



**SEAGOVILLE, TEXAS
CITY COUNCIL MEETING AGENDA
MONDAY, APRIL 19, 2021**

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

WORK SESSION – 6:30 P.M.

Call to Order

- A. Discuss regular session agenda items**

Adjourn

REGULAR SESSION - 7:00 P.M.

ROUTINE ANNOUNCEMENTS, RECOGNITIONS, and PROCLAMATIONS

Call to Order

Invocation

Pledge of Allegiance

Mayor's Report

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

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

- 1. Consider approving City Council Meeting minutes for April 5, 2021 (City Secretary)**

REGULAR AGENDA-

- 2. Conduct interviews with Boards & Commissions Applicants for appointment (City Secretary)**

- 3. Conduct a Public Hearing on a request to change the zoning from Agriculture (AG) to Planned Development-Residential (PD-21-02) for single family and multifamily uses on two (2) tracts of land being a combined total of approximately 66.75± acres legally described as Tract 1 and 3 of the John D. Merchant Survey, Abstract 850, commonly known as 900 Alto Road, in the City of Seagoville, Dallas County, Texas (Community Development Director)**
- 4. 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, granting a change in zoning from Agriculture (AG) to Planned Development-Residential (PD-21-02) for single family and multifamily uses on two (2) tracts of land being a combined total of approximately 66.75± acres legally described as Tract 1 and 3 of the John D. Merchant Survey, Abstract 850, commonly known as 900 Alto Road, in the City of 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 “B”; providing a repealing clause; providing a severability clause; providing a savings clause; providing a penalty of fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense; and providing an effective date (Community Development Director)**
- 5. Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas, approving and authorizing the City Manager to execute Work Order No. 1, which is attached hereto and incorporated herein as Exhibit A, with Garver, LLC for on-call engineering services for development plan review in an amount not to exceed Forty-Five Thousand Dollars and No Cents (\$45,000.00); and providing 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.**

8. Recess into Executive Session

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

- A. § 551.074. Personnel, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee to wit: City Manager**
- B. § 551.074. Personnel, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee to wit: City Secretary**
- C. § 551.074. Personnel, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee to wit: City Attorney**
- D. §551.071 Consult with City Attorney to Receive Legal Advice regarding Obtaining easements necessary for Northern Basin Interceptor Wastewater Project, including possible authorization of eminent domain**

9. Reconvene Into Regular Session

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

- A. § 551.074. Personnel, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee to wit: City Manager**
- B. § 551.074. Personnel, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee to wit: City Secretary**
- C. § 551.074. Personnel, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee to wit: City Attorney**
- D. §551.071 Consult with City Attorney to Receive Legal Advice regarding Obtaining easements necessary for Northern Basin Interceptor Wastewater Project, including possible authorization of eminent domain**

10. Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Dallas County, Texas authorizing the exercise of Eminent Domain by the City Council of the City of Seagoville, Texas; for property generally described as Parcel 3 and more specifically described and depicted in Exhibit "A" within Seagoville, Dallas County Texas; providing the necessity and public purpose for the acquisition for a 50 foot wide wastewater easement and temporary construction easement upon, under, over, through and across approximately 1.963 acres thereon for the City's Northern Basin Interceptor Wastewater project; authorizing the City Attorney to file proceedings in Eminent Domain to acquire said property; and providing an effective date (City Attorney)

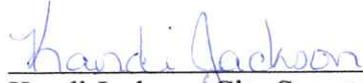
11. Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Dallas County, Texas, authorizing the exercise of Eminent Domain by the City Council of the City of Seagoville, Texas; for property generally described as Parcel 5 and more specifically described and depicted in Exhibit "A" within Seagoville, Dallas County Texas; providing the necessity and public purpose for the acquisition for a 50 foot wide wastewater easement and temporary construction easement upon, under, over, through and across approximately 4.963 acres thereon for the City's Northern Basin Interceptor Wastewater Project; authorizing the City Attorney to file proceedings in Eminent Domain to acquire said property; and providing an effective date (City Attorney)

12. Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Dallas County, Texas, authorizing the exercise of Eminent Domain by the City Council of the City of Seagoville, Texas; for property generally described as Parcel 7 and more specifically described and depicted in Exhibit "A" within Seagoville, Dallas County Texas; providing the necessity and public purpose for the acquisition for a 35 foot wide wastewater easement and a 50 foot wide temporary construction easement upon, under, over, through and across approximately 1.889 acres and 0.810 acres, respectively, thereon for the City's Northern Basin Interceptor Wastewater Project; authorizing the City Attorney to file proceedings in Eminent Domain to acquire said property; and providing an effective date (City Attorney)

13. Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Dallas County, Texas, authorizing the exercise of Eminent Domain by the City Council of the City of Seagoville, Texas; for property generally described as Parcel 8 and more specifically described and depicted in Exhibit "A" within Seagoville, Dallas County Texas; providing the necessity and public purpose for the acquisition for a 35 foot wide wastewater easement and a 50 foot wide temporary construction easement upon, under, over, through and across approximately 0.597 acres and 0.249 acres respectively thereon for the City's Northern Basin Interceptor Wastewater Project; authorizing the City Attorney to file proceedings in Eminent Domain to acquire said property; and providing an effective date (City Attorney)

Adjourn

Posted Friday, April 16, 2021 by 6:00 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, May 3, 2021 Regular City Council Meeting**
- **Monday, May 17, 2021 Regular City Council Meeting**
- **Monday, June 7, 2021 Regular City Council Meeting**
- **Monday, June 21, 2021 Regular City Council Meeting**

Consent Session Agenda Item: 1

Meeting Date: April 19, 2021

ITEM DESCRIPTION:

Consider approving City Council Meeting minutes for April 5, 2021.

BACKGROUND OF ISSUE:

Approve City Council Meeting minutes for April 5, 2021.

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

N/A

EXHIBITS:

April 5, 2021 Work Session Meeting Minutes
April 5, 2021 Regular Meeting Minutes



**MINUTES OF CITY COUNCIL
WORK SESSION
APRIL 5, 2021**

The Work Session of the City Council of the City of Seagoville, Texas was called to order at 6:30 p.m. on Monday, April 5, 2021, 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 Director Gail French, Fire Chief Todd Gilcrease, Director of Administrative Services Cindy Brown, and City Secretary Kandi Jackson.

B. Update concerning Fire Department Operations

Fire Chief Gilcrease explained Swift Water Rescue and how the new hovercraft aids in Swift Water Rescue. He invited Council outside to view the new hovercraft.

He expressed his appreciation to Council concerning Fire Station #2 and the new engine.

Adjourned at 6:37 p.m.

APPROVED:

Mayor Dennis K. Childress

ATTEST:

Kandi Jackson, City Secretary



**MINUTES OF CITY COUNCIL
REGULAR SESSION
APRIL 5, 2021**

The Regular Session of the City Council of the City of Seagoville, Texas was called to order at 7:00 p.m. on Monday, April 5, 2021, at City Hall, 702 N. Hwy 175, Seagoville, Texas with a quorum present, to wit:

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

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

Invocation – *Invocation led by Councilmember Magill.*

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

Proclamation – Public Safety Telecommunicators Week – *Mayor Childress presented the Public Safety Telecommunicators Week Proclamation.*

Mayor’s Report – *Mayor Childress stated the Telecommunicators Week Proclamation will serve as the 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.*

None.

1. Recessed into Executive Session at 7:05 p.m.

Council will recess into executive session pursuant to Texas Government Code:

A. §551.087. Discuss or deliberate regarding commercial or financial information that the City has received from a business prospect that the City seeks to have locate, stay, or expand in or near the City and with which the City is conducting economic development negotiations, and to deliberate the offer of a financial or other incentive to a business prospect, to wit: “Project Salad.”

B. § 551.071. Consultation with City Attorney: receive legal advice to wit: “Campbell Creations, LLC.”

2. Reconvened Into Regular Session at 7:52 p.m.

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

A. §551.087. Discuss or deliberate regarding commercial or financial information that the City has received from a business prospect that the City seeks to have locate, stay, or expand in or near the City and with which the City is conducting economic development negotiations, and to deliberate the offer of a financial or other incentive to a business prospect, to wit: “Project Salad.”

B. § 551.071. Consultation with City Attorney: receive legal advice to wit: “Campbell Creations, LLC.”

Motion to authorize the City Manager to negotiate and execute an agreement with Campbell Creations, LLC. for the provision and equal cost sharing for onsite standby fire protection and emergency medical services at The La Pulga Flea Market, Sundays at 11:00 a.m. to 5:00 p.m. – Magill, seconded by Howard, motion passed with all ayes. 5/0

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

3. Consider approving City Council Meeting minutes for March 15, 2021 (City Secretary)

4. Discuss and consider approving a Resolution of the City of Seagoville, Texas, authorizing continued participation with the Steering Committee of Cities served by ONCOR; and authorizing the payment of six cents (\$0.06) per capita to the Steering Committee to fund regulatory and legal proceedings and activities related to Oncor Electric Delivery Company, LLC (Director of Administrative Services)

Motion to approve the Consent Agenda as read – Hernandez, seconded by Magill; motion passed with all ayes. 5/0

REGULAR AGENDA-

5. Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas, approving the terms and conditions of the Public Improvement District and Tax Increment Reinvestment Zone Administration Services Agreement by and between the City of Seagoville and P3Works, LLC to provide Consultant Services for the Santorini Public Improvement District and Tax Increment Reinvestment Zone in the City of Seagoville, Dallas County, Texas, described therein as provided in Exhibit “A” attached hereto and incorporated herein; authorizing the City Manager to execute the Agreement and any other necessary documents; and providing for an effective date (City Attorney)

City Attorney Thomas explained that Council approved an agreement where the developer agrees to pay the City’s Professional Services Fees on a reimbursement basis. She stated one of the companies that will provide reimbursement is P3Works LLC. She also stated P3Works sent a representative that will provide a summary of their services and answer any questions.

P3Works Representative Kirk McDaniels at 9284 Huntington Square, North Richland Hills provided a brief summary of the services P3Works will provide for the City.

Motion to approve a Resolution of the City Council of the City of Seagoville, Texas, approving the terms and conditions of the Public Improvement District and Tax Increment Reinvestment Zone Administration Services Agreement by and between the City of Seagoville and P3Works, LLC to provide Consultant Services for the Santorini Public Improvement District and Tax Increment Reinvestment Zone in the City of Seagoville, Dallas County, Texas, described therein as provided in Exhibit “A” attached hereto and incorporated herein; authorizing the City Manager to execute the Agreement and any other necessary documents; and providing for an effective date -Hernandez, seconded by Magill; motion passed with all ayes. 5/0

6. Discuss and consider approving an Ordinance Authorizing the Issuance of City of Seagoville, Texas Certificates of Obligation, Series 2021; prescribing the terms thereof; providing for the payment thereof; awarding the sale thereof; making other provisions regarding such certificates and matters incident thereto (Finance Director)

Finance Director French explained the Certificates of Obligation. She stated the City has an A1 Moody Rating. She also stated the Certificate of Obligation will be for a new Police Station.

Hilltop Securities Managing Director, Jason Hughes explained the Ordinance authorizing the Issuance of Texas Certificates of Obligation and the process for issuing the Certificates of Obligation.

Motion to approve an Ordinance Authorizing the Issuance of City of Seagoville, Texas Certificates of Obligation, Series 2021; prescribing the terms thereof; providing for the payment thereof; awarding the sale thereof; making other provisions regarding such certificates and matters incident thereto – Magill, seconded by Hernandez; motion passed with all ayes. 5/0

7. Discuss and consider approving an Ordinance of the City of Seagoville, Texas, authorizing and approving an amendment to Ordinance 14-2020, which adopted the Operating Budget for the Fiscal Year beginning October 1, 2020 and ending September 30, 2021, by amending the personnel costs and authorized positions in the Community Development Parks Department to provide an additional \$26,912.50 appropriation for the creation and funding of Four (4) Part-Time Maintenance Workers from the General Fund Balance; authorizing the City Manager to make said adjustments; providing for the repeal of all Ordinances in conflict; providing a severability clause; and providing an effective date (City Manager)

City Manager Stallings stated this Ordinance amends the Operating Budget to allow for the funding of Four (4) Part-Time Maintenance Workers. He also explained these workers will alleviate the overload of work on current employees.

Motion to approve an Ordinance of the City of Seagoville, Texas, authorizing and approving an amendment to Ordinance 14-2020, which adopted the Operating Budget for the Fiscal Year beginning October 1, 2020 and ending September 30, 2021, by amending the personnel costs and authorized positions in the Community Development Parks Department to provide an additional \$26,912.50 appropriation for the creation and funding of Four (4) Part-Time Maintenance Workers from the General Fund Balance; authorizing the City Manager to make said adjustments; providing for the repeal of all Ordinances in conflict; providing a severability clause; and providing an effective date – Magill, seconded by Howard; motion passed with all ayes. 5/0

8. Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas, opposing Texas Senate Bill SB234 and Texas House Bill HB749; and providing an effective date (City Attorney)

Motion to approve a Resolution of the City Council of the City of Seagoville, Texas, opposing Texas Senate Bill SB234 and Texas House Bill HB749; and providing an effective date – Hernandez, seconded by Fruin; motion passed with all ayes. 5/0

9. Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas ratifying and approving the Seagoville Economic Development Corporation's purchase and installation of electrical service and four (4) new piers with LED Pole Lights at Freedom Park from Groves Electrical Service, Inc. in an amount not to exceed Twenty-Six Thousand Four Hundred Fifty Dollars and No Cents (\$26,450.00), as set forth in Exhibit "A" attached hereto; providing for a repealing clause; providing for a severability clause; and providing an effective date (Community Development Director)

Community Development Director Barr stated this Resolution allows for the installation of electrical service and four (4) new piers with LED Pole Lights at Freedom Park.

Motion to approve a Resolution of the City Council of the City of Seagoville, Texas ratifying and approving the Seagoville Economic Development Corporation's purchase and installation of electrical service and four (4) new piers with LED Pole Lights at Freedom Park from Groves Electrical Service, Inc. in an amount not to exceed Twenty-Six Thousand Four Hundred Fifty Dollars and No Cents (\$26,450.00), as set forth in Exhibit "A" attached hereto; providing for a repealing clause; providing for a severability clause; and providing an effective date – Epps, seconded by Hernandez; motion passed with all ayes. 5/0

10. Discuss and consider approving a Resolution of the City Council ratifying and approving the Seagoville Economic Development expenditure to C&M Concrete in an amount not to exceed Eleven Thousand Four Hundred Sixty-Six Dollars and No Cents (\$11,466.00), as set forth in Exhibit "A" attached hereto, for the purposes of constructing a Texas Accessibility Standards Compliant parking area at 108 North Railroad, Seagoville, Texas; providing for a repealing clause; providing for a severability clause; and providing an effective date (Community Development Director)

Community Development Director Barr stated this Resolution approves C&M Concrete to construct a Texas Accessibility Standards Compliant parking area at 108 North Railroad.

Motion to approve a Resolution of the City Council ratifying and approving the Seagoville Economic Development expenditure to C&M Concrete in an amount not to exceed Eleven Thousand Four Hundred Sixty-Six Dollars and No Cents (\$11,466.00), as set forth in Exhibit "A" attached hereto, for the purposes of constructing a Texas Accessibility Standards Compliant parking area at 108 North Railroad, Seagoville, Texas; providing for a repealing clause; providing for a severability clause; and providing an effective date – Epps, seconded by Howard; motion passed with all ayes. 5/0

11. Receive an update concerning Crestview Lane (Community Development Director)

Community Development Director Barr stated the steel inspections were performed on Thursday, April 1, 2021 and Friday, April 2, 2021. He stated the contractors began pouring today Monday, April 5, 2021 with several leave outs for property owners. He also explained the testing that will be completed concerning the construction of Crestview Lane.

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

None.

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.

None.

Adjourned at 8:21 p.m.

APPROVED:

Mayor Dennis K. Childress

ATTEST:

Kandi Jackson, City Secretary

Regular Session Agenda Item: 2

Meeting Date: April 19, 2021

ITEM DESCRIPTION:

Conduct interviews with Boards & Commissions Applicants for appointment.

BACKGROUND OF ISSUE:

At this time, Place One (1) and Place Six (6) on the Library Board is vacant. Sandra Waggoner and Lizbeth Petty have applied to fill those vacancies. In compliance with City Ordinance No. 24-2019, both applicants have passed the criminal background check.

In the past City Council has interviewed all boards and commission applicants. At this time, brief interviews may be conducted with the applicant. For your convenience, a list of appointments has been provided.

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

N/A

EXHIBITS:

List of appointments

Regular Session Agenda Item: 3

Meeting Date: April 19, 2021

ITEM DESCRIPTION:

Conduct a Public Hearing on a request to change the zoning from Agriculture (AG) to Planned Development-Residential (PD-21-02) for single family and multifamily uses on two (2) tracts of land being a combined total of approximately 66.75± acres legally described as Tract 1 and 3 of the John D. Merchant Survey, Abstract 850, commonly known as 900 Alto Road, in the City of Seagoville, Dallas County, Texas.

BACKGROUND OF ISSUE:

The land is currently unimproved. It is located on the north end of Alto Road. There are two (2) existing ponds that will remain in addition to the open space underneath the existing overhead electric lines.

The estate of Lavon Greenawalt, via the estate executor Donna Lenamond and applicant Pat Atkins of K.P.A. Consulting Inc., is requesting a zoning change for (vacant) land zoned AG (Agriculture) to a planned development with a mixture of base zonings. The proposed development regulations include and/or the concept plan shows:

- Development in accordance with a submitted (to be approved by City Council) concept plan
- Development to have 2 internal zoning districts.
 - Proposed Tract 1 will:
 - Include approximately 14.3+/- acres in the north corner of the site
 - Be limited to permitted Apartment land uses
 - Include most of the area where the overhead electric lines are located
 - Be referred to as the Magnolias portion of the site
 - Include an amenity center to be available only for the this portion of the development
 - Amenity Center to include an outdoor pool
 - Have a playground in one of the open spaces away from the amenity center
 - Have a condominium owners association (COA) for owning and maintaining all amenities within this portion of the development
 - Be a gated community of detached condominiums with each unit being individually-owned and sprinkled
 - Be allowed a maximum 80% lot coverage including accessory buildings
 - Have (instead of code-requirements):
 - 18-foot front yards (from curb to front of unit)
 - 6-feet between buildings
 - 6-foot rear yards
 - 1,600 square foot or larger dwelling units
 - 400 square foot (or 2-car) garage per unit

- Guest parking available at ratio of 0.25% per dwelling unit
- Proposed Tract 2 will:
 - Include approximately 52.3 +/- acres south and southeast of the overhead electric lines
 - Be limited to permitted detached single-family land uses
 - Include playground equipment at each of the site's existing ponds (ponds to remain as amenities for the entire development)
 - Include the creation of detention ponds around the proposed intersection of Casa Grande Drive and Woodside Lane
 - Includes 3 of the 4 development's access points, including the construction of the:
 - Entire width of new Major Collector through the site
 - Entire width of extension of Minor Collector from the south
 - Have a homeowners association (HOA) for owning and maintaining all amenities.
 - Be allowed a maximum 35-foot height of each structure
 - Have (instead of code-requirements):
 - Lots not smaller than 6,000 square feet.
 - Lots not narrower than 50 feet when measured along the front setback
 - 20-foot front yards (from property line to front of structure)
 - 5-foot side yards, except on corners lots, which will have 20-foot side yards
 - Rear yards at least 5% of the total lot depth or a maximum of 10-feet
 - 25% of the lots with 1,600 square foot or larger houses
 - 50% of the lots with 1,700 square foot or larger houses
 - 25% of the lots with 1,800 square foot or larger houses

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, March 5, 2021 edition of the Daily Commercial Record newspaper. Including the parcel in question, there are twenty-two (22) properties plus part of three (3) public streets within 200-feet of the boundary of the subject parcel. The owners of each parcel were notified in compliance with the 200-foot rule by mail on Thursday, March 4, 2021. As of Thursday, March 18, 2021, no (zero) letters were returned as undeliverable by the U.S. Postal Service. No (zero) letters were returned against or in favor of the request. No one (zero) spoke for or against the request at the meeting.

For the City Council meeting, a legal ad was published again per the Texas Local Government Code in the Thursday, April 1, 2021, 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 Tuesday, April 6, 2021. As of the date of this report, Friday, April 9, 2021, no (zero) 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 March 23rd, the Planning and Zoning Commission voted unanimously (seven to zero) in favor of recommending approval with conditions on zoning request Z2021-03 from AG, Agriculture, to PD-21-02, Planned Development-21-02 for multi-family and single family residential use, on two (2) tracts of land described as Tract 1 containing 24.38-acres and Tract 3 containing 41.16-acres in the John D. Merchant Abstract 850, being a combined total of approximately 66.75± acres, both commonly referred to as 900 Alto Road, Seagoville, Dallas County, Texas. The conditions of approval were:

- No engineering plan approval for the development until the combined drainages from Brook Valley 7, proposed Cottonwood Creek, and between this site and the Lanier/Nail/Merchant abstract line flowing through this development are addressed.
- Screening to be minimum 6-feet tall and constructed as a solid masonry wall and columns along Alto Road.
- All common areas and amenities shall be owned, operated, and maintained by home or condominium owners association.
- All signage to meet all city codes unless otherwise provided in the development regulations.
- Construction of all Collectors (major and minor) to include 5-foot wide sidewalk along both sides of pavement.
- Construction of the development's half of Alto Road.
- Roadways in Apartment-zoned area to:
 - Not be less than 26-feet wide between curb faces.
 - Include minimum 3-foot wide sidewalk on both sides.
- All other streets to have 4-foot wide sidewalks on both sides.
- No front setback less than 21-feet from back of curb.

Staff supports the request with the listed conditions.

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

1. Staff Report (8 pages)
2. 2019 aerial photograph
3. Dimensional property map from DCAD website
4. Zoning map (dimensional map with zoning added)
5. Floodplain map
6. Application
 - A. Application
 - B. Proposed development regulations (2 pages)
 - C. Title survey (letter and 11x17)
 - D. Proposed internal zoning districts for PD (11x17 and 2 pages on letter)
 - E. Proposed concept plan for PD (11x17 and letter)
 - F. Preliminary utility plans for PD (2 pages on 11x17)
7. Notice to newspaper
 - A. For Planning and Zoning Commission
 - B. For City Council

8. Notice to neighbors
 - A. Letter for Planning and Zoning Commission (2 pages)
 - B. Notice of City Council (2 pages)
9. List of property owners within 200 feet of subject parcels
10. Applicant's presentation (23 pages)



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

DATE: APRIL 19, 2021
AUTHOR: JENNIFER BONNER, PLANNER
APPLICANTS: K.P.A. CONSULTING INC.; ESTATE OF LAVON GREENAWALT
PARCELS: 65085006510010000 AND 65085006510030000
LOCATION: ALL OF TRACTS 1 AND 3 OF JOHN D. MERCHANT ABSTRACT 850

REQUEST SUMMARY:

The applicants are requesting that the current zoning be changed from AG to a plan development of both detached multi-family and single family houses.

The plan development will be located on the 2 tracts that are outlined in green and under the yellow stars outlined in red. The multi-family housing calls for about 77 detached single-family style condominiums that will meet exceed Seagoville’s standard R-5 house requirements. They will be located under the small star in the north corner of the development on about 14 acres.

The rest of the development will be detached single-family homes on lots narrower than a standard R-5 lot. Houses would start about 100 square feet smaller than a standard R-5 house.



REQUEST LOCATION: Inside City; Dallas County

SIZE OF PROPERTY	EXISTING ZONING	SURROUNDING ZONING	EXISTING LAND USE	SURROUNDING LAND USE
2 tracts totaling about 66.75+ acres	AG, Agriculture	North: AG, Agriculture <i>and</i> PD, Planned Development West: AG, Agriculture East: AG, Agriculture <i>and</i> R-5, Single Family Residential South: A, Apartment; R-5, Single Family Residential; <i>and</i> PD-R5, Plan Development with R-5, Residential Single Family base zoning	vacant	Low Density Residential

PLANNING & ZONING COMMISSION RECOMMENDATION:

On March 23rd, the Planning and Zoning Commission voted unanimously (seven to zero) in favor of recommending approval with conditions on zoning request Z2021-03 from AG, Agriculture, to PD-21-02, Planned Development-21-02 for multi-family and single family residential use, on two (2) tracts of land described as Tract 1 containing 24.38-acres and Tract 3 containing 41.16-acres in the John D. Merchant Abstract 850, being a combined total of approximately 66.75± acres, both commonly referred to as 900 Alto Road, Seagoville, Dallas County, Texas. The conditions of approval were:

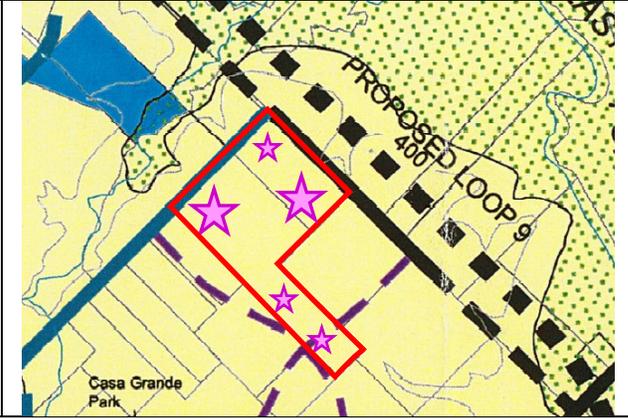
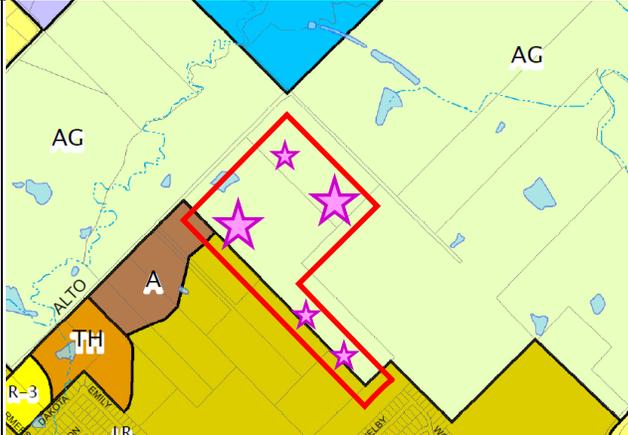
- No engineering approval until the combined drainages from Brook Valley 7, proposed Cottonwood Creek, and between this site and the Lanier/Nail/Merchant abstract line through this development are addressed.
- Screening to be minimum 6-feet tall and constructed as a solid masonry wall and columns along Alto Road.
- Common areas and amenities shall be owned and maintained by home or condominium owners association.
- Construction of Collectors (major and minor) to include 5-foot wide sidewalk along both sides of pavement.
- All signage to meet city codes unless otherwise provided.
- Construction of the development’s half of Alto Road.
- Roadways in Apartment-zoned area to:
 - Not be less than 26-feet wide between curb faces.
 - Include minimum 3-foot wide sidewalk on both sides.
- All other streets to have 4-foot wide sidewalks on both sides.
- No front setback less than 21-feet from back of curb.

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

STANDARD:	ANALYSIS:
Development Calendar (Deadlines)	Has Met
Application(s) Requirements	Has Met
Zoning Code	Has Met

Staff supports the request with the listed conditions.

