



**SEAGOVILLE, TEXAS
CITY COUNCIL MEETING AGENDA
MONDAY, OCTOBER 4, 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**
- B. Receive a presentation concerning National Night Out**
- C. Receive an update concerning Public Works**

Adjourn

REGULAR SESSION - 7:00 P.M.

ROUTINE ANNOUNCEMENTS, RECOGNITIONS, and PROCLAMATIONS

Call to Order

Invocation

Pledge of Allegiance

Proclamation – Kids Place Learning Center

Recognition – Texas Police Chiefs Association Foundation Recognition and Accreditation

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 September 20, 2021 (City Secretary)**
- 2. Consider approving a Resolution of the City of Seagoville, Texas designating the Daily Commercial Record as the official newspaper for the City of Seagoville, Texas; providing for repeal of any and all Resolutions in conflict; providing for severability clause; and providing an effective date (City Secretary)**

REGULAR AGENDA-

- 3. Conduct a public hearing to change the zoning from “LR” Local Retail to “LR-SUP” Local Retail with a Special Use Permit, for a tobacco store, subject to special conditions on approximately 0.386± acres located at 611 North U.S. Highway 175, being described as Tracts L, M, and the East Half of Lot 2 in the Town & Country Shopping Center Revised, in the City of Seagoville, Texas (Community Development Director)**
- 4. Discuss and consider approving an Ordinance of the City of Seagoville, Texas, amending the Comprehensive Zoning Ordinance and Map, as previously amended, by changing the zoning from “LR” Local Retail to “LR-SUP” Local Retail with a Special Use Permit, for a tobacco store, subject to special conditions on approximately 0.386± acres located at 611 North U.S. Highway 175, being described as Tracts L, M, and the East Half of Lot 2 in the Town & Country Shopping Center Revised, in the City of Seagoville, Texas; providing for special conditions; providing for the repeal of all Ordinances in conflict; providing a severability clause; providing for a penalty fine not to exceed Two Thousand Dollars (\$2,000.00) for each offense; and providing an effective date (Community Development Director)**
- 5. Conduct a public hearing concerning a change in the zoning from R-5, Residential-5, to LM, Light Manufacturing, on approximately 3.988± acres described as Tracts 19 and 19.1 in the Herman Heider Abstract, replatted as Lot 1, Block 1 of the AMC Concrete Haulers Addition, commonly referred to as 211 West Simonds Road in the City of Seagoville, Dallas County, Texas (Community Development Director)**
- 6. Discuss and consider approving an Ordinance of the City of Seagoville, Texas, amending the Comprehensive Zoning Ordinance and Map of the City of Seagoville, as amended, by granting a change in zoning from R-5, Residential-5, to LM, Light Manufacturing, on approximately 3.988± acres described as Tracts 19 and 19.1 in the Herman Heider Abstract, replatted as Lot 1, Block 1 of the AMC Concrete Haulers Addition, commonly referred to as 211 West Simonds Road in the City of Seagoville, Dallas County, Texas, and being depicted and legally described by metes and bounds in Exhibit “A”, attached hereto and incorporated herein; providing for a repealing clause; providing for a savings clause; providing for a severability clause; providing for a penalty of fine not to exceed Two Thousand Dollars (\$2,000.00) for each offense; and providing for an effective date (Community Development Director)**

7. Conduct a public hearing on a change in the zoning from R-5/LM, Residential-5/Light Manufacturing, to O/LM, Office/Light Manufacturing, on an approximately 4± acres described as Tract 59 in the John D. Merchant Abstract, commonly referred to as 615 North Kaufman Street in the City of Seagoville, Dallas County, Texas (Community Development Director)

8. Discuss and consider approving an Ordinance of the City of Seagoville, Texas, amending the Comprehensive Zoning Ordinance and Map of the City of Seagoville, as amended, by granting a change in zoning from R-5/LM, Residential-5/Light Manufacturing, to O/LM, Office/Light Manufacturing, on an approximately 4± acres described as Tract 59 in the John D. Merchant Abstract, commonly referred to as 615 North Kaufman Street in the City of Seagoville, Dallas County, Texas, and being depicted and legally described by metes and bounds in Exhibit "A", attached hereto and incorporated herein; providing for a repealing clause; providing for a savings clause; providing for a severability clause; providing for a penalty of fine not to exceed Two Thousand Dollars (\$2,000.00) for each offense; and providing for an effective date (Community Development Director)

9. Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas authorizing Anderson Asphalt & Concrete Paving to provide asphalt road work on Lakey Road for compensation in an amount not to exceed Ninety-One Thousand Seven Hundred Thirty Dollars and Eighty Cents (\$91,730.80) as set forth in Exhibit A, attached hereto and incorporated herein; authorizing the City Manager to execute any and all necessary documents; and providing an effective date (Public Works Director)

10. Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas authorizing Anderson Asphalt & Concrete Paving to provide asphalt road work on Barry Drive for compensation in an amount not to exceed One Hundred Twelve Thousand Two Hundred Dollars and Eighty-Eight Cents (\$112,200.88) as set forth in Exhibit A, attached hereto and incorporated herein; authorizing the City Manager to execute any and all necessary documents; and providing an effective date (Public Works Director)

11. Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas authorizing Anderson Asphalt & Concrete Paving to provide asphalt road work on West Malloy Bridge Road for compensation in an amount not to exceed One Hundred Thirty Eight Thousand Six Hundred Fifty Five Dollars and Twenty Cents (\$138,655.20) as set forth in Exhibit A, attached hereto and incorporated herein; authorizing the City Manager to execute any and all necessary documents; and providing an effective date (Public Works Director)

12. Discuss and consider approving an Ordinance of the City of Seagoville, Texas providing for "all way stop sign" to be installed at the intersection of Hall Road and Judy Lane; authorizing the City Manager or designee to cause the appropriate signage to be erected; providing a savings clause; providing for a severability clause; providing a penalty of fine not to exceed the sum of Two Hundred Dollars (\$200.00) for each offense; providing for publication; and providing an effective date (Councilmember Hernandez)

13. Discuss and consider approving a Resolution of the City of Seagoville, Texas, authorizing the purchase of Three 2022 Chevrolet Tahoe Police Vehicles at a total cost of \$228,974.52 from Holiday Chevrolet; providing for the repeal of any and all Resolutions in conflict; providing for severability clause; and providing an effective date (Police Chief)

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

15. 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.

16. Recess into Executive Session

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

A. § 551.071. Consultation with City Attorney: receive legal advice related to Public Safety Requirements regarding LaPulga Seagoville.

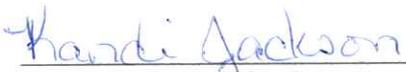
17. Reconvene Into Regular Session

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

A. § 551.071. Consultation with City Attorney: receive legal advice related to Public Safety Requirements regarding LaPulga Seagoville.

Adjourn

Posted Friday, October 1, 2021 by 5:00 P.M.


Kandi Jackson, City Secretary



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

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

DATES TO REMEMBER

- **Monday, October 18, 2021 Regular City Council Meeting**
- **Monday, November 1, 2021 Regular City Council Meeting**
- **Monday, November 15, 2021 Regular City Council Meeting**
- **Monday, December 6, 2021 Regular City Council Meeting**
- **Monday, December 20, 2021 Regular City Council Meeting**

Consent Session Agenda Item: 1

Meeting Date: October 4, 2021

ITEM DESCRIPTION:

Consider approving City Council Meeting minutes for September 20, 2021.

BACKGROUND OF ISSUE:

Approve City Council Meeting minutes for September 20, 2021.

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

N/A

EXHIBITS:

September 20, 2021 Regular Meeting Minutes



**MINUTES OF CITY COUNCIL
REGULAR SESSION
SEPTEMBER 20, 2021**

The Regular Session of the City Council of the City of Seagoville, Texas was called to order at 6:30 p.m. on Monday, September 20, 2021, at City Hall, 702 N. Hwy 175, Seagoville, Texas with a quorum present, to wit:

Dennis Childress	Mayor
Mike Fruin	Mayor Pro Tem
Jose Hernandez	Councilmember
Rick Howard	Councilmember
Harold Magill	Councilmember
Jon Epps	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, Fire Chief Todd Gilcrease, City Attorney Victoria Thomas, Director of Administrative Services Cindy Brown, and City Secretary Kandi Jackson.

Invocation – *Invocation was led by Councilmember Magill.*

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

Proclamation – Jared Digby Day - *Mayor Childress presented the Jared Digby Day Proclamation.*

Mayor’s Report – *None.*

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

None.

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

- 1. Consider approving City Council Meeting minutes for September 13, 2021 (City Secretary)**

2. **Consider approving a Resolution of the City of Seagoville, Texas, authorizing the Mayor to sign a contract with Dallas Area Agency on Aging for the reimbursement of congregate and/or “to go” meals and a program grant for the Seagoville Senior Citizens Activities and Transportation (SSCAT) Program (Library Director)**

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

REGULAR AGENDA-

3. **Recessed into Executive Session at 6:36 p.m.**

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

- A. **§551.087 – Deliberation Regarding Economic Development Negotiations – to deliberate the offer of a financial or other incentive to a business prospect that the governmental body seeks to have locate in the City and with which the governmental body is conducting economic development negotiations and (2) pursuant to Texas Government Code Section 551.071 – Consultation with Attorney – to consult with its attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflict with Chapter 551, and as to both to wit:**
 1. **Santorini Public Improvement District and Tax Increment Reinvestment Zone and Santorini Mixed Use Planned Development**
 2. **Stonehaven Public Improvement District and Planned Development**
- B. **§ 551.071. Consultation with City Attorney: receive legal advice related to addressing and street name change.**

4. **Reconvened Into Regular Session at 7:44 p.m.**

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

- A. **§551.087 – Deliberation Regarding Economic Development Negotiations – to deliberate the offer of a financial or other incentive to a business prospect that the governmental body seeks to have locate in the City and with which the governmental body is conducting economic development negotiations and (2) pursuant to Texas Government Code Section 551.071 – Consultation with Attorney – to consult with its attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflict with Chapter 551, and as to both to wit:**
 1. **Santorini Public Improvement District and Tax Increment Reinvestment Zone and Santorini Mixed Use Planned Development**
 2. **Stonehaven Public Improvement District and Planned Development**

B. § 551.071. Consultation with City Attorney: receive legal advice related to addressing and street name change.

No action taken.

5. Conduct a Public Hearing on a request to amend the Comprehensive Zoning Ordinance and Map of the City of Seagoville, Dallas County, Texas, by granting a change in zoning from Planned Development-Residential Single Family-5 (PD-20-02) to Planned Development- Residential Single Family-5 Amended (PD-20-02-A1) for three (3) tracts of land described as Tract I being approximately 135.08± acres commonly referred to as 2301 Simonds Road, 2219 Simonds Road, 2219 E. Simonds Road, and 1320 E. Stark Road and Tract 2 being approximately 22.95± acres of land commonly referred to as 2301 Simonds Road and, Tract 3 being approximately 88.96± acres of land located on the southeast corner of Stark Road and Lasater Road, all in the City of Seagoville, Dallas County, Texas (Community Development Director)

Mayor Childress opened the public hearing at 7:47 p.m.

No one spoke for or against.

Mayor Childress closed the public hearing at 7:47 p.m.

6. Discuss and consider approving 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, by granting a change in zoning from Planned Development-Residential Single Family-5 (PD-20-02) to Planned Development-Residential Single Family-5 Amended (PD-20-02-A1) for three (3) tracts of land described as Tract I being approximately 135.08± acres commonly referred to as 2301 Simonds Road, 2219 Simonds Road, 2219 E. Simonds Road, and 1320 E. Stark Road and Tract 2 being approximately 22.95± acres of land commonly referred to as 2301 Simonds Road and, Tract 3 being approximately 88.96± acres of land located on the southeast corner of Stark Road and Lasater Road, all in the City of Seagoville, Dallas County, Texas, and each tract being legally described in Exhibit "A", attached hereto and incorporated herein; providing for amended development regulations; providing for the approval of an amended concept plan and elevations, which are attached hereto and incorporated herein respectively as Exhibits "B" and "C"; providing a repealing clause; providing a severability clause; providing a savings clause; providing a penalty of fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense; and providing an effective date (Community Development Director)

Motion to approve an Ordinance of the City of Seagoville, Dallas County, Texas, amending the Comprehensive Zoning Ordinance and Map of the City of Seagoville, Dallas County, Texas, by granting a change in zoning from Planned Development-Residential Single Family-5 (PD-20-02) to Planned Development- Residential Single Family-5 Amended (PD-20-02-A1) for three (3) tracts of land described as Tract 1 being approximately 135.08± acres commonly referred to as 2301 Simonds Road, 2219 Simonds Road, 2219 E. Simonds Road, and 1320 E. Stark Road and Tract 2 being approximately 22.95± acres of land commonly referred to as 2301 Simonds Road and, Tract 3 being approximately 88.96± acres of land located on the southeast corner of Stark Road and Lasater Road, all in the City of Seagoville, Dallas County, Texas, and each tract being legally described in Exhibit "A", attached hereto and incorporated herein; providing for amended development regulations; providing for the approval of an amended concept plan and elevations, which are attached hereto and incorporated herein respectively as Exhibits "B" and "C"; providing a repealing clause; providing a severability clause; providing a savings clause; providing a penalty of fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense; and providing an effective date – Hernandez, seconded by Howard; motion passed with all ayes. 5/0

7. Conduct a public hearing to receive public comment on a request to create a public improvement district to make certain improvements over certain property located within the City of Seagoville and referred to as Stonehaven in accordance with Chapter 372 of the Texas Local Government Code (Legal Team)

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

No one spoke for or against.

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

8. Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas, authorizing and creating a Public Improvement District referred to as Stonehaven in the City of Seagoville in accordance with Chapter 372 of the Texas Local Government Code; providing for related matters; and providing an effective date (Legal Team)

Motion to approve a Resolution of the City Council of the City of Seagoville, Texas, authorizing and creating a Public Improvement District referred to as Stonehaven in the City of Seagoville in accordance with Chapter 372 of the Texas Local Government Code; providing for related matters; and providing an effective date – Hernandez, seconded by Magill; motion passed with all ayes. 5/0

9. Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas, approving the Stonehaven Development Agreement by and between Meritage Homes of Texas, LLC and the City of Seagoville, which is attached hereto and incorporated herein as Exhibit 1, for the development of approximately 246.965 acres of real property located in the City of Seagoville and the financing of certain public infrastructure and public improvements with the creation of a Public Improvement District; authorizing the City Manager to execute the same; and providing an effective date (Legal Team)

Bracewell LLP Partner, Julie Partain stated the Development Agreement is being approved with two changes. The first change is that the developer has agreed to begin the construction of Lasater and Stark Roads beginning with Phase I and will construct the improvements to Simonds Road with the development of the Phase that is adjacent to Simonds Road. The second change is a covenant in the Development Agreement the covenants and conditions relating to the Homeowner's Association will have a covenant that will mirror the City's current 24-Hour Parking Ordinance.

(Mayor Pro Tem Fruin recused himself at 7:51 p.m.)

Motion to approve a Resolution of the City Council of the City of Seagoville, Texas, approving the Stonehaven Development Agreement by and between Meritage Homes of Texas, LLC and the City of Seagoville, which is attached hereto and incorporated herein as Exhibit I, for the development of approximately 246.965 acres of real property located in the City of Seagoville and the financing of certain public infrastructure and public improvements with the creation of a Public Improvement District, and with the two changes as previously stated; authorizing the City Manager to execute the same; and providing an effective date – Hernandez, seconded by Epps; motion passed with all ayes. 4/0

10. Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas, setting a public hearing under section 311.003 of the Texas Tax Code for the creation of a Tax Increment Reinvestment Zone containing approximately 555.25 acres of land generally located south of Highway 175, referred to as Santorini, and being wholly located within the corporate limits and extraterritorial jurisdiction of the City of Seagoville, Texas; authorizing the issuance of notice by the City Secretary of the City of Seagoville, Texas, regarding the public hearing; and directing the City of Seagoville, Texas to prepare a preliminary Reinvestment Zone Financing Plan (Legal Team)

(Mayor Pro Tem Fruin returned at 7:54 p.m.)

Motion to approve a Resolution of the City Council of the City of Seagoville, Texas, setting a public hearing under section 311.003 of the Texas Tax Code for the creation of a Tax Increment Reinvestment Zone containing approximately 555.25 acres of land generally located south of Highway 175, referred to as Santorini, and being wholly located within the corporate limits and extraterritorial jurisdiction of the City of Seagoville, Texas; authorizing the issuance of notice by the City Secretary of the City of Seagoville, Texas, regarding the public hearing; and directing the City of Seagoville, Texas to prepare a preliminary Reinvestment Zone Financing Plan – Magill, seconded by Howard; motion passed with all ayes. 5/0

11. Discussion concerning the operation of side by side and all-terrain vehicles on public roadways in the City of Seagoville (Mayor Pro Tem Fruin/Police Chief)

Police Chief Calverley presented the operation of Off Highway Vehicles on public roadways in the City of Seagoville.

Mayor Pro Tem Fruin stated he does see these vehicles on the roadways in the City of Seagoville and people are not aware they can obtain a license plate for these types of vehicles.

After some discussion, City Manager Stallings stated citizens could help with violators if they report it when they see someone in violation.

12. Discussion concerning a partnership with local tire shops to allow citizens to properly dispose of old tires (Councilmember Magill)

Councilmember Magill stated periodically old tires are dumped on the streets in the City of Seagoville and he would like to partner with local tire shops to allow citizens to properly dispose of old tires.

Community Development Director Barr explained the Texas Commission on Environmental Quality (TCEQ) regulations concerning the disposal of old tires. He also listed the local tire shops that are willing to partner with the City of Seagoville concerning proper disposal of old tires.

After some discussion, it was determined that Staff will put together some information for citizens to properly dispose of old tires and work toward a partnership with a local tire shop.

13. Discussion to consider a 4-way stop at Hall and Judy (Councilmember Hernandez)

Councilmember Hernandez stated he would like to consider a 4-way stop at Hall and Judy. He stated traffic is increasing the children need help crossing the street.

After some discussion, it was determined to bring an Ordinance to Council for approval of a 4-way stop at Hall and Judy.

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

Councilmember Hernandez encouraged everyone to wear a mask if they are in crowds and to get vaccinated.

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

Councilmember Hernandez stated he would like definitions of bulk trash versus bulk brush and to consider the time limits on both.

Adjourned at 8:26 p.m.

APPROVED:

Mayor Dennis K. Childress

ATTEST:

Kandi Jackson, City Secretary

Consent Session Agenda Item: 2

Meeting Date: October 4, 2021

ITEM DESCRIPTION:

Consider approving a Resolution of the City of Seagoville, Texas designating the Daily Commercial Record as the official newspaper for the City of Seagoville, Texas; providing for repeal of any and all Resolutions in conflict; providing for severability clause; and providing an effective date.

BACKGROUND OF ISSUE:

The Charter provides for ordinances imposing any penalty, fine or forfeiture to become effective only after having been published once in its entirety or by caption form after adoption, in a newspaper designated as the official newspaper of the City. In addition, public hearings, bid notices, election notices, etc. are published in this same paper.

For a newspaper to qualify to be considered the municipalities “*official*” newspaper, the following criteria must be met:

- (1.) Devote not less than 25% of its total column lineage to general interest items;
- (2.) Be published at least once each week;
- (3.) Be entered as 2nd class postal matter in the county where published; and
- (4.) Have been published regularly and continuous for at least 12 months before the governmental entity or representative publishes notice. Tex. Gov’t Code § 2051.044

The Daily Commercial Record was designated the “*official*” newspaper in April, 2016 due to the Suburbia News no longer being in business.

The Daily Commercial Record is the “*official*” newspaper for the City of Garland, Garland ISD, City of Mesquite, Dallas County and Balch Springs. The Daily Commercial Record has five (5) publications a week which is helpful to staff when scheduling public hearings.

FINANCIAL IMPACT:

Advertisement costs vary each year based on Planning & Zoning activity, volume of Ordinances, number of Elections, etc. Funds are allocated in the City Secretary budget for expenditure.

RECOMMENDATION:

Staff recommends designating Daily Commercial Record as the “*official*” newspaper, if the Council so desires.

EXHIBITS:

Resolution designating Daily Commercial Record as official newspaper

**A RESOLUTION OF THE CITY OF SEAGOVILLE, TEXAS
RESOLUTION NO.**

**A RESOLUTION OF THE CITY OF SEAGOVILLE, TEXAS
DESIGNATING THE *DAILY COMMERCIAL RECORD* AS
THE OFFICIAL NEWSPAPER FOR THE CITY OF
SEAGOVILLE, TEXAS; PROVIDING FOR REPEAL OF
ANY AND ALL RESOLUTIONS IN CONFLICT;
PROVIDING FOR SEVERABILITY CLAUSE; AND
PROVIDING AN EFFECTIVE DATE.**

WHEREAS, Chapter 52, Section 52.004, Texas Local Government Code requires that as soon as practicable after the beginning of each municipal year, the governing body of the municipality shall designate, by ordinance or resolution, a public newspaper to be the municipality's official newspaper until another newspaper is selected; and

WHEREAS, the public newspaper serving the City of Seagoville, Texas and the local area that is the most widely read is the *Daily Commercial Record*; and

WHEREAS, the *Daily Commercial Record* meets all the requirements for service as the official newspaper of the City:

- (1) Devote not less than 25% of its total column lineage to general interest items;
- (2) Be published at least once each week;
- (3) Be entered as 2nd class postal matter in the county where published; and
- (4) Have been published regularly and continuous for at least 12 months before the governmental entity or representative publishes notices.

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

SECTION 1. The *Daily Commercial Record* is hereby designated the official newspaper for the City of Seagoville, Texas.

SECTION 2. All resolutions of the City of Seagoville heretofore adopted which are in conflict with the provisions of this resolution be, and the same are hereby repealed, and all Resolutions of the City of Seagoville not in conflict with the provisions hereof shall remain in full force and effect.

SECTION 3. If any article, paragraph, subdivision, clause or provision of this Resolution, as hereby amended, be adjudged invalid or held unconstitutional for any reason, such judgment 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. This Resolution shall take effect immediately from and after its passage, and it is accordingly so resolved.

DULY ORDERED by the City Council of the City of Seagoville, Texas, this the 4th day of October, 2021.

APPROVED:

Mike Fruin, Mayor Pro Tem

ATTEST:

Kandi Jackson, City Secretary

APPROVED AS TO FORM:

Victoria Thomas, City Attorney

Regular Session Agenda Item: 3

Meeting Date: October 4, 2021

ITEM DESCRIPTION:

Conduct a public hearing to change the zoning from “LR” Local Retail to “LR-SUP” Local Retail with a Special Use Permit, for a tobacco store, subject to special conditions on approximately 0.386± acres located at 611 North U.S. Highway 175, being described as Tracts L, M, and the East Half of Lot 2 in the Town & Country Shopping Center Revised, in the City of Seagoville, Texas.

BACKGROUND OF ISSUE:

The land currently has an existing commercial building on the subject property. The front parcel of the same owner contains the parking lot for this portion of the building. It is located on the south side of the U.S. Highway 175 between East Farmers Road and Glendale Avenue.

The owner, Global Boom LLC, and their proposed tenant, Anas Naji, are requesting that a Special Use Permit be granted for a tobacco shop in the existing LR, Local Retail, zoning district of the business. If the SUP is approved, the tenant plans to open his business at this location.

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 Tuesday, August 24, 2021, edition of the Daily Commercial Record newspaper. Including the parcel in question, there are twenty-seven (27) 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, August 12, 2021. As of Friday, September 10, 2021, no (zero) letters were returned as undeliverable by the U.S. Postal Service. One (1) letter was returned in favor of the request. One (1) letter was returned against the request. The proposed tenant and one person against the request spoke at the Planning and Zoning Commission meeting.

For the City Council meeting, a legal ad was published again per the Texas Local Government Code in the Friday, September 17, 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 Monday, September 20, 2021. As of the date of this report, Tuesday, September 28, 2021, no (zero) letters were returned as undeliverable by the U.S. Postal Service and no (zero) additional written responses had been received. Staff will make the Council members aware of any additional responses received at their meeting.

FINANCIAL IMPACT:

Not applicable

RECOMMENDATION:

On September 14, the Planning and Zoning Commission voted unanimously (five to zero) to recommend approval with conditions on a zoning change request from LR, Local Retail, to LR-SUP, Local Retail with a Special Use Permit for a Tobacco Shop on approximately 0.39± acres described as Tracts L, M, and the east half of Lot 2 in the Town & Country Shopping Center Revised, commonly known as 611 North U.S. Highway 175, Seagoville, Dallas County, Texas. The conditions of approval were:

- The Special Use Permit (SUP) is limited to maximum 2 calendar years.
- Limit hours of operation of the business are from 6:00 AM to 12:00 midnight.
- This Special Use Permit (SUP) will expire when one of the following happens:
 - o The business owner relocates;
 - o The business owner closes his doors;
 - o The owner expands their land uses; or
 - o The owner applies for a new SUP for this use at this location.

Staff supports the request with the listed conditions of approval.

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

1. Staff Report (7 pages)
2. 2019 aerial photograph
3. Dimensional property map from DCAD website
4. Zoning map (dimensional map with zoning added)
5. Application submittal
 - A. Application
 - B. Letter to City Council
6. Legal notice to newspaper
 - A. For Planning and Zoning Commission
 - B. For City Council
7. Legal notice to neighbors
 - A. Letter for Planning and Zoning Commission (2 pages)
 - B. Notice of City Council (2 pages)
 - C. Responses received (3 pages)
8. List of property owners within 200 feet of subject parcels



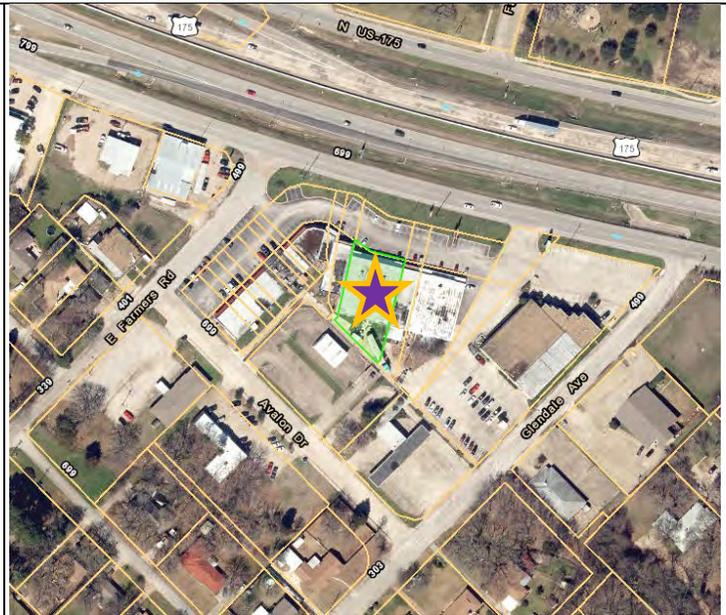
COMMUNITY DEVELOPMENT
702 NORTH HIGHWAY 175
SEAGOVILLE, TX 75159
PHONE: (972) 287-2050

DATE: OCTOBER 4, 2021
AUTHOR: JENNIFER BONNER, PLANNER
APPLICANTS: GLOBAL BOOM LLC; ANAS NAJI
PARCEL: 50054500000120200
LOCATION: 611 NORTH HIGHWAY 175

REQUEST SUMMARY:

The applicants are requesting that the property (under the purple star outlined in orange) at 611 North Highway 175 be granted a Special Use Permit for a tobacco shop in the existing LR, Local Retail, zoning district. The lot has been zoned LR since some time prior to 1977.

There is an existing commercial building on the subject property. The front parcel of the same owner contains the parking lot for this portion of the building.



REQUEST LOCATION: Inside City, Dallas County

SIZE OF PROJECT	EXISTING ZONING	SURROUNDING ZONING	EXISTING LAND USE	SURROUNDING LAND USE
0.39± acres	LR, Local Retail	North: LR, Local Retail <i>and</i> PD, Planned Development East: LR, Local Retail <i>and</i> R-5, Single Family Residential South: LR, Local Retail <i>and</i> R-5, Single Family Residential West: LR, Local Retail; C, Commercial; <i>and</i> R-5, Single Family Residential	Retail	North: Retail East: Retail South: Retail <i>and</i> Low Density Residential West: Retail <i>and</i> Low Density Residential

PLANNING & ZONING COMMISSION RECOMMENDATION:

On September 14, the Planning and Zoning Commission voted unanimously (five to zero) to recommend approval with conditions on a zoning change request from LR, Local Retail, to LR-SUP, Local Retail with a Special Use Permit for a Tobacco Shop on approximately 0.39± acres described as Tracts L, M, and the east half of Lot 2 in the Town & Country Shopping Center Revised, commonly known as 611 North U.S. Highway 175, Seagoville, Dallas County, Texas. The conditions of approval were:

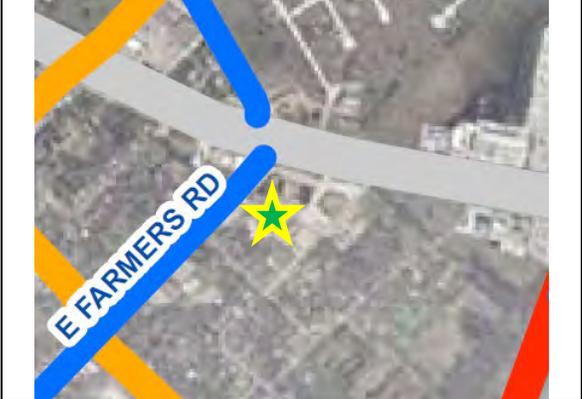
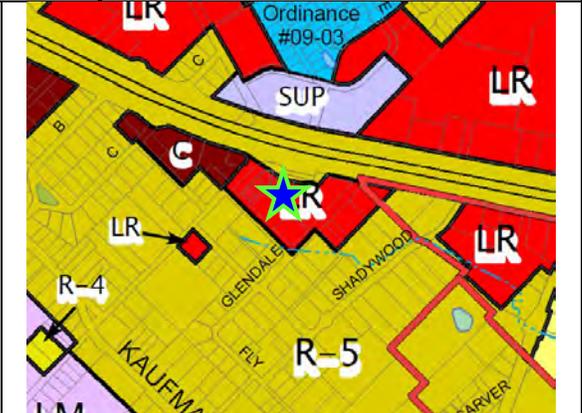
- Special Use Permit (SUP) is limited to maximum 2 calendar years.
- Limit hours of operation from 6:00 AM to 12:00 midnight.
- The SUP will expire when one of the following happens:
 - o The business owner relocates;
 - o The business owner closes his doors;
 - o The business owner expands their land uses; or
 - o The business owner applies for a new SUP for this use at this location.

Planning & Zoning Commission makes recommendation to the City Council, which makes the final decision.

Explanations follow on the attached pages.	
STANDARD:	ANALYSIS:
Development Calendar (Deadlines)	Has Met
Application(s) Requirements	Has Met
2002 Future Land Use Plan	Has Met
2006 Master Thoroughfare Plan	Has Met
Zoning Code	Has Met

Staff supports the request with the listed conditions of approval.

