



AGENDA CITY COUNCIL MEETING

April 2, 2026 | 6:30 PM

Council Chambers

City Hall | 665 Country Club Road, Lucas, TX

Notice is hereby given that a meeting of the Lucas City Council will be held on Thursday, April 2, 2026, beginning 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 City Council 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. Pursuant to Texas Government Code 551.127, one or more members of the governing body may appear via videoconference call. The presiding officer and a quorum of the City Council will be physically present at this 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/163/Watch-Live-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 City Secretary Toshia Kimball at tkimball@lucastexas.us by 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

Citizen Input

1. Citizen Input.

Community Interest

Pursuant to Section 5510415 of the Texas Government Code, the City Council may report on the following items: 1) expression of thanks, congratulations or condolences; 2) information about holiday schedules; 3) recognition of individuals; 4) reminders about upcoming City Council events; 5) information about community events; and 6) announcements involving imminent threat to public health and safety.

2. Items of Community Interest.

Consent Agenda

All items listed under the consent agenda are considered routine and are recommended to the City Council for a single vote approval. If discussion is desired, an item may be removed from the consent agenda for a separate vote.

3. Consent Agenda
 - A. Approval of the March 19, 2026, City Council Meeting Minutes
 - B. Approval of the March 23, 2026, City Council Special Meeting Minutes

Public Hearing

4. Conduct a public hearing to consider Ordinance 2026-04-01043, a request by Weilian & Carmen Lin, property owners at 10 Horseman Drive, Horsemans Estates (CLU), Block 2, Lot 5, Lucas, Texas 75002 for a Specific Use Permit (SUP) to allow a one-room farmhouse as an art room totaling fifteen hundred (1,500) square feet in size. **(Joe Hilbourn, Development Services Director)**
5. Conduct a public hearing to consider a request by Michael Westfall, property owner at 2300 Songbird Trail, 4.920 Acres John W. Kirby Survey, A-506; Lucas, Texas, 75002; for a Specific Use Permit (SUP) to allow an accessory dwelling unit totaling up to fifteen hundred (1,500) square feet in size. (At the request of the applicant, no action will be taken) **(Joe Hilbourn, Development Services Director)**
6. Conduct a public hearing to consider Ordinance 2026-04-01044, a request submitted by James Roberts with Goose Real Estate on behalf of Sergio Villarreal to rezone a parcel of land from Agricultural and Open Space (AO) to R-2 (Single-family residential 2-acre lots), being a tract of land 17.485 acres in size out of the D James Survey Abstract No A0477, Tract 31 in the City of Lucas, Collin County Texas. **(Joe Hilbourn, Development Services Director)**
7. Conduct a public hearing to consider a request submitted by Mark Robinson on behalf of Robinson Living Trust to rezone a parcel of land from Agricultural and Open Space (AO) to Commercial Business (CB), being a tract of land approximately 0.6911 acres in size out of the James Anderson Survey Abstract No A0017, Tract 57 in the City of Lucas, Collin County Texas. **(Joe Hilbourn, Development Services Director)**
8. Conduct a public hearing to consider Ordinance 2026-04-01042, a request by Lauren Nuffer with Kimley-Horn, on behalf of Wal-Mart Real Estate Business Trust, at 2662 W. Lucas Road, WAL-MART LUCAS ADDITION (CLU), BLK A, LOT 1R; Lucas, Texas, 75002; for a Specific Use Permit (SUP) and amended site plan to allow for a refueling station. **(Joe Hilbourn, Development Services Director)**

Regular Agenda

9. Consider authorizing the City Manager to negotiate and enter into an agreement with 7 Arrows Land Staff, LLC in an amount not to exceed \$413,000 to provide Land Rights Acquisition Services for the West Lucas Road Reconstruction Project using funds in

account 21-8210-491-136. **(Patrick Hubbard, CIP Manager)**

10. Consider authorizing the City Manager to negotiate and enter into an agreement with Surveying and Mapping, LLC in an amount not to exceed \$79,200 to provide surveying for the West Lucas Road Reconstruction Project using funds in account 21-8210-491-136. **(Patrick Hubbard, CIP Manager)**
11. Consider an analysis of pavement condition data, discuss strategies for the City of Lucas Road Improvement Program, and provide direction to the City Manager. **(Patrick Hubbard, CIP Manager)**
12. Consider adopting Ordinance 2026-04-01041 of the City of Lucas, Texas, amending the Code of Ordinances by amending Chapter 3 titled “Building Regulations” by amending Article 3.16 titled “Signs.” **(Joe Hilbourn, Development Services Director)**

Executive Session

As authorized by Section 551.071 of the Texas Government Code, the City Council 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.

13. Executive Session: An Executive Session is not scheduled for this meeting. **(City Council)**
14. Reconvene from Executive Session and take any action necessary as a result of the Executive Session. **(City Council)**
15. Adjournment **(City Council)**

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, TX 75002 and on the City’s website at www.lucastexas.us on or before 5:00 p.m. on March 27, 2026.

Toshia Kimball, 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 Toshia Kimball at 972.912.1211 or by email at tkimball@lucastexas.us at least 48 hours prior to the meeting.



**City of Lucas
City Council Agenda Request
April 2, 2026**

Requester: Dusty Kuykendall, Mayor

Agenda Item Request:

Citizen Input.

Background Information:

NA

Attachments/Supporting Documentation:

None

Budget/Financial Impact:

NA

Recommendation:

NA

Motion:

NA



**City of Lucas
City Council Agenda Request
April 2, 2026**

Requester: Dusty Kuykendall, Mayor

Agenda Item Request:

Items of Community Interest.

Background Information:

NA

Attachments/Supporting Documentation:

None

Budget/Financial Impact:

NA

Recommendation:

NA

Motion:

NA



**City of Lucas
City Council Agenda Request
April 2, 2026**

Requester: Dusty Kuykendall, Mayor

Agenda Item Request:

Consent Agenda

- A. March 19, 2026, City Council Meeting Minutes
- B. March 23, 2026, City Council Special Meeting Minutes

Background Information:

NA

Attachments/Supporting Documentation:

- 1. 3-19-2026 City Council Meeting Minutes
- 2. 3-23-2026 City Council Meeting Minutes

Budget/Financial Impact:

NA

Recommendation:

Staff recommends to approve the agenda as presented.

Motion:

I make a motion to approve/deny the consent agenda as presented.



City Councilmembers Present:

Mayor Dusty Kuykendall
Mayor Pro Tem Debbie Fisher
Councilmember Chris Bierman
Councilmember Brian Stubblefield

City Staff Present:

City Manager John Whitsell
Development Services Director Joe Hilbourn
Interim Fire Chief Rick Lasky
City Attorney Joe Gorfida
Public Works Director Jeremy Bogle
CIP Manager Patrick Hubbard
Executive Assistant Morgan Kowaleski

City Councilmembers Not Present:

Councilmember Tim Johnson
Councilmember Phil Lawrence
Councilmember Neil Peterson

Mayor Kuykendall called the meeting to order at 6:30 p.m., determined that a quorum was present, and the Pledge of Allegiance was recited.

Citizen Input

1. Citizen Input

There was no Citizen Input at this meeting.

Community Interest

2. Items of Community Interest:

Mayor Kuykendall presented the items of Community Interest.

- May 2, 2026, General Elections – City Council Seats 1 and 2 are on the ballot. The General Election will be held in the Lucas Community Center. Early voting begins April 20th.
- City Hall Closure – City of Lucas offices will be closed on Friday, April 3, 2026, in observance of Good Friday. Regular business hours will resume on Monday, April 6, 2026.
- Town Hall Meeting – April 7th at 6:30 p.m. at the Lovejoy High School Auditorium to discuss the plans for the future Lucas Police Department and introduction of the new Director of Public Safety. Questions you would like addressed at the Town Hall should be emailed to: lpdinfo@lucastexas.us.
- City Hall Closure – Tuesday, April 7, 2026, City Hall will be closed to the public due to a computer system upgrade. No payments can be made on that day.
- Upcoming Community Events
 - Keep Lucas Beautiful Spring Cleanup – March 28, 2026, 9 am – 1 pm
 - Founder’s Day – April 11, 2026, 11 am – 4 pm
 - Art in Public Places – April 21, 2026, 5 pm – 7 pm
 - The Lucas Car Show – May 16, 2026, 8 am -12 pm at Lovejoy High School



Consent Agenda

3. Consent Agenda:

A. Approval of the March 5, 2026, Meeting Minutes.

MOTION: A motion was made by Mayor Pro Tem Fisher, seconded by Councilmember Bierman, to approve the Consent Agenda as presented. The motion passed unanimously by a 4 to 0 vote.

Regular Agenda

- 4. Consider a resolution selecting an engineering firm to assist the city with the submittal of an application for funding and project implementation of a contract, if awarded, from the Texas Department of Agriculture (TDA) for the 2025/2026 Texas Community Block Grant Program – Community Development Fund (TxCDBG-CD) under application number CDV25-0157.**

Agenda Item #4 was moved to the end of the regular meeting, and an Executive Session was held to discuss legal questions. No action was taken on this item.

CIP Manager Patrick Hubbard presented.

MOTION: A motion was made by Councilmember Bierman, seconded by Mayor Councilmember Stubblefield, to approve adopt Resolution Number R-2026-03-05579 selecting an engineering firm to assist the city with the submittal of an application for funding and project implementation of a contract, if awarded, from the Texas Department of Agriculture (TDA) for the 2025/2026 Texas Community Block Grant Program – Community Development Fund (TxCDBG-CD) under application number CDV25-0157. The motion passed unanimously by a 4 to 0 vote.

- 5. Consider authorizing the City Manager to enter into a revised interlocal agreement with Collin County regarding Aztec Trail.**

CIP Manager Patrick Hubbard presented.

MOTION: A motion was made by Mayor Kuykendall, seconded by Councilmember Stubblefield, to approve authorizing the City Manager to enter into a revised interlocal agreement with Collin County regarding Aztec Trail. The motion passed unanimously by a 4 to 0 vote.



MINUTES
CITY COUNCIL REGULAR MEETING

March 19, 2026 | 6:30 PM

Council Chambers

City Hall | 665 Country Club Road, Lucas, Texas

6. **Consider authorizing the City Manager to enter into a contract with Texas Materials Group, Inc., for the rehabilitation of portions of Aztec Trail in an amount not to exceed \$457,166 from account 11-8209-301 Improvement Roads.**

CIP Manager Patrick Hubbard presented.

MOTION: A motion was made by Councilmember Bierman, seconded by Mayor Pro Tem Fisher, to approve authorizing the City Manager to enter into a contract with Texas Materials Group, Inc., for the rehabilitation of portions of Aztec Trail in an amount not to exceed \$457,166 from account 11-8209-301 Improvement Roads. The motion passed unanimously by a 4 to 0 vote.

7. **Consider authorizing the City Manager to enter into a five-year TIPS Cooperative Purchasing Contract with Hydromax USA for the annual valve and hydrant maintenance of the City of Lucas water system.**

Public Works Director Jeremy Bogle presented.

MOTION: A motion was made by Mayor Kuykendall, seconded by Councilmember Bierman, to approve authorizing the City Manager to enter into a 5 year TIPS Cooperative Purchasing Contract with Hydromax USA for the annual valve and hydrant maintenance. The motion passed unanimously by a 4 to 0 vote.

8. **Consider authorizing the City Manager to negotiate and enter into an agreement with MasterTurf Products and Service, Inc. to level and fill the infield at Kenneth R. Lewis Park to alleviate the issue of the field holding water after rain events, in an amount not to exceed \$35,375.00, using funds from Account 11-6211-417, Park Improvements.**

Public Works Director Jeremy Bogle presented.

MOTION: A motion was made by Mayor Pro Tem Fisher, seconded by Councilmember Bierman, to authorize the City Manager to negotiate and enter into an agreement with MasterTurf Products and Service, Inc. to level and fill the infield at Kenneth R. Lewis Park in an amount not to exceed \$35,375.00, using funds from Account 11-6211-417, Park Improvements. The motion passed unanimously by a 4 to 0 vote.

9. **Consider an update from the Lucas Fire Department.**

Interim Fire Chief Lasky presented.

No motion required on this item.



Executive Session Agenda

10. Executive Session:

The City Council will convene into executive session pursuant to Section 551.074 of the Texas Government Code, to deliberate on the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee. Fire Chief

11. City Council will convene into executive session pursuant to Section 551.072 of the Texas Government Code, to deliberate on the purchase, exchange, lease, or value of real property.

City Council convened into Executive Session at 7:29 p.m.

12. Reconvene from Executive Session and take any action necessary as a result of the Executive Session.

City Council reconvened from Executive Session at 8:09 p.m. No action was taken from Executive Session.

Adjournment

13. Adjournment.

MOTION: A motion was made by Mayor Pro Tem Fisher, seconded by Mayor Kuykendall to adjourn the meeting at 8:14 p.m. The motion passed unanimously by a 4 to 0 vote.

APPROVED:

ATTEST:

Dusty Kuykendall, Mayor

Toshia Kimball, City Secretary



MINUTES CITY COUNCIL SPECIAL MEETING

March 23, 2026 | 8:30 AM

Council Chambers

City Hall | 665 Country Club Road, Lucas, Texas

City Councilmembers Present:

Mayor Dusty Kuykendall
Mayor Pro Tem Debbie Fisher
Councilmember Chris Bierman
Councilmember Tim Johnson
Councilmember Neil Peterson
Councilmember Brian Stubblefield

City Councilmembers Not Present:

Councilmember Phil Lawrence

City Staff Present:

City Manager John Whitsell
Development Services Director Joe Hilbourn
City Secretary Toshia Kimall
Finance Director Liz Exum
Interim Fire Chief Rick Lasky
Public Safety Director Doug Kowalski
Public Works Director Jeremy Bogle
CIP Manager Patrick Hubbard
Events and Communication Specialist Donna Bradshaw
Executive Assistant Morgan Kowaleski

Mayor Kuykendall called the meeting to order at 8:30 a.m., determined that a quorum was present, and the Pledge of Allegiance was recited.

Citizen Input

1. Citizen Input

There was no Citizen Input at this meeting.

Regular Agenda

2. Conduct a facilities and staffing workshop to develop a comprehensive strategy for future facilities and staffing projections in the City of Lucas.

The following items were discussed:

- Strategic Plan Update
- Staffing Model Presentations
- Staffing Model Development
- Facilities Review
- Facilities Priorities Selection
- Timeline and Budgeting Needs

Executive Session Agenda

3. Executive Session: There was no Executive Session held at this meeting.



MINUTES
CITY COUNCIL SPECIAL MEETING

March 23, 2026 | 8:30 AM

Council Chambers

City Hall | 665 Country Club Road, Lucas, Texas

Adjournment

4. Adjournment.

Mayor Kuykendall adjourned the meeting at 2:59 pm.

APPROVED:

ATTEST:

Dusty Kuykendall, Mayor

Toshia Kimball, City Secretary



**City of Lucas
City Council Agenda Request
April 2, 2026**

Requester: Joe Hilbourn, Development Services Director

Agenda Item Request:

Conduct a public hearing to consider Ordinance 2026-04-01043, a request by Weilian & Carmen Lin, property owners at 10 Horseman Drive, Horsemans Estates (CLU), Block 2, Lot 5, Lucas, Texas 75002 for a Specific Use Permit (SUP) to allow a one-room farmhouse as an art room totaling fifteen hundred (1,500) square feet in size.

- A. Presentation by Joe Hilbourn, Development Services Director
 - B. Conduct public hearing
 - C. Take action on public hearing item
- (Joe Hilbourn, Development Services Director)**

Background Information:

The property is currently zoned as R2. The City of Lucas Code of Ordinances Chapter 14 “Zoning”, Article 14.04, titled “Supplementary Regulations,” Section 14.04.302 (f), titled “Accessory buildings, structures, and uses permitted,” which provides:

Game/party room, art studio, or pool house may be a standalone structure, or attached but not interconnected to the principal building, structure, or dwelling. All areas associated with, or providing support to a game/party room, art studio, or pool house shall be used in calculating the square footage of the game/party room, art studio, or pool house. These areas include but are not limited to habitable spaces, closets, halls, condors, bathrooms, porches, patios, storage rooms, covered vehicle storage areas, utility rooms, and similar spaces. Game/party room, art studio, or pool house shall comply with the following:

In R-2, R-1.5, R-1; ED, and AO zoning districts, a maximum of nine hundred (900) square feet. An additional six hundred (600) square feet may be permitted with a specific use permit. Total area of ADU shall not exceed one thousand and five hundred (1,500) square feet.

