



## AGENDA

### Planning and Zoning Commission Meeting

March 9, 2023 | 6:30 PM

Council Chambers

City Hall | 665 Country Club Road, Lucas, Texas

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*Notice is hereby given that a meeting of the City of Lucas Planning and Zoning Commission will be held on March 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 [eday@lucastexas.us](mailto:eday@lucastexas.us) 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**

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

#### **Regular Agenda**

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1. Discuss accessory building regulations in the City of Lucas. (**Development Services Director Joe Hilbourn**)
2. Consider approval of the minutes of the February 9, 2023 Planning and Zoning Commission meeting. (**City Secretary Erin Day**)

#### **Executive Agenda**

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*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.*

3. Executive Session: An Executive Session is not scheduled for this meeting.
4. Adjournment.

## **Certification**

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

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*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](mailto:eday@lucastexas.us) at least 48 hours prior to the meeting.*



# City of Lucas

## Planning and Zoning Agenda Request

### March 9, 2023

Requester: Development Services Director Joe Hilbourn

#### **Agenda Item**

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Discuss accessory building regulations in the City of Lucas.

#### **Background Information**

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There have been ongoing concerns expressed by both the Planning and Zoning Commission and the City Council regarding accessory buildings with habitable space. City Attorney Courtney Morris has drafted the attached proposed ordinance language with the recommendations discussed at the February 23, 2023 City Council and Planning and Zoning Commission Joint Special Called Meeting.

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

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1. Draft Ordinance for Accessory Building Regulations

#### **Budget/Financial Impact**

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NA

#### **Recommendation**

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

#### **Motion**

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There is no motion needed for this item.

Editing Notes:

- Current language
- New language after joint meeting
- Removed
- Remaining decision points

**14.01.004 Definitions:**

~~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 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 in area, volume and extent as well as incidental in use to the use of the dwelling or other principal building or structure.

~~Accessory Dwelling Unit (ADU)~~ - Building area that does not have a permanent interconnection with the primary dwelling, is located on the same lot as the primary dwelling, and that is used, designed or intended to be used for human habitation as an additional abode that contains space for living, sleeping or sanitation and where permitted may also contain space for cooking and/or eating.

~~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 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 light that may be offensive to persons of ordinary

sensibilities that occupy surrounding properties. ~~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 without a Specific Use Permit. Additionally, the total square footage of an Accessory Dwelling Unit shall not exceed 600 square feet without a Specific Use Permit. A Specific Use Permit for an Accessory Dwelling Unit in excess of 600 square feet 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 containers ~~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 ~~main~~ primary 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.

(e) Except in the Agricultural Use District (AO), accessory buildings shall be built after the primary building or structure. Accessory buildings used for agricultural purposes that may be built before the primary building or structure in AO districts include, but are not limited to, barns, loafing sheds, and riding arenas.

**§ 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 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: Attached accessory buildings or structures shall meet the required setback as the primary building. Detached accessory buildings or structures shall be 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: Accessory buildings and structures shall have a minimum of twenty feet.

(iii) Side yard setbacks: Accessory buildings and structures shall be a ~~minimum of~~ twenty feet (20') unless the side yard build line is adjacent to a street. Side yards adjacent to a street shall meet the required side yard setbacks as the primary building.

(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) An Accessory Dwelling Unit (“ADU”) may only be used/occupied by the owner/occupant, their family, invited guests and/or domestic staff. An ADU may be a standalone structure, attached to the primary building or structure and not interconnected, or be part of a permitted accessory building. All areas associated with or providing support to an ADU shall be used in calculating the square footage. These areas include but are not limited to habitable space, closets, halls, corridors, bathrooms, porches, patios, storage rooms, and covered vehicle storage areas. The calculation of ADU square footage is not intended to include areas of accessory buildings that are isolated and/or delineated as for other uses, including but not limited to, barn areas, workshop areas, game/party room, art studio, or pool house. ADU’s shall be maintained ~~accessory building~~ ~~may contain habitable space as defined by the International Residential Code adopted by the city~~ ~~and may be occupied provided it is~~ in compliance with the following:

(A) General regulations for accessory dwelling unit buildings containing habitable space:

Only one (1) ADU may be constructed or maintained on a lot and Any accessory building containing habitable space shall ~~comply~~ be in conformance with the following:

(i) ~~Accessory buildings containing habitable space~~ ADU's shall meet the requirements for safety and occupancy of the International Residential Code as adopted by the city from time to time.

