



## MINUTES

for the  
SEAGOVILLE PLANNING AND ZONING COMMISSION

**Meeting scheduled to begin at  
6:30 p.m. on Tuesday, February 27, 2018**  
in the City Hall Council Chambers  
at 702 North U.S. Highway 175; Seagoville, Texas

Chairman Raymond Covert called the meeting to order at 6:32 p.m.

Commissioners present: Commissioner & Chairman Raymond Covert  
Commissioner James Sudduth  
Commissioner Lowell Sherman  
Commissioner Garry (Butch) Adams  
Commissioner & Vice-Chairman Mike Dupuis

Commissioners absent: None

City Staff present: Community Development Director Ladis Barr and  
Jr. Planner/P&Z Liaison Jennifer Bonner

Commissioner Lowell Sherman gave the invocation and led those present in the Pledge of Allegiance.

Planner Bonner stated that Ritha Edwards had submitted her resignation via email on Monday, February 26<sup>th</sup>. She resigned because her work commitments continued to create a scheduling problem with serving on the Commission. Planner Bonner also stated that along with this board vacancy and Brian Williams resignation 2 weeks ago, there are other city boards and commissions with vacancies. If anyone knows someone willing to serve, please contact her or the City Secretary for an application. In addition, with both of these current vacancies, it will be vitally important for the remaining Commissioners to attend the scheduled meetings so that items of business can be heard and move forward in a timely manner.

1. **Approval of Minutes:** Chair Raymond Covert moved and Commissioner James Sudduth seconded to approve the minutes from the February 13, 2018, meeting of the Planning and Zoning Commission. The vote was cast with 4 in favor and none against.
2. **PUBLIC HEARING: Zoning Request Z2018-01 - change the current zoning on 0.632 acres at 442 Ard Road from LR (Local Retail) to R-5 (Residential Single Family):** Chair Raymond Covert opened the public hearing at 6:34 PM. Planner Bonner gave a summary of the staff report and their recommended action in Exhibit A to this portion of the Commission packet. She

added that if the rezoning application moves forward and is approved by the City Council, then the applicant will also need approval from the Board of Adjustments to build the 2 single family homes he has planned because the lots (per the survey attached in Exhibit H) are not wide enough to meet the requirements of the proposed R-5 zoning district, which has the smallest residential required lot size. The staff report also includes references to the current Zoning Map, Master Thoroughfare Map, the Future Land Use Map, and sample review criteria that are not in the current Seagoville code but are similar to those used by other municipalities to confirm that the proposed change will not create any unintended uses or other issues that could be incompatible with adjoining properties to the subject parcel(s). Planner Bonner briefly listed what each of the attached Exhibits covers. Chair Covert asked about the written comments received from the one adjoining owner that was referenced in the staff report. Planner Bonner explained that those comments are the last page of Exhibit A (stapled together and double-sided) so is what appears to be a copy of the letter to the neighbors (Exhibit F) but is actually page 6 of the staff report (Exhibit A). She continued by stating that about 5 of the certified mailings green postcards have not yet returned – and they were mailed on February 9<sup>th</sup>. She also stated that one adjoining owner had called the same afternoon she put the site signs up – also on February 9<sup>th</sup>. Planner Bonner stated she would answer any questions by the Commissioners. She closed by stating that Staff is recommending denial for the zoning change, primarily because of the size of each lot. If the 2 lots were a single parcel, their recommendation might be different.

Chair Covert asked the applicant, Reginald Deloatch, to step forward to the podium to provide his rebuttal to the staff report. Mr. Deloatch opened by giving his address as 1801 Cedar Springs Road; Dallas, Texas. He continued by explaining the property had bought the two (2) lots (both addressed 442 Ard Road) to build to a single family home on each. He is asking for the zoning to be changed to match the other home size required for the adjoining lots on Ard Road, which is R-5. He does an actual proposed floor plan that would fit onto the lots as shown on the survey (Exhibit H) with a house width of about 38 feet. He only brought one (1) copy of the plans with him. Mr. Deloatch handed the 3-page document to Chair Covert and returned to the podium as the plans were passed among the Commissioners for review. He continued by stating that the proposed plans are for a 1750-square-foot house that would have 3 bedrooms, 2 bathrooms and an office plus a 405-square-foot garage. Director Barr asked if the house area was all living space and Mr. Deloatch responded that yes it was.

