



**City of Lucas**  
**Planning and Zoning Commission**  
**May 14, 2020**  
**7:00 PM**  
**City Hall – Council Chambers**  
**665 Country Club Road – Lucas, Texas**

On March 16, 2020 Governor Abbott has suspended some provisions of the Open Meetings Act in response to the COVID-19 emergency. Lucas Planning and Zoning Commission meetings will not be open to on-site visitors. In the interim, Planning and Zoning meetings will be available through Ring Central Webinar from your computer or smartphone. **To join the meeting, go to**

you will be asked for your name and email address to join the meeting. By clicking on the link to join the meeting, the Ring Central software application will be downloaded to your computer.

If the public desires to speak during a specific agenda item, **they must email shenderson@lucastexas.us by 4:30 pm on the day of the meeting.** The email must contain the person's name, address, phone number, and the agenda item(s) for which comments will be made.

*Notice is hereby given that a City of Lucas Planning and Zoning Commission meeting will be held on Thursday, April 9, 2020 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

### **Regular Agenda**

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## **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.*

9. Executive Session: An Executive Session is not scheduled for this meeting.
10. 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 6:00 p.m. on April 3, 2020.*

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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.*



# City of Lucas

## Planning and Zoning Commission Request

### May 14, 2020

Item No. 01

Requester: City Secretary Stacy Henderson

#### **Agenda Item Request**

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Consider approval of the minutes of the April 9, 2020 Planning and Zoning Commission meeting.

#### **Background Information**

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NA

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

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1. April 9, 2020 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 April 9, 2020 Planning and Zoning Commission meeting.



City of Lucas  
**Planning and Zoning Commission**  
Video Conference Regular Meeting  
April 9, 2020  
7:00 PM  
City Hall – 665 Country Club Road – Lucas, Texas  
**MINUTES**

## **Call to Order**

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Chairman Keer called the video conference 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.

### **Commissioners Present:**

Vice Chairman David Keer  
Commissioner Peggy Rusterholtz  
Commissioner Andre Guillemaud  
Commissioner Joe Williams  
Commissioner Tim Johnson  
Alternate Commissioner Tommy Tolson

### **Staff Present:**

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

### **City Council Liaison:**

Mayor Jim Olk

### **Commissioner Absent:**

Alternate Commissioner Adam Sussman

## **Public Hearing Agenda**

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- 1. Public hearing to consider the request for a specific use permit submitted by the property owner Bill Shipley on behalf of Home Run Alley for indoor batting cages and an outdoor baseball infield for practice facilities on a 3.08 acre tract of land in the William Snider Survey, Abstract Number 821, situated in the City of Lucas, Collin County, Texas.**

Development Services Director Joe Hilbourn gave a presentation explaining that the specific use permit request proposed a 15,950 square foot indoor batting cage with an area for outdoor batting cages, and an outdoor infield for practice. The outdoor practice field does require a specific use permit and the property is zoned Commercial Business. Staff recommended approval of the specific use permit with a correction to the site plan requiring a 40-inch wainscot of stone around the perimeter of the building.

Matt Moore with Clay Moore Engineering representing the applicant stated he was available to answer any questions.

Chairman Keer opened the public hearing at 7:06 pm, there being no one requesting to speak via the video conference links or registering to speak before the meeting, the public hearing was closed.

Commissioner Rusterholtz asked the hours of operation and the age range of the clientele.

Mr. Moore stated that the average age range is from persons 10 to 18 years of age that would host a combination of private lessons as well as group lessons. Mr. Moore stated the hours of operation would be longer in the summertime, but during the spring and fall it would be from late afternoon to 9 pm.

Commissioner Guillemaud asked if there would be outdoor lighting and fencing proposed.

Mr. Moore stated that no stadium lights were planned for the outdoor field and it was not a full field where games would be held, it was for infield practice only; therefore, no fencing was proposed.

The Commission discussed the need for fencing, such as chain link, and if a backstop was needed around the home plate area. The height of the fencing was also discussed along with the typical height of backstops.

Mr. Moore stated that the field was for defensive drills only, no hitting practice would take place and a backstop was not being proposed.

Commissioner Rusterholtz discussed her concern regarding the noise that would be generated from outdoor batting cages.

Mr. Moore explained that netting would be placed inside the batting cages to assist in absorbing the noise before the ball before it would hit a chain link fence.

Commissioner Guillemaud expressed his concern with the lack of fencing around the perimeter of the property, and that a condition to the specific use permit was needed that no batting practice would take place on the field to protect the nearby residential area and surrounding businesses.

The Commission discussed the need to ensure that no batting practice took place on the infield area, and no pitching machines would be used on the infield area. Mr. Hilbourn also discussed that hours of operation should be included with the specific use permit that included from 6 am to 10 pm.

