



AGENDA

CITY COUNCIL MEETING

March 3, 2022 | 7:00 PM

Council Chambers | Video Conference

City Hall | 665 Country Club Road, Lucas, Texas

Notice is hereby given that a meeting of the Lucas City Council will be held on Thursday, March 3, 2022, beginning at 7:00 pm at Lucas City Hall, 665 Country Club Road, Lucas, Texas 75002-7651 and by video conference, at which time the following agenda will be discussed. As authorized by Section 551.071 of the Texas Government Code, the City Council may convene into closed Executive Session for the purpose of seeking confidential legal advice from the City Attorney on any item on the agenda at any time during the meeting.

To join the meeting, please click this URL:

<https://us06web.zoom.us/j/81923044914?pwd=V2QvTk5pK25nTUR3bW0yeFRnR2RUdz09>

and enter your name and email address

Join by phone: 1-346-248-7799

Webinar ID: 819 2304 4914

Passcode: 626177

If you would like to watch the meeting live, and not participate via Zoom, you may go to the City's live streaming link at <https://www.lucastexas.us/live-streaming-videos/>.

How to Provide Input at a Meeting:

Speak In Person: Request to Speak forms will be available at the meeting. Please fill out the form and give to the City Secretary prior to the start of the meeting. This form will also allow a place for comments.

Speak Remotely Via Zoom: If you would like to attend a meeting remotely and speak via Zoom, email the City Secretary at shenderson@lucastexas.us by 4:00 pm noting the item you wish to speak on and noting your attendance will be remote. Please note, any requests received after 4:00 pm will not be included at the meeting.

Submit Written Comments: If you are unable to attend a meeting and would like to submit written comments regarding a specific agenda item, email the City Secretary at shenderson@lucastexas.us by no later than 4:00 pm 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. Any requests received after 4:00 pm will not be included at the meeting.

Call to Order

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

Citizen Input

1. Citizen Input

Community Interest

Pursuant to Section 5510415 of the Texas Government Code, the City Council may report on the following items: 1) expression of thanks, congratulations or condolences; 2) information about holiday schedules; 3) recognition of individuals; 4) reminders about upcoming City Council events; 5) information about community events; and 6) announcements involving imminent threat to public health and safety.

2. Items of Community Interest:
 - A. Presentation of Proclamation to Lovejoy Independent School District for their partnership during the City of Lucas Country Christmas event.
 - B. Presentation of Proclamation to In-N-Out Burger for their in-kind donation during the City of Lucas Country Christmas event.

Consent Agenda

All items listed under the consent agenda are considered routine and are recommended to the City Council for a single vote approval. If discussion is desired, an item may be removed from the consent agenda for a separate vote.

3. Consent Agenda:
 - A. Approval of the minutes of the February 17, 2022, City Council meeting. **(City Secretary Stacy Henderson)**
 - B. Approval of Ordinance 2022-03-00946 declaring unopposed candidates in the May 7, 2022, City of Lucas General Election to be elected to office, cancelling the May 7, 2022, General Election and providing an effective date. **(City Secretary Stacy Henderson)**

Regular Agenda

4. Consider approval of an application for a site plan, landscape plan, elevations, and preliminary plat submitted by the property owner Bill Shipley on behalf of Golden Chick for use as a commercial restaurant on a 0.833-acre tract of land in the William Snider Survey, Abstract Number 821, situated in the City of Lucas, located at 451 South Angel Parkway. **(Development Services Director Joe Hilbourn)**
5. Consider authorizing the City Manager to negotiate and enter into a Development Agreement with James Irwin for roadway improvements to the first 1,284 feet of Stinson Road south of West Lucas Road and appropriating funds in an amount not to exceed \$596,577.62 (95% of \$627,976.45 - the cost of the roadway improvements) from cash account 11-1009 General Fund Roadway Impact Fees in the amount of \$44,000 and the remainder \$552,577.62 from General Fund Reserves to account 21-8210-491-325 Stinson Road Realignment. **(Development Services Director Joe Hilbourn)**

6. Consider approval of proposed edits recommended by the Planning and Zoning Commission to Chapters 4 and 5 of the City of Lucas Comprehensive Plan and provide direction to staff regarding any additional amendments. **(Development Services Director Joe Hilbourn)**
7. Consider changing the start time of City Council meetings from 7:00 pm to 6:00 pm and setting a date to begin the new schedule. **(Mayor Jim Olk)**

Executive Agenda

8. Executive Session.

Pursuant to Section 551.074 of the Texas Government Code, the City Council will convene into Executive Session to discuss the evaluation for the City Manager.
9. Reconvene from Executive Session and take any action necessary as a result of the Executive Session.
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, TX 75002 and on the City's website at www.lucastexas.us on or before 5:00 p.m. on February 25, 2022.

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 City Secretary Stacy Henderson at 972.912.1211 or by email at shenderson@lucastexas.us at least 48 hours prior to the meeting.



City of Lucas

City Council Agenda Request

March 3, 2022

Requester: Mayor Jim Olk

Agenda Item Request

Citizen Input

Background Information

NA

Attachments/Supporting Documentation

NA

Budget/Financial Impact

NA

Recommendation

NA

Motion

NA



City of Lucas

City Council Agenda Request

March 3, 2022

Item No. 02

Requester: Mayor Jim Olk

Agenda Item Request

2. Items of Community Interest:
 - A. Presentation of Proclamation to Lovejoy Independent School District for their partnership during the City of Lucas Country Christmas event.
 - B. Presentation of Proclamation to In-N-Out Burger for their in-kind donation during the City of Lucas Country Christmas event.

Background Information

NA

Attachments/Supporting Documentation

1. Proclamations

Budget/Financial Impact

NA

Recommendation

NA

Motion

NA



Proclamation

Lovejoy Independent School District

WHEREAS, Lovejoy Independent School District provided shuttle drivers, buses, and parking for the Lucas community during the City-sponsored Country Christmas event; and

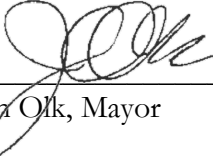
WHEREAS, December 3, 2021, marks the day in which Lovejoy Independent School District provided shuttle drivers and buses to transport numerous attendees between Country Christmas, Joe V. Hart Elementary School, and Willow Springs Middle School; and because of the District's community partnership, provided larger shuttle buses to accommodate the substantial increase of attendees during the event; and

WHEREAS, the City would like to thank the Routing Coordinator and Shuttle Drivers of Lovejoy Independent School District who provided exceptional shuttle services during Country Christmas: Donna Holden, Mun Leininger, Jeff Allbritten, Yasumi Ingram, Cristi Hudson, Alex Ingram, and Henry Trail. The staff of Lovejoy Independent School District are dedicated to providing a safe, friendly, and outstanding transportation service for the Lucas community; and

WHEREAS, the City of Lucas Mayor, City Council, City staff, and members of the community are appreciative and thankful to Lovejoy Independent School District for their partnership at Country Christmas and future events; and

NOW THEREFORE, in recognition of their generosity and commitment to their organizational values to community service and extreme generosity, I, Jim Olk, Mayor of the City of Lucas recognize Lovejoy Independent School District as an official community partner with the City of Lucas.

PROCLAIMED this day 3rd day of March 2022.



Jim Olk, Mayor

Stacy Henderson, City Secretary



Proclamation

In-N-Out Burger

WHEREAS, In-N-Out Burger contributed an in-kind donation for the Lucas community by participating in the City-sponsored Country Christmas event; and

WHEREAS, December 3, 2021, marks the day in which In-N-Out Burger provided 1,000 free meals to visitors attending the Lucas Country Christmas event, and because of In-N-Out Burger's immense generosity, provided an additional 300 meals exceeding the requested amount; and

WHEREAS, In-N-Out Burger, was declared the official burger of the City of Lucas on January 16, 2020; and

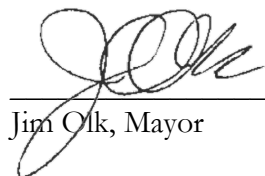
WHEREAS, continuing in their generosity, In-N-Out Burger has offered to provide an in-kind donation of 1,000 meals for the City of Lucas Founders Day event scheduled for May 14, 2022; and

WHEREAS, the City would like to thank the In-N-Out Burger Texas Cookout Team who planned, prepared and provided meals to the public at Country Christmas: Julio Reyes, Angelica Arroyo, Isai Escudero, Nicholas Nguyen, Jonathan Nguyen, Jorge De La Torre, Lina Gonzalez, Simon Zavala, Daira Prado, Dahlia Barrera, and Andy Zavala. The staff and volunteers of In-N-Out Burger are dedicated to upholding the highest standards of community service, donating their time and efforts to making a difference in the lives of others.

WHEREAS, the City of Lucas Mayor, City Council, City staff, and members of the community are appreciative and thankful to In-N-Out Burger for their generosity and donation of meals at Country Christmas and future events; and

NOW THEREFORE, in recognition of their generosity and commitment to their organizational values to community service and extreme generosity, I, Jim Olk, Mayor of the City of Lucas recognize In-N-Out Burger as an official community partner with the City of Lucas.

PROCLAIMED this day 3rd day of March 2022.



Jim Olk, Mayor

Stacy Henderson, City Secretary



City of Lucas

City Council Agenda Request

March 3, 2022

Requester: City Secretary Stacy Henderson

Agenda Item Request

Consent Agenda:

- A. Approval of the minutes of the February 17, 2022, City Council meeting.
- B. Approval of Ordinance 2022-03-00946 declaring unopposed candidates in the May 7, 2022, City of Lucas General Election to be elected to office, cancelling the May 7, 2022, General Election and providing an effective date.

Background Information

NA

Attachments/Supporting Documentation

- 1. Minutes of the February 17, 2022, City Council meeting
- 2. Ordinance 2022-03-00946 Declaring Candidates and Cancelling the General Election

Budget/Financial Impact

NA

Recommendation

City Staff recommends approval of the Consent Agenda.

Motion

I make a motion to approve/deny the Consent Agenda as presented.



MINUTES CITY COUNCIL REGULAR MEETING

February 17, 2022 | 6:00 PM
Council Chambers | Video Conference
City Hall | 665 Country Club Road, Lucas, Texas

City Councilmembers Present:

Mayor Jim Olk
Mayor Pro Tem Kathleen Peele
Councilmember Tim Johnson (*arrived at 6:12 pm*)
Councilmember Tim Baney
Councilmember David Keer
Councilmember Phil Lawrence (*attending remotely*)
Councilmember Debbie Fisher

City Staff Present:

City Manager Joni Clarke
City Secretary Stacy Henderson
City Attorney Joe Gorfida
Development Services Director Joe Hilbourn
Public Works Director Scott Holden
Finance Director Liz Exum

The regular City Council meeting was called to order at 6:00 pm.

Citizen Input

1. Citizen Input

There was no citizen input at this meeting.

Community Interest

2. Items of Community Interest

Mayor Olk spoke regarding the upcoming farmers market, TxDOT meeting regarding Country Club widening, and the upcoming Spring Cleanup event. Councilmember Fisher discussed the new privacy screens added for voting in the Community Center.

Consent Agenda

3. Consent Agenda:

- A. Approval of the minutes of the January 20, 2022, City Council meeting.
- B. Approval of Ordinance 2022-02-00943 ordering a general election to be held on May 7, 2022, for the purpose of electing two (2) City Councilmembers for Seat No. 5 and Seat No. 6; designating location of polling place; ordering notice of election to be given as prescribed by law in connection with such election; authorizing execution of joint election agreement; and providing for an effective date.
- C. Approval of the City of Lucas Quarterly Investment Report ended December 2021.

- D. Authorize the Mayor to enter into a Second Amended and Restated Agreement for Municipal Court Judge commencing February 3, 2022, through February 1, 2023, with an option to renew for an additional term of two (2) years.
- E. Approval of Ordinance 2022-02-00944 amending the Lucas Code of Ordinances by amending Chapter 3 titled “Building Regulations” amending Article 3.01 titled “General Provisions” amending Section 3.01.005 titled “Building Permit” adding a new paragraph (d) titled “Starting Without A Permit” to require that the permit fee be doubled where work is started prior to obtaining a permit; and providing for an effective date.
- F. Rescind City Council Approval for Alternative Number 2, long term scour protection in the amount of \$32,000 for the Winningkoff Bridge.

MOTION: A motion was made by Mayor Pro Tem Peele, seconded by Councilmember Fisher to approve the Consent Agenda as presented. The motion passed unanimously by a 6 to 0 vote.

Regular Agenda

- 4. Presentation to the City of Lucas Finance Department for receiving the 2021 Certificate of Achievement for Excellence in Financial Reporting Award from the Government Finance Officers Association.**

Mayor Olk presented the Certificate of Achievement for Excellence in Financial Reporting to Finance Director Liz Exum.

- 5. Consider the request by Todd Winters on behalf of Barrett Owens for approval of a preliminary plat for an 18.858-acre parcel of land being part of the Jas Grayum Survey, Abstract 354 located on the north side of Estates Parkway and east of Orchard Road, at 1900 Estates Parkway more commonly known as Farmstead Phase Two.**

Development Services Director Joe Hilbourn gave a presentation discussing elements of the preliminary plat request.

The City Council discussed the water flow on the property and how that would be addressed through the platting and construction process.

The following individuals requested to speak:

- Jim Iannucci, 9 Kingswood Drive, noted his opposition to the new development and asked how water flow would be reduced from the property.
- Bill Gunn, 3 Kingswood Drive, discussed his concerns regarding drainage from the property and the surrounding areas.
- Jeff Maddox, 12 Kingswood, asked questions about the survey, as-builts and to review drainage plans when they became available.
- Randy Cimprich, 14 Kingswood, discussed the need to ensure requirements were being met and did not adversely affect other neighborhoods.

- Barrett Owens, 390 West Forest Grove, owners of Farmstead Phase 1 and 2 discussed the plans to mitigate the runoff, meeting requirements above what was required, and creating an outfall structure to assist with drainage in the area.

MOTION: A motion was made by Councilmember Fisher, seconded by Councilmember Baney to approve the preliminary plat with the condition that the developer deliver all drainage plans to City staff prior to final plat submittal, and that the preliminary plat be approved conditionally because it does not meet the following requirements of the City’s Code of Ordinances outlined below. The motion passed unanimously by a 7 to 0 vote.

- Section 10.03.032 Submission Dates;
- Section 10.03.033 Official Filing Date;
- Section 10.03.034 General Approval Criteria;
- Section 10.03.039(3) Standards for Approval of Preliminary Plats;
- Section 10.03.040(b)(1) Data Requirement for Preliminary Plats;
- Section 10.04.020 Preliminary Plats

6. Consider authorizing the City Manager to enter into a professional services agreement with Birkhoff, Hendricks, & Carter, LLP (BH&C) and appropriate funds from Unrestricted General Fund Reserves to account 11-8209-303 Drainage in the amount of \$108,020 to complete the design, construction plans, specifications, and bidding for the following:

- A. Rimrock Detention Pond Embankment Improvements in the amount of \$23,280 (Recommendation 4)
- B. Orchard South Culvert Improvements & Channel Improvements in the amount of \$32,450 (Recommendation 5)
- C. Lynn Lane Culvert and Channel Improvements in the amount of \$52,290 (Recommendation 6)

Councilmember Lawrence recused himself from this item and turned off his video and microphone.

Public Works Director Scott Holden discussed the proposed recommendations made by Birkhoff, Hendricks & Carter.

The following individuals requested to speak:

- Jim Iannucci, 9 Kingswood, discussed the drainage reports submitted and suggested the report focus on day-to-day drainage details rather than 100-year flood plain drainage.
- Jeff Maddox, 12 Kingswood, asked if options had been considered such as adding piping behind homes to improve water flow.
- Bill Gunn, 3 Kingswood, would like to see elevations related to TxDOT roadways and was concerned about drainage on the north side of Estates.
- Wayne Millsap, 318 McMillan, expressed his concern as to how the City was going to pay for drainage problems in this area and throughout the City.
- David Booker, 10 Kingswood, expressed his concern regarding findings ways to ensure drainage was working properly.

- Brad Livingstone, 9 Orchard, discussed his concerns that the berm and detention pond at Lovejoy High School was not holding water after a rainfall, and not functioning properly.

Public Works Director Scott Holden discussed his meeting with TxDOT and noted the following items TxDOT conveyed:

- 1- Estates Parkway was five feet above the Lemontree/Kingswood subdivision
- 2- Culverts on the south side of Estates Parkway were undersized and would not carry additional runoff
- 3- To divert drainage towards Estates, a drainage study would be required and submitted to TxDOT but did not guarantee it will be approved or completed.

Joe Carter, with Birkhoff, Hendricks & Carter answered questions that had been raised during citizen participation. He reviewed design proposals, rainfall events, water flow based on design criteria, and how the recommended improvements would affect drainage.

City Council noted that discussions would take place with TxDOT as part of the Country Club widening to determine if drainage improvements could be made along Estates Parkway at the Country Club intersection to assist with drainage, and therefore would not move forward with Option C, Lynn Lane improvements until further discussions took place with TxDOT.

MOTION: A motion was made by Mayor Pro Tem Peele seconded by Councilmember Keer to approve authorizing the City Manager to enter into a professional services agreement with Birkhoff, Hendricks, & Carter, LLP and appropriate funds from Unrestricted General Fund Reserves to account 11-8209-303 Drainage in the amount of \$55,730 to complete the design, construction plans, specifications, and bidding for: 1) Rimrock Detention Pond Embankment Improvements in the amount of \$23,280; and 2) Orchard South Culvert Improvements and Channel Improvements in the amount of \$32,450. The motion passed unanimously by a 6 to 0 vote, as Councilmember Lawrence was recused from voting on this agenda item.

The City Council recessed for a break at 8:14 pm and reconvened the meeting at 8:26 pm.

7. Consider adopting Ordinance 2022-02-00945 amending the City’s Code of Ordinances, Chapter 14 “Zoning”, Article 14.01.004 “Definitions” by amending the definition of home occupation and providing an effective date.

The City Council discussed the current requirements of home occupation in the City’s Code of Ordinances, enforcement of current regulations, and proposed new regulations that included the following:

- (a) Home occupation shall not create a nuisance to persons of ordinary sensibilities that occupy the surrounding property such as offensive noises, vibrations, sound, smoke dust, odors, heat, glare, x-rays or electrical disturbances to radio and telephone instruments.
- (b) There shall be no traffic generated by the home occupation in greater volumes than normally expected in a residential neighborhood.

Wayne Millsap, 318 McMillan, requested that accessory buildings be included in the amended definition, and was opposed to requiring that businesses must include members of the family only.

MOTION: A motion was made by Councilmember Fisher, seconded by Councilmember Lawrence to send the home occupation ordinance to the Planning and Zoning Commission for review, including items (a) and (b) above as well as the inclusion of accessory buildings as part of the definition. The motion passed unanimously by a 7 to 0 vote.

8. Consider approval of proposed edits recommended by the Planning and Zoning Commission to Chapters 1, 2, and 3 of the City of Lucas Comprehensive Plan and provide direction to staff regarding any additional amendments.

The City Council discussed proposed updates to Chapters 1, 2 and 3. Under Chapter 3, Housing Actions, it was suggested that other structures needing rehabilitation such as fences, antenna towers, and accessory structures be added to the Comprehensive Plan in an appropriate location.

The City Council was in favor of moving forward with the proposed edits of Chapters 1, 2 and 3 of the Comprehensive Plan.

9. Consider nominations for 2022 Service Tree Awards.

The Service Tree Subcommittee consisting of Councilmember Fisher, Councilmember Keer and Councilmember Johnson, recommended to the City Council the following individuals be nominated for 2022 Service Tree Awards.

- Tammy Duke
- Gary Johnson

Because Mr. Johnson lived in the City's ETJ, the Council was in agreement to make Gary Johnson an honorary citizen of Lucas.