Chair Covert asked Commissioner Sherman first if he had any questions. Commissioner Sherman responded by stating that his first thought was about how this house size compared to the others on Ard Road. Wasn't there a new size requirement and how did this proposed house size compare? Director Barr answered by stating that most of the existing homes on Ard Road were built back between the 1950's and 1980's. Applicant Deloatch stated that there are 2 new houses immediately south of the tonight's request (at 436 and 438 Ard Road) which are still under construction that are similar in size to what he is proposing so apparently they were obligated to meet the "new" size requirement prior to receiving their building permits.

Chair Covert asked Mr. Deloatch if he had happened to bring any photos of the lot with him. Chair Covert said it isn't a requirement, but he was curious if he had any. Mr. Deloatch said he

had some in his email but he doesn't have email on his phone or he would share those that he does have. Chair Covert asked Commissioners Sudduth and Dupuis if they had any questions. Commissioner Sudduth said no. No verbal response from Commissioner Dupuis.

Chair Covert said they would now take comments from the public. As there were no members of the public present, the public hearing was closed at 6:44 p.m. Discussion amongst the Commissioners began. Commissioner Sudduth said he preferred to leave the property zoning "as is" because of the number of proposed homes (600 +/-) to be constructed in the northern and western parts of Seagoville. This would make a great location for a convenience store or similar small market since there is nothing of that type to serve the new homes and residents that will be coming to that area. Those types of businesses will need the existing Local Retail (LR) zoning that exists on these lots already. Commissioner Dupuis agreed with Commissioner Sudduth. Commissioner Sherman had no additional thoughts.

Chair Covert moved that the recommendation to City Council be that the request to change the zoning from LR to R-5 be denied. Commissioner Sudduth seconded the motion. Planner Bonner reminded the Commissioners and applicant that this is just a recommendation. City Council makes the final decision. The vote was cast with 4 in favor and none against.

**Highway 175 Highway Overlay District Workshop:** Chairman Raymond Covert opened the workshop discussion at 6:38 p.m. Chair Covert asked Planner Bonner if the materials this time were updated from our last meeting. She responded that yes the comments from Director Barr and various commissioners were included/updated in this version of the draft language. In addition, she reported that she had re-written the location section of the draft language in addition to expanding the text in the landscaping portion of the district language with some options that she had seen used elsewhere that gives options on how to meet landscaping requirements. She reminded the commissioners that all of the document's language was suggestions from staff and that they are looking for input (keep this; delete that; change this word or phrase; close but it still needs work) so that the language will read - and be enforced - the way the commissioners and City Council wants it to.

Planner Bonner also reminded that Commissioners that the Permitted Uses versus Prohibited Uses portions of the language has also not been discussed yet. The partial listing of uses from the zoning code was the hand-out that she provided separately from the packet tonight and it is still missing a few of the special use permit categories because she was working on it until right before tonight's meeting. She added that the use hand-out needs some serious updating due to some of the permitted uses that are listed that are either now illegal to operate (i.e. asbestos manufacturing) or are seriously dated (i.e. carriage and wagon manufacturing). She explained a P in the table is for a permitted use and that an S would designate when a SUP (Special Use Permit) would be required. To receive a SUP, essentially the rezoning process must be completed with public hearings at both Planning and Zoning Commission as well as at City Council. Generally, if the box in the table is blank it would represent a not permitted use. However, the table is incomplete so it may simply mean that she has a question about that use or it may be something that she hasn't found in the Special Use Permit portion of the zoning code language yet.

Chair Covert said that we need to start trying to determine the date of the public hearing on the language so that the item can be forwarded back to the City Council for their review and eventual adoption. Planner Bonner responded by stating that the overlay district is the only item of business on the agenda for the next meeting on March 13<sup>th</sup> so the Commission can spend the whole meeting discussing and possibly finalizing the language. Since that is an open meeting, her current recommendation is to use the March 13<sup>th</sup> meeting to finalize the language so that maybe at the March 27<sup>th</sup> meeting the Commission can vote on a recommendation to the City Council about it. Director Barr stated he knew there was a lot of information in the draft document and that he and the rest of the staff want to make sure they are comfortable with everything the language says and intends before moving it forward to City Council, who will have the option to make further changes, revisions, additions, deletions, expansions, etc. to the document before adopting it.