COMPARISON TO ADOPTED CITY MASTER PLANS

STAFF ANALYSIS	PLAN GOALS OR GUIDELINES
2002 Future Land Use Plan and Map	
<p>The 2 subject parcels are outlined in red and under the light pink stars outlined in the darker pink/purple. This entire area of Seagoville is in an area expected to remain as Low Density Residential (light yellow color).</p>	<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Meets Standard</p> 
2006 Thoroughfare Plan and Map	
<p>The subject parcels are outlined in red and under the light pink stars outlined in the darker pink/purple. The properties currently only have access via Alto Road (a future Major Collector requiring a total of 80-feet of right-of-way).</p> <p>A second access for the subdivision will be created by an extension of existing Woodside Lane into this development from the southeast. Other new streets will also be required to have right-of-way dedicated and built as part of the development's construction - including improvements to Alto Road and the Major Collector partially running through this development.</p>	<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Meets Standard</p> 
2009 Zoning Plan and Map	
<p>The plan development encompasses about 67+ acres of unimproved land outlined in red and under the light pink stars outlined in the darker pink/purple.</p> <p>The applicants are requesting that the property be rezoned for the development of a residential development with a mixture R-5 and Apartment zoning districts. The R-5 base zoning would be match most of the surrounding parcels, but are some areas along Alto Road that are also zoned for Apartments and Townhouses.</p>	<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Meets Standard</p> 

REVIEW CRITERIA	STAFF ANALYSIS	
1. Will the development provide for a superior design of the lots or buildings?	Yes	The request asks for narrower lots and smaller setbacks in exchange for larger-than-code-required living areas.

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 planned areas for playground equipment. There are 2 additional spaces that will have only detention ponds. The overhead electric lines will provide additional open space areas.
3. Will the development or land use provide amenities or features that would be of special benefit to the property users or to the overall community?	Yes	Besides the items listed above, the Apartment-zoned area will also have an amenity center and pool for use only by the residents of the condominiums. This information can be found in Exhibit 6E.
4. Will the development or land use protect or provide natural amenities and environmental assets?	Yes	There is a small existing creek and 2 existing ponds that will remain. The planned detention ponds will have to be designed to address control of increased stormwater runoff from all areas of this subdivision into the creek to protect neighbors from flooding.
5. Will the development or land use protect or preserve existing historical buildings, structures, features, or places?	No	There are no identified locations at this time that have been identified for historical protection or preservation.
6. Will the development or land use provide an appropriate balance between the intensity of the development and the ability to provide adequate supporting public facilities and services?	Yes	This development will expand the existing water and sanitary sewer services into this area. The sewer from this site will need to go to a lift station until the new municipal gravity system north of this site is installed.
7. Will the development or land use meet or exceed the planned development regulations?	Yes	The condo area (The Magnolias) will not have individual lots for each dwelling unit, but the units themselves will be individually owned. The lot dimensions shown on this concept plan are to be typically 50-feet wide by 120-feet deep in the single family areas.
8. Will the use be designated, located, and operated so that the public health, safety, and welfare will be protected?	Yes	Water, sanitary sewer, and storm utility services are required to be designed, engineered and operated to protect public health, safety, and welfare.
9. Will the land use be compatible with other area properties located nearby?	Yes	This area of Seagoville is almost exclusively detached single family homes. There are a few areas zoned for townhomes and apartments located closer to East Farmers Road on adjoining properties.
10. Will the use be in compliance with all provisions of the zoning amendments portion of the Municipal Code?	Yes	The requirements for the change in zoning have been met (application, legal notifications, etc.).
11. Will the use be compliant with all applicable provisions in the Code for the district in which the use is to be located?	Yes	The primary land uses in the proposed planned development will be residential.
12. Will the use facilitate public convenience at that location?	Yes	The current (and only) access is via Alto Road. A second access for the subdivision will be created by an extension of existing Woodside Lane into this development from the southeast.
13. Will the use conform to off-street parking and loading requirements?	Yes	This requirement will have to be met at the time the construction plat, and later the final plat, are submitted.
14. Are the ingress, egress, and pedestrian ways adequate?	Yes	All ingress and egress ways will be constructed by the developer's contractor as part of the site's improvements and will include construction of sidewalks and ramps.

**STAFF REPORT
Z2021-03**

REVIEW CRITERIA	STAFF ANALYSIS	
15. Have safeguards limiting noxious or offensive emissions, including light, noise, glare, dust, and odor been addressed?	Yes	The screening walls along Alto Road should address most issues with light, noise, and glare. There will be no dust generated once the site is fully developed.
16. Will the proposed landscaping and screening be compliant with all City regulations?	Yes	Since no detailed landscaping information for the subdivision was provided, it will be required to meet code-defined minimums with its construction plat submittal and approval. Screening information for Alto Road can be found on Exhibit 6E.
17. Will the signage be compliant with those portions of the Municipal Code?	Yes	Signage for this site will be limited to those allowed by code. Signage is a separate review conducted by Staff.
18. Will all open space(s) be maintained by the owner/developer?	Yes	The property owner will be required to maintain the property until the development is complete, when maintenance will be turned over to either private lot owners, HOA (homeowners' association), or COA (condominium owner 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 request is asking for approval to plan for lots or setbacks that will be smaller-than-code requirements in exchange for providing generally larger-than-required homes.
20. Will granting the permit be authorizing less than the minimum requirements in regards to height, area, setbacks, parking, or landscaping?	No	Some of these regulations are allowed by code to be changed if part of a plan development. Each change is required to be defined in the subdivision's regulating ordinance. A list of the requested changes from code can be found in attached Exhibit 6B.
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 Alto Road and its improvements will meet the 2006 Thoroughfare Plan. The 2006 Plan also calls for both a Major and Minor Collector to partially run through this development. Both collectors are reflected on the concept 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	The City currently has no active capital improvement plan.
24. Have the provisions of any community facilities plan been met to protect the public interest?	Yes	Chapter 6 (Parks, Recreation, and Open Space) and Chapter 7 (Infrastructure Systems) of the 2002 Comprehensive Plan discuss community facilities. Changing the zoning is not affected by these chapters of the Plan.
25. Have the provisions of any other adopted document for providing required necessary public facilities been met to protect the public interest?	N/A	Chapter 8 (Public Facilities) of the 2002 Comprehensive Plan addresses municipal facilities primarily. Changing the zoning is not affected by these chapters of the Plan.

Public Comments Received: A legal ad was published per the Texas Local Government Code in the Friday, March 5, 2021 edition of the Daily Commercial Record newspaper. Including the parcel in question, there are twenty-two (22) properties plus part of three (3) public streets within 200-feet of the boundary of the subject parcel. The owners of each parcel were notified in compliance with the 200-foot rule by mail on Thursday, March 4, 2021. As of Thursday, March 18, 2021, no (zero) letters were returned as undeliverable by the U.S. Postal Service. No (zero) letters were returned against or in favor of the request. No one (zero) spoke for or against the request at the meeting.

For the City Council meeting, a legal ad was published again per the Texas Local Government Code in the Thursday, April 1, 2021, 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 Tuesday, April 6, 2021. As of the date of this report, Friday, April 9, 2021, no (zero) 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 comments: Below is a table that compares land uses listed in the municipal code for each relevant zoning district. Reference the table to the right to determine which symbols depict land uses that would be permitted or require a special use permit. Any land use that is not listed in the table or that has a blank cell to its right are prohibited in that district. The land use table is arranged alphabetically.

Key to Land Uses:	Zoning Districts:
P = Permitted Use	AG , Agriculture
SUP = Special Use Permit required	A , Apartment R-5 , Residential Single Family
CUP = Conditional Use Permit required	PD-21-02 , this planned development request
Blank = Land use is not permitted	PD-A , Apartment in PD request PD-R5 , Single Family in PD request

Type of Use	Zoning District	Residential			PD-21-02	
		AG	A	R-5	PD-A	PD-R5
Accessory buildings		P	P	P	P	P
Accessory buildings including a private laundry, utility or storage building and carports for multiple-family dwelling or housing project				P		P
Addition of pre-packaged food or beverages sales to a retail or business			SUP	SUP	SUP	SUP
Airport or airport facilities			SUP	SUP	SUP	SUP
Animal farm		P				
Art gallery			P	P	P	P
Breezeway attaching accessory to the main building			P	P	P	P
Carnival			SUP	SUP	SUP	SUP
Cemetery		P	SUP	SUP	SUP	SUP
Children’s home on 5 acres or more			SUP	SUP	SUP	SUP
Church or religious worship facility		P	P	P	P	P
Circus			SUP	SUP	SUP	SUP
Commercial amusement, temporary			SUP	SUP	SUP	SUP
Community building on 3 acres or more			SUP	SUP	SUP	SUP
Concrete batching plant			SUP	SUP	SUP	SUP
Convalescent home on 5 acres or more			SUP	SUP	SUP	SUP
Crematory		P				
Dairy and related establishments for processing milk products but not retail sales		P				
Daycare or nursery with fewer than four unrelated children			P	P	P	P
Daycare or nursery with more than four unrelated children			SUP	SUP	SUP	SUP
Detached dwelling for servants employed on-site			P	P	P	P
Dog kennels on farm of 5 acres or more			SUP	SUP	SUP	SUP
Drive-in theatre on 10 acres or more			SUP	SUP	SUP	SUP
Driving range			SUP	SUP	SUP	SUP
Earth excavation			SUP	SUP	SUP	SUP
Educational institutions			SUP	SUP	SUP	SUP
Electrical public utility regulating station		CUP	SUP	SUP	SUP	SUP
Farm without on-site retail or wholesale business			P	P	P	P
Fire station			P	P	P	P
Garden without on-site retail or wholesale business			P	P	P	P
Golf course without driving range			P	P	P	P
Government use - local, county, state, federal			SUP	SUP	SUP	SUP
Gravel excavation			SUP	SUP	SUP	SUP
Greenhouse		P	SUP	SUP	SUP	SUP

**STAFF REPORT
Z2021-03**

Type of Use	Zoning District	Residential			PD-21-02	
		AG	A	R-5	PD-A	PD-R5
Greenhouse without on-site retail or wholesale business			P	P	P	P
Homes for narcotics on 20 acres or more			SUP	SUP	SUP	SUP
Homes for the alcoholic on 20 acres or more			SUP	SUP	SUP	SUP
Homes for the feeble-minded on 20 acres or more			SUP	SUP	SUP	SUP
Homes for the insane on 20 acres or more			SUP	SUP	SUP	SUP
Hospital on 5 acres or more			SUP	SUP	SUP	SUP
Kindergarten - public or private			SUP	SUP	SUP	SUP
Landing airfield or facilities			SUP	SUP	SUP	SUP
Library			P	P	P	P
Maternity home on 5 acres or more			SUP	SUP	SUP	SUP
Miniature golf course			SUP	SUP	SUP	SUP
Miniature train ride			SUP	SUP	SUP	SUP
Mixed-Use projects of private housing and shopping center on 3 acres or more			SUP	SUP	SUP	SUP
Multiple-family dwellings (apartments)				P		P
Museum			P	P	P	P
Natural gas public utility regulating station		CUP	SUP	SUP	SUP	SUP
Neighborhood recreation center (swimming pool, social or hobby rooms)		P	P	P	P	P
Normal household pets			P	P	P	P
Nursery		P	SUP	SUP	SUP	SUP
Nursery school - public or private			SUP	SUP	SUP	SUP
Nursery without on-site retail or wholesale business			P	P	P	P
Old people's home on 5 acres or more			SUP	SUP	SUP	SUP
Orchard		P				
Orchard without on-site retail or wholesale business			P	P	P	P
Park		P	P	P	P	P
Parking of unoccupied recreational trailer or recreational vehicle		P	P	P	P	P
Passenger train station			P	P	P	P
Philanthropic institutions			SUP	SUP	SUP	SUP
Playgrounds		P	P	P	P	P
Pony rides			SUP	SUP	SUP	SUP
Private carport and/or garage		P	P	P	P	P
Private school, equivalent to a public school			P	P	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 school (elementary through high school)			P	P	P	P
Public stable on 5 acres or more			SUP	SUP	SUP	SUP
Public structures for recreational, cultural, administrative and public services		P				
Public utility - privately or publicly owned		P	SUP	SUP	SUP	SUP
Radio or television broadcasting stations			SUP	SUP	SUP	SUP
Radio or television broadcasting towers		CUP	SUP	SUP	SUP	SUP
Radio or television transmitter tower		CUP	SUP	SUP	SUP	SUP
Railway ROW & tracks, but no railroad yards, team tracks or storage yards			P	P	P	P
Real estate and professional signs subject to provisions of R-1 district		P				
Religious institutions			SUP	SUP	SUP	SUP
Riding academy on 5 acres or more			SUP	SUP	SUP	SUP
Rock quarry			SUP	SUP	SUP	SUP
Rodeo			SUP	SUP	SUP	SUP
Sale of pre-packaged food/beverages exceeding 10% of an establishment's gross annual sales revenues			SUP	SUP	SUP	SUP
Sand excavation			SUP	SUP	SUP	SUP
Schools and colleges, including dormitories		P				
Sewage treatment plant			SUP	SUP	SUP	SUP

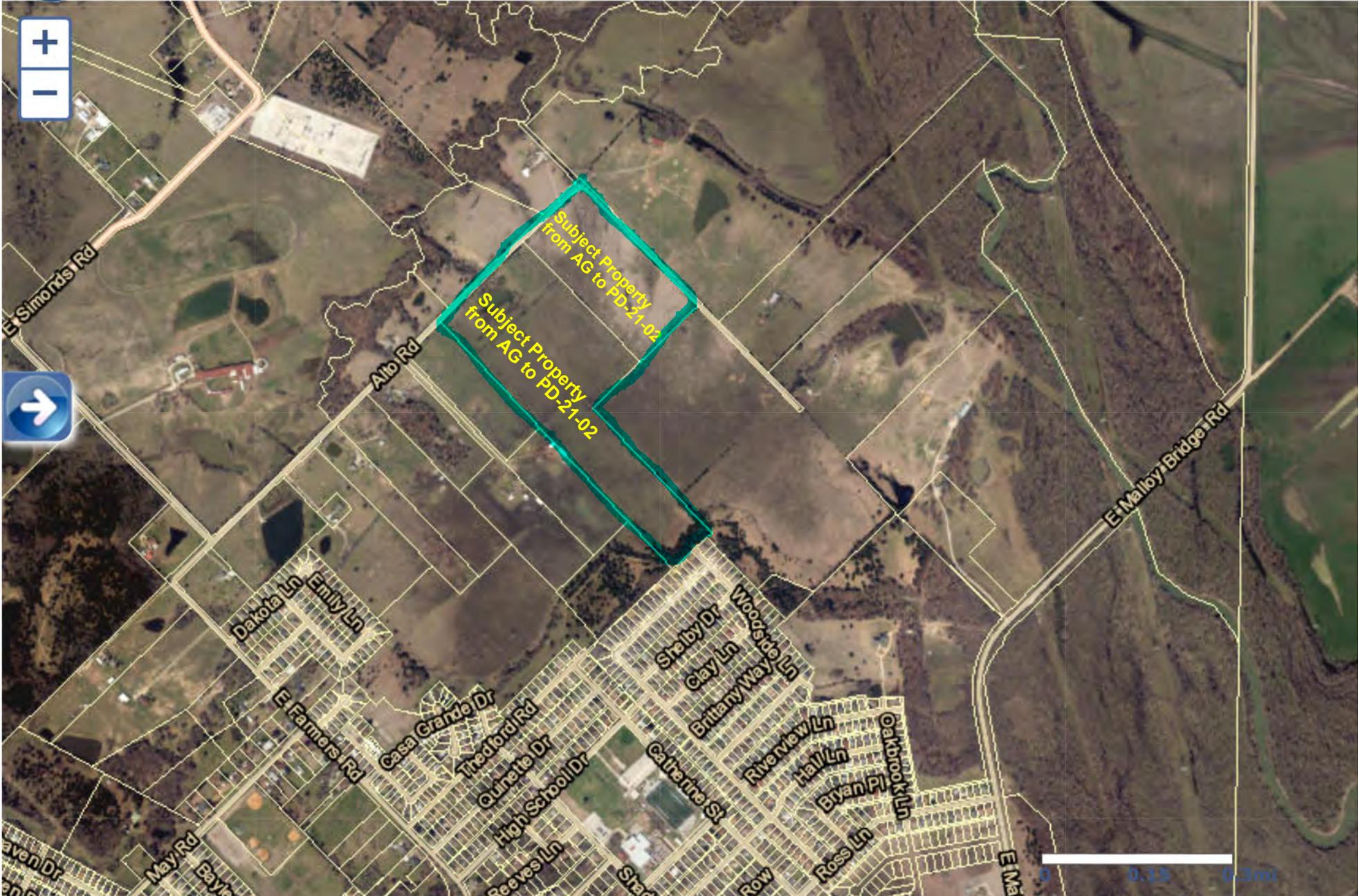
Type of Use	Zoning District	Residential			PD-21-02	
		AG	A	R-5	PD-A	PD-R5
Single-family residence (detached)		P	P	P	P	P
Telephone exchange without office, repair or storage facilities			P	P	P	P
Temporary and seasonal sales establishment, such as flea market or produce stand			SUP	SUP	SUP	SUP
Temporary buildings to be used for construction purposes only			P	P	P	P
Temporary fruit stand		P				
Travel trailer park			SUP	SUP	SUP	SUP
Truck farm		P				
Two-family residence				P		P
Veterinary hospital on 5 acres or more			SUP	SUP	SUP	SUP
Water pumping plant			P	P	P	P
Water supply reservoir			P	P	P	P
Water tower or artesian well			P	P	P	P
Wind energy conversion system (WEC)			SUP	SUP	SUP	SUP

Uses	Standard R-5 district Code Section 25.02.151 (summarized above in land use table)	Proposed PD-R5 in request
		No change
Minimum Lot Area	7,200 square feet	6,000 square feet
Minimum Lot Width	60-feet	50-feet at front setback
Minimum Lot Depth	120-feet	No change
Maximum Lot Coverage	40%	No change
Required Front Yard	30-feet	20-feet
Required Side Yard - Interior Lot	6-feet	5-feet
Required Side Yard - Corner Lot	double frontage requires 30-foot setback on each street	20-feet on non-frontage street side
Required Rear Yard	minimum 20% of total lot depth; maximum 24-feet	minimum 5% of total lot depth; maximum 10-feet
Maximum Height - Primary Structure	2-1/2 stories	35-feet
Maximum Height - Accessory Structure	2-1/2 stories	2-1/2 stories
Minimum Dwelling Size	1,600 square feet	<ul style="list-style-type: none"> • 25% of units at 1,600 square feet; • 50% of units at 1,700 square feet; and • 25% of units at 1,800 square feet
Exterior Wall Materials	Code Section 25.02.712 : 80% front and rear walls plus 100% side walls as masonry	No change; <u>Staff comments:</u> Exterior building material requirements are unenforceable under a state law that went into effect on September 1, 2019.
Minimum Off-Street Parking Required	<ul style="list-style-type: none"> • 2 off-street spaces per dwelling unit; • 400 square foot garage per dwelling unit; • no structure in front yard setback; • public assembly uses require one space for every 5 seats (or fraction thereof) 	No change

	Standard A district	Proposed PD-A in request
Uses	Code Section 25.02.251 (summarized above in land use table)	No change (Detached, individually-owned and sprinkled condos are planned.)
Minimum Lot Area	7,000 square feet	No change
Minimum Lot Width	60-feet	No change
Courts	minimum 30-feet; no balcony or canopy extend more than 5-feet	No change
Maximum Lot Coverage	50% by main and accessory buildings	80% including accessory buildings
Required Front Yard	25-feet except when circular or similar entrance drives	18-feet from mountable curb on fire lane
Required Side Yard - Interior Lot	<ul style="list-style-type: none"> • single family and two-family units same as Duplex district; • multi-family 15 feet when long building side is parallel to side property line or 30-feet from next building; • multi-family 10 feet when long building side is parallel to front property line and not over 35-feet wide; • multi-family 10 feet when not over 35-feet wide and no openings for air or light; 20-feet when openings for air or light 	6-feet between units
Required Side Yard - Corner Lot	15-feet with no balcony, porch, or roof overhand exceeding 5-feet	6-feet
Required Rear Yard	15-feet	6-feet
Maximum Height - Primary Structure	2 standard stories; basement extends to 28-feet	35-feet
Maximum Height - Accessory Structure	1 standard story	2-1/2 stories
Minimum Dwelling Size	<ul style="list-style-type: none"> • 1-bedroom units at 850 square feet; • 2-bedroom units at 1,000 square feet; and • 3-bedroom units at 1,100 square feet 	1,600 square feet
Exterior Wall Materials	Code Section 25.02.712 : 80% front and rear walls plus 100% side walls as masonry	No change except Hardi Plank as an acceptable material; <u>Staff comments</u> : Exterior building material requirements are unenforceable under a state law that went into effect on September 1, 2019.
Minimum Off-Street Parking Required	<ul style="list-style-type: none"> • single family and two-family units same as Duplex district; • multi-family off-street at 1-1/2 spaces per unit; no parking on front yard setback; no parking within 4-feet of building in side yard 	400 square foot garage per unit; Guest parking at 0.25% per unit

