



## AGENDA

# PLANNING AND ZONING COMMISSION MEETING

July 11, 2024 | 6:30 PM

Council Chambers

City Hall | 665 Country Club Road, Lucas, Texas

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*Notice is hereby given that a meeting of the Lucas City Council will be held on Thursday, July 11, 2024, beginning at 6:30 pm at Lucas City Hall, 665 Country Club Road, Lucas, Texas 75002-7651, at which time the following agenda will be discussed. As authorized by Section 551.071 of the Texas Government Code, the City Council may convene into closed Executive Session for the purpose of seeking confidential legal advice from the City Attorney on any item on the agenda at any time during the meeting. Pursuant to Texas Government Code 551.127, one or more members of the governing body may appear via videoconference call. The presiding officer and a quorum of the City Council will be physically present at this meeting.*

If you would like to watch the meeting live, you may go to the City's live streaming link at <https://www.lucastexas.us/departments/public-meetings/>.

### **How to Provide Input at a Meeting:**

**Speak In Person:** Request to Speak forms will be available at the meeting. Please fill out the form and give to the City Secretary prior to the start of the meeting. This form will also allow a place for comments.

**Submit Written Comments:** If you are unable to attend a meeting and would like to submit written comments regarding a specific agenda item, email City Secretary Toshia Kimball at [jmenhennett@lucastexas.us](mailto:jmenhennett@lucastexas.us) by no later than 3:30 pm the day of the meeting. The email must contain the person's name, address, phone number, and the agenda item(s) for which comments will be made. Any requests received after 3:30 pm will not be included at the meeting.

### **Call to Order**

- Determination of Quorum
- Reminder to turn off or silence cell phones
- Pledge of Allegiance

### **Consent Agenda**

*All items listed under the consent agenda are considered routine and are recommended to the City Council for a single vote approval. If discussion is desired, an item may be removed from the consent agenda for a separate vote.*

1. Consent Agenda:
  - A. Approval of the minutes of the April 11, 2024 Planning and Zoning Commission meeting.

### **Public Hearing**

2. Conduct a Public Hearing and consider a request by Michael Westfall, property owner at 2300 Songbird Trail, ABS A0506 JOHN W KERBY SURVEY, TRACT 34, 4.92 ACRES, Lucas, Texas for a specific use permit to allow a private school in a residential zone of R1.
  - A. Presentation by Development Services Director Joe Hilbourn
  - B. Conduct Public Hearing

- C. Take action regarding the proposed specific use permit request  
(Presenter: Development Services Director Joe Hilbourn)

## **Regular Agenda**

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3. Discuss a request by property owners Robert and Dana Boatright for an amendment to the zoning use chart to permit a residential assisted living facility in a residential area zoned R2. (Presenter: Development Services Director Joe Hilbourn)

## **Executive Session**

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4. Executive Session: An Executive Session is not scheduled for this meeting.

## **Certification**

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*I do hereby certify that the above notice was posted in accordance with the Texas Open Meetings Act on the bulletin board at Lucas City Hall, 665 Country Club Road, Lucas, TX 75002 and on the City's website at [www.lucastexas.us](http://www.lucastexas.us) on or before 5:00 p.m. on July 5, 2024.*

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*Joshua Menhennett, Communications Specialist*

*In compliance with the American with Disabilities Act, the City of Lucas will provide for reasonable accommodations for persons attending public meetings at City Hall. Requests for accommodations or interpretive services should be directed to Communications Specialist Joshua Menhennett at 972.912.1214 or by email at [jmenhennett@lucastexas.us](mailto:jmenhennett@lucastexas.us) at least 48 hours prior to the meeting.*



# City of Lucas

## Planning and Zoning Agenda Request

### July 11, 2024

Requester: Planning and Zoning Commission

#### **Agenda Item Request**

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Consent Agenda:

- A. Approval of the minutes of the April 11, 2024 Planning and Zoning Commission meeting.

