



PUBLIC NOTICE
Planning & Zoning Commission
Regular Meeting
September 12, 2013, 7:00 PM
City Hall – 665 Country Club Road

NOTICE is hereby given that the Regular Meeting of the Planning & Zoning Commission of the City of Lucas will be held on Thursday, September 12, 2013, at 7:00 PM at the Lucas City Hall, 665 Country Club Road, Lucas, Texas, at which time the following Agenda will be discussed.

Agenda

Call to Order

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

Public Hearings

The Public Hearing agenda is provided for the purpose of allowing citizens to ask specific questions regarding only the subject posted for the Public Hearing. Generally the Public Hearing is required by State Law and a record of those attending the Public Hearing is maintained as part of the official record of the proceedings.

- 1) Public Hearing/Discuss and Consider an application for the zoning of a tract of land situated in the City of Lucas to R-1.5 from AO BEING a 47.807 acre tract of land situated in the James Lovelady Survey, Abstract No. 538, City of Lucas, Collin County, State of Texas, and being part of that certain 87.1115 acre tract of land (Tract 3) described in deed to Lucas Real Estate, LLC, as recorded in Instrument 20111014001101190, Deed Records, Collin County, Texas, said 47.807 acre tract. [47.807 acre parcel R-1.5]
- 2) Public Hearing/Discuss and Consider an application for the zoning of a tract of land situated in the City of Lucas to R-2

from AO BEING a 13.376 acre tract of land situated in the James Lovelady Survey, Abstract No. 538, City of Lucas, Collin County, State of Texas, and being part of that certain 87.1115 acre tract of land (Tract 3) described in deed to Lucas Real Estate, LLC, as recorded in Instrument 20111014001101190, Deed Records, Collin County, Texas, said 13.376 acre tract. [13.376 acre parcel R-2]

- 3) Public Hearing/Discuss and Consider an application for the rezoning of a 53 +/- acre tract of land from AO to R-1.5 situated in the J. Kerby Survey, Abstract No. 506, City of Lucas, Collin County, Texas, the subject tract being a portion of a tract of land conveyed to Hooper Family Limited Partnership according to the deed recorded in Volume 5190, Page 404 of the Deed Records, Collin County, Texas (DRCCT). [Located on Forest Grove Road]

Regular Agenda

- 4) Discuss and Consider the approval of the minutes from the August 8, 2013 Planning & Zoning Commission meeting.
- 5) Discuss and Consider the approval of a preliminary plat for a tract of land situation in the James Lovelady Survey Abstract No. 538, the first phase of Oakbrook Subdivision 48.05 acres out of a total of an 87 acre tract of land, consisting of twenty-two (22) lots with a mixed zoning of R-1.5 and R-2.
- 6) Discuss and Consider the approval of a preliminary plat for an eight (8) lot subdivision being 18.007 acres located in the Peter F. Lucas Survey Abstract No. 537 and J. Anderson Survey Abstract No. 17 also known as Winding Creek Reserve (located off E. Lucas Road).
- 7) Discuss and Consider the approval of an amendment to the City of Lucas' Code of Ordinances, Chapter 14, Zoning, add Section 14.03.354 Special District Requirements (3) the site plan may only be approved following a public hearing before the Planning & Zoning Commission and the City Council.

8) Discuss and Consider the approval of **Ordinance # 2013-10-00XXX** of the City Council of the City of Lucas, Collin County, Texas, amending the Lucas Code of Ordinances by amending Chapter 10 titled "Subdivisions" by amending Article 10.03 titled "Subdivision and Development Ordinance" by amending Division 4 titled "Standards and Requirements" by amending Section 10.03.123 titled "Streets and Drainage" by amending Sub-Section 10.03.123(e) titled "Storm Sewers-Residential Developments" by adding requirements for drainage ditches and drainage easements; providing a repealing clause; providing a severability clause; providing a savings clause; providing a penalty of fine not to exceed the sum of two thousand dollars (\$2,000) for each offense; and providing for an effective date.

9) Adjournment.

As authorized by Section 551.071 (2) of the Government Code, the Planning and Zoning Commission may convene into closed Executive Session for the purpose of seeking confidential legal advice from the City Attorney regarding any item on the agenda at any time during the meeting.

Certification

I hereby certify that the above notice of meeting was posted on the bulletin board at Lucas City Hall by 5:00 p.m. on or before Friday, September 6, 2013, as required in accordance with the Government Code §551.041.

Kathy Wingo, TRMC, MMC, City
Secretary

This building is wheelchair accessible. Any requests for sign interpretive services or other special requests for assistance of the hearing impaired must be made 48 hours in advance of the meeting. To make such arrangements, please call 972-727-8999 or email secretary@lucastexas.us.

LUCAS P&Z COMMISSION

Regular Meeting Date: September 12, 2013

AGENDA ITEM:

Call to Order

Roll Call

	Present	Absent
Chairman Karen Hurtt	<input type="checkbox"/>	<input type="checkbox"/>
Vice-Chairman Peggy Rusterholtz	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Sean McCaffity	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Brian Blythe	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner David Keer	<input type="checkbox"/>	<input type="checkbox"/>
Alternate Commissioner Andre Guillemaud	<input type="checkbox"/>	<input type="checkbox"/>
Alternate Commissioner Joe Williams	<input type="checkbox"/>	<input type="checkbox"/>

Determination of Quorum

Reminder to silence cell phones

Other Staff/Council Attendees – For Informational Purposes Only

Mayor Rebecca Mark	<input type="checkbox"/>	<input type="checkbox"/>
City Manager Jeff Jenkins	<input type="checkbox"/>	<input type="checkbox"/>
City Secretary Kathy Wingo	<input type="checkbox"/>	<input type="checkbox"/>
Admin Assistant Jennifer Faircloth	<input type="checkbox"/>	<input type="checkbox"/>
Development Services Director Joe Hilbourn	<input type="checkbox"/>	<input type="checkbox"/>
Fire Chief Jim Kitchens	<input type="checkbox"/>	<input type="checkbox"/>
Public Works Director Stanton Foerster	<input type="checkbox"/>	<input type="checkbox"/>
City Attorney Joe Gorfida	<input type="checkbox"/>	<input type="checkbox"/>



City of Lucas P&Z Agenda Request

P & Z Meeting: September 12, 2013

Requestor: Joe Hilbourn

Prepared by: Joe Hilbourn

Account Code #: _____

Date Prepared: September 4, 2013

Budgeted Amount: \$ _____

Exhibits: Yes No

AGENDA SUBJECT:

Public Hearing/Discuss and Consider an application for the zoning of a tract of land situated in the City of Lucas to R-1.5 from AO BEING a 47.807 acre tract of land situated in the James Lovelady Survey, Abstract No. 538, City of Lucas, Collin County, State of Texas, and being part of that certain 87.1115 acre tract of land (Tract 3) described in deed to Lucas Real Estate, LLC, as recorded in Instrument 20111014001101190, Deed Records, Collin County, Texas, said 47.807 acre tract. [47.807 acre parcel R-1.5]

RECOMMENDED ACTION:

Approve as presented.

SUMMARY:

There is an approved Development Agreement.

The 61 acre tract of land is part of a larger 87 acre tract of land, with 26 acres being located in the City's ETJ. The purpose of the development agreement was to find common ground, end with the development entirely within the City, and create a development that substantially conforms to the City's approved Comprehensive Plan. The R-2 block was moved one block north and for that consideration the southern lots that are located in the City's ETJ and will come into the City as R-1.5 instead of R-1.

MOTION:

I make a Motion to recommend approval of the application for the zoning of a tract of land situated in the City of Lucas to R-1.5 from AO BEING a 47.807 acre tract of land situated in the James Lovelady Survey, Abstract No. 538, City of Lucas, Collin County,

State of Texas, and being part of that certain 87.1115 acre tract of land (Tract 3) described in deed to Lucas Real Estate, LLC, as recorded in Instrument 20111014001101190, Deed Records, Collin County, Texas, said 47.807 acre tract.

APPROVED BY: _____ Initial/Date

Department Director: _____ / _____
City Manager: _____ / _____

<input type="checkbox"/>	Annexation
<input type="checkbox"/>	Disannexation
<input type="checkbox"/>	Code of Ordinances
<input checked="" type="checkbox"/>	Other

ORDINANCE # 2013-10-00XXX
[CHANGE IN ZONING FOR 47.807 ACRE TRACT R-1.5]

AN ORDINANCE OF THE CITY OF LUCAS, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP OF THE CITY OF LUCAS, AS HERETOFORE AMENDED, SO AS TO GRANT A CHANGE IN ZONING CLASSIFICATION FROM AGRICULTURE (“AO”) TO SINGLE FAMILY RESIDENTIAL DISTRICT 1.5 (“R1.5”) FOR THE ±47.807 ACRE TRACT OF LAND, BEING A PORTION OF A ±87.1115 ACRE TRACT (TRACT 3) IN THE JAMES LOVELADY SURVEY, ABSTRACT 538, LUCAS, COLLIN COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT “A” AND DEPICTED IN EXHIBIT “B” ATTACHED HERETO; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission of the City of Lucas, Texas and the City Council of the City of Lucas, Texas, in compliance with the laws of the State of Texas with reference to the granting of zoning classifications and changes, have given the requisite notices by publication and otherwise, and have held due hearings and afforded a full and fair hearing to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof, and the City Council of the City of Lucas, Texas is of the opinion and finds that said zoning change should be granted and that the Comprehensive Zoning Ordinance and Map should be amended;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LUCAS, TEXAS:

Section 1. That the Comprehensive Zoning Ordinance and Map of the City of Lucas, Texas are hereby amended to grant a change in zoning from Agriculture to Single Family Residential District 1.5 (“R1.5”) for the ±47.807-acre tract of land, being a portion of a ±87.1115-acre tract (Tract 3) in the James Lovelady Survey, Abstract No. 538, Lucas, Collin County, Texas, and being more particularly described in Exhibit “A” attached hereto and made part hereof for all purposes.

Section 2. That all ordinances of the City of Lucas in conflict with the provisions of this Ordinance shall be, and same are hereby, repealed, provided, however, that all other provisions of said Ordinances are not in conflict herewith shall remain in full force and effect.

Section 3. That should any word, sentence, paragraph, subdivision, clause, phrase or section of this Ordinance or of the City of Lucas Code of Ordinances, as amended hereby, be adjudged or held to be voided or unconstitutional, the same shall not affect the validity of the remaining

portions of said Ordinances or the City of Lucas Code of Ordinances, as amended hereby, which shall remain in full force and effect.

Section 4. That any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in the Code of Ordinances, as amended, and upon conviction in the municipal court shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense, and each and every day such violation shall continue shall be deemed to constitute a separate offense.

Section 5. That this Ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Lucas, and it is accordingly so ordained

DULY PASSED AND APPROVED BY THE CITY COUNSEL OF THE CITY OF LUCAS, COLLIN COUNTY, TEXAS, ON THIS _____ DAY OF OCTOBER, 2013.

APPROVED:

Rebecca Mark, Mayor

APPROVED AS TO FORM:

ATTEST:

Joe Gorfida, Jr., City Attorney
(JJG/08-22-13/61972)

Kathy Wingo, TRMC, MMC, City Secretary

EXHIBIT "A"
METES & BOUNDS

BEGINNING at a point in the east boundary line of said 87.1115 acre tract in the centerline of Stinson Road, a variable width right-of-way from which a 5/8-inch iron rod with yellow cap stamped "RPLS 3963" set for the northeast corner of said 87.1115 acre tract and the southeast corner of Lot 3, Trails End Addition, an addition to the City of Lucas, as recorded in Cabinet M, Page 107, Plat Records, Collin County, Texas bears North 00 degrees 55 minutes 28 seconds West, a distance of 293.88 feet;

THENCE South 00 degrees 55 minutes 28 seconds East, with the east boundary line of said 87.1115 acre tract and said Stinson Road, a distance of 1026.14 feet to an exterior ell corner of said 87.1115 acre tract from which a PK Nail found bears South 89 degrees 24 minutes 53 seconds West, a distance of 10.41 feet;

THENCE South 89 degrees 05 minutes 13 seconds West, with a south boundary line of said 47.1115 acre tract, a distance of 679.10 feet to a 1/2-inch iron rod found for an interior ell corner of said 87.1115 acre tract;

THENCE South 89 degrees 11 minutes 11 seconds West, a distance of 1318.46 feet to a 5/8-inch iron rod with cap stamped "5439" found in the common boundary line of a 59.030 acre tract and a 86.548 acre tract described in a boundary line agreement, as recorded in Instrument 20061020001510100 of said Deed Records;

THENCE South 88 degrees 39 minutes 48 seconds West, with the common boundary line of said 59.030 acre tract and said 86.548 acre tract, a distance of 4.72 feet to a point for corner;

THENCE North 01 degrees 00 minutes 32 seconds West, with the common boundary line of said 59.030 acre tract and said 86.548 acre tract, passing a 5/8-inch iron rod found for an exterior ell corner of Belmont Park, an addition to the City of Lucas, as recorded Cabinet 213, Page 85 of said Plat Records, Texas at a distance of 893.70 feet and continuing with the common boundary line of said 43.702 acre tract and said 86.548 acre tract, a total distance of 1165.16 feet to a point for corner;

THENCE South 77 degrees 16 minutes 50 seconds East, a distance of 337.67 feet;

THENCE North 21 degrees 18 minutes 07 seconds East, a distance of 35.00 feet;

THENCE South 68 degrees 41 minutes 53 seconds East, a distance of 211.41 feet to the beginning of a tangent curve to the left having a radius of 500.00 feet whose chord bears South 83 degrees 39 minutes 43 seconds East, a distance of 258.21 feet;

THENCE Southeasterly, with said curve to the left through a central angel of 29 degrees 55 minutes 39 seconds, an arc distance of 261.17 feet to the end of said curve;

THENCE North 81 degrees 22 minutes 27 seconds East, a distance of 127.61 feet to the beginning of a tangent curve to the right having a radius of 500.00 feet whose chord bears South 89 degrees 39 minutes 08 seconds East, a distance of 155.98 feet;

THENCE Easterly, with said curve to the right through a central angel of 17 degrees 56 minutes 50 seconds, an arc distance of 156.62 feet to the end of said curve;

THENCE South 80 degrees 40 minutes 43 seconds East, a distance of 154.27 feet to the beginning of a tangent curve to the left having a radius of 500.00 feet whose chord bears North 89 degrees 14 minutes 52 seconds East, a distance of 174.92 feet;

THENCE Easterly, with said curve to the left through a central angel of 20 degrees 08 minutes 51 seconds, an arc distance of 175.82 feet to the end of said curve;

