

City of Lucas Planning and Zoning Commission July 9, 2015 7:00 PM

City Hall - 665 Country Club Road - Lucas, Texas - 75002

Notice is hereby given that a City of Lucas Planning and Zoning Meeting will be held on Thursday, July 9, 2015 at 7:00 pm at the 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 Planning and Zoning Commission many 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.

Call to Order

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

Public Hearings

- 1. Consider the request by Brian Reed on behalf of M. Christopher Homes for approval of a specific use permit for a refueling station for the property located at Lot 2 of the Forest Grove Addition, more commonly known as 2710 Country Club Road. [Development Services Director Joe Hilbourn]
 - A. Presentation by Development Services Director Joe Hilbourn
 - B. Conduct Public Hearing
 - C. Take Action
- 2. Consider the request by Robert Kubicek for approval of a zoning change request from R-2 to C, Commercial Business for a parcel of land situated in the Jas M Snider Survey, Abstract A0824 Tract 34, being all of 2.333 acres, also known as 2205 Estates Parkway.

 [Development Services Director Joe Hilbourn]
 - A. Presentation by Development Services Director Joe Hilbourn
 - B. Conduct Public Hearing
 - C. Take Action

Regular Agenda

3. Consider approval of the minutes of the June 11, 2015 Planning and Zoning Commission meeting. [City Secretary Stacy Henderson]

- 4. Consider the request by Brian Reed on behalf of M. Christopher Homes for approval of an amended Architectural Plan for Phase 3, Lot 2 of the Forest Grove Addition, more commonly known as 2710 Country Club Road. [Development Services Director Joe Hilbourn]
- 5. Consider the request by Brian Reed on behalf of M. Christopher Homes for approval of an amended Site Plan for Phase 3, Lot 2 of the Forest Grove Addition, more commonly known as 2710 Country Club Road. [Development Services Director Joe Hilbourn]
- 6. Consider the request by Todd Wintters on behalf of Cleve Adamson Custom Homes for approval of a preliminary plat for a subdivision of land called Tokalaun Equestrian Addition Tract Two being 27.652 acres, for a proposed 12 lot subdivision on a tract of land situated in the John W. Kerby Survey ABS Number 506, more commonly known as the school site on Blondie Jhune. [Development Services Director Joe Hilbourn]
- 7. Consider updates as it relates to the Comprehensive Plan and receive comments based on the updated Land Use Map and Comprehensive Zoning Map. [Development Services Director Joe Hilbourn]

Executive Session

The Planning and Zoning Commission may convene in a closed Executive Session pursuant to Chapter 551.071 of the Texas Government Code.

An Executive Session in not scheduled for this meeting.

8. Adjournment.

Certification

I 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 75002-7651 and on the City's website at www.lucastexas.us on or before Thursday, July 2, 2015.

Stacy Henderson

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 Stacy Henderson at 972-727-8999 or by email at shenderson@lucastexas.us at least 48 hours prior to the meeting.



City of Lucas Planning and Zoning Agenda Request July 9, 2015

Requester: Development Services Director Joe Hilbourn

Agenda Item:

Consider the request by Brian Reed on behalf of M. Christopher Homes for approval of a specific use permit for a refueling station for the property located at Lot 2 of the Forest Grove Addition, more commonly known as 2710 Country Club Road.

- A. Presentation by Development Services Director Joe Hilbourn
- B. Conduct Public Hearing
- C. Take Action

Background Information:

This project has three phases with the first phase being complete. The parcel under consideration is currently zoned VC (Village Center) and a refueling station does require a specific use permit within the Village Center zoning. The property currently has an approved site plan and architectural plan in place, should the specific use permit be approved, the site plan and architectural plan will need to be amended to reflect the refueling station. The proposed hours of operation will be from 6:00 a.m. to 10:00 p.m.

Attachments/Supporting Documentation:

- 1. Depiction
- Legal Description
- 3. Public Notice
- 4. Site plan
- 5. Architectural plan

Budget/Financial Impact:

N/A

Recommendation:

Staff recommends, if approved, with the following recommendations:

- 1. Require Placement of an Emergency access gate on Jessica Lane to prevent traffic cut through from Wolf Creek.
- 2. Install filters at the point where storm water run-off leaves the site similar to Murphy Oil.



City of Lucas Planning and Zoning Agenda Request July 9, 2015

Requester: Development Services Director Joe Hilbourn

Motion:

I make a motion to approve/deny an application submitted by Brian Reed on behalf of M. Christopher Homes for a specific uses permit for a refueling station for the property located at Lot 2 of the Forest Grove Addition, more commonly known as 2710 Country Club Road.

