



MINUTES PLANNING AND ZONING COMMISSION MEETING

November 10, 2022 | 6:45 PM

(or immediately following the Capital Improvements Advisory Committee Meeting)

Council Chambers

City Hall | 665 Country Club Road, Lucas, Texas

Call to Order

The meeting was called to order at 7:33 pm and the Pledge of Allegiance was recited.

Commissioners Present:

Chairman Dusty Kuykendall
Vice Chairman Tommy Tolson
Commissioner Peggy Rusterholtz
Commissioner Adam Sussman
Alternate Commissioner James Foster
Alternate Commissioner Chris Bierman

Staff Present:

City Manager Joni Clarke
Assistant City Manager Kent Souriyasak
City Secretary Erin Day
Development Services Director Joe Hilbourn
Management Analyst Kevin Becker
City Attorney Courtney Morris

Commissioners Absent:

Commissioner Joe Williams

City Council Liaison Present:

Mayor Jim Olk

Public Hearing Agenda

1. **Public hearing to consider a request by David Lewis, on behalf of property owner 3R Land Properties L.C., to rezone four parcels of land on the north side of Parker Road from Residential 1.5 acres to Residential 1 acre, situated in the Lewis P. Turner Survey, Abstract No. 901, Tract 4, 2.280 acres and Tract 5, 3.9943 acres, and in the John Gray Survey, Abstract No. 349, Tract 6, 8.5 acres and Tract 7, 10.296 acres.**

Chairman Kuykendall announced that Chris Bierman would be a voting member on this agenda item.

Development Services Director Joe Hilbourn gave a presentation on this item describing the area seeking the zoning change and stated that staff recommends approval of the zoning change.

Chairman Kuykendall opened the public hearing at 7:36 pm.

Joseph Ferdo, 6 Cimarron Trail, spoke in opposition of this item stating that he does not believe the changes fit with the City having larger lots.

Scott Harvey, 4 Chisholm Trail, spoke in opposition of this item stating that a change in zoning would increase population density, which he says goes against the philosophy of the City have a smaller population density.

Sean Watts, 1115 Snider Lane, spoke in opposition of this item stating that he does not believe there is a hardship present to allow a zoning change to take place.

Josh Patterson, 10 Santa Fe Trail, spoke in opposition of this item stating that the City should not be cramming more housing in as it does not provide further benefit to the City or its vision.

With no further comments, the public hearing was closed at 7:47 pm.

Sudhir Sakaria, 3708 Grey Lane in Parker, is a spokesman on behalf of 3R Land Properties. The Commission asked if there was an environmental engineering reason why the property is incapable of being developed as R1.5. Mr. Sakaria stated that they had not completed any geotechnical reports to determine if there is a reason as to why the developer is wanting to the land to be developed as R1.5. The developer stated that the request change is due to financial reasons.

Development Services Director Joe Hilbourn stated that the recommendation of approval is based on prior approval of the land use based on the Comprehensive Plan that is currently in place. Commissioner Adam Sussman stated that he believes the Future Land Use Map is something that should be revisited due to changing dynamics and vision within the City.

City Attorney Courtney Morris stated that the Future Land Use Map is not an item the Commission is bound to, but the map is meant to show what was intended for the land and that the City will make decisions based on this map. If the Commission decides not to follow the Future Land Use Map, then the Commission would have to provide a good reason for not following the Comprehensive Plan. Vice Chairman Tolson stated that he would like to know the reasons that will allow the Commission to consider denying the zoning change. City Attorney Courtney Morris stated that the list of reasons can be presented to the Commission in an Executive Session.

Executive Session entered at 8:01 pm to discuss the legality of approving or denying the zoning change request.

Executive Session ended at 8:17 pm.

MOTION: A motion was made by Commissioner Rusterholtz, seconded by Commissioner Sussman, to recommend to the City Council to deny the request by David Lewis, on behalf of property owner 3R Land Properties L.C., to rezone four parcels of land on the north side of Parker Road from Residential 1.5 acres to Residential 1 acre, situated in the Lewis P. Turner Survey, Abstract No. 901, Tract 4, 2.280 acres and Tract 5, 3.9943 acres, and in the John Gray Survey, Abstract No. 349, Tract 6, 8.5 acres and Tract 7, 10.296 acres. The motion passed unanimously by a 5 to 0 vote. Alternate Chris Bierman was a voting member on this item.

