calendar (Deadlines)	Has Met
Application(s) Requirements	Has Met
Zoning Code	Has Met

COMPARISON TO ADOPTED CITY MASTER PLANS

STAFF ANALYSIS	PLAN GOALS OR GUIDELINES
2002 Future Land Use Plan and Map	
<p>The planned subdivision will encompass about 20-acres in Seagoville, over 40-acres in Dallas, and about 13-acres in Mesquite.</p> <p>The Seagoville site is under the orange star outlined in purple. This entire area of Seagoville is in an area expected to remain as Low Density Residential (light yellow color).</p>	<p>Meets Standard</p>
2006 Thoroughfare Plan and Map	
<p>The property in the request (under the orange star outlined in purple) will only have access to Lasater Road (a Major Arterial).</p> <p>Right-of-way dedication will be required in addition to the addition of 2 lanes of pavement to Lasater Road as part of the development's construction.</p>	<p>Meets Standard</p>
2009 Zoning Plan and Map	
<p>The plan development encompasses about 20-acres of vacant land in the light green area shown under the yellow star outlined in purple in the map to the right.</p> <p>The applicant is requesting that the concept plan for the development be revised to address the engineering of the detention pond, which resulted in a reduction in the number of lots and change in number of streets.</p>	<p>Meets Standard</p>

REVIEW CRITERIA	STAFF ANALYSIS	
<p>1. Will the development provide for a superior design of the lots or buildings?</p>	<p>Yes</p>	<p>The plan development is already approved for lot and house sizes. This request is asking for change to the concept plan only to address the engineering requirements to the detention pond, which has also affected the lot and street layout.</p>

REVIEW CRITERIA	STAFF ANALYSIS	
2. Will the development or land use provide for increased recreation and open space opportunities for public use and enjoyment?	No	There are several areas that will be designated for open space within all municipalities that the subdivision will be constructed within. This request is asking for change to the concept plan to address the relocation of and increased size of the detention pond in Seagoville.
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?	No	There are common spaces under the existing overhead electric main as well as around the required detention pond, but there are no amenities within the Seagoville area of the development.
4. Will the development or land use protect or provide natural amenities and environmental assets?	Yes	The submitted request is asking for change to the concept plan to address the engineering requirements to the detention pond.
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	City codes also require stormwater runoff to be balanced with the intensity of the overall development, which led to the need for a concept plan change for a larger-than-expected detention pond. The new concept plan better balances the lot density and the public facility (detention pond).
7. Will the development or land use meet or exceed the planned development regulations?	Yes	The submitted request is asking for change to the concept plan only. There will not be any changes to the already approved lots sizes or other development regulations.
8. Will the use be designated, located, and operated so that the public health, safety, and welfare will be protected?	Yes	The new layout will provide a better location and operation of the detention pond near the existing creek and drainageway.
9. Will the land use be compatible with other area properties located nearby?	Yes	This area of Seagoville, Dallas, and Mesquite is mostly single family homes. There are some mobile homes parks located in Dallas farther to the west along Lasater Road.
10. Will the use be in compliant 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 Seagoville portion of the development only has access to Lasater Road. The Mesquite part only has access to Shannon Road. The Dallas area of subdivision will connect to both Seagoville and Mesquite by new internal streets.
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	Improvements constructed by the developer will include construction of streets, sidewalks, and ramps to city standards or PD regulations, whichever is more restrictive.

**STAFF REPORT
Z2020-17**

REVIEW CRITERIA	STAFF ANALYSIS	
15. Have safeguards limiting noxious or offensive emissions, including light, noise, glare, dust, and odor been addressed?	Yes	No safeguards will be required since the surrounding land uses are existing single family residences, as is that for the planned development.
16. Will the proposed landscaping and screening be compliant with all City regulations?	Yes	The submitted request is asking for change to the concept plan only. There will not be any changes to required landscaping or screening for the subdivision.
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 is required to maintain the property until the development is complete, when maintenance will be turned over to 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 change to the concept plan only. There will not be any changes to the already approved lots sizes or other development regulations.
20. Will granting the permit be authorizing less than the minimum requirements in regards to height, area, setbacks, parking, or landscaping?	No	The submitted request is asking for change to the concept plan to address the engineering requirements to the detention pond, which has also affected the lot and street layout.
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 Lasater Road and its improvements will meet the 2006 Seagoville Thoroughfare Plan.
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?	N/A	Chapter 6 (Parks, Recreation, and Open Space) and Chapter 7 (Infrastructure Systems) of the 2002 Comprehensive Plan discuss community facilities. Changing the concept plan for an existing PD 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 concept plan for an existing PD is not affected by these chapters of the Plan.

Public Comments Received: A legal ad was published per the Texas Local Government Code in the Friday, November 20, 2020 edition of the Daily Commercial Record newspaper. There are seventy-three (73) 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 Friday, November 20, 2020. As of Tuesday, December 1, 2020, no (zero) letters were returned for or against the request or as undeliverable by the U.S. Postal Service. On December 1, one written response against the request was received. On the day of the meeting, an additional response was found in the mail. No one (zero) from the public spoke for or against the request at the Planning and Zoning Commission meeting.

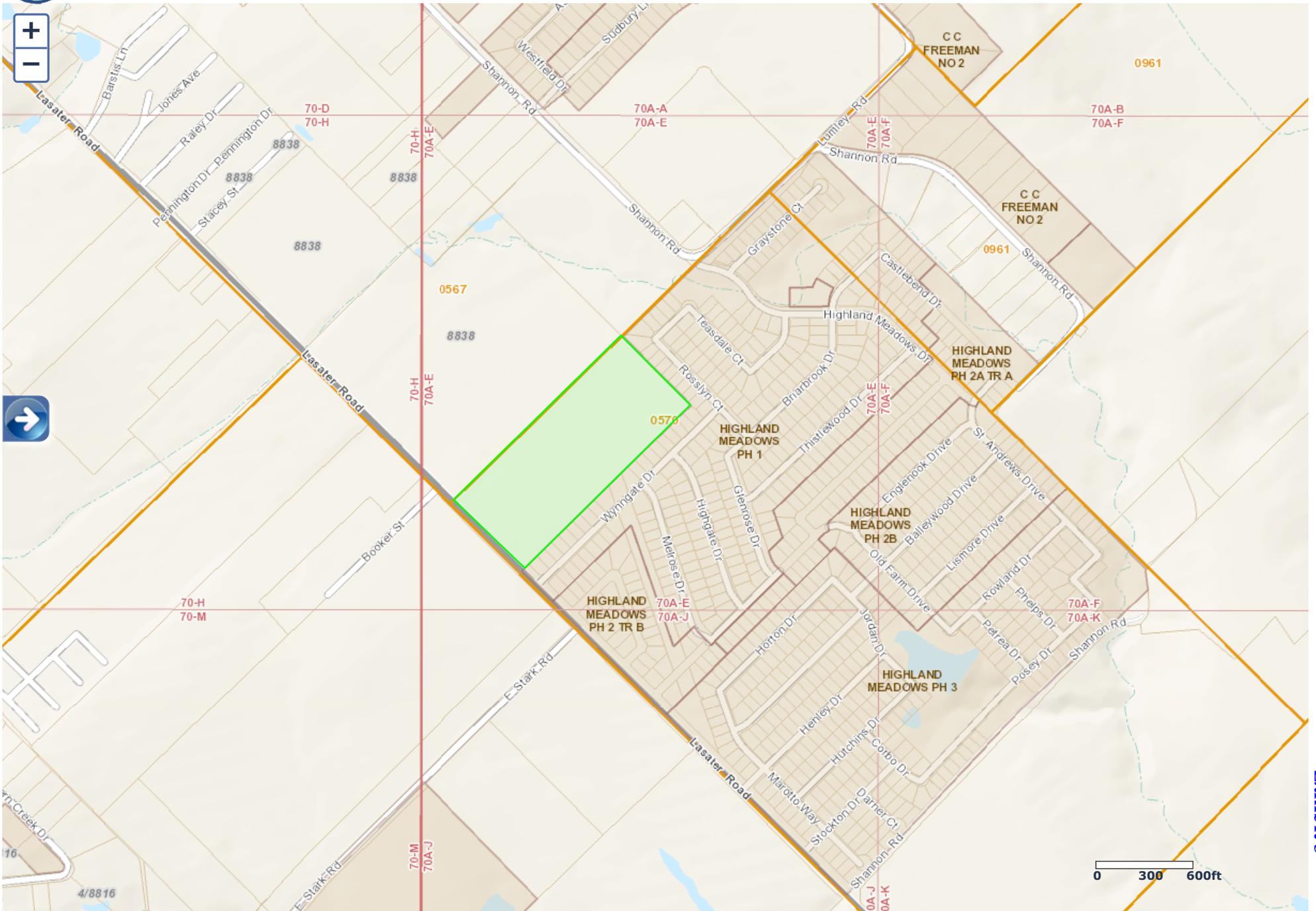
For the City Council meeting, a legal ad was published again per the Texas Local Government Code in the Friday, December 18, 2020, edition of the Daily Commercial Record newspaper. The owners of each parcel were again notified in compliance with the 200-foot rule by mail on Friday, December 18, 2020. As of the date of this report, Monday, December 28, 2020, no (zero) additional letters were returned as undeliverable by the U.S. Postal Service

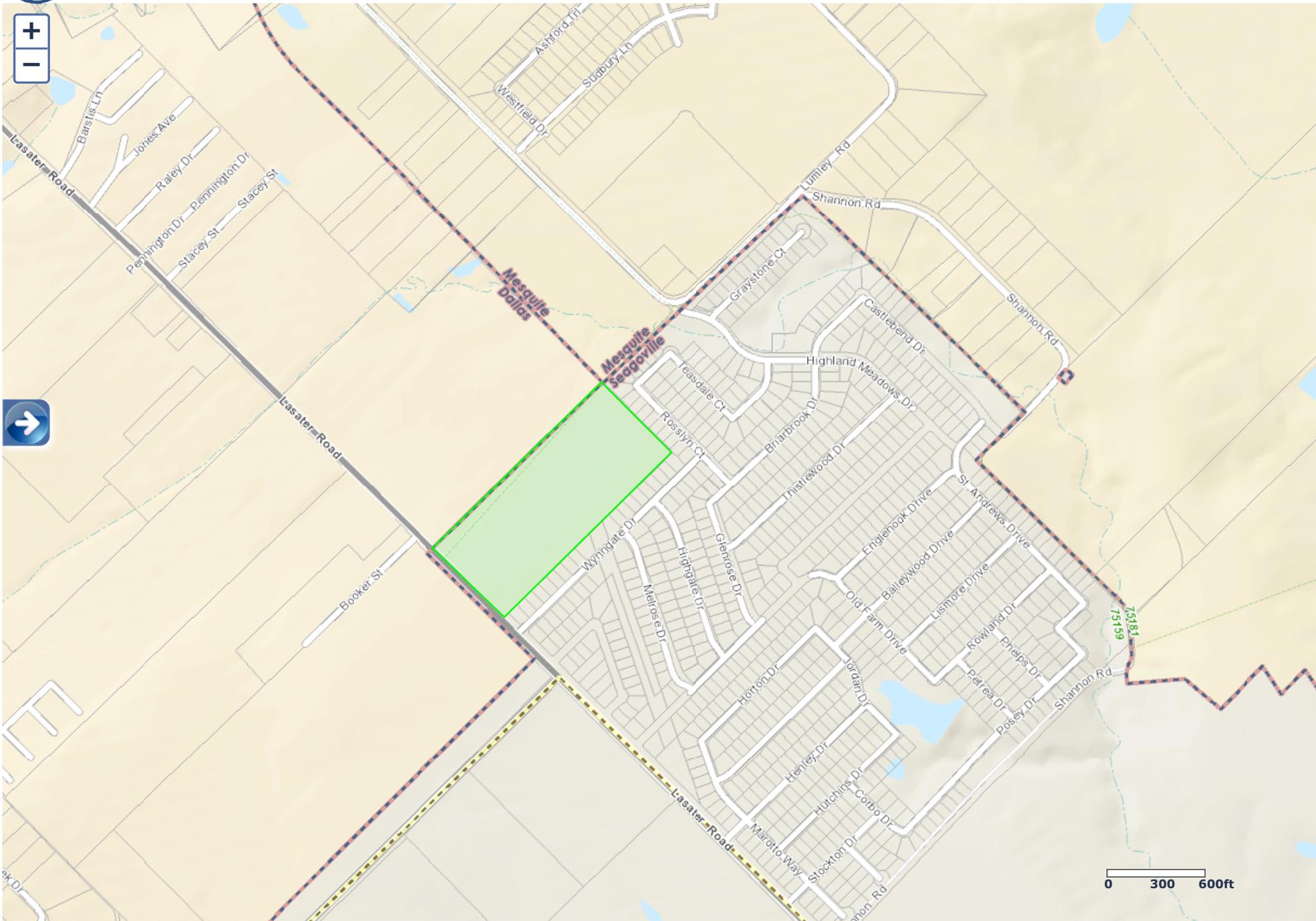
and no (zero) additional written responses have been received. Staff will make the Council members aware of any additional responses received at their meeting.

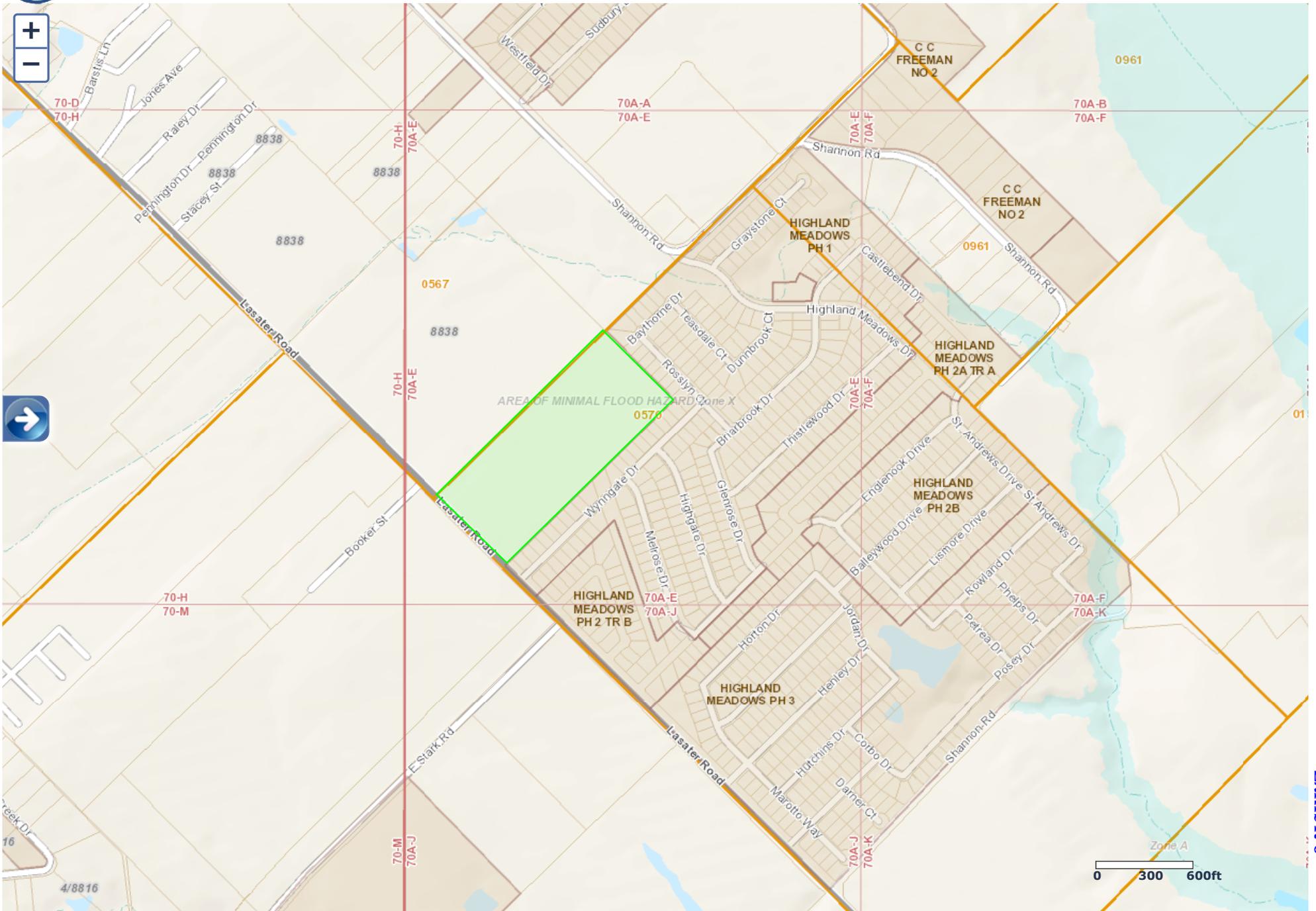
Other Staff Comments: A construction plat cannot be approved until access to water and sewer services has been determined, granted, engineered, and accepted. Seagoville Water Utilities has no services in this area. The water and sanitary sewer services in Highland Meadows are provided by Dallas Water Utilities.