COMPARISON TO ADOPTED CITY MASTER PLANS

STAFF ANALYSIS	PLAN GOALS OR GUIDELINES
2002 Comprehensive Land Use Plan and Map	
<p>The area in the request (under the blue star outlined in green) is in the red colored area and was expected to remain Retail. The yellow colored areas were expected to remain Low Density Residential. The areas in blue were expected to remain Public/Civic uses.</p> <p>Dallas County Appraisal District shows the building was erected in about 1958.</p>	<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Meets Standard</p> 
2006 Master Thoroughfare Plan and Map	
<p>The area in the request (under the green star outlined in yellow) is location of the request. North Kaufman Street and Hall Roads are the orange lines.</p>	<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Meets Standard</p> 
2009 Zoning Plan and Map	
<p>The areas in mustard yellow in the map to the right are zoned R-5, Residential Single Family. The red-brown areas are zoned C, Commercial. The red areas are LR, Local Retail. The thick black lines are the zoning district boundaries. The location of the request is under the light blue star outlined in green and is asking for a Special Use Permit for a tobacco store in a LR district.</p>	<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Meets Standard</p> 

OCTOBER 4, 2021

REVIEW CRITERIA	STAFF ANALYSIS	
1. Will the use conform to off-street parking and loading requirements?	Yes	Twenty (20) striped spaces exist in this unit's area of the parking lot. While no accessible parking spaces are in this portion of the parking lot, there is one for the adjoining suite to the west.

REVIEW CRITERIA	STAFF ANALYSIS	
2. Has a site plan been submitted showing the layout of the proposed development/use?	No	No site plan was provided by the applicant. The building and parking lot are existing.
3. Are all of the ingress and egress ways adequate?	Yes	Ingress and egress to the parking lot are via existing public streets. There is an adequate sidewalk along the building's entire frontage.
4. 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	There planned use will be located in an existing building.
5. Will granting the permit be authorizing less than the minimum requirements in regards to height, area, setbacks, parking, or landscaping?	No	The building and parking lot are existing.
6. Are there any outside lighting or screening controls that needs to be installed?	No	There is no proposed new lighting or screening planned.
7. Will the proposed landscaping and screening be compliant with all City regulations?	N/A	There is no proposed new landscaping for this use. Landscaping can be required with the change of use associated with a new Certificate of Occupancy.
8. Are there any special setbacks that are needed between this use and adjoining properties?	No	The building and parking lot are existing.
9. What type of surfacing will be applied to parking areas and drives?	N/A	All areas outside the building are already paved.
10. Will curbs and drainage structures be installed as part of the project?	No	There are no proposed changes to the existing pavement.
11. Will granting the permit be authorizing any use that is not allowed or that defies the intent of the district it will be located in?	No	Tobacco shops are only permitted with a Special Use Permit in LR, C, LM, and HM zoning districts.
12. Will the use be designated, located, and operated so that the public health, safety, and welfare will be protected?	Yes	The existing building is already on city water and sewer.
13. Will the land use be compatible with other area properties located nearby?	Yes	Tobacco shops are only permitted in LR, C, LM, and HM zoning districts if a Special Use Permit is acquired.
14. Will the use conform to all provisions in the Code for the district in which the use is to be located?	Yes	Tobacco shops are only permitted with a Special Use Permit in LR, C, LM, and HM zoning districts.
15. Will the use facilitate public convenience at that location?	Yes	The parking lot is connected to East Farmers Road, Avalon Drive, Glendale Avenue, and the highway frontage road.
16. Have safeguards limiting noxious or offensive emissions, including light, noise, glare, dust, and odor been addressed?	N/A	There will be no increased emissions of light other than as vehicles enter or leave the site. There should be no increase in glare.
17. Will the signage conform to 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 the open space be maintained by the owner and/or developer?	Yes	The property owner is required to maintain the building and parking lot per city codes.

Public Comments Received: A legal ad was published per the Texas Local Government Code in the Tuesday, August 24, 2021 edition of the Daily Commercial Record newspaper. Including the parcel in question, there are thirty-four (34) properties plus part of one (1) public street 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 Wednesday, September 1, 2021. One (1) letter was returned in favor of the request. One (1) letter was returned against the request on the day of the meeting. Only the applicant and one person against the request spoke at the Planning and Zoning Commission meeting.

**STAFF REPORT
Z2021-16**

For the City Council meeting, a legal ad was published again per the Texas Local Government Code in the Friday, September 17, 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 Monday, September 20, 2021. As of the date of this report, Tuesday, September 28, 2021, no (zero) letters were returned as undeliverable by the U.S. Postal Service and no (zero) additional written response had been received. Staff will make the Council members aware of any additional responses received at their meeting.

Table Key	Zoning
P = Permitted land use	O, Office
SUP = Special Use Permit required	LR, Local Retail
Blank = <i>prohibited use</i>	

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

Type of Use	Zoning District	
	O	LR
Addition of pre-packaged food or beverages sales to a retail or business already operating	SUP	SUP
Airport or airport facilities	SUP	SUP
Ambulance service	P	P
Architect or engineers' offices	P	P
Art gallery	P	P
Attorneys' offices	P	P
Business offices	P	P
Carnival	SUP	SUP
Cemetery	SUP	SUP
Children's home on 5 acres or more	SUP	SUP
Circus	SUP	SUP
Commercial amusement, temporary	SUP	SUP
Community building on 3 acres or more	SUP	SUP
Concrete batching plant	SUP	SUP
Consultants' offices	P	P
Convalescent home on 5 acres or more	SUP	SUP
Daycare or nursery with more than four unrelated children	SUP	SUP
Doctors' & dentists' offices	P	P
Dog kennels on farm of 5 acres or more	SUP	SUP
Drive-in theatre on 10 acres or more	SUP	SUP
Driving range	SUP	SUP
Earth excavation	SUP	SUP
Educational institutions	SUP	SUP
Electrical public utility regulating station	SUP	SUP
Equipment storage (no repairs)	P	P
Financial offices	P	P
General offices	P	P
Government use - local, county, state, federal	SUP	SUP
Gravel excavation	SUP	SUP
Greenhouse	SUP	SUP
Homes for narcotics on 20 acres or more	SUP	SUP
Homes for the alcoholic on 20 acres or more	SUP	SUP
Homes for the feeble-minded on 20 acres or more	SUP	SUP
Homes for the insane on 20 acres or more	SUP	SUP
Hospital on 5 acres or more	SUP	SUP
Kindergarten - public or private	SUP	SUP
Landing airfield or facilities	SUP	SUP
Library	P	P
Maternity home on 5 acres or more	SUP	SUP

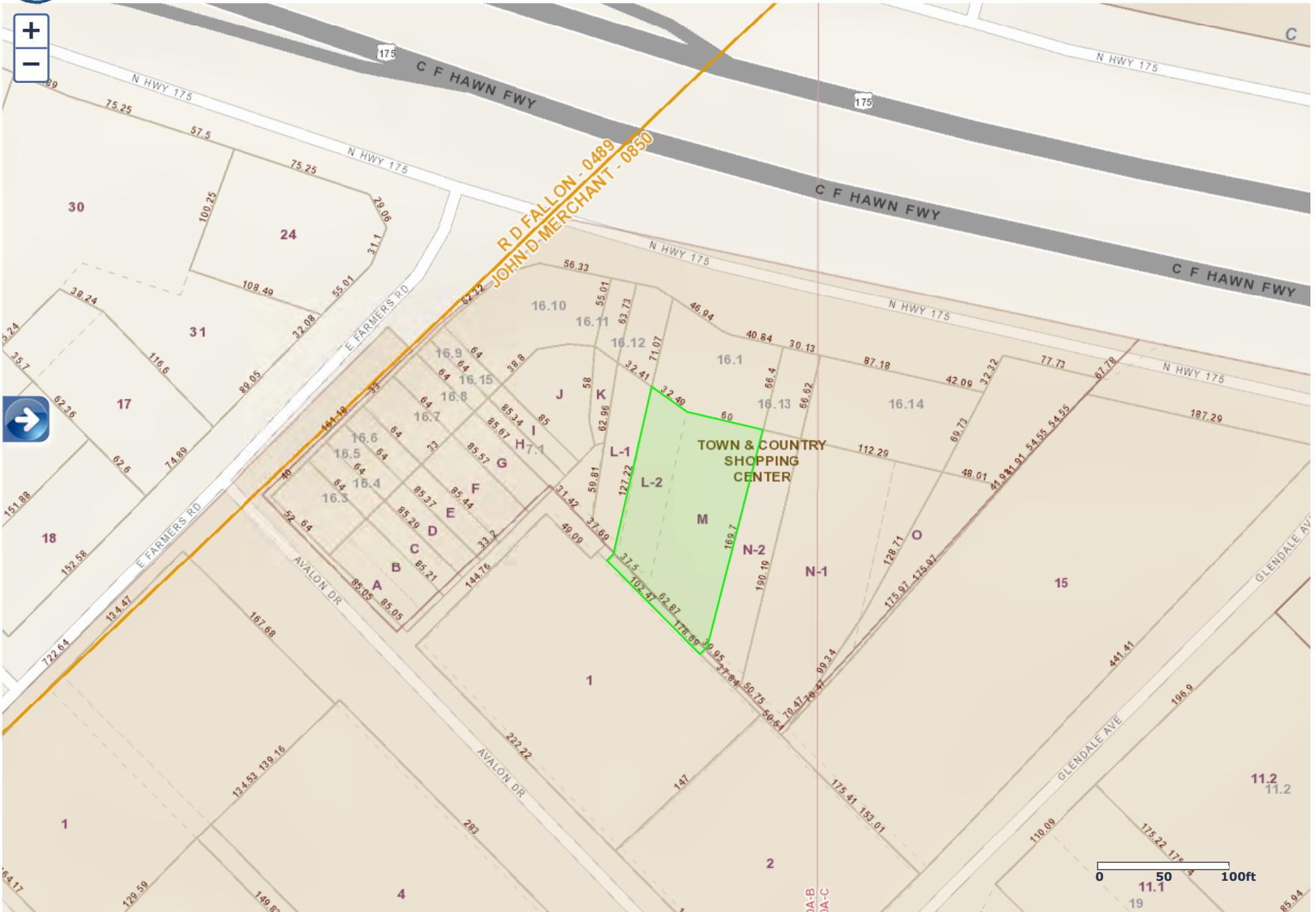
Type of Use	Zoning District	Business	
		O	LR
Miniature golf course		SUP	SUP
Miniature train ride		SUP	SUP
Mixed-Use projects of private housing and shopping center on 3 acres or more		SUP	SUP
Multi-family dwelling units		SUP	SUP
Natural gas public utility regulating station		SUP	SUP
Nursery		SUP	SUP
Nursery school - public or private		SUP	SUP
Old people's home on 5 acres or more		SUP	SUP
Parking of unoccupied recreational trailer or recreational vehicle		P	P
Personal services		P	P
Philanthropic institutions		SUP	SUP
Political offices		P	P
Pony rides		SUP	SUP
Private carport and/or garage		P	P
Private school, equivalent to a public school		SUP	SUP
Professional offices		P	P
Public school (elementary through high school)		SUP	SUP
Public stable on 5 acres or more		SUP	SUP
Public utility - privately or publicly owned		SUP	SUP
Radio or television broadcasting stations		SUP	SUP
Radio or television broadcasting towers		SUP	SUP
Radio or television transmitter tower		SUP	SUP
Real estate offices		P	P
Records warehousing & storage		P	P
Religious institutions		SUP	SUP
Riding academy on 5 acres or more		SUP	SUP
Rock quarry		SUP	SUP
Rodeo		SUP	SUP
Sale of pre-packaged food/beverages, in combination, that exceeds 10% of an establishment's gross annual sales revenues		SUP	SUP
Salesman's offices		P	P
Sand excavation		SUP	SUP
Sewage treatment plant		SUP	SUP
Single-family dwelling units		SUP	SUP
Temporary and seasonal sales establishment, such as flea market or produce stand		SUP	SUP
Travel trailer park		SUP	SUP
Veterinary hospital on 5 acres or more		SUP	SUP
Wind energy conversion system (WEC)		SUP	SUP
Antique shop			P
Aquarium			P
Auto laundry inside a building without boiler, heating & steam-cleaning facilities			P
Auto repair garage - all work inside a building			P
Auto seat covering			P
Bakery, retail			P
Bank			P
Barber & beauty shop			P
Bicycle repairs without outside storage or display			P
Bird & pet shops, retail			P
Book or stationery store			P
Bowling alley - if air-conditioned & soundproofed			P
Brewpub			SUP
Camera shop			P
Candy shop			P

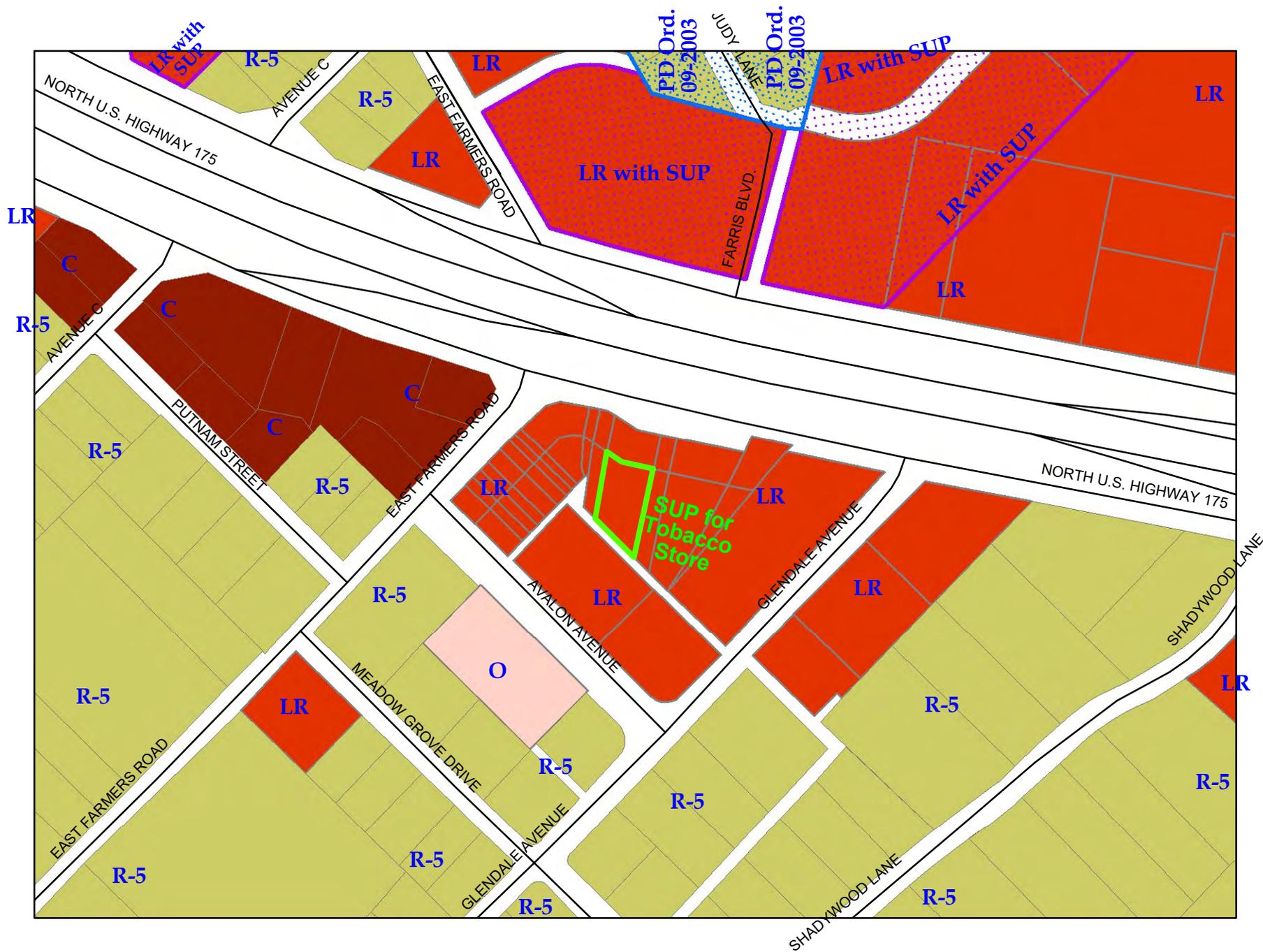
**STAFF REPORT
Z2021-16**

Type of Use	Zoning District	Business	
		O	LR
Caterer			P
Cleaning & pressing shops smaller than 6,000 square feet			P
Cleaning, dyeing & laundry station for receiving & delivery of articles only			P
Clothing - retail sales only			P
Convenience store or mini-mart between 1,000 & 5,000 square feet			SUP
Curtain cleaning shop smaller than 6,000 square feet			P
Department store			P
Drive-in for food, beverage, or other service			SUP
Drive-in theatre			SUP
Drive-through for food, beverage, or other service			SUP
Dying plant smaller than 6,000 square feet			P
Electric substation			P
Electrical goods, retail sales only			P
Electrical repairing - domestic equipment & autos, retail sales only			P
Event center in stand-alone building			SUP
Exterminating company, retail			P
Feed store			SUP
Film developing & printing			P
Fix-it shops without outside storage or display			P
Florist, retail sales only			P
Frozen food lockers, retail			P
Furniture repairs & upholstery, retail only without outside storage or display			P
Furniture store - retail			P
Gasoline/motor fuel sales			P
Gasoline/motor fuel sales, automated			P
Grocery store over 5,000 square feet			P
Hardware - retail sales only			P
Household & office appliances - retail			P
Household & office furniture - retail			P
Ice delivery station			P
Jewelry - retail			P
Job printing			P
Laundry - custom laundering & finishing smaller than 6,000 square feet without pickup or delivery			P
Letter & mimeograph shop			P
Meat market, retail sales only			P
Micro-brewery			SUP
Mortuary use in stand-alone buildings			SUP
Motor raceway			SUP
Moving picture theater			P
Novelty or variety shop			P
Nursery, retail sale of plants & trees			P
Office			P
Office building			P
Optical goods - retail			P
Outside display, new materials			P
Outside storage units			P
Paint - retail sales only			P
Parking lot without public garage for passenger cars & trucks			P
Pharmacy/drug store			P
Photographer's or artist's studio			P
Photographic supplies - retail			P
Piano & musical instruments, retail sales only			P
Plumbing shop without warehouse facilities, retail sales only			P

Type of Use	Zoning District	Business	
		O	LR
Portable storage units (PODs) - sales & storage			P
Public garage			P
Restaurant (outdoor/patio dining)			SUP
Restaurant (dine-in only) over 4,000 square feet			P
Restaurant (dine-in only) smaller than 4,000 square feet			SUP
Restaurant (dine-in/convenience) over 4,000 square feet			P
Restaurant (dine-in/convenience) smaller than 4,000 square feet			SUP
Restaurant (fast food)			SUP
Restaurant (private club)			SUP
Retail sales			P
Retail store or shop for custom work or the making of articles on-site			P
Roller skating rink			SUP
Rug cleaning shop, chemical type, smaller than 6,000 square feet with all operations inside a building			P
Sample room			P
Seamstress, dressmaker, or tailor			P
Seed store			P
Shoe repair shop, retail sales only			P
Sporting goods - retail sales only			P
Studio for the display & sale of glass, china, art objects, cloth & draperies			P
Studios, dance, music, drama, health massage & reducing			P
Taxi stand			P
Tobacco shop			SUP
Tool sharpening, retail only without outside storage or display			P
Toys - retail sales only			P
Used car lot			SUP
Walk-up for food, beverage, or other service			SUP
Wallpaper - retail sales only			P
Washateria where the customer can wash & handle his laundry			P
Wearing apparel including clothing, shoes, hats, millinery & accessories			P
Wedding services in stand-alone building			SUP
Wholesale sales office			P
Wine-tasting room			SUP









ZONING APPLICATION

City of Seagoville, Texas

ANTICIPATED MEETING DATES: P&Z: _____ City Council: _____
DATE OF PRE-APPLICATION CONFERENCE WITH CITY REPS & PLANNER (required): _____

Application Type:

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

Name of Subdivision or Project: _____

Physical Location of Property: 611 N US Hwy 175 Seagoville TX 75159
[General Location – approximate distance to nearest existing street corner]

Brief Legal Description of Property (must also attach accurate Surveyor's metes and bounds description):
TOWN & COUNTRY Shopping CTR REV LOTS MER 1/2 LT 2
[Survey/Abstract No. and Tracts; or platted Subdivision Name with Lots/Block]

Acreage: 0.3896 Existing Zoning: LR Requested Zoning: LR-SUP for tobacco store
[Attach a detailed description of requested zoning & development standards, if a PD]

Applicant / Owner's Name: Global Boom LLC Applicant or Owner? (circle one) Applicant

Contact Person: Chuck Wong Title: Owner

Company Name: GLOBAL BOOM LLC

Street/Mailing Address: 1305 ERIE ST. City: CARROLLTON State: TX Zip: 75006

Phone: (972) 245 9333 Fax: (972) 245 2888 Email Address: ALWAYS CALL 168 @ YAHOO.COM

Engineer / Representative's Name: Anas Naji

Contact Person: _____ Title: Tenant

Company Name: _____

Street/Mailing Address: 7005 Cain St #2022 City: Seagoville State: TX Zip: 75159

Phone: (626) 733-7333 Fax: () _____ Email Address: anasnaji335@gmail.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.)

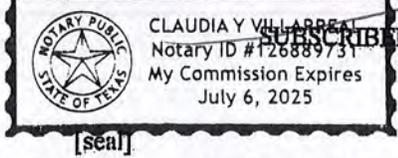
All applications must be COMPLETE before they will be scheduled for P&Z agenda. It is the applicant's responsibility to be familiar with, and to comply with, all City submittal requirements (in the Zoning & Subdivision Ordinances, and any separate submittal policies, requirements and/or checklists that 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: 8-19-21



SUBSCRIBED AND SWORN TO before me, this the 19TH day of AUGUST, 2021.
Notary Public in and for the State of Texas: Claudia Y Villarreal
My Commission Expires On: JULY 06, 2025

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

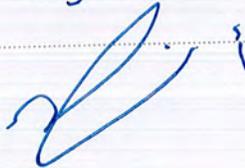
Notice for City Council

Hello! My Name is Anas Naji "Alex"
and I have been living in Seagoville
for many years. I love this town
and its people and I would like to
open my business in it if the city
approves me. My business will include:

- * Tobacco and Tobacco products
- * Hours 24/7

Tenant

Anas Naji "Alex"





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



August 31, 2021

**NOTICE OF PUBLIC HEARING
SEAGOVILLE PLANNING & ZONING COMMISSION
ZONING CASE Z2021-16**

The Seagoville Planning and Zoning Commission will hold a public hearing on Tuesday, September 14, 2021, at 6:30 p.m. in the Council Chambers in City Hall at 702 North U.S. Highway 175; Seagoville, TX 75159 to consider a zoning change request from LR, Local Retail, to LR-SUP, Local Retail with a Special Use Permit for a Tobacco Shop on approximately 0.39± acres described as Tracts L, M, and the east half of Lot 2 in the Town & Country Shopping Center Revised, commonly known as 611 North U.S. Highway 175, Seagoville, Dallas County, Texas.

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

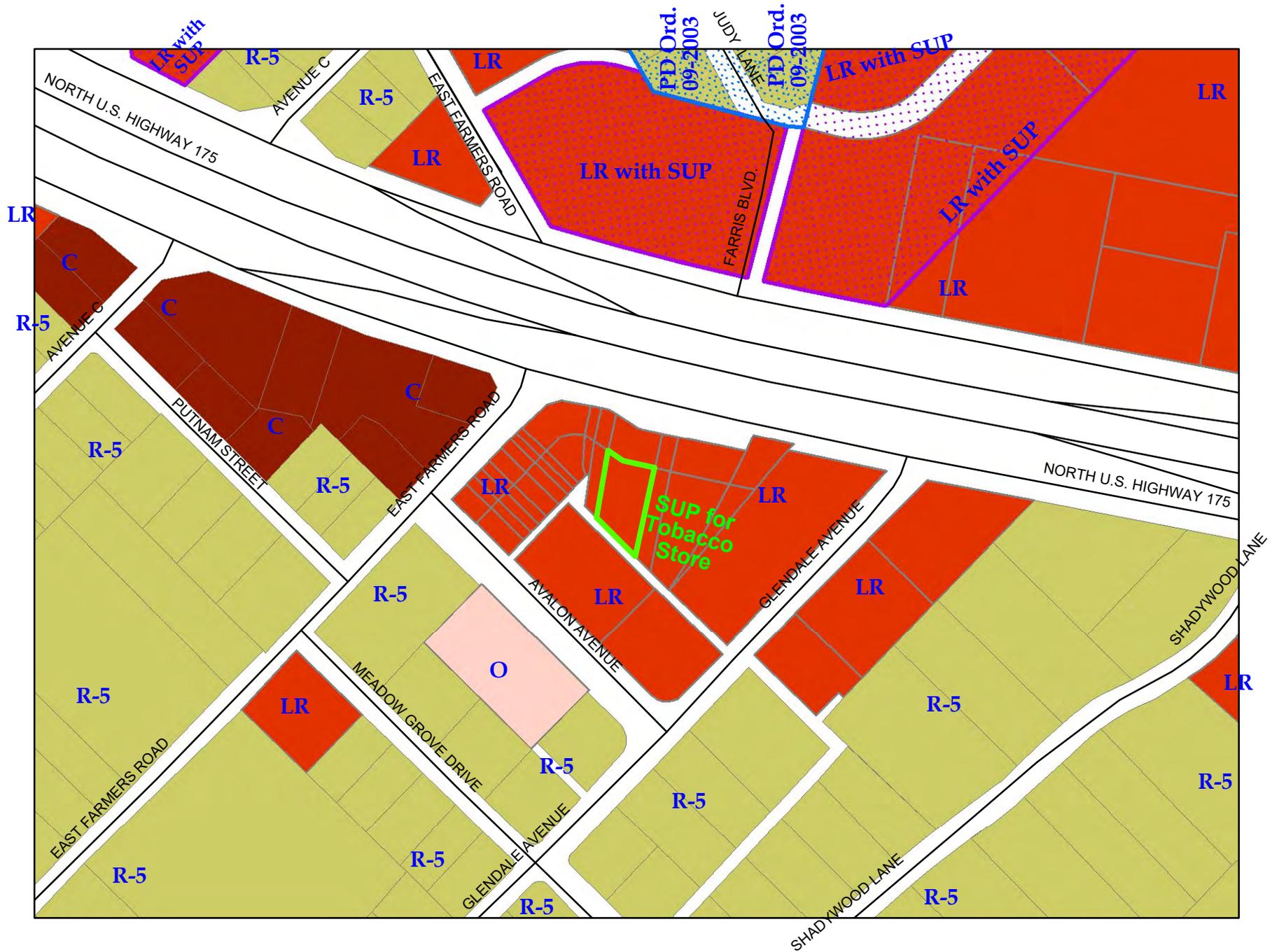
As an adjoining property owner, this is the first opportunity to voice your opinion about this project for the record. The second opportunity will be at the public hearing listed above. This item will also go to City Council for review and final approval. Separate notices for that meeting will be sent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

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

I am in favor of against Zoning Request Z2021-16 as it is described herein.

Additional Comments (attach additional sheets as necessary): _____

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





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



September 16, 2021

**NOTICE OF PUBLIC HEARING
SEAGOVILLE CITY COUNCIL
ZONING CASE Z2021-16**

Seagoville City Council will hold a public hearing on Monday, October 4, 2021, at 6:30 p.m. in the Council Chambers in City Hall at 702 North U.S. Highway 175; Seagoville, TX 75159 to consider a zoning change request from LR, Local Retail, to LR-SUP, Local Retail with a Special Use Permit for a Tobacco Shop on approximately 0.39± acres described as Tracts L, M, and the east half of Lot 2 in the Town & Country Shopping Center Revised, commonly known as 611 North U.S. Highway 175, Seagoville, Dallas County, Texas.

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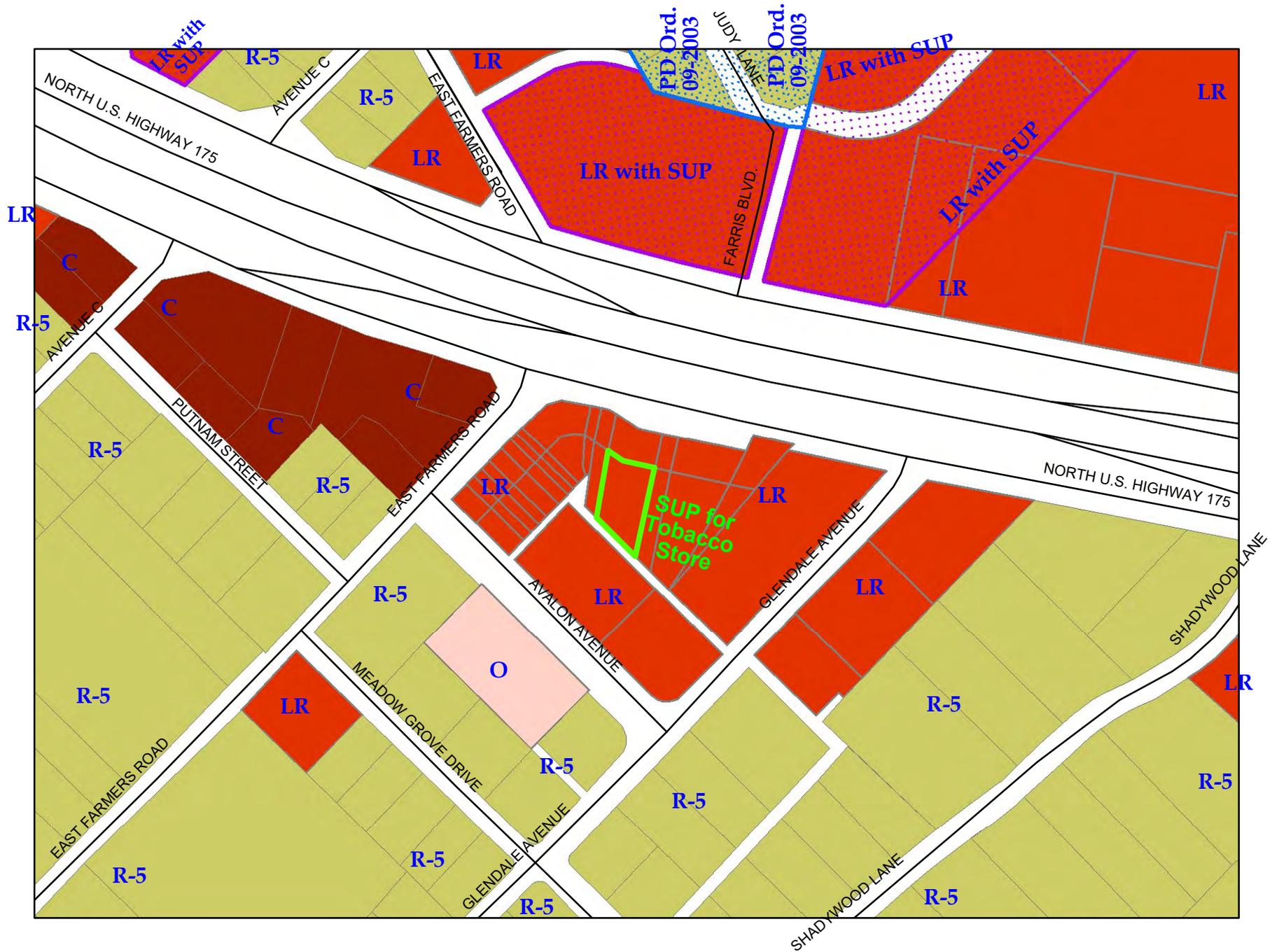
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Additional Comments (attach additional sheets as necessary): _____

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





August 31, 2021

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

RECEIVED
SEP 07 2011
9:45

NOTICE OF PUBLIC HEARING
SEAGOVILLE PLANNING & ZONING COMMISSION BY:
ZONING CASE Z2021-16

RECEIVED
SEP 07 2011
9:45

The Seagoville Planning and Zoning Commission will hold a public hearing on Tuesday, September 14, 2021, at 6:30 p.m. in the Council Chambers in City Hall at 702 North Highway 175; Seagoville, TX 75159 to consider a zoning change request from LR, Local Retail, to LR-SUP, Local Retail with a Special Use Permit for a Tobacco Shop on approximately 0.39+ acres described as Tracts L, M, and the east half of Lot 2 in the Town & Country Shopping Center Revised, commonly known as 611 North U.S. Highway 175, Seagoville, Dallas County, Texas.

