

MINUTES

for the
SEAGOVILLE PLANNING AND ZONING COMMISSION
meeting scheduled to begin at
6:30 p.m. on Tuesday, September 22, 2020
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.

Present: Commissioner and Chairman Mike Dupuis
Commissioner Tyree Roberson
Commissioner Charles Galbreth
Commissioner Tommy Lemond
Commissioner Olu Olajimi

Absent: Commissioner and Vice Chairman David Grimes
Commissioner Heather Rice

City Staff: Planner Jennifer Bonner

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

Chairman Dupuis gave an opportunity for the public to comment on items not on the agenda. No one came forward so the meeting moved forward.

- 1. Approval of Minutes:** The chairman asked if there were any corrections to the minutes supplied by staff in the meeting packet from the July 14th meeting. Commissioner Roberson asked several questions about the various cell tower items – public hearing vs. site approval vs. 1 site or 2? After Planner Bonner answered all questions, Commissioner Lemond moved to accept the minutes as submitted. Commissioner Roberson seconded the motion. By a show of hands, the minutes were approved five (5) to zero (0).
- 2. Stormwater presentation:** Planner Bonner gave a 15-minute presentation on the City's stormwater program. The Planning and Zoning Commission is the community group that is receiving a presentation this year since corona virus had cancelled so many events during the last 6 months. After the presentation, several questions were asked about the program by the Commissioners.
- 3. Zoning Request Z2020-12: Public Hearing** Conduct a Public Hearing, discuss and make

a recommendation to City Council on a request for a zoning change from R-5, Residential Single Family, to C, Commercial, on approximately 0.040-acres of property in the Henry D. Bohannon Survey Abstract 178 and being a part of 210 North Kaufman Street, Seagoville, Dallas County, Texas.

Chairman Dupuis introduced the first item of business on the agenda for the meeting. At 6:50 pm, the chairman opened the public hearing and asked for the staff report.

Planner Jennifer Bonner began by stating that the property owner Julio Torres is requesting the change so he can construct a storage building on this portion of his property. The original property line was the south right-of-way line for McWhorter Street. Several years ago the City of Seagoville abandoned a portion of the street (which is zoned R-5) and Mr. Torres bought the property. The property was inside the city limits of Seagoville in 1925 and has been zoned R-5 since at least 1977. She then summarized the surrounding zoning districts and land uses. Staff is recommending approval of the request with conditions. Staff's recommended conditions of approval include approval of variance(s) already applied for with the Board of Adjustments and submittal of 3 code-required documents for P&Z review prior to a building permit: a site plan the includes building setbacks, parking plan for the entire site, and a landscaping plan. Moving onto the second page of the staff report, Planner Bonner compared the subject property to the 2002 Future Land Use Map and Plan, the 2006 Thoroughfare Map and Plan, and the 2009 Zoning Map. The review criteria begin on page 3. Review criteria 6 is listed as not being met because no information on parking was provided and the aerial photograph on DCAD shows that the area for the storage building may be used for parking of employees currently. Review criteria 9 is not able to be determined if the site will be compliant as no landscaping plan has been provided. Planner Bonner then covered the legal notices for the applicant and responses received. The rest of the staff report is the table of land uses relevant to the existing zoning and requested zoning districts. Finally she covered the other exhibits that were attached in this portion of the meeting packet. Exhibit 5 has the application and a copy of the 2013 survey the City had completed as part of the right-of-way abandonment. Exhibit 7b are copies of the written responses received by staff. She concluded by stating she would answer any questions the Commissioners had.

Commissioner Olajimi asked about the staff recommended conditions of approval.

The chairman then asked if Mr. Torres was present. Mr. Torres came forward introduced himself. He stated had nothing to add to what had already been stated, but would answer any questions the commissioner might have. There were none so the chairman thanked Mr. Torres for coming to the meeting. He then closed the public hearing at 7:02 pm.

The chairman then stated that he believed the commissioners were ready for someone to make a motion. Commissioner Lemond moved that the Planning and Zoning Commission recommend to the City Council to approve with the conditions recommended by staff the request for a zoning change from R-5, Residential Single Family, to C, Commercial, on approximately 0.040-acres of property in the Henry D. Bohannon Survey Abstract 178 and being a part of 210 North Kaufman Street, Seagoville, Dallas County, Texas. Commissioner Roberson seconded the motion. By a show of hands, the motion passed unanimously in favor (five to zero) of recommending the approval of the request for a zoning change.