MOTION: A motion was made by Councilmember Fisher, seconded by Mayor Pro Tem Peele to award Tammy Duke and Gary Johnson as Service Tree Recipients for 2022. The motion passed unanimously by a 7 to 0 vote.

Executive Session Agenda

10. Executive Session:

An Executive Session was not held at this meeting.

11. Reconvene from Executive Session and take any action necessary as a result of the Executive Session.

There was no Executive Session held at this meeting; therefore, no action was taken.

12. Adjournment.

MOTION: A motion was made by Councilmember Johnson seconded by Mayor Olk to adjourn the meeting at 9:22 pm. The motion passed unanimously by a 7 to 0 vote.

APPROVED:

ATTEST:

Mayor Jim Olk

City Secretary Stacy Henderson



ORDINANCE 2022-03-00946
[Declaring Unopposed Candidates and
Cancelling the May 7, 2022, General Election]

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LUCAS, COLLIN COUNTY, TEXAS, DECLARING THE UNOPPOSED CANDIDATES IN THE MAY 7, 2022, GENERAL ELECTION TO BE ELECTED TO OFFICE; CANCELLING THE MAY 7, 2022, GENERAL ELECTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on February 17, 2022, the City of Lucas General Election was ordered by the Lucas City Council to be held on May 7, 2022, for the purpose of electing two (2) Lucas City Councilmembers for Seat No. 5 and Seat No. 6.

WHEREAS, the City Secretary has certified in writing that no person has made a declaration of write-in candidacy, that each candidate on the ballot for office is unopposed for this election, and the deadlines for filing an application for a place on the ballot and declaration for a write in candidate for the City’s General Election have expired.

WHEREAS, Chapter 2, Subchapter C, Section 2.053 of the Texas Election Code authorizes the City Council to declare the candidates elected and cancellation of the General Election.

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

SECTION 1. The following candidates, who are unopposed in the May 7, 2022, General Election, are declared elected to office, and shall be issued Certificates of Election following the time the election would have been canvassed.

| <u>Office</u> | <u>Candidate</u> |
|---------------------|-------------------|
| City Council Seat 5 | Debbie Fisher |
| City Council Seat 6 | Kathleen A. Peele |

SECTION 2. The May 7, 2022, General Election is cancelled, and the City Secretary is hereby directed to cause a copy of this ordinance to be posted on Election Day at the polling location designated by Ordinance 2022-02-00943, the Lucas Community Center, located at 665 Country Club Road, Lucas, Texas.

SECTION 3. This Ordinance shall take effect immediately upon its passage.

APPROVED AND ADOPTED by the City Council of the City of Lucas this 3rd day of March 2022.

Jim Olk, Mayor

ATTEST:

APPROVED AS TO FORM:

Stacy Henderson, City Secretary

Joseph J. Gorfida, Jr., City Attorney



**CERTIFICATION OF UNOPPOSED CANDIDATES FOR
CITY OF LUCAS**

To: Mayor Olk

As the authority responsible for having the official ballot prepared, I hereby certify that the following candidates are unopposed for election to office for the City of Lucas May 7, 2022 general election.

Offices and names of candidates:

| <u>Office/Seat</u> | <u>Candidate</u> |
|---------------------|-------------------|
| City Council Seat 5 | Debbie Fisher |
| City Council Seat 6 | Kathleen A. Peele |

A handwritten signature in blue ink that reads "Stacy Henderson".

Stacy Henderson, TRMC
City Secretary, City of Lucas

March 3, 2022

Date



City of Lucas

City Council Agenda Request

March 3, 2022

Item No. 04

Requester: Development Services Director Joe Hilbourn

Agenda Item Request

Consider approval of an application for a site plan, landscape plan, elevations, and preliminary plat submitted by the property owner Bill Shipley on behalf of Golden Chick for use as a commercial restaurant on a 0.833-acre tract of land in the William Snider Survey, Abstract Number 821, situated in the City of Lucas, located at 451 South Angel Parkway.

Background Information

Site Plan:

Golden Chick is proposing 1,914 square feet of restaurant space. The site is currently zoned Commercial Business, the use fits with surrounding uses in the area, and the following elements of the site plan are outlined below:

- Impervious coverage is 57% (a maximum of 65% is permitted)
- Parking spaces required is 20 (21 are proposed)
- Site stormwater runoff detention is accounted for and shown on the site plan
- All drainage is dedicated as a drainage easement for protection
- The site meets the City's lighting requirements, and a photometric plan has been provided

Landscape Plan:

The following elements of the landscape plan are outlined below:

- Total site area is 36,235 square feet and the building footprint is 1,914 square feet
- Total landscape area is 14,188 square feet; 15% is required and 39.16% is proposed
- Street trees required is six (five are provided, variance requested because of utility limitations)
- Street shrubs required is 48 (76 are provided)
- Parking perimeter trees required is six (six are provided)
- Parking perimeter shrubs required is 48 (51 are provided)
- Parking interior total site area is 16,304 square feet; landscape area required is 815 square feet (5%) and landscape area provided is 1,776 square feet (10.9%)
- Trees required is 12 (13 are provided)
- Shade trees required is 2.5 (3 are provided)

Irrigation is required for all provided landscape elements; the irrigation plan meets the requirements for compliance.



City of Lucas

City Council Agenda Request

March 3, 2022

Item No. 04

Architectural Plan:

The following elements of the architectural plan are outlined below:

- Proposed building height is 22 feet, 7 inches tall; maximum permitted is 35 feet tall
- Building has 100% masonry
- The building is 69.06 feet wide x 36.71 feet in length

House Bill 2439 no longer permits cities to restrict building materials that are permitted by a model code. The building materials proposed comply with the requirements in the 2015 International Building Code.

Preliminary Plat:

The lot is 0.833 acres of land. The plat provides easements for drainage including detention, utility easements, and easements for fire lanes. The plat meets the City's requirements for a plat.

Attachments/Supporting Documentation

1. Site Plan, Application, and Checklist
2. Landscape Plan and Checklist
3. Elevations (Color Elevations, Dumpster Detail, Façade & Signage) and Checklist
4. Preliminary Plat
5. Photometric Plan
6. Location Map

Budget/Financial Impact

NA

Recommendation

Staff recommends approving the site plan, landscape plan, elevations, and preliminary plat. The Planning and Zoning Commission unanimously recommended approval of the site plan, landscape plan, elevations, and preliminary plat as submitted.

Motion

I make a motion to approve/deny an application for a site plan, landscape plan, elevations, and preliminary plat submitted by the property owner Bill Shipley on behalf of Golden Chick for use as a commercial restaurant on a 0.833-acre tract of land in the William Snider Survey, Abstract Number 821, situated in the City of Lucas, located at 451 South Angel Parkway.



GOLDEN CHICK RESTAURANT
451 S. ANGEL PARKWAY
LUGAS, TEXAS 75002



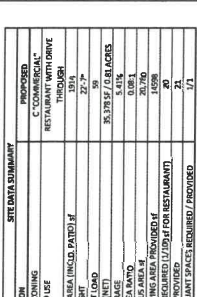
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- VICINITY MAP**
NOT TO SCALE
- LEGEND:**
- PROPERTY LINE
 - - - ADJOINED PROPERTY
 - - - BUILDING SETBACK LINE
 - - - EASEMENTS
 - - - EXISTING CURB
 - - - EXISTING CURB AND GUTTER
 - - - PAINTED STRIPE (TRAFFIC WHITE)
 - - - PAINTED STRIPE (TRAFFIC WHITE) (TRAFFIC WHITE)
 - - - FIRE LANE, REFER TO SHEET
 - - - INTERIOR LANDSCAPED AREA (RE LANDSCAPE PLANS)
 - - - THICKNESS PAVEMENT
 - - - PROPOSED PAVEMENT
 - - - PARKING STALL COUNT (SEE ELECTRICAL PLANS)
 - - - SITE LIGHTING (SEE ELECTRICAL PLANS)

LAND USE CHART

| DESCRIPTION | PROPOSED USE | EXISTING USE | RETAIL/RESTAURANT/RECREATION | THROUGH |
|---|-----------------------|-----------------------|------------------------------|-----------------------|
| BUILDING AREA (INCL. PATIO) #1 | RESTAURANT | RESIDENTIAL | 1974 | 1974 |
| LOT AREA (ACR.) | 85,175 SF (2.8 ACRES) | 85,175 SF (2.8 ACRES) | 85,175 SF (2.8 ACRES) | 85,175 SF (2.8 ACRES) |
| LOT COVERAGE | 5.41% | 5.41% | 5.41% | 5.41% |
| IMPERVIOUS AREA #1 | 20,700 | 20,700 | 20,700 | 20,700 |
| LANDSCAPING AREA PROVIDED #1 | 1,000 | 1,000 | 1,000 | 1,000 |
| PARKING PROVIDED (7/19/17 FOR RESTAURANT) | 20 | 20 | 20 | 20 |
| ACTUAL COMPLIANT SPACES REQUIRED / PROVIDED | 21 / 21 | 21 / 21 | 21 / 21 | 21 / 21 |

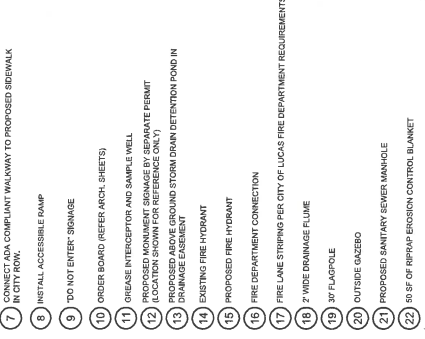


SITE PLAN
LOT 1, BLOCK A
PENNINGTON ADDITION
95,978 SQUARE FEET OR (0.812 ACRES)
WILLIAM WALKER SURVEY, ABSTRACT NO. 821
CITY OF LUGAS, COLLIN COUNTY, TEXAS

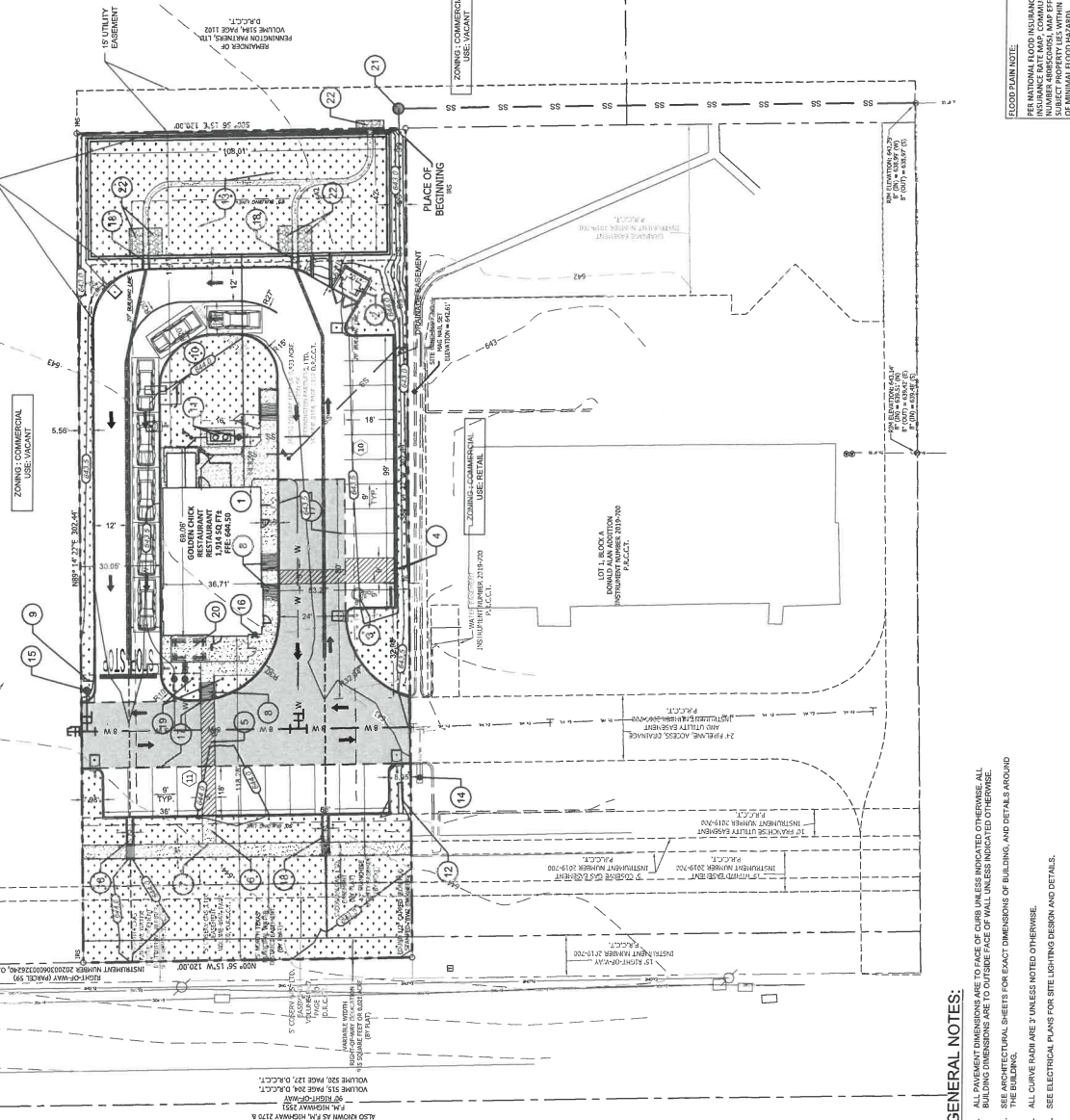
DEVELOPER:
GOLDEN CHICK RESTAURANTS, LLC
11111 W. BRIDLEWAY, SUITE 200
DALLAS, TEXAS 75244
PHONE: (214) 680-2722
EMAIL: W.MTHW@GOLDENCHICK.COM

CONTRACTOR:
PERRINSON PARTNERS, LTD.
9403 HOPKINS DRIVE, SUITE 202
DALLAS, TEXAS 75244
PHONE: (214) 680-2722
EMAIL: W.MTHW@GOLDENCHICK.COM

- NOTES BY SYMBOL:**
- 1 PROPOSED RESTAURANT STRUCTURE
 - 2 DAMPSTER WITH ENCLOSURE WITH 1/2" THICK CONC. APRON, SCREENING
 - 3 1/2" THICK CONC. APRON, SCREENING
 - 4 SOLID METAL GATES. REFER TO ARCHITECTURAL PLANS FOR DETAILS
 - 5 ACCESSIBLE PARKING SPACE (TYP.)
 - 6 ACCESSIBLE PARKING POLE SIGNAGE - 11' X 4' ACCESSIBLE SIGNAGE
 - 7 ADA COMPLIANT WALKWAY
 - 8 PROPOSED 5' WIDE SIDEWALK
 - 9 CONNECT ADA COMPLIANT WALKWAY TO PROPOSED SIDEWALK IN CITY FOOT.
 - 10 INSTALL ACCESSIBLE RAMP
 - 11 DO NOT ENTER SIGNAGE
 - 12 ORDER BOARD (REFER ARCH. SHEETS)
 - 13 RELEASE INTERCEPTOR AND SAMPLE WELL
 - 14 PROPOSED MONUMENT SIGNAGE BY SEPARATE PERMIT
 - 15 LOCATION SHOWN FOR REFERENCE ONLY
 - 16 DRAINAGE EASEMENT
 - 17 AROUND STORM CHURN DETENTION POND IN DRAINAGE EASEMENT
 - 18 EXISTING FIRE HYDRANT
 - 19 PROPOSED FIRE HYDRANT
 - 20 FIRE DEPARTMENT CONNECTION
 - 21 FIRE LANE STRIPING PER CITY OF LUGAS FIRE DEPARTMENT REQUIREMENTS
 - 22 7' WIDE DRAINAGE FLUME
 - 23 18" FLAGPOLE
 - 24 OUTSIDE GAZEBO
 - 25 PROPOSED SANITARY SEWER MANHOLE
 - 26 18" SF OF RR/RAP EROSION CONTROL BLANKET



- GENERAL NOTES:**
1. ALL PAVEMENT DIMENSIONS ARE TO FACE OF CURB UNLESS INDICATED OTHERWISE. ALL BUILDING DIMENSIONS ARE TO OUTSIDE FACE OF WALL UNLESS INDICATED OTHERWISE.
 2. SEE ARCHITECTURAL SHEETS FOR EXACT DIMENSIONS OF BUILDING, AND DETAILS AROUND THE BUILDING.
 3. ALL CURVE RADI ARE R UNLESS NOTED OTHERWISE.
 4. SEE ELECTRICAL PLANS FOR SITE LIGHTING DESIGN AND DETAILS.



FLOODPLAIN NOTE:
THE NATIONAL FLOOD INSURANCE PROGRAM'S FLOOD INSURANCE RATE MAP EFFECTIVE JUNE 02, 2009, ON MAP NUMBER 880600041, MAP EFFECTIVE JUNE 02, 2009, THE AREA IS DESIGNATED AS AN UNSHADED ZONE "X" (AREA OF MINIMAL FLOOD HAZARD)

DEVELOPER:
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EMAIL: W.MTHW@GOLDENCHICK.COM



NAME OF SUBDIVISION and/or PROJECT: Golden Chick Restaurant

****READ BEFORE SIGNING BELOW:** If there is more than one property owner, complete a separate sheet with the same wording as below. The City requires all original signatures. If applicant is other than the property owner, a "Power of Attorney" with original, notarized signatures is required. (Notaries are available upon submittal)

ALL APPLICATIONS MUST BE COMPLETE, ACCOMPANIED BY THE APPLICABLE CHECKLIST AND TAX CERTIFICATE SHOWING TAXES PAID, BEFORE THEY WILL BE SCHEDULED FOR P&Z AGENDA. It is the applicant's responsibility to be familiar with, and to comply with, all City submittal requirements (in the Zoning & Subdivision Ordinances, and any separate submittal policies, requirements and/or checklists that may be required from City staff), including the number of plans to be submitted, application fees, etc. Please contact City staff in advance for submittal requirements. [Drawings will not be returned to applicant.]

ALL PARCELS/PROPERTIES MUST MATCH IN ACREAGE ALL OTHER DOCUMENTS SUBMITTED WITH NO AMBIGUITY. SUBMISSIONS: Failure to submit all materials to the City with this application will result in delays scheduling the agenda date.

NOTICE OF PUBLIC RECORDS. The submission of plans/drawings/etc. with this application makes such items public record, and the applicant understands that these items may be viewed by the general public. Unless the applicant expressly states otherwise in writing, submission of this application (with associated plans/drawings/etc.) will be considered consent by the applicant that the general public may view and/or reproduce (i.e., copy) such documents.

Applicant agrees to pay any and all monies due to the City including but not limited to park pro rata fee, Tree Removal Permit fee, 3% of construction cost (developer to provide contracts for verification) and including but not limited to other fees that may be required prior to final plat approval.

STATE OF TEXAS }
COUNTY OF COLLIN }

BEFORE ME, a Notary Public, on this day personally appeared Bill Shipley the undersigned who, under oath, stated the following: "I hereby certify that I am the owner, or duly authorized agent of the owner, (proof attached) for the purposes of this application; that all information submitted herein is true and correct. I understand that submitting this application does not constitute approval, and incomplete applications will result in delays and possible denial."

Bill Shipley Pennington Partners, Ltd., Shipley Development Corp., G.P.

****Owner / Agent (circle one)**

SUBSCRIBED AND SWORN TO before me, this the 13th day of January.