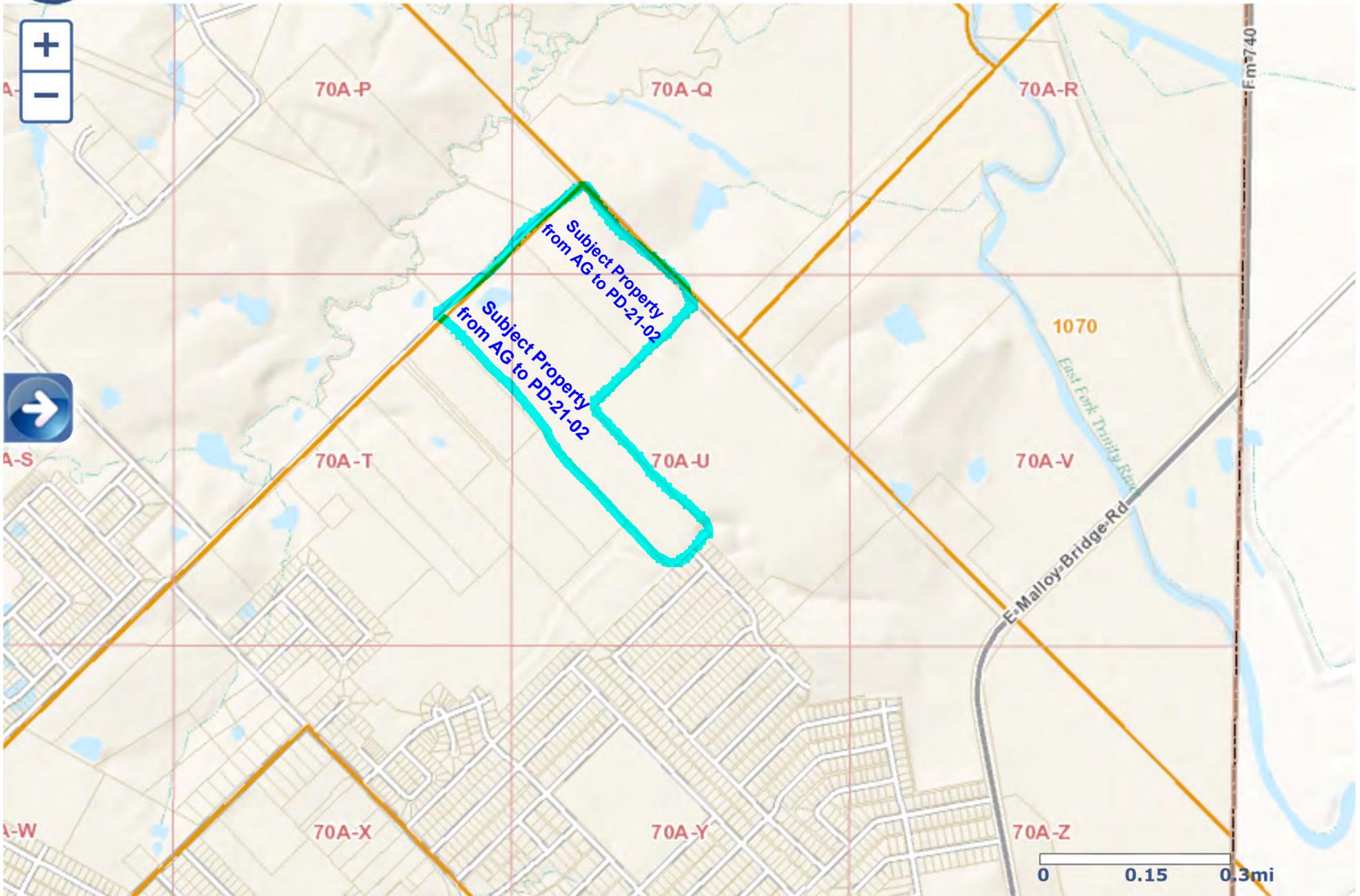


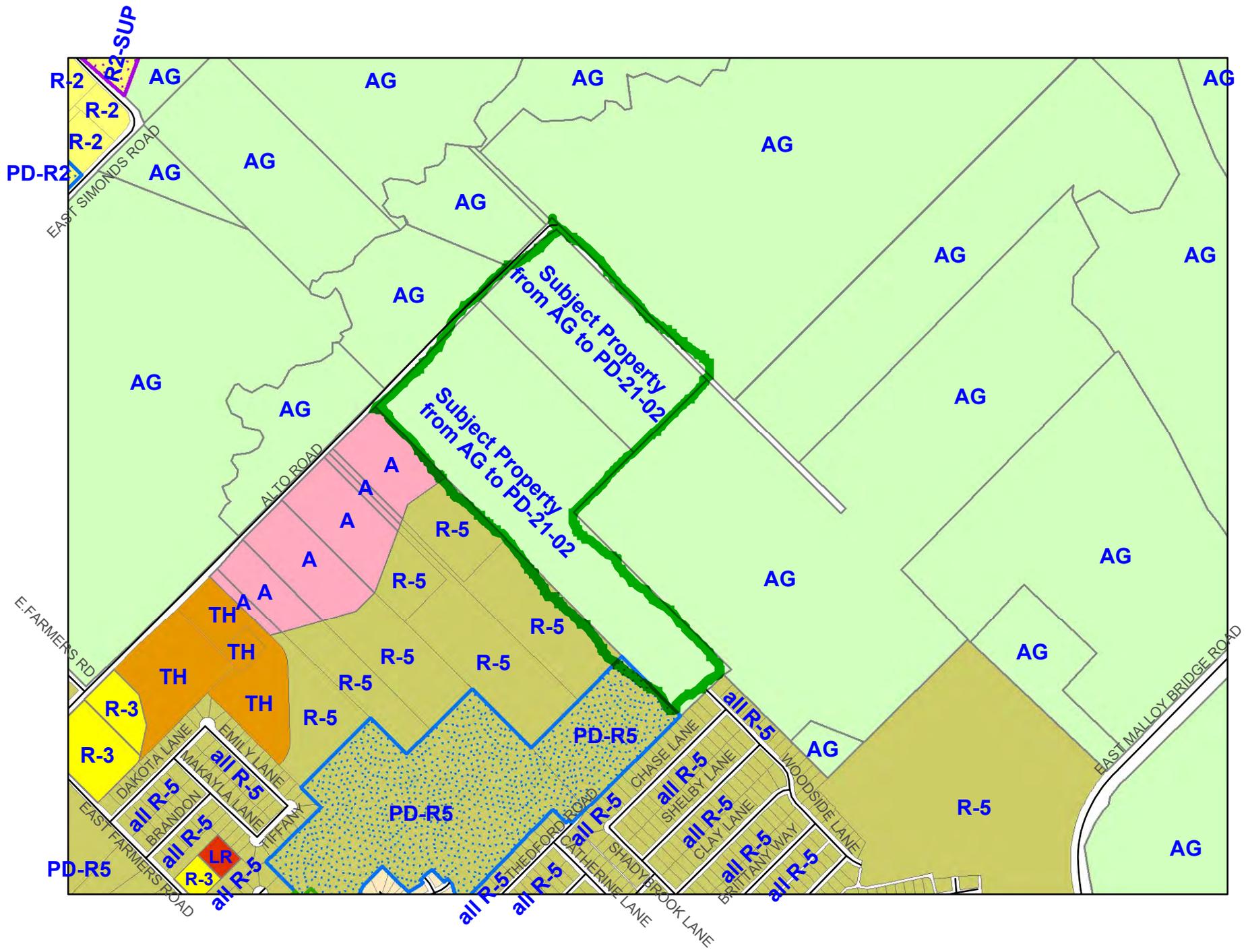
DCAD Property Map





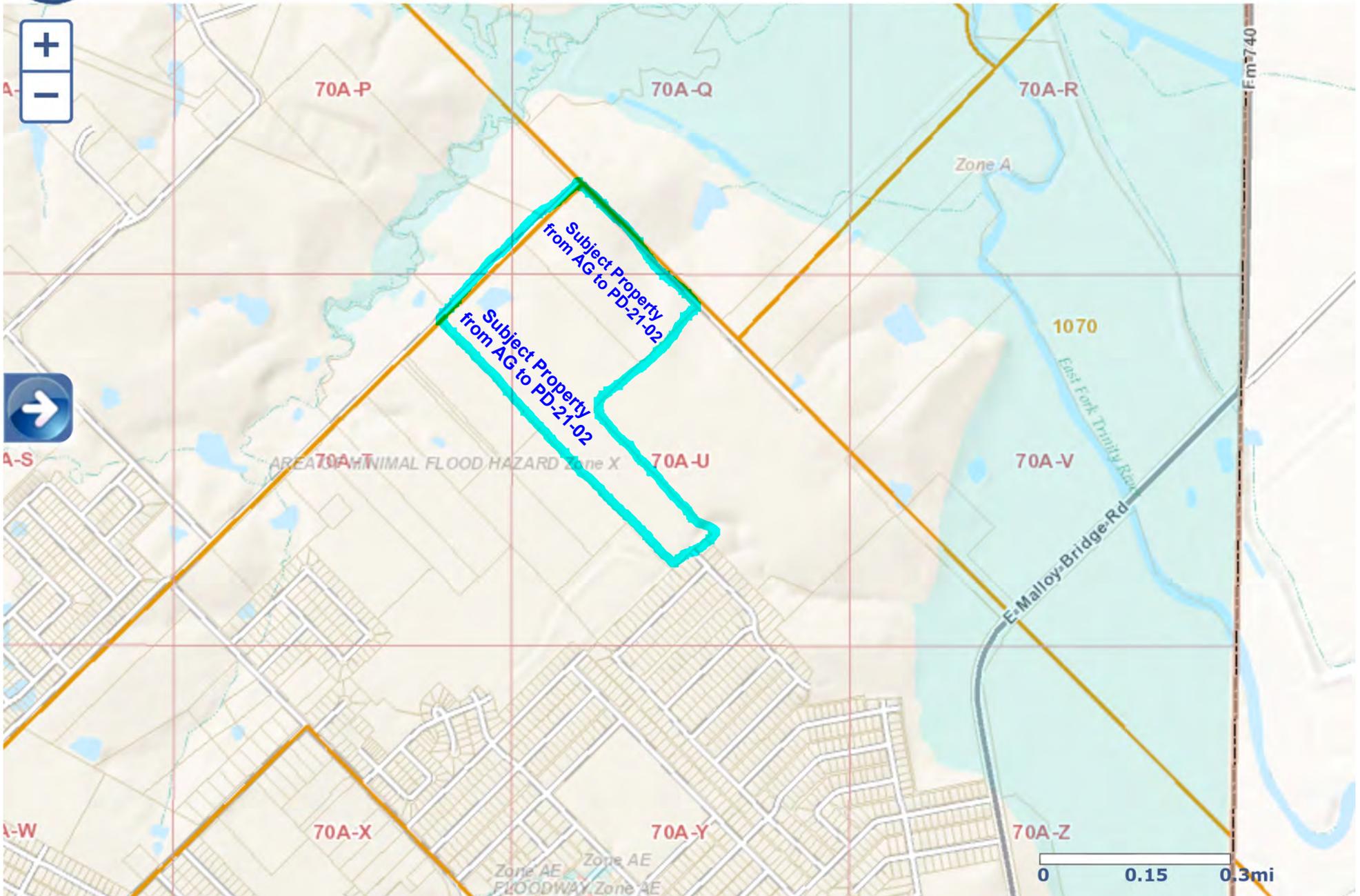
DCAD Property Map







DCAD Property Map





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

Greenawalt Farms

Name of Subdivision or Project: _____
 Physical Location of Property: South of Alto Rd., East of Casa Grande
[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 65 + or - acres of land situated in the City of Seagoville, Dallas County Texas
[Survey/Abstract No. and Tracts; or platted Subdivision Name with Lots/Block]
 Acreage: 65 Existing Zoning: Ag Requested Zoning: Planned Development
[Attach a detailed description of requested zoning & development standards, if a PD]

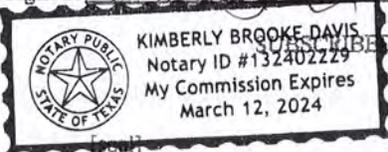
Applicant / Owner's Name: Donna Lenamond Applicant of Owner (circle one)
 Contact Person: Steve Bloomquist Title: Broker
 Company Name: Fathom Realty LLC
 Street/Mailing Address: _____ City: _____ State: _____ Zip: _____
 Phone: (214) 418-2215 Fax: () _____ Email Address: thetexasflyingrealtor@gmail.com

Engineer / Representative's Name: KPA Consulting
 Contact Person: Pat Atkins Title: Director
 Company Name: KPA Consulting
 Street/Mailing Address: 3076 Hays Lane City: Rockwall State: TX Zip: 75087
 Phone: (903) 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: _____ Title: Owner Date: 1-12-21



Subscribed AND SWORN TO before me, this the 12th day of January, 2021
(Month) (Year)
 Notary Public in and for the State of Texas: Kimberly B. Davis
 My Commission Expires On: 3/12/24

Office Use Only: Date Rec'd: 2/12/2021 Fees Paid: \$ 1500 Check #: 401 Receipt #: 627744
 Zoning Case #: 22021-03 Accepted By: [Signature] Official Submittal Date: 2/12/2021



PAT ATKINS
President
KPA Consulting, Inc.
3076 Hays Lane, Rockwall Texas 75087

PD GREENAWALT FARMS

We are requesting the following changes to the listed base zoning districts.

R-5 Single-Family 52.35 Acres

- a) Height: 35'
- b) Front yard: 20'
- c) Side yards: 5'
- d) Street Side: 20'
- e) Rear yard. 5% of lot depth or 10'
- f) Area of the lot. The minimum area of 6,000 square feet.
- g) Width of lot: 50' at front Building line.
- h) Area of dwelling:
 - 25% of dwelling units at 1,600 square feet of living area or larger;
 - 50% of dwelling units at 1,700 square feet of living area or larger; and
 - 25% of dwelling units at 1,800 square feet of living area or larger.

Apartments/Condominiums 14.34 acres

- a) Front yard: 18 feet from mountable curb along fire lane.
- b) Side yards: 6' between units.
- c) Rear yard: 6'
- d) Lot coverage: Max 80% including accessory buildings
- e) Parking regulations.
 - 400 sf garage for each unit.
 - Development to provide for guest parking at ratio of 0.25 % per unit.
- f) Area of dwelling. 1,600 square feet of living area or larger
- g) Building materials: Hardi Plank is an acceptable material.

Units will be sprinkled

The property consists of 66.695 acres of land, south and adjacent to Alto Road. The property is sparsely

vegetated on the entirety of the property, except with native trees along the drainage draws along the southeast quadrant.

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

The property will generate an additional \$40 million to the City of Seagoville tax base. Greenawalt Farms will have a Master H.O.A. requirement within the development of the property.

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

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

Being situated in the John D. Merchant Survey, Abstract Number 850, City of Seagoville, Dallas County, Texas and being all of that certain called 66.46 acre tract of land described in a Deed to William J. Greenawalt Jr., recorded in Volume 69145, Page 272, Deed Records of Dallas County, Texas (DRDCT) and this tract being more particularly described as follows:

BEGINNING at a point for corner located in the asphalt surface of Alto Road (approximately 3' southeast of its center), at the most western corner of said 66.46 acre tract from which a 1/2" iron rod found for reference bears S 45°10'52" E a distance of 40.33 feet ;

THENCE N 45°07'58" E, along the northwest line of said 66.46 acre tract and in said road, a distance of 1656.34 feet, to a 1/2" iron rod found for corner at the most northern corner thereof, said point being near the edge of the gravel surface of said Alto Road now turning in a southeasterly direction;

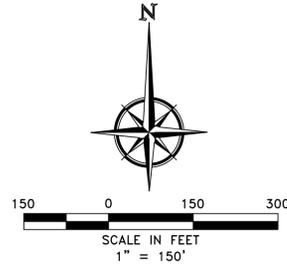
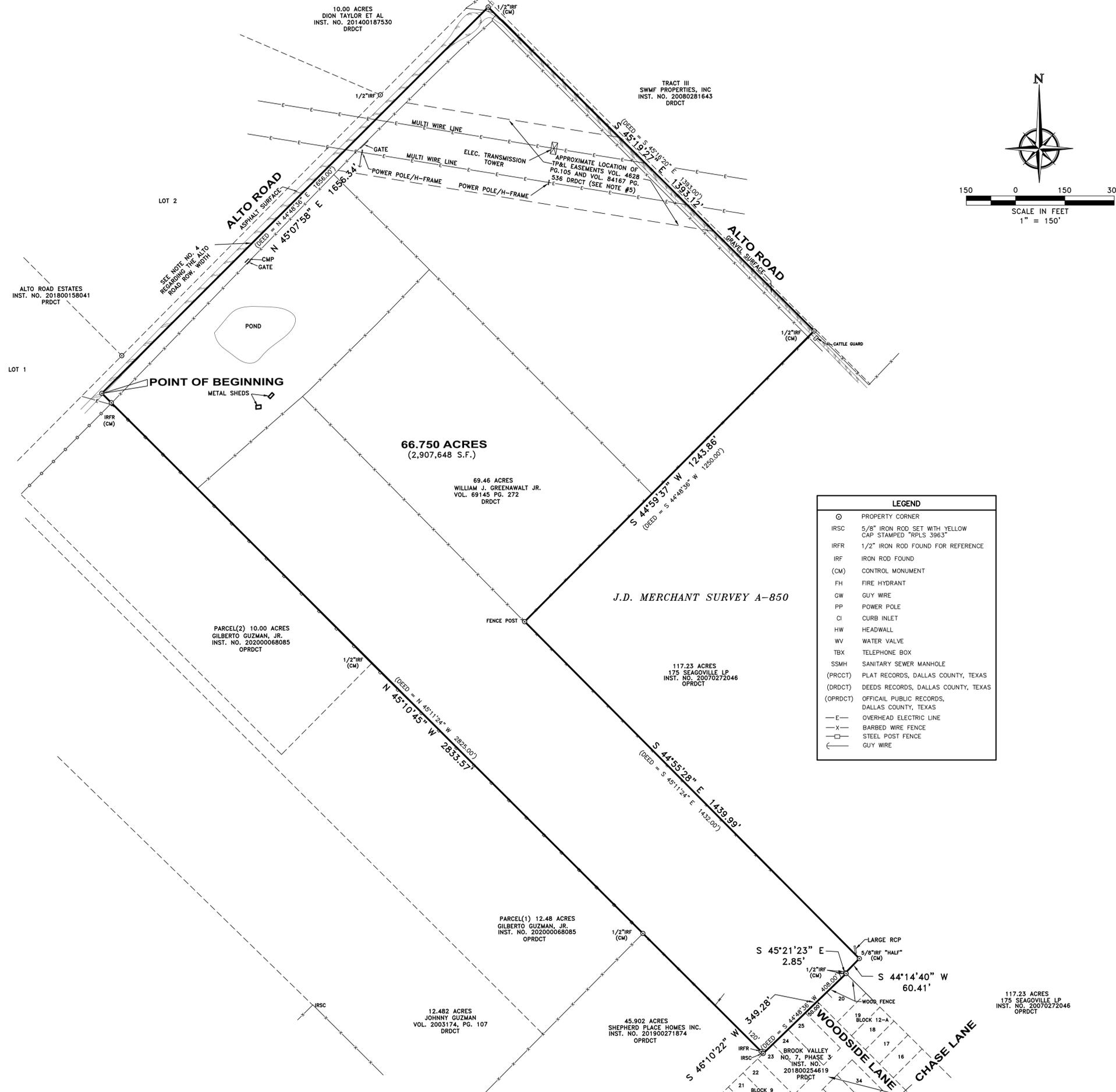
THENCE S 45°19'27" E, along the northeast line of said 66.46 acre tract and within the limits of said gravel surface, a distance of 1393.12 feet, to a 1/2" iron rod found for corner at the most eastern northeast corner thereof, common to a northern corner of a called 117.23 acre tract described in a deed to 175 Seagoville, LP, recorded as Instrument No. 20070272046, Official Public Records of Dallas County Texas (OPRDCT);

Thence along and with the common boundaries of said 66.46 acre and 117.23 acre tracts the following courses;

S 44°59'37" W, a distance of 1243.86 feet to a point for corner near a fence post,
S 44°55'28" E, a distance of 1439.99 feet, to a 5/8" iron rod with a yellow cap stamped "HALF" found for corner;
S 44°14'40" W, a distance of 60.41 feet, to a 1/2" iron rod with found for corner.
S 45°21'23" E, a distance of 2.85 feet, to a 1/2" iron rod with a yellow cap found for corner at the most western corner of Brook Valley No. 7, Phase 3, an Addition to the City of Seagoville, according to the plat thereof recorded as Instrument No. 201800254619, Plat Records of Dallas County, Texas (PRDCT);

THENCE S 46°10'22" W, a distance of 349.46 feet, to a 5/8" iron rod with a yellow cap stamped "RPLS 3963" set for corner at the most southern corner of said 66.46 acre tract common to the most eastern corner of a called 45.902 acre tract described in a deed to SHEPHERD PLACE HOMES INC. recorded as Instrument No. 201900271874, from which a 3/8" iron rod found for reference bears N 45°10'45" W, a distance of 8.49 feet;

THENCE N 45°10'45" W, along the southwest line of said 66.446 acre tract and partially with the northeast line of said 45.902 acre tract and the northeast line of a called 12.48 acre tract described as Parcel 1 in previously referenced deed to Gilberto Guzman and said Parcel 2 of same deed, for a total distance of 2833.57 feet, to the POINT OF BEGINNING and containing 2,907,648 square feet or 66.750 acres of land.



Being situated in the John D. Merchant Survey, Abstract Number 850, City of Seagoville, Dallas County, Texas and being all of that certain called 66.46 acre tract of land described in a Deed to William J. Greenawalt Jr., recorded in Volume 69145, Page 272, Deed Records of Dallas County, Texas (DRDCT) and this tract being more particularly described as follows:

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THENCE N 45°07'58" E, along the northwest line of said 66.46 acre tract and in said road, a distance of 1656.34 feet, to a 1/2" iron rod found for corner at the most northern corner thereof, said point being near the edge of the gravel surface of said Alto Road now turning in a southeasterly direction;

THENCE S 45°19'27" E, along the northeast line of said 66.46 acre tract and within the limits of said gravel surface, a distance of 1393.12 feet, to a 1/2" iron rod found for corner at the most eastern corner thereof, common to a northern corner of a called 117.23 acre tract described in a deed to 175 Seagoville, LP, recorded as Instrument No. 20070272046, Official Public Records of Dallas County Texas (OPRDCT);

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THENCE N 45°10'45" W, along the southwest line of said 66.46 acre tract and partially with the northeast line of said 45.902 acre tract and the northeast line of a called 12.48 acre tract described as Parcel 1 in previously referenced deed to Gilberto Guzman and said Parcel 2 of same deed, for a total distance of 2833.57 feet, to the POINT OF BEGINNING and containing 2,907,648 square feet or 66.750 acres of land.

NOTES:

1. Basis of Bearings = State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983, Adjustment Realization (CORS 2011)
2. This survey was prepared with the benefit of Title Commitment GF No. LT-19153-1901532000082, effective date of 10/21/2020, issued on 11/19/2020. No research of record easements has been performed on these tracts since the effective dates of the policy mentioned above.
3. According to my interpretations of the Dallas County, Texas and Incorporated Areas, Flood Insurance Rate Map Number 48113C0545K, dated July 7, 2014, the subject property lies within flood Zone "X" and is not shown to be within a Special Flood Hazard Area. This statement does not imply that the property and/or structures thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This statement shall not create liability on the part of the surveyor.
4. Plat of Alto Road Estates as shown and recorded as Instrument 201800158041 defines the ROW of Alto Road as an 80' width with references to various deeds near subject tract calling for the same width. Monuments found on subject tract closely matching the calls in the referenced deed would go near the center of ALTO Road as shown and the subject deed makes no call for ROW width. As this is a preliminary survey at this time without the benefit of any research on this Row, the final survey may reveal that ROW has been taken from or deeded out of the subject tract.
5. Easements recorded in Vol. 84167, Page 536 does not exactly match up to the boundaries of the deeds to which it is referenced. Surveyor recommends requesting detailed maps and/or R.O.W. location from T.P.&L. to establish exact boundaries, location, and width of this easement.

LEGEND	
○	PROPERTY CORNER
IRSC	5/8" IRON ROD SET WITH YELLOW CAP STAMPED "RPLS 3963"
IRFR	1/2" IRON ROD FOUND FOR REFERENCE
IRF	IRON ROD FOUND
(CM)	CONTROL MONUMENT
FH	FIRE HYDRANT
GW	GUY WIRE
PP	POWER POLE
CI	CURB INLET
HW	HEADWALL
WV	WATER VALVE
TBX	TELEPHONE BOX
SSMH	SANITARY SEWER MANHOLE
(PRCCT)	PLAT RECORDS, DALLAS COUNTY, TEXAS
(DRDCT)	DEEDS RECORDS, DALLAS COUNTY, TEXAS
(OPRDCT)	OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
—E—	OVERHEAD ELECTRIC LINE
—X—	BARBED WIRE FENCE
—□—	STEEL POST FENCE
—	GUY WIRE

I, Robert C. Myers, Registered Professional Land Surveyor, do hereby certify that this plat represents the results of a survey made on the ground under my supervision during the month of OCTOBER, 2020, and substantially complies with the current Texas Society of Professional Surveyors Standards and Specifications for a Category 1A Condition II Survey.
FIELD WORK COMPLETED ON 10/15/2020


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



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

Client: SHEPHERD PLACE HOMES
 Job No.: 511 Drawn by: RCM Date: 10/24/2020 Revised: 02/11/2021

LAND TITLE SURVEY
66.750 ACRES OUT OF
JOHN D. MERCHANT SURVEY A-850
CITY OF SEAGOVILLE
DALLAS COUNTY TEXAS

PROPERTY DESCRIPTION - TRACT 1

Being situated in the John D. Merchant Survey, Abstract Number 850, City of Seagoville, Dallas County, Texas and being all of that certain called 66.750 acre tract of land described in a Deed to William J. Greenawalt Jr., recorded in Volume 69145, Page 272, Deed Records of Dallas County, Texas (DRDCT) and this tract being more particularly described as follows:

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THENCE N 45°07'58" E, along the northwest line of said 66.750 acre tract and in said road, a distance of 864.44 feet, to a 1/2" iron rod set and being the POINT OF BEGINNING;

THENCE N 45°07'58" E, continuing along the northwest line of said 66.750 acre tract and in said road, a distance of 791.69 feet, to a 1/2" iron rod found for corner at the most northern corner thereof, said point being near the edge of the gravel surface of said Alto Road now turning in a southeasterly direction;

THENCE S 45°19'27" E, along the northeast line of said 66.750 acre tract and within the limits of said gravel surface, a distance of 787.02 feet, to a iron set for corner,

THENCE, S 45°07'58" W, departing the northeast line of said 66.750 acre tract, a distance of 793.64 feet, to an iron rod set for corner;

THENCE N 45°19'27" W, a distance of 796.00 feet, to an iron rod set for corner said point being on the northwest line of said 66.750 acre tract and in said road, to the POINT OF BEGINNING and containing 624,650 square feet or 14.34 acres of land.

PROPERTY DESCRIPTION - TRACT 2

Being situated in the John D. Merchant Survey, Abstract Number 850, City of Seagoville, Dallas County, Texas and being all of that certain called 66.750 acre tract of land described in a Deed to William J. Greenawalt Jr., recorded in Volume 69145, Page 272, Deed Records of Dallas County, Texas (DRDCT) and this tract being more particularly described as follows:

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THENCE N 45°07'58" E, a distance of 793.64 feet, to a 1/2" iron rod set for corner; said point being on the southerly line of said Alto Rd.

THENCE S45°19'27" E, along the southerly line of said Alto Rd, a distance of 606.10 feet, to a 1/2" iron rod found for corner;

Thence departing the southerly line of said Alto Rd, and along and with the common boundaries of said 66.46 acre and 117.23 acre tracts the following courses;

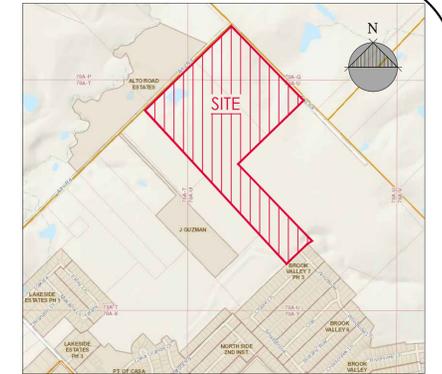
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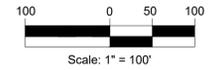
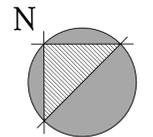
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LOCATION MAP



TRACT 1 and 2 EXHIBIT

Greenawalt Farms

Being a 66.75 Ac. Tract of Land situated in the J. D. Merchant Survey, Abst. No. 850 City of Seagoville, Dallas County, Texas

CONSULTANT:

KPA
consulting, inc.
3076 Hays Lane
Rockwall, Texas 75087
972.388.6383
kpatatkins@yahoo.com

DEVELOPER:

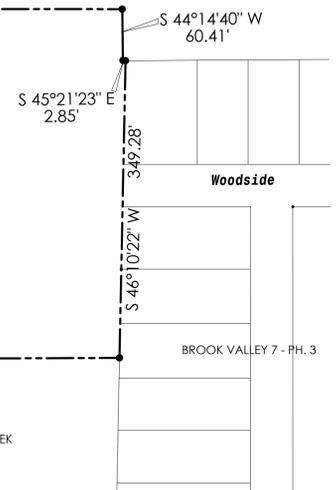
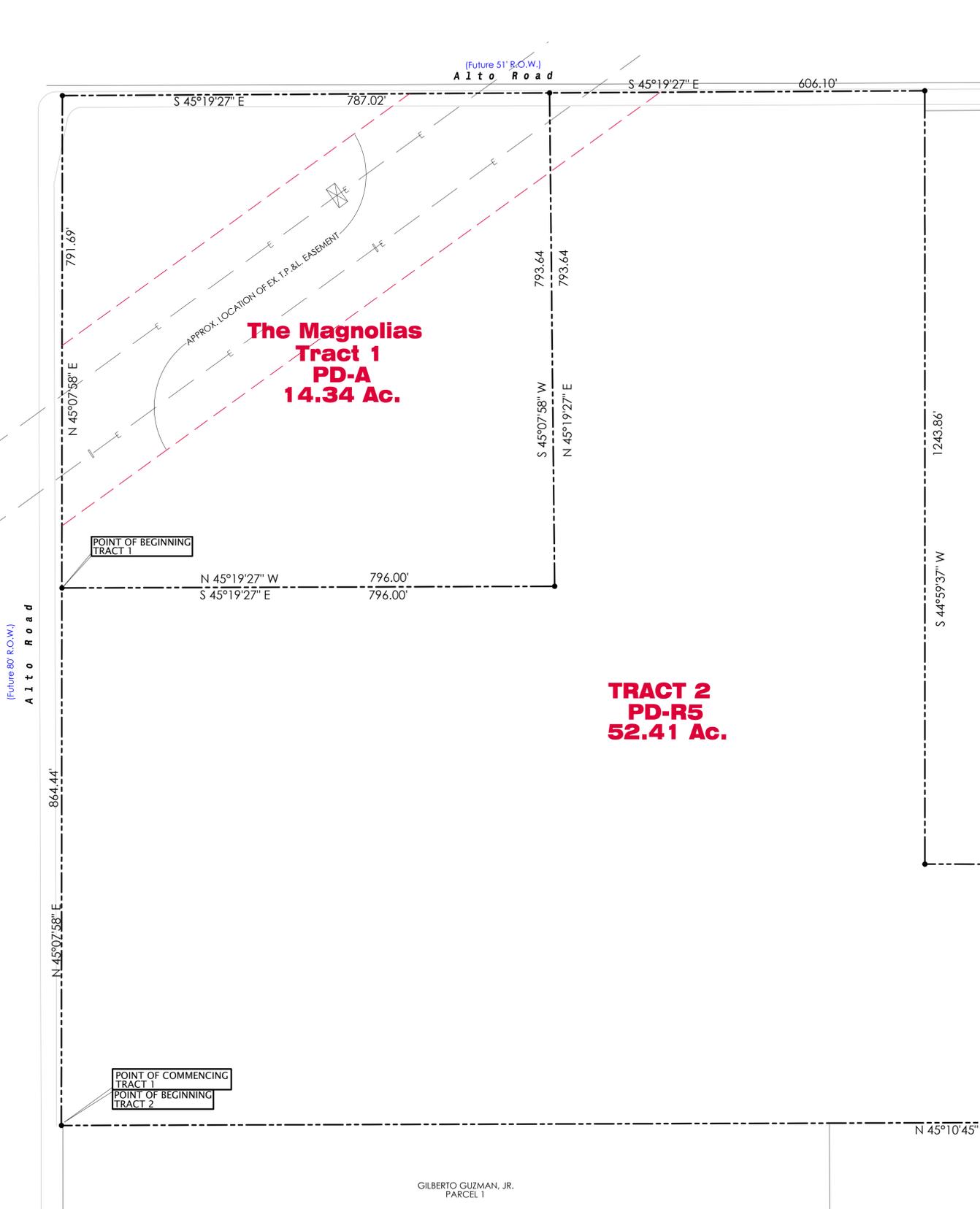
TTI TACK TEAM
INVESTMENTS LLC
3930 Clade Rd. Suite 108-322
Colleyville, Texas 76034
469.688.8224 | 111tcci@att.net

February 19, 2021

**TRACT 2
PD-R5
52.41 Ac.**

**The Magnolias
Tract 1
PD-A
14.34 Ac.**

117.23 AC.
175 SEAGOVILLE, LP



PROPERTY DESCRIPTION – TRACT 1

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PAT ATKINS

President

KPA Consulting, Inc.

3076 Hays Lane, Rockwall Texas 75087

972.388.6383 | kpatatkins@yahoo.com

3/29/2021

Attn. Jennifer Bonner

Ref. Project – Greenawalt Farms

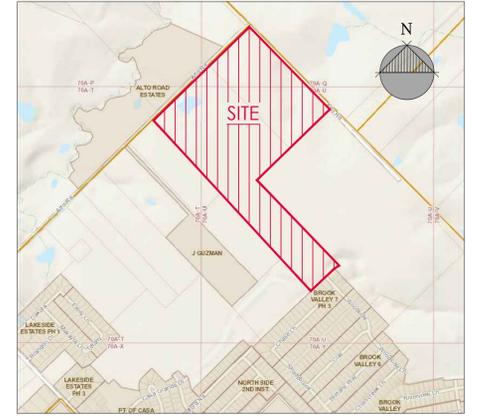
Dear Mrs. Bonner,

As you are aware, we received commission approval on March 23, 2021. In that approval, Commission recommended the amenity center to include utilization of gathering location for the residence; kitchen area and restrooms, adjacent to proposed pool.

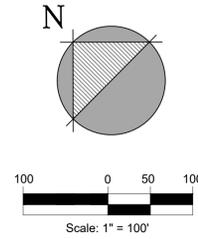
The required screening wall standards along Alto Rd. will consist of a 6' ft. structural masonry wall. Screening requirements along the North/South future major collector are to consist of 6 ft. rod iron fencing along with masonry columns every 100 ft. in addition to the landscape buffer which will include irrigation and landscaping.