THENCE North 79 degrees 10 minutes 26 seconds East, a distance of 164.52 feet to the beginning of a tangent curve to the right having a radius of 500.00 feet whose chord bears North 84 degrees 23 minutes 14 seconds East, a distance of 90.86 feet;

THENCE Northeasterly, with said curve to the right through a central angel of 10 degrees 25 minutes 36 seconds, an arc distance of 90.99 feet to the end of said curve



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, September 12, 2013, at 7:00 p.m. and City Council will conduct a second Public Hearing on Thursday October 3, 2013, at 7:00 p.m. at City Hall, 665 Country Club, Lucas, Texas to consider:

A recommendation for the zoning of a tract of land situated in the City of Lucas to R-1.5 from AO BEING a 47.807 acre tract of land situated in the James Lovelady Survey, Abstract No. 538, City of Lucas, Collin County, State of Texas, and being part of that certain 87.1115 acre tract of land (Tract 3) described in deed to Lucas Real Estate, LLC, as recorded in Instrument 20111014001101190, Deed Records, Collin County, Texas, said 47.807 acre tract being more particularly described by metes and bounds as follows:

BEGINNING at a point in the east boundary line of said 87.1115 acre tract in the centerline of Stinson Road, a variable width right-of-way from which a 5/8-inch iron rod with yellow cap stamped "RPLS 3963" set for the northeast corner of said 87.1115 acre tract and the southeast corner of Lot 3, Trails End Addition, an addition to the City of Lucas, as recorded in Cabinet M, Page 107, Plat Records, Collin County, Texas bears North 00 degrees 55 minutes 28 seconds West, a distance of 293.88 feet;

THENCE South 00 degrees 55 minutes 28 seconds East, with the east boundary line of said 87.1115 acre tract and said Stinson Road, a distance of 1026.14 feet to an exterior ell corner of said 87.1115 acre tract from which a PK Nail found bears South 89 degrees 24 minutes 53 seconds West, a distance of 10.41 feet;

THENCE South 89 degrees 05 minutes 13 seconds West, with a south boundary line of said 47.1115 acre tract, a distance of 679.10 feet to a 1/2-inch iron rod found for an interior ell corner of said 87.1115 acre tract;

THENCE South 89 degrees 11 minutes 11 seconds West, a distance of 1318.46 feet to a 5/8-inch iron rod with cap stamped "5439" found in the common

boundary line of a 59.030 acre tract and a 86.548 acre tract described in a boundary line agreement, as recorded in Instrument 20061020001510100 of said Deed Records;

THENCE South 88 degrees 39 minutes 48 seconds West, with the common boundary line of said 59.030 acre tract and said 86.548 acre tract, a distance of 4.72 feet to a point for corner;

THENCE North 01 degrees 00 minutes 32 seconds West, with the common boundary line of said 59.030 acre tract and said 86.548 acre tract, passing a 5/8-inch iron rod found for an exterior ell corner of Belmont Park, an addition to the City of Lucas, as recorded Cabinet 213, Page 85 of said Plat Records, Texas at a distance of 893.70 feet and continuing with the common boundary line of said 43.702 acre tract and said 86.548 acre tract, a total distance of 1165.16 feet to a point for corner;

THENCE South 77 degrees 16 minutes 50 seconds East, a distance of 337.67 feet;

THENCE North 21 degrees 18 minutes 07 seconds East, a distance of 35.00 feet;

THENCE South 68 degrees 41 minutes 53 seconds East, a distance of 211.41 feet to the beginning of a tangent curve to the left having a radius of 500.00 feet whose chord bears South 83 degrees 39 minutes 43 seconds East, a distance of 258.21 feet;

THENCE Southeasterly, with said curve to the left through a central angel of 29 degrees 55 minutes 39 seconds, an arc distance of 261.17 feet to the end of said curve;

THENCE North 81 degrees 22 minutes 27 seconds East, a distance of 127.61 feet to the beginning of a tangent curve to the right having a radius of 500.00 feet whose chord bears South 89 degrees 39 minutes 08 seconds East, a distance of 155.98 feet;

THENCE Easterly, with said curve to the right through a central angel of 17 degrees 56 minutes 50 seconds, an arc distance of 156.62 feet to the end of said curve;

THENCE South 80 degrees 40 minutes 43 seconds East, a distance of 154.27 feet to the beginning of a tangent curve to the left having a radius of 500.00 feet whose chord bears North 89 degrees 14 minutes 52 seconds East, a distance of 174.92 feet;

THENCE Easterly, with said curve to the left through a central angel of 20 degrees 08 minutes 51 seconds, an arc distance of 175.82 feet to the end of said curve;

THENCE North 79 degrees 10 minutes 26 seconds East, a distance of 164.52 feet to the beginning of a tangent curve to the right having a radius of 500.00 feet whose chord bears North 84 degrees 23 minutes 14 seconds East, a distance of 90.86 feet;

THENCE Northeasterly, with said curve to the right through a central angel of 10 degrees 25 minutes 36 seconds, an arc distance of 90.99 feet to the end of said curve;

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 kwingo@lucastexas.us, or Fax 972-727-0091 and they will be presented at the Hearing.

Kathy Wingo, TRMC, MMC
City Secretary, Lucas, Texas



City of Lucas P&Z Agenda Request

P & Z Meeting: September 12, 2013

Requestor: Joe Hilbourn

Prepared by: Joe Hilbourn

Account Code #: _____

Date Prepared: September 4, 2013

Budgeted Amount: \$ _____

Exhibits: Yes No

AGENDA SUBJECT:

Public Hearing/Discuss and Consider an application for the zoning of a tract of land situated in the City of Lucas to R-2 from AO BEING a 13.376 acre tract of land situated in the James Lovelady Survey, Abstract No. 538, City of Lucas, Collin County, State of Texas, and being part of that certain 87.1115 acre tract of land (Tract 3) described in deed to Lucas Real Estate, LLC, as recorded in Instrument 20111014001101190, Deed Records, Collin County, Texas, said 13.376 acre tract. [13.376 acre parcel R-2]

RECOMMENDED ACTION:

Approve as presented.

SUMMARY:

There is an approved Development Agreement.

The 61 acre tract of land is part of a larger 87 acre tract of land, with 26 acres being located in the City's ETJ. The purpose of the development agreement was to find common ground, end with the development entirely within the City, and create a development that substantially conforms to the City's approved Comprehensive Plan. The R-2 block was moved one block north and for that consideration the southern lots that are located in the City's ETJ and will come into the City as R-1.5 instead of R-1.

MOTION:

I make a Motion to recommend approval of the application for the zoning of a tract of land situated in the City of Lucas to R-2 from AO BEING a 13.376 acre tract of land situated in the James Lovelady Survey, Abstract No. 538, City of Lucas, Collin County, State of Texas, and being part of that certain 87.1115 acre tract of land (Tract 3)

described in deed to Lucas Real Estate, LLC, as recorded in Instrument 20111014001101190, Deed Records, Collin County, Texas, said 13.376 acre tract.

APPROVED BY: _____ Initial/Date

Department Director: _____ / _____
City Manager: _____ / _____

<input type="checkbox"/>	Annexation
<input type="checkbox"/>	Disannexation
<input type="checkbox"/>	Code of Ordinances
<input checked="" type="checkbox"/>	Other

ORDINANCE # 2013-10-00XXX
[CHANGE IN ZONING FOR 13.376 ACRE TO R-2]

AN ORDINANCE OF THE CITY OF LUCAS, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP OF THE CITY OF LUCAS, AS HERETOFORE AMENDED, SO AS TO GRANT A CHANGE IN ZONING CLASSIFICATION FROM AGRICULTURE (“AO”) TO SINGLE FAMILY RESIDENTIAL DISTRICT 2 (“R2”) FOR THE ±13.376 ACRE TRACT OF LAND, BEING A PORTION OF A ±87.1115 ACRE TRACT (TRACT 3) IN THE JAMES LOVELADY SURVEY, ABSTRACT 538, LUCAS, COLLIN COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT “A” AND DEPICTED IN EXHIBIT “B” ATTACHED HERETO; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission of the City of Lucas, Texas and the City Council of the City of Lucas, Texas, in compliance with the laws of the State of Texas with reference to the granting of zoning classifications and changes, have given the requisite notices by publication and otherwise, and have held due hearings and afforded a full and fair hearing to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof, and the City Council of the City of Lucas, Texas is of the opinion and finds that said zoning change should be granted and that the Comprehensive Zoning Ordinance and Map should be amended;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LUCAS, TEXAS:

Section 1. That the Comprehensive Zoning Ordinance and Map of the City of Lucas, Texas are hereby amended to grant a change in zoning from Agriculture to Single Family Residential District 2 (“R2”) for the ±13.376-acre tract of land, being a portion of a ±87.1115-acre tract (Tract 3) in the James Lovelady Survey, Abstract No. 538, Lucas, Collin County, Texas, and being more particularly described in Exhibit “A” attached hereto and made part hereof for all purposes.

Section 2. That all ordinances of the City of Lucas in conflict with the provisions of this Ordinance shall be, and same are hereby, repealed, provided, however, that all other provisions of said Ordinances are not in conflict herewith shall remain in full force and effect.

Section 3. That should any word, sentence, paragraph, subdivision, clause, phrase or section of this Ordinance or of the City of Lucas Code of Ordinances, as amended hereby, be adjudged or held to be voided or unconstitutional, the same shall not affect the validity of the remaining

portions of said Ordinances or the City of Lucas Code of Ordinances, as amended hereby, which shall remain in full force and effect.

Section 4. That any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in the Code of Ordinances, as amended, and upon conviction in the municipal court shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense, and each and every day such violation shall continue shall be deemed to constitute a separate offense.

Section 5. That this Ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Lucas, and it is accordingly so ordained

DULY PASSED AND APPROVED BY THE CITY COUNSEL OF THE CITY OF LUCAS, COLLIN COUNTY, TEXAS, ON THIS _____ DAY OF OCTOBER, 2013.

APPROVED:

Rebecca Mark, Mayor

APPROVED AS TO FORM:

ATTEST:

Joe Gorfida, Jr., City Attorney
(JJG/08-22-13/61968)

Kathy Wingo, TRMC, MMC, City Secretary

EXHIBIT "A"
METES & BOUNDS

BEGINNING at a point for corner in the common boundary line of a 59.030 acre tract and a 86.548 acre tract described in a boundary line agreement, as recorded in Instrument 20061020001510100 of said Deed Records and in the east boundary line of Lot 13, Belmont Park, an addition to the City of Lucas, as recorded Cabinet 213, Page 85, Plat Records, Collin County, Texas;

THENCE North 01 degrees 00 minutes 32 seconds West, with the common boundary line of said 59.030 acre tract and said 86.548 acre tract and with the east boundary line of said Lot 13, a distance of 180.30 feet to a 5/8-inch iron rod found for the northwest corner of said 86.548 acre tract, the northwest corner of said 87.1115 acre tract and an interior ell corner of said Belmont Park;

THENCE South 89 degrees 39 minutes 18 seconds East, with the common boundary line of said Belmont Park and said 87.1115 acre tract, a distance of 661.92 feet to a 3/4-inch iron rod found for an exterior ell corner of said Belmont Park and the southwest corner of Lot 2 of Trails End Addition, an addition to the City of Lucas, as recorded in Cabinet M, Page 107 of said Plat Records;

THENCE North 89 degrees 38 minutes 54 seconds East, with the common boundary line of said Trails End Addition and said 87.1115 acre tract, a distance of 1342.57 feet a 5/8-inch iron rod with yellow cap stamped "RPLS 3963" set for the northeast corner of said 87.1115 acre tract and the southeast corner of Lot 3 of said Trails End Addition, said corner being in the centerline of Stinson Road, a variable width right-of-way;

THENCE South 00 degrees 55 minutes 28 seconds East, with the east boundary line of said 87.1115 acre tract and said Stinson Road, a distance of 293.88 feet to a point for corner;

THENCE South 89 degrees 36 minutes 02 seconds West, a distance of 349.04 feet to the beginning of a tangent curve to the left having a radius of 500.00 feet whose chord bears South 84 degrees 23 minutes 14 seconds West, a distance of 90.86 feet;

THENCE Southwesterly, with said curve to the left, through a central angel of 10 degrees 25 minutes 36 seconds, an arc distance of 90.99 feet to the end of said curve;

THENCE South 79 degrees 10 minutes 26 seconds West, a distance of 164.52 feet to the beginning of a tangent curve to the right having a radius of 500.00 feet whose chord bears South 89 degrees 14 minutes 52 seconds West, a distance of 174.92 feet;

THENCE Westerly, with said curve to the right through a central angel of 20 degrees 08 minutes 51 seconds, an arc distance of 175.82 feet to the end of said curve;

THENCE North 80 degrees 40 minutes 43 seconds West, a distance of 154.27 feet to the beginning of a tangent curve to the left having a radius of 500.00 feet whose chord bears North 89 degrees 39 minutes 08 seconds West, a distance of 155.98 feet;

THENCE Westerly, with said curve to the left through a central angel of 17 degrees 56 minutes 50 seconds, an arc distance of 156.62 feet to the end of said curve;

THENCE South 81 degrees 22 minutes 27 seconds West, a distance of 127.61 feet to the beginning of a tangent curve to the right having a radius of 500.00 feet whose chord bears North 83 degrees 39 minutes 43 seconds West, a distance of 258.21 feet;

Thence Northwesterly, with said curve to the right, through a central angel of 29 degrees 55 minutes 39 seconds, an arc distance of 261.17 feet to the end of said curve;

THENCE North 68 degrees 41 minutes 53 seconds West, a distance of 211.41 feet;

THENCE South 21 degrees 18 minutes 07 seconds West, a distance of 35.00 feet;

THENCE North 77 degrees 16 minutes 50 seconds West, a distance of 337.67 feet to the POINT OF BEGINNING AND CONTAINING 582,671 square feet or 13.376 acres 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, September 12, 2013, at 7:00 p.m. and City Council will conduct a second Public Hearing on Thursday October 3, 2013, at 7:00 p.m. at City Hall, 665 Country Club, Lucas, Texas to consider:

A recommendation for the zoning of a tract of land situated in the City of Lucas to R-2 from AO BEING a 13.376 acre tract of land situated in the James Lovelady Survey, Abstract No. 538, City of Lucas, Collin County, State of Texas, and being part of that certain 87.1115 acre tract of land (Tract 3) described in deed to Lucas Real Estate, LLC, as recorded in Instrument 20111014001101190, Deed Records, Collin County, Texas, said 13.376 acre tract being more particularly described by metes and bounds as follows:

BEGINNING at a point for corner in the common boundary line of a 59.030 acre tract and a 86.548 acre tract described in a boundary line agreement, as recorded in Instrument 20061020001510100 of said Deed Records and in the east boundary line of Lot 13, Belmont Park, an addition to the City of Lucas, as recorded Cabinet 213, Page 85, Plat Records, Collin County, Texas;

