



MINUTES
for the
SEAGOVILLE PLANNING AND ZONING COMMISSION
Regular meeting scheduled to begin at
6:30 p.m. on Tuesday, March 23, 2021
in the City Hall Council Chambers
at 702 North U.S. Highway 175; Seagoville, Texas

Chairman Mike Dupuis called the meeting to order at 6:30 p.m. The meeting was held as a webinar by utilizing Zoom in order to advance the public health goal of limiting face-to-face meetings (also called “social distancing”) to slow the spread of the Coronavirus (CoVID-19). The Commissioners joined the meeting as listed below.

Present: Commissioner and Chairman Mike Dupuis, in-person
Commissioner and Vice Chairman David Grimes, in person
Commissioner Tommy Lemond, in person
Commissioner Debra Haney, in person
Commissioner Dr. Don Cole, in person
Commissioner Charles Galbreth by interactive video

Absent: None.

City Staff: Planner Jennifer Bonner
City Secretary Kandi Jackson by interactive video

Commissioner Olu Olajimi arrived after the call to order but before the invocation.

Commissioner Cole was asked to lead the group in an invocation. Afterwards, the chairman led the Pledge of Allegiance.

Chairman Dupuis then gave an opportunity for the public to comment on items not on the agenda. No one responded in person. Planner Bonner responded that she had also not had any response by phone, email, or other forms prior to 5:00 this afternoon.

- 1. APPROVAL OF MINUTES:** Consider the minutes of the previous February 23, 2021, regular Planning and Zoning Commission meeting.

Chairman Dupuis asked if there were any questions or comments on the supplied minutes. Vice Chairman Grimes moved to approve the minutes of the meeting as presented. The motion was seconded by Commissioner Lemond. By a show of hands and voice vote, the motion passed unanimously (seven to zero) in favor of the motion.

2. **ZONING REQUEST Z2021-03: PUBLIC HEARING** Conduct a Public Hearing, discuss and make a recommendation to City Council on a zoning 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.

Chairman Dupuis asked for the staff report and opened the public hearing at 6:35 p.m.

Planner Jennifer Bonner began by stating that the property is unimproved and on the north end of Alto Road. There are 2 existing ponds that will remain with the development in addition to the open space under the existing overhead power lines. The property is an estate. The applicant is the executor of that estate. She is being represented tonight by Mr. Pat Atkins for this zoning change. Today they are asking to change the zoning from Agriculture to a planned development with 2 zoning districts – one for our Apartment district for condominiums and the rest of the property for R-5, a single family zoning district.

Proposed Tract 1, which is referred to as the Magnolias in their application, would be in the northernmost corner of the site with the overhead power lines running through it, about 14 acres in size, and would have the multi-family base zoning of Apartments. The concept plan shows the Magnolias would include the development's amenity center with an outdoor swimming pool, multiple playground areas away from the amenity center, and a condominium owners association (COA) for owning and maintaining the amenities within this area. The submitted request is asking for a maximum 80% lot coverage and several smaller than code-required building regulations. These are listed in both the Agenda Comm as well as in Exhibit 6D. Planner Bonner covered these requests in some detail and with comments.

Proposed Tract 2 would include the rest of the property (about 52 acres) and is general all south and southwest of the overhead electric lines. Only single family detached homes and other permitted land uses in the R-5 zoning district would be permissible. From the concept plan, it does appear that these proposed lots of the development would be able to access and use the amenity center located in the Magnolias. There would be playground equipment and play areas added to the green space to remain around each existing pond, which would remain as amenities for the entire development. Additionally, there would be detention ponds created at the intersection of Casa Grande Drive (being extended into the development from the south) and Woodside Lane (being extended into the development from the east). Three of the four main access points for the development are located in this tract and would be located either off Alto Road and/or include the construction of the entire width of a new east-west Major Collector through the development and the entire width of the Casa Grande extension through the site as a Minor Collector. There will be a homeowners association (HOA) for owning and maintaining the amenities within this area. The submitted request is asking for a maximum 35-foot eave height for each structure and several smaller than code-required building regulations. These are also listed in both the Agenda Comm as well as in Exhibit 6D. Planner Bonner covered these requests as well in some detail and with comments.

Planner Bonner did not cover the legal notices or other exhibits at this time but did state they could be found in the remainder of the Agenda Comm and that she would cover them as part of the Staff Report.

She then moved onto the Staff Report (Exhibit 1). The first page gives the location of the property in the aerial photograph in the upper right corner, provides a summary of the size of the project, site zoning, surrounding zoning district, the site's land use, surrounding land uses, and surrounding recommended future land uses. Staff is recommending approval of the request, but there is a significant list of conditions of approval. This list contains staff-recommended conditions and they can be revised as the P&Z wants, but most are based in a code requirement. Additionally City Council will look at the list again and could make additional changes to the list. The representative is aware of this list and they do have a copy of the meeting packet for their reference. Many of these items will be covered as she moves forward with the rest of the Staff Report.

