

Notice is hereby given that a meeting of the City of Lucas Planning and Zoning Commission will be held on February 9, 2023, at 6:30 pm at Lucas City Hall, 665 Country Club Road, Lucas, Texas 75002-7651, at which time the following agenda will be discussed. As authorized by Section 551.071 of the Texas Government Code, the Planning and Zoning Commission may convene into closed Executive Session for the purpose of seeking confidential legal advice from the City Attorney on any item on the agenda at any time during the meeting.

If you would like to watch the meeting live, you may go to the City's live streaming link at https://www.lucastexas.us/departments/public-meetings/.

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.

Submit Written Comments: If you are unable to attend a meeting and would like to submit written comments regarding a specific agenda item, email Erin Day, City Secretary at <u>eday@lucastexas.us</u> no later than 3:30 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 3:30 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

Public Hearing Agenda

- 1. Public hearing to consider a request by Billy Ray and Sharon McGee, property owners of 1050 Creek View Lane, Willow Creek Acres (Unrecorded), Lot 36 for a specific use permit to allow a kitchen and food preparation area in an accessory building with habitable space.
 - A. Presentation by Development Services Director Joe Hilbourn
 - B. Conduct public hearing
 - C. Take action regarding the proposed specific use permit request
- 2. Public hearing to consider a request by Charles and Elise Bissell, property owners of 1220 Winningkoff Road, Rolling Hills Estates, Block A, Lot 1 for a specific use permit to allow a kitchen and food preparation area in an accessory building with habitable space.

- A. Presentation by Development Services Director Joe Hilbourn
- B. Conduct public hearing
- C. Take action regarding the proposed specific use permit request

Regular Agenda

- 3. Consider the request by Stephen DiNapoli for a final plat for a parcel of land, being 41.512 acres of land, part of the John Thompson Survey, Abstract 893 and the G. Duccase Survey, Abstract 270 located on the northeast side of Winningkoff Road and north of Christian Lane, more commonly known as 950 Winningkoff Road, 970 Winningkoff Road, 905 Christian Lane, and 898 Private Road 5211, Lucas, Texas. (Development Services Director Joe Hilbourn)
- 4. Consider the request by Majed Khalaf on behalf of Mahmoud Properties for a site plan, landscape plan, and elevations for use as a commercial retail and office center on a 2.25-acre tract of land in the Jas Lovelady Survey, Abstract Number ABS A0538, Tract 14 situated in the City of Lucas, Collin County, Texas, located at 995 West Lucas Road. (Development Services Director Joe Hilbourn)
- 5. Discuss accessory building regulations in the City of Lucas. (Development Services Director Joe Hilbourn)
- 6. Consider approval of the minutes of the January 12, 2023 Planning and Zoning Commission meeting. (City Secretary Erin Day)

Executive Agenda

As authorized by Section 551.071 of the Texas Government Code, the Planning and Zoning Commission may convene into closed Executive Session for the purpose of seeking confidential legal advice from the City Attorney regarding any item on the agenda at any time during the meeting. This meeting is closed to the public as provided in the Texas Government Code.

7. Executive Session: An Executive Session is not scheduled for this meeting.

8. Adjournment.

Certification

I do hereby certify that the above notice was posted in accordance with the Texas Open Meetings Act on the bulletin board at Lucas City Hall, 665 Country Club Road, Lucas, Texas 75002 and on the City's website at www.lucastexas.us on or before 5:00 p.m. on February 3, 2023.

Erin Day, 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 Erin Day at 972-912-1211 or by email at eday@lucastexas.us at least 48 hours prior to the meeting.



Requester: Development Services Director Joe Hilbourn

Agenda Item Request

Public hearing to consider a request by Billy Ray and Sharon McGee, property owners of 1050 Creek View Lane, Willow Creek Acres (Unrecorded), Lot 36 for a specific use permit to allow a kitchen and food preparation area in an accessory building with habitable space.

- A. Presentation by Development Services Director Joe Hilbourn
- B. Conduct public hearing
- C. Take action regarding the proposed specific use permit request

Background Information

This lot is currently zoned R-2, and the applicant is requesting to construct an accessory building with habitable space that meets the City's requirements. The specific use permit request is to allow a food preparation area within an accessory building.

Section 14.04.304 (a) of the City's Code of Ordinances requires that an addition of a kitchen/food preparation area requires a specific use permit in R-2 or AO zoning districts that contain a single-family home and states the following:

Kitchen, cooking or a food preparation area may be permitted on property with a specific use permit. The specific use permit may only be granted provided the owners of the property enact a deed restriction with the city as party to the deed restriction that prohibits the use of the habitable space to be used for lease/barter agreement other than that of the full-time domestic staff providing support to the property.

Attachments/Supporting Documentation

- 1. Location Map
- 2. Permit application (site plan and kitchen layout)
- 3. Public Notice

Budget/Financial Impact

NA

Recommendation

Staff recommends approval of the specific use permit request as presented.



Motion

I make a motion to recommend to the City Council to approve/deny the specific use permit request for 1050 Creek View Lane, Willow Creek Acres (Unrecorded), Lot 36 for a specific use permit to allow a kitchen and food preparation area in an accessory building with habitable space.



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	NEW RESI	DENTIAL	. & COMI	MEI	RCIAL	
		INSPECTION RE 214-644 PERMIT #	-		665 C L Pho	CITY OF LUCAS Country Club Road ucas, TX 75002 ne: 972-912-1206 x: 972-727-0091
Project Address: 1050 C	reek View Ln I	Lucas Tx. 75	002		Zoninį	g: Residential
Subdivision: <u>Willow C</u>	reek Acres		Unrecor	<u>rd</u> ed	Lot: <u>36</u>	Block:
Property Owner Name & A	ddress: McGee B	illy Ray & Sh	aron		Phor	ne: <u>951-306-6314</u>
General Contractor: Leve	el 1 General Con	struction			Phone	: 469-569-3551
Electrical Contractor: Elect	ctra Plus				Phone	e: <u>972-402-0770</u>
Plumbing Contractor:					Phone:	
Mechanical Contractor:					Phone	::
WORK BEI	NG DONE		INFORMATION		T	/PE
□ NEW BLDG.	🕅 INT. REMODEL	FLOOR AREA:	1132	SF	🗙 SINGLE FAMILY	□ INDUSTRIAL/WHSE.
□ NEW BLDG. (SHELL ONLY)	EXT. REMODEL	GARAGE:		SF		
${f X}$ int. completion	□ OTHER	PORCH:		SF	□ SCHOOL	□ OHER
		PATIO: TOTAL:	1132	SF SF	ESTIMATED VALUE:	

REMARKS: This barn is being converted into a living space for her Dad

NOTICE TO APPLICANT: UNDER PENALTY OF INTENTIONAL MISREPRESENTATION AND/OR PERJURY, I DECLARE that I have examined and/or made this application and it is true and correct to the best of my knowledge and belief. I agree to construct said improvement in compliance with all provisions of the Ordinances of the City of Lucas, I realize that the information that I have stated hereon forms a basis for the issuance of the Building Permit herein applied for and approval of any plans in connection therewith shall not be construed to permit any construction upon said premises or use thereof in violation of any provision of the Lucas City Code or any other ordinance or to excuse the owner or his successors in from complying therewith. WHERE NO WORK HAS BEEN STARTED WITHIN 180 DAYS AFTER THE ISSUANCE OF A PERMIT OR WHEN MORE THAN 180 DAYS LAPSES BETWEEN APPROVAL OF REQUIRED INSPECTIONS, SUCH PERMIT SHALL BE VOID. I hereby certify that I am the OWNER at this address or that for the purposes of obtaining this approval, I am acting on behalf of the owner. All contract work on this project will be done by a contract^{or} holding valid privilege tax *bec*ense and contractor's license issued by the State of Texas and the City of Lucas.

			INV
SIGNED:	(10	ell

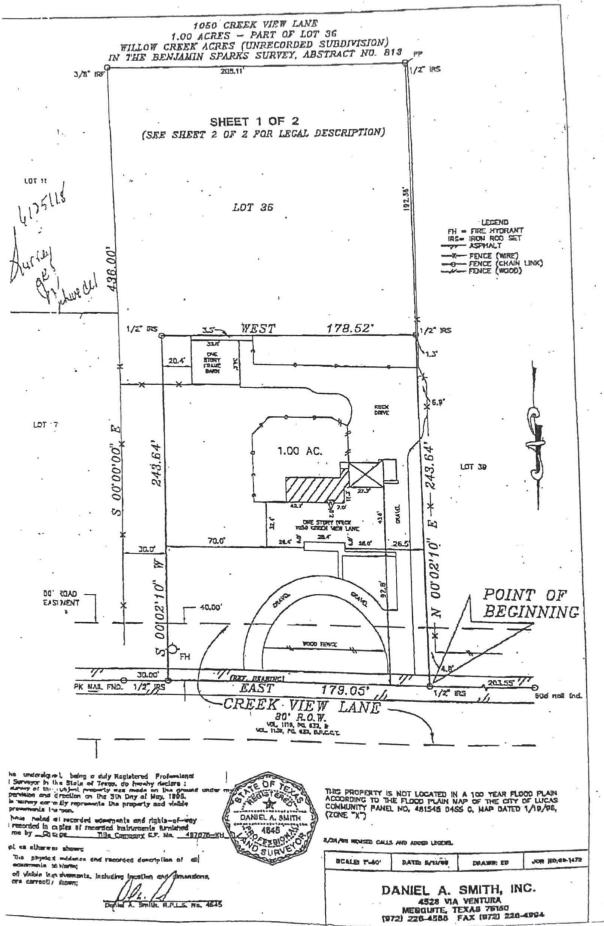
DATE: 12/15/2022

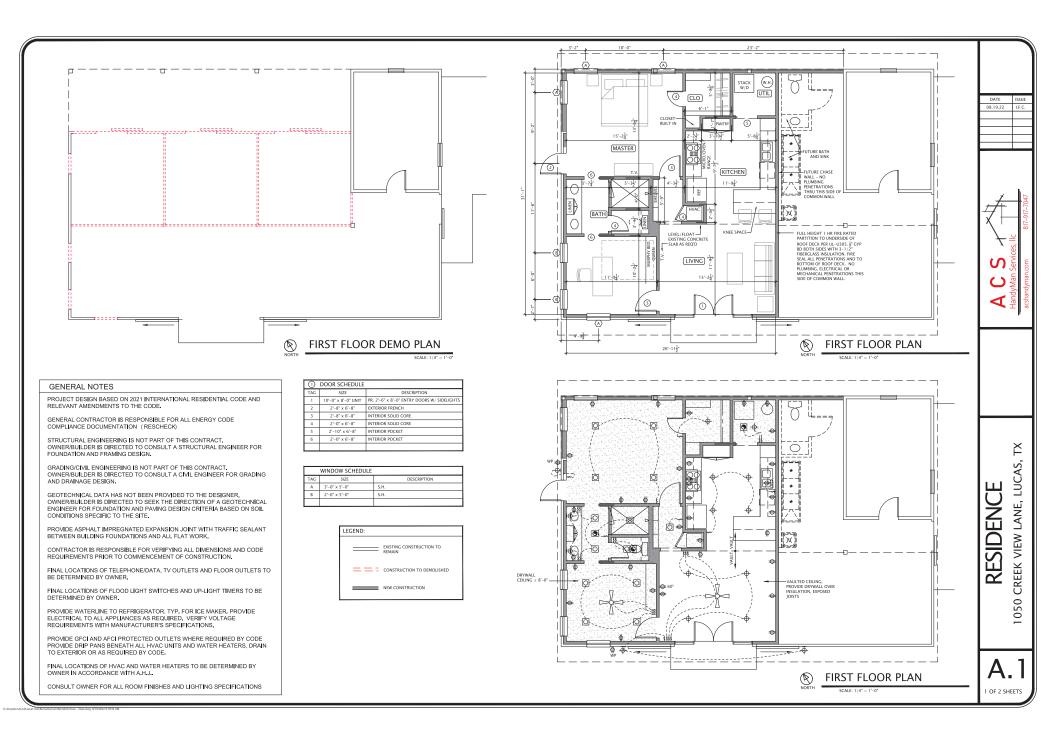
Owner or Agent

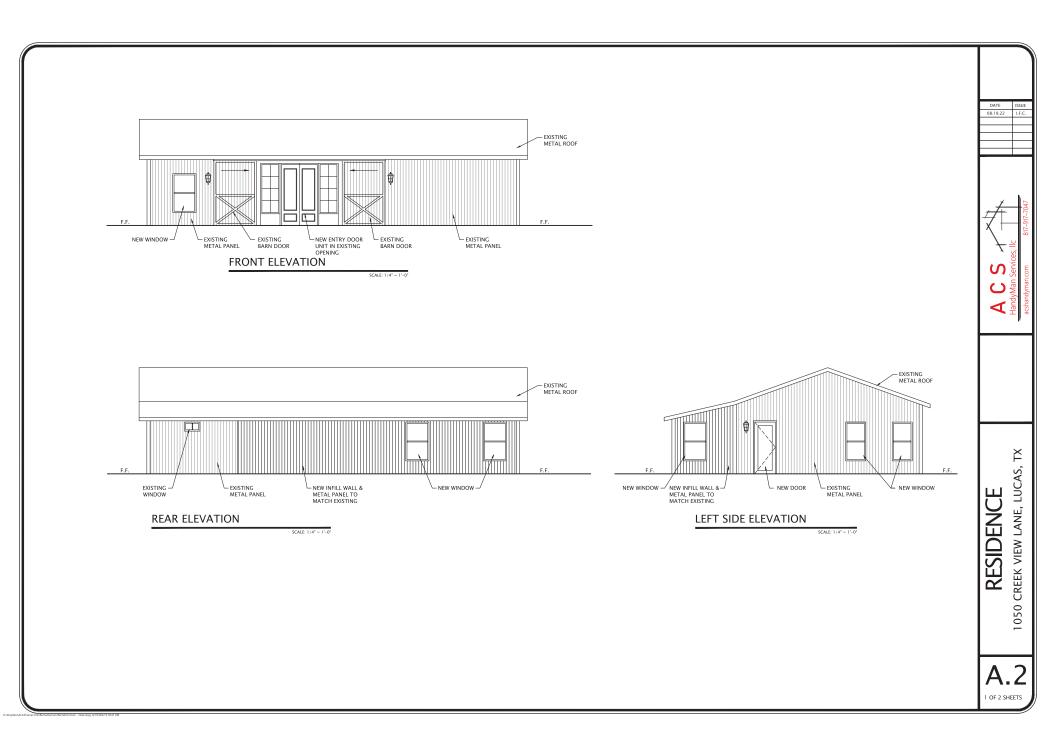
SCOPE OF PERMIT: For new buildings and for additions to existing buildings, this permit authorizes all structural, plumbing, electrical, mechanical, work to be performed in the construction of the building or structure at this address, if done at the same time of initial construction. No separate subcontractor permits are needed for those trades. However, the permit holder is required to use only subcontractors registered with the City of Lucas where such a requirement is applicable. If this permit is obtained for work other than new buildings and additions, separate permits must be obtained by all subcontractors.

FINAL INSPECTION REQUIREMENTS: All final reports and paperwork need to be on site for final inspection, including but not limited to: backflow report, final energy report, final termite report, final grade report, septic report or other reports that may be necessary.

Subject property isor is notwithin the fl Required lowest floor elevation is	lood hazard area.	For Official Use: Permit Fees
		Building Permit:
Official Use Only:		Water Meter & Install:
Signature:	Date:	Water Impact Fee:
Received By		Street Impact Fee:
Signature:	Date:	Weight Permit:
Building Official		Other:
From:	Check #Cash	Total Amount Due:









NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN, that the Planning & Zoning Commission of the City of Lucas, Texas will conduct a public hearing on Thursday, February 9, 2023, at 6:30 p.m., and City Council will conduct a second public hearing on Thursday, March 2, 2023, at 6:30 p.m. at Lucas City Hall, 665 Country Club, Lucas, Texas to consider a Specific Use Permit (SUP) application to permit a kitchen and food preparation area more particularly described as follows:

Dave Wheeler on behalf of property owners Billy Ray and Sharon McGee at 1050 Creekview Lane, WILLOW CREEK ACRES (UNRECORDED), LOT 36; Lucas, Texas 75002 has submitted an application for a SUP to permit a kitchen with a food preparation area(s) in an accessory building with habitable space.

Per Code of Ordinances Section 14.04.304 General accessory buildings and structures regulations.

i) In R-2 or AO zoning districts that contain a single-family home:

a. Kitchen, cooking or a food preparation area may be permitted on property with a specific use permit. The specific use permit may only be granted provided the owners of the property enact a deed restriction with the city as party to the deed restriction that prohibits the use of the habitable space to be used for lease/barter agreement other than that of the full-time domestic staff providing support to the property.

Those wishing to speak FOR or AGAINST the above item are invited to attend. If you are unable to attend and have comments you may send them to City of Lucas, Attention: City Secretary, 665 Country Club Road, Lucas, Texas 75002, email <u>eday@lucastexas.us</u> and it will be presented at the Hearing. If you have any questions about the above hearing you may contact <u>jhilbourn@lucastexas.us</u>.



Requester: Development Services Director Joe Hilbourn

Agenda Item Request

Public hearing to consider a request by Charles and Elise Bissell, property owners of 1220 Winningkoff Road, Rolling Hills Estates, Block A, Lot 1 for a specific use permit to allow a kitchen and food preparation area in an accessory building with habitable space.

- A. Presentation by Development Services Director Joe Hilbourn
- B. Conduct public hearing
- C. Take action regarding the proposed specific use permit request

Background Information

This lot is currently zoned R-2, and the applicant is requesting to construct an accessory building with habitable space that meets the City's requirements. The specific use permit request is to allow a food preparation area within an accessory building.

Section 14.04.304 (a) of the City's Code of Ordinances requires that an addition of a kitchen/food preparation area requires a specific use permit in R-2 or AO zoning districts that contain a single-family home and states the following:

Kitchen, cooking or a food preparation area may be permitted on property with a specific use permit. The specific use permit may only be granted provided the owners of the property enact a deed restriction with the city as party to the deed restriction that prohibits the use of the habitable space to be used for lease/barter agreement other than that of the full-time domestic staff providing support to the property.

Attachments/Supporting Documentation

- 1. Location Map
- 2. Purpose and Plans (submitted by applicant)
- 3. Permit Application
- 4. Public Notice

Budget/Financial Impact

NA

Recommendation

Staff recommends approval of the specific use permit request as presented.

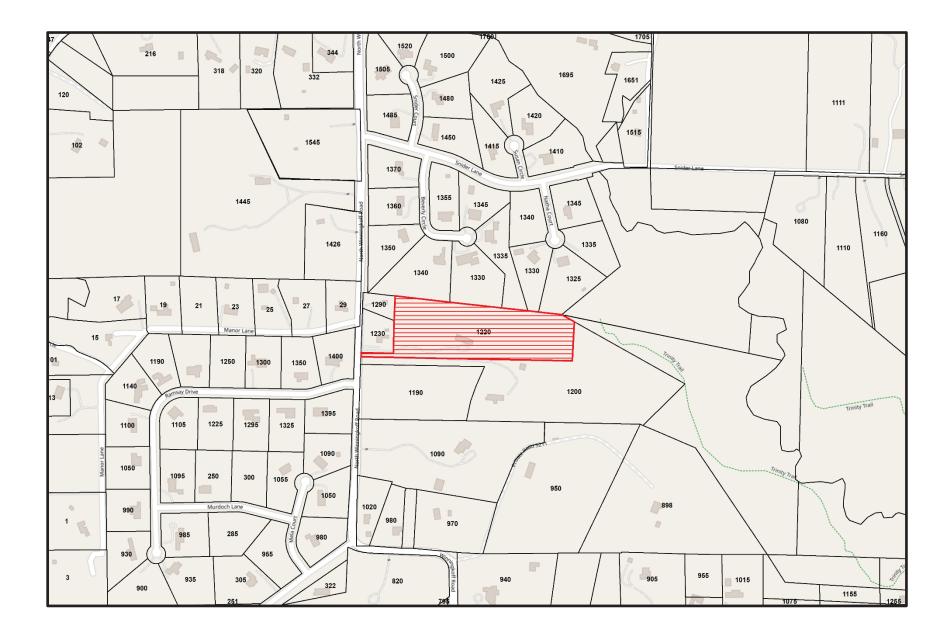


Motion

I make a motion to recommend to the City Council to approve/deny a request by Charles and Elise Bissell, property owners of 1220 Winningkoff Road, Rolling Hills Estates, Block A, Lot 1 for a specific use permit to allow a kitchen and food preparation area in an accessory building with habitable space.