4. **Zoning Request Z2020-13: Public Hearing** Conduct a Public Hearing, discuss and make a recommendation to City Council on a request for a zoning change from R-2, Residential

Single Family, to AG, Agriculture, on approximately 157.98±acres of property, less approximately 1±acre of land for a future house, commonly known as 850 East Malloy Bridge Road, Seagoville, located in various abstracts in both Dallas and Kaufman Counties, Texas.

Chairman Dupuis introduced the first item of business on the agenda for the meeting. At 7:05 pm, the chairman opened the public hearing and asked for the staff report.

Planner Jennifer Bonner began by stating that the property owner JCRB Properties Inc. is a company owned by Juan C. Ruvalcaba. Tonight, they are being represented by Christopher Rios. The request is being made so that Mr. Ruvalcaba can run an animal farm on the property. He also plans to build a home on the land in the future on about 1-acre.

Planner Bonner continued by explaining the site currently is mostly unimproved land. There is an underground gas mainline within a 50-foot wide easement and at least one overhead electric supply line (estimated to be within a 100-foot wide easement). The site is almost exclusively within a regulated floodplain and is known to regularly flood since one of the property lines is the East Fork of the Trinity River. The area has not been studied for flooding water depths, but the U.S. Corps of Engineers is working with a multitude of communities – including the City of Seagoville – along both the main channel of the Trinity River and its East Fork as part of a regional review and expansion of the current Trinity River COMMON Vision program and Corridor Development Certificate Program of the Trinity. The property also sits across the Dallas-Kaufman County line so there are more exhibits in usual in this request's packet in order to provide an adequate information coverage of this site.

Moving onto the Staff Report, on page 1 Planner Bonner used the aerial photograph to explain the location of the site in relation to the county line and the city limits. Afterwards she provided a summary of the project's area, existing zoning, surrounding zoning districts, existing land use, and surrounding land uses. She then stated that staff is recommending approval of the request with a number of conditions and went into detail on the why behind each recommended condition. She then moved onto the second page of the staff report, where the subject property is compared to the 2002 Future Land Use Map and Plan, the 2006 Thoroughfare Map and Plan, and the 2009 Zoning Map. The review criteria for the rezoning request began on page 3. Several were specifically covered before Planner Bonner moved on to the legal notices sent and responses received. Afterwards, she covered the various maps in Exhibits 2 through 6 as pertinent in each of the 2 counties. She then concluded by stating she would answer any questions the Commissioners had.

The chairman then asked for the representative of JCRB to come forward. Mr. Christopher Rios came forward introduced himself as the representative for this project. He stated had nothing to add to what had already been stated, but would answer any questions the commissioner might have.

Commissioner Roberson asked about how the animals would be kept on-site and out of Malloy Bridge Road. Mr. Rios replied there are existing fences that keep the existing animals within the property. Commissioner Roberson then asked about how the floodplain would affect the animals. Mr. Rios replied that he was certain of that answer. Commissioner Roberson then asked about the number and types of animals that were planned for the site. Mr. Rios replied that it was his understanding that there would be a small number of animals that would include horses, sheep, possible a pig or 2. No other commissioners had any

questions for Mr. Rios.

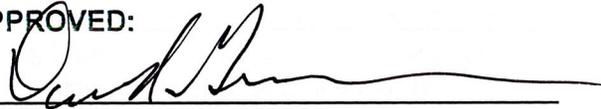
The chairman thanked Mr. Rios for coming to the meeting. He then closed the public hearing at 7:22 pm.

The chairman then stated that he believed the commissioners were ready for someone to make a motion. Commissioner Lemond moved that the Planning and Zoning Commission recommend to the City Council to approve the request with staff's recommended conditions for a zoning change from R-2, Residential Single Family, to AG, Agriculture, on approximately 157.98+acres of property, less approximately 1+acre of land for a future house, commonly known as 850 East Malloy Bridge Road, Seagoville, located in various abstracts in both Dallas and Kaufman Counties, Texas. Commissioner Olajimi seconded the motion. By a show of hands, the motion passed in favor (four to one) of recommending the approval of the request for a zoning change. Commissioner Roberson voted no.

Announcements: Planner Bonner then read the list of upcoming city meetings.

Chairman Dupuis adjourned the meeting at 7:24 pm.

APPROVED:

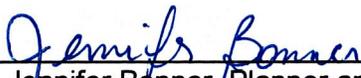


~~Mike Dupuis~~

Planning & Zoning Commission Chairman

David Grimes

ATTEST:



Jennifer Bonner, Planner and
Planning & Zoning Commission Liaison