



City of Lucas
Planning and Zoning Commission

Regular Meeting

May 9, 2019

7:00 PM

City Hall – 665 Country Club Road – Lucas, Texas

MINUTES

Call to Order

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

It was determined that a quorum was present. Everyone was reminded to turn off or silence their cell phones and the Pledge of Allegiance was recited.

Chairman Rusterholtz noted that Alternate Commissioner Tolson would be seated as a voting member due to the absence of a regular member and welcomed newest member Alternate member Adam Sussman.

Commissioners Present:

Chairman Peggy Rusterholtz
Vice Chairman David Keer
Commissioner Andre Guillemaud
Commissioner Joe Williams
Alternate Commissioner Tommy Tolson
Alternate Commissioner Adam Sussman

Staff Present:

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

City Council Liaison Present:

Mayor Jim Olk

Commissioners Absent:

Commissioner Tim Johnson

Public Hearing Agenda

1. **Public hearing to consider approving the specific use permit request by Jaclynn and Donnie Cauthorn, property owners of 1622 Snider Lane to allow a kitchen and food preparation area in an accessory building with habitable space.**

Development Services Director Joe Hilbourn gave a presentation noting that the lot was zoned R-2 and had an approved building permit to construct an accessory building with habitable space that meets the City's requirements. However, the owner would like to amend the approved building plans to allow a kitchen in the accessory building that was currently under construction. Mr. Hilbourn stated that Section 14.04.304 (a) of the City's Code of Ordinances requires a specific use

permit for a kitchen/food preparation area in R-2 or AO zoning districts that contain a single-family residence. Mr. Hilbourn noted that staff recommends approval of the request as submitted.

Chairman Rusterholtz opened the public hearing at 7:05 pm, there being no one wishing to speak, the public hearing was closed.

The Commission asked if this was the first specific use permit that had been applied for since the new deed restriction requirement was put in place.

Mr. Hilbourn noted that this was the first application since the deed restriction requirement was put in place. Mr. Hilbourn explained that the specific use permit request was not typical as the habitable space was located above a barn and not a separate housing structure.

The Commission discussed the need for consistency with all cases brought before the Commission regardless of the amount of habitable space being provided and location of the habitable space.

The Commission discussed with Mr. Hilbourn the filing fee, application fee and the responsibility of filing the deed restrictions with the County. Mr. Hilbourn explained that the deed restrictions would be filed by the City and the filing fee was included in the specific use permit application fee.

MOTION: A motion was made by Commissioner Williams, seconded by Vice Chairman Keer to recommend approval of the specific use permit request by Jaclynn and Donnie Cauthorn, property owners of 1622 Snider Lane to allow a kitchen and food preparation area in an accessory building with habitable space and including the deed restrictions being filed. The motion passed unanimously by a 5 to 0 vote.

Regular Agenda

2. Consider approval of the minutes of the March 14, 2019 Planning and Zoning Commission meeting.

Chairman Rusterholtz noted the following correction to the minutes on page 4, paragraph 3, the statement should read:

“Engineer Kahn indicated that they were decorative.”

MOTION: A motion was made by Vice Chairman Keer, seconded by Chairman Rusterholtz to approve the minutes of the March 14, 2019 meeting as amended. The motion passed unanimously by a 5 to 0 vote.

3. Consider the request by Michelle Tillotta with LGA engineering on behalf of the Collin County Water Control and Improvement District No. 3 for approval of a minor plat for the extension of Osage Lane for access to Inspiration Phases 6 and 7a, a tract of land being part of the Leroy Farmer Survey ABS# 334, being 1.821 acres partially in the City of Lucas, and partially in the City of Lucas ETJ creating a variable width right of way dedicated for public use.

Development Services Director Joe Hilbourn gave a presentation explaining that the project was located within the City’s ETJ and had an approved development agreement and concept plan. The

minor plat dedicates right of way to access Inspiration Phases 6 and 7a but was not on the approved concept plan. Mr. Hilbourn stated that the plat meets all the City's requirements.

MOTION: A motion was made by Commissioner Williams, seconded by Guillemaud to approve of the minor plat for the extension of Osage Lane for access to Inspiration Phases 6 and 7a, a tract of land being part of the Leroy Farmer Survey ABS# 334, being 1.821 acres partially in the City of Lucas, and partially in the City of Lucas ETJ creating a variable width right of way dedicated for public use. The motion passed unanimously by a 5 to 0 vote.

4. **Consider the request by David K. Kochalka, P.E. with Kimley Horn and Associates on behalf of Wendy Farms Estates for approval of a minor replat changing two lots of record into three lots located in the John W. Kerby Survey, ABS #505, and being 10.641 acres of land, currently known as Lots 2 and 3 Tokalaun Park and Estuary.**

Development Services Director Joe Hilbourn gave a presentation explaining that the project was zoned R-2, with a minimum lot size permitted of two acres. All three proposed lots were equal to or greater than two acres. The proposed minor replat would convert two existing lots of record into three lots. The proposed subdivision was currently part of Tokalaun Park and Estuary. Mr. Hilbourn stated that there was a bridge that crosses two property lines without an easement that the developer would like to address.

David Kochalka with Kimley Horn, representing Wendy Farms Estates, stated that the plat has a bridge located on two properties without any surrounding easements to access the bridge. Mr. Kochalka stated that they are proposing to add a private access easement to surround the bridge and extend the easement to the right of way and across the two properties of Lot 2 R and Lot 13 that would provide access to use the bridge and connect the properties. Mr. Kochalka stated that the current plat does not show that access, but should it be approved, the plat would be updated showing the access easement before it goes to the City Council.

City Attorney Julie Doshier discussed with the Commission the City's platting requirements regarding plats being acted upon within 30 days from time of application, and that plats could not be tabled to another meeting, they must be approved, denied, or approved with conditions.

Mr. Kochalka stated that he planned to leave the easement currently on Lot 13 as is until all lots can be further defined. Mr. Kochalka stated that eventually the easement would have to be extended, but he would like to discuss that with the property owners to determine the best way to move forward on a future plat.


The Commission discussed how the lots would be split, boundaries of the various lots, and access to the lots and bridge area.

MOTION: A motion was made by Chairman Rusterholtz, seconded by Commissioner Guillemaud to approve the minor replat changing two lots of record into three lots located in the John W. Kerby Survey, ABS #505, and being 10.641 acres of land, currently known as Lots 2 and 3 Tokalaun Park and Estuary and to include a private access easement on the eastern border of Lot 2R from Blondy Jhune south and west along the southern portion of the creek, and a 50-foot access easement that would be an extension to the easement on Tract 3 and 4 and continue north to connect to Blondy Jhune. The motion passed unanimously by a 5 to 0 vote.

5. **Adjournment.**

MOTION: A motion was made by Commissioner Williams, seconded by Vice Chairman Keer to adjourn the meeting at 7:34 pm. The motion passed unanimously by a 5 to 0 vote.


Chairman Rusterholtz, Chairman


Stacy Henderson, City Secretary