Mr. Hilbourn summarized the conditions the Commission would like to see in place with the specific use permit request:

- Infield area to be used for defensive practice only, no live batters on the infield
- Chain link fence, six feet in height, to be placed on the north, south and west sides of the property with limited access gates
- No infield lighting allowed without amending the specific use permit
- Hours of operation from 6 am to 10 pm

**MOTION:** A motion was made by Chairman Keer, seconded by Vice Chairman Johnson to recommend approval of the specific use permit by Home Run Alley for indoor batting cages and an outdoor baseball infield for practice facilities on a 3.08 acre tract of land in the William Snider Survey, Abstract Number 821, situated in the City of Lucas, Collin County, Texas with the following conditions:

- Infield area to be used for defensive practice only, no live batters on the infield
- Chain link fence, six feet in height, to be placed on the north, south and west sides of the property with limited access gates
- No infield lighting allowed without amending the specific use permit
- Hours of operation from 6 am to 10 pm

The motion passed by a 4 to 1 vote with Commissioner Rusterholtz voting in opposition.

**2. Public hearing to consider the request for a specific use permit submitted by the property owner Walmart Real Estate on behalf of Ladera Properties for a 11,838 square foot tenant building to include a drive through window and outdoor dining area on a 1.426 acre tract of land in the William Snider Survey, Abstract Number 821, situated in the City of Lucas, Collin County, Texas, otherwise known as 2650 West Lucas Road, Lot 4, Block A of the Walmart Addition.**

Development Services Director Joe Hilbourn gave a presentation noting that the specific use permit request included a 11,838 square foot brick and stucco tenant building that would include a drive through window and outdoor dining area. The lot was 1.426 acres and zoned Commercial Business.

Mr. Don Sopranzi with DFW Architects, representing the applicant stated that he did have a tenant for the west end portion of the building and was working with Walmart to finalize details. Mr. Sopranzi stated that he was available to answer any questions.

Chairman Keer opened the public hearing at 7:49 pm, there being no one requesting to speak via the video conference links or registering to speak before the meeting, the public hearing was closed.

Commissioner Rusterholtz asked where the outdoor seating was proposed at the west end of the building. Mr. Hilbourn responded that seating was proposed in front of the building on the sidewalk area. The sidewalk area was approximately 18-20 feet wide.

Mr. Sopranzi stated that there would be limited seating on the sidewalk area and would leave approximately 13 feet of walkway on the sidewalk remaining.

Commissioner Rusterholtz recommended that the dining area should not encroach into the required minimum five-foot walkway area.

**MOTION:** A motion was made by Vice Chairman Johnson, seconded by Commissioner Rusterholtz to recommend approval of the specific use permit on behalf of Ladera Properties for a 11,838 square foot tenant building to include a drive through window and outdoor dining area on a 1.426 acre tract of land in the William Snider Survey, Abstract Number 821 located at 2650 West Lucas Road with the condition

that the dining area on the west end of the building does not encroach into the required five-foot sidewalk area. The motion passed unanimously by a 5 to 0 vote.

## Regular Agenda

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**3. Consider approval of the minutes of the March 12, 2020 Planning and Zoning Commission meeting.**

**MOTION:** A motion was made by Commissioner Guillemaud, seconded by Commissioner Williams to approve the minutes of the March 12, 2020 Planning and Zoning Commission meeting as presented. The motion passed unanimously by a 5 to 0 vote.

**4. Consider an application for a preliminary plat submitted by the property owner Bill Shipley on behalf of Home Run Alley for use as indoor batting cages and an outdoor baseball infield for practice facilities on a 3.08 acre tract of land in the William Snider Survey, Abstract Number 821, situated in the City of Lucas, Collin County, Texas.**

Development Services Director Joe Hilbourn gave a presentation regarding the preliminary plat explaining that the site was 3.08 acres and zoned for Commercial Business. The lot had no road frontage, and none was required as the property was accessed by cross access through a fire lane between Lucas Plaza Phase 1 and Phase 2. The lot exceeds the minimum size lot in the district of 30,000 square feet, and the plat provides easements for drainage, utilities and stormwater detention. Mr. Hilbourn stated that the plat meets the City's requirements for a preliminary plat and staff recommends approval as presented.

Commissioner Tolson asked if the stormwater management plan was adequate to move forward. Mr. Hilbourn stated that the City Engineer has asked for some modifications to the stormwater management plan, but overall, the plan was adequate and would be approved before the final plat was submitted. Mr. Hilbourn stated that the applicant has gone above and beyond what is required to meet the City's drainage requirements.

**MOTION:** A motion was made by Chairman Keer, seconded by Commissioner Guillemaud to recommend approval of the preliminary plat for Home Run Alley for use as indoor batting cages and an outdoor baseball infield for practice facilities on a 3.08 acre tract of land in the William Snider Survey, Abstract Number 821, situated in the City of Lucas, Collin County, Texas. The motion passed by a 4 to 1 vote with Commissioner Rusterholtz voting in opposition.

