



MINUTES PLANNING AND ZONING COMMISSION MEETING

December 12, 2024 | 6:35 PM

Council Chambers

City Hall | 665 Country Club Road, Lucas, Texas

Commissioners Present:

Chairman Tommy Tolson
Vice-Chairman Joe Williams
Commissioner Frank Hise
Alternate Commissioner Brian Dale
Alternate Commissioner John Awezec

Commissioners Absent:

Commissioner James Foster
Commissioner Sean Alwardt

Staff Present:

City Secretary Toshia Kimball
City Manager, John Whitsell
City Attorney Courtney Morris
Development Services Director Joe Hilbourn
Executive Admin Assistant Morgan Kowaleski
CIP Manager Patrick Hubbard
Fire Chief Ted Stephens

City Council Liaison Present:

Mayor Dusty Kuykendall

Call to Order

The meeting was called to order at 6:35 pm and the Pledge of Allegiance was recited.

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

Consent Agenda

1. Consent Agenda:

A. Approval of the minutes of the November 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 as written. The motion unanimously passed by a 5-0 vote.

Public Hearing

2. Conduct a public hearing and consider amendments to the City of Lucas Code of Ordinances, Chapter 14 titled "Zoning", 14.03.472 titled "Building Regulations", (i) Impervious coverage and Article 14.04 titled "Supplementary Regulations", Division 8 titled "Accessory Buildings, Structures and Uses".

Chairman Tolson opened the public hearing at 6:37 pm

No members of the public appeared to provide comments.

Chairman Tolson closed the public hearing at 6:37 pm

MOTION: A motion was made by Alternate Commissioner Awezec, seconded by Alternate Commissioner Dale to approve amendments to the City of Lucas Code of Ordinances, Chapter 14 titled "Zoning", 14.03.472 titled "Building Regulations", (i) Impervious coverage and Article 14.04 titled "Supplementary Regulations", Division 8 titled "Accessory Buildings, Structures and Uses". The motion passed unanimously by a 5-0 vote.

3. **Conduct a public hearing and consider approving a request for a Planned Development zoning overlay on a parcel of land zoned Commercial Business (CB) on a tract of land being 41.9954 acres (1,829,317 square feet) in the A0017 James Anderson Survey, Sheet 2, Tract 27 and Tract 29, City of Lucas, Collin County, Texas, more commonly known as the Hunt tract at the northwest corner of the Parker Road and Country Club Road intersection.**

Development Services Director Joe Hilbourn provided a presentation on this item, covering the proposed development regulations, the site plan, signage, and the elevations of the proposed tenants. Director Hilbourn informed the Commission that it is the responsibility of the Planning & Zoning Commission to create the district requirements for the zoning district, beginning with the existing zoning district (Commercial Business) and modify as needed to suit the needs of the development.

Chairman Tolson opened the public hearing at 7:42 pm

Steve Gregory with Malouf Interests, Dallas Texas, presented to the Commission and introduced the following development representatives:

- David Hardin, Director of Real Estate for Tom Thumb/Albertsons for the State of Texas
- Adam Finner, Architect with GFF Design
- Blaze Bounds, Engineer with Kimley Horn

No members of the public appeared to provide comments.

Chairman Tolson closed the public hearing at 8:32PM

MOTION: A motion was made by Commissioner Hise, seconded by Vice-Chair Williams, to table this agenda item and defer its consideration until after Agenda Item #5 on the regular agenda.

After tabling Agenda Item #3, the Commission proceeded with Agenda Item #4 and Agenda Item #5.

MOTION: A motion was made by Alternate Commissioner Awezec, seconded by Alternate Commissioner Dale to restore Agenda Item #3 from the table.

MOTION: A motion was made by Alternate Commissioner Dale, seconded by Vice-Chair Williams to approve a request for a Planned Development zoning overlay on a parcel of land zoned Commercial Business (CB) on a tract of land being 41.9954 acres (1,829,317 square feet) in the A0017 James Anderson Survey, Sheet 2, Tract 27 and

Tract 29, City of Lucas, Collin County, Texas, more commonly known as the Hunt tract at the northwest corner of the Parker Road and Country Club Road intersection with the following amendments to the Planned Development Regulations:

~~Strikethrough~~ = removed

Bold = addition

C. Use Regulations. In addition to those specified below, all uses permitted in the Commercial Business (CB) District are permitted by right, subject to any use specific restrictions provided below.