Planner Bonner then moved onto Page 2 of the report, which compares the application to the 2002 Future Land Use Plan, the 2006 Master Thoroughfare Plan, and the 2009 Zoning Map. On each map, the development is outlined in red and has 5 pink-and-purple stars. Before leaving Page 2, she pointed out that in the Zoning Map, there are adjacent properties that for years have been partially zoned A (Apartments), TH (Townhomes), and R-3 (a different single family zoning district than R-5). At some point in the past, someone thought that it made sense to put some multi-family zoning districts in this area, but there are currently limited to no municipal water or sanitary sewer service to the properties along Alto Road. Page 3 begins the comparison of the planned development request to review criteria from city codes. Criteria 2 covers recreation and open spaces, which this site has and will be adding but none of the submitted application paperwork references whether these will be available for public use as the criteria asks. Criteria 5 discusses historical buildings and features of which none have been identified for protection or preservation. Criteria 7 references planned development regulations. Planner Bonner stated she provided some information on each area of the development since they will have different regulations. The area asking for the Apartment zoning (sometimes referred to as the Magnolias) does not plan individual lots, but is planning for individually-owned dwelling units (condos). The yards and other areas would all be owned by a condominium association, not the owners of the individual condos. The rest of the development is asking for typical minimum lot dimensions of 50-feet wide by 120-feet deep. Criteria 12 talks about public convenience. Currently the only access to the site is Alto Road, but existing streets from the south (Casa Grande) and east (Woodside) will be required to extend into this site to provide more access points as required by code. Additionally the alignment along the north side of the property on the concept plan that some might call an extension of Lasater Road - but that is currently being treated as a private driveway - will have right-of-way discussions needed if it is to provide a second access to the planned Magnolias area.

Planner Bonner then moved onto Page 4 of the report where the list of review criteria continues. Criteria 15 talks about offensive emissions. Screening walls will be required per the subdivision code along Alto Road and the other collector streets. Criteria 18 is where the Condo Owners Association in addition to the Home Owners Association are covered. Criteria 20 discusses permitting less than authorized by code requirements, which is allowed in planned developments if the change is specified in the application. For this application,

the items requesting to be revised are included in Exhibit 6B. Criteria 21 covers the provisions of the Master Thoroughfare Plan, which will be met by the new Major Collector running through as well as the Minor Collector extension of Casa Grande Drive. This was the end of the specific criteria reviewed with the commission.

Planner Bonner then went back to roadways and their locations in multi-family zoning districts. These are not discussed in the review criteria, but she wants to cover at this time since this is the end of the discussion on review comments. In multi-family areas, roadways generally are private streets owned, operated, and maintained by the owner of the complex. In residential subdivisions, these streets are public. Public streets are required to be a minimum of 31-feet wide from back of curb to back of curb centered in a 51-foot public right-of-way, usually with a sidewalk on both sides. Private streets only have to meet fire lane or fire access requirements of 26-feet of width between curb faces without any requirement for a sidewalks. Looking at Staff's recommended conditions of approval, there are conditions listed for the roadways in the apartment district to both meet the fire lane width requirements and have a minimum 3-foot sidewalks on both sides. These are items the commissioners might wish to ask the applicant about for the Apartment district: street width, on- and off-street parking, maintaining the openness of the fire lane, and possibly revise when making the recommending motion to City Council.

Planner Bonner then covered the legal notices on page 5 of the staff report. No responses have been received. Most of the rest of the staff report (pages 5 through 7) compares the permitted and special use permitted land uses from the Agriculture, Apartment, and R-5 districts in the zoning code to those that would be allowed by this planned development's request for the areas with Apartment and R-5 base zonings. Page 7 also includes a table comparing the development regulations of a standard R-5 district to those being requested. Page 8 has a similar table comparing a standard Apartment district to the development regulations the applicant would like for this request. She then quickly went through Exhibits 2 through 5. Exhibit 6 she covered in more detail since this is where all of the applications and supplemental documents for the application are provided. Exhibit 6B is the list of proposed development regulations she used to provide the information covered already in the staff report and agenda comm. Exhibit 6C is the legal description and survey of the existing property. Exhibit 6D is the proposed zoning map and legal descriptions for the 2 new zoning districts of the development. The Magnolias area of the development is labeled as such on the map. Exhibit 6E is then the proposed concept plan for the development in color. The buildings in the Magnolias are in more of an orange/brown color while the lots for the rest of the development are either in green (for identifying open spaces and common areas) or yellow for the single family residential homes. This concept plan sheet also provides information on the entry signage for the development as well as screening wall and fencing information. With the concept plan, locations of improvements to Alto Road can be identified along with the Major Collector that she has mentioned will run east-west through the development, the extension of Casa Grande Drive from the south, and the extension of Woodside Lane from the east. Commissioner Lemond asked about existing Alto Road being improved. Planner Bonner responded that the Master Thoroughfare identifies it to become a Major Collector so the developer will be required to make his half of the improvements to the roadway and its pavement with this project. She then mentioned the location of the overhead power lines crossing the Magnolias area, the existing ponds that are to remain, and the location of the proposed detention basins are fairly east to recognize. Exhibit 6F is