**5. Consider an application for a site plan, landscape plan, and elevations submitted by the property owner Bill Shipley on behalf of Home Run Alley for use as indoor batting cages and an outdoor baseball infield for practice facilities on a 3.08 acre tract of land in the William Snider Survey, Abstract Number 821, situated in the City of Lucas, Collin County, Texas.**

Development Services Director Joe Hilbourn gave a presentation on the site plan elements noting that the site proposed adequate stormwater runoff detention, minimal impervious cover and complies with the City's site plan requirements, including lighting. The total site requires 15 percent landscape or 20,139 square feet of landscape, 100,431 square feet of landscape was proposed.

There is 8,365 square feet of parking lot coverage, the parking lot requires five percent interior landscape or 576 square feet, and 627 square feet is provided or 7.5 percent. The perimeter parking lot requirements included one tree and eight shrubs for every 20 lineal feet of perimeter edge, and 150 lineal feet of parking lot perimeter requires eight shade trees and 64 shrubs. Staff recommends approving the site plan, landscape plan, and architectural plans as submitted.

Vice Chairman Johnson asked if a monument sign was proposed. Mr. Hilbourn stated that the only signage proposed was on the building.

**MOTION:** A motion was made by Vice Chairman Johnson, seconded by Commissioner Guillemaud to recommend approval of the site plan, landscape plan, and elevations for Home Run Alley for indoor batting cages and an outdoor baseball infield for practice facilities on a 3.08 acre tract of land in the William Snider Survey, Abstract Number 821, situated in the City of Lucas, Collin County, Texas. The motion passed by a 4 to 1 vote with Commissioner Rusterholtz voting in opposition.

6. **Consider an application for a site plan, landscape plan, and elevations submitted by property owner Walmart Real Estate on behalf of Ladera Properties consisting of an 11,838 square foot tenant occupied restaurant, which will include a drive-through window and an outdoor dining space on a 1.426 acre tract of land in the William Snider Survey, Abstract Number 821, situated in the City of Lucas, Collin County, Texas, otherwise known as 2650 West Lucas Road, Lot 4, Block A of the Walmart Addition.**

Mr. Hilbourn asked that this item be tabled as the plans were not yet ready to be considered.

**MOTION:** A motion was made by Chairman Keer, seconded by Commissioner Williams to table this request to a later meeting. The motion passed unanimously by a 5 to 0 vote.

7. **Consider changes to Section 6.02.002 Prohibited Acts, and Section 6.02.003, Abatement, making it a violation of the City of Lucas Code of Ordinances to obstruct or fail to maintain drainage on properties in the City.**

Development Services Director Joe Hilbourn gave a presentation discussing the review that had taken place thus far with the Commission regarding drainage in the City and updating the City's stormwater runoff requirements. Mr. Hilbourn noted that an area of concern discussed was homeowner maintenance of drainage on private property. Mr. Hilbourn stated that Staff has brought the following changes outlined below for consideration to be added to the Code of Ordinances:

*Section 6.02.002 Prohibited Acts:*

- (d) It shall be unlawful for any person owning, claiming, occupying or having supervision or control of any real property in the city, including any adjacent and contiguous rights-of-way or easements, to permit or allow a ditch, water course, culvert, or other earthen structure, to obstruct, contribute to obstructions, through either direct action or failure to maintain and prevent flooding, or the accumulation or ponding of standing, stagnant, or non-maintained water thereon.

*Section 6.02.003 Abatement:*

- (b) Draining, filling or re-grading any lots, cleaning/repairing/replacing driveway culverts, ground, or yards which have standing or stagnant water thereon

Commissioner Rusterholtz recommended the following additional changes to be considered:

Section 6.02.002 (a) – remove the redundant language stating “including any contiguous right of way or easements. Mr. Hilbourn stated that he would check with the City Attorney as to whether that language was needed in both locations because it may be referring to two separate violations.

Commissioner Rusterholtz asked why Section 6.02.002 (c) “except for approved retention areas and reservoirs, was being exempted.

Mr. Hilbourn stated that because detention ponds are designed to restrict the flow of water it could not be considered a violation. Mr. Hilbourn stated that the Subdivision Ordinance handles the requirements associated with stagnation of detention ponds.

The Commission discussed right of way and easement maintenance, definition of obstruction in an easement, and requirements for maintenance.

The Commission was in agreement to move forward with the items presented in (a) and (b) above and include those as a recommendation to the City Council.

**8. Discuss and provide direction to staff regarding the creation of regulations on private and public property for illicit discharge into the City’s stormwater drainage system.**

Development Services Director Joe Hilbourn gave a presentation outlining proposed regulations for illicit discharge containing substances that may not be introduced into the City’s Municipal Separate Storm Sewer System (MS4) that included:

- a. No person shall introduce or cause to be introduced into the MS4 any discharge that causes or contributes to causing the City to violate a water quality standard, the City's Texas Pollutant Discharge Elimination System (TPDES) permit, or any state-issued discharge permit for discharges from its MS4.
- b. No person shall dump, drain, spill, leak, pump, pour, emit, empty, discharge, leach, dispose, throw, place or otherwise introduce or cause, allow, or permit to be introduced any of the following substances in or on any public street, alley, storm sewer, drainage structure, drainage channel, stream, river, pond or any other public property.