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Please sign and provide your name and address below.*

I am in favor of against Zoning Request Z2021-16 as it is described herein.

Additional Comments (attach additional sheets as necessary): I Am NOT A PARTICIPANT
BUT

They ARE ALL over The Country = BETTER THAN
ILLEGAL groups Selling on BLACK MARKET
AND NO TAXATION
Also Looks Like A Big Place, might Be A Nice one

Signature(s): FF Stepper
Printed Name(s): Stepper Sebastian
Address: 414 E Farmer Rd
City, State & Zip code: SEAGOVILLE TX 75159
Phone Number: 972 287 2230

AUGUST 31, 2021



August 31, 2021

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



NOTICE OF PUBLIC HEARING
SEAGOVILLE PLANNING & ZONING COMMISSION
ZONING CASE Z2021-16

The Seagoville Planning and Zoning Commission will hold a public hearing on Tuesday, September 14, 2021, at 6:30 p.m. in the Council Chambers in City Hall at 702 North U.S. Highway 175; Seagoville, TX 75159 to consider a zoning change request from LR, Local Retail, to LR-SUP, Local Retail with a Special Use Permit for a Tobacco Shop on approximately 0.39+ acres described as Tracts L, M, and the east half of Lot 2 in the Town & Country Shopping Center Revised, commonly known as 611 North U.S. Highway 175, Seagoville, Dallas County, Texas.

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

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

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

I am in favor of against Zoning Request Z2021-16 as it is described herein.

Additional Comments (attach additional sheets as necessary):

*Please see attached comment sheet -
(Adjoining Property Owner): 420 East Farmers Rd.
Seagoville, TX 75159*

Signature(s): *Angela Lewis, Justice (for Virginia P. Lewis)*
Printed Name(s): *Virginia P. Lewis, Lewis Family Trust*
Address: *302 Shadywood Lane*
City, State & Zip code: *Seagoville, Tex. 75159*
Phone Number: *(9) 287-4872*

AUGUST 31, 2021

As adjoining property owners we are opposed to the zoning request Z2021-16 at 611 North US Hwy 175 (Town & Country Shopping Ctr.) The negative impacts of another Smoke and Tobacco shop include, but are not limited to increased potential for tobacco sales to minors, greater opportunity for sale of illegal drug paraphernalia that is marketed as tobacco paraphernalia, and heightened risk of negative aesthetic impacts, blight and loss of property values of businesses and neighborhoods in close proximity.

Respectfully submitted,
Lewis Family Trust



Property Owners List
Special Use Permit for 611 North Highway 175

Mailed out a total of 34 letters on Wednesday, September 1, 2021, before 5:00 PM

Subject or adjointer?	Site Address	DCAD Account	Owner	Mailing Address	City	State	Zip	Acres	Lot	Subdivision Name	Block
Subject	611 North U.S. Highway 175	50054500000120200	Global Boom LLC	1305 Erie Street	Carrollton	TX	75006	0.3896	L, M, and East 1/2 of 2	Town & Country Shopping Center Revised	
Adjoinder	611 North U.S. Highway 175	50054500000160100	Global Boom LLC	1305 Erie Street	Carrollton	TX	75006	0.1395	16.1	Town & Country Shopping Center Revised	
Adjoinder	607 North U.S. Highway 175	50054500000161400	Stanley & Marcella Potts	10885 County Road 2326	Terrell	TX	75160	0.19	16.14		
Adjoinder		50054500000150100	Stanley E. & Marcella F. Potts					0.449	Part of N & O		
Adjoinder	609 North U.S. Highway 175	50054500000140000	T. H. Property Management & Investments LLC	804 Trailwood Drive	DeSoto	TX	75115	0.1305	N-2		
Adjoinder		50054500000161300						0.0460	16.13		
Adjoinder	613 North U.S. Highway 175	50054500000161200	Thi-Le Thanih	1000 Forestbrook Drive	Mesquite	TX	75181	0.048	16.12		
Adjoinder		50054500000120100	Thi Le Thanih					0.092	L-1		
Adjoinder	615 North U.S. Highway 175	50054500000110000	Victor & Maria Villegas	120 Mark Drive	Dallas	TX	75217	0.036	K		
Adjoinder		50054500000161100						0.0273	16.11		
Adjoinder	420 East Farmer Road	50054500000161000	Lewis Family Living Trust	302 Shadywood Lane	Seagoville	TX	75159	0.1624	16.10		
Adjoinder		50054500000100000						0.092	J		
Adjoinder	418 East Farmer Road	50054500000090000	M. D. Thompson Leasing Co. 1 LLC	1918 Seagoville Road	Seagoville	TX	75159	0.027	I		
Adjoinder		50054500000160900	Dee Thompson					0.022	16.9		
Adjoinder	416 East Farmer Road	50054500000161500	Nohemi Dominguez	416 East Farmer Road	Seagoville	TX	75159	0.0220	16.15		
Adjoinder		50054500000070100						0.092	H		
Adjoinder	414 East Farmer Road	50054500000070000	F. L. Sebastian	2210 North U.S. Highway 175	Seagoville	TX	75159	0.0448	G		
Adjoinder		50054500000160800						0.0366	16.8		
Adjoinder	410 East Farmer Road	50054500000160700	Socrates Hernandez & Claudia Escobar	717 North Kaufman Street	Seagoville	TX	75159	0.0485	16.7		
Adjoinder		50054500000060000						0.054	F		
Adjoinder	408 East Farmer Road	50054500000050000	M. D. Thompson Leasing Co. 1 LLC	1918 Seagoville Road	Seagoville	TX	75159	0.036	E		
Adjoinder		50054500000160600	Dee Thompson					0.0294	16.6		
Adjoinder	406 East Farmer Road	50054500000160500	M. D. Thompson Leasing Co. 1 LLC	1918 Seagoville Road	Seagoville	TX	75159	0.0294	16.5		
Adjoinder		50054500000040000						0.036	D		
Adjoinder	404 East Farmer Road	50054500000160400	James Bernhagen	501 West Main Street	Mesquite	TX	75149	0.0294	16.4		
Adjoinder		50054500000030000						0.036	C		
Adjoinder	402 East Farmer Road	50054500000160300	Lewis Family Living Trust	302 Shadywood Lane	Seagoville	TX	75159	0.0588	16.3		
Adjoinder		50054500000010000	Harold B & Virginia P. Lewis	402 East Farmer Road				0.092	A & B		
Adjoinder	605 North U.S. Highway 175	50054500000150000	HomeBank@	601 North U.S. Highway 175	Seagoville	TX	75159	0.0647	Part of N & O		
Adjoinder		50054500000160000						0.1798	16		
Adjoinder	601 North U.S. Highway 175	50003500030020000	Seagoville State Bank	P. O. Box 909	Seagoville	TX	75159	0.5472	2	Bennett Estates	3
Adjoinder		50003500040010000						1.2963	1		4
Adjoinder	600 Avalon Drive	50003500030010000						0.8288	1		
Adjoinder			City of Seagoville	702 North Highway 175	Seagoville	TX	75159		ROW		

Regular Session Agenda Item: 4

Meeting Date: October 4, 2021

ITEM DESCRIPTION:

Discuss and consider approving an Ordinance of the City of Seagoville, Texas, amending the Comprehensive Zoning Ordinance and Map, as previously amended, by changing the zoning from “LR” Local Retail to “LR-SUP” Local Retail with a Special Use Permit, for a tobacco store, subject to special conditions on approximately 0.386± acres located at 611 North U.S. Highway 175, being described as Tracts L, M, and the East Half of Lot 2 in the Town & Country Shopping Center Revised, in the City of Seagoville, Texas; providing for special conditions; providing for the repeal of all Ordinances in conflict; providing a severability clause; providing for a penalty fine not to exceed Two Thousand Dollars (\$2,000.00) for each offense; and providing an effective date.

BACKGROUND OF ISSUE:

The land currently has an existing commercial building on the subject property. The front parcel of the same owner contains the parking lot for this portion of the building. It is located on the south side of the U.S. Highway 175 between East Farmers Road and Glendale Avenue.

The owner, Global Boom LLC, and their proposed tenant, Anas Naji, are requesting that a Special Use Permit be granted for a tobacco shop in the existing LR, Local Retail, zoning district of the business. If the SUP is approved, the tenant plans to open his business at this location.

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 Tuesday, August 24, 2021, edition of the Daily Commercial Record newspaper. Including the parcel in question, there are twenty-seven (27) 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, August 12, 2021. As of Friday, September 10, 2021, no (zero) letters were returned as undeliverable by the U.S. Postal Service. One (1) letter was returned in favor of the request. One (1) letter was returned against the request. The proposed tenant and one person against the request spoke at the Planning and Zoning Commission meeting.

For the City Council meeting, a legal ad was published again per the Texas Local Government Code in the Friday, September 17, 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 Monday, September 20, 2021. As of the date of this report, Tuesday, September 28, 2021, no (zero) letters were returned as undeliverable by the U.S. Postal Service and no (zero) additional written response had been received. Staff will make the Council members aware of any additional responses received at their meeting.

FINANCIAL IMPACT:

Not applicable

RECOMMENDATION:

On September 14, the Planning and Zoning Commission voted unanimously (five to zero) to recommend approval with conditions on a zoning change request from LR, Local Retail, to LR-SUP, Local Retail with a Special Use Permit for a Tobacco Shop on approximately 0.39± acres described as Tracts L, M, and the east half of Lot 2 in the Town & Country Shopping Center Revised, commonly known as 611 North U.S. Highway 175, Seagoville, Dallas County, Texas. The conditions of approval were:

- The Special Use Permit (SUP) is limited to maximum 2 calendar years.
- Limit hours of operation of the business are from 6:00 AM to 12:00 midnight.
- This Special Use Permit (SUP) will expire when one of the following happens:
 - o The business owner relocates;
 - o The business owner closes his doors;
 - o The owner expands their land uses; or
 - o The owner applies for a new SUP for this use at this location.

Staff supports the request with the listed conditions of approval.

EXHIBIT:

1. Ordinance (2 pages)

AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP, AS PREVIOUSLY AMENDED, BY CHANGING THE ZONING FROM “LR” LOCAL RETAIL TO “LR-SUP” LOCAL RETAIL WITH A SPECIAL USE PERMIT, FOR A TOBACCO STORE, SUBJECT TO SPECIAL CONDITIONS ON APPROXIMATELY 0.386± ACRES LOCATED AT 611 NORTH U.S. HIGHWAY 175, BEING DESCRIBED AS TRACTS L, M, AND THE EAST HALF OF LOT 2 IN THE TOWN & COUNTRY SHOPPING CENTER REVISED, IN THE CITY OF SEAGOVILLE, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR 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 Planning and Zoning Commission of the City of Seagoville and the City Council of the City of Seagoville, in compliance with the laws of the State of Texas with reference to the granting of zoning classifications and changes, have given the requisite notices by publication and otherwise, and have held due hearings and afforded a full and fair hearing to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof, and the City Council of the City of Seagoville is of the opinion and finds that a zoning change should be granted and that the Comprehensive Zoning Ordinance and Map should be amended.

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

SECTION 1. That the Comprehensive Zoning Ordinance and map of the City of Seagoville, Texas, as previously amended, be, and the same are hereby amended by changing the zoning from "LR" Local Retail to "LR-SUP" Local Retail with a Special Use Permit, for a tobacco store for the sale of tobacco and tobacco products, subject to special conditions on approximately 0.386± acres located at 611 North U.S. Highway 175, being described as Tracts L, M, and the East Half of Lot 2 in the Town & Country Shopping Center Revised, in the City of Seagoville, Dallas County, Texas (the “Property”).

SECTION 2. The Property shall be developed and used in accordance with the development standards under the Seagoville Zoning Ordinance, ordinances of the City of Seagoville, and the following special conditions:

- (A) the special use permit for the tobacco store shall be limited to a maximum two (2) calendar years duration, commencing on the date of adoption of this Ordinance and upon expiration thereof, the zoning for the Property will revert to LR – Local Retail;

- (B) the special use permit for the tobacco store shall expire upon the occurrence of any of the following:
- i. the expiration, as set forth in section (A) above, of the special use permit;
 - ii. the relocation of the business to another location;
 - iii. the closure of the business as an ongoing business enterprise offering goods and services to the public;
 - iv. the expansion of the use(s) of the Property or the business situated thereon;
or
 - v. upon the application of the owner, the granting by the City Council of a new SUP or an extension of this SUP for the use at this location;
- (C) the hours of operation for the tobacco store shall be seven days per week from 6:00 am to 12:00 midnight.

SECTION 3. 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, and the development of the property herein shall be in accordance with building regulations, zoning ordinances, and any applicable ordinances except as may be specifically altered or amended herein.

SECTION 4. 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 5. 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 6. Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance shall be fined not more than Two Thousand Dollars (\$2,000.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

DULY PASSED by the City Council of the City of Seagoville, Texas, on the 4th day of October, 2021.

APPROVED:

Mike Fruin, Mayor Pro Tem

ATTEST:

Kandi Jackson, City Secretary

APPROVED AS TO FORM:

Victoria W. Thomas, City Attorney
(/cdb 09.29.2021 093021vwtTM 125109)

Regular Session Agenda Item: 5

Meeting Date: October 4, 2021

ITEM DESCRIPTION:

Conduct a public hearing concerning a change in the zoning from R-5, Residential-5, to LM, Light Manufacturing, on approximately 3.988± acres described as Tracts 19 and 19.1 in the Herman Heider Abstract, replatted as Lot 1, Block 1 of the AMC Concrete Haulers Addition, commonly referred to as 211 West Simonds Road in the City of Seagoville, Dallas County, Texas.

BACKGROUND OF ISSUE:

The land currently has a single-family house. The driveway is dirt-and-gravel but the approach at the street has been paved in concrete. It is located on the east side of the intersection of West Simonds Road with Elizabeth Lane. Currently the property has fencing on most sides that was installed by the adjoining owners.

The owners, Juan Raul Martinez and Rafael Lopez Fernandez, are requesting the zoning change so that they can park the trucks from their business at this house. In the future they plan to relocate their business office to this location.

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 Monday, August 9, 2021 edition of the Daily Commercial Record newspaper. Including the parcel in question, there are eleven (11) properties plus part of two (2) 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, August 12, 2021. As of Friday, August 20, 2021, no (zero) letters were returned as undeliverable by the U.S. Postal Service. One (1) letter was returned in favor of the request. No (zero) letters were returned against the request. Only the applicant's representative spoke at the Planning and Zoning Commission meeting.

For the City Council meeting, a legal ad was published again per the Texas Local Government Code in the Monday, September 20, 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 Monday, September 20, 2021. As of the date of this report, Tuesday, September 28, 2021, no (zero) letters were returned as undeliverable by the U.S. Postal Service and no (zero) additional written response had been received. Staff will make the Council members aware of any additional responses received at their meeting.

FINANCIAL IMPACT:

Not applicable

RECOMMENDATION:

On August 24th, the Planning and Zoning Commission voted unanimously (four to zero) to recommend to City Council to approve with one condition the zoning change request from R-5, Residential Single Family, to LM, Light Manufacturing, on approximately 4± acres described as Tracts 19 and 19.1 (re-platted as Lot 1 Block 1 of the AMC Concrete Haulers Addition in Document 202100142468) in the Herman Heider Abstract, commonly known as 211 West Simonds Road, Seagoville, Dallas County, Texas. The one condition of approval was for the driveway and parking areas to be converted to reinforced concrete within the next 6 months.

Staff supports the request with the listed condition of approval.

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

1. Staff Report (12 pages)
2. 2019 aerial photograph
3. Dimensional property map from DCAD website
4. Zoning map (dimensional map with zoning added)
5. Application (letter and 11x17)
6. Legal notice to newspaper
 - A. For Planning and Zoning Commission meeting
 - B. For City Council meeting
7. Notice to neighbors
 - A. Legal notice of Planning and Zoning Commission meeting (2 pages)
 - B. Notice of City Council meeting (2 pages)
 - C. Response received
8. List of property owners within 200 feet of subject parcels



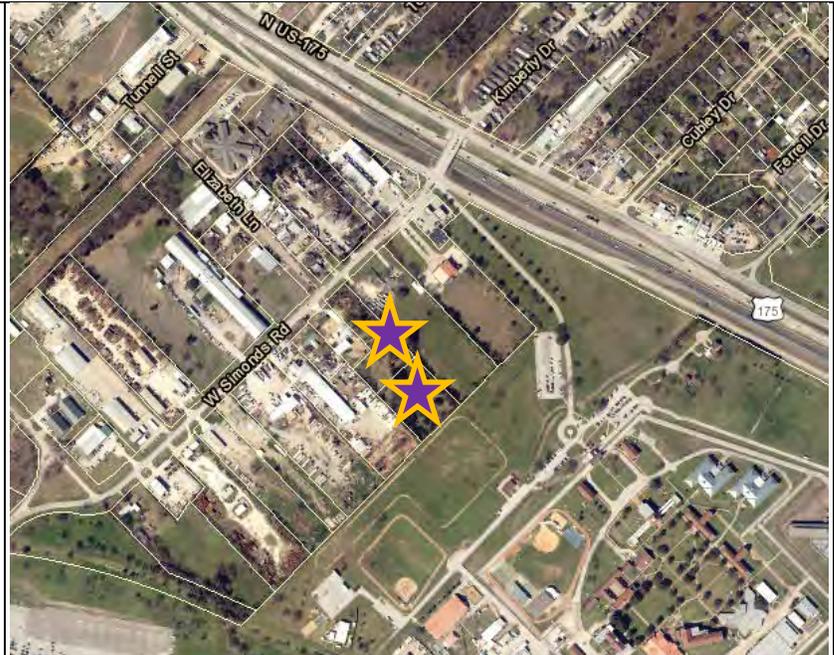
COMMUNITY DEVELOPMENT
702 NORTH HIGHWAY 175
SEAGOVILLE, TX 75159
PHONE: (972) 287-2050

DATE: OCTOBER 4, 2021
AUTHOR: JENNIFER BONNER, PLANNER
APPLICANTS: JUAN RAUL MARTINEZ AND RAFAEL LOPEZ FERNANDEZ
PARCELS: 65054149010190000 AND 65054149010190100
LOCATION: 211 WEST SIMONDS ROAD

REQUEST SUMMARY:

The applicants are requesting that their property (under the 2 purple stars outlined in orange) at 211 West Simonds Road have the zoning changed from the R-5, Residential Single Family, to the LM, Light Manufacturing, zoning district. The lot has been zoned R-5 since prior to 1977.

There is an existing single family residence on the front property. The rear parcel contains a fishing pond. The parcels have been re-platted into a single lot, but the Dallas Central Appraisal District website does not yet recognize the re-platting on their mapping side of the site.



REQUEST LOCATION: Inside City, Dallas County

SIZE OF PROJECT	EXISTING ZONING	SURROUNDING ZONING	EXISTING LAND USE	SURROUNDING LAND USE
3.97± acres	R-5, Single Family Residential	North: C, Commercial <i>and</i> LR, Local Retail West: LM, Light Manufacturing East: AG, Agriculture South: LM, Light Manufacturing	Low Density Residential	North: Retail West: Commercial East: Public / Semi-Public South: Commercial

PLANNING & ZONING COMMISSION RECOMMENDATION:

On August 24th, the Planning and Zoning Commission voted unanimously (four to zero) to recommend to City Council to approve with one condition the zoning change request from R-5, Residential Single Family, to LM, Light Manufacturing, on approximately 4± acres described as Tracts 19 and 19.1 (re-platted as Lot 1 Block 1 of the AMC Concrete Haulers Addition in Document 202100142468) in the Herman Heider Abstract, commonly known as 211 West Simonds Road, Seagoville, Dallas County, Texas.

The one condition of approval was for the driveway and parking areas to be converted to reinforced concrete within the next 6 months.

Staff supports the request with the listed condition of approval.

Planning & Zoning Commission makes recommendation to the City Council, which makes the final decision.

Detailed explanations follow on the attached pages.	
STANDARD:	ANALYSIS:
Development Calendar (Deadlines)	Has Met
Application(s) Requirements	Has Met
2002 Future Land Use Plan	Has Not Met
2006 Master Thoroughfare Plan	Has Met
Zoning Code	Has Met

COMPARISON TO ADOPTED CITY MASTER PLANS

STAFF ANALYSIS

PLAN GOALS OR GUIDELINES

2002 Comprehensive Land Use Plan and Map

The area in the request (the 2 parcels under the blue star outlined in green) is in the light yellow colored areas were expected to be Commercial.

The current residential structure does not meet the 2002 Future Land Use Plan. Dallas County Appraisal District shows the building was erected in about 1950.

Only one of the properties shown in the map on West Simonds to become Retail (in the red color) or Commercial (in the reddish-brown color) has not been rezoned to either C, Commercial, or LM, Light Manufacturing. That parcel is at the intersection of West Simonds Road and Highway 175.

Does Not Meet Standard

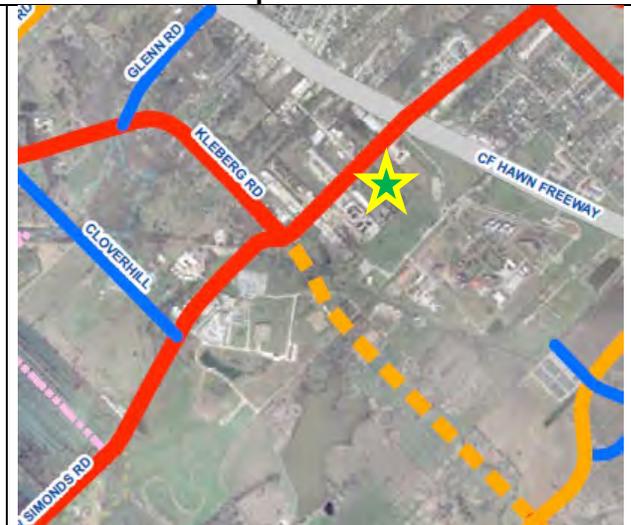


2006 Master Thoroughfare Plan and Map

The area in the request (the 2 parcels under the green star outlined in yellow) is location of the request. West Simonds Road is the red line.

The subject property has been platted and right-of-way was dedicated for West Simonds Road when it is platted.

Meets Standard



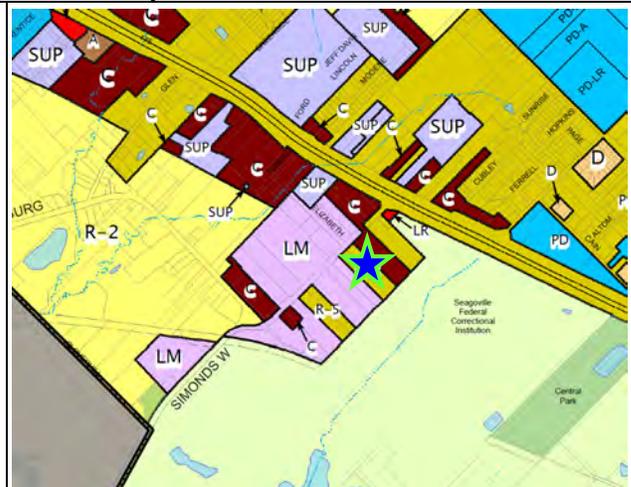
2009 Zoning Plan and Map

The location of the request is the 2 parcels under the blue star outlined in green. The owners are asking to change the zoning from the current R-5 to LM.

The map shows that adjoining properties on two (2) sides of the property in the request are zoned LM, Light Manufacturing. The north side of the request is zoned C, Commercial.

The areas in mustard yellow in the map to the right are zoned R-5, Residential Single Family. The red areas are LR, Local Retail. The thick black lines are the zoning district boundaries. The other R-5 parcels on West Simonds have already been rezoned to either C or LM. The subject parcels are at the only location on West Simonds Road that still has an R-5 zoning.

Meets Standard



REVIEW CRITERIA	STAFF ANALYSIS	
1. Will the use be designated, located, and operated so that the public health, safety, and welfare will be protected?	Yes	The current building is already connected to all available utilities.
2. Will the land use be compatible with other area properties located nearby?	Yes	The properties to the north and north on both sides of West Simonds Road are zoned C, Commercial. The properties to the south, southwest, and west on the both sides of West Simonds Road and Elizabeth Lane are zoned LM, Light Manufacturing. The federal prison to the east is zoned AG, Agriculture.
3. Will the use be in compliance with all of the provisions of the Zoning Amendments portion of the Municipal Code?	Yes	The requirements for the change in zoning have been met (application, legal notifications, etc.).
4. Will the use be compliant with all applicable provisions in the Code for the district in which the use is to be located?	Yes	When the building is converted to a commercial use – assuming this request is approved – the building will meet all provisions of the LM zoning district. Any revisions to the site will be required to meet the LM requirements between now and the time of the building conversion.
5. Will the use facilitate public convenience at that location?	Yes	The property has access only from existing West Simonds Road.
6. Will the use conform to off-street parking and loading requirements?	No	The dirt-and-gravel driveway will need to be converted to concrete before the property is used commercially.
7. Are all of the ingress, egress, and pedestrian ways adequate?	No	Ingress and egress are only from existing West Simonds Road.
8. Have safeguards limiting noxious or offensive emissions, including light, noise, glare, dust, and odor been addressed?	No	There is no current plan for when the site will be converted to a commercial use. A site plan review of the property will be required when converted to a commercial use, so safeguards will be reviewed for again at that time.
9. Will the proposed landscaping and screening be compliant with all City regulations?	No	Code section 25.02.502 will require this lot to provide landscaping - assuming the zoning change is approved - when the structure is converted to a commercial use because the conversion would be re-development of the lot.
10. Will the signage be compliant with those portions of the Municipal Code?	Yes	Signage is not allowed in residential districts. When the property is converted, signage for this site will be limited to those allowed by code. Signage is a separate review conducted by Staff.
11. Will all open space(s) be maintained by the owner/developer?	Yes	The applicant will be required to continue to maintain the property.
12. Are the size and shape of the site as well as the arrangement of the proposed structure(s) in keeping with the intent of the Code?	Yes	The dimensions of the property exceed all residential zoning code minimums. Commercial and industrial zoning districts have no site size or shape minimums unless it adjoins a residential property.
13. Will granting the permit be authorizing less than the minimum requirements in regards to height, area, setbacks, parking, or landscaping?	No	All existing conditions will be allowed to remain. When the building is converted to a commercial use, any revisions to the site will be required to meet the LM requirements.
14. Have the provisions of the existing master thoroughfare plan been met to protect the public interest?	Yes	The subject property has been platted and right-of-way was dedicated for West Simonds Road.

**STAFF REPORT
Z2021-14**

REVIEW CRITERIA	STAFF ANALYSIS	
15. Have the provisions of any existing future land use plan been met to protect the public interest?	Yes	Chapter 5 (Future Land Use) of the 2002 Comprehensive Plan calls for this area to be Commercial. However, most of the properties along West Simonds Road have already been rezoned to LM, Light Manufacturing, so the 2002 Future Land Use Plan and the 2009 Zoning Map do not match each other in how the land should be used.
16. Have the provisions of any existing capital improvements plan been met to protect the public interest?	N/A	There is no active capital improvement plan.
17. 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.
18. Have the provisions of any other adopted document for providing required necessary public facilities been met to protect the public interest?	N/A	Chapter 8 (Public Facilities) of the 2002 Comprehensive Plan addresses municipal facilities primarily.

Public Comments Received: A legal ad was published per the Texas Local Government Code in the Monday, August 9, 2021 edition of the Daily Commercial Record newspaper. Including the parcel in question, there are eleven (11) properties plus part of two (2) 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, August 12, 2021. As of Friday, August 20, 2021, no (zero) letters were returned as undeliverable by the U.S. Postal Service. One (1) letter was returned in favor of the request. No (zero) letters were returned against the request. Only the applicant’s representative spoke at the Planning and Zoning Commission meeting.

For the City Council meeting, a legal ad was published again per the Texas Local Government Code in the Monday, September 20, 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 Monday, September 20, 2021. As of the date of this report, Tuesday, September 28, 2021, no (zero) letters were returned as undeliverable by the U.S. Postal Service and no (zero) additional written response had been received. Staff will make the Council members aware of any additional responses received at their meeting.