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A barn is currently under construction at 1220 Winningkoff Road at the home of Charles and Elise Bissell. The barn is 40 X 60 plus a 10 X 60 covered porch. The total enclosed area is +/-2,400 square feet with +/-1,500 square feet fully finished out and heated and cooled. The barn has the following rooms:

- Office for the use of the owner as a home office
- Room that will house a golf simulator
- Exercise room
- A ½ bath
- An "apartment" with 1 bedroom, a full bath, a closet, and a utility room
- Shop area

The "apartment" will be for the use of family members of the owners. Initially, one of the owner's son's (Braden) will occupy the apartment while he is saving money to move away from home. Eventually, it is likely that the mother of Elise Bissell will occupy the apartment.

The Bissell's have no intent to rent out the apartment to any unrelated parties.

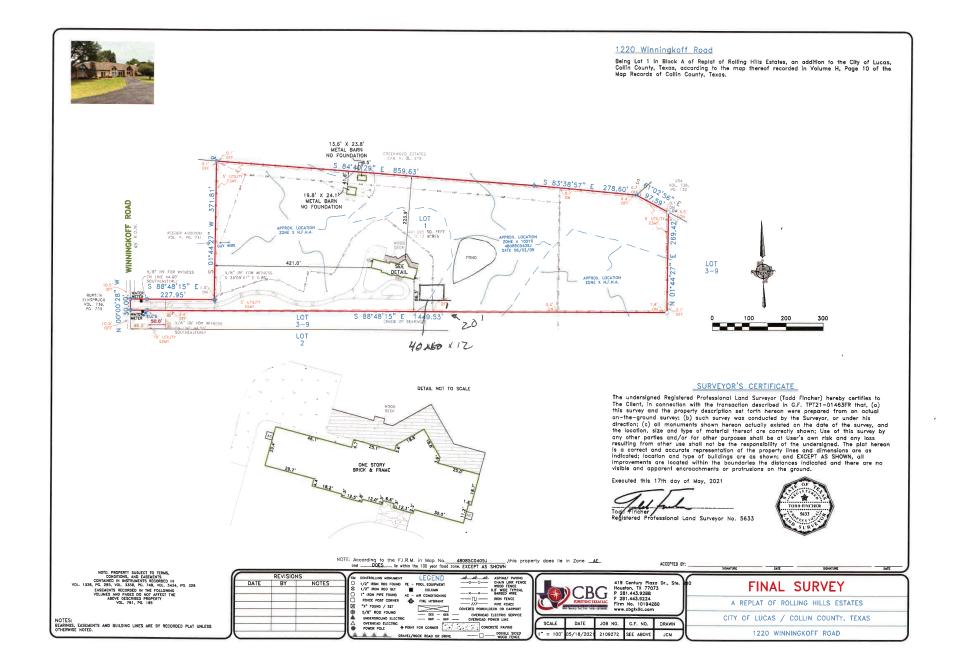
Initially, the barn was not planned to include an oven or range. The Bissells now wish to apply for an SUP so that the barn may include an oven/range. This will make the apartment a more functional living area when occupied by family members.

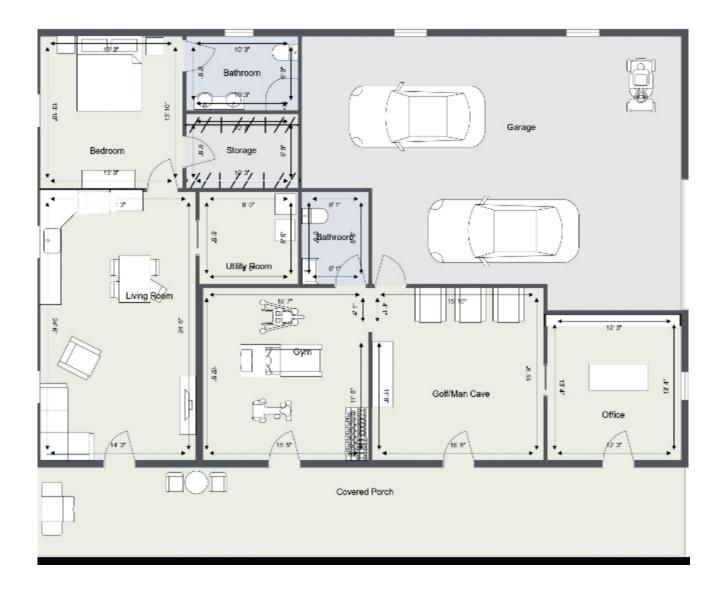
	Call before 8AM	JS BUILDING ON REQUEST LINE for Same Day Inspection -644-0779 # 25937		City of Lucas 665 Country Club Lucas, TX 75002 Phone: 972-727-8999 ML: PERMITS@LUCASTEXAS.US
Project Address: <u>12</u>	20 Winning Ke	ff		Zoning:
Subdivision: Rolling	Hills Estates		Lot:	I Block: A
	Charlie Biss			Phone: 972 567 5380
(General) Contractor Nan	ne & Address: <u>Killen //</u>	Intschler_		Phone: 9726707443
(Elec) Contractor Name &	Address: Nortex Dus	tin Stephenso	2	Phone: 214 289 4518
		bing Servic	10	Phone: 214 729] 14
(HVAC) Contractor Name	& Address: Johanno	Pananeno		Phone: 469 434 4336
and it is true and correct to the best of Lucas, I realize that the informati connection therewith shall not be o other ordinance or to excuse the ow OF A PERMIT OR WHEN MORE THA I hereby certify that I am the OWNE	T: 2400 5951	TATION AND/OR PERJURY, I DE construct said improvement in co asis for the issuance of the Buildi on said premises or use thereof therewith. WHERE NO WORK HA VAL OF REQUIRED INSPECTIONS, es of obtaining this approval, I a	ESTIMATED VA ESTIMATED VA CLARE that I have end ompliance with all pring Permit herein all in violation of any print S BEEN STARTED W S SUCH PERMIT SHA m acting on behalf	provisions of the Ordinances of the City oplied for and approval of any plans in provision of the Lucas City Code or any /ITHIN 180 DAYS AFTER THE ISSUANCE ALL BE VOID. of the owner. All contract work on this
	FINAL INSPECTION REQUIREMENTS: to be on site for final inspection, includin		ort,	Official Use Only:
	ort, final grade report, septic report or o			Permit Fees
Official Use Only		Data	Weight	
Signature:	Received By	Date:	Contrac	tor Reg:
Signature:	Building Official	Date:		

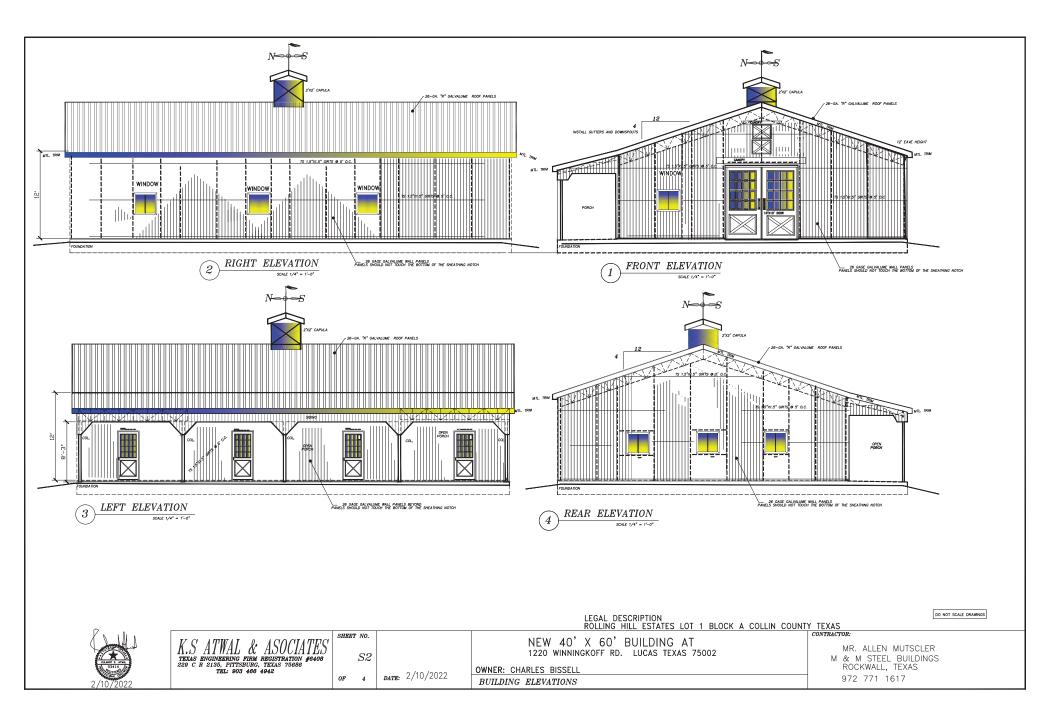
Check#_____ Cash ____ CC__

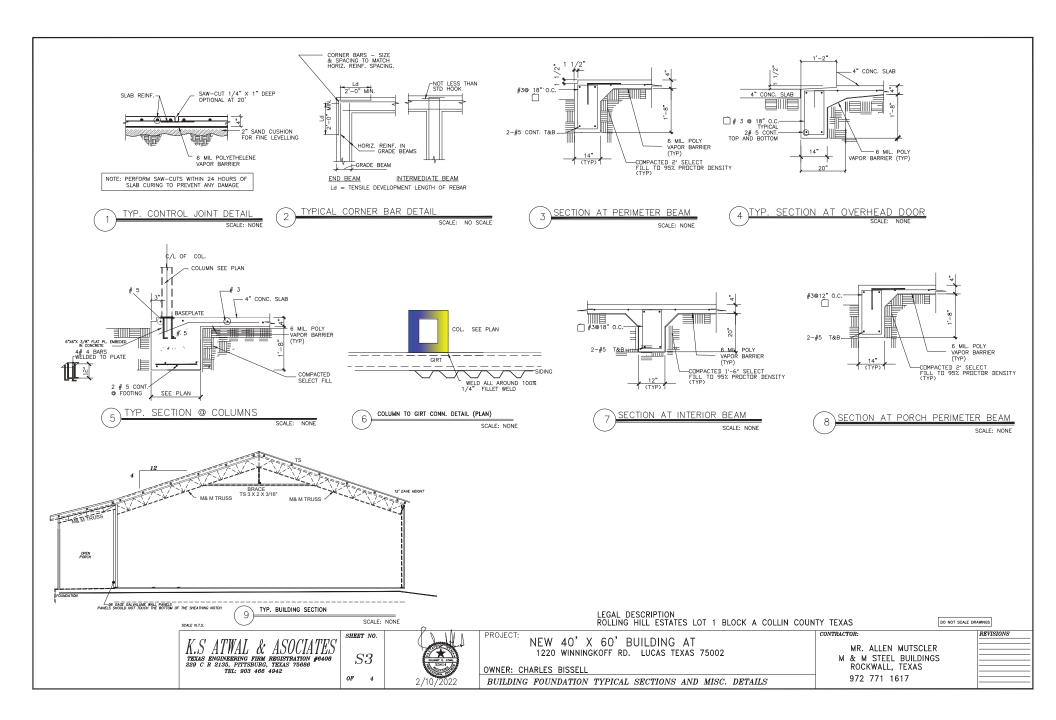
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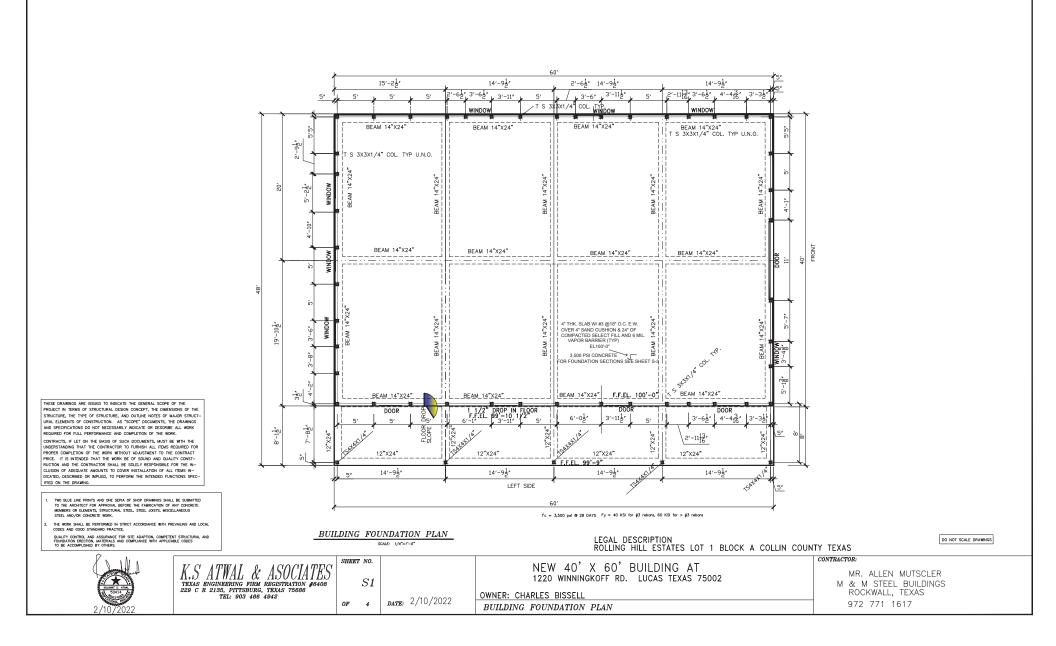
Total Amount Due:

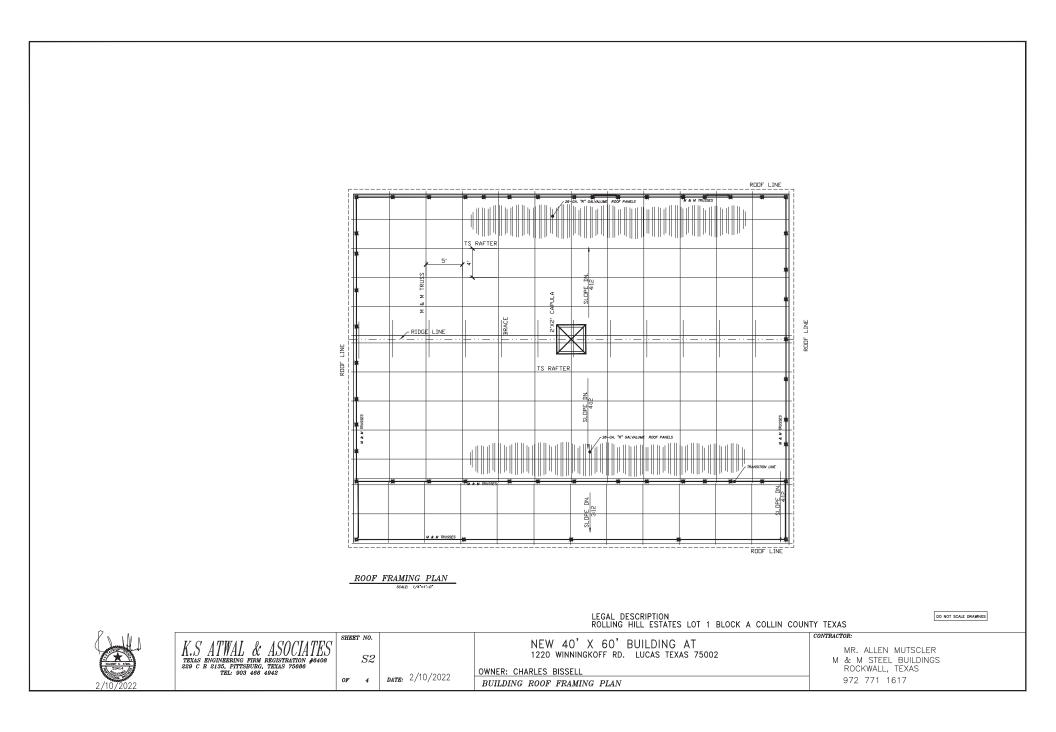














NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN, that the Planning & Zoning Commission of the City of Lucas, Texas will conduct a public hearing on Thursday, February 9, 2023, at 6:30 p.m., and City Council will conduct a second public hearing on Thursday, March 2, 2023, at 6:30 p.m. at Lucas City Hall, 665 Country Club, Lucas, Texas to consider a Specific Use Permit (SUP) application to permit a kitchen and food preparation area more particularly described as follows:

Charles and Elise Bissell, property owner at 1220 Winningkoff Road, ROLLING HILLS ESTATES, BLK A, LOT 1; Lucas, Texas 75002 has submitted an application for a SUP to permit a kitchen with a food preparation area(s) in an accessory building with habitable space.

Per Code of Ordinances Section 14.04.304 General accessory buildings and structures regulations.

i) In R-2 or AO zoning districts that contain a single-family home:

a. Kitchen, cooking or a food preparation area may be permitted on property with a specific use permit. The specific use permit may only be granted provided the owners of the property enact a deed restriction with the city as party to the deed restriction that prohibits the use of the habitable space to be used for lease/barter agreement other than that of the full-time domestic staff providing support to the property.

Those wishing to speak FOR or AGAINST the above item are invited to attend. If you are unable to attend and have comments you may send them to City of Lucas, Attention: City Secretary, 665 Country Club Road, Lucas, Texas 75002, email <u>eday@lucastexas.us</u> and it will be presented at the Hearing. If you have any questions about the above hearing you may contact <u>jhilbourn@lucastexas.us</u>.



Requester: Development Services Director Joe Hilbourn

Agenda Item

Consider the request by Stephen DiNapoli for a final plat for a parcel of land, being 41.512 acres of land, part of the John Thompson Survey, Abstract 893 and the G. Duccase Survey, Abstract 270, located on the northeast side of Winningkoff Road and north of Christian Lane, more commonly known as 950 Winningkoff Road, 970 Winningkoff Road, 905 Christian Lane, and 898 Private Road 5211, Lucas, Texas.

Background Information

This parcel of land is currently zoned R-2. It contains 41.512 acres of land and proposes twelve new residential lots.

The preliminary plat was first brought to the Planning and Zoning Commission at the May 13, 2021 meeting. The Commission recommended approval of the preliminary plat. The City Council approved the preliminary plat at the June 3, 2021 City Council meeting.

At the January 13, 2022 Planning and Zoning Commission meeting, an amendment was approved reducing the preliminary plat from 13 lots to 12 lots and added Cowboy Court.

Attachments/Supporting Documentation

- 1. Final plat
- 2. Final plat application
- 3. Final plat checklist
- 4. Location Map

Budget/Financial Impact

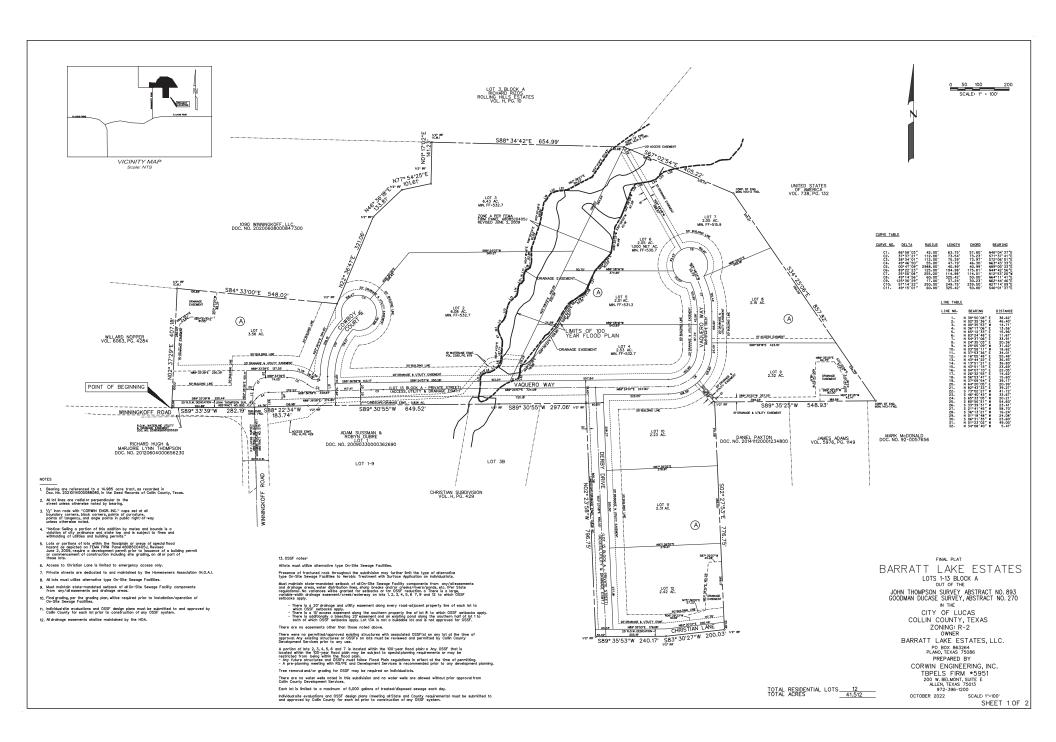
NA

Recommendation

Staff recommends approval of the final plat.