Attachments/Supporting Documentation:

- 1. Public Notice ~ 10 Horseman - SUP Art Room
- 2. SUP Application
- 3. Site Plan
- 4. Floor Plan
- 5. Location Map

6. Ordinance SUP 2026-04-01043

Budget/Financial Impact:

N/A

Recommendation:

The Planning and Zoning Commission recommended approval with the following conditions:

1. All existing accessory buildings on the property shall be demolished prior to issuance of a building permit for this accessory building.
2. This accessory building shall be used solely and exclusively by the owner or residents of this property.
3. This accessory building shall not be constructed, modified, or utilized as an accessory dwelling unit.
4. Use of this accessory building for any commercial purposes, either for-profit or not-for-profit, shall require immediate modification of the building necessary to comply with all applicable commercial sections of the most current edition of the International Building Code, as adopted by the City, including fire suppression and access/egress requirements, and the Americans with Disabilities Act.
5. Property owner shall file and maintain on record an amended deed restriction for this property with the Collin County Clerk, prior to issuance of a building permit, that states this one-room farmhouse/accessory building shall be used solely and exclusively by the owner or residents of this property.

Motion:

I hereby make a motion to approve/deny Ordinance 2026-04-01043, a request by Weilian & Carmen Lin, property owners at 10 Horseman Drive, Horsemans Estates (CLU), Block 2, Lot 5, Lucas, Texas 75002 for a Specific Use Permit (SUP) to allow a one-room farmhouse as an art room totaling fifteen hundred (1,500) square feet in size.



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, March 12, 2026 at 6:30 p.m. and City Council will conduct a second public hearing on Thursday, April 2, 2026 at 6:30 p.m. at Lucas City Hall, 665 Country Club, Lucas, Texas to consider a Specific Use Permit (SUP) application to permit an art room fifteen hundred (1,500) square feet in size within R2 zoning district, more particularly described as follows:

Weilian & Carmen Lin, property owners at 10 Horseman Drive, HORSEMANS ESTATES (CLU), BLK 2, LOT 5; Lucas, Texas, 75002 have submitted an application for an SUP, per City of Lucas Code of Ordinances, Chapter 14, titled “Zoning,” Article 14.04, titled “Supplementary Regulations,” Section 14.04.302 (f), titled “Accessory buildings, structures, and uses permitted,” which provides:

Game/party room, art studio, or pool house may be a standalone structure, or attached but not interconnected to the principal building, structure, or dwelling. All areas associated with, or providing support to a game/party room, art studio, or pool house shall be used in calculating the square footage of the game/party room, art studio, or pool house. These areas include but are not limited to habitable spaces, closets, halls, condors, bathrooms, porches, patios, storage rooms, covered vehicle storage areas, utility rooms, and similar spaces. Game/party room, art studio, or pool house shall comply with the following:

- (1) In R-2, R-1.5, R-1; ED, and AO zoning districts, a maximum of nine hundred (900) square feet. An additional six hundred (600) square feet may be permitted with a specific use permit. Total area of ADU shall not exceed one thousand and five hundred (1,500) square feet.**

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 tkimball@lucastexas.us and it will be presented at the Hearing. If you have any questions about the above hearing you may contact jhilbourn@lucastexas.us.



ASSISI ACRES

Dear City of Lucas

Thank you for taking the time to read this letter.

We are requesting review of our plans for a special use permit. This will include one art room up to 1500 sq ft.

The purpose/use of this art room will be to homeschool our growing family in a location that is separate from our primary home.

We appreciate your consideration for this special use permit.

*Sincerely,
Carmen and Weilian Lin*



ZONING APPLICATION (continued)

Name of Project: Assisi Acres Farmhouse

****READ BEFORE SIGNING BELOW:** If there should be 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 is required. (Notaries are available upon submittal.)

SUBMITTAL DEADLINE: 30 DAYS PRIOR TO P&Z PUBLIC HEARING DATE. All zoning applications must be advertised in the newspaper, and notices must be mailed to all property owners within 500 feet of the subject property. Please contact City staff in advance for submittal deadlines.

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 submitted, application fees, etc. Please contact City staff in advance for submittal requirements. [Drawings will not be returned to applicant.]

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.

ALL PARCELS/PROPERTIES MUST MATCH IN ACREAGE ALL OTHER DOCUMENTS SUBMITTED, WITH NO AMBIGUITY.

STATE OF TEXAS }
COUNTY OF COLLIN }

BEFORE ME, a Notary Public, on this day personally appeared Weilian Lin 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 denial."

Weilian Lin
* Owner / Agent (circle one)

SUBSCRIBED AND SWORN TO before me, this the 9th day of December, 2005



Notary Public in and for the State of Texas: Toshia Kimball

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



ZONING APPLICATION (continued)

Name of Project: Assisi Acres Farmhouse

****READ BEFORE SIGNING BELOW:** If there should be 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 is required. (Notaries are available upon submittal.)

SUBMITTAL DEADLINE: 30 DAYS PRIOR TO P&Z PUBLIC HEARING DATE. All zoning applications must be advertised in the newspaper, and notices must be mailed to all property owners within 500 feet of the subject property. Please contact City staff in advance for submittal deadlines.

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 submitted, application fees, etc. Please contact City staff in advance for submittal requirements. [Drawings will not be returned to applicant.]

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.

ALL PARCELS/PROPERTIES MUST MATCH IN ACREAGE ALL OTHER DOCUMENTS SUBMITTED, WITH NO AMBIGUITY.

STATE OF TEXAS }
COUNTY OF COLLIN }

BEFORE ME, a Notary Public, on this day personally appeared Carmen Lin 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 denial."

Carmen Lin
** Owner / Agent (circle one)

SUBSCRIBED AND SWORN TO before me, this the 17th day of December, 2025



Notary Public in and for the State of Texas: Toshia Kimball

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



ZONING SUBMISSION REQUIREMENTS

1st or initial submittal

- ✓ • 2 (two) - 24" x 36" folded to approximately 8" x 12" copies of each plan
- An electronic copy of required plat and/or exhibits in pdf format.
- ✓ • 6 (six) - 11" x 17" hardcopy reductions
- ✓ • Completed checklist
- ✓ • Completed application
- A letter requesting any variance or exception, or why an issue was not addressed
- ✓ • An 8 ½" x 11" hardcopy reduction of the Plat
- A fee as required

2nd and 3rd submittals to address requirements

- Highlight questions asked by Design Review Committee (DRC) committee in bold.
 - Provide response/correction directly below DRC question.
- 2 (two) - 24"x 36" folded (approximately 8" x 12") copies with required corrections
- An electronic copy of the corrected plat and/or exhibits in pdf format.
- 6 (six) - 11" x 17" hard copy reductions with required corrections

4th and subsequent submittal(s)

- 2 (two) - 24" x 36" folded (approximately 8" x 12") copies with required corrections.
- A fee equal to the original submission fee

When staff has determined the application is complete and accepted for final approval

- 30 (thirty) - 24" x 36" folded copies of Zoning Concept Plan and any/all other required Plan Exhibits
- 4 (four) - 11" x 17" Z folded copies.
- An electronic copy (8 1/2 x 11 size) in pdf format.
- Labels of an appropriate size for mailing, with current property owner(s) name and address, of any property located within 500' of all property lines.
- A copy of the affected parcels on a CollinCad generated map.
- Any changes made after Planning & Zoning review and before City Council review will require:
 - 15 (fifteen) - 24" x 36" copies of each Plan, folded to approximately 8" x 12"
 - 4 (four) - 11" x 17" or "12 x 18" reductions of each plan tri- or Z-folded.
 - An electronic copy of all plans in pdf format



Zoning Exhibit Checklist

Minimum Requirements

Project Name: Assisi Acres Farmhouse

Preparer: Carmen Ln

This checklist is provided to assist you in addressing the minimum requirements for a zoning or rezoning 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 initialing the box next to the required information. Initialing each item certifies to the City that you have completely and accurately addressed the issue. Return this form at the time of application submittal.

A zoning/rezoning request and associated 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.

For Zoning or Rezoning to a Straight Zoning District

CL Location/vicinity map showing the location of the proposed zoning with cross streets is included. Indicate scale or not to scale (NTS) and provide north arrow.

CL Abstract lines, survey lines, county lines, corporate boundaries are correctly shown and clearly labeled.

CL Statement of purpose and intent of the zoning or rezoning that includes:

- Land Use(s) proposed
- Existing and proposed zoning
- Impact of uses(s) on the transportation system. NOTE: The City will determine if a Traffic Impact Analysis (TIA) is required.
- Impact of the use(s) on water and wastewater utilities (e.g. provide statement as to general availability).
- Impact on land use(s) adjacent to the rezoning request.
- Conformance to the Comprehensive Plan.
- Other information as required by City staff, Planning & Zoning Commission, and/or City Council
- If a residential use, the density of the proposal and density of adjacent residential use(s).

CL Adjacent zoning and existing land use(s) within 500 feet is indicated.

CL Adjacent driveways, streets, roads and other thoroughfares within 500 feet of the property are shown and labeled.

CL A note stating that development of the site will be in accordance with City of Lucas development standards.

CL Provide an electronic file (pdf) of Legal Description/Metes & Bounds Description with labeling at top of document.

CL Mailing labels of an appropriate size for mailing, with current property owner(s) name and address, of any property located within 500 feet of all property lines of subject property.



Zoning Exhibit Checklist

Minimum Requirements (continued)

For Special Use Permit (SUP) Requests, Conditional Use Permit (CUP) Requests and Planned Development / Zoning District Requests or Amendments

- CL Zoning boundary is indicated by a heavy solid line, intermittent with 2 dash lines; dimensioned with bearing(s) and distance(s).
- CL A title block in the lower right corner that includes large, boldly printed "ZONING CONCEPT PLAN - EXHIBIT B", owner and engineer(s), architect(s), and/or surveyor(s) names, addresses and phone numbers, project name, total acreage, survey name and abstract number (Addition Name & Lot and Block info if platted property), Collin County, submission date, and a log of submittal/revision dates since submitted to the City. A note shall be affixed to the Zoning Concept Plan as follows:

"This Concept Plan is for illustrative purposes only and subject to change. This Concept Plan, along with development regulations (for Planned Development requests), are intended to describe the intent of the Planned Development. Significant deviations from this Concept Plan, as determined by the Development Services Director, will require an amendment to the Concept Plan and, as necessary, the development regulations."
- CL Location/vicinity map showing the location of the proposed zoning request/change with cross streets is included.
- CL Indicate scale or not to scale (NTS) and provide north arrow.
- CL Written and bar graph scale, and north arrow are indicated. North shall be oriented to the top or left side of the sheet.
- CL Abstract lines, survey lines, corporate boundaries are correctly shown and clearly labeled.
- CL Statement of purpose and intent of the rezoning that includes:
 - o Land use(s) proposed
 - o Existing and proposed zoning and land use
 - o Impact of uses(s) on the transportation system.NOTE: The City will determine if a Traffic Impact Analysis (TIA) is required.
 - o Impact of the use(s) on water and wastewater utilities (e.g. provide statement as to general availability).
 - o Impact on land use(s) adjacent to the rezoning request.
 - o Conformance to the Comprehensive Plan.
 - o Other information as required by City staff, Planning & Zoning Commission, and/or City Council
- CL Adjacent zoning and existing land use(s) within 500 feet is indicated.
- CL Adjacent driveways, streets, roads and other thoroughfares within 500 feet of the project are shown.
- CL Concept Plan that includes the following:
 - o Land use(s) proposed (building footprint(s) are to be graphically shown).
 - o Thoroughfares as depicted on the Master Thoroughfare Plan (MTP) within and adjacent to the site are accurately located, named and dimensioned. Existing is to be shown as a light, solid line; proposed shown as a medium weight solid line.
 - o Medians, left-turn lanes, median openings, curb cuts, acceleration/deceleration lanes within 200 feet of the property are accurately located, labeled, and dimensioned. Existing is to be shown as a light, solid line; proposed shown as a medium weight solid line.
 - o If a structure is proposed, or proposed to remain, a minimum and maximum square footage (if no definitive/specific user(s) are identified at this time) is indicated for the structure(s).
 - o If a structure is proposed, or proposed to remain, the use, approximate location, and square footage of each building is provided.
 - o If a residential use, the density of the proposal and density of adjacent residential use(s).
 - o Project phasing lines.
 - o Other pertinent data as may be required by City staff, Planning and Zoning Commission, and/or City Council.
 - o Location of present, future or proposed public dedication of parks, open space, etc.
- CL Mailing labels of an appropriate size for mailing, with current property owner(s) name and address, of any property located within 500 feet of all property lines of subject property.



Zoning Exhibit Checklist

Minimum Requirements (continued)

Special Use Permit (SUP) and Conditional Use Permit (CUP) requests shall also include the following items in table format on the Zoning Concept Plan (Exhibit "B") and those specified in items 1 thru 10 above as applicable:

- a Existing/proposed Lot Number(s)
- a Lot area specified in square feet and acreage
- a Building square footage (Indication of Minimum and Maximum suggested if no definitive/specific user(s) identified at this time)
- c Proposed use for each proposed building by category of use (e.g. retail, medical office, restaurant with or without drive-thru, convenience store, bank with drive-thru, church, etc.)
- c Parking count required and specified per use(s) with required ratio indicated

Planned Development (PD) Zoning District requests shall also include Development Regulations (labeled/titled Exhibit "C") with the following:

- Hard copy (8 1/2" X 11") and pdf file on disk is provided.
- List of proposed land uses
- Proposed use(s) for each building (non-residential and mixed-use development) by category of use (e.g. retail, professional office, medical office, church, restaurant, bank with drive through, etc.)
- Maximum square footage of each building (non-residential uses)
- Minimum lot area (residential uses)
- Minimum lot width (residential uses)
- Minimum lot depth (residential uses)
- Heights and stories
- Maximum lot coverage percentage
- Maximum lot count (residential uses)
- Minimum house size square footage excluding garages and breezeways
- Fencing requirements indicated
- Garage type(s) indicated (e.g. front entry, rear entry alley served, "J"-hook, etc.)
- Accessory Building regulations
- Subdivision Ordinance waiver/modification requests are specifically listed.
- Parking count required specified per use(s) with required ratio indicated
- Parking count provided
- Statement is provided indicating that all current development requirements of the City as amended shall be met unless approved otherwise within these Planned Development Zoning District Development Regulations.
- Hard copy (8 1/2" X 11") and electronic file (pdf) of Legal Description/Metes & Bounds Description with labeling at top of document indicating Exhibit "A" is provided.
- Mailing labels of an appropriate size for mailing, with current property owner(s) name and address, of any property located within 500 feet of all property lines.

NOTE: DEVIATIONS FROM CURRENT DEVELOPMENT STANDARDS/REGULATIONS NOT SPECIFICALLY ADDRESSED/LISTED FOR APPROVAL AS PART OF PLANNED DEVELOPMENT REGULATIONS MAY REQUIRE A HEARING/APPROVAL BY THE BOARD OF ADJUSTMENT (BOA).