Warm regards,

Pat Atkins



LOCATION MAP



- Legend**
- Prop. Water
 - - - Prop. San. Sewer
 - Prop. F.H.
 - Prop. S.S. M.H.
 - - - 6"FM Prop. Force Main

PRELIMINARY WATER & SANITARY SEWER
CONCEPT PLAN

Greenawalt Farms

Being a 66.75 Ac. Tract of Land situated in the
J. D. Merchant Survey, Abst. No. 850
City of Seagoville, Dallas County, Texas

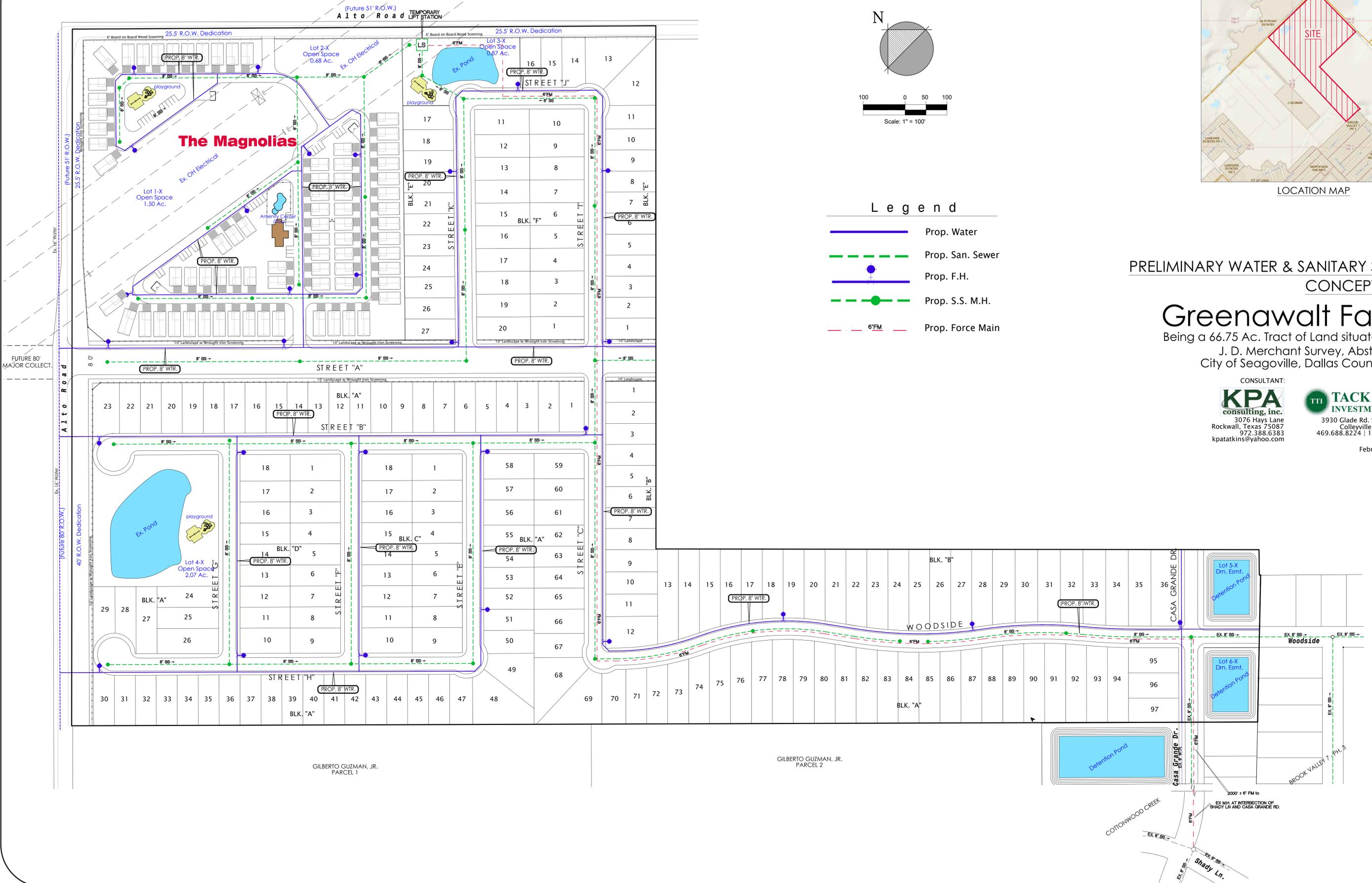
CONSULTANT:

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DEVELOPER:

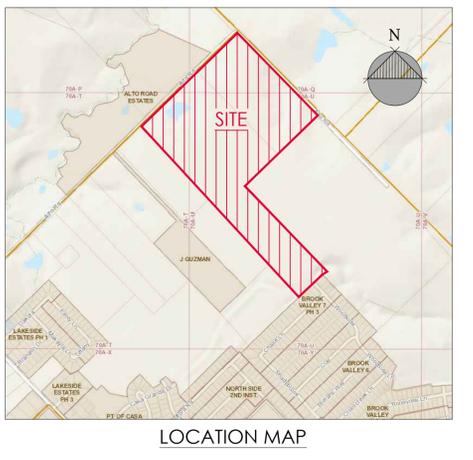
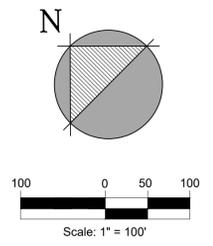
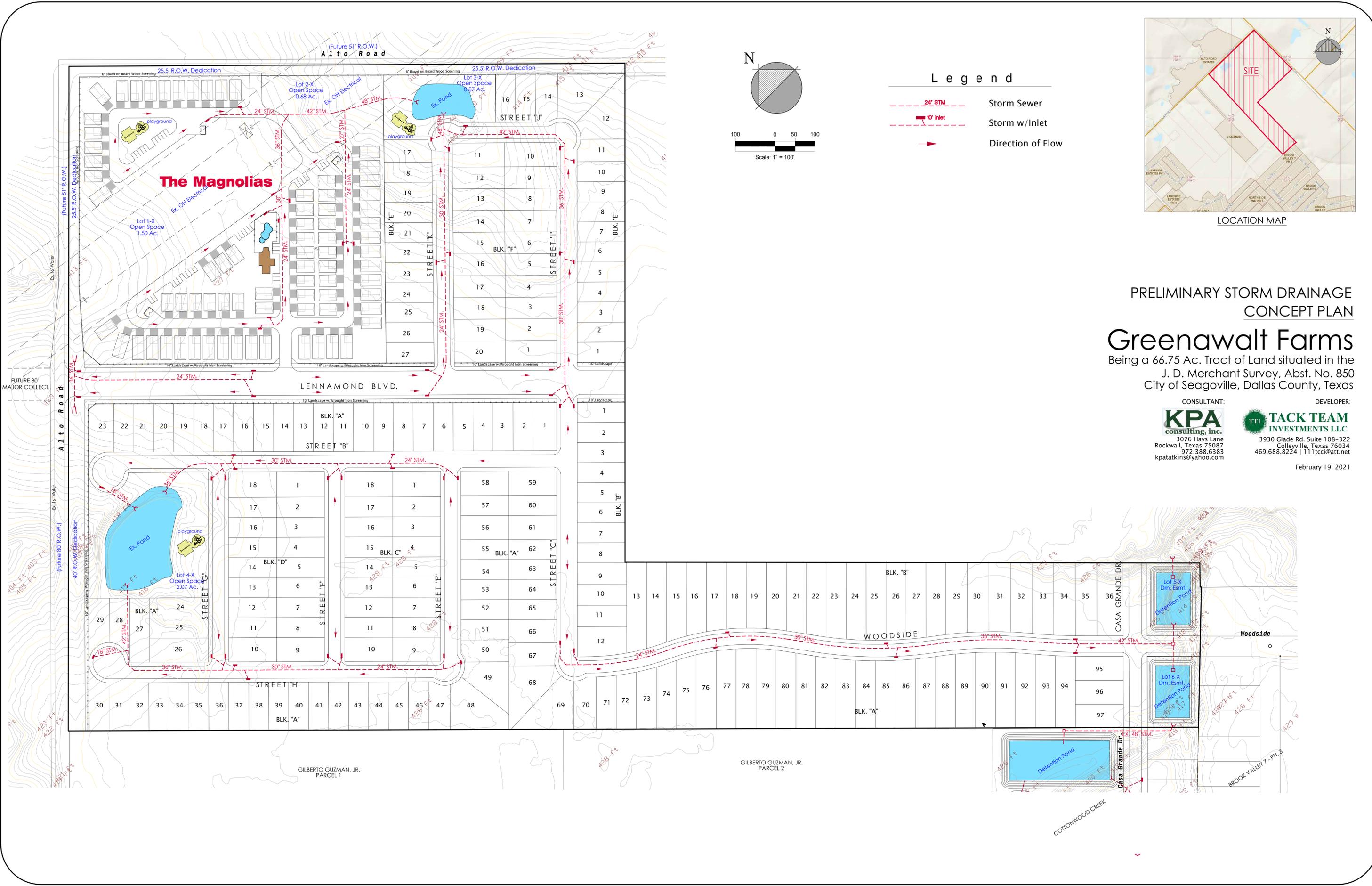
TTI TACK TEAM
INVESTMENTS LLC
3930 Glade Rd. Suite 108-322
Colleyville, Texas 76034
469.688.8224 | 111tcci@att.net

February 19, 2021



GILBERTO GUZMAN, JR.
PARCEL 1

GILBERTO GUZMAN, JR.
PARCEL 2



PRELIMINARY STORM DRAINAGE
CONCEPT PLAN

Greenawalt Farms

Being a 66.75 Ac. Tract of Land situated in the
J. D. Merchant Survey, Abst. No. 850
City of Seagoville, Dallas County, Texas

CONSULTANT:
KPA
consulting, inc.
3076 Hays Lane
Rockwall, Texas 75087
972.388.6383
kpatatkins@yahoo.com

DEVELOPER:
TTI TACK TEAM
INVESTMENTS LLC
3930 Glade Rd, Suite 108-322
Colleyville, Texas 76034
469.688.8224 | 111tcci@att.net

February 19, 2021



March 4, 2021

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

**NOTICE OF PUBLIC HEARING
SEAGOVILLE PLANNING & ZONING COMMISSION
ZONING CASE Z2021-03**

The Seagoville Planning and Zoning Commission will hold a virtual public hearing on Tuesday, March 23, 2021, at 6:30 p.m. at <https://webinar.ringcentral.com/j/1481288096> to consider a zone change request from AG, Agriculture, to PD-21-02, Planned Development-21-02 for multi-family and single family residential use, on two (2) tracts of land described as Tract 1 containing 24.38 acres and Tract 3 containing 41.16 acres in the John D. Merchant Abstract 850, being a combined total of approximately 66.75± acres, both commonly referred to as 900 Alto Road, Seagoville, Dallas County, Texas.

Individuals may state their opinions by video conference at the public hearing by using the link above. If you would like to make a public comment, please email Planner Jennifer Bonner at jbonner@seagoville.us no later than 4:00 P.M. on Monday, March 22, 2021.

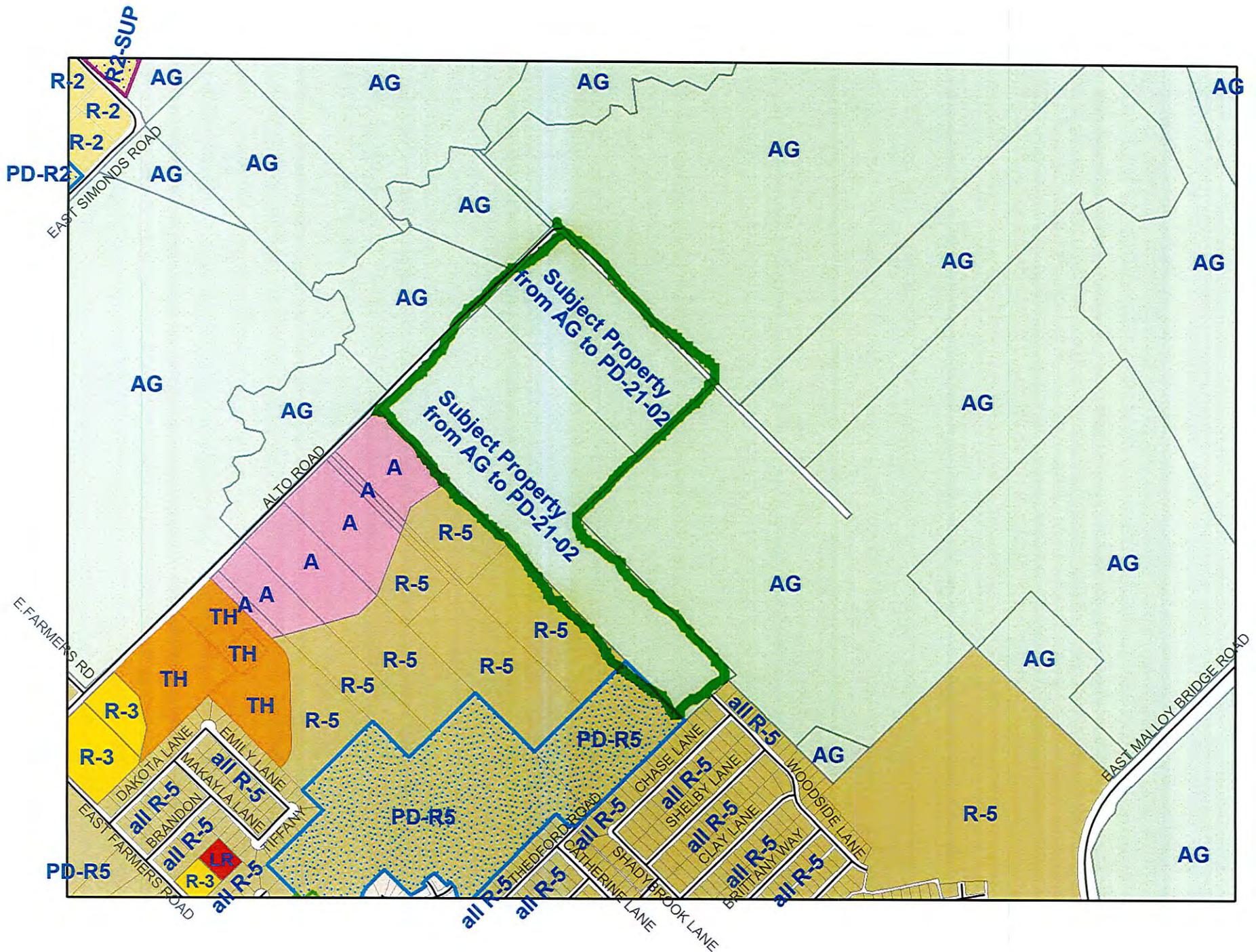
As an adjoining property owner, this is the first opportunity to voice your opinion about this project for the record. The second opportunity will be at the public hearing listed above. This item will also go to City Council for review and final approval. Separate notices for that meeting will be sent 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 Z2021-06 as it is described herein.

Additional Comments (attach additional sheets as necessary): _____

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





April 6, 2021

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

**NOTICE OF PUBLIC HEARING
SEAGOVILLE CITY COUNCIL
ZONING CASE Z2021-03**

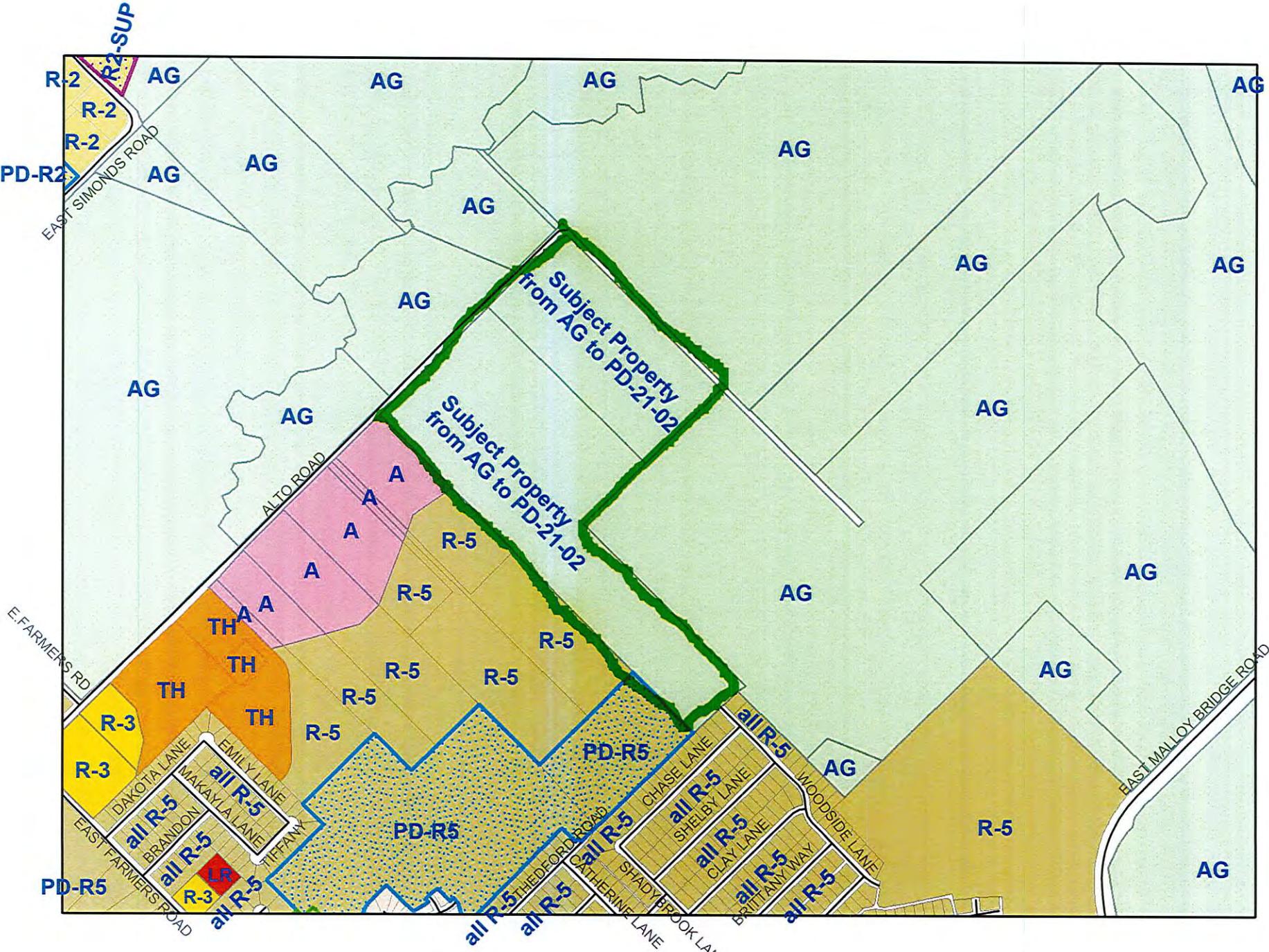
Seagoville City Council will hold a public hearing on Monday, April 19, 2021, at 6:30 PM in the Council Chambers of City Hall at 702 North U.S. Highway 175; Seagoville, TX 75159 to consider a zone change request from AG, Agriculture, to PD-21-02, Planned Development-21-02 for multi-family and single family residential use, on two (2) tracts of land described as Tract 1 containing 24.38 acres and Tract 3 containing 41.16 acres in the John D. Merchant Abstract 850, being a combined total of approximately 66.75± acres, both commonly referred to as 900 Alto Road, Seagoville, Dallas County, Texas.

Individuals may appear at the public hearing to state their opinions or send a written notice prior to 4:00 PM on the day of the public hearing to the City Secretary at citysecretary@seagoville.us

As an adjoining property owner, this meeting will be the last opportunity to voice your opinion about this project for the record.

CITY OF SEAGOVILLE

Kandi Jackson
City Secretary



Property Owners List for 900 Alto Road ZONING REQUEST Z2021-03: Create Greenawalt PD

Mailed out a total of 22 letters on Thursday, March 4, 2021, before 5:00 PM

Subject or adjainer?	Site Address	Owner	DCAD account	Mailing Address	Address 2	City	State	Zip	Acres	Lot	Subdivision Name	Block
Subject Subject	900 Alto Road	Lavon Greenawalt	65085006510030000	7810 Ivy Lane		Rowlett	TX	75089	41.16	3	John D. Merchant Abstract 850	
			65085006510010000						24.38	1	John D. Merchant Abstract 850	
Adjoinder	1001 Alto Road	175 Seagoville L.P.	65107081010020000	3316 Grand Mesa Drive		Plano	TX	75025	116.22	2	Andrew Nail Abstract 1070 <u>AND</u> John D. Merchant Abstract 850	
Adjoinder	15007 Lasater Road	SWMF Properties Inc.	65080570510070000	3963 Maple Avenue	Suite 100	Dallas	TX	75219	153.00	7	John Lanier Abstract 805	
Adjoinder	1301 Alto Road	SWMF Properties Inc.	65054142510310000	3963 Maple Avenue	Suite 100	Dallas	TX	75219	0.81	31	Herman Heider Abstract 541	
Adjoinder	1515 Alto Road	Dion & Diana Taylor and Jesus & Vincente Popoca	65054142510230000	1515 Alto Road		Seagoville	TX	75159	9.00	23	Herman Heider Abstract 541	
Adjoinder	2 Alto Road	Alfredo Guel and Raymundo Vasquez	50001250000020000	743 Quinette Drive		Seagoville	TX	75159	15.035	2	Alto Road Estates	
Adjoinder	1363 Alto Road	Felix Vasquez	50001250000010000	2609 Seagoville Road		Seagoville	TX	75159	12.236	1	Alto Road Estates	
Adjoinder	1370 Alto Road	Gilberto Guzman Jr.	65085006510130200	1505 North Kaufman Street		Seagoville	TX	75159	10.00	13.2	John D. Merchant Abstract 850	
Adjoinder	1370 Alto Road	Gilberto Guzman Jr.	65085006510130300	1505 North Kaufman Street		Seagoville	TX	75159	12.482	13.3	John D. Merchant Abstract 850	
Adjoinder	835 Thedford Road	Shepherd Place Homes Inc.	65085006510040000	620 Rowlett Road		Rowlett	TX	75030	10.00	4	John D. Merchant Abstract 850	
Adjoinder	1237 Chase Lane	Downer Pace Dykes Jr.	50007730090190000	1237 Chase Lane		Seagoville	TX	75159	0.23	19	Brook Valley 7 Phase 3	9
Adjoinder	1239 Chase Lane	Joshua Noe Camarillo	50007730090200000	1239 Chase Lane		Seagoville	TX	75159	0.22	20	Brook Valley 7 Phase 3	9
Adjoinder	1241 Chase Lane	Norkeithen L. Payne	50007730090210000	1241 Chase Lane		Seagoville	TX	75159	0.22	21	Brook Valley 7 Phase 3	9
Adjoinder	1243 Chase Lane	Winston L. Sears	50007730090220000	1243 Chase Lane		Seagoville	TX	75159	0.22	22	Brook Valley 7 Phase 3	9
Adjoinder	1245 Chase Lane	Darrell Gaines and Aisha Miller	50007730090230000	1245 Chase Lane		Seagoville	TX	75159	0.23	23	Brook Valley 7 Phase 3	9
Adjoinder	1247 Chase Lane	Louiza Ann Missi	50007730090240000	1247 Chase Lane		Seagoville	TX	75159	0.22	24	Brook Valley 7 Phase 3	9
Adjoinder	1249 Chase Lane	Joanna Villarreal and Arnaldo Villarreal-Perez	50007730090250000	1249 Chase Lane		Seagoville	TX	75159	0.25	25	Brook Valley 7 Phase 3	9
Adjoinder	1216 Woodside Lane	Eduardo Consuelo	500077312A0200000	1216 Woodside Lane		Seagoville	TX	75159	0.24	20	Brook Valley 7 Phase 3	12A
Adjoinder	1214 Woodside Lane	Cynthia D. Robinson and Alice M. Snell	500077312A0190000	1214 Woodside Lane		Seagoville	TX	75159	0.17	19	Brook Valley 7 Phase 3	12A
Adjoinder	1212 Woodside Lane	Mark B. Toney and Paula R. Crowder	500077312A0180000	1212 Woodside Lane		Seagoville	TX	75159	0.17	18	Brook Valley 7 Phase 3	12A
Adjoinder		City of Seagoville		702 North U.S. Highway 175		Seagoville	TX	75159		ROW		
Adjoinder												



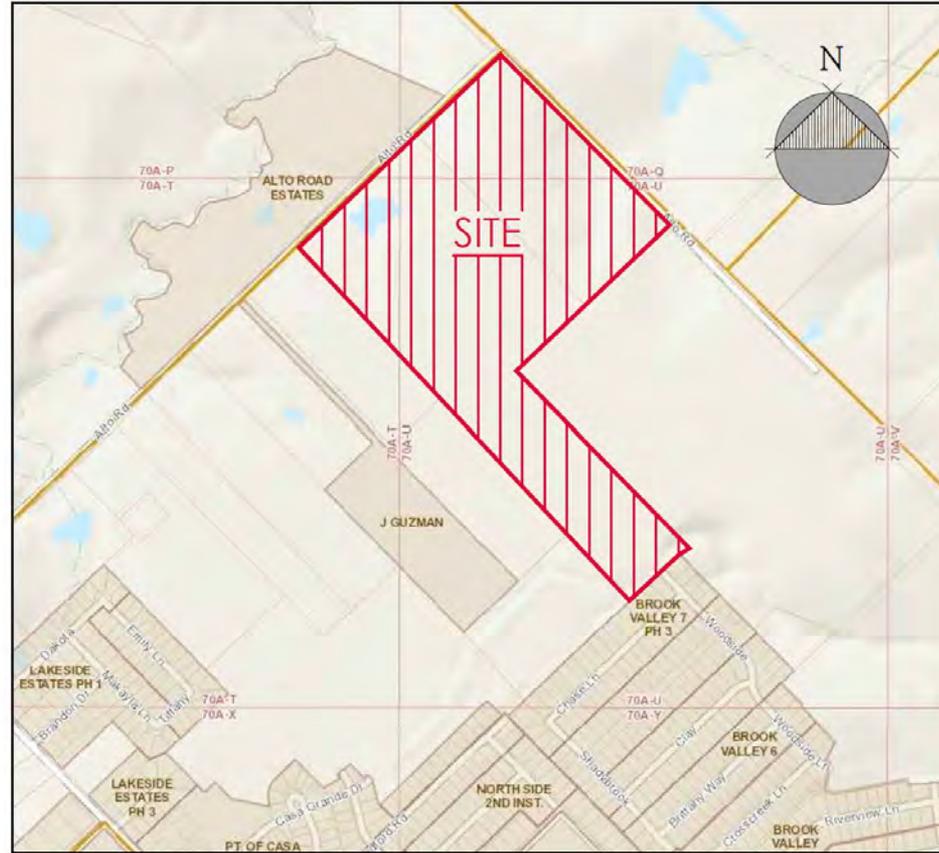
Greenawalt Farms \ the Magnolias

Seagoville, Texas

February, 2021

CONTENTS

- I. LOCATION
- II. AERIAL OF SITE
- III. PROJECT SUMMARY
- IV. DETAILED DEVELOPMENT PLAN
- V. BUILDING ARCHITECTURAL STANDARDS
- VI. PROPERTY DEVELOPMENT STANDARDS
- VII. PERIMETER SCREENING
- VIII. LANDSCAPE DETAILS