Exhibit B Depiction Owners Property

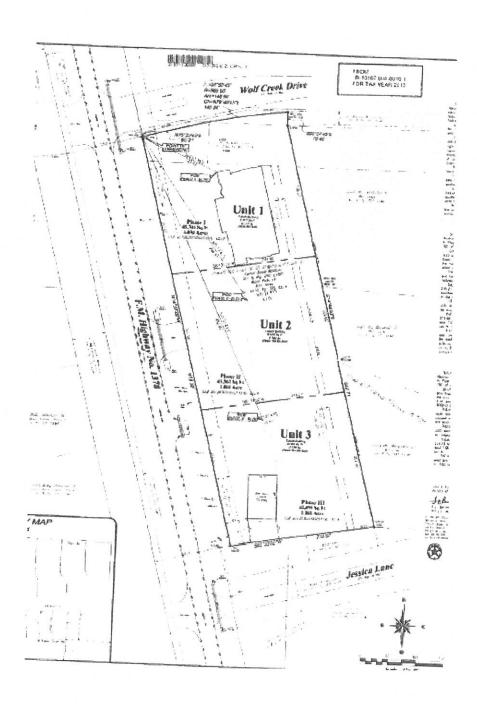


Exhibit A Legal Description Owners Property

SITUATED in the State of Texas, County of Collin, and City of Lucas, being part of the Gabriel Fitzhugh Survey, Abstract No. 318, being part of Lot 2 of Forest Grove Addition, an addition to the City of Lucas as recorded in Volume N, Page 250 of the Collin County Map Records, and being part of a 3.05 acre tract as recorded in Volume 6076, Page 785 of the Collin County Land Records with said premises being more particularly described as follows:

BEGINNING at a 518-inch iron rod found marking the southeast corner of Lot 2, the southeast corner of said 3.05 acre tract, the southeast corner of said premises, the southwest corner of Lot 6, Block D of Wolf Creek, an addition to the City of Lucas as recorded in Volume R, Page 151 of the Collin County Map Records, being in the north line of Lot 3 of said Forest Grove Addition, and being in the north line of a 7.240 acre tract as recorded under Document No. 20081210001405750 of the Collin County Land Records;

THENCE with the south line of Lot 2, the south line of said 3.05 acre tract, the south line of said premises, the north line of said Lot 3, and the north line of said 7.240 acre tract, South 80°33'50" West, 215.97 feet to a Roome capped iron rod set in the east right-of-way line of F.M. Highway No. 1378 marking the southwest corner of Lot 2, the southwest corner of said 3.05 acre tract, and the southwest corner of said premises;

THENCE with the east right-of-way line of F.M. Highway No. 1378, the west line of Lot 2, the west line of said 3.05 acre tract, and the west line of said premises, North 14°37'20" West, 202.92 feet to a Roome capped iron rod set marking the northwest corner of said premises and the southwest corner of a 1.00 acre tract (Tract 2);

THENCE with the north line of said premises and the south line of said 1.00 acre tract, North 80°33'50" East, 215.23 feet to a Roome capped iron rod set marking the northeast corner of said premises, the southeast corner of said 1.00 acre tract, in the east line of Lot 2, in the east line of said 3.05 acre tract, and in the west line of said Lot 6;

THENCE with the east line of Lot 2, the east line of said 3.05 acre tract, the east line of said premises, and the west line of said Lot 6, South 14°49'53" East, 202.99 feet to the point of beginning and containing 43,569 square feet or 1.00 acre of land.



NOTICE OF PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN, that the Planning & Zoning Commission of the City of Lucas, Texas (the "City"), will conduct a Public Hearing on **Thursday, July 09, 2015** at 7:00 p.m. and City Council will conduct a second Public Hearing on Thursday August 6, 2015 at 7:00 p.m. at City Hall, 665 Country Club, Lucas, Texas to consider a request for an SUP to allow a refueling station for a tract of land further described as follows:

SITUATED in the State of Texas, County of Collin, and City of Lucas, being part of the Gabriel Fitzhugh Survey, Abstract No. 318, being part of Lot 2 of Forest Grove Addition, an addition to the City of Lucas as recorded in Volume N, Page 250 of the Collin County Map Records, and being part of a 3.05 acre tract as recorded in Volume 6076, Page 785 of the Collin County Land Records with said premises being more particularly described as follows:

BEGINNING at a 518-inch iron rod found marking the southeast corner of Lot 2, the southeast corner of said 3.05 acre tract, the southeast corner of said premises, the southwest corner of Lot 6, Block D of Wolf Creek, an addition to the City of Lucas as recorded in Volume R, Page 151 of the Collin County Map Records, being in the north line of Lot 3 of said Forest Grove Addition, and being in the north line of a 7.240 acre tract as recorded under Document No. 20081210001405750 of the Collin County Land Records:

THENCE with the south line of Lot 2, the south line of said 3.05 acre tract, the south line of said premises, the north line of said Lot 3, and the north line of said 7.240 acre tract, South 80°33'50" West, 215.97 feet to a Roome capped iron rod set in the east right-of-way line of F.M. Highway No. 1378 marking the southwest corner of Lot 2, the southwest corner of said 3.05 acre tract, and the southwest corner of said premises;

