



# MINUTES

FOR THE

## SEAGOVILLE PLANNING AND ZONING COMMISSION

**Meeting scheduled to begin at 6:30 p.m.,**

**Tuesday, January 10, 2012**

in the Council Chambers of City Hall,  
located at 702 N. Highway 175 - Seagoville, Texas

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

**JERRY BECKER  
JAMES SUDDUTH  
RITHA EDWARDS  
DEE THOMPSON  
RICK HOWARD  
ALVIN ROSS  
JOSE HERNANDEZ**

► 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**

Vice-Chairperson Becker declared a quorum present and called the meeting to order at 6:30 p.m.

Commissioners present: Commissioner James Sudduth  
Commissioner Rick Howard  
Vice-Chairperson Jerry Becker  
Commissioner Dee Thompson  
Commissioner Jose Hernandez

Commissioner Alvin Ross  
Commissioner Ritha Edwards

City Staff present: Assistant City Manager/PWD Mike Hitt  
Building Official Ladis Barr

Planning Technician/P & Z Commission Liaison Cindy Kintz

**II. INVOCATION & PLEDGE OF ALLEGIANCE**

Vice-Chairperson Becker gave the invocation and the commissioners led in the Pledge of Allegiance.

**III. ELECT A CHAIRPERSON AND VICE-CHAIRPERSON**

(Terms expire in June 2012)

*(This agenda item was tabled during the July 25, 2011 meeting until all commissioners were available to attend. A motion will need to be made to untable this agenda item prior to any discussion and/or voting.)*

MOTION: Untable Agenda Item III. Elect A Chairperson and Vice-Chairperson.

FIRST: Commissioner Hernandez                      SECOND: Commissioner Edwards

AYES: Commissioner Hernandez, Commissioner Edwards, Vice-Chairperson Becker, Commissioner Sudduth, Commissioner Thompson, Commissioner Howard and Commissioner Ross

NAYS: None

MOTION CARRIED: (7-0)

Commissioner Howard nominated Commissioner Sudduth for chairperson.

Commissioner Edwards nominated Vice-Chairperson Becker for chairperson.

Vice-Chairperson Becker, Commissioner Edwards, Commissioner Thompson and Commissioner Hernandez were in favor of Vice-Chairperson Becker as chairperson.

Commissioner Sudduth, Commissioner Howard and Commissioner Ross were in favor of Commissioner Sudduth as chairperson.

Vice-Chairperson Becker was elected as chairperson with his term expiring in June 2012.

Commissioner Howard nominated Commissioner Sudduth for vice-chairperson.

There were no other nominations.

Commissioner Sudduth was elected as vice-chairperson with his term expiring in June 2012.

**IV. APPROVAL OF MINUTES**

A. Approval of the Minutes for the regular meeting held on October 25, 2011.

MOTION: Approve the minutes for the regular meeting held on October 25, 2011.

FIRST: Vice-Chairperson Sudduth      SECOND: Commissioner Ross

AYES: Vice-Chairperson Sudduth, Commissioner Ross, Chairperson Becker, Commissioner Edwards, Commissioner Thompson, Commissioner Howard and Commissioner Hernandez

NAYS: None

MOTION CARRIED: (7-0)

**V. REQUESTS AND PRESENTATIONS**

- A. Discuss and take necessary action on a request to approve a sidewalk waiver for Lot 1, Block A of the Stella's Addition, property generally located on Kleberg Road approximately 1,600 feet southeast of Simonds Road and approximately 1,192 feet southwest of Glenn Road in the Residential-2 (R-2) and Commercial (C) Zoning Districts (Property Physical Address: 2506 Kleberg Road; Property Acreage: 9.90± acres; Property Legal Description: Tract 39.2, of the Herman Heider Survey, Abstract 541, Page 510, as recorded in Instrument No. 201000049627 of the Deed Records, Dallas County, Texas).

*Applicant: Calvin & Stella Travers*

Assistant City Manager/PWD Mike Hitt presented the sidewalk waiver request to the commissioners.

Calvin Travers (Applicant) - 708 West Simonds Road, Seagoville, Texas - spoke in favor of the request.

MOTION: Approve the sidewalk waiver for the Stella's Addition as requested by the applicant.