#### **Background Information**

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NA

#### **Attachments/Supporting Documentation**

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1. April 11, 2024 Planning and Zoning Commission Meeting minutes

#### **Budget/Financial Impact**

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NA

#### **Recommendation**

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Staff recommends approval of the Consent Agenda as presented.

#### **Motion**

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I make a motion to approve the Consent Agenda as presented.



# MINUTES

## PLANNING AND ZONING COMMISSION MEETING

April 11, 2024 | 6:30 PM

Council Chambers

City Hall | 665 Country Club Road, Lucas, Texas

### Commissioners Present:

Chairman Tommy Tolson  
Vice-Chairman Joe Williams  
Commissioner Chris Bierman  
Alternate Commissioner Sean Alwardt  
Alternate Commissioner John Awezec

### Staff Present:

City Manager Joni Clarke  
Assistant City Manager Kent Souriyasak  
Development Services Director Joe Hilbourn

### Commissioners Absent:

Commissioner James Foster  
Commissioner Frank Hise

### Staff Absent:

City Attorney Courtney Morris

### City Council Liaison Absent:

Mayor Jim Olk

## Call to Order

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The meeting was called to order at 6:30 pm and the Pledge of Allegiance was recited.

Chairman Tolson indicated both alternate commissioners will act as voting members.

## Consent Agenda

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### 1. Consent Agenda:

- A. Approval of the minutes of the March 14, 2024 Planning and Zoning Commission meeting.

**MOTION:** A motion was made by Alternate Commissioner Awezec, seconded by Vice-Chairman Williams to approve the consent agenda. The motion passed unanimously by a 5 to 0 vote.

## Regular Agenda

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- 2. Consider approving the request submitted by Aziz Aghayev on behalf of Forest Grove Lucas, LLC for a minor plat creating two lots being 2.34 acres of a called 7.33-acre tract of land located in the John W. Kerby Survey, Abstract Number 506, Tract 13, otherwise known as 950 West Forest Grove Road, Lucas, Texas.

Development Services Director Joe Hilbourn gave a presentation on this item and addressed the concerns of the previous meeting had been addressed. Commissioner Bierman asked for clarification on the difference in the comprehensive zoning designation on the plan sets. Alternate Commissioner Awezec asked for clarification on the HOA's control of the existing private road.

**MOTION:** A motion was made by Commissioner Bierman, seconded by Vice-Chairman Williams to approve the request submitted by Aziz Aghayev on behalf of Forest Grove Lucas, LLC for a minor plat creating two lots being 2.34 acres of a called 7.33-acre tract of land located in the John W. Kerby Survey, Abstract Number 506, Tract 13, otherwise known as 950 West Forest Grove Road, Lucas, Texas. The motion passed unanimously by a 5 to 0 vote.

## **Executive Session**

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4. **Executive Session: There was not an executive session scheduled for this meeting.**
5. **Adjournment.**

Chairman Tolson adjourned the meeting at 6:36 pm.

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Tommy Tolson, Chairman

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Joshua Menhennett, Communications Specialist



# City of Lucas

## Planning and Zoning Agenda Request

### July 11, 2024

Requester: Development Services Director Joe Hilbourn

#### **Agenda Item Request**

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2. Conduct a Public Hearing and consider a request by Michael Westfall, property owner at 2300 Songbird Trail, ABS A0506 JOHN W KERBY SURVEY, TRACT 34, 4.92 ACRES, Lucas, Texas for a specific use permit to allow a private school in a residential zone of R1.
  - A. Presentation by Development Services Director Joe Hilbourn
  - B. Conduct Public Hearing
  - C. Take action regarding the proposed specific use permit request

#### **Background Information**

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This lot is currently zoned R1, and the applicant is requesting to use an existing single-family residence to open a private school, Creekwood Academy. The specific use permit (SUP) request is to allow a private school in a residential neighborhood.

The total square footage of the main structure is 2,654 square feet. There is a proposed future 4,500 square feet accessory structure on the site plan. Accessory buildings must be smaller than the main structure. The area is secluded with natural screening.

The initial intention was to homeschool their own children, and the children of a few family friends. They have had a lot of interest and decided to expand, necessitating a SUP. This will be a nonprofit private school.