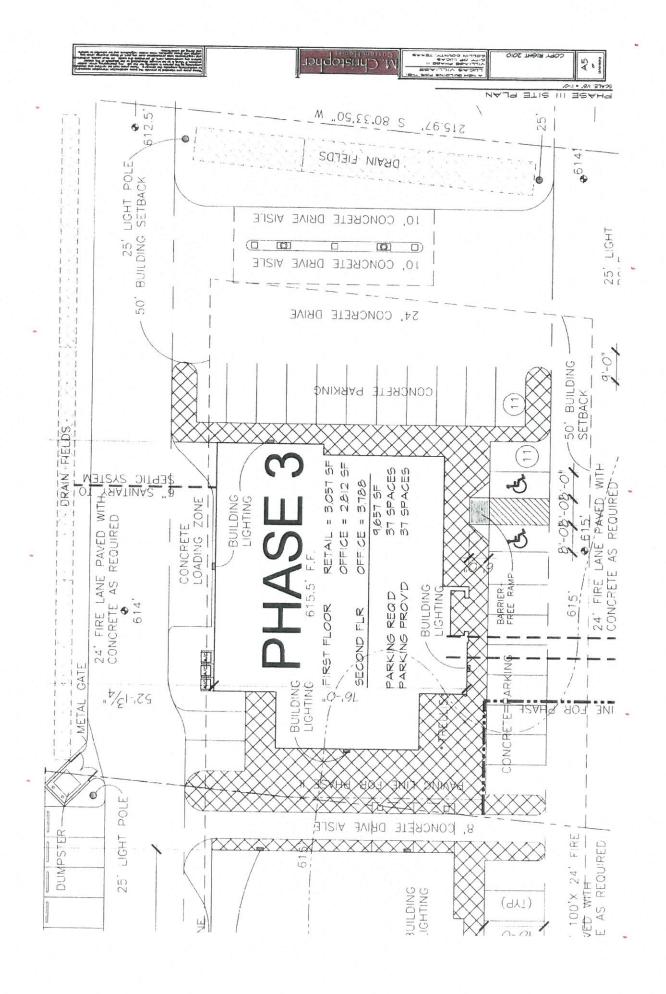
THENCE with the east right-of-way line of F.M. Highway No. 1378, the west line of Lot 2, the west line of said 3.05 acre tract, and the west line of said premises, North 14°37'20" West, 202.92 feet to a Roome capped iron rod set marking the northwest corner of said premises and the southwest corner of a 1.00 acre tract (Tract 2);

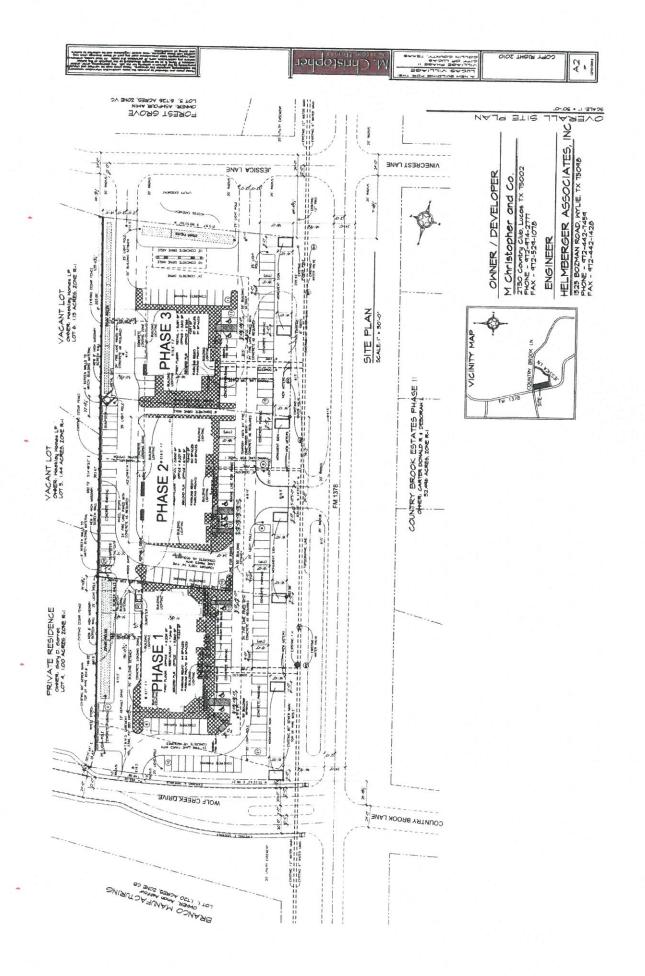
THENCE with the north line of said premises and the south line of said 1.00 acre tract, North 80°33'50" East, 215.23 feet to a Roome capped iron rod set marking the northeast corner of said premises, the southeast corner of said 1.00 acre tract, in the east line of Lot 2, in the east line of said 3.05 acre tract, and in the west line of said Lot 6;