0 300 600ft









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 **AMENDMENT**
- Specific Use Permit (SUP) – see Zoning Ordinance for special requirements and procedures

Name of Subdivision or Project: Caldwell Farms

Physical Location of Property: Approximately 150' NW from Corner of Lasater Rd. and Wynngate Dr.

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

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

Being a 20.351 acre tract of land situated in the J. Halford Survey, Abstract No. 570

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

Acreage: 20.351 Existing Zoning: PD-19-02 Requested Zoning: PD-19-02-A1

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

Applicant / Owner's Name: Carl Porter Caldwell Jr., GST Trust Applicant or Owner? (circle one)

Contact Person: Carl Porter Caldwell Jr. Title: Owner

Company Name: _____

Street/Mailing Address: 3301 SW 134th Pl. City: Miami State: FL Zip: 33175

Phone: (305) 389-9779 Fax: () Email Address: carlcaldwell@bellsouth.net

Engineer / Representative's Name: KPA Consulting Inc.

Contact Person: Pat Atkins Title: Director

Company Name: Tack Team Investments LLC

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: Carl Porter Caldwell Jr. Title: owner Date: 10/28/20



SWORN TO before me, this the 28 day of October, 2020.
Notary Public in and for the State of Texas: _____
My Commission Expires On: 2-17-2024

Office Use Only: Date Rec'd: _____ Fees Paid: \$ _____ Check #: _____ Receipt #: _____
Zoning Case # _____ Accepted By: _____ Official Submittal Date: _____



PAT ATKINS

President

KPA Consulting, Inc.

3076 Hays Lane, Rockwall Texas 75087

972.388.6383 | kpatatkins@yahoo.com

10/23/20

RE: Caldwell Lakes

20.351 Acres -73 Lots / 5 Open Space Lots Beginning at 15000 Block of Lasater Rd.

Seagoville, TX Dallas County

To: Jennifer Bonner - Planning Development Coordinator
City of Seagoville
702 N Hwy 175
Seagoville, TX 75159

Mrs. Bonner,

We are hereby formally submitting the following for change of Concept Plan from to PD 33-209-02-2020 Single Family Residential. Please find enclosed submittal information.

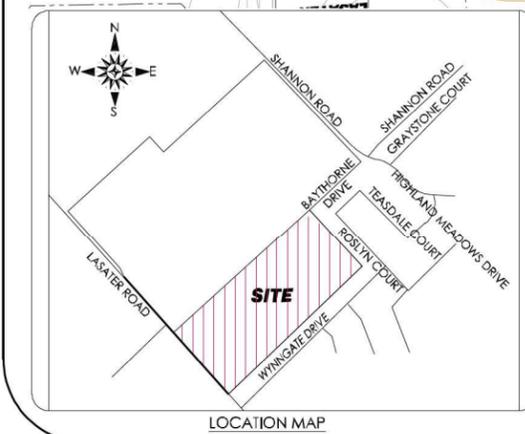
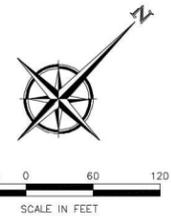
- Application
- Filing Fee - \$1500
- Concept Plan/Survey/Description of property

Any questions, please contact:

Pat Atkins

Pat Atkins, KPA Consulting

972.388.6383



PROPERTY DESCRIPTION

BEING a 20.351 acre tract of land situated in the J. Halford Survey, Abstract No. 570, City of Seagoville, Dallas County, Texas, and being part of a called 80.23 acre tract of land described in a Deed to Carl Porter Caldwell, Jr., GST Trust, Carl Porter Caldwell, Jr., Trustee, and William David Caldwell, II, recorded as Instrument No. 201600269744, Deed Records, Dallas County, Texas (DRDCT), and being more particularly described as follows:

BEGINNING at a point for corner in the centerline of Lasater Road at the most southern corner of said 80.23 acre tract and being in a northwest line of Highland Meadows Phase 1, an addition to the City of Seagoville, Dallas County, Texas, recorded in Volume 2005138, Page 181 (DRDCT), from which the most western corner thereof bears South 44°08'07" West, a distance of 3.78 feet, and a 1/2-inch iron rod with a yellow plastic cap found for reference at the most northern corner of a 608.493; wide road dedication by last mentioned addition bears North 44°08'15" East, a distance of 56.22 feet;

THENCE North 45°39'34" West, along and near the center of said road and a southwest line of said 80.23 acre tract, a distance of 607.74 feet, to a point for corner at the most southern corner of a 1.30 acre right-of-way parcel described in a Deed to the County of Dallas, recorded in Volume 5467, Page 117 (DRDCT);

THENCE North 44°28'30" East, along the southeast line of said 1.30 acre right-of-way, at 40.00 feet passing a 5/8-inch iron rod with a yellow plastic cap, stamped "RPLS 3963", found at the most eastern corner thereof and continuing for a total distance of 1470.26 feet to a 8" diameter concrete monument found at an east corner of said 80.23 acre tract common to a west corner of said Highland Meadows Phase 1;

THENCE in southeasterly and southwesterly directions, with the common boundary line of last mentioned tracts, the following courses:
 South 45°27'38" East, a distance of 599.03 feet, to point for corner in a wooden fence intersection;
 South 44°08'07" West, a distance of 1468.18 feet, to the POINT OF BEGINNING and containing 886.494 square feet, or 20.351 acres of land.

NOTE: The approximate location of the City Limit line called out in this "Legal Description" is based on the location of the upper northwest line of Highland Meadows Phase I, recorded in Vol. 2005138, Page 181, as projected in a southwesterly direction to its intersection with the centerline of Lasater Road. This is also the approximate location of the common line of the S. A. Hought Survey A-567 and the J. H. Halford Survey A-570, Dallas County Texas. No City of Dallas or Mesquite Ordinances could be found to verify this location.

LAND USE DATA

Min. Lot S.F.	6,000
Min. Lot Width	50' @ B.L.
Min. Lot Depth	120'
Front Yard Setback	20'
Rear Yard Setback	20'
Side Yard Setback (Adj. to Street)	5' (10')
Min. Living Area	1700 s.f.
Max. Building Ht.	35'
Front Entry Two Car Garage	

20.351 Acres
 50'x120' MIN. Lot Size
 Total Lots - 73
 5 Common Area Lots

CONCEPT PLAN CALDWELL LAKES

CITY OF SEAGOVILLE, DALLAS COUNTY TEXAS
 BEING A 20.351 ACRE TRACT OF LAND
 J. HALFORD SURVEY, ABSTRACT NO. 570

Owner:
 CARL PORTER JR. CALDWELL
 3301 SW 134th. Pl.
 Miami, Florida 33175

Developer:
TTI TACK TEAM INVESTMENTS LLC

PAT ATKINS
 Director of Land Development & Acquisition
 3076 Hays Lane, Rockwall Tx, 75087
 972.388.6383 | kpatatkins@yahoo.com

Consultant:
KPA consulting, inc.
 3076 Hays Lane Rockwall, Tx, 75087
 972-388-6383 Contact: Pat Atkins

October 23, 2020

Exhibit 7b



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



December 16, 2020

via email: notices@dailycommercialrecord.com

Daily Commercial Record
706 Main Street
Dallas, Texas 75202

Please publish the legal notice below in the Friday, December 18, 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 CITY COUNCIL
ZONING CASE Z2020-17**

Seagoville City Council will hold a public hearing on Monday, January 4, 2021, 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 amend PD-19-02 to PD-19-02-A1 by amending the concept plan only on approximately 20+ acres of Tract 1 in the Jeremiah H. Halford Abstract 570 located at 15000 Lasater Road in Seagoville, Dallas County, Texas.

CITY OF SEAGOVILLE
Kandi Jackson
City Secretary



November 20, 2020

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

**NOTICE OF PUBLIC HEARING
SEAGOVILLE PLANNING & ZONING COMMISSION
ZONING CASE Z2020-17**

The Seagoville Planning and Zoning Commission will hold a public hearing on Tuesday, December 8, 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 amend PD-19-02 to PD-19-02-A1 by amending the concept plan only on approximately 20+ acres of Tract 1 in the Jeremiah H. Halford Abstract 570 located at 15000 Lasater Road in Seagoville, Dallas County, Texas.

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.

As an adjoining property owner, this is the first opportunity to voice your opinion about this project for the record. The second opportunity will be at the public hearing listed above. This item will also go to City Council for review and final approval. Separate notices for that meeting will be sent after the meeting above.

*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 Z2020-17 as it is described herein.

Additional Comments (attach additional sheets as necessary): _____

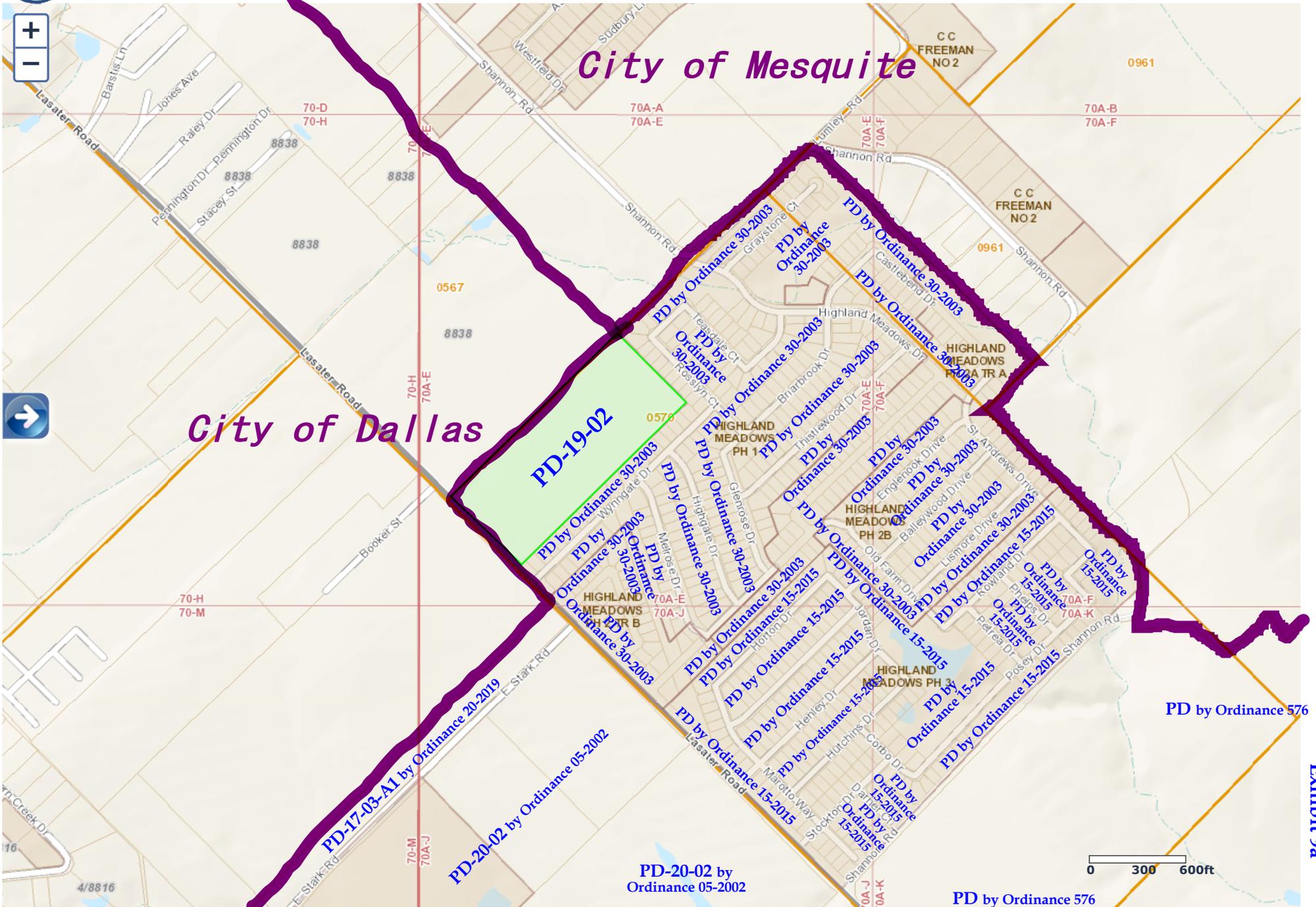
Signature(s): _____

Printed Name(s): _____

Address: _____

City, State & Zip code: _____

Phone Number: _____





December 18, 2020

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

**NOTICE OF PUBLIC HEARING
SEAGOVILLE CITY COUNCIL
ZONING CASE Z2020-17**

Seagoville City Council will hold a public hearing on Monday, January 4, 2021, 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 amend PD-19-02 to PD-19-02-A1 by amending the concept plan only on approximately 20+ acres of Tract 1 in the Jeremiah H. Halford Abstract 570 located at 15000 Lasater Road in Seagoville, Dallas County, Texas.

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.

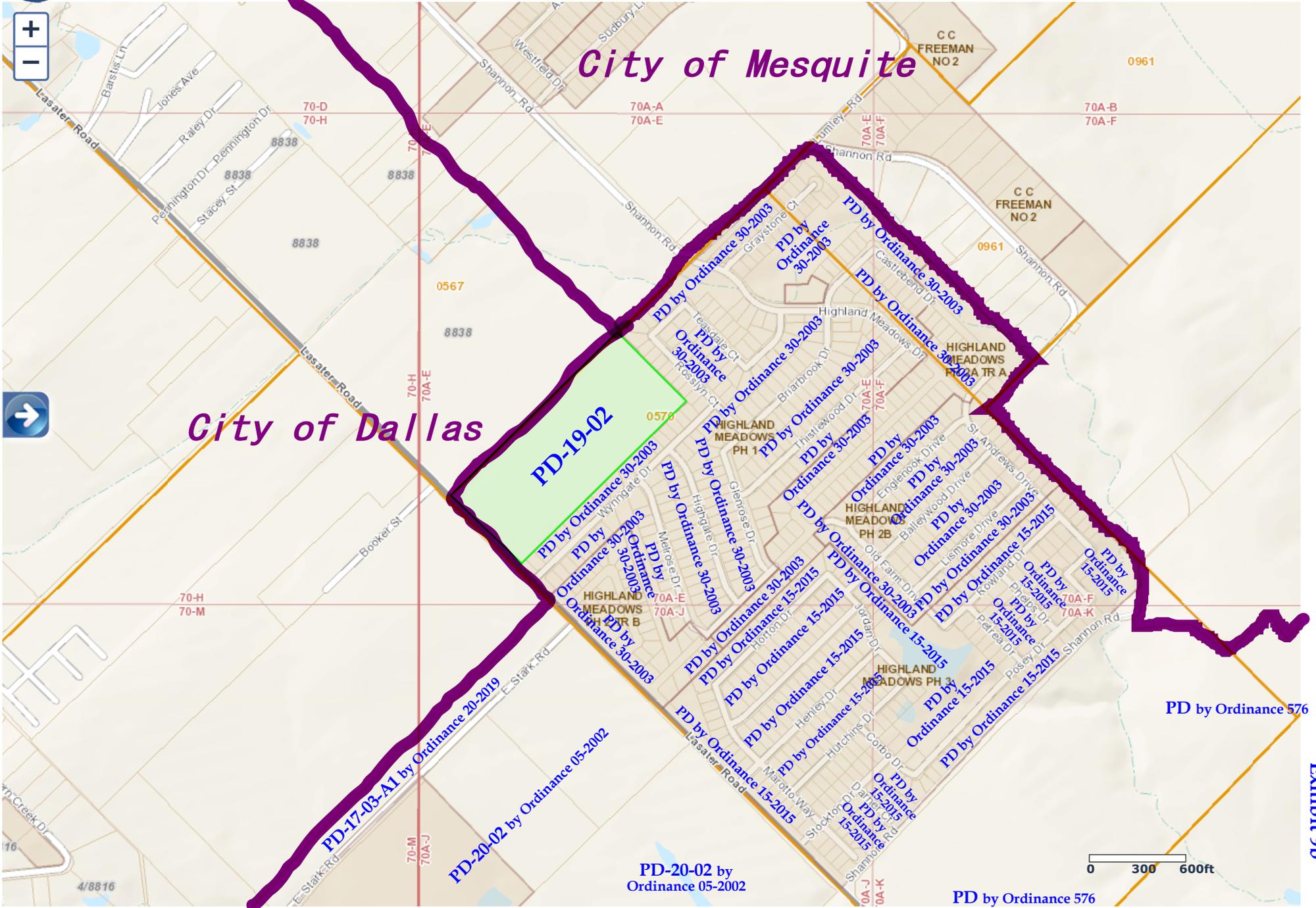
As an adjoining property owner, this notice serves as an opportunity to voice your opinion about this project for the record. The final opportunity to be heard will be at the public hearing listed above.