THENCE North 01 degrees 00 minutes 32 seconds West, with the common boundary line of said 59.030 acre tract and said 86.548 acre tract and with the east boundary line of said Lot 13, a distance of 180.30 feet to a 5/8-inch iron rod found for the northwest corner of said 86.548 acre tract, the northwest corner of said 87.1115 acre tract and an interior ell corner of said Belmont Park;

THENCE South 89 degrees 39 minutes 18 seconds East, with the common boundary line of said Belmont Park and said 87.1115 acre tract, a distance of 661.92 feet to a 3/4-inch iron rod found for an exterior ell corner of said Belmont Park and the southwest corner of Lot 2 of Trails End Addition, an addition to the City of Lucas, as recorded in Cabinet M, Page 107 of said Plat Records;

THENCE North 89 degrees 38 minutes 54 seconds East, with the common boundary line of said Trails End Addition and said 87.1115 acre tract, a distance of 1342.57 feet a 5/8-inch iron rod with yellow cap stamped "RPLS 3963" set for the northeast corner of said 87.1115 acre tract and the southeast corner of Lot 3 of said Trails End Addition, said corner being in the centerline of Stinson Road, a variable width right-of-way;

THENCE South 00 degrees 55 minutes 28 seconds East, with the east boundary line of said 87.1115 acre tract and said Stinson Road, a distance of 293.88 feet to a point for corner;

THENCE South 89 degrees 36 minutes 02 seconds West, a distance of 349.04 feet to the beginning of a tangent curve to the left having a radius of 500.00 feet whose chord bears South 84 degrees 23 minutes 14 seconds West, a distance of 90.86 feet;

THENCE Southwesterly, with said curve to the left, through a central angle of 10 degrees 25 minutes 36 seconds, an arc distance of 90.99 feet to the end of said curve;

THENCE South 79 degrees 10 minutes 26 seconds West, a distance of 164.52 feet to the beginning of a tangent curve to the right having a radius of 500.00 feet whose chord bears South 89 degrees 14 minutes 52 seconds West, a distance of 174.92 feet;

THENCE Westerly, with said curve to the right through a central angle of 20 degrees 08 minutes 51 seconds, an arc distance of 175.82 feet to the end of said curve;

THENCE North 80 degrees 40 minutes 43 seconds West, a distance of 154.27 feet to the beginning of a tangent curve to the left having a radius of 500.00 feet whose chord bears North 89 degrees 39 minutes 08 seconds West, a distance of 155.98 feet;

THENCE Westerly, with said curve to the left through a central angle of 17 degrees 56 minutes 50 seconds, an arc distance of 156.62 feet to the end of said curve;

THENCE South 81 degrees 22 minutes 27 seconds West, a distance of 127.61 feet to the beginning of a tangent curve to the right having a radius of 500.00 feet whose chord bears North 83 degrees 39 minutes 43 seconds West, a distance of 258.21 feet;

Thence Northwesterly, with said curve to the right, through a central angle of 29 degrees 55 minutes 39 seconds, an arc distance of 261.17 feet to the end of said curve;

THENCE North 68 degrees 41 minutes 53 seconds West, a distance of 211.41 feet;

THENCE South 21 degrees 18 minutes 07 seconds West, a distance of 35.00 feet;

THENCE North 77 degrees 16 minutes 50 seconds West, a distance of 337.67 feet to the POINT OF BEGINNING AND CONTAINING 582,671 square feet or 13.376 acres of land.

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 kwingo@lucastexas.us, or Fax 972-727-0091 and they will be presented at the Hearing.

Kathy Wingo, TRMC, MMC
City Secretary, Lucas, Texas



City of Lucas P&Z Agenda Request

P & Z Meeting: September 12, 2013

Requestor: Joe Hilbourn

Prepared by: Joe Hilbourn

Account Code #: _____

Date Prepared: September 4, 2013

Budgeted Amount: \$ _____

Exhibits: Yes No

AGENDA SUBJECT:

Public Hearing/Discuss and Consider an application for the rezoning of a 53 +/- acre tract of land from AO to R-1.5 situated in the J. Kerby Survey, Abstract No. 506, City of Lucas, Collin County, Texas, the subject tract being a portion of a tract of land conveyed to Hooper Family Limited Partnership according to the deed recorded in Volume 5190, Page 404 of the Deed Records, Collin County, Texas (DRCCT). [Located on Forest Grove Road]

RECOMMENDED ACTION:

Recommend rezoning parcels from AO and R-1 to R-1.5

SUMMARY:

This site has an approved Development Agreement allowing for R-1.5 with a maximum of 27 lots. As part of the Development Agreement the developer will be correcting the drainage in the area, correcting deficiencies in the s-turn layout on Forest Grove Road and replacing an existing undersized water main on Forest Grove Road.

MOTION:

I make a Motion to recommend approval of the application for the rezoning of a 53 +/- acre tract of land from AO to R-1.5 situated in the J. Kerby Survey, Abstract No. 506, City of Lucas, Collin County, Texas, the subject tract being a portion of a tract of land conveyed to Hooper Family Limited Partnership according to the deed recorded in Volume 5190, Page 404 of the Deed Records, Collin County, Texas (DRCCT).

APPROVED BY: _____

Initial/Date

Department Director: _____ / _____
City Manager: _____ / _____

<input type="checkbox"/>	Annexation
<input type="checkbox"/>	Disannexation
<input type="checkbox"/>	Code of Ordinances
<input checked="" type="checkbox"/>	Other

ORDINANCE # 2013-XX-00XXX

[53 ACRES - FOREST GROVE ROAD CHANGE IN ZONING]

AN ORDINANCE OF THE CITY OF LUCAS, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP OF THE CITY OF LUCAS, AS HERETOFORE AMENDED, SO AS TO GRANT A CHANGE IN ZONING CLASSIFICATION FOR ±7.0-ACRES SINGLE-FAMILY RESIDENTIAL DISTRICT 1 (“R1”) TO SINGLE FAMILY RESIDENTIAL DISTRICT 1.5 (“R1.5”) AND ±46 ACRES AGRICULTURE (“AO”) TO SINGLE FAMILY RESIDENTIAL DISTRICT 1.5 (“R1.5”), COMPRISING ±53.713 ACRES IN THE J. KERBY SURVEY, ABSTRACT NO. 506, ON FOREST GROVE ROAD, LUCAS, COLLIN COUNTY, TEXAS, ON WHICH AND BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT “A” AND DEPICTED IN EXHIBIT “B” ATTACHED HERETO; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission of the City of Lucas, Texas and the City Council of the City of Lucas, Texas, in compliance with the laws of the State of Texas with reference to the granting of zoning classifications and changes, have given the requisite notices by publication and otherwise, and have held due hearings and afforded a full and fair hearing to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof, and the City Council of the City of Lucas, Texas is of the opinion and finds that said zoning change should be granted and that the Comprehensive Zoning Ordinance and Map should be amended;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LUCAS, TEXAS:

Section 1. That the Comprehensive Zoning Ordinance and Map of the City of Lucas, Texas are hereby amended to grant a change in zoning from Single Family Residential District (“R1”) to Single Family Residential District 1.5 (“R1.5”) for ±7 acres and from Agricultural (“AO”) to Single Family Residential District 1.5 (“R1.5”) for ±46 acres, comprising ±53.713 acres in the J. Kerby Survey, Abstract 506, on Forest Grove Road, Lucas, Collin County, Texas; and, being more particularly described in Exhibit “A” and depicted in Exhibit “B” attached hereto and made part hereof for all purposes.

Section 2. That all ordinances of the City of Lucas in conflict with the provisions of this Ordinance shall be, and same are hereby, repealed, provided, however, that all other provisions of said Ordinances are not in conflict herewith shall remain in full force and effect.

Section 3. That should any word, sentence, paragraph, subdivision, clause, phrase or section of this Ordinance or of the City of Lucas Code of Ordinances, as amended hereby, be adjudged or held to be voided or unconstitutional, the same shall not affect the validity of the remaining portions of said Ordinances or the City of Lucas Code of Ordinances, as amended hereby, which shall remain in full force and effect.

Section 4. That any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in the Code of Ordinances, as amended, and upon conviction in the municipal court shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense, and each and every day such violation shall continue shall be deemed to constitute a separate offense.

Section 5. That this Ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Lucas, and it is accordingly so ordained

DULY PASSED AND APPROVED BY THE CITY COUNSEL OF THE CITY OF LUCAS, COLLIN COUNTY, TEXAS, ON THIS _____ DAY OF OCTOBER, 2013.

APPROVED:

Rebecca Mark, Mayor

APPROVED AS TO FORM:

ATTEST:

Joe Gorfida, Jr., City Attorney
(JJG/08-22-13/61965)

Kathy Wingo, TRMC, MMC, City Secretary

EXHIBIT A
METES AND BOUNDS

BEING a tract of land situated in the J. Kerby Survey, Abstract No. 506, City of Lucas, Collin County, Texas, the subject tract being a portion of a tract of land conveyed to Hooper Family Limited Partnership according to the deed recorded in Volume 5190, Page 404 of the Deed Records, Collin County, Texas (DRCCT), the subject tract being more particularly described as follows;

BEGINNING at a 1/2" iron rod with plastic cap stamped "SPIARSENG" set for the northwest corner of the subject tract, and being the southwest corner of The Enclave Addition, an addition to the City of Lucas, recorded in Cabinet N, Page 727, Plat Records, Collin County, Texas (PRCCT) and being on the east line of a tract conveyed to HWP Properties, LP, recorded in Document No. 20060327000389570 DRCCT, said rod being in Forest Grove Road (a variable width public right-of-way), from said rod an "X" found in concrete bears N 47°00'18" E, 622.02 feet;

THENCE S 88°49'35" E, 1471.45 feet along Forest Grove Road, and along the south line of said Enclave Addition, to a 1/2" iron rod with plastic cap stamped "SPIARSENG" set for the northwest corner of a tract conveyed to Louis Hoefler, recorded in Volume 5635, Page 1245 DRCCT, from which an "X" found in concrete found bears S 88°46'59" E, 1245.01 feet, and from which a 5/8" iron rod with plastic cap found bears S 82°24'20" E, 264.25 feet;

THENCE S 00°45'13" W, along the west line thereof, passing at 1585.66 feet a 1/2" iron rod found for witness, continuing a total distance of 1665.38 feet to the southwest corner of said Hoefler tract, and being on the north line of Forest Creek Estates, an addition to the City of Lucas, recorded in Cabinet K, Page 45 PRCCT;

THENCE along the north line of Forest Creek Estates, the following:

N 70°26'15" W, 225.96 feet;

S 58°44'45" W, 285.00 feet;

S 88°44'45" W, 297.00 feet;

S 20°49'45" W, 150.00 feet;

And N 71°13'15" W, 35.48 feet to a point for corner;

THENCE N 08°33'16" W, departing said north line of Forest Creek Estates, passing at 34.02 feet the southeast corner of a tract conveyed to Joseph M. Pettinger and wife, Jennifer L. Pettinger, continuing along the east line thereof a total distance of 443.27 feet to a 1/2" iron rod with plastic cap stamped "SPIARSENG" set for corner;

THENCE N 76°57'25" W, 503.96 feet along the north line thereof to a 1/2" iron rod with plastic cap stamped "SPIARSENG" set for corner, from which a 1/2" capped iron rod found bears N 76°57'25" W, 14.84 feet;

THENCE N 11°16'59" W, 266.82 feet departing said north line to a 1/2" iron rod with plastic cap stamped "SPIARSENG" set for corner;

THENCE N 00°00'52" E, passing at 606.27 feet the southeast corner of said HWP Properties tract, continuing along the east line thereof a total distance of 1089.12 feet to the PLACE OF BEGINNING with the subject tract containing 2,316,224 square feet or 53.173 acres of land.

EXHIBIT B DEPICTION

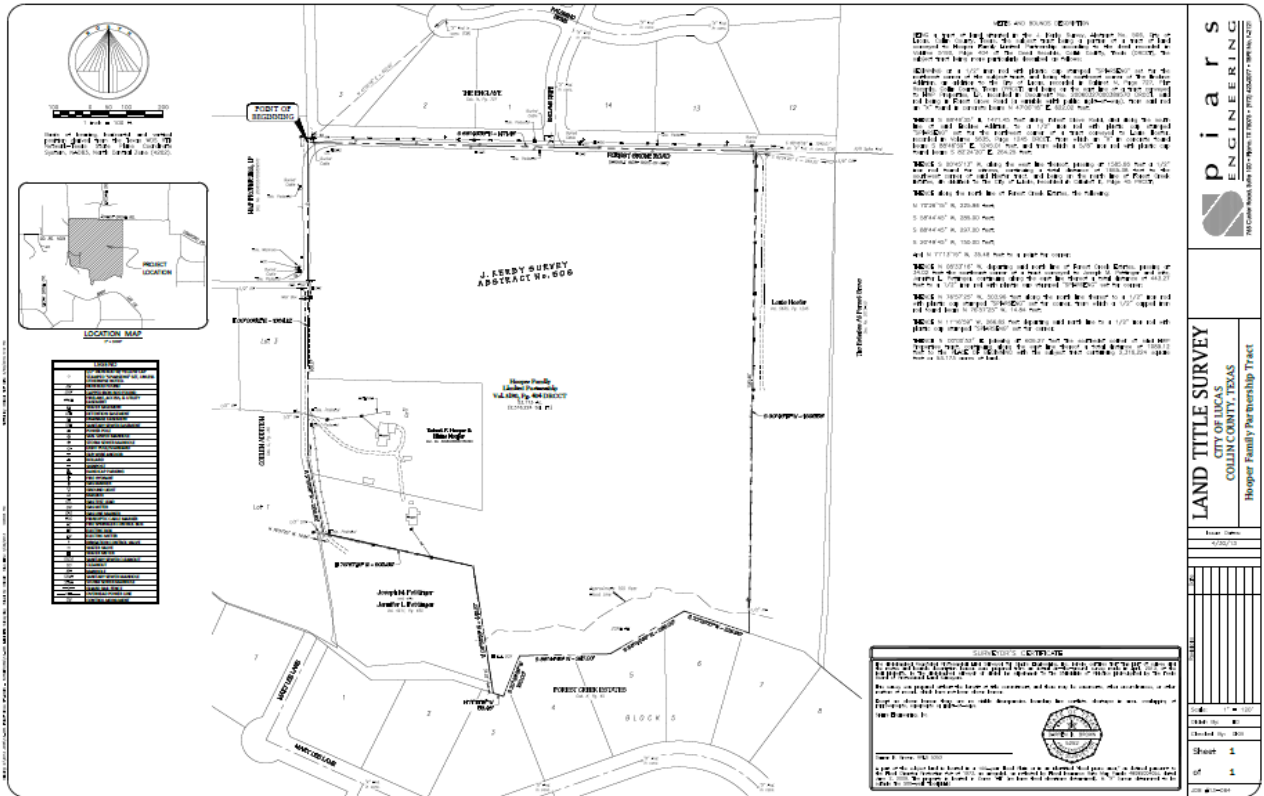


Exhibit "B"
 City of Lucas
 Ordinance # 2013-xx-xxx/Forest Grove Road
 Approved: _____, 2013