ZONING APPLICATION

City of Lucas, Texas

Name of Project: Assisi Acres Farmhouse

	Application Fee
<u> </u> Initial Zoning (newly annexed or agricultural property) per classification	\$450.00
<u> </u> Rezoning (property currently zoned) per classification	\$450.00
<u> X </u> Specific Use Permit (SUP) - see Zoning Ordinance for special requirements and procedures	\$450.00

Physical Location of Property: 10 Horseman Drive
[Address and General Location – approximate distance to nearest existing street corner]

Brief Legal Description of Property (must also attach accurate metes and bounds description):
Lot 5, Block 2, Horseman's Estates
[Survey/Abstract No. and Tracts; or platted Subdivision Name with Lots/Block]

Collin County Appraisal District Short Account Number: _____

Acreage: 3.39 Existing Zoning: R2 Requested Zoning: SUP
[Attach a detailed description of requested zoning]

OWNER(S) NAME: Carmen Lin, Weilian Lin Phone Number: 916 397 7863

Applicant / Contact Person: Carmen Lin Title: owner

Company Name: _____

Mailing Address: 917 Mustang Ridge Dr City: Murphy State: TX ZIP: 75094

Phone: (916) 397 7863 Fax: () _____ Email Address: carmenlin8990@gmail.com

ENGINEER(S) / REPRESENTATIVE(S) NAME: Hank Angell (Henry Dean Angell)

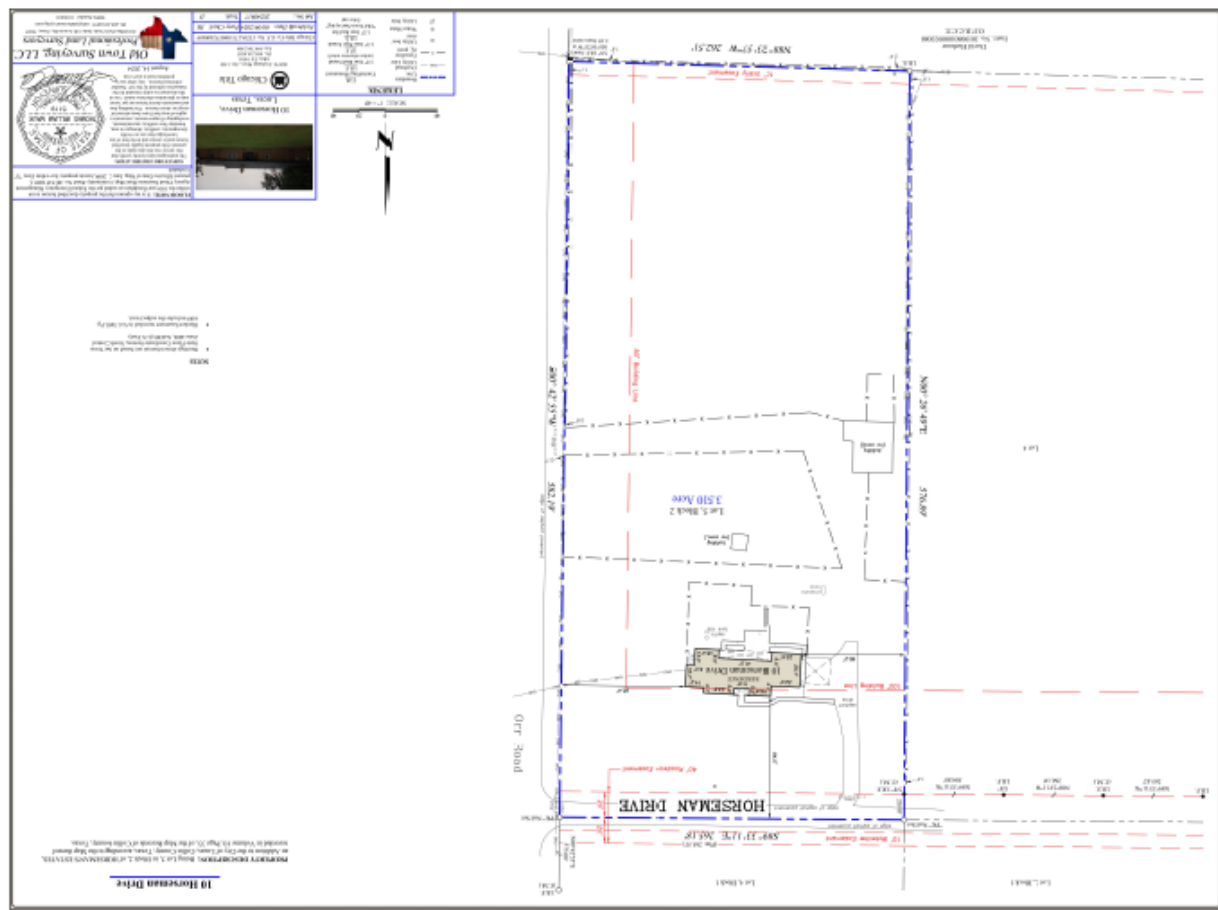
Contact Person: Henry Dean Angell Title: Contractor

Company Name: Innovative Construction Services

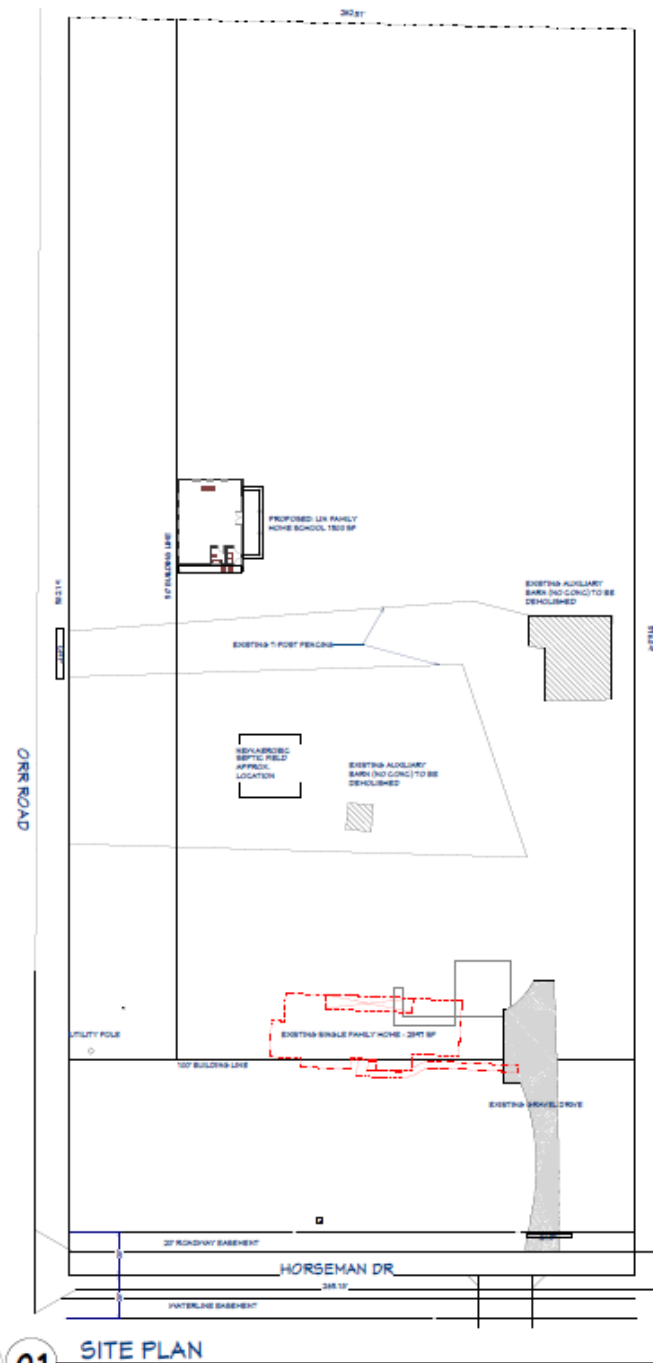
Mailing Address: 605 Atlee Ct. City: Arlington State: TX ZIP: 76006

Phone: (940) 764 3586 Fax: () _____ Email Address: hankangell@gmail.com

10 Horseman Dr Site Plan



02 SURVEY
NOT TO SCALE



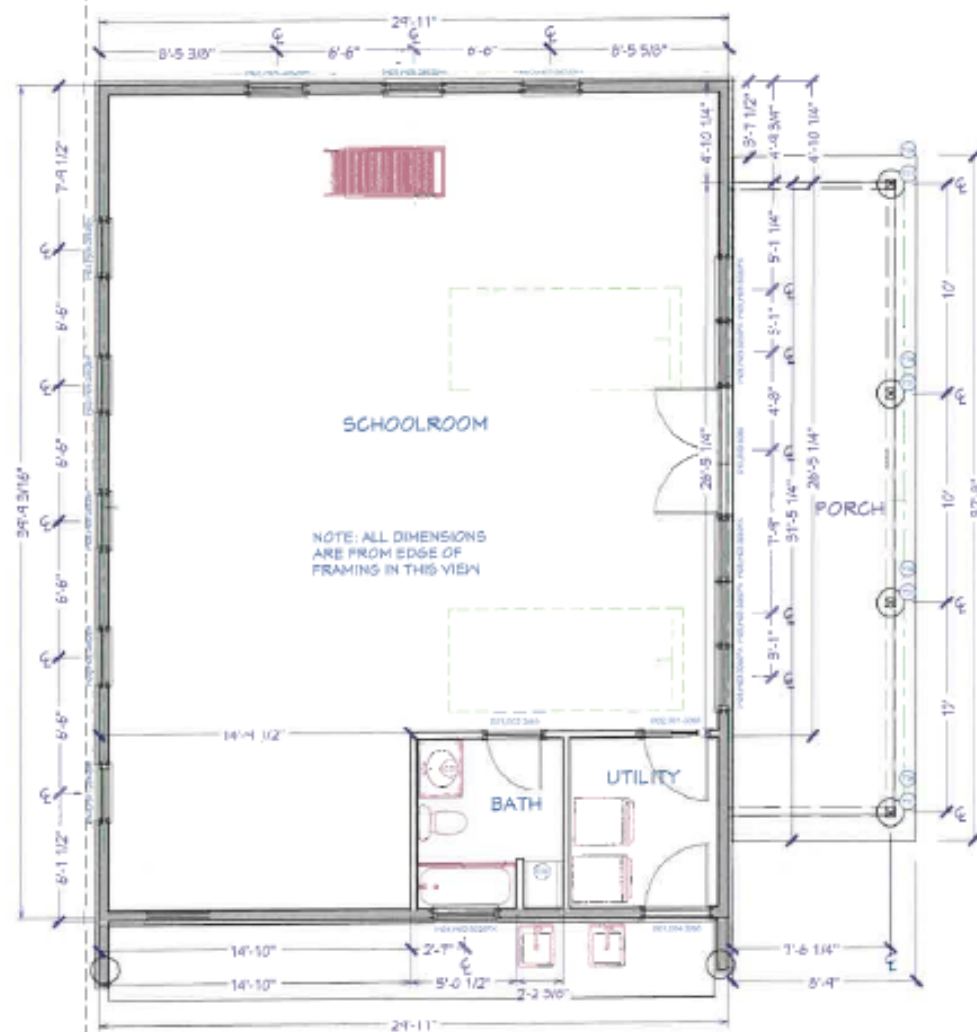
01 SITE PLAN
1/32" = 1'

ZONING CONCEPT PLAN - EXHIBIT B	S.U.P. SCOPE
OWNERS: NEILIAN AND CARMEN LIN, 411 MUSTANG RIDGE DR., MURPHY, TX 75094-4475 PH. 409-307-4093 ALL ENGINEERING PENDING	DEMOLISH EXISTING AUXILIARY BUILDINGS BUILD A 1500 SF CLASSROOM FOR LIN FAMILY HOME SCHOOL USE. DEMOLISH EXISTING SEPTIC SYSTEM AND INSTALL A NEW AEROBIC SEPTIC FOR PRESENT AND FUTURE USE.
ARCHITECT: HENRY DEAN ANGELL, INNOVATIVE CONSTRUCTION SERVICES, 605 ATLEE CT, ARLINGTON TX 76006, PH 440-704-3556	
SURVEYOR: THOMAS WILLIAM MAUK, OLD TOWN SURVEYING, 810 OFFICE PARK CIR., STE 190, LEWISVILLE, TX 75057 PH. 469-249-8074	
ABISSI ACRES FARMHOUSE, TOTAL ACREAGE: 3.91 AC., HORSEMAN'S ESTATES, BLK 2, LOT 9, COLLIN COUNTY	
SUBMITTAL DATE:	

10 Horseman Dr Floor Plan

WINDOW SCHEDULE						
NUMBER	QTY	LABEL	SIZE	TOP	TYPE	3D EXTERIOR ELEVATION
W01	2	W01,W07-2428FX	2428FX	86"	FIXED GLASS	
W02	6	W02,W08-2852FX	2852FX	86"	FIXED GLASS	
W03	14	W03,W09-2852SH	2852SH	96"	SINGLE HUNG	
W04	2	W04,W10-3020FX	3020FX	96"	FIXED GLASS	
W05	10	W05,W11-2860FX	2860FX	80"	FIXED GLASS	
W06	2	W06,W06-2840SH	2840SH	96"	SINGLE HUNG	

DOOR SCHEDULE							
NUMBER	QTY	LABEL	SIZE	WIDTH	HEIGHT	TYPE	COMMENTS
D01	2	D02,D01-3060	3060 L IN	36"	80"	HINGED	
D02	2	D07,D02-2860	2860 L IN	30"	80"	HINGED	
D03	2	D13,D03-4050	4050 L IN	72"	96"	DOUBLE HINGED	
D04	2	D01,D04-3060	3060 R EX	36"	80"	HINGED	



AREA CALCULATIONS	
AG SF:	1299 SF
COVERED PORCH:	244 SF
OVERHAND:	54 SF
TOTAL SF:	1597 SF

WALL SCHEDULE	
3D SYMBOL	WALL TYPE
	METAL SIDING w/ PURLINS
	ATTIC & INSULATED
	INTERIOR-4
	FRAME-3 1/2
	GLASS SHOWER
	STEEL GLASS CURTAIN WALL

WALL LEGEND

FLOOR PLAN NOTES:

1. ALL EXTERIOR DIMENSIONS ARE TO THE FRAMING OR MAIN LAYER. DIMENSIONS TO OPENING ARE TO THE CENTER.
2. CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND IS RESPONSIBLE FOR ALL DIMENSIONS INCLUDING ROUGH OPENINGS.

10 Horseman Dr.
Location Map





ORDINANCE 2026-04-01043
[Specific Use Permit for 10 Horseman Drive]

AN ORDINANCE OF THE CITY OF LUCAS, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP OF THE CITY OF LUCAS, TEXAS, AS HERETOFORE AMENDED, BY PROVIDING SPECIFIC USE PERMIT FOR 10 HORSEMAN TO ALLOW AN ACCESSORY BUILDING TOTALING 1500 SQUARE FEET TO BE USED AS A ONE-ROOM FARMHOUSE WITH AN ART ROOM; PROVIDING A CONFLICTS CLAUSE; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission of the City of Lucas, Texas, and the governing body of the City of Lucas in compliance with the laws of the State of Texas and the ordinances of the City of Lucas, have given requisite notice of publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally and to all persons interested and situated in the affected area, and in the vicinity thereof, and in the exercise of its legislative discretion have concluded that the Comprehensive Zoning Ordinance and Map of the City of Lucas, Texas, as previously amended, should be amended.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LUCAS, TEXAS, THAT:

SECTION 1. That the Comprehensive Zoning Ordinance and Map of the City of Lucas, Texas, as heretofore amended, be and the same are hereby amended, to allow an accessory building totaling 1500 square feet to be used as one-room farmhouse with an art room with special conditions (the “SUP”), for property located at 10 Horseman Drive, Lucas, Texas, more specifically described in Exhibit “A” attached hereto and incorporated herein (the “Property”) as set forth herein.

SECTION 2. The accessory building may be situated, located, constructed, or erected on the Property subject to the following conditions:

1. All existing accessory buildings on the property shall be demolished prior to issuance of a building permit for one-room farmhouse to be used as an art room is issued.
2. This accessory building the subject of this SUP shall be used solely and exclusively by the owner or residents of this property.
3. This accessory building shall not be constructed, modified, or utilized as an accessory dwelling unit.

4. Use of this accessory building for any commercial purposes, either for-profit or not-for-profit, shall require immediate modification of the building necessary to comply with all applicable commercial sections of the most current edition of the International Building Code, as adopted by the City, including fire suppression and access/egress requirements, and the Americans with Disabilities Act.
5. Property owner shall file and maintain on record an amended deed restriction for this property with the Collin County Clerk, prior to issuance of a building permit, that states this one-room farmhouse/accessory building shall be used solely and exclusively by the owner or residents of this property.