Motion

I make a motion to recommend to the City Council to approve/deny the request by Stephen DiNapoli for a final plat for a parcel of land, being 41.512 acres of land, part of the John Thompson Survey, Abstract 893 and the G. Duccase Survey, Abstract 270 located on the northeast side of Winningkoff Road and north of Christian Lane, more commonly known as 950 Winningkoff Road, 970 Winningkoff Road, 905 Christian Lane, and 898 Private Road 5211, Lucas, Texas.



CITY OF LUCAS COLLIN COUNTY, TEXAS ZONING: R-2 OWNER OWNER BARRATT LAKE ESTATES, LLC. PO BOX 863264 PLANO, TEXAS 75086 PREPARED BY CORWIN ENGINEERING, INC. TBPELS FIRM *5951 200 W. BELMONT, SUITE E ALLEN, TEXAS 75013 972-396-1200 OCTOBER 2022

SHEET 2 OF 2

FINAL PLAT BARRATT LAKE ESTATES

LOTS 1-13 BLOCK A OUT OF TH JOHN THOMPSON SURVEY ABSTRACT NO. 893 GOODMAN DUCASE SURVEY, ABSTRACT NO. 270 IN THE

Designated Representative for Collin County Development Services

I, as a representative of Collin County Development Services, do hereby certify that the on-site sewage facilities described on this plat conform to the applicable CSSF lows of the State of Texas, that site evaluations have been submitted representing the site conditions in the area in which on-site sewage facilities are planned to be used.

Health Department Certification:

NOTARY PUBLIC, STATE OF TEXAS

MRIA HALLFORD Wy Notary D# 126048221 Expires February 26, 2024

Given under my hand and seal of office, this _day of . 2022.

Before me, the undersigned, a Natary Public in and for the State of Texas, on this day perconsity opported WAREN L. COMMIN, known to me to be the person whose name is subscribed of and oregoing the state of the state of the second state of the second state of the purpose and consideration therein expressed.

THE STATE OF TEXAS COUNTY OF COLLIN

Registered ProfessionalLand Surveyor Registration No. 4621

RREN L. COR

SURVEYOR'S CERTIFICATE I. WARREN L. CORWIN, a registered Professional Land Surveyor in the State of Texas, do hereby correl fight that in spart the plot more actual and accurate survey or the land and that they correl fight that share with the subdivision reductions of the City of Lucas, Texas.

THENCE, South 89° 33'39" West, along the south line of said 4.417 acre tract, for a distance of 282.19 feet, to the POINT OF BEGINNING and containing 41.512 acres of land.

THENCE, South 88* 22'34" West, continuing along said south line, for a distance of 183.74 feet, to a Railroad spike found at the southwest corner of said 14.088 acre tract and being the southeast corner of said 4.417 acre tract

THENCE, South 89° 30'55" West, along the south line of said 14.088 acre tract, for a distance of 649.52 feet, to a 1/2 inch iron rod found:

THENCE, South 89° 30'55" West, along the south line of said 14.985 acre tract, for a distance of 297.06 feet, to a $J_{\rm c2}$ inch iron rod found at the southwest corner of said 14.985 acre tract and being the southeast corner of said 14.988 acre tract

THENCE, North 02*23'58" West, along the west line of said 8.0 acre tract, for a distance of 796.75 feet, to a 1/2 inch iron rod found at the northwest corner of said 8.0 acre tract being in south line of said 14.985 acre tract

THENCE, South 89° 35'53" West, continuing along said south line, for a distance of 240.17 feet, to a 1/2 inch iron rod found at the southwest corner of said 8.0 acre tract:

THENCE, South 83* 30'27" West, along the south line of said 8.0 acre tract, for a distance of 200.03 feet, to a 1/2 inch iron rad found:

THENCE, South 02° 27'53" East, departing said south line and with the east line of said 8.0 acre tract, for a distance of 776.75 feet, to a 1/2 inch iron rod found at the southeast corner of said 8.0 acre tract;

THENCE, South 89° 35'25" West, along the south line of said 14.985 acre tract, for a distance of 548.93 feet, to a 1/2 inch iron rod found at the northeast corner of said 8.0 acre tract;

THENCE, South 34*25'06" East, continuing along said north line, for a distance of 857.82 feet, to a Corp. of Engineer Monument Stamped 1413-1 found, at the most easterly corner of said 14.985 acre tract;

THENCE, South 67° 02'54" East, along the north line of said 14.985 acre tract, for a distance of 405.22 feet, to a Corp. of Engineer Monument stamped 1413-2 found:

THENCE, South 88° 34'42" East, along the north line of said 14.088 acre tract, for a distance of 654.99 feet, to a Corp. of Engineer Monument stamped 1413-3 found at the northeast corner of said 14.088 acre tract and the northwest corner of said 14.985 acre tract:

TEHNCE, North 01° 17'02" East, continuing along said west line, for a distance of 141.23 feet, to a 1/2 inch iron rod found at the northwest corner of said 14.088 acre tract;

THENCE, North 77* 54'25" East, continuing along said west line, for a distance of 101.61 feet, to a 1/2 inch iron rod found:

THENCE, North 46° 36'18" East, continuing along said west line, for a distance of 133.81 feet, to a 1/2 inch iron rod found:

THENCE, North 22*36'41" East, along the west line of said 14.088 acre tract, for a distance of 321.06 feet, to a 1/2 inch iron rod found:

THENCE, South 84°33'00" East, along the north line of said 4.417 acre tract, for a distance of 548.02 feet, to a 1/2 inch iron rod found at the northeast corner of said 4.417 acre tract and being in the west line of said 14.088 acre tract:

THENCE, North 02* 37'29" East, along the west line of said 4.417 acre tract, for a distance of 407.18 feet, to a 1/2 inch iron rod found at the northwest corner of said 4.417 acre tract;

BEGINNING, at a PK nail set at the southwest corner of said 4.417 acre tract being in Winningkoff Road (Variable R.O.W.);

LEGAL DESCRIPTION WHEREAS, BARRATT LAKE ESTATES, LLC., is the owner of a tract of land situated in the John Thompson Survey, Abstract No. 883 and Goodman Ducase Survey, Abstract No. 270, being all of a 14,085 acret tract and a 14.086 are tract, as desthed in Dac. No. 2020/114/00064806 in the Deef Reacrds of Collin County, Jeros, and a 4.477 acret tract, as desthed in 2020/10700041130 in sadl Beef Reacrds mode a 5.0 acret tract, as described in Dac. No. 2020/4000070533300 in sadl Beef Reacrds and being more periclaulty described as allows:

DEDICATION

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

EXECUTED this the_____day of_____ 2022.

Chairman, Planning and Zoning Commission

Stephen Dinapoli President

ATTEST:

Signature

Name & Title

Director of Public Works

Development Services Director

THE STATE OF TEXAS COUNTY OF COLLIN

Now THEREFORE, KNOW ALL MEN BY THESE PRESENTS' That BARRATI LAKE ESTATES, LCC, Qeners, so hereby bind themselves and their heirs, assignees and successors of tills this plot designating the hereinyboxe described property as BARRATI LAKE ESTATES, an addition to the City of Lucas, and to hereby dedicate to the public use forware the strips shown on this plot for the mutual use and accommodation of gorbage collection agencies and lapabic utilities designing tause or using same. Any public utility shall have the right to remove and heep removed all or part of any buildings, finnes, trees, strubs, or other improvements or growths respective systems on any of these easements strips, and on y public utility shall all threes have the right of ingress and egress to and from and upon the said easement strips for the purpose of commission of exponer. JARRATI LAKE ESTATES, LLC contriler that BARRATI LAKE ESTATES, LLC is the said eaviers of the dedicated property and that no other's interest are stricted to this property unless otherwise indicated on the regulated Notinger Herbert Certification interchanger of the City of Lucas, respective subject Contributing the Interest or a strated to the property unless otherwise indicated on the regulated Notinger Herbert Certifications interchanger of the City of Lucas, Texas.

-Every owner of fee simple title to every individual lot within the subdivision shall be a member of the homeowners' association:

-The homeowners' association shall have the authority to collect membership fees

-As applicable as it pertains to conditions shown herein, the homeowners' association shall be responsible for the maintenance of all common areas, screening walls, landscaped areas, private streets and alleys.

BEFORE ME, the undersigned, a Notary Puble for the State of Texas, on this day personally appared STEPHEN DNAPCU. Known to me to be the person whose name is also-fibed to the foregoing instrument and acknowledged to me that the some is his act and deed in the capacity therein stated and for the purposes and considerations therein expressed.

This plat is hereby approved by the Planning and Zoning Commission of the City of Lucas, Texas

NOTARY PUBLIC, STATE OF TEXAS

The Director of Public Works of the City of Lucas Texas hereby certifies that to the bast of his/her knowledge or belief, this subvision plot conforms to all equirements of the Code of Ordinances and with engineering construction standards and processes adopted by the City of Lucas, Texas as to which his/her approvals required.

The Development Services Director of the City of Lucas, Texas hereby certifies that to the best of his/her knowledge or belint, this subdivision plot conforms to all requirements of the Code of Defances, or as may perform a second or mailles, a direced, by the Promang and Scharg Commission as to which his/here approvals required. If mailles, a direced, by the Promang and Scharg Commission as to which his/here the second or the s

Date

Date

Date

Date

____. 2022.

WITNESS MY HAND AND SEAL OF OFFICE, this the _____ day of _____

-The homeowners' association shall grant the City the right of access to any areas to abate any nuisances on such areas and attach a lien upon each individual lot for the prorated costs of abatement. -The homeowners' association shall indemnify and hold the City harmless from any and all costs, expenses, suits, demands, liabilities, damages, or otherwise, including attorney fees and costs of suit, in connection with the City's maintenance of common areas.

The homeometal association shall where additional rights-of-way has been dedicated for the purpose of providing indications detailion dress for side-addits, walks or other amenities, enter into a license agreement with the City and shalt esponsible for the installation and maintenance of all andscape areas in the public rights-of-way.



Planning & Zoning Application Fee Breakdown

Development Name: Barrath Lake Estates Development Address: Warry Kef

G/L	TRAN		
4361	361.1	Initial Zoning	\$
4361	361.2	Rezoning	\$
4362	362	Specific Use Permit	\$
4363	363	Waiver/Variance Request	\$
4390.1	390.1	Site Plan	\$
4390.2	390.2	Tree Survey/Conservation Plan	\$
4390.3	390.3	Architectural Plan	\$
4390.4	390.4	Landscape Plan	\$
4424	424.1	Preliminary Plat	\$
4424	424.2	Final Plat	\$ 1057.56
4424	424.3	Replat	\$
4424	424.4	Vacation of Plat	\$
4424	424.5	Optional Land Study	\$
4424	424.6	Filing Fees	\$
4427	427	Public Improvements/3% Construction	\$
4980	980	Park ProRata/Dedication Fee	\$

Total Amount Due \$	1057.59
Official Use Only: Date: 8/11	122
Received Monies from: Margan gue fale Check # 1018 Cash	_cc



PLATTING APPLICATION

Name of Subdivision and/or Project: Barratt Lare Estates

Iten	as Submitted	Filing Fee
	D. L. D.	
	Preliminary Plat Single Family Residential Subdivision Development	
	Single Fulling Residential Subarvision Development	
	S750 + \$5 per acre with 20 acres or less (i.e. \$850 for 20 acres) excluding minor plats of fue (5) acres or less	
	plats of five (5) acres or less. 5750 ± 55 per series with 21, 20 series (i.e. 5000.5, 20,)	
	 \$750 + \$5 per acre with 21 - 30 acres (i.e. \$900 for 30 acres) \$800 + \$5 acre with 31 - 45 acres (i.e. \$1.025 for 45 acres) 	
	to acres (i.e. \$1,025 101 45 acres)	
	 \$900 + \$5 per acre with 46+ acres (i.e. \$1,130 for 46 acres) Estate Residential Subdivision Development 	
	 \$1,000 + \$7 per acre for all size parcels (i.e. \$1,140 for 20 acres) Minor Plats 	
	0 \$500 + \$5 per acre with 5 acres or less (i.e. \$525 for 5 acres)	
	 Non-residential District Plats 	
	\circ \$800 + \$10 per acre with 30 acres or less	
	3850 + \$10 per acre with $31 - 45$ acres	
	5350 + 510 per acre with 46 + acres	
A	Final Plat	
A	 Single Family Residential Subdivision Development 	,057.56
	 \$800 + \$5 per acre with 30 acres or less 	(
	- wood we per dere with 50 deres of fess	
	 \$850 + \$5 per acre with 31 - 45 acres \$950 + \$5 per acre with 46+ acres 	
	Any additional development fees will be charged at final plat rates.	
	 Estate residential Subdivision Development 	
	 System residential Subdivision Development \$950 + \$7 per lot for all size parcels 	
	 Minor Plat 	
	0 \$350 + \$5 per acre with 5 acres or less	
3	 Non-residential District Plats 	
	\circ \$850 + \$10 per acre for up to 30 acres	
	\circ \$900 + \$10 per acre with 31 - 45 acres	
	\circ \$1,000 + \$10 per acre with 51 – 45 acres	
1	 Replat 	
	 Minor Plat (5 acres or less) \$450 + \$5 per acre (\$475 for 5 acres) All others - \$600 + \$10 per acre 	
	 Amended Plat 	
	 Minor Plats (5 acres or less) - \$300 + \$7 per acre (i.e. \$300 for an amended plat for 5 acres) 	
	 All others - \$500 + \$10 per acre (i.e. \$700 for an amended plat for 20 acres) 	
	Storm Water Run-Off Permit	
	o Developments 0 – 3 acres \$75	
	 Developments 4 – 10 acres \$150 	
	 Developments 10+ acres \$500 	
	Vacation of Plat	
_	o \$500 + \$10 per acre	
	Concept Plan (Optional Land Study)	
_	o \$150 per session with Planning & Zoning and/or City Council	
	Free Survey/Conservation Plan	No Fee
	Free Removal & Site Clearing Permit	
Contraction of the	o \$ 250	
	Park Site Dedication	
tandi in		60
TOT	AL 🌳	,057.56
DIAT	TING ADDI IGATION	1 Page

PLATTING APPLICATION



PLATTING APPLICATION

Physical Location of Property:

(Address and general location – approximate distance to nearest existing street intersection)
Legal Description of Property: Thom Son 1893 and G Dy Car 1770
Comprehensive Zoning Designation(s): $R - 2$
Existing Zoning Designation(s): R-2
Description of Project Use: SINGLE FRMILLY Residential
Acreage: 41.5/2
OWNERS NAME.
OWNERS NAME: Contact Number: (214) - 802 - 0028
Applicant/Contact Person Teophers
Company Name Diacondi DENELLING MEMBERS
Street Address (1,
Mailing Address PO BOX 81.32114 October 10 190
Phone 2 (4) 900 - 002 Pr
Phone 219 992 - 0028 Fax: Come Email:
OWNERS NAME:
Applicant/Contact Person Tide
1 lue:
Company Name
Street Address
Mailing Address
Phone: Fax: Email:
DASE FINCH CORNER FRANCE

	Email:	
LARSEPINCH CORNIN	ENGINERRING, FOL	. /.
ENGINEER REPRESENTATIVE:	Contract News	(972) 201-1200
ENGINEER REPRESENTATIVE: Applicant/Contact Person Chase Fi		11-5576-1202
Company Name CORWIN ENG	Title:	
Street Address 12 man the Street	TV CEL WIG, LAL	0
Address 1200 WEST BE Mailing Address 1200 WEST T Phone 972 396 - 120 Fax:	CMONT SWITE E	HUEN, TX 75013
Phone (172) 201 -120	SELMONT, SWITE E	ALLEN TA 15013
Phone 717 396-124 Fax:	Email:	

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 are required. (notaries are available)

ITEMS REQUIRED PRIOR TO FINAL PLAT APPROVAL:

ALL APPLICATIONS MUST BE COMPLETE, ACCOMPANIED BY THE APPLICABLE CHECKLIST AND TAX CERTIFICATE SHOWING TAXES PAID BEFORE BEING SCHEDULED ON THE 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 with this application makes such items public record, and the applicant understands that these items may be viewed by the public unless they are copyrighted.

PLATTING APPLICATION

2|Page



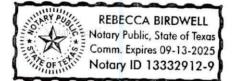
PLATTING APPLICATION

- Applicant agrees to pay any and all monies due to the City including but not limited to Park Site 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.
- Maintenance Bond for City Improvements, 2 year 10% Bond to be verified by submitting contract.
- Construction as-built record drawings (mylar)
- Engineering construction test reports.
- Walk-through with Public Works personnel completed with satisfactory outcome.
- HOA (covenants, conditions & restrictions) documentation approved by City Attorney before submittal to Planning & Zoning.

By signing this application, staff is granted access to your property to perform work related to your case. I waive the statutory time limits in accordance with Texas Local Government Code, Section 212.

STATE OF TEXAS } COUNTY OF COLLIN }

BEFORE ME, a Notary Public, on this day personally appeared <u>Stophen Dinapo</u> the undersigned applicant, who, under oath, stated the following: "I hereby certify that I am the owner, or duly authorized agent of the owner, (**proof must be attached, e.g. "Power of Attorney**) 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." REBECCA BIRDWELL



SUBSCRIBED AND SWORN TO before me, this th	ne _ 9 H day of _	August	.2022
Notary Public in and for the State of Texas:	Sin O	. J	

Official Use Only:			
Planning & Zoning:	Date:		
City Council:	Date:		
Applicant Withdrew: Yes or No Applicant Made a Written Withdrawal: Yes or No	Date: Date:		

PLATTING APPLICATION

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PRELIMINARY AND FINAL PLAT Minimum Requirements Checklist

Project Name Barratt Lakes Estates

Preparer

This checklist is provided to assist you in addressing the minimum requirements for Preliminary Plat submission. Confirm 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. 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 both directly on the plan and 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. Plans are to be submitted complete 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. If a preliminary plat is required, a Tree Survey/Preservation Plan is also required as part of the submittal requirements with and at the time of preliminary plat submittal. Refer to the Development Plan Application packet for the needed application and checklist.