Notary Public in and for the State of Texas: Julianne Thornton Shipley



| | | |
|--------------------------------------|---|--------------------|
| Official Use Only: | Action Taken | |
| Planning & Zoning: _____ | Date: _____ | |
| City Council: _____ | Date: _____ | |
| Applicant Withdrew: Yes or No | Applicant Made a Written Withdrawal: Yes or No | Date: _____ |



Site Plan Minimum Requirements

Project Name GOLDEN CHIICK RESTAURANT Preparer MATHEW THOMAS

This checklist is provided to assist you in addressing the minimum requirements for Site Plan submission. An application is incomplete unless all applicable information noted below is submitted to the Development Services Department. Indicate that all information is included on the submitted plans by checking the box next to the required information. Checking the box certifies to the City that you have completely and accurately addressed the issue. If not applicable, indicate an "N/A" next to the box. Return this completed form at the time of application submittal.

If an exception or modification to the regulations is requested, the reason and/or request for each shall be provided directly on the plan and on a separate sheet on letterhead with sufficient details as to allow a determination by the appropriate approval body. Additional information may be required. Reference the specific requirement/s.

Plans are expected to be submitted complete and accurate in all detail as shown by the checklist. Should plans be determined to be incomplete, they may either be returned to the applicant without further review or marked up with needed changes, depending on the amount/magnitude of changes or corrections needed. Please keep in mind that changes/additions to previously incomplete or inaccurate plans may generate additional comments at re-submittal of corrected Plans. Therefore, diligence to the initial submittal is paramount to expediting the review process.

Included

- Site boundary is indicated by a heavy solid line intermittent with 2 dash lines, dimensioned with bearings and distances; indicate and label lot lines, setback lines, and distance to the nearest cross street.
- Site location/vicinity map clearly showing the location of the subject property with cross streets is provided. Indicate scale or NTS and provide north arrow.
- A north arrow is provided with drawing oriented such as that north is located to the top or left side of drawing sheet.
- A written and bar scale is provided.
- A title block is in the lower right corner that includes large, boldly printed "SITE PLAN", owner and engineer's names, addresses and phone numbers, subdivision name, lot number/s, block number or letter, original submission date, and a log of resubmittal/revision dates since submitted to the City.
- N/A Tree masses are clouded with accurate canopy widths shown to determine critical root zone where located within close proximity to existing or proposed pavement.
- Flood plain boundary is shown and indicates F.I.R.M. Community panel number and date, and flow line of drainage ways and creeks, as applicable.
- Existing topography lines are shown with a light dashed line and proposed contours are shown by a medium weight solid line. Topography is shown at minimum five (5) foot contours referenced to sea level city datum. Spot elevations and additional contours may be required in certain areas depending on topography.
- Accurately located, labeled and dimensioned footprint of proposed structure(s) is/are shown by a solid heavy line.

- N/A ✓ Accurately located, labeled and dimensioned footprint of existing structure(s) to remain is/are shown by a heavy dashed line.
- N/A ✓ Accurately located and labeled footprint of structure(s) proposed for demolition is/are shown by a light dashed line. Structures to be demolished are clearly labeled/ identified.
- ✓ ✓ Accurately located footprint of nonresidential structure(s) on abutting properties is/are shown by a light, solid line.
- ✓ ✓ Adjacent property lines within 500 feet of the subject property lines are shown by a light dashed line.
- ✓ ✓ Adjacent zoning and land use (e.g. bank with drive-thru, office building, undeveloped etc.) within 500 feet of the property line is indicated.
- ✓ ✓ Adjacent property owner(s), or subdivision name, with lot, block and recording information, is shown.
- ✓ ✓ Finished floor elevation of existing and/or proposed structures is referenced to sea level datum.
- ✓ ✓ Full width of streets and alley rights-of-way with centerlines and backs of curbs or paving edges within 200 feet of the property line are dimensioned and street name or use is labeled.
- ✓ ✓ Driveways within 200 feet of the property line:
 - Are accurately located and dimensioned.
 - Distances to the nearest on-site driveway and/or off-site driveway is accurately located and dimensioned as measured from the centerlines.
 - Distance to the nearest street is shown as measured from the end of curb-return radius of the adjacent street to the driveway centerline.
 - Typical radii are shown.
- ✓ ✓ Drive-thru lanes, menu board location, pick-up window/s, maneuvering area, stacking lanes and escape lanes are indicated and dimensioned.
- ✓ ✓ Sidewalks and barrier-free ramps (BFR) within 200 feet of and on the subject property are shown, dimensioned and labeled.
- ✓ ✓ Off-site streets and roads:
 - Existing and proposed roadways with medians and median openings adjacent to and within 200 feet of the project site are shown and dimensioned.
 - Medians, median openings with associated left- turn lanes, continuous left turn lanes, transition and stacking lengths are shown and dimensioned within 200 feet of the project site.
 - Existing, proposed, and required acceleration/deceleration lanes within 200 feet of the project site are shown dimensioned, stacking length indicated, and right-of-way dedication is indicated as applicable.
- ✓ ✓ All parking spaces are shown, group numbered, and typical dimensions are provided. Indicate required two-foot overhang, as applicable.
- ✓ ✓ Handicapped parking spaces and barrier-free access points are shown, dimensioned, and labeled.
- N/A ✓ Loading and maneuvering areas are indicated, labeled, and dimensioned. Loading area screening method is indicated and labeled.
- ✓ ✓ Dumpster and/or compactor locations and screening methods are shown. Indicate screening materials and height for all sides. Screening material is to match structure façade with enclosure having solid metal gates. Specs and sketch available from staff.
- ✓ ✓ Paving materials, boundaries and type are indicated.
- ✓ ✓ Access easements are accurately located/ tied down, labeled and dimensioned.
- N/A ✓ Off-site parking is shown and dimensioned from the off-site parking area to the structure or use as applicable. A parking easement or shared parking agreement is required and is provided in draft format.
- ✓ ✓ Fire lanes are shown and dimensioned at a minimum of 24 feet in width, with internal radii of not less than 20 feet. Label and use an approximate 20 percent shade for fire lanes to differentiate from other paving. Ensure that required labeling and dimensioning is readable through shading.

- ✓ Proposed dedications and reservations of land for public use including, but not limited to, rights-of-way, easements, park land, open space, drainage ways, floodplains and facility sites are accurately located, dimensioned and labeled.
- N/A ✓ Screening walls are shown with dimensions and materials. An inset is provided that shows the wall details and column placement as applicable. Plans for masonry walls are to be signed and sealed by a structural engineer and approved by the City Engineer. Channeled or slip-panel/pre-cast walls are prohibited.
- ✓ The location of living screens are shown and labeled. Details of a living screen are provided on the Landscape Plan indicating plant species/name, height at planting, and spacing.
- ✓ A lighting plan that shows location by fixture type is included. A lighting data chart is used to reference fixture type (i.e. pole or wall pack), maximum height, those requiring shielding, those requiring skirting, wattage and foot-candles of each fixture. No lighting source (i.e. bulb, reflector, etc.) is allowed to be visible from an adjacent property or public street.
- ✓ Existing and proposed water and sanitary sewer lines, storm sewer pipe, with sizes, valves, fire hydrants, manholes, and other utility structures on-site or immediately adjacent to the site are shown and labeled.
- ✓ Boundaries of detention areas are located. Indicate above and/or below ground detention.
- ✓ Monument signage location is indicated. Details of construction materials and architecture are shown on required Building Elevation/Façade Plan. Color, type and texture are to match that of the building.
- N/A ✓ Communication towers are shown and a fall distance/collapse zone is indicated.
- ✓ Provide Site Data Summary Table that references distinct numbers for each lot and all buildings (existing and proposed) that includes, where applicable:
 - Existing Zoning
 - Proposed use(s) for each structure
 - Total lot area less right-of-way dedications by square feet and acres
 - Square footage of building(s)
 - Building height (stories and feet)
 - Percent of lot coverage (building footprint square footage/lot square footage).
 - For apartment developments, number of living units broken down by number of bedrooms and minimum square footage for each dwelling unit.
 - Parking required by use with applicable parking ratios indicated for each use
 - Parking provided indicated
 - Handicap parking required as per Code of Ordinances and TAS/ADA requirements
 - List of exceptions and/or variance/s requested or previously granted, including dates and approving authority
- N/A Improvements are proposed in TXDOT Right-of-Way and one (1) full set of civil engineering plans has been submitted to: Mohammad Khoshkar, TXDot Office, P.O.Box 90 McKinney, Texas 75069-0090, phone (972)547-2237 **NO TXDOT IMPROVEMENTS**

| | | |
|-----|------------------------------|------------------------------|
| NO. | ITEM DESCRIPTION | REVISIONS PER STAFF COMMENTS |
| 1 | REVISIONS PER STAFF COMMENTS | |
| 2 | | |
| 3 | | |
| 4 | | |
| 5 | | |
| 6 | | |
| 7 | | |

DATE: 11/28/21
 11:30:21
 11:30:21

WILLIAM
 DR. SHAN SHARPS
 6716 W. 92nd St., Overland Park, KS 66204
 Mobile: 913.223.4244
 william@shansharp.com

GOLDEN CHICK RESTAURANT
 480 S. ANGEL PARKWAY
 LUCAS, TEXAS 75002

SHEET NO.
 L1.01

LANDSCAPE PLANTING PLAN

Jurisdiction of Project
 REGULATORY AGENCIES:
 CITY OF LUCAS
 400 W. 10th Street
 Lucas, TX 75002
 P.O. Box 1000
 Lucas, TX 75002
 P.O. Box 1000
 Lucas, TX 75002

Landscaping Requirements
 CITY OF LUCAS CODE OF ORDINANCES
 ARTICLE 14 - TREE PRESERVATION AND LANDSCAPING
 A. NO EXISTING TREES ON SITE
 B. LANDSCAPING SHALL BE PROVIDED FOR ALL EXISTING TREES
 C. LANDSCAPING SHALL BE PROVIDED FOR ALL EXISTING TREES
 D. TREES AND SHRUBS SHALL BE REPLACED AT THE SAME LOCATION AND SPECIES AS THE ORIGINAL PLANTING
 E. REPLACEMENT TREES SHALL BE PLANTED WITHIN 90 DAYS OF THE DATE OF REMOVAL
 F. REPLACEMENT TREES SHALL BE PLANTED WITHIN 90 DAYS OF THE DATE OF REMOVAL
 G. REPLACEMENT TREES SHALL BE PLANTED WITHIN 90 DAYS OF THE DATE OF REMOVAL
 H. REPLACEMENT TREES SHALL BE PLANTED WITHIN 90 DAYS OF THE DATE OF REMOVAL
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 U. REPLACEMENT TREES SHALL BE PLANTED WITHIN 90 DAYS OF THE DATE OF REMOVAL
 V. REPLACEMENT TREES SHALL BE PLANTED WITHIN 90 DAYS OF THE DATE OF REMOVAL
 W. REPLACEMENT TREES SHALL BE PLANTED WITHIN 90 DAYS OF THE DATE OF REMOVAL
 X. REPLACEMENT TREES SHALL BE PLANTED WITHIN 90 DAYS OF THE DATE OF REMOVAL
 Y. REPLACEMENT TREES SHALL BE PLANTED WITHIN 90 DAYS OF THE DATE OF REMOVAL
 Z. REPLACEMENT TREES SHALL BE PLANTED WITHIN 90 DAYS OF THE DATE OF REMOVAL

Site Location
 480 S. ANGEL PARKWAY
 LUCAS, TEXAS 75002

Owner & Professionals Information
 GOLDEN CHICK RESTAURANT
 480 S. ANGEL PARKWAY
 LUCAS, TEXAS 75002
 WILLIAM SHARPS, ARCHITECT
 6716 W. 92nd St., Overland Park, KS 66204
 Mobile: 913.223.4244
 william@shansharp.com

38,293 SQUARE FEET OR (0.833 ACRE)
 WILLIAM SHARPS SURVEY, ABSTRACT NO. 821
 CITY OF LUCAS, COLLIN COUNTY, TEXAS

| Item | Description | Quantity | Notes |
|------|-------------|----------|-------|
| 1 | Planting | 1 | |
| 2 | Planting | 1 | |
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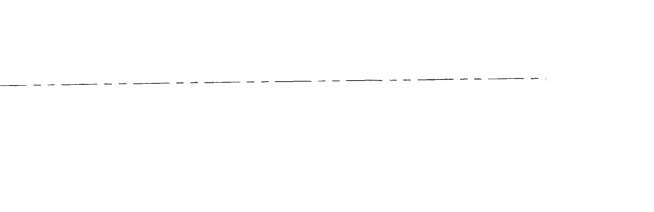
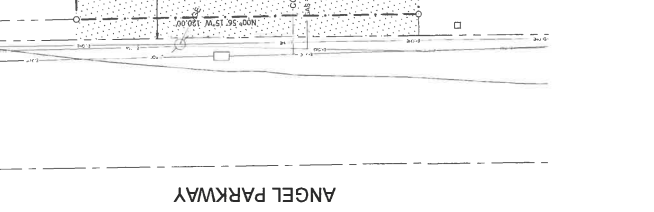
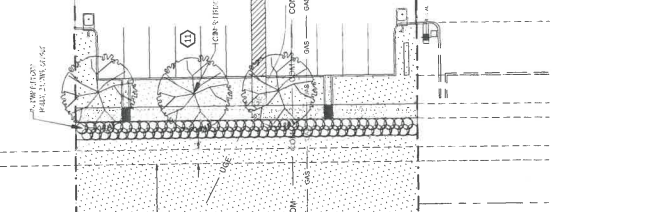
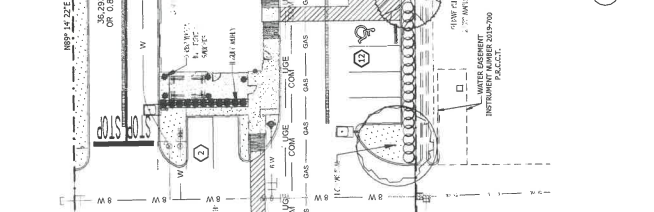
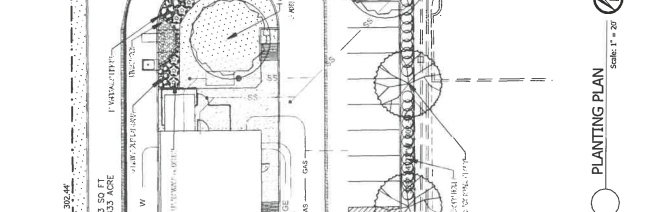
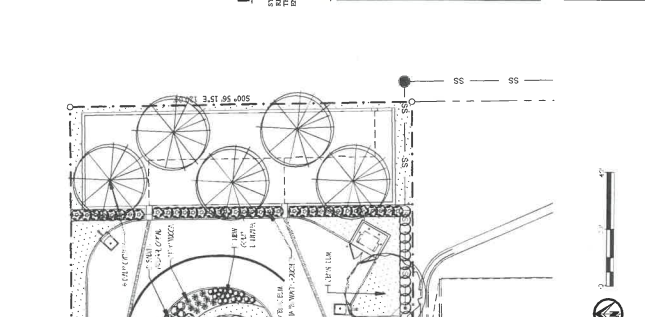
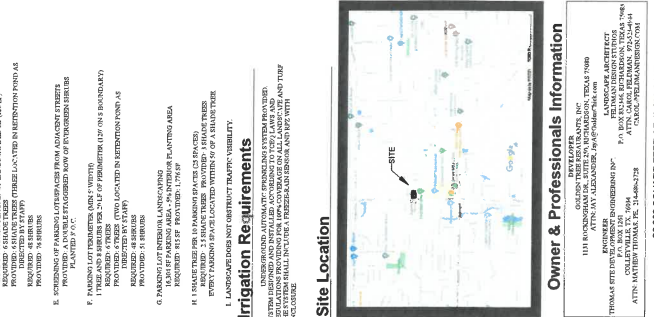
Planting Plan
 38,293 SQ. FT. OR 0.833 ACRE
 1/4" = 1'-0"

Planting Key
 1. PLANTING
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Site Location
 480 S. ANGEL PARKWAY
 LUCAS, TEXAS 75002

Owner & Professionals Information
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38,293 SQUARE FEET OR (0.833 ACRE)
 WILLIAM SHARPS SURVEY, ABSTRACT NO. 821
 CITY OF LUCAS, COLLIN COUNTY, TEXAS





Landscape Plan Checklist

Project Name Golden Chick, Lucas

Preparer Carol Feldman, Landscape Architect

This checklist is provided to assist you in addressing the minimum requirements for **Landscape Plan** submission. An application is incomplete unless all applicable information noted below is submitted to the Development Services Department. Confirm that all information is included on the submitted plans by checking the box next to the required information. **Initialing each item certifies to the City that you have completely and accurately addressed the issue.** This completed form must be returned at the time of application submittal.

If an exception or modification to the regulations is requested, the reason and/or request for each shall be provided on a separate sheet on letterhead with sufficient details as to allow a determination by the appropriate approving body. Additional information may be required. Reference the specific requirement. All exception/modification requests must also be specifically listed on the plan/s.

Plans are expected to be submitted complete in all detail as included by the checklist. Should plans be determined to be incomplete, they may either be returned to the applicant without further review or marked up with needed changes.

- Plans shall be to same scale as approved site plan.
- A minimum of 15% of the gross area must be landscaped.
- The area between the property line and the street shall be included in the landscape plan and shall be maintained by the abutting property owner.
- Heights of landscaping materials shall be such that they do not create safety hazards for vehicular traffic by block sight lines at ingress points.
- The specifications shall state the common names and scientific names (genus species), sizes, and quantity of all materials to be utilized.
- Property abutting a different zoning district must be screened by a living screen. Planting which serves as a living screen shall be evergreens with an initial minimum six-foot (6') height and provided a solid visual barrier within two (2) years after planting.
- Additional information as needed for clarity.

Lucas Code of Ordinances - Sec. 3.18.022 Minimum requirements

- The title block in the lower, right-hand corner containing the following: date, scale, site location map, north arrow, and the names, addresses, and telephone numbers of both the property owners and the person preparing the plan.
- The addition name, block and lot description along with business name placed in the title block in the lower right-hand corner of the plan.
- The property boundary dimensions of the site (bearings and distances).
- All existing and proposed public and private streets and sidewalks including street and sidewalk widths.
- All existing services: fire hydrants, water mains, and sewer mains within the tract and immediately adjacent to it with pipe size and location indicated.

- ✓ All proposed water and sanitary sewer pipe lines with sizes indicated and valves, fire hydrants, manholes, and other appurtenances or structures shown.
- ✓ All existing or proposed water, sewer and irrigation connections, meter location, and size of meters.
- ✓ All existing and proposed utility and visibility easements.
- ✓ All existing or proposed buildings on the property, existing structures, access points on and adjacent to the property.
- ^{n/a} Existing and proposed contours of berms in intervals of one (1) foot.
- ^{n/a} Detailed structural designs of entryway features.
- ^{n/a} Screening walls and location, type and height of screening wall, either living or masonry. (Masonry screening walls must be designed by a professional engineer registered in the state. Proposed berming is to be delineated by one-foot contours.)
- ✓ The following additional information must be submitted on the landscape plan:
 - Tabulations of the landscape edge in linear feet. Give the street name and the amount of frontage.
 - Label streets.
 - The following information is to be provided on the landscape plan in a tabular format:
 - Indicate the trees/shrubs required and provided.
 - Indicate parking area trees required and provided.
 - Indicate the trees/shrubs required and provided for parking lot perimeter landscaping.
 - Indicate parking lot interior landscaping required and provided.
 - Indicate gross landscape square footage and percentage excluding the city right-of-way (i.e. the landscape provided within the landscape edge and within the interior of the lots).
 - Show graphically all plant material existing/proposed.
 - Distance of trees/shrubs from sidewalks, curbs, screening walls, and utilities (minimum five (5) feet).
 - Spacing between trees/shrubs (varies, check growth specifications).
- ✓ Complete description of plant materials shown on the plan, including common and botanical names, locations, quantities, container (five-gallon minimum for required shrubs) or caliper sizes (four-inch minimum caliper for required shade trees), heights, spread, and spacing.
- ✓ Complete description of landscaping and screening to be provided in or near off-street parking and loading areas, including information as to the amount (in square feet) of landscape area compared to gross site square footage. The city right-of-way shall not be included as part of the gross site landscaping.
- ✓ Size, height, location and material of any proposed seating, lighting, planters, sculptures, decorative paving, and water features.
- ✓ Landscape plans shall contain the certification and stamp of a landscape architect licensed in the state that such plans have been reviewed by such landscape architect and satisfy all requirements of this article.
- ✓ Irrigation plans shall contain the certification and stamp of an irrigator licensed by the state board of irrigators that such plans were prepared by such irrigator and satisfy all requirements of this article.
- ✓ Location of sprinkler heads, valves, double-check valves, water meter, automatic controller, rain and freeze sensor, wind sensor, moisture sensor or any control mechanic of whatever kind or make must be shown on all irrigation plans.
- ✓ Living screens are clearly detailed by fence material, plant material species, plant material spacing, height at time of planting and mature height. Where the Director of Planning feels that there are elevation or topographical differences that would not accomplish the intent of the screening, the Director may request more details.
- ✓ Public or private street names (including street suffixes and/or prefixes) and right-of-way (ROW) dimensions are indicated for all internal and external streets.