*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 Z2020-17 as it is described herein.

Additional Comments (attach additional sheets as necessary): _____

Signature(s): _____
Printed Name(s): _____
Address: _____
City, State & Zip code: _____
Phone Number: _____



Property Owner List

ZONING REQUEST Z2020-17: Amend Concept Plan

Mailed out a total of 73 certified letters on Friday, November 20, 2020, before 5:00 PM

Subject or adjoiner?	Site Address (in Seagoville unless specified)	DCAD account	Owner	Mailing Address	Mailing Address 2	City	State	Zip	Acres	Lot	Subdivision	Block
Subject	15000 Lasater Road; Seagoville	65057071010010000	Carl P. Caldwell Jr. Trust & William D. Caldwell II	3301 SW 134th Place		Miami	FL	33175	19.84	1	Jeremiah H. Halford Abstract 570	
Adjoiner	14801 Lasater Road; Dallas	00883800000170000	Carl P. Caldwell Jr. Trust & William D. Caldwell II	3301 SW 134th Place		Miami	FL	33175	43.67	16 & 17	Samuel Haught Abstract 567	
Adjoiner	6200 Shannon Road; Mesquite	65056769710170100	Carl P. Caldwell Jr. Trust & William D. Caldwell II	3301 SW 134th Place		Miami	FL	33175	13.20	17.1	Samuel Haught Abstract 567	
Adjoiner	3131 Baythorne Drive	500195200A0340000	Suchen & Broderick Lowe	3131 Baythorne Drive		Seagoville	TX	75159		34	Highland Meadows Phase 1	A
Adjoiner	3129 Baythorne Drive	500195200A0330000	Veronica Catalan & Juan Casiano	3129 Baythorne Drive		Seagoville	TX	75159		33	Highland Meadows Phase 1	A
Adjoiner	3127 Baythorne Drive	500195200A0320000	Floyd L. & Sheterra M. Walter	3127 Baythorne Drive		Seagoville	TX	75159		32	Highland Meadows Phase 1	A
Adjoiner	3125 Rosslyn Court	500195200A0310000	Bertha L. Camacho	3125 Rosslyn Court		Seagoville	TX	75159		31	Highland Meadows Phase 1	A
Adjoiner	3123 Rosslyn Court	500195200A0300000	Robin Williams	3123 Rosslyn Court		Seagoville	TX	75159		30	Highland Meadows Phase 1	A
Adjoiner	3121 Rosslyn Court	500195200A0290000	Roshanda & Brandon Richardson	3121 Rosslyn Court		Seagoville	TX	75159		29	Highland Meadows Phase 1	A
Adjoiner	3119 Rosslyn Court	500195200A0280000	Sandra Vera	3119 Rosslyn Court		Seagoville	TX	75159		28	Highland Meadows Phase 1	A
Adjoiner	3117 Rosslyn Court	500195200A0270000	Tiffany L. & Antonio D. Aldrete, Jr.	3117 Rosslyn Court		Seagoville	TX	75159		27	Highland Meadows Phase 1	A
Adjoiner	3115 Rosslyn Court	500195200A0260000	Shernan Andries	3115 Rosslyn Court		Seagoville	TX	75159		26	Highland Meadows Phase 1	A
Adjoiner	3113 Rosslyn Court	500195200A0250000	Jesus V. Alvarez	3113 Rosslyn Court		Seagoville	TX	75159		25	Highland Meadows Phase 1	A
Adjoiner	3111 Rosslyn Court	500195200A0240000	Edgar H. Sarinana-Median & Jackie Sarinana	3111 Rosslyn Court		Seagoville	TX	75159		24	Highland Meadows Phase 1	A
Adjoiner	3109 Rosslyn Court	500195200A0230000	Quiana Jones	3109 Rosslyn Court		Seagoville	TX	75159		23	Highland Meadows Phase 1	A
Adjoiner	3107 Rosslyn Court	500195200A0220000	HPA Texas Sub 2018 1 ML LLC	120 South Riverside Plaza	Suite 2000	Chicago	IL	60606		22	Highland Meadows Phase 1	A
Adjoiner	2707 Wynngate Drive	500195200A0210000	Jesus Escheverria-Cabral	2707 Wynngate Drive		Seagoville	TX	75159		21	Highland Meadows Phase 1	A
Adjoiner	2705 Wynngate Drive	500195200A0200000	Edgar F. Puente-Garcia	2705 Wynngate Drive		Seagoville	TX	75159		20	Highland Meadows Phase 1	A
Adjoiner	2703 Wynngate Drive	500195200A0190000	Sweet Home Solutions LLC	c/o Premier Homes	2005 North White Chapel Boulevard	Southlake	TX	76092		19	Highland Meadows Phase 1	A
Adjoiner	2701 Wynngate Drive	500195200A0180000	Irish & Byron Carter	2701 Wynngate Drive		Seagoville	TX	75159		18	Highland Meadows Phase 1	A
Adjoiner	2611 Wynngate Drive	500195200A0170000	Zenola M. McCoy	2611 Wynngate Drive		Seagoville	TX	75159		17	Highland Meadows Phase 1	A
Adjoiner	2609 Wynngate Drive	500195200A0160000	Kimetha Washington	2609 Wynngate Drive		Seagoville	TX	75159		16	Highland Meadows Phase 1	A
Adjoiner	2607 Wynngate Drive	500195200A0150000	Paul S. & Sarah Lyle	2607 Wynngate Drive		Seagoville	TX	75159		15	Highland Meadows Phase 1	A
Adjoiner	2605 Wynngate Drive	500195200A0140000	Shaniqua Thomas	2605 Wynngate Drive		Seagoville	TX	75159		14	Highland Meadows Phase 1	A
Adjoiner	2603 Wynngate Drive	500195200A0130000	Billy Coyle	2603 Wynngate Drive		Seagoville	TX	75159		13	Highland Meadows Phase 1	A
Adjoiner	2601 Wynngate Drive	500195200A0120000	Anita R. & Jethro Bullock	2601 Wynngate Drive		Seagoville	TX	75159		12	Highland Meadows Phase 1	A
Adjoiner	11 Wynngate Drive	500195200A0110000	H.O.A.of Highland Meadows, Inc.	c/o Margie Maxwell	2500 Legacy Drive; Suite 200	Frisco	TX	75034		11	Highland Meadows Phase 1	A

Property Owner List
ZONING REQUEST Z2020-17: Amend Concept Plan

Mailed out a total of 73 certified letters on Friday, November 20, 2020, before 5:00 PM

Subject or adjoiner?	Site Address (in Seagoville unless specified)	DCAD account	Owner	Mailing Address	Mailing Address 2	City	State	Zip	Acres	Lot	Subdivision	Block
Adjoiner	2519 Wynngate Drive	500195200A0100000	Anita J. Williams	2519 Wynngate Drive		Seagoville	TX	75159		10	Highland Meadows Phase 1	A
Adjoiner	2517 Wynngate Drive	500195200A0090000	Timothy & Nancy Alba	2517 Wynngate Drive		Seagoville	TX	75159		9	Highland Meadows Phase 1	A
Adjoiner	2515 Wynngate Drive	500195200A0080000	Quick & Easy Homes LLC	10209 Cimarron Trail		Forney	TX	75126		8	Highland Meadows Phase 1	A
Adjoiner	2513 Wynngate Drive	500195200A0070000	Philashonte M. & Necoma D. Sansom	2513 Wynngate Drive		Seagoville	TX	75159		7	Highland Meadows Phase 1	A
Adjoiner	2511 Wynngate Drive	500195200A0060000	Lakichea Harris	2511 Wynngate Drive		Seagoville	TX	75159		6	Highland Meadows Phase 1	A
Adjoiner	2509 Wynngate Drive	500195200A0050000	Julio C. Arias & Claudia Trejo-Beltran	2509 Wynngate Drive		Seagoville	TX	75159		5	Highland Meadows Phase 1	A
Adjoiner	2507 Wynngate Drive	500195200A0040000	Rachel Walker & Darrell Bishop	2507 Wynngate Drive		Seagoville	TX	75159		4	Highland Meadows Phase 1	A
Adjoiner	2505 Wynngate Drive	500195200A0030000	Brooke L. Brickner	2505 Wynngate Drive		Seagoville	TX	75159		3	Highland Meadows Phase 1	A
Adjoiner	2503 Wynngate Drive	500195200A0020000	Larry J. Williams	P. O. Box 461073		Garland	TX	75046		2	Highland Meadows Phase 1	A
Adjoiner	2501 Wynngate Drive	500195200A0010000	Higinio Elias & Gracelia Garcia	2501 Wynngate Drive		Seagoville	TX	75159		1	Highland Meadows Phase 1	A
Adjoiner	Wynngate Drive		City of Seagoville	702 North Highway 175		Seagoville	TX	75159		ROW	Highland Meadows Phase 1	
Adjoiner	2502 Wynngate Drive	500195200H0010000	Connie M. Reed	2502 Wynngate Drive		Seagoville	TX	75159		1	Highland Meadows Phase 1	H
Adjoiner	2504 Wynngate Drive	500195200H0020000	Kevin J. Carreon-Martel & Laura N. Carreon	2504 Wynngate Drive		Seagoville	TX	75159		2	Highland Meadows Phase 1	H
Adjoiner	2506 Wynngate Drive	500195200H0030000	Jacqueline D. Henry	2506 Wynngate Drive		Seagoville	TX	75159		3	Highland Meadows Phase 1	H
Adjoiner	2508 Wynngate Drive	500195200H0040000	Steve C. High, Jr.	2508 Wynngate Drive		Seagoville	TX	75159		4	Highland Meadows Phase 1	H
Adjoiner	2510 Wynngate Drive	500195200H0050000	Vanesica D. Fox	2510 Wynngate Drive		Seagoville	TX	75159		5	Highland Meadows Phase 1	H
Adjoiner	2512 Wynngate Drive	500195200H0060000	Annetie Nfebe Mfebe	2512 Wynngate Drive		Seagoville	TX	75159		6	Highland Meadows Phase 1	H
Adjoiner	2514 Wynngate Drive	500195200H0070000	Carolyn Campbell	2514 Wynngate Drive		Seagoville	TX	75159		7	Highland Meadows Phase 1	H
Adjoiner	2516 Wynngate Drive	500195200H0080000	Jesus O. Perez	2516 Wynngate Drive		Seagoville	TX	75159		8	Highland Meadows Phase 1	H
Adjoiner	2518 Wynngate Drive	500195200H0090000	Patricia Y. Dozier	2518 Wynngate Drive		Seagoville	TX	75159		9	Highland Meadows Phase 1	H
Adjoiner	2520 Wynngate Drive	500195200H0100000	H.O.A.of Highland Meadows, Inc.	c/o Margie Maxwell	2500 Legacy Drive; Suite 200	Frisco	TX	75034		10	Highland Meadows Phase 1	H
Adjoiner	3027 Melrose Drive	500195200H0110000	Charles H. Kendrick, Sr.	3027 Melrose Drive		Seagoville	TX	75159		11	Highland Meadows Phase 1	H
Adjoiner	Melrose Drive		City of Seagoville	702 North Highway 175		Seagoville	TX	75159		ROW	Highland Meadows Phase 1	
Adjoiner	3030 Melrose Drive	500195200G0320000	Sheena R. Isaac	3030 Melrose Drive		Seagoville	TX	75159		32	Highland Meadows Phase 1	G
Adjoiner	3031 Highgate Drive	500195200G0010000	Reginald & Ella Hart	3031 Highgate Drive		Seagoville	TX	75159		1	Highland Meadows Phase 1	G
Adjoiner	Highgate Drive		City of Seagoville	702 North Highway 175		Seagoville	TX	75159		ROW	Highland Meadows Phase 1	
Adjoiner	2702 Wynngate Drive	500195200F0010000	Christopher & Ashaki Waker	2702 Wynngate Drive		Seagoville	TX	75159		1	Highland Meadows Phase 1	F
Adjoiner	2704 Wynngate Drive	500195200F0020000	Juan & Maria G. Cortez	2704 Wynngate Drive		Seagoville	TX	75159		2	Highland Meadows Phase 1	F
Adjoiner	2706 Wynngate Drive	500195200F0030000	Bobby N. & Vicky Shaw	2706 Wynngate Drive		Seagoville	TX	75159		3	Highland Meadows Phase 1	F

Property Owner List

ZONING REQUEST Z2020-17: Amend Concept Plan

Mailed out a total of 73 certified letters on Friday, November 20, 2020, before 5:00 PM

Subject or adjoiner?	Site Address (in Seagoville unless specified)	DCAD account	Owner	Mailing Address	Mailing Address 2	City	State	Zip	Acres	Lot	Subdivision	Block
Adjoiner	2708 Wynngate Drive	500195200F0040000	Christian & Latoya Lewis	2708 Wynngate Drive		Seagoville	TX	75159		4	Highland Meadows Phase 1	F
Adjoiner	2710 Wynngate Drive	500195200F0050000	Tanya Toscano	2710 Wynngate Drive		Seagoville	TX	75159		5	Highland Meadows Phase 1	F
Adjoiner	2712 Wynngate Drive	500195200F0060000	Andrea & Jeffery Parker	2712 Wynngate Drive		Seagoville	TX	75159		6	Highland Meadows Phase 1	F
Adjoiner	Rosslyn Court		City of Seagoville	702 North Highway 175		Seagoville	TX	75159		ROW	Highland Meadows Phase 1	
Adjoiner	3106 Rosslyn Court	500195200I0160000	Phat C. Chu	3106 Rosslyn Court		Seagoville	TX	75159		16	Highland Meadows Phase 1	I
Adjoiner	3108 Rosslyn Court	500195200I0170000	Alphonse B. Kabwebwe & Marceline M. Ntefu	3108 Rosslyn Court		Seagoville	TX	75159		17	Highland Meadows Phase 1	I
Adjoiner	3110 Rosslyn Court	500195200I0180000	Yolanda K. Rambo	3110 Rosslyn Court		Seagoville	TX	75159		18	Highland Meadows Phase 1	I
Adjoiner	3112 Rosslyn Court	500195200I0190000	Ridgeback Ventures LLC	6573 Lalais Drive		Dallas	TX	75254		19	Highland Meadows Phase 1	I
Adjoiner	3114 Rosslyn Court	500195200I0200000	Tesheka Hooper	3114 Rosslyn Court		Seagoville	TX	75159		20	Highland Meadows Phase 1	I
Adjoiner	3116 Rosslyn Court	500195200I0210000	Stefani L. Beal	3116 Rosslyn Court		Seagoville	TX	75159		21	Highland Meadows Phase 1	I
Adjoiner	3118 Rosslyn Court	500195200I0220000	Berlenthia Lowe	3118 Rosslyn Court		Seagoville	TX	75159		22	Highland Meadows Phase 1	I
Adjoiner	3120 Rosslyn Court	500195200I0230000	Mario Melgoza	3120 Rosslyn Court		Seagoville	TX	75159		23	Highland Meadows Phase 1	I
Adjoiner	3122 Rosslyn Court	500195200I0240000	Kenya T. Edwards	3122 Rosslyn Court		Seagoville	TX	75159		24	Highland Meadows Phase 1	I
Adjoiner	Baythorne Drive		City of Seagoville	702 North Highway 175		Seagoville	TX	75159		ROW	Highland Meadows Phase 1	
Adjoiner	Lasater Road		City of Seagoville	702 North Highway 175		Seagoville	TX	75159		ROW	Highland Meadows Phase 1	
Adjoiner	1110 Lasater Road; Dallas	0088160000070000	D. R. Horton Texas LTD	4306 Miller Road		Rowlett	TX	75088	62.39	7	Herman Heider Abstract 541	
Adjoiner	15010 Lasater Road; Dallas	00881600000280000	Santiago & Laura Bustos	15010 Lasater Road		Dallas	TX	75253	6.02	38	Herman Heider Abstract 541	
Adjoiner												

AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS

ORDINANCE NO. 33-2019

AN ORDINANCE OF THE CITY OF SEAGOVILLE, DALLAS COUNTY, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP OF THE CITY OF SEAGOVILLE, DALLAS COUNTY, TEXAS, AS HERETOFORE AMENDED, BY GRANTING A CHANGE IN ZONING FROM AGRICULTURE (AG) TO PLANNED DEVELOPMENT-RESIDENTIAL (PD-19-02) FOR APPROXIMATELY 20.351± ACRES OF LAND DESCRIBED AS TRACT 1 OF JEREMIAH H HALFORD ABSTRACT 570, BEING LOCATED APPROXIMATELY 150± FEET NORTHWEST OF THE INTERSECTION OF LASATER ROAD AND WYNEGATE DRIVE, SEAGOVILLE, DALLAS COUNTY, TEXAS, AND BEING LEGALLY DESCRIBED AND DEPICTED 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 "A"; 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. Z2019-12 (PD 19-02) should be approved, and in the exercise of legislative discretion have concluded that the Comprehensive Zoning Ordinance and Map should be amended.