- □ I have made the decision NOT to waive the statutory time limits (30 days) in accordance with section 212 of the Texas Local Government Code. I understand and acknowledge that the City may DENY my plat application if not complete as determined by staff within the 30-day time period.
- The required number of copies of the preliminary plat and the approved engineering and construction plans for all public infrastructure improvements in accordance with the design standards of the City, to include all streets, water mains and services, sewer system and services, and drainage systems required to develop the proposed subdivision.
- The name, address and telephone number of the owner, the surveyor, and engineer responsible for the preparation of the final plat.
- The name of the subdivision and location map showing adjacent subdivisions, street names (which shall conform, whenever possible, to existing street names and be approved by the Post Office) and lot and blocks numbers in accordance with a systematic arrangement.
- An accurate boundary survey description of the property, with bearings and distances, referenced to survey lines, existing property descriptions and established subdivisions, and showing the lines of adjacent tracts, the layout, dimensions and names of adjacent streets and alleys and lot lines shown in dashed lines.
- Existing boundary of adjacent street, and alley rights-of-way and boundaries of right-of-way (ROW) dedication are indicated, street names are labeled, and ROW widths are dimensioned.
- Scale, north point, date, lot and block numbers.
- ☑ The name and location of adjacent subdivisions or unplatted tracts drawn to scale shown in dotted lines and in sufficient detail to accurately show the existing streets, alleys and other features that may influence the layout and development of the propose subdivision. The abstract name and number, and name of the owner of the adjacent unplatted tracts should be shown.
- Exact location of lots, streets, public highways, alleys, parks and other features, with accurate dimensions in feet and decimal fractions of feet, with the length of radii and of arcs of all curves, internal angles, points of curvatures, length and bearings of the tangents, and with all other surveyor information necessary to reproduce the plat on the ground. Dimensions shall be shown from all angle points.
- All lots on building sites shall conform to the minimum standards for area, width and depth prescribed by the zoning district or districts in which the subdivision is located and state the area size of each lot. Internal lot lines are clearly indicated, shown to scale, and labeled with bearings and distances.
- \blacksquare Building setback lines and the location of utility easements.
- □ Topographic information showing contour lines with intervals up to one (1') foot indicating the terrain, drainage pattern of the area, and the drainage basin areas within the proposed subdivision. Topographic information showing contour lines with intervals up to two (2) feet indicating the terrain, the drainage pattern of the area, and the drainage basin areas <u>outside</u> the boundaries of the proposed subdivision.
- ☑ The layout and dimensions of proposed storm drainage areas, easements and rights-of-way necessary for drainage within and outside the boundaries of the proposed subdivision.
- I The location and purpose of all proposed parks or other areas offered for dedication to public use.



PRELIMINARY AND FINAL PLAT Minimum Requirements Checklist

- ☑ The location of all existing property lines, buildings, sewer or water mains, storm drainage areas, water and wastewater facilities, fire hydrants, gas mains or other underground structures, easements of record or other existing features.
- ☑ The location, size and identification of any physical features of the property, including water courses, ravines, bridges, culverts, existing structures, drainage or other significant topographic features located on the property or within one hundred fifty feet (150') of the proposed subdivision.
- □ Copy of any deed restrictions, restrictive covenants, special use permit or planned development district ordinance regulating the property.
- \square The angle of intersection of the centerlines of all intersecting streets which are intended to be less than ninety (90°) degrees.
- ☑ In accordance with the city floodplain management regulations, of the Code of Ordinances, as amended, the floodplain and floodway lines and base flood elevations as shown on the current effective flood insurance rate maps for the city shall be shown, where applicable. A notation shall be shown on the face of the preliminary plat stating: "Lots or portions of lots within the floodplain or areas of special flood hazard require a development permit prior to issuance of a building permit or commencement of construction including site grading, on all or part of those lots".
- Floodplain and floodway lines and base flood elevations as shown on the current effective flood insurance rate maps for the City should be shown, where applicable.
- □ For a preliminary plat of land located outside the city limits where sanitary sewer does not exist or where street improvement standards vary from those specified by the city, such differences shall be noted.
- A certificate of ownership and dedication of all streets, alleys, easements, parks and other land intended for public use, signed and acknowledged before a Notary Public by the owner and lien holders of the property, along with complete and accurate metes and bounds description of the land subdivided and the property dedicated to public use.
- □ Receipt showing all taxes on the subject property are paid.
- Certification by a surveyor, to the effect that the preliminary plat represents a survey made by the Surveyor, and that all the necessary survey monuments are correctly shown thereon.
- □ A preliminary plat provided in multiple sheets shall include a key map showing the entire subdivision at smaller scale with lot and block numbers and street names on one (1) of the sheets or on a separate sheet of the same size.
- □ Copy of any proposed property owner or homeowners' association agreements, covenants and restrictions.
- Front and exterior side or corner setback lines are shown and labeled.
- Abstract lines, survey lines, county lines, school ISD boundary and corporate boundaries are shown and clearly labeled.
- \square A title block is provided in the lower right corner that includes large, boldly printed:

(Subdivision Name) Preliminary Plat Lot(s) _____, Block(s) _____ (survey, abstract and tract number)

If a replat, include: Replat of Lot(s) _____, Block(s) _____

- \square A log of submittal/revision dates since submitted to the City.
- □ The purpose of a replat or amending plat is stated on the face of the plat document.
- □ If the proposal is a replat or amending plat, the existing lot numbers and block numbers or letters are shown as light dotted lines, with lot number designation followed by R for replats or an A for amending plats.
- ☑ Location of property lines, owner or subdivision name(s) and recording information of abutting properties is indicated. Unplatted property or any streets or alleys within a 500-foot radius of subject property are shown and identified/labeled as appropriate.

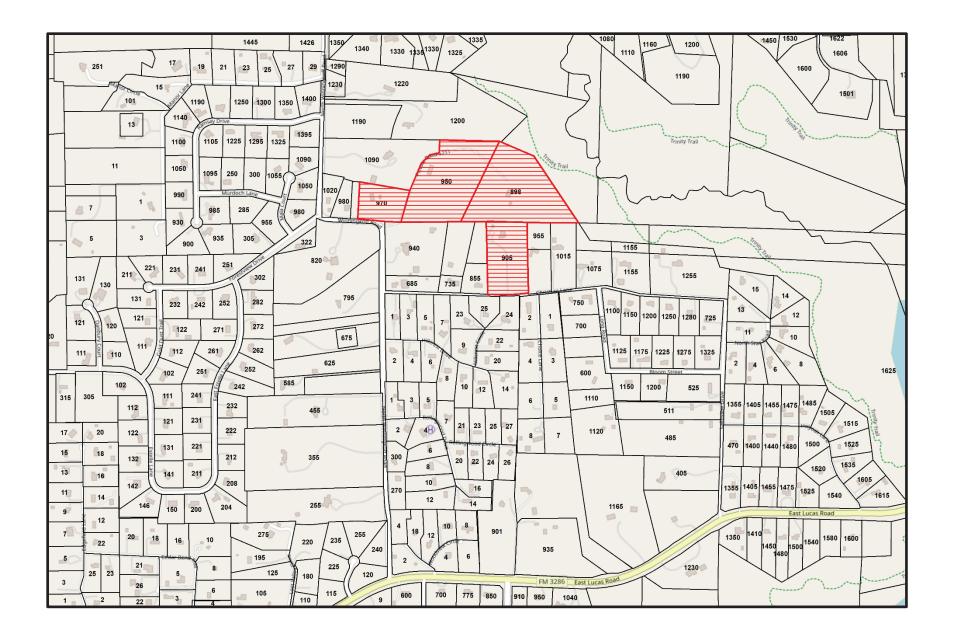


PRELIMINARY AND FINAL PLAT Minimum Requirements Checklist

- Medians, median openings; turn lanes, deceleration/acceleration lanes and stacking distance is indicated within 200 feet of the property. The entire median, left-turn lane and/or deceleration lane and median opening serving a site is shown.
- Each lot is dimensioned, and the square footage of each lot is indicated.
- Each lot is numbered, and block groups are assigned a letter. Homeowner's association and other open space areas are identified with tract number.
- □ The location of existing underground and above ground utilities, flood plain boundaries and state or federally protected areas, such as wetlands, are indicated.
- The location of existing structures or other features proposed to remain and those proposed for removal.
- □ Existing easements are indicated by a light, dashed line and labeled indicating dimension, purpose and County recording information.
- ☑ Location, dimension, and purpose of proposed easements are indicated by a medium-weight, dashed line. Required and proposed ingress/egress or access easements are shown, clearly labeled and tied down, as appropriate.
- Existing zoning is shown.
- □ Location and area of parks, drainage ways, creeks and open space is indicated and labeled.
- **Example 1** Legal description/metes and bounds description is included.
- \square Include any notes required by the various affected agencies/utilities.
- Residential minor streets shall be designed and platted so that no street segment shall have a straight line for more than 1,000 feet before altering its course by at least 20 degrees.
- Sites to be reserved or dedicated for parks, playgrounds and/or other public uses are indicated and labeled.
- □ Preliminary water plans are included with this submittal.
- □ Contours are indicated with intervals of two (2) feet for property five acres or less and five (5) feet for property more than five acres.
- A note is included that states whether or not the property is in the 100-year flood plain, with the FIRM Community Panel reference number and map date.
- □ A note shall be added to the plat stating: "Preliminary Plat For Inspection Purposes Only."



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Requester: Development Services Director Joe Hilbourn

Agenda Item

Consider the request by Majed Khalaf on behalf of Mahmoud Properties for a site plan, landscape plan, and elevations for use as a commercial retail and office center on a 2.25-acre tract of land in the Jas Lovelady Survey, Abstract Number ABS A0538, Tract 14 situated in the City of Lucas, Collin County, Texas, located at 995 West Lucas Road.

Background Information

This parcel of land is currently zoned for commercial business, containing 2.25 acres of land, and proposes commercial retail and office space.

Site Plan: The site plan proposes three new buildings. One is a two-story building with 8,034 square feet on the first floor and 6,360 square feet on the second floor. The second building is a single story with 7,557 square feet. The third building is 2,640 square foot single-story building. The total square footage for the three new buildings is 24,291 square feet. There are two existing buildings that will have to be demolished prior to build out of the property. Total impervious cover permitted is 63,482 square feet (65%), total impervious proposed is 59,574 square feet (61%). 82 parking spaces are required, 82 spaces are provided. Minimum lot size permitted is 43,500 square feet, provided is 97,666 square feet. The water main is 8 inch looped. 24-foot-wide fire lanes meet the minimum standard for turn radius R30.

Landscape Plan: The total site area is 97,656 square feet. Landscape area required is 14,648 square feet. Landscape area provided is 34,480 square feet. The 244 linear feet located on West Lucas Road requires 22 trees, and 22 are provided. Shrubs required are 98, and 98 are provided. Parking permitter is 211 linear feet. 11 trees are required, 22 are provided. Shrubs required are 85, provided are 98. Parking interior landscape required is 1,672 square feet. Provided is 2,777 square feet. Interior parking trees required is 9, and 9 are provided. All interior landscape elements are irrigated.

Elevations: Max building height permitted is 35 feet. Proposed is one-story (21 feet), one-story (27.25 feet), two-story (33.16 feet). Building finishes are a mix of stucco, stone tile, and glazing. Wall signage proposed is 345.5 square feet. A maximum of two monuments signs are permitted (one every 100 linear feet of road frontage). Two monument signs are proposed, both less than 40 square feet. The buildings meet the City's requirements for changes in direction, the maximum uninterrupted length is 60 feet.

Attachments/Supporting Documentation

- 1. Site plan, landscape plan, elevations
- 2. Checklist Site Plan, landscape plan, elevations
- 3. Application
- 4. OSSF design



- 5. Civil Construction plans
- 6. Location Map

Budget/Financial Impact

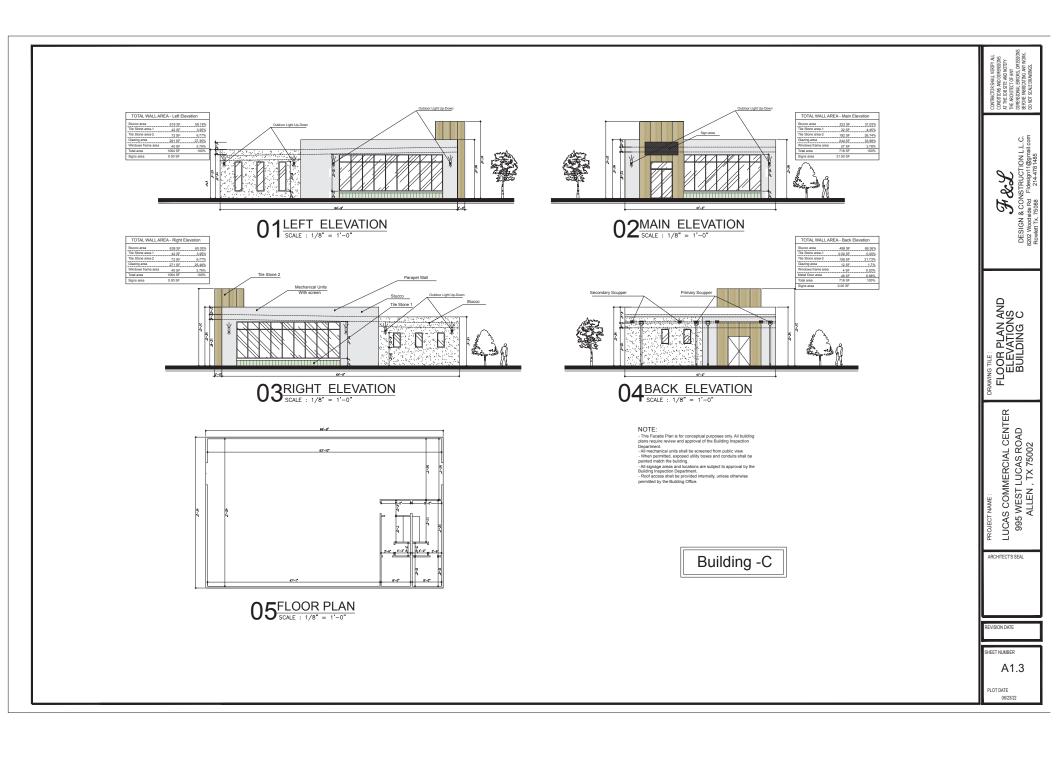
NA

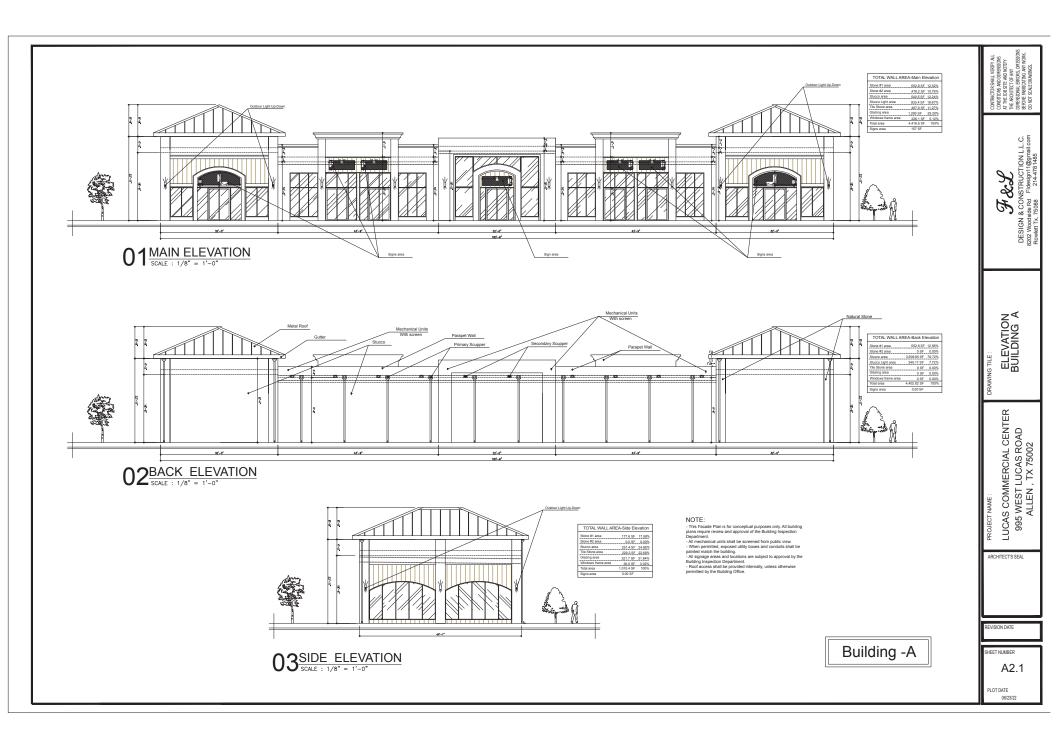
Recommendation

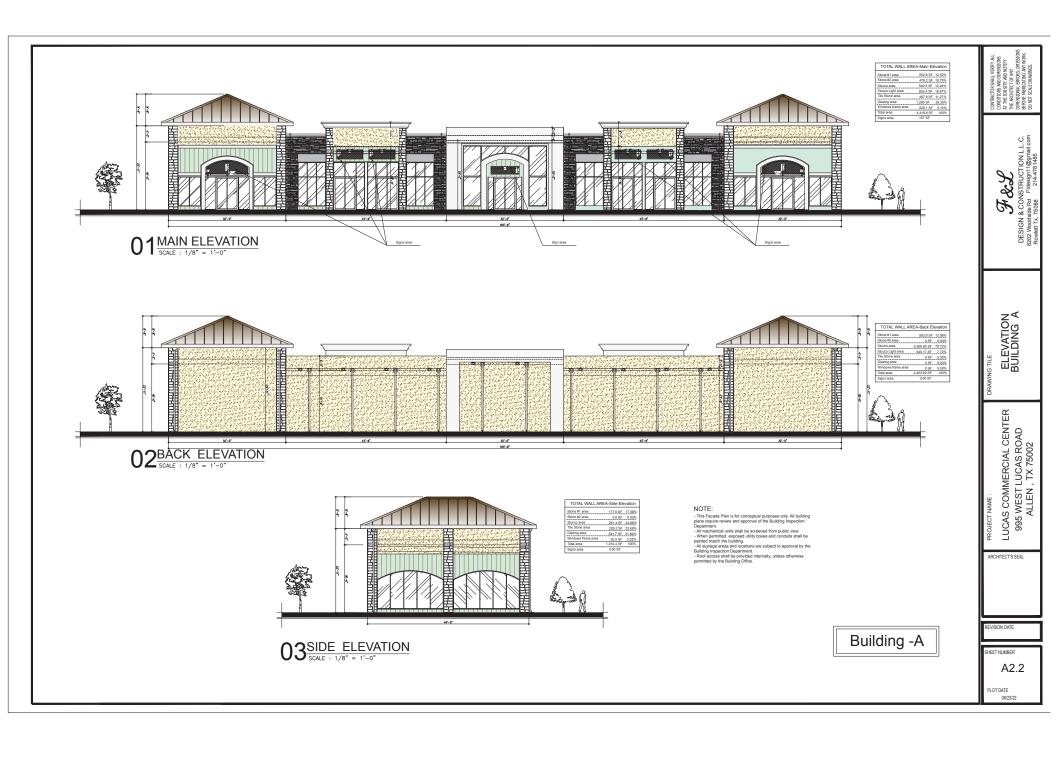
Staff recommends approval of the site plan, landscape plan, and elevations.