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, September 12, 2013, at 7:00 p.m. and City Council will conduct a second Public Hearing on Thursday, October 3, 2013, at 7:00 p.m. at Lucas City Hall, 665 Country Club, Lucas, Texas to consider rezoning a 53 +/- acre tract of land from AO to R-1.5, the property is known as:

BEING a tract of land situated in the J. Kerby Survey, Abstract No. 506, City of Lucas, Collin County, Texas, the subject tract being a portion of a tract of land conveyed to Hooper Family Limited Partnership according to the deed recorded in Volume 5190, Page 404 of the Deed Records, Collin County, Texas (DRCCT), the subject tract being more particularly described as follows;

BEGINNING at a 1/2" iron rod with plastic cap stamped "SPIARSENG" set for the northwest corner of the subject tract, and being the southwest corner of The Enclave Addition, an addition to the City of Lucas, recorded in Cabinet N, Page 727, Plat Records, Collin County, Texas (PRCCT) and being on the east line of a tract conveyed to HWP Properties, LP, recorded in Document No. 20060327000389570 DRCCT, said rod being in Forest Grove Road (a variable width public right-of-way), from said rod an "X" found in concrete bears N 47°00'18" E, 622.02 feet;

THENCE S 88°49'35" E, 1471.45 feet along Forest Grove Road, and along the south line of said Enclave Addition, to a 1/2" iron rod with plastic cap stamped "SPIARSENG" set for the northwest corner of a tract conveyed to Louis Hoefer, recorded in Volume 5635, Page 1245 DRCCT, from which an "X" found in concrete found bears S 88°46'59" E, 1245.01 feet, and from which a 5/8" iron rod with plastic cap found bears S 82°24'20" E, 264.25 feet;

THENCE S 00°45'13" W, along the west line thereof, passing at 1585.66 feet a 1/2" iron rod found for witness, continuing a total distance of 1665.38 feet to the southwest corner of said Hoefer tract, and being on the north line of Forest Creek Estates, an addition to the City of Lucas, recorded in Cabinet K, Page 45 PRCCT;

THENCE along the north line of Forest Creek Estates, the following:

N 70°26'15" W, 225.96 feet;

S 58°44'45" W, 285.00 feet;

S 88°44'45" W, 297.00 feet;

S 20°49'45" W, 150.00 feet;

And N 71°13'15" W, 35.48 feet to a point for corner;

THENCE N 08°33'16" W, departing said north line of Forest Creek Estates, passing at 34.02 feet the southeast corner of a tract conveyed to Joseph M. Pettinger and wife, Jennifer L. Pettinger, continuing along the east line thereof a total distance of 443.27 feet to a 1/2" iron rod with plastic cap stamped "SPIARSENG" set for corner;

THENCE N 76°57'25" W, 503.96 feet along the north line thereof to a 1/2" iron rod with plastic cap stamped "SPIARSENG" set for corner, from which a 1/2" capped iron rod found bears N 76°57'25" W, 14.84 feet;

THENCE N 11°16'59" W, 266.82 feet departing said north line to a 1/2" iron rod with plastic cap stamped "SPIARSENG" set for corner;

THENCE N 00°00'52" E, passing at 606.27 feet the southeast corner of said HWP Properties tract, continuing along the east line thereof a total distance of 1089.12 feet to the PLACE OF BEGINNING with the subject tract containing 2,316,224 square feet or 53.173 acres of land.

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, email kwingo@lucastexas.us, or Fax 972-727-0091 and they will be presented at the Hearing.

Kathy Wingo, TRMC, MMC
City Secretary



City of Lucas P&Z Agenda Request

P & Z Meeting: September 12, 2013

Requestor: Kathy Wingo

Prepared by: Kathy Wingo

Account Code #: _____

Date Prepared: September 4, 2013

Budgeted Amount: \$ _____

Exhibits: Yes No

AGENDA SUBJECT:

Discuss and Consider the approval of the minutes from the August 8, 2013 Planning & Zoning Commission meeting.

RECOMMENDED ACTION:

Approve.

SUMMARY:

See attached.

MOTION:

I make a Motion to approve the approval of the minutes from the August 8, 2013 Planning & Zoning Commission meeting as presented.

APPROVED BY: _____

Initial/Date

Department Director: _____ / _____

City Manager: _____ / _____



Planning & Zoning Commission
Regular Meeting
August 8, 2013, 7:00 PM
City Hall – 665 Country Club Road
Minutes

Call to Order

The meeting was called to order at 7:00 p.m. by Chairman Karen Hurtt.

Present/(Absent):

Chairman Karen Hurtt	Vice-Chairman Peggy Rusterholtz
Commissioner Sean McCaffity (Absent)	Commissioner David Keer
Commissioner Brian Blythe	Alt Commissioner Andre Guillemaud
Alt Commissioner Joe Williams	City Attorney Joe Gorfida
Mayor Rebecca Mark	Development Services Director Joe Hilbourn
City Manager Jeff Jenkins	City Secretary Kathy Wingo

In the absence of Commissioner Sean McCaffity Alternate Commissioner Andre Guillemaud will be a voting member for tonight's meeting.

It was determined that a Quorum was present.

Everyone was reminded to turn off or silence cell phones.

Commissioner David Keer led everyone in saying the Pledge of Allegiance.

Public Hearings

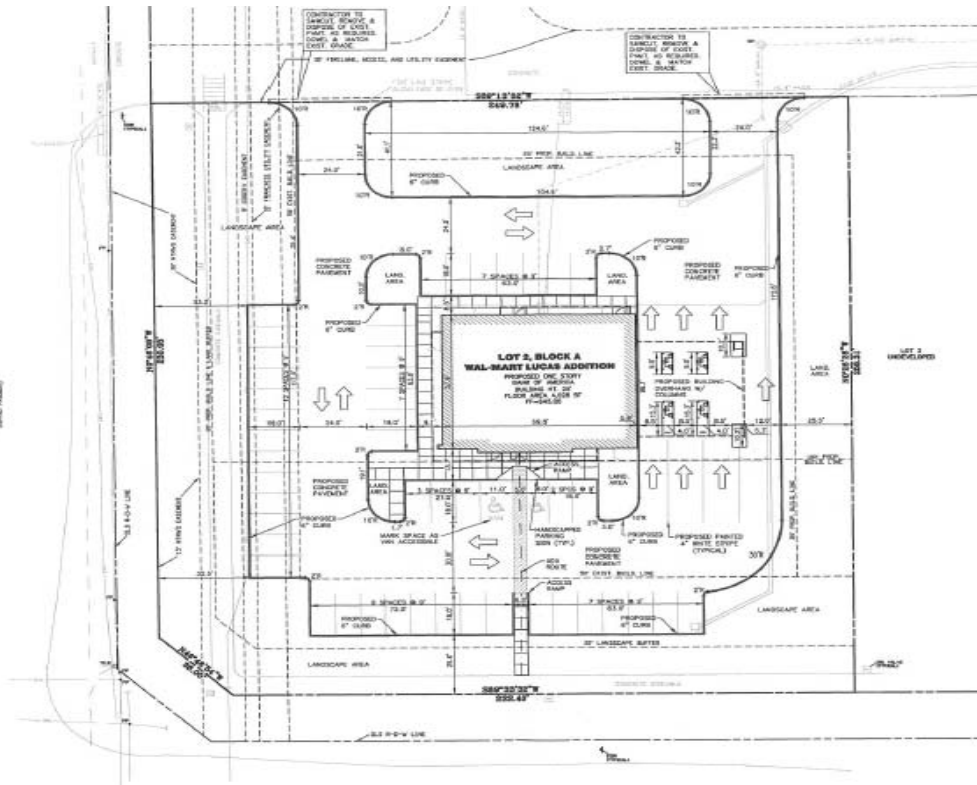
- 1) Public Hearing/Discuss and Consider an application request by Bank of America for site plan approval. The property to be considered is known as Lot 2, Block A of the Wal-Mart Lucas Addition, located at the northeast corner of W. Lucas Road and Angel Parkway intersection.

The Public Hearing was opened at 7:01 p.m.

Development Services Director Joe Hilbourn came forward to state that Kelly Gomez, on behalf of Bank of America, has filed an application for site plan approval for a site located in Lot 2 Block A of the Wal-Mart Lucas Addition. The site plan is in compliance with both the City's Zoning Use Chart and the Code of Ordinances.

- Site is Zoned CB - Commercial Business
- Minimum lot size CB district 30,000 square feet, provided 63,336 square feet.
- Maximum impervious cover is 75%, provided 62 +/- percent
- Minimum parking required 14 spaces, provided 49
- Building size with canopy 5,682 square feet

- Project has access to city sewer
- Project has access to city water
- Projects drainage is part of the Wal-Mart site
- Site Access is part of the Wal-Mart improvements
- Two monument signs shown, one permitted for every one hundred lineal feet of frontage



The Public Hearing was closed at 7:08 p.m.

MOTION: Commissioner Brian Blythe made a Motion to recommend approval of an application request by Bank of America for site plan approval. The property to be considered is known as Lot 2, Block A of the Wal-Mart Lucas Addition, located at the northeast corner of W. Lucas Road and Angel Parkway intersection. Alternate Commissioner Andre Guillemaud seconded the Motion. Motion carried. Vote: 5-0.

Regular Agenda

- 2) Discuss and Consider the approval of the minutes from the June 13, 2013 Planning & Zoning Commission meeting.

The City Secretary has been given several changes.

MOTION: Chairman Karen Hurtt made a Motion to approve the minutes, with said corrections provided to the City Secretary, from the June 13, 2013 Planning & Zoning Commission meeting. Commissioner Andre Guillemaud seconded the Motion. Motion carried. Vote: 5-0.

- 3) Discuss and Consider the approval of the landscape plan for Bank of America, Lot 2, Block A of the Wal-Mart Lucas Addition, located at the northeast corner of W. Lucas Road and Angel Parkway intersection.

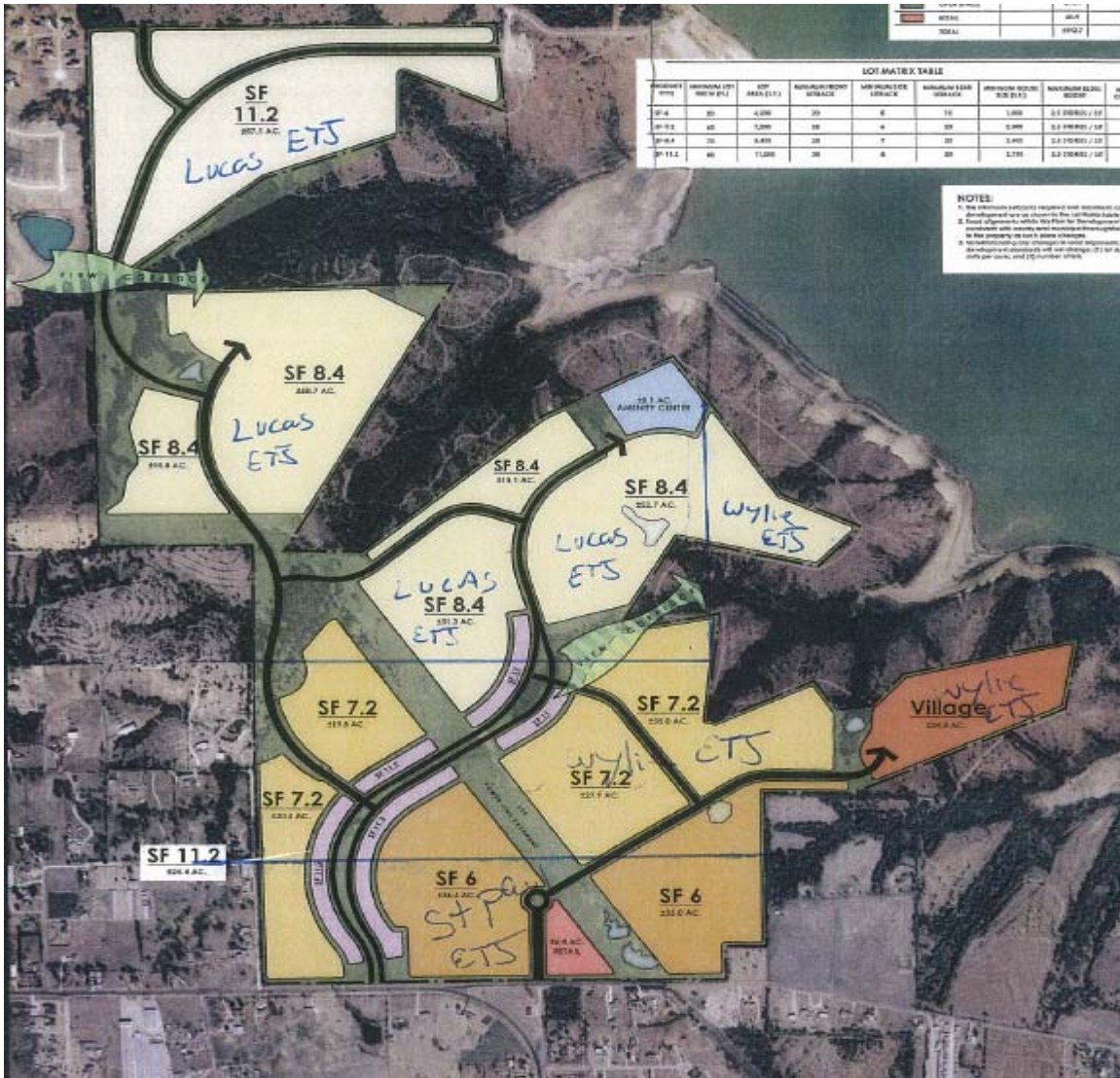
Development Services Director Joe Hilbourn reviewed the proposed landscape plan:

- The site is zoned CB - Commercial Business
- Minimum lot size for CB district is 30,000 square feet; the development is providing for 63,336 square feet
- Maximum impervious cover is 75%, provided 62 +/- percent
- Minimum landscape area required 15%, 32 % provided
- Parking lot area is 24,300 square feet
- Interior landscape required is 5% of 24,300 or 1,215 square feet, 1725 square feet or 7% provided
- 1 shade tree and 8 bushes required for every 20 linear feet of parking area. The development has 400 linear feet of parking, therefore 20 trees and 200 bushes are required. They show 40 trees and 248 bushes.

