



**SEAGOVILLE, TEXAS
CITY COUNCIL MEETING AGENDA
MONDAY, OCTOBER 3, 2022**

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

WORK SESSION – 6:30 P.M.

Call to Order

A. Discuss regular session agenda items

Adjourn

REGULAR SESSION - 7:00 P.M.

ROUTINE ANNOUNCEMENTS, RECOGNITIONS, and PROCLAMATIONS

Call to Order

Invocation

Pledge of Allegiance

Mayor's Report

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

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

- 1. Consider approving City Council Meeting Minutes for September 19, 2022 (City Secretary)**

REGULAR AGENDA-

2. Discuss and consider approving the Chamber of Commerce Street Dance to be held on November 5, 2022

3. Conduct a public hearing concerning an Ordinance of the City of Seagoville, Texas, amending the Comprehensive Zoning Ordinance and map, as previously amended, by changing the zoning from "C" Commercial to "C-SUP" Commercial with a Special Use Permit to allow for a drive through service window, subject to special conditions on approximately 2.00± acres described as Lot 1R, Block 1 of the Nabors addition, commonly known as 2806 Highway 175, Seagoville, Dallas County, Texas (Community Development)

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 "C" Commercial to "C-SUP" Commercial with a Special Use Permit to allow for a drive through service window, subject to special conditions on approximately 2.00± acres described as Lot 1R, Block 1 of the Nabors addition, commonly known as 2806 Highway 175, Seagoville, Dallas County, Texas; providing for special conditions; providing for the repeal of all Ordinances in conflict; providing a severability 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)

5. Conduct a public hearing on a request amending the Comprehensive Zoning Ordinance and map of the City of Seagoville, Dallas County, Texas, as heretofore amended, by granting a change in zoning from Planned Development with mix uses for multi-family residential, office, local retail and commercial (PD-20-03) to Planned Development with mix uses for multi-family residential, office, local retail and commercial Amended-1 (PD-20-03-A1) on approximately 21.567± acres commonly known as 108 South Highway 175, in the City of Seagoville, Dallas County, Texas, and being legally depicted and described in Exhibit "A" (Community Development)

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, as heretofore amended, by granting a change in zoning from Planned Development with mix uses for multi-family residential, office, local retail and commercial (PD-20-03) to Planned Development with mix uses for multi-family residential, office, local retail and commercial Amended-1 PD-20-03-A1) on approximately 21.567± acres commonly known as 108 South Highway 175, in the City of Seagoville, Dallas County, Texas, and being legally depicted and described in Exhibit "A", attached hereto and incorporated herein; providing for development regulations; providing for the approval of the site plan, which is attached hereto and incorporated herein as Exhibit "B"; providing a repealing clause; providing a severability clause; providing a savings clause; providing a penalty of fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense; and providing an effective date (Community Development)

7. **Receive Councilmember Reports/Items of Community Interest** - as authorized by Section 551.0415 of the Texas Government Code.
8. **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.
9. **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 the Carport Ordinance**
- B. **§ 551.071. Consultation with City Attorney: receive legal advice related to Criminal History for employees**
- C. **§ 551.087. Discuss or deliberate regarding commercial or financial information that the City has received from a business prospect that the City seeks to have locate, stay, or expand in or near the City and with which the City is conducting economic development negotiations, and to deliberate the offer of a financial or other incentive to a business prospect, to wit: “No Name Restaurant.”**

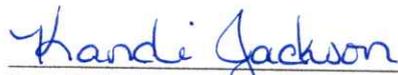
10. **Reconvene Into Regular Session**

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 the Carport Ordinance**
- B. **§ 551.071. Consultation with City Attorney: receive legal advice related to Criminal History for employees**
- C. **§ 551.087. Discuss or deliberate regarding commercial or financial information that the City has received from a business prospect that the City seeks to have locate, stay, or expand in or near the City and with which the City is conducting economic development negotiations, and to deliberate the offer of a financial or other incentive to a business prospect, to wit: “No Name Restaurant.”**

Adjourn

Posted Friday, September 30, 2022 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 17, 2022, Regular City Council Meeting**
- **Monday, November 7, 2022, Regular City Council Meeting**
- **Monday, November 21, 2022, Regular City Council Meeting**
- **Monday, December 5, 2022, Regular City Council Meeting**
- **Monday, December 19, 2022, Regular City Council Meeting**

Consent Session Agenda Item: 1

Meeting Date: October 3, 2022

ITEM DESCRIPTION:

Consider approving City Council Meeting Minutes for September 19, 2022.

BACKGROUND OF ISSUE:

Approve City Council Meeting Minutes for September 19, 2022.

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

N/A

EXHIBITS:

September 19, 2022, Work Session Meeting Minutes
September 19, 2022, Regular Session Meeting Minutes



**MINUTES OF CITY COUNCIL
WORK SESSION
SEPTEMBER 19, 2022**

The Work Session of the City Council of the City of Seagoville, Texas was called to order at 6:30 p.m. on Monday, September 19, 2022, at City Hall, 702 N. Hwy 175, Seagoville, Texas with a quorum present, to wit:

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

The following staff members were also present: City Manager Patrick Stallings, Police Chief Ray Calverley, Community Development Director Ladis Barr, Senior Planner Bill Medina, City Attorney Victoria Thomas, Director of Administrative Services Cindy Brown, and City Secretary Kandi Jackson.

A. Discuss Regular Session Agenda Items

1. Consider approving City Council Meeting Minutes for September 12, 2021 (City Secretary)

No questions.

2. Conduct a public hearing on a request amending the Comprehensive Zoning Ordinance and map of the City of Seagoville, as amended, by granting a change in zoning from Agricultural (AG) to Commercial (C), on approximately 5.004± acres located in the J. Merchant Survey No. 335, Abstract 310, commonly referred to as 1485 South Highway 175, in the City of Seagoville, Kaufman County, Texas, and being depicted and described by metes and bounds in Exhibit "A" (Community Development Director)

City Manager Stallings stated the public hearing will be held during Regular Session.

3. Discuss and consider approving an Ordinance of the City of Seagoville, Texas, amending the Comprehensive Zoning Ordinance and map of the City of Seagoville, as amended, by granting a change in zoning from Agricultural (AG) to Commercial (C), on approximately 5.004± acres located in the J. Merchant Survey No. 335, Abstract 310, commonly referred to as 1485 South Highway 175, in the City of Seagoville, Kaufman 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 (Community Development Director)

Senior Planner Medina stated this Ordinance amends the Comprehensive Zoning Ordinance and map of the City of Seagoville, as amended, by granting a change in zoning from Agricultural (AG) to Commercial (C), on approximately 5.004± acres located in the J. Merchant Survey No. 335, Abstract 310, commonly referred to as 1485 South Highway 175, in the City of Seagoville, Kaufman County, Texas.

6. Recess into Executive Session

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

A. § 551.071 (2) Consultation with City Attorney: to seek legal advice regarding Seagoville Reserves, LLC’s proposed affordable housing development and request for letter of support for its application for 2023 Non-Competitive Housing Tax Credits for the proposed development

City Manager Stallings stated this item will take place during Regular Session.

7. Reconvene into Regular Session

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

A. § 551.071 (2) Consultation with City Attorney: to seek legal advice regarding Seagoville Reserves, LLC’s proposed affordable housing development and request for letter of support for its application for 2023 Non-Competitive Housing Tax Credits for the proposed development

City Manager Stallings stated this item will take place during Regular Session.

Adjourned at 6:42 p.m.

APPROVED:

Mayor Dennis K. Childress

ATTEST:

Kandi Jackson, City Secretary



**MINUTES OF CITY COUNCIL
REGULAR SESSION
SEPTEMBER 19, 2022**

The Regular Session of the City Council of the City of Seagoville, Texas was called to order at 7:00 p.m. on Monday, September 19, 2022, at City Hall, 702 N. Hwy 175, Seagoville, Texas with a quorum present, to wit:

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

The following staff members were also present: City Manager Patrick Stallings, Police Chief Ray Calverley, Community Development Director Ladis Barr, Senior Planner Bill Medina, 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.*

Mayor’s Report – *Mayor stated they are thankful for the vacation and that they had a good time.*

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.*

Etho Pugh at 701 Ashbury Drive, Midlothian, Texas wanted to introduce an organization that aids homeless people in finding homes, Ark of Hope.

Garrick Ward at 5959 E. Northwest Highway, Ste. 1066, Dallas, Texas stated he would like to introduce himself to the citizens of Seagoville to help introduce his company.

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 12, 2022 (City Secretary)**

Motion to approve City Council Meeting Minutes for September 12, 2022 – Magill, seconded by Howard; motion passed with all ayes. 4/0

REGULAR AGENDA-

2. Conduct a public hearing on a request amending the Comprehensive Zoning Ordinance and map of the City of Seagoville, as amended, by granting a change in zoning from Agricultural (AG) to Commercial (C), on approximately 5.004± acres located in the J. Merchant Survey No. 335, Abstract 310, commonly referred to as 1485 South Highway 175, in the City of Seagoville, Kaufman County, Texas, and being depicted and described by metes and bounds in Exhibit “A” (Community Development Director)

Mayor Childress opened the public hearing at 7:07 p.m.

Senior Planner Medina explained this request amends the Comprehensive Zoning Ordinance and map of the City of Seagoville, as amended, by granting a change in zoning from Agricultural (AG) to Commercial (C), on approximately 5.004 ± acres located in the J. Merchant Survey No. 335, Abstract 310, commonly referred to as 1485 South Highway 175, in the City of Seagoville, Kaufman County, Texas.

Tony Rader at 9279 Blarney Stone Way, Forney, Texas stated he is representing Mabrey & Partners LLC on this project. He stated they would like to construct a climate-controlled storage facility on the property located at 1485 South Highway 175, Seagoville. He provided pictures of renderings on his phone and allowed City Council to view the pictures.

Mayor Childress closed the public hearing at 7:13 p.m.

3. Discuss and consider approving an Ordinance of the City of Seagoville, Texas, amending the Comprehensive Zoning Ordinance and map of the City of Seagoville, as amended, by granting a change in zoning from Agricultural (AG) to Commercial (C), on approximately 5.004± acres located in the J. Merchant Survey No. 335, Abstract 310, commonly referred to as 1485 South Highway 175, in the City of Seagoville, Kaufman 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 (Community Development Director)

Motion to table item #3 to the next meeting – Epps, seconded by Fruin; motion passed 3/1. (For- Magill, Fruin, Epps; Against- Howard)

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

None.

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

None.

6. **Recessed into Executive Session at 7:15 p.m.**

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

- A. **§ 551.071 (2) Consultation with City Attorney: to seek legal advice regarding Seagoville Reserves, LLC’s proposed affordable housing development and request for letter of support for its application for 2023 Non-Competitive Housing Tax Credits for the proposed development**

7. **Reconvened into Regular Session at 7:32 p.m.**

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

- A. **§ 551.071 (2) Consultation with City Attorney: to seek legal advice regarding Seagoville Reserves, LLC’s proposed affordable housing development and request for letter of support for its application for 2023 Non-Competitive Housing Tax Credits for the proposed development**

No action taken.

8. **Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas supporting the Seagoville Reserves, LLC’s proposed development of affordable rental housing known as The Reserves, to be located at 1803 E Seagoville Road, 620 No Name Street, & 1908 Cain Road in the City of Seagoville, Dallas County, Texas finding and determining this meeting was open to the public as required by law; and providing an effective date (City Manager)**

Motion to approve a Resolution of the City Council of the City of Seagoville, Texas supporting the Seagoville Reserves, LLC’S proposed development of affordable rental housing known as The Reserves, to be located at 1803 E Seagoville Road, 620 No Name Street & 1908 Cain Road in the City of Seagoville, Dallas County, Texas finding and determining this meeting was open to the public as required by law; and providing an effective date. – Fruin, seconded by Howard; motion passed with all ayes. 4/0

Adjourned at 7:33 p.m.

APPROVED:

Mayor Dennis K. Childress

ATTEST:

Kandi Jackson, City Secretary

Regular Session Agenda Item: 2

Meeting Date: October 3, 2022

ITEM DESCRIPTION:

Discuss and consider approving the Chamber of Commerce Street Dance to be held on November 5, 2022.

BACKGROUND OF ISSUE:

The 2nd Annual Street Dance is to be held on the first Saturday in November in Old Downtown Seagoville. (N Kaufman Street @ Malloy Bridge Road) from 6:00 p.m. to 10:00 p.m. Designed to bring the community together in a safe, family environment. Will include live music, food vendors, and face painting for the children.

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

N/A

EXHIBITS:

N/A

Regular Session Agenda Item: 3

Meeting Date: October 3, 2022

ITEM DESCRIPTION:

Conduct a public hearing concerning an Ordinance of the City of Seagoville, Texas, amending the Comprehensive Zoning Ordinance and map, as previously amended, by changing the zoning from "C" Commercial to "C-SUP" Commercial with a Special Use Permit to allow for a drive through service window, subject to special conditions on approximately 2.00± acres described as Lot 1R, Block 1 of the Nabors addition, commonly known as 2806 Highway 175, Seagoville, Dallas County, Texas.

BACKGROUND OF ISSUE:

The applicant has submitted a zoning application to request the approval of a drive through service window within a Commercial Zoning District. Current zoning regulations require a Special Use Permit (SUP) for any drive through service window. The proposed window will service a La Michoacana Meat Market if approved. The drive through lanes provide adequate vehicular staking and an escape lane, which complies with the adopted City ordinance.