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

SECTION 1. That the Comprehensive Zoning Ordinance and Map of the City of Seagoville, Texas, duly passed by the governing body of the City of Seagoville, Texas, as heretofore amended, be and the same is hereby amended by granting a change in zoning from Agriculture (AG) to Planned Development-Residential (PD-19-02) for approximately 20.351± acres of land described

as Tract 1 of Jeremiah H Halford Abstract 570, being located approximately 150± feet northwest of the intersection of Lasater Road and Wynnegate Drive, Seagoville, Dallas County, Texas, and being legally described and depicted 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. The property shall be developed in accordance with the approved Concept Plan, which is attached hereto and made a part of the ordinance
- B. Lot front yards shall have a minimum depth of not less than 20 feet
- C. Lot side yards shall have a width of not less than 5 feet
- D. Lot side yards with street frontage shall have a width of not less than 10 feet
- E. Lot rear yards shall have a minimum depth of not less than 20 feet
- F. Minimum area of each lot shall be not less than 6,100 square feet
- G. Minimum depth of each lot shall be not less than 120 feet
- H. Minimum width of each lot shall be not less than 50 feet
- I. Minimum living area of a dwelling on any lot shall be 1,700 square feet
- J. Maximum height of a dwelling on any lot shall be 35 square feet
- K. One-half of Lasater Road, that portion that runs the full length of the property abutting Lasater Road, shall be paved concrete, curb, and gutter roadway
- L. The property shall be landscaped in compliance with Division 21 of the City of Seagoville Zoning Ordinance
- M. All signage shall comply with Article 21.09 of the City of Seagoville Code of Ordinances
- N. Except as amended herein, all construction shall comply with the construction standards and ordinances of the City of Seagoville, Texas

SECTION 3. The property shall be developed and used only in accordance with the conceptual plan attached as Exhibit “A” 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 7th day of October 2019.

APPROVED:



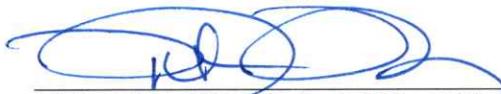
DENNIS K. CHILDRESS, MAYOR

ATTEST:



KANDI JACKSON, CITY SECRETARY

APPROVED AS TO FORM:



VICTORIA THOMAS, CITY ATTORNEY

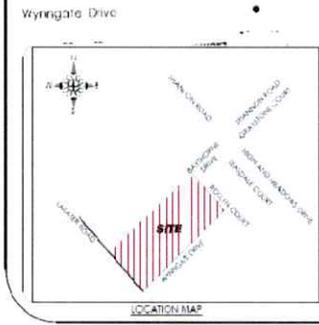
(/cdb 09/30/2019)



EXHIBIT "A"
(Concept Plan)



Exhibit 6c(ii)



PROPERTY DESCRIPTION

8811 is a 20.351 acre tract of land situated in the J. Halford Survey, Abstract No. 570, City of Seagoville, Dallas County, Texas, and being part of a larger 80.22 acre tract (land described as Deeds to Carl Porter, Carolyn J., and Peter Caldwell, a, b, bunnies and Wilson Carl Caldwell, Jr. recorded in instrument no. 2010029774, Deeds Record, Dallas County, Texas 02/02/11, and being more particularly described as follows:

8811 is a point for corner in the center of Lobster Road at the northern corner of a 60x120 acre tract and being in a corner of a Highways (Roads) Phase 1, an addition to the City of Seagoville, Dallas County, Texas, recorded in volume 2008136, Page 161, 2008, from which the northern corner has been established by a 10' wide sidewalk of 5.75 feet, and a 10' concrete curb with a yellow parking cap found.

8811 is a point for corner in the center of Lobster Road at the northern corner of a 60x120 acre tract and being in a corner of a Highways (Roads) Phase 1, an addition to the City of Seagoville, Dallas County, Texas, recorded in volume 2008136, Page 161, 2008, from which the northern corner has been established by a 10' wide sidewalk of 5.75 feet, and a 10' concrete curb with a yellow parking cap found.

8811 is a point for corner in the center of Lobster Road at the northern corner of a 60x120 acre tract and being in a corner of a Highways (Roads) Phase 1, an addition to the City of Seagoville, Dallas County, Texas, recorded in volume 2008136, Page 161, 2008, from which the northern corner has been established by a 10' wide sidewalk of 5.75 feet, and a 10' concrete curb with a yellow parking cap found.

This CE (containing 425.30' East along the southeast line of said 130 acre right-of-way, of 40.00 feet passing a 5.5-inch iron pipe, also pipe cap, stamped "901 2007" found at the east corner corner thereof and continuing for a total distance of 1475.24 feet to a 6" diameter concrete monument found at an east corner of said 80.22 acre tract common to the east corner of said Highways (Roads) Phase 1.

This CE is southeasterly and southerly directions, with the common boundary line of said mentioned tracts, the following courses: South 45° 27' 28" East a distance of 89.22 feet to a point for corner in a corner fence intersection; South 45° 27' 28" West a distance of 148.33 feet to the 2001 CE; 88.22 feet to a corner of said 80.22 acre tract; and a distance of 20.25 feet to a point for corner.

NOTE: The approximate location of the CE Limit line is shown in the Legal Description located on the location of the upper northern line of Highways (Roads) Phase 1, recorded in volume 2008136, Page 161, as projected in a southeasterly direction to its intersection with the centerline of Lobster Road. This is also the approximate location of the common line of the J. Halford Survey, 1887 and the J. Halford Survey, 1875, Dallas County, Texas, is a City of Seagoville or Neppure Ordinance could be found to verify the location.

LAND USE DATA

Min. Lot S.F.	6,000
Min. Lot Width	50' @ 8'L
Min. Lot Depth	120'
Front Yard Setback	20'
Rear Yard Setback	20'
Side Yard Setback (Adj. to Street)	5' (10')
Min. Living Area	1700 s.f.
Max. Building Ht.	35'
Front Entry Two Car Garage	

CONCEPT PLAN CALDWELL FARMS

CITY OF SEAGOVILLE, DALLAS COUNTY TEXAS
BEING A 20.351 ACRE TRACT OF LAND
J. HALFORD SURVEY, ABSTRACT NO. 570

Owner:
CARL PORTER, JR., CALDWELL
320 - 101 13th St.
Mopac, P.O. Box 31175

Developer:
THE TACK TEAM INVESTMENTS LLC
841 ATULIS
Dwight Dr. Land Development & Acquisition
3075 Hwy 101, Rockwall, TX 75087
972.989.8383 | ktack@tackteam.com

Consultor:
KPA consulting, inc.
207 Hous Lane, Rockwall, TX 75087
972.989-6255 Contact: Pat Atkins

20.351 Acres
50'x120' Typ. Lot Size
Total Lots - 88
6 Common Area Lots

September 23, 2019

**THE CITY OF SEAGOVILLE, TEXAS
ORDINANCE NO. 02-2020**

AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS, AMENDING ORDINANCE NO. 33-2019 BY CORRECTING A SCRIVENER ERROR RELATING TO THE MINIMUM LOT AREA SET FORTH IN THE DEVELOPMENT REGULATIONS UNDER SECTION 2, SUBSECTION F; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A CONFLICTS RESOLUTION CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Ordinance No. 33-2019, approved October 7, 2019, approved the Caldwell Farms Planned Development designated as PD-19-02; and,

WHEREAS, Section 2, subsection F of Ordinance No. 33-2019, sets forth the minimum lot area for such development; and

WHEREAS, as a result of a scrivener's error, Section 2, subsection F of Ordinance No. 33-2019, approved on October 7, 2019, incorrectly provided that the minimum area of each lot shall be not less than 6,100 square feet instead of correctly providing that the minimum area of each lot shall be not less than 6,000 square feet; and

WHEREAS, the City Council finds it to be in the public interest to amend Ordinance No. 33-2019 to correct the above described scrivener's error.

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

SECTION 1. That Ordinance No. 33-2019 is amended in Section 2, subsection F, to comply with the concept plan, which is approved and attached thereto as Exhibit A, to read as follows:

"ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS

ORDINANCE NO. 33-2019

...

SECTION 2.

...

F. Minimum area of each lot shall be not less than 6,000 square feet

..."

SECTION 2. That all remaining provisions of Ordinance No. 33-2019 shall remain unchanged and in full force and effect.

SECTION 3. That all resolutions, policies, and provisions of the Code of 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 3. That should any word, phrase, paragraph, section or phrase of this ordinance or of the Code of Ordinances, as amended hereby, be 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 Code of Ordinances as a whole.

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

PASSED AND ADOPTED by the City Council for the City of Seagoville, Texas at a meeting on the 6th day of January, 2020, at which a quorum was present, and for which due notice was given.

APPROVED:



Dennis K. Childress, Mayor

ATTEST:



Kandi Jackson, City Secretary

APPROVED AS TO FORM:



Victoria W. Thomas, City Attorney
(/cdb 12.26.2019)



Regular Session Agenda Item: 3

Meeting Date: January 4, 2021

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 PD-19-02 to PD-19-02-A1 for approximately 20.351± acres of land described as Tract 1 of Jeremiah H Halford Abstract 570, being located approximately 150± feet northwest of the intersection of Lasater Road and Wynnegate Drive, Seagoville, Dallas County, Texas, by approving an Amended Concept Plan attached hereto as Exhibit “A”; providing a severability clause; providing a conflicts resolution clause; and providing an effective date.

BACKGROUND OF ISSUE:

The land is currently unimproved and is located on the north side of Lasater Road about 150± feet northwest of its intersection with Wynnegate Drive.

Pat Atkins, representing his company KPA Consulting Inc. and property owners, Carl Porter Caldwell Jr. & GST Trust, in their request to amend the concept plan for the planned development. The changes requested are a result of the site engineering. Generally these changes are the relocation of the detention pond, the removal of one street, and a reduction in the total number of lots.

The overall subdivision also has approximately 42-acres in the City of Dallas and 13-acres in the City of Mesquite.

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.

A legal ad was published per the Texas Local Government Code in the Friday, November 20, 2020 edition of the Daily Commercial Record newspaper. There are seventy-three (73) 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 Friday, November 20, 2020. As of Tuesday, December 1, 2020, no (zero) letters were returned for or against the request or as undeliverable by the U.S. Postal Service. On December 1, one written response against the request was received. On the day of the meeting, an additional response was found in the mail. No one (zero) from the public spoke for or against the request at the Planning and Zoning Commission meeting.

For the City Council meeting, a legal ad was published again per the Texas Local Government Code in the Friday, December 18, 2020, edition of the Daily Commercial Record newspaper. The owners of each parcel were again notified in compliance with the 200-foot rule by mail on Friday, December 18, 2020. As of the date of this report, Monday, December 28, 2020, no (zero) additional letters were returned as undeliverable by the U.S. Postal Service and no (zero) additional written responses have been received. Staff will make the Council members aware of any additional responses received at their meeting.

FINANCIAL IMPACT:

Not applicable

RECOMMENDATION:

On December 8th, the Planning and Zoning Commission voted unanimously (four to zero) in favor of recommending approval on the request to amend PD-19-02 to PD-19-02-A1 by amending the concept plan only on approximately 20± acres of Tract 1 in the Jeremiah H. Halford Abstract 570 located at 15000 Lasater Road in Seagoville, Dallas County, Texas.

Staff supports the request. They also reminded the Planning & Zoning Commission that no construction or preliminary plat can be approved until access to water and sewer services has been determined, granted, engineered, and accepted. Seagoville Water Utilities has no services in this area. The water and sanitary sewer services in Highland Meadows are provided by Dallas Water Utilities.

EXHIBIT:

Ordinance (3 pages)

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 PD-19-02 TO PD-19-02-A1 FOR APPROXIMATELY 20.351± ACRES OF LAND DESCRIBED AS TRACT 1 OF JEREMIAH H HALFORD ABSTRACT 570, BEING LOCATED APPROXIMATELY 150± FEET NORTHWEST OF THE INTERSECTION OF LASATER ROAD AND WYNEGATE DRIVE, SEAGOVILLE, DALLAS COUNTY, TEXAS, BY APPROVING AN AMENDED CONCEPT PLAN ATTACHED HERETO AS EXHIBIT “A”; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A CONFLICTS RESOLUTION CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Ordinance No. 33-2019, approved October 7, 2019, approved the Caldwell Farms Planned Development designated as PD-19-02 for a parcel of land being approximately 20.351± acres of land described as Tract 1 of Jeremiah H. Halford Abstract 570 and being located approximately 150± feet northwest of the intersection of Lasater Road and Wynnegate Drive in Seagoville, Dallas County, Texas and,

WHEREAS, Ordinance No. 33-2019 was thereafter amended by Ordinance 02-2020 to correct a scrivener’s error with regard to minimum area of each lot in the development; and

WHEREAS, following engineering, the property owner and developer have requested a zoning amendment to zone the property PD-19-02-A1 to approve an amended concept plan, attached hereto as Exhibit “A”; and

WHEREAS, following due 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 Planning and Zoning Commission recommended approval of the requested zoning amendment The City Council finds it to be in the public interest to grant amend the Comprehensive Zoning Ordinance and Map as requested.

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

SECTION 1. The Comprehensive Zoning Ordinance and Map of the City of Seagoville, Texas, duly passed by the governing body of the City of Seagoville, Texas, as heretofore amended, be and the same hereby is amended by granting a change in zoning from PD-19-02 to PD-19-02-A1 for approximately 20.351± acres of land described as Tract 1 of Jeremiah H. Halford Abstract 570 and being located approximately 150± feet northwest of the intersection of Lasater Road and Wynnegate Drive in Seagoville, Dallas County, Texas, all as described more fully in Exhibit A to

prior Ordinance 33-2019, to approve an amended concept plan, with all other provisions of Ordinance 33-2019, as amended by Ordinance 02-2020, to remain in effect.

SECTION 2. The property shall be developed and used in accordance with the City of Seagoville Zoning Ordinance and Construction Standards except as set forth in Ordinance 33-2019, as amended by Ordinance 02-2020 and as further amended herein, to wit: the concept plan attached as to Ordinance 33-2019 shall be replaced with the concept plan which is attached hereto and incorporated herein by reference as Exhibit “A”, which concept plan is hereby approved.

SECTION 3. All resolutions, policies, and provisions of the Code of 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 4. Should any word, phrase, paragraph, section or phrase of this ordinance or of the Code of Ordinances, as amended hereby, be 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 Code of Ordinances as a whole.

SECTION 5. This ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such cases provide.

PASSED AND ADOPTED by the City Council for the City of Seagoville, Texas at a meeting on the 4th day of January, 2021, at which a quorum was present, and for which due notice was given.