- ✓ All existing and proposed plant material is graphically shown; species and quantity for each grouping are labeled. A minimum of four different species is shown for each plant type and are distributed throughout the site.
- ✓ Distance of trees/shrubs from sidewalks, curbs, screening walls, and utilities is indicated. If less than five feet from paving, areas of impervious surface or utility lines, show dimension. Refer to Plant List for other exceptions to planting in paving areas.
- ✓ A full set of civil engineering drawings, also including the plat, site plan, and landscape plan have been submitted to TXU. Submit these drawings to: TXU Electric Delivery, Attn: Right-of-Way Department, 115 W. 7th Street, Ste. 725, Fort Worth, TX, 76102.
- ✓ I understand that the City requires an approval letter from TXU Electric Delivery prior to issuance of a building permit where landscaping, parking, or other improvement/s are proposed to encroach within any TXU/TP&L easement/s. TXU has stated a minimum of six weeks to process the review. Approved irrigation within a TXU transmission easement shall be limited to drip and soaker hose irrigation, with the valve for such located outside of the easement.
- ^{n/a} Residential subdivisions are to have landscaping requirements (Indicate required planting ratio, square footage, linear footage, etc., including required and provided quantities) specifically listed in tabular format on plan for the following:
 - a) Landscape Buffer (along external street frontage-provide separate calculations for each street frontage).
 - b) Entryway Yard areas (located each side of subdivision entries) are provided for primary and secondary entryways.
 - c) Entryway Yard area Trees and Shrubs are provided.
 - d) Entryway Medians are shown and dimensioned.
 - e) Entryway Median Trees and Shrubs are provided.
 - f) Screening Wall plans are provided.



Architectural Plan Checklist

Project Name GOLDEN CHICK - LUCAS, TX

Preparer PHILIP CAEKAERT

This checklist is provided to assist you in addressing the minimum requirements for **Landscape Plan** submission. An application is incomplete unless all applicable information noted below is submitted to the Development Services Department. Confirm that all information is included on the submitted plans by checking the box next to the required information.

Initialing the box certifies to the City that you have completely and accurately addressed the issue. This completed form must be returned at the time of application submittal.

If an exception or modification to the regulations is requested, the reason and/or request for each shall be provided on a separate sheet on letterhead with sufficient details as to allow a determination by the appropriate approving body. Additional information may be required. Reference the specific requirement. All exception/modification requests must also be specifically listed on the plan/s.

Plans are expected to be submitted complete in all detail as included by the checklist. Should plans be determined to be incomplete, they may either be returned to the applicant without further review or marked up with needed changes.

- Elevations of all four sides labeled North, East, South, and West with the front elevation designated as such.
- Materials calculations table showing for each elevation
 - Total surface area of each elevation
 - List of materials (including glazing) with square footage of each material per elevation and percentage of each material per elevation
- Building dimensions (if multiple heights are used, provide dimension for each)
- Provide estimated allowable wall mounted signage size for each elevation.
- Add the following notes:
 - "This Façade Plan is 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"
- * Cross sections of sight lines may be requested to verify screening of mechanical units.
- * A sample board with a maximum size of 11" x 17" shall be provided with color and materials samples to correspond to the Façade Plan.
- Designate color and materials location on elevations.
- Additional information as requested by staff to clarify the proposed development and compliance with minimum development requirements.

* NOTE: WE HAVE PROVIDED EXCEPTIONS AND MODIFICATIONS WHICH ARE ENUMERATED IN THE ATTACHED LETTER, PER REQUEST ABOVE. - PHILIP CAEKAERT

KEY NOTES:

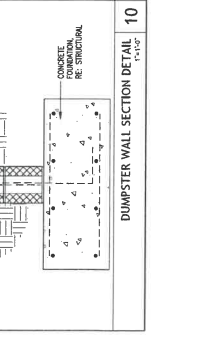
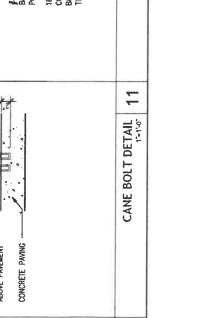
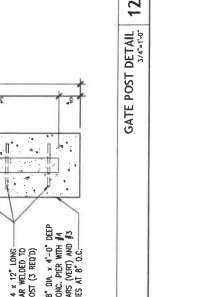
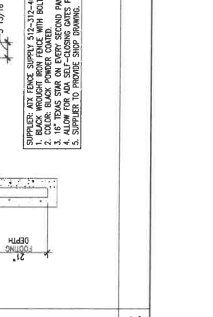
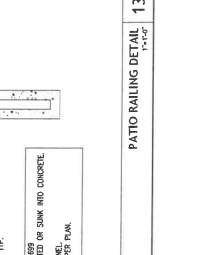
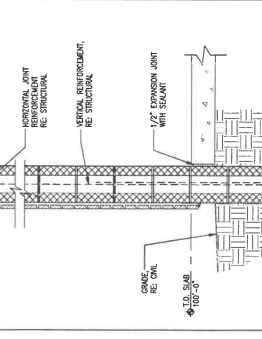
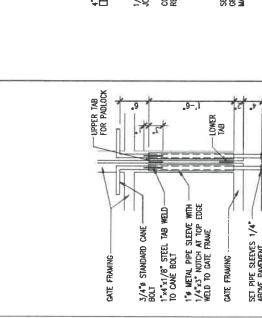
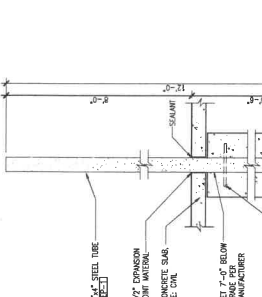
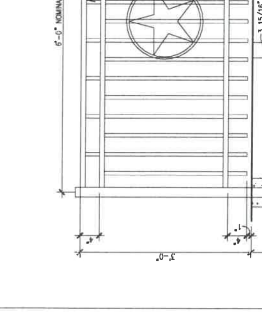
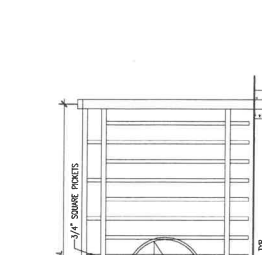
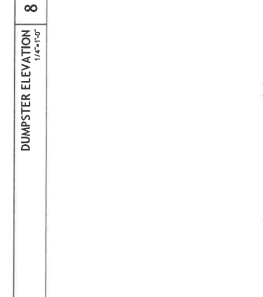
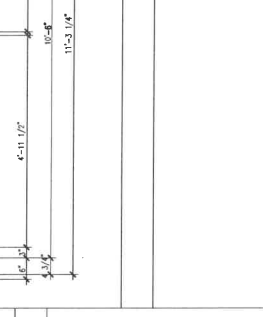
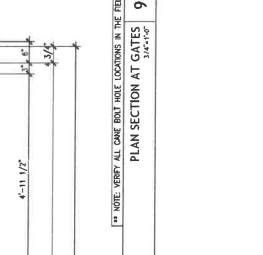
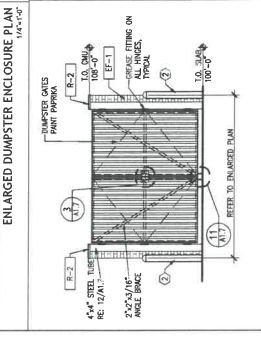
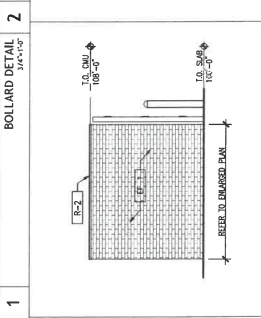
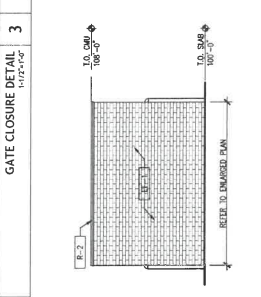
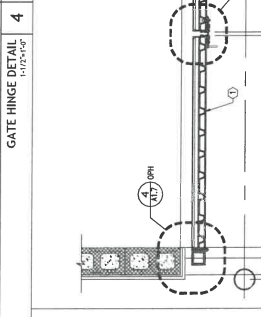
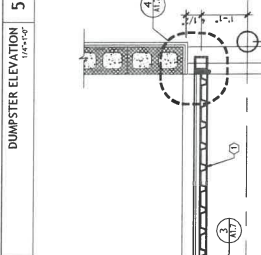
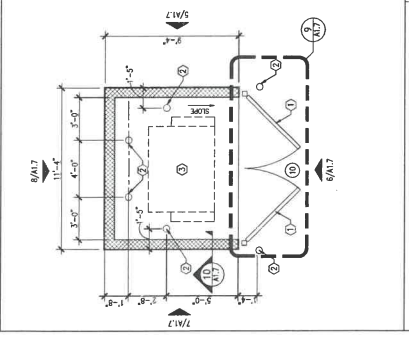
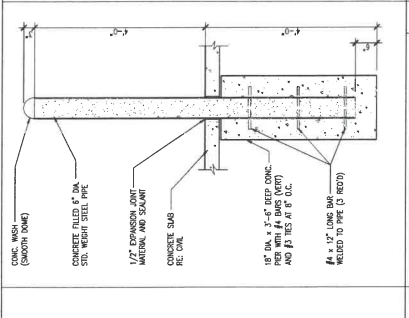
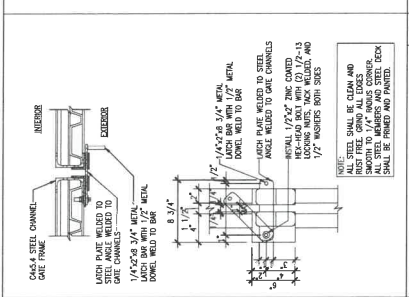
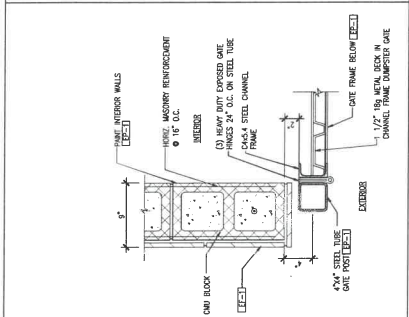
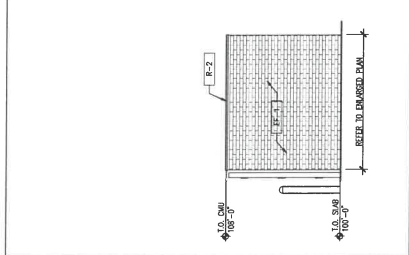
- METAL BLOCK BOX RIB DUMPSTER GATES
- PIPE BOLLARD, RE: 2/1A/8

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| CMU BLOCK | RE: 2/1A/1 |

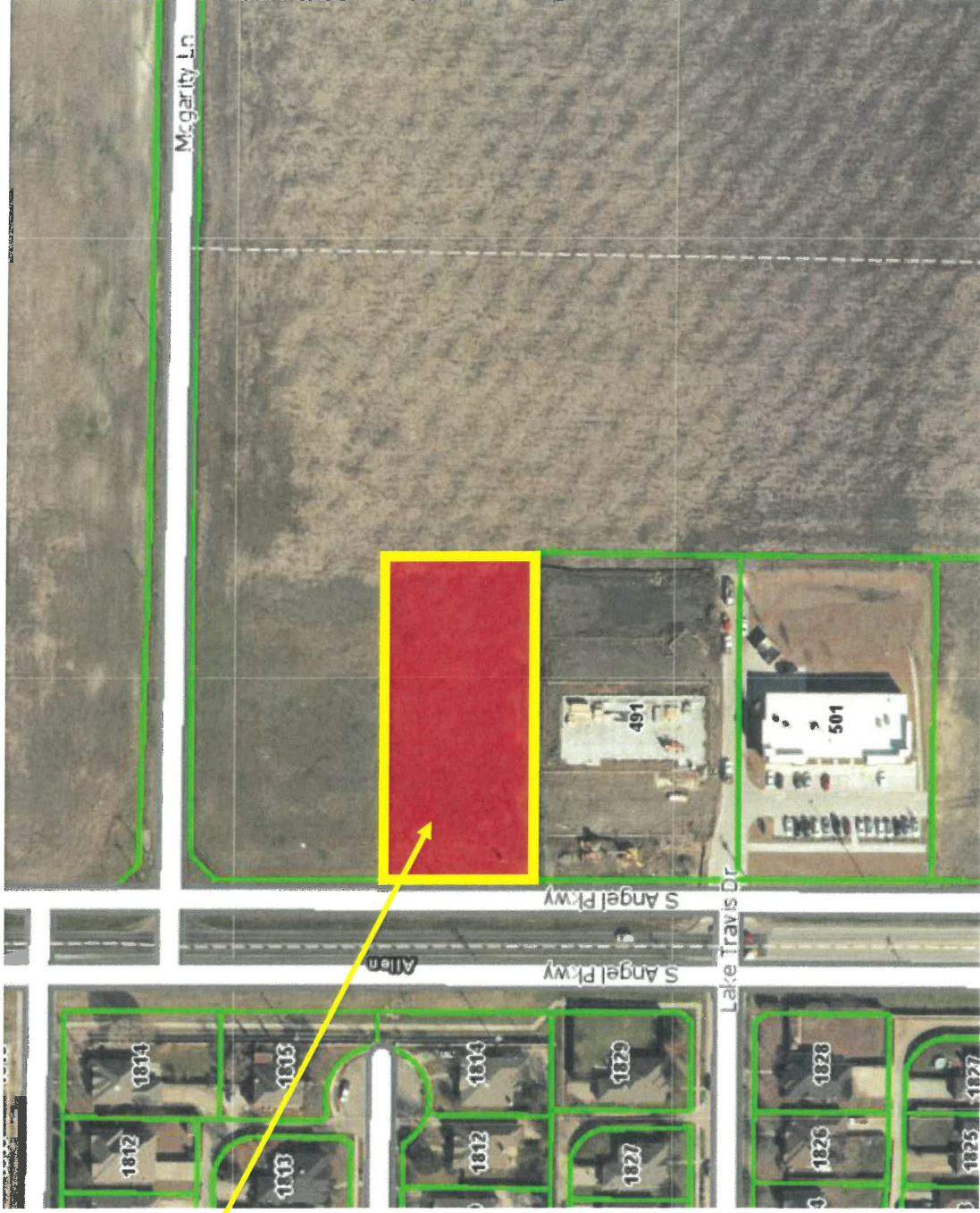
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Location Map

Golden Chick





Item No. 05

City of Lucas
City Council Agenda Request
March 3, 2022

Requester: Development Services Director Joe Hilbourn

Agenda Item Request

Consider authorizing the City Manager to negotiate and enter into a Development Agreement with James Irwin for roadway improvements to the first 1,284 feet of Stinson Road south of West Lucas Road and appropriating funds in an amount not to exceed \$596,577.62 (95% of \$627,976.45 - the cost of the roadway improvements) from cash account 11-1009 General Fund Roadway Impact Fees in the amount of \$44,000 and the remainder \$552,577.62 from General Fund Reserves to account 21-8210-491-325 Stinson Road Realignment.

Background Information

This project is located on the south side of West Lucas Road and north of Stinson Road, between 505 West Lucas Road and 685 West Lucas Road. The property is currently zoned Residential 2-acre (R-2) and has an approved preliminary plat.

As part of the project, Stinson Road will be realigned, and a concrete road will be built to replace the existing asphalt pavement. The owner will construct roadway facilities that consist of replacing and realigning the existing Stinson Road (approximately 1,284 feet). The City will be responsible for its proportional share of roadway improvements, in this case the City's responsibility is 95%.

The total seven-day traffic count was 14,142 trips, creating a daily average of 2,020 trips. The number of lots proposed is 10, with an average trip count of 10 trips for each lot, per day creating 100 trips per day. $100/2020 = .0495$, the City's proportional share is 95%. Staff does have a concern that all traffic on Stinson Road was included in the analysis, and some traffic may continue to use the existing section of road. After the Comprehensive Plan was adopted in 2017, the City spent approximately \$245,000 from the reimbursement of road improvements to improve the intersection of Stinson Road and West Lucas Road.

In the Development Agreement, Article 3, Section 2, City Cost Participation for Roadway Improvements states: The City agrees to participate in the costs of the Roadway Improvements as set forth herein. The City's participation in the cost of the construction of the Roadway Improvements shall be 95% of the actual Roadway Improvement Costs (the "City Participation Amount"). Within thirty (30) days after completion of the Roadway Improvements and acceptance thereof by the City, the City shall pay to the Owner an amount equal to the City Participation Amount. The Owner agrees to competitively bid the Roadway Improvements to at least three (3) contractors.



Item No. 05

City of Lucas
City Council Agenda Request
March 3, 2022

Attachments/Supporting Documentation

1. Proposed Development Agreement
2. Sealed Traffic counts
3. Opinion of Probable Cost, On-Site Improvements
4. General Fund Roadway Impact Fee Schedule
5. General Fund Reserve Schedule

Budget/Financial Impact

The City's participation cost would include the following:

- \$552,577.62 funding from General Fund Reserves
- \$44,000 funding from cash account 11-1009 General Fund Roadway Impact Fees

Recommendation

Staff recommends approving the attached development agreement with one change:

1. Use \$44,000 from General Fund Roadway Impact Fees for a portion of the reimbursement.

Motion

I make a motion to approve/deny authorizing the City Manager to negotiate and enter into a Development Agreement with James Irwin for roadway improvements to the first 1,284 feet of Stinson Road south of West Lucas Road and appropriating funds in an amount not to exceed \$596,577.62 (95% of \$627,976.45 - the cost of the roadway improvements) from cash account 11-1009 General Fund Roadway Impact Fees in the amount of \$44,000 and the remainder \$552,577.62 from General Fund Reserves to account 21-8210-491-325 Stinson Road Realignment.

STATE OF TEXAS §
 § DEVELOPMENT AGREEMENT
COUNTY OF COLLIN §

This Development Agreement (the “Agreement”) is made by and between James Irwin (the “Owner”) and the City of Lucas, Texas (the “City”).

