



Planning & Zoning Commission  
Regular Meeting  
December 11, 2014, 7:00 PM  
City Hall – 665 Country Club Road  
Minutes

**Call to Order**

Chairman Peggy Rusterholtz called the meeting to order at 7:00 p.m.

Present/ (Absent):

Chairman Peggy Rusterholtz	Vice-Chairman David Keer (absent)
Alt. Commissioner Scott Sperling (absent)	Commissioner Brian Blythe
Alt. Commissioner Kevin Weir	Commissioner Joe Williams
Commissioner Andre Guillemaud	City Manager Joni Clarke
Development Services Director Joe Hilbourn	
Planning Coordinator Donna Bradshaw	

It was determined that a Quorum was present.

Everyone was reminded to turn off or silence cell phones.

Commissioner Brian Blythe led everyone in saying the Pledge of Allegiance.

With the absence of Vice-Chairman David Keer and Alternate Commissioner Scott Sperling, Alternate Commissioner Kevin Weir will be a voting member during this meeting.

**Public Hearings**

- No public hearings are scheduled for this meeting.

**Regular Agenda**

1) Consider the minutes from the November 6, 2014 and November 13, 2014 Planning and Zoning Commission meetings.

**MOTION:** Commissioner Joe Williams made a Motion to approve the minutes from the November 6, 2014 and November 13, 2014 Planning and Zoning Commission meetings as presented. Commissioner Andre Guillemaud seconded the Motion. Motion carried. Vote: 5 -0.

- 2) Consider approval of the Declaration of Covenants, Conditions and Restrictions for the Konrad Ranch Estates Homeowner Associations, and the Bylaws of the Konrad Ranch Estates Owners Association, Inc., a 17.48 acre tract of land situated in the City of Lucas, Collin County Texas, being a part of the W.G. McKinney Survey, Abstract number 58, and being a total of 8 lots on Ingram Road North of West Lucas Road.

**MOTION:** Commissioner Joe Williams made a Motion to approve the Declaration of Covenants, Conditions and Restrictions for the Konrad Ranch Estates Homeowner Associations, and the Bylaws of the Konrad Ranch Estates Owners Association, Inc., a 17.48 acre tract of land situated in the City of Lucas, Collin County Texas, being a part of the W.G. McKinney Survey, Abstract number 58, and being a total of 8 lots on Ingram Road North of West Lucas Road. Alternate Kevin Weir seconded the Motion. Motion carried. Vote: 5 - 0.

- 3) Consider the approval of a final plat for the Konrad Ranch Estates, a parcel of land being 17.48 acres, situated in City of Lucas, Collin County, Texas, and being a part of the W.G. McKinney Survey, Abstract number 58, a total of 8 lots on Ingram Road North of West Lucas Road.

**MOTION:** Commissioner Brian Blythe made a Motion to approve the final plat for the Konrad Ranch Estates, a parcel of land being 17.48 acres, situated in City of Lucas, Collin County, Texas, and being a part of the W.G. McKinney Survey, Abstract number 58, a total of 8 lots on Ingram Road North of West Lucas Road. Commissioner Joe Williams seconded the Motion. Motion carried. Vote: 5-0.

- 4) Consider approval of the Declaration of Covenants, Conditions and Restrictions for the Lucas Oak Brook Homeowner Associations, Inc., for Bristol Park Estates Phase 1 and 2, a 93 ± acre tract of land situated in the City of Lucas, Collin County Texas, being a part of the John Gray Survey Abstract number 349 and the James Lovelady Survey Abstract number 538, and being a total of 44 lots.

**MOTION:** Commissioner Brian Blythe made a Motion to approve the Declaration of Covenants, Conditions and Restrictions for the Lucas Oak Brook Homeowner Associations, Inc., for Bristol Park Estates Phase 1 and 2, a 93 ± acre tract of land situated in the City of Lucas, Collin County Texas, being a part of the John Gray Survey Abstract number 349 and the James Lovelady Survey

Abstract number 538, and being a total of 44 lots. Commissioner Joe Williams seconded the Motion. Motion carried. Vote: 5-0.

- 5) Consider the approval of a final plat for the Bristol Park Estates Phase 1, a parcel of land being 48.045 acres, situated in the City of Lucas, Collin County Texas, being a part of the James Lovelady Survey Abstract number 538, being a total of 22 lots.

**MOTION:** Alternate Commissioner Kevin Weir made a Motion to approve the final plat for the Bristol Park Estates Phase 1, a parcel of land being 48.045 acres, situated in the City of Lucas, Collin County Texas, being a part of the James Lovelady Survey Abstract number 538, being a total of 22 lots. Commissioner Brian Blythe seconded the Motion. Motion carried. Vote: 5-0.

- 6) Consider the approval of a final plat for the Bristol Park Estates Phase 2, a parcel of land being 44.089 acres, situated in the City of Lucas, Collin County Texas, and being a part of the John Gray Survey Abstract number 349 and the James Lovelady Survey Abstract number 538 a total of 22 lots.