#### **Attachments/Supporting Documentation**

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1. Location Map
2. Site Plan
3. Public Notice
4. Pictures of the main structure
5. Aerial

#### **Budget/Financial Impact**

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NA



# City of Lucas

## Planning and Zoning Agenda Request

### July 11, 2024

#### **Recommendation**

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Staff recommends approving the request with the following conditions:

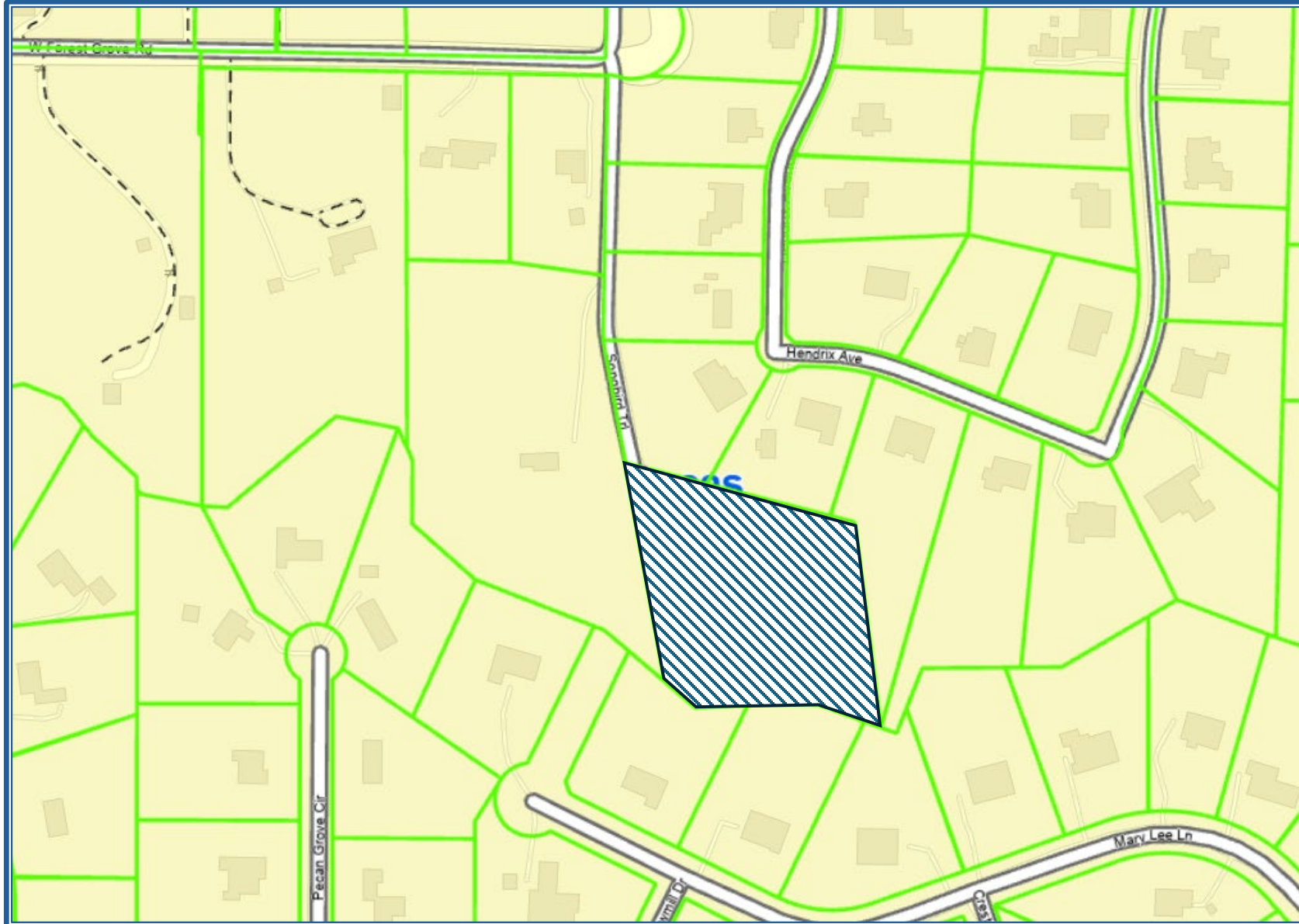
1. No extracurricular activities after dark
2. No signage permitted
3. No additional exterior lighting
4. Limit the first SUP to two years
5. Limit the number of students to 40
6. Verify with a registered sanitarian that the existing OSSF will work for the proposed use
7. Maximum size of detached accessory structures cannot exceed the size of the main structure
8. Tie the site plan to the SUP
9. Require any significant modifications to be approved by the City Council and the Planning and Zoning Commission