RECITALS

WHEREAS, Owner owns that certain tract of real property consisting of 22.679 acres, more or less, located in the City of Lucas, Collin County, Texas, more particularly described and/or depicted on **Exhibit A** attached hereto and incorporated herein (the “Property”). Owner intends to develop a ten (10) lot residential subdivision on the Property; and

WHEREAS, Owner has agreed to (i) dedicate a portion of the Property to the City to allow Stinson Road to be extended north through the Property so that it intersects with W. Lucas Road, as generally depicted on **Exhibit B** attached hereto and incorporated herein (the “Dedication Area”) and (ii) construct and install within the Dedication Area a variable width public road (the “Roadway Improvements”); and

WHEREAS, Texas Local Government Code §212.071, as amended, authorizes municipalities to participate in the Owner’s costs of construction of public improvements related to the development of subdivisions within the municipality without compliance with Chapter 252 of the Texas Local Government Code, as amended;

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein contained, City and Owner agree as follows:

Article 1
Term

This Agreement shall commence on the last date all the parties have executed this Agreement (“Effective Date”) and shall terminate on the date (“Expiration Date”) that is the earlier date of (1) the expiration of one (1) year after City acceptance of the Roadway Improvements; or (2) the date the Owner has fully satisfied all of the terms and conditions herein; or (3) unless sooner terminated herein.

Article 2
Definitions

For the purposes of this Agreement, each of the following terms shall have the meanings set forth herein unless the context clearly requires otherwise:

2.01 “**Approved Plans**” means the plans and specifications for the Roadway Improvements and Intersection Improvements approved by the City Manager of the City of Lucas, or designee. The Approved Plans shall be in substantial conformance with the preliminary plans

submitted by the Owner and attached as **Exhibit C**, and the approval shall not be unreasonably withheld.

2.02 “**City Manager**” means the City Manager of the City of Lucas, or designee.

2.03 “**Commencement of Construction**” means (i) preparation and approval of the approved plan, (ii) issuance by all applicable governmental authorities of necessary permits for the construction of the Roadway Improvements, (iii) commencement of grading for the Roadway Improvements pursuant to Approved Plans, (iv) commencement of construction of the Roadway Improvements pursuant to Approved Plans, and (v) issuance by all applicable governmental authorities of necessary permits for construction of the Roadway Improvements pursuant to Approved Plans.

2.04 “**Completion of Construction**” means that (i) the Roadway Improvements have been substantially completed in accordance with the Approved Plans, (ii) a certificate of substantial completion has been issued by the general contractor(s) and engineer(s)/architect(s) for the Roadway Improvements, and a copy of such certificate has been delivered to the City, and (iii) the Roadway Improvements have been accepted in writing by the City, which the City agrees to do within ten (10) days after receipt of request therefore as long as the Roadway Improvements have been constructed substantially in accordance with the Approved Plans.

2.05 “**Effective Date**” shall mean the last date of execution of this Agreement.

2.06 “**Event of Bankruptcy or Insolvency**” shall mean insolvency, appointment of receiver for any part of Owner's property and such appointment is not terminated within ninety (90) days after such appointment is initially made, any general assignment for the benefit of creditors, or the commencement of any proceeding under any bankruptcy or insolvency laws by or against Owner and such proceeding is not dismissed within ninety (90) days after filing thereof.

2.07 “**Force Majeure**” shall mean any contingency or cause beyond the reasonable control of Owner, as applicable, including, without limitation, acts of God or the public enemy, war riot, civil commotion, insurrection, adverse weather, government or de facto governmental action or inaction (unless caused by negligence or omissions of Owner), fires, explosions or floods, strikes, slowdowns or work stoppages, shortage of materials and labor, or delays by the City.

Article 3 Roadway Improvements

3.01 **Construction of Roadway Improvements.** Owner agrees to design and install the Roadway Improvements in accordance with the applicable standards, ordinances and regulations adopted by the City (“City Standards”). The Owner shall submit plans for the design and construction of the Roadway Improvements (“Construction Plans”) to the City for review and approval by the City Manager. The Construction Plans shall include the estimated cost of design and installation of the Roadway Improvements. Subject to extension for delays caused by events of Force Majeure and to the City’s approval of the Approved Plans, Owner agrees to construct the Roadway Improvements. The parties acknowledge and agree that the City and Owner have no

obligation to condemn or pay any sum of money in connection with the dedication of right-of-way except as otherwise provided herein. The Roadway Improvements shall be constructed within the Dedication Area. The Owner agrees and covenants to cause commencement of the Roadway Improvements on or before April 1, 2022, and to cause completion of construction thereof within six (6) months thereafter.

3.02 **City Cost Participation for Roadway Improvements.** The City agrees to participate in the costs of the Roadway Improvements as set forth herein. The City's participation in the cost of the construction of the Roadway Improvements shall be 95% of the actual Roadway Improvement Costs (the "City Participation Amount"), provided, however, that the City Participation Amount will not exceed \$596,577.62. Within thirty (30) days after Completion of the Construction of the Roadway Improvements and acceptance thereof by the City, the City shall pay to the Owner an amount equal to the City Participation Amount. The Owner has already completed the process of competitively bidding the Roadway Improvements and received bids from three (3) contractors, a breakdown of which is attached hereto as **Exhibit D** (the "Bids"). In no case shall the City Participation Amount to the Roadway Improvements exceed thirty percent (30%) of the actual costs of design, engineering, site preparation and construction of any improvements, including buildings or the Roadway Improvements themselves, on the Property as required by the development regulations, whether constructed by Owner or another party ("the Development Infrastructure"), unless the contracts for construction of the Development Infrastructure have been procured and entered into in compliance with the applicable competitive sealed bid procedures set forth in Chapter 252 of the Texas Local Government Code, as amended.

Article 4 Notice

Any notice to be given or to be served upon a Party hereto in connection with this Agreement must be in writing and may be given by hand delivery or by certified or registered mail and shall be deemed to have been given and received two (2) business days after a certified or registered letter containing such notice, properly addressed with postage prepaid, is deposited in the United States mail, and if given otherwise than by certified or registered mail, it shall be deemed to have been given and delivered to and received by the Party (or such Party's agent or representative) to whom it is addressed when actually received by the intended recipient. Such notice shall be given to the Parties hereto at the address set forth below. Any Party hereto may, at any time by giving two (2) days written notice to the other parties, designate any other address in substitution of the foregoing address to which such notice shall be given.

If notice to Owner:

James Irwin

With a copy to:

Chris Zillmer
Abernathy, Roeder, Boyd & Hullett, P.C.
1700 Redbud Blvd., Suite 300
McKinney, Texas 75069

If notice to City:

Joni Clarke, City Manager
City of Lucas, Texas
665 Country Club Road
Lucas, Texas 75002

With a copy to:

Joseph J. Gorfida, Jr., City Attorney
Nichols, Jackson, Dillard,
Hager & Smith, LLP
500 North Akard Street
1800 Ross Tower
Dallas, Texas 75201

Article 5 Termination

This Agreement shall terminate upon the earliest to occur of the following:

- (a) the written agreement of the parties;
- (b) the Expiration Date;
- (c) the election by either party in the event the other party breaches any of the terms or conditions of this Agreement and such breach is not cured within thirty (30) days after written notice thereof to the breaching party;
- (d) the election by the City if the Owner suffers an Event of Bankruptcy or Insolvency;
- (e) the election by the City, if any Impositions owed to the City or the State of Texas by the Owner shall become delinquent (provided, however the Owner retains the right to timely and properly protest and contest any such Impositions); and
- (f) the election by the City, if any subsequent Federal or State legislation or any decision of a court of competent jurisdiction declares or renders this Agreement invalid, illegal or unenforceable.

Article 6 Miscellaneous

6.01 **Assignment of Agreement.** This Agreement may not be assigned by Owner without the prior written consent of City which consent shall not be unreasonably withheld, conditioned or delayed. This Agreement may not be assigned, in whole or in part, by City.

6.02 **Venue.** This Agreement shall be construed under and in accordance with the laws of the State of Texas and is specifically performable in Collin County, Texas. Exclusive venue shall be in state district court in Collin County, Texas.

6.03 **Savings/Severability.** In case any one or more provisions contained in this Agreement shall be for any reason held invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision hereof, and it is the intention of the Parties to this Agreement that in lieu of each provision that is found to be illegal, invalid, or unenforceable, a provision be added to this Agreement which is legal, valid, and enforceable and is as similar in terms as possible to the provision found to be illegal, invalid, or unenforceable.

6.04 **Authority.** Each of the Parties represents and warrants to the other that they have the full power and authority to enter into and fulfill the obligations of this Agreement.

6.05 **Entire Agreement.** This Agreement contains the entire agreement of the Parties with respect to the matters contained herein and may not be modified or terminated except upon the provisions hereof or by the mutual written agreement of the Parties to this Agreement.

6.06 **Consideration.** This Agreement is executed by the Parties hereto without coercion or duress and for substantial consideration, the sufficiency of which is forever confessed.

6.07 **Counterparts.** This Agreement may be executed in a number of identical counterparts, each of which will be deemed an original for all purposes.

6.08 **Representations.** Each signatory represents this Agreement has been read by the Party for which this Agreement is executed, and that such Party has had an opportunity to confer with its legal counsel.

6.09 **Miscellaneous Drafting Provisions.** This Agreement shall be deemed drafted equally by all parties hereto. The language of all parts of this Agreement shall be construed as a whole according to its fair meaning, and any presumption or principle that the language herein is to be construed against any Party shall not apply. Headings in this Agreement are for the convenience of the Parties and are not intended to be used in construing this document.

6.10 **Binding Effects.** This Agreement will be binding upon and inure to the benefit of the Parties hereto and their respective heirs, executors, administrators, legal representatives, successors, and authorized assigns. This Agreement only inures to the benefit of, and may only be enforced by, the Parties and their respective heirs, executors, administrators, legal representatives, assignees, lender, successors, and City. No other person or entity is a third-party beneficiary of this Agreement.

6.11 **No Joint Venture.** It is acknowledged and agreed by the Parties that the terms hereof are not intended to and shall not be deemed to create a partnership or joint venture among the Parties, or to cause City to be deemed to be a constituent partner of the Owner.

6.12 **Recordation of Agreement.** A copy of this Agreement shall be recorded in the Deed Records of Collin County, Texas. THIS AGREEMENT AND ALL OF ITS TERMS, CONDITIONS, AND PROVISIONS IS AND SHALL CONSTITUTE A RESTRICTION AND CONDITION UPON THE PROJECT AND ALL PORTIONS THEREOF AND A COVENANT RUNNING WITH THE PROJECT AND ALL PORTIONS THEREOF, AND IS AND SHALL BE BINDING UPON OWNER AND ALL OF ITS HEIRS, SUCCESSORS, AND ASSIGNS AND THE FUTURE OWNERS OF THE PROPERTY AND ANY PORTION THEREOF; PROVIDED, HOWEVER, THIS AGREEMENT SHALL NOT CONSTITUTE AN OBLIGATION OF OR BE DEEMED A RESTRICTION OR ENCUMBRANCE WITH RESPECT TO ANY FINAL PLATTED RESIDENTIAL LOT UPON WHICH A COMPLETED HOME HAS BEEN CONSTRUCTED.

6.13 **Multiple Counterparts and Duplicate Originals.** This Agreement may be executed in any number of multiple counterparts and/or duplicate originals, each of which shall be deemed an original and all of which considered together shall be deemed one and the same Agreement.

6.14 THIS SECTION SHALL SURVIVE THE TERMINATION OF THIS AGREEMENT.

PARTIES' ACKNOWLEDGEMENT OF LUCAS' COMPLIANCE WITH FEDERAL AND STATE CONSTITUTIONS, STATUTES AND CASE LAW, AND FEDERAL, STATE AND LOCAL ORDINANCES, RULES AND REGULATIONS; AND OWNER'S WAIVER AND RELEASE OF CLAIMS FOR OBLIGATIONS IMPOSED BY THIS AGREEMENT AND OTHER DEVELOPMENT OBLIGATIONS IMPOSED BY THE CITY UPON THE DEVELOPMENT.

OWNER ACKNOWLEDGES AND AGREES THAT:

- I. THE CONVEYANCES, DEDICATIONS, EASEMENTS AND/OR PAYMENT OF MONEY REQUIRED BY THIS AGREEMENT AND THE OTHER DEVELOPMENT OBLIGATIONS IMPOSED BY THE CITY UPON THE PROJECT TO BE PERFORMED BY OWNER, IN WHOLE OR IN PART, DO NOT CONSTITUTE A:
 - (A) TAKING UNDER THE TEXAS OR UNITED STATES CONSTITUTION;
 - (B) VIOLATION OF THE TEXAS WATER CODE, AS IT EXISTS OR MAY BE AMENDED;
 - (C) NUISANCE; AND/OR
 - (D) CLAIM FOR DAMAGES AND/OR REIMBURSEMENT AGAINST THE CITY FOR A VIOLATION OF ANY FEDERAL AND/OR STATE CONSTITUTION, STATUTE AND/OR CASE LAW AND/OR FEDERAL, STATE AND/OR LOCAL ORDINANCE, RULE AND/OR REGULATION.
- II. THE AMOUNT OF OWNER'S FINANCIAL OR INFRASTRUCTURE CONTRIBUTION (AFTER RECEIVING ALL CONTRACTUAL OFFSETS, CREDITS AND REIMBURSEMENTS, IF ANY) AGREED TO IN THIS AGREEMENT IS ROUGHLY PROPORTIONAL TO THE DEMAND THAT THE PROJECT PLACES ON THE CITY'S INFRASTRUCTURE.
- III. OWNER HEREBY AGREES THAT ANY INFRASTRUCTURE THAT IT CONSTRUCTS OR PROPERTY THAT IT CONVEYS TO THE CITY PURSUANT TO THIS AGREEMENT AND THE OTHER DEVELOPMENT

OBLIGATIONS IMPOSED BY THE CITY UPON THE PROJECT IS ROUGHLY PROPORTIONAL TO THE BENEFIT RECEIVED BY OWNER FOR SUCH INFRASTRUCTURE AND LAND, AND OWNER HEREBY WAIVES ANY CLAIMS THEREFORE THAT IT MAY HAVE. OWNER FURTHER ACKNOWLEDGES AND AGREES THAT ALL PREREQUISITES TO SUCH A DETERMINATION OF ROUGH PROPORTIONALITY HAVE BEEN MET, AND THAT ANY VALUE RECEIVED BY THE CITY RELATIVE TO SAID INFRASTRUCTURE AND CONVEYANCE ARE RELATED BOTH IN NATURE AND EXTEND TO THE IMPACT OF THE DEVELOPMENT OF THE PROJECT ON THE CITY'S INFRASTRUCTURE. OWNER AND THE CITY FURTHER AGREE TO WAIVE AND RELEASE ALL CLAIMS ONE MAY HAVE AGAINST THE OTHER RELATED TO ANY AND ALL ROUGH PROPORTIONALITY AND INDIVIDUAL DETERMINATION REQUIREMENTS MANDATED BY THE UNITED STATES SUPREME COURT IN *DOLAN V. CITY OF TIGARD*, 512 U.S. 374 (1994), AND ITS PROGENY, AS WELL AS ANY OTHER REQUIREMENTS OF A NEXUS BETWEEN DEVELOPMENT CONDITIONS AND THE PROJECTED IMPACT OF THE PUBLIC INFRASTRUCTURE.

- (IV) OWNER RELEASES THE CITY FROM ANY AND ALL CLAIMS OR CAUSES OF ACTION BASED ON EXCESSIVE OR ILLEGAL EXACTIONS.
- (V) OWNER WAIVES ANY CLAIM FOR DAMAGES AND/OR REIMBURSEMENT AGAINST THE CITY FOR A VIOLATION OF ANY FEDERAL AND/OR STATE CONSTITUTION, STATUTE AND/OR CASE LAW AND/OR FEDERAL, STATE AND/OR LOCAL ORDINANCE, RULE AND/OR REGULATION.
- (VI) THIS PARAGRAPH SHALL SURVIVE THE TERMINATION OF THIS AGREEMENT.

(Signature Page Follows)

EXECUTED in duplicate originals this _____ day of _____, 2022.

CITY:

CITY OF LUCAS, TEXAS

By: _____
Name: _____
Title: _____

Approved as to Form

By: _____
Joseph J. Gorfida, Jr.
(02-24-2022: FINAL TM 127991)

STATE OF TEXAS §
§
COUNTY OF COLLIN §

This instrument was acknowledged before me on the _____ day of _____, 2022, by _____, _____ of the City of Lucas, Texas, on its behalf.

Notary Public – State of Texas

EXECUTED in duplicate originals this _____ day of _____, 2022.

OWNER:

By: _____
James Irwin

STATE OF TEXAS §
 §
COUNTY OF COLLIN §

This instrument was acknowledged before me on the _____ day of _____, 2022, by James Irwin.

Notary Public – State of Texas

Exhibit "A"
The Property

Being a tract of land, situated in the James Lovelady Survey, Abstract No. 538, in the City of Lucas, Collin County, Texas, and being all of that called 22.661 acre tract of land, described by deed to Gus Gibson, Jr. and Walter G. Bedell, as recorded in Volume 1889, Page 283, of the Deed Records, Collin County, Texas (D.R.C.C.T.), said tract being more particularly described, as follows:

BEGINNING at a 1/2" iron rod with a yellow plastic cap stamped "RPLS 5686" found for the northwesterly corner of said 22.661 acre tract, same being the northeasterly corner of a tract of land, described by deed to Chris Koerner and Jessica Koerner, as recorded under Document No. 20160725000950450, of the Official Public Records, Collin County, Texas (O.P.R.C.C.T.), same being in the southerly monumented line of W. Lucas Road (F.M. 1378);

THENCE South 89°43'16" East, along said southerly monumented line of W. Lucas Road, a distance of 739.61' to a 5/8" iron rod found for the northeasterly corner of said 22.661 acre tract, same being the northwesterly corner of a right-of-way dedication, dedicated by plat recorded in Vol. 2009, Pg. 224, O.P.R.C.C.T. (**LUCAS CHURCH ADDITION**);

THENCE South 00°19'15" East, along the common line between said 22.661 acre tract and said **LUCAS CHURCH ADDITION**, passing a 1/2" iron rod found for the northwesterly corner of Lot 1, Block A, of said **LUCAS CHURCH ADDITION**, at a distance of 15.00', and continuing in all, a total distance of 1283.67' to a point for corner, being the southeasterly corner of said 22.661 acre tract, same being in the northerly line of Lot 3, of **HI FLYIN' ACRES**, an addition to the City of Parker, as recorded in Volume J, Page 929, of the Map Records, Collin County, Texas (M.R.C.C.T.), from which a 5/8" iron rod found bears, South 00°34'004" East, a distance of 3.60';

THENCE North 89°38'41" West, along the southerly line of said 22.661 acre tract, same being along the northerly line of said Lot 3, passing a 1/2" iron rod found, at a distance of 212.71', for the northwesterly corner of said Lot 3, same being the northeasterly corner of Lot 2, of said **HI FLYIN' ACRES**, and continuing along the northerly line of said Lot 2, a total distance of 516.44' to a 1/2" iron rod with a yellow plastic cap stamped "RPLS 5686" set for the northwesterly corner of said Lot 2;

THENCE North 89°49'30" West, along the southerly line of said 22.661 acre tract, a distance of 283.67' to a 1" iron rod found for the southwesterly corner of said 22.661 acre tract, same being on the southerly side of Stinson Road, said corner also being the southeasterly corner of a tract of land, described by deed to Adagio Investments, Inc., as recorded under Document No. 20180111000049020, O.P.R.C.C.T.;

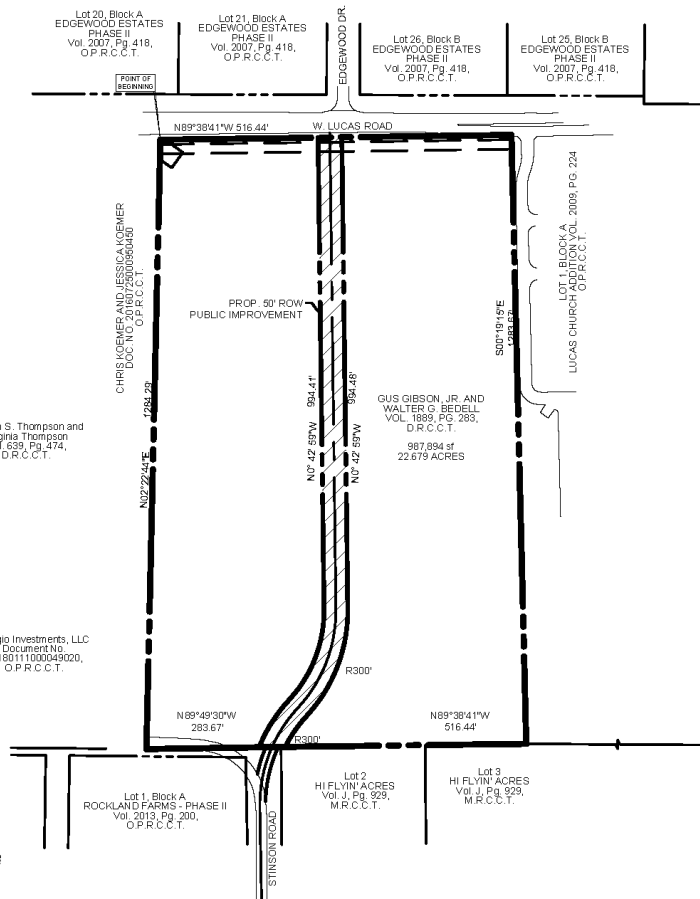
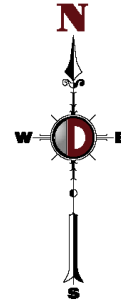
THENCE North 02°22'44" East, along the westerly line of said 22.661 acre, same being the easterly line of said Adagio Investments, LLC tract, passing a 1/2" iron rod found, at a distance of 44.70' and continuing a distance of 390.43' (total easterly line of said Adagio tract: 435.13') a 1/2" iron rod found for the northeasterly corner of said Adagio Investments, LLC tract, same being the southeasterly corner of the aforementioned Koerner tract, and continuing, in all, a total distance of 1284.29' to the **POINT OF BEGINNING** and containing 987,894 square feet or 22.679 acres of land, more or less.

