



**AGENDA**  
**City of Lucas**  
**Planning and Zoning Commission**  
**June 13, 2019**  
**7:00 PM**  
**City Hall – Council Chambers**  
**665 Country Club Road – Lucas, Texas**

*Notice is hereby given that a City of Lucas Planning and Zoning Commission meeting will be held on Thursday, June 13, 2019 at 7:00 pm at the Lucas City Hall, 665 Country Club Road, Lucas, Texas 75002 at which time the following agenda will be discussed.*

### **Call to Order**

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

### **Public Hearing Agenda**

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1. Public Hearing to consider the request by Ron Lacock on behalf of Lucas Country Corners for a change in zoning from Residential-2 (R-2) to Commercial Business (CB) on a parcel of land consisting of 8.245 acres situated in the James Anderson Survey, Abstract No. 17, Collin County, Texas, and being a part of the called 1.0 acre tract of land and part of the called 10.43 acre tract of land leaving a remainder of 3.18 +/- more commonly known as the Lewis property at the intersection of East Lucas Road and West Lucas Road. (**Development Services Director Joe Hilbourn**)
  - A. Presentation by Development Services Director Joe Hilbourn
  - B. Conduct Public Hearing
  - C. Take action on the proposed zoning change request

### **Regular Agenda**

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2. Consider approval of the minutes of the May 9, 2019 Planning and Zoning Commission meeting. (**City Secretary Stacy Henderson**)

## **Executive Session Agenda**

*As authorized by Section 551.071 of the Texas 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. This meeting is closed to the public as provided in the Texas Government Code.*

3. Executive Session: An Executive Session is not scheduled for this meeting.
4. Adjournment.

## **Certification**

*I do hereby certify that the above notice was posted in accordance with the Texas Open Meetings Act on the bulletin board at Lucas City Hall, 665 Country Club Road, Lucas, Texas 75002 and on the City's website at [www.lucastexas.us](http://www.lucastexas.us) on or before 5:00 p.m. on June 6, 2019.*

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*Stacy Henderson, City Secretary*

*In compliance with the American with Disabilities Act, the City of Lucas will provide for reasonable accommodations for persons attending public meetings at City Hall. Requests for accommodations or interpretive services should be directed to Stacy Henderson at 972-912-1211 or by email at [shenderson@lucastexas.us](mailto:shenderson@lucastexas.us) at least 48 hours prior to the meeting.*



Item No. 01

**City of Lucas**  
**Planning and Zoning Agenda Request**  
**June 13, 2019**

Requester: Development Services Director Joe Hilbourn

### **Agenda Item Request**

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Public Hearing to consider the request by Ron Lacock on behalf of Lucas Country Corners for a change in zoning from Residential-2 (R-2) to Commercial Business (CB) on a parcel of land consisting of 8.245 acres situated in the James Anderson Survey, Abstract No. 17, Collin County, Texas, and being a part of the called 1.0 acre tract of land and part of the called 10.43 acre tract of land leaving a remainder of 3.18 +/- more commonly known as the Lewis property at the intersection of East Lucas Road and West Lucas Road.

- A. Presentation by Development Services Director Joe Hilbourn
- B. Conduct Public Hearing
- C. Take action on the proposed zoning change request

### **Background Information**

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This project is located within the City of Lucas and is currently zoned R-2. The request proposes to rezone 8.245 acres of land including two tracts that totals 11.43 acres from R-2 to Commercial Business leaving the remainder of the property zoned R-2. The 8.245 acres is recommended for Commercial Business in the Comprehensive Plan and the request generally complies with the Comprehensive Plan.

### **Attachments/Supporting Documentation**

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- 1. Legal Description
- 2. Depiction
- 3. Public Notice
- 4. Location map/Comp plan

### **Budget/Financial Impact**

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NA

### **Recommendation**

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City Staff recommends approval of the request as presented.



Item No. 01

**City of Lucas**  
**Planning and Zoning Agenda Request**  
**June 13, 2019**

**Motion**

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I make a motion to approve/deny the Consider the request by Lucas Country Corners for a change in zoning from R-2 to Commercial Business on a parcel of land consisting of 8.245 acres situated in the James Anderson Survey, Abstract No. 17, Collin County, Texas, and being a part of the called 1.0 acre tract of land and part of the called 10.43 acre tract of land leaving a remainder of 3.18 +/- more commonly known as the Lewis property at the intersection of East Lucas Road and West Lucas Road.