I. LOCATION



II. AERIAL OF SITE

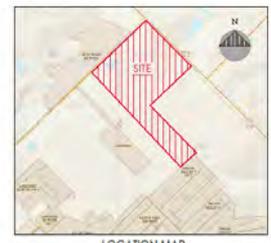
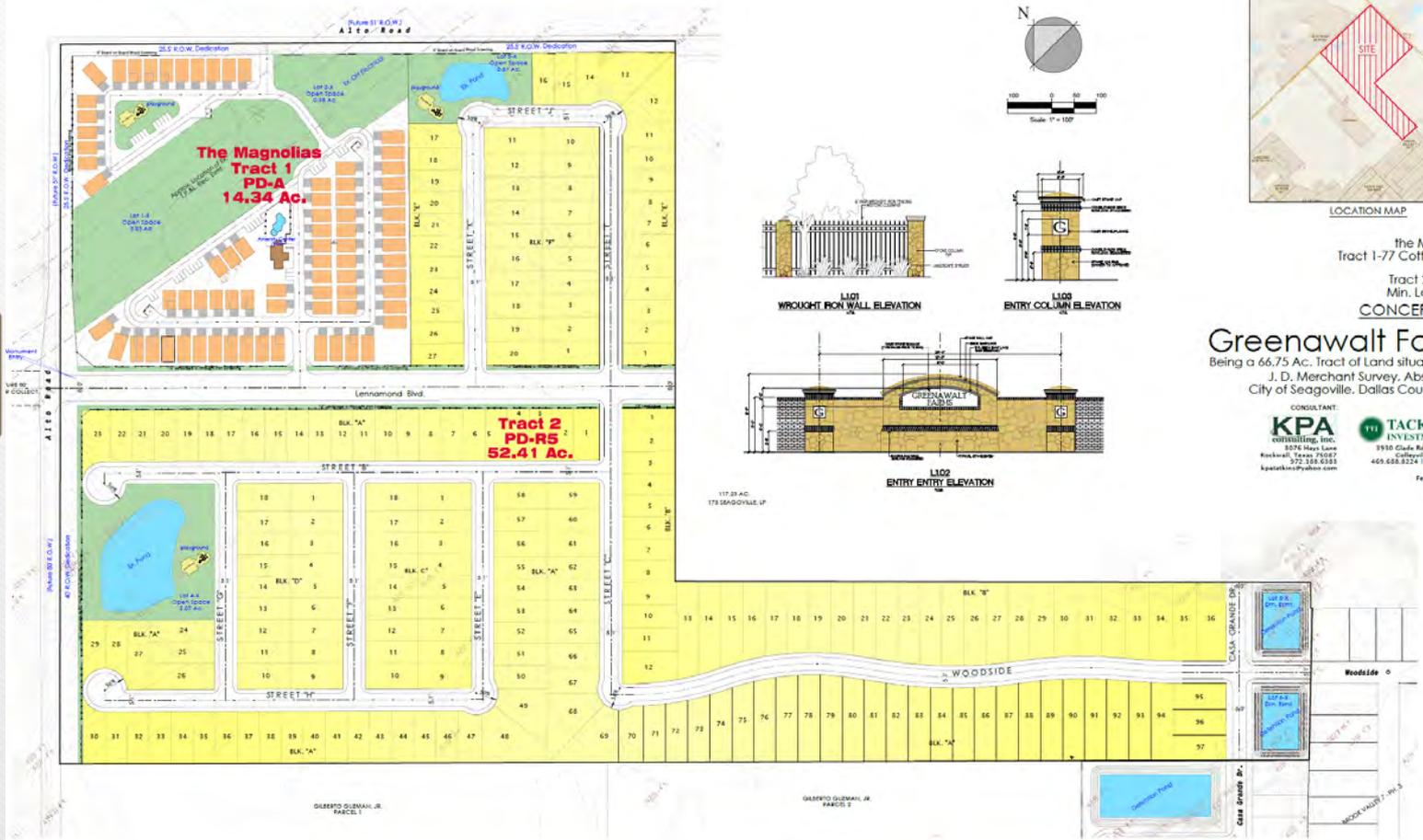
III. PROJECT SUMMARY

- The property consists of 66.75. acres of land adjacent to Alto Road a 80' major thoroughfare. Also a major 80' thoroughfare runs north south that the Developer will be required to construct
- Our southern border is adjacent to existing Brook Valley and Casa Grande Drive that will be extended thru Greenawalt Farms a 60' collector.
- Our western boundary is adjacent to future Cottonwood Creek similar lot size and housing product.
- Our eastern border is adjacent to undeveloped large tracts adjacent to the future Loop 9 Highway
- Our construction will range from \$225k to \$300k. The homes will be marketed towards young families, young professionals and empty nesters. As noted, our new sales will be higher in value than the surrounding properties as noted above, creating an additional 65 million dollars to the City of Seagoville tax base. There will be a Master H.O.A. required within the Magnolias gated development of the Condominium Association along with the Traditional Residential of the property. We are excited to bring this upscale residential for sale Condominium Association and Traditional Residential development to this area. A 10' Landscape/Hardscape Buffer will be implemented along Alto Rd., North South Road adjacent to and thru our development.

III. PROJECT SUMMARY, cont.

- The guidelines set forth in the City of Seagoville Comprehensive Plan and creation of an exclusive high-end residential neighborhood.
- The Comprehensive Design Requirements dictate encouragement of open space throughout the residential neighborhood quadrants.
- Greenawalt Farms identity monumentation which will be constructed at the entry points of Alto Road, which we feel our plan and home creation has exceeded The City of Seagoville's expectations.

IV. DETAILED DEVELOPMENT PLAN



the Magnolias
Tract 1-77 Cottage Units
Tract 2-216 Lots
Min. Lot 50x120'
CONCEPT PLAN

Greenawalt Farms
Being a 66.75 Ac. Tract of Land situated in the
J. D. Merchant Survey, Abst. No. 850
City of Seagoville, Dallas County, Texas

CONSULTANT: **KPA** CONSULTING, INC.
1919 Clark Rd. Suite 180-822
Rockwall, Texas 75087
972.308.6555
kpatatkins@yahoo.com

DEVELOPER: **TACK TEAM INVESTMENTS LLC**
1919 Clark Rd. Suite 180-822
Rockwall, Texas 75087
469.688.8214 | t13300@tack.net

February 19, 2011



V. BUILDING ARCHITECTURAL STANDARDS



Elevations and Floor Plans

the Magnolias

*photos are for marketing material representation only







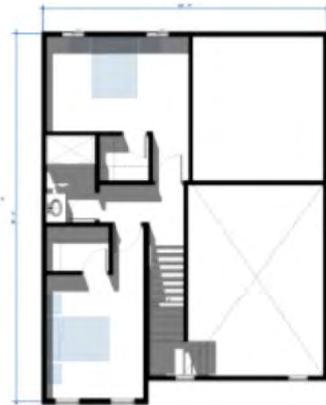


Plan 1



Plan 1 - 1st Floor

Plan 2



Plan 2 - 2nd Floor



Plan 2 - 1st Floor



MARKET RELEVANT DESIGN

- Farmhouse style wood design laminate
- Trendy color packages
- Time-tested quality materials throughout



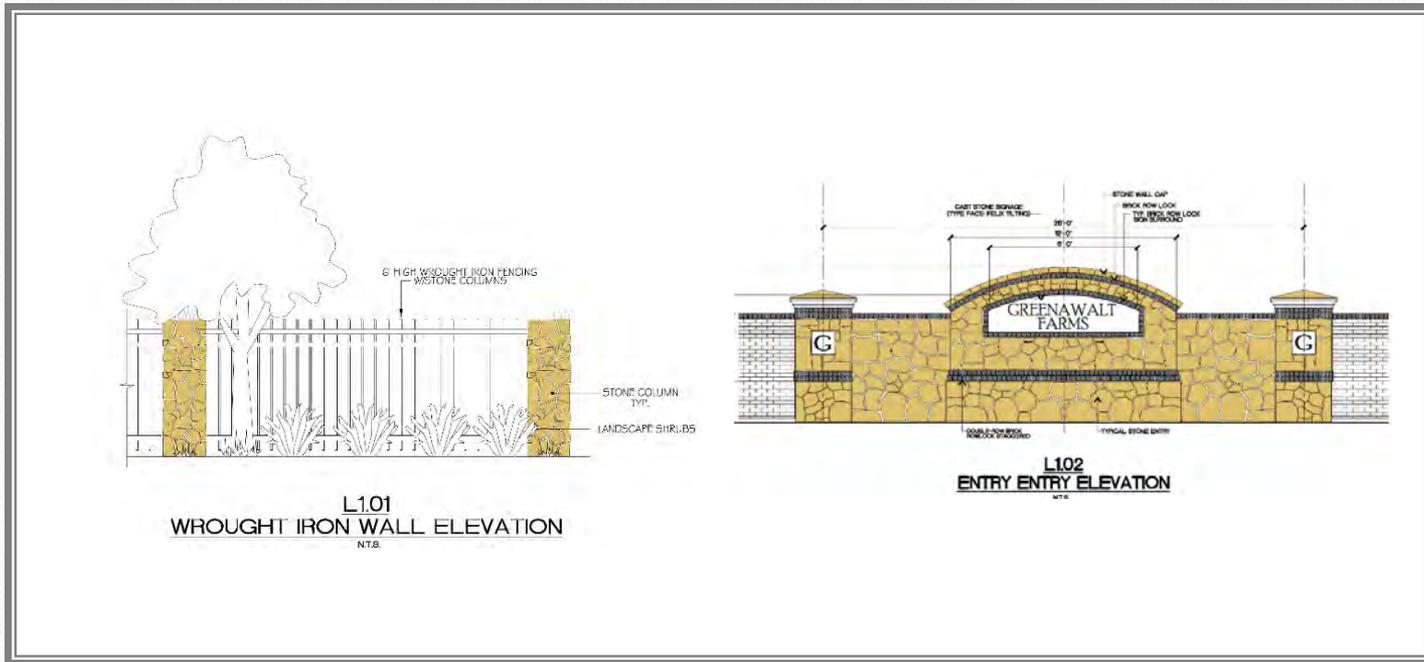
- Tile backsplashes
- Granite countertops
- Stainless appliances
- 2 car garages











VII. PERIMETER SCREENING



Regular Session Agenda Item: 4

Meeting Date: April 19, 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, granting a change in zoning from Agriculture (AG) to Planned Development-Residential (PD-21-02) for single family and multifamily uses on two (2) tracts of land being a combined total of approximately 66.75± acres legally described as Tract 1 and 3 of the John D. Merchant Survey, Abstract 850, commonly known as 900 Alto Road, in the City of 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 “B”; providing a repealing clause; providing a severability clause; providing a savings clause; providing a penalty of fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense; and providing an effective date.

BACKGROUND OF ISSUE:

The land is currently unimproved. It is located on the north end of Alto Road. There are two (2) existing ponds that will remain in addition to the open space underneath the existing overhead electric lines.

The estate of Lavon Greenawalt, via the estate executor Donna Lenamond and applicant Pat Atkins of K.P.A. Consulting Inc., is requesting a zoning change for (vacant) land zoned AG (Agriculture) to a planned development with a mixture of base zonings. The proposed development regulations include and/or the concept plan shows:

- Development in accordance with a submitted (to be approved by City Council) concept plan
- Development to have 2 internal zoning districts.
 - Proposed Tract 1 will:
 - Include approximately 14.3+/- acres in the north corner of the site
 - Be limited to permitted Apartment land uses
 - Include most of the area where the overhead electric lines are located
 - Be referred to as the Magnolias portion of the site
 - Include an amenity center to be available only for the this portion of the development
 - Amenity Center to include an outdoor pool
 - Have a playground in one of the open spaces away from the amenity center
 - Have a condominium owners association (COA) for owning and maintaining all amenities within this portion of the development
 - Be a gated community of detached condominiums with each unit being individually-owned and sprinkled

- Be allowed a maximum 80% lot coverage including accessory buildings
- Have (instead of code-requirements):
 - 18-foot front yards (from curb to front of unit)
 - 6-feet between buildings
 - 6-foot rear yards
 - 1,600 square foot or larger dwelling units
 - 400 square foot (or 2-car) garage per unit
 - Guest parking available at ratio of 0.25% per dwelling unit
- Proposed Tract 2 will:
 - Include approximately 52.3 +/- acres south and southeast of the overhead electric lines
 - Be limited to permitted detached single-family land uses
 - Include playground equipment at each of the site's existing ponds (ponds to remain as amenities for the entire development)
 - Include the creation of detention ponds around the proposed intersection of Casa Grande Drive and Woodside Lane
 - Includes 3 of the 4 development's access points, including the construction of the:
 - Entire width of new Major Collector through the site
 - Entire width of extension of Minor Collector from the south
 - Have a homeowners association (HOA) for owning and maintaining all amenities.
 - Be allowed a maximum 35-foot height of each structure
 - Have (instead of code-requirements):
 - Lots not smaller than 6,000 square feet.
 - Lots not narrower than 50 feet when measured along the front setback
 - 20-foot front yards (from property line to front of structure)
 - 5-foot side yards, except on corners lots, which will have 20-foot side yards
 - Rear yards at least 5% of the total lot depth or a maximum of 10-feet
 - 25% of the lots with 1,600 square foot or larger houses
 - 50% of the lots with 1,700 square foot or larger houses
 - 25% of the lots with 1,800 square foot or larger houses

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, March 5, 2021 edition of the Daily Commercial Record newspaper. Including the parcel in question, there are twenty-two (22) properties plus part of three (3) public streets within 200-feet of the boundary of the subject parcel. The owners of each parcel were notified in compliance with the 200-foot rule by mail on Thursday, March 4, 2021. As of Thursday, March 18, 2021, no (zero) letters were returned as undeliverable by the U.S. Postal Service. No (zero) letters were returned against or in favor of the request. No one (zero) spoke for or against the request at the meeting.

For the City Council meeting, a legal ad was published again per the Texas Local Government Code in the Thursday, April 1, 2021, 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 Tuesday, April 6, 2021. As of the date of this report, Friday, April 9, 2021, no (zero) 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 March 23rd, the Planning and Zoning Commission voted unanimously (seven to zero) in favor of recommending approval with conditions on zoning request Z2021-03 from AG, Agriculture, to PD-21-02, Planned Development-21-02 for multi-family and single family residential use, on two (2) tracts of land described as Tract 1 containing 24.38-acres and Tract 3 containing 41.16-acres in the John D. Merchant Abstract 850, being a combined total of approximately 66.75± acres, both commonly referred to as 900 Alto Road, Seagoville, Dallas County, Texas. The conditions of approval were:

- No engineering plan approval for the development until the combined drainages from Brook Valley 7, proposed Cottonwood Creek, and between this site and the Lanier/Nail/Merchant abstract line flowing through this development are addressed.
- Screening to be minimum 6-feet tall and constructed as a solid masonry wall and columns along Alto Road.
- All common areas and amenities shall be owned, operated, and maintained by home or condominium owners association.
- All signage to meet all city codes unless otherwise provided in the development regulations.
- Construction of all Collectors (major and minor) to include 5-foot wide sidewalk along both sides of pavement.
- Construction of the development's half of Alto Road.
- Roadways in Apartment-zoned area to:
 - Not be less than 26-feet wide between curb faces.
 - Include minimum 3-foot wide sidewalk on both sides.
- All other streets to have 4-foot wide sidewalks on both sides.
- No front setback less than 21-feet from back of curb.

Staff supports the request with the listed conditions.

EXHIBITS:

Ordinance with Exhibits A & B (8 pages)

AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS

ORDINANCE NO. _____

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 21-02) FOR SINGLE FAMILY AND MULTIFAMILY USES ON TWO (2) TRACTS OF LAND BEING A COMBINED TOTAL OF APPROXIMATELY 66.75± ACRES LEGALLY DESCRIBED AS TRACT 1 AND 3 OF THE JOHN D. MERCHANT SURVEY, ABSTRACT 850, COMMONLY KNOWN AS 900 ALTO ROAD, IN THE CITY OF 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 “B”; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Planning and Zoning Commission and the governing body of the City of Seagoville, Texas, in compliance with the laws of the State of Texas, and pursuant to the Comprehensive Zoning Ordinance of the City of Seagoville, have given requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally, and to all persons interested and situated in the affected area and in the vicinity thereof, the said governing body is of the opinion that Zoning Application No. Z2021-03 (PD 21-02) 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 21-02) for single family and multifamily uses on two (2) tracts of land being a combined total of approximately 66.75± acres

legally described as Tract 1 and 3 of the John D. Merchant Survey, Abstract 850, commonly known as 900 Alto Road, in the City of 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 Code of Ordinances, including the City of Seagoville Zoning Ordinance and Construction Standards, except as amended herein, and the following development regulations:

- A. Development shall be in accordance with the approved concept plan.
- B. Multifamily Development shall be a gated community of detached condominiums with each unit being individually owned and sprinkled.
- C. Area Regulations:
 - 1. Single Family Development:
 - Lot size shall be a minimum of 6,000 square feet;
 - Lot width shall be a minimum of 50 feet when measured along the front setback;
 - Front yard shall be a minimum of 21 feet from back of curb;
 - Side yard shall be a minimum of five feet, except corner lots which shall have a 20-foot side yard; and
 - Rear yard shall have a minimum 5% of the total lot depth or a maximum of 10-feet.
 - 2. Multifamily Development:
 - Front yard shall be a minimum 18-foot from curb to front of unit;
 - There shall be a minimum of not less than 6-feet between buildings;
 - Rear yard shall be a minimum of 6-feet;
 - A maximum of 80% lot coverage, including accessory buildings, shall be permitted;
 - Each unit shall have a minimum 400 square foot or 2-car garage; and
 - Guest parking shall be available at a ratio of 0.25% per dwelling unit.
- D. Area of Dwelling:
 - 1. Single Family Development:
 - 25% of the dwelling units shall be a minimum 1,600 square feet of living area;
 - 50% of the dwelling units shall be a minimum 1,700 square feet of living area; and
 - 25% of the dwelling units shall be a minimum 1,800 square feet of living area.
 - 2. Multifamily Development:
 - The area of dwelling for the multifamily residential development shall be a minimum of 1,600 square feet of living area.
- E. Structure height of each Single Family and Multifamily structure shall not exceed 35-feet.
- F. Streets, Roadways and Sidewalks:

One-half of Alto Road, that portion that runs the full length of the property, abutting Alto Road, shall be paved concrete, curb, and gutter roadway.

1. Single Family Development:
 - All Collectors, major and minor, constructed on the site shall include 5-foot wide sidewalks along both sides of the pavement; and
 - All other streets to have 4-foot wide sidewalks on both sides.
 2. Multifamily Development:
 - Roadways shall be a minimum of 26-feet wide between curb faces; and
 - Minimum 3-foot wide sidewalks shall be required on both sides.
- G. Amenities, Open Space and Ponds:
1. Single Family Development:
 - Ponds shall be an amenity for the entire development;
 - Playground equipment shall be installed at each of the site's existing ponds; and
 - Detention ponds shall be created around the intersection of Case Grande Drive and Woodside Lane.
 2. Multifamily Development:
 - Amenity Center shall be constructed to include an outdoor swimming pool;
 - Playground shall be constructed in one (1) of the open spaces away from the Amenity Center;
 - Ponds shall be an amenity for the entire development.
- H. A six foot (6') solid masonry wall and columns constructed of brick, rock or a combination thereof shall be required along Alto Road.
- I. All common areas and amenities shall be owned, operated, and maintained by a Home Owners Association or Condominium Owners Association.
- J. All signage shall comply with all City Codes unless otherwise provided in the development regulations.

SECTION 3. The property shall be developed and used only in accordance with the concept plan attached as Exhibit "B" and incorporated herein for all purposes, 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 19th day of April 2021.

APPROVED:

DENNIS K. CHILDRESS, MAYOR

ATTEST:

KANDI JACKSON, CITY SECRETARY

APPROVED AS TO FORM:

VICTORIA THOMAS, CITY ATTORNEY

(/cdb 04.12.2021)

EXHIBIT "A"

LEGAL DESCRIPTION OF PROPERTY

PROPERTY DESCRIPTION - TRACT 1

Being situated in the John D. Merchant Survey, Abstract Number 850, City of Seagoville, Dallas County, Texas and being all of that certain called 66.750 acre tract of land described in a Deed to William J. Greenawalt Jr., recorded in Volume 69145, Page 272, Deed Records of Dallas County, Texas (DRDCT) and this tract being more particularly described as follows:

COMMENCING at a point for corner located in the asphalt surface of Alto Road (approximately 3' southeast of its center), at the most western corner of said 66.750 acre tract from which a 1/2" iron rod found for reference bears S 45°10'52" E a distance of 40.33 feet ;

THENCE N 45°07'58" E, along the northwest line of said 66.750 acre tract and in said road, a distance of 864.44 feet, to a 1/2" iron rod set and being the POINT OF BEGINNING;

THENCE N 45°07'58" E, continuing along the northwest line of said 66.750 acre tract and in said road, a distance of 791.90 feet, to a 1/2" iron rod found for corner at the most northern corner thereof, said point being near the edge of the gravel surface of said Alto Road now turning in a southeasterly direction;

THENCE S 45°19'27" E, along the northeast line of said 66.750 acre tract and within the limits of said gravel surface, a distance of 787.02 feet, to a iron set for corner,

THENCE, S 45°07'58" W, departing the northeast line of said 66.750 acre tract, a distance of 793.64 feet, to an iron rod set for corner;

THENCE N 45°19'27" W, a distance of 796.00 feet, to an iron rod set for corner said point being on the northwest line of said 66.750 acre tract and in said road, to the POINT OF BEGINNING and containing 624,650 square feet or 14.34 acres of land.

EXHIBIT "A"

LEGAL DESCRIPTION OF PROPERTY

PROPERTY DESCRIPTION - TRACT 2

Being situated in the John D. Merchant Survey, Abstract Number 850, City of Seagoville, Dallas County, Texas and being all of that certain called 66.750 acre tract of land described in a Deed to William J. Greenawalt Jr., recorded in Volume 69145, Page 272, Deed Records of Dallas County, Texas (DRDCT) and this tract being more particularly described as follows:

BEGINNING at a point for corner located in the asphalt surface of Alto Road (approximately 3' southeast of its center), at the most western corner of said 66.750 acre tract from which a 1/2" iron rod found for reference bears S 45°10'52" E a distance of 40.33 feet ;

THENCE N 45°07'58" E, along the northwest line of said 66.750 acre tract and in said road, a distance of 864.44 feet, to a 1/2" iron rod set for corner;

THENCE S 45°19'27" E, a distance of 796.00 feet, to a iron rod set for corner;

THENCE N 45°07'58" E, a distance of 793.64 feet, to a 1/2" iron rod set for corner; said point being on the southerly line of said Alto Rd.

THENCE S45°19'27" E, along the southerly line of said Alto Rd. a distance of 606.10 feet, to a 1/2" iron rod found for corner;

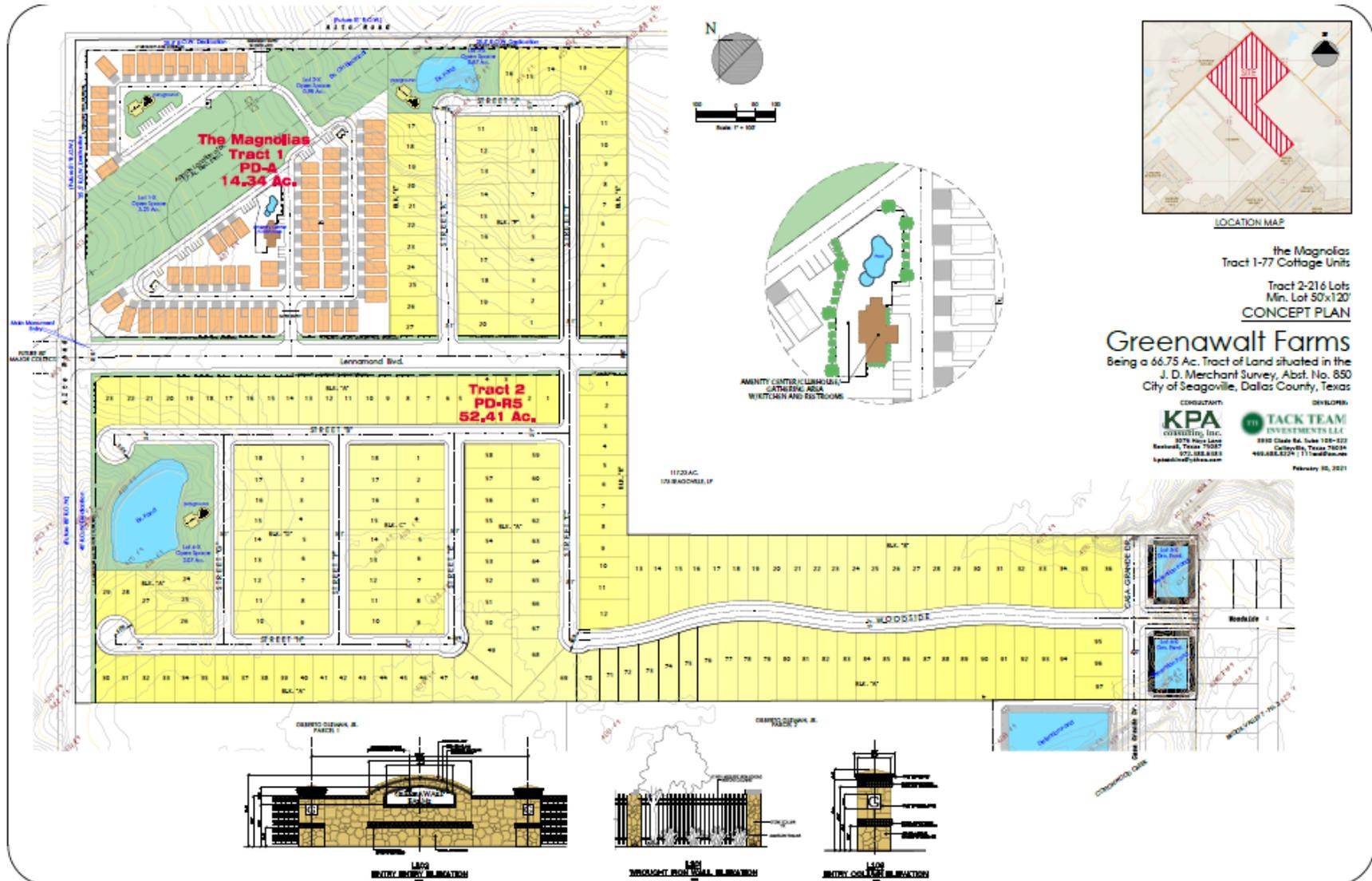
Thence departing the southerly line of said Alto Rd. and along and with the common boundaries of said 66.46 acre and 117.23 acre tracts the following courses;

S 44°59'37" W, a distance of 1243.86 feet to a point for corner near a fence post,
S 44°55'28 E, a distance of 1439.99 feet, to a 5/8" iron rod with a yellow cap stamped "HALF" found for corner;
S 44°14'40" W, a distance of 60.41 feet, to a 1/2" iron rod with found for corner.
S 45°21'23" E, a distance of 2.85 feet, to a 1/2" iron rod with a yellow cap found for corner at the most western corner of Brook Valley No. 7, Phase 3, an Addition to the City of Seagoville, according to the plat thereof recorded as Instrument No. 201800254619, Plat Records of Dallas County, Texas (PRDCT);

THENCE S 46°10'22" W, a distance of 349.46 feet, to a 5/8" iron rod with a yellow cap stamped "RPLS 3963" set for corner at the most southern corner of said 66.750 acre tract common to the most eastern corner of a called 45.902 acre tract described in a deed to SHEPHERD PLACE HOMES INC. recorded as Instrument No. 201900271874, from which a 3/8" iron rod found for reference bears N 45°10'45" W, a distance of 8.49 feet;

THENCE N 45°10'45" W, along the southwest line of said 66.446 acre tract and partially with the northeast line of said 45.902 acre tract and the northeast line of a called 12.48 acre tract described as Parcel 1 in previously referenced deed to Gilberto Guzman and said Parcel 2 of same deed, for a total distance of 2833.57 feet, to the POINT OF BEGINNING and containing 2,282,980 square feet or 52.41 acres of land.

EXHIBIT "B" CONCEPT PLAN



Regular Session Agenda Item: 5

Meeting Date: April 19, 2021

ITEM DESCRIPTION:

Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas, approving and authorizing the City Manager to execute Work Order No. 1, which is attached hereto and incorporated herein as Exhibit A, with Garver, LLC for on-call engineering services for development plan review in an amount not to exceed Forty-Five Thousand Dollars and No Cents (\$45,000.00); and providing an effective date.