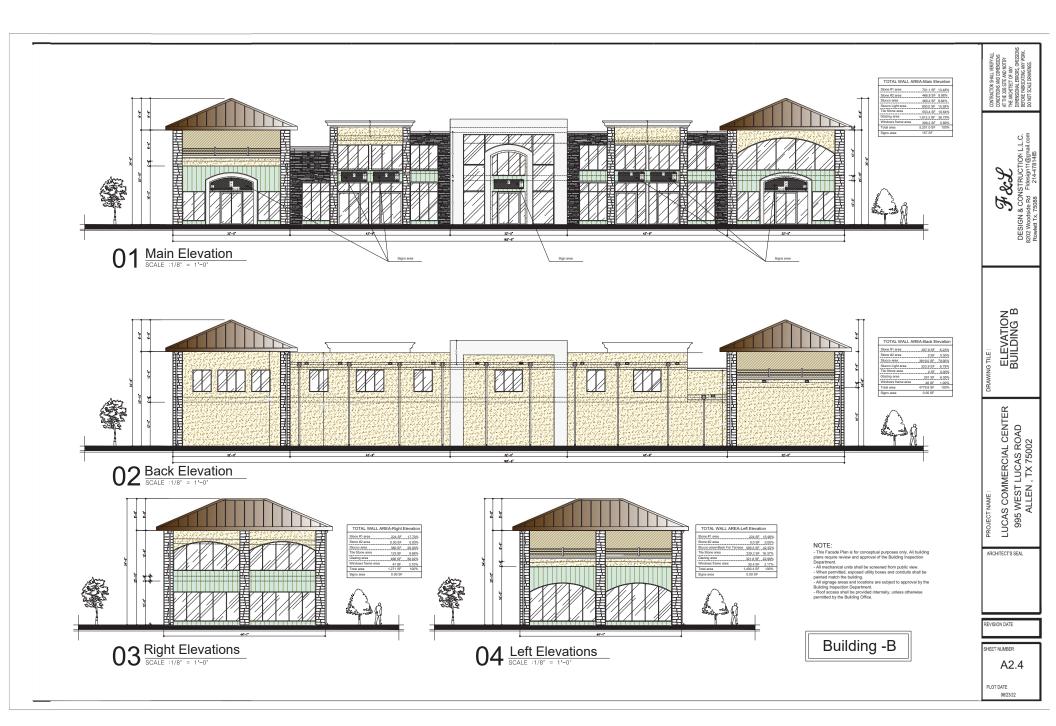
Motion

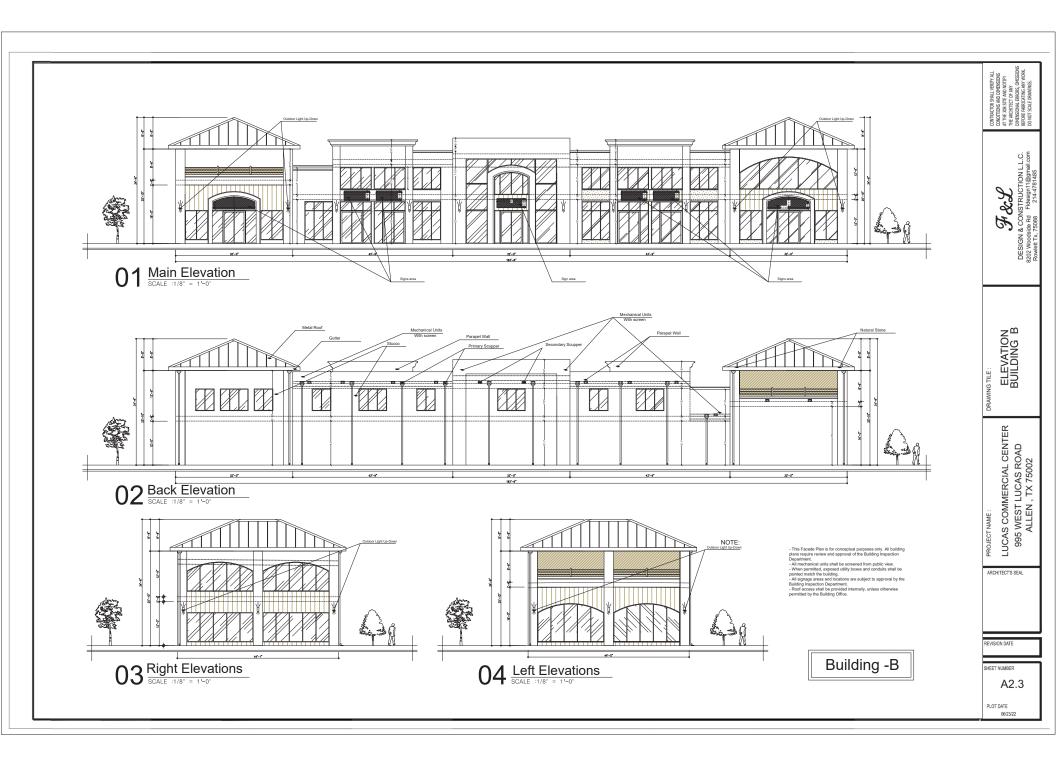
I make a motion to recommend to the City Council to approve/deny the request by Majed Khalaf on behalf of Mahmoud Properties for a site plan, landscape plan, and elevations for use as a commercial retail and office center on a 2.25-acre tract of land in the Jas Lovelady Survey, Abstract Number ABS A0538, Tract 14 situated in the City of Lucas, Collin County, Texas, located at 995 West Lucas Road.

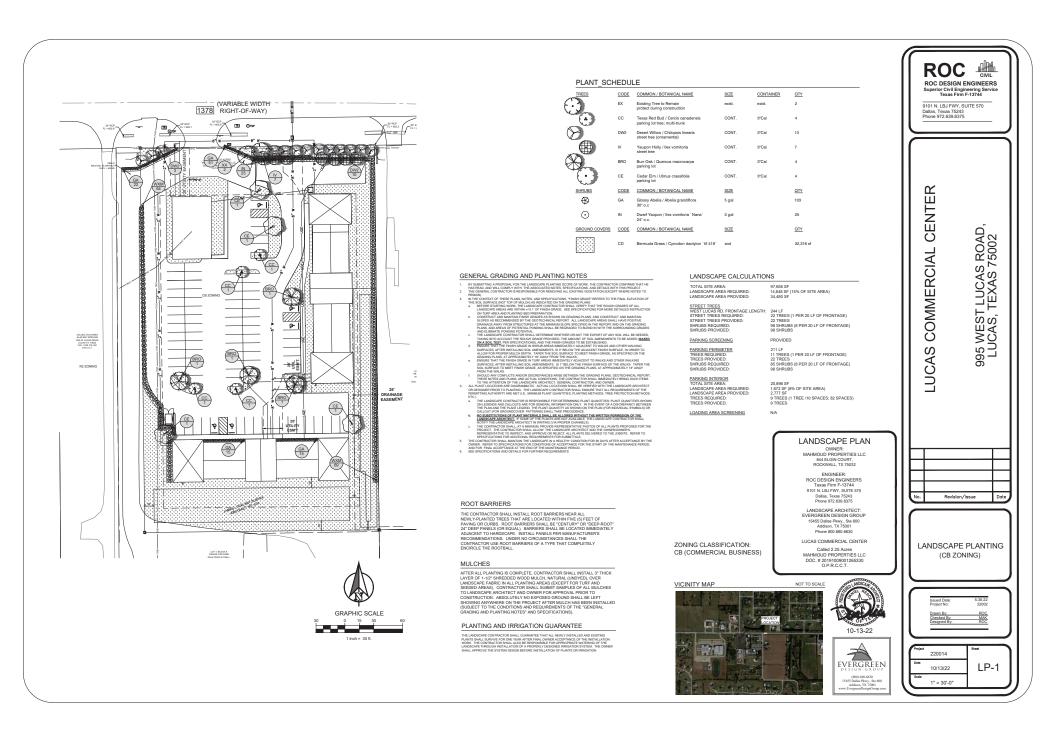












PLANTING SPECIFICATIONS

GENERAL

- OWNER/CITCHING OF UNDECAME CONTINUEDRE 1. ALLANDEROUTE DIVERSION DE LA LES PLANE SHALL DE PERFORMED IN A BINGLE FRIM INFOLIZZIONE IN 1. ALLANDE DIVERSION DE LA LES PLANE SHALL DE PERFORMED IN A BINGLE FRIM INFOLIZZIONE IN 2. ALLE OF AUCCESSION LLI CONSULTED IN INFOLIZZIONE DI LES PLANE INTERE IN VIE RECORRECTORY INFOLMATION DE LA LES PLANE DE LA LES PLANE DE LA LES PLANE INTERE INVE RECORRECTORY INFOLMATION DE LA LES PLANE DE LA LES PLANE DE LA LES PLANE INTERE INTERE DE LA LES PLANE DE LA LES PLANES DELLA LES PLANES DE LA LES PLANES DELLA LES PLANES DEL
- This could be a set of the effective set of the canonical and the set of the
 - PERMITS READINED OF INSTEADED. INSTALLATION OF MATERIALS. THE LANDSCAPE CONTRACTOR SHALL VERIFY THE LOCATION OF ALL UNDERGROUND UTILITY LINES (WATER SEVERE, ELECTRICAL, TELEPHONE, GAS, CABLE, TELEVISION, ETC.) PROR TO THE START OF ANY WORK. 3.

PRODUCTS

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- Disclassica Autoria distanti accioni, aco Peter Houxino d'Institució D'estitica (Succión Au Javiero) Tentes Jun Ver a Tanto Francico Contrado Bio Sen Licano Adel Junezo Bio, Juneza Ser Centrello O, The Participa Meria Contrado Sen Licano Adel Junezo Bio, Juneza Sen Licano Adel Junezo Bio, Juneza Sen Licano D'estitucio Bio Sen Licano De La Autoria Contrado Bio Sen Licano De La Autoria Contrado Bio Sen Licano Bio Sen Licano De La Autoria Contrado Bio Sen Licano Bio Sen Licano De La Autoria Contrado Bio Sen Licano Bio Sen Lica
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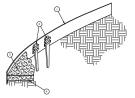
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- FOUR INCHES ABOVE THE SURROUNDING GRADE. BACKFILL THE TREE HOLE UTLINKS THE EXISTING TOPSOIL FROM ON-SITE. ROCKS LARGER THAN 1 DIA. AND ALL OTHER DEBRIS SHALL BE REMOVED FROM THE SOIL PRIOR TO THE BACKFILL. SHOULD
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 - DISPOSED LEGALLY CONDITION. DISPOSED LEGALLY OF ALL EXCAVATED MATERIALS OFF THE PROJECT SITE. ECTION AND ACCEPTANCE UPON COMPLETION OF THE WORK, THE LANDSCAPE CONTRACTOR SHALL PROVIDE THE SITE CLEAN, FREE OF DEBRIS AND TRASH, AND SUITABLE FOR USE AS INTENDED. THE LANDSCAPE CONTRACTOR
 - THEN REQUEST AN INSPECTION BY THE OWNER TO DETERMINE FINAL ACCEPTABLITY. THE INSPECTED PLANTING WORK DOES NOT COMPLY WITH THE CONTRACT DOCUMENTS, THE CAPE CONTRACTOR SHALL REPLACE AND/OR REPART THE REJECTED WORK TO THE OWNER'S

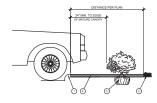
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 - CONTRACTOR SHALL ONLY BE RESPONDED FOR THE REAMANENT OF TRANSPORTED AND THE CONTRACTORS CANNOTE A THREATED DERICENT YO OF WITH REPRING OR OTHER DAMAGE BY HUMAN ACTIONS. PROVIDE A MINIMUM OF (2) COPIES OF RECORD DRAWINDS TO THE OWNER UPON COMPLETION OF WORK. A RECORD DRAWING IS A RECORD OF ALL WALKES THAT OCCURRED IN THE FIELD AND THAT ARE DRAWING THE MINIST CHARGE CRUENES, ADDREAD, OR CONTRACTORCOMPLETATION OF WORK.









PARKWA

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F ROOT BARRIER - PLAN VIEW

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TYPICAL WALKINAY OR PAVING
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 LINEAR ROOT BARRER MATERS
 FUATING NOTES FOR TYPE AN
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 MANUFACTURERS SPECIFICATI

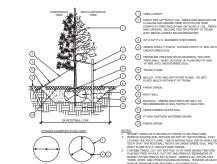
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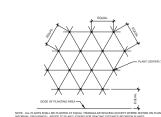
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E PLANTING AT PARKING AREA

OPEN LANDSCAPE



A TREE PLANTING



1) STEP 1: DETERMINE TOTAL PLANTS FOR THE AREA WITH THE P PLANT SPACING AREA DIVIDER PLANT SPACING AREA DIVIDER





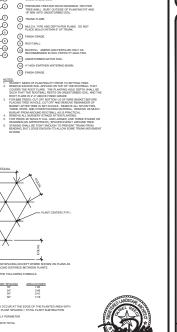


(1) SHRUE, PERENNAL, OR ORNAMENTAL MULCH, TYPE AND DEPTH PER PLANS. PLACE NO MULCH THAN I' OF MULCH WITHIN 6' OF PLANT CENTER.

(3) FINISH GRADE. A ROOT BALL S BACKFELL AMEND AND FERTILIZE ONLY AS RECOMMENDED IN SOL FERTILITY ANALYSIS. (5) UNDISTURBED NATIVE SOL

(7) 3" HIGH EARTHEN WATERING BASE (B) WEED FABRIC UNDER MULCH.

B SHRUB AND PERENNIAL PLANTING



10-13-22

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ENGINEER: ROC DESIGN ENGINEERS

Texas Firm F-13744 9101 N. LBJ FWY, SUITE 570

Dallas, Texas 75243 Phone 972.639.8375

LANDSCAPE ARCHITECT:

EVERGREEN DESIGN GROUP 15455 Dallas Pkwy Ste 600

Addison, TX 75001

Phone 800.680.6630

LUCAS COMMERCIAL CENTER

Called 2.25 Acres MAHMOUD PROPERTIES LLC DOC. # 20191009001265330 O.P.R.C.C.T.

EVERGREEN

15455 Dallas Pkwy., Ste 600 Addison, TX 75001

ROC

ROC DESIGN ENGINEERS

Superior Civil Engineering Service Texas Firm F-13744

ROAD, 5002

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EST LUCAS S, TEXAS

995 WES LUCAS

Date

Revision/Issue

LANDSCAPE DETAILS & SPECIFICATIONS (CB ZONING)

Issued Date

Drawn By: Checked By: Designed By:

220014

10/13/22

1" = 30'-0"

5-30-22 22002

ROC MAK ROC

LP-2

9101 N LBJEWY SUITE 570 Dallas, Texas 75243 Phone 972.639.8375

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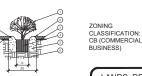
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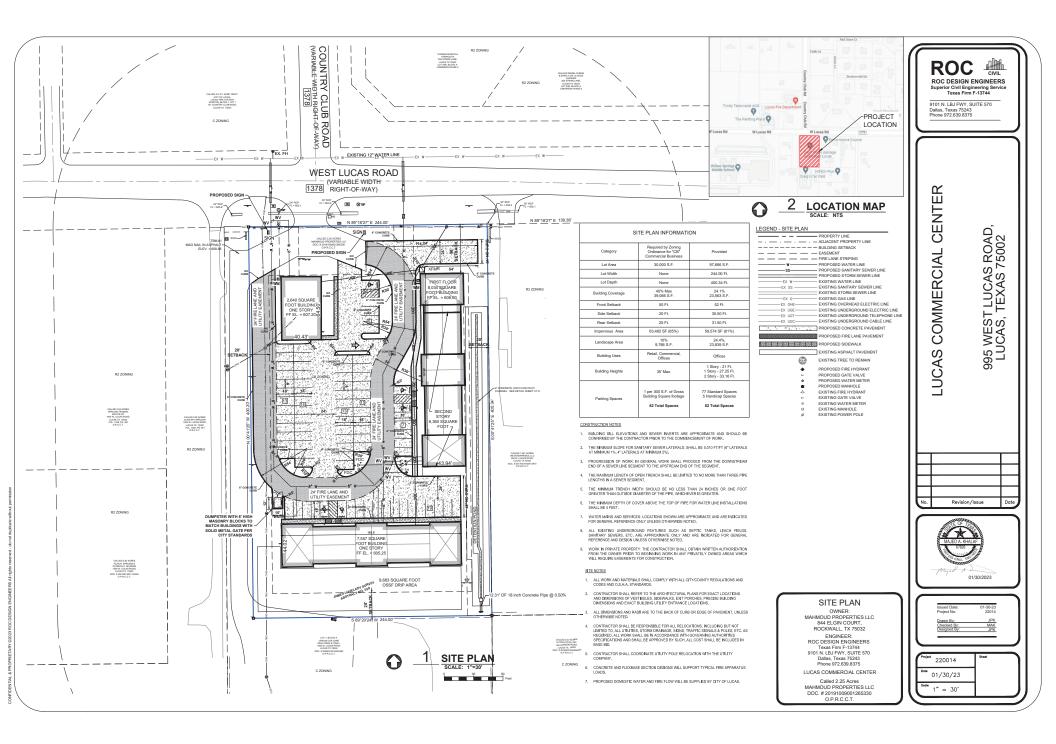
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Site Plan Minimum Requirements

Project Name Lucas Commercial Center

Preparer Majed Khalaf

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

- X 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.
- Х 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. Х
- A written and bar scale is provided.
- $\frac{1}{X}$ 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
- X letter, original submission date, and a log of resubmittal/revision dates since submitted to the City. Tree masses are clouded with accurate canopy widths shown to determine critical root zone where X Flood plain boundary is shown or 1 1 1
- Flood plain boundary is shown and indicates F.I.R.M. Community panel number and date, and flow
- x 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 χ on topography.
- Accurately located, labeled and dimensioned footprint of proposed structure(s) is/are shown by a solid heavy line.

DEVELOPMENT GUIDE & APPLICATION (Site Plan Requirements)

- $\frac{X}{2}$ Accurately located, labeled and dimensioned footprint of existing structure(s) to remain is/are shown
- ____X Accurately located and labeled footprint of structure(s) proposed for demolition is/are shown by a X 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.
- X Adjacent property lines within 500 feet of the subject property lines are shown by a light dashed line.
- X Adjacent zoning and land use (e.g. bank with drive-thru, office building, undeveloped etc.) within 500 X feet of the property line is indicated.
- Adjacent property owner(s), or subdivision name, with lot, block and recording information, is x shown.

- x 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 0 dimensioned as measured from the centerlines.
 - Distance to the nearest street is shown as measured from the end of curb-return radius of the 0 adjacent street to the driveway centerline.
- 0 Typical radii are shown. Х
- Drive-thru lanes, menu board location, pick-up window/s, maneuvering area, stacking lanes and
- X escape lanes are indicated and dimensioned.
- Sidewalks and barrier-free ramps (BFR) within 200 feet of and on the subject property are shown,
- X dimensioned and labeled.
- Off-site streets and roads:
 - Existing and proposed roadways with medians and median openings adjacent to and within 0 200 feet of the project site are shown and dimensioned.
 - Medians, median openings with associated left- turn lanes, continuous left turn lanes, 0 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 0 site are shown dimensioned, stacking length indicated, and right-of-way dedication is indicated as applicable.
- $\frac{X}{-}$ All parking spaces are shown, group numbered, and typical dimensions are provided. Indicate required two-foot overhang, as applicable.
- -X Handicapped parking spaces and barrier-free access points are shown, dimensioned, and labeled.
- -X Loading and maneuvering areas are indicated, labeled, and dimensioned. Loading area screening method is indicated and labeled.
- -X 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.
- X Paving materials, boundaries and type are indicated.
- $\frac{X}{X}$ Access easements are accurately located/ tied down, labeled and dimensioned.
- 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 χ 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.

DEVELOPMENT GUIDE & APPLICATION (Site Plan Requirements)

- -X Proposed dedications and reservations of land for public use including, but not limited to, rights-ofway, easements, park land, open space, drainage ways, floodplains and facility sites are accurately x located, dimensioned and labeled.
- 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 x prohibited.
- The location of living screens are shown and labeled. Details of a living screen are provided on the
- X 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, x 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.
- -X Boundaries of detention areas are located. Indicate above and/or below ground detention.
- -X Monument signage location is indicated. Details of construction materials and architecture are shown x on required Building Elevation/Façade Plan. Color, type and texture are to match that of the building.
- -X Communication towers are shown and a fall distance/collapse zone is indicated. -X 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 0
 - Square footage of building(s)
 - Building height (stories and feet)
 - Percent of lot coverage (building footprint square footage/lot square footage). 0
 - For apartment developments, number of living units broken down by number of bedrooms 0 and minimum square footage for each dwelling unit.
 - Parking required by use with applicable parking ratios indicated for each use 0
 - Parking provided indicated
 - Handicap parking required as per Code of Ordinances and TAS/ADA requirements 0
 - List of exceptions and/or variance/s requested or previously granted, including dates and approving authority
- <u>X</u> 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



Architectural Plan Checklist

Lucas Commercial Center **Project Name**

Preparer Ahmed Dardary

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.

- $\stackrel{\mathsf{X}}{-}$ Elevations of all four sides labeled North, East, South, and West with the front elevation designated as such. <u>X</u> Materials calculations table showing for each elevation
 - Total surface area of each elevation 0
 - List of materials (including glazing) with square footage of each material per elevation and percentage of each material per elevation
- $\frac{X}{-}$ Building dimensions (if multiple heights are used, provide dimension for each)
- X Provide estimated allowable wall mounted signage size for each elevation.
- \underline{X} Add the following notes:
 - o "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" 0
 - 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"

 $\frac{X}{X}$ 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 Facade Plan. X_{Dat}

- Designate color and materials location on elevations.
- -X Additional information as requested by staff to clarify the proposed development and compliance with minimum development requirements.



Landscape Plan Checklist

Lucas Commercial Center **Project Name**

Preparer Rodney McNapp

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.

- -X Plans shall be to same scale as approved site plan.
- -X A minimum of 15% of the gross area must be landscaped.
- <u>X</u> 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.
- _X Heights of landscaping materials shall be such that they do not create safety hazards for vehicular traffic by block sight lines at ingress points.
- -X The specifications shall state the common names and scientific names (genus species), sizes, and quantity of all materials to be utilized.
- -X 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
- X barrier within two (2) years after planting.
- Additional information as needed for clarity.