Additionally, the applicant has provided a site plan which clearly outlines the location of the proposed drive through. The drive through service lane is located on the western side of the proposed building, which allows for easy access, and should not create any vehicular congestion on the subject or adjacent properties.

FINANCIAL IMPACT:

NA

RECOMMENDATION:

On September 20, 2022, the Planning and Zoning Commission voted unanimously (four to zero) to recommend approval of the Special Use Permit for a two (2) year period.

EXHIBITS:

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

1. Application for Special Use Permit
2. Proposed Site Plan
3. Survey of Property
4. 2019 aerial photograph



#250,00 plus
50,00 P/Ac. x 2 = \$350,00

ZONING APPLICATION

City of Seagoville, Texas

ANTICIPATED MEETING DATES: P&Z: _____ City Council: Chambers
DATE OF PRE-APPLICATION CONFERENCE WITH CITY REPS & PLANNER (required): 07/26/22

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 Drive Through

Name of Subdivision or Project: 2806 Hwy 175 LA MICHOCANA MEAT MARKET
Physical Location of Property: 2806 HWY 175, 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):
LOT 1R, BLK. 1 OF NABORS ADDITION, AN ADDITION TO THE CITY OF SEAGOVILLE. DOCUMENT # 202000242387
[Survey/Abstract No. and Tracts; or platted Subdivision Name with Lots/Block]

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

Applicant / Owner's Name: Jose Urioste **Applicant or Owner? (circle one)**
Contact Person: Jose Urioste Title: General Contractor
Company Name: Equipment CS
Street/Mailing Address: _____ City: _____ State: _____ Zip: _____
Phone: _____ Fax: () _____ Email Address: _____

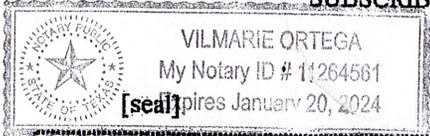
Engineer / Representative's Name: _____
Contact Person: Jose Rodin Title: Professional Engineer
Company Name: _____
Street/Mailing Address: _____ City: _____ State: _____ Zip: _____
Phone: _____ Fax: () _____ Email Address: _____

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.

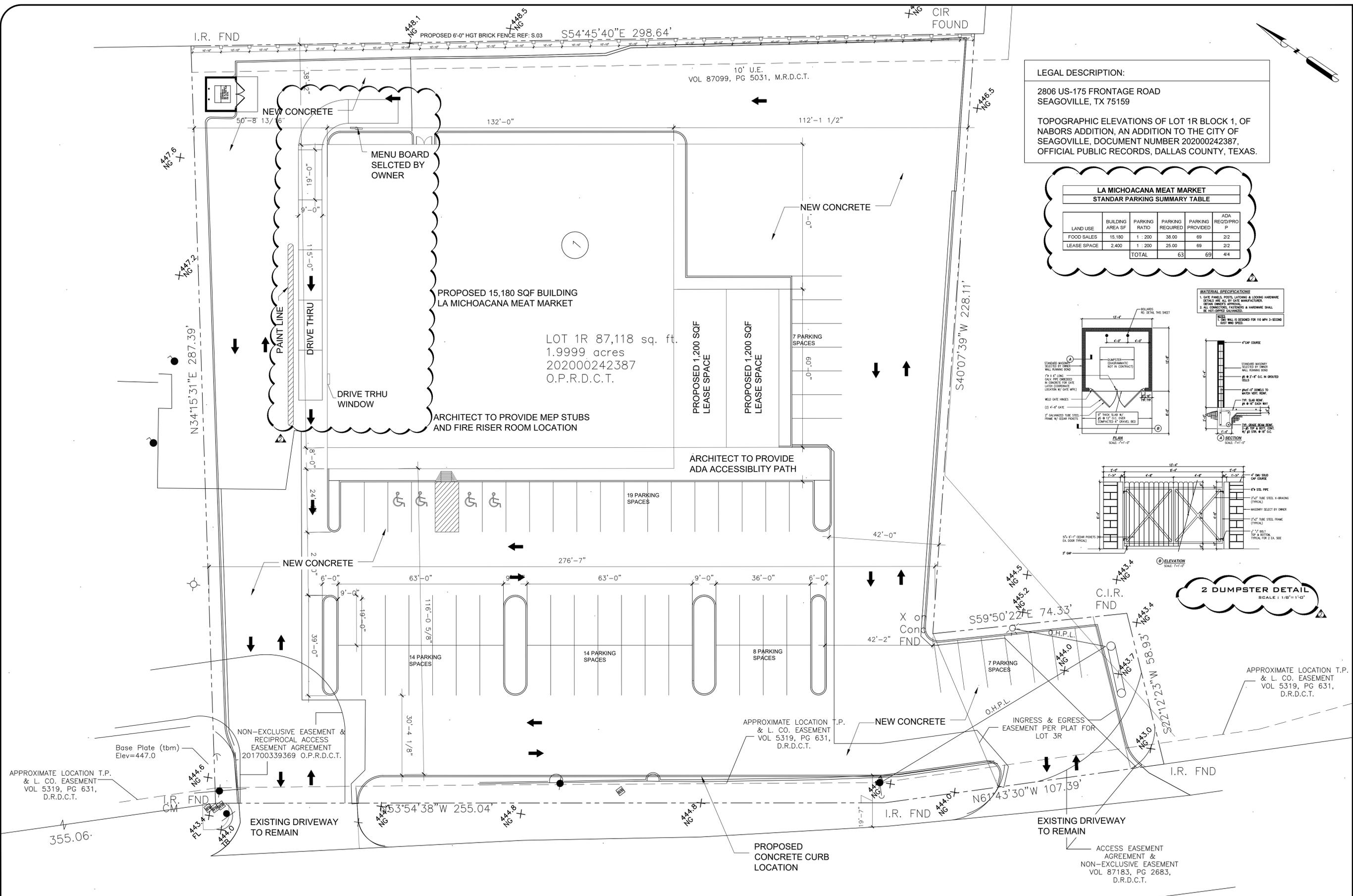
Signed: [Signature] Title: Owner Date: 7/15/2022

SUBSCRIBED AND SWORN TO before me, this the 15 day of July, 2022
(Month) (Year)



Notary Public in and for the State of Texas: _____
My Commission Expires On: 1-20-2024

Office Use Only: Date Rec'd: 7/20/22 Fees Paid: \$ 350.00 Check #: _____ Receipt #: 733886
Zoning Case #: _____ Accepted By: CA Official Submittal Date: 7/20/22

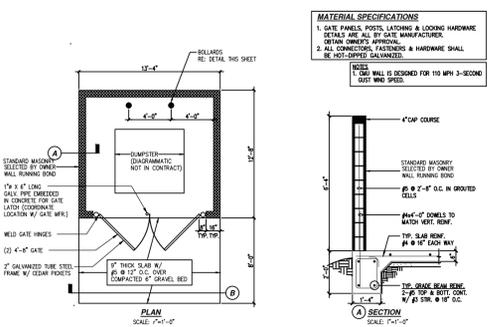


LEGAL DESCRIPTION:
 2806 US-175 FRONTAGE ROAD
 SEAGOVILLE, TX 75159

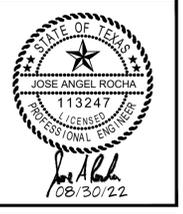
TOPOGRAPHIC ELEVATIONS OF LOT 1R BLOCK 1, OF NABORS ADDITION, AN ADDITION TO THE CITY OF SEAGOVILLE, DOCUMENT NUMBER 202000242387, OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS.

**LA MICHOCANA MEAT MARKET
STANDAR PARKING SUMMARY TABLE**

LAND USE	BUILDING AREA SF	PARKING RATIO	PARKING REQUIRED	PARKING PROVIDED	ADA REQ'D/PRO P
FOOD SALES	15,180	1 : 200	38.00	69	2/2
LEASE SPACE	2,400	1 : 200	25.00	69	2/2
TOTAL			63	69	4/4



LA MICHOCANA MEAT MARKET
 2806 HWY 175
 SEAGOVILLE, TEXAS 75159.



REVISIONS

△	08.11.22
△	08.24.22
△	

PROJECT NO:
 DRAWN BY: ND
 CHECKED BY: ND
 SHEET TITLE
 SITE PLAN
 Scale: 1/16"=1'-0"
 DATE OF ISSUE: 08.24.22
 SHEET NUMBER

C.01

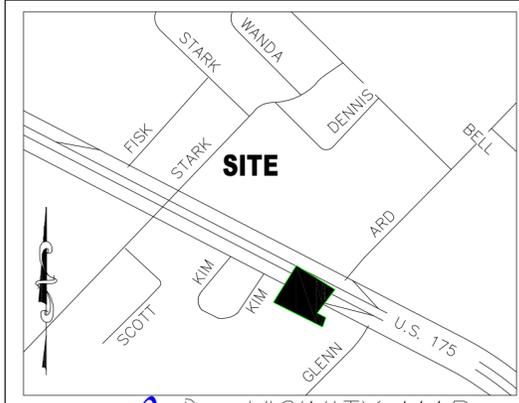
1 SITE PLAN
 SCALE: 1/16"=1'-0"

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.

BASIS OF BEARING;
GRID NORTH AS TIED INTO RTK.NET NETWORK SYSTEM WITH RTK GPS UNIT.

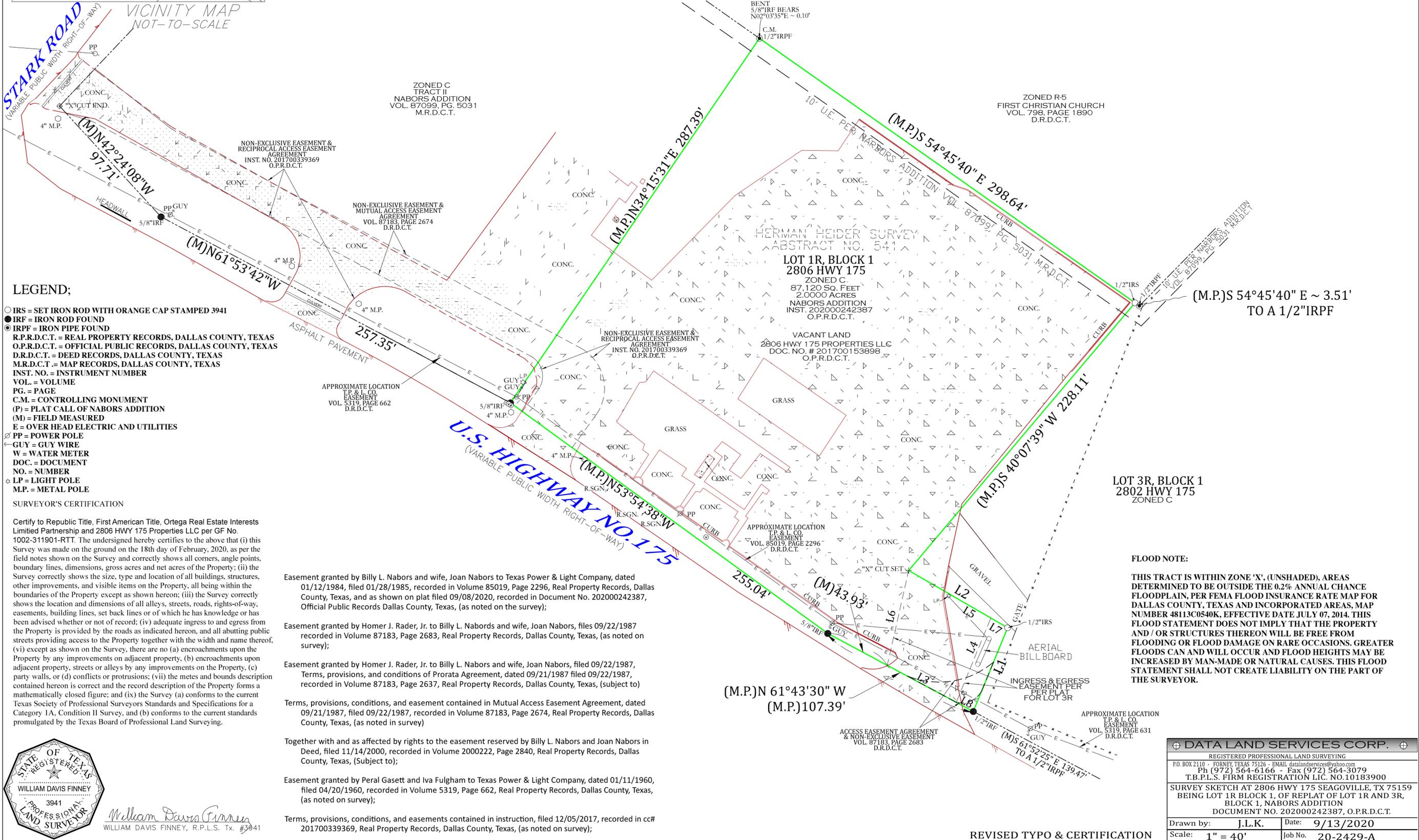
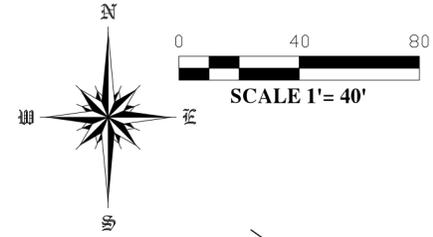
LEGAL DESCRIPTION

BEING LOT 1R BLOCK 1, OF REPLAT OF LOT 1R AND 3R BLOCK 1 NABORS ADDITION, AN ADDITION TO THE CITY OF SEAGOVILLE, DOCUMENT NUMBER 202000242387, OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS.