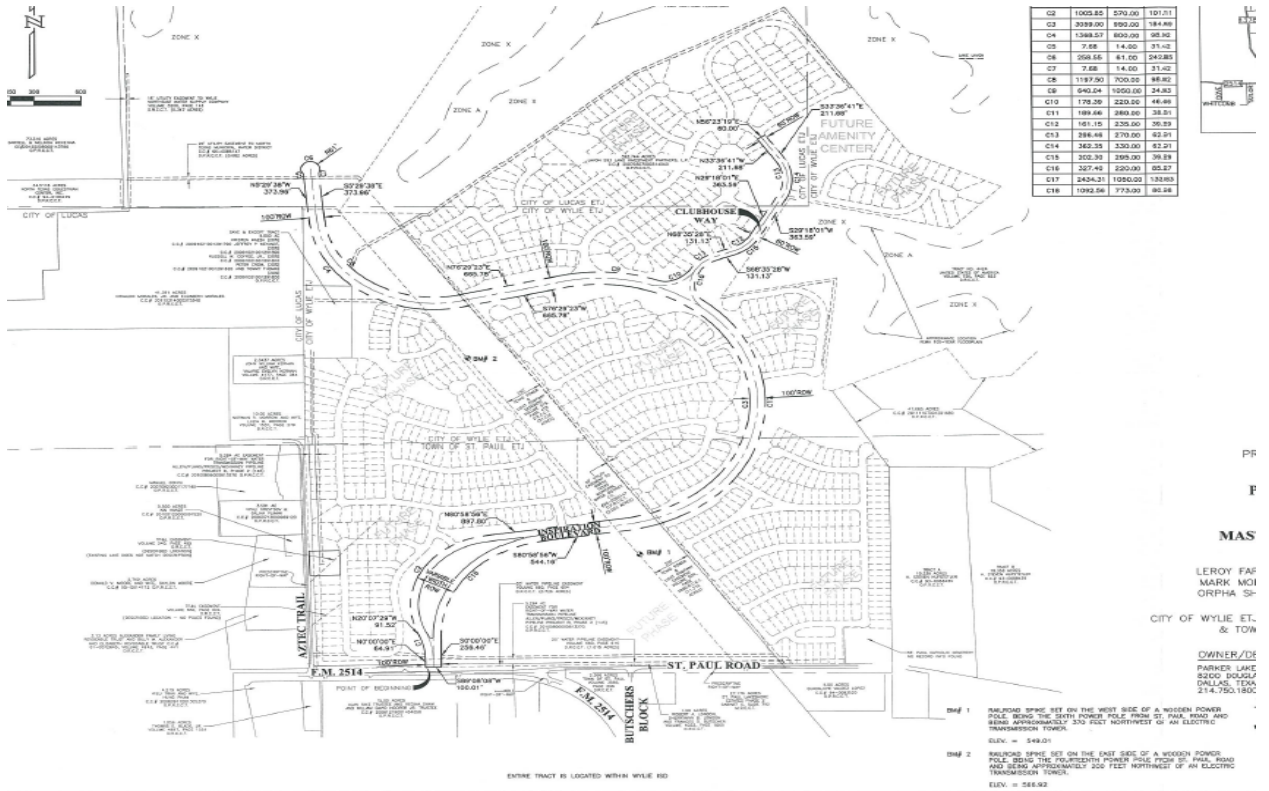
See the landscape plan on the next page.

Upon completion of the entire three (3) phases of the development there will be a total of 1,406 lots. The lot size in the city's ETJ will be a minimum of 10,000 square feet.

Concept Plan:

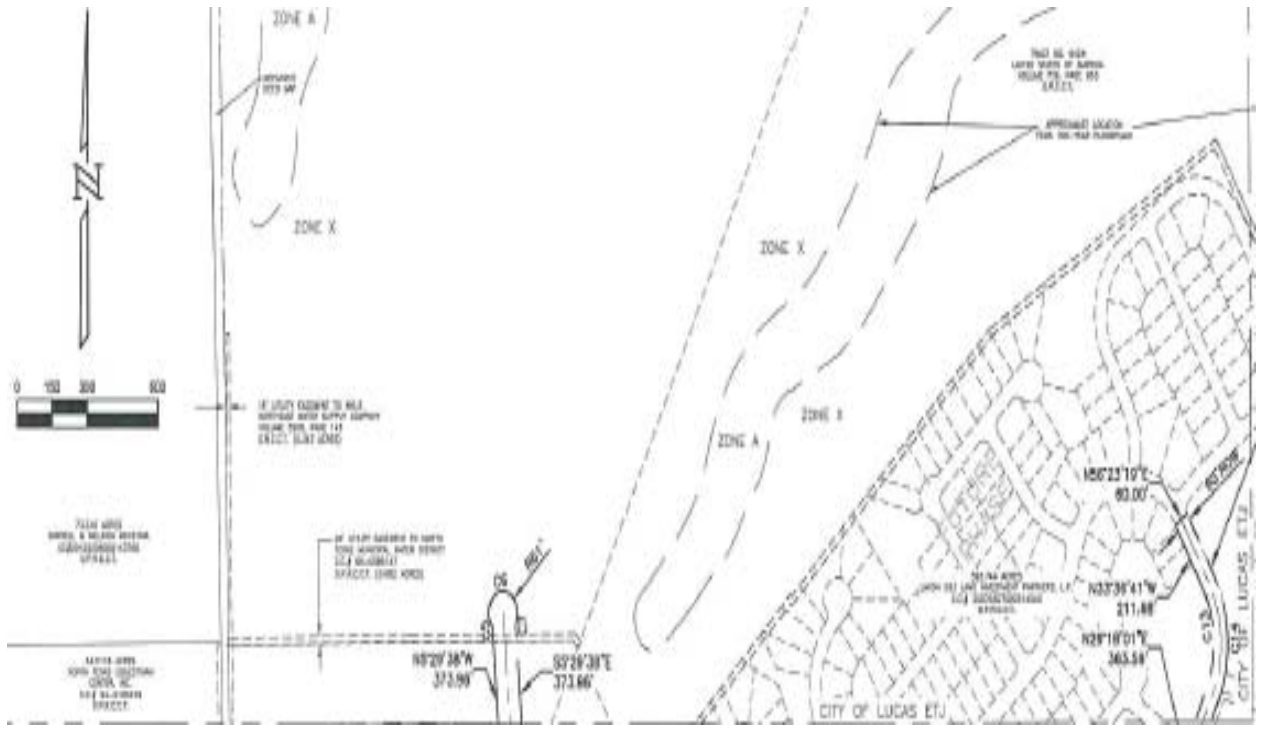


Preliminary Plat (next page):



PR
F
MAS
LEROY FAR
MARK MOI
ORPHA S
CITY OF WYLE ET.
& TOW
OWNER/DE
PARKER LAKE
8200 DOUGL
DALLAS, TEX
214.750.1800

Preliminary Plat (Lucas ETJ):



This plan conforms to the city's subdivision regulation in effect on September 17, 2009.

The plan conforms to the approved development agreement and concept plan.

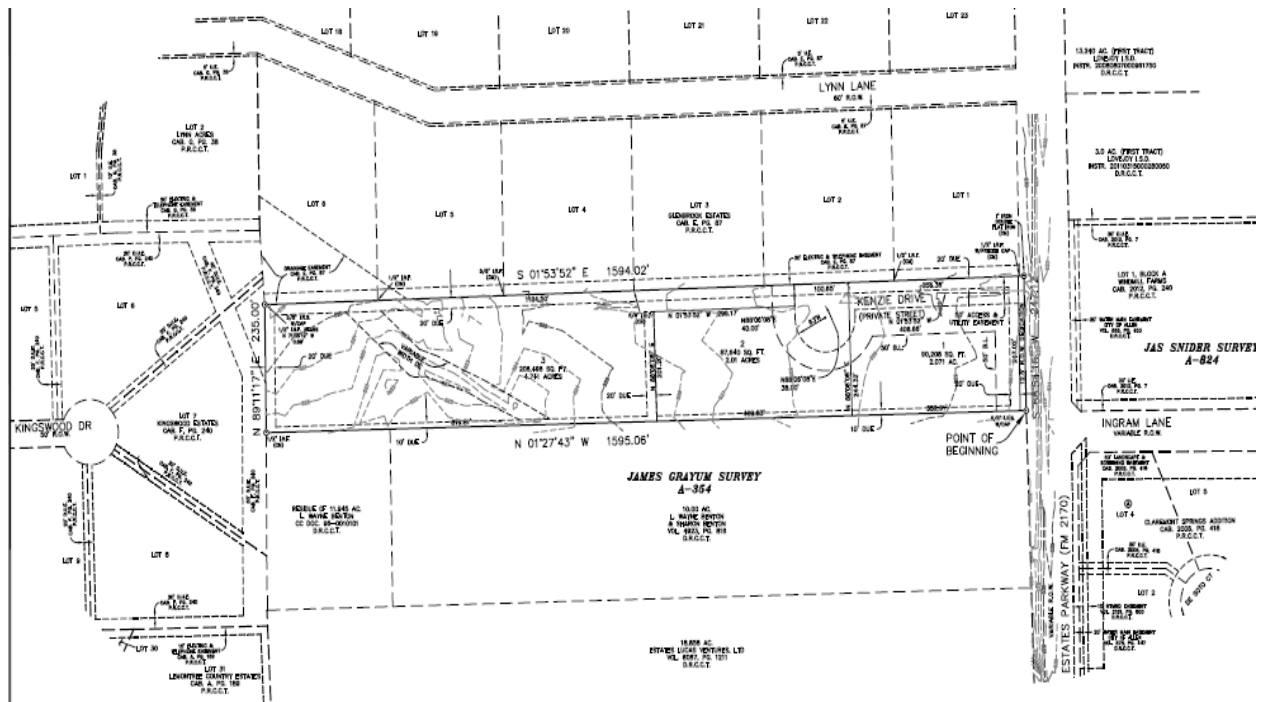
MOTION: Vice-Chairman Peggy Rusterholtz made a Motion to recommend approval of the preliminary plat of a portion of the first phase for Inspiration Development, formerly known as the Hanover Property and Huffine Development. The parcels are part of the Leroy Farmer Survey ABS 334, Mark Morris Survey ABS 561, and Orpha Shelby Survey ABS 799. Alternate Commissioner Andre Guillemaud seconded the Motion. Motion carried. Vote: 5-0.

- 5) Discuss and Consider the approval of the preliminary plat for Ella Brooke Estates, Lots 1-3, Block A, being 8.823 acres situated in the James Grayum Survey, Abstract No. 354, City of Lucas, Collin County, Texas.

Development Services Director Joe Hilbourn stated that this preliminary plat does conform with the City of Lucas' Comprehensive Zoning Plan, the property is currently zoned R-2. The plan consists of three (3) lots with private road and no public street dedications.

The property is zoned R-2 and will have one point of entrance, required with a road having less than ten (10) lots and is shorter than 600'. The subdivision is designed to save trees. Each lot will have more than one (1) acre outside of the private road. The developer is providing easements to allow for looping the water main if the property to the west decides to develop in the future.

With the road design such as it is being presented the roadway could never be dedicated to the City and the City will not be performing any type of maintenance. Homeowners will be required to maintain the roadway.



Todd Winters, 201 Winco Circle, Wylie Texas stated that the waterline will be extended some 450' into this property. The Commission asked if the developer would consider placing the cul-de-sac back an additional 150'.

MOTION: Vice-Chairman Peggy Rusterholtz made a Motion to recommend approval of the preliminary plat for Ella Brooke Estates, Lots 1-3, Block A, being 8.823 acres situated in the James Grayum Survey, Abstract No. 354, City of Lucas, Collin County, Texas with the correction of the longitude prior being taken to the City Council for consideration. Commissioner Brian Blythe seconded the Motion. Motion carried. Vote: 5-0.

6) Adjournment.

MOTION: Alternate Commissioner Andre Guillemaud made a Motion to adjourn the meeting at 7:42 p.m. Commissioner David Keer seconded the Motion. Motion carried. Vote: 5-0.

These minutes were approved by a majority vote of the Planning & Zoning Commission on September xx, 2013.

Karen Hurtt
Chairman

ATTEST:

Kathy Wingo, TRMC, MMC
City Secretary



**City of Lucas
P&Z Agenda Request**

P & Z Meeting: September 12, 2013

Requestor: Joe Hilbourn

Prepared by: Joe Hilbourn

Account Code #: _____

Date Prepared: September 4, 2013

Budgeted Amount: \$ _____

Exhibits: Yes No

AGENDA SUBJECT:

Discuss and Consider the approval of a preliminary plat for a tract of land situation in the James Lovelady Survey Abstract No. 538, the first phase of Oakbrook Subdivision 48.05 acres out of a total of an 87 acre tract of land, consisting of twenty-two (22) lots with a mixed zoning of R-1.5 and R-2.

RECOMMENDED ACTION:

Approve as presented.

SUMMARY:

There is an approved Development Agreement.

This parcel has an approved Development Agreement with an approved layout. This plat conforms to the City's Subdivision Regulations and the approved Concept Plan.