SECTION 3. To the extent of any irreconcilable conflict with the provisions of this ordinance and other ordinances of the City of Lucas governing the use and development of the Property and which are not expressly amended by this ordinance, the provisions of this ordinance shall be controlling.

SECTION 4. That all ordinances of the City of Lucas in conflict with the provisions of this Ordinance shall be, and same are hereby, repealed, provided, however, that all other provisions of said Ordinances are not in conflict herewith shall remain in full force and effect.

SECTION 5. That should any word, sentence, paragraph, subdivision, clause, phrase or section of this Ordinance or of the City of Lucas Code of Ordinances, as amended hereby, be adjudged or held to be voided or unconstitutional, the same shall not affect the validity of the remaining portions of said Ordinances or the City of Lucas Code of Ordinances, as amended hereby, which shall remain in full force and effect.

SECTION 6. An offense committed before the effective date of the Ordinance is governed by prior law and the provisions of the City of Lucas Code of Ordinances in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 7. That any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in the Code of Ordinances, as amended, and upon conviction in the municipal court shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense, and each and every day such violation shall continue shall be deemed to constitute a separate offense.

SECTION 8. That this Ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Lucas, and it is accordingly so ordained.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF LUCAS,
COLLIN COUNTY, TEXAS, ON THIS ___ DAY OF _____ 2026.**

APPROVED:

Dusty Kuykendall, Mayor

APPROVED AS TO FORM:

ATTEST:

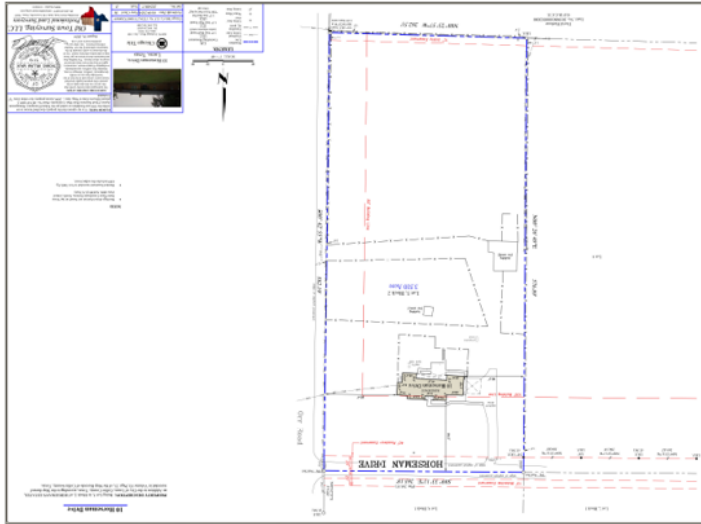
Joseph J. Gorfida, Jr., City Attorney

Toshia Kimball, City Secretary

EXHIBIT "A"
PROPERTY DESCRIPTION

Being Lot 5, in Block 2, of HORSEMAN'S ESTATES, an Addition to the City of Lucas, Collin County, Texas

EXHIBIT "B" SITE PLAN



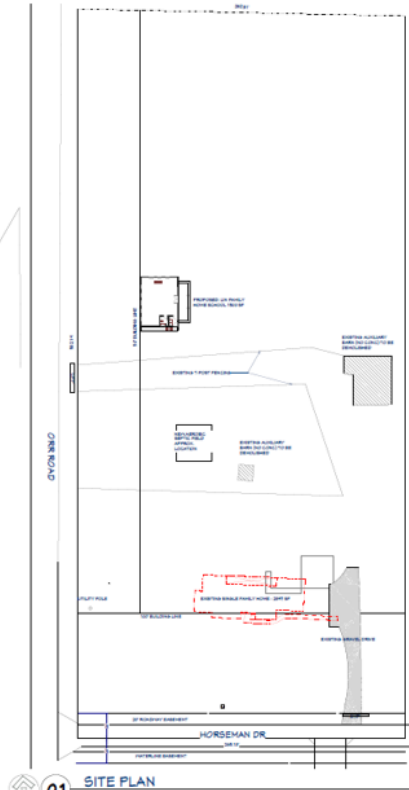
02 SURVEY
NOT TO SCALE

ZONING CONCEPT PLAN - EXHIBIT B

OWNER: FLEMING AND GARRETT CO., 1111 HUSTONS RIDGE DR., HUMBERT, TX 75744-4478 PH: 409-391-4287 ALL ENGINEERING PERMITS
 ARCHITECT: HENRY DEAN ANSELL, INNOVATIVE CONSTRUCTION SERVICES, 808 ALICE ST., ARLINGTON, TX 76010, PH: 817-342-3555
 SURVEYOR: THOMAS WILLIAM HALL, OLD TOWN SURVEYING, 310 OFFICE PARK CIR., STE 180 LEWISVILLE, TX 75041 PH: 469-248-8071
 ADDRESS: FAIRHOUSE, TOTAL HORSEAGE 3.91 AC, HORSEWAYS 25.74 AC, BLDG 2, LOT 8, COLLIN COUNTY

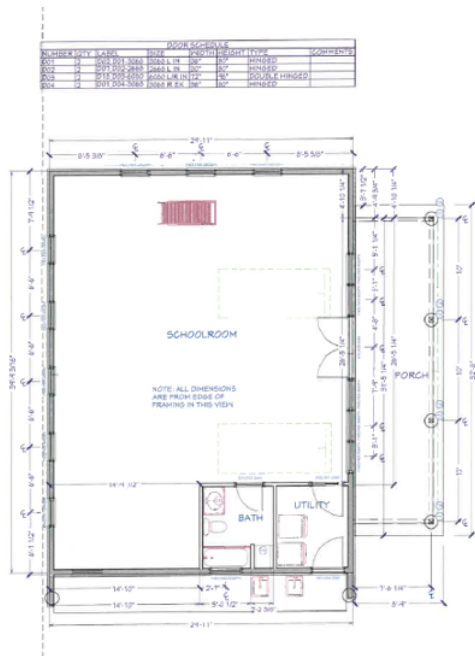
S.U.P. SCOPE

DEMOLISH EXISTING AUXILIARY BUILDINGS
 BUILD A 1800 SF CLASSROOM FOR LIN FAMILY HOME SCHOOL USE
 DEMOLISH EXISTING SEPTIC SYSTEM AND INSTALL A NEW
 AERobic SEPTIC FOR PRESENT AND FUTURE USE.



01 SITE PLAN
180' x 17'

NO.	QTY	DESCRIPTION	SIZE	TYPE	DETAILS
P01	2	FIXED GLASS	3429FK	8'0"	FIXED GLASS
P02	8	FIXED GLASS	282FK	7'0"	FIXED GLASS
P03	14	SINGLE HUNG	2252SH	7'0"	SINGLE HUNG
P04	2	FIXED GLASS	3020FK	7'0"	FIXED GLASS
P05	10	FIXED GLASS	2580FK	7'0"	FIXED GLASS
P06	2	SINGLE HUNG	2842SH	7'0"	SINGLE HUNG



NO.	QTY	DESCRIPTION	SIZE	TYPE	DETAILS
D01	1	DOOR	3020FK	7'0"	DOUBLE HINGED
D02	1	DOOR	3020FK	7'0"	DOUBLE HINGED
D03	1	DOOR	3020FK	7'0"	DOUBLE HINGED
D04	1	DOOR	3020FK	7'0"	DOUBLE HINGED
D05	1	DOOR	3020FK	7'0"	DOUBLE HINGED
D06	1	DOOR	3020FK	7'0"	DOUBLE HINGED
D07	1	DOOR	3020FK	7'0"	DOUBLE HINGED
D08	1	DOOR	3020FK	7'0"	DOUBLE HINGED
D09	1	DOOR	3020FK	7'0"	DOUBLE HINGED
D10	1	DOOR	3020FK	7'0"	DOUBLE HINGED

AREA	DESCRIPTION	AREA (SF)
AC	CLASSROOM	1800 SF
AC	UTILITY	180 SF
AC	BATH	180 SF
AC	PORCH	180 SF
TOTAL	TOTAL	2340 SF

NO.	DESCRIPTION	DETAILS
1	FIXED GLASS	FIXED GLASS
2	SINGLE HUNG	SINGLE HUNG
3	DOUBLE HUNG	DOUBLE HUNG
4	FIXED GLASS	FIXED GLASS
5	FIXED GLASS	FIXED GLASS
6	FIXED GLASS	FIXED GLASS
7	FIXED GLASS	FIXED GLASS
8	FIXED GLASS	FIXED GLASS
9	FIXED GLASS	FIXED GLASS
10	FIXED GLASS	FIXED GLASS

WALL LEGEND

FLOOR PLAN NOTES:
 1. ALL EXTERIOR DIMENSIONS ARE TO THE FRAMING OR MAIN LAYER. DIMENSIONS TO OPENINGS ARE TO THE CENTER.
 2. CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND IS RESPONSIBLE FOR ALL DIMENSIONS INCLUDING ROUGH OPENINGS.

01 FLOOR PLAN
180' x 17'

Exhibit "B"
 City of Lucas
 Ordinance 2026-_____
 Approved: _____, 2026



**City of Lucas
City Council Agenda Request
April 2, 2026**

Requester: Joe Hilbourn, Development Services Director

Agenda Item Request:

Conduct a public hearing to consider a request by Michael Westfall, property owner at 2300 Songbird Trail, 4.920 Acres John W. Kirby Survey, A-506; Lucas, Texas, 75002; for a Specific Use Permit (SUP) to allow an accessory dwelling unit totaling up to fifteen hundred (1,500) square feet in size. (At the request of the applicant, no action will be taken)

- A. Presentation by Joe Hilbourn, Development Services Director
 - B. Conduct public hearing
 - C. Take action on public hearing item
- (Joe Hilbourn, Development Services Director)**

Background Information:

The property is currently zoned as R1. The City of Lucas Code of Ordinances Chapter 14 “Zoning”, Division 8 Accessory Buildings, Structures, and Uses requires a specific use permit for an additional six hundred (600) square feet totaling a maximum area of one thousand and five hundred (1,500) square feet.

§14.04.304 General accessory buildings and structures regulations.

Accessory dwelling units (ADUs).

ADUs may only be used and/or occupied by the owner/occupant of the principal building, structure, or dwelling unit, their family, invited guests and/or domestic staff. An ADU is considered part of the principal building provided it is interconnected to or attached by a breezeway a minimum of twenty feet (20') wide and not greater than twenty-four feet (24') long. ADU's may be standalone structures, attached but not interconnected to the principal building, structure, or dwelling, 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 of the ADU. These areas include but are not limited to habitable spaces, closets, halls, corridors, bathrooms, porches, patios, storage rooms, covered vehicle storage areas, toilet rooms, utility spaces, and similar areas. The calculation of area associated with an ADU is not intended to include areas of accessory buildings that are isolated and/or delineated for other uses, including, but not limited to areas used as a barn, workshop, game/party room, art studio, or pool house. ADUs shall comply with the following:

(A) General regulations for ADUs:

- (i) Only one (1) ADU may be constructed or maintained on a lot.
- (ii) ADUs shall meet the requirements for safety and occupancy of the International Residential Code as adopted by the city from time-to-time.
- (iii) ADUs may not be rented, bartered, leased, or exchanged separate and apart from the principal building or structure.
- (iv) ADUs that are standalone structures shall be limited to a maximum height of twenty-five feet (25') measured to the peak of the roof of the structure.
- (v) ADUs shall have a minimum rear yard setback of fifty feet (50'), a side yard setback of twenty-five feet (25') and a minimum of ten feet (10) behind the principal building.

(B) Specific regulations for ADU square footage based on zoning district:

- (i) In R-2, R1. 5, R-1 and AO zoning districts, a maximum of 900 square feet. An additional 600 square feet may be permitted with a specific use permit. Total area of ADU shall not exceed 1,500 square feet.

Attachments/Supporting Documentation:

- 1. 2300 Songbird SUP Notice of Public Hearing
- 2. SUP Zoning Application
- 3. Concept Plan
- 4. Location Map

Budget/Financial Impact:

N/A

Recommendation:

Michael Westfall made a formal request on March 9, 2026 to remove the Specific Use Permit request.

Motion:

I hereby make a motion to approve/deny the removal of the request by Michael Westfall, property owner at 2300 Songbird Trail, 4.920 Acres John W. Kirby Survey, A-506; Lucas, Texas, 75002; for a Specific Use Permit (SUP) to allow an accessory dwelling unit totaling up to fifteen hundred (1,500) square feet in size.



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, March 12, 2026 at 6:30 p.m. and City Council will conduct a second public hearing on Thursday, April 2, 2026 at 6:30 p.m. at Lucas City Hall, 665 Country Club, Lucas, Texas to consider a Specific Use Permit (SUP) application to permit an accessory dwelling unit (ADU) up to fifteen hundred (1,500) square feet in size within R1 zoning district, more particularly described as follows:

Michael Westfall, property owner at 2300 Songbird Trail, 4.920 Acres John W. Kirby Survey, A-506; Lucas, Texas, 75002 has submitted an application for an SUP, per City of Lucas Code of Ordinances, Chapter 14, titled "Zoning," Article 14.04, titled "Supplementary Regulations," Section 14.04.304 (4), titled "General accessory buildings and structures regulations," which provides:

(B) Specific regulations for ADU square footage based on zoning district:

(i) In R-2, R1. 5, R-1 and AO zoning districts, a maximum of 900 square feet. An additional 600 square feet may be permitted with a specific use permit. Total area of ADU shall not exceed 1,500 square feet.

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 tkimball@lucastexas.us and it will be presented at the Hearing. If you have any questions about the above hearing you may contact jhilbourn@lucastexas.us.

CITY OF LUCAS

Zoning Guidelines and Application



665 Country Club Road
Lucas, Texas 75002

Office 972-912-1206
www.lucastexas.us



ZONING SUBMISSION REQUIREMENTS

The City is concerned about the time, expense and efforts you and City staff have or will put into your project. The checklists herein are provided to expedite the project review process, and to provide a clear understanding of what will be required, what will be expected, and what will be evaluated. City staff is bound by City Ordinance and State law regarding publishing of notices, mail-outs, etc. that will have an effect upon when your project will be heard by the approval body, which can only occur when the Zoning Application and plans are complete in all detail as determined by City staff.

Please read each checklist carefully. They are to be complete for all projects prior to acknowledgement by the City that the respective plan is accepted to proceed for approval. Instructions for completion are included with each checklist. Development regulations may be reviewed on the City's web site www.lucastexas.us.

It is recognized that there most often will be changes needed from what is initially submitted to the City for review. City staff conscientiously examines each item on a checklist to see if the item was sufficiently addressed according to City requirements. Where deficiencies are found, the plans will be marked and returned to the applicant named on the application to be addressed prior to further review or acceptance.



ZONING SUBMISSION REQUIREMENTS

1st or initial submittal

- 2 (two) - 24" x 36" folded to approximately 8" x 12" copies of each plan
- An electronic copy of required plat and/or exhibits in pdf format.
- 6 (six) - 11" x 17" hardcopy reductions
- Completed checklist
- Completed application
- A letter requesting any variance or exception, or why an issue was not addressed
- An 8 ½" x 11" hardcopy reduction of the Plat
- A fee as required

2nd and 3rd submittals to address requirements

- Highlight questions asked by Design Review Committee (DRC) committee in bold.
 - Provide response/correction directly below DRC question.
- 2 (two) - 24"x 36" folded (approximately 8" x 12") copies with required corrections
- An electronic copy of the corrected plat and/or exhibits in pdf format.
- 6 (six) - 11" x 17" hard copy reductions with required corrections

4th and subsequent submittal(s)

- 2 (two) - 24" x 36" folded (approximately 8" x 12") copies with required corrections.
- A fee equal to the original submission fee

When staff has determined the application is complete and accepted for final approval

- 30 (thirty) - 24" x 36" folded copies of Zoning Concept Plan and any/all other required Plan Exhibits
- 4 (four) - 11" x 17" Z folded copies.
- An electronic copy (8 1/2 x 11 size) in pdf format.
- Labels of an appropriate size for mailing, with current property owner(s) name and address, of any property located within 500' of all property lines.
- A copy of the affected parcels on a CollinCad generated map.
- Any changes made after Planning & Zoning review and before City Council review will require:
 - 15 (fifteen) - 24" x 36" copies of each Plan, folded to approximately 8" x 12"
 - 4 (four) - 11" x 17" or "12 x 18" reductions of each plan tri- or Z-folded.
 - An electronic copy of all plans in pdf format



Zoning Exhibit Checklist

Minimum Requirements

Project Name: 2300 Songbird Trail ADU

Preparer: Michael Westfall

This checklist is provided to assist you in addressing the minimum requirements for a zoning or rezoning 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 initialing the box next to the required information. Initialing each item certifies to the City that you have completely and accurately addressed the issue. Return this form at the time of application submittal.