Exhibit "B"

The Dedication Area

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| | | | |
|-------------------------------------|--|--|---|
| <p>OWNER JAMES IRWIN</p> | <p>DEVELOPER BEDELL PROPERTIES ANDREA BEDELL 15740 HIGHWAY 14, JUSTIN, TX 76247 T: 803-517-9452 EMAIL: BEDELLPROPERTIES@GMAIL.COM</p> | <p>CIVIL ENGINEER DYNAMIC ENGINEERING CONSULTANTS, PC JOSHUA T. EDGE, P.E. 714 S. GREENVILLE, STE 100 ALLEN, TX 75002 T: 972-534-2100 EMAIL: JEDGE@DYNAMICCEC.COM</p> | <p>SURVEYOR NORTH TEXAS SURVEYING, L.L.C. REGISTERED PROFESSIONAL LAND SURVEYORS 1010 WEST UNIVERSITY MCKINNEY, TX 75069 T: 469-424-2374 F: 469-424-1997 EMAIL: NORTHTEXASURVYING.COM FIRM REGISTRATION NO. 10074200</p> |
|-------------------------------------|--|--|---|



PRELIMINARY PLAN FOR REVIEW ONLY
THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF INTERIM REVIEW AND MARKUP UNDER THE AUTHORITY OF JOSHUA T. EDGE, STATE LICENSE NUMBER 19884. IT IS NOT TO BE USED FOR CONSTRUCTION, BIDDING, OR PERMIT PURPOSES.

JOSHUA T. EDGE

PROFESSIONAL ENGINEER
TEXAS LICENSE No. 19884
LOUISIANA LICENSE No. 38156
OKLAHOMA LICENSE No. 57907
COLORADO LICENSE No. 55508
MISSOURI LICENSE No. PE-262027891

GRAPHIC SCALE

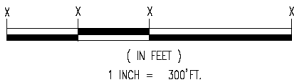


EXHIBIT B
RIGHT OF WAY DESCRIPTION
SINGLE-FAMILY SUBDIVISION - LUCAS
CITY OF LUCAS, TEXAS
22.679 ACRE LOT

DYNAMIC ENGINEERING
(DB) DYNAMIC ENGINEERING CONSULTANTS, PC

North Registered Professional Firm No. F-03562
714 S. Greenville Avenue, Suite 100
Allen, Texas 75002
T: 972.534.2100
www.dyneng.com

LAND DEVELOPMENT CONSULTING • PERMITTING • SURVEYING • ENVIRONMENTAL • SURVEY • PLANNING & ZONING
SOUTH TEXAS OFFICE: 1728 N. LOOP WEST, SUITE 200, FORT WORTH, TX 76102
CENTRAL TEXAS OFFICE: 1000 W. 10TH STREET, FORT WORTH, TX 76102
NORTH TEXAS OFFICE: 1000 W. 10TH STREET, FORT WORTH, TX 76102
NORTH TEXAS OFFICE: 1000 W. 10TH STREET, FORT WORTH, TX 76102
NORTH TEXAS OFFICE: 1000 W. 10TH STREET, FORT WORTH, TX 76102

Plotted: 09/21/21 - 4:12 PM, By: nduncan, - Product Ver: 24.0s (LMS Tech)
File: \\decpc.local\decfolders\Data\DECPC PROJECTS\3943 James Irwin\99-001 Single Family Subd- Lucas TX\Dwg\Exhibit

Exhibit "D" The Bids



PRELIMINARY OPINION OF
PROBABLE CONSTRUCTION COST
FOR

Lee Creek Estates
Lucas, Collin County, Texas
2/15/2022
DECPC #: 3943-99-001

Prepared by:
DYNAMIC ENGINEERING CONSULTANTS, P.C.
714 S. Greenville Avenue, Suite 100 Allen, TX 75002

Prepared By: RA
Checked By: JTE

| ITEM DESCRIPTION | QUANTITY | UNIT | FreeCon | | Watts Excavating | | Morrow Construction | |
|---|----------|------|-----------------|---------------------|------------------|---------------------|---------------------|---------------------|
| | | | UNIT COST | TOTAL COST | UNIT COST | TOTAL COST | UNIT COST | TOTAL COST |
| SITE CLEARING | | | | | | | | |
| Clearing & Grubbing (Greater Than 1/2 an Acre) | 1.5 | AC | \$14,167.00 | \$21,518.81 | \$5,000.00 | \$7,594.70 | \$5,500.00 | \$8,354.17 |
| | | | Subtotal | \$21,518.81 | Subtotal | \$7,594.70 | Subtotal | \$8,354.17 |
| SITE DEMOLITION | | | | | | | | |
| Sawcutting | 147 | LF | \$10.00 | \$1,465.00 | \$15.00 | \$2,197.50 | \$13.50 | \$1,977.75 |
| | | | Subtotal | \$1,465.00 | Subtotal | \$2,197.50 | Subtotal | \$1,977.75 |
| FINAL GRADING | | | | | | | | |
| Grading at Pavement | 34,281 | SF | \$2.31 | \$79,189.11 | \$1.50 | \$51,421.50 | \$1.65 | \$56,563.65 |
| | | | Subtotal | \$79,189.11 | Subtotal | \$51,421.50 | Subtotal | \$56,563.65 |
| EARTHWORK | | | | | | | | |
| Strip Topsoil | 408 | CY | \$4.00 | \$1,633.70 | \$5.00 | \$2,042.13 | \$5.50 | \$2,246.34 |
| Respread Topsoil (with stockpiled topsoil) | 214 | CY | \$7.50 | \$1,606.02 | \$5.00 | \$1,070.68 | \$5.50 | \$1,177.75 |
| Import & Place Fill | 5,872 | CY | \$23.15 | \$135,930.60 | \$12.00 | \$70,460.78 | \$15.00 | \$88,075.98 |
| | | | Subtotal | \$139,170.32 | Subtotal | \$73,573.59 | Subtotal | \$91,500.07 |
| SITE WORK | | | | | | | | |
| 6" Reinforced Concrete Pavement (#3 Bars @ 18" O.C.E.W) | 635 | CY | \$417.50 | \$265,042.92 | \$475.00 | \$301,545.83 | \$446.46 | \$283,427.69 |
| 8" Lime Treated Subgrade | 846 | CY | \$35.15 | \$29,752.52 | \$70.92 | \$60,029.84 | \$70.92 | \$60,029.84 |
| | | | Subtotal | \$294,795.44 | Subtotal | \$361,575.67 | Subtotal | \$343,457.53 |
| SOIL EROSION & SED. CONTROL | | | | | | | | |
| Silt Fence | 1377 | LF | \$1.40 | \$1,927.80 | \$5.25 | \$7,229.25 | \$4.25 | \$5,852.25 |
| Construction Entrance | 1 | EA | \$2,500.00 | \$2,500.00 | \$2,000.00 | \$2,000.00 | \$3,500.00 | \$3,500.00 |
| Concrete Wash-out Area | 1 | EA | \$5,500.00 | \$5,500.00 | \$1,000.00 | \$1,000.00 | \$2,000.00 | \$2,000.00 |
| | | | Subtotal | \$9,927.80 | Subtotal | \$10,229.25 | Subtotal | \$11,352.25 |

| | | |
|---|-------------------------------------|-------------------------------------|
| SUBTOTAL: \$346,066.48 | SUBTOTAL: \$306,592.21 | SUBTOTAL: \$513,205.42 |
| 15% CONTINGENCY: <u>\$81,909.97</u> | 15% CONTINGENCY: <u>\$75,988.83</u> | 15% CONTINGENCY: <u>\$76,980.81</u> |
| TOTAL COST NOT TO EXCEED: \$627,976.45 | TOTAL: \$582,581.04 | TOTAL: \$590,186.23 |

NOTE:
1.) This preliminary opinion of probable construction cost has been prepared based upon review of plans titled Engineering Construction Plans for Lee Creek Estates Subdivision as prepared by Dynamic Engineering Consultants, P.C., dated 02/15/2022.

December 8, 2021

City of Lucas
Development Services
665 Country Club
Lucas, TX 75002

Attn: Joseph Hilbourn

**RE: Traffic Counts
Lee Creek Estates
West Lucas Road (FM 1378)
City of Lucas, Collin County, Texas
3943-99-001T**

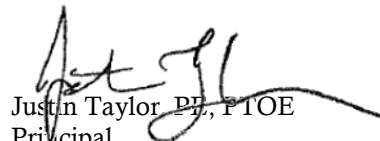
Dear Mr. Hilbourn:

Dynamic Traffic has conducted traffic counts in support of the above referenced project in order to quantify the amount of “cut-thru” traffic that would utilize the proposed roadway to travel between Stinson Road and West Lucas Road. This traffic count data was collected via the installation of Automatic Traffic Recorders (ATR’s) placed along Stinson Road just east of La Cantera Drive. The ATR’s were placed for the period of one (1) week from Friday, August 27th to Thursday, September 2nd, 2021 and the traffic data is attached. It is anticipated that the ATR’s will be replaced subsequent to the project being completed for another week to determine the volume of existing traffic that will use the proposed roadway. This data and analysis will be provided upon completion of the development.

Please do not hesitate to contact me if you have any questions or comments on the above.

Sincerely,

Dynamic Traffic, LLC



Justin Taylor PE, PTOE
Principal
TX PE License #118486



Dynamic Traffic, LLC

Locations: Stinson Rd
 Cross Street: E of La Cantera Dr
 Town/County: Lucas/Collin
 Job #: 3493-99-001T

714 S. Greenville Avenue, Suite 100
 Allen, TX 75002
 732-681-0760

Site Code:
 Station ID:

Latitude: 0' 0.0000 Undefined

| Start Time | 23-Aug-21 | | Tue | | Wed | | Thu | | Fri | | Sat | | Sun | | Week Average | |
|------------|-----------|----|-----|----|-----|----|-----|----|-------|-------|-------|-------|-------|-------|--------------|-------|
| | NB | SB | NB | SB | NB | SB | NB | SB | NB | SB | NB | SB | NB | SB | NB | SB |
| 12:00 AM | * | * | * | * | * | * | * | * | 1 | 4 | 3 | 9 | 2 | 6 | 2 | 6 |
| 01:00 | * | * | * | * | * | * | * | * | 1 | 1 | 1 | 5 | 1 | 2 | 1 | 3 |
| 02:00 | * | * | * | * | * | * | * | * | 0 | 0 | 0 | 2 | 2 | 1 | 1 | 1 |
| 03:00 | * | * | * | * | * | * | * | * | 1 | 1 | 2 | 1 | 0 | 0 | 1 | 1 |
| 04:00 | * | * | * | * | * | * | * | * | 1 | 0 | 1 | 2 | 2 | 0 | 1 | 1 |
| 05:00 | * | * | * | * | * | * | * | * | 9 | 5 | 4 | 11 | 3 | 2 | 5 | 6 |
| 06:00 | * | * | * | * | * | * | * | * | 28 | 10 | 9 | 8 | 5 | 0 | 14 | 6 |
| 07:00 | * | * | * | * | * | * | * | * | 116 | 92 | 29 | 15 | 14 | 6 | 53 | 38 |
| 08:00 | * | * | * | * | * | * | * | * | 71 | 67 | 34 | 24 | 21 | 16 | 42 | 36 |
| 09:00 | * | * | * | * | * | * | * | * | 67 | 62 | 53 | 51 | 35 | 26 | 52 | 46 |
| 10:00 | * | * | * | * | * | * | * | * | 74 | 58 | 52 | 60 | 50 | 30 | 59 | 49 |
| 11:00 | * | * | * | * | * | * | * | * | 92 | 81 | 51 | 58 | 25 | 36 | 56 | 58 |
| 12:00 PM | * | * | * | * | * | * | * | * | 50 | 69 | 53 | 79 | 40 | 70 | 48 | 73 |
| 01:00 | * | * | * | * | * | * | * | * | 61 | 75 | 50 | 59 | 51 | 74 | 54 | 69 |
| 02:00 | * | * | * | * | * | * | * | * | 41 | 79 | 26 | 71 | 26 | 61 | 31 | 70 |
| 03:00 | * | * | * | * | * | * | * | * | 52 | 106 | 46 | 69 | 51 | 52 | 50 | 76 |
| 04:00 | * | * | * | * | * | * | * | * | 60 | 176 | 51 | 67 | 26 | 48 | 46 | 97 |
| 05:00 | * | * | * | * | * | * | * | * | 67 | 239 | 33 | 72 | 39 | 74 | 46 | 128 |
| 06:00 | * | * | * | * | * | * | * | * | 58 | 143 | 41 | 59 | 31 | 61 | 43 | 88 |
| 07:00 | * | * | * | * | * | * | * | * | 42 | 48 | 33 | 46 | 23 | 33 | 33 | 42 |
| 08:00 | * | * | * | * | * | * | * | * | 29 | 39 | 16 | 41 | 45 | 34 | 30 | 38 |
| 09:00 | * | * | * | * | * | * | * | * | 12 | 28 | 17 | 36 | 20 | 13 | 16 | 26 |
| 10:00 | * | * | * | * | * | * | * | * | 17 | 29 | 5 | 20 | 5 | 6 | 9 | 18 |
| 11:00 | * | * | * | * | * | * | * | * | 8 | 15 | 6 | 15 | 3 | 6 | 6 | 12 |
| Total | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 958 | 1427 | 616 | 880 | 520 | 657 | 699 | 988 |
| Day | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 2385 | 1496 | 1177 | 1687 | | | | |
| AM Peak | - | - | - | - | - | - | - | - | 07:00 | 07:00 | 09:00 | 10:00 | 10:00 | 11:00 | 10:00 | 11:00 |
| Vol. | - | - | - | - | - | - | - | - | 116 | 92 | 53 | 60 | 50 | 36 | 59 | 58 |
| PM Peak | - | - | - | - | - | - | - | - | 17:00 | 17:00 | 12:00 | 12:00 | 13:00 | 13:00 | 13:00 | 17:00 |
| Vol. | - | - | - | - | - | - | - | - | 67 | 239 | 53 | 79 | 51 | 74 | 54 | 128 |

Dynamic Traffic, LLC

714 S. Greenville Avenue, Suite 100

Allen, TX 75002

732-681-0760

Locations: Stinson Rd
 Cross Street: E of La Cantera Dr
 Town/County: Lucas/Collin
 Job #: 3493-99-001T

Site Code:
 Station ID:

Latitude: 0' 0.0000 Undefined

| Start Time | 30-Aug-21 | | Tue | | Wed | | Thu | | Fri | | Sat | | Sun | | Week Average | |
|------------|-----------|-------|-------|-------|-------|-------|-------|-------|-----|----|-----|----|-----|----|--------------|-------|
| | NB | SB | NB | SB | NB | SB | NB | SB | NB | SB | NB | SB | NB | SB | NB | SB |
| 12:00 AM | 5 | 2 | 1 | 1 | 2 | 2 | 3 | 5 | * | * | * | * | * | * | 3 | 2 |
| 01:00 | 1 | 4 | 0 | 2 | 0 | 3 | 0 | 1 | * | * | * | * | * | * | 0 | 2 |
| 02:00 | 1 | 1 | 1 | 0 | 1 | 4 | 0 | 1 | * | * | * | * | * | * | 1 | 2 |
| 03:00 | 2 | 1 | 3 | 2 | 1 | 1 | 1 | 0 | * | * | * | * | * | * | 2 | 1 |
| 04:00 | 5 | 0 | 5 | 0 | 2 | 0 | 4 | 0 | * | * | * | * | * | * | 4 | 0 |
| 05:00 | 16 | 3 | 11 | 3 | 8 | 3 | 9 | 0 | * | * | * | * | * | * | 11 | 2 |
| 06:00 | 22 | 21 | 25 | 13 | 34 | 18 | 21 | 16 | * | * | * | * | * | * | 26 | 17 |
| 07:00 | 110 | 73 | 72 | 63 | 113 | 80 | 74 | 89 | * | * | * | * | * | * | 92 | 76 |
| 08:00 | 64 | 73 | 77 | 75 | 79 | 72 | 65 | 65 | * | * | * | * | * | * | 71 | 71 |
| 09:00 | 55 | 57 | 61 | 61 | 57 | 58 | 56 | 64 | * | * | * | * | * | * | 57 | 60 |
| 10:00 | 47 | 35 | 54 | 47 | 35 | 58 | 51 | 42 | * | * | * | * | * | * | 47 | 46 |
| 11:00 | 42 | 58 | 39 | 60 | 62 | 50 | 48 | 64 | * | * | * | * | * | * | 48 | 58 |
| 12:00 PM | 42 | 68 | 40 | 61 | 65 | 76 | 53 | 72 | * | * | * | * | * | * | 50 | 69 |
| 01:00 | 51 | 76 | 54 | 81 | 51 | 72 | 45 | 68 | * | * | * | * | * | * | 50 | 74 |
| 02:00 | 51 | 53 | 58 | 55 | 58 | 78 | 60 | 78 | * | * | * | * | * | * | 57 | 66 |
| 03:00 | 49 | 106 | 42 | 77 | 54 | 94 | 46 | 113 | * | * | * | * | * | * | 48 | 98 |
| 04:00 | 60 | 161 | 51 | 190 | 51 | 152 | 51 | 183 | * | * | * | * | * | * | 53 | 172 |
| 05:00 | 53 | 219 | 70 | 279 | 73 | 262 | 91 | 308 | * | * | * | * | * | * | 72 | 267 |
| 06:00 | 63 | 156 | 53 | 261 | 50 | 180 | 61 | 155 | * | * | * | * | * | * | 57 | 188 |
| 07:00 | 30 | 61 | 42 | 82 | 22 | 62 | 33 | 70 | * | * | * | * | * | * | 32 | 69 |
| 08:00 | 23 | 52 | 23 | 54 | 33 | 44 | 19 | 63 | * | * | * | * | * | * | 24 | 53 |
| 09:00 | 20 | 26 | 14 | 23 | 16 | 39 | 11 | 25 | * | * | * | * | * | * | 15 | 28 |
| 10:00 | 5 | 12 | 6 | 7 | 10 | 10 | 8 | 19 | * | * | * | * | * | * | 7 | 12 |
| 11:00 | 2 | 7 | 4 | 6 | 5 | 8 | 5 | 7 | * | * | * | * | * | * | 4 | 7 |
| Total | 819 | 1325 | 806 | 1503 | 882 | 1426 | 815 | 1508 | 0 | 0 | 0 | 0 | 0 | 0 | 831 | 1440 |
| Day | 2144 | | 2309 | | 2308 | | 2323 | | 0 | | 0 | | 0 | | 2271 | |
| AM Peak | 07:00 | 07:00 | 08:00 | 08:00 | 07:00 | 07:00 | 07:00 | 07:00 | - | - | - | - | - | - | 07:00 | 07:00 |
| Vol. | 110 | 73 | 77 | 75 | 113 | 80 | 74 | 89 | - | - | - | - | - | - | 92 | 76 |
| PM Peak | 18:00 | 17:00 | 17:00 | 17:00 | 17:00 | 17:00 | 17:00 | 17:00 | - | - | - | - | - | - | 17:00 | 17:00 |
| Vol. | 63 | 219 | 70 | 279 | 73 | 262 | 91 | 308 | - | - | - | - | - | - | 72 | 267 |

| | | | | | | | | |
|-------------|-----------|------------|------|------|------|------|------|------|
| Comb. Total | 2144 | 2309 | 2308 | 2323 | 2385 | 1496 | 1177 | 3958 |
| ADT | ADT 2,020 | AADT 2,020 | | | | | | |