the two pages providing the preliminary water and sanitary sewer information on one page and the preliminary drainage and storm sewer information on the other. Preliminary design work includes the developer contacting the city to determine if the city can provide water and sanitary sewer to all of these houses and so far the answer is yes. But until final engineering work is done this is an estimation of availability of city services, not a guarantee. Changes are likely to occur with the final engineering of the site for the development. Copies of the legal notices are in Exhibits 7 and 8 while Exhibit 9 provides the list of adjoining owners. Exhibit 10 is the presentation that the applicant provided to Planner Bonner for going through tonight and at City Council. She then concluded by stating she would answer any questions from the commissioners.

Chairman Dupuis asked about the sanitary sewer. Planner Bonner responded that the site partially sits on a hilltop. Part of it will drain west but then be force-mained back into the property. There is currently not a lot of capacity in the system so lift station will need to be installed near the intersection of Casa Grande Drive and Woodside Lane to get back into the existing system of Woodside Lane or Shady Lane. Part of what is unique about this particular site is that the gravity sewer for the Cottonwood Creek subdivision (adjacent to the south) that she mentioned will run through the area shown on these maps as being the extensions of Casa Grande Drive and Woodside Lane. With the separate sanitary sewer and storm sewer of each developments as well as water for this development, that is a lot of utilities to be designed, installed, and operated in a very small area. This is why engineering plans are so vitally important to construction plat approvals.

Chairman Dupuis asked if any of the other commissioners had questions for staff.

Commissioner Lemond asked a question about streets. It might need to be the developer who answers this question, but he asked Planner Bonner first. Streets in the housing area would be 31-feet wide from back of curb to back of curb. Planner Bonner said yes that is a standard street cross-section with sidewalk on both sides. Commission Lemond then that allows on-street parking. But in the townhomes, there can't be on-street parking and maintain the needed width for emergency services. Planner Bonner said that is correct, that is why things get tricky in trying to make everything fit. Everything in the condos area is technically off-street parking because there are no public streets. But the city still has to make sure that fire trucks and ambulances can still get through, so staff doesn't want to go smaller than a standard fire lane and then have parking along or in it. Commissioner Lemond said that is fine if the fire lane is actually fully marked as fire lane and it is enforced. But if the people park on/in and the COA doesn't take care of, then issue can arise. Planner Bonner agreed and stated that is part of what the commission and Council need to consider with their recommendations. This will help direct staff on what they need to see when reviewing the future engineering and development plans. Director Barr (who is also the city's Fire Marshal) spoke up and said he could answer the question. These would have to be designated and marked fire lanes. Commissioner Lemond stated then that no one could park there. Director Barr responded that is correct and tickets can be issued. Chairman Dupuis spoke up and stated that was one of his concerns as well – having people parking on both sides of the street and then not being able anything down the street. Director Barr added that each unit is to have a 2-car garage as well as parking in the driveway so there should not be a reason for folks to park in the street.

Chairman Dupuis asked if any of the other commissioners had questions for staff. There were none.

Chairman Dupuis asked applicant representative Mr. Pat Atkins of Lenart Development to identify himself. Mr. Don Peek of THB Construction began by he was grateful for the chance to speak to the Commission tonight. With him is Robbie Hale of Shepherd Place Homes and Robbie Hale Homes. Mr. Hale will be the developer on this project and potentially the home builder. Planner Bonner has eloquently presented our application and covered in detail. As she noted in the creation of the concept plan that took into account Alto Road and the alignment where the Master Thoroughfare Plan calls for a Major Collector to pass through the site. The road alignment divides the property as well as the existing overhead power lines and essentially separates the property. The result is predominately a residential traditional development, but also addressing drainage, floodplain, and topography of the area. Alto Road will be widened and extended in the manner staff mentioned. Casa Grande Drive comes into the property from the south as a Minor Collector identified on the Master Thoroughfare Plan as connecting north of this property to the Major Collector passing through the site. After analyzing all of these conditions, his company thought this might be a good site for placing the product shown in the 14 acres.