MOTION:

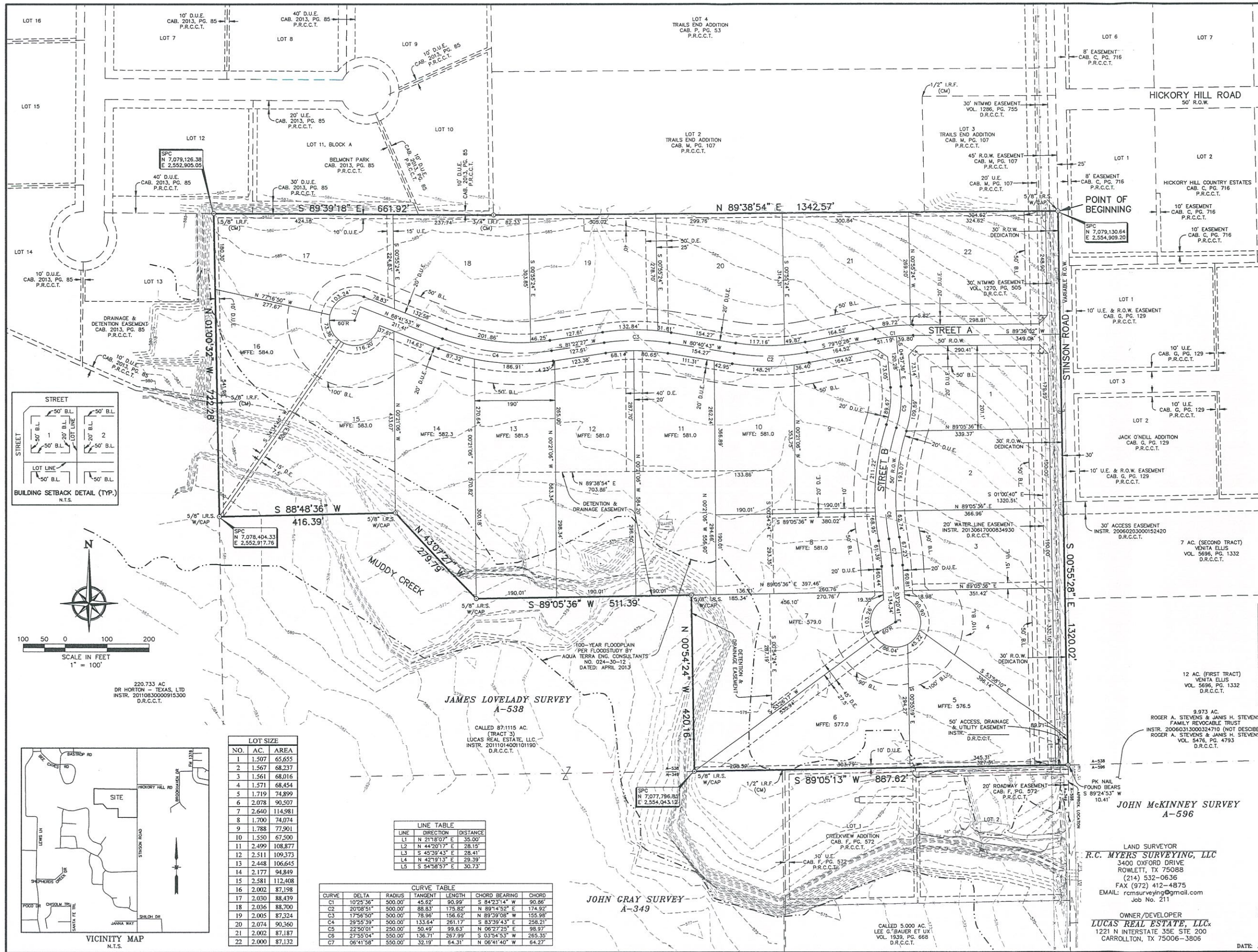
I make a Motion to recommend approval of the preliminary plat for a tract of land situation in the James Lovelady Survey Abstract No. 538, the first phase of Oakbrook Subdivision 48.05 acres out of a total of an 87 acre tract of land, consisting of twenty-two (22) lots with a mixed zoning of R-1.5 and R-2.

APPROVED BY: _____

Initial/Date

Department Director: _____ / _____

City Manager: _____ / _____



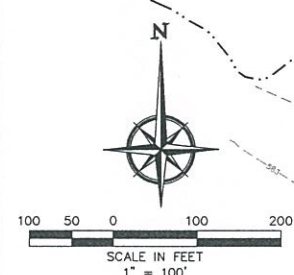
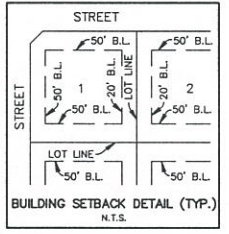
NOTES:

- By graphical plotting, part of the parcel described hereon lies within Zone "A", as delineated on the Collin County, Texas and Incorporated Areas Flood Insurance Rate Map, Map Number 4805C0405 J, dated June 02, 2009, as published by the Federal Emergency Management Agency. Zone "A" is defined as "Special flood hazard areas inundated by 100-year flood; No Base flood elevations determined." The Surveyor utilized the above referenced floodplain information for this determination and the Surveyor does not certify that revised floodplain information has or has not been published by the Federal Emergency Management Agency or some other source. This statement shall not create liability on the part of the surveyor.
- Lots or portions of lots within the floodplain or areas of special flood hazard require a development permit prior to issuance of a building permit or commencement of construction including site grading, on all or part of those lots.
- Bearings are based on Texas State Plane Coordinates. Projection: State Plane NAD83 Texas North Central Zone 4202, Lambert Conformal Conic, Feet (TX83-NCF).
- Property owners to maintain property including drainage and utility easements to the edge of pavement.
- Only wrought iron fences permitted within drainage easements.
- A 5/8-inch iron rod with yellow cap stamped "RPLS 3963" has been set at all boundary corners, lot corners, points of curvature, points of tangency and angle points in public rights-of-way unless otherwise shown or noted in this drawing.
- Selling a portion of any lot within this addition by metes and bounds is a violation of state law and city ordinance and is subject to fines and withholding of utilities and building permits.
- Benchmark: An "x" cut in south end of a concrete headwall on the east side of Stinson Road at Muddy Creek. Elev. 569.65'

LEGEND

D.U.E.	DRAINAGE & UTILITY EASEMENT
U.E.	UTILITY EASEMENT
D.E.	DRAINAGE EASEMENT
B.L.	BUILDING SETBACK LINE
L.S.E.	LANDSCAPE EASEMENT
B.L.	BUILDING SETBACK LINE
I.R.F.	IRON ROD FOUND
SPC	STATE PLANE COORDINATES
5/8" I.R.S. W/CAP	5/8" IRON ROD SET WITH YELLOW CAP STAMPED "RPLS 3963"
(CM)	CONTROL MONUMENT
D.R.C.C.T.	DEEDS RECORDS COLLIN COUNTY TEXAS
P.R.C.C.T.	PLAT RECORDS COLLIN COUNTY TEXAS

North Texas Municipal Water District (NTMWD) Note:
 The NTMWD easement restricts construction of permanent structures such as foundations, walls, pools and permanent storage buildings. Items such as driveways, fences, sprinkler systems and normal landscaping plans that encroach on the NTMWD easements are allowed. However, the NTMWD assumes no responsibility for damages resulting from the need to repair or maintain the NTMWD pipelines. Further, any cost for repair for damage to the pipelines resulting from construction by the developer, contractor or owner will be the responsibility of the developer, contractor or owner.



LOT SIZE

NO.	AC.	AREA
1	1.507	65,655
2	1.567	68,237
3	1.561	68,016
4	1.571	68,454
5	1.719	74,899
6	2.078	90,507
7	2.640	114,981
8	1.700	74,074
9	1.788	77,901
10	1.550	67,500
11	2.499	108,877
12	2.511	109,373
13	2.448	106,645
14	2.177	94,849
15	2.581	112,408
16	2.002	87,198
17	2.030	88,439
18	2.036	88,700
19	2.005	87,324
20	2.074	90,360
21	2.002	87,187
22	2.000	87,132

LINE TABLE

LINE	DIRECTION	DISTANCE
L1	N 21°18'07" E	35.00'
L2	N 44°20'17" E	28.15'
L3	S 45°39'43" E	28.41'
L4	N 42°19'13" E	29.39'
L5	S 54°38'57" E	30.73'

CURVE TABLE

CURVE	DELTA	RADIUS	TANGENT	LENGTH	CHORD BEARING	CHORD
C1	107°25'36"	500.00'	45.62'	90.99'	S 84°23'14" W	90.86'
C2	207°08'51"	500.00'	88.83'	175.82'	N 89°14'52" E	174.92'
C3	175°56'50"	500.00'	78.96'	156.62'	N 89°39'08" W	155.98'
C4	29°55'39"	500.00'	133.64'	261.17'	S 83°39'43" E	258.21'
C5	22°50'01"	250.00'	50.49'	99.63'	N 06°27'25" E	98.97'
C6	27°55'04"	550.00'	138.71'	267.99'	S 03°54'53" W	265.35'
C7	06°41'58"	550.00'	32.19'	64.31'	N 06°41'40" W	64.27'

EXISTING ZONING: AG
 PROPOSED ZONING: R2 & R1.5
 22 RESIDENTIAL LOTS
 DENSITY: 1 LOT PER 2.18 ACRES GROSS
 AVG. LOT SIZE: 2.002 ACRE
 MIN. LOT SIZE: 1.500 ACRE

PRELIMINARY PLAT
OAK BROOK ESTATES
 PHASE ONE
 LOTS 1-22, BLOCK A
 22 RESIDENTIAL LOTS
 BEING 48.045 ACRES
 SITUATED IN THE
 JAMES LOVELADY SURVEY, ABSTRACT NO. 538
 CITY OF LUCAS, COLLIN COUNTY, TEXAS

LAND SURVEYOR
R.C. MYERS SURVEYING, LLC
 3400 OXFORD DRIVE
 ROWLETT, TX 75088
 (214) 532-0636
 FAX (972) 412-4875
 EMAIL: rcmyersurveying@gmail.com
 Job No. 211

OWNER/DEVELOPER
LUCAS REAL ESTATE, LLC
 1221 N INTERSTATE 35E STE 200
 CARROLLTON, TX 75006-3806

ENGINEERING CONCEPTS & DESIGN, L.P.
 ENGINEERING/PROJECT MANAGEMENT/CONSTRUCTION SERVICES
 TEXAS FIRM REG. NO. 001145
 201 WINCO CIRCLE, SUITE 200, WYLE, TEXAS 75098
 (972) 941-8400 FAX (972) 941-8401

OWNER'S CERTIFICATE & DEDICATION

STATE OF TEXAS
COUNTY OF COLLIN

WHEREAS, LUCAS REAL ESTATE, LLC, BEING the owner of a 48.045 acre tract of land situated in the James Lovelady Survey, Abstract No. 538, City of Lucas, Collin County, State of Texas, and being part of that certain 87.1115 acre tract of land (Tract 3) described in deed to Lucas Real Estate, LLC, as recorded in Instrument 2011101400101190, Deed Records, Collin County, Texas, said 48.045 acre tract being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8-inch iron rod with yellow cap stamped "RPLS 3963" set for the northeast corner of said 87.1115 acre tract and the southeast corner of Lot 3, Trails End Addition, an addition to the City of Lucas, as recorded in Cabinet M, Page 107, Plat Records, Collin County, Texas, said corner being in the centerline of Stinson Road, a variable width right-of-way;

THENCE South 00 degrees 55 minutes 28 seconds East, with the east boundary line of said 47.1115 acre tract and said Stinson Road, a distance of 1320.02 feet to an exterior ell corner of said 87.1115 acre tract from which a PK Nail found bears South 89 degrees 24 minutes 53 seconds West, a distance of 10.41 feet;

THENCE South 89 degrees 05 minutes 13 seconds West, with a south boundary line of said 47.1115 acre tract, passing a 1/2-inch iron rod found for an interior ell corner of said 87.1115 acre tract at a distance of 679.10 feet and continuing a total distance of 887.62 feet to a 5/8-inch iron rod with yellow cap stamped "RPLS 3963" set for corner;

THENCE North 00 degrees 54 minutes 24 seconds West, a distance of 420.16 feet to a 5/8-inch iron rod with yellow cap stamped "RPLS 3963" set for corner;

THENCE South 89 degrees 05 minutes 36 seconds West, a distance of 511.39 feet to a 5/8-inch iron rod with yellow cap stamped "RPLS 3963" set for corner;

THENCE North 43 degrees 07 minutes 27 seconds West, a distance of 279.79 feet to a 5/8-inch iron rod with yellow cap stamped "RPLS 3963" set for corner;

THENCE South 88 degrees 48 minutes 36 seconds West, a distance of 416.39 feet to a 5/8-inch iron rod with yellow cap stamped "RPLS 3963" set for corner in the common boundary line of a 59.030 acre tract and a 86.548 acre tract described in a boundary line agreement, as recorded in Instrument 20061020001510100 of said Deed Records;

THENCE North 01 degrees 00 minutes 32 seconds West, with the common boundary line of said 59.030 acre tract and said 86.548 acre tract, passing a 5/8-inch iron rod found for an exterior ell corner of a 43.702 acre tract (Tract 1) described in deed to M. Christopher Investments LLC 2011, as recorded in Instrument 2101206210007388250 of said Deed Records at a distance of 270.52 feet and continuing with the common boundary line of said 43.702 acre tract and said 86.548 acre tract, a total distance of 722.28 feet to a 5/8-inch iron rod found for the northwest corner of said 86.548 acre tract, the northwest corner of said 87.1115 acre tract and an interior ell corner of said 43.702 acre tract;

THENCE South 89 degrees 39 minutes 18 seconds East, with the common boundary line of said 43.702 acre tract and said 87.1115 acre tract, a distance of 661.92 feet to a 3/4-inch iron rod found for an exterior ell corner of said 43.702 acre tract and the southwest corner of Lot 2 of the aforementioned Trails End Addition;

THENCE North 89 degrees 38 minutes 54 seconds East, with the common boundary line of said Trails End Addition and said 87.1115 acre tract, a distance of 1342.57 feet to the POINT OF BEGINNING AND CONTAINING 2,092,827 square feet or 48.045 acres of land.

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT, LUCAS REAL ESTATE, LLC, does hereby adopt this plat designating the herein described property as STINSON ROAD ADDITION, an addition to the City of Lucas, Texas, and does hereby dedicate to the public use forever, the streets and alleys shown thereon. The streets and alleys are dedicated for street purposes. The Easements and public use areas, as shown, are dedicated, for the public use forever, for the purposes indicated on this plat. No buildings, fences, trees, shrubs or other improvements or growths shall be constructed or placed upon, over or across the Easements as shown. In addition, Utility Easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easement limits the use to particular utilities, said use by public utilities being subordinate to the Public's and City of Lucas's use thereof. The City of Lucas and public utility entities shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs or other improvements or growths which may in any way endanger or interfere with the systems in said Easements. The City of Lucas and public utility entities shall at all times have the full right of Ingress and Egress to or from their respective easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, and adding to or removing all or parts of their respective systems without the necessity at any time procuring the permission from anyone.

This plat approved subject to all platting ordinances, rules, regulations and resolution of the City of Lucas, Texas.

FOR: LUCAS REAL ESTATE, LLC.

BY: _____
BRADFORD PHILLIPS

STATE OF TEXAS
COUNTY OF COLLIN

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Bradford Phillips, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein expressed.

Given under my hand and seal of office, this ____ day of _____, 2013.

Notary Public in and for the State of Texas
My Commission Expires: _____

CITY APPROVAL CERTIFICATE

This plat is hereby approved by the Planning and Zoning Commission of the City of Lucas, Texas.

Chairman, Planning and Zoning Commission _____ Date _____

ATTEST: _____

Signature _____ Date _____

Name _____ Date _____

The The Director of Public Works of the City of Lucas, Texas hereby certifies that to the best of his/her knowledge or belief, this subdivision plat conforms to all requirements of the Code of Ordinances and with engineering construction standards and processes adopted by the City of Lucas, Texas as to which his/her approval is required.