APPROVED:

Dennis K. Childress, Mayor

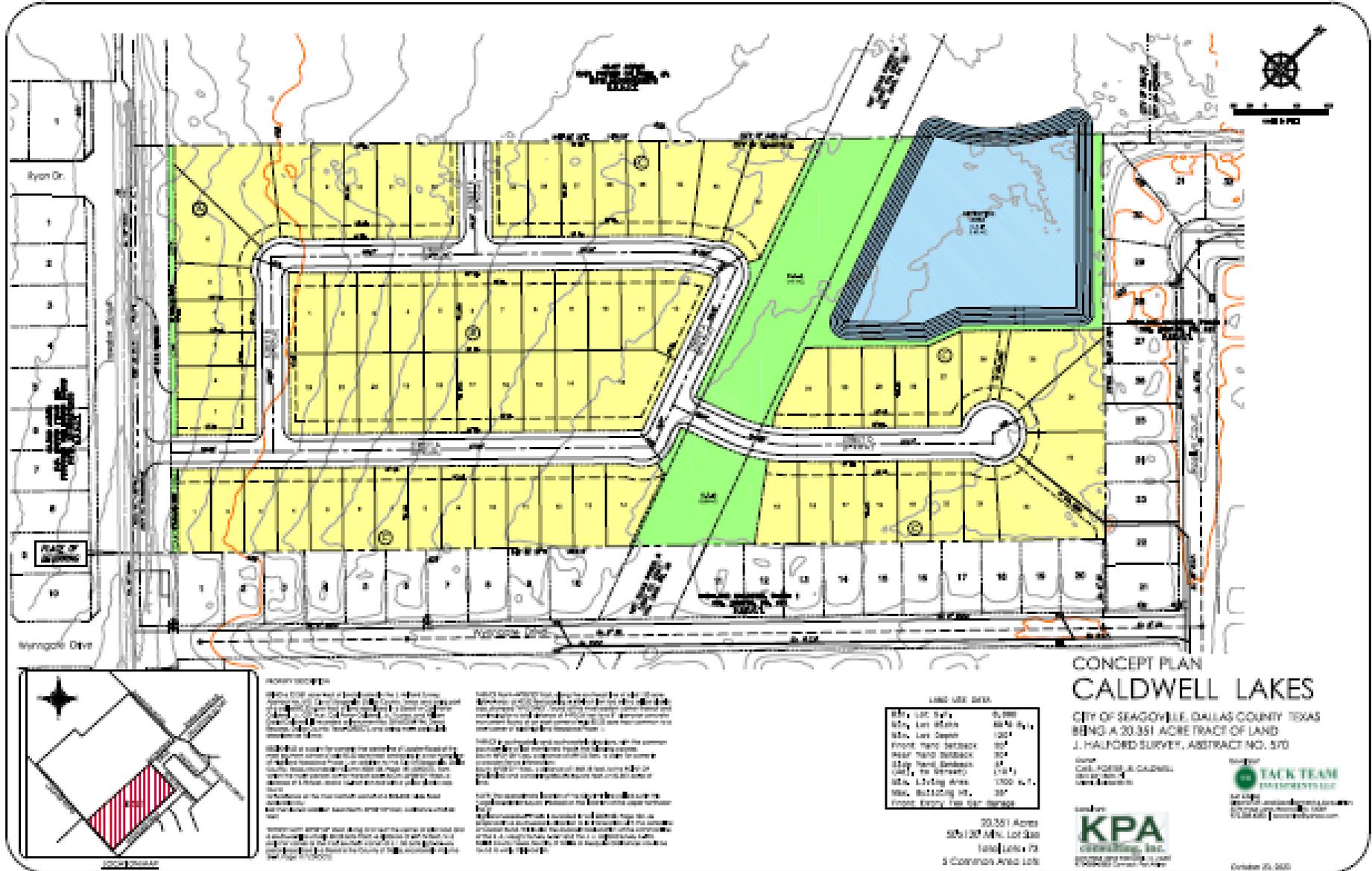
ATTEST:

Kandi Jackson, City Secretary

APPROVED AS TO FORM:

Victoria W. Thomas, City Attorney
(122820vwtTM119857)

EXHIBIT A



CONCEPT PLAN CALDWELL LAKES

CITY OF SEAGOVILLE, DALLAS COUNTY TEXAS
 BEING A 20.351 ACRE TRACT OF LAND
 J. HALFORD SURVEY, ABSTRACT NO. 570

OWNER
 CALDWELL LAKES
 DEVELOPMENT, L.P.



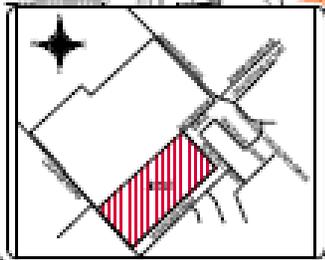
DATE: 10/20/2010
 PROJECT: CALDWELL LAKES
 DRAWING: CONCEPT PLAN

LAND USE DATA

Min. Lot Size	5,000
Min. Lot Width	60' Min. W/11'
Min. Lot Depth	120'
Front Yard Setback	10'
Rear Yard Setback	10'
Min. Side Setback	10'
Min. To Street	15'
Min. Living Area	1,000 S.F.
Min. Building Ht.	10'
Front, Entry, Rear Yard Storage	

20.351 Acres
 50's 120' Min. Lot Size
 Total Lots = 73
 2 Common Area Lots

October 20, 2010



GENERAL NOTES:

1. THIS CONCEPT PLAN IS FOR INFORMATIONAL PURPOSES ONLY AND DOES NOT CONSTITUTE A CONTRACT. THE CITY OF SEAGOVILLE, TEXAS, IS NOT RESPONSIBLE FOR THE ACCURACY OF THIS PLAN.
2. THE CITY OF SEAGOVILLE, TEXAS, IS NOT RESPONSIBLE FOR THE ACCURACY OF THIS PLAN.
3. THE CITY OF SEAGOVILLE, TEXAS, IS NOT RESPONSIBLE FOR THE ACCURACY OF THIS PLAN.
4. THE CITY OF SEAGOVILLE, TEXAS, IS NOT RESPONSIBLE FOR THE ACCURACY OF THIS PLAN.
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8. THE CITY OF SEAGOVILLE, TEXAS, IS NOT RESPONSIBLE FOR THE ACCURACY OF THIS PLAN.
9. THE CITY OF SEAGOVILLE, TEXAS, IS NOT RESPONSIBLE FOR THE ACCURACY OF THIS PLAN.
10. THE CITY OF SEAGOVILLE, TEXAS, IS NOT RESPONSIBLE FOR THE ACCURACY OF THIS PLAN.

Regular Session Agenda Item:4

Meeting Date: January 4, 2021

ITEM DESCRIPTION:

Conduct a public hearing on a request for a change in the zoning from R-2, Residential Single Family-2, to AG, Agriculture, on an approximately 157.98± acres tract commonly known as 850 East Malloy Bridge Road in the City of Seagoville, Dallas and Kaufman Counties, Texas.

BACKGROUND OF ISSUE:

JCRB Properties, Inc. and company owner Juan C. Ruvalcaba are being represented by Christopher Rios.

The land is mostly unimproved. There is an underground gas mainline (50-foot easement) and at least one set of overhead electric supply lines (estimated 100-foot easement).

The owner wants to place an animal farm on the property and build a future house on the property.

The property is almost entirely within a regulated flood hazard area. The area is known to regularly flood since one boundary of the property is the East Fork of the Trinity River. However, the area has not been studied by the U.S. Army Corps of Engineers to determine the probability of flooding depths for various storm events. The Corps is currently working with a multitude of communities (including Arlington, Carrollton, Coppell, Dallas, Farmers Branch, Fort Worth, Grand Prairie, Irving, Lewisville, Dallas County, Denton County, Tarrant County, Kaufman County, Mesquite, and Seagoville) along various branches of the Trinity River (including the East Fork, West Fork, and Elm Fork of the river) to expand the current regional Trinity River COMMON VISION as well as the Corridor Development Certificate (CDC) Program for a better understanding of the river system.

The lot has been zoned R-2 since prior to 1977. Planning & Zoning Commission makes a recommendation to City Council, who will make the final decision.

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.

A legal ad was published per the Texas Local Government Code in the Friday, November 20, 2020 edition of the Daily Commercial Record newspaper. There are twenty-three (23) properties plus part of two (2) 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, November 24, 2020. As of Tuesday, December 1, 2020, no (zero) letters were returned for or against the request or as undeliverable by the U.S. Postal Service. No one (zero) from the public spoke for or against the request at the Planning and Zoning Commission meeting.

For the City Council meeting, a legal ad was published again per the Texas Local Government Code in the Friday, December 18, 2020, edition of the Daily Commercial Record newspaper. The owners of each parcel were again notified in compliance with the 200-foot rule by mail on Friday, December 18, 2020. As of the date of this report, Monday, December 28, 2020, no (zero) additional letters were returned as undeliverable by the U.S. Postal Service and no (zero) additional written responses have been received. Staff will make the Council members aware of any additional responses received at their meeting.

FINANCIAL IMPACT:

Not applicable

RECOMMENDATION:

On December 8th, the Planning and Zoning Commission voted unanimously (four to zero) in favor of recommending approval on the request for a zoning change from R-2, Residential Single Family, to AG, Agriculture, on approximately 157.98± acres of property all commonly known as 850 East Malloy Bridge Road, Seagoville, located in various abstracts in both Dallas and Kaufman Counties, Texas.

Staff supports the request. They also informed the Planning & Zoning Commission that almost the entire site is within a regulated floodplain. This limits the number of practical uses of the land and will affect the design of any future structures and the grading around them. Development of regulated floodplains for residential land uses is discouraged.

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
 - a. from Dallas CAD website
 - b. from Kaufman CAD website
3. Dimensional property map
 - a. from Dallas CAD website
 - b. from Kaufman CAD website
4. Zoning map (zoning information added to combined property map)
5. Jurisdictional map
 - a. from Dallas CAD website
 - b. from Kaufman CAD website
6. Floodplain map
7. Application
 - a. Application
 - b. Field Notes and Survey (3 pages)
8. Public hearing notice to newspaper
 - a. Planning and Zoning Commission
 - b. City Council

9. Public hearing notice to property owners
 - a. Planning and Zoning Commission (2 pages)
 - b. City Council (2 pages)
10. List of property owners within 200 feet of subject parcels



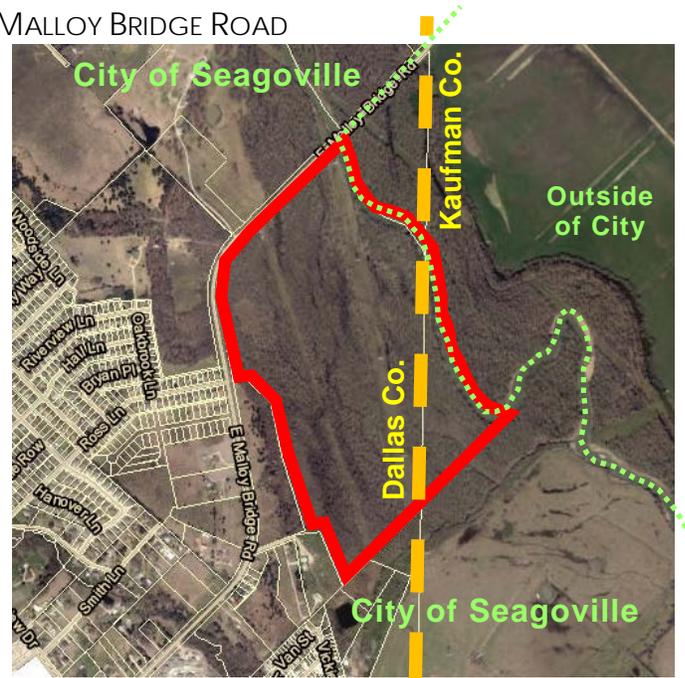
COMMUNITY DEVELOPMENT
702 NORTH HIGHWAY 175
SEAGOVILLE, TX 75159
PHONE: (972) 287-2050

DATE: JANUARY 4, 2021
AUTHOR: JENNIFER BONNER, PLANNER
APPLICANT: JCRB PROPERTIES INC.
LOCATION: 850 EAST MALLOY BRIDGE ROAD

REQUEST SUMMARY:

The applicant is requesting that the subject parcels (outlined in red in the map on the right) have the current zoning changed from R-2, Residential Single Family, to AG, Agriculture, so the owner can have an animal farm.

Most of the subject property is located within a FEMA-identified and regulated floodplain. It is currently forested, undeveloped land except for the utility-maintained alignments of an underground gas main line and at least one set of overhead electric supply lines.



LOCATION: Inside city limits; Dallas & Kaufman Counties

SIZE OF PROJECT
Approximately 157.98-acres
EXISTING ZONING
R-2, Single Family Residential
SURROUNDING ZONING
North: R-5, Single Family Residential <i>and</i> AG, Agriculture East: R-2, Single Family Residential West: R-5, Single Family Residential <i>and</i> AG, Agriculture South: 3 types of Residential (R-5, Apartments, and Mobile Home Park)
EXISTING LAND USE
Low Density Residential
SURROUNDING LAND USE
North: Low Density Residential East: Low Density Residential South: Low Density Residential West: Low Density Residential

PLANNING & ZONING COMMISSION RECOMMENDATION:

On December 8th, the Planning and Zoning Commission voted unanimously (four to zero) in favor of recommending approval on the request for a zoning change from R-2, Residential Single Family, to AG, Agriculture, on approximately 157.98± acres of property all commonly known as 850 East Malloy Bridge Road, Seagoville, located in various abstracts in both Dallas and Kaufman Counties, Texas.

Staff supports the request. They also informed the Planning & Zoning Commission that almost the entire site is within a regulated floodplain. This limits the number of practical uses of the land and will affect the design of any future structures and the grading around them. Development of regulated floodplains for residential land uses is discouraged.

This request is reviewed by the Planning and Zoning Commission to make a recommendation to the City Council, which makes the final decision on the request.

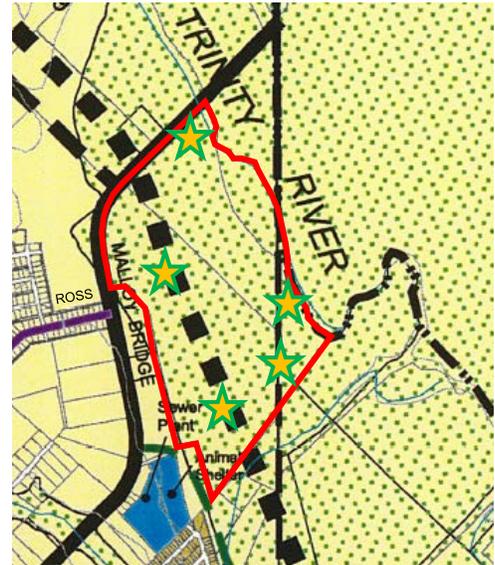
Detailed explanations follow on the attached pages.	
STANDARD:	ANALYSIS:
Development Calendar (Deadlines)	Has Met
Application(s) Requirements	Has Met
Zoning Code	Has Met

COMPARISON TO ADOPTED CITY MASTER PLANS

2002 Comprehensive Land Use Plan and Map

STAFF ANALYSIS: The area in the request (under the 5 orange stars outlined in green in the map to the right) is in an area expected to remain Low Density Residential. The blue areas to the south are Public/Semi-public areas that contain the city's Animal Shelter and part of the old sewer treatment plant. The area in tan along the bottom of the map indicates an area expected to remain Medium Density Residential (the Briar Creek Mobile Home Park). The property across the East Fork of the Trinity River is in Seagoville's Extra-Territorial Jurisdiction, so the City has some control of development in that area.

This request meets the standards, goals, and guidelines established in this Plan.



2006 Master Thoroughfare Plan and Map

STAFF ANALYSIS: The area in the request (under the 5 yellow stars outlined in green in the map to the left) has a significant amount of frontage along East Malloy Bridge Road, which the Plan has classified as a Major Arterial and shows by the red color. The grey area enclosed by the 2 black lines was the 2002-anticipated route for Future Loop 9. The streets in blue are classified as Minor Collectors. The street shown in green would be a future extension of Lasater Road as a Major Collector.

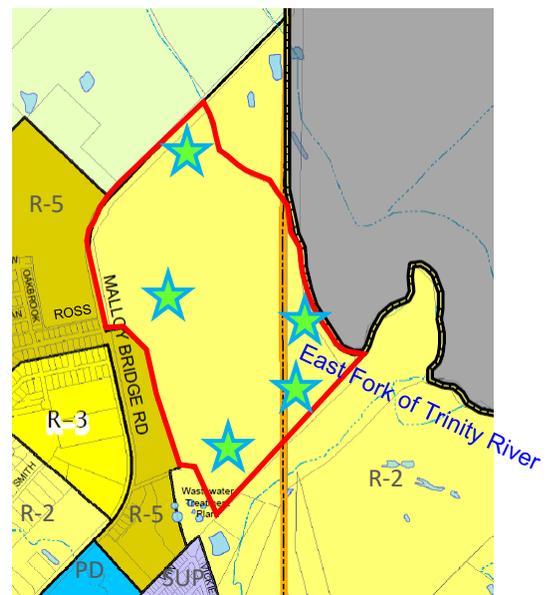
The request will be required to meet the standards, goals, and guidelines established in this Plan when the property is platted.