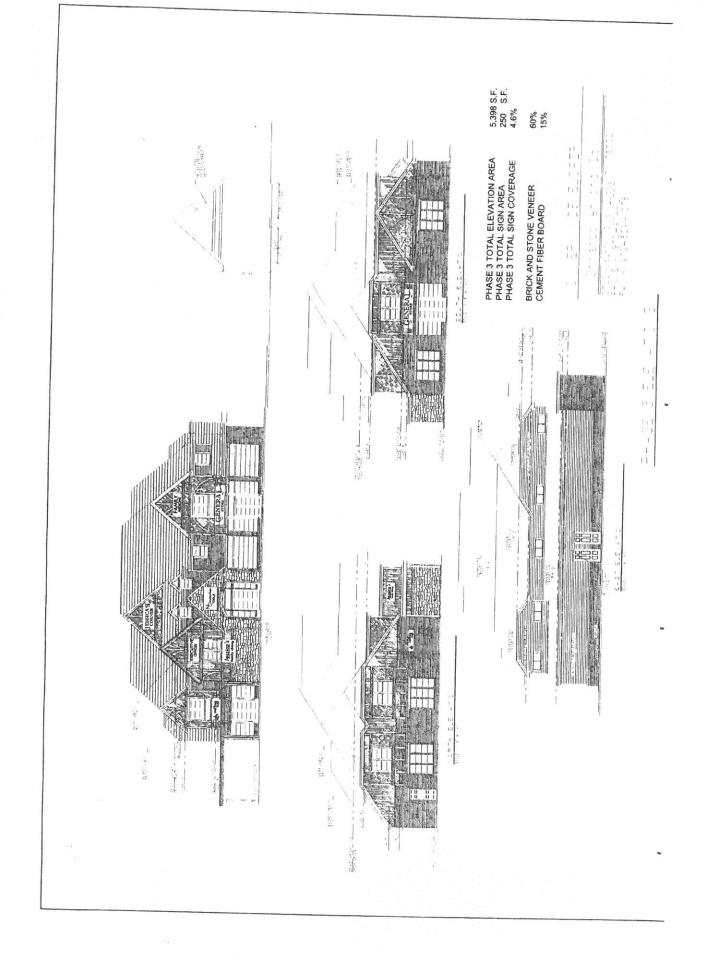
THENCE with the east line of Lot 2, the east line of said 3.05 acre tract, the east line of said premises, and the west line of said Lot 6, South 14°49'53" East, 202.99 feet to the point of beginning and containing 43,569 square feet or 1.00 acre of land.

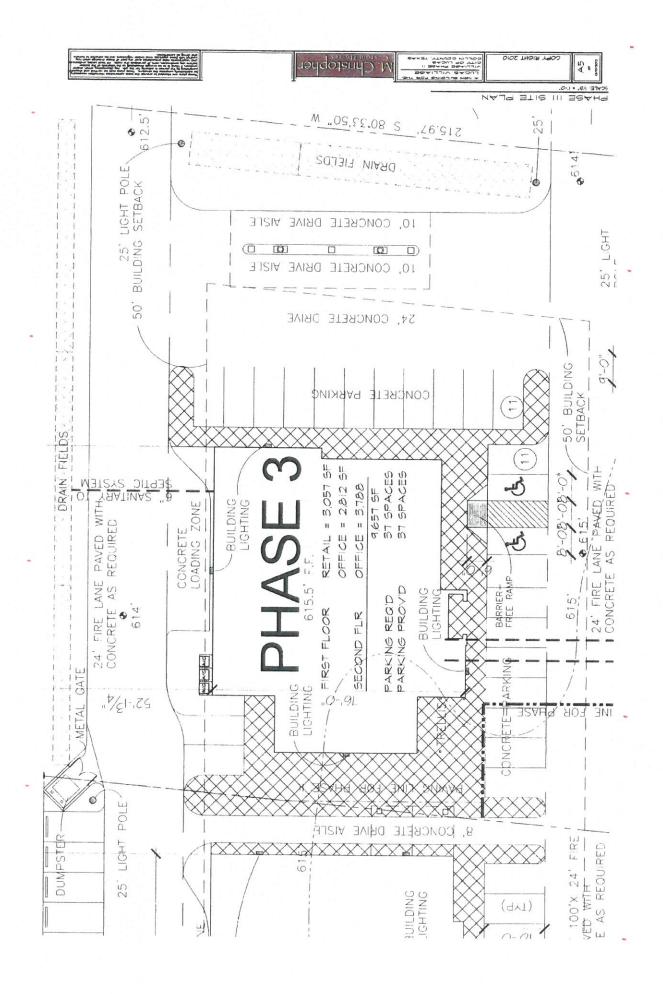
More commonly known as 2710 Country Club Road Lucas Texas, 75002.

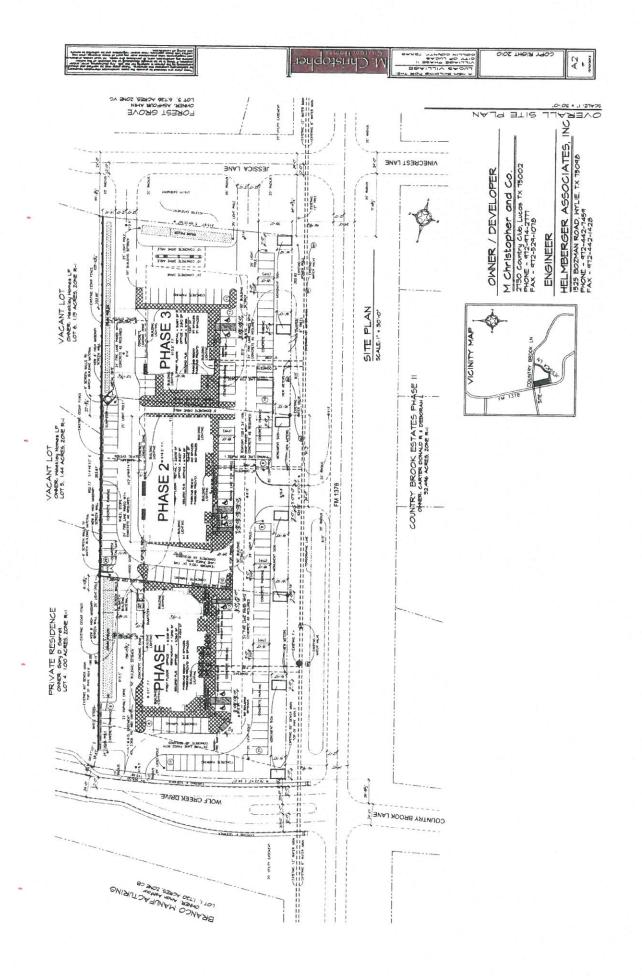
Those wishing to speak **FOR** or **AGAINST** the above item are invited to attend. If you are unable to attend and have comments you may send them to City of Lucas, Attention: City Secretary, 665 Country Club Road, Lucas Texas 75002, 972-727-8999, email shenderson@lucastexas.us, or Fax 972-727-0091 and it will be presented at the Hearing. If you have any questions please contact Joseph Hilbourn@lucastexas.us