Director of Public Works _____ Date _____

The Director of Planning and Community Development of the City of Lucas, Texas hereby certifies that to the best of his/her knowledge or belief, this subdivision plat conforms to all requirements of the Code of Ordinances, or as may have been amended or modified, as allowed, by the Planning and Zoning Commission as to which his/her approval is required.

Director of Planning and Community Development _____ Date _____

SURVEYOR'S CERTIFICATION

KNOW ALL MEN BY THESE PRESENTS:

That I, Robert C. Myers, hereby certify, that I prepared this plat was made from an actual on the ground survey of the land as described and that the corner monuments shown thereon were properly placed under my personal supervision in accordance with the Platting Rules and Regulations of the City of Lucas Planning and Zoning Commission

Preliminary, this document shall not be recorded for any purpose.

ROBERT C. MYERS
REGISTERED PROFESSIONAL LAND SURVEYOR
STATE OF TEXAS NO. 3963

STATE OF TEXAS
COUNTY OF COLLIN

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Robert C. Myers, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed.

Given under my hand and seal of office, this ____ day of _____, 2013.

Notary Public in and for the State of Texas
My Commission Expires: 02/14/2015

HEALTH DEPARTMENT CERTIFICATION:

I hereby certify that the on-site sewage facilities described on this plat conform to the applicable OSSF laws of the State of Texas, that site evaluations have been submitted representing the site conditions in the area in which on-site sewage facilities are planned to be used.

Registered Sanitarian or Designated Representative
Collin County Development Services

On-Site Sewage Facilities (OSSF) Notes:

- All lots must utilize alternative type On-Site Sewage Facilities.
- All lots must maintain state-mandated setback of all On-Site Sewage Facility components from any/all easements and drainage areas, water distribution lines, sharp breaks and/or creeks/rivers/ponds, etc. (Per State regulations).
- A portion of lots 5-8 and 10-16 are located within the 100-year flood plain:
 - Any OSSF that is located within the 100-year flood plain is subject to special planning requirements.
 - All electrical/mechanical appurtenances located within the 100-year flood plain must be elevated at least 1' above base flood elevation.
 - A certificate of elevation establishing base flood elevation and proving that the finished floor will be at least 2' above base flood elevation must accompany any permit application for a structure that is proposed to be located within the curvilinear line of the 100-year flood plain.
- Tree removal and/or grading for OSSF may be required on individual lots.
- Individual site evaluations and OSSF design plans (meeting all State and County requirements) must be submitted to and approved by Collin County for each lot prior to construction of any OSSF system.

PRELIMINARY PLAT
OAK BROOK ESTATES
PHASE ONE

LOTS 1-22, BLOCK A
22 RESIDENTIAL LOTS

BEING 48.045 ACRES
SITUATED IN THE
JAMES LOVELADY SURVEY, ABSTRACT NO. 538
CITY OF LUCAS, COLLIN COUNTY, TEXAS

ENGINEERING CONCEPTS & DESIGN, L.P.
ENGINEERING/PROJECT MANAGEMENT/CONSTRUCTION SERVICES
TEXAS REG. NO. 901145
201 WINDCO CIRCLE, SUITE 200, WYLIE TEXAS 75098
(972) 941-8400 FAX (972) 941-8401

LAND SURVEYOR
R.C. MYERS SURVEYING, LLC
3400 OXFORD DRIVE
ROWLETT, TX 75088
(214) 532-0636
FAX (972) 412-4875
EMAIL: rcmsurveying@gmail.com
Job No. 211

OWNER/DEVELOPER
LUCAS REAL ESTATE, LLC
1221 N INTERSTATE 35E, STE 200
CARROLLTON, TX 75006-3806

DATE: AUGUST 12, 2013

SHEET 2 OF 2



City of Lucas P&Z Agenda Request

P & Z Meeting: September 12, 2013

Requestor: Joe Hilbourn

Prepared by: Joe Hilbourn

Account Code #: _____

Date Prepared: September 4, 2013

Budgeted Amount: \$ _____

Exhibits: Yes No

AGENDA SUBJECT:

Discuss and Consider the approval of a preliminary plat for an eight (8) lot subdivision being 18.007 acres located in the Peter F. Lucas Survey Abstract No. 537 and J. Anderson Survey Abstract No. 17 also known as Winding Creek Reserve (located off E. Lucas Road).

RECOMMENDED ACTION:

Approve as presented.

SUMMARY:

Joe Helmberger, of Helmberger and Associates, has submitted an application for a preliminary plat consisting of eight (8) 2 acre lots, on a tract of land located at the intersection of Lost Valley and East Lucas Rd. The proposed subdivision name is Winding Creek Reserve. The subdivision is currently zoned R-2.

MOTION:

I make a Motion to recommend approval of the preliminary plat for an eight (8) lot subdivision being 18.007 acres located in the Peter F. Lucas Survey Abstract No. 537 and J. Anderson Survey Abstract No. 17 also known as Winding Creek Reserve (located off E. Lucas Road).

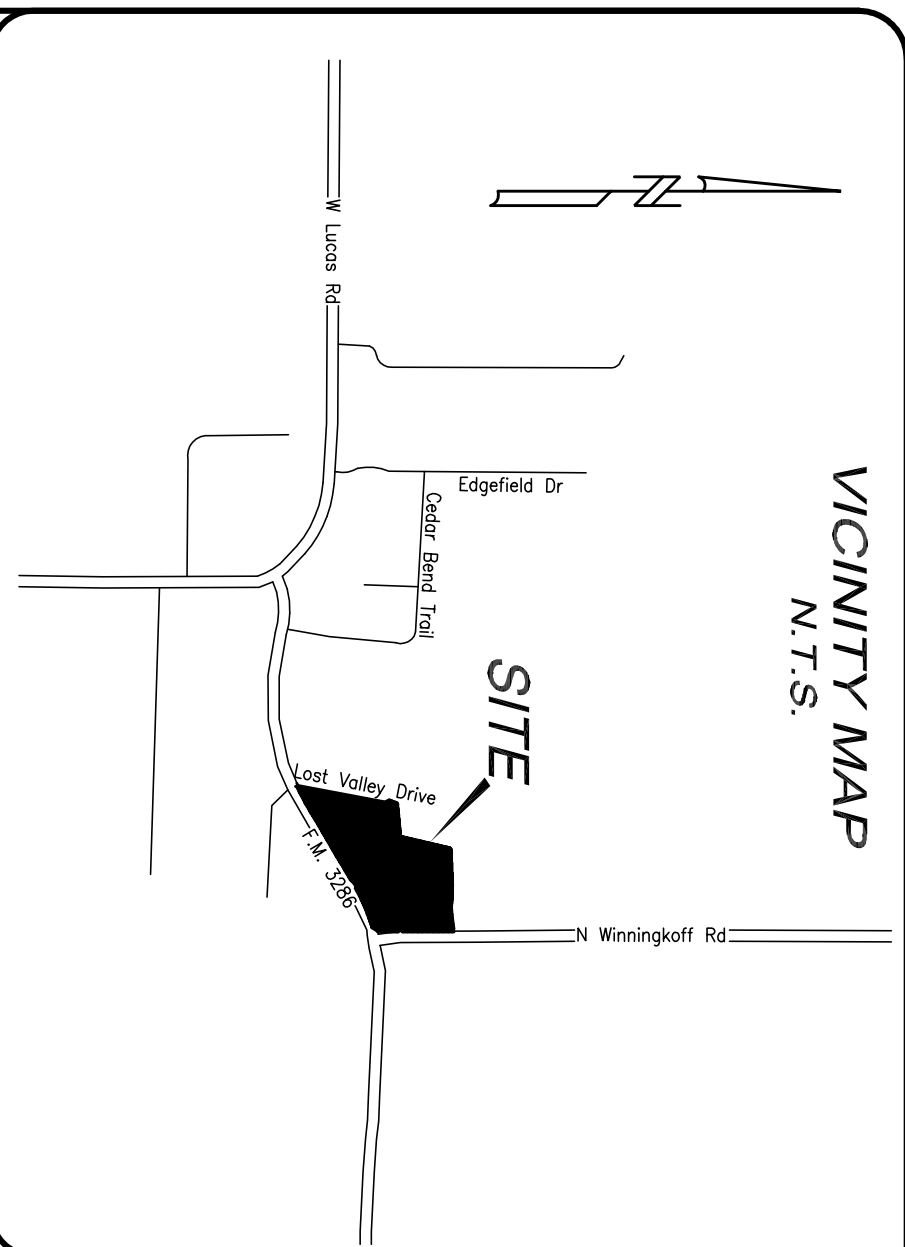
APPROVED BY: _____

Initial/Date

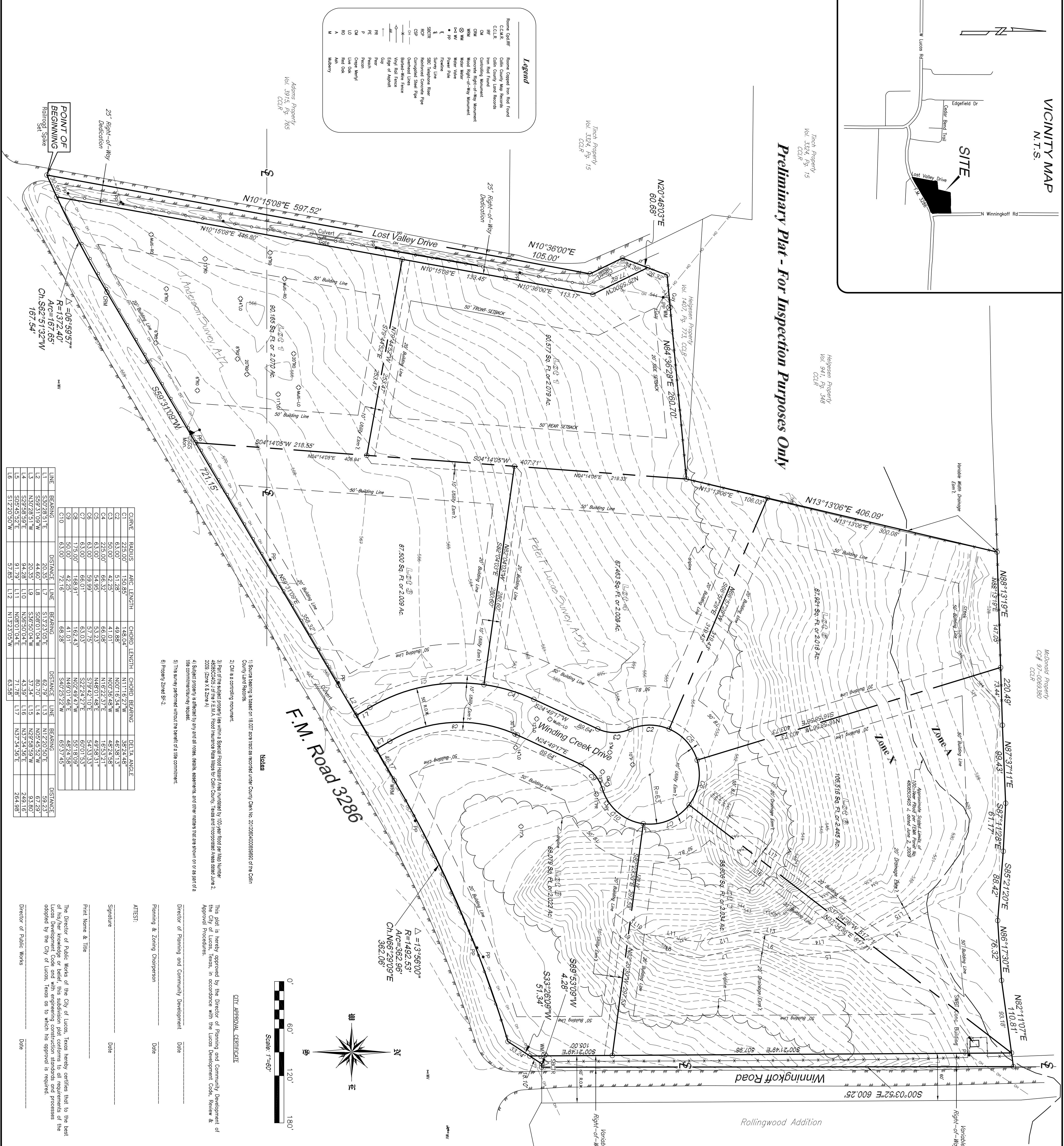
Department Director: _____ / _____

City Manager: _____ / _____

VICINITY MAP
N.T.S.



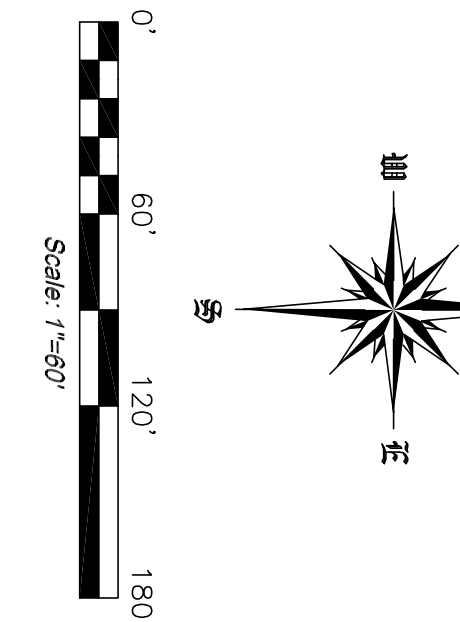
Preliminary Plat - For Inspection Purposes Only



Legend table with symbols for various features: Right-of-Way, Easement, Survey Line, etc.

Table with columns: LINE, BEARING, DISTANCE, CHORD BEARING, CHORD LENGTH, DELTA ANGLE. Contains data for lines L1 through L6.

- Notes: 1) Source bearings based on 18.007' area west as recorded under County Clerk No. 2012080400059890 of the Collin County Land Records. 2) CUI is a recording instrument. 3) Part of the subject property has been a Special Flood Hazard Area... 4) Subject property is affected by 79' air void, special easements, and other matters that are shown on or as part of a title commencing/continuing plat(s). 5) The survey prepared on behalf of the City of Lucas. 6) Property Zoned SF-2.