BACKGROUND OF ISSUE:

The City of Seagoville and Garver, LLC, entered into a Master Agreement for Professional Services (MSA) on or about March 24, 2021 for on-call engineering services on a work order basis.

In accordance with the provisions of said MSA, the City desires to utilize the On-Call Engineering Services of the Engineer for Development Plan Review under the terms and conditions set forth in Work Order No. 1.

It is in the best interest of the City to approve Work Order No. 1 with the Engineer in an amount not to exceed forty-five thousand dollars and no cents (\$45,000).

FINANCIAL IMPACT:

\$45,000.00

RECOMMENDATION:

City Staff recommends approval.

EXHIBITS:

Resolution (2 Pages)
Exhibit A

A RESOLUTION OF THE CITY OF SEAGOVILLE, TEXAS

RESOLUTION NO. ____-R-2021

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEAGOVILLE, TEXAS, APPROVING AND AUTHORIZING THE CITY MANAGER TO EXECUTE WORK ORDER NO. 1, WHICH IS ATTACHED HERETO AND INCORPORATED HEREIN AS EXHIBIT A, WITH GARVER, LLC FOR ON-CALL ENGINEERING SERVICES FOR DEVELOPMENT PLAN REVIEW IN AN AMOUNT NOT TO EXCEED FORTY-FIVE THOUSAND DOLLARS AND NO CENTS (\$45,000.00); AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Seagoville (“City”) and Garver, LLC, (“Engineer”) entered into a Master Agreement for Professional Services (“MSA”) on or about March 24, 2021 for on-call engineering services on a work order basis; and

WHEREAS, in accordance with the provisions of said MSA, the City desires to utilize the on-call engineering services of the Engineer for Development Plan Review under the terms and conditions set forth in Work Order No. 1, which is attached hereto and incorporated herein; and

WHEREAS, the City Council hereby finds that it is in the best interest of the City to approve Work Order No. 1 with the Engineer in an amount not to exceed forty-five thousand dollars and no cents (\$45,000), and authorizes the City Manager to execute the same;

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

SECTION 1. The City Council approves Work Order No. 1, by and between the City and Engineer for the purpose of providing development plan review in an amount not to exceed forty-five thousand dollars and no cents (\$45,000), which is attached hereto and incorporated herein as Exhibit A, and hereby authorizes the City Manager to execute the same.

SECTION 2. That any prior Resolutions of the City Council of the City of Seagoville, Texas, in conflict with the provisions contained in this Resolution are hereby repealed and revoked.

SECTION 3. That if any article, paragraph, subdivision, clause or provision of this Resolution, as hereby amended, be adjudged invalid or held unconstitutional for any reason, such judgement or holding shall not affect the validity of this Resolution as a whole or any part or

provision thereof, as amended hereby, other than the part so declared to be invalid or unconstitutional.

SECTION 4. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Seagoville, Texas, and it is accordingly resolved.

DULY PASSED by the City Council of the City of Seagoville, Texas, on the 19th day of April, 2021.

APPROVED:

DENNIS K. CHILDRESS, MAYOR

ATTEST:

KANDI JACKSON, CITY SECRETARY

APPROVED AS TO FORM:

VICTORIA THOMAS, CITY ATTORNEY
(/cdb 04/13/2021)

EXHIBIT "A"



**WORK ORDER NO. 1
City of Seagoville
On-Call Engineering Services
Project No. 21W05076**

This WORK ORDER ("Work Order") is made by and between the **City of Seagoville** (hereinafter referred to as "**Owner**") and **Garver, LLC**, (hereinafter referred to as "**Garver**") in accordance with the provisions of the MASTER AGREEMENT FOR PROFESSIONAL SERVICES executed on March 24, 2021 (the "Agreement").

Under this Work Order, the Owner intends to make the following improvements for **On-Call Engineering Services**:

The Owner intends to utilize GARVER on an on-call, hourly basis for the review of proposed development projects by others.

Garver will provide professional services related to these improvements as described herein. Terms not defined herein shall have the meaning assigned to them in the Agreement.

Each request for engineering plan review assistance from the Owner will be confirmed by GARVER in a brief message to the Owner sent via email. The email message will contain a description of services, a maximum fee, and a schedule. An email response from the Owner approving the description of services, maximum fee, and schedule will services as the written Notice to Proceed. GARVER will not proceed with the review until so authorized.

SECTION 1 - SCOPE OF SERVICES

Task 1.0 Development Plan Review

On an on-call, hourly basis, GARVER will provide development plan review services related to on-going development projects by others, on behalf of the Owner. The work will consist of confirming consistency between the proposed improvements and the Owner's design criteria, as well as provide input regarding engineering design as it pertains to the Owner's long-term needs and goals. GARVER will utilize the Owner's current checklist, "Street and Alley Paving, Water and Sanitary Sewer Mains, and Storm Sewer Facilities (2011)" and "Water Mains, Sanitary Sewer Mains, Street Paving and Storm Sewer Lines (Updated 2015)" design manuals, as well as design criteria implemented by the state (TCEQ) while performing these reviews.

GARVER will perform the following tasks during these reviews:

1. Complete review of all proposed improvements, including, but not limited to:
 - a. Grading – Compatibility with previously established and natural drainage patterns.
 - b. Drainage – Drainage area maps and associated drainage calculations
 - c. Erosion Control – Placement and utilizations of BMP's.
 - d. Paving – Street sections, horizontal and vertical control, conformance to Chapter 23 (subdivision code)
 - i. Does NOT include reviews of joint spacing or joint design
 - e. Water and wastewater design
 - i. Embedment details, materials/fittings/valves/relevant appurtenances, TCEQ requirements for flow rates and pipe sizes
 - f. Storm sewer design



- g. Compatibility with City of Seagoville standard details and design criteria.
 - h. Plats – ensure adequacy, size, and location of necessary easements.
 - i. Provide value engineering, if requested.
2. Prepare and maintain status reports of each plan review, using an Owner-approved format. These reports will detail the status of each plan review and open work order, as well as present the total fee remaining in the agreement. These reports will be updated on a bi-weekly basis and transmitted to the Owner by email coordination.
 3. Provide correspondence to the "Development Engineer" if requested by the Owner.
 4. Attend meetings with the Owner, Developer, and "Development Engineer" at the Owner's request.
 5. Submit review comments (via email and hard copy) and "red-lined" plans to the Owner, as well as meet with the Owner and "Development Engineer" to discuss the review comments, if requested.
 - a. Reviews, and subsequent meetings (if requested by the Owner), will continue until all comments have been addressed by the "Development Engineer".
 - b. The Owner will furnish all necessary record drawings, studies, reports, etc. needed by GARVER to perform these reviews.

SECTION 2 – PAYMENT

For the work described under SECTION 1 – SCOPE OF SERVICES, the Owner will pay GARVER on an hourly rate basis. The Owner will pay GARVER, for time spent on the project, at the hourly rate of each of Garver's personnel shown in Appendix A (may include contract staff classified at GARVER's discretion) during the performance of these services plus reimbursable expenses including but not limited to printing, courier service, reproduction, and travel. The total amount paid to GARVER under this agreement is not to exceed **\$45,000**. GARVER will identify on each invoice which construction drawings have been reviewed for the submitted charges.

The Owner represents that funding sources are in place with the available funds necessary to pay GARVER.

The table below presents a summary of the anticipated fee amounts and fee types per review for this Work Order.

WORK DESCRIPTION	FEE AMOUNT	FEE TYPE
Engineering review of projects > 50 AC	\$7,500	HOURLY
Engineering review of projects between 25 AC and 50 AC	\$6,000	HOURLY
Engineering review of projects between 10 AC and 25 AC	\$5,000	HOURLY
Engineering review of projects between 5 AC and 10 AC	\$4,000	HOURLY
Engineering review of projects < 5 AC	\$3,000	HOURLY

The Owner will pay Garver for Service rendered at the rates shown in Appendix A for each classification of Garver's personnel (may include contract staff classified at Garver's discretion) plus reimbursable expenses including but not limited to printing, courier service, reproduction, and travel. The total amount



paid to Garver under this Work Order is not to exceed **\$45,000.00**. The rates shown in Appendix A will be increased annually with the first increase effective on or about July 1, 2021. Notwithstanding the foregoing, Garver shall be entitled, in its sole discretion, to substitute a more qualified person (e.g., C-4) with a less qualified person (e.g., C-1); provided however, in such event Garver shall only be entitled to payment at the lesser rate.

Expenses other than salary costs that are directly attributable to performance of our Services will be billed as follows:

1. Direct cost for travel, long distance and wireless communications, outside reproduction and presentation material preparation, and mail/courier expenses.
2. Charges similar to commercial rates for reports, plan sheets, presentation materials, etc.

The Owner will pay GARVER, for time spent on the project, at the rates shown in Appendix A for each classification of GARVER's personnel. For informational purposes, a breakdown of GARVER's estimated costs is included in Appendix A with approximate current hourly rates for each employee classification. The rates shown in Appendix A will be increased annually with the first increase effective on or about July 1, 2021.

The Owner will pay GARVER on a monthly basis, based upon statements submitted by GARVER to the Owner for the scope of services described in this agreement. Payments not received within 60 days of invoice date will be subject to a one percent monthly simple interest charge.

Additional Services (Extra Work). For work not described or included in Section 1 – Scope of Services but requested by the Owner in writing, the Owner will pay GARVER, for time spent on the project, at the rates shown in Appendix A for each classification of GARVER's personnel (may include contract staff classified at GARVER's discretion) plus reimbursable expenses including but not limited to printing, courier service, reproduction, and travel. The rates shown in Appendix A will be increased annually with the first increase effective on or about July 1, 2021.

SECTION 3 – SCHEDULE

Typical review schedule will be adhered as follows, unless otherwise agreed upon with the Notice to Proceed:

1. Submittal retrieval and fee estimate will be completed within 3 working days of notice from the Owner. The fee estimate will be relayed to the Owner via email coordination. The Owner will confirm agreement of the proposed fee estimate via email, which will service as the written Notice to Proceed. GARVER will not begin engineering review until this authorization has been received.
2. The first engineering review will be completed within ten (10) working days after the receipt of written Notice to Proceed (as described above). Fifteen (15) working days may be needed if the project is greater than 25 acres. A brief comment letter will be sent to the Owner along with the "red-lined" plans.
3. Follow up reviews (2nd, 3rd, etc.) will be completed within five (5) working days of receipt of the revised engineering plans. Ten (10) days may be needed if the project is greater than 25 acres or if substantial changes have occurred since previous review. A brief comment letter will be provided to the Owner along with the "red-lined" plans.
4. Special, or more intense, reviews may require additional time to complete. The Owner will be notified immediately if additional time is required.



SECTION 4 – APPENDICES

- 4.1 The following Appendices are attached to and made a part of this Work Order:
 - 4.1.1 Appendix A – Fee Spreadsheet / Unit Rates

This Work Order may be executed in two (2) or more counterparts each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

The effective date of this Work Order shall be the last date written below.

CITY OF SEAGOVILLE

GARVER, LLC

By: _____
Signature

By: _____
Signature

Name: _____
Printed Name

Name: _____
Printed Name

Title: _____
Date: _____

Title: _____
Date: _____

Attest: _____

Attest: _____



Appendix A
City of Seagoville
On-Call Engineering Services
Garver Hourly Rate Schedule: July 2020 - June 2021

Classification	Rates
Engineers / Architects	
E-1.....	\$ 111.00
E-2.....	\$ 139.00
E-3.....	\$ 155.00
E-4.....	\$ 181.00
E-5.....	\$ 221.00
E-6.....	\$ 272.00
Planners / Environmental Specialist	
P-1.....	\$ 133.00
P-2.....	\$ 167.00
P-3.....	\$ 198.00
P-4.....	\$ 232.00
Designers	
D-1.....	\$ 103.00
D-2.....	\$ 121.00
D-3.....	\$ 144.00
D-4.....	\$ 167.00
Technicians	
T-1.....	\$ 81.00
T-2.....	\$ 102.00
T-3.....	\$ 125.00
Management/Administration	
X-1.....	\$ 64.00
X-2.....	\$ 86.00
X-3.....	\$ 120.00
X-4.....	\$ 153.00
X-5.....	\$ 187.00
X-6.....	\$ 231.00

Regular Session Agenda Item: 6

Meeting Date: April 19, 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: April 19, 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

Executive Session Agenda Item: 8

Meeting Date: April 19, 2021

ITEM DESCRIPTION:

Recess into Executive Session

Council will recess into executive session pursuant to Texas Government Code:

- A. § 551.074. Personnel, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee to wit: City Manager
- B. § 551.074. Personnel, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee to wit: City Secretary
- C. § 551.074. Personnel, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee to wit: City Attorney
- D. §551.071 Consult with City Attorney to Receive Legal Advice regarding Obtaining easements necessary for Northern Basin Interceptor Wastewater Project, including possible authorization of eminent domain

BACKGROUND OF ISSUE:

N/A

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

N/A

EXHIBITS:

N/A

Executive Session Agenda Item: 9

Meeting Date: April 19, 2021

ITEM DESCRIPTION:

Reconvene into Regular Session

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

- A. § 551.074. Personnel, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee to wit: City Manager
- B. § 551.074. Personnel, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee to wit: City Secretary
- C. § 551.074. Personnel, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee to wit: City Attorney
- D. §551.071 Consult with City Attorney to Receive Legal Advice regarding Obtaining easements necessary for Northern Basin Interceptor Wastewater Project, including possible authorization of eminent domain

BACKGROUND OF ISSUE:

N/A

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

N/A

EXHIBITS:

N/A

Regular Session Agenda Item: 10

Meeting Date: April 19, 2021

ITEM DESCRIPTION:

Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Dallas County, Texas authorizing the exercise of Eminent Domain by the City Council of the City of Seagoville, Texas; for property generally described as Parcel 3 and more specifically described and depicted in Exhibit "A" within Seagoville, Dallas County Texas; providing the necessity and public purpose for the acquisition for a 50 foot wide wastewater easement and temporary construction easement upon, under, over, through and across approximately 1.963 acres thereon for the City's Northern Basin Interceptor Wastewater project; authorizing the City Attorney to file proceedings in Eminent Domain to acquire said property; and providing an effective date.

BACKGROUND OF ISSUE:

City Attorney Thomas will provide a summary.

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

N/A

EXHIBITS:

Resolution

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEAGOVILLE, DALLAS COUNTY, TEXAS, AUTHORIZING THE EXERCISE OF EMINENT DOMAIN BY THE CITY COUNCIL OF THE CITY OF SEAGOVILLE, TEXAS; FOR PROPERTY GENERALLY DESCRIBED AS PARCEL 3 AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN EXHIBIT 'A' WITHIN SEAGOVILLE, DALLAS COUNTY TEXAS; PROVIDING THE NECESSITY AND PUBLIC PURPOSE FOR THE ACQUISITION FOR A 50 FOOT WIDE WASTEWATER EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT UPON, UNDER, OVER, THROUGH AND ACROSS APPROXIMATELY 1.963 ACRES THEREON FOR THE CITY'S NORTHERN BASIN INTERCEPTOR WASTEWATER PROJECT; AUTHORIZING THE CITY ATTORNEY TO FILE PROCEEDINGS IN EMINENT DOMAIN TO ACQUIRE SAID PROPERTY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, it is hereby determined that there is a public necessity, and that a public use and purpose for the welfare and convenience of the citizens requires the acquisition of title to an interest in land in the City, for the public purpose of use; and

WHEREAS, the City is authorized to acquire real property and interests therein by consent or exercise the power of eminent domain for a fifty (50) foot wide wastewater easement and temporary construction easement upon, over, under, through and across approximately 1.963 acres described and depicted in Exhibit A, which is attached hereto and incorporated herein, for the construction and upgrade of sanitary sewer lines associated with the City's Northern Basin Interceptor Wastewater Project; and

WHEREAS, the City Council of the City of Seagoville, Dallas County, Texas finds it to be in the public interest and to the benefit of the health, safety, and welfare of its citizens to acquire the necessary interests in real property.

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

SECTION 1. The City Council of the City of Seagoville, Texas, hereby finds and determines that a public necessity exists for the welfare of the City and its citizens and further that it serves a public purpose and is in the public interest to acquire the real property interests generally described as Parcel 3 and more specifically described and depicted in Exhibit A, attached hereto, and made a part hereof for all purposes, for a fifty (50) foot wide wastewater easement and temporary construction easement upon, over, under, through and across

approximately 1.963 acres through negotiation or exercise of the City of Seagoville's constitutional and statutory authority of eminent domain under state law.

SECTION 2. That if it is later determined that there are any errors in the descriptions contained herein or if later surveys contain more accurate revised descriptions, the City Attorney or his designee is authorized to have such errors corrected or revisions made without the necessity of obtaining additional City Council approval authorizing the condemnation of the corrected or revised property interests.

SECTION 3. This Resolution shall become effective immediately upon its passage.

DULY PASSED AND APPROVED by the City Council of the City of Seagoville, Texas, on this the 19th day of April 2021.

APPROVED:

Dennis K. Childress, Mayor

ATTEST:

Kandi Jackson, City Secretary

APPROVED AS TO FORM:

Victoria W. Thomas, City Attorney
(0421321vwtTM121793)

EXHIBIT A

EXHIBIT "A"
**50-FOOT WIDE WASTEWATER EASEMENT &
TEMPORARY CONSTRUCTION EASEMENT**

Parcel No. 3
Owner: 175 Seagoville LP
Andrew Nail Survey, Abstract Number 1070
City of Seagoville, Dallas County, Texas

BEING a tract of land situated in the Andrew Nail Survey, Abstract No. 1070, Dallas County, Texas and being part of that 117.23 acre tract of land described by Warranty Deed to 175 Seagoville LP, recorded in Instrument Number 20070272046 and part of that 47.59 acre tract of land described in General Warranty Deed to 175 Seagoville LP, recorded in Instrument Number 200900288154 of the Official Public Records of Dallas County, Texas (O.P.R.D.C.T.), and being more particularly described as follows:

COMMENCING at a 1/2-inch found iron rod for the southwest corner of said 47.59 acre tract, being the southeast corner of that 159 acre tract of land described as Tract III by Deed to SWMF Properties, Inc., recorded in Instrument Number 20080281643, O.P.R.D.C.T.;

THENCE North 44 degrees 26 minutes 31 seconds East, 1,937.07 feet, with the common line of said 47.59 acre tract and said SWMF Properties, Inc. tract, to the **POINT OF BEGINNING**, having grid coordinates of North=6,933,425.42, East=2,574,388.51;

THENCE North 44 degrees 26 minutes 31 seconds East, 55.18 feet, continuing with said common line, to a point for corner in the west line of a Lone Star Gas easement recorded in Volume 67207, Page 1540, D.R.D.C.T.;

THENCE South 20 degrees 32 minutes 23 seconds East, 595.19 feet, departing said common line and with said west line and over and across said 47.59 acre tract, to a point for corner;

THENCE South 21 degrees 02 minutes 27 seconds East, continuing with said west line and over and across said 47.59 acre tract, passing at a distance of 36.62 feet the common east line of said 47.59 acre tract and the common west line of said 117.23 acre tract, and continuing over and across said 117.23 acre tract a total distance of 465.92 feet to a point for corner;

THENCE departing said west line and continuing over and across said 117.23 acre tract the following courses and distances:

South 80 degrees 49 minutes 00 seconds East, 416.03 feet, to a point for corner;

South 37 degrees 46 minutes 11 seconds East, 232.21 feet, to a point for corner in the common east line of said 117.23 acre tract and the west line of a tract of land described in Deed to Steve C. Sorrells, recorded in Volume 2001124, Page 7106 of the Deed Records of Dallas County, Texas (D.R.D.C.T.);

THENCE South 44 degrees 34 minutes 15 seconds West, 50.46 feet, with said common line to a point for corner;

THENCE departing said common line and over and across said 117.23 acre tract the following courses and distances:

North 37 degrees 46 minutes 11 seconds West, 219.23 feet, to a point for corner in the south line of a T.P. & L. Easement recorded in Volume 84167, Page 548, D.R.D.C.T.;

North 80 degrees 49 minutes 00 seconds West, 425.02 feet, with said south line to a point for corner;

North 21 degrees 02 minutes 27 seconds West, departing said south line, passing at a distance of 435.34 feet the common west line of said 117.23 acre tract and the common east line of said 47.59 acre tract, and continuing over and across said 47.59 acre tract a total distance of 494.87 feet to a point for corner;

THENCE North 20 degrees 32 minutes 23 seconds West, 572.07 feet, continuing over and across said 47.59 acre tract, to the **POINT OF BEGINNING AND CONTAINING** 85,516 square feet, or 1.963 acres of land, more or less.

Notes:

1. Basis of Bearing is the North American Datum of 1983, Texas State Plane Coordinate System, North Central Zone (4202). All distances are surface distances. Surface Adjustment Scale Factor: 1.000136506
2. This metes and bounds description was prepared with an exhibit of even date.
3. The survey shown hereon was prepared with the benefit of a title commitment issued by Chicago Title Insurance Company, with an effective date of June 18, 2020 under GF No. 20060404ROW and was relied upon for easements and other matters of record.

I, Adam T. Johnson, Registered Professional Land Surveyor of the State of Texas, do hereby certify that the map shown hereon represents the described property as determined by a survey made on the ground under my direction and supervision in June, 2020, and that all corners are as shown.

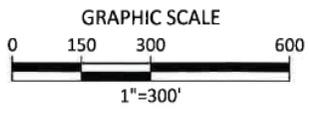


10/16/2020

Adam T. Johnson
Registered Professional Land Surveyor
Texas Registration Number 6664
TBPELS SURVEYING FIRM NO. 10029600

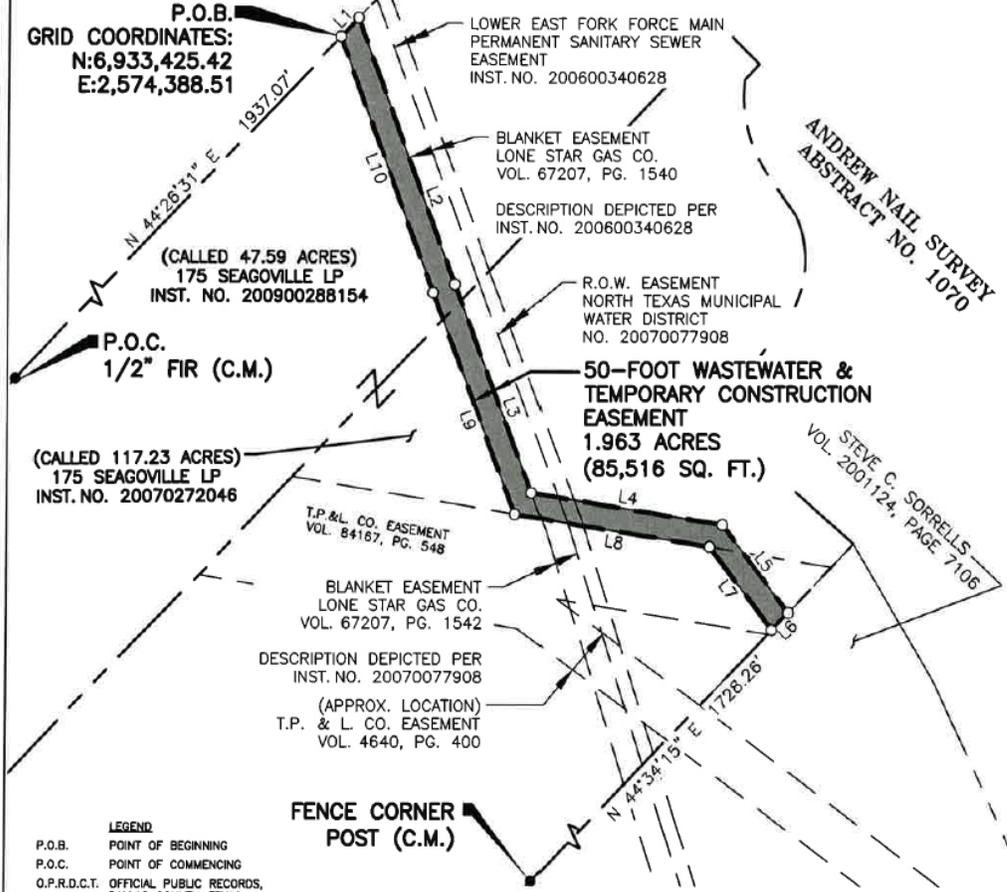


EXHIBIT "A"
PARCEL NO. 3



SWMF PROPERTIES, INC
 INST. NO. 20080281643
 TRACT III

P.O.B.
GRID COORDINATES:
N:6,933,425.42
E:2,574,388.51



- LEGEND**
- P.O.B. POINT OF BEGINNING
 - P.O.C. POINT OF COMMENCING
 - O.P.R.D.C.T. OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
 - D.R.D.C.T. DEED RECORDS, DALLAS COUNTY, TEXAS
 - FIR FOUND IRON ROD
 - FIRC FOUND IRON ROD W/CAP-AS NOTED
 - VOL. VOLUME
 - PG. PAGE
 - INST. NO. INSTRUMENT NUMBER
 - C.M. CONTROLLING MONUMENT
 - FOUND MONUMENTS
 - CALCULATED POINT
 - - - - - PROPERTY LINE
 - ▬ EASEMENT DEDICATION

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 October 15, 2020, 3:11:59 PM, jbs325

HALFF[®]

1201 NORTH BOWSER ROAD
 RICHARDSON, TX 75081-2275
 TEL (214) 348-6200
 TBPELS SURVEYING FIRM #10029600

**50' WASTEWATER EASEMENT &
 TEMPORARY CONSTRUCTION EASEMENT
 NORTHERN BASIN INTERCEPTOR SEWER
 SITUATED IN THE
 ANDREW NAIL SURVEY, ABSTRACT NO. 1070
 CITY OF SEAGOVILLE, DALLAS COUNTY, TEXAS**

PROJECT NO: 36662.001
DATE ISSUED: 10/15/2020
PAGE: 4 OF 5

EXHIBIT "A"
PARCEL NO. 3



LINE DATA			LINE DATA		
LINE #	BEARING	DISTANCE	LINE #	BEARING	DISTANCE
L1	N 44°26'31" E	55.18'	L6	S 44°34'15" W	50.46'
L2	S 20°32'23" E	595.19'	L7	N 37°46'11" W	219.23'
L3	S 21°02'27" E	465.92'	L8	N 80°49'00" W	425.04'
L4	S 80°49'00" E	416.03'	L9	N 21°02'27" W	494.87'
L5	S 37°46'11" E	232.21'	L10	N 20°32'23" W	572.07'

I, Adam T. Johnson, Registered Professional Land Surveyor of the State of Texas, do hereby certify that the map shown hereon represents the described property as determined by a survey made on the ground under my direction and supervision in June, 2020, and that all corners are as shown.

General Notes:

- 1) Bearing basis for this drawing is the Texas Coordinate System of 1983, North Central Zone 4202, NAD83 (2011). Distances show are surface and can be converted to grid by dividing by a scale factor of 1.000136506.
- 2) A metes and bounds description of even date accompanies this exhibit.
- 3) The survey shown hereon was prepared with the benefit of a title commitment issued by Chicago Title Insurance Company, with an effective date of June 18, 2020 under GF No. 20060404ROW and was relied upon for easements and other matters of record.