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

Land Use Table Key:	Zoning District:
P = Permitted land use	R-5, Residential Single-family
SUP = Special Use Permit required	O, Office
	LR, Local Retail
	C, Commercial
Blank = <i>prohibited</i>	LM, Light Manufacturing

Type of Use	Zoning District	Residential			Business			Industrial
		R-5	O	LR	C		LM	
Addition of pre-packaged food or beverages sales to a retail or business already operating		SUP	SUP	SUP	SUP		SUP	
Airport or airport facilities		SUP	SUP	SUP	SUP		SUP	
Art gallery		P	P	P	P		P	
Carnival		SUP	SUP	SUP	SUP		SUP	
Cemetery		SUP	SUP	SUP	SUP		SUP	
Children’s home on 5 acres or more		SUP	SUP	SUP	SUP		SUP	
Circus		SUP	SUP	SUP	SUP		SUP	
Commercial amusement, temporary		SUP	SUP	SUP	SUP		SUP	
Community building on 3 acres or more		SUP	SUP	SUP	SUP		SUP	
Concrete batching plant		SUP	SUP	SUP	SUP		SUP	

Type of Use	Zoning District	Residential	Business			Industrial
		R-5	O	LR	C	LM
Convalescent home on 5 acres or more		SUP	SUP	SUP	SUP	SUP
Daycare or nursery with more than four unrelated children		SUP	SUP	SUP	SUP	SUP
Dog kennels on farm of 5 acres or more		SUP	SUP	SUP	SUP	SUP
Drive-in theatre on 10 acres or more		SUP	SUP	SUP	SUP	SUP
Driving range		SUP	SUP	SUP	P	P
Earth excavation		SUP	SUP	SUP	SUP	SUP
Educational institutions		SUP	SUP	SUP	SUP	SUP
Electrical public utility regulating station		SUP	SUP	SUP	SUP	SUP
Government use - local, county, state, federal		SUP	SUP	SUP	SUP	SUP
Gravel excavation		SUP	SUP	SUP	SUP	SUP
Greenhouse		SUP	SUP	SUP	SUP	SUP
Homes for narcotics on 20 acres or more		SUP	SUP	SUP	SUP	SUP
Homes for the alcoholic on 20 acres or more		SUP	SUP	SUP	SUP	SUP
Homes for the feeble-minded on 20 acres or more		SUP	SUP	SUP	SUP	SUP
Homes for the insane on 20 acres or more		SUP	SUP	SUP	SUP	SUP
Hospital on 5 acres or more		SUP	SUP	SUP	SUP	SUP
Kindergarten - public or private		SUP	SUP	SUP	SUP	SUP
Landing airfield or facilities		SUP	SUP	SUP	SUP	SUP
Library		P	P	P	P	P
Maternity home on 5 acres or more		SUP	SUP	SUP	SUP	SUP
Miniature golf course		SUP	SUP	SUP	P	P
Miniature train ride		SUP	SUP	SUP	SUP	SUP
Mixed-Use projects of private housing and shopping center on 3 acres or more		SUP	SUP	SUP	SUP	SUP
Natural gas public utility regulating station		SUP	SUP	SUP	SUP	SUP
Nursery		SUP	SUP	SUP	SUP	SUP
Nursery school - public or private		SUP	SUP	SUP	SUP	SUP
Old people's home on 5 acres or more		SUP	SUP	SUP	SUP	SUP
Parking of unoccupied recreational trailer or recreational vehicle		P	P	P	P	P
Philanthropic institutions		SUP	SUP	SUP	SUP	SUP
Pony rides		SUP	SUP	SUP	SUP	SUP
Private carport and/or garage		P	P	P	P	P
Private school, equivalent to a public school		P	SUP	SUP	SUP	SUP
Public school (elementary through high school)		P	SUP	SUP	SUP	SUP
Public stable on 5 acres or more		SUP	SUP	SUP	SUP	SUP
Public utility - privately or publicly owned		SUP	SUP	SUP	SUP	SUP
Radio or television broadcasting stations		SUP	SUP	SUP	SUP	SUP
Radio or television broadcasting towers		SUP	SUP	SUP	SUP	SUP
Radio or television transmitter tower		SUP	SUP	SUP	SUP	SUP
Religious institutions		SUP	SUP	SUP	SUP	SUP
Riding academy on 5 acres or more		SUP	SUP	SUP	SUP	SUP
Rock quarry		SUP	SUP	SUP	SUP	SUP
Rodeo		SUP	SUP	SUP	SUP	SUP
Sale of pre-packaged food/beverages, in combination, that exceeds 10% of an establishment's gross annual sales revenues		SUP	SUP	SUP	SUP	SUP
Sand excavation		SUP	SUP	SUP	SUP	SUP
Sewage treatment plant		SUP	SUP	SUP	SUP	SUP
Temporary and seasonal sales establishment, such as flea market or produce stand		SUP	SUP	SUP	SUP	SUP
Travel trailer park		SUP	SUP	SUP	SUP	SUP
Veterinary hospital on 5 acres or more		SUP	SUP	SUP	SUP	SUP
Wind energy conversion system (WEC)		SUP	SUP	SUP	SUP	SUP
Accessory buildings		P				
Breezeway attaching accessory to the main building		P				
Church or religious worship facility		P				

**STAFF REPORT
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Type of Use	Zoning District	Residential	Business			Industrial
		R-5	O	LR	C	LM
Daycare or nursery with fewer than four unrelated children		P				
Detached dwelling for servants employed on-site		P				
Farm without on-site retail or wholesale business		P				
Fire station		P				
Garden without on-site retail or wholesale business		P				
Golf course without driving range		P				
Greenhouse without on-site retail or wholesale business		P				
Museum		P				
Neighborhood recreation center (swimming pool, social or hobby rooms)		P				
Normal household pets		P				
Nursery without on-site retail or wholesale business		P				
Orchard without on-site retail or wholesale business		P				
Park		P				
Passenger train station		P				
Playgrounds		P				
Railway ROW & tracks, but no railroad yards, team tracks or storage yards		P				
Single-family residence (detached)		P				
Telephone exchange without office, repair or storage facilities		P				
Temporary buildings to be used for construction purposes only		P				
Water pumping plant		P				
Water supply reservoir		P				
Water tower or artesian well		P				
Ambulance service			P	P	P	P
Architect or engineers' offices			P	P	P	P
Attorneys' offices			P	P	P	P
Business offices			P	P	P	P
Consultants' offices			P	P	P	P
Doctors' & dentists' offices			P	P	P	P
Equipment storage (no repairs)			P	P	P	P
Financial offices			P	P	P	P
General offices			P	P	P	P
Multi-family dwelling units			SUP	SUP	SUP	SUP
Personal services			P	P	P	P
Political offices			P	P	P	P
Professional offices			P	P	P	P
Real estate offices			P	P	P	P
Records warehousing & storage			P	P	P	P
Salesman's offices			P	P	P	P
Single-family dwelling units			SUP	SUP	SUP	SUP
Antique shop				P	P	P
Aquarium				P	P	P
Auto laundry inside a building without boiler, heating & steam-cleaning facilities				P	P	P
Auto repair garage - all work inside a building				P	P	P
Auto seat covering				P	P	P
Bakery, retail				P	P	P
Bank				P	P	P
Barber & beauty shop				P	P	P
Bicycle repairs without outside storage or display				P	P	P
Bird & pet shops, retail				P	P	P
Book or stationery store				P	P	P
Bowling alley - if air-conditioned & soundproofed				P	P	P
Brewpub				SUP	SUP	SUP
Camera shop				P	P	P

Type of Use	Zoning District	Residential	Business			Industrial
		R-5	O	LR	C	LM
Candy shop			P	P	P	P
Caterer			P	P	P	P
Cleaning & pressing shops smaller than 6,000 square feet			P	P	P	P
Cleaning, dyeing & laundry station for receiving & delivery of articles only			P	P	P	P
Clothing - retail sales only			P	P	P	P
Convenience store or mini-mart between 1,000 & 5,000 square feet			SUP	SUP	SUP	SUP
Curtain cleaning shop smaller than 6,000 square feet			P	P	P	P
Department store			P	P	P	P
Drive-in for food, beverage, or other service			SUP	SUP	SUP	SUP
Drive-through for food, beverage, or other service			SUP	SUP	SUP	SUP
Dying plant smaller than 6,000 square feet			P	P	P	P
Electric substation			P	P	P	P
Electrical goods, retail sales only			P	P	P	P
Electrical repairing - domestic equipment & autos, retail sales only			P	P	P	P
Exterminating company, retail			P	P	P	P
Film developing & printing			P	P	P	P
Fix-it shops without outside storage or display			P	P	P	P
Florist, retail sales only			P	P	P	P
Frozen food lockers, retail			P	P	P	P
Furniture repairs & upholstering, retail only without outside storage or display			P	P	P	P
Furniture store - retail			P	P	P	P
Gasoline/motor fuel sales			P	P	P	P
Gasoline/motor fuel sales, automated			P	P	P	P
Grocery store over 5,000 square feet			P	P	P	P
Hardware - retail sales only			P	P	P	P
Household & office appliances - retail			P	P	P	P
Household & office furniture - retail			P	P	P	P
Ice delivery station			P	P	P	P
Jewelry - retail			P	P	P	P
Job printing			P	P	P	P
Laundry - custom laundering & finishing smaller than 6,000 square feet without pickup or delivery			P	P	P	P
Letter & mimeograph shop			P	P	P	P
Meat market, retail sales only			P	P	P	P
Micro-brewery			SUP	SUP	SUP	SUP
Moving picture theater			P	P	P	P
Novelty or variety shop			P	P	P	P
Nursery, retail sale of plants & trees			P	P	P	P
Office			P	P	P	P
Office building			P	P	P	P
Optical goods - retail			P	P	P	P
Outside display, new materials			P	P	P	P
Outside storage units			P	P	P	P
Paint - retail sales only			P	P	P	P
Parking lot without public garage for passenger cars & trucks			P	P	P	P
Pharmacy/drug store			P	P	P	P
Photographer's or artist's studio			P	P	P	P
Photographic supplies - retail			P	P	P	P
Piano & musical instruments, retail sales only			P	P	P	P
Plumbing shop without warehouse facilities, retail sales only			P	P	P	P
Portable storage units (PODs) - sales & storage			P	P	P	P
Public garage			P	P	P	P
Restaurant (dine-in only) over 4,000 square feet			P	P	P	P

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Type of Use	Zoning District	Residential	Business			Industrial
		R-5	O	LR	C	LM
Restaurant (dine-in only) smaller than 4,000 square feet			SUP	SUP		SUP
Restaurant (dine-in/convenience) over 4,000 square feet			P	P		P
Restaurant (dine-in/convenience) smaller than 4,000 square feet			SUP	SUP		SUP
Restaurant (fast food)			SUP	SUP		SUP
Restaurant (outdoor/patio dining)			SUP	SUP		SUP
Restaurant (private club)			SUP	SUP		SUP
Retail sales			P	P		P
Retail store or shop for custom work or the making of articles on-site			P	P		P
Rug cleaning shop, chemical type, smaller than 6,000 square feet with all operations inside a building			P	P		P
Sample room			P	P		P
Seamstress, dressmaker, or tailor			P	P		P
Seed store			P	P		P
Shoe repair shop, retail sales only			P	P		P
Sporting goods - retail sales only			P	P		P
Studio for the display & sale of glass, china, art objects, cloth & draperies			P	P		P
Studios, dance, music, drama, health massage & reducing			P	P		P
Taxi stand			P	P		P
Tobacco shop			SUP	SUP		SUP
Tool sharpening, retail only without outside storage or display			P	P		P
Toys - retail sales only			P	P		P
Used car lot			SUP	P		P
Walk-up for food, beverage, or other service			SUP	SUP		SUP
Wallpaper - retail sales only			P	P		P
Washateria where the customer can wash & handle his laundry			P	P		P
Wearing apparel including clothing, shoes, hats, millinery & accessories			P	P		P
Wholesale sales office			P	P		P
Wine-tasting room			SUP	SUP		SUP
Drive-in theatre			SUP			
Event center in stand-alone building			SUP			
Feed store			SUP			
Mortuary use in stand-alone buildings			SUP			
Motor raceway			SUP			
Roller skating rink			SUP			
Wedding services in stand-alone building			SUP			
Aquarium, wholesale				P		P
Artificial flower manufacture				P		P
Artificial limb manufacture				P		P
Auto painting				P		P
Auto upholstery				P		P
Automobile dealers				P		P
Automobile laundry				P		P
Awning manufacture, cloth, metal, wood				P		P
Bakery, commercial				SUP		P
Bar				SUP		SUP
Beer tavern				SUP		SUP
Book bindery				P		P
Book printing				P		P
Bottling works with or without syrup manufacture				P		P
Bowling alley				P		P
Bus & truck storage				P		P
Cabinet shop				P		P
Candy manufacture				P		P

Type of Use	Zoning District	Residential	Business			Industrial
		R-5	O	LR	C	LM
Canvas awning manufacture					P	P
Car barns					P	P
Carpenter shop					P	P
Carpet cleaning - with dustproof room & dust-catching equipment					P	P
Carting, express, hauling or storage					P	P
Cement storage					P	P
Ceramic products smaller than 6,000 square feet					P	P
Cleaning & dry cleaning establishment over 6,000 square feet					P	P
Clothing manufacture					P	P
Cold storage plant					P	P
Commercial amusement					P	P
Commercial colleges					P	P
Contractor's storage yard					P	P
Dance hall					SUP	SUP
Dry goods, wholesale & storage					P	P
Dyeing plant over 6,000 square feet					P	P
Egg candling & grading					P	P
Electrical & neon sign manufacture					P	P
Electrical repairing					P	P
Electro-plating; electro-tying					P	P
Engraving plant					P	P
Envelope manufacture					P	P
Feed store, wholesale & storage					P	P
Florist, wholesale					P	P
Food products manufacture, wholesale					P	P
Frozen food lockers, wholesale					P	P
Furniture auction sales					P	P
Furniture repair & upholstering - wholesale					P	P
Handcraft shop smaller than 6,000 square feet					P	P
Hauling, light or heavy					P	P
Household goods, storage					P	P
Ice cream manufacture					P	P
Ice manufacture					P	P
Job printing & book printing					P	P
Laundry, commercial					P	P
Leather products manufacture					P	P
Lithographing					P	P
Loading or storage tracks					P	P
Looseleaf book manufacture					P	P
Lounge					SUP	SUP
Lumberyard (building material)					P	P
Market - public					P	P
Mattress making & renovating without dust precipitating equipment					P	P
Milk depot, wholesale					P	P
Millinery manufacture					P	P
Mirror resilvering					P	P
Motel					P	P
Motion picture studio, commercial films					P	P
Motorcycle repairing					P	P
Moving & storage company					P	P
Newspaper printing					P	P
Night club					SUP	SUP
Optical goods manufacture					P	P

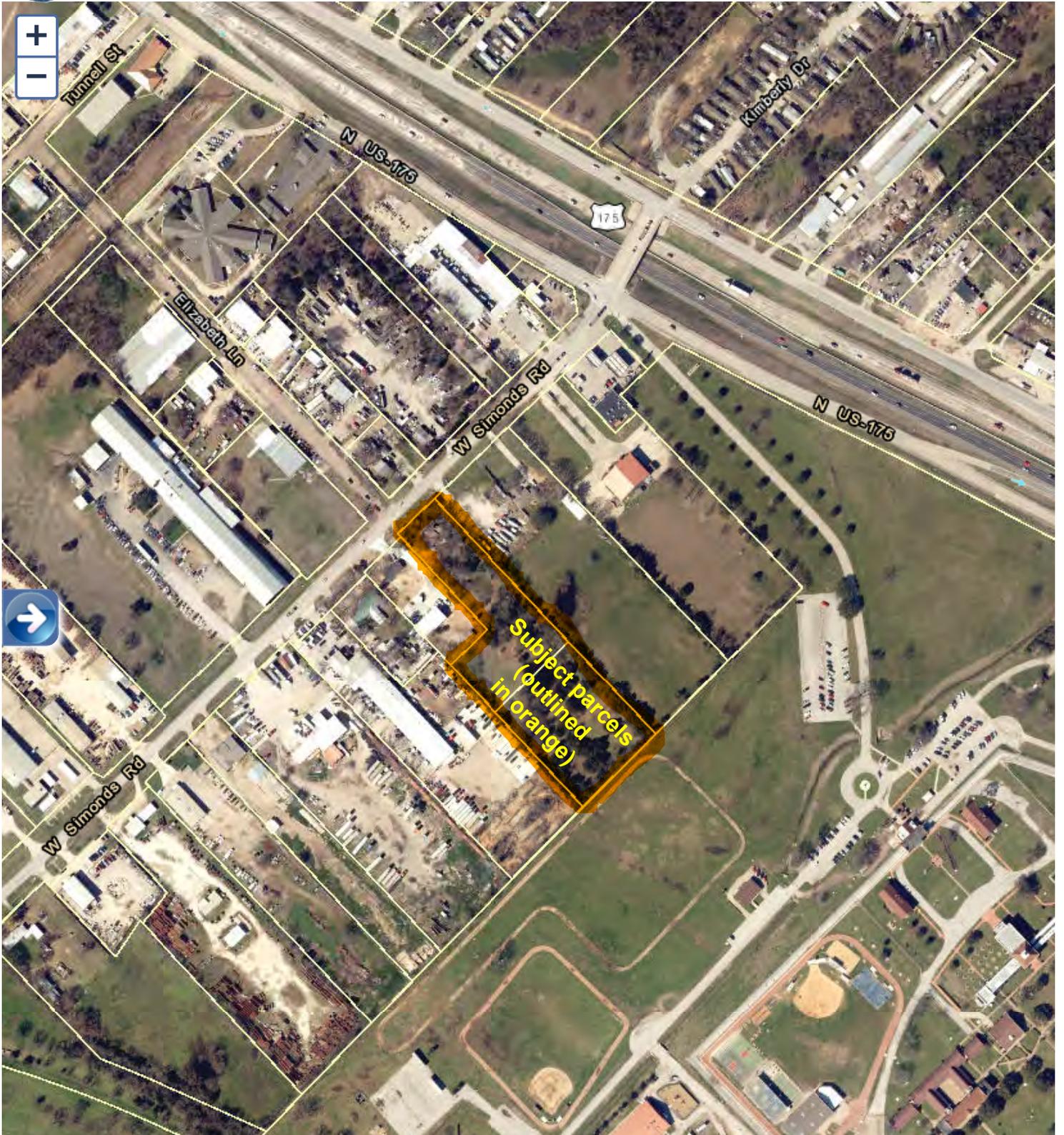
**STAFF REPORT
Z2021-14**

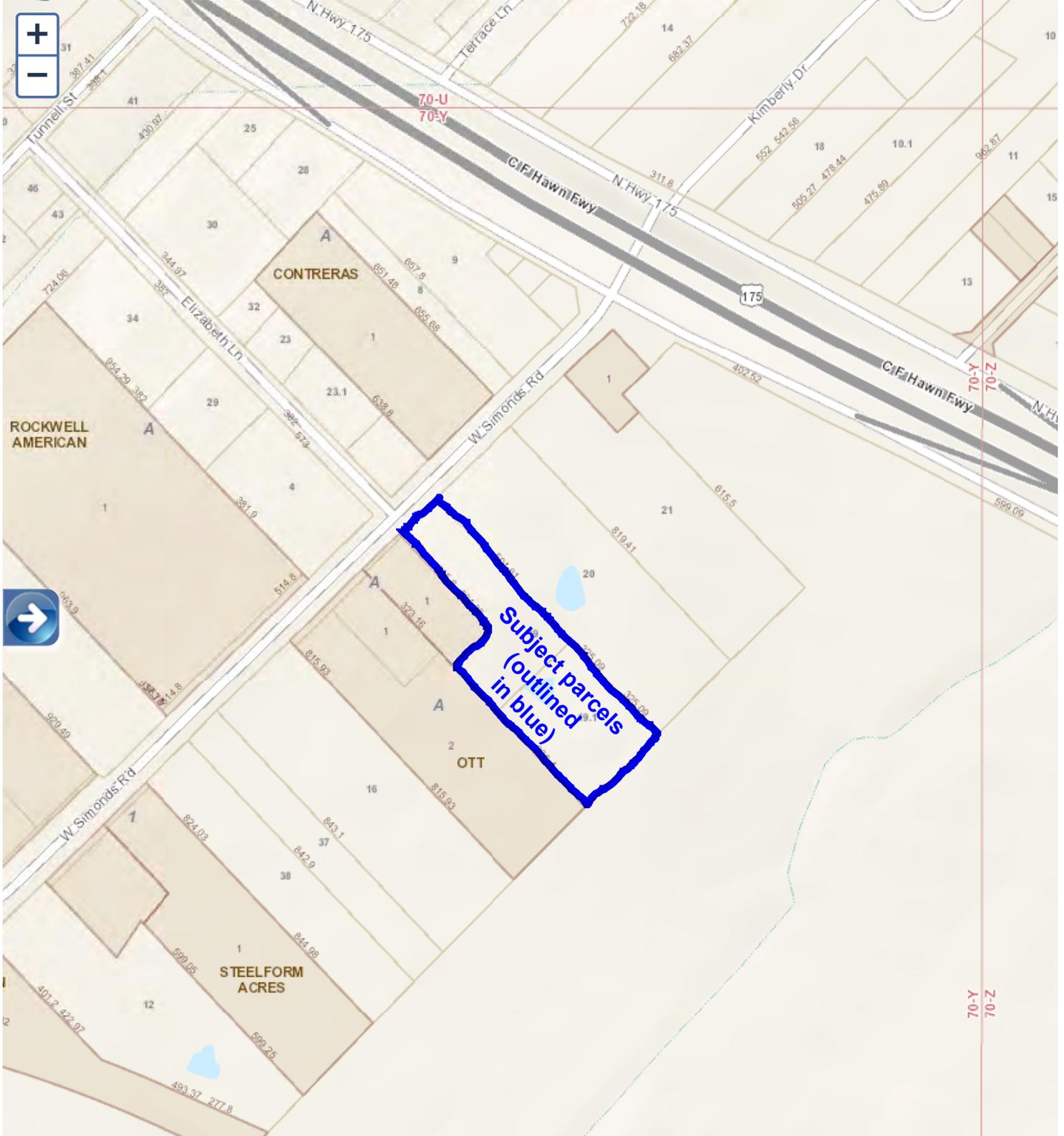
Type of Use	Zoning District	Residential	Business			Industrial
		R-5	O	LR	C	LM
Outside display, used materials					SUP	SUP
Outside storage of any material over 8-feet tall					SUP	SUP
Outside storage, new materials					SUP	P
Outside storage, used materials					SUP	SUP
Paint mixing, but no cooking or baking operations					P	P
Paper products & paper box manufacture					P	P
Penal or correctional institutions for insane, feeble-minded, liquor or narcotic					P	P
Photoengraving plant					P	P
Plastic products, molding, casting & shaping					P	P
Print shop					P	P
Printing equipment, supplies, repairs					P	P
Publishing company					P	P
Schools - all types including trade & commercial colleges					P	P
Secondhand furniture					P	P
Seed store, wholesale sales & storage					P	P
Sheetmetal shop					P	P
Shoe store, wholesale sales & storage					P	P
Skating rink					P	P
Stone monument works - retail					P	P
Storage & sales of used auto parts & accessories without open storage or display					P	P
Storage of trucks, & gravel					P	P
Streetcar barns					P	P
Taxicab storage & repairs					P	P
Team tracks & unloading docks, railroads					P	P
Tire retreading & recapping					P	P
Tourist camp					P	P
Trade schools of all types					P	P
Transfer & baggage company					P	P
Travel center					SUP	SUP
Trunk manufacturing					P	P
Typesetting					P	P
Venetian blind manufacturing					P	P
Veterinary hospital					SUP	P
Warehouse, wholesale offices, sales & storage					P	P
Water distillation					P	P
Winery, boutique					SUP	SUP
Dog kennel					SUP	
Homes for narcotics					SUP	
Homes for the alcoholic					SUP	
Homes for the feeble-minded					SUP	
Homes for the insane					SUP	
Sale of manufactured homes on 3.5 acres or more					SUP	
Sale of mobile homes on 3.5 acres or more					SUP	
Adding machine manufacture						P
Agricultural implement manufacturing						P
Aircraft parts manufacture						P
Airplane repair & manufacturing						P
Automobile assembly						P
Automobile parts manufacturing						P
Bag manufacturer & cleaning						P
Bank equipment manufacture						P
Blacksmith						P
Boiler manufacture & repair of boilers not exceeding 15 h.p.						P

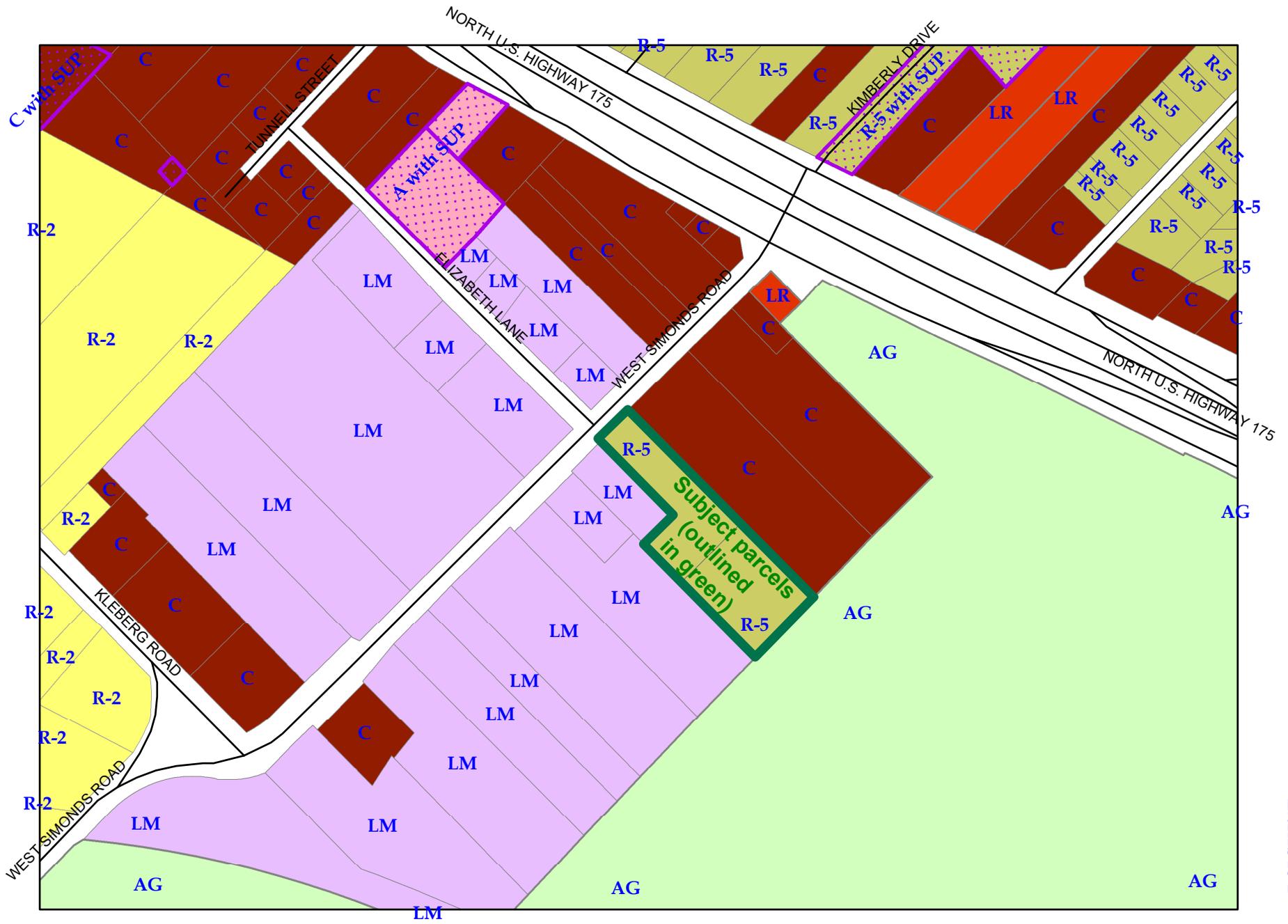
Type of Use	Zoning District	Residential	Business			Industrial
		R-5	O	LR	C	LM
Bolt & nut manufacture						P
Boot & shoe manufacture						P
Box & crate manufacture (other than paper)						P
Broom manufacture						P
Building material machinery, or supplying having outside storage						P
Canning & preserving factory						P
Carbon battery manufacture						P
Carpet cleaning without dustproof cleaning rooms for dust catching, washing & scouring equipment						P
Celluloid & similar cellulose manufacture						P
Central station, light & power plant						P
Cereal mill						P
Chair manufacture						P
Cheese factory						P
Chick hatchery						P
Coal yard, coal hoist, coal pocket or coal car trestle						P
Coffin manufacture						P
Cooperage company						P
Cotton company						P
Cotton ginning, baling & compressing						P
Cotton oil mill						P
Cotton seed products manufacture						P
Dairy - wholesale						P
Disinfectant manufacture						P
Dye manufacturing						P
Electric or acetylene welding						P
Electrical power plant						P
Electrical supply manufacture						P
Elevator manufacture						P
Enameling & painting						P
Feed mill						P
Fixture manufacture						P
Flour milling & grain storage & elevators						P
Food processing						P
Fur warehouse						P
Furniture manufacture						P
Gasoline, wholesale storage						P
Grain elevator						P
Hardware manufacture						P
Helicopter terminal						P
Horseshoeing						P
Hosiery mill						P
Insecticide manufacturing						P
Iron works, ornamental						P
Knit goods manufacture						P
Light agricultural implements manufacture						P
Livery stable						P
Machinery manufacture						P
Mattress factory						P
Mattress renovating						P
Metal products, stamping & manufacturing						P
Milk processing plant						P
Paper products manufacture						P

**STAFF REPORT
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Type of Use	Zoning District	Residential	Business			Industrial
		R-5	O	LR	C	LM
Pattern shop						P
Pecan processing						P
Petroleum, wholesale storage						P
Planing mill						P
Poultry feed manufacturer						P
Poultry slaughtering - dressing & storage						P
Printing ink manufacture						P
Public stable						P
Railroad yards - roundhouse or shop						P
Rice cleaning & polishing						P
Riding academy						P
Riding stable						P
Rock wool manufacture						P
Rug manufacture						P
Shoe factory						P
Stable						P
Stone cutting						P
Storage battery manufacturing						P
Storage of live poultry, or poultry dressing						P
Textile manufacture						P
Tool manufacture						P
Wood products manufacture						P
Woodworking shops						P
Brewery						SUP
Cargo container						SUP
Distillery						SUP
Winery						SUP









ZONING APPLICATION

City of Seagoville, Texas

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

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

Application Type:

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

Name of Subdivision or Project: Light Manufact.

Physical Location of Property: 211 W. Simonds Rd.
[General Location – approximate distance to nearest existing street corner]

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

[Survey/Abstract No. and Tracts; or platted Subdivision Name with Lots/Block]
Acreage: 3.900 Existing Zoning: R-5 Requested Zoning: LM

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

Applicant / Owner's Name: Rafael Lopez Fernandez Applicant or Owner (circle one)

Contact Person: _____ Title: owner

Company Name: AMC Concrete Haulers

Street/Mailing Address: _____ City: _____ State: _____ Zip: _____

Phone: (214) 329-2162 Fax: () _____ Email Address: _____

Engineer / Representative's Name: yuliet Sanchez

Contact Person: _____ Title: Business Consultant

Company Name: AMC Concrete Haulers

Street/Mailing Address: 5351 Waterford Dr City: Mequite State: Tx Zip: 75150

Phone: (813) 503-4929 Fax: () _____ Email Address: syuliet678@gmail.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.

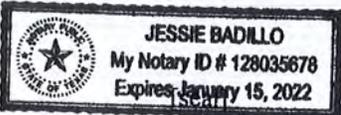
All application materials (one copy) must be delivered to the City's Planner. The name, address, phone number, etc. of the City's Planner can be obtained from City staff. Failure to submit all materials to the City's Planner may result in delays scheduling the zoning application for a P&Z agenda.

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.

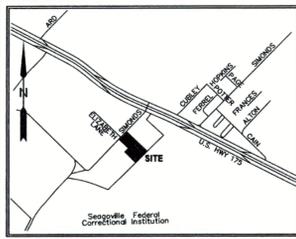
Signed: _____ Title: CEO/owner Date: 7/7/2021

SUBSCRIBED AND SWORN TO before me, this the 7 day of July, 2021.