City of Lucas Planning and Zoning Agenda Request July 9, 2015

Requester: Development Services Director Joe Hilbourn

Agenda Item:

Consider the request by Robert Kubicek for approval of a zoning change request from R-2 to C, Commercial Business for a parcel of land situated in the Jas M Snider Survey, Abstract A0824 Tract 34, being all of 2.333 acres, also known as 2205 Estates Parkway.

- A. Presentation by Development Services Director Joe Hilbourn
- B. Conduct Public Hearing
- C. Take Action

Background Information:

When this parcel was annexed, an existing self-storage building was located on site making the parcel a legal non-conforming use within the district requirements. Since 2005 following the annexation, the property owner continued to add self-storage facilities without the required permits.

The addition of the self-storage buildings without permits changed the classification of the property to illegal non-conforming, and in order to continue running the business with the new facilities, the property will be required to be re-zoned from R-2 to Commercial Business.

Should the rezoning be approved, the property would then be required to obtain a specific use permit as self-storage facilities are not permitted by right. Should the specific use permit be approved, the property would then be required to apply for a building permit for the additional structures, and pay building permit and impact fees for each project.

If the rezoning request is denied, the self-storage buildings will have to be removed.

Attachments/Supporting Documentation:

- 1. Depiction
- 2. Legal Description

Budget/Financial Impact:

N/A



City of Lucas Planning and Zoning Agenda Request July 9, 2015

Requester: Development Services Director Joe Hilbourn

Recommendation:

The property is currently classified as illegal non-conforming and the self-storage buildings are not allowed within the R-2 zoning district. If approved, the Comprehensive Plan would require an update.

Motion:

I make a motion to approve/deny an application submitted by Robert Kubicek for a zoning change request from R-2 to C (Commercial Business) for a parcel of land located at 2205 Estates Parkway.

Exhibit B
Depiction
Owners Property

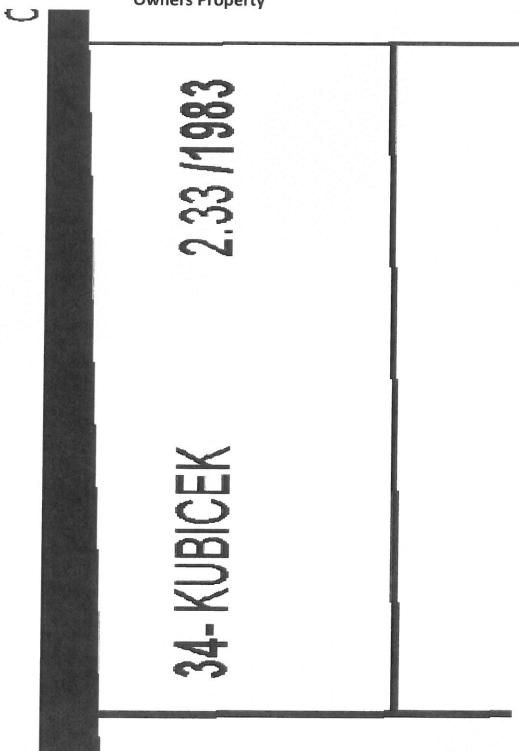


Exhibit A Legal Description Owners Property

SITUATED IN COLLIN COUNTY, TEXAS, IN THE JAMES M. SNYDER SURVEY, ABSTRACT NO. 824, AND BEING A PART OF A 13.3346 ACRE TRACT OF LAND DESCRIBED IN A PARTITION DEED RECORDED IN **VOLUME 809, PAGE 270, OF THE COLLIN COUNTY DEED RECORDS.** AND BEING A RESURVEY OF THE SAME SECOND TRACT OF 6.66783 ACRE TRACT DESCRIBED IN SAME PARTITION DEED AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A 1/2 INCH IRON ROD SET AT THE NORTHWEST CORNER OF SAID 6.6673 ACRE TRACT IN THE SOUTH R.O.W. LINE OF FARM ROAD NO. 2170; THENCE SOUTH 89 DEGREES 44 MINUTES 40 SECONDS EAST, 166.24 FEET ALONG THE SOUTH R.O.W. LINE OF SAID FARM ROAD NO. 2170 TO AN IRON ROD SET THEREIN; THENCE SOUTH 0 DEGREES 00 MINUTES 13 SECONDS EAST, 611.37 FEET TO AN IRON ROD SET IN THE SOUTH LINE OF THE SAID 6.6673 ACRE TRACT; THENCE NORTH 89 DEGREES 44 MINUTES 45 SECONDS WEST, 166.28 FEET ALONG THE SOUTH LINE OF THE SAID 13.3346 ACRE TRACT TO A 1/2 INCH IRON ROD SET THEREIN: THENCE NORTH 611.37 FEET TO THE PLACE OF BEGINNING. AND CONTAINING 2.333 ACRES OF LAND.