A zoning/rezoning request and associated 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.

For Zoning or Rezoning to a Straight Zoning District

Location/vicinity map showing the location of the proposed zoning with cross streets is included. Indicate scale or not to scale (NTS) and provide north arrow.

Abstract lines, survey lines, county lines, corporate boundaries are correctly shown and clearly labeled.

Statement of purpose and intent of the zoning or rezoning that includes:

- Land Use(s) proposed
- Existing and proposed zoning
- Impact of uses(s) on the transportation system. NOTE: The City will determine if a Traffic Impact Analysis (TIA) is required.
- Impact of the use(s) on water and wastewater utilities (e.g. provide statement as to general availability).
- Impact on land use(s) adjacent to the rezoning request.
- Conformance to the Comprehensive Plan.
- Other information as required by City staff, Planning & Zoning Commission, and/or City Council
- If a residential use, the density of the proposal and density of adjacent residential use(s).

Adjacent zoning and existing land use(s) within 500 feet is indicated.

Adjacent driveways, streets, roads and other thoroughfares within 500 feet of the property are shown and labeled.

A note stating that development of the site will be in accordance with City of Lucas development standards.

Provide an electronic file (pdf) of Legal Description/Metes & Bounds Description with labeling at top of document.

Mailing labels of an appropriate size for mailing, with current property owner(s) name and address, of any property located within 500 feet of all property lines of subject property.



Zoning Exhibit Checklist

Minimum Requirements (continued)

For Special Use Permit (SUP) Requests, Conditional Use Permit (CUP) Requests and Planned Development / Zoning District Requests or Amendments

- Zoning boundary is indicated by a heavy solid line, intermittent with 2 dash lines; dimensioned with bearing(s) and distance(s).
- A title block in the lower right corner that includes large, boldly printed "ZONING CONCEPT PLAN - EXHIBIT B", owner and engineer(s), architect(s), and/or surveyor(s) names, addresses and phone numbers, project name, total acreage, survey name and abstract number (Addition Name & Lot and Block info if platted property), Collin County, submission date, and a log of submittal/revision dates since submitted to the City. A note shall be affixed to the Zoning Concept Plan as follows:

"This Concept Plan is for illustrative purposes only and subject to change. This Concept Plan, along with development regulations (for Planned Development requests), are intended to describe the intent of the Planned Development. Significant deviations from this Concept Plan, as determined by the Development Services Director, will require an amendment to the Concept Plan and, as necessary, the development regulations."
- Location/vicinity map showing the location of the proposed zoning request/change with cross streets is included.
- Indicate scale or not to scale (NTS) and provide north arrow.
- Written and bar graph scale, and north arrow are indicated. North shall be oriented to the top or left side of the sheet.
- Abstract lines, survey lines, corporate boundaries are correctly shown and clearly labeled.
- Statement of purpose and intent of the rezoning that includes:
 - Land use(s) proposed
 - Existing and proposed zoning and land use
 - Impact of uses(s) on the transportation system.NOTE: The City will determine if a Traffic Impact Analysis (TIA) is required.
 - Impact of the use(s) on water and wastewater utilities (e.g. provide statement as to general availability).
 - Impact on land use(s) adjacent to the rezoning request.
 - Conformance to the Comprehensive Plan.
 - Other information as required by City staff, Planning & Zoning Commission, and/or City Council
- Adjacent zoning and existing land use(s) within 500 feet is indicated.
- Adjacent driveways, streets, roads and other thoroughfares within 500 feet of the project are shown.
- Concept Plan that includes the following:
 - Land use(s) proposed (building footprint(s) are to be graphically shown).
 - Thoroughfares as depicted on the Master Thoroughfare Plan (MTP) within and adjacent to the site are accurately located, named and dimensioned. Existing is to be shown as a light, solid line; proposed shown as a medium weight solid line.
 - Medians, left-turn lanes, median openings, curb cuts, acceleration/deceleration lanes within 200 feet of the property are accurately located, labeled, and dimensioned. Existing is to be shown as a light, solid line; proposed shown as a medium weight solid line.
 - If a structure is proposed, or proposed to remain, a minimum and maximum square footage (if no definitive/specific user(s) are identified at this time) is indicated for the structure(s).
 - If a structure is proposed, or proposed to remain, the use, approximate location, and square footage of each building is provided.
 - If a residential use, the density of the proposal and density of adjacent residential use(s).
 - Project phasing lines.
 - Other pertinent data as may be required by City staff, Planning and Zoning Commission, and/or City Council.
 - Location of present, future or proposed public dedication of parks, open space, etc.
- Mailing labels of an appropriate size for mailing, with current property owner(s) name and address, of any property located within 500 feet of all property lines of subject property.



Zoning Exhibit Checklist

Minimum Requirements (continued)

Special Use Permit (SUP) and Conditional Use Permit (CUP) requests shall also include the following items in table format on the Zoning Concept Plan (Exhibit “B”) and those specified in items 1 thru 10 above as applicable:

- Existing/proposed Lot Number(s)
- Lot area specified in square feet and acreage
- Building square footage (Indication of Minimum and Maximum suggested if no definitive/specific user(s) identified at this time)
- Proposed use for each proposed building by category of use (e.g. retail, medical office, restaurant with or without drive-thru, convenience store, bank with drive-thru, church, etc.)
- Parking count required and specified per use(s) with required ratio indicated

Planned Development (PD) Zoning District requests shall also include Development Regulations (labeled/titled Exhibit “C”) with the following:

- Hard copy (8 ½” X 11”) and pdf file on disk is provided.
- List of proposed land uses
- Proposed use(s) for each building (non-residential and mixed-use development) by category of use (e.g. retail, professional office, medical office, church, restaurant, bank with drive through, etc.)
- Maximum square footage of each building (non-residential uses)
- Minimum lot area (residential uses)
- Minimum lot width (residential uses)
- Minimum lot depth (residential uses)
- Heights and stories
- Maximum lot coverage percentage
- Maximum lot count (residential uses)
- Minimum house size square footage excluding garages and breezeways
- Fencing requirements indicated
- Garage type(s) indicated (e.g. front entry, rear entry alley served, “J”-hook, etc.)
- Accessory Building regulations
- Subdivision Ordinance waiver/modification requests are specifically listed.
- Parking count required specified per use(s) with required ratio indicated
- Parking count provided
- Statement is provided indicating that all current development requirements of the City as amended shall be met unless approved otherwise within these Planned Development Zoning District Development Regulations.
- Hard copy (8 ½” X 11”) and electronic file (pdf) of Legal Description/Metes & Bounds Description with labeling at top of document indicating Exhibit “A” is provided.
- Mailing labels of an appropriate size for mailing, with current property owner(s) name and address, of any property located within 500 feet of all property lines.

NOTE: DEVIATIONS FROM CURRENT DEVELOPMENT STANDARDS/REGULATIONS NOT SPECIFICALLY ADDRESSED/LISTED FOR APPROVAL AS PART OF PLANNED DEVELOPMENT REGULATIONS MAY REQUIRE A HEARING/APPROVAL BY THE BOARD OF ADJUSTMENT (BOA).



ZONING APPLICATION

City of Lucas, Texas

Name of Project: 2300 Songbird Trail

	Application Fee
<u> </u> Initial Zoning (newly annexed or agricultural property) per classification	\$450.00
<u> </u> Rezoning (property currently zoned) per classification	\$450.00
<u> x </u> Specific Use Permit (SUP) - see Zoning Ordinance for special requirements and procedures	\$450.00

Physical Location of Property: 2300 Songbird Trail
[Address and General Location – approximate distance to nearest existing street corner]

Brief Legal Description of Property (must also attach accurate metes and bounds description):
4.920 Acres John W. Kirby Survey, A-506
[Survey/Abstract No. and Tracts; or platted Subdivision Name with Lots/Block]

Collin County Appraisal District Short Account Number: R650600003401

Acreage: 4.92 Existing Zoning: R1 Requested Zoning: R1 w/ SUP for ADU (max 1,500sf)
[Attach a detailed description of requested zoning]

OWNER(S) NAME: Michael Westfall Phone Number: 214-846-9397

Applicant / Contact Person: Michael Westfall Title: _____

Company Name: _____

Mailing Address: 2405 Songbird Trail City: Lucas State: TX ZIP: 75002

Phone: (214) 846-9397 Fax: () Email Address: mwestfall@westfalleng.com

ENGINEER(S) / REPRESENTATIVE(S) NAME: Same

Contact Person: _____ Title: _____

Company Name: _____

Mailing Address: _____ City: _____ State: _____ ZIP: _____

Phone: () Fax: () Email Address: _____



ZONING APPLICATION (continued)

Name of Project: 2300 Songbird Trail AUD

****READ BEFORE SIGNING BELOW:** If there should be 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 is required. (Notaries are available upon submittal.)

SUBMITTAL DEADLINE: 30 DAYS PRIOR TO P&Z PUBLIC HEARING DATE. All zoning applications must be advertised in the newspaper, and notices must be mailed to all property owners within 500 feet of the subject property. Please contact City staff in advance for submittal deadlines.

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 submitted, application fees, etc. Please contact City staff in advance for submittal requirements. [Drawings will not be returned to applicant.]

SUBMISSIONS. Failure to submit all materials to the City with this application will result in delays scheduling the agenda date.

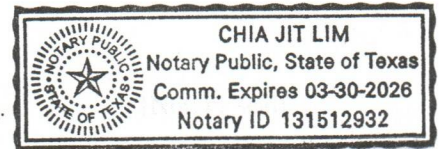
NOTICE OF PUBLIC RECORDS. The submission of plans/drawings/etc. with this application makes such items public record, and the applicant understands that these items may be viewed by the general public. Unless the applicant expressly states otherwise in writing, submission of this application (with associated plans/drawings/etc.) will be considered consent by the applicant that the general public may view and/or reproduce (i.e., copy) such documents.

ALL PARCELS/PROPERTIES MUST MATCH IN ACREAGE ALL OTHER DOCUMENTS SUBMITTED, WITH NO AMBIGUITY.

STATE OF TEXAS }
COUNTY OF COLLIN }

BEFORE ME, a Notary Public, on this day personally appeared Michael Westfall 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 denial."

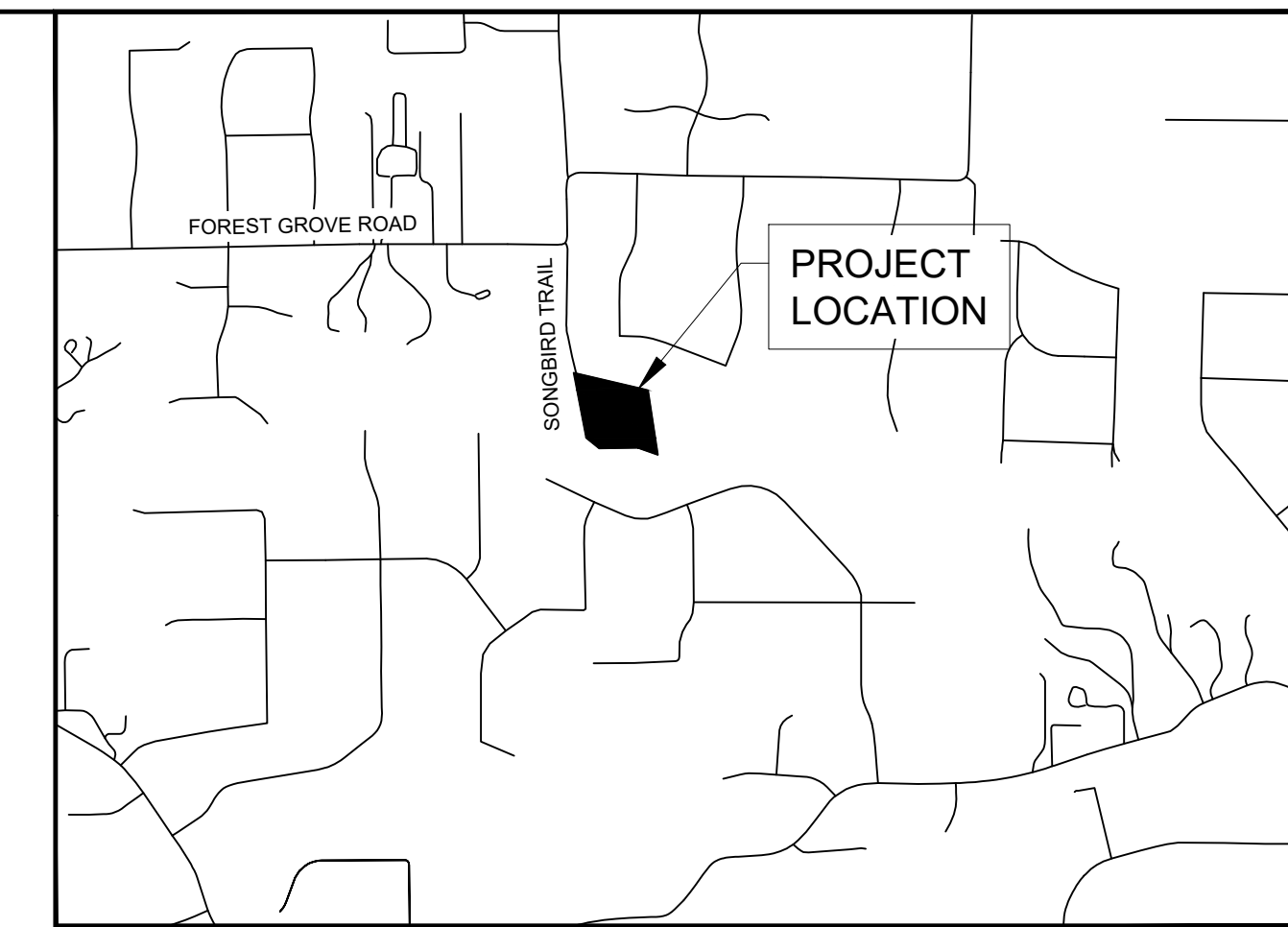
Michael Westfall
**Owner / Agent (circle one)



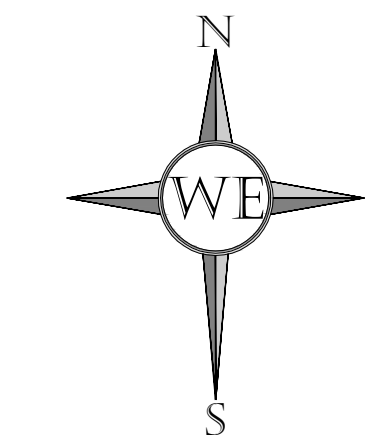
SUBSCRIBED AND SWORN TO before me, this the 14 day of February, 2026.

Notary Public in and for the State of Texas: [Signature]

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



VICINITY MAP
N.T.S.