10-16-20



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 October 15, 2020, 3:42:00 PM, a13335

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 1201 NORTH BOWSER ROAD
 RICHARDSON, TX 75081-2275
 TEL (214) 346-6200
 TBPELS SURVEYING FIRM #10029600

**50' WASTEWATER EASEMENT &
 TEMPORARY CONSTRUCTION EASEMENT
 NORTHERN BASIN INTERCEPTOR SEWER
 SITUATED IN THE
 ANDREW NAIL SURVEY, ABSTRACT NO. 1070
 CITY OF SEAGOVILLE, DALLAS COUNTY, TEXAS**

PROJECT NO: 36662.001
DATE ISSUED: 10/15/2020
PAGE: 5 OF 5

Regular Session Agenda Item: 11

Meeting Date: April 19, 2021

ITEM DESCRIPTION:

Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Dallas County, Texas, authorizing the exercise of Eminent Domain by the City Council of the City of Seagoville, Texas; for property generally described as Parcel 5 and more specifically described and depicted in Exhibit "A" within Seagoville, Dallas County Texas; providing the necessity and public purpose for the acquisition for a 50 foot wide wastewater easement and temporary construction easement upon, under, over, through and across approximately 4.963 acres thereon for the City's Northern Basin Interceptor Wastewater Project; authorizing the City Attorney to file proceedings in Eminent Domain to acquire said property; and providing an effective date.

BACKGROUND OF ISSUE:

City Attorney Thomas will provide a summary.

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

N/A

EXHIBITS:

Resolution

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEAGOVILLE, DALLAS COUNTY, TEXAS, AUTHORIZING THE EXERCISE OF EMINENT DOMAIN BY THE CITY COUNCIL OF THE CITY OF SEAGOVILLE, TEXAS; FOR PROPERTY GENERALLY DESCRIBED AS PARCEL 5 AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN EXHIBIT 'A' WITHIN SEAGOVILLE, DALLAS COUNTY TEXAS; PROVIDING THE NECESSITY AND PUBLIC PURPOSE FOR THE ACQUISITION FOR A 50 FOOT WIDE WASTEWATER EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT UPON, UNDER, OVER, THROUGH AND ACROSS APPROXIMATELY 4.963 ACRES THEREON FOR THE CITY'S NORTHERN BASIN INTERCEPTOR WASTEWATER PROJECT; AUTHORIZING THE CITY ATTORNEY TO FILE PROCEEDINGS IN EMINENT DOMAIN TO ACQUIRE SAID PROPERTY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, it is hereby determined that there is a public necessity, and that a public use and purpose for the welfare and convenience of the citizens requires the acquisition of title to an interest in land in the City, for the public purpose of use; and

WHEREAS, the City is authorized to acquire real property and interests therein by consent or exercise the power of eminent domain for a fifty (50) foot wide wastewater easement and temporary construction easement upon, under, over, through and across approximately 4.963 acres described and depicted in Exhibit A, which is attached hereto and incorporated herein, for the construction and upgrade of sanitary sewer lines associated with the City's Northern Basin Interceptor Wastewater Project; and

WHEREAS, the City Council of the City of Seagoville, Dallas County, Texas finds it to be in the public interest and to the benefit of the health, safety, and welfare of its citizens to acquire the necessary interests in real property.

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

SECTION 1. The City Council of the City of Seagoville, Texas, hereby finds and determines that a public necessity exists for the welfare of the City and its citizens and further that it serves a public purpose and is in the public interest to acquire the real property interests generally described as Parcel 5 and more specifically described and depicted in Exhibit A, attached hereto, and made a part hereof for all purposes, for a fifty (50) foot wide wastewater easement and temporary construction easement upon, under, over, through and across 4.963

acres through negotiation or exercise of the City of Seagoville's constitutional and statutory authority of eminent domain under state law.

SECTION 2. That if it is later determined that there are any errors in the descriptions contained herein or if later surveys contain more accurate revised descriptions, the City Attorney or his designee is authorized to have such errors corrected or revisions made without the necessity of obtaining additional City Council approval authorizing the condemnation of the corrected or revised property interests.

SECTION 3. This Resolution shall become effective immediately upon its passage.

DULY PASSED AND APPROVED by the City Council of the City of Seagoville, Texas, on this the _____ day of _____ 2021.

APPROVED:

Dennis K. Childress, Mayor

ATTEST:

Kandi Jackson, City Secretary

APPROVED AS TO FORM:

Victoria W. Thomas, City Attorney
(041321vwtTM121800)

EXHIBIT A

EXHIBIT "A"
**50-FOOT WIDE WASTEWATER EASEMENT &
TEMPORARY CONSTRUCTION EASEMENT**

Parcel No. 5
Owner: SWMF Properties, Inc.
Andrew Nail Survey, Abstract Number 1070
John Lanier Survey, Abstract Number 805
City of Seagoville, Dallas County, Texas

BEING a tract of land situated in the Andrew Nail Survey, Abstract Number 1070 and the John Lanier Survey, Abstract No. 805, Dallas County, Texas and being part of that 159 acre tract of land described by Deed to SWMF Properties, Inc., recorded in Instrument Number 20080281643 of the Official Public Records of Dallas County, Texas (O.P.R.D.C.T.), and being more particularly described as follows:

COMMENCING at a 1/2-inch found iron rod for the southeast corner of said SWMF Properties, Inc. tract, being the southwest corner of a tract of land described by Deed to Seagoville LP, recorded in Instrument Number 200900288154, O.P.R.D.C.T.;

THENCE North 44 degrees 26 minutes 31 seconds East, 1,937.07 feet, with said common line, to the **POINT OF BEGINNING**, having grid coordinates of North=6,933,425.42, East=2,574,388.51;

THENCE departing said common line, over and across said SWMF Properties, Inc. tract the following courses and distances:

North 20 degrees 32 minutes 23 seconds West, 23.10 feet, to a point for corner;
North 21 degrees 04 minutes 43 seconds West, 1,363.07 feet, to a point for corner;
South 80 degrees 54 minutes 34 seconds West, 181.94 feet, to a point for corner;
South 52 degrees 19 minutes 51 seconds West, 670.50 feet, to a point for corner;
North 56 degrees 58 minutes 09 seconds West, 354.62 feet, to a point for corner;
North 56 degrees 43 minutes 26 seconds West, 88.50 feet, to a point for corner;
North 81 degrees 28 minutes 14 seconds West, 669.17 feet, to a point for corner;
South 59 degrees 39 minutes 12 seconds West, 68.71 feet, to a point for corner;
South 31 degrees 36 minutes 55 seconds West, 258.26 feet, to a point for corner;
South 48 degrees 45 minutes 47 seconds West, 571.39 feet, to a point for corner;

North 73 degrees 41 minutes 50 seconds West, 86.04 feet, to a point for corner in the common line of said SWMF Properties Inc. tract and the east common line of a called 50.49086 acre tract of land described in Deed to David Jasso and Zoila Jasso, recorded in Volume 2003078, Page 10579, O.P.R.D.C.T., and being the center-line of Parkers Branch;

THENCE North 01 degree 31 minutes 56 seconds West, 5.73 feet, along said common line to a point for corner;

THENCE North 23 degrees 27 minutes 48 seconds East, 44.89 feet, continuing along said common line to a point for corner;

THENCE departing said common line, over and across said SWMF Properties, Inc. tract the following courses and distances:

South 73 degrees 41 minutes 50 seconds East, 54.75 feet, to a point for corner;

North 48 degrees 45 minutes 47 seconds East, 536.40 feet, to a point for corner;

North 31 degrees 36 minutes 55 seconds East, 263.21 feet, to a point for corner;

North 59 degrees 39 minutes 12 seconds East, 98.84 feet, to a point for corner;

South 81 degrees 28 minutes 14 seconds East, 697.79 feet, to a point for corner;

South 56 degrees 43 minutes 26 seconds East, 99.36 feet, to a point for corner;

South 56 degrees 58 minutes 09 seconds East, 319.04 feet, to a point for corner;

North 52 degrees 19 minutes 51 seconds East, 647.77 feet, to a point for corner;

North 80 degrees 54 minutes 34 seconds East, 235.17 feet, to a point for corner in the west line of a Lone Star Gas Company Right-of-Way recorded in Volume 67234, Page 103, D.R.D.C.T.;

South 21 degrees 04 minutes 43 seconds East, 1,380.82 feet, with said west line and returning to the aforementioned common line of said SWMF Properties Inc. tract and said Seagoville LP tract, to a point for corner;

THENCE South 44 degrees 26 minutes 31 seconds West, 55.18 feet, with said common line to the **POINT OF BEGINNING AND CONTAINING** 216,191 square feet, or 4.963 acres of land, more or less.

Notes:

1. Basis of Bearing is the North American Datum of 1983, Texas State Plane Coordinate System, North Central Zone (4202). All distances are surface distances. Surface Adjustment Scale Factor: 1.000136506
2. This metes and bounds description was prepared with an exhibit of even date.
3. The survey shown hereon was prepared with the benefit of a title commitment issued by Chicago Title Insurance Company, with an effective date of June 18, 2020 under GF No. 20060406ROW and was relied upon for easements and other matters of record.

I, Adam T. Johnson, Registered Professional Land Surveyor of the State of Texas, do hereby certify that the map shown hereon represents the described property as determined by a survey made on the ground under my direction and supervision in June, 2020, and that all corners are as shown.

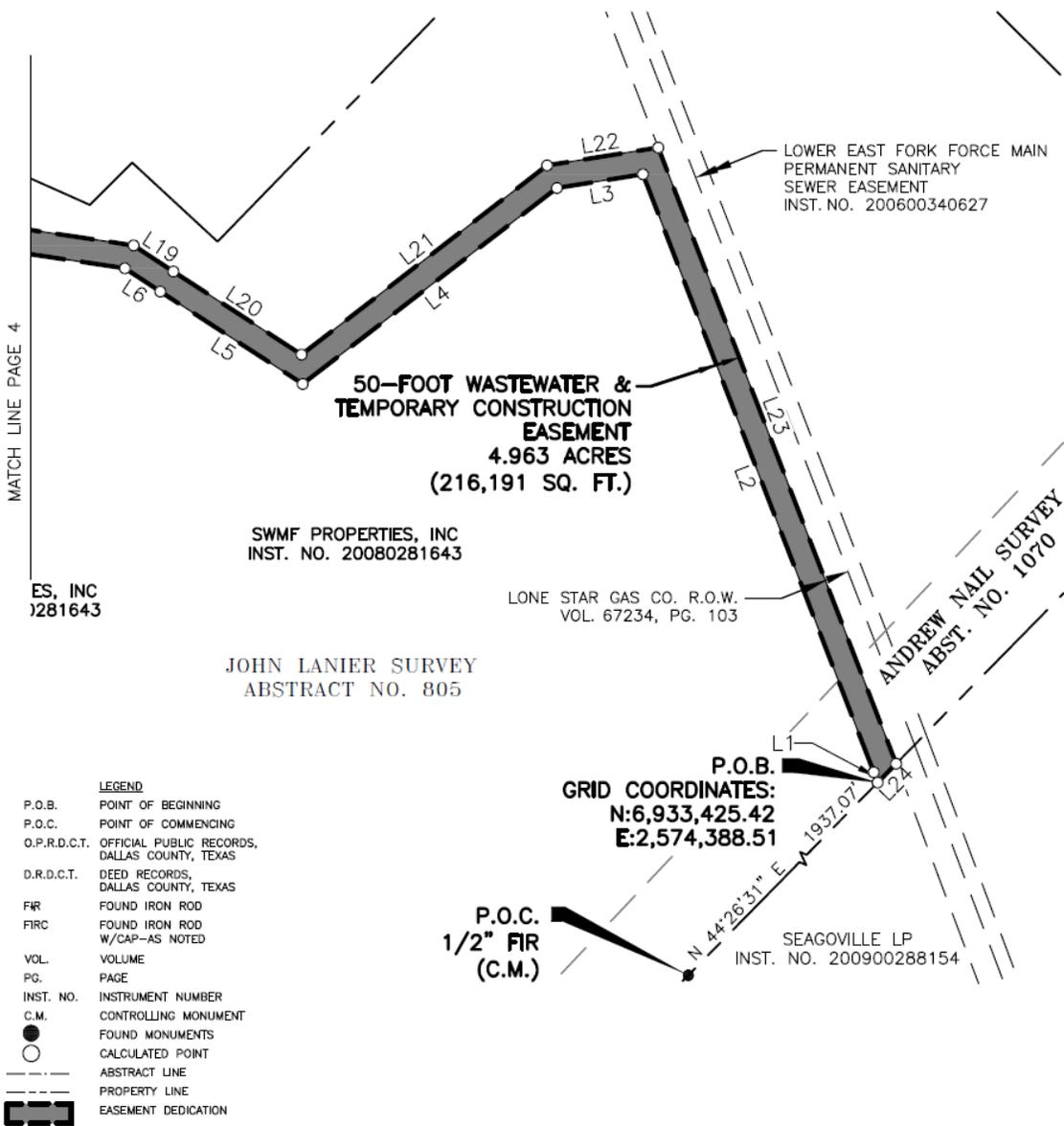
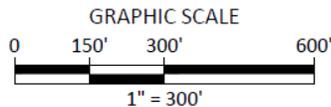


10/16/2020

Adam T. Johnson
Registered Professional Land Surveyor
Texas Registration Number 6664
TBPELS SURVEYING FIRM NO. 10029600



EXHIBIT "A"
PARCEL NO. 5



MATCH LINE PAGE 4

ES, INC
1281643

SWMF PROPERTIES, INC
INST. NO. 20080281643

LONE STAR GAS CO. R.O.W.
VOL. 67234, PG. 103

JOHN LANIER SURVEY
ABSTRACT NO. 805

LOWER EAST FORK FORCE MAIN
PERMANENT SANITARY
SEWER EASEMENT
INST. NO. 200600340627

**50-FOOT WASTEWATER &
TEMPORARY CONSTRUCTION
EASEMENT**
4.963 ACRES
(216,191 SQ. FT.)

ANDREW NAIL SURVEY
ABST. NO. 1070

- LEGEND**
- P.O.B. POINT OF BEGINNING
 - P.O.C. POINT OF COMMENCING
 - O.P.R.D.C.T. OFFICIAL PUBLIC RECORDS,
DALLAS COUNTY, TEXAS
 - D.R.D.C.T. DEED RECORDS,
DALLAS COUNTY, TEXAS
 - FIR FOUND IRON ROD
 - FIRC FOUND IRON ROD
W/CAP-AS NOTED
 - VOL. VOLUME
 - PG. PAGE
 - INST. NO. INSTRUMENT NUMBER
 - C.M. CONTROLLING MONUMENT
 - FOUND MONUMENTS
 - CALCULATED POINT
 - ABSTRACT LINE
 - PROPERTY LINE
 - █ EASEMENT DEDICATION

P.O.B.
GRID COORDINATES:
N:6,933,425.42
E:2,574,388.51

P.O.C.
1/2" FIR
(C.M.)

SEAGOVILLE LP
INST. NO. 200900288154

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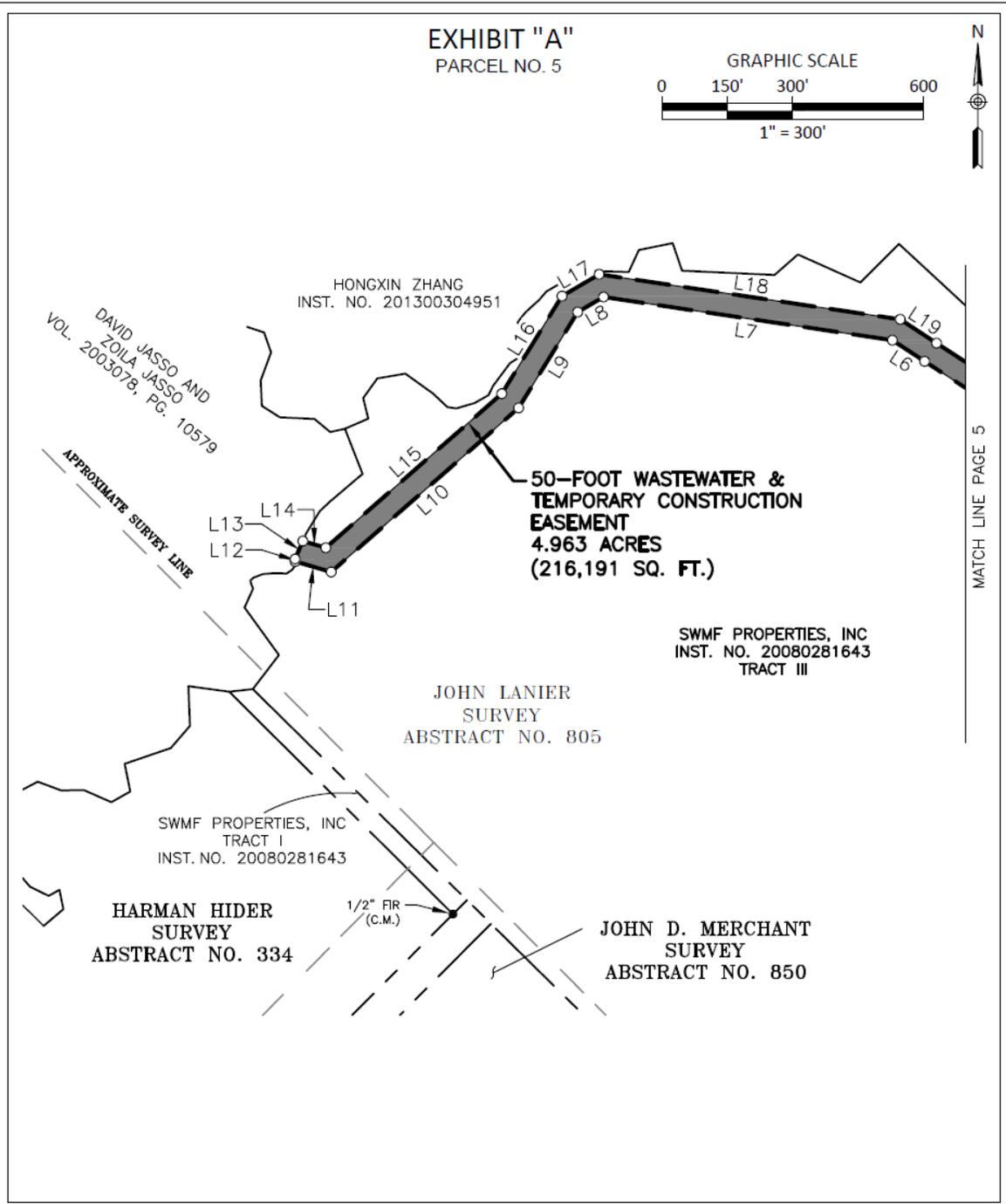
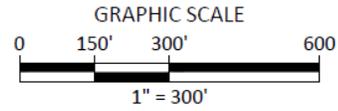
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TEL (214) 346-6200
TBPELS SURVEYING FIRM #10029600

50' WASTEWATER EASEMENT &
TEMPORARY CONSTRUCTION EASEMENT
NORTHERN BASIN INTERCEPTOR SEWER
SITUATED IN: ANDREW NAIL SURVEY, ABSTRACT NO. 1070 &
JOHN LANIER SURVEY, ABSTRACT NO. 805
CITY OF SEAGOVILLE, DALLAS COUNTY, TEXAS

PROJECT NO: 36662.001
DATE ISSUED: 10/15/2020
PAGE: 4 OF 6

EXHIBIT "A"
PARCEL NO. 5



MATCH LINE PAGE 5

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 TBP&LS SURVEYING FIRM #10029600

50' WASTEWATER EASEMENT &
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 NORTHERN BASIN INTERCEPTOR SEWER
 SITUATED IN: ANDREW NAIL SURVEY, ABSTRACT NO. 1070 &
 JOHN LANIER SURVEY, ABSTRACT NO. 805
 CITY OF SEAGOVILLE, DALLAS COUNTY, TEXAS

PROJECT NO: 36662.001
DATE ISSUED: 10/15/2020
PAGE: 5 OF 6

EXHIBIT "A"
PARCEL NO. 5

LINE DATA		
LINE #	BEARING	DISTANCE
L1	N 20°32'23" W	23.10'
L2	N 21°04'43" W	1340.09'
L3	S 80°54'34" W	181.94'
L4	S 52°19'51" W	670.50'
L5	N 56°58'09" W	354.62'
L6	N 56°43'26" W	88.50'
L7	N 81°28'14" W	669.17'
L8	S 59°39'12" W	68.71'
L9	S 31°36'55" W	258.26'
L10	S 48°45'47" W	571.39'
L11	N 73°41'50" W	86.04'
L12	N 01°31'56" W	5.73'

LINE DATA		
LINE #	BEARING	DISTANCE
L13	N 23°27'48" E	44.89'
L14	S 73°41'50" E	54.75'
L15	N 48°45'47" E	536.40'
L16	N 31°36'55" E	263.21'
L17	N 59°39'12" E	98.84'
L18	S 81°28'14" E	697.79'
L19	S 56°43'26" E	99.36'
L20	S 56°58'09" E	319.04'
L21	N 52°19'51" E	647.77'
L22	N 80°54'34" E	235.17'
L23	S 21°04'43" E	1380.82'
L24	S 44°26'31" W	55.18'

I, Adam T. Johnson, Registered Professional Land Surveyor of the State of Texas, do hereby certify that the map shown hereon represents the described property as determined by a survey made on the ground under my direction and supervision in June, 2020, and that all corners are as shown.

General Notes:

- 1) Bearing basis for this drawing is the Texas Coordinate System of 1983, North Central Zone 4202, NAD83 (2011). Distances show are surface and can be converted to grid by dividing by a scale factor of 1.000136506.
- 2) A metes and bounds description of even date accompanies this exhibit.
- 3) The survey shown hereon was prepared with the benefit of a title commitment issued by Chicago Title Insurance Company, with an effective date of June 18, 2020 under GF No. 20060406ROW and was relied upon for easements and other matters of record.

10-16-20



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RICHARDSON, TX 75081-2275
TEL (214) 346-6200
TBPELS SURVEYING FIRM #10029600

50' WASTEWATER EASEMENT &
TEMPORARY CONSTRUCTION EASEMENT
NORTHERN BASIN INTERCEPTOR SEWER
SITUATED IN: ANDREW NAIL SURVEY, ABSTRACT NO. 1070 &
JOHN LANIER SURVEY, ABSTRACT NO. 805
CITY OF SEAGOVILLE, DALLAS COUNTY, TEXAS

PROJECT NO: 36662.001
DATE ISSUED: 10/15/2020
PAGE: 6 OF 6

Regular Session Agenda Item: 12

Meeting Date: April 19, 2021

ITEM DESCRIPTION:

Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Dallas County, Texas, authorizing the exercise of Eminent Domain by the City Council of the City of Seagoville, Texas; for property generally described as Parcel 7 and more specifically described and depicted in Exhibit "A" within Seagoville, Dallas County Texas; providing the necessity and public purpose for the acquisition for a 35 foot wide wastewater easement and a 50 foot wide temporary construction easement upon, under, over, through and across approximately 1.889 acres and 0.810 acres, respectively, thereon for the City's Northern Basin Interceptor Wastewater Project; authorizing the City Attorney to file proceedings in Eminent Domain to acquire said property; and providing an effective date.

BACKGROUND OF ISSUE:

City Attorney Thomas will provide a summary.

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

N/A

EXHIBITS:

Resolution

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEAGOVILLE, DALLAS COUNTY, TEXAS, AUTHORIZING THE EXERCISE OF EMINENT DOMAIN BY THE CITY COUNCIL OF THE CITY OF SEAGOVILLE, TEXAS; FOR PROPERTY GENERALLY DESCRIBED AS PARCEL 7 AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN EXHIBIT 'A' WITHIN SEAGOVILLE, DALLAS COUNTY TEXAS; PROVIDING THE NECESSITY AND PUBLIC PURPOSE FOR THE ACQUISITION FOR A 35 FOOT WIDE WASTEWATER EASEMENT AND A 50 FOOT WIDE TEMPORARY CONSTRUCTION EASEMENT UPON, UNDER, OVER, THROUGH AND ACROSS APROXIMATELY 1.889 ACRES AND 0.810 ACRES, RESPECTIVELY, THEREON FOR THE CITY'S NORTHERN BASIN INTERCEPTOR WASTEWATER PROJECT; AUTHORIZING THE CITY ATTORNEY TO FILE PROCEEDINGS IN EMINENT DOMAIN TO ACQUIRE SAID PROPERTY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, it is hereby determined that there is a public necessity, and that a public use and purpose for the welfare and convenience of the citizens requires the acquisition of title to an interest in land in the City, for the public purpose of use; and

WHEREAS, the City is authorized to acquire real property and interests therein by consent or exercise the power of eminent domain for a thirty-five (35) foot wide wastewater easement and a fifty (50) foot wide temporary construction easement upon, over, under, through and across approximately 1.889 acres and 0.810 acres, respectively, described and depicted in Exhibit A, which is attached hereto and incorporated herein, for the construction and upgrade of sanitary sewer lines associated with the City's Northern Basin Interceptor Wastewater Project; and

WHEREAS, the City Council of the City of Seagoville, Dallas County, Texas finds it to be in the public interest and to the benefit of the health, safety, and welfare of its citizens to acquire the necessary interests in real property.

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

SECTION 1. The City Council of the City of Seagoville, Texas, hereby finds and determines that a public necessity exists for the welfare of the City and its citizens and further that it serves a public purpose and is in the public interest to acquire the real property interests generally described as Parcel 7 and more specifically described and depicted in Exhibit A, attached hereto, and made a part hereof for all purposes, for a thirty-five (35) foot wide wastewater easement and a fifty (50) foot wide temporary construction easement upon, over,

under, through and across approximately 1.889 acres and 0.810 acres, respectively thereon, through negotiation or exercise of the City of Seagoville's constitutional and statutory authority of eminent domain under state law.

SECTION 2. That if it is later determined that there are any errors in the descriptions contained herein or if later surveys contain more accurate revised descriptions, the City Attorney or his designee is authorized to have such errors corrected or revisions made without the necessity of obtaining additional City Council approval authorizing the condemnation of the corrected or revised property interests.

SECTION 3. This Resolution shall become effective immediately upon its passage.

DULY PASSED AND APPROVED by the City Council of the City of Seagoville, Texas, on this the _____ day of _____ 2021.

APPROVED:

Dennis K. Childress, Mayor

ATTEST:

Kandi Jackson, City Secretary

APPROVED AS TO FORM:

Victoria W. Thomas, City Attorney
(041321vwtTM121802)

EXHIBIT A

EXHIBIT "A"
35-FOOT WIDE WASTEWATER EASEMENT &
50-FOOT WIDE TEMPORARY CONSTRUCTION EASEMENT

Parcel No. 7

Owner: David Jasso and Zoila Jasso
Harman Hider Survey, Abstract Number 541
John Lanier Survey, Abstract Number 805
City of Seagoville, Dallas County, Texas

BEING a tract of land situated in the Harman Hider Survey, Abstract No. 541 and the John Lanier Survey, Abstract No. 805, Dallas County, Texas and being part of that 50.49086 acre tract of land described by Warranty Deed to David Jasso and Zoila Jasso, recorded in Volume 2003078, Page 10579 of the Deed Records of Dallas County, Texas (D.R.D.C.T.), and being more particularly described as follows:

COMMENCING at the southwest corner of said Jasso tract, being the southeast corner of a tract of land described by Special Warranty Deed with Vendor's Lien to Tina Stoker, recorded in Instrument Number 200600107349, O.P.R.D.C.T., being part of Lot 2, REPLAT OF NABORS SUBDIVISION, an addition to the City of Seagoville, recorded in Volume 93051, Page 1961 of the Deed Records of Dallas County, Texas (D.R.D.C.T.), and being in the northerly right-of-way line of Simonds Road (40-foot right-of-way);

THENCE North 24 degrees 16 minutes 38 seconds East, with the common line of said Jasso tract and said Stoker tract, passing at a distance of 2.52 feet a 1/2-inch found iron rod, and continuing with said common line a total distance of 966.10 feet to the **POINT OF BEGINNING**, having grid coordinates of North=6,934,925.26, East=2,569,426.34;

THENCE North 24 degrees 16 minutes 38 seconds East, 40.01 feet, continuing with said common line, to a point for corner;

THENCE departing said common line, over and across said Jasso tract the following courses and distances:

North 85 degrees 17 minutes 35 seconds East, 53.39 feet, to a point for corner;

North 75 degrees 52 minutes 33 seconds East, 312.53 feet, to a point for corner;

South 46 degrees 56 minutes 06 seconds East, 130.52 feet, to a point for corner;

South 46 degrees 56 minutes 06 seconds East, 120.98 feet, to a point for corner;

South 46 degrees 56 minutes 06 seconds East, 458.60 feet, to a point for corner;

South 74 degrees 27 minutes 36 seconds East, 345.43 feet, to a point for corner;

South 56 degrees 41 minutes 07 seconds East, 638.34 feet, to a point for corner;
South 73 degrees 41 minutes 50 seconds East, 291.02 feet, to a point for corner
in the center of Crawford Branch, being the common line of said Jasso tract and
the west line of a called 159 acres tract of land described in Deed to SWMF
Properties, INC, recorded in Instrument Number 20080281643, O.P.R.D.C.T.;

THENCE South 23 degrees 27 minutes 48 seconds West, 35.28 feet, with said common
line to a point for corner;

THENCE departing said common line, over and across said Jasso tract the following
courses and distances:

North 73 degrees 41 minutes 50 seconds West, 291.86 feet, to a point for corner;

North 56 degrees 41 minutes 07 seconds West, 638.10 feet, to a point for corner;

North 74 degrees 27 minutes 36 seconds West, 348.53 feet, to a point for corner;

North 46 degrees 56 minutes 06 seconds West, 467.17 feet, to a point for corner;

North 46 degrees 56 minutes 06 seconds West, 120.98 feet, to a point for corner;

North 46 degrees 56 minutes 06 seconds West, 111.44 feet, to a point for corner;

South 75 degrees 52 minutes 33 seconds West, 296.33 feet, to a point for corner;

South 85 degrees 17 minutes 35 seconds West, 75.66 feet, to the **POINT OF
BEGINNING AND CONTAINING** 82,265 square feet or 1.889 acres of land, more
or less.