City of Lucas Planning and Zoning Agenda Request July 9, 2015

Requester: City Secretary Stacy Henderson

Agenda Item:

Consider approval of the minutes of the June 11, 2015 Planning and Zoning Commission meeting.

Background Information:

N/A

Attachments/Supporting Documentation:

1. Minutes of the June 11, 2015 Planning and Zoning Commission meeting.

Budget/Financial Impact:

N/A

Recommendation:

Approve as presented.

Motion:

I make a motion to Approve/Deny the minutes of June 11, 2015.



City of Lucas Planning & Zoning Commission Regular Meeting June 11, 2015 - 7:00 PM City Hall – 665 Country Club Road Minutes

Call to Order

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

Present:

Chairman, Peggy Rusterholtz Vice Chairman, David Keer Commissioner, Andre Guillemaud Commissioner, Joe Williams Commissioner, Brian Blythe Alternate Commissioner, Kevin Wier

Staff:

City Manager, Joni Clarke Development Services Director, Joe Hilbourn City Secretary, Stacy Henderson

Absent:

Alternate Commissioner, Scott Sperling

It was determined that a quorum was present. Everyone was reminded to turn off or silence cell phones and Vice Chairman Keer led the Pledge of Allegiance.

Public Hearing

1. Consider approving amendments to Chapter 14, titled Zoning, of the City's Code of Ordinances to include definitions, area regulations, building regulations, site plan approval, landscaping plan approval, development regulations, general provisions, general accessory, and buildings and structures regulations.

Chairman Rusterholtz noted that the diagrams regarding lot width were not updated and that there was still wording within the document referencing "special use permit" that should be changed to "specific use permit".

Development Services Director Joe Hilbourn stated that when the City Attorney updates Chapter 14 of the Code of Ordinances, the diagrams would be updated as well.

Chairman Rusterholtz opened the public hearing at 7:05pm.

A resident came forward asking about an item brought before the Planning and Zoning Commission in May. Mr. Hilbourn informed her the item was denied before the Planning and Zoning Commission and no further action had been taken.

There being no one else wishing to speak, Chairman Rusterholtz closed the public hearing at 7:07 pm.

MOTION: A motion was made by Chairman Rusterholtz, seconded by Vice Chairman Keer to approve the amendments to Chapter 14 of the Code of Ordinances to include definitions, area regulations, building regulations, site plan approval, landscaping plan approval, development regulations, general provisions, general accessory, building and structure regulations, and with the amendments presented to City staff. The motion passed unanimously by a 5 to 0 vote.

Regular Agenda

2. Consider approval of the minutes of the May 14, 2015 Planning and Zoning Commission meeting.

Chairman Rusterholtz noted the following corrections to the minutes:

Page 1, paragraph 3, correcting the word "herself" and changing to "himself" and adding a statement regarding the conflict of interest affidavit filed in the City Secretary's office. The sentence should read "Commissioner Wier completed the Conflict of Interest Affidavit and is on file in the City Secretary's office."

Page 4, paragraph 2, the last name of Clarke should be added and the word "on" be removed. The sentence should read "City Manager Joni Clarke stated she would have the Town Hall suggestion on the next City Council agenda for May 21, 2015."

MOTION: A motion was made by Commissioner Blythe, seconded by Commissioner Williams to approve the minutes as amended. The motion passed unanimously by a 5-0 vote.

3. Consider approval of an application by Todd Wintters on behalf of Cleve Adamson Custom Homes for preliminary plat approval of a subdivision of land called Tokalaun Equestrian Addition Tract 2. Said tract being 18.507 acres for a proposed 8 lot subdivision situated in the John W. Kerby Survey ABS Number 506 more commonly known as the school site on Blondy Jhune.

Commissioner Wier noted that the Agenda Item wording for this request states "Cleve Anderson Custom Homes" and it should state "Cleve Adamson Custom Homes."

A presentation was given by Development Services Director Joe Hilbourn stating the plat met all existing zoning requirements.

Commissioner Wier stated that there may be poor visibility near Lot 6 due to the lot configuration, fencing and landscaping proposed.

Chairman Rusterholtz stated that relocating the driveway for Lot 6 to the cul-de-sac would assist in alleviating safety concerns due to the steep curves on Blondy Jhune and would allow for better visibility.

The Commission discussed access easements to provide better visibility near Lot 6.

Denny Wychulis, representing the applicant, said he was in agreement with the Commission and would ask the property owner to allow the requested change.

MOTION: A motion was made by Commissioner Blythe, seconded by Vice Chairman Keer to approve the preliminary plat on behalf of Cleve Adamson Custom Homes for preliminary plat approval of a subdivision of land called Tokalaun Equestrian Addition Tract 2. Said tract being 18.507 acres for a proposed 8 lot subdivision situated in the John W. Kerby Survey ABS Number 506 more commonly known as the school site on Blondy Jhune, and with the correction that all information regarding this request state Cleve Adamson Custom Homes. The motion passed unanimously by a 5-0 vote.

4. Consider public feedback and provide guidance to staff regarding updates to the City of Lucas Comprehensive Plan.

The City's consultant, Louis Frisbie with Metropolitan Infrastructure, gave a presentation regarding updates to the Comprehensive Plan.