Commissioner Rusterholtz stated that currently there was not a definition for MS4 in the Code of Ordinances and suggested a definition be added for clarification and read the following definition for consideration:

“Definition for the City’s Municipal Separate Storm Sewer System (MS4): A conveyance or system of conveyances including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels or storm drains and similar means of collecting or conveying water runoff.”

The Commission was in agreement with the proposed illicit discharge regulations outlined above and asked that the definition for MS4 also be included with the additional requirements.

**9. Executive Session.**

An Executive Session was not held at this meeting.

**10. Adjournment.**

**MOTION:** A motion was made by Commissioner Williams, seconded by Commissioner Guillemaud to adjourn the meeting at 8:44pm. The motion passed unanimously by a 5 to 0 vote.

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David Keer, Chairman

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Stacy Henderson, City Secretary



# City of Lucas

## Planning and Zoning Commission Request

### May 14, 2020

Item No. 02

Requester: Development Services Director Joe Hilbourn

### **Agenda Item Request**

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Consider an application for a site plan, landscape plan, and elevations submitted by property owner Walmart Real Estate on behalf of Ladera Properties consisting of an 11,838 square foot tenant occupied restaurant, to include a drive-through window and an outdoor dining space on a 1.426 acre tract of land in the William Snider Survey, Abstract Number 821, situated in the City of Lucas, Collin County, Texas, otherwise known as 2650 West Lucas Road, Lot 4, Block A of the Walmart Addition.

### **Background Information**

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Ladera Properties is requesting approval for use of the site as an 11,838 square foot tenant occupied restaurant building that will include a drive-through window and an outdoor dining space that requires a specific use permit. The lot is 1.426 acres and zoned for Commercial Business.

#### **Site data:**

- Total site area: 62,290 square feet (1.43 acres)
- Impervious cover: 65% maximum allowed = 40,489 square feet
- Landscape area: 16,501 square feet
- Permeable paver area: 7,614 square feet
- Minimum pervious cover required: 35% or 21,801 square feet
  - Total pervious cover provided: 24,115
- Landscape area: 15% or 9,344 square feet minimum allowed
  - Landscape area provided: 19.5% or 12,182 square feet
- Interior parking lot area: 30,066 square feet
- Required Interior parking lot landscaping area: 5% minimum allowed or 1,503 square feet
  - Interior Parking lot landscaping area provided: 1,507.6 square feet

#### **Parking data:**

- Retail: 5,141 square feet at a ratio of 1:200 = 26 spaces required
- Dental office: 2,364 square feet at a ratio of 1:300 = 8 spaces required
- Restaurant: 3,810 square feet, plus 1,905 square feet dining area
  - 1,905 square feet dining area at a ratio of 15 square feet per occupant = 127 occupants
  - 127 occupants at a ratio of 1:3 = 43 spaces required
- Total parking required: 77 spaces
  - Total parking provided: 82 spaces



# City of Lucas

## Planning and Zoning Commission Request

### May 14, 2020

Item No. 02

#### **Building data:**

- Leasable area: 11,315 square feet
- Riser room: 68 square feet
- Total building area: 11,383 square feet

#### **Landscape data:**

Gross landscape Area: Minimum 15 percent of lot area to be landscaped – total lot area 62,106 feet.

- Required 9,316 square feet
  - provided 17,769 square feet

Parking lot interior landscaping: 1 tree required per 10 parking spaces - 92 spaces.

- Required 10 trees
  - provided 5 trees

Interior planting area for 29,008 square feet lot

- Required 5 percent, 1451 square feet
  - provided 5.7 percent, 1644 square feet

Parking lot perimeter landscaping: 1 tree and 8 shrubs required for every 20' linear feet – 325' linear feet

- Required 17 trees
  - provided 17 trees
- Required 130 shrubs
  - provided 130 shrubs

Landscape edge – West Lucas Road: 1 tree and 8 shrubs required for every 20' linear feet – 240' linear feet

- Required 12 trees, provided 12 trees
  - Required 96 shrubs, provided 96 shrubs

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

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1. Elevations
2. Landscape and Irrigation Plan
3. Material Board
4. Photometric Plan
5. Rendering 1, 2 & 3
6. Site Data