**MOTION:** Commissioner Andre Guillemaud made a Motion to approve the final plat for the Bristol Park Estates Phase 2, a parcel of land being 44.089 acres, situated in the City of Lucas, Collin County Texas, and being a part of the John Gray Survey Abstract number 349 and the James Lovelady Survey Abstract number 538 a total of 22 lots. Alternate Commissioner Kevin Weir seconded the Motion. Motion carried. Vote: 5-0.

- 7) Consider the approval of a final plat for the Creekside Estates Phase 1, a parcel of land being 53.173 acres, situated in the City of Lucas, Collin County Texas, being a part of the J. Kerby Survey Abstract number 506, and being a total of 27 lots, located on Forest Grove Road adjacent to the western most 90 degree turn in Forest Grove Road.

Alternate Commissioner Kevin Weir recused himself from the discussion as he lives within 200' of the subject property. An Affidavit of Conflict of Interest form was completed by Alternate Commissioner Wier and becomes part of the record.

**MOTION:** Commissioner Brian Blythe made a Motion to approve the final plat for the Creekside Estates Phase 1, a parcel of land being 53.173 acres, situated in the City of Lucas, Collin County Texas, being a part of the J. Kerby Survey Abstract number 506, and being a total of 27 lots, located on Forest Grove Road adjacent to the western most 90 degree turn in Forest Grove Road. Commissioner Joe Williams seconded the Motion. Motion carried. Vote: 4-0.

Alternate Commissioner Kevin Wier rejoined the meeting at 7:25 p.m.

- 8) Discuss and give staff direction regarding an update to the city's code of ordinances adding regulations for permitting fences, and creating requirements for fences including height, type of material, and where they may be located within the city limits.

Chairman Peggy Rusterholtz asked for the following changes be made on page two the last bullet point under section General for all fencing change the sentence to read "fences over eight feet in height shall be approved by the City Council at a regularly scheduled meeting". Chairman Rusterholtz would also like to have twenty percent changed to twenty degrees under General for all fencing on the second bullet point. This is what the Planning and Zoning Commissioners think should be in the fence ordinance this will go on to City Council for approval.

**MOTION:** Chairman Peggy Rusterholtz made a Motion to recommend approval of the fence regulations to the City Council with the following corrections changing the Planning and Zoning Commission to City Council on page two where it states "fencing over eight feet in height shall be approved by the City Council at a regularly scheduled meeting"; and on page one change vertical alignment not to exceed twenty degrees. Commissioner Brian Blythe seconded the Motion. Motion carried. Vote: 5-0.

- 9) Adjournment

**MOTION:** Commissioner Joe Williams made a Motion to adjourn the meeting at 7:44 p.m. Commissioner Andre Guillemaud seconded the Motion. Motion carried. Vote: 5-0.

MEETING DATE: 12/11/14  
ITEM # 7

**AFFIDAVIT OF CONFLICT OF INTEREST**

STATE OF TEXAS       §  
                                  §  
COUNTY OF COLLIN   §

I Kevin S Wier as a member of the City Council of the City of Lucas, Texas, make this affidavit and hereby state on oath that I, or a person related to me, has a substantial interest in a business entity or tract of real property that would be peculiarly affected by a vote or decision of the City Council as those terms are defined in Chapter 171, TEX. LOC. GOV'T CODE.

The business entity or property is Creekside Estates Phase 1

I have a substantial interest in this business entity or property for the following reasons: (check all which are applicable)

- Ownership of 10% or more of the voting stock or shares of the business entity.
- Ownership of 10% or more or \$15,000 or more.
- Funds received from the business entity exceed 10% of my income for the previous year.
- Real property is involved and I have an equitable or legal ownership interest in the real property, with a fair market value of at least \$2,500.
- A person related to me in the first degree by consanguinity or affinity as determined by Chapter 573, TEX. GOV'T CODE has a substantial interest in the business entity or property.
- Other Business dealings of developer

Upon the filing of this affidavit, I affirm that I will abstain from voting on any decision involving this business entity and from any further participation in this subject matter whatsoever.

Sign this 11<sup>th</sup> day of December, 2015.

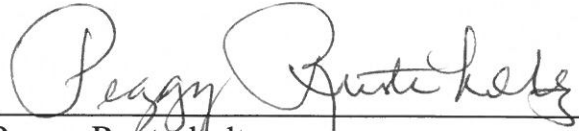
[Signature]  
Signature of Official

This instrument was acknowledged before me on the \_\_\_\_\_ day of \_\_\_\_\_, 201\_\_\_\_, by \_\_\_\_\_, the public official indicated above.

\_\_\_\_\_  
Notary Public, State of Texas

My Commission expires: \_\_\_\_\_

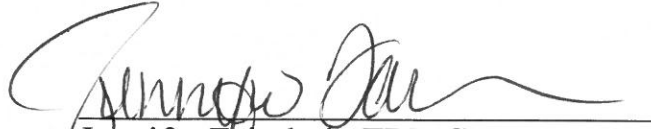
These minutes were approved by a majority vote of the Planning & Zoning Commission members on January 8, 2015.



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Peggy Rusterholtz  
Chairman

ATTEST:



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Jennifer Faircloth, TRMC  
Administrative Assistant