## ZONING DESCRIPTION

**BEING** a tract of land situated in the James Anderson Survey, Abstract No. 17, Collin County, Texas, and being a part of that called 1.0 acre tract of land as described in Warranty Deed to the Pharr Living Trust recorded in Volume 4267, Page 3151 in the Deed Records of Collin County, Texas (DRCCT) and, being a part of that called 10.43 acre tract of land as described in Warranty Deed to the Pharr Living Trust recorded under Clerk's File No. 20091229001542220 DRCCT, and being more particularly described as follows:

**BEGINNING** at a 5/8-inch iron rod set with plastic cap stamped 'Sparr Surveys' in the south line of F.M. Highway 3286 (variable width right-of-way), at the northeast corner of said Pharr Living Trust 10.43 acre tract, said point also being the northwest corner of that called 2.9785 acre tract of land as described in General Warranty Deed to John Joseph Lanzillo, Jr. et al recorded under Clerk's File No. 20090327000355630 DRCCT;

**THENCE** South 00 Degrees 09 Minutes 27 Seconds East, departing the south line of said F.M. Highway 3286, 435.96 feet to a 60d nail found in a corner post at the southwest corner of said Lanzillo tract and lying in the north line of Cook Country Place Addition, an addition in Collin County, Texas according to the plat thereof recorded in Volume E, Page 27 in the Map Records of Collin County, Texas;

**THENCE** North 88 Degrees 43 Minutes 08 Seconds West, along the north line of said Cook Country Place Addition, 194.67 feet to a 1/2-inch iron rod found at the northwest corner of Lot 2, Block A of said Cook Country Place Addition;

**THENCE** North 89 Degrees 36 Minutes 16 Seconds West, 319.10 feet to a one inch iron pipe found at a interior corner of Lot 1 of said Cook Country Place Addition;

**THENCE** North 89 Degrees 31 Minutes 12 Seconds West, along the westerlymost north line of said Lot 1, 247.82 feet to a 5/8-inch iron rod set with plastic cap stamped 'Sparr Surveys' at the northwest corner of said Lot 1 and lying in the east line of F.M. Highway 1378 (variable width right-of-way);

**THENCE** North 02 Degrees 01 Minutes 51 Seconds West, along the east line of said F.M. Highway 1378, 348.94 feet to a 5/8-inch iron rod set with plastic cap stamped 'Sparr Surveys';

**THENCE** South 87 Degrees 00 Minutes 30 Seconds West, continuing along the east line of said F.M. Highway 1378, 15.82 feet to a wooden TXDOT monument found, and lying in a non-tangent circular curve to the left having a radius of 348.32 feet;

**THENCE** northwesterly, continuing along the east line of said F.M. Highway 1378 and along said curve to the left, through a central angle of 14 Degrees 52 Minutes 21 Seconds, an arc distance of 90.42 feet and having a chord which bears North 09 Degrees 40 Minutes 01 Seconds West, 90.16 feet to a 5/8-inch iron rod set with plastic cap stamped 'Sparr Surveys' at the southwest corner of a called 0.54 acre tract of land as described in Warranty Deed to Abbas Esfandiari and Mohammad H. Dezfoolian recorded in Volume 5259, Page 2576 DRCCT;

**THENCE** South 82 Degrees 48 Minutes 42 Seconds East, departing the east line of said F.M. Highway 1378, along the south line of said Esfandiari and Dezfoolian tract, 215.21 feet to a 60d nail set with flasher stamped 'Sparr Surveys' in the remnants of a wood fence post at the southeast corner of said Esfandiari and Dezfoolian tract;

**THENCE** North 00 Degrees 27 Minutes 53 Seconds West, along the east line of said Esfandiari and Dezfoolian tract, 105.13 feet to a 5/8-inch iron rod set with plastic cap stamped 'Sparr Surveys' in the south line of said F.M. Highway 3286 at the northeast corner of said Esfandiari and Dezfoolian tract and lying in a non-tangent circular curve to the right having a radius of 417.45 feet;

**THENCE** easterly along the south line of said F.M. Highway 3286 the following:

Southeasterly along said curve to the right, through a central angle of 06 Degrees 55 Minutes 13 Seconds, an arc distance of 50.42 feet and having a chord which bears South 84 Degrees 57 Minutes 36 Seconds East, 50.39 feet to a concrete TXDOT monument found;

South 81 Degrees 30 Minutes 00 Seconds East, 325.17 feet to a concrete TXDOT monument found at the point of curvature of a circular curve to the left having a radius of 1492.39 feet;