**City of Lucas**  
**Planning and Zoning Commission Request**  
**May 14, 2020**

Item No. 02

**Budget/Financial Impact**

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NA

**Recommendation**

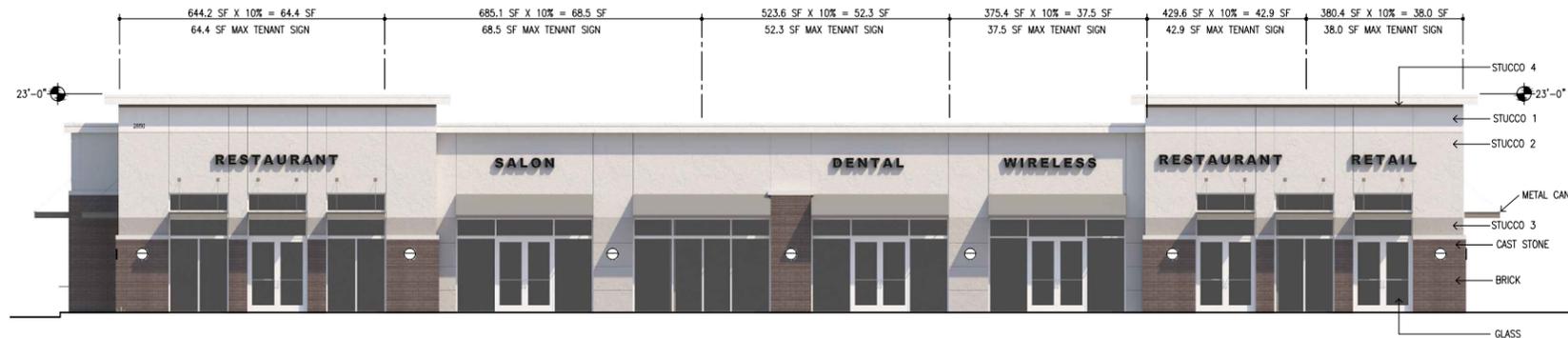
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Staff recommends approving the specific use permit as presented

**Motion**

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I hereby make a motion to approve/deny the site plan, landscape plan, and elevations submitted by property owner Walmart Real Estate on behalf of Ladera Properties consisting of an 11,838 square foot tenant occupied restaurant, which will include a drive-through window and an outdoor dining space on a 1.426 acre tract of land in the William Snider Survey, Abstract Number 821, at 2650 West Lucas Road.



LIST OF MATERIALS:

STUCCO	1,550.3 SF	(50.8%)
BRICK	267.5 SF	(8.7%)
GLASS	1,038.6 SF	(34.2%)
METAL	74.4 SF	(2.6%)
FABRIC	116.4 SF	(3.8%)
		100%

**SOUTH ELEVATION (FRONT)** TOTAL SURFACE AREA = 3,047.2 SF



LIST OF MATERIALS:

STUCCO	1,306.3 SF	(73.1%)
BRICK	322.0 SF	(18.0%)
GLASS	122.8 SF	(6.8%)
METAL	38.0 SF	(2.1%)
FABRIC	0.0 SF	(0.0%)
		100%

**WEST ELEVATION** TOTAL SURFACE AREA = 1,789.1 SF

**FACADE NOTES:**

THESE FACADE PLANS ARE FOR CONCEPTUAL PURPOSES ONLY. ALL BUILDING PLANS REQUIRE REVIEW AND APPROVAL OF THE BUILDING INSPECTION DEPARTMENT.

ALL MECHANICAL UNITS SHALL BE SCREENED FROM PUBLIC VIEW.

WHEN PERMITTED, EXPOSED UTILITY BOXES AND CONDUITS SHALL BE PAINTED TO MATCH THE BUILDING.

ALL SIGNAGE AREAS AND LOCATIONS ARE SUBJECT TO APPROVAL BY THE BUILDING INSPECTION DEPARTMENT

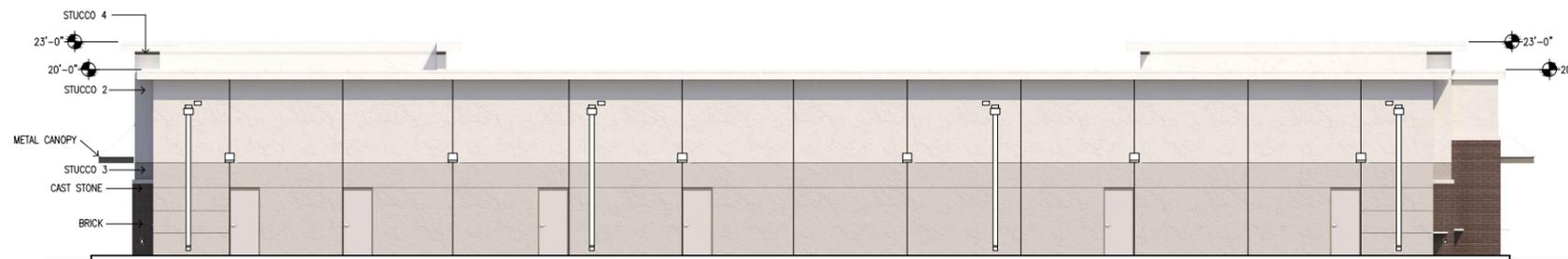
ROOF ACCESS SHALL BE PROVIDED INTERNALLY, UNLESS OTHERWISE PERMITTED BY THE BUILDING OFFICIAL.