Notes:

1. Basis of Bearing is the North American Datum of 1983, Texas State Plane Coordinate System, North Central Zone (4202). All distances are surface distances. Surface Adjustment Scale Factor: 1.000136506
2. This metes and bounds description was prepared with an exhibit of even date.
3. The survey shown hereon was prepared with the benefit of a title commitment issued by Chicago Title Insurance Company, with an effective date of June 18, 2020 under GF No. 20060407ROW and was relied upon for easements and other matters of record.

I, Adam T. Johnson, Registered Professional Land Surveyor of the State of Texas, do hereby certify that the map shown hereon represents the described property as determined by a survey made on the ground under my direction and supervision in June, 2020, and that all corners are as shown.

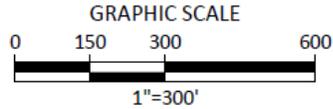


10/16/2020

Adam T. Johnson
Registered Professional Land Surveyor
Texas Registration Number 6664
TBPELS SURVEYING FIRM NO. 10029600

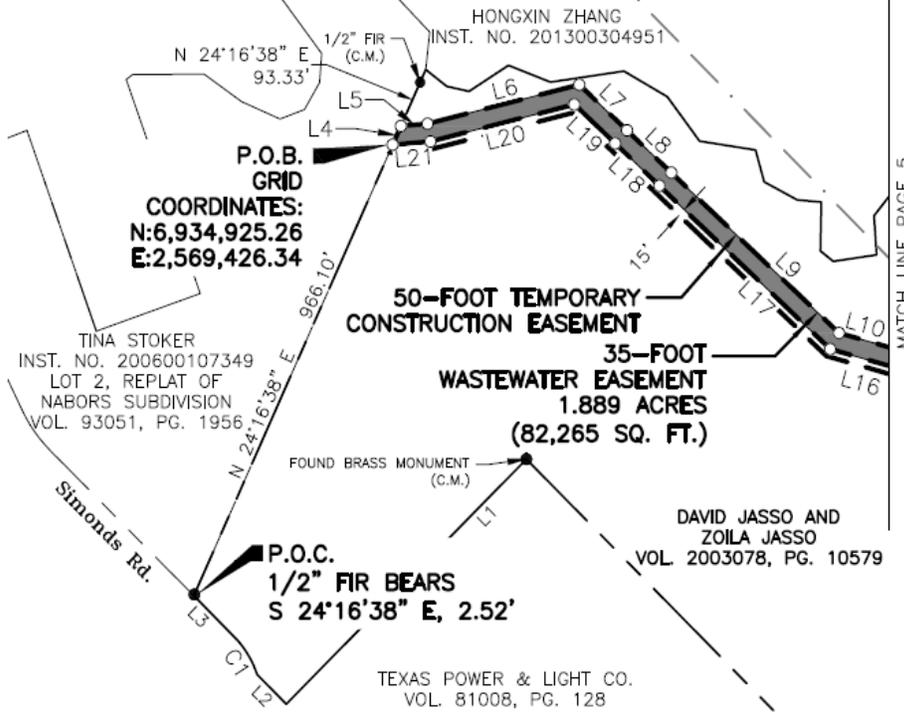


EXHIBIT "A"
PARCEL NO. 7



HARMAN HIDER
 SURVEY
 ABSTRACT NO. 541

JOHN LANIER
 SURVEY
 ABSTRACT NO. 805



LEGEND

- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCING
- O.P.R.D.C.T. OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
- D.R.D.C.T. DEED RECORDS, DALLAS COUNTY, TEXAS
- FIR FOUND IRON ROD
- FIRC FOUND IRON ROD W/CAP-AS NOTED
- VOL. VOLUME
- PG. PAGE
- INST. NO. INSTRUMENT NUMBER
- CONTROLLING MONUMENT
- FOUND MONUMENTS
- CALCULATED POINT
- ABSTRACT LINE
- - - PROPERTY LINE
- █ EASEMENT DEDICATION

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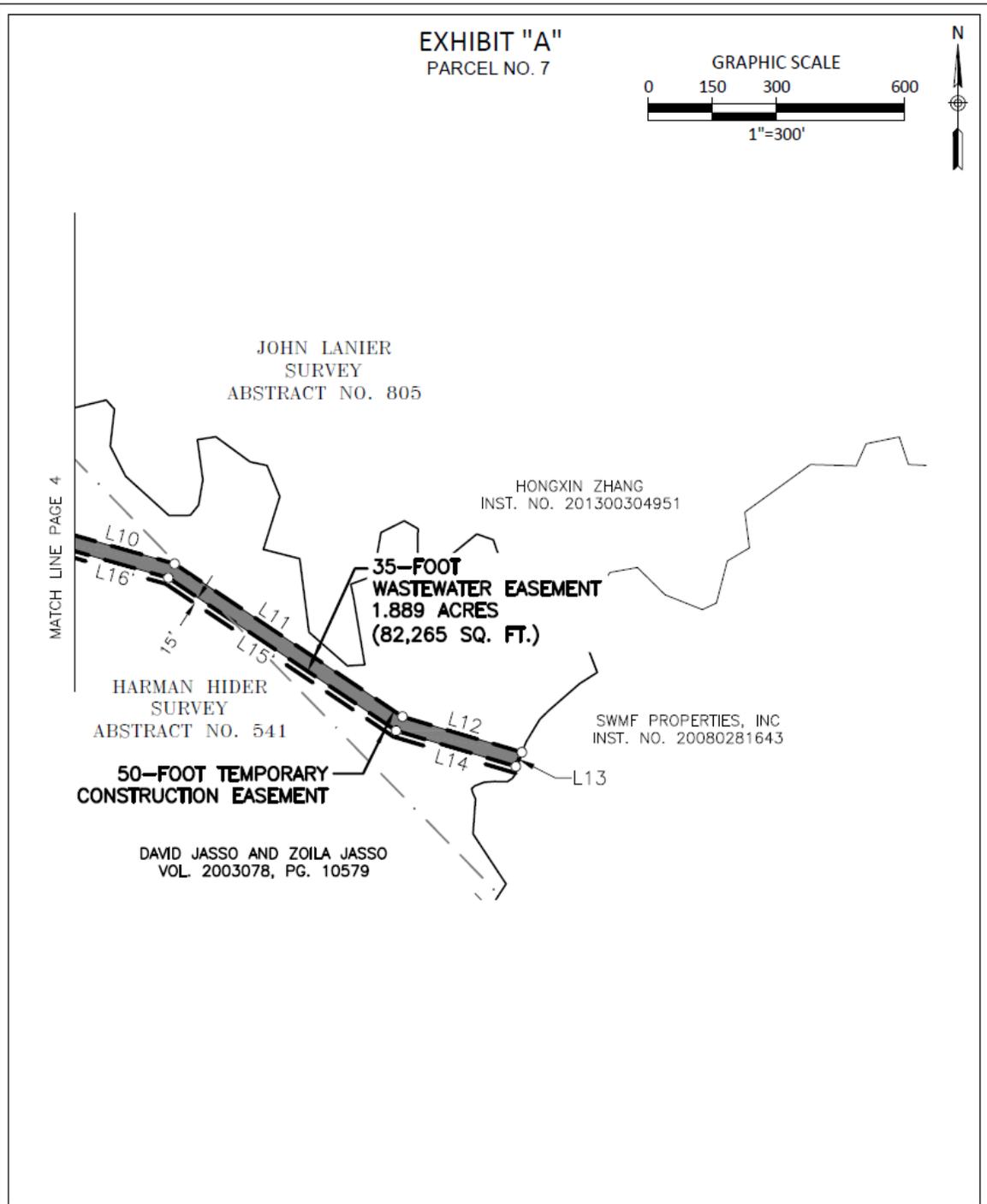
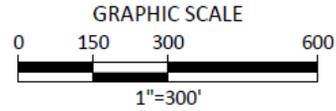
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1201 NORTH BOWSER ROAD
 RICHARDSON, TX 75081-2275
 TEL (214) 346-5200
 TBP&S SURVEYING FIRM #10029600

**35' WASTEWATER EASEMENT &
 50' TEMPORARY CONSTRUCTION EASEMENT
 NORTHERN BASIN INTERCEPTOR SEWER
 SITUATED IN: HARMAN HIDER SURVEY, ABSTRACT NO. 541 &
 JOHN LANIER SURVEY, ABSTRACT NO. 805
 CITY OF SEAGOVILLE, DALLAS COUNTY, TEXAS**

PROJECT NO: 36662.001
DATE ISSUED: 10/15/2020
PAGE: 4 OF 6

EXHIBIT "A"
PARCEL NO. 7



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HALFF[®]

1201 NORTH BOWSER ROAD
 RICHARDSON, TX 75081-2275
 TEL (214) 345-6200
 TBPELS SURVEYING FIRM #10029600

35' WASTEWATER EASEMENT &
 50' TEMPORARY CONSTRUCTION EASEMENT
 NORTHERN BASIN INTERCEPTOR SEWER
 SITUATED IN: HARMAN HIDER SURVEY, ABSTRACT NO. 541 &
 JOHN LANIER SURVEY, ABSTRACT NO. 805
 CITY OF SEAGOVILLE, DALLAS COUNTY, TEXAS

PROJECT NO: 36662.001
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PAGE: 5 OF 6

EXHIBIT "A"
PARCEL NO. 7

LINE DATA		
LINE #	BEARING	DISTANCE
L1	S 45°04'53" W	677.37'
L2	N 45°11'47" W	82.09'
L3	N 45°11'47" W	113.69'
L4	N 24°16'38" E	40.01'
L5	N 85°17'35" E	53.39'
L6	N 75°52'33" E	312.53'
L7	S 46°56'06" E	130.52'
L8	S 46°56'06" E	120.98'
L9	S 46°56'06" E	458.60'
L10	S 74°27'36" E	345.43'
L11	S 56°41'07" E	638.34'

LINE DATA		
LINE #	BEARING	DISTANCE
L12	S 73°41'50" E	291.02'
L13	S 23°27'48" W	35.28'
L14	N 73°41'50" W	291.86'
L15	N 56°41'07" W	638.10'
L16	N 74°27'36" W	348.53'
L17	N 46°56'06" W	467.17'
L18	N 46°56'06" W	120.98'
L19	N 46°56'06" W	111.44'
L20	S 75°52'33" W	296.33'
L21	S 85°17'35" W	75.66'

CURVE DATA					
CURVE #	LENGTH	RADIUS	DELTA	CHORD LENGTH	BEARING
C1	87.54'	188.17'	26°39'18"	86.75'	N 31°52'08" W

I, Adam T. Johnson, Registered Professional Land Surveyor of the State of Texas, do hereby certify that the map shown hereon represents the described property as determined by a survey made on the ground under my direction and supervision in June, 2020, and that all corners are as shown.

General Notes:

- 1) Bearing basis for this drawing is the Texas Coordinate System of 1983, North Central Zone 4202, NAD83 (2011). Distances show are surface and can be converted to grid by dividing by a scale factor of 1.000136506.
- 2) A metes and bounds description of even date accompanies this exhibit.
- 3) The survey shown hereon was prepared with the benefit of a title commitment issued by Chicago Title Insurance Company, with an effective date of June 18, 2020 under GF No. 20060407ROW and was relied upon for easements and other matters of record.

10-16-20



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**35' WASTEWATER EASEMENT &
50' TEMPORARY CONSTRUCTION EASEMENT
NORTHERN BASIN INTERCEPTOR SEWER
SITUATED IN: HARMAN HIDER SURVEY, ABSTRACT NO. 541 &
JOHN LANIER SURVEY, ABSTRACT NO. 805
CITY OF SEAGOVILLE, DALLAS COUNTY, TEXAS**

PROJECT NO: 36662.001

DATE ISSUED: 10/15/2020

PAGE: 6 OF 6

Regular Session Agenda Item: 13

Meeting Date: April 19, 2021

ITEM DESCRIPTION:

Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Dallas County, Texas, authorizing the exercise of Eminent Domain by the City Council of the City of Seagoville, Texas; for property generally described as Parcel 8 and more specifically described and depicted in Exhibit "A" within Seagoville, Dallas County Texas; providing the necessity and public purpose for the acquisition for a 35 foot wide wastewater easement and a 50 foot wide temporary construction easement upon, under, over, through and across approximately 0.597 acres and 0.249 acres respectively thereon for the City's Northern Basin Interceptor Wastewater Project; authorizing the City Attorney to file proceedings in Eminent Domain to acquire said property; and providing an effective date.

BACKGROUND OF ISSUE:

City Attorney Thomas will provide a summary.

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

N/A

EXHIBITS:

Resolution

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEAGOVILLE, DALLAS COUNTY, TEXAS, AUTHORIZING THE EXERCISE OF EMINENT DOMAIN BY THE CITY COUNCIL OF THE CITY OF SEAGOVILLE, TEXAS; FOR PROPERTY GENERALLY DESCRIBED AS PARCEL 8 AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN EXHIBIT 'A' WITHIN SEAGOVILLE, DALLAS COUNTY TEXAS; PROVIDING THE NECESSITY AND PUBLIC PURPOSE FOR THE ACQUISITION FOR A 35 FOOT WIDE WASTEWATER EASEMENT AND A 50 FOOT WIDE TEMPORARY CONSTRUCTION EASEMENT UPON, UNDER, OVER, THROUGH AND ACROSS APPROXIMATELY 0.597 ACRES AND 0.249 ACRES RESPECTIVELY THEREON FOR THE CITY'S NORTHERN BASIN INTERCEPTOR WASTEWATER PROJECT; AUTHORIZING THE CITY ATTORNEY TO FILE PROCEEDINGS IN EMINENT DOMAIN TO ACQUIRE SAID PROPERTY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, it is hereby determined that there is a public necessity, and that a public use and purpose for the welfare and convenience of the citizens requires the acquisition of title to an interest in land in the City, for the public purpose of use; and

WHEREAS, the City is authorized to acquire real property and interests therein by consent or exercise the power of eminent domain for a thirty-five (35) foot wide wastewater easement and a fifty (50) foot wide temporary construction easement upon, over, under, through and across approximately 0.597 acres and 0.249 acres respectively as described and depicted in Exhibit A, which is attached hereto and incorporated herein, for the construction and upgrade of sanitary sewer lines associated with the City's Northern Basin Interceptor Wastewater Project; and

WHEREAS, the City Council of the City of Seagoville, Dallas County, Texas finds it to be in the public interest and to the benefit of the health, safety, and welfare of its citizens to acquire the necessary interests in real property.

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

SECTION 1. The City Council of the City of Seagoville, Texas, hereby finds and determines that a public necessity exists for the welfare of the City and its citizens and further that it serves a public purpose and is in the public interest to acquire the real property interests generally described as Parcel 8 and more specifically described and depicted in Exhibit A, attached hereto, and made a part hereof for all purposes, for a thirty-five (35) foot wide wastewater easement and fifty (50) foot wide temporary construction easement upon, over,

under, through and across approximately 0.597 acres and 0.249 acres respectively, through negotiation or exercise of the City of Seagoville's constitutional and statutory authority of eminent domain under state law.

SECTION 2. That if it is later determined that there are any errors in the descriptions contained herein or if later surveys contain more accurate revised descriptions, the City Attorney or his designee is authorized to have such errors corrected or revisions made without the necessity of obtaining additional City Council approval authorizing the condemnation of the corrected or revised property interests.

SECTION 3. This Resolution shall become effective immediately upon its passage.

DULY PASSED AND APPROVED by the City Council of the City of Seagoville, Texas, on this the _____ day of _____ 2021.

APPROVED:

Dennis K. Childress, Mayor

ATTEST:

Kandi Jackson, City Secretary

APPROVED AS TO FORM:

Victoria W. Thomas, City Attorney
(0421321vwtTM121803)

EXHIBIT A

EXHIBIT "A"
35-FOOT WIDE WASTEWATER EASEMENT &
50-FOOT WIDE TEMPORARY CONSTRUCTION EASEMENT

Parcel No. 8
Owner: Tina Stoker
Harman Hider Survey, Abstract Number 541
City of Seagoville, Dallas County, Texas

PART 1

BEING a tract of land situated in the Harman Hider Survey, Abstract No. 541, Dallas County, Texas and being part of that tract of land described by Warranty Deed to Tina Stoker, recorded in Instrument Number 200600107349 of the Official Public Records of Dallas County, Texas (O.P.R.D.C.T.), being part of Lot 2, REPLAT OF NABORS SUBDIVISION, an addition to the City of Seagoville, recorded in Volume 93051, Page 1961 of the Deed Records of Dallas County, Texas (D.R.D.C.T.), and being more particularly described as follows:

COMMENCING at a 1/2-inch found iron rod with cap stamped "PRECISE LAND SURV" for an interior ell corner of said Stoker tract, and being the southwest corner of a tract of land described in Deed to Manuel Salazar and Lorena Salazar, recorded in Volume 2005028, Page 5863, O.P.R.D.C.T., being Lot 1, of said REPLAT OF NABORS SUBDIVISION;

THENCE North 19 degrees 28 minutes 35 seconds West, 309.90 feet, with the common north line of said Stoker tract, being the west line of said Salazar tract, to the **POINT OF BEGINNING**, having grid coordinates of North=6,934,853.44, East=2,568,731.33;

THENCE South 62 degrees 22 minutes 46 seconds West, 141.20 feet, departing said common line and over and across said Stoker tract to a point for corner;

THENCE South 77 degrees 16 minutes 59 seconds West, 80.70 feet, continuing over and across said Stoker tract to a point for corner in the west line of said Stoker tract, being in the East right-of-way line of Simonds Road (40-foot right-of-way), and being the point of curvature of a non-tangent circular curve to the right;

THENCE Northwesterly, with the west line of said Stoker tract, and the East right-of-way line of Simonds Road, and with said non-tangent curve, having a radius of 1,326.30 feet and a chord that bears North 16 degrees 23 minutes 05 second West, 35.08 feet, through a central angle of 01 degree 30 minutes 55 seconds, an arc distance of 35.08 feet to a point for corner;

THENCE North 77 degrees 16 minutes 59 seconds East, 78.38 feet, departing the west line of said Stoker tract and the East right-of-way line of Simonds Road, over and across said Stoker tract to a point for corner;

THENCE North 62 degrees 22 minutes 46 seconds East, 141.61 feet, continuing over and across said Stoker tract, to the common line of said Stoker tract and said Salazar tract and a point for corner;

THENCE South 19 degrees 28 minutes 35 seconds East, 35.36 feet, with said common line of said Stoker tract and said Salazar tract, to the **POINT OF BEGINNING AND CONTAINING** 7,736 square feet or 0.178 acres of land, more or less.

PART 2

BEING a tract of land situated in the Harman Hider Survey, Abstract No. 541, Dallas County, Texas and being part of that tract of land described by Warranty Deed to Tina Stoker, recorded in Instrument Number 200600107349 of the Official Public Records of Dallas County, Texas (O.P.R.D.C.T.), being part of Lot 2, REPLAT OF NABORS SUBDIVISION, an addition to the City of Seagoville recorded in Volume 93051, Page 1961 of the Deed Records of Dallas County, Texas (D.R.D.C.T.), and being more particularly described as follows:

COMMENCING at the southeast corner of said Stoker tract, being the southwest corner of that 50.49086 acre tract of land described in Deed to David Jasso and Zoila Jasso, recorded in Volume 2003078, Page 10579, O.P.R.D.C.T., and being in the northerly right-of-way line of Simonds Road (40-foot right-of-way);

THENCE North 24 degrees 16 minutes 38 seconds East, with the common line of said Stoker tract and said Jasso tract, passing at a distance of 2.52 feet a 1/2-inch found iron rod, and continuing with said common line a total distance of 966.10 feet to the **POINT OF BEGINNING**, having grid coordinates of North=6,934,925.26, East=2,569,426.34;

THENCE South 85 degrees 17 minutes 35 seconds West, 211.16 feet, departing said common line and over and across said Stoker tract to a point for corner;

THENCE North 78 degrees 14 minutes 01 second West, 278.00 feet, to a point for corner;

THENCE South 62 degrees 22 minutes 46 seconds West, 17.59 feet, to a point for corner in the common line of said Stoker tract and the east line of a tract of land described in Deed to Manuel Salazar and Lorena Salazar, recorded in Volume 2005028, Page 5863, O.P.R.D.C.T., being Lot 1, of said REPLAT OF NABORS SUBDIVISION;

THENCE North 19 degrees 28 minutes 35 seconds West, 35.36 feet, along said common line to a point for corner;

THENCE North 62 degrees 22 minutes 46 seconds East, 25.11 feet, departing said common line and over and across said Stoker tract to a point for corner;

THENCE South 78 degrees 14 minutes 01 second East, 285.46 feet, to a point for corner;

THENCE North 85 degrees 17 minutes 35 seconds East, 225.48 feet, to the common line of said Stoker tract and said Jasso tract and a point for corner,

THENCE South 24 degrees 16 minutes 38 seconds West, 40.01 feet, continuing with said common line, to the **POINT OF BEGINNING AND CONTAINING** 18,255 square feet or 0.419 acres of land, more or less.

Notes:

1. Basis of Bearing is the North American Datum of 1983, Texas State Plane Coordinate System, North Central Zone (4202). All distances are surface distances. Surface Adjustment Scale Factor: 1.000136506
2. This metes and bounds description was prepared with an exhibit of even date.
3. The survey shown hereon was prepared with the benefit of a title commitment issued by Chicago Title Insurance Company, with an effective date of June 18, 2020 under GF No. 20060409ROW and was relied upon for easements and other matters of record.

I, Adam T. Johnson, Registered Professional Land Surveyor of the State of Texas, do hereby certify that the map shown hereon represents the described property as determined by a survey made on the ground under my direction and supervision in June, 2020, and that all corners are as shown.

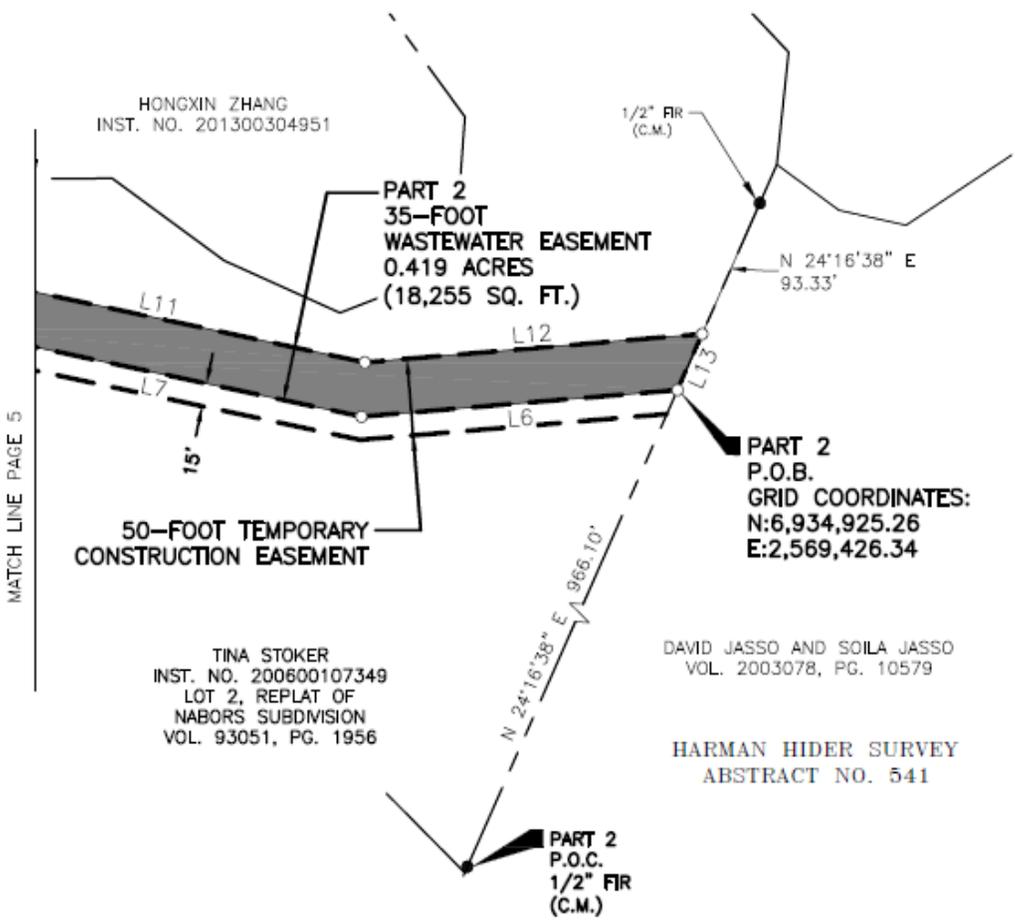
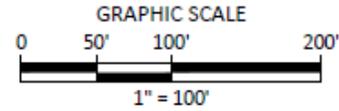


10/16/2020

Adam T. Johnson
Registered Professional Land Surveyor
Texas Registration Number 6664
TBPELS SURVEYING FIRM NO. 10029600



EXHIBIT "A"
PARCEL NO. 8



MATCH LINE PAGE 5

HONGXIN ZHANG
INST. NO. 201300304951

**PART 2
35-FOOT
WASTEWATER EASEMENT
0.419 ACRES
(18,255 SQ. FT.)**

1/2" FIR
(C.M.)

N 24°16'38" E
93.33'

**50-FOOT TEMPORARY
CONSTRUCTION EASEMENT**

**PART 2
P.O.B.
GRID COORDINATES:
N:6,934,925.26
E:2,569,426.34**

TINA STOKER
INST. NO. 200600107349
LOT 2, REPLAT OF
NABORS SUBDIVISION
VOL. 93051, PG. 1956

DAVID JASSO AND SOILA JASSO
VOL. 2003078, PG. 10579

HARMAN HIDER SURVEY
ABSTRACT NO. 541

**PART 2
P.O.C.
1/2" FIR
(C.M.)**

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HALFF[®]
1201 NORTH BOWSER ROAD
RICHARDSON, TX 75081-2275
TEL (214) 348-6200
TBP&S SURVEYING FIRM #10029500

35' WASTEWATER EASEMENT &
50' TEMPORARY CONSTRUCTION EASEMENT
NORTHERN BASIN INTERCEPTOR SEWER
SITUATED IN THE
JOHN LANIER SURVEY, ABSTRACT NO. 805
CITY OF SEAGOVILLE, DALLAS COUNTY, TEXAS

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