MEASURED AND PLAT CALLS

LINE	BEARING	DISTANCE
L1	(M)S 22°12'23" W	58.93'
L2	(M)S 59°50'22" E	74.33'
L3	(M)N 61°43'30" W	50.92'
L4	(M)S 22°12'23" W	59.35'
L5	(M)S 59°50'22" E	61.73'
L6	(M)N 12°39'56" E	63.39'
L7	(M)S 59°50'22" E	12.60'
L8	(M)S 61°43'30" E	12.55'



LEGEND:

- IRS = SET IRON ROD WITH ORANGE CAP STAMPED 3941
- IRF = IRON ROD FOUND
- IRPF = IRON PIPE FOUND
- R.P.R.D.C.T. = REAL PROPERTY RECORDS, DALLAS COUNTY, TEXAS
- O.P.R.D.C.T. = OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
- D.R.D.C.T. = DEED RECORDS, DALLAS COUNTY, TEXAS
- M.R.D.C.T. = MAP RECORDS, DALLAS COUNTY, TEXAS
- INST. NO. = INSTRUMENT NUMBER
- VOL. = VOLUME
- PG. = PAGE
- C.M. = CONTROLLING MONUMENT
- (P) = PLAT CALL OF NABORS ADDITION
- (M) = FIELD MEASURED
- E = OVER HEAD ELECTRIC AND UTILITIES
- PP = POWER POLE
- GUY = GUY WIRE
- W = WATER METER
- DOC. = DOCUMENT
- NO. = NUMBER
- LP = LIGHT POLE
- M.P. = METAL POLE

SURVEYOR'S CERTIFICATION

Certify to Republic Title, First American Title, Ortega Real Estate Interests Limited Partnership and 2806 HWY 175 Properties LLC per GF No. 1002-311901-RTT. The undersigned hereby certifies to the above that (i) this Survey was made on the ground on the 18th day of February, 2020, as per the field notes shown on the Survey and correctly shows all corners, angle points, boundary lines, dimensions, gross acres and net acres of the Property; (ii) the Survey correctly shows the size, type and location of all buildings, structures, other improvements, and visible items on the Property, all being within the boundaries of the Property except as shown hereon; (iii) the Survey correctly shows the location and dimensions of all alleys, streets, roads, rights-of-way, easements, building lines, set back lines or of which he has knowledge or has been advised whether or not of record; (iv) adequate ingress to and egress from the Property is provided by the roads as indicated hereon, and all abutting public streets providing access to the Property together with the width and name thereof; (v) except as shown on the Survey, there are no (a) encroachments upon the Property by any improvements on adjacent property, (b) encroachments upon adjacent property, streets or alleys by any improvements on the Property, (c) party walls, or (d) conflicts or protrusions; (vii) the metes and bounds description contained hereon is correct and the record description of the Property forms a mathematically closed figure; and (ix) the Survey (a) conforms to the current Texas Society of Professional Surveyors Standards and Specifications for a Category 1A, Condition II Survey, and (b) conforms to the current standards promulgated by the Texas Board of Professional Land Surveying.



Easement granted by Billy L. Nabors and wife, Joan Nabors to Texas Power & Light Company, dated 01/12/1984, filed 01/28/1985, recorded in Volume 85019, Page 2296, Real Property Records, Dallas County, Texas, and as shown on plat filed 09/08/2020, recorded in Document No. 202000242387, Official Public Records Dallas County, Texas, (as noted on the survey);

Easement granted by Homer J. Rader, Jr. to Billy L. Nabors and wife, Joan Nabors, files 09/22/1987 recorded in Volume 87183, Page 2683, Real Property Records, Dallas County, Texas, (as noted on survey);

Easement granted by Homer J. Rader, Jr. to Billy L. Nabors and wife, Joan Nabors, filed 09/22/1987, Terms, provisions, and conditions of Prorata Agreement, dated 09/21/1987 filed 09/22/1987, recorded in Volume 87183, Page 2637, Real Property Records, Dallas County, Texas, (subject to)

Terms, provisions, conditions, and easement contained in Mutual Access Easement Agreement, dated 09/21/1987, filed 09/22/1987, recorded in Volume 87183, Page 2674, Real Property Records, Dallas County, Texas, (as noted in survey)

Together with and as affected by rights to the easement reserved by Billy L. Nabors and Joan Nabors in Deed, filed 11/14/2000, recorded in Volume 2000222, Page 2840, Real Property Records, Dallas County, Texas, (Subject to);

Easement granted by Peral Gasett and Iva Fulgham to Texas Power & Light Company, dated 01/11/1960, filed 04/20/1960, recorded in Volume 5319, Page 662, Real Property Records, Dallas County, Texas, (as noted on survey);

Terms, provisions, conditions, and easements contained in instruction, filed 12/05/2017, recorded in cc# 201700339369, Real Property Records, Dallas County, Texas, (as noted on survey);

FLOOD NOTE:

THIS TRACT IS WITHIN ZONE 'X', (UNSHADED), AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, PER FEMA FLOOD INSURANCE RATE MAP FOR DALLAS COUNTY, TEXAS AND INCORPORATED AREAS, MAP NUMBER 48113C0540K, 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.

DATA LAND SERVICES CORP.

REGISTERED PROFESSIONAL LAND SURVEYING

P.O. BOX 2110 - FORNEY, TEXAS 75126 - EMAIL: data Landservices@yahoo.com
Ph (972) 564-6166 - Fax (972) 564-3079
T.B.P.L.S. FIRM REGISTRATION LIC. NO. 10183900

SURVEY SKETCH AT 2806 HWY 175 SEAGOVILLE, TX 75159
BEING LOT 1R BLOCK 1, OF REPLAT OF LOT 1R AND 3R,
BLOCK 1, NABORS ADDITION
DOCUMENT NO. 202000242387, O.P.R.D.C.T.

Drawn by: J.L.K. Date: 9/13/2020
Scale: 1" = 40' Job No. 20-2429-A

REVISED TYPO & CERTIFICATION



E Stark Rd

Hawn Fwy

W Stark Rd

100

2899

175

cott St

249

100

N US-175
2700

175

Regular Session Agenda Item: 4

Meeting Date: October 3, 2022

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 "C" Commercial to "C-SUP" Commercial with a Special Use Permit to allow for a drive through service window, subject to special conditions on approximately 2.00± acres described as Lot 1R, Block 1 of the Nabors addition, commonly known as 2806 Highway 175, Seagoville, Dallas County, Texas; providing for special conditions; providing for the repeal of all Ordinances in conflict; providing a severability clause; providing a penalty of fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense; and providing an effective date.

BACKGROUND OF ISSUE:

The applicant has submitted a zoning application to request the approval of a drive through service window within a Commercial Zoning District. Current zoning regulations require a Special Use Permit (SUP) for any drive through service window. The proposed window will service a La Michoacana Meat Market if approved. The drive through lanes provide adequate vehicular staking and an escape lane, which complies with the adopted City ordinance.

Additionally, the applicant has provided a site plan which outlines the location of the proposed drive through. The drive through service lane is located on the western side of the proposed building, which allows for easy access, and should not create any vehicular congestion on the subject or adjacent properties.

FINANCIAL IMPACT:

NA

RECOMMENDATION:

On September 20, 2022, the Planning and Zoning Commission voted unanimously (four to zero) to recommend approval of the Special Use Permit for a two (2) year period.

EXHIBITS:

Ordinance – Special Use Permit - 2806 N U.S. Highway 175

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 "C" COMMERCIAL TO "C-SUP" COMMERCIAL WITH A SPECIAL USE PERMIT TO ALLOW FOR A DRIVE THROUGH SERVICE WINDOW, SUBJECT TO SPECIAL CONDITIONS ON APPROXIMATELY 2.00± ACRES DESCRIBED AS LOT 1R, BLOCK 1 OF THE NABORS ADDITION, COMMONLY KNOWN AS 2806 HIGHWAY 175, SEAGOVILLE, DALLAS COUNTY 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 "C" Commercial to "C-SUP" Commercial with a Special Use Permit to allow for a drive through service window, subject to special conditions on approximately 2.00± acres described as Lot 1R, Block 1 of the Nabors Addition, commonly known as 2806 Highway 175, in the City of Seagoville, Dallas County, Texas.

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 proposed drive through lanes must provide adequate vehicle stacking as required by City ordinance; and,
- B. An escape lane must be constructed in compliance with City ordinance; and
- C. That the Special Use Permit granted herein shall expire on October 3, 2024.

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 3rd day of October 2022.

APPROVED:

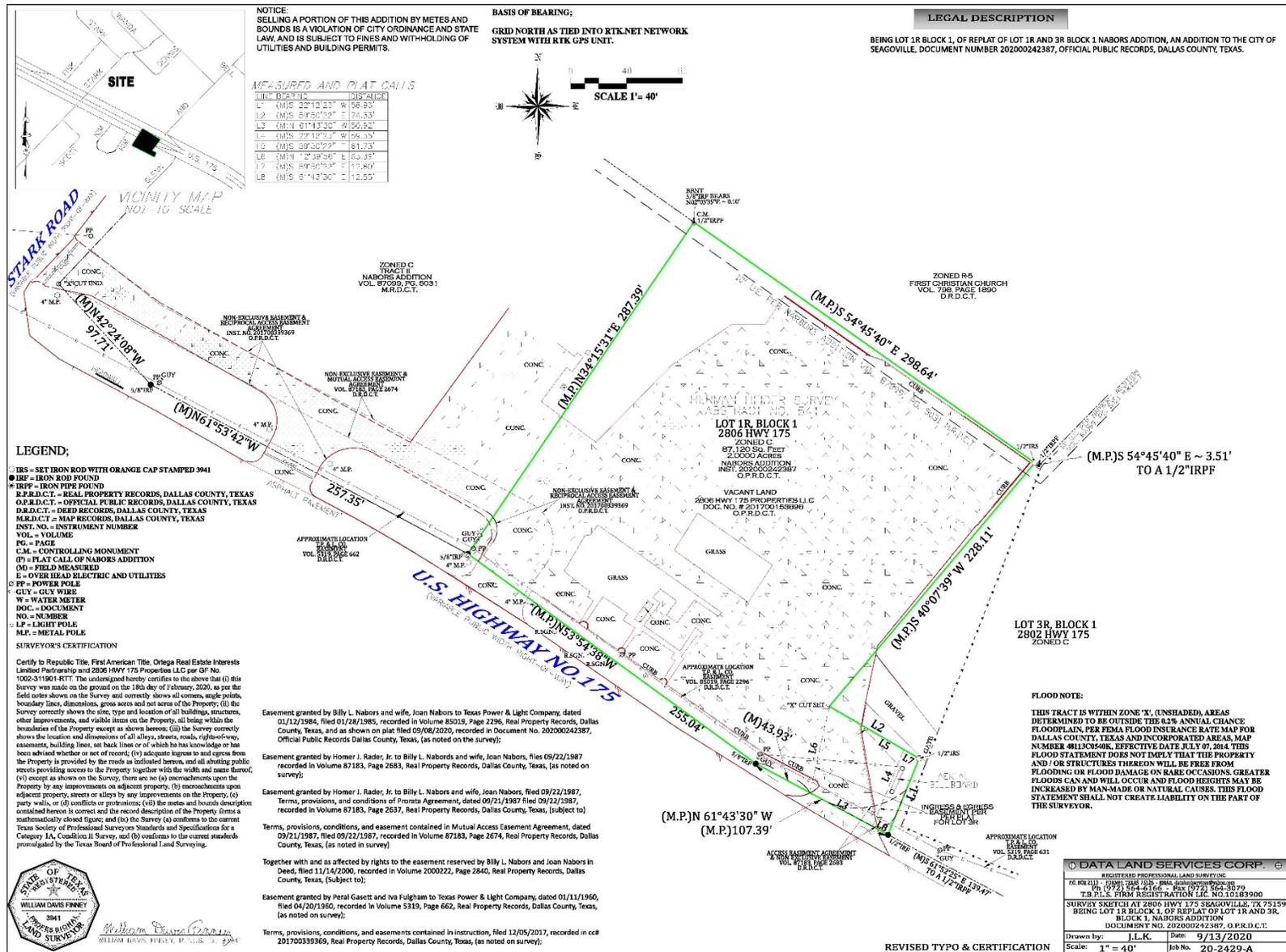
DENNIS K. CHILDRESS, MAYOR

ATTEST:

KANDI JACKSON, CITY SECRETARY

APPROVED AS TO FORM:

VICTORIA THOMAS, CITY ATTORNEY
(/cdb 09.27.2022)



Regular Session Agenda Item: 5

Meeting Date: October 3, 2022

ITEM DESCRIPTION:

Conduct a public hearing on a request amending the Comprehensive Zoning Ordinance and map of the City of Seagoville, Dallas County, Texas, as heretofore amended, by granting a change in zoning from Planned Development with mix uses for multi-family residential, office, local retail and commercial (PD-20-03) to Planned Development with mix uses for multi-family residential, office, local retail and commercial Amended-1 (PD-20-03-A1) on approximately 21.567± acres commonly known as 108 South Highway 175, in the City of Seagoville, Dallas County, Texas, and being legally depicted and described in Exhibit “A”.

BACKGROUND OF ISSUE:

Located on the southeast corner of South U.S. Highway 175 and East Malloy Bridge Road, the subject property is within an existing Planned Development zoning district. Since the adoption of Ordinance No. 19-2020, which created the PD zoning district, the property has been vacant. The property has received interest from a grocery store chain to build a new location at 108 South Highway 175 with the inclusion of beer and wine sales in addition to a fuel sales station.