Notary Public in and for the State of Texas: _____
My Commission Expires On: 01/15/2022

Office Use Only: Date Rec'd: 7/21/2021 Fees Paid: \$ 500 Check #: VISA Receipt #: 680302
Zoning Case # 22021-14 Accepted By: [Signature] Official Submittal Date: 7/21/2021



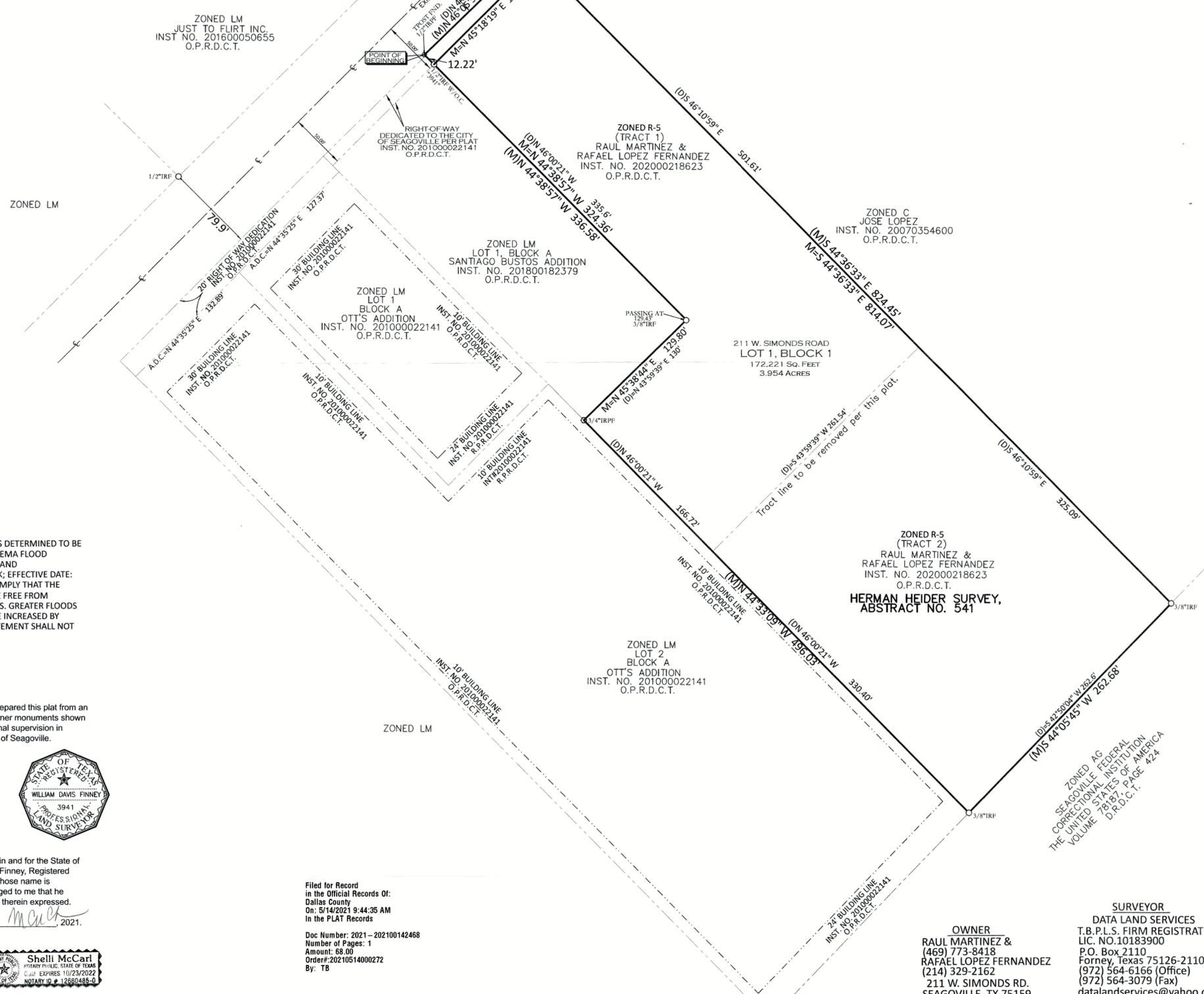
BASIS OF BEARING; GRID NORTH AS TIED WITH ALTERRA NETWORK SYSTEM WITH RTK GPS UNIT TEXAS NORTH CENTRAL ZONE 4202 WITH GEOID CONTINENTALUS_NGS2012B. DISTANCES SHOWN ARE GROUND VALUES US SURVEY FEET.

VICINITY MAP NOT-TO-SCALE

NOTICE: SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS IS A VIOLATION OF CITY ORDINANCE AND STATE LAW, AND IS SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.

LEGEND:

- IRF = IRON ROD FOUND
○ IRF = IRON ROD SET WITH PLASTIC CAP STAMPED "3941"
○ IRP = IRON PIPE FOUND
O.P.R.D.C.T. = OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
D.R.D.C.T. = DEED RECORDS, DALLAS COUNTY, TEXAS
P.R.D.C.T. = PLAT RECORDS, DALLAS COUNTY, TEXAS
C.M. = CONTROLLING MONUMENT
W/Y.C. = WITH YELLOW CAP
W/O.C. = WITH ORANGE CAP
— E — = CENTER LINE OF ROAD



FLOOD NOTE:

THIS TRACT IS WITHIN ZONE 'X', (UNSHADED), AREAS DETERMINED TO BE OUTSIDE 0.2% ANNUAL CHANCE FLOODPLAIN, PER FEMA FLOOD INSURANCE RATE MAP FOR DALLAS COUNTY, TEXAS AND INCORPORATED AREAS, MAP NUMBER 48113C0545K; EFFECTIVE DATE: JULY 07, 2014. THIS FLOOD 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 FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.

Surveyor's Certificate:

KNOW ALL MEN BY THESE PRESENTS:

That I, William Davis Finney, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon as "set" were properly placed under my personal supervision in accordance with the Subdivision Ordinance of the City of Seagoville.

Signature of Registered Professional Land Surveyor WILLIAM DAVIS FINNEY, Registration No. 3941



STATE OF TEXAS, COUNTY OF DALLAS

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared William Davis Finney, Registered Public Land Surveyor, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed.

Given under my hand and seal of office, this 13 day of March, 2021.

Notary Public in and for the State of Texas



My Commission Expires On:

Filed for Record in the Official Records Of: Dallas County On: 5/14/2021 9:44:36 AM In the PLAT Records

Doc Number: 2021-202100142468 Number of Pages: 1 Amount: \$5.00 Order#: 20210514000272 By: TB

OWNER RAUL MARTINEZ & RAFAEL LOPEZ FERNANDEZ (469) 773-8418 (214) 329-2162 211 W. SIMONDS RD. SEAGOVILLE, TX 75159

SURVEYOR DATA LAND SERVICES T.B.P.L.S. FIRM REGISTRATION LIC. NO. 10183900 P.O. Box 2110 Forney, Texas 75126-2110 (972) 564-6166 (Office) (972) 564-3079 (Fax) dataandservices@yahoo.com

Scale 1"=50' Date 1/11/2021 JOB#20-2530 SHEET 1 OF 1

FINAL PLAT OF LOT 1, BLOCK 1, AMC CONCRETE HAULERS ADDITION BEING A 3.9880 ACRE TRACT IN THE HERMAN HEIDER SURVEY, ABSTRACT NO. 541 CITY OF SEAGOVILLE, DALLAS COUNTY, TEXAS

COUNTY OF DALLAS; STATE OF TEXAS;

Whereas, Raul Martinez and Rafael Lopez Fernandez, are the owners of 2 tracts or parcels of land situated in the Herman Heider Abstract No. 541 in the City of Seagoville, Dallas County, Texas, described as Tract 1 and Tract 2 in Inst. No. 202000218623, O.P.R.D.C.T. and being more particularly described by metes and bounds as follows:

BEGINNING at a found 1/2" iron pipe at the West corner of said Tract 1 in the Southeasterly right-of-way line of Simonds Road (a variable width right-of-way) from which a found 1/2" iron rod with orange plastic cap stamped "3941" for the North corner of Lot 1, Block A of Santiago Bustos Addition, an addition to the City of Seagoville thereof recorded in Inst. No. 201800182379, O.P.R.D.C.T., bears South 44 degrees 38 minutes 57 seconds East, a distance of 12.22 feet;

THENCE North 46 degrees 05 minutes 56 seconds East, with the Northwesterly line of said Tract 1 and the Southeasterly right-of-way line of Simonds Road a distance of 132.57 feet to a found 1/2" iron pipe at the North corner of said Tract 1 and at the West corner of a tract of land conveyed to Jose Lopez recorded in Inst. No. 20070354600, O.P.R.D.C.T.;

THENCE South 44 degrees 36 minutes 33 seconds East, with the Northeasterly line of said Tract 1 and Tract 2 and the Southwesterly line of said Lopez tract a total distance of 824.45 feet to a found 3/8" iron rod at the East corner of Martinez Tract 2 and the South corner of said Lopez tract in a Northwesterly line of the Seagoville Federal Correctional Institution The United States of America per deed recorded in Volume 78187, Page 424, D.R.D.C.T.;

THENCE South 44 degrees 05 minutes 45 seconds West, with the Southeasterly line of said Martinez Tract 2 and a Northwesterly line of said Correctional Tract a distance of 262.68 feet to a found 3/8" iron rod at the South corner of said Martinez Tract 2 and the East corner of Lot 2, Block A of Ott's Addition, an addition to the City of Seagoville thereof recorded in Inst. No. 201000022141, O.P.R.D.C.T.;

THENCE North 44 degrees 33 minutes 09 seconds West, with the Southwesterly line of said Tract 2 and Tract 1 a total distance of 496.03 feet to a found 3/4" iron pipe at the South corner of said Lot 1 Santiago Addition and at a West corner of said Martinez Tract 1;

THENCE North 45 degrees 38 minutes 44 seconds East, with the Northwesterly line of said Tract 1 and the Southeasterly line of said Lot 1 Santiago Addition passing at a distance of 129.43 feet a found 3/8" iron rod continuing in all a total distance of 129.80 feet to a point for corner at an ell corner of said Tract 1 at the East corner of said Lot 1 Santiago Addition;

THENCE North 44 degrees 38 minutes 57 seconds West, with the Southwesterly line of said Tract 1 and the Northeasterly line of said Lot 1 Santiago Addition a distance of 336.58 to the POINT OF BEGINNING containing 173,719 square feet or 3.9880 acres of land.

PROPERTY OWNER'S CERTIFICATE:

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That Raul Martinez and Rafael Lopez Fernandez, owners do hereby adopt this plat designating the herein above described property as LOT 1, BLOCK 1, AMC CONCRETE HAULERS ADDITION an addition to the City of Seagoville, Texas, and do hereby dedicate, in fee simple, to the public use forever, the streets, rights-of-way, and other public improvements shown thereon. The streets and alleys, if any, are dedicated for street purposes. The easements and public use areas, as shown, are dedicated, for the public use forever, for the purposes indicated on this plat. No buildings, fences, trees, shrubs or other improvements or growths shall be constructed or placed upon, over or across the easements as shown, except that landscape improvements may be placed in landscape easements, if approved by the City of Seagoville. In addition, utility easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easement limits the use to particular utilities, said use by public utilities being subordinate to the public's and City of Seagoville's use thereof. The City of Seagoville and public utility entities shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs or other improvements or growths which may in any way endanger or interfere with the construction, maintenance, or efficiency of their respective systems in said easements. The City of Seagoville and public utility entities shall at all times have the full right of ingress and egress to or from their respective easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, reading meters, and adding to or removing all or parts of their respective systems without the necessity at any time procuring permission from anyone.

This plat approved subject to all platting ordinances, rules, regulations and resolutions of the City of Seagoville, Texas;

WITNESS, my hand, this 8 day of April, 2021.

BY:

Owner: Raul Martinez

Owner: Rafael Lopez Fernandez

STATE OF TEXAS, COUNTY OF DALLAS

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Raul Martinez, Owner, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed.

Given under my hand and seal of office, this 8 day of April, 2021.

Notary Public in and for the State of Texas

My Commission Expires On:



STATE OF TEXAS, COUNTY OF DALLAS

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Rafael Lopez Fernandez, Owner, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed.

Given under my hand and seal of office, this 8 day of April, 2021.

Notary Public in and for the State of Texas

My Commission Expires On:



THE CITY OF SEAGOVILLE:

The property is located in the corporate limits of the City of Seagoville, Dallas County, Texas.

Approved final plat of the subdivision shown on this plat.

BY: [Signature] 4.23.21 Date

ATTEST: [Signature] 4.23.21 Date City Secretary

Exhibit 5



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



August 12, 2021

**NOTICE OF PUBLIC HEARING
SEAGOVILLE PLANNING & ZONING COMMISSION
ZONING CASE Z2021-14**

The Seagoville Planning and Zoning Commission will hold a public hearing on Tuesday, August 24, 2021, at 6:30 p.m. in the Council Chambers in City Hall at 702 North U.S. Highway 175; Seagoville, TX 75159 to consider a zoning change request from R-5, Residential Single Family, to LM, Light Manufacturing, on approximately 4± acres described as Tracts 19 and 19.1 (re-platted as Lot 1 Block 1 of the AMC Concrete Haulers Addition in Document 202100142468) in the Herman Heider Abstract, commonly known as 211 West Simonds Road, Seagoville, Dallas County, Texas.

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

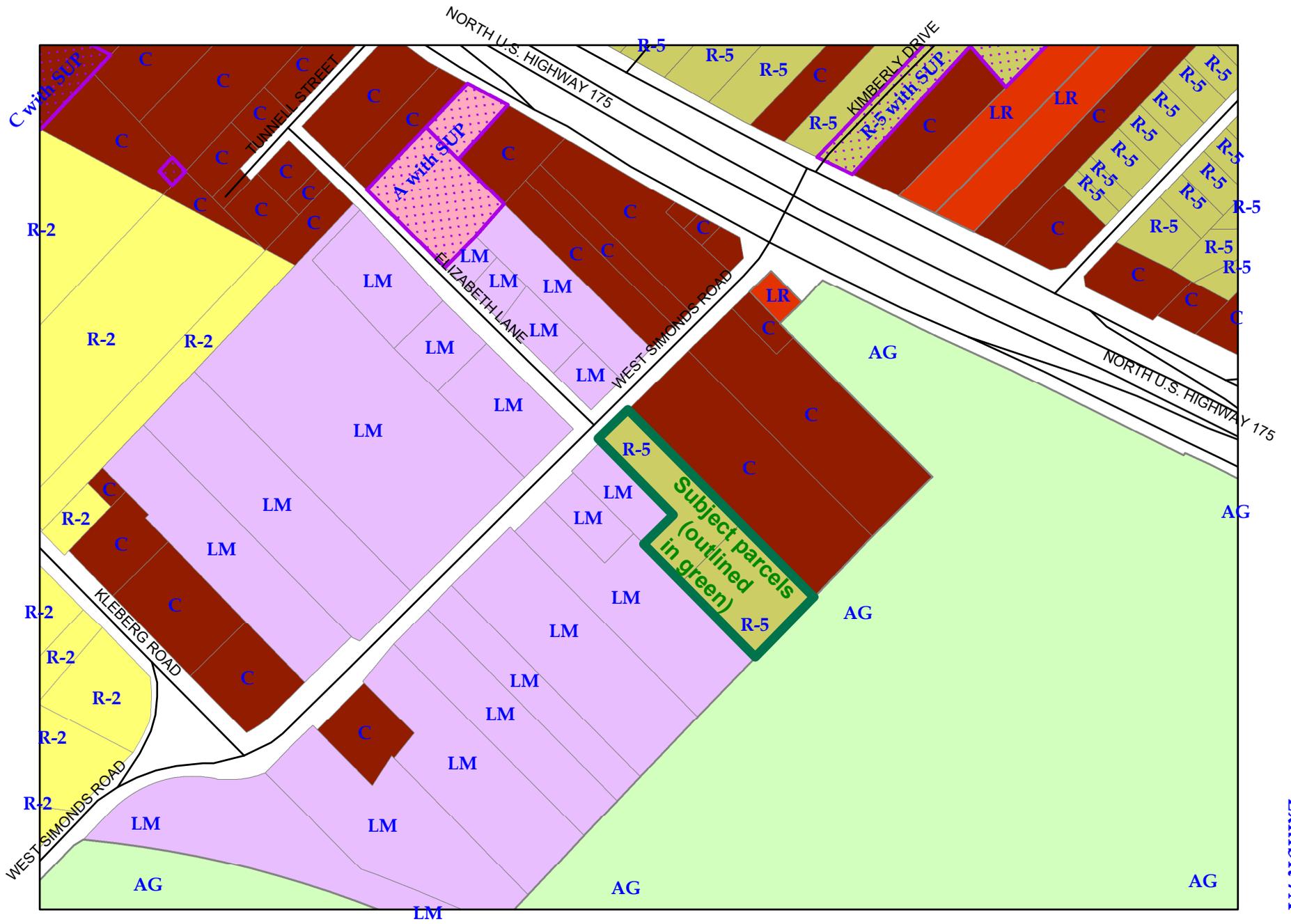
As an adjoining property owner, this is the first opportunity to voice your opinion about this project for the record. The second opportunity will be at the public hearing listed above. This item will also go to City Council for review and final approval. Separate notices for that meeting will be sent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

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

I am in favor of against Zoning Request Z2021-14 as it is described herein.

Additional Comments (attach additional sheets as necessary): _____

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





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



September 20, 2021

**NOTICE OF PUBLIC HEARING
SEAGOVILLE CITY COUNCIL
ZONING CASE Z2021-14**

Seagoville City Council will hold a public hearing on Monday, October 4, 2021, at 6:30 p.m. in the Council Chambers in City Hall at 702 North U.S. Highway 175; Seagoville, TX 75159 to consider a zoning change request from R-5, Residential Single Family, to LM, Light Manufacturing, on approximately 4+ acres described as Tracts 19 and 19.1 (re-platted as Lot 1 Block 1 of the AMC Concrete Haulers Addition in Document 202100142468) in the Herman Heider Abstract, commonly known as 211 West Simonds Road, Seagoville, Dallas County, Texas.

Individuals may appear at the public hearing to state their opinions or may send a written notice prior to 12:00 noon on the day of the public hearing to City Secretary Kandi Jackson at 702 North U.S. Highway 175; Seagoville, TX 75159.

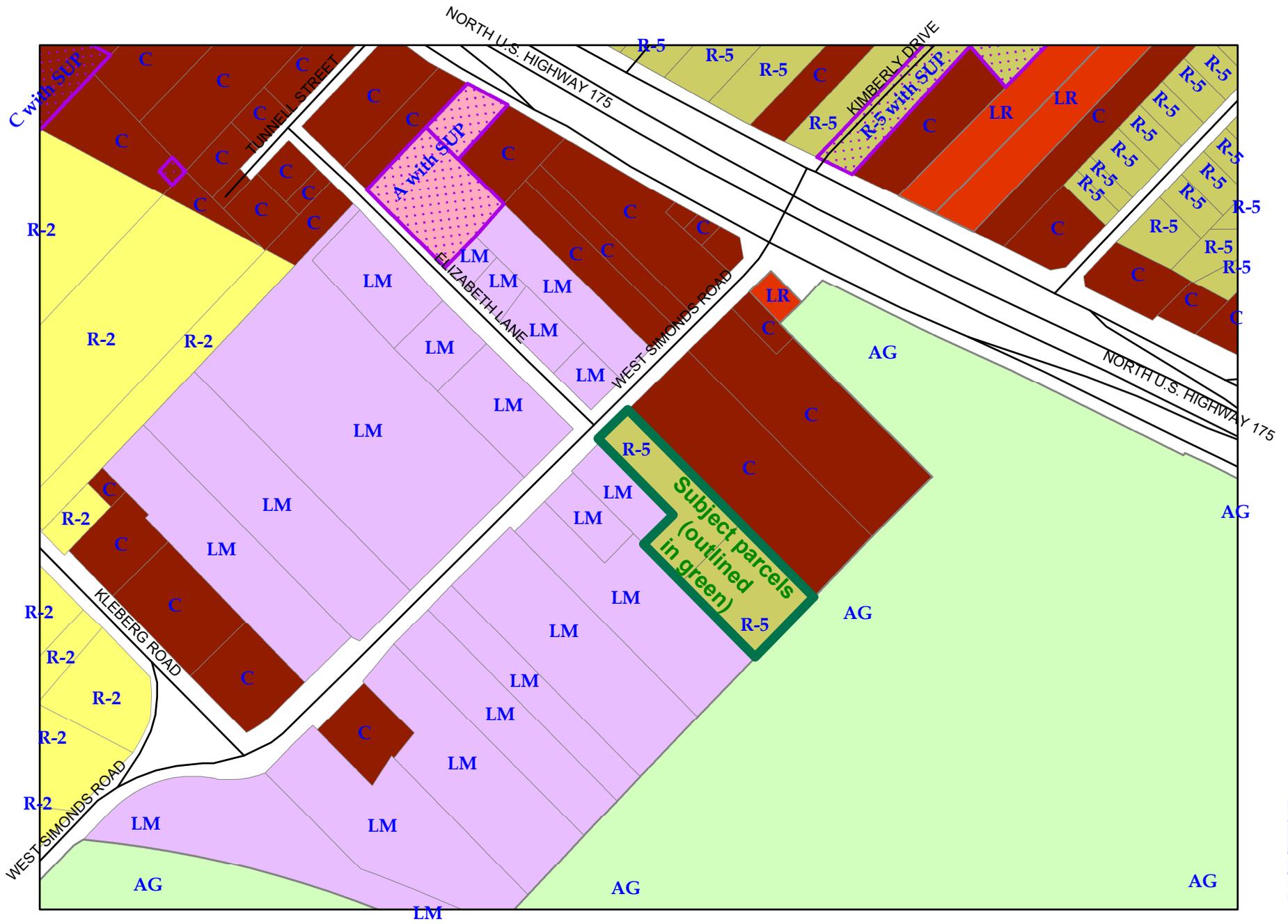
As an adjoining property owner, this is the first opportunity to voice your opinion about this project for the record. The final opportunity will be at the public hearing listed above

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

I am in favor of against Zoning Request Z2021-14 as it is described herein.

Additional Comments (attach additional sheets as necessary): _____

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





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

August 12, 2021



**NOTICE OF PUBLIC HEARING
SEAGOVILLE PLANNING & ZONING COMMISSION
ZONING CASE Z2021-14**

The Seagoville Planning and Zoning Commission will hold a public hearing on Tuesday, August 24, 2021, at 6:30 p.m. in the Council Chambers in City Hall at 702 North U.S. Highway 175; Seagoville, TX 75159 to consider a zoning change request from R-5, Residential Single Family, to LM, Light Manufacturing, on approximately 4+ acres described as Tracts 19 and 19.1 (re-platted as Lot 1 Block 1 of the AMC Concrete Haulers Addition in Document 202100142468) in the Herman Heider Abstract, commonly known as 211 West Simonds Road, Seagoville, Dallas County, Texas.

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

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

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

I am in favor of against Zoning Request Z2021-14 as it is described herein.

Additional Comments (attach additional sheets as necessary):

Yes I am signing the paper to let you do that the people living on that address 211 W Simonds Rd, Seagoville Tx 75159

Signature(s): *Leon Arriola*
Printed Name(s): *LEONOR ARRIOLA*
Address: *212 W. Simonds Rd.*
City, State & Zip code: *Seagoville Tx 75159*
Phone Number: *214-208-9852*

AUGUST 12, 2021
1

**Property Owners List
Rezone of 211 West Simonds Road**

Mailed out a total of 11 letters on Thursday, August 12, 2021, before 5:00 PM

Subject or adjoiner?	Site Address	DCAD Account	Owner	Mailing Address 1	Address 2	City	State	Zip	Acres	Lot	Subdivision Name	Block
Subject	211 West Simonds Road	65054149010190000	Juan Paul Martinez & Rafael Lopez Fernandez	910 East Daugherty Drive		Garland	TX	75041	2.00	19	Herman Heider Abstract	
		65054149010190100							1.97	19.1		
Adjoiner	2409 Elizabeth Lane	65054149010040000	Just to Flirt Inc.	2409 Elizabeth Lane		Seagoville	TX	75159	1.89	4	Herman Heider Abstract	
Adjoiner	212 West Simonds Road	65054149010050000	Leonor Arriola	212 West Simonds Road		Seagoville	TX	75159	0.51	5	Herman Heider Abstract	
Adjoiner	206 West Simonds Road	500102500A0010000	Rafeal Contreras	394 Sunrise Circle		Seagoville	TX	75159	3.4839	1	Contreras	A
Adjoiner	201 West Simonds Road	65054149010200000	Jose Lopez	319 East Amberway Lane		Garland	TX	75040	5.01	20	Herman Heider Abstract	
Adjoiner	611 West Simonds Road	65054152510010000	USA	1100 Commerce Street		Dallas	TX	75242	362.46	1	Herman Heider Abstract	
Adjoiner	303 West Simonds Road	500308700A0020000	Asmera Property Management Inc.	9319 LBJ Freeway	Suite 208 A	Dallas	TX	75243	4.06454	2	Ott	A
Adjoiner	303 West Simonds Road	500308700A0010000	Jose S. Macias & Longina Benitez	303 West Simonds Road		Seagoville	TX	75159	0.79101	1	Ott	A
Adjoiner	301 West Simonds Road	500086000A0010000	Santiago Bustos	1627 South Woody Road		Dallas	TX	75253	0.9630	1	Bustos	A
Adjoiner												

Regular Session Agenda Item: 6

Meeting Date: October 4, 2021

ITEM DESCRIPTION:

Discuss and consider approving an Ordinance of the City of Seagoville, Texas, amending the Comprehensive Zoning Ordinance and Map of the City of Seagoville, as amended, by granting a change in zoning from R-5, Residential-5, to LM, Light Manufacturing, on approximately 3.988± acres described as Tracts 19 and 19.1 in the Herman Heider Abstract, replatted as Lot 1, Block 1 of the AMC Concrete Haulers Addition, commonly referred to as 211 West Simonds Road in the City of Seagoville, Dallas County, Texas, and being depicted and legally described by metes and bounds in Exhibit “A”, attached hereto and incorporated herein; providing for a repealing clause; providing for a savings clause; providing for a severability clause; providing for a penalty of fine not to exceed Two Thousand Dollars (\$2,000.00) for each offense; and providing for an effective date.

BACKGROUND OF ISSUE:

The land currently has a single-family house. The driveway is dirt-and-gravel but the approach at the street has been paved in concrete. It is located on the east side of the intersection of West Simonds Road with Elizabeth Lane. Currently the property has fencing on most sides that was installed by the adjoining owners.

The owners, Juan Raul Martinez and Rafael Lopez Fernandez, are requesting the zoning change so that they can park the trucks from their business at this house. In the future they plan to relocate their business office to this location.

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 Monday, August 9, 2021 edition of the Daily Commercial Record newspaper. Including the parcel in question, there are eleven (11) properties plus part of two (2) 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, August 12, 2021. As of Friday, August 20, 2021, no (zero) letters were returned as undeliverable by the U.S. Postal Service. One (1) letter was returned in favor of the request. No (zero) letters were returned against the request. Only the applicant’s representative spoke at the Planning and Zoning Commission meeting.

For the City Council meeting, a legal ad was published again per the Texas Local Government Code in the Monday, September 20, 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 Monday, September 20, 2021. As of the date of this report, Tuesday, September 28, 2021, no (zero) letters were returned as undeliverable by the U.S. Postal Service and no (zero) additional written response had been received. Staff will make the Council members aware of any additional responses received at their meeting.

FINANCIAL IMPACT:

Not applicable

RECOMMENDATION:

On August 24th, the Planning and Zoning Commission voted unanimously (four to zero) to recommend to City Council to approve with one condition the zoning change request from R-5, Residential Single Family, to LM, Light Manufacturing, on approximately 4± acres described as Tracts 19 and 19.1 (re-platted as Lot 1 Block 1 of the AMC Concrete Haulers Addition in Document 202100142468) in the Herman Heider Abstract, commonly known as 211 West Simonds Road, Seagoville, Dallas County, Texas. The one condition of approval was for the driveway and parking areas to be converted to reinforced concrete within the next 6 months.

Staff supports the request with the listed condition of approval.

EXHIBIT:

Ordinance (3 pages)

AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS

ORDINANCE NO. ____-2021

AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP OF THE CITY OF SEAGOVILLE, AS AMENDED, BY GRANTING A CHANGE IN ZONING FROM TO R-5, RESIDENTIAL-5, TO LM, LIGHT MANUFACTURING, ON APPROXIMATELY 3.988± ACRES DESCRIBED AS TRACTS 19 AND 19.1 IN THE HERMAN HEIDER ABSTRACT, REPLATTED AS LOT 1, BLOCK 1 OF THE AMC CONCRETE HAULERS ADDITION, COMMONLY REFERRED TO AS 211 WEST SIMONDS ROAD IN THE CITY OF SEAGOVILLE, DALLAS COUNTY, TEXAS, AND BEING DEPICTED AND LEGALLY DESCRIBED BY METES AND BOUNDS IN EXHIBIT “A” ATTACHED HERETO AND INCORPORATED HEREIN; PROVIDING FOR A REPEALING CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING FOR AN EFFECTIVE DATE.

Whereas, the Planning and Zoning Commission of the City of Seagoville and the City Council of the City of Seagoville, in compliance with the laws of the State of Texas with reference to the granting of zoning classifications and changes, have given requisite notices by publication and otherwise, and have held due public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof, and the City Council of the City of Seagoville is of the opinion and finds that a zoning change should be granted, and that the Comprehensive Zoning Ordinance and Map should be amended.

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

SECTION 1: That the Comprehensive Zoning Ordinance and Map of the City of Seagoville, Texas, is heretofore amended, be and the same is hereby amended by granting a change in the zoning from R-5, Residential-5, to LM, Light Manufacturing, on approximately 3.988± acres described as Tracts 19 and 19.1 in the Herman Heider Abstract, replatted as Lot 1, Block 1 of the AMC Concrete Haulers Addition, commonly referred to as 211 West Simonds Road in the City of Seagoville, Dallas County, Texas, and being depicted and legally described by metes and bounds in Exhibit “A”, which is attached hereto and incorporated herein.

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

SECTION 3: That all provisions of the Ordinances of the City of Seagoville, Texas, in

conflict with the provisions of this ordinance as amended be hereby repealed and all other provisions not in conflict with the provisions of this ordinance shall remain in full force and effect.

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

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

SECTION 6: That this ordinance shall take effect immediately from and after its passage and the publication of its caption, as the law and charter in such cases provide.

DULY PASSED by the City Council of the City of Seagoville, Texas this 4th day of October, 2021.

APPROVED:

Mike Fruin, Mayor Pro Tem

ATTEST:

Kandi Jackson, City Secretary

APPROVED AS TO FORM:

Victoria Thomas, City Attorney
(/cdb 09/28/2021

Regular Session Agenda Item: 7

Meeting Date: October 4, 2021

ITEM DESCRIPTION:

Conduct a public hearing on a change in the zoning from R-5/LM, Residential-5/Light Manufacturing, to O/LM, Office/Light Manufacturing, on an approximately 4± acres described as Tract 59 in the John D. Merchant Abstract, commonly referred to as 615 North Kaufman Street in the City of Seagoville, Dallas County, Texas.

BACKGROUND OF ISSUE:

There is an old school building and two (2) portable classrooms on the property. The rear area of the parcel is vacant with substantial grass coverage. It is located on the south side of North Kaufman Street between Farmers Road and Jett Drive. Currently the property has chain link fencing on most sides.

The owner, SRP Development LLC, has a contract to sell the property to the applicant, Genesis Fire Protection, who wishes to remodel the building and convert it to office spaces for themselves as well as have 1 or 2 other spaces for renting out.

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 Tuesday, August 24, 2021 edition of the Daily Commercial Record newspaper. Including the parcel in question, there are twenty-seven (27) 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, August 12, 2021. As of Friday, September 10, 2021, no (zero) letters were returned as undeliverable by the U.S. Postal Service. One (1) letter was returned in favor of the request. No (zero) letters were returned against the request. Only the applicant spoke at the Planning and Zoning Commission meeting.

For the City Council meeting, a legal ad was published again per the Texas Local Government Code in the Friday, September 17, 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 Monday, September 20, 2021. As of the date of this report, Tuesday, September 28, 2021, no (zero) letters were returned as undeliverable by the U.S. Postal Service and no (zero) additional written responses had been received. Staff will make the Council members aware of any additional responses received at their meeting.