FIRST: Vice-Chairperson Sudduth      SECOND: Commissioner Hernandez

AYES: Vice-Chairperson Sudduth, Commissioner Hernandez, Chairperson Becker, Commissioner Edwards, Commissioner Thompson, Commissioner Howard and Commissioner Ross

NAYS: None

MOTION CARRIED: (7-0)

- B. Discuss and take necessary action on a request to approve a revised site

plan for Lot 4-R-3, Block I of the Malloy Bridge Crossing Town Center Addition Revised, located on eastbound U.S. Highway 175 Service Road approximately 134± feet southeast of Shadywood Lane and 515± feet northwest of East Malloy Bridge Road in the Local Retail Zoning District (Property Physical Address: 203 North U.S. Highway 175; Property Acreage: 0.39± acres; Property Legal Description: Lot 4-R-3, Block I of the Malloy Bridge Crossing Town Center Addition Revised, as recorded in Instrument No. 20070065428 of the Deed Records, Dallas County, Texas).

Applicant: *Ryan Hall (Representing Valvoline Express Care-Seagoville)*

Assistant City Manager/PWD Mike Hitt presented the revised site plan to the commissioners.

MOTION: Approve the revised site plan for Lot 4-R-3, Block I of the Malloy Bridge Crossing Town Center Addition Revised subject to any additional additions or alterations to the engineering/construction plans as may be deemed necessary by the City's Engineer, Transportation Engineer, or City Staff to address any outstanding engineering-related issues.

FIRST: Commissioner Hernandez

SECOND: Commissioner Howard

AYES: Commissioner Hernandez, Commissioner Howard, Chairperson Becker, Vice-Chairperson Sudduth, Commissioner Edwards, Commissioner Thompson and Commissioner Ross

NAYS: None

MOTION CARRIED: (7-0)

## VI. PUBLIC HEARING(S)

- A. #Z2012-01 - Hold a Public Hearing, discuss and take necessary action on a request to rezone approximately 333.1 acres from the current Agriculture (AG) Zoning District to 235.7± acres being rezoned to the Commercial (C) Zoning District; 50.6± acres being rezoned to the Residential-5 (R-5) Zoning District; 34.4± acres being rezoned to the Apartments (A) Zoning District; 12.4± acres being rezoned to the Local Retail (LR) Zoning District; and amending the Comprehensive Land Use Plan as depicted in Exhibit "A".

The subject acreage fronts on to F.M. 1389 and extends from eastbound U.S. Highway 175 Service Road to South Kaufman Street with 28.39± acres being in Dallas County and the remaining 304.71± acres being in Kaufman County in Seagoville, Texas. (property physical address: 105 South Kaufman Street; property acreage: 28.39± acres; property legal description: Tract 23 of the John D. Merchant Survey, Abstract No. 850, Page 080, as recorded in Volume 2003089, Page 14619 in the Deed Records of Dallas County, Texas;

and property acreage: 304.71± acres; property legal description: John D. Merchant Survey, Abstract No. 310 as recorded in Volume 2195, Page 199 of the Deed Records of Kaufman County, Texas).

*Applicant: MCM Kaufman Land Partners L.P.*

1. Open public hearing; and receive staff report and public comments;
2. Close public hearing;
3. Discuss and take necessary action to make a recommendation to City Council on Zoning Request #Z2012-01.

*Prior to opening the public hearing over Zoning Request #Z2012-01 under Agenda Item VI., Assistant City Manager/PWD Mike Hitt addressed the commissioners over the applicant's written request to formally withdraw their zoning application without prejudice contingent upon the applicant would resubmit their application omitting the Apartment Zoning District and Residential-5 (R-5) Zoning District from their request entirely and in time enough to come back before the Commission with their revised request during the February 28, 2012 Commission meeting.*

MOTION: Honor MCM Kaufman Land Partners's written request to withdraw without prejudice their zoning application on Zoning Case #Z2012-01.

FIRST: Commissioner Hernandez SECOND: Vice-Chairperson Sudduth

AYES: Commissioner Hernandez, Vice-Chairperson Sudduth, Chairperson Becker, Commissioner Edwards, Commissioner Thompson, Commissioner Howard and Commissioner Ross

NAYS: None

MOTION CARRIED: (7-0)

### **C. ADJOURNMENT**

MOTION: Adjourn the meeting at approximately 6:59 p.m.

FIRST: Vice-Chairperson Sudduth SECOND: Commissioner Howard

AYES: Vice-Chairperson Sudduth, Commissioner Howard, Chairperson Becker, Commissioner Edwards, Commissioner Thompson, Commissioner Ross and Commissioner Hernandez

NAYS: None

MOTION CARRIED: (7-0)

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**JERRY BECKER**  
**CHAIRPERSON**

**ATTEST:**

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