2009 Zoning Plan and Map

STAFF ANALYSIS: The area in the request (under the 5 light green stars outlined in blue in the map to the right) is in an area zoned R-2, Residential Single Family. The thick black lines are the zoning district boundaries. The map shows that adjoining properties on both sides of Malloy Bridge Road are zoned AG (Agriculture); R-2, R-3, and R-5 (each a single-family residential district). The adjoining properties across the East Fork of the Trinity River are in an unincorporated area of Kaufman County that is in Seagoville's Extra-Territorial Jurisdiction.

This request meets the standards, goals, and guidelines established in this Plan.



REVIEW CRITERIA	STAFF ANALYSIS	
1. Will the use be designated, located, and operated so that the public health, safety, and welfare will be protected?	Yes	The owner would like to place an animal farm on the property so is asking for the property to be rezoned to AG. The site is almost entirely within a regulated floodplain.
2. Will the land use be compatible with other area properties located nearby?	Yes	Most of the adjoining AG and R-2 lands are also located within the regulated floodplain.
3. Will the use be compliant with all of the 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.).
4. 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 owner plans to place an animal farm on the property. A house is being planned for, which city codes require to be at least 2-feet above the 100-year floodplain. Exhibit 6 shows the limits of the floodplain.
5. Will the use facilitate public convenience at that location?	Yes	While the land sits over the Dallas County/Kaufman County line, the land has a significant amount of frontage along East Malloy Bridge Road to provide multiple separate points of access, if needed.
6. Will the use conform to off-street parking and loading requirements?	Yes	There are no parking requirements on AG-zoned land.
7. Are all of the ingress, egress, and pedestrian ways adequate?	Yes	Ingress and egress will be from existing East Malloy Bridge Road. When the owner builds any structure, a driveway will have to be built to meet all city codes including floodplain requirements.
8. Have safeguards limiting noxious or offensive emissions, including light, noise, glare, dust, and odor been addressed?	Yes	While an animal farm can produce offensive emissions to their neighbors, city codes only allow one animal per acre to maintain the health of the animals and to limit potential emissions. There are also local, state, and federal controls on the removal of trees as well as soil disturbances that will require additional permits.
9. Will the proposed landscaping and screening be compliant with all City regulations?	N/A	Most of the land is currently forested except for the utility-maintained alignments of an underground gas line and at least one set of overhead electric supply line. Screening is not required when existing plant materials provide adequate buffers to shield lights, noise, movement, or activities from adjacent properties.
10. Will the signage be compliant with those portions of the Municipal Code?	Yes	There is no signage on the site except for required addressing.
11. Will all open space(s) be maintained by the owner/developer?	Yes	The applicant will be required to continue to maintain the property.
12. 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	Agricultural zoning requires a minimum of 2-acres. All structures (main and accessory) will have to be located at least 50-feet from each property line.
13. Will granting the permit be authorizing less than the minimum requirements in regards to height, area, setbacks, parking, or landscaping?	No	All proposed buildings will have to meet all applicable codes at the time of application, or a variance will have to be applied for and granted before permits can be issued. If the requested rezoning is approved, the minimum living area of a house will be 2,400 square feet and a 400 square foot garage will be required. All structures will be required to be at least 2-feet above the 100-year floodplain

**STAFF REPORT
Z2020-13**

REVIEW CRITERIA	STAFF ANALYSIS	
14. Have the provisions of the existing Master Thoroughfare Plan been met to protect the public interest?	No	The property will have to be platted prior to the issuance of any building permit. Dedication of any “missing” right-of-way for Malloy Bridge Road will be required during the platting process.
15. 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 identifies this area as Low Density Residential, which includes Agricultural land uses.
16. Have the provisions of any existing Capital Improvements Plan been met to protect the public interest?	N/A	The City currently has no active capital improvement plan. There is a proposal for a sewer line extension in this area that the City is working on, but there is no timeline for construction or installation.
17. Have the provisions of any Community Facilities Plan been met to protect the public interest?	N/A	Changing the zoning of a parcel does not affect the any portion of a city Plan. When a property is developed, the site is reviewed against all city Plans.
18. 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 of a parcel does not affect the any portion of a city Plan.

Public Comments Received: A legal ad was published per the Texas Local Government Code in the Friday, November 20, 2020 edition of the Daily Commercial Record newspaper. There are twenty-three (23) properties plus part of two (2) 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, November 24, 2020. As of Tuesday, December 1, 2020, no (zero) letters were returned for or against the request or as undeliverable by the U.S. Postal Service. No one (zero) from the public spoke for or against the request at the Planning and Zoning Commission meeting.

For the City Council meeting, a legal ad was published again per the Texas Local Government Code in the Friday, December 18, 2020, edition of the Daily Commercial Record newspaper. The owners of each parcel were again notified in compliance with the 200-foot rule by mail on Friday, December 18, 2020. As of the date of this report, Monday, December 28, 2020, no (zero) additional letters were returned as undeliverable by the U.S. Postal Service and no (zero) additional written responses have been received. Staff will make the Council members aware of any additional responses received at their meeting.

Other Staff Comments: Beginning on the next page is a table comparing the land uses listed in the municipal code for each relevant zoning district. Refer to the table on the right for which symbols depict land uses that would be permitted or require a special or conditional use permit in the land use table. Any other land use would be prohibited. The land uses in the table are arranged by district and then alphabetically.

Land Use Table Key:	Zoning District:
P = Permitted land use	AG , Agriculture
SUP = Special Use Permit required (from Article XX of 1977 Zoning Code)	
CUP = Conditional Use Permit required (from Article XVIII of 1977 Zoning Code)	R-2 , Single-family Residential
A blank box means that land use is prohibited in that zoning district.	

The site is almost entirely within a regulated floodplain. The applicant needs design each future structure (and the grading around them) to address the requirements of the city’s floodplain regulations when requesting building permits. The conditions of building permit approval will include:

- Elevating all utilities and all living areas of the house to at least 2-feet above the Base Flood Elevation of the home’s site, per Seagoville code. Storage and parking areas are only tolerated in a floodplain if [all](#) regulations for those items can be met. Base flood elevations are provided on maps created by FEMA and adopted by local municipalities, unless more restrictive or other local standards are adopted in their place.
- Foundation of the house and all other habitable structures will have to be engineered, signed, and sealed to

not only support the structure, but to also meet all floodplain standards – including Section 21.07.008(b) and Section 21.07.008(e).

- A separate Flood Elevation Certificate will be required for each structure.
- All driveways and parking areas are required to be paved with reinforced concrete.
- Site design shall not divert floodwaters or increase flood hazards to upstream, downstream, or other neighboring lands.

Type of Use	Zoning District	
	AG	R-5
Parking of unoccupied recreational trailer or recreational vehicle	P	P
Accessory buildings	P	P
Animal farm	P	
Cemetery	P	SUP
Church or religious worship facility	P	P
Crematory	P	
Dairy and related establishments for processing milk products but not including retail sales	P	
Electrical public utility regulating station	CUP	SUP
Greenhouse	P	SUP
Natural gas public utility regulating station	CUP	SUP
Neighborhood recreation center (swimming pool, social or hobby rooms)	P	P
Nursery	P	SUP
Orchard	P	
Park	P	P
Playgrounds	P	P
Private carport and/or garage	P	P
Private swimming pool	P	
Private, non-commercial recreation areas including country clubs, riding stables, swim clubs, etc.	P	
Public buildings of recreational, cultural, administrative and public service types	P	
Public structures for recreational, cultural, administrative and public services	P	
Public utility - privately or publicly owned	P	SUP
Radio or television broadcasting towers	CUP	SUP
Radio or television transmitter tower	CUP	SUP
Real estate and professional signs subject to provisions of R-1 district	P	
Schools and colleges, including dormitories	P	
Single-family residence (detached)	P	P
Temporary fruit stand	P	
Truck farm	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
Children’s home on 5 acres or more		SUP
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

**STAFF REPORT
Z2020-13**

Type of Use	Zoning District	Residential	
		AG	R-5
Educational institutions			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 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
Hospital on 5 acres or more			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
Normal household pets			P
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
Passenger train station			P
Philanthropic institutions			SUP
Pony rides			SUP
Private school, equivalent to a public school			P
Public school (elementary through high school)			P
Public stable on 5 acres or more			SUP
Radio or television broadcasting stations			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
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

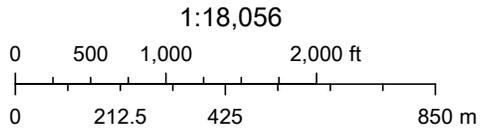


Kaufman CAD Web Map



8/28/2020, 2:07:45 PM

Parcels



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS,

Kaufman County Appraisal District, BIS Consulting - www.bisconsulting.com

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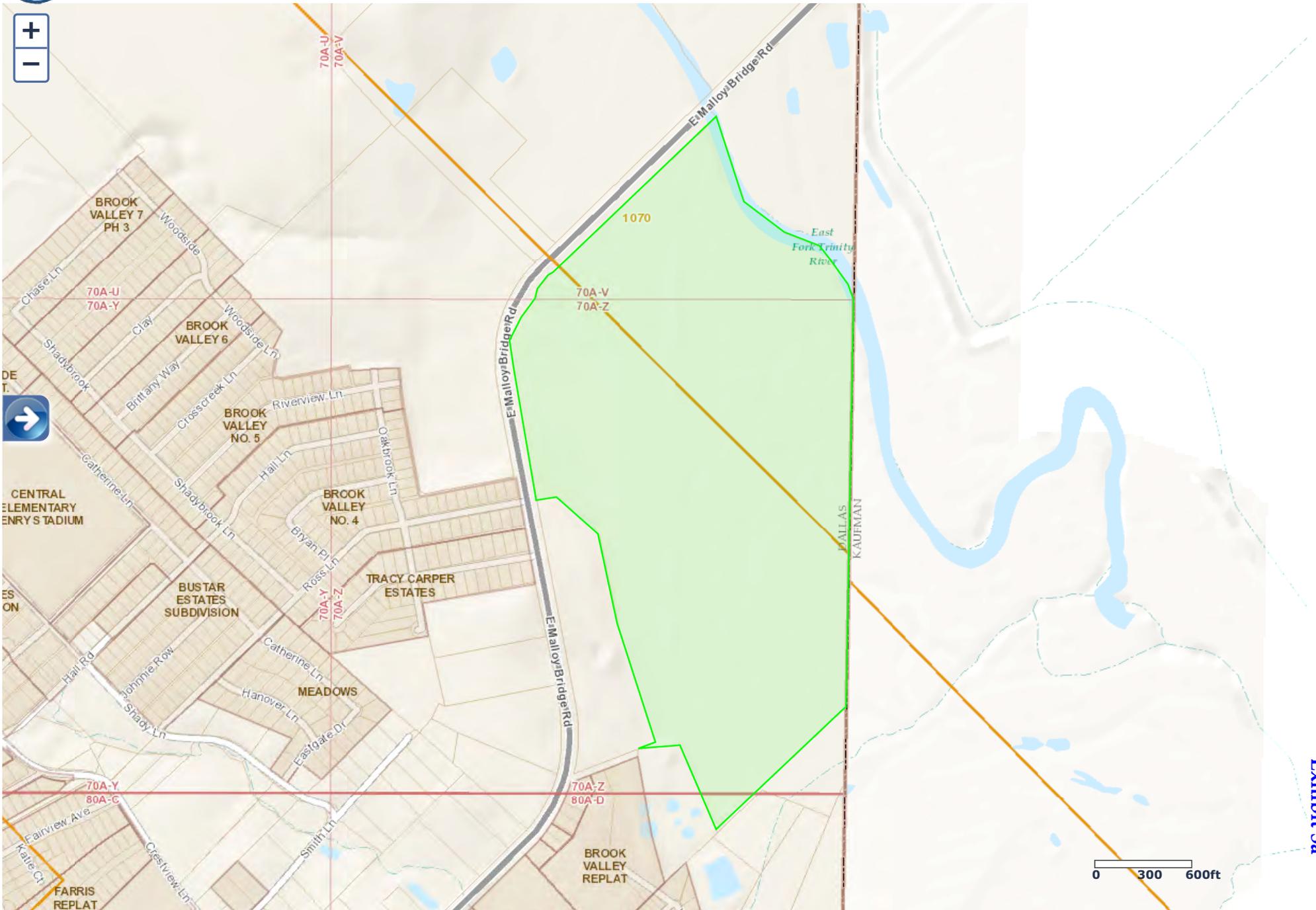
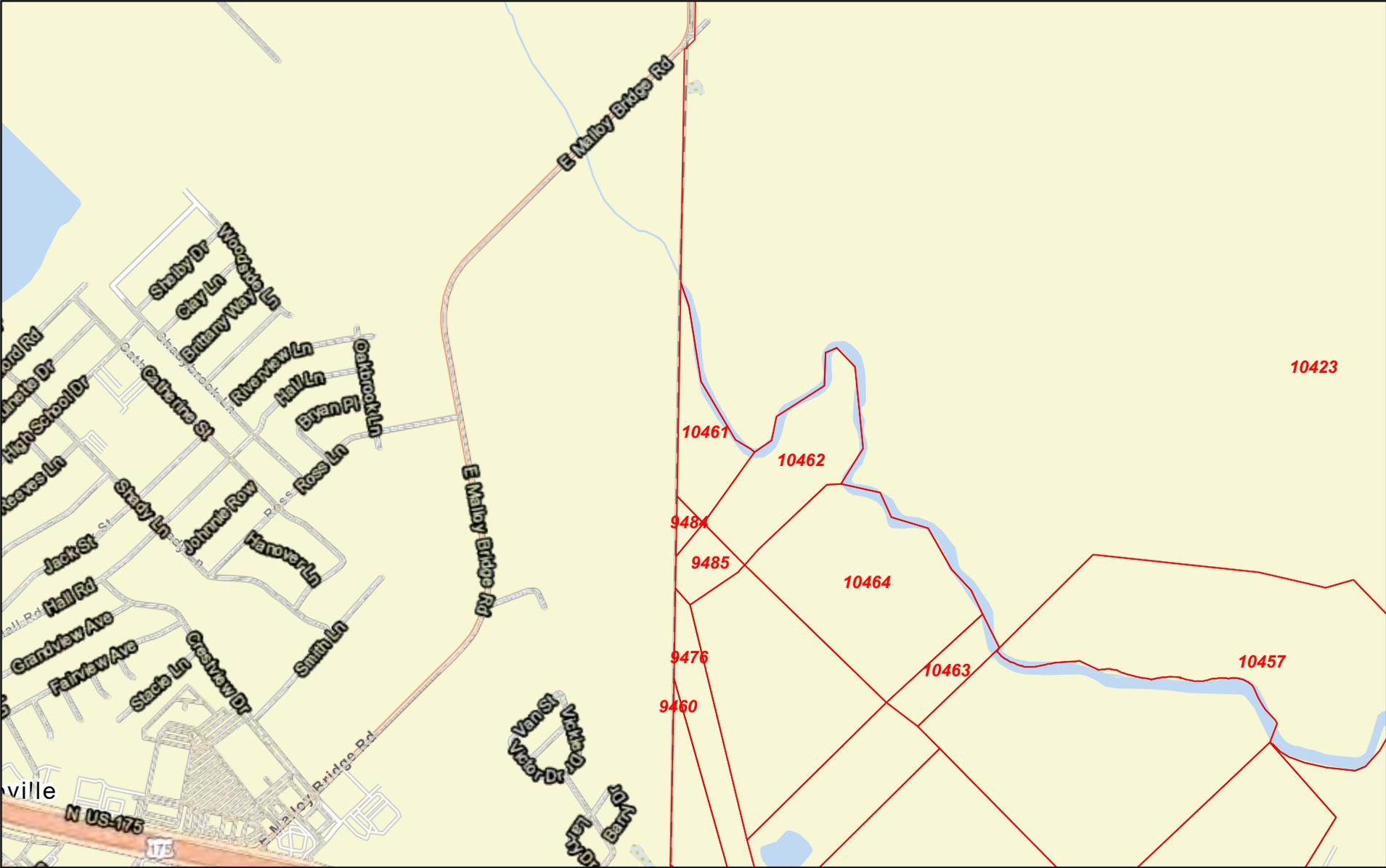