1. Automobile repair minor;
 - a. Only permitted by right on lots ~~4~~, 2, 3, 5, 6, 7, 11, 12 and 16;
2. Convenience store with refueling station;
 - a. **Only permitted by right on lot 4.**
3. Department store (retail);
4. Farmer's market;
5. Hobby or toy store;
6. Medical minor emergency clinic;
7. Outside display of merchandise;
 - a. Only permitted by right on areas shown on the Site Plan;
8. Paint store;
9. Pet shop; Only permitted by right on lots 1, 2, 3, 5, 6, 7, 8, 9, 11, 16 and 17;
10. Pharmacist or drug store (with a drive through);
11. Refueling station;
 - a. **Automobile refueling station permitted by right only on lot 4**
 - b. **Electric automobile refueling station permitted by right only on lots 4 and 10 and require a main exterior disconnect**
12. Restaurant drive in;
13. Restaurant drive-through;
 - a. Permitted subject to Development Review Committee ("DRC") review and approval of stacking for drive-through services which shall not extend into roadways, driveways, or other lots.
 - b. **Not permitted on lot 1.**
14. Restaurant with food smoked on site;
 - a. Only permitted by right on lots 1, 2, 3, 5, 6, 7, 8, 11, and 16;
15. Therapeutic massage;
 - a. Permitted subject to DRC review and approval; and
 - b. Such therapeutic massage uses shall not be open after 9:00pm on any day.
16. Used clothing store; and
17. Vehicle wash;
 - a. **Not permitted on lot 1.**

D. Development Regulations. Unless otherwise stated herein, the general provisions set forth in the Code, including the City's Zoning Ordinance (the "Zoning Ordinance"), as amended, apply. The Property shall be developed in accordance with the Commercial Business (CB) District regulations, except as provided herein. In the event of a conflict between the Zoning Ordinance and these development standards set forth herein, these development standards shall apply.

1. Building Height.
 - a. Maximum height.
 - i. Lots 9, 10, and 17: 42 feet.
 - ii. Lots 5 and 8: 35 feet.
 - iii. All other lots shall comply with the CB District standards.
2. Setbacks.
 - a. Side yard: ~~no~~ minimum **side** setback of **ten feet (10')** between interior lot lines.
 - b. Rear yard: ~~no~~ minimum **rear** setback of **ten feet (10')** between interior lot lines.
 - c. **Front yard: minimum front setback of ten feet (10') between interior lot lines.**
 - d. All periphery setbacks shall comply with the CB District standards.
3. Business operations.
 - a. Outside dining is permitted.
 - b. **Outside music prohibited.**
 - c. Office uses shall be considered service type uses.
4. Off-street parking and loading.
 - a. Off-street parking and loading shall be provided as shown on the Site Plan and as further provided in Section E of these standards.
5. Impervious coverage.
 - a. Maximum impervious coverage for the Property is 70% with an additional allowance of up to 10% for pervious coverage.
6. Landscaping and tree conservation.
 - a. Landscaping.
 - i. Approved landscape material includes turf grasses.
 - ii. One (1) shade tree and ~~eight (8)~~ **twelve (12)** shrubs for every ~~seventy-five (75)~~ **thirty (30)** linear feet of frontage is required.
 - iii. One (1) shade tree for every 40 feet of adjacency to property used or zoned for single-family or duplex.
 - iv. A minimum of 20 percent of the Property (excluding right of way) shall be maintained as landscaped area.
 - v. A minimum of 5 percent of each individual lot (excluding right of way) shall be maintained as landscaped area.
 - vi. A minimum of 5 percent of interior parking lots shall be maintained as landscaped area.
 - vii. Floodplain area shall be considered landscape area subject to the following:
 - A. Floodplain area shall be ~~reasonably~~ maintained in a state of good repair and neat appearance so as to not interfere with use of the floodplain area as landscape area.
 - b. Tree Conservation.
 - i. Mature trees within the area identified as "tree preservation zone" on the Site Plan may not be voluntarily removed by the Property owner.
7. Signs. Signage must be provided in accordance with the following and as shown on the Site Plan and the Sign Elevations (Exhibit C).
 - a. Maximum height of a freestanding sign shall be 15 feet.
 - b. Monument Signs.
 - i. Maximum height of a monument sign shall be 15 feet.