FINANCIAL IMPACT:

Not applicable

RECOMMENDATION:

On September 14, the Planning and Zoning Commission voted unanimously (five to zero) to recommend approval with conditions on a zoning change request from R-5/LM, Residential Single Family/Light Manufacturing, to O/LM, Office/Light Manufacturing, on approximately 4± acres described as Tract 59 in the John D. Merchant Abstract, commonly known as 615 North Kaufman Street, Seagoville, Dallas County, Texas, to allow for the remodel and office use of the existing structure thereon. The conditions of approval were:

- The property is platted before any building permit is issued.
- The driveways and parking lot are converted to reinforced concrete prior to issuance of a Certificate of Occupancy.
- Onsite drainage to be reviewed during building remodel. Grading corrections completed within 6 months of design approval.
- Front fencing materials (only those along the Kaufman Street side of the property) are to be replaced during building remodel to bring the fence into code compliance.

Staff supports the request with the listed conditions of approval.

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

1. Staff Report (12 pages)
2. 2019 aerial photograph
3. Dimensional property map from DCAD website
4. Zoning map (dimensional map with zoning added)
5. Application submittal
 - A. Application
 - B. Survey (11x17 and 2 pages on letter)
6. Legal notice to newspaper
 - A. For Planning and Zoning Commission
 - B. For City Council
7. Legal notice to neighbors
 - A. Letter for Planning and Zoning Commission (2 pages)
 - B. Notice of City Council (2 pages)
 - C. Response received
8. List of property owners within 200 feet of subject parcels



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

DATE: OCTOBER 4, 2021
AUTHOR: JENNIFER BONNER, PLANNER
APPLICANTS: SRP DEVELOPMENT LLC; GENESIS FIRE PROTECTION
PARCEL: 65085009515010000
LOCATION: 615 NORTH KAUFMAN STREET

REQUEST SUMMARY:

The owners are requesting that their property (under the purple and orange star) at 615 North Kaufman Street have the zoning changed from the R-5/ LM, Residential Single Family/Light Manufacturing, to O/LM, Office/Light Manufacturing. The owners have a contract to sell the property to the applicant, who wishes to convert the building to office spaces for himself as well as have 1 or 2 other spaces for renting out. The buyer plans to build himself a storage building in the rear of the property.

The lot has had its split zoning since prior to 1977. There is an old school building and two (2) portable classrooms on the property.



REQUEST LOCATION: Inside City, Dallas County

SIZE OF PROJECT	EXISTING ZONING	SURROUNDING ZONING	EXISTING LAND USE	SURROUNDING LAND USE
Approx. 5 acres	R-5, Single Family Residential <i>and</i> LM, Light Manufacturing	North: R-5, Single Family Residential West: R-5, Single Family Residential <i>and</i> LM, Light Manufacturing East: R-5, Single Family Residential <i>and</i> LM, Light Manufacturing South: LM, Light Manufacturing	unoccupied Public or Civic	North: Low Density Residential West: Office <i>and</i> Medium Density Residential <i>and</i> Low Density Residential East: Low Density Residential <i>and</i> Commercial South: Commercial

PLANNING & ZONING COMMISSION RECOMMENDATION:

On September 14, the Planning and Zoning Commission voted unanimously (five to zero) to recommend approval with conditions on a zoning change request from R-5/LM, Residential Single Family/Light Manufacturing, to O/LM, Office/Light Manufacturing, on approximately 4+ acres described as Tract 59 in the John D. Merchant Abstract, commonly known as 615 North Kaufman Street, Seagoville, Dallas County, Texas, to allow for the remodel and office use of the existing structure thereon. The conditions of approval were:

- The property is platted before any building permit is issued.
- The driveways and parking lot are converted to reinforced concrete prior to issuance of a Certificate of Occupancy.
- Onsite drainage to be reviewed during building remodel. Grading corrections completed within 6 months of design approval.
- Front fencing materials (only those along the Kaufman Street side of the property) are to be replaced during building remodel to bring the fence into code compliance.

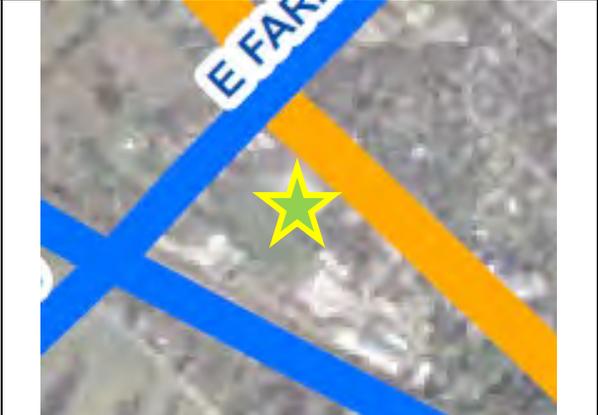
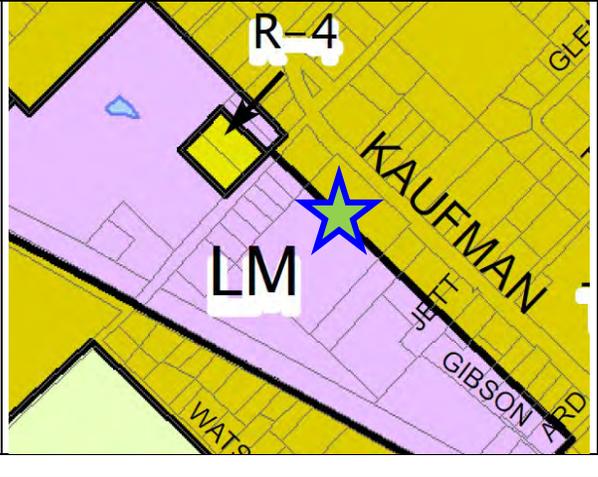
Staff supports the request with the listed conditions of approval.

Planning & Zoning Commission makes recommendation to the City Council, which makes the final decision.

Detailed explanations follow on the attached pages.

STANDARD:	ANALYSIS:
Development Calendar (Deadlines)	Has Met
Application(s) Requirements	Has Met
2002 Future Land Use Plan	Has Met
2006 Master Thoroughfare Plan	Has Not Met
Zoning Code	Has Not Met

COMPARISON TO ADOPTED CITY MASTER PLANS

STAFF ANALYSIS	PLAN GOALS OR GUIDELINES
2002 Comprehensive Land Use Plan and Map	
<p>The area in the request (under the light green star outlined in yellow) is on a parcel that was labeled for Public or Civic use. The adjoining parcel on the corner of Kaufman and Farmers is pink for Office. The next 2 lots are labeled for Medium Density Residential. All of the light yellow colored areas were expected to remain Low Density Residential.</p> <p>The existing old school building structure does meet the 2002 Future Land Use Plan. Dallas County Appraisal District shows the building was erected in about 1950.</p>	<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Meets Standard</p> 
2006 Master Thoroughfare Plan and Map	
<p>The area in the request (under the light green star outlined in yellow) is location of the request. Minor Arterials like North Kaufman Street are depicted with an orange line. Minor Collectors like Fran Street as well as East and West Farmers Roads are depicted with a blue line.</p> <p>The subject property has not been platted. Right-of-way needs to be dedicated for North Kaufman Street when it is platted.</p>	<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Does Not Meet Standard</p> 
2009 Zoning Plan and Map	
<p>The areas in mustard yellow in the map to the right are zoned R-5, Residential Single Family. The purple areas are zoned LM, Light Manufacturing. The thick black lines are the zoning district boundaries.</p> <p>The location of the request is under the light green star outlined in blue sitting over the zoning boundary. The owners are asking to change the zoning from the current R-5/LM to O/LM so the existing building can be converted to offices. See Exhibit 4 for zoning changes that have occurred in this part of Seagoville since 2009.</p>	<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Does Not Meet Standard</p> 

REVIEW CRITERIA	STAFF ANALYSIS	
1. Will the use be designated, located, and operated so that the public health, safety, and welfare will be protected?	Yes	The current building is already connected to all available utilities. It is also located on an existing Minor Arterial roadway with 4 lanes of pavement.

REVIEW CRITERIA	STAFF ANALYSIS	
2. Will the land use be compatible with other area properties located nearby?	Yes	The properties to the south and southwest are zoned LM, Light Manufacturing. The properties to the west along West Farmers Road are mostly zoned LM, Light Manufacturing, but with residential homes. The abutting property on the corner of Kaufman and Farmers has a split zoning with the back of the lot having an office building. The properties to the east on the same side of North Kaufman Street have the same split zoning as the subject parcel. If approved, the request would allow the existing building to be converted to office spaces. The office zoning district is the most restrictive of the business districts.
3. Will the use be in compliance with all of the provisions of the Zoning Amendments portion of the Municipal Code?	Yes	The requirements for the change in zoning have been met (application, legal notifications, etc.).
4. Will the use be compliant with all applicable provisions in the Code for the district in which the use is to be located?	Yes	If the current building is converted to an office building - assuming this request is approved - the building will meet all setbacks requirements of the property.
5. Will the use facilitate public convenience at that location?	Yes	The property has access only from existing North Kaufman Street.
6. Will the use conform to off-street parking and loading requirements?	Yes	The driveway and parking lot will need to be converted to concrete prior to a Certificate of Occupancy.
7. Are all of the ingress, egress, and pedestrian ways adequate?	Unknown	Ingress and egress are only through 2 existing driveways onto North Kaufman Street. It is unknown if the passageways are adequate inside the building, but a remodel of the entire structure is planned. The remodel will require them to be brought in code compliance.
8. Have safeguards limiting noxious or offensive emissions, including light, noise, glare, dust, and odor been addressed?	Yes	If the current building is converted to an office building - assuming this request is approved - there should be no emissions such as light, noise, and dust until the rear portion of the property is built upon. Code Enforcement would deal with any issues afterwards.
9. Will the proposed landscaping and screening be compliant with all City regulations?	Yes	Code section 25.02.502 will require this lot to provide landscaping - assuming the zoning change is approved - when the building area increases by 30% above the existing area.
10. Will the signage be compliant with those portions of the Municipal Code?	Yes	Signage is not allowed in residential districts. When the property is converted, signage for this site will be limited to those allowed by code. Signage is a separate review conducted by Staff.
11. Will all open space(s) be maintained by the owner/developer?	Yes	The applicant will be required to continue to maintain the property.
12. Are the size and shape of the site as well as the arrangement of the proposed structure(s) in keeping with the intent of the Code?	Yes	The dimensions of the property exceed all residential zoning code minimums. Business and industrial zoning districts have no site size or shape minimums unless it adjoins a residential property.
13. Will granting the permit be authorizing less than the minimum requirements in regards to height, area, setbacks, parking, or landscaping?	No	Assuming this request is approved, if the current building is converted to an office building, building setbacks, height, area, parking, and landscaping requirements will be met until the rear portion of the property is developed.

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REVIEW CRITERIA	STAFF ANALYSIS	
14. Have the provisions of the existing master thoroughfare plan been met to protect the public interest?	No	The subject property has not been platted. Right-of-way needs to be dedicated for North Kaufman Street when it is platted.
15. Have the provisions of any existing future land use plan been met to protect the public interest?	Yes	Chapter 5 (Future Land Use) of the 2002 Comprehensive Plan calls for this area to be a mixture of uses - Public/Civic, Low Density Residential, Office, Commercial, Medium Density Residential.
16. Have the provisions of any existing capital improvements plan been met to protect the public interest?	N/A	There is no active capital improvement plan.
17. 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.
18. Have the provisions of any other adopted document for providing required necessary public facilities been met to protect the public interest?	N/A	Chapter 8 (Public Facilities) of the 2002 Comprehensive Plan addresses municipal facilities primarily.

Public Comments Received: A legal ad was published per the Texas Local Government Code in the Tuesday, August 24, 2021 edition of the Daily Commercial Record newspaper. Including the parcel in question, there are twenty-seven (27) 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, August 12, 2021. As of Friday, September 10, 2021, no (zero) letters were returned as undeliverable by the U.S. Postal Service. One (1) letter was returned in favor of the request. No (zero) letters were returned against the request. Only the applicant spoke at the Planning and Zoning Commission meeting.

For the City Council meeting, a legal ad was published again per the Texas Local Government Code in the Friday, September 17, 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 Monday, September 20, 2021. As of the date of this report, Tuesday, September 28, 2021, no (zero) letters were returned as undeliverable by the U.S. Postal Service and no (zero) additional written response had been received. Staff will make the Council members aware of any additional responses received at their meeting.

Staff Comments: The property will need to be platted before a building permit can be issued.

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

Land Use Table Key:	Zoning District:
P = Permitted land use	R-5, Residential Single-family
SUP = Special Use Permit required	O, Office
	LR, Local Retail
	C, Commercial
Blank = <i>prohibited</i>	LM, Light Manufacturing

Type of Use	Zoning District	Business			Industrial
	R-5	O	LR	C	LM
Accessory buildings	P				
Addition of pre-packaged food or beverages sales to a retail or business already operating	SUP	SUP	SUP	SUP	SUP
Airport or airport facilities	SUP	SUP	SUP	SUP	SUP
Art gallery	P	P	P	P	P
Breezeway attaching accessory to the main building	P				
Carnival	SUP	SUP	SUP	SUP	SUP
Cemetery	SUP	SUP	SUP	SUP	SUP

Type of Use	Zoning District	Residential	Business			Industrial
		R-5	O	LR	C	LM
Children’s home on 5 acres or more		SUP	SUP	SUP	SUP	SUP
Church or religious worship facility		P				
Circus		SUP	SUP	SUP	SUP	SUP
Commercial amusement, temporary		SUP	SUP	SUP	SUP	SUP
Community building on 3 acres or more		SUP	SUP	SUP	SUP	SUP
Concrete batching plant		SUP	SUP	SUP	SUP	SUP
Convalescent home on 5 acres or more		SUP	SUP	SUP	SUP	SUP
Daycare or nursery with fewer than four unrelated children		P				
Daycare or nursery with more than four unrelated children		SUP	SUP	SUP	SUP	SUP
Detached dwelling for servants employed on-site		P				
Dog kennels on farm of 5 acres or more		SUP	SUP	SUP	SUP	SUP
Drive-in theatre on 10 acres or more		SUP	SUP	SUP	SUP	SUP
Driving range		SUP	SUP	SUP	P	P
Earth excavation		SUP	SUP	SUP	SUP	SUP
Educational institutions		SUP	SUP	SUP	SUP	SUP
Electrical public utility regulating station		SUP	SUP	SUP	SUP	SUP
Farm without on-site retail or wholesale business		P				
Fire station		P				
Garden without on-site retail or wholesale business		P				
Golf course without driving range		P				
Government use - local, county, state, federal		SUP	SUP	SUP	SUP	SUP
Gravel excavation		SUP	SUP	SUP	SUP	SUP
Greenhouse		SUP	SUP	SUP	SUP	SUP
Greenhouse without on-site retail or wholesale business		P				
Homes for narcotics on 20 acres or more		SUP	SUP	SUP	SUP	SUP
Homes for the alcoholic on 20 acres or more		SUP	SUP	SUP	SUP	SUP
Homes for the feeble-minded on 20 acres or more		SUP	SUP	SUP	SUP	SUP
Homes for the insane on 20 acres or more		SUP	SUP	SUP	SUP	SUP
Hospital on 5 acres or more		SUP	SUP	SUP	SUP	SUP
Kindergarten - public or private		SUP	SUP	SUP	SUP	SUP
Landing airfield or facilities		SUP	SUP	SUP	SUP	SUP
Library		P	P	P	P	P
Maternity home on 5 acres or more		SUP	SUP	SUP	SUP	SUP
Miniature golf course		SUP	SUP	SUP	P	P
Miniature train ride		SUP	SUP	SUP	SUP	SUP
Mixed-Use projects of private housing and shopping center on 3 acres or more		SUP	SUP	SUP	SUP	SUP
Museum		P				
Natural gas public utility regulating station		SUP	SUP	SUP	SUP	SUP
Neighborhood recreation center (swimming pool, social or hobby rooms)		P				
Normal household pets		P				
Nursery		SUP	SUP	SUP	SUP	SUP
Nursery school - public or private		SUP	SUP	SUP	SUP	SUP
Nursery without on-site retail or wholesale business		P				
Old people’s home on 5 acres or more		SUP	SUP	SUP	SUP	SUP
Orchard without on-site retail or wholesale business		P				
Park		P				
Parking of unoccupied recreational trailer or recreational vehicle		P	P	P	P	P
Passenger train station		P				
Philanthropic institutions		SUP	SUP	SUP	SUP	SUP
Playgrounds		P				
Pony rides		SUP	SUP	SUP	SUP	SUP
Private carport and/or garage		P	P	P	P	P
Private school, equivalent to a public school		P	SUP	SUP	SUP	SUP

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Type of Use	Zoning District	Residential	Business			Industrial
		R-5	O	LR	C	LM
Public school (elementary through high school)		P	SUP	SUP	SUP	SUP
Public stable on 5 acres or more		SUP	SUP	SUP	SUP	SUP
Public utility - privately or publicly owned		SUP	SUP	SUP	SUP	SUP
Radio or television broadcasting stations		SUP	SUP	SUP	SUP	SUP
Radio or television broadcasting towers		SUP	SUP	SUP	SUP	SUP
Radio or television transmitter tower		SUP	SUP	SUP	SUP	SUP
Railway ROW & tracks, but no railroad yards, team tracks or storage yards		P				
Religious institutions		SUP	SUP	SUP	SUP	SUP
Riding academy on 5 acres or more		SUP	SUP	SUP	SUP	SUP
Rock quarry		SUP	SUP	SUP	SUP	SUP
Rodeo		SUP	SUP	SUP	SUP	SUP
Sale of pre-packaged food/beverages, in combination, that exceeds 10% of an establishment's gross annual sales revenues		SUP	SUP	SUP	SUP	SUP
Sand excavation		SUP	SUP	SUP	SUP	SUP
Sewage treatment plant		SUP	SUP	SUP	SUP	SUP
Single-family residence (detached)		P				
Telephone exchange without office, repair or storage facilities		P				
Temporary and seasonal sales establishment, such as flea market or produce stand		SUP	SUP	SUP	SUP	SUP
Temporary buildings to be used for construction purposes only		P				
Travel trailer park		SUP	SUP	SUP	SUP	SUP
Veterinary hospital on 5 acres or more		SUP	SUP	SUP	SUP	SUP
Water pumping plant		P				
Water supply reservoir		P				
Water tower or artesian well		P				
Wind energy conversion system (WEC)		SUP	SUP	SUP	SUP	SUP
Ambulance service			P	P	P	P
Architect or engineers' offices			P	P	P	P
Attorneys' offices			P	P	P	P
Business offices			P	P	P	P
Consultants' offices			P	P	P	P
Doctors' & dentists' offices			P	P	P	P
Equipment storage (no repairs)			P	P	P	P
Financial offices			P	P	P	P
General offices			P	P	P	P
Multi-family dwelling units			SUP	SUP	SUP	SUP
Personal services			P	P	P	P
Political offices			P	P	P	P
Professional offices			P	P	P	P
Real estate offices			P	P	P	P
Records warehousing & storage			P	P	P	P
Salesman's offices			P	P	P	P
Single-family dwelling units			SUP	SUP	SUP	SUP
Antique shop				P	P	P
Aquarium				P	P	P
Auto laundry inside a building without boiler, heating & steam-cleaning facilities				P	P	P
Auto repair garage - all work inside a building				P	P	P
Auto seat covering				P	P	P
Bakery, retail				P	P	P
Bank				P	P	P
Barber & beauty shop				P	P	P
Bicycle repairs without outside storage or display				P	P	P
Bird & pet shops, retail				P	P	P
Book or stationery store				P	P	P

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Type of Use	Zoning District	Residential	Business			Industrial
		R-5	O	LR	C	LM
Bowling alley - if air-conditioned & soundproofed				P	P	P
Brewpub				SUP	SUP	SUP
Camera shop				P	P	P
Candy shop				P	P	P
Caterer				P	P	P
Cleaning & pressing shops smaller than 6,000 square feet				P	P	P
Cleaning, dyeing & laundry station for receiving & delivery of articles only				P	P	P
Clothing - retail sales only				P	P	P
Convenience store or mini-mart between 1,000 & 5,000 square feet				SUP	SUP	SUP
Curtain cleaning shop smaller than 6,000 square feet				P	P	P
Department store				P	P	P
Drive-in for food, beverage, or other service				SUP	SUP	SUP
Drive-in theatre				SUP		
Drive-through for food, beverage, or other service				SUP	SUP	SUP
Dyeing plant smaller than 6,000 square feet				P	P	P
Electric substation				P	P	P
Electrical goods, retail sales only				P	P	P
Electrical repairing - domestic equipment & autos, retail sales only				P	P	P
Event center in stand-alone building				SUP		
Exterminating company, retail				P	P	P
Feed store				SUP		
Film developing & printing				P	P	P
Fix-it shops without outside storage or display				P	P	P
Florist, retail sales only				P	P	P
Frozen food lockers, retail				P	P	P
Furniture repairs & upholstery, retail only without outside storage or display				P	P	P
Furniture store - retail				P	P	P
Gasoline/motor fuel sales				P	P	P
Gasoline/motor fuel sales, automated				P	P	P
Grocery store over 5,000 square feet				P	P	P
Hardware - retail sales only				P	P	P
Household & office appliances - retail				P	P	P
Household & office furniture - retail				P	P	P
Ice delivery station				P	P	P
Jewelry - retail				P	P	P
Job printing				P	P	P
Laundry - custom laundering & finishing smaller than 6,000 square feet without pickup or delivery				P	P	P
Letter & mimeograph shop				P	P	P
Meat market, retail sales only				P	P	P
Micro-brewery				SUP	SUP	SUP
Mortuary use in stand-alone buildings				SUP		
Motor raceway				SUP		
Moving picture theater				P	P	P
Novelty or variety shop				P	P	P
Nursery, retail sale of plants & trees				P	P	P
Office				P	P	P
Office building				P	P	P
Optical goods - retail				P	P	P
Outside display, new materials				P	P	P
Outside storage units				P	P	P
Paint - retail sales only				P	P	P
Parking lot without public garage for passenger cars & trucks				P	P	P

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Type of Use	Zoning District	Residential	Business			Industrial
		R-5	O	LR	C	LM
Pharmacy/drug store				P	P	P
Photographer's or artist's studio				P	P	P
Photographic supplies - retail				P	P	P
Piano & musical instruments, retail sales only				P	P	P
Plumbing shop without warehouse facilities, retail sales only				P	P	P
Portable storage units (PODs) - sales & storage				P	P	P
Public garage				P	P	P
Restaurant (outdoor/patio dining)				SUP	SUP	SUP
Restaurant (dine-in only) over 4,000 square feet				P	P	P
Restaurant (dine-in only) smaller than 4,000 square feet				SUP	SUP	SUP
Restaurant (dine-in/convenience) over 4,000 square feet				P	P	P
Restaurant (dine-in/convenience) smaller than 4,000 square feet				SUP	SUP	SUP
Restaurant (fast food)				SUP	SUP	SUP
Restaurant (private club)				SUP	SUP	SUP
Retail sales				P	P	P
Retail store or shop for custom work or the making of articles on-site				P	P	P
Roller skating rink				SUP		
Rug cleaning shop, chemical type, smaller than 6,000 square feet with all operations inside a building				P	P	P
Sample room				P	P	P
Seamstress, dressmaker, or tailor				P	P	P
Seed store				P	P	P
Shoe repair shop, retail sales only				P	P	P
Sporting goods - retail sales only				P	P	P
Studio for the display & sale of glass, china, art objects, cloth & draperies				P	P	P
Studios, dance, music, drama, health massage & reducing				P	P	P
Taxi stand				P	P	P
Tobacco shop				SUP	SUP	SUP
Tool sharpening, retail only without outside storage or display				P	P	P
Toys - retail sales only				P	P	P
Used car lot				SUP	P	P
Walk-up for food, beverage, or other service				SUP	SUP	SUP
Wallpaper - retail sales only				P	P	P
Washateria where the customer can wash & handle his laundry				P	P	P
Wearing apparel including clothing, shoes, hats, millinery & accessories				P	P	P
Wedding services in stand-alone building				SUP		
Wholesale sales office				P	P	P
Wine-tasting room				SUP	SUP	SUP
Aquarium, wholesale					P	P
Artificial flower manufacture					P	P
Artificial limb manufacture					P	P
Auto painting					P	P
Auto upholstery					P	P
Automobile dealers					P	P
Automobile laundry					P	P
Awning manufacture, cloth, metal, wood					P	P
Bakery, commercial					SUP	P
Bar					SUP	SUP
Beer tavern					SUP	SUP
Book bindery					P	P
Book printing					P	P
Bottling works with or without syrup manufacture					P	P
Bowling alley					P	P

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Type of Use	Zoning District	Residential	Business			Industrial
		R-5	O	LR	C	LM
Bus & truck storage					P	P
Cabinet shop					P	P
Candy manufacture					P	P
Canvas awning manufacture					P	P
Car barns					P	P
Carpenter shop					P	P
Carpet cleaning - with dustproof room & dust-catching equipment					P	P
Carting, express, hauling or storage					P	P
Cement storage					P	P
Ceramic products smaller than 6,000 square feet					P	P
Cleaning & dry cleaning establishment over 6,000 square feet					P	P
Clothing manufacture					P	P
Cold storage plant					P	P
Commercial amusement					P	P
Commercial colleges					P	P
Contractor's storage yard					P	P
Dance hall					SUP	SUP
Dog kennel					SUP	
Dry goods, wholesale & storage					P	P
Dyeing plant over 6,000 square feet					P	P
Egg candling & grading					P	P
Electrical & neon sign manufacture					P	P
Electrical repairing					P	P
Electro-plating; electro-tying					P	P
Engraving plant					P	P
Envelope manufacture					P	P
Feed store, wholesale & storage					P	P
Florist, wholesale					P	P
Food products manufacture, wholesale					P	P
Frozen food lockers, wholesale					P	P
Furniture auction sales					P	P
Furniture repair & upholstering - wholesale					P	P
Handcraft shop smaller than 6,000 square feet					P	P
Hauling, light or heavy					P	P
Homes for narcotics					SUP	
Homes for the alcoholic					SUP	
Homes for the feeble-minded					SUP	
Homes for the insane					SUP	
Household goods, storage					P	P
Ice cream manufacture					P	P
Ice manufacture					P	P
Job printing & book printing					P	P
Laundry, commercial					P	P
Leather products manufacture					P	P
Lithographing					P	P
Loading or storage tracks					P	P
Looseleaf book manufacture					P	P
Lounge					SUP	SUP
Lumberyard (building material)					P	P
Market - public					P	P
Mattress making & renovating without dust precipitating equipment					P	P
Milk depot, wholesale					P	P
Millinery manufacture					P	P

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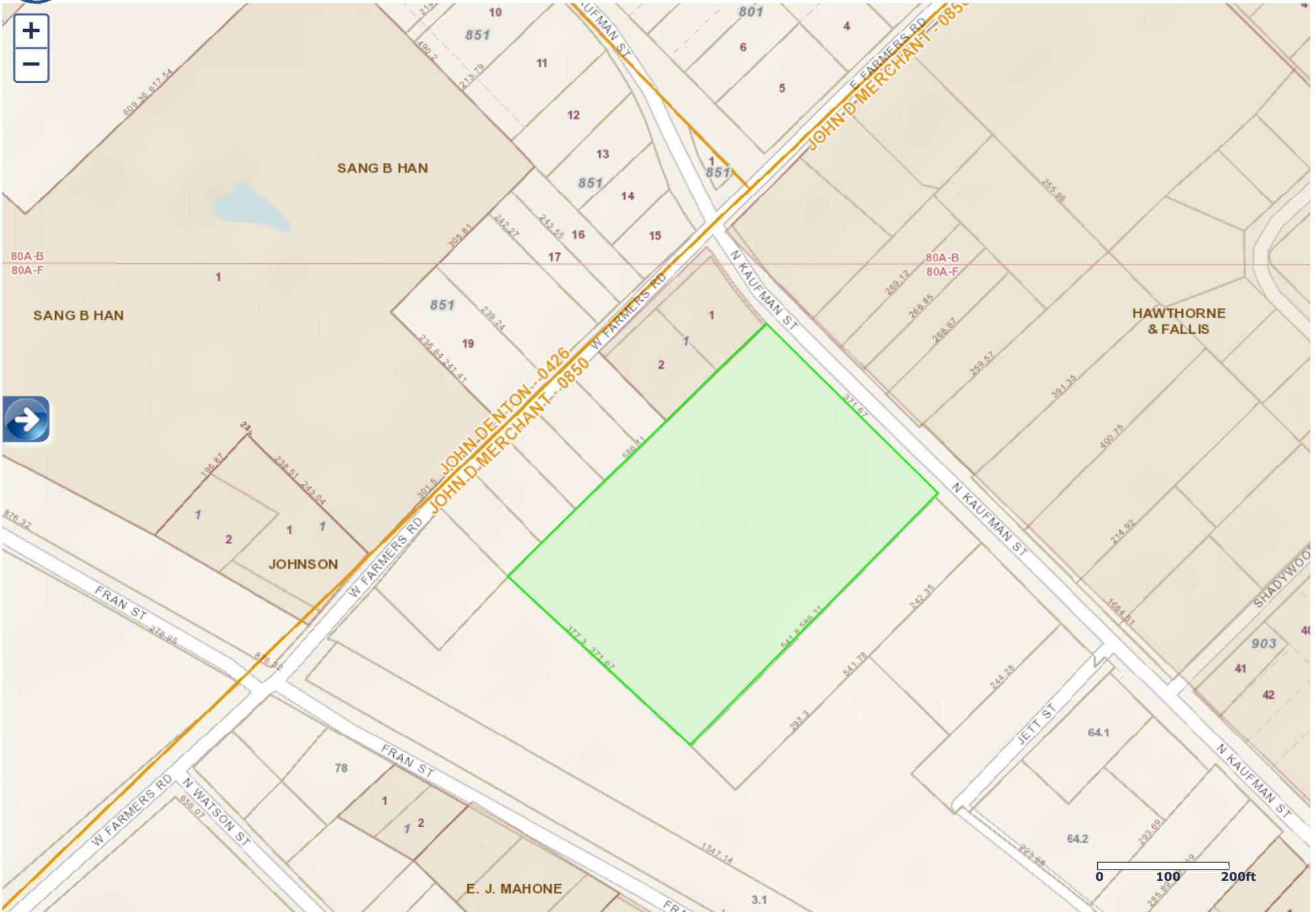
Type of Use	Zoning District	Residential	Business			Industrial
		R-5	O	LR	C	LM
Mirror resilvering					P	P
Motel					P	P
Motion picture studio, commercial films					P	P
Motorcycle repairing					P	P
Moving & storage company					P	P
Newspaper printing					P	P
Night club					SUP	SUP
Optical goods manufacture					P	P
Outside display, used materials					SUP	SUP
Outside storage of any material over 8-feet tall					SUP	SUP
Outside storage, new materials					SUP	P
Outside storage, used materials					SUP	SUP
Paint mixing, but no cooking or baking operations					P	P
Paper products & paper box manufacture					P	P
Penal or correctional institutions for insane, feebleminded, liquor or narcotic					P	P
Photoengraving plant					P	P
Plastic products, molding, casting & shaping					P	P
Print shop					P	P
Printing equipment, supplies, repairs					P	P
Publishing company					P	P
Sale of manufactured homes on 3.5 acres or more					SUP	
Sale of mobile homes on 3.5 acres or more					SUP	
Schools - all types including trade & commercial colleges					P	P
Secondhand furniture					P	P
Seed store, wholesale sales & storage					P	P
Sheetmetal shop					P	P
Shoe store, wholesale sales & storage					P	P
Skating rink					P	P
Stone monument works - retail					P	P
Storage & sales of used auto parts & accessories without open storage or display					P	P
Storage of trucks, & gravel					P	P
Streetcar barns					P	P
Taxicab storage & repairs					P	P
Team tracks & unloading docks, railroads					P	P
Tire retreading & recapping					P	P
Tourist camp					P	P
Trade schools of all types					P	P
Transfer & baggage company					P	P
Travel center					SUP	SUP
Trunk manufacturing					P	P
Typesetting					P	P
Venetian blind manufacturing					P	P
Veterinary hospital					SUP	P
Warehouse, wholesale offices, sales & storage					P	P
Water distillation					P	P
Winery, boutique					SUP	SUP
Adding machine manufacture						P
Agricultural implement manufacturing						P
Aircraft parts manufacture						P
Airplane repair & manufacturing						P
Automobile assembly						P
Automobile parts manufacturing						P
Bag manufacturer & cleaning						P