Chair Covert asked about whether the sign code changes had been adopted. Director Barr responded by stating that the staff is still looking at that document and that the Commissioners will see that document for a public hearing before it moves to City Council for action. He continued that staff is trying to work on both this document and the sign code at the same time as well as several other codes/documents because of how antiquated the language of each is. Planner Bonner expounded by stating the Commission would be seeing a lot of code changes in the next year. Vice Chair Dupuis stated he thought he had gotten away from that. Planner Bonner stated that once these 2 main documents (overlay and signs) were addressed, she hoped to tackle the zoning code to fix the language she mentioned that is summarized in the table hand-out as well as some other items in the zoning code.

A brief discussion followed about the binder notebooks that Planner Bonner had put together for each of the Commissioners to have for reviewing applications once they had received the meeting packet.

Chair Covert commented on how his signage concerns appear to have been addressed. Vice Chair Dupuis mentioned his concerns about landscaping. Commissioner Sudduth followed up with his concerns about how water restrictions and Oncor tree trimming would affect these requirements. In one instance, Vice Chair Dupuis said he has seen the amount of required landscaping in another town kill (or move to another town) a development project because of the cost of the required landscaping. Planner Bonner said she knew that could be a concern and that was why she wanted to include options on how the requirement could be met as well as providing a "crediting" option for when existing landscaping and/or vegetated areas could be preserved or undisturbed during a project. Director Barr stated that he would like to see the part of the discussion focus on the "where" (location) of the district with a map to show where the district would be applicable. If that is okay with the Commission, we should probably try to cover that at the next meeting. Chair Covert agreed that we need to bring the discussion back to the foundation of where this district will apply so that we can then go back later to make sure the other items of discussion (the technical stuff) that we have already covered and verbally agreed upon still make sense. We need to go back to the see if what we are suggesting makes common sense without overdoing or over-reaching on any one particular point. After all, the

overlay district is our introduction of the city to those travelling into or through it. We want to have a high standard that makes us beautiful. Vice Chair Dupuis agreed landscaping is necessary but said we also don't want to go overboard with our requirements.

Commissioner Sudduth mentioned he thought we were going to a 50-foot front building setback in the overlay district. Planner Bonner mentioned the location setbacks are significantly smaller this time than they were last time, but she kept the length of the overlay district to almost the entire length of each road. Commissioner Sudduth stated his concerns about how water restrictions and Oncor tree trimming would affect landscaping requirements. Landscaping in an area under water restrictions seems counter-productive to him. Vice Chair Dupuis mentioned using native materials so they are more drought tolerant. Director Barr also mentioned xeriscaping. Placement of landscaping in comparison to site lighting was also mentioned by Vice Chair Dupuis who used the fitness facility location as an example of where a tree was planted directly below a parking lot light less than a year ago and now the light from the pole is lost in the tree instead of reaching the parking lot or ground. Discussion continued about using smaller vegetation that requires less water and little-to-no pruning in addition to using common sense when placing landscaping (away from both overhead and underground utilities, away from building foundations, not under light standards and poles, etc.).

Chair Covert brought up the reflective glass portion of the exterior construction standards and wondered whether this was something we should be concerned about. He followed up by asking about whether the exterior construction standards and referenced as being in §§25.02.712 are in the commissioner's notebooks. Planner Bonner responded by stating that the language is in the notebooks in the zoning code section and comes straight from the building code. He also mentioned highly reflective glass. Director Barr as well as both Vice Chair Dupuis and Commissioner Sudduth mentioned how the reflective glass looks nice but can create blind spots in the travel lanes of roads and/or becomes a distraction. Director Barr mentioned that one of the towers in downtown Dallas had to spend thousands of dollars to replace panels in at least one multi-story building that was creating the issues for drivers on roads below. Chair Covert mentioned that he hadn't thought about the glass being a functional, operational, and safety issue. He had thought it was included for aesthetic reasons. Director Barr followed the glass discussion on exterior materials with the fact that new buildings are sometimes looking at materials that don't meet our current exterior construction materials language so that may need to be addressed in this district as well.