The requested PD amendments include the following changes:

- An updated site plan to include a 48,460 SF grocery store.
- A fuel station site along U.S. Highway 175.
- The addition of beer and wine sales included with general merchandise sales and/or a food store.
- A maximum height for new signage to be no more than forty-five (45') feet in height.
- Updates to current concept plans and layout.
- The inclusion of a drive through service window.

The proposed amendments to the existing PD district conforms with the Seagoville Comprehensive Plan. Note: Final site plan and engineering approval may cause deviation from the proposed concept plans.

FINANCIAL IMPACT:

NA

RECOMMENDATION:

On September 20, 2022, the Planning and Zoning Commission voted unanimously (four to zero) to recommend approval of the zoning request.

EXHIBITS:

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

1. Narrative and request from applicant
2. Replat with Legal Description
3. Site Aerial
4. Application
5. Existing Planned Development Ordinance



MALLOY BRIDGE RESIDENTIAL LLC
1015 N. DUNCANVILLE ROAD, DUNCANVILLE, TEXAS 75116
(972) 224-1096 FAX (972) 224-6098

August 1, 2022

City of Seagoville
702 N. Highway 175
Seagoville, Texas 75159
Attn: Pat Stallings, Ladis Barr

RE: Requested Amendment to
Planned Development (PD-20-03)
108 South US Hwy 175
Seagoville, Texas 75159
22.17+/- Acres

Pat Stallings, Ladis Barr:

Please use this document as the request from **KRR Malloy Bridge Residential LLC** to provide and identify the necessary amendments to the **PD-20-03** as provided in **Ordinance No. 19-2020** (copy attached). This Ordinance (**as approved by the City of Seagoville 11/16/20**) provided an amendment to the comprehensive Zoning ordinance and map of the City of Seagoville, Dallas County, Texas from Light Manufacturing (LM) To Planned Development with Mixed Uses for Multi-Family Residential, office, Local Retail and Commercial.

The request for these amendments is needed to facilitate the new construction of a **48,460 (+/-) SF full-service grocery facility** with an 8-pump retail gas station to be constructed on Lot 1. It is anticipated that the construction of this facility, will commence no later than November 1st of 2023. The store will be owned and operated by Brookshire Grocery Company, of Tyler, Texas.

The Following Amendments are Requested:

- **Section 1. Revised Exhibit “A” shall be substituted for the existing Exhibit “A” Property, providing a current description of the property site included in 22.17+/- acres (see attached). This new Exhibit “A” has been submitted and approved by the City of Seagoville, and recorded with Dallas County as the current Replat of Lot 1R and Lot 2R, Block 1 Joseph Kemp addition being a Replat of Lot 1 and Lot 2, Block 1 Joseph Kemp addition (Instrument No. 202100142469 Dallas, County, Texas / Doc No. 2022-202200133210)**

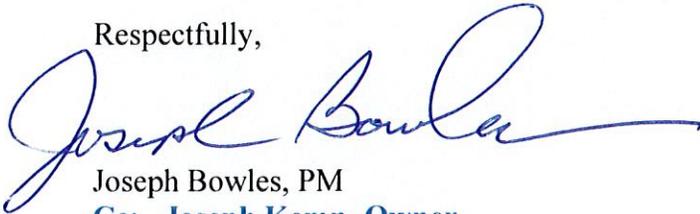
City of Seagoville, Texas
702 N. Highway 175
Page 2

- **Section 2. Lot 1 Permitted Uses shall include the following:**
Lot 1R, Block 1 - approx. Acres 6.926 +/- (as provided on Replat)
Beer and Wine Sales (included under General Merchandise or Food Store)
Retail Fuel Sales (included under General Merchandise or Food Store)
Lot 2R, Block 1 – approx. Acres 14.641 +/- (as provided on Replat)
- **Section 3. Revised Item J. “Signs must comply with City of Seagoville sign ordinances including height limits with exception of Grocery Store Pylon sign height of 36’-3”.**
Revised Item N. “Structure height on Lot 1 shall not exceed (45’) feet.
- **Section 4. – Revised Exhibit “B” Site Plan shall be substituted providing current description of Lots 1, 2 (2A used for drainage - see attached).**

Revised Exhibit B is the current layout for the 225-unit apartment to be located on Lot2. We have also included a separate sheet for the layout of the Grocery Retail facility which will be located on Lot 1. Final drawings to be provided at a later date.

Please feel free to contact our office with any questions or comments you may have. We have provided this document in **three (3) original copies**.

Respectfully,



Joseph Bowles, PM

Cc: Joseph Kemp, Owner
Jason Cooper, Brookshire Grocery Company
Phil Heath, Brookshire Grocery Company
Erma Maves, Brookshire Grocery Company

Attachments:

- **PD-20-03 (signed Nov 16, 2020)**
- **Revised Exhibit A (Property Plat, Lots 1, 2, 2A)**
- **Revised Exhibit B (site plan Lot 2 Apartments – page 1)**
- **Revised Exhibit B (Grocery Retail Layout, Brookshire – page 2)**

AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS

ORDINANCE NO. 19-2020

AN ORDINANCE OF THE CITY OF SEAGOVILLE, DALLAS COUNTY, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP OF THE CITY OF SEAGOVILLE, DALLAS COUNTY, TEXAS, AS HERETOFORE AMENDED, BY GRANTING A CHANGE IN ZONING FROM LIGHT MANUFACTURING (LM) TO PLANNED DEVELOPMENT WITH MIX USES FOR MULTI-FAMILY RESIDENTIAL, OFFICE, LOCAL RETAIL AND COMMERCIAL (PD-20-03) WITH STATED PERMITTED AND PROHIBITED USES THEREIN FOR APPROXIMATELY 22.17± ACRES LOCATED IN THE JOHN D MERCHANT ABSTRACT 850, COMMONLY KNOWN AS 108 SOUTH HIGHWAY 175, IN THE CITY OF SEAGOVILLE, DALLAS COUNTY, TEXAS, AND BEING LEGALLY DESCRIBED AND DEPICTED IN EXHIBIT "A", ATTACHED HERETO AND INCORPORATED HEREIN; PROVIDING FOR THE APPROVAL OF DEVELOPMENT REGULATIONS; PROVIDING FOR THE APPROVAL OF THE SITE PLAN, WHICH IS ATTACHED HERETO AND INCORPORATED HEREIN AS EXHIBIT "B"; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Planning and Zoning Commission and the governing body of the City of Seagoville, Texas, in compliance with the laws of the State of Texas, and pursuant to the Comprehensive Zoning Ordinance of the City of Seagoville, have given requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally, and to all persons interested and situated in the affected area and in the vicinity thereof, the said governing body is of the opinion that Zoning Application No. Z2020-14 (PD 20-03) should be approved, and in the exercise of legislative discretion have concluded that the Comprehensive Zoning Ordinance and Map should be amended.

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

SECTION 1. That the Comprehensive Zoning Ordinance and Map of the City of Seagoville, Texas, duly passed by the governing body of the City of Seagoville, Texas, as heretofore amended, be and the same is hereby amended by granting a change in zoning from Light Manufacturing (LM) to Planned Development with mixed uses for Multi-Family

Residential, Office, Local Retail and Commercial with stated permitted and prohibited uses as stated herein (PD-20-03) for approximately 22.17± acres located in the John D Merchant Abstract 850, commonly known as 108 South Highway 175, in the City of Seagoville, Dallas County, Texas, and being legally described and depicted in Exhibit "A", attached hereto and incorporated herein.

SECTION 2. The property shall be 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 further amended herein below as follows:

Lot 1 (approx. 8.5 acres) - Permitted Uses:

- Animal Shelter or Clinic
- Auto Part Retail Sales
- Business School
- Car Wash
- Commercial Amusement (inside)
- Convenience Store
- Dry Cleaners or Laundry Service
- Furniture Store
- General Merchandise or Food Store
- Household Equipment and Appliance Store
- Nursery, Garden, and Plant Store
- Restaurant (with or without drive through)

Lot 2 (approx. 13.0 acres) - Permitted Uses:

- Apartment Buildings
- Townhome Buildings
- Accessory Uses: Clubhouse with amenities
- Walking Trail System

Lot 2A (approx. 0.6 acres) - Permitted Uses:

- Stormwater facilities
- Drainage facilities

Any use not listed above as a Permitted Use is a prohibited use.

SECTION 3. The property shall be developed in accordance with the City of Seagoville Zoning Ordinance and Construction Standards, except as amended herein, and the following development regulations:

- A. Development in accordance with the approved site plan
- B. Apartment Buildings not to exceed Twelve (12) including Townhome Buildings
- C. Apartment Dwelling Units - minimum of 650SF and maximum of 1,700 SF

- D. Townhomes and Townhome clusters - up to six (6) dwelling units per building
- E. Accessory Uses - Multi-use Clubhouse Building (for tenant use only)
- F. Clubhouse Building - Limited Hours Laundry Facility
- G. Clubhouse Building - Limited Hours swimming pool 6 feet and under
- H. Clubhouse Building - Limited Hours Exercise room
- I. Clubhouse Building will have limited hours of availability to tenants for Office and Business Center
- J. Signs must comply with City of Seagoville sign ordinances including height limits
- K. Number of Parking Lot spaces Uncovered to comply with City of Seagoville ordinances
- L. Number of Covered Parking Lot spaces not to exceed 80 spaces
- M. Walking Trail to be installed per approved plan submission to City of Seagoville
- N. Structure height on Lot 1 shall not exceed thirty (30') feet
- O. Structure height on Lot 2 shall not exceed forty-five (45') feet
- P. Parking shall be provided at a ratio of 1.5 spaces per multifamily unit
- Q. Five (5') foot sidewalk shall be constructed along East Malloy Bridge Road within a dedicated public sidewalk easement to be maintained by the City
- R. Five (5') foot sidewalk shall be constructed along the U.S. Highway 175 Frontage Road outside the Highway's right-of-way to be maintained by the development's owner
- S. All interior sidewalks to be at least three (3') foot wide and be built as each lot develops
- T. Construction of a twenty-four (24') foot wide concrete fire lane as each lot develops
- U. All screening walls to be masonry and at least six (6') feet tall

SECTION 4. The property shall be developed and used only in accordance with the site plan attached as Exhibit "B" and incorporated herein for all purposes, which is hereby approved.

SECTION 5. All provisions of the Ordinances of the City of Seagoville, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 6. Should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be unconstitutional, illegal or invalid, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 7. An offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Comprehensive Zoning Ordinance, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 8. Any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning

Ordinance of the City of Seagoville, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

SECTION 9. This ordinance shall take effect immediately from and after its passage and the publication of its caption, as the law and charter in such cases provide.

DULY PASSED by the City Council of the City of Seagoville, Texas, this the 11th day of November 2020.

APPROVED:



DENNIS K. CHILDRESS, MAYOR

ATTEST:



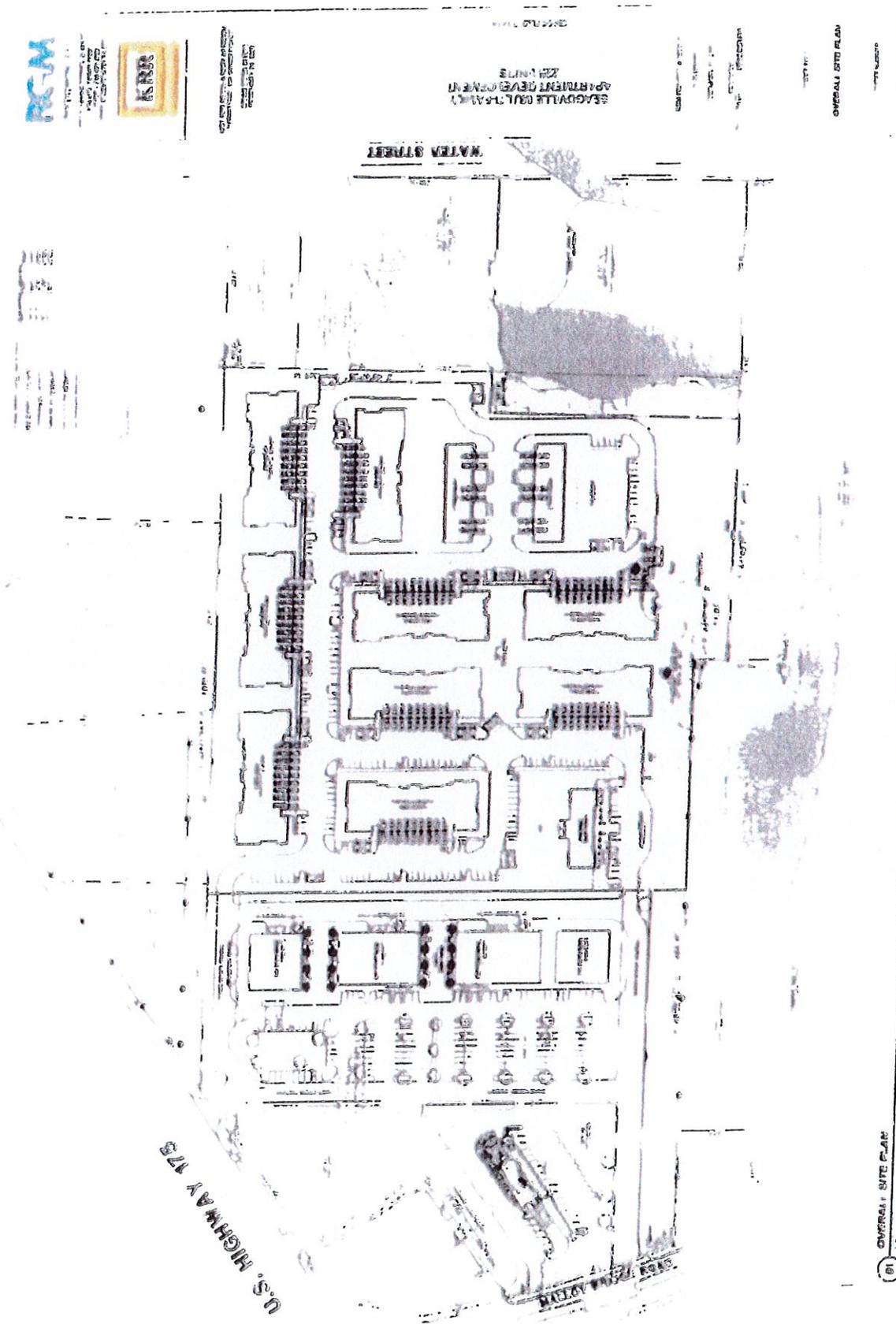
KANDI JACKSON, CITY SECRETARY

APPROVED AS TO FORM:



VICTORIA THOMAS, CITY ATTORNEY
(111020\wtFM119056)

**EXHIBIT "B"
SITE PLAN**



FOR MORE INFORMATION CONTACT:
KRSB CONSTRUCTION SERVICES
1000 10th St. N. #100
Edmonton, Alberta T6A 1P1
Canada
Tel: (780) 443-1111
Fax: (780) 443-1112
www.krsb.ca

SEAGULLS OULSTRAAL
APARTMENT DEVELOPMENT
222-1111
1000 10th St. N. #100
Edmonton, Alberta T6A 1P1
Canada
Tel: (780) 443-1111
Fax: (780) 443-1112
www.krsb.ca

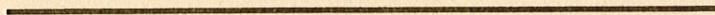
GENERAL SITE PLAN

GENERAL SITE PLAN

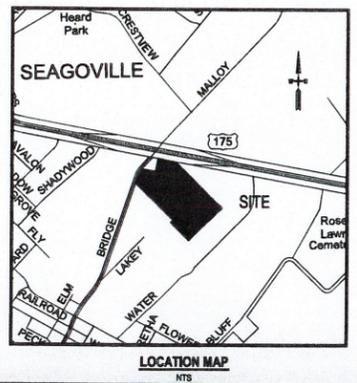
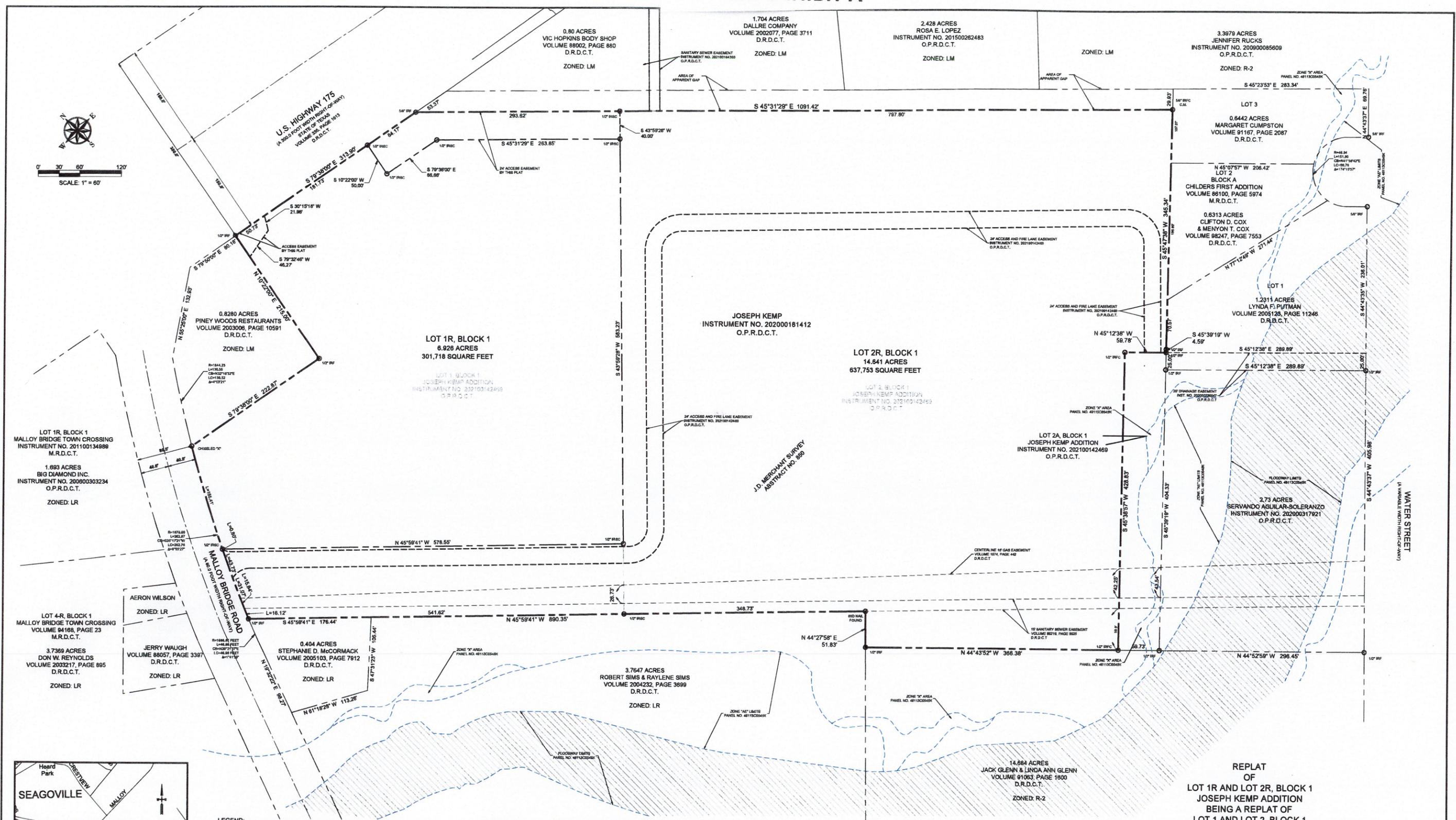
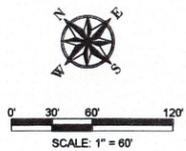
AS100

REVISED EXHIBIT A (one page)

REVISED EXHIBIT B (two pages)



REVISED EXHIBIT A



LEGEND:
 IRF - IRON ROD FOUND
 IRSC - CAPPED IRON ROD SET WITH YELLOW STAMPED "RPLS NO. 1740"
 CHISELED "X" SET - CHISELED "X" SET IN CONCRETE
 IRFC - IRON ROD FOUND CAPPED
 R.O.W. - RIGHT-OF-WAY
 C.M. - CONTROLLING MONUMENT
 M.R.D.C.T. - MAP RECORDS, DALLAS COUNTY, TEXAS
 D.R.D.C.T. - DEED RECORDS, DALLAS COUNTY, TEXAS
 O.P.R.D.C.T. - OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
 INST. NO. - INSTRUMENT NUMBER
 P.O.B. - POINT OF BEGINNING
 FND. - FOUND
 ESMT. - EASEMENT
 VOL. - VOLUME
 PG. - PAGE

GENERAL NOTES:

1. BASIS OF BEARING - THE BASIS OF BEARING OF THIS SURVEY IS TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983
2. THE CITY WILL NOT BE REQUIRING THE RELOCATION OF CURBS, GUTTERS, OR SIDEWALKS OR THE EXPANSION OF THE EXISTING STREET PAVEMENT FOR MALLOY BRIDGE ROAD WITH THIS DEVELOPMENT. ONLY THE DEDICATION OF THE MISSING RIGHT-OF-WAY AREA IS REQUIRED.
3. THE CITY WILL BE REQUIRING THE CONSTRUCTION OF ANY MISSING SIDEWALK ALONG MALLOY BRIDGE ROAD WITHIN THE STREET RIGHT-OF-WAY WITH THIS DEVELOPMENT.
4. THE CITY WILL BE REQUIRING THE CONSTRUCTION OF SIDEWALK ALONG THE HIGHWAY FRONTAGE ROAD OUTSIDE THE STREET RIGHT-OF-WAY (I.E. A PRIVATE SIDEWALK TO BE MAINTAINED BY THE PROPERTY OWNER) WITH THIS DEVELOPMENT.
5. ANY DRIVEWAY OR ACCESS ONTO THE FRONTAGE ROAD WILL REQUIRE A TxDOT PERMIT.

OWNER:
 JOSEPH KEMP
 1015 N DUNCANVILLE RD
 DUNCANVILLE, TX 75116
 972-224-1096

NO.	DATE	REVISION
1.		
2.		
3.		

REPLAT OF LOT 1R AND LOT 2R, BLOCK 1 JOSEPH KEMP ADDITION BEING A REPLAT OF LOT 1 AND LOT 2, BLOCK 1 JOSEPH KEMP ADDITION INSTRUMENT NO. 202100142469

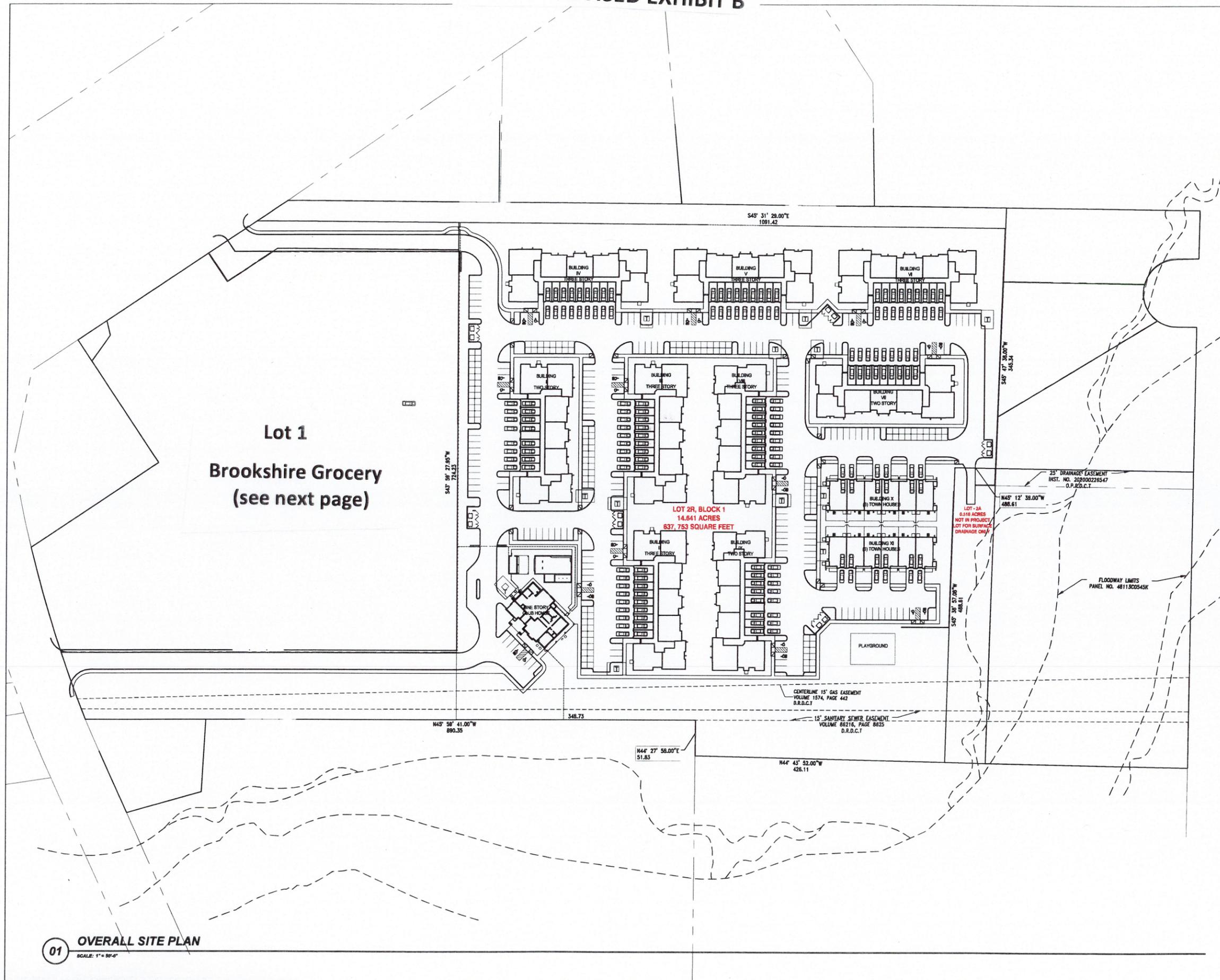
OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
 J.D. MERCHANT SURVEY, ABSTRACT NO. 850
 CITY OF SEAGOVILLE, DALLAS COUNTY, TEXAS

SHEET: 1 OF 2

L - R SURVEYING, LLC TBPS No. 10194623		JOB NO.:	20-049
		DATE:	MARCH 28, 2022
P.O. BOX 2415 GRANDBURY, TEXAS 76048		SCALE:	1" = 60'
		DRAWN BY:	RP

(817) 354-1445
 (817) 218-5103 CELL
 larryturman@yahoo.com

REVISED EXHIBIT B



Lot 1
Brookshire Grocery
(see next page)