Exhibit 3a

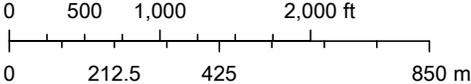
Kaufman CAD Web Map



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Parcels

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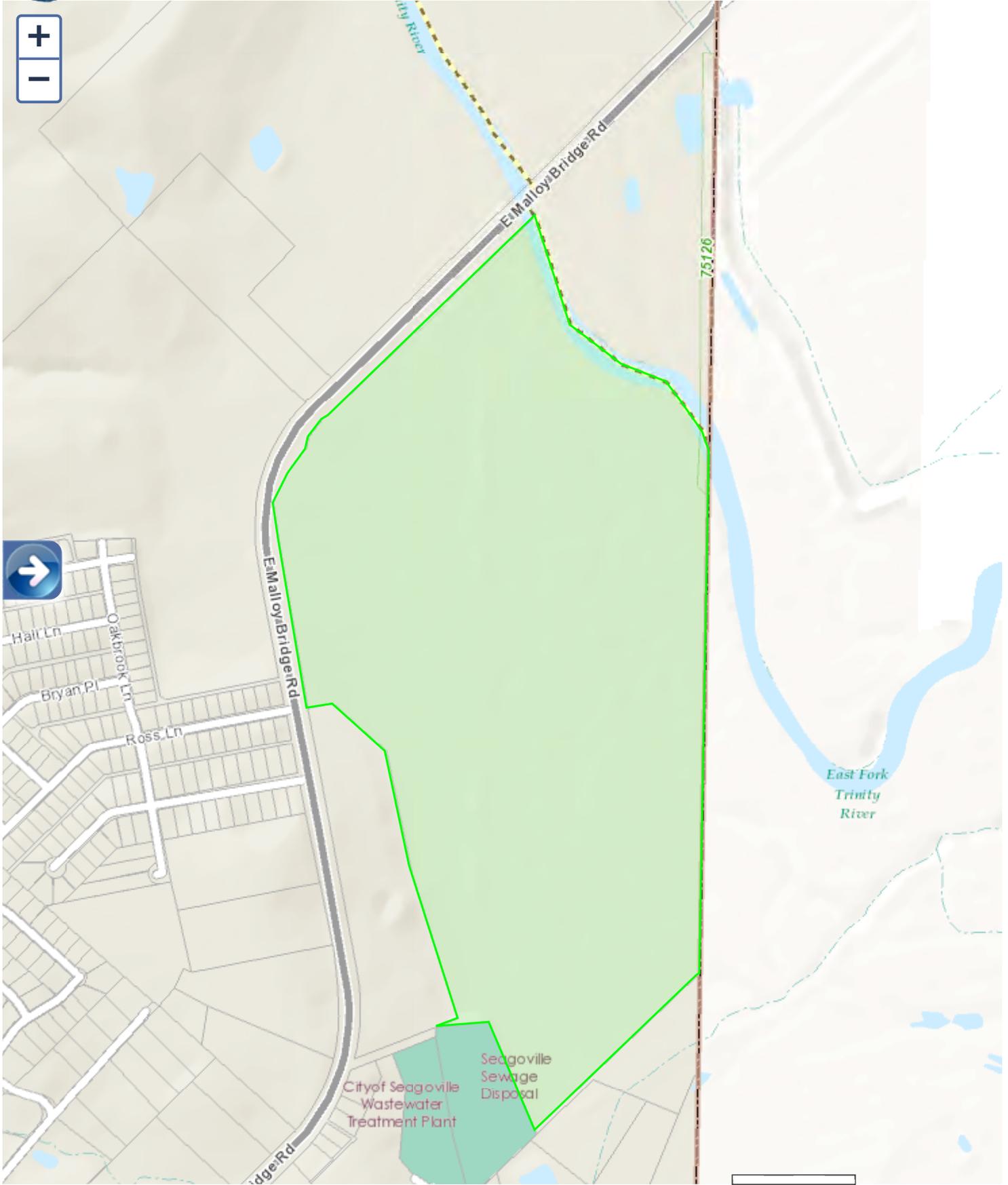


Esri, HERE, Garmin, (c) OpenStreetMap contributors, Sources: Esri, HERE,

Kaufman County Appraisal District, BIS Consulting - www.bisconsulting.com

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Exhibit 3b



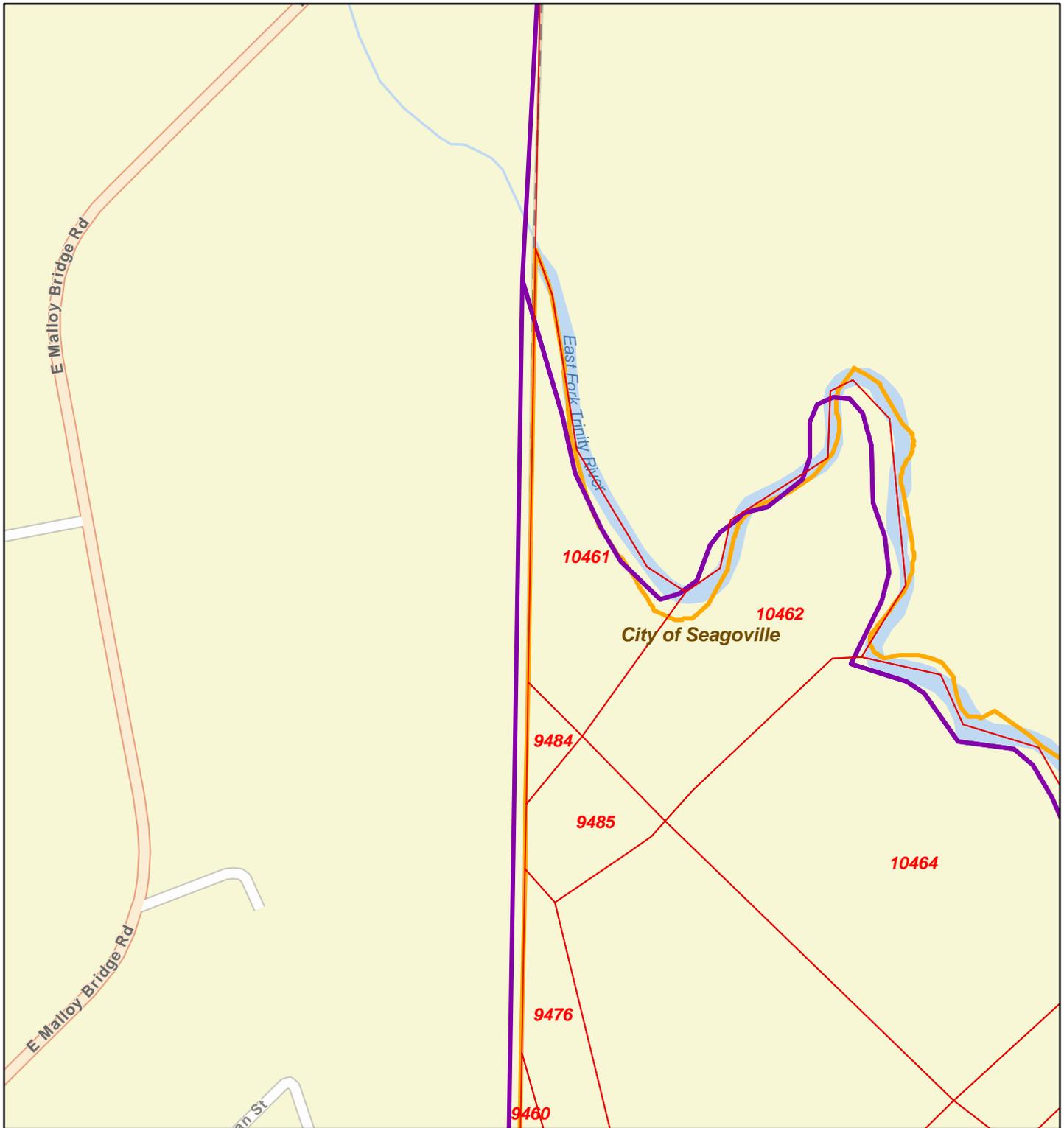
City of Seagoville
Wastewater
Treatment Plant

Seagoville
Sewage
Disposal

East Fork
Trinity
River

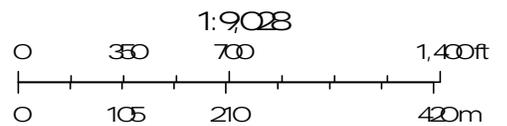
75126





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-  Parcels
-  School Districts
-  City Limits



Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

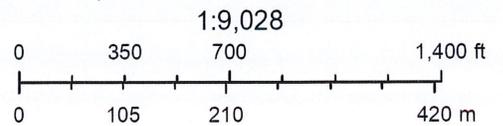
Kaufman County Appraisal District, BIS Consulting - www.bisconsulting.com

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- Parcels
- Area of Undetermined Flood Hazard
- 0.2% Annual Chance Flood Hazard
- 1% Annual Chance Flood Hazard
- Regulatory Floodway
- Special Floodway



Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

Kaufman County Appraisal District, BIS Consulting - www.bisconsulting.com

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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: _____

Physical Location of Property: 850 Malloy Rd Seagoville Tx

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

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

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

Acreage: 157.98 Existing Zoning: R-2 Requested Zoning: AG

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

Applicant / Owner's Name: Juan Carlos Applicant or Owner? (circle one)

Contact Person: _____ Title: owner

Company Name: JCR Properties INC

Street Mailing Address: 11501 Flam City: Balch spring State: TX Zip: 75283

Phone: (972) 693-8002 Fax: () Email Address: icrvalcaba@sbcglobal.net

Engineer / Representative's Name: Christopher Rios

Contact Person: Christopher Title: _____

Company Name: Draftersaurus Advising

Street/Mailing Address: 1342 S Main St City: Duncanville State: Texas Zip: 75137

Phone: 469) 288-4495 Fax: () Email Address: rioschristopher23@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.)

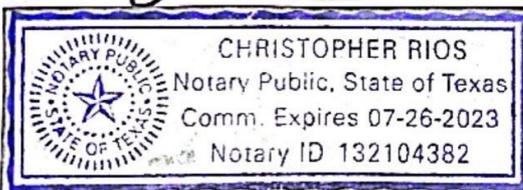
All applications must be COMPLETE before they will be scheduled for P&Z agenda. It is the applicant's responsibility to be familiar with, and to comply with, all City submittal requirements (in the Zoning & Subdivision Ordinances, and any separate submittal policies, requirements and/or checklists that 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: Juan Carlos Title: owner Date: 9-2-2020



AND SWORN TO before me, this the 2 day of September, 2020
(Month) (Year)

Notary Public in and for the State of Texas: Christopher Rios
My Commission Expires On: 07-26-23

Office Use Only: Date Rec'd: _____ Fees Paid: \$ _____ Check #: _____ Receipt #: _____
Zoning Case #: _____ Accepted By: _____ Official Submittal Date: _____

BEING 80.56 acres in the John D. Merchant Survey, Abstract No. 850, Dallas County, Texas and Abstract No. 310, Kaufman County and 77.42 acres in the Andrew Nail Survey, Abstract No. 1070, Dallas County, Texas and Abstract No. 335, Kaufman County, Texas and being a part of the land conveyed to Thomas W. Harris and wife Mary Anne Harris by deed recorded in Volume 85246, page 4165, Dallas County, Texas and Volume 828, page 717, Deed Records, Kaufman County, Texas and Volume 72132, page 0602, Deed Records, Dallas County, Texas and being more particularly described as follows;

BEGINNING at the most westerly southwest corner of said tract, a 1/2" iron rod found for corner in the east line of Malloy Bridge Road being the northwest corner of the Premium Homes Tract recorded in Volume 95239, page 1871;

THENCE N 10° 46' 58" W along the easterly line of Malloy Bridge road, a distance of 832.0 feet to a 1/2" iron rod set for corner;

THENCE N 9° 45' 40" W, a distance of 178.70 feet to a 1/2" iron rod set for corner;

THENCE N 17° 0' E, a distance of 16.0 feet to a 1/2" iron rod set for corner;

THENCE N 25° 0' E, along the easterly line of said road, a distance of 150.0 feet to a 1/2" iron rod set for corner

THENCE N 35° 0' E, a distance of 90.0 feet to a 1/2" iron rod set for corner;

THENCE N 41° 0' E along said road, a distance of 57.0 feet to a 1/2" iron rod set for corner;

THENCE N 11° 41' 19" E, a distance of 59.50 feet to a 1/2" iron rod set for corner;

THENCE N 36° 44' 16" E, a distance of 109.0 feet to a 1/2" iron rod found for corner being the common line of the Merchant and Nail Survey;

THENCE N 49° 54' 04" E, a distance of 34.93 feet to a 1/2" iron rod set for corner;

THENCE N 45° 22' 32" E along the southeast line of Malloy Bridge Road, passing a 1/2" iron rod in the centerline of the Texas Power and Light Towers at a distance of 1282.44 feet and continuing in all a distance of 1403.87 feet to the centerline of the East Fork of the Trinity River;

THENCE along said centerline the bearings and distance as follows;

S 19° 0' 05" E 555.09 feet	S 53° 03' 57" E 318.91 feet;
S 69° 27' 06" E 232.44 feet	S 38° 08' 06" E 101.94 feet;
S 37° 21' 28" E 194.62 feet	S 19° 11' 15" E 290.23 feet;
S 14° 15' 16" E 317.47 feet	S 14° 18' 47" E 226.51 feet;
S 6° 49' 58" E 322.40 feet	S 42° 50' 13" E 750.51 feet;

THENCE leaving said river S 9° 13' 38" E 243.70 feet to the northwest line of a tract conveyed to the City of Seagoville, a 1/2" iron rod set for corner;

THENCE S 45° 30' W along the northwest line passing a 1/2" iron rod at a distance of 139.06 feet and continuing along the line of old fence post, a distance of 556.05 feet to the common line of said Merchant and Nail Survey;

THENCE S 45° 30' W along said northwest line and old post, a distance of 1635.50 feet to a 1/2" iron rod set for corner;

THENCE N 24° 18' 12" W along an easterly line of said City Tract, a distance of 607.20 feet to a 1/2" iron rod set at a "T" post found for corner;

THENCE S 80° 10' 14" W, a distance of 267.04 feet to a 1/2" iron rod found for corner in the south line of Premium Homes Tract;

THENCE N 73° 19' 52" E along said south line and an existing fence, a distance of 111.94 feet to a 1/2" iron rod found for corner;

THENCE N 17° 41' 38" W along the easterly line of said tract, a distance of 772.31 feet to a 1/2" iron rod set for corner;

THENCE N 11° 59' W along said easterly line, a distance of 570.0 feet to a 1/2" iron rod set for corner;

THENCE N 48° 07' W and along an existing fence, a distance of 350.0 feet to the north line of said Homes Tract, a 1/2" iron rod found for corner;

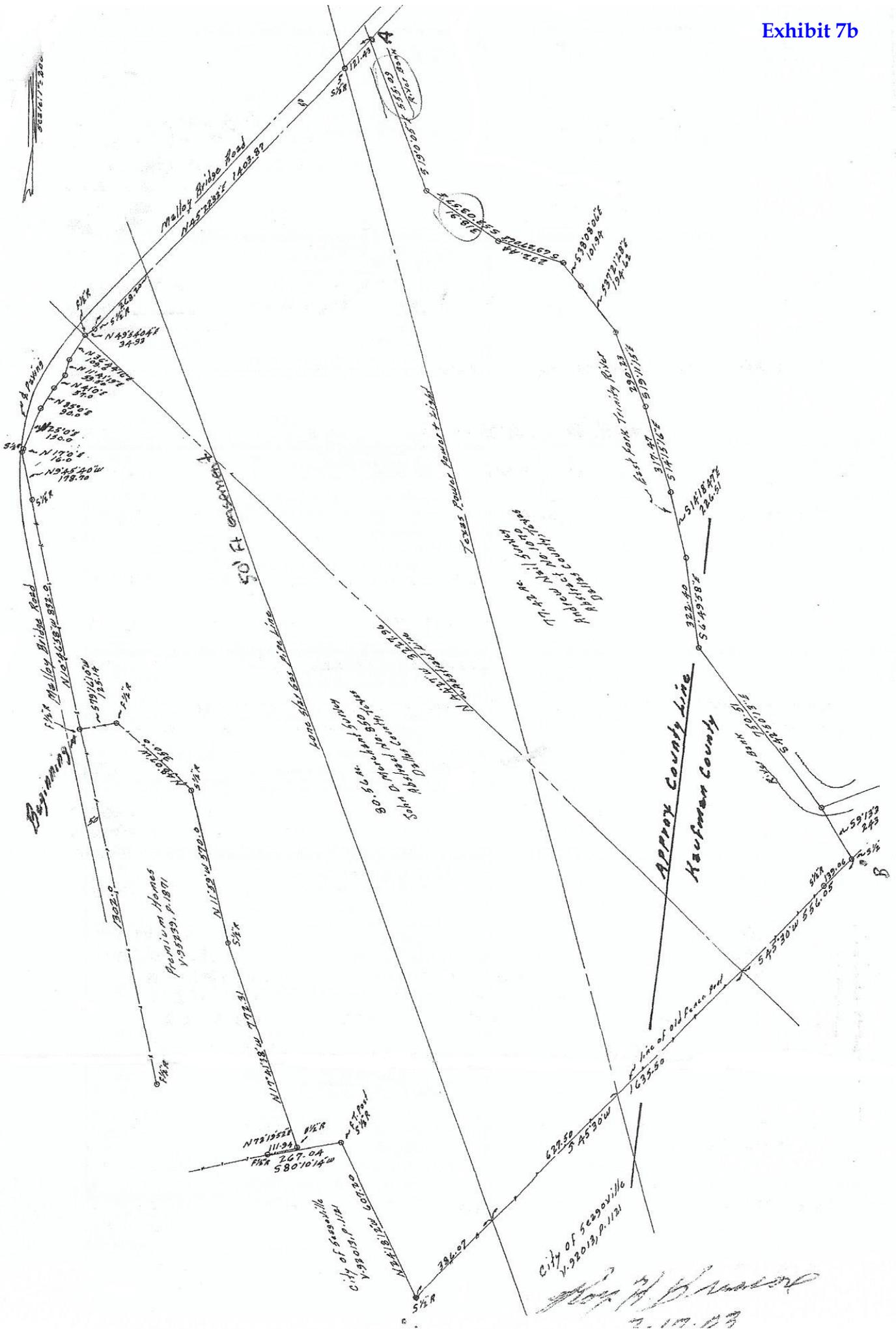
THENCE S 79° 16' 10" W along said north line and fence, a distance of 125.14 feet to the point of beginning and containing 157.98 acres of land.