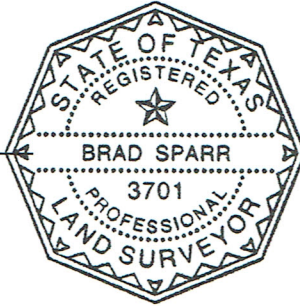
Southeasterly along said curve to the left, through a central angle of 05 Degrees 17 Minutes 05 Seconds, an arc distance of 137.65 feet and having a chord which bears South 84 Degrees 08 Minutes 32 Seconds East, 137.60 feet to a 5/8-inch iron rod set with plastic cap stamped 'Sparr Surveys';

South 68 Degrees 25 Minutes 11 Seconds East, 55.72 feet to a wooden TXDOT monument found;

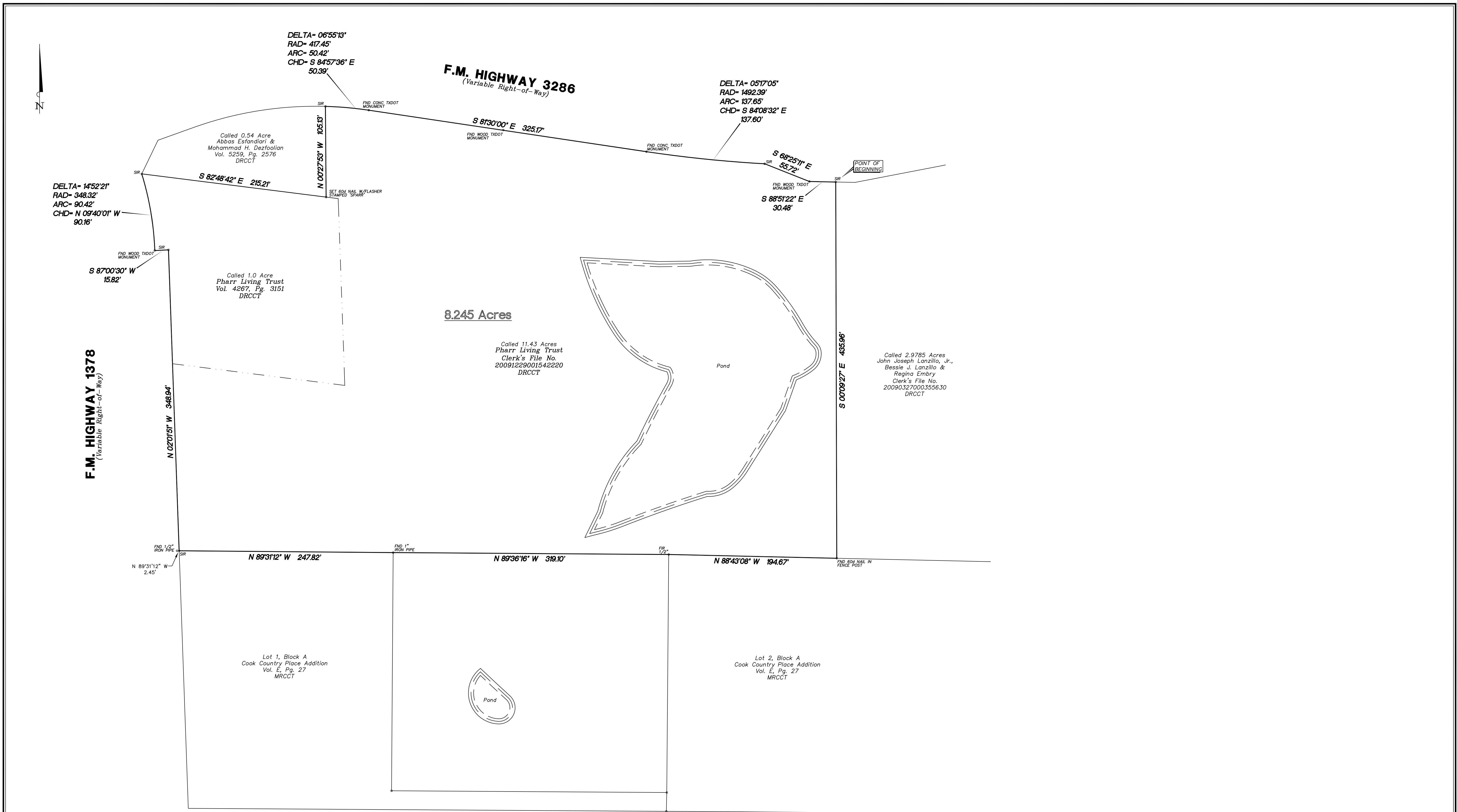
South 88 Degrees 51 Minutes 22 Seconds East, 30.48 feet to the **POINT of BEGINNING** and containing 8.245 acres of land.