**PRELIMINARY OPINION OF
PROBABLE CONSTRUCTION COST
FOR**

**Lee Creek Estates
Lucas, Collin County, Texas
12/30/2021
DECPC #: 3943-99-001**

Prepared by:
**DYNAMIC ENGINEERING CONSULTANTS, P.C.
714 S. Greenville Avenue, Suite 100 Allen, TX 75002**

Prepared By: RA
Checked By: JTE

| | <u>QUANTITY</u> | <u>UNIT</u> | <u>UNIT COST</u> | <u>TOTAL COST</u> |
|---|-----------------|-------------|------------------|---------------------|
| SITE CLEARING | | | | |
| Clearing & Grubbing (Greater Than 1/2 an Acre) | 1.5 | AC | \$14,167.00 | \$21,518.81 |
| | | | Subtotal | \$21,518.81 |
| SITE DEMOLITION | | | | |
| Sawcutting | 147 | LF | \$10.00 | \$1,465.00 |
| | | | Subtotal | \$1,465.00 |
| FINAL GRADING | | | | |
| Grading at Pavement | 34,281 | SF | \$2.31 | \$79,189.11 |
| | | | Subtotal | \$79,189.11 |
| EARTHWORK | | | | |
| Strip Topsoil | 408 | CY | \$4.00 | \$1,633.70 |
| Respread Topsoil (with stockpiled topsoil) | 214 | CY | \$7.50 | \$1,606.02 |
| Import & Place Fill | 5,872 | CY | \$23.15 | \$135,930.60 |
| | | | Subtotal | \$139,170.32 |
| SITE WORK | | | | |
| 6" Reinforced Concrete Pavement (#3 Bars @ 18" O.C.E.W) | 635 | CY | \$417.50 | \$265,042.92 |
| 8" Lime Treated Subgrade | 846 | CY | \$35.15 | \$29,752.52 |
| | | | Subtotal | \$294,795.44 |
| STRIPING & SIGNAGE | | | | |
| Traffic Control Measures | 1 | EA | \$12,000.00 | \$12,000.00 |
| | | | Subtotal | \$12,000.00 |
| STORM DRAINAGE | | | | |
| 5x5 Concrete box culvert | 171 | LF | \$451.00 | \$77,121.00 |
| Concrete Headwall & Footing | 2 | EA | \$2,850.00 | \$5,700.00 |

| | | | | |
|--|-------|----|----------|---------------------|
| Traffic Guardrail | 435 | LF | \$100.00 | \$43,500.00 |
| 9" – 12" Grouted Rock Rip-Rap with filter fabric | 1,880 | SF | \$12.00 | \$22,560.00 |
| Subtotal | | | | \$148,881.00 |

WATER

| | | | | |
|------------------------------|-------|----|------------|---------------------|
| 8" PVC | 1,448 | LF | \$80.00 | \$115,840.00 |
| 6" PVC | 28 | LF | \$60.00 | \$1,680.00 |
| Hydrant, Valve & Stem | 2 | EA | \$6,000.00 | \$12,000.00 |
| 8" Bend w/ Thrust Block | 5 | EA | \$700.00 | \$3,500.00 |
| 8" Valve | 9 | EA | \$3,000.00 | \$27,000.00 |
| 8" water line bore | 67 | LF | \$750.00 | \$50,250.00 |
| 1" Service Lines | 10 | EA | \$1,500.00 | \$15,000.00 |
| Connections to Existing line | 2 | EA | \$6,250.00 | \$12,500.00 |
| Subtotal | | | | \$237,770.00 |

FRANCHISE UTILITIES

| | | | | |
|-------------------------------------|-------|----|----------|---------------------|
| 3-4" PVC Telecommunication Conduits | 1,050 | LF | \$136.00 | \$142,800.00 |
| 3-6" Underground Electric Conduits | 1,057 | LF | \$162.00 | \$171,234.00 |
| 2" PVC Natural Gas Main | 1,110 | LF | \$75.00 | \$83,250.00 |
| Subtotal | | | | \$397,284.00 |

SOIL EROSION & SED. CONTROL

| | | | | |
|------------------------|------|----|------------|-------------------|
| Silt Fence | 1377 | LF | \$1.40 | \$1,927.80 |
| Construction Entrance | 1 | EA | \$2,500.00 | \$2,500.00 |
| Concrete Wash-out Area | 1 | EA | \$5,500.00 | \$5,500.00 |
| Subtotal | | | | \$9,927.80 |

| | |
|------------------|-----------------------|
| SUBTOTAL: | \$1,342,001.48 |
| 15% CONTINGENCY: | \$201,300.22 |
| TOTAL: | \$1,543,301.70 |

NOTE:

1.) This preliminary opinion of probable construction cost has been prepared based upon review of plans titled Engineering Construction Plans for Lee Creek Estates Subdivision as prepared by Dynamic Engineering Consultants, P.C., dated 12/17/2021.

2.) The unit pricing included is appropriate and is based upon available pricing indices or this firms historical experience in the general geographical area as a result of same, it is only approximate. For utilization as a budget estimate, same must be updated by current market conditions and other constructability factors.

3.) This opinion of probable construction cost excludes costs that may be associated with the dewatering, unforeseen sub-surface conditions, environmental conditions, earth work, adverse weather conditions, material requirements, temporary utility installations, electrical transformer costs, water meter costs, etc. This estimate is not to be utilized for pro forma or finance purposes.

4) This opinion of probable construction cost is for bonding purposes only.

City of Lucas
General Fund Roadway Impact Fee Schedule
Account 11-1009

| | | <u>General</u> |
|---|-----------|------------------------|
| Beginning Balance | 9/30/2021 | \$ 1,289,717.95 |
| FY 21-22 Budgeted Impact Fee Collections | | \$ 350,000.00 |
| FY 21-22 Capital Project Expenditures: | | |
| 21-8210-491-127 Winningkoff Phase 2 | | \$ (168,873.00) _ |
| 21-8210-491-130 Blondy Jhune Rd Alignment | | \$ (306,489.00) |
| Total GF Roadway Impact Fees Remaining | | <u>\$ 1,164,355.95</u> |

City of Lucas
 General Fund Reserves by Fiscal Year (Unaudited)

| | Actual 2013-2014 | Actual 2014-2015 | Actual 2015-2016 | Actual 2016-2017 | Actual 2017-2018 | Actual 2018-2019 | Actual 2019-2020 | Projected 2020-2021 | Projected 2021-2022 |
|---|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|------------------------|------------------------|
| Unassigned Fund Balance per Audit Report | \$ 5,867,875 | \$ 6,203,973 | \$ 7,545,674 | \$ 8,774,909 | \$ 7,380,496 | \$ 7,442,323 | \$ 8,524,465 | \$ 8,524,465 | \$ 8,524,465 |
| Adjusted For: | | | | | | | | | |
| Projected Excess Fund Balance FY 20-21 (Revenue vs. Expense) | | | | | | | | \$ 1,438,228 | \$ 1,438,228 |
| Projected Excess Fund Balance FY 21-22 (Revenue vs. Expense) | | | | | | | | | \$ 24,659 |
| Additional Restrictions: | | | | | | | | | |
| Capital Project funding approved at (3-2-17) City Council Meeting | | | | \$ (1,385,000) | | | | | |
| FY 20-21 Brockdale Roadway Improvements carry-over | \$ (47,935) | \$ (102,935) | \$ (140,335) | \$ (199,570) | | | \$ - | \$ (41,349) | \$ (41,349) |
| Water Rescue Boat | | | | | | | | \$ (120,000) | \$ (120,000) |
| FY 20-21 FD Equipment/bunker gear carry-over | | | | | | | | \$ (21,379) | \$ (21,379) |
| FY 20-21 Energov Software/Hardware carry-over | | | | | | | | \$ (34,843) | \$ (34,843) |
| FY 20-21 -CC 7-1-21 Lemontree drainage carry-over | | | | | | | | \$ (67,813) | \$ (67,813) |
| Reserve for Capital Outlay FY 20-21 | | | \$ (50,000) | \$ (100,000) | | | | \$ (50,000) | \$ (50,000) |
| Reserve for Capital Outlay FY 21-22 | | | | | | | | | \$ - |
| CC 11-4-21 Reserves for Claremont Springs Drainage (FY 21-22) | | | | | | | | | \$ (192,025) |
| CC 11-4-21 Reserves for Brookhaven Culvert (FY 21-22) | | | | | | | | | \$ (110,758) |
| CC 12-16-21 Reserves for Water Master Plan (FY 21-22) | | | | | | | | | \$ (30,000) |
| CC 1-20-22 Reserves for Records Management Scanning (FY 21-22) | | | | | | | | | \$ (26,607) |
| CC 2-17-22 Reserves for Rimrock Detention Pond Design (FY 21-22) | | | | | | | | | \$ (23,280) |
| CC 2-17-22 Reserves for Orchard Road Crossing Design (FY 21-22) | | | | | | | | | \$ (32,450) |
| Reserve Balance Prior to GASB 54 Requirement | \$ 5,819,940 | \$ 6,101,038 | \$ 7,355,339 | \$ 7,090,339 | \$ 7,380,496 | \$ 7,442,323 | \$ 8,524,465 | \$ 9,627,309 | \$ 9,236,848 |
| Reserve Balance in Operating Months | 16.7 | 17.1 | 19.3 | 16.5 | 16.9 | 14.9 | 17.9 | 17.8 | 16 |
| 50% Current Year General Fund Expenditures (6 months) | \$ (2,089,807) | \$ (2,143,890) | \$ (2,286,670) | \$ (2,583,535) | \$ (2,624,410) | \$ (3,009,319) | \$ (2,861,041) | \$ (3,245,588) | \$ (3,463,246) |
| Reserve Balance After GASB 54 Requirement | \$ 3,730,133 | \$ 3,957,148 | \$ 5,068,669 | \$ 4,506,804 | \$ 4,756,086 | \$ 4,433,005 | \$ 5,663,424 | \$ 6,381,721 | \$ 5,773,602 |
| Reserve Balance in Operating Months | 10.7 | 11.1 | 13.3 | 10.5 | 10.9 | 8.9 | 11.9 | 11.8 | 10 |
| Restricted during Fiscal Year Audit: | | | | | | | | | |
| Ambulance Donation | | | | | \$ 100,000 | \$ - | \$ - | \$ - | \$ - |
| Capital Project Funding approved (3105) | | | | | \$ 1,385,000 | \$ 1,385,000 | \$ 613,590 | \$ - | \$ - |
| Restricted Court/Misc (3105.10)(3105.35) | \$ 35,473 | \$ 45,612 | \$ 51,004 | \$ 56,820 | \$ 64,031 | \$ 77,266 | \$ 78,726 | \$ 76,647 | \$ 76,647 |
| Restricted Cable Fees (3105.20) | \$ 8,256 | \$ 12,773 | \$ 17,670 | \$ 21,843 | \$ 25,318 | \$ 28,582 | \$ 31,834 | \$ 34,707 | \$ 34,707 |
| Brockdale Roadway Improvements (3105.25) | | | | | \$ 245,054 | \$ 285,878 | \$ 385,528 | \$ - | \$ - |
| Restricted Impact Fees (3105.30) | \$ 770,508 | \$ 867,279 | \$ 1,116,079 | \$ 1,254,213 | \$ 1,572,405 | \$ 1,785,286 | \$ 2,115,802 | \$ 1,417,318 | \$ 1,291,956 |
| Restricted Water Rescue (3105-32) | | | | | | | | \$ 120,000 | \$ 120,000 |
| Restricted FD Equipment (3105-34) | | | | | | | | \$ 16,379 | \$ 16,379 |
| Restricted Cares Funding (3105.40) | | | | | | | \$ 89,755 | | |
| Restricted Mass Mutual LOSAP (3105.45) | | | | \$ 216,615 | \$ 233,592 | \$ 252,407 | \$ 265,669 | \$ 279,043 | \$ 279,043 |
| Capital Outlay (\$50K per year) (3106) | | | | | \$ 150,000 | \$ 200,000 | \$ 250,000 | \$ 300,000 | \$ 250,000 |
| Project Mgmt (3107) | | | | | | \$ 358,290 | \$ 70,853 | \$ - | \$ - |
| Reserve Restricted per Audit Report | \$ 814,237 | \$ 925,664 | \$ 1,184,753 | \$ 1,549,491 | \$ 3,775,400 | \$ 4,372,709 | \$ 3,901,757 | \$ 2,244,094 | \$ 2,068,732 |



City of Lucas City Council Agenda Request March 3, 2022

Item No. 06

Requester: Development Services Director Joe Hilbourn

Agenda Item Request

Consider approval of proposed edits recommended by the Planning and Zoning Commission to Chapters 4 and 5 of the City of Lucas Comprehensive Plan and provide direction to staff regarding any additional amendments.

Background Information

At the February 10, 2022, Planning and Zoning Commission meeting, the Commission approved final edits to Chapters 4 and 5 of the Comprehensive Plan. The redline version of Chapters 4 and 5 included with this agenda item incorporate amendments made by Planning and Zoning Commission as well as staff at the direction of the Commission.

The following table outlines a timeline for review of the Comprehensive Plan by the Planning and Zoning Commission. The process to update the Comprehensive Plan will be incorporating amendments recommended by the Planning and Zoning Commission and then bringing those revisions before City Council. Once the City Council has completed its review and revision process, staff will request the two required public hearings to be scheduled.

| Chapters | P&Z Meeting to Discuss | Comments to City Secretary | Back to P&Z for finalization | City Council Review |
|------------|---|--------------------------------|---|-------------------------------------|
| 1, 2 and 3 | December 9 <i>complete</i> | December 21 <i>complete</i> | January 13 <i>complete</i> | February 17 <i>complete</i> |
| 4, 5 and 6 | January 13 <i>complete</i> | January 24 <i>complete</i> | February 10 <i>Ch 4 & 5 complete</i> | March 3 <i>Ch 4 & 5 only</i> |
| 7 | February 10 <i>on P&Z agenda</i> | February 21 | March 10 <i>Ch 6 w/Trail Map updates</i> | April 7 |
| 8 | April 14 | April 25 | May 12 | June 2 |

Attachments/Supporting Documentation

- Chapters 4 and 5 of the Comprehensive Plan approved by the Planning and Zoning Commission

Budget/Financial Impact

NA



City of Lucas
City Council Agenda Request
March 3, 2022

Item No. 06

Recommendation

NA

Motion

I make a motion to approve the edits recommended by the Planning and Zoning Commission to Chapters 4 and 5 of the City of Lucas Comprehensive Plan.

CHAPTER 4

LAND USE

INTRODUCTION

The land use analysis provide both statistical and graphical information concerning the various types, amount and intensity of land use within Lucas and identify problems which have arisen as a result of conflicting land use patterns or inappropriate land uses. An updated future land use plan can then be produced enabling Lucas to better guide land development in a manner which reflects local goals and objectives.

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The total corporate limits of Lucas comprise 10,323 acres of land while the actual developed area of the city covers 7,753 acres. ETJs cover an additional 1,494.29 acres. Figure 4.1 at the end of this chapter displays an aerial illustration of the City of Lucas and the ETJ. Lucas has annexed all of the pockets of ETJ previously surrounded by corporate limits and the remaining ETJ tracts, excluding those located in the Seis Lagos Utility District for which there are no plans for future annexation, have a development agreement in place providing a timeframe for annexation.

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ANALYSIS OF EXISTING LAND USE

Residential Land Use

Residential land use consists of 6,045 acres of single-family land use and 43 acres of manufactured homes land use, or 58.98 percent of the gross land area of Lucas. This is the most important land use classification in Lucas. Most single-family development lies in the central portions of Lucas, taking advantage of gentle topography which is out of floodplain areas. Although there are some scattered commercial uses intermingled with single-family uses, most neighborhoods contend only with vacant lots as the only other use present. Manufactured homes account for 0.55 percent of total developed land area.

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Commercial Land Use

Commercial land use covers 505 acres or 4.89 percent of the gross land area of Lucas. Access to public sewer facilities is allowed only in areas designated by metes and bounds that have been zoned for commercial use.

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Lucas families are served by six independent school districts and contains one private school, Lucas Christian Academy. The majority and central portion of Lucas are served by Lovejoy ISD with significant portions of the perimeter of the city split between the other districts but no other district having campuses within city limits. Lovejoy ISD has 3 campuses within Lucas. These are Hart

Deleted: There are six independent school districts in City of Lucas and one private K-12 school:

- McKinney ISD
- Princeton ISD
- Allen ISD
- Lovejoy ISD
- Plano ISD
- Wylie ISD
- Lucas Christian Academy

Elementary School, Willow Springs Middle School, and Lovejoy High School. Lucas Christian Academy serving grades K-12 is based in Lucas and serves area families. The public schools partially located in Lucas are as follows:

- [Allen ISD](#)
- [Lovejoy ISD](#)
- [McKinney ISD](#)
- [Plano ISD](#)
- [Princeton ISD](#)
- [Wylie ISD](#)

Most of the remaining commercial land uses within the city are in close proximity to the major roadway system. At present, there appears to be minimal conflict between commercial and adjacent land uses.

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Industrial Land Use - (These parcels are zoned LI light industrial)

Industrial land use covers seven acres or 0.07 percent gross land area of the city and consists of light industrial uses along the north side of West Lucas Road. These light industrial uses have potential for conflict with adjacent future residential uses.

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Streets and Rights-of-Way

Land utilized for streets and utilities comprises 971 acres, or 9.41 percent of the gross land area of Lucas. Streets do not pose any conflicts with other land uses in Lucas as these uses tend to be compatible.

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Public/Semi-Public Land Use

Public and semi-public land use within Lucas covers 29 acres, or 0.28 percent of the gross land area. Most of this land is utilized for city facilities, cemeteries, and public utilities such as water towers.

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Parks Land Use

Parks land use covers 153 acres, or 1.48 percent of the gross land area of the city. This includes three neighborhood parks, the Lucas Community Park, and two parks located adjacent to Lake Lavon. In general, parks are compatible with their surrounding land uses.

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Agricultural and Open Space Land Use

The remaining land use types, including agricultural and open spaces, are located randomly throughout the city. Agricultural and open spaces cover 2,570 acres or 24.9 percent of the gross land in the City of Lucas. In addition to land located in flood plain areas, this also includes those areas

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which are usually subdivided into lots with access to potable water facilities and paved streets or where surrounding development densities make agriculture or ranching less practical.