GRAPHIC SCALE
1" = 50'

SITE DATA TABLE

EXISTING ZONING:	R1
PROPOSED LAND USE	R1 WITH SUP
LOT AREA	214,317.76 SF, 4.92 AC
IMPACT OF USES ON TRANSPORTATION PLAN	NEGLIGIBLE
IMPACT OF THE USE ON WATER AND WASTEWATER UTILITIES	NEGLIGIBLE
CONFORMANCE TO THE COMPREHENSIVE PLAN	YES

NOTE:

1. THIS CONCEPT PLAN IS FOR ILLUSTRATIVE PURPOSES ONLY AND SUBJECT TO CHANGE. THIS CONCEPT PLAN, ALONG WITH DEVELOPMENT REGULATIONS (FOR PLANNED DEVELOPMENT REQUESTS), ARE INTENDED TO DESCRIBE THE INTENT OF THE PLANNED DEVELOPMENT. SIGNIFICANT DEVIATIONS FROM THIS CONCEPT PLAN, AS DETERMINED BY THE DEVELOPMENT SERVICES DIRECTOR, WILL REQUIRE AN AMENDMENT TO THE CONCEPT PLAN AND, AS NECESSARY, THE DEVELOPMENT REGULATIONS.
2. DEVELOPMENT OF THE SITE WILL BE IN ACCORDANCE WITH CITY OF LUCAS DEVELOPMENT STANDARDS.

ZONING CONCEPT PLAN - EXHIBIT B

BEING 4.92 ACRES

SITUATED IN THE

J.W. KERBY SURVEY, ABSTRACT NO. 506

CITY OF ALLEN, COLLIN COUNTY, TEXAS

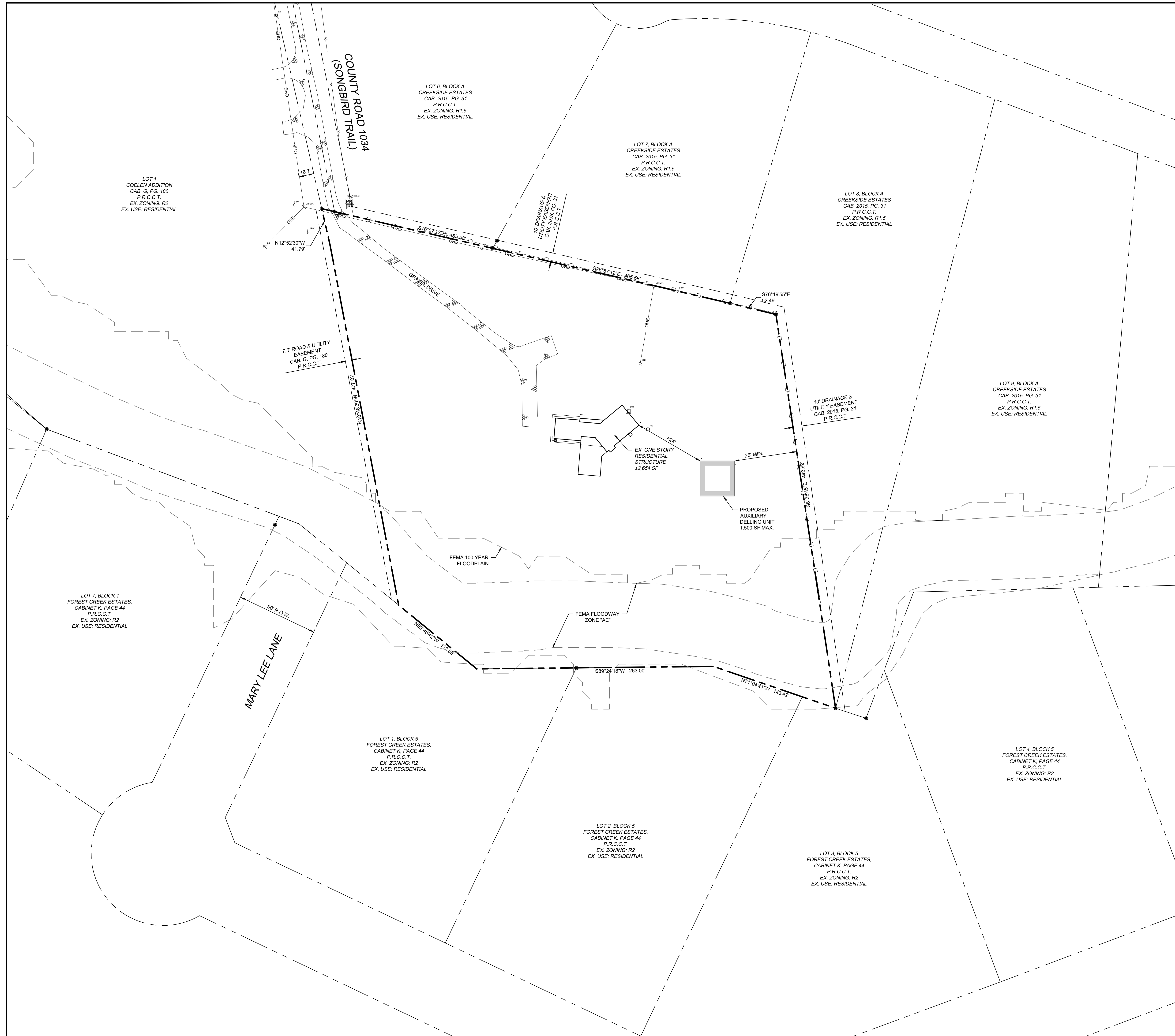
DATED: FEBRUARY 16, 2024

OWNER:
MICHAEL AND AMANDA WESTFALL
2300 SONGBIRD TRAIL
LUCAS, TEXAS 75002
PHONE NO. (214) 301-2089

WESTFALL
ENGINEERING

1719 ANGEL PARKWAY
STE 400-206, ALLEN, TX 75002
PHONE NO. (214) 846-9397
TBP E FIRM REG. #19101

No.	DATE	REVISIONS



Location Map





**City of Lucas
City Council Agenda Request
April 2, 2026**

Requester: Joe Hilbourn, Development Services Director

Agenda Item Request:

Conduct a public hearing to consider Ordinance 2026-04-01044, a request submitted by James Roberts with Goose Real Estate on behalf of Sergio Villarreal to rezone a parcel of land from Agricultural and Open Space (AO) to R-2 (Single-family residential 2-acre lots), being a tract of land 17.485 acres in size out of the D James Survey Abstract No A0477, Tract 31 in the City of Lucas, Collin County Texas.

- A. Presentation by Joe Hilbourn, Development Services Director
- B. Conduct public hearing
- C. Take action on public hearing item
(Joe Hilbourn, Development Services Director)

Background Information:

The property is located on the north side of Snider Lane across from the entrance of Lakeview Downs on Driftwood Land, is currently zoned Agricultural and Open Space (AO) to be rezoned as Single-family residential 2-acre lots (R-2). This zoning is consistent with the City's approved Comprehensive Plan, which designates the area for future R-2 residential land use.

The requested zoning change is consistent with the City's comprehensive plan and current zoning ordinances. The applicant intends to establish a Homeowners Association (HOA) at the time of platting to implement and enforce development standards and restrictive covenants to ensure long-term quality and consistency within the neighborhood. The developer is committed to constructing a private street with a 50 foot road easement dedicated to the HOA as a separate lot to adequately serve the development. Minimal impact to water infrastructure is anticipated, as the water line along Snider Lane was recently upgraded to an 8-inch main capable of supporting the proposed development. The overall proposed density is 0.50 units per acre.

Attachments/Supporting Documentation:

1. PUBLIC HEARING NOTICE - Villarreal Rezoning
2. Rezoning Application
3. Zoning Exhibit
4. Location Map
5. Ordinance# 2026-04-01044

Budget/Financial Impact:

N/A

Recommendation:

The planning and zoning commission voted unanimously to approve the request to rezone the properties from AO to R2.

Motion:

I hereby make a motion to approve/deny Ordinance 2026-04-01044, the request submitted by James Roberts with Goose Real Estate on behalf of Sergio Villarreal to rezone a parcel of land from Agricultural and Open Space (AO) to R-2 (Single-family residential 2-acre lots), being a tract of land 17.485 acres in size out of the D James Survey Abstract No A0477, Tract 31 in the City of Lucas, Collin County Texas.



PUBLIC HEARING NOTICE

NOTICE IS HEREBY GIVEN, that the City Council of the City of Lucas, Texas will conduct a public hearing on Thursday, March 12, 2026 at 6:30 p.m. and City Council will conduct a second public hearing on Thursday, April 2, 2026 at 6:30 p.m. at Lucas City Hall, 665 Country Club, Lucas, Texas to consider the request submitted by James Roberts with Goose Real Estate on behalf of Sergio Villarreal to rezone a parcel of land from Agricultural and Open Space (AO) to R-2 (Single-family residential 2-acre lots), being a tract of land 17.485 acres in size out of the D James Survey Abstract No A0477, Tract 31 in the City of Lucas, Collin County Texas.

SITUATED in the State of Texas and County of Collin, being part of the T. D. James Survey, Abstract No. 477, being a resurvey of a 17.5 acre tract recorded in Volume 929, Page 711 of the Deed Records of Collin County, Texas and being more particularly described as follows:

BEGINNING at a ½-inch iron rod found marking the southwest comer of said premises, said comer being in an asphalt road known as County Road 319;

THENCE departing said road and with the west line of said premises, North 00°33'00" East, 1315.30 feet to a 5/8-inch iron rod found marking the northwest comer of said premises;

THENCE with the north line of said premises and part way with the remnants of an old fence, South 89°22'35" East, 580.42 feet to a ½-inch iron rod found marking the northeast comer of said premises and being in an 11-inch hackberry tree;

THENCE with the east line of said premises, South 00°33'39" West, 1309.63 feet to a ½-inch iron rod found in the center of said road;

THENCE with the south line of said premises and said road, North 89°56'11" West, 580.20 feet to the place of beginning and containing 17.485 acres of land.

Those wishing to speak FOR or AGAINST this annexation are invited to attend. If you are unable to attend and have any comments you may send them to City Hall, Attention: City Secretary, Toshia Kimball, 665 Country Club Road, Lucas, Texas, 75002, email tkimball@lucastexas.us and it will be presented at the public hearing. If you have any questions about the above hearing, you may contact Development Services Director, Joe Hilbourn at jhilbourn@lucastexas.us.



Zoning Exhibit Checklist

Minimum Requirements

Project Name: Villarreal Estates

Preparer: Bill Perman, JP Engineering

This checklist is provided to assist you in addressing the minimum requirements for a zoning or rezoning 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 initialing the box next to the required information. Initialing each item certifies to the City that you have completely and accurately addressed the issue. Return this form at the time of application submittal.

A zoning/rezoning request and associated 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.

For Zoning or Rezoning to a Straight Zoning District

- Location/vicinity map showing the location of the proposed zoning with cross streets is included. Indicate scale or not to scale (NTS) and provide north arrow.
- Abstract lines, survey lines, county lines, corporate boundaries are correctly shown and clearly labeled.
- Statement of purpose and intent of the zoning or rezoning that includes:
 - Land Use(s) proposed
 - Existing and proposed zoning
 - Impact of uses(s) on the transportation system. NOTE: The City will determine if a Traffic Impact Analysis (TIA) is required.
 - Impact of the use(s) on water and wastewater utilities (e.g. provide statement as to general availability).
 - Impact on land use(s) adjacent to the rezoning request.
 - Conformance to the Comprehensive Plan.
 - Other information as required by City staff, Planning & Zoning Commission, and/or City Council
 - If a residential use, the density of the proposal and density of adjacent residential use(s).
- Adjacent zoning and existing land use(s) within 500 feet is indicated.
- Adjacent driveways, streets, roads and other thoroughfares within 500 feet of the property are shown and labeled.
- A note stating that development of the site will be in accordance with City of Lucas development standards.
- Provide an electronic file (pdf) of Legal Description/Metes & Bounds Description with labeling at top of document.
- Mailing labels of an appropriate size for mailing, with current property owner(s) name and address, of any property located within 500 feet of all property lines of subject property.



ZONING APPLICATION

City of Lucas, Texas

Name of Project: _____

	Application Fee
<input checked="" type="checkbox"/> Initial Zoning (newly annexed or agricultural property) per classification	\$450.00
<input type="checkbox"/> Rezoning (property currently zoned) per classification	\$450.00
<input type="checkbox"/> Specific Use Permit (SUP) - see Zoning Ordinance for special requirements and procedures	\$450.00

Physical Location of Property: along the north side of Snider Ln approximately 450 feet west of Highland Park

[Address and General Location – approximate distance to nearest existing street corner]

Brief Legal Description of Property (must also attach accurate metes and bounds description):

ABS A0477 T D JAMES SURVEY, TRACT 31, 17.485 ACRES

[Survey/Abstract No. and Tracts; or platted Subdivision Name with Lots/Block]

Collin County Appraisal District Short Account Number: 1067197

Acreage: 17.485 Ac Existing Zoning: AO Requested Zoning: R2

[Attach a detailed description of requested zoning]

OWNER(S) NAME: SERGIO VILLARREAL Phone Number: 972-900-2968

Applicant / Contact Person: James Roberts Title: Developer

Company Name: Goose Real Estate

Mailing Address: 1200 Kempton Park City: Fairview State: Tx ZIP: 75069

Phone: () 614 306-4246 Fax: () _____ Email Address: roberts.james321@gmail.com

ENGINEER(S) / REPRESENTATIVE(S) NAME: JP Engineering

Contact Person: Bill Perman Title: VP

Company Name: JP Engineering

Mailing Address: 700 S Central Expwy STE 400 City: Allen State: Tx ZIP: 75013

Phone: () 972-467-7505 Fax: () _____ Email Address: bperman@jp-eng.biz



ZONING APPLICATION (continued)

Name of Project: Villarreal Estates

****READ BEFORE SIGNING BELOW:** If there should be 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 is required. (Notaries are available upon submittal.)

SUBMITTAL DEADLINE: 30 DAYS PRIOR TO P&Z PUBLIC HEARING DATE. All zoning applications must be advertised in the newspaper, and notices must be mailed to all property owners within 500 feet of the subject property. Please contact City staff in advance for submittal deadlines.

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 submitted, application fees, etc. Please contact City staff in advance for submittal requirements. [Drawings will not be returned to applicant.]

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.

ALL PARCELS/PROPERTIES MUST MATCH IN ACREAGE ALL OTHER DOCUMENTS SUBMITTED, WITH NO AMBIGUITY.

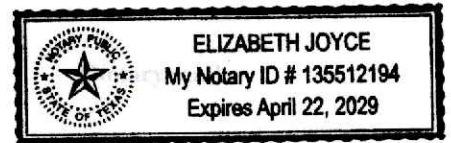
STATE OF TEXAS)
COUNTY OF COLLIN)

BEFORE ME, a Notary Public, on this day personally appeared SERGIO VILLARREAL 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 denial."

S. Villarreal

**Owner / Agent (circle one)

SUBSCRIBED AND SWORN TO before me, this the 11th day of February, 2026



Notary Public in and for the State of Texas: Elizabeth Joyce

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

PROPERTY OWNER AUTHORIZATION

SUBJECT PROPERTY DESCRIPTION

Project Name: Villarreal Estates

Property Address: Along the north side of Snider Ln
approximately 450 feet west of Highland Park

OWNER AUTHORIZATION

1. I hereby certify that all information contained within this application is true and correct to the best of my knowledge.
2. I hereby certify that I am the owner of the subject property or the duly authorized agent of the owner of the subject property for the purpose of this application.
3. I hereby designate the person named as the applicant of this application, if other than myself, to file this application and to act as the principal contact person with the City of Lucas.
4. I hereby authorize the City of Lucas, its agents or employees, to enter the subject property at any reasonable time for the purpose of 1) Erecting, maintaining, or removing "Change of Zoning" signs, which indicate that a zoning amendment is under consideration and which indicate how further information may be obtained, and 2) Taking photographs documenting current use and current conditions of the property; and further, I release the City of Lucas, its agents or employees from liability for any damages which may be incurred to the subject property in the erecting, maintaining, or removal of said signs or the taking of said photographs.

Property Owner: SERGIO VILLARREAL

Phone Number: 972-900-2968

Address: 1909 NORTH CREST DR

Email Address: serge.villarreal@yahoo.com

PLANO, TX 75075

Date: 2/10/2026

Signature: 

June 1, 2023

City of Lucas
Development Services
165 Country Club Road
Lucas, Texas 75002-7663

Attn: Joe Hilbourn

Re: Zoning Request – Lucas Single Family Subdivision

Dear Joe:

We would like to request a Zoning Change from AO to Straight Zoning District R2 for a tract of land 17.485 acres in size out of the D James Survey Abstract No AO477, Tract 31 in the City of Lucas, Collin County Texas. It is our intent to develop and plat this tract in accordance with the City's standard building codes and the City's Current Zoning Ordinance at the time of development. The current Zoning for the property is AO. We would like to note that our base Standards would be in accordance with the current Single family R2 standards as outlined in the ordinances of the City of Lucas. We intend to build a quality product that meets or exceeds the City of Lucas standards and will fit within the surrounding areas of recent development regarding construction and appearance of product. We also intend to provide a Homeowners Association to set standards and covenants for this development at the time of platting. We are committed to also building a private street with a 50-foot right-of-way that would serve this development.