Brad Sparr  
Registered Professional  
Land Surveyor No. 3701



*This description was prepared for zoning purposes and should not be used for conveyance purposes.*



**NOTES:**

1) BEARINGS SHOWN HEREON ARE REFERENCED TO GRID NORTH ON TEXAS STATE PLANE COORDINATES, NORTH CENTRAL ZONE, NAD 83, AS DERIVED FROM THE ALLTERRA CONTINUALLY OPERATING REFERENCE STATIONS VIA REAL TIME KINEMATIC METHODS.

2) FIR DENOTES A FOUND IRON ROD.

3) SIR DENOTES A 5/8" IRON ROD SET WITH PLASTIC CAP STAMPED 'SPARR SURVEYS'.

DRAWN BY: B.D.S./CAD  
 CHECKED BY: B.D.S.  
 SCALE: 1" = 50'  
 DATE: 05-2-2019  
 JOB NO. 17781

ZONING EXHIBIT  
**8.245 ACRE TRACT**  
 JAMES ANDERSON SURVEY  
 ABSTRACT No. 17  
 CITY OF LUCAS  
 COLLIN COUNTY, TEXAS

**Sparr Surveys**  
 2553 C.R. 722  
 McKinney, Texas 75069  
 (214) 544-2297

TBPLS FIRM No. 10059300



## NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN, that the Planning & Zoning Commission of the City of Lucas, Texas (the "City"), will conduct a Public Hearing on Thursday, June 13, 2019 at 7:00 p.m. and City Council will conduct a second Public Hearing on Thursday, June 20, 2019 at 7:00 p.m. at Lucas City Hall, 665 Country Club, Lucas, Texas to consider a request for a change in zoning from R-2 to C on a parcel of land consisting of 8.245 acres of land from a tract of land situated in the James Anderson Survey, Abstract No. 17, Collin County, Texas, and being a part of that called 1.0 acre tract of land and being a part of that called 10.43 acre tract of land leaving a remainder of 3.18 +/- tract of land R-2 more commonly known as the Lewis property at the intersection of east Lucas Road and west Lucas Road described as follows:

**BEING** a tract of land situated in the James Anderson Survey, Abstract No. 17, Collin County, Texas, and being a part of that called 1.0 acre tract of land as described in Warranty Deed to the Pharr Living Trust recorded in Volume 4267, Page 3151 in the Deed Records of Collin County, Texas (DRCCT) and, being a part of that called 10.43 acre tract of land as described in Warranty Deed to the Pharr Living Trust recorded under Clerk's File No. 20091229001542220 DRCCT, and being more particularly described as follows:

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**THENCE** North 89 Degrees 36 Minutes 16 Seconds West, 319.10 feet to a one inch iron pipe found at a interior corner of Lot 1 of said Cook Country Place Addition;



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**THENCE** northwesterly, continuing along the east line of said F.M. Highway 1378 and along said curve to the left, through a central angle of 14 Degrees 52 Minutes 21 Seconds, an arc distance of 90.42 feet and having a chord which bears North 09 Degrees 40 Minutes 01 Seconds West, 90.16 feet to a 5/8-inch iron rod set with plastic cap stamped 'Sparr Surveys' at the southwest corner of a called 0.54 acre tract of land as described in Warranty Deed to Abbas Esfandiari and Mohammad H. Dezfoolian recorded in Volume 5259, Page 2576 DRCCT;