#### **Motion**

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I make a motion to recommend to the City Council to approve/deny the request by Michael Westfall, property owner of 2300 Songbird Trail, ABS A0506 JOHN W KERBY SURVEY, TRACT 34, 4.92 ACRES, Lucas, Texas for a specific use permit to allow a private school in a residential zone of R1.

# 2300 Songbird Trail ~ Location Map









## NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN, that the Planning & Zoning Commission of the City of Lucas, Texas, will conduct a public hearing on Thursday, July 11, 2024 at 6:30 p.m., and the City Council will conduct a second public hearing on Thursday, August 1, 2024 at 6:30 p.m. at Lucas City Hall, 665 Country Club Road, Lucas, Texas, to consider a Specific Use Permit (SUP) application filed by Michael Westfall to permit a private school, Creekwood Academy at 2300 Songbird, Lucas, Texas, and being more particularly described as follows:

ABS A0506 JOHN W KERBY SURVEY, TRACT 34, 4.92 ACRES, Lucas, Texas 75002.

Those wishing to speak FOR or AGAINST the above item are invited to attend. If you are unable to attend and have comments you may send them to City of Lucas, Attention: City Secretary, Toshia Kimball, 665 Country Club Road, Lucas, Texas, 75002, or email [tkimball@lucastexas.us](mailto:tkimball@lucastexas.us) and it will be presented at the hearing. If you have any questions about the above hearing, you may contact Development Services Director Joe Hilbourn at [jhilbourn@lucastexas.us](mailto:jhilbourn@lucastexas.us).