A. Exception – Lot 8, sign #1 maximum height is 24 feet.

- ii. The sign area illustrating the business name shall not exceed 100 square feet. The overall sign area, including the base and/or supporting frame, may be no more than 150 square feet.
- iii. The minimum distance between signs is 50 feet.
- iv. **Shall incorporate the City of Lucas logo (“L” with horses).**
- v. **Prohibited on lot 1.**

c. Attached Signs.

- i. Canopy, awning, and arcade signs are permitted.
- ii. Except as otherwise provided herein, one (1) attached sign is allowed on the front façade of a building. Additional signs may be placed on any other facade of a building if such façade faces an abutting drive or parking lot. Attached signs may be a maximum of 10 percent of the total area of the front façade or 150 square feet, whichever is larger.
- iii. For tenants occupying a building or suite 7,000 square feet or more, multiple attached signs are permitted. The total area of signs located on the primary facade shall not exceed 10 percent of the primary façade area. The total area of signs located on secondary facades shall not exceed 5 percent of the secondary façade area.
- iv. Additional signs for a refueling station may be located on the three (3) primary facias of the refueling station canopy. The maximum sign area for the canopy-attached signs shall be the same as the maximum area permitted for the building-attached signs.
- v. **Lot 5 – a double frontage lot – signage allowed on both frontage façades.**

d. Sign illumination.

- i. Signs related to a refueling station used to advertise fuel prices shall have no hour restrictions for operation or illumination.
- ii. Signs related to a grocery store use located on a lot used for a refueling station may be illuminated from dusk to daylight.
- iii. All other signs related to a grocery use must extinguish illumination at 12:00am.
- iv. **Rear illuminated signs allowed only on lot 4 and 8 and side façade of lot 4.**
- v. **Animation is prohibited on all signage.**

8. Miscellaneous.

- a. A specific use permit shall be required when the total square footage of a single use exceeds ~~80,000~~ 66,000 square feet.
- b. No screening shall be required along the western property line.
- ~~c. ——— Parking lot layout, landscaping, buffering and screening is not required to minimize direct views of parked vehicles from streets.~~
- ~~d. ——— Off street loading areas are not required to be located at the rear of a building and are not required to be screened from adjacent single family residential use.~~
- c. **Off-street loading areas are not required. However, if off-street loading area is provided it must be located at the rear of the side of a building and are not required to be screened from adjacent single-family residential use.**

Note: Customer pickup is not considered off-street loading for the purposes of this sub-paragraph

- d. "Strip-type" commercial development is permitted as generally shown on the Site Plan.
- e. Screening is not required for transformers, utility meters, and other machinery.
- f. The City of Lucas wastewater lift station providing service to the Property shall be screened with wrought-iron fencing.
- g. Transformers, lift stations, utility meters, and other machinery are not required to be located at the rear property line, drive, or alley.
- h. Storefronts or faces of buildings shall provide architectural elements in order to achieve varying façade geometry and articulation.
- i. Direct light sources shall not produce glare at the property line, but may be visible at the property line at ground level or above, but must be, as much as physically possible, contained to the target area.
- j. Bays for automobile repair uses may not face a public thoroughfare.
- k. Outdoor storage, display and use Only permitted by right in areas clouded and labeled on the proposed site plan for outdoor storage, all other outdoor storage, display and use by SUP only.
- l. 8-foot above grade masonry screening wall required on lot 14 facing north property line**

E. Major Development Standards. Except as provided herein, the major development standards in section 14.03.355 of the Zoning Ordinance shall apply.

- 1. The maximum height of any wall is not limited by proximity to a residential zoning district.
- 2. No landscape area, including a landscaped street or landscaped pedestrian way, or other appropriate landscape or hardscape features is required to separate lots from each other.
- 3. Parking is not required to be divided into multiple lots and may contain more than 120 parking spaces. No maximum number of total off-street parking serving development on the Property.
- 4. Minimum parking space dimensions shall be nine feet (9') wide and eighteen feet (18') in length.
- 5. A covered passenger loading area is not required except for a medical minor emergency clinic.
- 6. No elevation or change in materials is required to differentiate pedestrian walkways from driving surfaces, except for pedestrian walkways contiguous with buildings.
- 7. No reader boards having changeable copy, electronic or otherwise, are allowed except for any signs related to a refueling station or a convenience store with refueling station.
 - a. Reader boards related to a refueling station having a changeable copy, electronic, or otherwise may be located on a:
 - i Monument sign;
 - ii Canopy sign; or
 - iii Any other sign permitted by these standards or the Code to display fuel pricing.
- 8. No bus pullout or shelter is required to be developed on-site or off-site in relation to the Property.

