

**MINUTES**  
FOR THE  
**SEAGOVILLE PLANNING AND ZONING COMMISSION**  
**Meeting scheduled to begin at 7:00 p.m.,**  
**Thursday, November 12, 2009**  
in the Council Chambers of City Hall,  
located at 702 N. Highway 175 – Seagoville, Texas

**CHAIRPERSON**  
**VICE-CHAIRPERSON**  
**COMMISSIONER**  
**COMMISSIONER**  
**COMMISSIONER**  
**COMMISSIONER**  
**COMMISSIONER**

**CARL HENLEY**  
**DENNIS CHILDRESS**  
**JERRY BECKER**  
**BEVERLY WILSON**  
**RITHA EDWARDS**  
**(VACANT)**  
**(VACANT)**

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

I. CALL TO ORDER

Chairperson Henley declared a quorum present and called the meeting to order at 7:00 p.m. Commissioners present were Dennis Childress, Carl Henley, Ritha Edwards and Jerry Becker. Commissioner Wilson was absent. Also present were City Planner Sherry Sefko with The Sefko Group and Planning Technician Cindy Kintz.

II. INVOCATION & PLEDGE OF ALLEGIANCE

Vice-Chairperson Childress gave the invocation and the Commission led in the Pledge of Allegiance.

III. APPROVAL OF MINUTES

A. Approval of the Minutes for the regular meeting held on October 8, 2009.

Commissioner Becker made a motion, seconded by Vice-Chairperson Childress, to approve the minutes for the regular meeting held on October 8, 2009. Chairperson Henley called for a vote with all present commissioners voting AYE. The motion carried (3-0).

IV. PUBLIC HEARINGS

- A. Z2009-03 – Hold a Public Hearing, discuss and take necessary action on a request to rezone an approximate 0.35± acre piece of property from its current Residential-5 (R-5) Zoning District to the Office (O) Zoning District. The subject property is generally located on the southwest corner of the intersection of North Kaufman Street and Mathis/Hall Street in the City of Seagoville, Texas; (property physical address: 1001 North Kaufman Street; property acreage: 0.35± acres; property legal description; Lot 2 of the J. L. Mathis Addition, as recorded in Volume 9, Page 137 in the Plat Records of Dallas County, Texas, and being part of the Wyatt Barnett Survey, Abstract No. 189.)

*Applicant: Randy Balch.*

1. Open public hearing; and receive staff report and public comments;

Chairperson Henley opened the public hearing at 7:02 p.m. City Planner Sherry Sefko presented Zoning Request #Z2009-03 to the commissioners. She explained that the applicant was currently operating his insurance business on the property as a home based business. During her presentation, she gave her professional recommendation to deny the applicant's request to rezone the property located at 1001 North Kaufman Street from the Residential-5 (R-5) Zoning District to the Office Zoning District. She stated that she based her recommendation on the fact that it would be the only office in the area and she considered the rezoning of this property to be spot zoning. She explained how in time the City may consider applying an overlay to the properties along Kaufman Street to transition these properties from residential homes to office and retail spaces. She also commented that some business types listed under the Office District were not suitable for this area of the city due to parking.

Randy Balch (Applicant) – 1001 North Kaufman Street – read aloud the statement he had prepared and distributed to the commissioners prior to him speaking.

Philip Casebolt – 909 North Kaufman Street – spoke in opposition to the zoning request.

Linda Hughes – 1003 North Kaufman Street – spoke in opposition to the zoning request.

2. Close public hearing;

Without anyone else from the public wishing to address the Commission on the zoning request, Chairperson Henley closed the public hearing at 7:17 p.m.

3. Discuss and take necessary action to make a recommendation to City Council on Zoning Request #Z2009-03.

Commissioner Becker had concerns with the current property owner/applicant selling the property to a buyer that had intentions of using the property for a higher density office use due to numerous residents living in the area of this particular piece of property.

Commissioner Edwards inquired as to how many parking spaces the applicant had on the property. Mr. Balch informed her that there were six parking spaces. Commissioner Edwards then asked Mr. Balch what was the approximate square footage of the home. Mr. Balch informed her that the home was  $\pm 1,600$  square feet. Commissioner Edwards stated that she was also concerned with the future use of the property if the commissioners recommended approval of the zoning request.

Vice-Chairperson Childress questioned Mr. Balch as to how long he was at his previous location on West Malloy Bridge Road. Mr. Balch reported that he leased that location for twelve years. Vice-Chairperson Childress stated when was the time to let progress start. He commented that he had been watching the house, yard and landscaping and how nicely the property was maintained.

Vice-Chairperson Childress made a motion to recommend approval of the change in zoning from Residential-5 to Office, as requested by the applicant. The motion died due to the lack of a second motion.

Commissioner Becker made a motion, seconded by Commissioner Edwards, to recommend denial of the change in zoning from Residential-5 to Office, as requested by the applicant. Chairperson Henley called for a vote with Commissioner Becker and Commissioner Edwards voting AYE and Vice-Chairperson Childress voting NAY. The motioned carried (2-1). Commissioner Wilson was absent.

## V. REQUESTS AND PRESENTATIONS

- A. Hold a Discussion and give Staff Direction on the Comprehensive Plan Update Study. Sefko

City Planner Sherry Sefko reviewed the visual character survey results with the commissioners. A brief discussion was held over Section 7: *The*

*Infrastructure System Overview* and Section 8: *The Public Facilities Plan* of the Comprehensive Plan.

In Section 7, Commissioner Becker suggested updating the water usage figures and including information on the local floodplain/water reclamation facilities (The Wetlands Project).

In Section 8, Commissioner Becker suggested updating the pictures, illustrations and current photograph of the fire station. He also suggested including information on the animal shelter, future library site that would free up space at city hall, the Senior Citizens Center's new location and the future second fire station. He inquired about the city's current population. Mrs. Sefko informed him that the North Central Texas Council of Government's January 2008 statistics reflected the city's population to be 12,223.

The commissioners were to review Section 9: *Community Image Guidelines* for discussion during the next meeting on December 10<sup>th</sup>.

VI. FUTURE AGENDA ITEMS

None.

VII. ADJOURNMENT

Without any further business to conduct, Commissioner Edwards made a motion, seconded by Commissioner Becker, to adjourn the meeting at 7:56 p.m. Chairperson Henley called for a vote with all present commissioners voting AYE. The motion carried (3-0). Commissioner Wilson was absent.

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**CARL HENLEY**  
**CHAIRPERSON**

**ATTEST:**

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**CINDY KINTZ, PLANNING TECHNICIAN**  
**PLANNING AND ZONING COMMISSION LIAISON**