LOT 2R, BLOCK 1
14.641 ACRES
637,753 SQUARE FEET

LOT 2A
0.518 ACRES
NOT IN PROJECT
LOT FOR SURFACE
DRAINAGE ONLY

01 OVERALL SITE PLAN
SCALE: 1" = 50'-0"

ARCHITECT OF RECORD
Alva
ALLEN WHITWELL ARCHITECT
McKINNEY, TEXAS

ASSOCIATE ARCHITECT
RGM
Architects, LLC
2001 N. LAMAR STREET, SUITE 580
DALLAS, TEXAS 75202
VOICE - 214.625.2622
TBAE BUSINESS REGISTRATION # 3631

OWNER
KRR
KRR MALLOY BRIDGE, LLC
DUNCANVILLE, TEXAS 75116

NOT FOR REGULATORY APPROVAL,
PERMITTING, OR CONSTRUCTION
ALLEN WHITWELL #5890
JULY 8, 2022

KRR MALLOY BRIDGE
RESIDENTIAL
90% PROGRESS SET
108 SOUTH US HWY 175, SEAGOVILLE, TEXAS 75159

RGM PROJECT # 202025.00
DATE ISSUED
JULY 8, 2022

REVISIONS		
No.	DATE	DESCRIPTION

SHEET TITLE
OVERALL SITE PLAN

SHEET NUMBER
AS100

U.S. HIGHWAY 175
(A 300.0 FOOT WIDTH RIGHT-OF-WAY)

SHARED DRIVE BY SELLER

266'±

EXIT

LOT - 1A
1.000 ACRES

TACO BELL

0.8280 ACRES
PINEY WOODS
RESTAURANTS
VOLUME 2003006, PAGE
10622
D.R.D.C.T.

LOT - 1
4.219 ACRES

Super 1 Foods #600

48,460 SF

PARKING REQUIREMENT:
REQUIRED = 243 SPACES

PARKING PROVIDED:
314 REGULAR SPACES
10 ACCESSIBLE SPACES
324 TOTAL SPACES

LOT - 1B
1.664 ACRES

SHARED DRIVE BY SELLER

ENTRANCE /
EXIT

CENTERLINE 15 GAS EASEMENT
VOLUME 1574, PAGE 442
D.R.D.C.T.

SITE STUDY - 16
6.883 ACRES
4 PUMPS



0 30 60 90

108 S. U S HWY 175
SEAGOVILLE, TX.
11-23-2021

MALLOY BRIDGE ROAD
(A) 80.0 FOOT WIDTH RIGHT-OF-WAY
153'±

X" CUT SET

BUILD
THREE'S

PO

ONE STOP
LEASE OFF

STATE OF TEXAS -
COUNTY OF DALLAS -

DESCRIPTION:

WHEREAS, JOSEPH KEMP IS THE OWNER OF A CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATED IN THE J.D. MERCHANT SURVEY, ABSTRACT NO. 850, IN THE CITY OF SEAGOVILLE, DALLAS COUNTY, TEXAS AND BEING ALL OF THAT CERTAIN TRACT OF LAND CONVEYED TO JOSEPH KEMP BY DEED RECORDED IN INSTRUMENT NO. 202000181412, O.P.R.D.C.T. SAME BEING LOT 1, BLOCK 1 AND LOT 2, BLOCK 1, JOSEPH KEMP ADDITION, AN ADDITION TO THE CITY OF SEAGOVILLE, RECORDED IN INSTRUMENT NO. 202100142469, O.P.R.D.C.T. AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD FOUND IN THE SOUTH ROW LINE OF U.S. HIGHWAY NO. 175 SERVICE ROAD (A 300' ROW), SAID IRON ROD BEING THE MOST NORTHERLY NORTHWEST CORNER OF THE SUBJECT TRACT AND THE NORTHEAST CORNER OF A TRACT OF LAND CONVEYED TO PINEY WOODS RESTAURANTS IN VOLUME 2003006, PAGE 10591, D.R.D.C.T.;

THENCE SOUTH 79° 38' 00" EAST ALONG THE SOUTH ROW LINE OF U.S. HIGHWAY NO. 175 SERVICE ROAD AND THE NORTHERLY LINE OF THE SUBJECT TRACT FOR A DISTANCE OF 313.90 FEET TO A 5/8" IRON ROD FOUND AT THE NORTHEAST CORNER OF THE SUBJECT TRACT AND THE NORTHWEST CORNER OF A TRACT OF LAND CONVEYED TO VIC HOPKINS BODY SHOP, INC. IN VOLUME 88002, PAGE 880, D.R.D.C.T.;

THENCE SOUTH 45° 31' 29" EAST ALONG THE NORTHEAST LINE OF THE SUBJECT TRACT AND THE SOUTHWEST LINE OF SAID HOPKINS TRACT FOR A DISTANCE OF 1091.42 FEET TO A 5/8" IRON ROD FOUND, WITH YELLOW CAP STAMPED "DCA", FOR CORNER IN THE SOUTHWEST LINE OF A TRACT OF LAND CONVEYED TO JENNIFER RUCKS BY DEED AS RECORDED IN INSTRUMENT NO. 200900085609, O.P.R.D.C.T., SAID IRON ROD BEING AT THE EAST CORNER OF THE SUBJECT TRACT AND THE NORTH CORNER OF LOT 3, BLOCK A, CHILDERS FIRST ADDITION, AN ADDITION TO THE CITY OF SEAGOVILLE, RECORDED IN VOLUME 86100, PAGE 5974, M.R.D.C.T.;

THENCE SOUTH 45° 47' 38" WEST ALONG THE SOUTHWEST LINE OF THE SUBJECT TRACT AND THE NORTHWEST LINE OF SAID CHILDERS ADDITION, A DISTANCE OF 345.34 FEET TO A 1/2" IRON ROD FOUND FOR ANGLE POINT IN THE NORTHWEST LINE OF LOT 1, BLOCK A OF SAID CHILDERS ADDITION;

THENCE SOUTH 45° 39' 19" WEST ALONG THE SOUTHEAST LINE OF THE SUBJECT TRACT AND THE NORTHWEST LINE OF SAID LOT 1, CHILDERS ADDITION, A DISTANCE OF 4.59 FEET TO A 1/2" IRON ROD FOUND FOR CORNER, SAID POINT BEING THE WEST CORNER OF LOT 2A, BLOCK 1, JOSEPH KEMP ADDITION, AN ADDITION TO THE CITY OF SEAGOVILLE, RECORDED IN INSTRUMENT NO. 202100142469, O.P.R.D.C.T., SAME POINT BEING THE MOST EASTERLY SOUTH CORNER OF SAID LOT 2, BLOCK 1, JOSEPH KEMP ADDITION, SAID POINT ALSO BEING IN THE NORTHWESTERLY LINE OF SAID LOT 1, CHILDERS ADDITION;

THENCE NORTH 45° 12' 38" WEST, DEPARTING THE NORTHWESTERLY LINE OF SAID LOT 1, CHILDERS ADDITION AND ALONG THE COMMON LINE OF SAID LOT 2, BLOCK 1, JOSEPH KEMP ADDITION AND LOT 2A, BLOCK 1, JOSEPH KEMP ADDITION, A DISTANCE OF 59.78 FEET TO A 1/2" IRON ROD FOUND FOR CORNER, SAID POINT BEING THE NORTH CORNER OF SAID LOT 2A, BLOCK 1, JOSEPH KEMP ADDITION, SAME POINT BEING AN ANGLE POINT FOR LOT 2, BLOCK 1, JOSEPH KEMP ADDITION;

THENCE SOUTH 45° 38' 57" WEST, CONTINUING ALONG THE COMMON LINE OF SAID LOT 2, BLOCK 1, JOSEPH KEMP ADDITION AND LOT 2A, BLOCK 1, JOSEPH KEMP ADDITION, A DISTANCE OF 428.83 FEET TO A 1/2" IRON ROD FOUND FOR CORNER IN THE NORTHEAST LINE OF A TRACT OF LAND CONVEYED TO JACK AND LINDA ANN GLENN IN VOLUME 91063, PAGE 1600, D.R.D.C.T., SAID IRON ROD ALSO BEING AT THE SOUTH CORNER OF THE SUBJECT TRACT AND THE WEST CORNER OF A TRACT OF LAND CONVEYED TO SERVANDO AGUILAR-SOLERANZO RECORDED IN INSTRUMENT NO. 202000317921, O.P.R.D.C.T.;

THENCE NORTH 44° 43' 52" WEST ALONG THE SOUTHWEST LINE OF THE SUBJECT TRACT AND THE NORTHEAST LINE OF SAID GLENN TRACT, A DISTANCE OF 366.38 FEET TO A 1/2" IRON ROD FOUND FOR AN ELL CORNER IN THE SOUTHEAST LINE OF A TRACT OF LAND CONVEYED TO ROBERT AND RAYLENE SIMS AS RECORDED IN VOLUME 2004232, PAGE 3699, D.R.D.C.T.;

THENCE NORTH 44° 27' 58" EAST ALONG THE SOUTHEAST LINE OF SAID SIMS TRACT FOR A DISTANCE OF 51.83 FEET TO A 60D NAIL SET AT THE EAST CORNER OF SAID SIMS TRACT AND AN ELL CORNER OF THE SUBJECT TRACT;

THENCE NORTH 45° 59' 41" WEST ALONG THE SOUTHWEST LINE OF THE SUBJECT TRACT AND THE NORTHEAST LINE OF SAID SIMS TRACT FOR A DISTANCE OF 890.35 FEET TO A 1/2" IRON ROD FOUND IN THE EASTERLY ROW LINE OF EAST MALLOY BRIDGE ROAD (AN 80-FOOT ROW), SAID ROD BEING AT THE WEST CORNER OF THE SUBJECT TRACT AND THE NORTH CORNER OF A TRACT OF LAND CONVEYED TO STEPHANIE D. MCCORMACK IN VOLUME 2005103, PAGE 7912, D.R.D.C.T, ALSO BEING IN A CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 08° 03' 287" WITH A RADIUS OF 1870.00 FEET AND A CHORD BEARING NORTH 26° 17' 21" EAST WITH A CHORD DISTANCE OF 262.76 FEET;

THENCE NORTHEASTERLY ALONG SAID CURVE TO THE RIGHT IN THE EASTERLY ROW LINE OF EAST MALLOY BRIDGE ROAD, FOR AN ARC DISTANCE OF 262.97 FEET TO CHISELED "X" SET AT THE SOUTHWEST CORNER OF SAID PINEY WOODS RESTAURANT TRACT;

THENCE SOUTH 79° 38' 00" EAST, ALONG THE COMMON LINE OF THE SUBJECT TRACT AND SAID RESTAURANT TRACT FOR A DISTANCE OF 222.87 FEET TO A 1/2" IRON ROD FOUND AT THE SOUTHEAST CORNER OF SAID RESTAURANT TRACT;

THENCE NORTH 10° 22' 00" EAST, CONTINUING ALONG SAID COMMON LINE FOR A DISTANCE OF 215.00 FEET TO THE PLACE OF BEGINNING AND CONTAINING 939,471 SQUARE FEET OR 21.567 ACRES OF COMPUTED LAND.

OWNER'S DEDICATION

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

That Joseph Kemp, owner, does hereby adopt this plat designated the herein above described property as LOT 1, LOT 2, AND LOT 2A, JOSEPH KEMP ADDITION, an addition to the City of Seagoville, Texas, and does hereby dedicate, in fee simple, to the public use forever, the streets, right-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, reconstruction, inspecting, patrolling, maintaining, reading meters, and adding to or removing all or parts of these respective system 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 20 day of April, 2022.

By: [Signature]
Joseph Kemp, Owner

STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, the undersigned authority, on this day personally appeared Joseph Kemp, Owner known to be 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 consideration therein expressed, in the capacity therein stated, and as the act and deed of said partnership.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, on the 20 day of April, 2022.

[Signature]
Notary Public in and for the State of Texas
My Commission Expires: 11/18/23



CITY OF SEAGOVILLE:

This 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.

APPROVED BY:

[Signature] 4-28-22
Community Development Date of Approval

ATTEST:

[Signature] 4-28-22
City Secretary Date

SURVEYOR'S CERTIFICATE

THIS is to certify that I, Larry Turman, a Registered Professional Land Surveyor for the State of Texas, having platted the above subdivision from an actual survey on the ground, and that this plat correctly represents that survey made by me or under my direction and supervision.

[Signature]
Larry Turman
R.P.L.S. NO. 1740

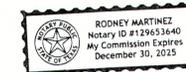


STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, the undersigned authority, on this day personally appeared Larry Turman known to be 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 consideration therein expressed, in the capacity therein stated, and as the act and deed of said partnership.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, on the 17th day of April, 2022.

[Signature]
Notary Public in and for the State of Texas
My Commission Expires: 12-28-25



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 4813C0545K; 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.

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.

Filed for Record
in the Official Records Of:
Dallas County
On: 5/11/2022 10:21:27 AM
In the PLAT Records

Doc Number: 2022 - 202200133210
Number of Pages: 2
Amount: 89.00
Order#: 20220511000356
By: KM

REPLAT
OF
LOT 1R AND LOT 2R, BLOCK 1
JOSEPH KEMP ADDITION
BEING A REPLAT OF
LOT 1 AND LOT 2, BLOCK 1
JOSEPH KEMP ADDITION
INSTRUMENT NO. 202100142469
OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
J.D. MERCHANT SURVEY, ABSTRACT NO. 850
CITY OF SEAGOVILLE, DALLAS COUNTY, TEXAS

SHEET: 2 OF 2

OWNER:
JOSEPH KEMP
1015 N DUNCANVILLE RD
DUNCANVILLE, TX 75116
972-224-1096

NO.	DATE	REVISION
1.		
2.		
3.		