I, Roy H. Briscoe, a Registered Professional Land Surveyor of the State of Texas, do hereby certify the above plat was prepared by an actual survey of the land, and all monuments, as shown hereon, were set or found under my personal supervision on this the 17th day of March, 2003 and there are no visual easements, encroachments, or protrusions except as shown hereon.

The above tract does not lie within the bounds of a designated flood plain.



Roy H. Briscoe, No. 1027





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



December 16, 2020

via email: notices@dailycommercialrecord.com

Daily Commercial Record
706 Main Street
Dallas, Texas 75202

Please publish the legal notice below in the Friday, December 18, 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 CITY COUNCIL
ZONING CASE Z2020-13**

Seagoville City Council will hold a public hearing on Monday, January 4, 2021, at 6:30 PM in the City Council Chambers at 702 North U.S. Highway 175; Seagoville, TX 75159 to consider a request for a zoning change from R-2, Residential Single Family, to AG, Agriculture, on approximately 157.98+ acres of property all commonly known as 850 East Malloy Bridge Road, Seagoville, located in both Dallas and Kaufman Counties, Texas.

CITY OF SEAGOVILLE
Kandi Jackson
City Secretary





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

November 24, 2020

**NOTICE OF PUBLIC HEARING
SEAGOVILLE PLANNING & ZONING COMMISSION
ZONING CASE Z2020-13**

The Seagoville Planning and Zoning Commission will hold a public hearing on Tuesday, December 8, 2020, at 6:30 PM in the City Council Chambers at 702 North U.S. Highway 175; Seagoville, TX 75159 to consider a request for a zoning change from R-2, Residential Single Family, to AG, Agriculture, on approximately 157.98+acres of property all commonly known as 850 East Malloy Bridge Road, Seagoville, located in both Dallas and Kaufman Counties, Texas.

All individuals may appear at the public hearing to state their opinions or may send a written notice prior to 4:00 PM on the day of the public hearing to City of Seagoville; c/o Planner Jennifer Bonner; 702 North U.S. Highway 175; Seagoville, TX 75159.

As an adjoining property owner, this notice is the first opportunity to voice your opinion about this project for the record. The second opportunity will be at the public hearing listed above. The will also be a public hearing held in front of City Council, but that meeting date has not yet been set.

*Please indicate your opinion in this matter by checking the appropriate box below.
Please provide any additional comments that you might have in the provided space.
Please also sign and complete the name and address portion below.*

I am in favor of against Zoning Request Z2020-13 as it is described herein.

Additional Comments (attach additional sheets as necessary): _____

Signature(s): _____

Printed Name(s): _____

Address: _____

City, State & Zip code: _____

Phone Number: _____



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



December 18, 2020

**NOTICE OF PUBLIC HEARING
SEAGOVILLE CITY COUNCIL
ZONING CASE Z2020-13**

Seagoville City Council will hold a public hearing on Monday, January 4, 2021, at 6:30 PM in the City Council Chambers at 702 North U.S. Highway 175; Seagoville, TX 75159 to consider a request for a zoning change from R-2, Residential Single Family, to AG, Agriculture, on approximately 157.98± acres of property all commonly known as 850 East Malloy Bridge Road, Seagoville, located in both Dallas and Kaufman Counties, Texas.

All individuals may appear at the public hearing to state their opinions or may send a written notice prior to 4:00 PM on the day of the public hearing to City of Seagoville; c/o Planner Jennifer Bonner; 702 North U.S. Highway 175; Seagoville, TX 75159.

As an adjoining property owner, this notice serves as an opportunity to voice your opinion about this project for the record. The final opportunity to be heard will be at the public hearing listed above.

*Please indicate your opinion in this matter by checking the appropriate box below.
Please provide any additional comments that you might have in the provided space.
Please also sign and complete the name and address portion below.*

I am in favor of against Zoning Request Z2020-13 as it is described herein.

Additional Comments (attach additional sheets as necessary): _____

Signature(s): _____
Printed Name(s): _____
Address: _____
City, State & Zip code: _____
Phone Number: _____



AG

AG

AG

AG

E Mallow Bridges Rd

1070

East Fork Trinity River

R-5

70A-V
70A-Z

R-2

Out of City

all R-5

Riverview Ln

all R-5

Hall Ln

all R-5

ALLEY NO. 4

all R-5

Ross Ln

all R-5

all R-3

R-5

R-3

R-2

Property Owner List

Exhibit 10

ZONING REQUEST Z2020-13: Rezone from R-2 to AG (Dallas and Kaufman Counties)

Mailed out a total of 23 letters on Thursday, November 24, 2020, before 5:00 PM

Subject or adjoiner?	Site Address	Parcel ID	Owner	Mailing Address	Mailing Address 2	City	State	Zip
Subject	850 East Malloy Bridge Road	65085007010430000	JCRB Properties Inc.	11501 Elam Road		Balch Springs	TX	75180
Subject	(no site address)	9484						
Subject	(no site address)	10461						
Adjoiner	1304 East Malloy Bridge Road	65107081010040000	Double R Land Co.	1501 Alta Drive		Ft. Worth	TX	76107
Adjoiner	1305 East Malloy Bridge Road	65107081010050000	Dallas County U.R.D.	c/o Ken Heffley	P.O. Box 140035	Irving	TX	75014
Adjoiner	1755 East Malloy Bridge Road	65107081010180000	Steve C. Sorrells	1755 East Malloy Bridge Road		Seagoville	TX	75159
Adjoiner		65107081010030000						
Adjoiner	1601 East Malloy Bridge Road	65085007010020000	Juan & Maria S. Flores	1601 East Malloy Bridge Road		Seagoville	TX	75159
Adjoiner	1421 Ross Lane	50007700060010000	Alto Asset Company 1 LLC	5001 Plaza on the Lake	Suite 200	Austin	TX	78746
Adjoiner	1419 Ross Lane	50007700060020000	Billy D. Freeman, Jr. & Meg R. Chessman	1419 Ross Lane		Seagoville	TX	75159
Adjoiner	1418 Ross Lane	50007700010100000	Kenneth A. & Kathy E. Sells	1418 Ross Lane		Seagoville	TX	75159
Adjoiner	1420 Ross Lane	50007700010110000	Amparo del Bosque	1420 Ross Lane		Seagoville	TX	75159
Adjoiner	1 Tracy Lane	500498600A0010000	HomeCube U.S.A.	5408 Tennyson Parkway	Suite 200	Plano	TX	75024
Adjoiner	1338 East Malloy Bridge Road	65085007010030200	Jacques G. & Cindy N. Dao	2302 Wild Turkey Trail		Arlington	TX	76016
Adjoiner	900 Brook Valley Drive	500075000006R0000	City of Seagoville	702 North Highway 175		Seagoville	TX	75159
Adjoiner	1330 East Malloy Bridge Road	65085007010040000						
Adjoiner	900 Brook Valley Drive	65085008010410200	J.E.H. Properties LTD	P. O. Box 6872		McKinney	TX	75071
Adjoiner	806 South U. S. Highway 175	65085008010410000	City of Seagoville	702 North Highway 175		Seagoville	TX	75159
Adjoiner	800 East Malloy Bridge Road	65085008010350000						
Adjoiner	9391 F.M. Road 2757	10423	Double R Land Co.	1501 Alta Drive		Ft. Worth	TX	76107
Adjoiner	(no site address)	10462	City of Seagoville	702 North Highway 175		Seagoville	TX	75159
Adjoiner		9485						
Adjoiner	(no site address)	9476	Oncor Electric Delivery Company	State & Local Tax Dept.	P.O. Box 139100	Dallas	TX	75313
Adjoiner								

Exhibit 10

Regular Session Agenda Item: 5

Meeting Date: January 4, 2021

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, as amended, by granting a change in zoning from R-2, Residential Single Family-2, to AG, Agriculture, on approximately 157.98± acres tract commonly known as 850 East Malloy Bridge Road in the City of Seagoville, Dallas and Kaufman Counties, Texas, and being legally described by metes and bounds in Exhibit “A” attached hereto and incorporated herein; providing for a repealing clause; providing for a savings clause; providing for a severability clause; providing for a penalty of fine not to exceed Two Thousand Dollars (\$2,000.00) for each offense; and providing for an effective date.

BACKGROUND OF ISSUE:

JCRB Properties, Inc. and company owner Juan C. Ruvalcaba are being represented by Christopher Rios.

The land is mostly unimproved. There is an underground gas mainline (50-foot easement) and at least one set of overhead electric supply lines (estimated 100-foot easement).

The owner wants to place an animal farm on the property and build a future house on the property.

The property is almost entirely within a regulated flood hazard area. The area is known to regularly flood since one boundary of the property is the East Fork of the Trinity River. However, the area has not been studied by the U.S. Army Corps of Engineers to determine the probability of flooding depths for various storm events. The Corps is currently working with a multitude of communities (including Arlington, Carrollton, Coppell, Dallas, Farmers Branch, Fort Worth, Grand Prairie, Irving, Lewisville, Dallas County, Denton County, Tarrant County, Kaufman County, Mesquite, and Seagoville) along various branches of the Trinity River (including the East Fork, West Fork, and Elm Fork of the river) to expand the current regional Trinity River COMMON VISION as well as the Corridor Development Certificate (CDC) Program for a better understanding of the river system.

The lot has been zoned R-2 since prior to 1977. Planning & Zoning Commission makes a recommendation to City Council, who will make the final decision.

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.

A legal ad was published per the Texas Local Government Code in the Friday, November 20, 2020 edition of the Daily Commercial Record newspaper. There are twenty-three (23) properties plus part of two (2) 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, November 24, 2020. As of Tuesday, December 1, 2020, no (zero) letters were returned for or against the request or as undeliverable by the U.S. Postal Service. No one (zero) from the public spoke for or against the request at the Planning and Zoning Commission meeting.

For the City Council meeting, a legal ad was published again per the Texas Local Government Code in the Friday, December 18, 2020, edition of the Daily Commercial Record newspaper. The owners of each parcel were again notified in compliance with the 200-foot rule by mail on Friday, December 18, 2020. As of the date of this report, Monday, December 28, 2020, no (zero) additional letters were returned as undeliverable by the U.S. Postal Service and no (zero) additional written responses have been received. Staff will make the Council members aware of any additional responses received at their meeting.

FINANCIAL IMPACT:

Not applicable

RECOMMENDATION:

On December 8th, the Planning and Zoning Commission voted unanimously (four to zero) in favor of recommending approval on the request for a zoning change from R-2, Residential Single Family, to AG, Agriculture, on approximately 157.98± acres of property all commonly known as 850 East Malloy Bridge Road, Seagoville, located in various abstracts in both Dallas and Kaufman Counties, Texas.

Staff supports the request. They also informed the Planning & Zoning Commission that almost the entire site is within a regulated floodplain. This limits the number of practical uses of the land and will affect the design of any future structures and the grading around them. Development of regulated floodplains for residential land uses is discouraged.

EXHIBIT:

1. Ordinance (4 pages with Exhibit A)

AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS

ORDINANCE NO. ____-2020

AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP OF THE CITY OF SEAGOVILLE, AS AMENDED, BY GRANTING A CHANGE IN ZONING FROM R-2, RESIDENTIAL SINGLE FAMILY-2, TO AG, AGRICULTURE, ON AN APPROXIMATELY 157.98± ACRES TRACT COMMONLY KNOWN AS 850 EAST MALLOY BRIDGE ROAD IN THE CITY OF SEAGOVILLE, DALLAS AND KAUFMAN COUNTIES, TEXAS, AND BEING LEGALLY DESCRIBED BY METES AND BOUNDS IN EXHIBIT “A” ATTACHED HERETO AND INCORPORATED HEREIN; PROVIDING FOR A REPEALING CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING FOR AN EFFECTIVE DATE.

Whereas, the Planning and Zoning Commission of the City of Seagoville and the City Council of the City of Seagoville, in compliance with the laws of the State of Texas with reference to the granting of zoning classifications and changes, have given requisite notices by publication and otherwise, and have held due public hearings and afforded 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, and the City Council of the City of Seagoville is of the opinion and finds that a zoning change should be granted, and 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, is heretofore amended, be and the same is hereby amended by granting a change in the zoning from R-2, Residential Single Family-2, to AG, Agriculture, on an approximately 157.98± acres tract commonly known as 850 East Malloy Bridge Road in the City of Seagoville, Dallas and Kaufman Counties, Texas, and being legally described by metes and bounds in Exhibit “A”, which is attached hereto and incorporated herein.

SECTION 2: That the land shall be used only for the purposes set out in accordance with the City of Seagoville’s Zoning Ordinance and all other ordinances, codes, and policies of the City of Seagoville, as amended.

SECTION 3: That all provisions of the Ordinances of the City of Seagoville, Texas, in conflict with the provisions of this ordinance as amended be hereby repealed and all other provisions not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 4: That should any sentence, paragraph, subdivision, clause, phrase, or section of this ordinance or the Comprehensive Zoning Ordinance, as amended hereby, be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance or the Comprehensive Zoning Ordinance as a whole, or any part or provision thereof, other than the part declared to be invalid, illegal, or unconstitutional.

SECTION 5: That any person, firm, or corporation violating, disobeying, neglecting, refusing to comply with, or resisting the enforcement of any of the provisions or terms of this ordinance or the Comprehensive Zoning Ordinance, as amended hereby, shall be subject to the same penalty of two thousand dollars (\$2,000.00) for each offense as provided for in the Comprehensive Zoning Ordinance of the City of Seagoville, as heretofore amended. Each and every day such a violation continues or is allowed to exist shall constitute a separate offense.

SECTION 6: 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 4th day of January, 2021.

APPROVED:

Dennis, K. Childress, Mayor

ATTEST:

Kandi Jackson, City Secretary

APPROVED AS TO FORM:

Victoria Thomas, City Attorney
(/cdb 12/17/2020)

EXHIBIT "A"

BEING 80.56 acres in the John D. Merchant Survey, Abstract No. 850, Dallas County, Texas and Abstract No. 310, Kaufman County and 77.42 acres in the Andrew Nail Survey, Abstract No. 1070, Dallas County, Texas and Abstract No. 335, Kaufman County, Texas and being a part of the land conveyed to Thomas W. Harris and wife Mary Anne Harris by deed recorded in Volume 85246, page 4165, Dallas County, Texas and Volume 828, page 717, Deed Records, Kaufman County, Texas and Volume 72132, page 0602, Deed Records, Dallas County, Texas and being more particularly described as follows;

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THENCE leaving said river S 9° 13' 38" E 243.70 feet to the northwest line of a tract conveyed to the City of Seagoville, a 1/2" iron rod set for corner;

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THENCE S 45° 30' W along said northwest line and old post, a distance of 1635.50 feet to a 1/2" iron rod set for corner;

THENCE N 24° 18' 12" W along an easterly line of said City Tract, a distance of 607.20 feet to a 1/2" iron rod set at a "T" post found for corner;

Regular Session Agenda Item: 6

Meeting Date: January 4, 2021

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: 7

Meeting Date: January 4, 2021

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