Regular Agenda

2. **Consider approval of an application for a site plan, landscape plan, elevations, and a preliminary plat submitted by Dave Carter, on behalf of the owner NDC Holdings, LP, for Lucas Retail Addition, a retail center on a 1.619-acre tract of land in the William Snider Survey, Abstract Number 821, situated in the City of Lucas, Collin County, Texas, located at 2695 McGarity Lane.**

Development Services Director Joe Hilbourn gave a presentation on this item showing the site plan, architectural plan, photometric plan, and the preliminary plat. Mr. Hilbourn stated that staff recommends approving the site plan, landscape plan, elevations, and preliminary plat.

MOTION: A motion was made by Alternate Commissioner Foster, seconded by Commissioner Sussman, to recommend to the City Council to approve the site plan, landscape plan, elevations and the preliminary plat submitted by Dave Carter, on behalf of the owner NDC Holdings, LP, for Lucas Retail Addition, a retail center on a 1.619-acre tract of land in the William Snider Survey, Abstract Number 821, situated in the City of Lucas, Collin County, Texas, located at 2695 McGarity Lane. The motion passed unanimously by a 5 to 0 vote. Alternate Commissioner James Foster was a voting member on this item.

3. **Consider a request by Preston Walhood, on behalf of Young Dean Homestead, Ltd., for a preliminary plat for Dean Estates on a parcel of land consisting of 44.185 acres, located in the John McKinney Survey, Abstract Number 596, creating 27 single-family lots and two common spaces on the east side of Stinson Road, approximately 55 feet south of the roundabout.**

Development Services Director Joe Hilbourn gave a presentation and stated that staff recommends approval of the preliminary plat.

MOTION: A motion was made by Commissioner Rusterholtz, seconded by Commissioner Sussman, to recommend to the City Council to approve a request by Preston Walhood, on behalf of Young Dean Homestead, Ltd., for a preliminary plat for Dean Estates on a parcel of land consisting of 44.185 acres, located in the John McKinney Survey, Abstract Number 596, creating 27 single-family lots and two common spaces on the east side of Stinson Road, approximately 55 feet south of the roundabout. The motion passed unanimously by a 5 to 0 vote. Alternate Commissioner James Foster was a voting member on this item.

4. **Consider final draft of the City of Lucas Comprehensive Plan and recommend proposed amendments if needed.**

Development Services Director Joe Hilbourn gave a presentation and stated that staff recommends approval of this item.

Commissioner Rusterholtz stated that the legend in the Future Land Use Plan should have a header that reads "Land Uses" and that we remove the "Residential" and "Nonresidential" headers. Commissioner Rusterholtz also recommended that there should be updates on the Future Land Use Plan based on the discussions that the Commission had earlier in the meeting. City Manager Joni Clarke asked the Commission if the Zoning Map should overlay with the Future Land Use Map so that what is currently zoned throughout the City and make the Future Land Use Map match the current zoning. The Commission stated that this is the change that they would like to make. Commissioner Rusterholtz also recommended making the same changes to the legend in the Zoning Map that will be made in the Future Land Use Plan. The Commission also stated that the Zoning Map should be updated to reflect the recent changes to zoning in the City.

MOTION: A motion was made by Commissioner Rusterholtz, seconded by Commissioner Sussman, to recommend to the City Council to approve the final draft of the City of Lucas Comprehensive Plan with the added recommendations. The motion passed unanimously by a 5 to 0 vote. Alternate Commissioner James Foster was a voting member on this item.

5. **Consider approval of the minutes of the October 13, 2022 Planning and Zoning Commission meeting.**

MOTION: A motion was made by Commissioner Foster, seconded by Commissioner Rusterholtz, to approve the minutes of the October 13, 2022 Planning and Zoning Commission meeting. The motion passed unanimously by a 5 to 0 vote. Alternate Commissioner James Foster was a voting member on this item.

6. **Executive Session.**

An Executive Session occurred during the Public Hearing.

7. **Adjournment.**

MOTION: A motion was made by Commissioner Rusterholtz, seconded by Commissioner Sussman to adjourn the meeting at 8:47 pm. The motion passed unanimously by a 5 to 0 vote. Alternate Commissioner James Foster was a voting member on this item.



Tommy Tolson, Vice Chairman



Kevin Becker, Management Analyst