L - R SURVEYING, LLC
TBPS No. 10194623

P.O. BOX 2415
GRANDBURY, TEXAS 76048

(817) 354-1445
(817) 219-5103 CELL
larryturman@yahoo.com

JOB NO.: 20-049
DATE: JUNE 29, 2020
SCALE: #####
DRAWN BY: RP



175

S US-175

175

S US-175

Glendale Ave

Shadywood Ln

E Marloy Bridge Rd

Lakey Rd

Water St

E Blair Rd

Ard St

Heritage Ct

West N Kaw

McWhort

150 300ft

RECEIVED
AUG 12 2022
By: GA



ZONING APPLICATION

City of Seagoville, Texas

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

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

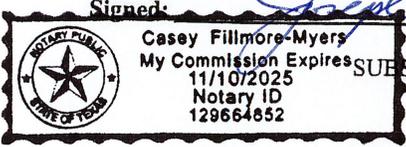
Name of Subdivision or Project: _____
Physical Location of Property: 108 SOUTH US Hwy 175
[General Location -- approximate distance to nearest existing street corner]
Brief Legal Description of Property (must also attach accurate Surveyor's metes and bounds description): PLAT ATTACHED
[Survey/Abstract No. and Tracts; or platted Subdivision Name with Lots/Block]
Acreage: 22.15 Existing Zoning: PD Requested Zoning: SAME (AMENDMENT)
[Attach a detailed description of requested zoning & development standards, if a PD]

Applicant / Owner's Name: JOSEPH KEMP Applicant or Owner? (Circle one)
Contact Person: JOSEPH BOWLES Title: PROJECT MANAGER
Company Name: KRR MALLOY BRIDGE RESIDENTIAL
Street/Mailing Address: 1015 N6 DUNCANVILLE City: DUNCANVILLE State: TX Zip: 75116
Phone: (972) 224-1096 Fax: () Email Address: JBowles@KRRCOMPANIES.COM

Engineer / Representative's Name: SAME AS ABOVE
Contact Person: _____ Title: _____
Company Name: _____
Street/Mailing Address: _____ City: _____ State: _____ Zip: _____
Phone: () Fax: () Email Address: _____

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: Joseph Bowles Title: Project Manager Date: 8/12/22

[seal]

Notary Public in and for the State of Texas: Casey Fillmore-Myers
My Commission Expires On: 11/10/2025

Office Use Only: Date Rec'd: 8/12/22 Fees Paid: \$ 650.00 Check #: _____ Receipt #: 737395
Zoning Case #: _____ Accepted By: GA Official Submittal Date: 8/12/22

AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS

ORDINANCE NO. 19-2020

AN ORDINANCE OF THE CITY OF SEAGOVILLE, DALLAS COUNTY, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP OF THE CITY OF SEAGOVILLE, DALLAS COUNTY, TEXAS, AS HERETOFORE AMENDED, BY GRANTING A CHANGE IN ZONING FROM LIGHT MANUFACTURING (LM) TO PLANNED DEVELOPMENT WITH MIX USES FOR MULTI-FAMILY RESIDENTIAL, OFFICE, LOCAL RETAIL AND COMMERCIAL (PD-20-03) WITH STATED PERMITTED AND PROHIBITED USES THEREIN FOR APPROXIMATELY 22.17± ACRES LOCATED IN THE JOHN D MERCHANT ABSTRACT 850, COMMONLY KNOWN AS 108 SOUTH HIGHWAY 175, IN THE CITY OF SEAGOVILLE, DALLAS COUNTY, TEXAS, AND BEING LEGALLY DESCRIBED AND DEPICTED IN EXHIBIT “A”, ATTACHED HERETO AND INCORPORATED HEREIN; PROVIDING FOR THE APPROVAL OF DEVELOPMENT REGULATIONS; PROVIDING FOR THE APPROVAL OF THE SITE PLAN, WHICH IS ATTACHED HERETO AND INCORPORATED HEREIN AS EXHIBIT “B”; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Planning and Zoning Commission and the governing body of the City of Seagoville, Texas, in compliance with the laws of the State of Texas, and pursuant to the Comprehensive Zoning Ordinance of the City of Seagoville, have given requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally, and to all persons interested and situated in the affected area and in the vicinity thereof, the said governing body is of the opinion that Zoning Application No. Z2020-14 (PD 20-03) should be approved, and in the exercise of legislative discretion have concluded that the Comprehensive Zoning Ordinance and Map should be amended.

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

SECTION 1. That the Comprehensive Zoning Ordinance and Map of the City of Seagoville, Texas, duly passed by the governing body of the City of Seagoville, Texas, as heretofore amended, be and the same is hereby amended by granting a change in zoning from Light Manufacturing (LM) to Planned Development with mixed uses for Multi-Family

Residential, Office, Local Retail and Commercial with stated permitted and prohibited uses as stated herein (PD-20-03) for approximately 22.17± acres located in the John D Merchant Abstract 850, commonly known as 108 South Highway 175, in the City of Seagoville, Dallas County, Texas, and being legally described and depicted in Exhibit "A", attached hereto and incorporated herein.

SECTION 2. The property shall be 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 further amended herein below as follows:

Lot 1 (approx. 8.5 acres) - Permitted Uses:

- Animal Shelter or Clinic
- Auto Part Retail Sales
- Business School
- Car Wash
- Commercial Amusement (inside)
- Convenience Store
- Dry Cleaners or Laundry Service
- Furniture Store
- General Merchandise or Food Store
- Household Equipment and Appliance Store
- Nursery, Garden, and Plant Store
- Restaurant (with or without drive through)

Lot 2 (approx.. 13.0 acres) - Permitted Uses:

- Apartment Buildings
- Townhome Buildings
- Accessory Uses: Clubhouse with amenities
- Walking Trail System

Lot 2A (approx. 0.6 acres) - Permitted Uses:

- Stormwater facilities
- Drainage facilities

Any use not listed above as a Permitted Use is a prohibited use.

SECTION 3. The property shall be developed in accordance with the City of Seagoville Zoning Ordinance and Construction Standards, except as amended herein, and the following development regulations:

- A. Development in accordance with the approved site plan
- B. Apartment Buildings not to exceed Twelve (12) including Townhome Buildings
- C. Apartment Dwelling Units - minimum of 650SF and maximum of 1,700 SF

- D. Townhomes and Townhome clusters - up to six (6) dwelling units per building
- E. Accessory Uses - Multi-use Clubhouse Building (for tenant use only)
- F. Clubhouse Building - Limited Hours Laundry Facility
- G. Clubhouse Building - Limited Hours swimming pool 6 feet and under
- H. Clubhouse Building - Limited Hours Exercise room
- I. Clubhouse Building will have limited hours of availability to tenants for Office and Business Center
- J. Signs must comply with City of Seagoville sign ordinances including height limits
- K. Number of Parking Lot spaces Uncovered to comply with City of Seagoville ordinances
- L. Number of Covered Parking Lot spaces not to exceed 80 spaces
- M. Walking Trail to be installed per approved plan submission to City of Seagoville
- N. Structure height on Lot 1 shall not exceed thirty (30') feet
- O. Structure height on Lot 2 shall not exceed forty-five (45') feet
- P. Parking shall be provided at a ratio of 1.5 spaces per multifamily unit
- Q. Five (5') foot sidewalk shall be constructed along East Malloy Bridge Road within a dedicated public sidewalk easement to be maintained by the City
- R. Five (5') foot sidewalk shall be constructed along the U.S. Highway 175 Frontage Road outside the Highway's right-of-way to be maintained by the development's owner
- S. All interior sidewalks to be at least three (3') foot wide and be built as each lot develops
- T. Construction of a twenty-four (24') foot wide concrete fire lane as each lot develops
- U. All screening walls to be masonry and at least six (6') feet tall

SECTION 4. The property shall be developed and used only in accordance with the site plan attached as Exhibit "B" and incorporated herein for all purposes, which is hereby approved.

SECTION 5. All provisions of the Ordinances of the City of Seagoville, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 6. Should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be unconstitutional, illegal or invalid, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 7. An offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Comprehensive Zoning Ordinance, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 8. Any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning

Ordinance of the City of Seagoville, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

SECTION 9. This ordinance shall take effect immediately from and after its passage and the publication of its caption, as the law and charter in such cases provide.

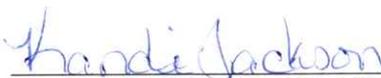
DULY PASSED by the City Council of the City of Seagoville, Texas, this the ___ day of November 2020.

APPROVED:



DENNIS K. CHILDRESS, MAYOR

ATTEST:



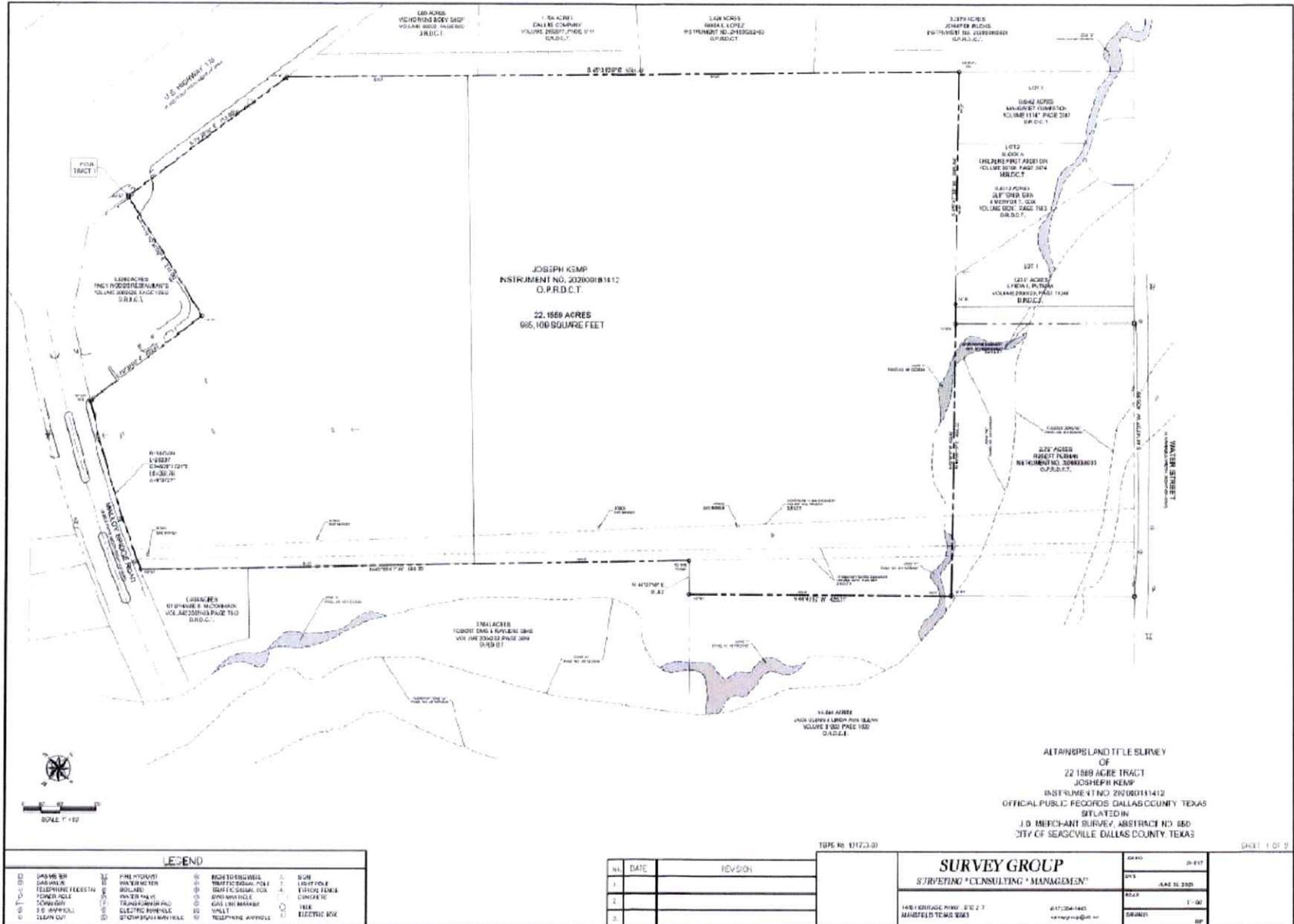
KANDI JACKSON, CITY SECRETARY

APPROVED AS TO FORM:



VICTORIA THOMAS, CITY ATTORNEY
(111020vwtTM119056)

EXHIBIT "A" PROPERTY



Regular Session Agenda Item: 6

Meeting Date: October 3, 2022

ITEM DESCRIPTION:

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, as heretofore amended, by granting a change in zoning from Planned Development with mix uses for multi-family residential, office, local retail and commercial (PD-20-03) to Planned Development with mix uses for multi-family residential, office, local retail and commercial Amended-1 PD-20-03-A1) on approximately 21.567± acres commonly known as 108 South Highway 175, in the City of Seagoville, Dallas County, Texas, and being legally depicted and described in Exhibit “A”, attached hereto and incorporated herein; providing for development regulations; providing for the approval of the site plan, which is attached hereto and incorporated herein as Exhibit “B”; providing a repealing clause; providing a severability clause; providing a savings clause; providing a penalty of fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense; and providing an effective date.

BACKGROUND OF ISSUE:

Located on the southeast corner of South U.S. Highway 175 and East Malloy Bridge Road, the subject property is within an existing Planned Development zoning district. Since the adoption of Ordinance No. 19-2020, which created the PD zoning district, the property has been vacant. The property has received interest from a grocery store chain to build a new location at 108 South Highway 175 with the inclusion of beer and wine sales in addition to a fuel sales station.

