

# MINUTES PLANNING AND ZONING COMMISSION MEETING

July 13, 2023 | 6:30 PM

Council Chambers

City Hall | 665 Country Club Road, Lucas, Texas

## Commissioners Present:

Chairman Tommy Tolson  
Commissioner Peggy Rusterholtz  
Alternate Commissioner Chris Bierman  
Alternate Commissioner Frank Hise

## Staff Present:

Assistant City Manager Kent Souriyasak  
Development Services Director Joe Hilbourn  
City Attorney Courtney Morris  
Management Analyst Joshua Menhennett

## Commissioners Absent:

Vice-Chairman Joe Williams  
Commissioner James Foster  
Commissioner Adam Sussman

## City Council Liaison Absent:

Mayor Jim Olk

## Call to Order

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

## Regular Agenda

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1. **Consider the request by Jason Blakely to approve the Savino minor plat on a tract of land being 23.691 acres of land located in the Peter F. Lucas survey, abstract number 537, town of Lucas, Collin County, Texas, being all of the Jason Blakely and Jessica Blakely tract, more commonly known as 355 Winningkoff Road.**

Development Services Director Joe Hilbourn presented this item. Alternate Commissioner Hise asked Mr. Hilbourn about lot size requirements in Lucas. There was no other discussion.

**MOTION:** A motion was made by Commissioner Rusterholtz, seconded by Alternate Commissioner Bierman to approve the request by Jason Blakely to approve the Savino minor plat on a tract of land being 23.691 acres of land located in the Peter F. Lucas survey, abstract number 537, town of Lucas, Collin County, Texas, being all of the Jason Blakely and Jessica Blakely tract, more commonly known as 355 Winningkoff Road. The motion passed unanimously by a 4 to 0 vote.

2. **Discuss updating the City of Lucas Code of Ordinances, Chapter 14 titled "Zoning".**

Chairman Tolson read the directive of the City Council to the Planning and Zoning Commission as it relates to revisions in Chapter 14.

Development Services Director Joe Hilbourn asked if the Commission had any questions regarding the changes presented at the June 8, 2023 meeting. City Attorney Courtney Morris advised that "Nuisance" was not changed as to avoid possible confusion with a section in Chapter 14. Mr. Hilbourn advised that staff recommends adding it instead to Chapter 8. Ms. Morris advised that she had made more adjustments to Section 14.02.036 making references to decisions made by the Board of Adjustment. Ms. Morris advised that Chapter 14 is in line with statutory language when it comes to decisions by the Board of Adjustment.

Commissioner Rusterholtz stepped out of the meeting at 6:41 pm.

Ms. Morris advised that the Building Official's designated office would in fact be the City Secretary's office in regard to decisions by the Board of Adjustment.

Commissioner Peggy Rusterholtz returned to the meeting at 6:43 pm.

Ms. Morris advised that a period after "appellate" in the last chapter of the aforementioned section should be added and the subsequent text be removed. This concluded the review of the changes made in the previous Planning and Zoning Commission meeting.

Chairman Tolson advised the Commission to move on to the review of the planned section. The following changes were suggested and will be brought before the Planning and Zoning Commission on August 10, 2023:

- Delete Section 14.03.292, Article 3 to avoid conflicts with definition of major retail development.
- Provide clarification on whether entities must approve and which City entity should approve Site, Landscape and Architectural Plans.
- Section 14.03.293, Article C should remove the second instance of "75%."
- Section 14.03.295, Article A should correct a typo in the final wording.
- Section 14.03.295, Article H add the word "existing" after the word "All."
- Section 14.03.296, Section 14.03.297 and Section 14.03.298, add the option for electronic submittal of documents to appropriate offices of the City.
- Section 14.03.297, Article A, rewrite to correct verbiage and flow.
- Section 14.03.297, Article A, Subsection 6, replace "zone" with "zoning district."
- Section 14.03.413, Article B, in the last sentence, delete the first instance of the word "granting."
- Section 14.03.413, Article B should be rewritten to improve flow and readability.
- Section 14.03.413, Article C, in the second sentence, remove "of detail."
- In Section 14.03.532, insert a description of an Estate Development District (ED) that is not unlike current residential zoning descriptions, that specifies and limits the average lot size of the lots in the district.
- In Section 14.03.801, change instances of "director of planning" to "development services director."
- In Section 14.03.801, Article D, Subsection 1, Article A, Subsection 4, delete "Anticipated" and capitalize "employment."
- In Section 14.03.801, Article D, Subsection 3, end the sentence at the word "permitted".
- In the Schedule of Uses chart, change the words "Therapeutic message" to "Therapeutic massage." "Accessory buildings with habitable space" was also suggested to be changed to "Accessory dwelling units."
- Upon the changes suggested to Section 14.03.532 regarding ED's, the Schedule of Uses chart should be changed to reflect the same uses by right as Residential 1.5-acre zoning.
- In the Schedule of Uses chart, remove the use of "Adult, child care or day care center" from the "ED" section.
- In the Schedule of Uses chart, add a row named "Athletic training facilities" under Retail Uses with a Specific Use Permit (S).

- In the Schedule of Uses chart, change the use of “Vehicle wash” in Light Industrial (LI) by Specific Use Permit (S).

There was no motion needed for this item.

**3. Consider approval of the minutes of the June 8, 2023 Planning and Zoning Commission Meeting.**

**MOTION:** A motion was made by Alternate Commissioner Bierman, seconded by Commissioner Rusterholtz to approve the minutes from the June 8, 2023 Planning and Zoning Commission Meeting. This motion was passed unanimously with a 4 to 0 vote.

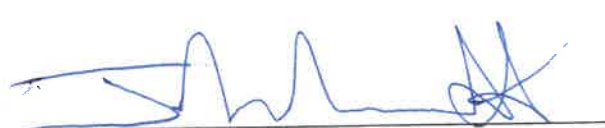
Chairman Tolson asked that the August agenda of the Planning and Zoning Commission have an agenda item that allows for discussion of meeting logistics.

**4. Adjournment.**

**MOTION:** A motion was made by Alternate Commissioner Bierman, seconded by Commissioner Rusterholtz at 8:01 pm. The motion passed unanimously by a 4 to 0 vote.



Tommy Tolson, Chairman



Joshua Menhennett, Management Analyst