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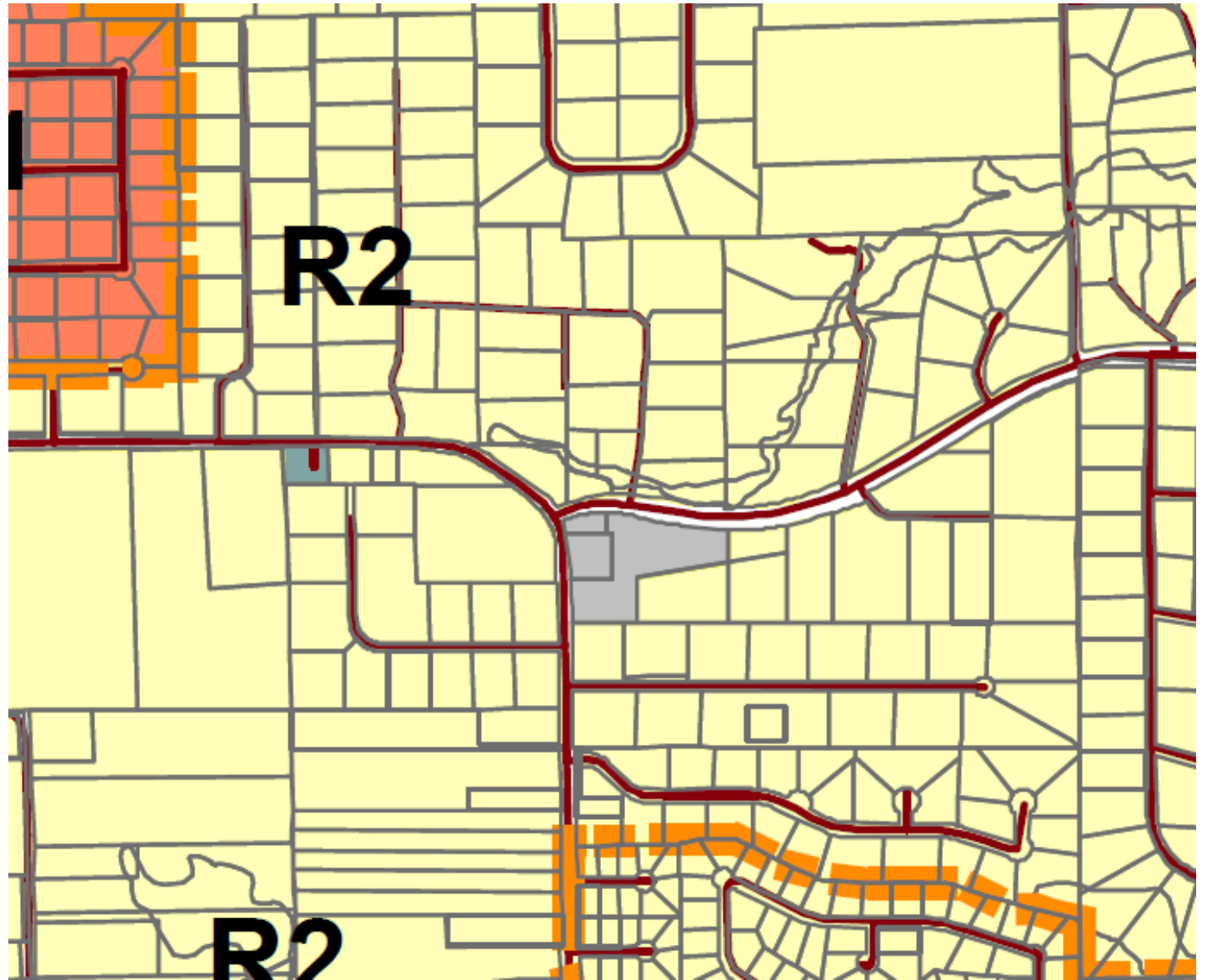
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South 68 Degrees 25 Minutes 11 Seconds East, 55.72 feet to a wooden TXDOT monument found;

South 88 Degrees 51 Minutes 22 Seconds East, 30.48 feet to the POINT of BEGINNING and containing 8.245 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 [shenderson@lucastexas.us](mailto:shenderson@lucastexas.us) and it will be presented at the hearing. If you have any question about the request, contact Joe Hilbourn at [jhilbourn@lucastexas.us](mailto:jhilbourn@lucastexas.us).

# Comp plan and Location Map





# City of Lucas

## Planning and Zoning Agenda Request

### June 13, 2019

Requester: City Secretary Stacy Henderson

#### **Agenda Item Request**

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Consider approval of the minutes of the May 9, 2019 Planning and Zoning Commission meeting.

#### **Background Information**

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NA

#### **Attachments/Supporting Documentation**

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1. May 9, 2019 Planning and Zoning Commission minutes

#### **Budget/Financial Impact**

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NA

#### **Recommendation**

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NA

#### **Motion**

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I make a motion to approve the minutes of the May 9, 2019 Planning and Zoning Commission meeting.



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**

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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**

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- 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**

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### **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.

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Chairman Rusterholtz, Chairman

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Stacy Henderson, City Secretary