Type of Use	Zoning District	Residential	Business			Industrial
		R-5	O	LR	C	LM
Bank equipment manufacture						P
Blacksmith						P
Boiler manufacture & repair of boilers not exceeding 15 h.p.						P
Bolt & nut manufacture						P
Boot & shoe manufacture						P
Box & crate manufacture (other than paper)						P
Brewery						SUP
Broom manufacture						P
Building material machinery, or supplying having outside storage						P
Canning & preserving factory						P
Carbon battery manufacture						P
Cargo container						SUP
Carpet cleaning without dustproof cleaning rooms for dust catching, washing & scouring equipment						P
Celluloid & similar cellulose manufacture						P
Central station, light & power plant						P
Cereal mill						P
Chair manufacture						P
Cheese factory						P
Chick hatchery						P
Coal yard, coal hoist, coal pocket or coal car trestle						P
Coffin manufacture						P
Cooperage company						P
Cotton company						P
Cotton ginning, baling & compressing						P
Cotton oil mill						P
Cotton seed products manufacture						P
Dairy - wholesale						P
Disinfectant manufacture						P
Distillery						SUP
Dye manufacturing						P
Electric or acetylene welding						P
Electrical power plant						P
Electrical supply manufacture						P
Elevator manufacture						P
Enameling & painting						P
Feed mill						P
Fixture manufacture						P
Flour milling & grain storage & elevators						P
Food processing						P
Fur warehouse						P
Furniture manufacture						P
Gasoline, wholesale storage						P
Grain elevator						P
Hardware manufacture						P
Helicopter terminal						P
Horseshoeing						P
Hosiery mill						P
Insecticide manufacturing						P
Iron works, ornamental						P
Knit goods manufacture						P
Light agricultural implements manufacture						P
Livery stable						P

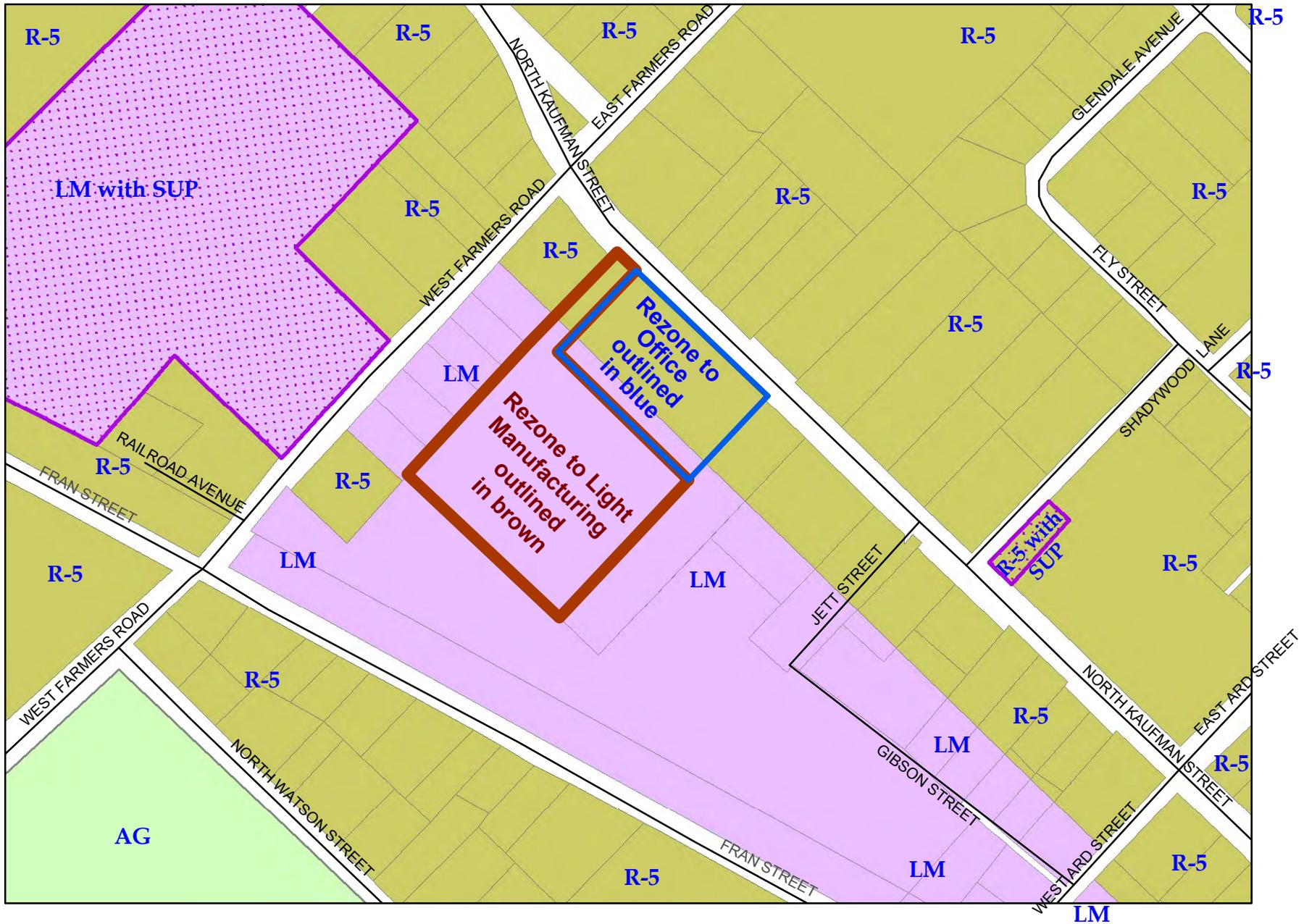
**STAFF REPORT
Z2021-15**

Type of Use	Zoning District	Residential	Business			Industrial
		R-5	O	LR	C	LM
Machinery manufacture						P
Mattress factory						P
Mattress renovating						P
Metal products, stamping & manufacturing						P
Milk processing plant						P
Paper products manufacture						P
Pattern shop						P
Pecan processing						P
Petroleum, wholesale storage						P
Planing mill						P
Poultry feed manufacturer						P
Poultry slaughtering - dressing & storage						P
Printing ink manufacture						P
Public stable						P
Railroad yards - roundhouse or shop						P
Rice cleaning & polishing						P
Riding academy						P
Riding stable						P
Rock wool manufacture						P
Rug manufacture						P
Shoe factory						P
Stable						P
Stone cutting						P
Storage battery manufacturing						P
Storage of live poultry, or poultry dressing						P
Textile manufacture						P
Tool manufacture						P
Winery						SUP
Wood products manufacture						P
Woodworking shops						P





R-5





ZONING APPLICATION

City of Seagoville, Texas

ANTICIPATED MEETING DATES: P&Z: _____ City Council: _____
DATE OF PRE-APPLICATION CONFERENCE WITH CITY REPS & PLANNER (required): _____

Application Type:

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

Name of Subdivision or Project: _____
Physical Location of Property: 615 N KAUFMAN ST SEAGOVILLE TX
[General Location – approximate distance to nearest existing street corner]

Brief Legal Description of Property (must also attach accurate Surveyor's metes and bounds description):
JOHN D. MERCHANT Abst. 850 PG 095 TR 59 ACS 5.0
[Survey/Abstract No. and Tracts; or platted Subdivision Name with Lots/Block]

Acreage: _____ Existing Zoning: R-5 Requested Zoning: O - OFFICE
[Attach a detailed description of requested zoning & development standards, if a PD]

Applicant / Owner's Name: SRP Development LLC Applicant or Owner? (circle one)

Contact Person: CROCKETT BONEY Title: OWNER

Company Name: SRP Development LLC

Street/Mailing Address: 500 N. Central Expwy #105 City: Plano State: TX Zip: 75074

Phone: () _____ Fax: (469) 248-0301 Email Address: CROCKETT C FNH Construction.com

Engineer / Representative's Name: JJ MOORE - GENESIS FIRE

Contact Person: JJ MOORE Title: VPOPERATIONS

Company Name: GENESIS FIRE PROTECTION

Street/Mailing Address: 330 W SIMONDS City: SEAGOVILLE State: TX Zip: 75159

Phone: (972) 287-9836 Fax: (972) 287-9775 Email Address: jjmoore@genesisfire.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.)

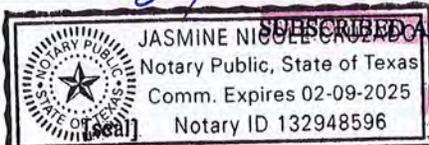
All applications must be COMPLETE before they will be scheduled for P&Z agenda. It is the applicant's responsibility to be familiar with, and to comply with, all City submittal requirements (in the Zoning & Subdivision Ordinances, and any separate submittal policies, requirements and/or checklists that 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: 8/4/2021



SUBSCRIBED AND SWORN TO before me, this the 4 day of August, 2021
Notary Public, State of Texas
Comm. Expires 02-09-2025
Notary ID 132948596
Notary Public in and for the State of Texas: _____
My Commission Expires On: 2/9/25

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

LEGAL DESCRIPTION

ALL THAT CERTAIN TRACT of land situated in the JOHN D. MERCHANT SURVEY, Abstract No. 850, City of Seagoville, Dallas County, Texas; being the remainder of a tract of land described in a deed from R.A. Hawthorne, et ux, to Seagoville Independent School District, as recorded in Volume 1464, Page 27 of the Deed Records of Dallas County, Texas; the subject tract being more particularly described as follows:

BEGINNING at a ½" iron rod found in the Southern right-of-way line of North Kaufman Street, at the most Southern corner of a tract of land described in a Right-of-Way deed to the County of Dallas, as recorded in Volume 4145, Page 5493, of the Deed Records of Dallas County, Texas; said point also being the Most Northerly corner of a tract of land described in a deed to Elizabeth R. Calverley and Raymond D. Calverley, as recorded in Document # 2016-221572, of the Official Public Records of Dallas County, Texas;

THENCE South 43 degrees 16 minutes 33 seconds West, with said common line, a distance of 541.24 feet to a Wood Fence Post found for corner, in the Northeast line of a tract of land described in a deed to Equity Development Corporation, as recorded in Volume 93084, Page 938 of the Deed Records of Dallas County, Texas;

THENCE North 46 degrees 59 minutes 06 seconds West, with said common line, a distance of 377.48 feet to a 1" pipe found for corner, at the South corner of a tract of land described in a deed to Richard Thomas Martin and Carole Ann Martin, as recorded in Document No. 2008-162436 of the Official Public Records of Dallas County, Texas;

THENCE North 44 degrees 32 minutes 28 seconds East, with said common line part of the way, a distance of 148.33 feet to a 1" pipe found for angle point, at the South corner of a tract of land described in a deed to Desiray Drinning, as recorded in Document 2005-3237432 of the Deed Records of Dallas County, Texas;

THENCE North 44 degrees 05 minutes 04 seconds East, with said common line, a distance of 63.32 feet to a 1" pipe found for angle point, at the South corner of a tract of land described in a deed to Ricky B. Kirby and Nova M. Kirby, as recorded in Document 2000-1101260 of the Deed Records of Dallas County, Texas;

THENCE North 43 degrees 55 minutes 58 seconds East, with said common line, a distance of 119.39 feet to a ½" iron rod found for the South corner of a tract of land described in a deed to Contract Resolve Group, LLC, as recorded in Document Number 2015-51170 of the Official Property Records of Dallas County, Texas;

THENCE North 43 degrees 21 minutes 31 seconds East, with said common line, a distance of 216.55 feet to an iron rod capped "RPLS 3935" found for corner in said right-of-way, at the West corner of said County of Dallas Tract; said point being at the beginning of a non-tangent curve to the left, having a radius of 805.00 feet and a chord bearing and distance of South 45 degrees 13 minutes 12 seconds East, 28.53 feet;

THENCE along said curve, with said common line, an arc distance of 28.53 feet to a ½" iron rod capped "KAZ" set;

FLOOD STATEMENT: I have reviewed the F.E.M.A. Flood Insurance Rate Map for the City of Seagoville, Community Number 480187 effective date 7-7-2014 and that map indicates as scaled, that this property is within "Non-Shaded Zone X" defined as "Areas determined to be outside the 0.2% annual chance flood (500-year)" as shown on Panel 545 K of said map.

NOTE: This survey correctly represents the results of an on-the-ground survey made under my direction and supervision on 10-10-2017. There are no visible or apparent intrusions or protrusions except as shown hereon.

NOTE: Bearings shown hereon are referenced to the Texas Coordinate System of 1983, North Central Zone (4202), and are based on the North American Datum of 1983, 2011 Adjustment.

NOTE: This survey is certified to Seagoville Independent School District, SRP Development, LLC and to Republic Title of Texas.

NOTE: Only the following easement supplied to me by Republic Title of Texas with GF# 1002-235366-RTT has been reviewed and addressed as follows:

10(a.) Volume 73177, Page 2035, Easement to Texas Power & Light Company; does affect as shown.



TITLE COMPANY



 KAZ SURVEYING <small>TX FIRM REGISTRATION # 10002100</small>	1720 WESTMINSTER DENTON, TX 76205 (940)382-3446
	JOB NUMBER: 170771-01
	DRAWN BY: HCI
	DATE: 10-13-2017
	R.P.I.S. KENNETH A. ZOLLINGER



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

August 31, 2021

**NOTICE OF PUBLIC HEARING
SEAGOVILLE PLANNING & ZONING COMMISSION
ZONING CASE Z2021-15**

Seagoville Planning and Zoning Commission will hold a public hearing on Tuesday, September 14, 2021, at 6:30 p.m. in the Council Chambers in City Hall at 702 North U.S. Highway 175; Seagoville, TX 75159 to consider a zoning change request from R-5/LM, Residential Single Family/Light Manufacturing, to O/LM, Office/Light Manufacturing, on approximately 4+ acres described as Tract 59 in the John D. Merchant Abstract, commonly known as 615 North Kaufman Street, Seagoville, Dallas County, Texas, to allow for the remodel and office use of the existing structure thereon.

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

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

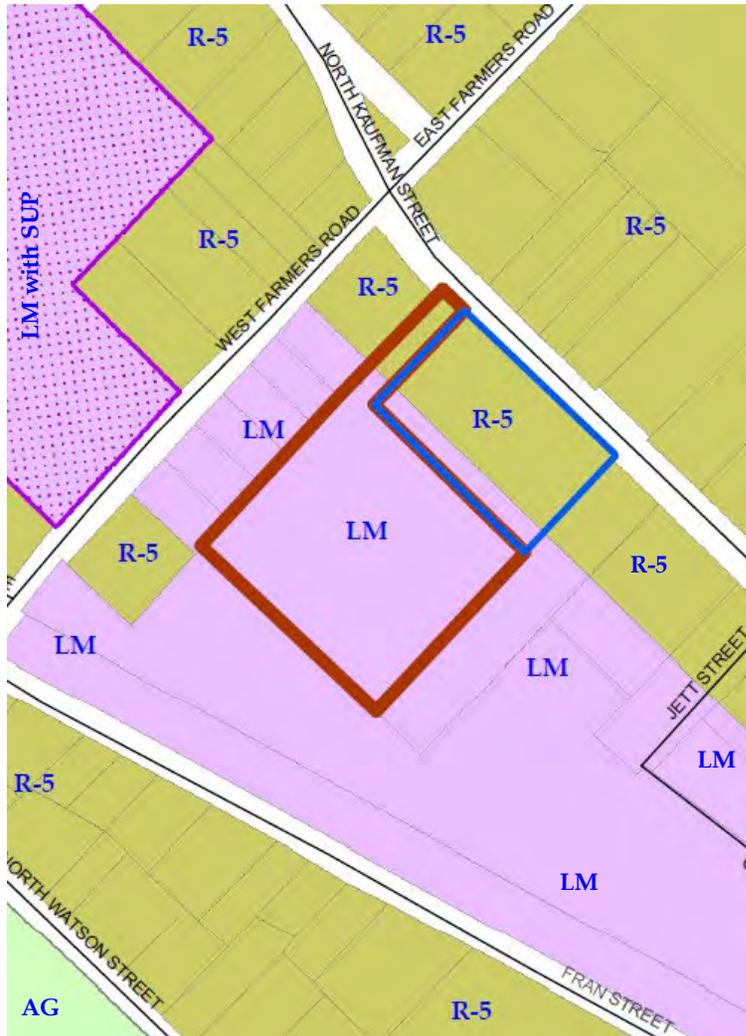
*Indicate your opinion in this matter by checking the appropriate box below.
Provide any additional comments that you might have.
Please sign and provide your name and address below.*

I am in favor of against Zoning Request Z2021-15 as it is described herein.

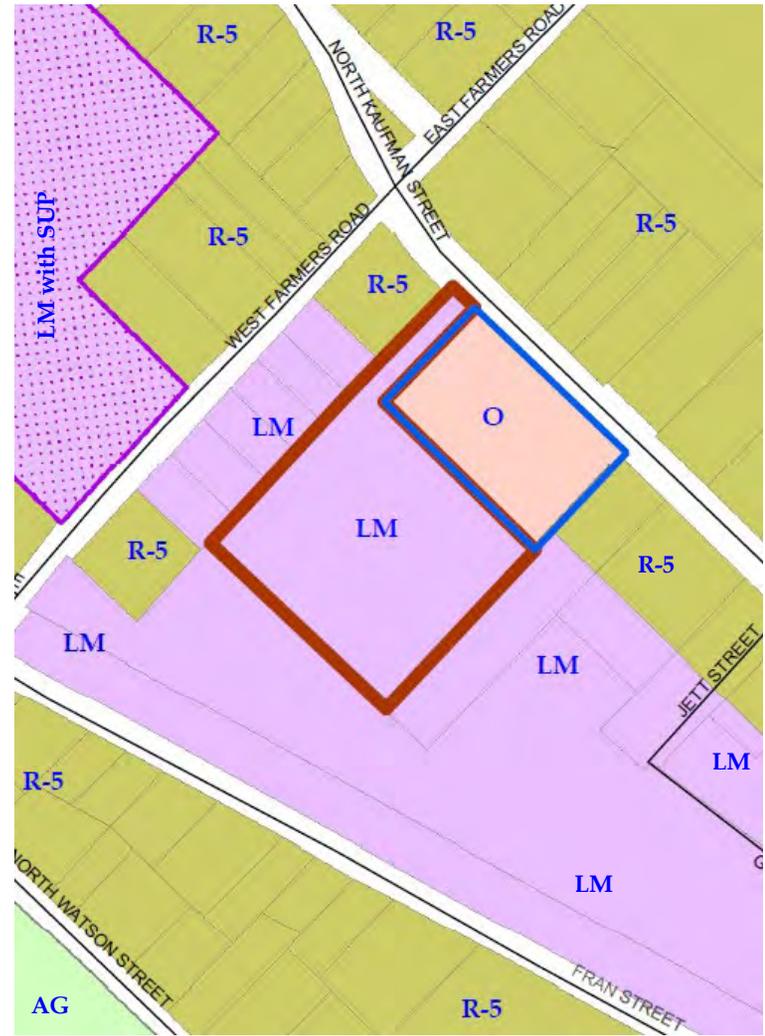
Additional Comments (attach additional sheets as necessary): _____

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

EXISTING
Zoning Map



PROPOSED
Zoning Map





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



September 20, 2021

**NOTICE OF PUBLIC HEARING
SEAGOVILLE CITY COUNCIL
ZONING CASE Z2021-14**

Seagoville City Council will hold a public hearing on Monday, October 4, 2021, at 6:30 p.m. in the Council Chambers in City Hall at 702 North U.S. Highway 175; Seagoville, TX 75159 to consider a zoning change request from R-5, Residential Single Family, to LM, Light Manufacturing, on approximately 4+ acres described as Tracts 19 and 19.1 (re-platted as Lot 1 Block 1 of the AMC Concrete Haulers Addition in Document 202100142468) in the Herman Heider Abstract, commonly known as 211 West Simonds Road, Seagoville, Dallas County, Texas.

Individuals may appear at the public hearing to state their opinions or may send a written notice prior to 12:00 noon on the day of the public hearing to City Secretary Kandi Jackson at 702 North U.S. Highway 175; Seagoville, TX 75159.

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

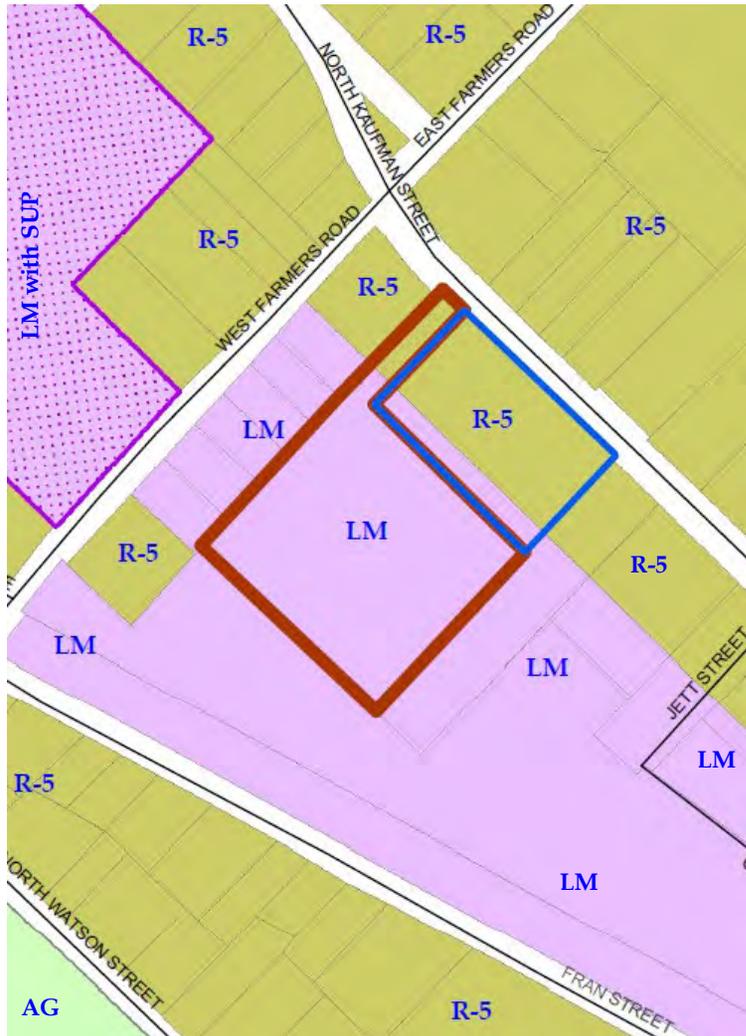
*Indicate your opinion in this matter by checking the appropriate box below.
Provide any additional comments that you might have.
Please sign and provide your name and address below.*

I am in favor of against Zoning Request Z2021-14 as it is described herein.

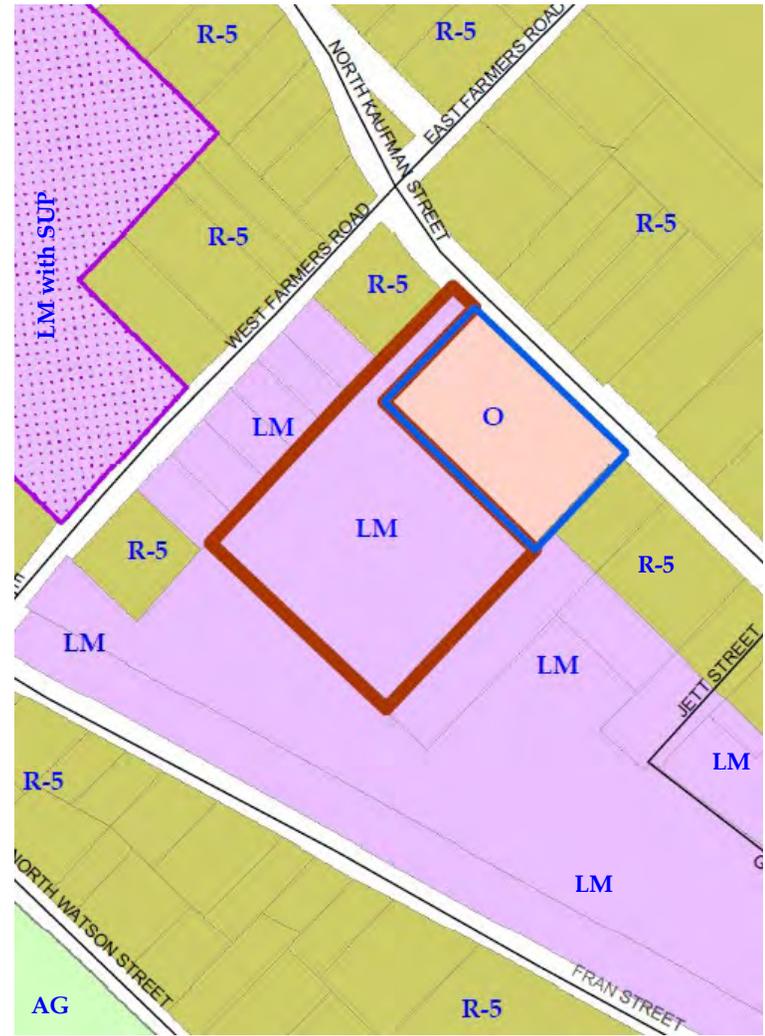
Additional Comments (attach additional sheets as necessary): _____

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

EXISTING Zoning Map



PROPOSED Zoning Map





August 31, 2021

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

RECEIVED
SEP 10 2021

**NOTICE OF PUBLIC HEARING
SEAGOVILLE PLANNING & ZONING COMMISSION
ZONING CASE Z2021-15**

BY: ALB

Seagoville Planning and Zoning Commission will hold a public hearing on Tuesday, September 14, 2021, at 6:30 p.m. in the Council Chambers in City Hall at 702 North U.S. Highway 175; Seagoville, TX 75159 to consider a zoning change request from R-5/LM, Residential Single Family/Light Manufacturing, to O/LM, Office/Light Manufacturing, on approximately 4+ acres described as Tract 59 in the John D. Merchant Abstract, commonly known as 615 North Kaufman Street, Seagoville, Dallas County, Texas, to allow for the remodel and office use of the existing structure thereon.

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

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

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

I am in favor of against Zoning Request Z2021-15 as it is described herein.

Additional Comments (attach additional sheets as necessary): _____

Signature(s): [Signature]
Printed Name(s): J. Crockett Boney
Address: 500 N Central Expwy. Ste 105
City, State & Zip code: Piano TX 75074
Phone Number: 469-248-0301

AUGUST 31, 2021

Property Owners List
Rezone of 615 North Kaufman Street

Mailed out a total of 27 letters on Wednesday, September 1, 2021, before 5:00 PM

Subject or adjoinder?	Site Address	DCAD Account	Owner	Mailing Address 1	Address 2	City	State	Zip	Acres	Lot	Subdivision Name	Block
Subject	615 North Kaufman Street	65085009515010000	SRP Development LLC	500 North Central Expressway	Suite 105	Plano	TX	75074	5.0	59	John D. Merchant Abstract	
Adjoinder	625 North Kaufman Street	50010240010010000	Contract Resolve Group LLC	101 West Farmers Road		Seagoville	TX	75159	0.3342	1	Contract Resolve	1
Adjoinder	101 West Farmers Road	50010240010020000	Contract Resolve Group LLC	101 West Farmers Road		Seagoville	TX	75159	0.3496	2	Contract Resolve	1
Adjoinder	701 North Kaufman Street	65042608510150000	Charlie W. Shepherd et al	785 Martin Lane		Seagoville	TX	75159	0.201	15	John Denton Abstract	
Adjoinder	102 West Farmers Road	65042608510160000	Gudelia Monterroso	102 West Farmers Road		Seagoville	TX	75159	0.297	16	John Denton Abstract	
Adjoinder	104 West Farmers Road	65042608510170000	Life Estate of Martha Stone	REM: Marilyn A. Mayes et al	104 West Farmers Road	Seagoville	TX	75159	0.271	17	John Denton Abstract	
Adjoinder	106 West Farmers Road	65042608510180000	Billy & Martha Douglass	108 West Farmers Road		Seagoville	TX	75159	0.639	18	John Denton Abstract	
Adjoinder	108 West Farmers Road	65042608510190000	Martha L. Boone	108 West Farmers Road		Seagoville	TX	75159	0.56	19	John Denton Abstract	
Adjoinder	112 West Farmers Road	50042260000010000	Oneness Meditation Temple	112 West Farmers Road		Seagoville	TX	75159	12.41	1	Sang B. Han	
Adjoinder	400 Fran Street	65085007510030100	HRG Investments LLC	519 Gibson Street		Seagoville	TX	75159	2.6337	3.1	John D. Merchant Abstract	
Adjoinder	117 West Farmers Road	65085009510600000	HRG Investments LLC	519 Gibson Street		Seagoville	TX	75159	6.492	60	John D. Merchant Abstract	
Adjoinder	113 West Farmers Road	65085009510830000	Life Estate of Louise Morris	REM: James Morris et al	113 West Farmers Road	Seagoville	TX	75159	0.565	83	John D. Merchant Abstract	
Adjoinder	111 West Farmers Road	65085009510580000	Richard T. Martin	111 West Farmers Road		Seagoville	TX	75159	0.259	58	John D. Merchant Abstract	
Adjoinder	109 West Farmers Road	65085009510560000	Teddy K. & Nila A. Sides	109 West Farmers Road		Seagoville	TX	75159	0.254	56	John D. Merchant Abstract	
Adjoinder	107 West Farmers Road	65085009510550000	Georgina Mariano & Daniel Bueno	107 West Farmers Road		Seagoville	TX	75159	0.2183	55	John D. Merchant Abstract	
Adjoinder	105 West Farmers Road	65085009510540000	Ricky B. & Nova M. Kirby	P. O. Box 696		Seagoville	TX	75159	0.215	54	John D. Merchant Abstract	
Adjoinder	103 West Farmers Road	65085009510840000	Ricky B. & Nova M. Kirby	P. O. Box 696		Seagoville	TX	75159	0.202	84	John D. Merchant Abstract	
Adjoinder	102 East Farmers Road	65085009030200000	Thelma J. Mikeals	102 East Farmers Road		Seagoville	TX	75159	0.626	20	John D. Merchant Abstract	
Adjoinder	620 North Kaufman Street	65085009030210000	Gay Leigh Bingham	2403 Seagoville Road		Seagoville	TX	75159	0.377	21	John D. Merchant Abstract	
Adjoinder	618 North Kaufman Street	65085009030220000	Belinda G. Suarez & Homero J. Castillo	309 Ball Street		Seagoville	TX	75159	0.30	22	John D. Merchant Abstract	
Adjoinder	616 North Kaufman Street	65085009030230000	Ronnie L. & Lisa M. Stuart	822 Jack Street		Seagoville	TX	75159	0.321	23	John D. Merchant Abstract	
Adjoinder	614 North Kaufman Street	65085009030240000	Irene Vasquez	614 North Kaufman Street		Seagoville	TX	75159	0.5	24	John D. Merchant Abstract	
Adjoinder	612 North Kaufman Street	65085009030170000	Veronica Lopez	612 North Kaufman Street		Seagoville	TX	75159	1.010	17	John D. Merchant Abstract	
Adjoinder	610 North Kaufman Street	65085009030160000	Jill Ramsey Smith	6206 Point LaVista		Malakoff	TX	75148	0.9776	16	John D. Merchant Abstract	
Adjoinder	608 North Kaufman Street	65085009030150000	Timothy Leon Ramsey	307 North Watson Street		Seagoville	TX	75159	1.0750	15	John D. Merchant Abstract	
Adjoinder	605 North Kaufman Street	65085009510620000	Bette Jo & Robert L. Carter	605 North Kaufman Street		Seagoville	TX	75159	1.0274	Part of 62	John D. Merchant Abstract	
Adjoinder	607 North Kaufman Street	65085009510610000	Elizabeth R. & Raymond D. Calverley	607 North Kaufman Street		Seagoville	TX	75159	1.23	61	John D. Merchant Abstract	
Adjoinder			City of Seagoville	702 North Highway 175		Seagoville	TX	75159		ROW		
Adjoinder												

Regular Session Agenda Item: 8

Meeting Date: October 4, 2021

ITEM DESCRIPTION:

Discuss and consider approving an Ordinance of the City of Seagoville, Texas, amending the Comprehensive Zoning Ordinance and Map of the City of Seagoville, as amended, by granting a change in zoning from R-5/LM, Residential-5/Light Manufacturing, to O/LM, Office/Light Manufacturing, on an approximately 4± acres described as Tract 59 in the John D. Merchant Abstract, commonly referred to as 615 North Kaufman Street in the City of Seagoville, Dallas County, Texas, and being depicted and legally described by metes and bounds in Exhibit “A”, attached hereto and incorporated herein; providing for a repealing clause; providing for a savings clause; providing for a severability clause; providing for a penalty of fine not to exceed Two Thousand Dollars (\$2,000.00) for each offense; and providing for an effective date.