LIST OF MATERIALS:

STUCCO	1,349.1 SF	(75.4%)
BRICK	251.3 SF	(14.0%)
GLASS	151.8 SF	(8.5%)
METAL	36.9 SF	(2.1%)
FABRIC	0.0 SF	(0.0%)
		100%

**EAST ELEVATION** TOTAL SURFACE AREA = 1,789.1 SF



LIST OF MATERIALS:

STUCCO	2,614.3 SF	(91.3%)
BRICK	29.2 SF	(1.0%)
GLASS	0.0 SF	(0.0%)
METAL	220.9 SF	(7.7%)
FABRIC	0.0 SF	(0.0%)
		100%

**NORTH ELEVATION** TOTAL SURFACE AREA = 2,864.4 SF

**LUCAS, TEXAS**  
**DEVELOPER**

**LUCAS MULTI-TENANT BUILDING**  
**JCD HOLDINGS LLC**

**DONALD F.**  
**SOPRANZI**  
**AIA, LEED-AP**  
**ARCHITECT**









LUCAS MULTI-TENANT BUILDING - MATERIAL SELECTIONS

DONALD F.  
SOPRANZI  
AIA, LEED-AP  
ARCHITECT

LUCAS MULTI-TENANT BUILDING  
JCD HOLDINGS LLC

LUCAS, TEXAS  
DEVELOPER



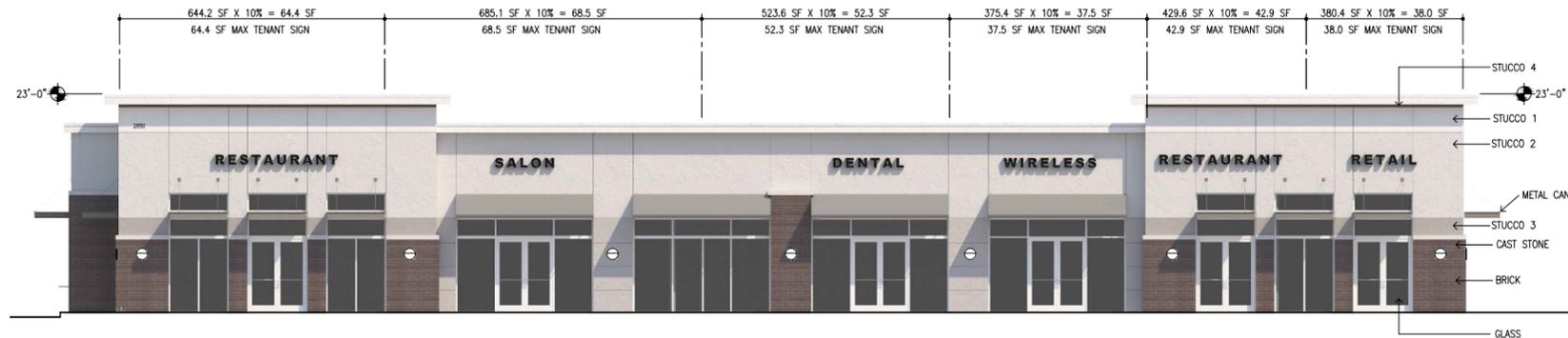


# LUCAS MULTI-TENANT BUILDING

DONALD F.  
SOPRANZI  
AIA, LEED-AP  
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LUCAS MULTI-TENANT BUILDING  
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**SOUTH ELEVATION (FRONT)** TOTAL SURFACE AREA = 3,047.2 SF



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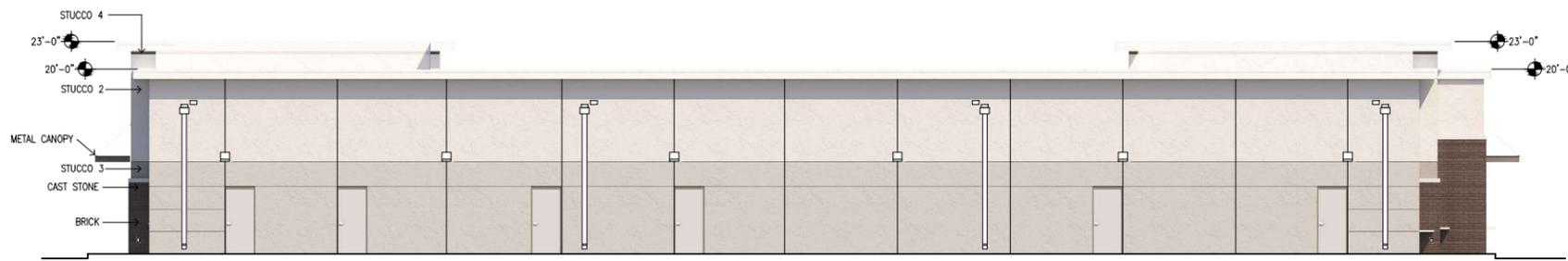
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**NORTH ELEVATION** TOTAL SURFACE AREA = 2,864.4 SF