Director of Planning and Community Development: _____ Date: _____
Planning & Zoning Chairperson: _____ Date: _____
ATTEST:
Signature: _____ Date: _____
Print Name & Title: _____
The Director of Public Works of the City of Lucas, Texas hereby certifies that to the best of his/her knowledge or belief, this subdivision plat conforms to all requirements of the Subdivision Act, Chapter 208, Texas Local Government Code, and the rules and regulations adopted by the City of Lucas, Texas as to which his approval is required.
Director of Public Works: _____ Date: _____

OWNER'S DECLARATION AND ACKNOWLEDGEMENT

STATE OF TEXAS §
COUNTY OF COLLIN §
I, the owner of a tract of land situated in the State of Texas, County of Collin, and City of Lucas, being part of the subdivision plat recorded under County Clerk No. 2012080400059890 of the Collin County Land Records with said premises being more particularly described as follows:
BEGINNING at a certain stake found in the approximate middle of East Valley Drive (on opposite roadway) defining the southwest corner of said 18,007 acre tract, said premises, and the southeast corner of Adams property as recorded in Volume 3324, Page 15 of the Collin County Land Records;
THENCE with the approximate middle of East Valley Drive, a west line of 18,007 acre tract, said premises, and Adams' east line, North 10°15'08\"/>

STATE OF TEXAS §
COUNTY OF COLLIN §
NOW HEREBY, KNOW ALL MEN BY THESE PRESENTS:
That I, **Sooner Ranch Properties, LLC**, the Owner, adopt this plat of **Preliminary Plat of Lots 1-8, Block A of Winding Creek Reserve**, on addition to the City of Lucas, Texas, do hereby bind themselves and their heirs, assigns and successors of like this plat designating the heretofore described property as hereby dedicated to the public use forever the streets, alleys, and right-of-way easements shown thereon, and do hereby agree to use or bring same, any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other improvements or growths that in any way encroach or interfere with the construction, maintenance or efficiency of its respective systems on easement strips for the purpose of constructing, reconstructing, inspecting, painting, without the necessity of any time of procuring the permission of anyone.
Witness our hands of LUCAS, Texas, this ____ day of _____, 2013.
Sooner Ranch Properties, LLC
Representative: _____



Preliminary Plat of

Lots 1-8, Block A, Winding Creek Reserve
being all of an 18,007 acre tract of land
James Lovelady Survey, Abstract No. 538
James Anderson Survey, Abstract No. 17
City of Lucas, Collin County, Texas
August, 2013

Engineer: Heinberger & Associates, 1525 Borzon Rd, Wylie, TX 75098, 972-447-7459, Attn: Joe Heinberger
Owner: Sooner Ranch Properties, LLC, 9 Hobb Hill Ln, Lucas, TX 75002-7471
Roome Land Surveying, Inc., 2000 Avenue G, Suite 810, Plano, Texas 75074, Phone (972) 435-4521, Fax (972) 433-7533, www.roomeandsurveying.com



**City of Lucas
P&Z Agenda Request**

P & Z Meeting: September 12, 2013

Requestor: Joe Hilbourn

Prepared by: Joe Hilbourn

Account Code #: _____

Date Prepared: September 4, 2013

Budgeted Amount: \$ _____

Exhibits: Yes No

AGENDA SUBJECT:

Discuss and Consider the approval of an amendment to the City of Lucas' Code of Ordinances, Chapter 14, Zoning, add Section 14.03.354 Special District Requirements (3) the site plan may only be approved following a public hearing before the Planning & Zoning Commission and the City Council.

RECOMMENDED ACTION:

Approve as presented.

SUMMARY:

This code change is based on the fact that site plan approvals are administrative in nature. A public hearing leads people to believe that the City may or may not turn down the item even if the item meets the City's zoning requirements.

MOTION:

I make a Motion to recommend approval of an amendment to the City of Lucas' Code of Ordinances, Chapter 14, Zoning, add Section 14.03.354 Special District Requirements (3) the site plan may only be approved following a public hearing before the Planning & Zoning Commission and the City Council.

APPROVED BY: _____

Initial/Date

Department Director: _____ / _____

City Manager: _____ / _____

<input type="checkbox"/>	Annexation
<input type="checkbox"/>	Disannexation
<input checked="" type="checkbox"/>	Code of Ordinances
<input type="checkbox"/>	Other

ORDINANCE # 2013-10-00XXX
[AMENDING CODE OF ORDINANCE CHAPTER 14 “ZONING”]

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LUCAS, COLLIN COUNTY, TEXAS, AMENDING THE LUCAS CODE OF ORDINANCES BY AMENDING CHAPTER 14 TITLED “ZONING” BY AMENDING ARTICLE 14.03 TITLED “DISTRICTS” BY AMENDING DIVISION 7 TITLED “CB COMMERCIAL BUSINESS DISTRICT” BY AMENDING SECTION 14.03.354 TITLED “SPECIAL DISTRICT REQUIREMENTS” BY AMENDING REQUIREMENTS FOR SPECIAL DISTRICTS; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission and the governing body of the City of Lucas, Texas, in compliance with the laws of the State of Texas and the Ordinances of the City of Lucas, Texas, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all the property owners generally and to all persons interested and situated in the affected area, and in the vicinity thereof, and in the exercise of its legislative discretion, the City Council has concluded that the Lucas Code of Ordinances and Zoning Regulations should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LUCAS, COLLIN COUNTY, TEXAS, THAT:

Section 1. The Code of Ordinances of the City of Lucas, Texas, is hereby amended by amending Chapter 14 “Zoning” by amending Article 14.03 “Districts” by amending Division 7 “CB Commercial Business District” by amending section 14.03.354 “Special district requirements”, to read as follows:

“ARTICLE 14.03 DISTRICTS

...

Division 7. CB Commercial Business District

...

Sec. 14.03.354 Special district requirements

(a) Site plan approval. The following site plan elements shall be required for development of property:

- (1) Prior to issuance of a building permit, nine (9) copies of a site plan, drawn to a scale of not less than one inch equals fifty feet, containing at a minimum the following elements, shall be submitted to the city secretary a minimum of ten (10) days prior to the date at which the planning and zoning committee is scheduled to consider said site plan on their regular agenda:
 - (A) The boundaries and dimensions of the proposed development, including total area.
 - (B) The owners, zoning classification and description of adjacent properties.
 - (C) Contour lines with five-foot intervals.
 - (D) Location map showing site within the city.
 - (E) Existing and platted streets, public rights-of-way, easements and railroads within and adjacent to the site.
 - (F) Existing and proposed utility lines showing sizes of water and sewer lines.
 - (G) Existing and proposed fire hydrants and fire lanes.
 - (H) Location and dimension of all buildings and building setback lines.
 - (I) Engineering for drainage.
 - (J) Areas designated for landscaping together with proposed irrigation and a tree management plan.
 - (K) Parking area locations and specifications.
 - (L) Signage and lighting.
 - (M) Location of all exterior mechanical, electrical and communication equipment.
 - (N) Location of all refuse containers, loading docks and screening.
 - (O) Signature lines for chairman of the planning and zoning committee, city engineer and mayor shall be provided to signify approval.
- (2) For the purposes of assisting in-process planning, a properly designated “preliminary” site plan shall be submitted for consideration. Approval of a

“preliminary” site plan will not imply approval of all elements of a “final” site plan.

- (3) The site plan may only be approved by the planning and zoning commission and the city council.
- (4) Any changes to an approved “final” site plan will require approval of the planning and zoning commission and the city council.

...”

Section 2. All ordinances of the City of Lucas in conflict with the provisions of this Ordinance shall be, and same are hereby, repealed, provided, however, that all other provisions of said Ordinances are not in conflict herewith shall remain in full force and effect.

Section 3. Should any word, sentence, paragraph, subdivision, clause, phrase or section of this Ordinance or of the City of Lucas Code of Ordinances, as amended hereby, be adjudged or held to be voided or unconstitutional, the same shall not affect the validity of the remaining portions of said Ordinances or the City of Lucas Code of Ordinances, as amended hereby, which shall remain in full force and effect.

Section 4. An offense committed before the effective date of the Ordinance is governed by prior law and the provisions of the City of Lucas Code of Ordinances in effect when the offense was committed and the former law is continued in effect for this purpose.

Section 5. Any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for the in the City of Lucas Code of Ordinances, as amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000) for each offense, and each and every day such violation shall continue shall be deemed to constitute a separate offense.

Section 6. This Ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Lucas, and it is accordingly so ordained.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF LUCAS, COLLIN COUNTY, TEXAS, ON THIS _____ DAY OF OCTOBER, 2013.

APPROVED:

Rebecca Mark, Mayor

APPROVED AS TO FORM:

ATTEST:

Joe Gorfida, Jr., City Attorney
(JJG/09-05-2013/62146)

Kathy Wingo, TRMC, MMC, City Secretary



City of Lucas P&Z Agenda Request

P & Z Meeting: September 12, 2013

Requestor: Joe Hilbourn

Prepared by: Joe Hilbourn

Account Code #: _____

Date Prepared: September 4, 2013

Budgeted Amount: \$ _____

Exhibits: Yes No

AGENDA SUBJECT:

Discuss and Consider the approval of **Ordinance # 2013-10-00XXX** of the City Council of the City of Lucas, Collin County, Texas, amending the Lucas Code of Ordinances by amending Chapter 10 titled "Subdivisions" by amending Article 10.03 titled "Subdivision and Development Ordinance" by amending Division 4 titled "Standards and Requirements" by amending Section 10.03.123 titled "Streets and Drainage" by amending Sub-Section 10.03.123(e) titled "Storm Sewers-Residential Developments" by adding requirements for drainage ditches and drainage easements; providing a repealing clause; providing a severability clause; providing a savings clause; providing a penalty of fine not to exceed the sum of two thousand dollars (\$2,000) for each offense; and providing for an effective date.

RECOMMENDED ACTION:

Approve as presented.

SUMMARY:

This code change is based on the practical application of bar ditches and drainage problems that occur because of open channel ditches.

MOTION:

I make a Motion to recommend approval of **Ordinance # 2013-10-00XXX** of the City Council of the City of Lucas, Collin County, Texas, amending the Lucas Code of Ordinances by amending Chapter 10 titled "Subdivisions" by amending Article 10.03 titled "Subdivision and Development Ordinance" by amending Division 4 titled "Standards and Requirements" by amending Section 10.03.123 titled "Streets and Drainage" by amending Sub-Section 10.03.123(e) titled "Storm Sewers-Residential

Developments" by adding requirements for drainage ditches and drainage easements; providing a repealing clause; providing a severability clause; providing a savings clause; providing a penalty of fine not to exceed the sum of two thousand dollars (\$2,000) for each offense; and providing for an effective date.

APPROVED BY: _____

Initial/Date

Department Director: _____ / _____

City Manager: _____ / _____

<input type="checkbox"/>	Annexation
<input type="checkbox"/>	Disannexation
<input checked="" type="checkbox"/>	Code of Ordinances
<input type="checkbox"/>	Other

ORDINANCE # 2013-10-00XXX
[AMENDING CODE OF ORDINANCE CHAPTER 10]

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LUCAS, COLLIN COUNTY, TEXAS, AMENDING THE LUCAS CODE OF ORDINANCES BY AMENDING CHAPTER 10 TITLED “SUBDIVISIONS” BY AMENDING ARTICLE 10.03 TITLED “SUBDIVISION AND DEVELOPMENT ORDINANCE” BY AMENDING DIVISION 4 TITLED “STANDARDS AND REQUIREMENTS” BY AMENDING SECTION 10.03.123 TITLED “STREETS AND DRAINAGE” BY AMENDING SUB-SECTION 10.03.123(e) TITLED “STORM SEWERS-RESIDENTIAL DEVELOPMENTS” BY ADDING REQUIREMENTS FOR DRAINAGE DITCHES AND DRAINAGE EASEMENTS; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council desires to amend Chapter 10 titled “Subdivisions” by amending Article 10.03 titled “Subdivision and Development Ordinance” by amending Division 4 titled “Standards and Requirements” by amending Section 10.03.123 titled “Streets and drainage” by amending sub-section 10.03.123(e) titled “Storm sewers - Residential developments” by adding requirements for drainage ditches and drainage easements.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LUCAS, COLLIN COUNTY, TEXAS, THAT:

Section 1. The Code of Ordinances of the City of Lucas, Texas, is hereby amended by amending Chapter 10 “Subdivisions” by amending Article 10.03 titled “Subdivision and Development Ordinance” by amending Division 4 titled “Standards and Requirements” by amending Section 10.03.123 titled “Streets and drainage” by amending sub-section 10.03.123(e) titled “Storm sewers - Residential developments”, to read as follows:

“ARTICLE 10.03 SUBDIVISION AND DEVELOPMENT ORDINANCE

.....

Division 4. Standards and Requirements

...

Sec. 10.03.123 Streets and drainage

...

(e) Storm sewers - Residential developments.

...

(8) Drainage ditches located within the public right-of-way or drainage easements shall be concrete lined. The concrete lining shall be a minimum of 2” wide but not less than the width of the ditch, the concrete lining shall be 5 inches thick, with a minimum of 2500 psi compressive strength and have grid pattern of 12” with 3/8” rebar.

(f) Storm sewers - Nonresidential developments.

...”

Section 2. All ordinances of the City of Lucas in conflict with the provisions of this Ordinance shall be, and same are hereby, repealed, provided, however, that all other provisions of said Ordinances are not in conflict herewith shall remain in full force and effect.

Section 3. Should any word, sentence, paragraph, subdivision, clause, phrase or section of this Ordinance or of the City of Lucas Code of Ordinances, as amended hereby, be adjudged or held to be voided or unconstitutional, the same shall not affect the validity of the remaining portions of said Ordinances or the City of Lucas Code of Ordinances, as amended hereby, which shall remain in full force and effect.

Section 4. An offense committed before the effective date of the Ordinance is governed by prior law and the provisions of the City of Lucas Code of Ordinances in effect when the offense was committed and the former law is continued in effect for this purpose.

Section 5. Any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for the in the City of Lucas Code of Ordinances, as amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000) for each offense, and each and every day such violation shall continue shall be deemed to constitute a separate offense.

Section 6. This Ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Lucas, and it is accordingly so ordained.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF LUCAS, COLLIN COUNTY, TEXAS, ON THIS _____ DAY OF OCTOBER, 2013.

APPROVED:

Rebecca Mark, Mayor

APPROVED AS TO FORM:

ATTEST:

Joe Gorfida, Jr., City Attorney
(JG/08-22-13/61956)

Kathy Wingo, TRMC, MMC, City Secretary



City of Lucas P&Z Agenda Request

P & Z Meeting: September 12, 2013

Requestor: _____

Prepared by: Kathy Wingo

Account Code #: _____

Date Prepared: _____

Budgeted Amount: \$ _____

Exhibits: Yes No

AGENDA SUBJECT:

Adjournment.

RECOMMENDED ACTION:

SUMMARY:

MOTION:

I make a Motion to adjourn the meeting at _____ p.m.

APPROVED BY: _____

Initial/Date

Department Director: _____ / _____
City Manager: _____ / _____