BACKGROUND OF ISSUE:

There is an old school building and two (2) portable classrooms on the property. The rear area of the parcel is vacant with substantial grass coverage. It is located on the south side of North Kaufman Street between Farmers Road and Jett Drive. Currently the property has chain link fencing on most sides.

The owner, SRP Development LLC, has a contract to sell the property to the applicant, Genesis Fire Protection, who wishes to remodel the building and convert it to office spaces for themselves as well as have 1 or 2 other spaces for renting out.

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 Tuesday, August 24, 2021 edition of the Daily Commercial Record newspaper. Including the parcel in question, there are twenty-seven (27) 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, August 12, 2021. As of Friday, September 10, 2021, no (zero) letters were returned as undeliverable by the U.S. Postal Service. One (1) letter was returned in favor of the request. No (zero) letters were returned against the request. Only the applicant spoke at the Planning and Zoning Commission meeting.

For the City Council meeting, a legal ad was published again per the Texas Local Government Code in the Friday, September 17, 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 Monday, September 20, 2021. As of the date of this report, Tuesday, September 28, 2021, no (zero) letters

were returned as undeliverable by the U.S. Postal Service and no (zero) additional written response had been received. Staff will make the Council members aware of any additional responses received at their meeting.

FINANCIAL IMPACT:

Not applicable

RECOMMENDATION:

On September 14, the Planning and Zoning Commission voted unanimously (five to zero) to recommend approval with conditions on a zoning change request from R-5/LM, Residential Single Family/Light Manufacturing, to O/LM, Office/Light Manufacturing, on approximately 4± acres described as Tract 59 in the John D. Merchant Abstract, commonly known as 615 North Kaufman Street, Seagoville, Dallas County, Texas, to allow for the remodel and office use of the existing structure thereon. The conditions of approval were:

- The property is platted before any building permit is issued.
- The driveways and parking lot are converted to reinforced concrete prior to issuance of a Certificate of Occupancy.
- Onsite drainage to be reviewed during building remodel. Grading corrections completed within 6 months of design approval.
- Front fencing materials (only those along the Kaufman Street side of the property) are to be replaced during building remodel to bring the fence into code compliance.

Staff supports the request with the listed conditions of approval.

EXHIBIT:

Ordinance (5 pages)

AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS

ORDINANCE NO. ____-2021

AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP OF THE CITY OF SEAGOVILLE, AS AMENDED, BY GRANTING A CHANGE IN ZONING FROM R-5/LM, RESIDENTIAL-5/LIGHT MANUFACTURING, TO O/LM, OFFICE/LIGHT MANUFACTURING, ON AN APPROXIMATELY 4± ACRES DESCRIBED AS TRACT 59 IN THE JOHN D. MERCHANT ABSTRACT, COMMONLY REFERRED TO AS 615 NORTH KAUFMAN STREET IN THE CITY OF SEAGOVILLE, DALLAS COUNTY, TEXAS, AND BEING DEPICTED AND DESCRIBED BY METES AND BOUNDS IN EXHIBIT “A” ATTACHED HERETO AND INCORPORATED HEREIN; PROVIDING FOR A REPEALING CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING FOR AN EFFECTIVE DATE.

Whereas, the Planning and Zoning Commission of the City of Seagoville and the City Council of the City of Seagoville, in compliance with the laws of the State of Texas with reference to the granting of zoning classifications and changes, have given requisite notices by publication and otherwise, and have held due public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof, and the City Council of the City of Seagoville is of the opinion and finds that a zoning change should be granted, and that the Comprehensive Zoning Ordinance and Map should be amended.

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

Section 1: That the Comprehensive Zoning Ordinance and Map of the City of Seagoville, Texas, is heretofore amended, be and the same is hereby amended by granting a change in the zoning from R-5/LM, Residential-5/Light Manufacturing, to O/LM, Office/Light Manufacturing, on an approximately 4± acres described as Tract 59 in the John D. Merchant Abstract, commonly referred to as 615 North Kaufman Street in the City of Seagoville, Dallas County, Texas, and being depicted and legally described by metes and bounds in Exhibit “A”, which is attached hereto and incorporated herein.

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

SECTION 3: That all provisions of the Ordinances of the City of Seagoville, Texas, in conflict with the provisions of this ordinance as amended be hereby repealed and all other

provisions not in conflict with the provisions of this ordinance shall remain in full force and effect.

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

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

SECTION 6: That this ordinance shall take effect immediately from and after its passage and the publication of its caption, as the law and charter in such cases provide.

DULY PASSED by the City Council of the City of Seagoville, Texas this 4th day of October, 2021.

APPROVED:

Mike Fruin, Mayor Pro Tem

ATTEST:

Kandi Jackson, City Secretary

APPROVED AS TO FORM:

Victoria Thomas, City Attorney
(/cdb 09/29/2021

EXHIBIT "A"

LEGAL DESCRIPTION

ALL THAT CERTAIN TRACT of land situated in the JOHN D. MERCHANT SURVEY, Abstract No. 850, City of Seagoville, Dallas County, Texas; being the remainder of a tract of land described in a deed from R.A. Hawthorne, et ux, to Seagoville Independent School District, as recorded in Volume 1464, Page 27 of the Deed Records of Dallas County, Texas; the subject tract being more particularly described as follows:

BEGINNING at a ½" iron rod found in the Southern right-of-way line of North Kaufman Street, at the most Southern corner of a tract of land described in a Right-of-Way deed to the County of Dallas, as recorded in Volume 4145, Page 5493, of the Deed Records of Dallas County, Texas; said point also being the Most Northerly corner of a tract of land described in a deed to Elizabeth R. Calverley and Raymond D. Calverley, as recorded in Document # 2016-221572, of the Official Public Records of Dallas County, Texas;

THENCE South 43 degrees 16 minutes 33 seconds West, with said common line, a distance of 541.24 feet to a Wood Fence Post found for corner, in the Northeast line of a tract of land described in a deed to Equity Development Corporation, as recorded in Volume 93084, Page 938 of the Deed Records of Dallas County, Texas;

THENCE North 46 degrees 59 minutes 06 seconds West, with said common line, a distance of 377.48 feet to a 1" pipe found for corner, at the South corner of a tract of land described in a deed to Richard Thomas Martin and Carole Ann Martin, as recorded in Document No. 2008-162436 of the Official Public Records of Dallas County, Texas;

THENCE North 44 degrees 32 minutes 28 seconds East, with said common line part of the way, a distance of 148.33 feet to a 1" pipe found for angle point, at the South corner of a tract of land described in a deed to Desiray Drinning, as recorded in Document 2005-3237432 of the Deed Records of Dallas County, Texas;

THENCE North 44 degrees 05 minutes 04 seconds East, with said common line, a distance of 63.32 feet to a 1" pipe found for angle point, at the South corner of a tract of land described in a deed to Ricky B. Kirby and Nova M. Kirby, as recorded in Document 2000-1101260 of the Deed Records of Dallas County, Texas;

THENCE North 43 degrees 55 minutes 58 seconds East, with said common line, a distance of 119.39 feet to a ½" iron rod found for the South corner of a tract of land described in a deed to Contract Resolve Group, LLC, as recorded in Document Number 2015-51170 of the Official Property Records of Dallas County, Texas;

THENCE North 43 degrees 21 minutes 31 seconds East, with said common line, a distance of 216.55 feet to an iron rod capped "RPLS 3935" found for corner in said right-of-way, at the West corner of said County of Dallas Tract; said point being at the beginning of a non-tangent curve to the left, having a radius of 805.00 feet and a chord bearing and distance of South 45 degrees 13 minutes 12 seconds East, 28.53 feet;

THENCE along said curve, with said common line, an arc distance of 28.53 feet to a ½" iron rod capped "KAZ" set;

EXHIBIT "A"

FLOOD STATEMENT: I have reviewed the F.E.M.A. Flood Insurance Rate Map for the City of Seagoville, Community Number 480187 effective date 7-7-2014 and that map indicates as scaled, that this property is within "Non-Shaded Zone X" defined as "Areas determined to be outside the 0.2% annual chance flood (500-year)" as shown on Panel 545 K of said map.

NOTE: This survey correctly represents the results of an on-the-ground survey made under my direction and supervision on 10-10-2017. There are no visible or apparent intrusions or protrusions except as shown hereon.

NOTE: Bearings shown hereon are referenced to the Texas Coordinate System of 1983, North Central Zone (4202), and are based on the North American Datum of 1983, 2011 Adjustment.

NOTE: This survey is certified to Seagoville Independent School District, SRP Development, LLC and to Republic Title of Texas.

NOTE: Only the following easement supplied to me by Republic Title of Texas with GF# 1002-235366-RTT has been reviewed and addressed as follows:

10(a.) Volume 73177, Page 2035, Easement to Texas Power & Light Company; does affect as shown.



 TX FIRM REGISTRATION # 10002100	1720 WESTMINSTER DENTON, TX 76205 (940)382-3446
	JOB NUMBER: 170771-01
	DRAWN BY: HCI
	DATE: 10-13-2017
	R.P.L.S. KENNETH A. ZOLLINGER

Regular Session Agenda Item: 9

Meeting Date: October 4, 2021

ITEM DESCRIPTION

Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas authorizing Anderson Asphalt & Concrete Paving to provide asphalt road work on Lakey Road for compensation in an amount not to exceed Ninety-One Thousand Seven Hundred Thirty Dollars and Eighty Cents (\$91,730.80) as set forth in Exhibit A, attached hereto and incorporated herein; authorizing the City Manager to execute any and all necessary documents; and providing an effective date.

BACKGROUND OF ISSUE:

On or about November 18, 2019 the City of Seagoville awarded a Unit Price Contract for Asphalt Repair ("Contract") to Anderson Asphalt & Concrete Paving. Pursuant to said Contract, Anderson Asphalt & Concrete Paving submitted an estimate in the amount of \$91,730.80 for provision of asphalt road work on Lakey Road, including the provision of all necessary labor, equipment, and materials, a copy of which is attached as Exhibit A.

FINANCIAL IMPACT:

\$91,730.80

RECOMMENDATION:

City Staff recommends approval.

EXHIBITS

Resolution
Estimate from Anderson Asphalt
Attached Photos

**A RESOLUTION OF THE CITY OF SEAGOVILLE, TEXAS
RESOLUTION NO.**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEAGOVILLE, TEXAS AUTHORIZING ANDERSON ASPHALT & CONCRETE PAVING TO PROVIDE ASPHALT ROAD WORK ON LAKEY ROAD FOR COMPENSATION IN AN AMOUNT NOT TO EXCEED NINETY ONE THOUSAND SEVEN HUNDRED THIRTY DOLLARS AND EIGHTY CENTS (\$91,730.80) AS SET FORTH IN EXHIBIT A, ATTACHED HERETO AND INCORPORATED HEREIN; AUTHORIZING THE CITY MANAGER TO EXECUTE ANY AND ALL NECESSARY DOCUMENTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on or about November 18, 2019 the City of Seagoville awarded a Unit Price Contract for Asphalt Repair ("Contract") to Anderson Asphalt & Concrete Paving; and

WHEREAS, pursuant to said Contract, Anderson Asphalt & Concrete Paving submitted an estimate in the amount of \$91,730.80 for provision of asphalt road work on Lakey Road, including the provision of all necessary labor, equipment, and materials, a copy of which is attached as Exhibit A; and

WHEREAS, the City Council for the City of Seagoville, Texas has reviewed the estimate and has determined it to be in the best interest of the City to authorize the City Manager to execute any documents necessary to authorize Anderson Asphalt & Concrete Paving to provide asphalt road work on Lakey Road as set forth in Exhibit A;

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

SECTION 1. The City Council hereby authorizes Anderson Asphalt & Concrete Paving to provide asphalt road work on Lakey Road, to include provision of all necessary labor, equipment, and materials, for compensation in an amount not to exceed Ninety One Thousand Seven Hundred Thirty Dollars and Eighty cents (\$91,730.80), as set forth in Exhibit A, attached hereto and incorporated herein; and, the City Manager is authorized to execute any documents necessary for the work to be performed.

SECTION 2. This resolution shall take effect immediately from and after its passage and it is accordingly resolved.

DULY ORDERED by the City Council of the City of Seagoville, Texas, this the 4th day of October, 2021.

APPROVED:

Mike Fruin, Mayor Pro Tem

ATTEST:

Kandi Jackson, City Secretary

APPROVED AS TO FORM:

Victoria Thomas, City Attorney

WORK ORDER #13

Anderson Asphalt & Concrete Paving			City of Seagoville Maintenance Contract		
September 15, 2021			CHSEAG13 Lackey Road		
	DESCRIPTION	QTY	UOM	UNIT PRICE	TOTAL
1	Mobilization	1	LS	5,000.00	5,000.00
2	Cement treated base (6" Thick) using 40LB/SY	19,600	SF	1.50	29,400.00
3	Prime Coat	17,640	SF	0.18	3,175.20
4	Hot Mix Asphalt Pavement (2.5" Thick), Type B	17,640	SF	1.64	28,929.60
5	Hot Mix Asphalt Pavement (1.5" Thick), Type D	17,640	SF	1.15	20,286.00
6	Backfill Pavement Edges	1,960	LF	1.50	2,940.00
7	Traffic Control (BASED ON ROAD CLOSURE TO THRU TRAFFIC)	10	DAYS	200.00	2,000.00
			TOTAL		91,730.80

Signature of Approval

Ladis Barr

Date

Roadway will be pulverized 12' depth, place 40lb/sy of Portland Cemet.
 Finish Grade and build Cement Stabilized Base allow 1' overbuild on each side of the road and building a 2% crown
 Export material to keep existing elevation
 Microcrack Cement Stabilized material
 Apply Prime Coat at 0.20 per square yard
 Place 2.5" TYPE B SuperPave Hot Mix Asphalt Concrete
 Place 1.5" TYPE D SuperPave Hot Mix Asphalt Concrete
 Backfill Edges of pavement

9/15/2021



338



DEAD
END





Regular Session Agenda Item: 10

Meeting Date: October 4, 2021

ITEM DESCRIPTION:

Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas authorizing Anderson Asphalt & Concrete Paving to provide asphalt road work on Barry Drive for compensation in an amount not to exceed One Hundred Twelve Thousand Two Hundred Dollars and Eighty-Eight Cents (\$112,200.88) as set forth in Exhibit A, attached hereto and incorporated herein; authorizing the City Manager to execute any and all necessary documents; and providing an effective date.

BACKGROUND OF ISSUE:

On or about November 18, 2019 the City of Seagoville awarded a Unit Price Contract for Asphalt Repair ("Contract") to Anderson Asphalt & Concrete Paving. Pursuant to said Contract, Anderson Asphalt & Concrete Paving submitted an estimate in the amount of \$112,200.88 for provision of asphalt road work on Barry Drive, including the provision of all necessary labor, equipment, and materials, a copy of which is attached as Exhibit A.

FINANCIAL IMPACT:

\$112,200.88

RECOMMENDATION:

City Staff recommends approval.

EXHIBITS:

Resolution
Estimate from Anderson Asphalt
Attached Photos

**A RESOLUTION OF THE CITY OF SEAGOVILLE, TEXAS
RESOLUTION NO.**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEAGOVILLE, TEXAS AUTHORIZING ANDERSON ASPHALT & CONCRETE PAVING TO PROVIDE ASPHALT ROAD WORK ON BARRY DRIVE FOR COMPENSATION IN AN AMOUNT NOT TO EXCEED ONE HUNDRED TWELVE THOUSAND TWO HUNDRED DOLLARS AND EIGHTY EIGHT CENTS (\$112,200.88) AS SET FORTH IN EXHIBIT A, ATTACHED HERETO AND INCORPORATED HEREIN; AUTHORIZING THE CITY MANAGER TO EXECUTE ANY AND ALL NECESSARY DOCUMENTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on or about November 18, 2019 the City of Seagoville awarded a Unit Price Contract for Asphalt Repair ("Contract") to Anderson Asphalt & Concrete Paving; and

WHEREAS, pursuant to said Contract, Anderson Asphalt & Concrete Paving submitted an estimate in the amount of \$112,200.88 for provision of asphalt road work on Barry Drive, including the provision of all necessary labor, equipment, and materials, a copy of which is attached as Exhibit A; and

WHEREAS, the City Council for the City of Seagoville, Texas has reviewed the estimate and has determined it to be in the best interest of the City to authorize the City Manager to execute any documents necessary to authorize Anderson Asphalt & Concrete Paving to provide asphalt road work on Barry Drive as set forth in Exhibit A;

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

SECTION 1. The City Council hereby authorizes Anderson Asphalt & Concrete Paving to provide asphalt road work on Barry Drive, to include provision of all necessary labor, equipment, and materials, for compensation in an amount not to exceed One Hundred Twelve Thousand Two Hundred Dollars and Eighty Eight Cents (\$112,200.88), as set forth in Exhibit A, attached hereto and incorporated herein; and, the City Manager is authorized to execute any documents necessary for the work to be performed.

SECTION 2. This resolution shall take effect immediately from and after its passage and it is accordingly resolved.

DULY ORDERED by the City Council of the City of Seagoville, Texas, this the 4th day of October, 2021.

APPROVED:

Mike Fruin, Mayor Pro Tem

ATTEST:

Kandi Jackson, City Secretary

APPROVED AS TO FORM:

Victoria Thomas, City Attorney

BARRY DRIVE BUDGET

Anderson Asphalt & Concrete Paving		City of Seagoville Maintenance Contract			
June 16, 2021		BARRY DRIVE BUDGET			
	DESCRIPTION	QTY	UOM	UNIT PRICE	TOTAL
1	Mobilization	1	LS	5,000.00	5,000.00
2	Cement treated base (8" Thick) using 40LB/SY	17,976	SF	1.65	29,660.40
3	Hot Mix Asphalt Pavement (4" Thick), Type B	17,976	SF	2.51	45,119.76
4	Hot Mix Asphalt Pavement (2" Thick), Type D	17,976	SF	1.52	27,323.52
5	Backfill Pavement Edges	1,498	LF	1.40	2,097.20
6	Traffic Control (BASED ON ROAD CLOSURE TO THRU TRAFFIC)	10	DAYS	300.00	3,000.00
			TOTAL		112,200.88

Signature of Approval

Ladis Barr

Date







SPEED
LIMIT
25



Regular Session Agenda Item: 11

Meeting Date: October 4, 2021

ITEM DESCRIPTION:

Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas authorizing Anderson Asphalt & Concrete Paving to provide asphalt road work on West Malloy Bridge Road for compensation in an amount not to exceed One Hundred Thirty Eight Thousand Six Hundred Fifty Five Dollars and Twenty Cents (\$138,655.20) as set forth in Exhibit A, attached hereto and incorporated herein; authorizing the City Manager to execute any and all necessary documents; and providing an effective date.

BACKGROUND OF ISSUE:

On or about November 18, 2019 the City of Seagoville awarded a Unit Price Contract for Asphalt Repair ("Contract") to Anderson Asphalt & Concrete Paving. Pursuant to said Contract, Anderson Asphalt & Concrete Paving submitted an estimate in the amount of \$138,655.20 for provision of asphalt road work on West Malloy Bridge Road, including the provision of all necessary labor, equipment, and materials, a copy of which is attached as Exhibit A.

FINANCIAL IMPACT:

\$138,655.20

RECOMMENDATION:

City Staff recommends approval.

EXHIBITS:

Resolution
Estimate from Anderson Asphalt
Attached Photos

**A RESOLUTION OF THE CITY OF SEAGOVILLE, TEXAS
RESOLUTION NO.**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEAGOVILLE, TEXAS AUTHORIZING ANDERSON ASPHALT & CONCRETE PAVING TO PROVIDE ASPHALT ROAD WORK ON WEST MALLOY BRIDGE ROAD FOR COMPENSATION IN AN AMOUNT NOT TO EXCEED ONE HUNDRED THIRTY EIGHT THOUSAND SIX HUNDRED FIFTY FIVE DOLLARS AND TWENTY CENTS (\$138,655.20) AS SET FORTH IN EXHIBIT A, ATTACHED HERETO AND INCORPORATED HEREIN; AUTHORIZING THE CITY MANAGER TO EXECUTE ANY AND ALL NECESSARY DOCUMENTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on or about November 18, 2019 the City of Seagoville awarded a Unit Price Contract for Asphalt Repair ("Contract") to Anderson Asphalt & Concrete Paving; and

WHEREAS, pursuant to said Contract, Anderson Asphalt & Concrete Paving submitted an estimate in the amount of \$138,655.20 for provision of asphalt road work on West Malloy Bridge Road, including the provision of all necessary labor, equipment, and materials, a copy of which is attached as Exhibit A; and

WHEREAS, the City Council for the City of Seagoville, Texas has reviewed the estimate and has determined it to be in the best interest of the City to authorize the City Manager to execute any documents necessary to authorize Anderson Asphalt & Concrete Paving to provide asphalt road work on West Malloy Bridge Road as set forth in Exhibit A;

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

SECTION 1. The City Council hereby authorizes Anderson Asphalt & Concrete Paving to provide asphalt road work on West Malloy Bridge Road, to include provision of all necessary labor, equipment, and materials, for compensation in an amount not to exceed one hundred thirty eight thousand six hundred fifty five dollars and twenty cents (\$138,655.20) as set forth in Exhibit A, attached hereto and incorporated herein; and, the City Manager is authorized to execute any documents necessary for the work to be performed.

SECTION 2. This resolution shall take effect immediately from and after its passage and it is accordingly resolved.

DULY ORDERED by the City Council of the City of Seagoville, Texas, this the 4th day of October, 2021.

APPROVED:

Mike Fruin, Mayor Pro Tem

ATTEST:

Kandi Jackson, City Secretary

APPROVED AS TO FORM:

Victoria Thomas, City Attorney









Regular Session Agenda Item: 12

Meeting Date: October 4, 2021

ITEM DESCRIPTION:

Discuss and consider approving an Ordinance of the City of Seagoville, Texas providing for "all way stop sign" to be installed at the intersection of Hall Road and Judy Lane; authorizing the City Manager or designee to cause the appropriate signage to be erected; providing a savings clause; providing for a severability clause; providing a penalty of fine not to exceed the sum of Two Hundred Dollars (\$200.00) for each offense; providing for publication; and providing an effective date.

BACKGROUND OF ISSUE:

Councilmember Hernandez requested this item.

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

N/A

EXHIBITS:

Ordinance

AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS PROVIDING FOR "ALL WAY STOP" SIGNS TO BE INSTALLED AT THE INTERSECTION OF HALL ROAD AND JUDY LANE; AUTHORIZING THE CITY MANAGER OR DESIGNEE TO CAUSE THE APPROPRIATE SIGNAGE TO BE ERECTED; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO HUNDRED DOLLARS (\$200.00) FOR EACH OFFENSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 17.03.052 provides that the locations wherein stop signs are placed be designated by ordinance; and

WHEREAS, after discussion and consideration, the City Council has determined that it is in the best interest of the City and those traveling the area to designate the intersection of Hall Road and Judy Lane as an all way stop and to direct the City Manager or his designee to cause the appropriate signage to be erected giving notice of the same;

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

SECTION 1. That the intersection of Hall Road and Judy Lane be and it is hereby designated as an all way stop.

SECTION 2. That the City Manager or designee is hereby directed to cause appropriate signs to be erected giving notice of the all way stop established herein and such provision shall not be effective unless such signs or markings are in place at the time of an alleged offense.

SECTION 3. That all ordinances of the City of Seagoville in conflict with the provisions of this ordinance be, the same are hereby repealed, and all other ordinances of the City of Seagoville not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 4. That an offense committed before the effective date of this ordinance is governed by the prior law and the provisions of the Code of Ordinances, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 5. 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 invalid, illegal or unconstitutional, and shall not affect the validity of the Code of Ordinances as a whole.

SECTION 6. 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 Code of Ordinances of the City of Seagoville, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of two hundred dollars (\$200.00) for each offense.

SECTION 7. This ordinance shall take effect from and after its passage and the publication of the caption as the law and Charter in such cases provide.

DULY PASSED by the City Council of the City of Seagoville, Texas, this the 4th day of October 2021.

APPROVED:

MIKE FRUIN, MAYOR PRO TEM

ATTEST:

KANDI JACKSON, CITY SECRETARY

APPROVED AS TO FORM:

VICTORIA THOMAS, CITY ATTORNEY

(/cdb 09.27.2021093021vwtTM125116)

Regular Session Agenda Item: 13

Meeting Date: October 4, 2021

ITEM DESCRIPTION:

Discuss and consider approving a Resolution of the City of Seagoville, Texas, authorizing the purchase of Three 2022 Chevrolet Tahoe Police Vehicles at a total cost of \$228,974.52 from Holiday Chevrolet; providing for the repeal of any and all Resolutions in conflict; providing for severability clause; and providing an effective date.

BACKGROUND OF ISSUE:

The Police Department is requesting council's approval to purchase three new 2022 Chevrolet Tahoe police package vehicles complete with all necessary emergency and communications equipment, departmental graphics, black and white paint scheme, camera system, computer system, radar unit and all other accessories. These vehicles will be added to our fleet of marked vehicles and utilized as a patrol vehicle.

This purchase will enhance our fleet of marked vehicles and minimize maintenance costs that are associated with older higher mileage vehicles.

The quote for the purchase of these Chevy Tahoe, as well as the purchase of all emergency equipment, installation of all emergency and communication equipment is through (Holiday Chevrolet) obtained through Defender Supply and the Tarrant County cooperative purchasing contract, under contract number (2020-0174).

As a friendly reminder, when purchasing goods and services through a purchasing cooperative, such the Tarrant County contract, which we are a part of, all purchasing requirements have been satisfied without having to obtain three (3) competitive bids.

Breakdown of this purchase:

- Vehicle: Three 2022 Chevy Tahoe base price with standard equipment \$34,458.84 Ea.
- Purchase and installation of all Emergency equipment, communications equipment, new Watch Guard 4RE 360-degree camera system, radar unit, black and white paint scheme, and departmental graphics \$41,866.00 (each vehicle)
- Total cost for these vehicles, all necessary equipment and installation of all equipment to include two-year vehicle inspection certificate not to exceed: \$228,974.52

FINANCIAL IMPACT:

This requested purchase was presented and approved through the 2021/2022 budget and financial meeting.

RECOMMENDATION:

The Police Department recommends that Council approve this purchase to help maintain a safe and reliable fleet of vehicles for our Patrol Division.

EXHIBITS:

Resolution

A RESOLUTION OF THE CITY OF SEAGOVILLE, TEXAS

RESOLUTION NO.

A RESOLUTION OF THE CITY OF SEAGOVILLE, TEXAS, AUTHORIZING THE PURCHASE OF THREE 2022 CHEVROLET TAHOE POLICE VEHICLES AT A TOTAL COST OF \$228,974.52 FROM HOLIDAY CHEVROLET; PROVIDING FOR THE REPEAL OF ANY AND ALL RESOLUTIONS IN CONFLICT; PROVIDING FOR SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council, in the FY 2021/2022 Police Department Budget authorized the purchase of three Chevrolet Tahoe police vehicles; and

WHEREAS, through the Tarrant County cooperative purchasing program under contract number (2020-0174) these items have been bid in accordance with all applicable bidding statutes and policies; and

WHEREAS, the City Council has determined that Holiday Chevrolet has met all bid specifications and is the lowest and most responsive bid.

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

SECTION 1. That the City Council hereby authorizes the purchase of three Chevrolet Tahoe police vehicles totaling \$228,974.52 from Holiday Chevrolet and authorizes the City Manager to disburse the funds.

SECTION 2. All resolutions of the City of Seagoville heretofore adopted which are in conflict with the provisions of this resolution be, and the same are hereby repealed, and all resolutions of the City of Seagoville not in conflict with the provisions hereof shall remain in full force and effect.

SECTION 3. If any article, paragraph, subdivision, clause or provision of this resolution, as hereby amended, be adjudged invalid or held unconstitutional for any reason, such judgment 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. This resolution shall take effect immediately from and after its passage, and it is accordingly so resolved.

DULY ORDERED by the City Council of the City of Seagoville, Texas, this 4th day of October, 2021.

APPROVED:

Mike Fruin, Mayor Pro Tem

ATTEST:

Kandi Jackson, City Secretary

APPROVED AS TO FORM:

Victoria Thomas, City Attorney

Regular Session Agenda Item: 14

Meeting Date: October 4, 2021

ITEM DESCRIPTION:

Receive Councilmember Reports/ Items of Community Interest

BACKGROUND OF ISSUE:

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

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

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

N/A

EXHIBITS:

N/A

Regular Session Agenda Item: 15

Meeting Date: October 4, 2021

ITEM DESCRIPTION:

Future Agenda Items

BACKGROUND OF ISSUE:

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

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

N/A

EXHIBITS:

N/A

Executive Session Agenda Item: 16

Meeting Date: October 4, 2021

ITEM DESCRIPTION:

Recess into Executive Session

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

A. § 551.071. Consultation with City Attorney: receive legal advice related to Public Safety Requirements regarding LaPulga Seagoville.

BACKGROUND OF ISSUE:

N/A

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

N/A

EXHIBITS:

N/A

Executive Session Agenda Item: 17

Meeting Date: October 4, 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. § 551.071. Consultation with City Attorney: receive legal advice related to Public Safety Requirements regarding LaPulga Seagoville.**

BACKGROUND OF ISSUE:

N/A

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

N/A

EXHIBITS:

N/A