It is anticipated for this development to have little impact on water as the water line in Snider Lane was recently upgraded to an 8-inch line.

Our request for R2 Zoning will align with the areas surrounding this tract of land for use and density. Proposed Density is 0.50 units per acre. 2 Acres will be the minimum Residential Lot size developed.

Attached separately is an Authorization Letter from the current landowner allowing Goose Real Estate, James Roberts, to act on his behalf in this Zoning Request.


Project Contact List
James Roberts, Developer
Bill Perman, Project Manager

roberts.james321@gmail.com
bperman@jp-eng.biz

614-306-4246
972-467-7505

Sincerely,

Goose Real Estate

By: 
James Roberts
Developer

Description

SITUATED in the State of Texas and County of Collin, being part of the T. D. James Survey, Abstract No. 477, being a resurvey of a 17.5 acre tract recorded in Volume 929, Page 711 of the Deed Records of Collin County, Texas and being more particularly described as follows:

BEGINNING at a ½-inch iron rod found marking the southwest corner of said premises, said corner being in an asphalt road known as County Road 319;

THENCE departing said road and with the west line of said premises, North 00°33'00" East, 1315.30 feet to a 5/8-inch iron rod found marking the northwest corner of said premises;

THENCE with the north line of said premises and part way with the remnants of an old fence, South 89°22'35" East, 580.42 feet to a ½-inch iron rod found marking the northeast corner of said premises and being in an 1 1/2 -inch hackberry tree;

THENCE with the east line of said premises, South 00°33'39" West, 1309.63 feet to a ½-inch iron rod found in the center of said road;

THENCE with the south line of said premises and said road, North 89°56'11" West, 580.20 feet to the place of beginning and containing 17.485 acres of land.



Lucas

***** Customer Receipt *****

Date: 2/25/2026

Project Number: PZ-2026-4

ABS A0477 T D JAMES SURVEY, TRACT 31, 17.485 ACRES
Lucas TX 75002

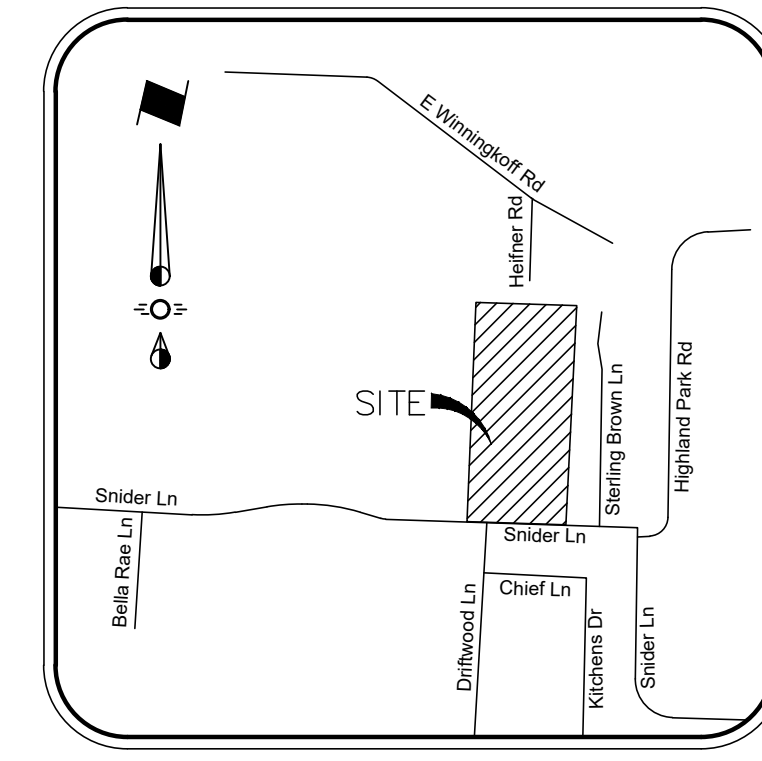
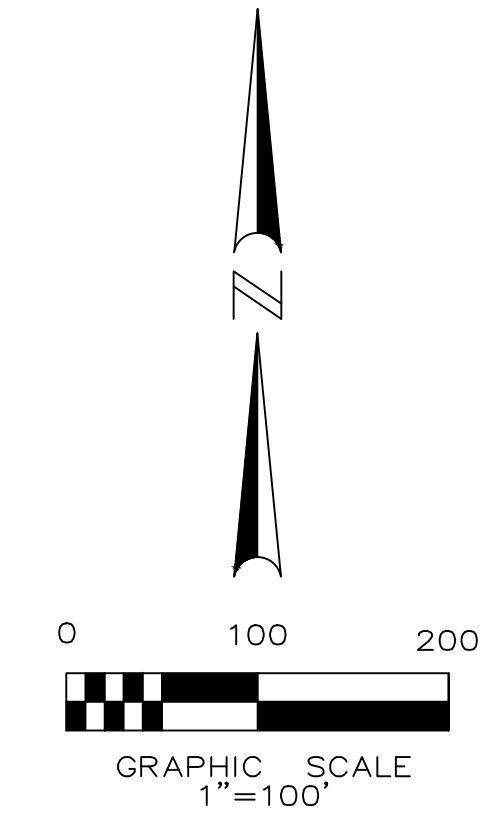
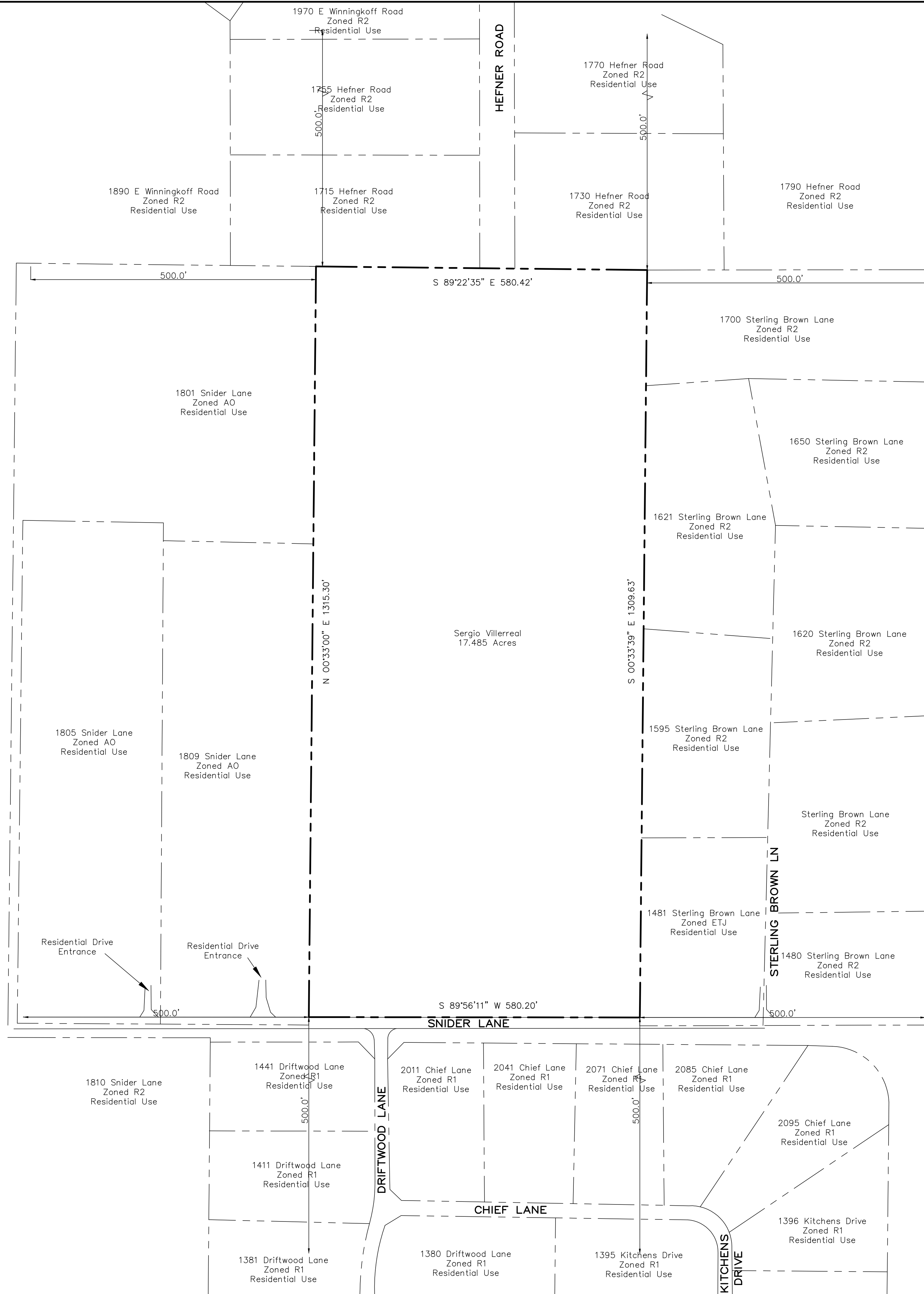
Paid By:
Goose Real Estate
James Roberts
1200 Kempton Park, Fairview, TX 75069

Payments

Payment ID	Received Date	Payment Type	Reference Num	Fee	Quantity	Amount
16712754	2/18/2026	Check	1383	Initial Zoning	0.0000	\$450.00
						\$450.00
Total					0.0000	\$450.00

***** Thank you for your payment *****

THIS IS NOT A PERMIT. This receipt does not authorize you to begin construction on your project.



Vicinity Map
NTS

SYNOPSIS

Land Use Proposed: Residential Lots
 Existing Zoning: A0
 Proposed Zoning: R2
 Land Area: 17.485 Acres
 Proposed Density: 0.50 units per acre

NOTES:

The Proposed Zoning, R2, Conforms to the Current Comprehensive Land Plan
 The Proposed Development of this site will be in accordance with City of Lucas development Standards.
 This Concept Plan is for illustrative purposes only and subject to change. This Concept Plan, along with development regulations (for Planned Development requests), are intended to describe the intent of the Planned Development. Significant deviations from this Concept Plan, as determined by the Development Services Director, will require an amendment to the Concept Plan and, as necessary, the development regulations.

ZONING CONCEPT PLAN - EXHIBIT B
VILLARREAL ESTATES
 17.485 Acres
 TD James Survey Abstract No. 477
 City of Lucas, Collin County, Texas

DEVELOPER

Goose Real Estate, Inc
 1200 Kempton Park
 Fairview, TX 75069
 (614) 306-4246
 Contact: James Roberts

ENGINEER:

JP Engineering
 700 S Central Expwy Ste 400
 Allen, Texas 75013
 Phone (972) 467-7505
 Contact: Bill Perman
 Project Manager

SURVEYOR

Traverse Land Surveying
 359 Lake Park Road, Suite 102,
 Lewisville, Texas 75057
 Phone (469) 784-9321
 Contact: Grayson CeBallos

JP Engineering
 700 S Central Expressway, Suite 400 Allen, Texas 75013 972-467-7505
 Texas P.E. Firm Number 14021

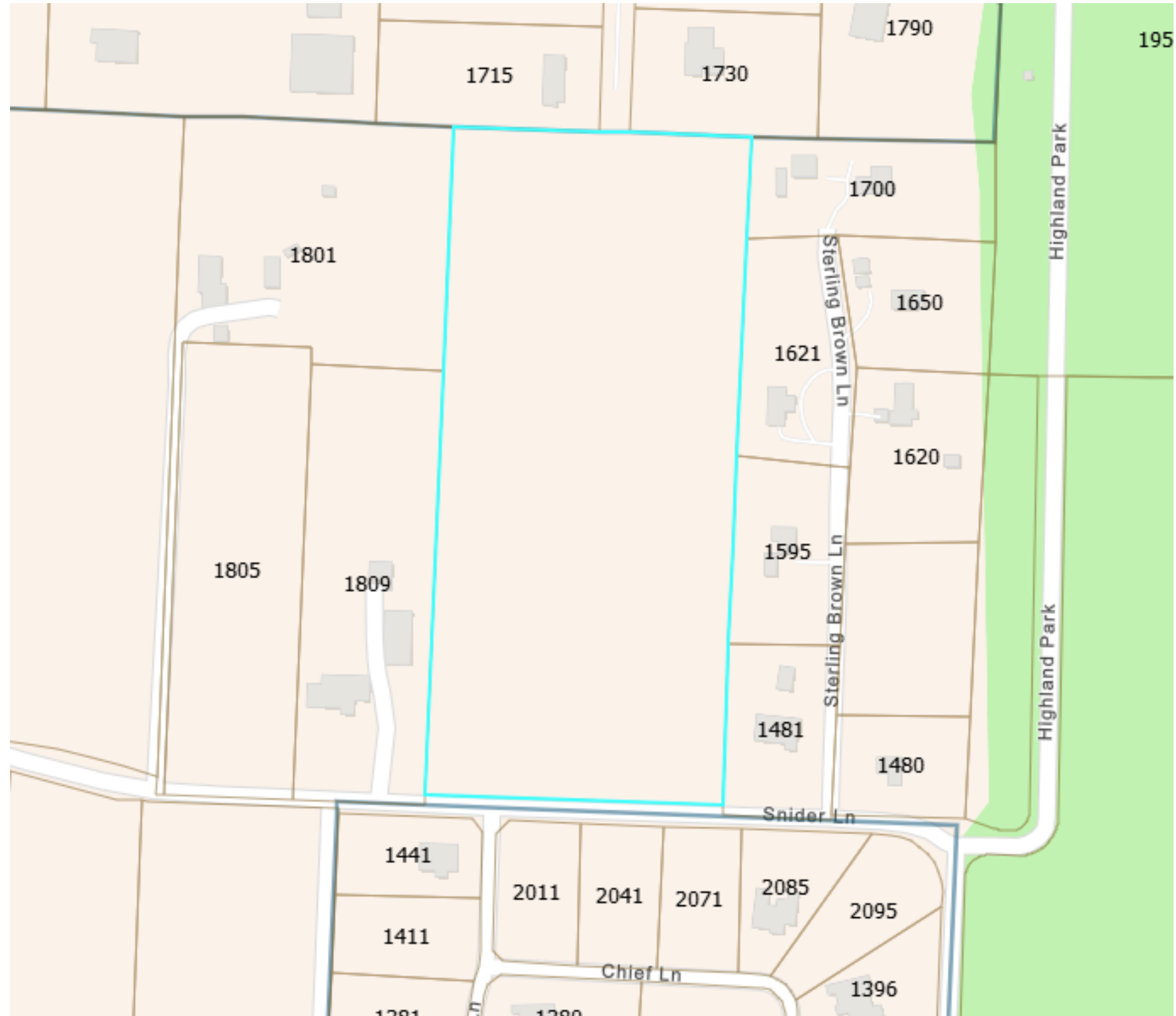
VILLARREAL ESTATES
 TD James Survey Abstract No. 477
 City of Lucas, Collin County, Texas
ZONING EXHIBIT

No.	Date	Revision

Scale: 1" = 100'
 File Name: Zoning Exhibit
 Date: 2/18/2026
 Project No.: 26001

Sheet of **ZE**

Villerreal Location Map



ORDINANCE # 2026-04-01044
[CHANGE IN ZONING – ±17.485 ACRES, VILLARREAL ESTATES]

AN ORDINANCE OF THE CITY OF LUCAS, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP OF THE CITY OF LUCAS, AS HERETOFORE AMENDED, SO AS TO GRANT A CHANGE IN ZONING CLASSIFICATION FROM AGRICULTURAL AND OPEN SPACE (AO) TO SINGLE-FAMILY RESIDENTIAL, 2-ACRE LOTS (R-2) ON A PARCEL OF LAND BEING PART OF THE T.D. JAMES SURVEY, ABSTRACT 477, IN THE CITY OF LUCAS, COLLIN COUNTY, TEXAS AND RECORDED IN VOLUME 3931, PAGE 807 OF THE DEED RECORDS OF COLLIN COUNTY, TEXAS; PROVIDING A CONFLICTS CLAUSE; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission of the City of Lucas, Texas and the City Council of the City of Lucas, Texas, in compliance with the laws of the State of Texas with reference to the granting of zoning classifications and changes, have given the requisite notices by publication and otherwise, and have held due hearings and afforded a full and fair hearing to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof, and the City Council of the City of Lucas, Texas is of the opinion and finds that said zoning change should be granted and that the Comprehensive Zoning Ordinance and Map should be amended;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LUCAS, TEXAS:

Section 1. The Comprehensive Zoning Ordinance and Map of the City of Lucas, Texas, are hereby amended to grant a change in zoning from Agricultural and Open Space (AO) to Single-family Residential 2-acre lots (R-2) on a parcel of land, being part of the T.D. James Survey, Abstract No. 477, in the City of Lucas, Collin County, Texas, being recorded in Volume 3931, Page 807 of the Deed Records of Collin County, Texas and being more particularly described and depicted on Exhibit “A” and Exhibit “B”, attached hereto and made part hereof for all purposes.