(ii) ~~Accessory buildings containing habitable space~~ ADU's may not be rented, ~~out leased, bartered, or exchanged~~ separate and apart from the main structure.

(iii) Detached ~~accessory buildings containing habitable space~~ ADU's 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~~ ADU's shall not contain a kitchen, cooking or food preparation area except as provided for in subsection (B)(i)a. below.

(v) Utilities such as electric, water, or fuel gas supplied to an ADU shall be supplied from the primary building or structure's service.

*Option A – setting the max sqft for ADU at 600 square feet and allowing kitchen only in R2 with SUP. Would need to delete provision in 14.04.302 (c) addressing ADU over 600 sqft. Could also delete kitchen SUP requirement by deleting 14.04.304 (4)(A)(iv) and 14.04.304 (4)(B)(i)a. thus allowing kitchens but limiting the size of the ADU.*

(B) Specific regulations for ~~accessory buildings containing habitable space~~ ADU's based on zoning district:

(i) In R-2 ~~or AO~~ zoning districts that contain a single-family home a maximum of 600 square feet is allowed on a lot:

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 of 600 square feet. ~~∴ a. One (1) accessory building may contain up to of habitable space.~~

(iii) In R-1 zoning districts maximum of 600 square feet. ~~∴ a. One (1) accessory building may contain up to of habitable space~~

***Option B – Setting sqft for ADU at 500 sqft without SUP, setting max at previous sqft with SUP.***

***Allowing kitchen only in R-2 with SUP.***

(B) Specific regulations for ~~accessory buildings containing habitable space~~ ADU's based on zoning district:

(i) In R-2 ~~or AO~~ zoning districts ~~that contain a single family home~~ a maximum of 600 square feet is allowed on a lot without a Specific Use Permit. An additional 900 square feet may be permitted with a Specific Use Permit. Total area of ADU shall not exceed 1500 square feet:

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 a maximum of 600 square feet is allowed on a lot without a Specific Use Permit. An additional 600 square feet may be permitted with a Specific Use Permit. Total area of ADU shall not exceed 1200 square feet ~~:- a. One (1) accessory building may contain up to of habitable space.~~

(iii) In R-1 zoning districts a maximum of 600 square feet is allowed on a lot without a Specific Use Permit. An additional 400 square feet may be permitted with a Specific Use Permit. Total area of ADU shall not exceed 1000 square feet. ~~a. One (1) accessory building may contain up to of habitable space~~

*Option C- setting sqft for ADU at 500 sqft without SUP, setting max sqft at previous sqft with SUP and allowing kitchens in all zoning districts. Would need to delete section 14.04.304(4)(A)(iv) to delete kitchen SUP requirement.*

(B) Specific regulations for ~~accessory buildings containing habitable space~~ ADU's based on zoning district:

(i) In R-2 ~~or AO~~ zoning districts ~~that contain a single family home~~ a maximum of 600 square feet is allowed on a lot without a Specific Use Permit. An additional 900 square feet may be permitted with a Specific Use Permit. Total area of ADU shall not exceed 1500 square feet:

~~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 a maximum of 600 square feet is allowed on a lot without a Specific Use Permit. An additional 600 square feet may be permitted with a Specific Use Permit. Total area of ADU shall not exceed 1200 square feet ~~: a. One (1) accessory building may contain up to of habitable space.~~

(iii) In R-1 zoning districts a maximum of 600 square feet is allowed on a lot without a Specific Use Permit. An additional 400 square feet may be permitted with a Specific Use Permit. Total area of ADU shall not exceed 1000 square feet. ~~a. One (1) accessory building may contain up to of habitable space~~



**City of Lucas**  
**Planning and Zoning Agenda Request**  
**March 9, 2023**

Item No. 02

Requester: City Secretary Erin Day

**Agenda Item Request**

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Consider approval of the minutes of the February 9, 2023 Planning and Zoning Commission meeting.

**Background Information**

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NA

**Attachments/Supporting Documentation**

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1. February 9, 2023 Planning and Zoning Commission Minutes

**Budget/Financial Impact**

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NA

**Recommendation**

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NA

**Motion**

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I make a motion to approve the minutes of the February 9, 2023 Planning and Zoning Commission meeting.



## 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.

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Dusty Kuykendall, Chairman

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Erin Day, City Secretary