**LUCAS, TEXAS**  
**DEVELOPER**

**LUCAS MULTI-TENANT BUILDING**  
**JCD HOLDINGS LLC**

**DONALD F. SOPRANZI**  
**AIA, LEED-AP ARCHITECT**





# City of Lucas

## Planning and Zoning Commission Request

### May 14, 2020

Item No. 03

Requester: Development Services Director Joe Hilbourn

#### **Agenda Item Request**

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Discuss and provide direction to staff regarding amending the City's Code of Ordinances, Chapter 14 Zoning, Article 14.04 Supplementary Regulations, Division 8. Accessory Buildings, Structures and Uses, Section 14.04.302 Accessory structures, buildings and uses permitted and Section 14.04.304 General accessory buildings and structures regulations.

#### **Background Information**

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Due to changes in State law, the City can no longer prohibit building materials that are permitted by the State adopted building code. The question is do we want accessory buildings made from metal in front yards? Storage pods in front yards? Below is the current adopted code with the recommended changes highlighted in yellow.

#### **Section 14.04.302 Accessory structures, buildings and uses permitted**

- (a) Accessory structures or buildings may be erected, maintained, and used for purposes which are clearly accessory to the principal or main structure, building or use permitted on the premises. Except in the agriculture district accessory buildings shall be built after the main building or structure. (Ordinance 2016-10-00845 adopted 10/20/16)
- (b) Accessory structures, buildings and uses shall be so constructed, maintained and utilized so that the use of the building or equipment located does not produce excessive noise, vibration, concussion, dust, dirt, smoke, odors, noxious gases, heat, traffic, glare from artificial illumination or from reflection of natural light and shall be on the premises of the principal or main use, structure, or building except as may be specifically provided herein.
- (c) For any accessory structure, a special exception may be required when the total square footage of the main building and any accessory buildings exceeds 50,000 square feet. Special exceptions may be granted by the city council when such property owner can show the following:
  - (1) Does not contain or support a use inconsistent with the zoning district regulation applicable to the property.
  - (2) Use of structure does not cause traffic congestion.
  - (3) Does not support use by any person other than owner or occupant of the main structure; and



Planning and Zoning Commission Request

May 14, 2020

- (4) That size and mass of the structure is consistent with the surrounding uses.
- (d) Except as provided herein, no trailers, containers, commercial boxes or other similar structures shall be used as accessory structures or buildings. Exceptions to this subsection (d) are as follows:
  - (1) Agriculture uses with five (5) acres or more may use trailers, containers, or commercial boxes for permanent storage **located behind the main structure and obscured from public view**; or
  - (2) Industrial and commercial users may use trailers, containers, or commercial boxes for temporary storage **located behind the main structure obscured from public view** for a period not to exceed ninety (90) days total in any one calendar year. The director of community development may extend the allowable time in thirty (30) day increments up to a maximum of 180 days, provided the property owner provides just cause for the extension.

**Section 14.04.304 General accessory buildings and structures regulations**

In all residential districts, accessory structures shall comply with the following standards except as may be otherwise specifically provided for in this code:

- (1) Types of accessory buildings and structures.
  - (A) Attached accessory building and structures. Accessory buildings and structures that are physically attached to a main building or located less than ten feet (10') from the main building shall be considered attached accessory buildings and shall meet the requirements set forth for attached accessory buildings. These may include but are not limited to garages, carports, guest/servants quarters, patio covers, outdoor kitchens or living areas, decks that exceed 30" in height, deck covers, shops, tool houses, pool houses, and other incidental accessory structures.
  - (B) Detached accessory buildings and structures. Accessory buildings and structures which are physically located ten feet (10') or more from a main building and a minimum of ten feet (10') behind the required front setback line may be considered detached accessory buildings and shall be required to meet the requirements set forth for detached accessory buildings. These may include but are not limited to garages, carports, guest/servants quarters, patio covers, outdoor kitchens or living areas, decks that exceed 30" in height, deck covers, shops, tool houses, pool houses, and other incidental accessory structures.



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- (2) Design.
  - (A) Attached accessory buildings and structures shall be designed to be architecturally compatible with the main building and constructed of similar materials as the main building.
  - (B) Detached accessory buildings shall be constructed of materials designed for construction and have a minimum life expectancy of at least twenty (20) years.
- (3) Setbacks.
  - (A) Accessory buildings.
    - (i) Front yard setback, a minimum of ten feet behind the rear build line of the main structure unless the building **is attached and** is designed to be architecturally compatible with the main building and constructed of similar materials as the main building. Then a fifty-foot front yard setback is required.

**Attachments/Supporting Documentation**

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NA

**Budget/Financial Impact**

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NA

**Recommendation**

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Staff recommends approving the proposed code changes.