Lucas Code of Ordinances - Sec. 3.18.022 Minimum requirements

- -X 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.
- $\frac{X}{2}$ 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.
- X The property boundary dimensions of the site (bearings and distances). X 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.

DEVELOPMENT GUIDE & APPLICATION (Landscape Plan)

- $\frac{X}{X}$ All proposed water and sanitary sewer pipe lines with sizes indicated and valves, fire hydrants, manholes, \mathbf{x} and other appurtenances or structures shown.
- $\frac{1}{X}$ All existing or proposed water, sewer and irrigation connections, meter location, and size of meters.
- All existing and proposed utility and visibility easements.
- -X All existing or proposed buildings on the property, existing structures, access points on and adjacent to the x property.
- X Existing and proposed contours of berms in intervals of one (1) foot. Detailed structural designs of entryway features.
- X 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.)
- $\frac{X}{2}$ 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: 0
 - 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).
- -X 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.
- X 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.
- Х Size, height, location and material of any proposed seating, lighting, planters, sculptures, decorative paving, and water features.
- -X 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.
- X Irrigation plans shall contain the certification and stamp of an irrigator licensed by the state board of X 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.
- -X 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.
- -X 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.

DEVELOPMENT GUIDE & APPLICATION (Landscape Plan)

- X 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.
 X Distance of taxes/abraba from sidewalks, such a semanting walls, and utilities is indicated. If less than five
- 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.
- X 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.



DEVELOPMENT APPLICATION City of Lucas, Texas

NAME OF SUBDIVISIO	N AND/OR PROJECT:	Luca	as Square	
ITEM SUBMITTED			AP	PLICATION FEE
Site Plan \$300 + \$10 per acre (i.e	e. \$500 for a 20 acre site plan)			
Tree Survey/Conservation	n Plan		_	N/A
Tree Removal & Site Cles \$250	aring Permit		<u>)</u> -	N/A
Architectural Plan \$250 + \$50 for any rev	iews or presentations of amended plans		-	
Landscape Plan \$200 + \$50 for any rev	iews or presentations of amended plans		. P	
Park Site Dedication \$1,000 per lot or land d	ledication per Lucas City Ordinance Sec. 1	0.03.122	_	
TOTAL FEES SUBMITT	TED		- 1 A	
	istrict Short Account Number(s):			
Physical Location of Proper	rty: <u>995 W. Lucas Rd. L</u> (Address and General Location – ap	UCAS, TX	ance to nearest existing stu	reet corner)
Brief Legal Description of	Property (must also attach accurate	metes and b	oounds description):	
	(Survey/Abstract No. and Tracts; or pl	atted Subdivisi	on Name with Lots/Block)
A arreage: 2.25	Existing # of Lots/Tracts:			
	Mahmoud Properties LLC			
Applicant/Contact Person:	Saleh Mahmoud		Title: Presid	ent
Company Name	Mahmoud Properties LLC			
	844 Elgin Ct.			
Citra Bockwall	State: TX Z	in code:	75032	
Phone: (313)377-7015	Fax: ()	Email A	ddress: mahmoudp	ropertiesllc@gm
FNGINEER/REPRESE	NTATIVE'S NAME: Dardar	ri Consulti	ng & Remodeling	, LLC.
Contact Person: Ahn			General Contrac	
Street/Mailing Address:		1.20	200	
City: Rockwall		ip/code: 75	032	
Phone: (469)434-8625	Fax: () stilles in G		ddress: amer_dar	dari@hotmail.cor
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NAME OF SUBDIVISION and/or PROJECT: Lucas Square

**READ BEFORE SIGNING BELOW: If there is more than one property owner, complete a separate sheet with the same **READ BEFORE around a separate sheet with the s 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 submittal policies, requirements. 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 Michigan COUNTY OF COLLEN Wayene

BEFORE ME, a Notary Public, on this day personally appeared SALEH MAHMOUD 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 deniar? 1110

*Owner / Agent (circle one)

SUBSCRIBED AND SWORN TO before me, this the 28 day of June, 2022

Notary Public in and for the State of Texas: Michigen

Official Use Only: Planning & Zoning: **Action Taken**

City Council:

Applicant Withdrew: Yes or No

Applicant Made a Written Withdrawal: Yes or No

Date:

Date:

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28-202

Bassam Ali Gharib

Notary Public of Michigan Wayne County Expires 01/01/202

Acting in the County of

Date:

DEVELOPMENT GUIDE & APPLICATION

KCB Engineering, LLC

11303 Southwind Pl, Krum, TX 76249 (940) 368-6159 KCBEngineering@outlook.com

Roc Design Engineers Attn: Majad Khalaf, P.E. 9101 LBJ Hwy Suite 570 Dallas, TX 75243

Collin County Health Dept. Attn: OSSF Designated Representative 4690 Community Ave., Suite 200 McKinney, TX 76071

RE: Lucas Retail Center 995 W. Lucas Rd. Lucas, TX 75002

October 28, 2022 rev 1-27-23

Gentlemen,

We have been asked to provide details and specifications for an On-Site Sewage Facility (OSSF) to be located at the above address. KCB Engineering, LLC has designed the OSSF for the above referenced property address sealed on October 28, 2022. The design is in compliance with the TCEQ chapter 285 requirements and standard accepted engineering practice.

This design requires a sewer line and a forced main to cross the fire lane and utility easement. Permission from the easement holder will be required prior to construction.

Due to the amount of development on the property, the OSSF has very limited options. The limitations are due to water lines, building sewer exits, detention pond and concrete paving to mention a few. The contractor should understand these limitations prior to construction commencing.

It is important that you understand the need to impress upon your management staff and tenants the need for good septic practices. This will reduce maintenance issues and costs for your company. These practices are listed on the following pages.

Once the system is in operation and has reached steady state, it is recommended that a BOD₅ be sampled. Based upon the results, the system may require additional adjustments.

You will need to apply for an OSSF construction and operating permit. Please submit the design packet and this letter along with the permit application to the Designated Representative for OSSF's at Collin County.

If you have any questions, please contact me.

Respectfully,

Jeffrey S. Corey, P.E. Professional Engineer TBPE #76755 Texas Firm # F-15507



KCB Engineering, LLC 11303 Southwind Pl, Krum, TX 76249 (940) 368-6159 KCBEngineering@outlook.com

On-Site Sewage Recommended Practices

- Know and abide by all state and any local requirements for wastewater quality, testing, and reporting.
- Inspect the system at specified intervals, usually once every 3 months, to check its operation and perform routine maintenance.
- Contract with a licensed professional company to perform inspections, wastewater tests, and reports completion and submission to local agencies.
- Keep records on the system performance and your service activities.
- Recognize the tasks that should be left to professionals to make sure that the job is performed correctly and that you do not subject the public to undue health risks.
- Keep other supplies, such as the permit/ as-built plans/specifications, governmental forms, and the system owner's manual.
- Keep on hand the proper disinfectant, such as wastewater chlorine tablets or liquid bleach, to add to the disinfection component. If you do not maintain the system properly, you could endanger human and environmental health, impair your wastewater system, and incur legal action. Because sewage can contain disease-causing microbes, wastewater is a public health concern. Environmental protection: The EPA has set national guidelines for management of onsite and wastewater treatment systems. The guidelines are posted on the Web at http://cfpub.epa.gov/owm/septic/home.cfm. System reliability: All system components from the plumbing fixtures in the home to the spray heads in the yard must be functional within expectations. By law, water that leaves your property, either through runoff or by seepage into the ground, must meet certain quality standards as demonstrated by laboratory tests. If your wastewater treatment system is not maintained properly, the water will not be treated enough, and you may be subject to fines.
- Your system can be affected by the amount, strength, and timing of the wastewater entering it. These devices, practices, and products can alter an aerobic system's performance:
- Water-saving devices reduce the amount of wastewater, but they also make it stronger, which can prevent the system from meeting the required effluent standards.
- Water-treatment devices with automatic back flushing add extra water into the system that can be avoided.
- Some water-conditioning units add chemicals into the effluent that can reduce the effectiveness of the biological and physical processes in an aerobic treatment unit. This wastewater stream may need to be plumbed around the treatment tanks to the pump tank.
- Condensate from air conditioning units is not sewage. Route it around the system.
 Commercial ice machines can also add large amounts of clear water.
- Laundry activities greatly affect your wastewater system: Powdered detergent can plug cast-iron piping, and some soap contains forms of benzoate as filler. Keep these out of the system to improve its long-term performance. Bleach additives can affect the biology of the septic tank and the rest of the system. Do not overuse bleach. The amount of laundry done each day is also important. Spread out the loads over time to help the system perform at its best.
- In-home businesses can directly affect the system. Use for daycare increases the overall flow and can increase the use of antibacterial soaps. The system can also be affected by other small businesses that use chemicals, such as antique refinishing services, beauty shops, lawn care services, photo labs, dog grooming services, and taxidermy shops. Barbershops typically discharge large amounts of hair.
- Prescription antibiotics and drugs are extremely hard on the microbes in the system. Flushing them into the wastewater system increases the maintenance.
- Heavy use of bath and body oils can raise the fats, oils, and grease (FOG) values in the system. Removal or reduction of these can improve the performance of the system.

KCB Engineering, LLC 11303 Southwind Pl, Krum, TX 76249

(940) 368-6159

KCBEngineering@outlook.com

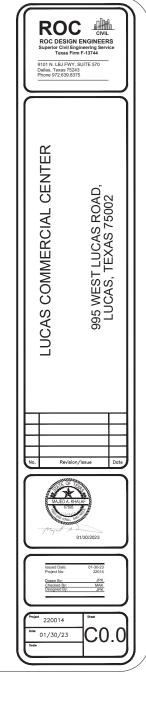
- A garbage disposal adds to the overall loading of the system in four ways: More waste enters the treatment system. Because the organic matter has not been digested, it takes longer to break down. More water is used to rinse out the sink. Smaller particles take longer to settle.
- Toxic drain cleaners kill the bacteria, resulting in a limited microbial activity in the tank and poor separating characteristics.
- Antibacterial soap also affects the biology of the tank.
- Liquid soap tends to be easily overused and may create problems in the system.
- Automatic cleaners (for toilets and showers) continually send chemicals into the system, which can cause long-term problems.
- Other cleaning products may also alter the treatment process. When choosing a cleaning product, first read the label: Danger means that the chemical will kill the microbes; use it rarely or never. Warning means that limited use should not affect the system much. Caution typically means that the product will have little effect on the system.
- Areas used for effluent application must be seeded or sodded to provide vegetative cover. Effluent must not be applied to gardens or fruit orchards.
- Excessive amounts of toilet paper cause sludge to build up faster.
- Treated toilet paper, such as the type that contains lotion, does not settle well and forms a thick layer of scum at the top of the tank.
- Other paper products, such as wet wipes, should not enter the system.
- Flushable cleaning products, many wipes and toilet cleaning materials are labeled as "septic safe." This statement typically refers to their ability to flow through the piping. These items will collect in the treatment system and increase the need for maintenance.
- Trash and non-digestible material increase the amount of maintenance required and may even shorten the life of the components. Examples are rags, toys, diapers, condoms, cat litter, plastic bags, coffee grounds, cigarette filters, and feminine hygiene products. Many of these items have neutral buoyancy and will pass through the treatment components. Cat litter and coffee grounds add to the sludge that must be pumped out during maintenance. Diapers must be removed individually.

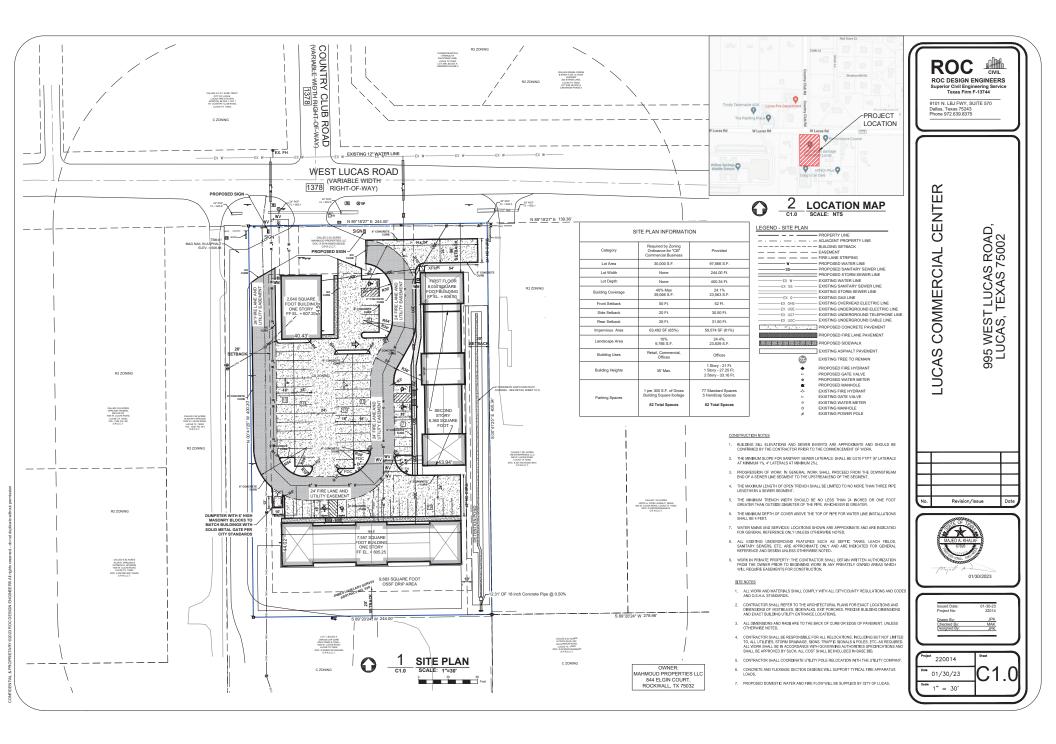
CONSTRUCTION DRAWINGS FOR LUCAS COMMERCIAL CENTER 995 W. LUCAS ROAD, LUCAS, TX

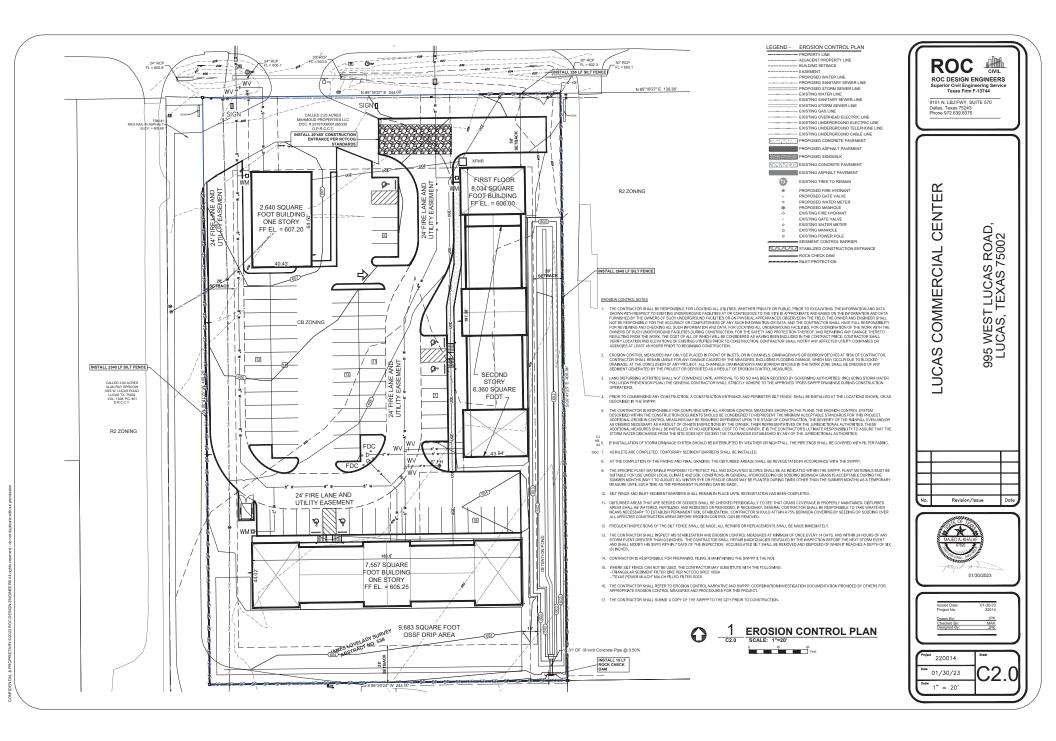
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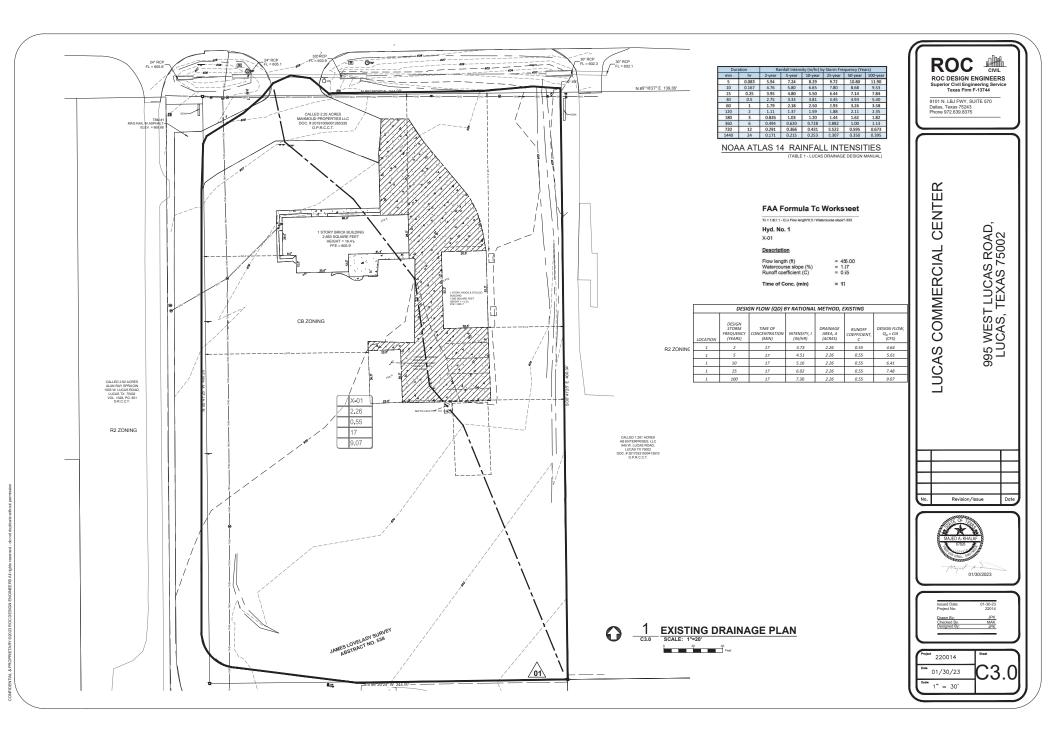