Chair Covert asked whether the sign code language would be complete by the next meeting of the Commission. Director Barr responded No, not gonna happen. The chair asked if there was a proposal for the ordinance. Director Barr said there are about 60 pages. Planner Bonner stated that is just the existing code. She continued by stating that if the Commissioners want to look at the existing code online it is in chapter 21 section 09. Director Barr said it is totally antiquated. There are older signage types listed. As an example, LED signs are allowed but only be 12 square feet in total size. The sign code is about 30 years behind the times. Planner Bonner then held up two (2) examples of signs code from other cities in comparison to the one for Seagoville and Seagoville's was more than double the thickness of the other two (2) codes combined. She followed up by stating she had used the same size font and spacing to create

each of the three (3) documents. Director Barr stated that we understand that the Commission wants the code quickly, but there is just simply too extensive to look at that portion of the municipal code. Planner Bonner followed up by saying the commissioners either gets to see highway overlay language or signage code but not both at the same time. Director Barr continued with the thought process for going into the code also takes a lot. Without caution, those code changes could become overly restrictive or permissive in nature. Staff's time is also limited by the amount of development starting. Chair Covert asked so once the Commission makes a recommendation to City Council on the Highway Overlay and then changes are made to the sign code don't ... Director Barr stated that any changes made to the sign code will definitely benefit the overlay district.

Chair Covert asked for other comments. Commissioner Sudduth again stated his preference for 50-foot front setbacks. 30-feet and 40-feet just doesn't seem enough. Not enough room in front of the building and you have to come to a complete stop too soon after pulling off the street. Planner Bonner asked the commission as a whole whether they wanted parking lots on all sides or only on sides and rears? We can put the restriction on where the lot(s) is (are) located since we are in the process of writing the language. Other cities have written their overlay language to push parking lots to the sides and rear which allows the building to move "forward" on the lot. The commissioners were all okay with leaving parking available in the front as long as there is enough room to pull completely off the road before having to stop for other vehicles and people in the drive aisles and parking lot. Vice Chair Dupuis mentioned the parking space formula for determining number of spaces required. Director Barr mentioned that the formula is based on occupancy/use of the property. Vice Chair Dupuis mentioned that we obviously have businesses that don't meet that requirement because there are never any spaces available. Even the city has buildings where a 20-foot truck can't be parked in front and not have part of the truck sticking out into the street.

Commissioner Sherman asked about height requirements. For example, if someone behind Walmart wanted something to be seen along the highway, how high could they go? Commissioner Sudduth responded with "not that high". Director Barr stated that if a high-rise building came in we would work with them. He continued by stating that buildings can go up to six (6) stories in height in Commercial and districts. Chair Covert said he thought it would be taller than that. Director Barr stated this is just another example of how out-of-date the various code sections are. Vice Chair Dupuis asked whether fire escapes had to be enclosed and which codes are we using. Director Barr stated that fire escapes do have to be enclosed. Today we are using the 2012 International Building Code but the city will be adopting the 2018 version of the IBC as soon as the North Central Texas Council of Governments requirements are available (in March or April). The 2017 National Electric Code has already been adopted.

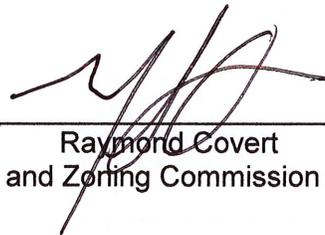
Planner Bonner briefly mentioned that she had intentionally included a 5% height "bonus" for front elevations in the overlay district but that the building would have to be back below base zoning district height by the time the top of the building reached the back elevation. She stated that she had calculated this out for a 6-story building, and a developer would only gain three-to-four-feet (3-4 feet). Director Barr added that that probably would be used for screening of mechanical and other utility-related items on the roof anyway.

Discussion then followed about when to have another workshop since all filled commission positions are represented tonight. The group decided to wait until the next regularly schedule Planning and Zoning Commission meeting on March 13<sup>th</sup> because of outside conflicts.

Assuming the commissioners are comfortable with the language at the end of that meeting, the commission will then decide if they will have a vote on recommending to City Council will be held on March 27<sup>th</sup>. This would get the item back to City Council on April 2<sup>nd</sup>. The March 13<sup>th</sup> meeting will be at 5:30 PM (1-hour early) since this will be the only item on the agenda. The March 27<sup>th</sup> meeting will be at 6:30 PM (normal time because of the public notices and legal advertisement for 3 other large items of business in front of this and already on that agenda).

Chairman Covert closed the workshop at 7:21 p.m.

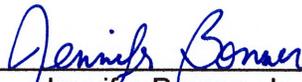
The meeting adjourned at 7:22 p.m.



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Raymond Covert  
Planning and Zoning Commission Chairman

**ATTEST:**



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Jennifer Bonner, Jr. Planner and  
Planning and Zoning Commission Liaison