The requested PD amendments include the following changes:

- An updated site plan to include a 48,460 ± SF grocery store.
- A fuel station site along U.S. Highway 175.
- The addition of beer and wine sales included with general merchandise sales and/or a food store.
- A maximum height for new signage to be no more than forty-five (45') feet in height.
- Updates to current concept plans and layout.
- The inclusion of a drive through service window.

The proposed amendments to the existing PD district conforms with the Seagoville Comprehensive Plan. Note: Final site plan and engineering approval may cause deviation from the proposed concept plans.

FINANCIAL IMPACT:

NA

RECOMMENDATION:

On September 20, 2022, the Planning and Zoning Commission voted unanimously (four to zero) to recommend approval of the zoning request.

EXHIBITS:

Ordinance – PD Amendment for 108 South U.S. Highway 175

AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SEAGOVILLE, DALLAS COUNTY, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP OF THE CITY OF SEAGOVILLE, DALLAS COUNTY, TEXAS, AS HERETOFORE AMENDED, BY GRANTING A CHANGE IN ZONING FROM PLANNED DEVELOPMENT WITH MIX USES FOR MULTI-FAMILY RESIDENTIAL, OFFICE, LOCAL RETAIL AND COMMERCIAL (PD-20-03) TO PLANNED DEVELOPMENT WITH MIX USES FOR MULTI-FAMILY RESIDENTIAL, OFFICE, LOCAL RETAIL AND COMMERCIAL AMENDED-1 (PD-20-03-A1) ON APPROXIMATELY 21.567± ACRES COMMONLY KNOWN AS 108 SOUTH HIGHWAY 175, IN THE CITY OF SEAGOVILLE, DALLAS COUNTY, TEXAS, AND BEING LEGALLY DEPICTED AND DESCRIBED IN EXHIBIT “A”, ATTACHED HERETO AND INCORPORATED HEREIN; PROVIDING FOR DEVELOPMENT REGULATIONS; PROVIDING FOR THE APPROVAL OF THE SITE PLAN, WHICH IS ATTACHED HERETO AND INCORPORATED HEREIN AS EXHIBIT “B”; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Planning and Zoning Commission and the governing body of the City of Seagoville, Texas, in compliance with the laws of the State of Texas, and pursuant to the Comprehensive Zoning Ordinance of the City of Seagoville, have given requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally, and to all persons interested and situated in the affected area and in the vicinity thereof, the said governing body is of the opinion that Zoning Application No. Z2022-21PD (PD 20-03-A1) should be approved, and in the exercise of legislative discretion have concluded that the Comprehensive Zoning Ordinance and Map should be amended.

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

SECTION 1. That the Comprehensive Zoning Ordinance and Map of the City of Seagoville, Texas, duly passed by the governing body of the City of Seagoville, Texas, as heretofore amended, be and the same is hereby amended by granting a change in zoning from Planned Development with mixed uses for Multi-Family Residential, Office, Local Retail and

Commercial (PD-20-03) to Planned Development with mix uses for Multi-Family Residential, Office, Local Retail and Commercial Amended-1 (PD-20-03-A1) on approximately 21.567± acres commonly known as 108 South Highway 175, in the City of Seagoville, Dallas County, Texas, and being legally described and depicted in Exhibit “A”, attached hereto and incorporated herein.

SECTION 2. The property shall be developed and used in accordance with the City of Seagoville Zoning Ordinance and Construction Standards, except as amended herein, and the following development regulations:

Lot 1R (approx. 6.926 +/- acres) – Permitted Uses:

- Animal Shelter or Clinic
- Auto Part Retail Sales
- Beer and Wine Sales -included with general merchandise sales and/or a food store
- Business School
- Car Wash
- Commercial Amusement (inside)
- Convenience Store
- Dry Cleaners or Laundry Service
- Gasoline/motor fuel sales - included with general merchandise sales and/or a food store
- Furniture Store
- Grocery Store, General Merchandise, or Food Store
- Household Equipment and Appliance Store
- Nursery, Garden, and Plant Store
- Restaurant (with or without drive through)

Lot 2R (approx. 14.641 +/- acres) – Permitted Uses:

- Apartment Buildings
- Townhome Buildings
- Accessory Uses: Clubhouse with amenities
- Walking Trail System

Lot 2A (approx. 0.6 acres) Permitted Uses:

- Stormwater facilities
- Drainage facilities

Any use not listed above as a Permitted Use is prohibited use.

SECTION 3. The property shall be developed in accordance with the City of Seagoville Zoning Ordinance and Construction Standards, except as amended herein, and the following development regulations:

- A. Development in accordance with the approved updated site plan which includes a 48,460± SF grocery store

- B. Apartment Buildings not to exceed Twelve (12) including Townhome Buildings
- C. Apartment Dwelling Units – minimum of 650 SF and maximum of 1,700 SF
- D. Townhomes and Townhome clusters – up to six (6) dwelling units per building
- E. Accessory Uses – Multi-use Clubhouse Building (for tenant use only)
- F. Clubhouse Building – Limited Hours Laundry Facility
- G. Clubhouse Building – Limited Hours swimming pool 6 feet and under
- H. Clubhouse Building – Limited Hours Exercise room
- I. Clubhouse Building will have limited hours of availability to tenants for Office and Business Center
- J. Signs must comply with City of Seagoville sign ordinance including height limits, with the exception of the Grocery Store and Gasoline/motor fuel sales Pylon sign shall not exceed forty-five (45') feet in height
- K. Number of Parking Lot spaces Uncovered to comply with City of Seagoville ordinances
- L. Number of Covered Parking Lot spaces not to exceed 80 spaces
- M. Walking Trail to be installed per approved plan submission to City of Seagoville
- N. Structure height on Lot 1 shall not exceed forty-five (45') feet
- O. Structure height on Lot 2 shall not exceed forty-five (45') feet
- P. Parking shall be provided at a ratio of 1.5 spaces per multifamily unit
- Q. Five (5') foot sidewalk shall be constructed along East Malloy Bridge Road within a dedicated public sidewalk easement to be maintained by the City
- R. Five (5') foot sidewalk shall be constructed along the U.S. Highway 175 Frontage Road outside the Highway's right-of-way to be maintained by the development's owner
- S. All interior sidewalks to be at least three (3') foot wide and be built as each lot develops
- T. Construction of a twenty-four (24') foot wide concrete fire lane as each lot develops
- U. All screening walls to be masonry and at least six (6') feet tall

SECTION 4. The property shall be developed and used only in accordance with the site plan attached as Exhibit "B" and incorporated herein for all purposes, which is hereby approved.

SECTION 5. That all provisions of the Ordinances of the City of Seagoville, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 6. That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be unconstitutional, illegal or invalid, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 7. An offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Comprehensive Zoning Ordinance, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 8. That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Seagoville, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

SECTION 9. That this ordinance shall take effect immediately from and after its passage and the publication of its caption, as the law and charter in such cases provide.

DULY PASSED by the City Council of the City of Seagoville, Texas, this the 3rd day of October 2022.

APPROVED:

DENNIS K. CHILDRESS, MAYOR

ATTEST:

KANDI JACKSON, CITY SECRETARY

APPROVED AS TO FORM:

VICTORIA THOMAS, CITY ATTORNEY

EXHIBIT "A" PROPERTY

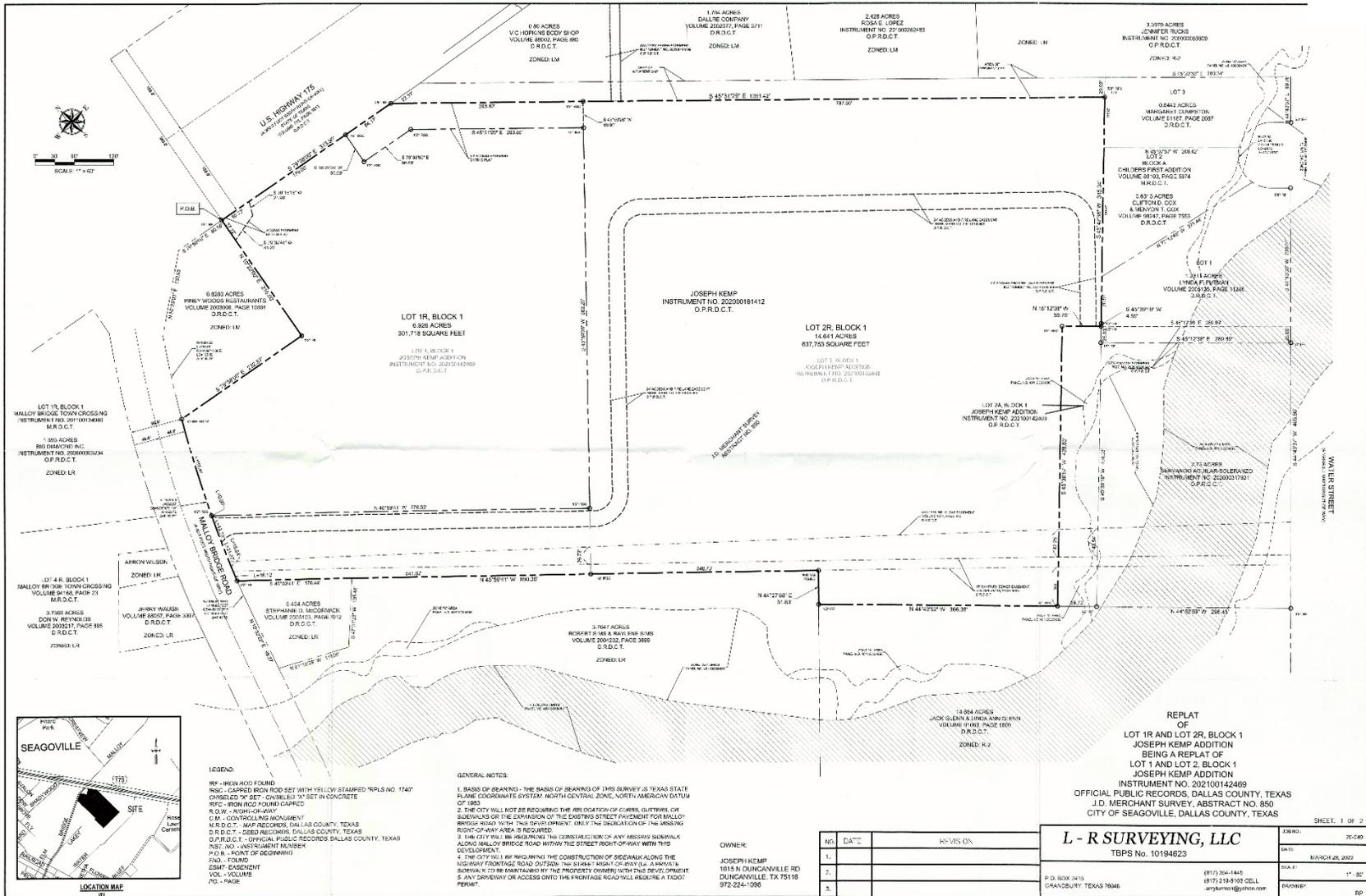


EXHIBIT "B" SITE PLAN

REVISED EXHIBIT B (Page 2)

U.S. HIGHWAY 175
(A 30.0 FOOT WIDTH RIGHT-OF-WAY)

SHARED DRIVE BY SELLER

TACO BELL
0.5280 ACRES
PINEY WOODS
RESTAURANTS
VOLUME 2003008, PAGE
10822
D.R.C.C.

LOT - 1A
1.000 ACRES

LOT - 1
4.219 ACRES

Super 1 Foods #600
48,460 SF

PARKING REQUIREMENT:
REQUIRED = 213 SPACES
PARKING PROVIDED:
214 REGULAR SPACES
16 ACCESSIBLE SPACES
324 TOTAL SPACES

LOT - 1B
1.664 ACRES

SHARED DRIVE BY SELLER

SITE STUDY - 16
6.883 ACRES
4 PUMPS



108 S. U S HWY 175
SEAGOVILLE, TX.
11-23-2021

CONVERTING TO GAR EXHIBIT
VOLUME 1074, PAGE 218
D.R.C.C.

Regular Session Agenda Item: 7

Meeting Date: October 3, 2022

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: 8

Meeting Date: October 3, 2022

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: 9

Meeting Date: October 3, 2022

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 the Carport Ordinance**
- B. § 551.071. Consultation with City Attorney: receive legal advice related to Criminal History for employees**
- C. § 551.087. Discuss or deliberate regarding commercial or financial information that the City has received from a business prospect that the City seeks to have locate, stay, or expand in or near the City and with which the City is conducting economic development negotiations, and to deliberate the offer of a financial or other incentive to a business prospect, to wit: “No Name Restaurant.”**

BACKGROUND OF ISSUE:

N/A

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

N/A

EXHIBITS:

N/A

Executive Session Agenda Item: 10

Meeting Date: October 3, 2022

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 the Carport Ordinance
- B. § 551.071. Consultation with City Attorney: receive legal advice related to Criminal History for employees
- C. § 551.087. Discuss or deliberate regarding commercial or financial information that the City has received from a business prospect that the City seeks to have locate, stay, or expand in or near the City and with which the City is conducting economic development negotiations, and to deliberate the offer of a financial or other incentive to a business prospect, to wit: “No Name Restaurant.”

BACKGROUND OF ISSUE:

N/A

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

N/A

EXHIBITS:

N/A