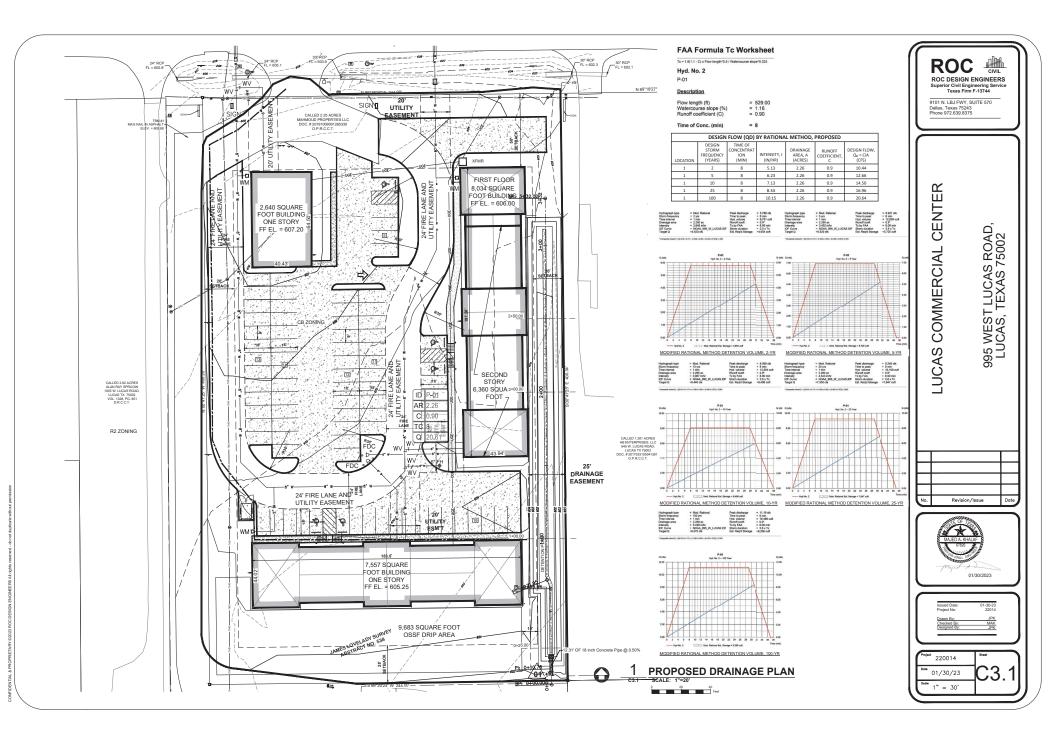
Sheet List Table					
Sheet Number	Sheet Title				
C0.0	COVER SHEET				
C1.0	SITE PLAN				
C2.0	EROSION CONTROL PLAN				
C3.0	EXISTING DRAINAGE AREA MAP				
C3.1	PROPOSED DRAINAGE AREA MAP				
C3.2	PROPOSED DETENTION PLAN AND PROFILE				
C4.0	GRADING PLAN				
C5.0	PAVING PLAN				
C6.0	UTILITY PLAN				
C7.0	SITE DETAILS				
C7.1	SITE DETAILS				
C7.2	SITE DETAILS				

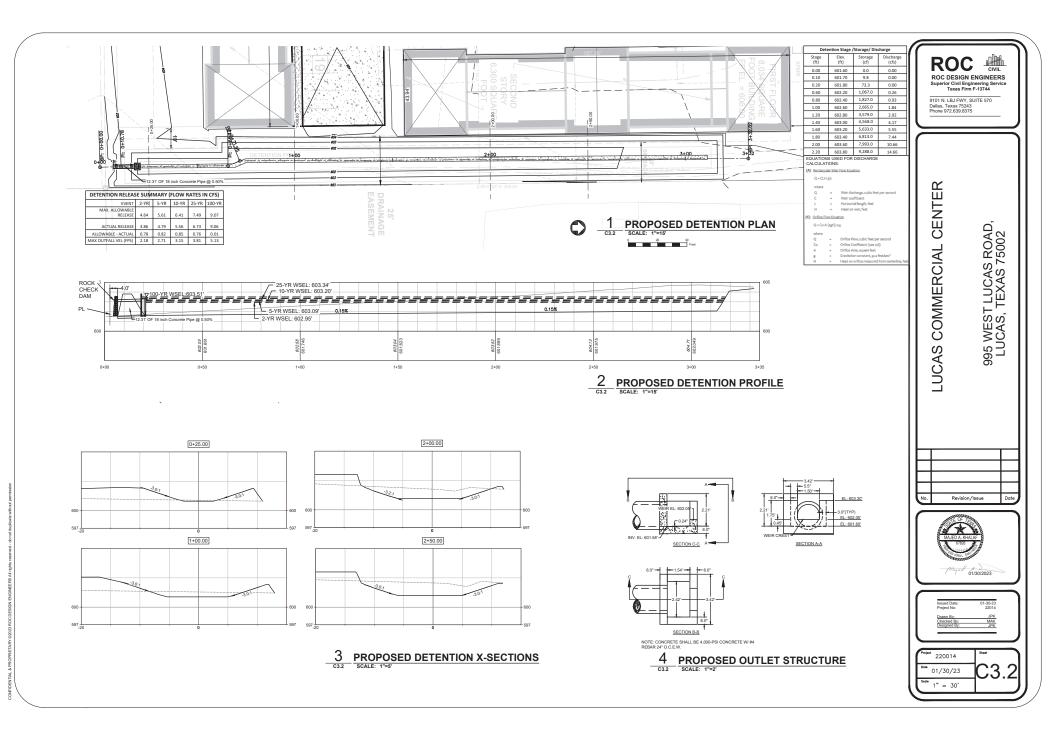


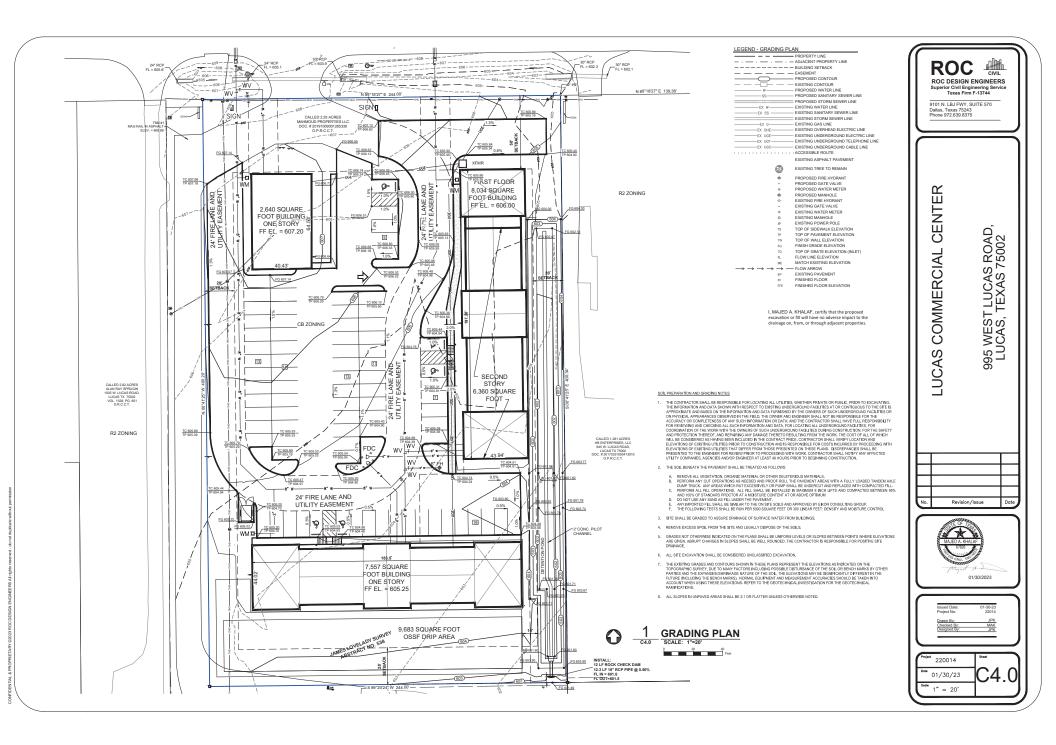


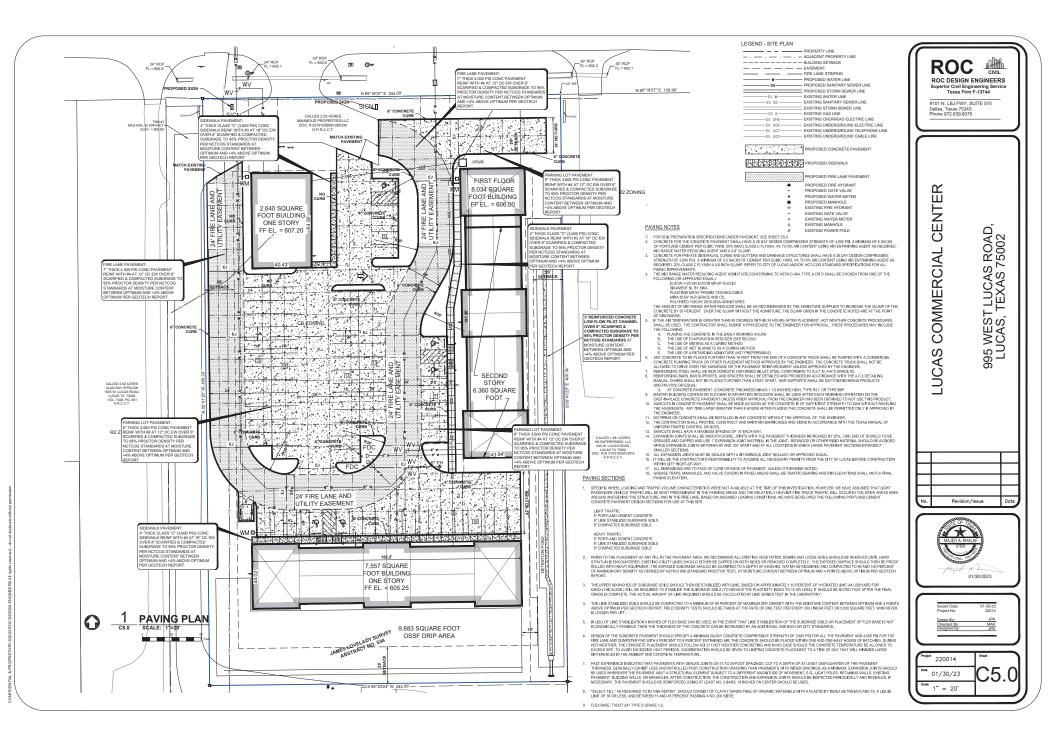


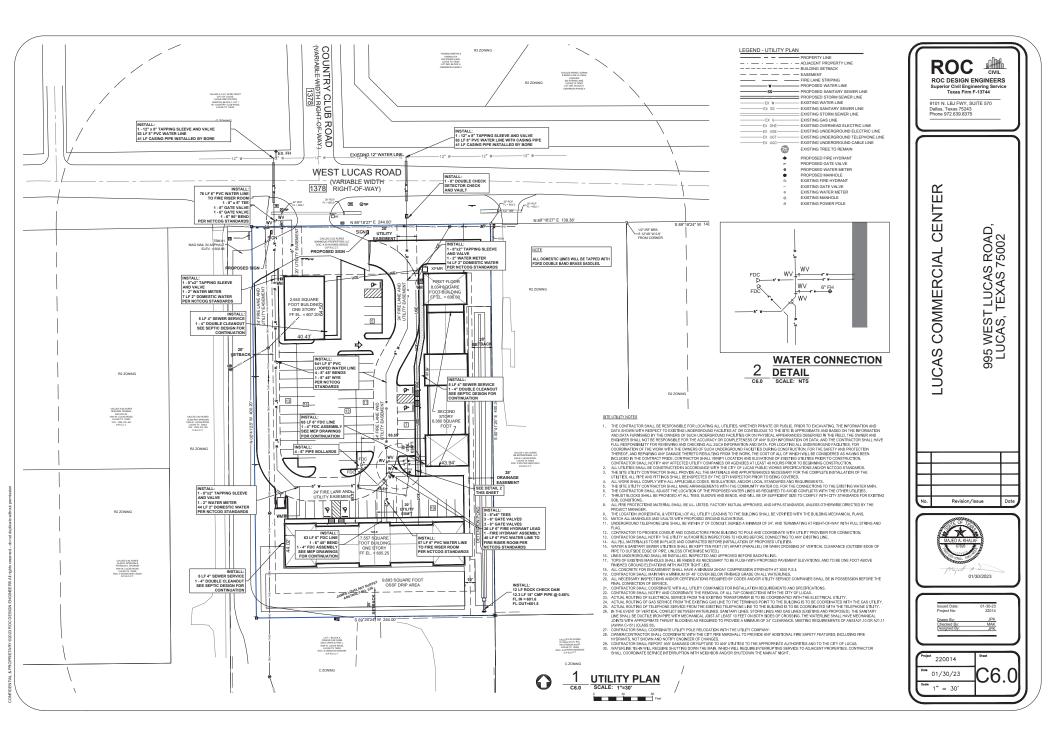


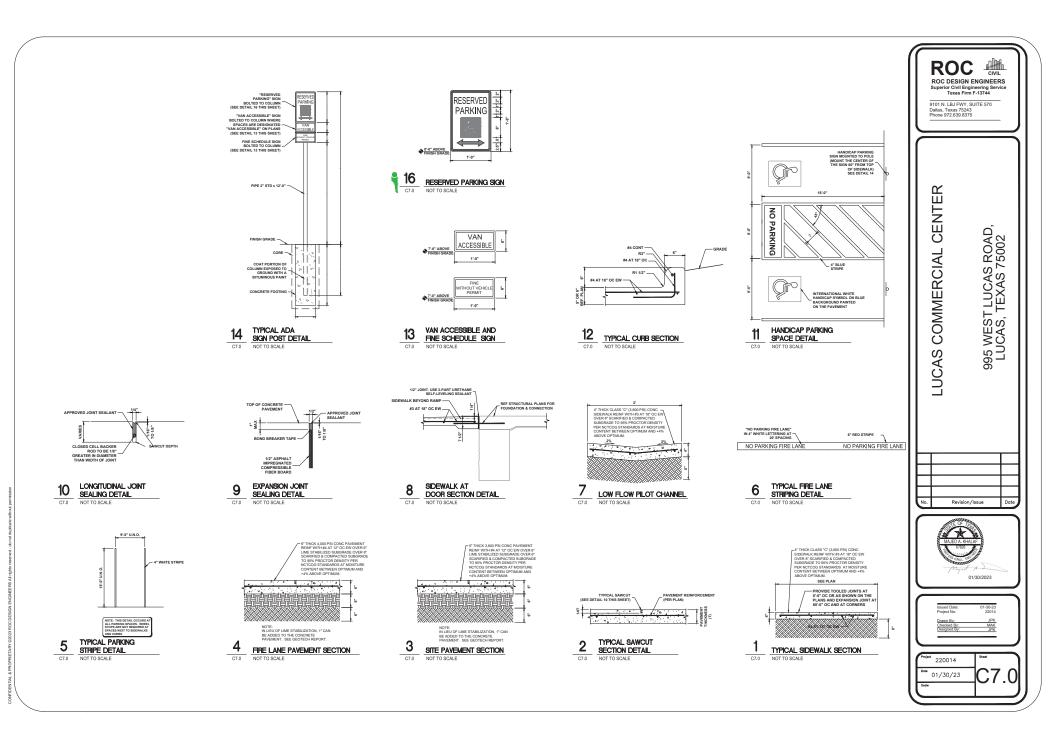


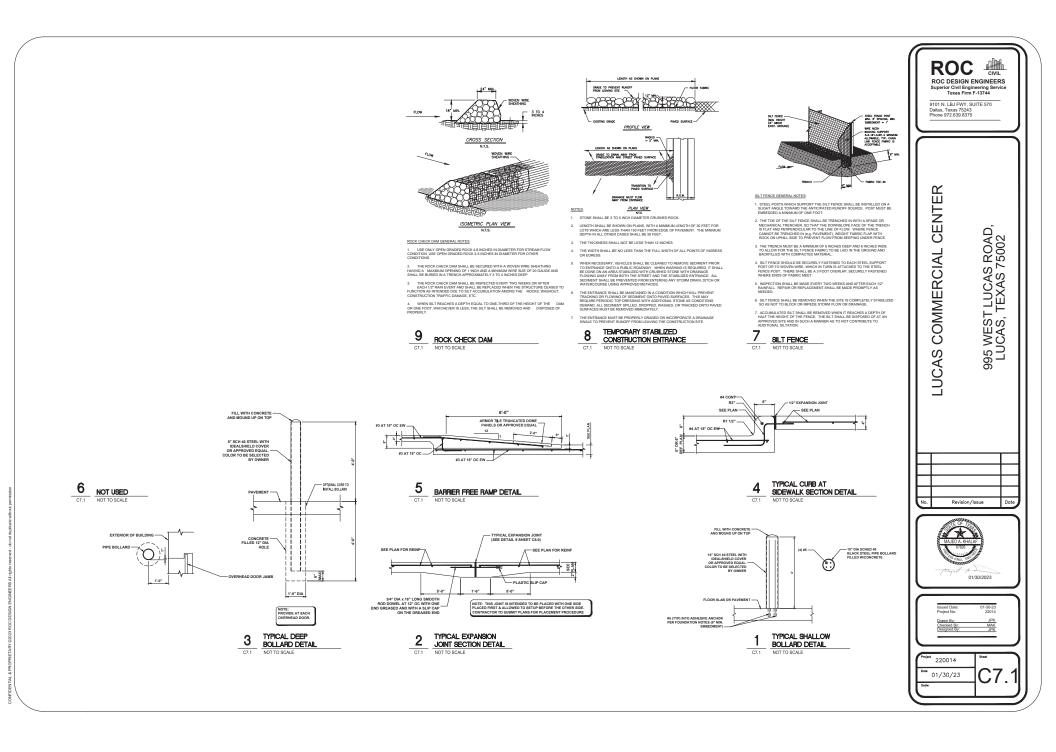


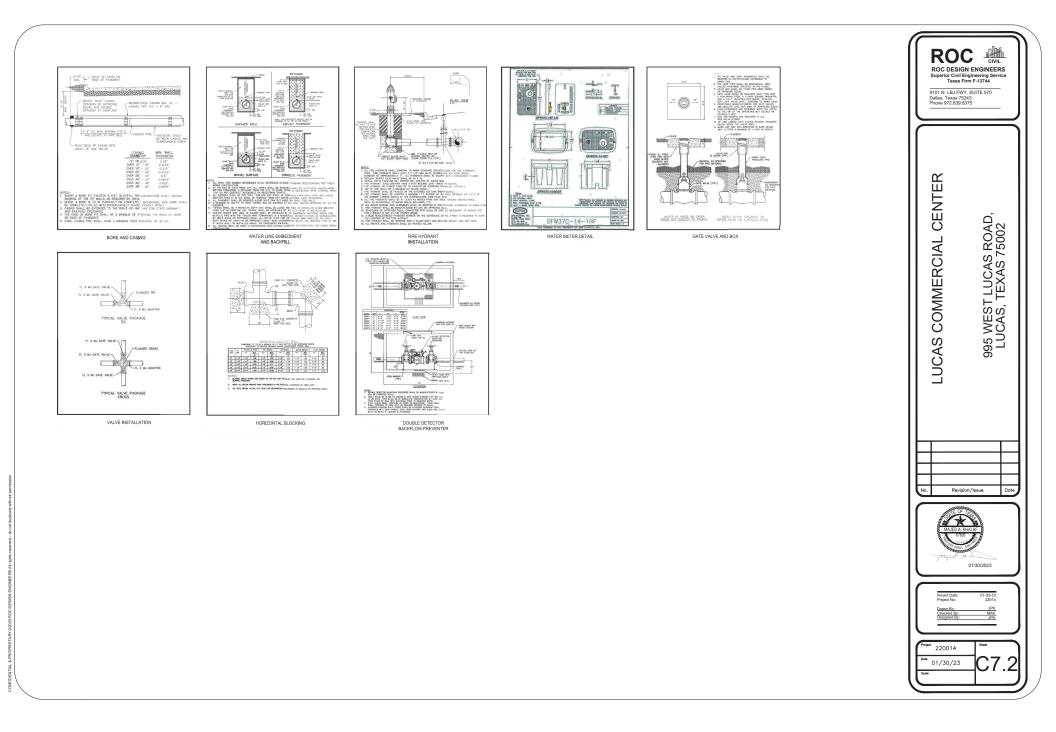














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City of Lucas Planning and Zoning Agenda Request February 9, 2023

Requester: Development Services Director Joe Hilbourn

Agenda Item

Discuss accessory building regulations in the City of Lucas.

Background Information

There have been ongoing concerns expressed by both the Planning and Zoning Commission and the City Council regarding accessory buildings with habitable space. This item has been discussed during three of the last four Planning and Zoning Commission meetings. City Attorney Courtney Morris and city staff attempted to incorporate the feedback and recommendations that have been received from the Planning and Zoning Commission.

Attachments/Supporting Documentation

1. Draft ordinance for the regulation of accessory buildings

Budget/Financial Impact

NA

Recommendation

Staff is seeking feedback on the proposed revisions to the accessory building regulations.

Motion

There is no motion needed for this item.