Mr. Frisbie discussed public comments from the Town Hall meeting held on June 7, 2015 and the priorities of the citizens. From those discussions, the City understands the importance of roadways, transportation as well as trails and open space. Mr. Frisbie also stated he was in the early stages of updating all the maps associated with the Comprehensive Plan.

Chairman Rusterholtz asked if anyone in the audience wanted to speak regarding the Comprehensive Plan update. There was no one wishing to speak at this time.

The Commission discussed working on the Land Use Plan and map as well as the Thoroughfare Plan for their July meeting and have comments to staff regarding any changes at that meeting.

5. Adjournment.

MOTION: A motion was made by Commissioner Williams, seconded by Commissioner Guillemand to adjourn the meeting at 7:57pm. The motion passed unanimously with a 5-0 vote.

Peggy Rusterholtz			
Chairman			
ATTEST:			
Stacy Henderson			
City Secretary			



City of Lucas Planning and Zoning Agenda Request July 9, 2015

Requester: Development Services Director Joe Hilbourn

Agenda Item:

Consider the request by Brian Reed on behalf of M. Christopher Homes for approval of an amended Architectural Plan for Phase 3, Lot 2 of the Forest Grove Addition, more commonly known as 2710 Country Club Road.

Background Information:

This project has three phases, with the first phase complete and the developer is now ready to begin Phase Three of the project. The property currently has an approved site plan and architectural plan in place, and should the specific use permit amendment that is on this same agenda be approved, the site plan and architectural plan will need to be amended to reflect the refueling station.

Attachments/Supporting Documentation:

Architectural plan

Budget/Financial Impact:

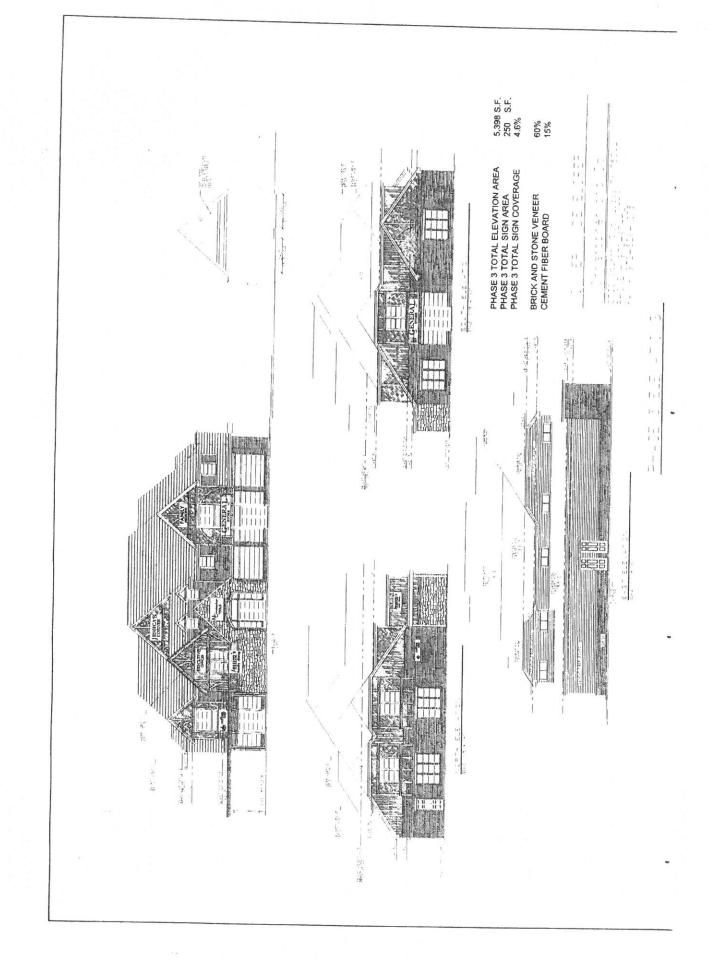
N/A

Recommendation:

Staff recommends approval to amend the Architectural Plan if the specific use permit is approved.

Motion:

I make a motion to approve/deny an application submitted by Brian Reed on behalf of M. Christopher Homes for an amended Architectural Plan for Phase 3, Lot 2 of the Forest Grove Addition, more commonly known as 2710 Country Club Road.





City of Lucas Planning and Zoning Agenda Request July 9, 2015

Requester: Development Services Director Joe Hilbourn

Agenda Item:

Consider the request by Brian Reed on behalf of M. Christopher Homes for approval of an amended Site Plan for Phase 3, Lot 2 of the Forest Grove Addition, more commonly known as 2710 Country Club Road.

Background Information:

This project consists of three phases and with Phase One being complete the developer is now beginning Phase Three of the project. The property currently has an approved site plan and architectural plan in place, and should the specific use permit amendment that is on this same agenda be approved, the site plan will need to be amended to reflect the refueling station.