SOCIO-ECONOMIC AND MAN-MADE INFLUENCES AFFECTING LAND USE

An analysis of the existing development activity in Lucas should examine the following basic influences: population growth, housing availability, public utilities and facilities, transportation, and development constraints posed by both the natural and man-made environment. This can then be used to better determine the influences which will define future land development in the city.

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Housing

Lucas is comprised of primarily single-family housing units. With a steady growth in population, it is anticipated that the demand for well-constructed and well-maintained housing will continue to increase. Therefore, more units will need to be built to provide adequate and safe housing for the growing population. As the city's development approaches a "built out" condition, the increase in tax revenue due to new housing should be expected to diminish.

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Infrastructure

Future growth and appropriate levels of service depends upon the city's water supply and distribution system, street system, and drainage system at suitable capacities and operational levels to meet demands. Various elements of Lucas' water, streets, and drainage systems will need improvement in the coming years.

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Public/Semi-Public Facilities

Public facilities in Lucas include a City Hall, community center, parks, cemeteries, fire station and utility sites. As the future population increases, there will be a corresponding increase in the demand for these public facilities.

OTHER SERVICES

There will be an increase in the local demand for retail and/or consumer services as the population increases. Lucas has approximately 5.85 acres of commercial land use per 100 inhabitants (excluding the schools). To avoid conflict with adjacent residential uses and minimize negative traffic impacts, future commercial uses should generally continue to be confined to peripheral areas of the city.

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ETJ AND FUTURE ANNEXATIONS

Lucas ETJ's includes:

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- Land adjacent to Lake Lavon
- A municipal utility district in the southeast corner of the city
- Several pieces of land adjacent to the city

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The composition of the ETJ area is presented in table 4.3 and figure 4.4. Any future large-scale residential development in the ETJ area will most probably occur to the southeast adjacent to Lake Lavon. It should be noted that development agreements are in place which preclude some of the ETJ areas from annexation at the time of preparation of this Comprehensive Plan and that some areas of ETJ are currently located in Municipal Utility Districts that cannot be partially annexed and are not entirely within Lucas ETJ, thereby preventing them from being annexed. The only available area for annexation at this time, excluding those with a development agreement or Municipal Utility District (MUD), is Trinity Park.

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ZONING AND SUBDIVISION REGULATIONS

Lucas has previously adopted zoning and subdivision ordinances. Subdivision Ordinances provide the city with control over development practices within both the city and to a far more limited extent, the ETJ. Zoning ordinances are used to regulate land uses that can occur within the city limits. The continued monitoring of these ordinances is important to ensure future development activities are consistent with the city's development objectives.

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Deleted: The composition of the ETJ area is presented in table 4.3 and figure 4.4. Any future large-scale residential development in the ETJ area will most probably likely occur to the southeast adjacent to Lake Lavon. As opportunities arise, the city should favorably consider annexing those "out areas" currently within the city limits as they become available for annexation. It should be noted that development agreements are in place which preclude some of the ETJ areas from annexation at this time of preparation of this Comprehensive Plan. CurrentThe available areas for annexation at this time include:¶

- ¶ Claremont Springs Phase 1¶
- ¶ Cimarron¶
- ¶ Edgewood Estates¶
- ¶ Trinity Park ¶
- ¶

LAND USE GOALS AND OBJECTIVES

The overall goal of Lucas' land use policy is to optimize land use in order to improve the quality of life of Lucas residents. To achieve this, Lucas needs to avoid traffic congestion, inadequate or obsolete utilities or services and the location of incompatible land uses adjacent to one another. The proper planning and use of land will result in well-ordered land uses and development patterns as the city progresses.

To achieve this overall goal, the City of Lucas has carried forward the same goals and objectives established in the past Comprehensive Plan.

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LOCAL GOALS AND OBJECTIVES AFFECTING DEVELOPMENT

GOAL 1.

Develop the community in a manner which preserves and maintains property values and is consistent with the city's ability to serve existing and future development.

Objectives:

- Plan for reasonable demand with regard to water, street circulation and neighborhood connectors.

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- Maintain the present rural atmosphere with a majority of large-lot residential development.

GOAL 2.

Preserve the residential and rural small-town atmosphere of the community while encouraging some high-quality commercial development.

Deleted: small-scale economic development.

Objectives:

Utilize the “Survey of selected business” as a guideline for attracting business to the community.

- Ensure that commercial and other "high activity" uses are adjacent to designated neighborhood connectors to maintain acceptable fire/emergency response times.
- Preserve peripheral areas to the south and west for future limited commercial and moderate density residential development.
- Regularly review, update (if necessary) and enforce the zoning and subdivision ordinances to minimize the intrusion of incompatible land uses.
- Promote the general health and safety of the community residents.

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It is important to understand that the Land Use Plan for Lucas is intended to serve as a general guide for the future development of the city. It should be considered flexible in nature, rather than a rigid blueprint for future land use. The population, housing, infrastructure and land use data contained in sections of this Comprehensive Plan serve to establish the determinants for land use projections.

Commented [OTT1]: Is this a formal plan of the city?

FUTURE LAND USE

Land Use Planning Principles and Process

The following principles are considered applicable to the proper designation of land for residential use:

- Residential land should be well drained and free from danger of floods.
- Residential land should be readily accessible from, but not necessarily facing, arterial or collector streets.
- Residential land should be free from encroaching incompatible land uses.
- Residences should be able to access community facilities such as parks, schools, playgrounds and commercial facilities serving everyday needs.

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Factors relating to the designation of land for commercial uses include:

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- must be located to maximize the use of major neighborhood connectors while minimizing excessive traffic impacts on residential roads and neighborhoods.
- should be limited and compact.
- must allow for safe automobile/pedestrian access and circulation. (Commercial areas require sidewalks per our adopted regulations)

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- must be designed to avoid blighting effects on adjacent residential land and must be kept from encroaching on other sensitive land uses.

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The proposed locations for commercial activities on the periphery of the community is acceptable both in terms of decreasing traffic stresses on central area roadways while providing accessibility to area customers. Commercial areas, if properly developed with landscaping programs and a developed access route to remove consumer traffic from through traffic, can be an asset to a community. It is with these factors in mind that the following principles were established for the planning of commercial areas:

- Commercial land uses should be formed into compact developments, avoiding "strip commercial" growth.
- Avoid the occurrence of scattered commercial development along major highways. Commercial activities should be consolidated into a few well organized areas to take maximum advantage of utilities and services and to promote the economic well-being of the total business community.
- Adequate off-street parking and access should be utilized for commercial areas to decrease potential congestion and safety hazards.

As the City of Lucas grows, future fire stations and emergency sites should be located to minimize the response time in accordance with national standards.

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In order to formulate, adopt and implement a plan that accomplishes the foregoing overall goals and objectives, it is important to incorporate certain basic planning principles and processes into the local future land use planning effort. The Future Land Use Plan expresses projections that are based on sound planning principles, recognizing and supporting existing land uses, community facilities and physical features.

The plan for Lucas suggests that certain areas be reserved and developed for various land uses. Selecting the pattern and distribution of future land use is best accomplished through:

1. analysis of existing land use characteristics
2. effects of existing infrastructure
3. location of existing neighborhood connectors
4. application of recognized planning principles

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These characteristics and principles establish a process by which to judge the most optimum and best land use based on local and community-wide standards. There are two advantages of going through such a process. First, it results in a land use plan for the city as represented by the Future Land Use Map. The Future Land Use Map can be used to assure that individual decisions follow a comprehensive pattern. It also helps in the sensitive but necessary evaluation of change with respect to public and private benefits. Second, the establishment of this planning process provides the city with a method of logically making subsequent land use decisions.

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Deleted: It is important to reiterate that the Future Land Use Plan does not attempt to set the specific use for each and every parcel in the planning area.

RECOMMENDED ASSIGNMENT OF LAND USES

Residential Land Use Requirements

The assignment of land uses is then based upon the goals, objectives and planning principles previously stated. It is anticipated that new residential uses will be built as (1) new subdivisions close to or within current city limits, as (2) larger lot development in sparsely populated areas adjacent to Lake Lavon and the ETJs, and as (3) in-fill development/redevelopment. As one moves further west and south, residential densities transition from larger lots of two or more acres, to lots of one and one-half acres, and one acre. Establishing this hierarchy of development density will result in a more cohesive distribution of land uses throughout the city.

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Commercial Land Use Requirements

Future commercial land use allocations in Lucas should focus on peripheral locations to minimize traffic impacts on residential areas, reduce the potential for incompatible land uses, and minimize subsequent potential adverse effects. These locations will serve local needs with limited impacts to commuter and passerby highway traffic.

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Industrial Land Use Requirements

No provision is made for future industrial development in Lucas. There are no apparent benefits to the city in preserving areas for industrial development.

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Parks Requirements

With respect to parks and open space, local opportunities for residents exist in Lucas. Expanded recreation options can be a benefit if operating and maintenance costs are held to manageable levels. Refer to Chapter 6 for detailed information on Parks and Open Spaces.

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RECOMMENDED LAND USE PLAN

The Future Land Use Map must be continually updated to reflect changes in the Future Land Use Plan as they take place. A current delineation of existing conditions in both graphic and tabular form will not only allow for an up-to-date analysis of needs but will also allow for a measurement of success in achieving the Plan. Further, the Future Land Use Map should be used as a guide to keep incremental changes of the community in perspective. The individual decisions which actually shape the community, however, should be evaluated with respect to the characteristics and principles discussed throughout this document. Exceptions to this plan can be made and can be acceptable on a case-by-case basis where the greater good of the community is enhanced.

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CHAPTER 5

ECONOMIC DEVELOPMENT

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INTRODUCTION

Economic Development can be defined as the basis by which a community maximizes or preserves the quality of life for its citizens. Economic development is a complex process vital to a community's pursuit of greater prosperity. Successful community development is a result of a well-executed economic development process that is given high priority by local leadership and supported by residents. Moreover, economic development provides local employment and investment opportunities that generate these revenues. These revenues pay for public improvements, services, and facilities, as well as offset increases in property taxes. However, for the City of Lucas, it is important to understand that economic development is only supported when it sustains the overall livability of Lucas. What does the term livability mean with regard to city planning? Many intangibles make a city livable, such as a sense of community, a strong sense of place in particular areas, city pride, and the friendliness of neighbors. However, there are also tangible aspects which can nurture livability. Therefore, the aspects of livability that this chapter will embrace include:

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- Creation of a trail network that connects neighborhoods;
- Creation of neighborhood identity, and areas with a strong "sense of place";
- Aesthetic quality of the neighborhoods and community;
- Proximity to open space and recreational opportunities;
- Proximity and availability of other community services such as high quality schools;
- Ease of access to and quality of retail and restaurants;
- Traffic flow and managing the impact of development and the associated increase in traffic on neighborhoods;
- Sustainability in buildings and development pattern; and
- Accessibility to natural areas

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DEVELOPMENT CHARACTERISTICS AND POLICIES

Regional Context

Many aspects of regional development and demographic trends have a significant influence on economic potential. State, national, and international economics influence the regional and local economic potential, as well as contribute to the underlying assumptions for conducting regional and local economic analysis.

Lucas, with a current population estimate of 6,875 persons in 2016, contains a total land area of approximately 9,855 acres. An additional 1,922 acres is located within the ~~ETJs~~. The city's location in Collin County places it on the northeastern edge of the Dallas/Fort Worth Metroplex, convenient to most major employment centers.

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Physical Growth Patterns

The Future Land Use Plan (Figure 4.5) depicts future land development characteristics for Lucas. Lucas is a traditional bedroom community with primarily large single-family lots and open spaces located through the core of the city with commercial located on the periphery. Residential ~~development~~ is served by on-site sewerage facilities (OSSF), which requires a minimum of one acre for a residential home site. Most commercial ~~development~~ is served as defined by the ~~Waste~~water Master Plan. Commercial development is planned in two primary areas of the ~~city~~. Both of these areas have been planned and have all necessary services installed for development. Unlike residential development, most of these areas for commercial development have access to sanitary sewer infrastructure installed with capacity available to meet future demand for these services.

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In the past, the majority of commercial establishments consisted of small retail providers catering generally to local trade. In recent years major commercial growth has occurred along the western city limit boundary near the City of Allen, between West Lucas Road and Estates Parkway. In addition to development of commercial establishments near the western city limit, future commercial growth is anticipated near the southern city limit boundary in an area west of Southview Drive. Since Lucas foresees itself in the future as a community of primarily ~~low-density~~ residential uses, the ~~city~~ will focus on appropriate, smaller scale commercial development, which will generate an acceptable level of sales tax revenues while effectively serving the needs of the local population base.

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Local Regulations and Development Policies

The local regulations are reflected in the ~~City's~~ subdivision and zoning ordinances. Both ordinances must effectively direct development activities in a manner which reflects local goals and objectives while recognizing realistic development standards. These regulations are not intended to discourage growth but rather to ensure that any new development provides for quality facilities and services.

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Economic Base Study

The majority of all workers living in Lucas tend to be employed in occupations which require a higher or higher/moderate skill level. According to the US Census Bureau estimates for 2009-2013, the median household income in City of Lucas is \$101,636, which is almost twice the \$51,900 median household for the State of Texas.

Utility Services

The City of Lucas is the retail provider of water for its residents and businesses and its water wholesaler is the North Texas Municipal Water District (NTMWD). Details regarding the water system are described in Chapter 8 (Water) of this planning document. TXU and Grayson/Collin Electric provide electrical distribution. Natural gas, supplied by CoServe, is available in limited areas of the city.

Industrial Sites

Presently, there is no industrial development in Lucas. The high land costs in the area, compared to the Dallas/Fort Worth Metroplex, zoning restrictions, the limited sanitary sewer system and the emphasis on Lucas remaining a low-density residential community, are factors which make future industrial development in Lucas unlikely. The proximity of Lucas to major employment centers makes the issue of local job creation less important. Residential development is and will continue to be the most dominant land use along with minor ancillary development.

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Commercial Sites

Lucas has a total of 505 acres of commercial development. By excluding land reserved for schools, 375 acres are directly reserved for commercial land uses. Future commercial sites will be located on the periphery of the city to minimize intrusive traffic volumes on interior neighborhoods. Details are provided in the Land Use Section of this planning document.

Community Assessment

It is important to note there is a critical link between economic development and comprehensive planning. Economic development is impacted by:

- Land use;
- Zoning;
- Accessibility to utilities;
- Access via transportation systems and infrastructure; and
- Demographics.

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Characteristics of the City of Lucas include:

1. A property tax rate lower than the average for cities in Collin County and for cities in the DFW region. (\$0.288397 in 2021)
2. The city has traditionally had a fiscally conservative City Council that places an emphasis on providing a balance between necessary services with low taxes.
3. Skilled labor represents a high percentage of the Lucas work force.
4. Commercial land availability along FM 2551 and the southeast quadrant of the city (FM 1378 and Parker Road).
5. Vacant land for additional housing.

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- 6. Available sewer service, in commercially zoned areas as defined by the Wastewater Master Plan.
- 7. Land prices are higher than regional or state averages.

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It is important for Lucas to realize its potentials and liabilities in terms of future economic development. Because of its location, Lucas has more potential for developing as a quality residential area than it does in becoming a significant economic center. However, it is important for Lucas to develop some commercial areas to meet the needs of residents.

While it is possible to operate primarily upon property taxes, doing so may require undesirable constraints on future spending. It is important Lucas not become dependent solely upon property taxes as the only revenue source for local government operations. Lucas needs a healthy mix of ad valorem and sales tax revenue. Ad valorem taxes should be used generally for day-to-day operations while sales tax revenue should be used for capital projects.

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Decisions regarding business location will come from the business owner and their willingness to invest in a particular site, however, the city's development environment as conveyed through its development codes will have a major impact on where and what type of business activity takes place.

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ECONOMIC DEVELOPMENT PLAN

Economic development in Lucas should have two major thrusts: (1) maintain appropriate housing development and (2) attract businesses that are appropriate for the community. Commercial development has benefitted the city with increased tax revenue. Balancing the financial well-being of the city and its ability to provide essential services with the citizens' desire to maintain the features and attributes of the city is paramount. Therefore, it is important to emphasize citizen feedback during public meetings regarding economic development.

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HOUSING SUPPLY

The demand for quality, upscale housing in Lucas is expected to continue. Lucas should focus on quality housing to ensure that community values are maintained and the city continues as a desirable place to live.

ATTRACTING NEW BUSINESSES

Attracting appropriate new businesses to Lucas will increase tax revenues and fund city-provided services. There is attractive land available for new businesses in the western and southern city limit boundaries with infrastructure in place or in the planning stages. The western area is accessible through three arterial roadways including West Lucas Road, Estates Parkway and Angel Parkway. The area in southern part of city is similarly accessible through two major arterial roadways, East Parker Road and Southview Drive.

The citizen's preferable commercial businesses survey conducted by the city in 2015 should be utilized to attract businesses desired by its citizens. The top five responses from the survey include:

- Sit Down Family Restaurant
- Farmers Market
- Garden/Nursery
- Grocery Store
- Feed Store

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These types of retail establishments typically generate good sales tax revenues. It is anticipated that planning for the development of similar businesses in the western and southern part of the city in commercial zoning areas will continue.

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ECONOMIC DEVELOPMENT GOALS AND OBJECTIVES

Based on input from Lucas citizens, boards, commissions, City Council and staff, the following economic development goals and implementation strategies are recommended:

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GOAL 1:

Support business endeavors that are in harmony with the rural characteristics and unique environment.

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GOAL 2:

Improve and maintain the infrastructure to support growth in the tax base and sustain a sound financial future through the adoption and implementation of a capital improvement program.

GOAL 3:

Attract businesses to Lucas that serve the local population and promote the livability and a high quality of life for our citizens.



City of Lucas

City Council Agenda Request

March 3, 2022

Item No. 07

Requester: Mayor Jim Olk

Agenda Item Request

Consider changing the start time of City Council meetings from 7:00 pm to 6:00 pm and setting a date to begin the new schedule.

Background Information

City Council meetings are currently held on the first and third Thursday of each month beginning at 7:00 pm in the Council Chambers at Lucas City Hall. The time duration of meetings can depend based on the number of agenda items and discussions. The City Council has the power to set the date and time of regular meetings.

Section 3.14(1) of the Home Rule Charter states:

The City Council shall hold at least one (1) regular meeting each month and as many additional meetings as the City Council deems necessary to transact the business of the City. The City Council shall fix by ordinance the date and time of the regular meetings.

A proposed new meeting start time at 6:00 pm could allow for greater public participation and ensure meetings are conducted in a timely manner. Per the Home Rule Charter, the City Council will need to adopt an ordinance specifying the new meeting start time.

Attachments/Supporting Documentation

NA

Budget/Financial Impact

NA

Recommendation

If the City Council approves a new meeting start time, staff will bring forward an ordinance for approval on the consent agenda at the next meeting.

Motion

I make a motion to approve/deny starting City Council meetings at 6:00 pm, setting a date to begin the new schedule on _____, and prepare an ordinance for consideration.



City of Lucas City Council Agenda Request March 3, 2022

Requestor: Mayor Jim Olk

Agenda Item Request

Executive Session.

Pursuant to Section 551.074 of the Texas Government Code, the City Council will convene into Executive Session to discuss the evaluation for the City Manager.

Background Information

NA

Attachments/Supporting Documentation

NA

Budget/Financial Impact

NA

Recommendation

NA

Motion

NA



City of Lucas City Council Agenda Request March 3, 2022

Item No. 09

Requester: Mayor Jim Olk

Agenda Item Request

Reconvene from Executive Session and take any action necessary as a result of the Executive Session.

Background Information

NA

Attachments/Supporting Documentation

NA

Budget/Financial Impact

NA

Recommendation

NA

Motion

NA