



**MINUTES**  
**PLANNING AND ZONING COMMISSION MEETING**

February 9, 2023 | 6:30 PM

Council Chambers

City Hall | 665 Country Club Road, Lucas, Texas

**Call to Order**

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

**Commissioners Present:**

Chairman Dusty Kuykendall  
Vice Chairman Tommy Tolson  
Commissioner Joe Williams  
Commissioner Peggy Rusterholtz  
Commissioner Adam Sussman  
Alternate Commissioner James Foster

**Staff Present:**

City Manager Joni Clarke  
Development Services Director Joe Hilbourn  
City Secretary Erin Day  
City Attorney Courtney Morris

**City Council Liaison Present:**

Mayor Jim Olk

**Commissioners Absent:**

Alternate Commissioner Chris Bierman

**Public Hearing Agenda**

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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.**

Development Services Director Joe Hilbourn gave a presentation highlighting background information on the item, location map, site plan, proposed building plans, proposed elevation plan, and staff recommendations.

Chairman Kuykendall opened the public hearing at 6:34 pm.

Dean Phillips, 1050 Creek View Lane, explained that he is the owner's grandfather and will be moving into the barn, and that he will need a kitchen in his living space.

Chairman Kuykendall closed the public hearing at 6:34 pm.

Vice Chairman Tolson asked if there was a home owner's association on the land or deed restrictions. Mr. Hilbourn advised that there was not.

**MOTION:** A motion was made by Commissioner Sussman, seconded by Commissioner Rusterholtz, to approve recommending to City Council to approve 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. The motion passed unanimously by a 5 to 0 vote.

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.**

Development Services Director Joe Hilbourn gave information about the property including the size of the barn, location, floor plan, elevations, and staff recommendations.

Vice Chairman Tolson asked if the building has a 4" and 12" slope and advised that the regulation is 6" and 12". Mr. Hilbourn explained that the 4" and 12" slope regulation is for a single-family home, not an accessory building.

Chairman Kuykendall opened the public hearing at 6:39 pm.

Charles Bissell, 1220 Winningkoff Road, advised the accessory building will be first for their son to use, and then for his mother-in-law.

Chairman Kuykendall closed the public hearing closed at 6:40 pm.

**MOTION:** A motion was made by Commissioner Sussman, seconded by Commissioner Rusterholtz, to approve recommending to City Council to approve 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. The motion passed by a 4 to 0 vote, with Vice Chairman Tolson voting "present".

## **Regular Agenda**

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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.**

Commissioner Sussman recused himself from this item at 6:41 pm. Chairman Kuykendall announced Alternate Commissioner Foster would be a voting member in Commissioner Sussman's absence.

Development Services Director Joe Hilbourn gave information regarding the history of the property, the property location, and staff recommendations.

Mr. Hilbourn advised that there were still outstanding items to be completed on the property such as; grout and add riprap at outfall, grade and correct outfall pipe, adjust valve pad on fire hydrant on Derby Drive, remove rounded rock from drive on Winningkoff Road and add road base, and clean up grade on drive from the construction entrance.

Commissioner Rusterholtz advised that she has a hesitation due to homeowner's certificates of occupancy possibly being held up because of the developer's delay in being done. Mr. Hilbourn advised that the homeowners will be aware when they pick up a permit that the developer is not yet finished.

James Adams, 1015 Christian Lane, advised he lives on the southern side of the development and that there is a 24 inch pipe that drains onto his property and he is concerned that the drainage easement will cause additional water to come onto his property. Mr. Adams advised that there is no grass left on that property, therefore any time that it rains, water is going straight onto his land and onto the Army Corp of Engineer's land. Mr. Adams explained the surrounding properties that already drain onto his land. Mr. Hilbourn advised that Mr. Adams can request to view the as-builts for the property from the City for details on the construction.

Chairman Kuykendall asked if the plans conform with all of the City's drainage standards. Mr. Hilbourn advised that they do.

Brandon Davis, 200 West Belmont, Suite E, Allen, spoke advising he represents the engineer who prepared the plat. Mr. Davis advised that the easement that extends behind Mr. Adams property was provided at the City's request, and that there is only drainage facilities being constructed for the pond that is on the east end of the property.

Mr. Hilbourn advised the City Engineer can walk the property with Mr. Adams and see exactly what his concerns are.

**MOTION:** A motion was made by Commissioner Rusterholtz, seconded by Vice Chairman Tolson, to conditionally approve 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, with the following conditions:

- Grout and add riprap at outfall at pond number one.
- Grade and correct outfall pipe at pond number two.
- Verify with the City Engineer concerning drainage and outflow at pond number two and add a certification from Corwin Engineering that it meets City ordinances.
- Adjust valve pad on fire hydrant on Derby Drive.
- Remove rounded rock on drive on Winningkoff Lane and add road base.
- Clean up grade on driveway from construction entrance at Christian Lane.

The motion passed unanimously by a 5 to 0 vote, with Alternate Commissioner Foster as a voting member.

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.**

This item was pulled from the agenda.

Commissioner Sussman rejoined the meeting at 7:04 p.m.

5. **Discuss accessory building regulations in the City of Lucas.**

Mayor Olk spoke requesting that the City Council and the Planning and Zoning Commission have a joint workshop to discuss this item on February 23, 2023. The Commission directed staff to set up a joint workshop meeting with the City Council for discussing accessory building regulations in the City of Lucas.

**MOTION:** There was no motion needed for this item.

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

**MOTION:** A motion was made by Commissioner Williams, seconded by Vice Chairman Tolson, to approve the minutes of the January 12, 2023 Planning and Zoning Commission meeting. The motion passed unanimously by a 5 to 0 vote.

**7. Executive Session.**

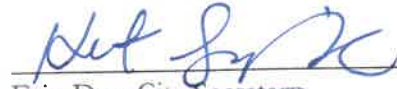
An Executive Session was not held at this meeting.

**8. Adjournment.**

**MOTION:** A motion was made by Commissioner Williams, seconded by Vice Chairman Tolson to adjourn the meeting at 7:08 pm. The motion passed unanimously by a 5 to 0 vote.



Dusty Kuykendall, Chairman



Erin Day, City Secretary



Kent Souriyasak,  
Assistant City manager