



MINUTES

FOR THE
SEAGOVILLE PLANNING AND ZONING COMMISSION

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

Tuesday, February 28, 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

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

Commissioners present: Commissioner Alvin Ross

Vice-Chairperson James Sudduth

Chairperson Jerry Becker

Commissioner Ritha Edwards

Commissioner Jose Hernandez

Commissioner Dee Thompson

Commissioner Rick Howard (arrived at 6:33 p.m.)

City Staff present: Building Official Ladis Barr

Planning Technician/P & Z Commission Liaison Cindy Kintz

II. INVOCATION & PLEDGE OF ALLEGIANCE

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

III. APPROVAL OF MINUTES

A. Approval of the Minutes for the regular meeting held on January 10, 2012.

MOTION: Approve the minutes for the regular meeting held on January 10, 2012.

FIRST: Commissioner Edwards SECOND: Commissioner Hernandez

AYES: Commissioner Edwards, Commissioner Hernandez, Chairperson Becker, Vice-Chairperson Sudduth, Commissioner Thompson and Commissioner Ross (Commissioner Howard was not in attendance when the vote was taken.)

NAYS: None

MOTION CARRIED: (6-0)

IV. 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 the Commercial (C) Zoning District *as depicted in Exhibit "A"* and amending the Comprehensive Land Use Plan.

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;

Chairperson Becker opened the public hearing at 6:34 p.m.
Building Official Ladis Barr delivered a favorable presentation on Zoning Request #Z2012-01 to the commissioners stating that commercial zoning was a better fit for this property rather than what was reflected in the 2002

Comprehensive Plan.

Jerry Sylo with JBI Partners, Inc. (Applicant's Representative) - 16301 Quorum, Suite #200B, Addison, Texas 75001 - spoke on the applicant's behalf.

Gary Pilgreen (Property Owner within 200 feet) - 1090 South Kaufman Street, Seagoville, Texas 75159 - spoke in opposition to the zoning request. He resides across South Kaufman Street from this property and would like to see it remain agricultural.

Ricky Kirby (Property Owner of 990 South Kaufman Street) - 700 South Kaufman Street - spoke in opposition to the zoning request due to road and drainage issues in that area of the city. He would like to see road and drainage issues resolved before letting them (the applicant) come in and the city approve any zoning request.

2. Close public hearing;

Chairperson Becker closed the public hearing at 6:42 p.m.

3. Discuss and take necessary action to make a recommendation to City Council on Zoning Request #Z2012-01.

MOTION: Recommend to City Council approval of Zoning Request #Z2012-01 to rezone approximately 333.1 acres from the current Agricultural (AG) Zoning District to the Commercial (C) Zoning District as depicted in Exhibit "A" and amend the Comprehensive Land Use Plan, as presented by the applicant.

(Prior to Chairperson Becker calling for a vote, he allowed Commissioner Thompson to address the commissioners on his viewpoint. A brief debate was held over the zoning request.)

FIRST: Vice-Chairperson Sudduth SECOND: Commissioner Hernandez

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

NAYS: Edwards Commissioner Thompson, Commissioner Howard and Commissioner Ross

MOTION CARRIED: (4-3)

V. REQUESTS AND PRESENTATIONS

None.

VI. ADJOURNMENT

MOTION: Adjourn the meeting at 6:51 p.m.

FIRST: Commissioner Edwards

SECOND: Commissioner Howard

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

NAYS: None

MOTION CARRIED: (7-0)

**JERRY BECKER
CHAIRPERSON**

ATTEST:

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