F. Site plan, landscape plan, and building design.

1. Amendments to the Site Plan that conform to the requirements of this planned development shall be approved and do not require public hearings. **Non-conforming site plans and amendment to non-conforming site plans require review and approval by the Planning and Zoning Commission.** Amendments to the Site Plan may not increase maximum height or density, decrease maximum impervious coverage, or decrease minimum setbacks.
2. ~~A landscape plan shall be approved if it conforms to the requirements of this planned development, and no public hearings are required.~~
Landscape plans and amendments to landscape plans that conform to the requirements of this planned development may be administratively approved and do not require a public hearing. Non-conforming landscape plans and amendment to non-conforming landscape plans require review and approval by the Planning and Zoning Commission. Minor amendments to the approved landscape plan may be approved administratively by the DRC.
3. Building design and materials.
 - a. Lot 4, 8, 9, 10, and 17.
 - i. Building design, materials, and appearance for lots 4, 8, 9, 10, and 17 shall be provided in accordance with the Retail Design Package (Exhibit A).
 - b. All other lots shall provide building design, materials, and appearance generally consistent with the Materials Board (Exhibit B).
4. Development of the Property shall be consistent with the Site Plan.

The motion passed by a 5-0 vote.

Regular Agenda

4. **Consider approval of a request by Colton Smith with Spiars Engineering and Surveying and Brock Babb with Centurion American CTMGT Lucas 238 LLC, on behalf of property owners Steve Lenart with CTMGT Lucas 238, LLC and Mehrdad Moayedi for approval of a final plat for Enchanted Creek Estates Phase 2B, for the property located in the James Anderson Survey, Abstract No. 17 and John McKinney Survey, Abstract No. 596, being 104.595 acres.**

Development Services Director Joe Hilbourn presented this agenda item and informed the Commission that all previous outstanding items have been completed, and the plat is ready for acceptance. Commissioner Hise wanted to know if it was possible to change the timing of the current maintenance bond (2 years, 10%). Director Hilbourn informed the Commission that in this instance there is not enough time to adopt an ordinance to do so.

MOTION: A motion was made by Alternate Commissioner Awezec, seconded by Alternate Commissioner Dale to approve the request by Colton Smith with Spiars Engineering and Surveying and Brock Babb with Centurion American CTMGT Lucas 238 LLC, on behalf of property owners Steve Lenart with CTMGT Lucas 238, LLC and Mehrdad Moayedi for approval of a final plat for Enchanted Creek Estates Phase 2A, for the property located in the James Anderson Survey, Abstract No. 17 and John McKinney Survey, Abstract No. 596, being 31.149 acres, 700 feet north of the

intersection of Enchanted Way and Lillyfield Drive. The motion passed unanimously by a 5-0 vote.

5. **Consider a request by Tom Dayton, on behalf of Preston Walhood, for a final plat for Dean Farms on a parcel of land consisting of 44.084 acres, located in the John McKinney Survey, Abstract Number 596, creating 27 single-family lots and two common spaces on the east side of Stinson Road, approximately 55 feet south of the roundabout.**

Development Services Director Joe Hilbourn presented this agenda item and informed the Commission that the plat meets all of the city's requirements.

MOTION: A motion was made by Vice-Chair Williams, seconded by Alternate Commissioner Awezec to approve a request by Preston Walhood, on behalf of Young Dean Homestead, Ltd., for a final plat for Dean Estates on a parcel of land consisting of 44.084 acres, located in the John McKinney Survey, Abstract Number 596, creating 27 single-family lots and two common spaces on the east side of Stinson Road, approximately 55 feet south of the roundabout. The motion passed unanimously by a 5-0 vote.

Developer Preston Walhood presented the former property owner, Patsy Young, with a street sign reading "Dean Meadow Ln", which was named to honor the Dean Family.

6. **Executive Session: There was not an executive session scheduled for this meeting.**

7. **Adjournment.**

Chairman Tolson adjourned the meeting at 9:50 pm



Tommy Tolson, Chairman



Morgan Kowaleski, Executive Admin Assistant