Editing Notes:

- Current language
- Proposed Language
- Current language to remove

14.01.004 Definitions:

Accessory buildings and structures – are buildings or structures located on the same lot as a dwelling or other principal building, the use of which is subordinate and incidental to the use of the dwelling or other principal building. Accessory buildings and structures include but are not limited to:

- 1. fences,
- 2. retaining walls,
- 3. swimming pools,
- 4. gazebos,
- 5. accessory dwelling units,
- 6. livestock and agricultural use barns,
- 7. car barns,
- 8. implement or other storage barns,
- 9. man-caves and she-sheds,
- 10. storage sheds,
- 11. shops,
- 12. tool houses or shops
- 13. workshops,
- 14. art studios,
- 15. pool houses,
- 16. garages,
- 17. carports,
- 18. covered patios,
- 19. decks that exceed 30" in height,
- 20. deck covers,
- 21. outdoor kitchens and living areas
- 22. covered breezeways,
- 23. playhouses,
- 24. sports courts, batting cages and pitching cages
- 25. uncovered flat work, including but not limited to patios, sidewalks, concrete pool decking, and driveways
- 26. any other improved space whether attached or detached from the principal building or structure.

Accessory building or use Is:

- 1. Subordinate to and serves a principal building or principal use;
- 2. Subordinate in area, extent, or purpose to the principal building or principal use served;
- 3. Contributes to the comfort, convenience, and necessity of occupants of the principal building or principal use served; and
- 4. Located on the same building lot as the principal use served. "Accessory" when used in the text shall have the same meaning as accessory use.

Accessory dwelling unit - a secondary self-contained structure used, designed, or intended to be used for human habitation, for living, sleeping, cooking, eating, or any combination thereof and located on the same lot as a primary dwelling unit and shares ownership and utility connection with the primary dwelling unit. Accessory Dwelling Units do not include party barns, car barns, man-caves, she-sheds.

Accessory Use – use of land, buildings, or structures that are subordinate and incidental to the primary use and contributes to the comfort, convenience, and necessity of occupants of the principal building or principal use of the land.

Principal building, primary dwelling unit or principal use – primary building, dwelling, or use of the lot on which the building or dwelling unit is located.

Servant's quarters An accessory building or portion of a main residential building located on the same lot as the principal residential building, occupied only by such persons and their families as are employed full time by the occupants of the principal residence.

§ 14.04.301. Purpose. The purpose and intent of the accessory building, accessory structures and accessory use regulations is to:

(1) Maintain neighborhood and community integrity and preserve the existing character of neighborhoods by encouraging compatible land uses.

(2) Provide the residents of the city the opportunity to use their property to enhance the quality of life and/or fulfill personal objectives as long as the use of the property is not in compatible with the land uses or character of the neighborhood.

(3) Assure that public and private services such as streets, water and electrical systems are not burdened by accessory uses to the extent that the accessory usage exceeds that which is normally associated with the primary use of the property.

§ 14.04.302. Accessory buildings, structures, buildings and uses permitted.

(a) Accessory structures or buildings and structures may be erected, maintained, and used for purposes which are clearly accessory to the principal or main building, structure, building or use

permitted on the premises. Except in the agriculture district accessory buildings shall be built after the main primary building or structure.

(b) Accessory buildings, structures, buildings and uses shall be so constructed, maintained and utilized so that the use of the building, structure or equipment located therein does not produce excessive noise, vibration, concussion, dust, dirt, smoke, odors, noxious gases, heat, traffic, glare from artificial illumination or from reflection of natural light. and shall be on the premises of the principal or main use, structure, or building except as may be specifically provided herein.

(c) For any accessory structure a special exception may be required when the total square footage of the main building and any accessory buildings exceeds 50,000 square feet. The total square footage of the primary building or structure and any accessory buildings or structures shall not exceed the lesser of 50,000 square feet or thirty percent (30%) of the lot square footage. Special exceptions may be granted by the city council when such property owner can show the following:

(1) Does not contain or support a use inconsistent with the zoning district regulation applicable to the property;

(2) Use of structure does not cause traffic congestion;

(3) Does not support use by any person other than owner or occupant of the main structure; and

(4) That size and mass of the structure is consistent with the surrounding uses.

(d) Except as provided herein, no trailers, containers, commercial boxes or other similar prefabricated structures shall be used as accessory buildings or structures or buildings. Exceptions to this subsection (d) are as follows:

(1) Agriculture uses with five (5) acres or more may use trailers, containers, or commercial boxes for permanent storage located behind the main-primary building or structure and completely obscured from public view; or

(2) Industrial and commercial users may use trailers, containers, or commercial boxes for temporary storage facilities for a period not to exceed ninety (90) days total in any one calendar year. Such industrial or commercial temporary storage facilities shall be located behind the mainprimary building or structure and completely obscured from public view for a period not to exceed ninety (90) days total in any one calendar year. The director of community development may extend the allowable time in thirty (30) day increments up to a maximum of 180 days, provided the property owner provides just cause for the extension.

§ 14.04.303. Exemptions. The following accessory structures are exempt from this division:

(1) Retaining walls;

(2) Air conditioning mechanical equipment;

(3) Uncovered flatwork (such as but not limited to patios, sidewalks, concrete pool decking and driveways);

(4) Play houses less than 125 square feet without running water or electricity, playground equipment, tree forts, and similar structures located behind the front of the main primary building, structure, or dwelling; and

(5) Temporary (less than 7 days) membrane structures (such as but not limited to tents and bounce houses).

§ 14.04.304. General accessory buildings and structures regulations.

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

(1) Types of accessory buildings and structures.

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

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

(2) Design.

(A) Attached accessory buildings and structures shall be designed to be architecturally compatible with the main primary building, structure or dwelling, and constructed of similar materials as the main building.

(B) Detached accessory buildings shall be constructed of materials designed for construction and have a minimum life expectancy of at least twenty (20) years.

(3) Setbacks.

(A) Accessory buildings.

- (i) Front yard setback, a minimum of ten feet behind the rear build line of the main primary building, structure or dwelling.unless the building is attached and is designed to be architecturally compatible with the main building and constructed of similar materials as the main primary building, structure, or dwelling. Attached accessory building – Then a fifty foot front yard setback is required.
- (ii) Rear yard setback, a minimum of twenty feet.
- (iii) Side yard setbacks, a minimum of twenty feet. Side yard setbacks shall be twenty feet (20') unless the side yard build line is adjacent to a street. Side yards adjacent to a street shall have side yard setbacks determined by the street right-of-way designation on the Master Thoroughfare Plan as follows:
 - 1. For streets designated as type C or D roadways seventy-five feet (75').
 - 2. For streets designated as type B eighty-five feet (85').
 - 3. For streets designated as type A one-hundred and ten feet (110').
- (iv.) Where a build line is established on a plat, which is not consistent with this Article, the build line that is a greater distance from the front property line shall be observed.
- (v.) No required parking shall be allowed within the required front yard.

(B) In-ground swimming pools, sports courts, tennis courts and similar uses shall maintain a minimum rear yard setback of 25 feet, a minimum side yard setback of 20 feet and if the in-ground pool is in front of the main building it shall maintain a front setback of 300 feet. In-ground swimming pool setbacks shall be measured from the inside wall of said pool.

(C) The inside wall of an aboveground swimming pool and any elevated decking associated with an aboveground swimming pool shall be located behind the main building and shall maintain a minimum rear yard setback of 50 feet and a minimum side yard setback of 25 feet.

(4) Accessory Dwelling Units. Each lot may contain one Accessory Dwelling Unit. Accessory Dwelling Units may be occupied provided it is in compliance with the following:

(A) General regulations for accessory buildings containing habitable space. Any accessory building containing habitable space shall comply with the following:

(i) Accessory buildings containing habitable space shall meet the requirements of the International Residential Code as adopted by the city from time to time.

(ii) Accessory buildings containing habitable space may not be rented out separate and apart from the main structure.

(iii) Detached accessory buildings containing habitable space Accessory Dwelling Units shall be limited to a maximum height of 25 feet measured to the peak of the roof of the structure.

(iv) Accessory buildings containing habitable space shall not contain a kitchen, cooking or food preparation area except as provided for in subsection (B)(i)a. below.

(B) Size regulations: Specific regulations for an accessory building containing habitable space.

(i) In R-2 or AO zoning districts maximum footprint of 1500 square feet. that contain a single family home:

a. Kitchen, cooking or a food preparation area may be permitted on property with a specific use permit. The specific use permit may only be granted provided the owners of the property enact a deed restriction with the city as party to the deed restriction that prohibits the use of the habitable space to be used for lease/barter agreement other than that of the full-time domestic staff providing support to the property.

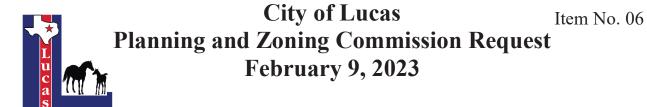
b. One (1) accessory building may contain up to 1,500 square feet of habitable space.

(ii) In R-1.5 zoning districts maximum footprint of 1,200 square feet. : a. One (1) accessory building may contain up to of habitable space.

(iii) In R-1 zoning districts shall maximum footprint of 1,000 square feet.-: a. One (1) accessory building may contain up to of habitable space

(5) Each residential lot may contain one of the following - Party barns, car barns, man-caves, pool houses, and she-sheds subject to the following:

- A. may include areas dedicated to entertainment, eating, or sanitation or any combination thereof.
- B. shall not be used as a temporary or permanent dwelling by friends, relatives, or employees of the occupant of the primary building, structure, or dwelling.
- C. Shall not have a footprint exceeding 1250 square feet
- D. Shall not contain areas for dedicated to use for kitchens or bedrooms.



Requester: City Secretary Erin Day

Agenda Item Request

Consider the approval of the minutes of the January 12, 2023 Planning and Zoning Commission meeting.

Background Information

NA

Attachments/Supporting Documentation

NA

Budget/Financial Impact

NA

Recommendation

NA

Motion

I make a motion to approve the minutes of the January 12, 2023 Planning and Zoning Commission meeting.



MINUTES PLANNING AND ZONING COMMISSION MEETING

January 12, 2023 | 6:30 PM Council Chambers City Hall | 665 Country Club Road, Lucas, Texas

Call to Order

The meeting was called to order at 6:30 pm and the Pledge of Allegiance was recited.

Commissioners Present:

Vice-Chairman Tommy Tolson Commissioner Peggy Rusterholtz Commissioner Joe Williams Commissioner Adam Sussman Alternate Commissioner Chris Bierman

Commissioners Absent:

Chairman Dusty Kuykendall Alternate Commissioner James Foster

Staff Present:

City Manager Joni Clarke Assistant City Manager Kent Souriyasak Development Services Director Joe Hilbourn Public Works Director Scott Holden CIP Manager Patrick Hubbard City Attorney Courtney Morris

City Council Liaison Present: Mayor Jim Olk

Citizen Input

Alec Morris, 1229 Highland Drive, thanked the Planning and Zoning Commission for their hard work and for listening to his plea to the Commission to not extend Highland Drive to connect to Lewis Lane in the proposed Thoroughfare Plan.

Public Hearing Agenda

1. Public hearing to consider approving the updates to the City of Lucas Comprehensive Plan, including Chapters 1 through 8, the Wastewater System Master Plan, Water Distribution Master Plan, Thoroughfare Plan, Future Land Use Map, Zoning Map, and Trails Master Plan.

The Planning and Zoning Commission discussed amending the Comprehensive Plan with the following:

- On page 35, remove the extra "a" in the last sentence of the second paragraph which states, "It was a previously a gravel road."
- On page 44, remove the last sentence at the bottom of the page that states, "Included in Appendix is a water system map showing the existing dead end water lines."
- On the Future Land Use Map, designate the tract of land that is Hart Elementary School and the adjacent triangle lot as R2 (Residential 2-acre lot).
- On the Zoning Map, update the parcel of land at Stinson Road and Parker Road to reflect the recent zoning change from R1.5 (Residential 1.5-acre lot) to R1 (Residential 1-acre lot) that was approved at the January 5, 2023 City Council meeting.

Vice-Chairman Tolson opened the public hearing at 6:40 pm.

With no further comments, the public hearing was closed at 6:41 pm.

- **MOTION:** A motion was made by Commissioner Sussman, seconded by Alternate Commissioner Bierman, to approve the updates to the City of Lucas Comprehensive Plan, including Chapters 1 through 8, the Wastewater System Master Plan, Water Distribution Master Plan, Thoroughfare Plan, Future Land Use Map, Zoning Map, and Trails Master Plan with the proposed amendments. The motion passed unanimously by a 5 to 0 vote.
- 2. Public hearing to consider a request by the City of Lucas to rezone a tract of land on the Southeast corner of the intersection of Estelle Lane and Country Club Road from Commercial Business to ED (Estates District) and abandon an existing SUP (Specific Use Permit) that permits a 3000 square foot commercial business, situated in the Ben Sparks Survey, Abstract No. A0813, Tract 74, 0.95 acres.

The public hearing was canceled.

Regular Agenda

3. Discuss accessory building regulations in the City of Lucas.

Development Services Director Joe Hilbourn gave a presentation on this agenda item and discussed proposed changes which included recommendations by Mayor Olk.

City Attorney Courtney Morris indicated that the accessory dwelling unit definition was newly added. Mr. Hilbourn explained the definition indicating the proposed change would result in more specific use permits related to habitable space greater than 500 square feet.

Mr. Hilbourn explained he is in favor of Mayor Olk's recommendations, except the fact that there will be more requests for specific use permits. The Planning and Zoning Commission questioned why there would be more specific use permits. Mr. Hilbourn explained he sees a lot of accessory buildings or dwelling units that do not have a kitchen. Mr. Hilbourn indicated essentially anything over 500 square feet would require a specific use permit.

The Planning and Zoning Commission discussed the definition of sanitation. Ms. Morris indicated the sanitation language is referring to bathrooms.

Commissioner Sussman indicated limiting the space by tiers is fine but having to manage the circumstances for specific use permits is not what the Planning and Zoning Commission intended.

Mayor Olk discussed conflicting definitions related to accessory dwellings and indicated there was previous testimony from people to establish accessory dwellings like guest houses. Mayor Olk explained the City Council saw specific use permits coming forward and thought this may be an issue that the Planning and Zoning Commission can help with. Mayor Olk indicated when someone requested a specific use permit for a kitchen, the City Council did not have parameters to deny it. Mayor Olk provided a definition for accessory building as living space as defined by the International Residential Code. Mayor Olk clarified it was not the City Council's intent to address space such as garages, mancaves, party rooms, pool rooms, or home offices. Mayor Olk indicated this is to address buildings that were meant to be additional dwelling units. Mayor Olk explained if the space exceeds 500 square feet, it would need to go to the Planning and Zoning Commission to review the intent and provide a recommendation to City Council.

Commissioner Rusterholtz asked if a living space excludes different areas that are not considered a living space such as a large barn or shop that will subsequently have a living space and exceeds 500 square feet. Commissioner Rusterholtz asked if the Planning and Zoning Commission will look at the 500 square feet or the whole building. Mayor Olk explained this does not look at the whole building based on how it is written, only the 500 square feet. Mayor Olk indicated a need to make sure we address the language, so they match and read well.

Commissioner Rusterholtz explained if someone truly wants a habitable area, it may be best accomplished by doing it all on the main building and with common rooflines. Commissioner Rusterholtz suggested allowing detached accessory dwelling units on three acres or more, but anything less than three acres they must be attached, advising that this could reduce the possibility of it becoming a rental situation. Commissioner Rusterholtz explained that we need to provide a definition for what exactly defines a kitchen in an accessory dwelling unit.

Mayor Olk indicated there is nothing that stops someone from having multiple kitchens unless it has multiple dwelling units.

Commissioner Rusterholtz indicated once someone builds a space with plumbing, it doesn't take long to convert it into a building with a kitchen. Commissioner Williams indicated he is more inclined to review the specific use permits as this gives an opportunity for the Planning and Zoning Commission to review.

Commissioner Sussman suggested to limit the size of habitable space and what is driving them. Commissioner Sussman agreed with Mayor Olk's separations for maximum number of square footage and indicated most people will select the maximum space based on economics. Commissioner Sussman explained he does not want to manage someone else's decision for square footage and that the habitable space definition could be retrofitted in reverse. Commissioner Sussman indicated he does not care what someone does with the habitable space as long as it's within the space requirements. Commissioner Rusterholtz commented that we should find a balance and what people can do on their property. Commissioner Rusterholtz indicated once we have large second homes, then the zoning is gone. Commissioner Sussman agreed with Mayor Olk's recommendations to cut down the space on manageable habitable space.

Alternate Commissioner Bierman asked if the Planning and Zoning Commission should set a limit on habitable space.

Commissioner Sussman indicated Mayor Olk's recommendations are a good compromise and does not want to get involved with specific use permits for incremental habitable space and let people make their own decisions.

Alternate Commissioner Bierman indicated that secondary homes are addressed by square footage limits and references the pushback from people that they cannot build a 3,000 square foot space.

Commissioner Rusterholtz discussed conditions to prove if someone rents out a space that is creating a nuisance, that the rental agreement would have to be presented in order to prove it is the renter causing a nuisance. Mayor Olk indicated these are conditions of a specific use permit and that the nuisance could be addressed by the nuisance ordinance. Mayor Olk discussed that the accessory dwelling unit definition could be adopted as a secondary self-contained structure but this would need clarification if the structure is detached, attached, or separate from the primary home. Commissioner Rusterholtz asked if it is permittable or considered a duplex for a single-family dwelling to have an additional separate ensuite with a second kitchen in the main house. Mr. Hilbourn indicated it is permittable as long as it is connected, open, and you cannot walk through a wall.

The Planning and Zoning Commission discussed issues related to the definition of habitable space that creates problems for people, such as those who are building pool houses and workshops.

Commissioner Rusterholtz indicated an opposition to the common utilities in the definition.

Vice-Chairman Tolson commented that the ordinance suggestions do not limit the number of accessory buildings or dwelling units and recommending allowing only one unit with habitable space. Vice-Chairman Tolson discussed restricting utility meters and putting accessory buildings on the same meter as the primary home to make it more difficult as a standalone home. Vice-Chairman Tolson provided examples that meet the requirements for Residential 2-acres and asked if kitchens or cooking areas are allowed in Residential 1-acre and 1.5-acres. Mr. Hilbourn indicated kitchens and cooking areas are only allowed in Residential 2-acres.

Vice-Chairman Tolson indicated he is on board with specific use permits exceeding 500 square feet and that it would not be used for guest quarters or family members based on his reading. Mayor Olk clarified if someone is coming as a guest, they are just coming into the house. Vice-Chairman Tolson indicated he would not want to limit the owners or occupants of a property and prefers that the spaces can be used for guest quarters.

The Planning and Zoning Commissions discussed the restrictions and process for reviewing specific use permits. Mayor Olk indicated a specific use permit is a use that would normally be or not be allowed in a specific zoning unit.

The Planning and Zoning Commission provided the following recommendations:

- One additional dwelling unit per lot
- Tighter definition of additional dwelling unit that is separate from accessory buildings
- Not limiting the number of accessory buildings
- Include utilities language for water, gas and internet, but remove electrical
- Allow occupancy of guests
- Consider space area limitations
- Create a clearer definition for accessory buildings related to habitable space
- Remove information referring to attached accessory buildings indicating it is either part of the main structure or 10 feet away as detached

City Manager Joni Clarke indicated staff will send revised updates for feedback.

There was no motion or action taken on this item.

4. Consider the appointment of a Chairman and Vice Chairman of the Planning and Zoning Commission to serve for a period of one (1) year with a term ending December 31, 2023.

MOTION: A motion was made by Commissioner Williams, seconded by Alternate Commissioner Bierman to nominate Dusty Kuykendall as Chairman and Tommy Tolson as Vice-Chairman of the Planning and Zoning Commission to serve for a period of one (1) year with a term ending December 31, 2023. The motion passed unanimously by a 5 to 0 vote.

5. Consider the approval of the minutes of the December 8, 2022 Planning and Zoning Commission meeting.

MOTION: A motion was made by Commissioner Williams, seconded by Commissioner Rusterholtz to approve the minutes of the December 8, 2022 Planning and Zoning Commission meeting as presented. The motion passed unanimously by a 5 to 0 vote.

6. Adjournment.

MOTION: A motion was made by Commissioner Williams, seconded by Alternate Commissioner Bierman to adjourn the meeting at 8:17 pm. The motion passed unanimously by a 5 to 0 vote.

Dusty Kuykendall, Chairman

Erin Day, City Secretary