## 2300 Songbird Trail ~ Property Pictures



**Front of House**



**Side of House**



## 2300 Songbird Trail ~ Property Pictures



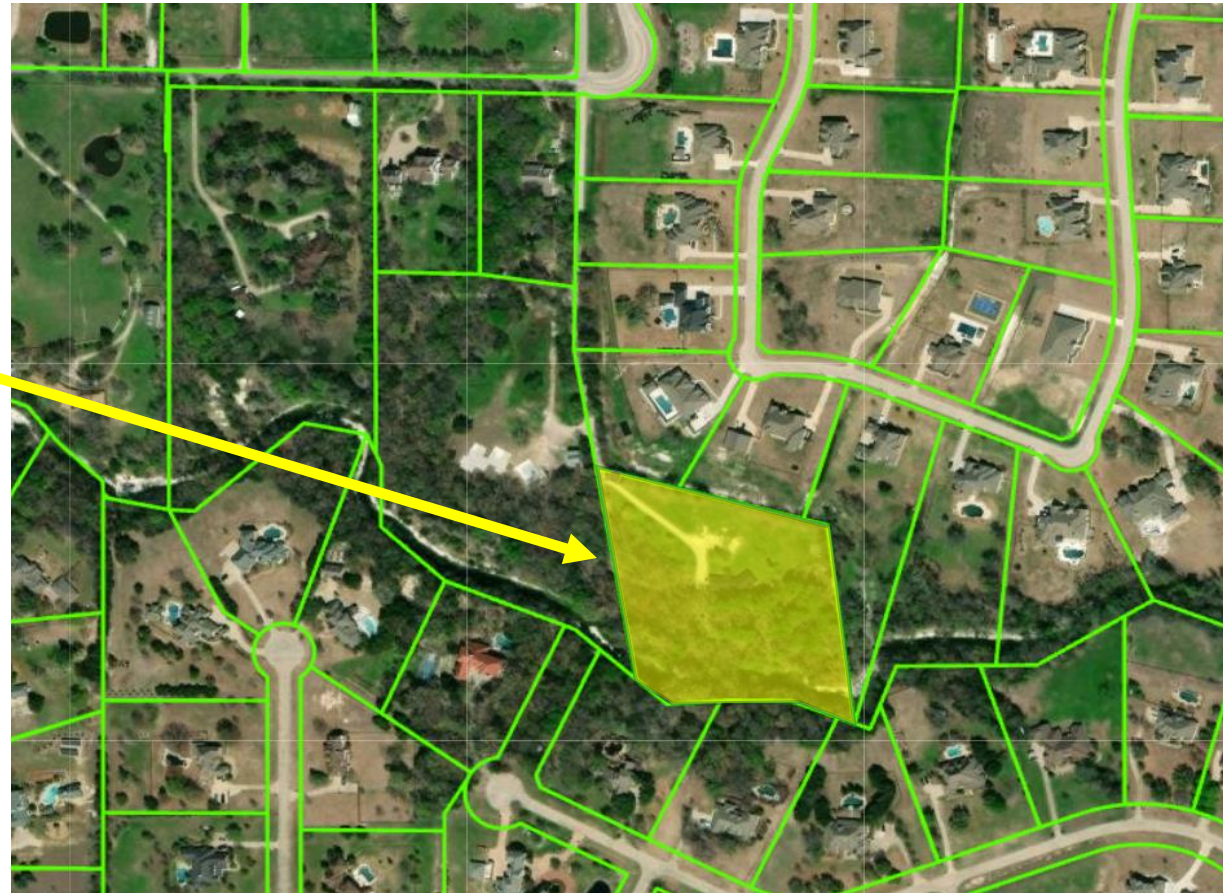
**Rear of Property**



**Northern Property Line**



2300 Songbird ~ Aerial View





# City of Lucas

## Planning and Zoning Agenda Request

### July 11, 2024

Requester: Development Services Director Joe Hilbourn

#### **Agenda Item Request**

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Discuss a request by property owners Robert and Dana Boatright for an amendment to the zoning use chart to permit a residential assisted living facility in a residential area zoned R2.

#### **Background Information**

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Robert and Dana Boatright are asking the Planning and Zoning Commission and City Council to permit a residential assisted living facility in a residential area zoned R2.

Robert and Dana Boatright are requesting to build and operate a Type A and Type B residential assisted living facility on their property on Brockdale Park Road, Boatright Addition, Lot 1-1.

1. Nature of use: To provide a comfortable, safe, and happy residence for the senior citizens who live there. There will be no sales, services, or processing involved.
2. Type of product sold or produced: There are no products to be sold or produced.
3. Enclosed or open storage: There will be no enclosed or open storage
4. Anticipated employment: There will be between 1 and 3 employees on a daily basis.
5. Transportation requirements: None
6. Nature and time of occupancy: The residents will live there 24 hours per day.
7. Off-street parking and loading requirements: Three for employees
8. Odors, noise, fumes, dust, toxic materials and vibrations likely to be generated: None
9. Public utilities: Septic System designed based on occupancy.

Type A and Type B assisted living facilities are limited to 16 residents. The Boatright's are looking at three full time employees and up to ten residents.

In or around 2012, the City permitted assisted living facilities in residential districts with a special use permit (SUP). The use was removed from the zoning use chart due to constant unreasonable requests.

#### **Attachments/Supporting Documentation**

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NA

#### **Budget/Financial Impact**

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NA



# City of Lucas

## Planning and Zoning Agenda Request

### July 11, 2024

#### **Recommendation**

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Staff is requesting direction on how to proceed with the (if any) zoning use chart adjustments:

1. Bring back to the Commission via a public hearing by right
2. Bring back by SUP
3. Do not bring back to the Commission

#### **Motion**

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NA