Attachments/Supporting Documentation:

1. Site plan

Budget/Financial Impact:

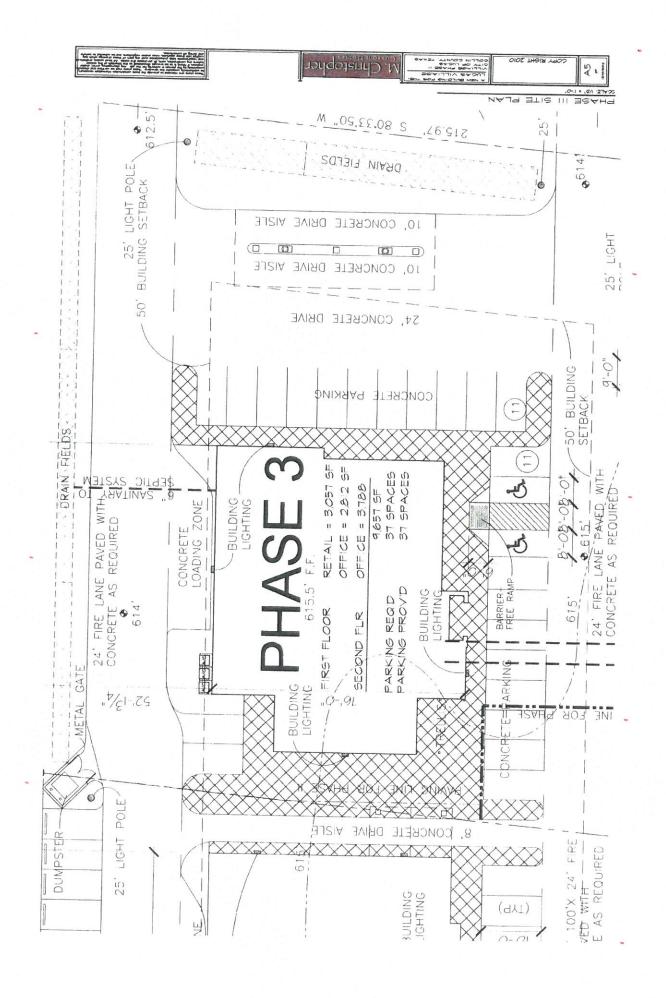
N/A

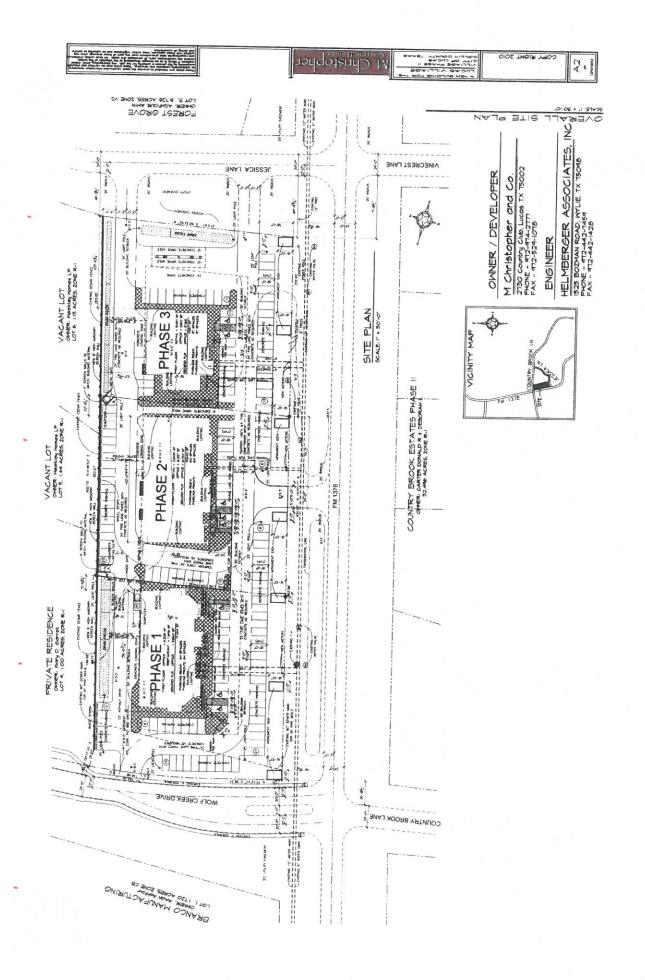
Recommendation:

Staff recommends approval to amend the Site Plan if the specific use permit is approved.

Motion:

I make a motion to approve/deny an application submitted by Brian Reed on behalf of M. Christopher Homes for an amended Site Plan for Phase 3, Lot 2 of the Forest Grove Addition, more commonly known as 2710 Country Club Road.







City of Lucas Planning and Zoning Agenda Request July 09, 2015

Requester: Development Services Director Joe Hilbourn

Agenda Item:

Consider updates as it relates to the Comprehensive Plan and receive comments based on the updated Land Use Map, Comprehensive Zoning Map.

Background Information:

The Comprehensive Plan should be updated periodically to reflect changes in the community. The last update was conducted in 2006. The City had its Comprehensive Plan kick off meeting that included the Planning and Zoning Commission, City Council and the Parks and Open Space Board. The Planning and Zoning Commission has begun their review and update of components of the Comprehensive Plan. The items to be considered for update at the July meeting will include the Land Use Map and the Comprehensive Plan Map.

Attachments/Supporting Documentation:

- 1. Land Use Map
- 2. Comprehensive Zoning Map

Budget/Financial Impact:

NA

Recommendation:

N/A.

Motion:

I make a motion to approve/deny/ or give Staff direction for updates to the City's Land Use Map, Comprehensive Zoning Map.