The only zoning district in Seagoville this would fit in is your Apartment district. The product shown are detached residential structural product that would not be for rent nor look like apartments. The 77 units would be for individually for sale within a gated community that could be marketed to a variety of folks – over 50s, young couples or families, etc. Again, marketing would not be limited to a specific type of folks but the cross-section of people looking for this type of housing. Again this is a detached unit set-up within a gated community with an amenity center and recreation facility and swimming pool. He would love to provide more units of this type, but the limitations of the surrounding conditions (roads and overhead power lines) would not allow more units. This product can be found in other parts of the DFW metroplex. These are truly detached units – not attached duplexes, townhomes, or apartments. There are photos of the example elevations in the next few slides, but the Apartment zoning district in Seagoville would be the base zoning but is the only one to allow this type of development. Only a small part of the property will be used for these units. The rest of the property will be the more traditional detached single family home lots. The next slide shows example elevations of these units that currently have been done in Murphy, Springtown, and other parts of the metroplex. It is primarily geared for those that do not want or cannot care for yard maintenance, which would be taken care of by a homeowners or condominium association as well as the ownership and maintenance of the amenity center, all home exteriors, and the streets within this portion of the development. Commissioner Cole interrupted to ask if the garages would be one or two cars. Mr. Atkins responded that each unit in this development would be for two cars. Some of the other developments similar to this were only designed for a single car garage, but this one will be for 2 cars as well as parking in the driveway. Guest parking in the development will be provided at a ratio of 0.25% per unit that would be off-street from the fire lane. So traditional southern, country style type look and feel to the development – just with no maintenance by the homeowners. The next few slides will cover the more traditional residential housing on 50-foot by 120-foot lots. The amenity center will need to go through some additional design work, but it is primarily an open room for gathering with kitchen and restrooms. More details to come with the design phase. Again this is a gated community.

Going back to the concept plan and based on staff comments, screening elements along Alto Road will be a masonry wall and columns. Along the new Major Collector through the site, the applicant would like to implement a wrought iron fence with masonry columns and landscaping.

Topography of the site drains 3 directions. During the early discussion that have already been held with the city's contract engineer, it has been determined a lift station will be required along with a force main on the sanitary sewer. More details will be determined as the site goes through final engineering. Preliminary utility layouts are included in the packet. The applicant is excited about the creation and implementation of a new product for Seagoville.

Once the final engineering is completed, it is possible that this development might add \$60 million dollar tax base to the city. This site would be a continuation of what the developer is already working on in the area with Cottonwood Creek, Tredway Estates, Edmonds Ranch, etc. with the more traditional homes with estimated values of \$225,000 and higher. They are excited about bringing the project to Seagoville. All of the other regulations mentioned by Planner Bonner they are aware of and in agreement with. Just wanted to mention the preferred difference in the screening along the Major Collector. He did not have anything else to add and would request approval of the item. Mr. Atkins closed by stating he would be happy to answer any questions the commissioners had.

Chairman Dupuis asked if any of the commissioners had any questions for Mr. Atkins.

Commissioner Lemond stated that he had a question about the floor plans. He asked if Floor Plan 1 and Floor Plan 2 are of townhouses. Mr. Atkins replied that those are the general first and second floor plans of the detached structures in the proposed area with the proposed apartment zoning. Again these are detached single family structures with yard between the units. Floor plans are subject to change. Commissioner Lemond if these are generally 2- to 3-bedrooms units. Mr. Atkins replied yes, usually 3-bedrooms and 1600-square feet and 2-car garage.

Chairman Dupuis asked if any of the commissioners had any questions for Mr. Atkins. There were none. The chairman thanked Mr. Atkins.

Chairman Dupuis then asked if anyone from the public would like to come forward. No one did.

Chairman Dupuis closed the public hearing at 7:08 pm.

Chairman Dupuis asked if any of the commissioners had other questions or discussion on this item. There were none.

Vice Chairman Grimes moved to recommend 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. After some discussion on the conditions with the initial motion, a change was made to one of the conditions. The final 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.

The motion was seconded by Commissioner Olajimi. By a show of hands and voice vote, the motion passed unanimously (seven to zero) in favor of the motion.

ANNOUNCEMENTS & UPCOMING MEETINGS: Planner Bonner read the list of upcoming city meetings and provided updates on which meetings are likely to be cancelled but are not listed that way on tonight's agenda.

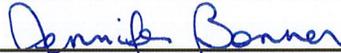
Chairman Dupuis adjourned the meeting at 7:14 pm.

APPROVED:



Mike Dupuis *David Bonner*
Planning & Zoning Commission Chairman

ATTEST:



Jennifer Bonner, Planner and
Planning & Zoning Commission Liaison