**Motion**

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No motion required, provide direction to staff.



# City of Lucas

## Planning and Zoning Commission Request

### May 14, 2020

Item No. 04

Requester: Development Services Director Joe Hilbourn

### **Agenda Item Request**

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Discuss and provide direction to staff regarding amending the City's Code of Ordinances, Chapter 14 Zoning, Article 14.04 Supplementary Regulations, Division 2 Off-street parking and loading, Section 14.04.038 Driveways, and Chapter 10 of the Stormwater Design Manual.

### **Background Information**

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A resident and Planning and Zoning Commissioner Tommy Tolson has brought forward a concern about the City's requirements for culverts outlined below:

Chapter J Culvert Design:

*Change the last sentence of the second paragraph to read:*

*"Under private driveways, the culvert pipe material shall be concrete or minimum 16 gauge galvanized or polymer-coated steel for culverts backfilled with reinforced concrete. For private culverts backfilled with soil, the culvert pipe shall be concrete. Under public roads all culvert pipe material shall be concrete."*

*Correct the language in the second sentence of the second paragraph that currently reads "Consideration shall be given to the discharge velocity from culverts, and the limitations specified culverts shall not be less than 18".*

Culverts are addressed in Chapter 10 by referencing the Stormwater Design Manual and in Chapter 14. Below is an excerpt from the Stormwater Design Manual and the current adopted code from Chapter 14.

### **Storm Water Design Manual ~ Chapter 10**

#### **J. Culvert Design**

At locations of stream or open channel crossings with proposed roadway improvements, it is sometimes necessary to receive and transport storm water under the roadway in culverts. The quantity of flow shall be determined by the appropriate method, and the friction loss through of the culvert shall be calculated by Manning's Formula.



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Design of culverts shall include the determination of upstream backwater conditions as well as downstream velocities and flooding conditions. Consideration shall be given to the discharge velocity from culverts, and the limitations specified culverts shall not be less than 18". A headwall is required at exposed ends. Under private drives concrete or steel culverts, under public road concrete culverts are required.

#### **Chapter 14 Zoning, Article 14.04 Supplementary Regulations, Division 2. Off-street parking and loading:**

##### **Section 14.04.038 Driveways**

- (a) The driveway entry radius must not overlap the common property lines as projected to the street.
- (b) Driveway culverts must be sized for each specific application. For new development, culvert size and material will be specified on the final plat drawings for each lot. For all other applications, the culvert size will be specified by the city at the time of the building permit or at the time a drive entry is required by the property owner. Culvert material must be either of reinforced concrete or galvanized corrugated metal.

Culvert Material	Minimum Inside Diameter	Minimum Extension*	Concrete Header Required
Reinforced concrete	18"	36"	No
Galvanized/corrugated metal	18"	N/A	Yes

\* Minimum extension beyond the edge of the driveway. If a header is used, no extension is required.

Corrugated metal culverts may be used only in conjunction with concrete headers.

#### **Staff recommends the following changes highlighted in yellow for the design manual referenced in Chapter 10:**

At locations of stream or open channel crossings with proposed roadway improvements, it is sometimes necessary to receive and transport storm water under the roadway in culverts. The quantity of flow shall be determined by the appropriate method, and the friction loss through the culvert shall be calculated by Manning's Formula.



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Design of culverts shall include the determination of upstream backwater conditions as well as downstream velocities and flooding conditions. Consideration shall be given to the discharge velocity from culverts, **the specified design of culverts** shall not be less than 18". A headwall is required at exposed ends. Under private drives concrete or steel culverts are required, under public roads concrete culverts are required. **The design shall include bedding of B+ or better from the NTCOG design manual for all culvert installations.**

**Staff recommends the following changes for Driveway culverts from Chapter 14 highlighted in yellow:**

#### Section 14.04.038 Driveways

- (a) The driveway entry radius must not overlap the common property lines as projected to the street.
- (b) Driveway culverts must be sized for each specific application. For new development, culvert size and material will be specified on the **civil construction plans** for each lot. For all other applications, the culvert size will be specified by the city at the time of the building permit or at the time a drive entry is required by the property owner. Culvert material must be either of reinforced concrete or galvanized corrugated **steel**.

Culvert Material*	Minimum Inside Diameter	Minimum Extension*	Concrete Header Required
Reinforced concrete	18"	36"	No
Galvanized/corrugated metal	18"	N/A	Yes

**\* bedding of B+ or better from the NTCOG design manual for all culvert installations.**

\* Minimum extension beyond the edge of the driveway. If a header is used, no extension is required.

Corrugated **steel** culverts may be used only in conjunction with concrete headers and **shall be a minimum of 16 gauge galvanized or polymer-coated steel.**



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### **Attachments/Supporting Documentation**

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NA

### **Budget/Financial Impact**

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NA

### **Recommendation**

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Staff is looking for a recommendation from the Planning and Zoning Commission.

### **Motion**

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No motion required, provide direction to staff.