Section 2. To the extent of any irreconcilable conflict with the provisions of this ordinance and other ordinances of the City of Lucas governing the use and development of the Property and which are not expressly amended by this ordinance, the provisions of this ordinance shall be controlling.

Section 4. That all ordinances of the City of Lucas in conflict with the provisions of this Ordinance shall be, and same are hereby, repealed, provided, however, that all other provisions of said Ordinances are not in conflict herewith shall remain in full force and effect.

Section 5. That should any word, sentence, paragraph, subdivision, clause, phrase or section of this Ordinance or of the City of Lucas Code of Ordinances, as amended hereby, be adjudged or held to be voided or unconstitutional, the same shall not affect the validity of the remaining

portions of said Ordinances or the City of Lucas Code of Ordinances, as amended hereby, which shall remain in full force and effect.

Section 6. An offense committed before the effective date of the Ordinance is governed by prior law and the provisions of the City of Lucas Code of Ordinances in effect when the offense was committed and the former law is continued in effect for this purpose.

Section 7. That any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in the Code of Ordinances, as amended, and upon conviction in the municipal court shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense, and each and every day such violation shall continue shall be deemed to constitute a separate offense.

Section 8. That this Ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Lucas, and it is accordingly so ordained.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF LUCAS, COLLIN COUNTY, TEXAS, ON THIS _____ DAY OF _____, 2026.

APPROVED:

Dusty Kuykendall, Mayor

APPROVED AS TO FORM:

ATTEST:

Joseph J. Gorfida, Jr.
(2-20-26; cgm)

Toshia Kimball, City Secretary

EXHIBIT "A"
Property Description

BEING a 17.547 acre tract of land situated in the T.D. James Survey, Abstract Number 477, City of Lucas, Collin County, Texas and recorded in Volume 3931, Page 807, Deed Records Collin County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod found for corner in the most southeasterly corner of said subject tract, same being the most southwesterly corner of Gustavo Sebran, et al, recorded in Document Number 20191220001626370, Deed Records Collin County, Texas, also being a point in the most northerly Right-of-Way line of Snider Lane (variable width Right-of-Way);

THENCE North 88 degrees 54 minutes 40 seconds West, along the most southerly line of said subject tract, 580.33 feet to a "PK" Nail set for corner in the most southwesterly corner of said subject tract, same being the most southeasterly corner of Lowell H. Enloe, recorded in Document Number 201405120004662000, Deed Records Collin County Texas, also being a point in the most northerly Right-of-Way line of said Snider Lane;

THENCE departing from said Snider Lane, along the most westerly line of said subject tract, the following two (2) courses and distances:

North 01 degrees 30 minutes 32 seconds East, a distance of 840.97 feet to a 1/2 inch iron rod found for corner;

North 01 degrees 32 minutes 05 seconds East, a distance of 473.38 feet to a 5/8 inch iron rod found for corner in the most northwesterly corner of said subject tract, same being the most northeasterly corner of Donovan Hoang Ngyuen, Document Number 2025000028869, Deed Records Collin County, Texas, also being a point on the most southerly line of Goose Real Estate, Inc., recorded in Document Number 20161010001367210, Deed Records Collin County, Texas;

THENCE South 89 degrees 20 minutes 36 seconds East, along the most northerly line of said subject tract, 282.66 feet passing a 5/8 inch iron rod found for corner, continuing 60.00 feet to a capped 5/8 inch iron rod stamped "RPLS 6081" found for corner, and continuing a total distance of 580.61 feet to a capped 5/8 inch iron rod stamped "RPLS 5587" found for corner in the most northeasterly corner of said subject tract, same being a point on the most southerly line of said Goose Real Estate, Inc., also being the most northwesterly corner of David R. Jenkins, et al, recorded in Document Number 20151231001627760, Deed Records Collin County, Texas;

THENCE over, across, and upon the most easterly line of said subject tract, the following two (2) courses and distances:

South 01 degrees 29 minutes 27 seconds West, a distance of 202.85 feet to a 3/8 inch iron rod found for corner;

Exhibit "A"

Page 1

City of Lucas

Ordinance # 2026-xx-xxx (Change in Zoning – ±9.461 acre located at 1020 and 1100 W. Forest Grove Road)

Approved: _____, 2026

South 01 degrees 32 minutes 05 seconds West, a distance of 1115.88 feet to the POINT OF BEGINNING and containing 17.547 acres (764,336 sq. ft.) of land, more or less.

Exhibit "A"

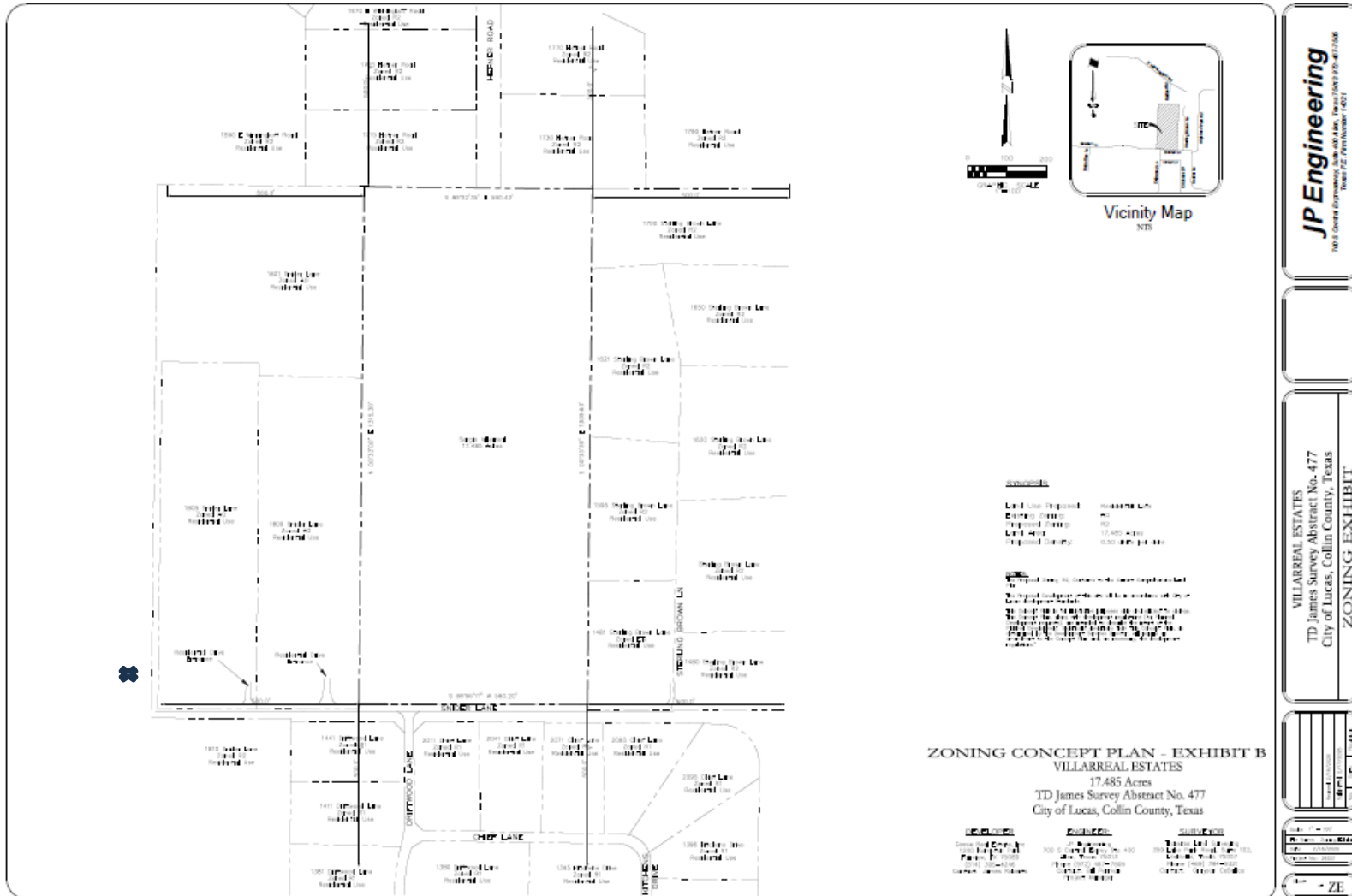
Page 2

City of Lucas

Ordinance # 2026-xx-xxx (Change in Zoning – ±9.461 acre located at 1020 and 1100 W. Forest Grove Road)

Approved: _____, 2026

EXHIBIT "B" Property Depiction



JP Engineering
 700 S. Green Street, Suite 100, Irving, TX 75039-4178
 Phone: (972) 270-1000 | Fax: (972) 270-1001

VILLARREAL ESTATES
 TD James Survey Abstract No. 477
 City of Lucas, Collin County, Texas
ZONING EXHIBIT

Exhibit "B"
 City of Lucas
 Ordinance # 2026-xx-xxx (Change in Zoning –17.485 acre Villarreal Estates)
 Approved: _____, 2026



**City of Lucas
City Council Agenda Request
April 2, 2026**

Requester: Joe Hilbourn, Development Services Director

Agenda Item Request:

Conduct a public hearing to consider a request submitted by Mark Robinson on behalf of Robinson Living Trust to rezone a parcel of land from Agricultural and Open Space (AO) to Commercial Business (CB), being a tract of land approximately 0.6911 acres in size out of the James Anderson Survey Abstract No A0017, Tract 57 in the City of Lucas, Collin County Texas.

- A. Presentation by Joe Hilbourn, Development Services Director
- B. Conduct public hearing
- C. Take action on public hearing item
(Joe Hilbourn, Development Services Director)

Background Information:

The property located on the east side of Southview Drive and backing up to the Meadows subdivision, is currently zoned Agricultural and Open Space (AO) to be rezoned as Commercial Business (CB). This zoning is consistent with the Haggard tract to the north and with the zoning directly across Southview Drive.

Attachments/Supporting Documentation:

- 1. PUBLIC HEARING NOTICE - Robinson Rezoning
- 2. Robinson Zoning Application
- 3. Survey
- 4. Robinson Location Map
- 5. Request for Appeal

Budget/Financial Impact:

N/A

Recommendation:

This item was denied by the Planning and Zoning Commission making this item also an appeal of the Planning and Zoning Commission's decision. The reasons stated were:

- 1. The request does not comply with the City's Comprehensive Plan.

2. The existing lot does not meet the requirements of a lot without access to sewer in a residential district. The minimum lot size a lot without access to sewer in the commercial zoning district is 1 acre.

The request for the appeal was in writing within the prescribed ten days and attached to supporting documents.

Motion:

I make a motion to approve/deny the request submitted by Mark Robinson on behalf of Robinson Living Trust to rezone a parcel of land from Agricultural and Open Space (AO) to Commercial Business (CB), being a tract of land approximately 0.6911 acres in size out of the James Anderson Survey Abstract No A0017, Tract 57 in the City of Lucas, Collin County Texas.



PUBLIC HEARING NOTICE

NOTICE IS HEREBY GIVEN, that the City Council of the City of Lucas, Texas will conduct a public hearing on Thursday, March 12, 2026 at 6:30 p.m. and City Council will conduct a second public hearing on Thursday, April 2, 2026 at 6:30 p.m. at Lucas City Hall, 665 Country Club, Lucas, Texas to consider the request submitted by Mark Robinson on behalf of Robinson Living Trust to rezone a parcel of land from Agricultural and Open Space (AO) to Commercial Business (CB), being a tract of land approximately 0.6911 acres in size out of the James Anderson Survey Abstract No A0017, Tract 57 in the City of Lucas, Collin County Texas, More particularly described as follows:

Tract 2;

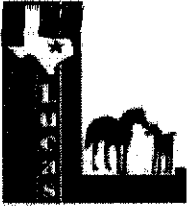
THENCE South 00° 50' 00" East, a distance of 76.72 feet along the common line of said Tract 2 and Lot 34 to the south corner of said Tract 2, being the northeast line of Southview Drive (F.M. 1378, 90 foot right-of-way) and being a non-tangent curve to the left having a radius of 618.00 feet;

THENCE along said northeast line and curve to the left, an arc distance of 71.14 feet, having a chord bearing and distance of North 26° 14' 36" West - 71.59 feet, to a found 1/2-inch iron rod at the point of tangency;

THENCE North 29° 33' 45" West, a distance of 317.23 feet along said northeast line to the northwest corner of aforesaid Tract 2;

THENCE South 88° 49' 28" East, a distance of 183.31 feet to the POINT OF BEGINNING and containing 108,658 square feet or 2.49 acres of land.

Those wishing to speak FOR or AGAINST this annexation are invited to attend. If you are unable to attend and have any comments you may send them to City Hall, Attention: City Secretary, Toshia Kimball, 665 Country Club Road, Lucas, Texas, 75002, email tkimball@lucastexas.us and it will be presented at the public hearing. If you have any questions about the above hearing, you may contact Development Services Director, Joe Hilbourn at jhilbourn@lucastexas.us.



ZONING APPLICATION

City of Lucas, Texas

Name of Project: Robinson Commercial Re-zone

	Application Fee
<input type="checkbox"/> Initial Zoning (newly annexed or agricultural property) per classification	\$450.00
<input checked="" type="checkbox"/> Rezoning (property currently zoned) per classification	\$450.00
<input type="checkbox"/> Specific Use Permit (SUP) - see Zoning Ordinance for special requirements and procedures	\$450.00

Physical Location of Property: _____

[Address and General Location – approximate distance to nearest existing street corner]

Brief Legal Description of Property (must also attach accurate metes and bounds description):

ABS A0012 James Anderson Survey Sheet 2 Tract 57 0.6911 acres

[Survey/Abstract No. and Tracts; or platted Subdivision Name with Lots/Block]

Collin County Appraisal District Short Account Number: R601700205701

Acreage: 0.6911 Existing Zoning: _____ Requested Zoning: Commercial

[Attach a detailed description of requested zoning]

OWNER(S) NAME: Robinson Living Trust Phone Number: 972-740-0682

Applicant / Contact Person: Mark Robinson Title: Owner/Executor

Company Name: _____

Mailing Address: 7 Harvest Way City: Wylie State: Tx ZIP: 75098

Phone: 972-740-0682 Fax: () _____ Email Address: MRrobin19@gmail.com

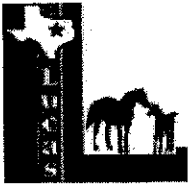
ENGINEER(S) / REPRESENTATIVE(S) NAME: _____

Contact Person: _____ Title: _____

Company Name: _____

Mailing Address: _____ City: _____ State: _____ ZIP: _____

Phone: () _____ Fax: () _____ Email Address: _____



ZONING APPLICATION (continued)

Name of Project: Robinson Commercial Re-Zone

****READ BEFORE SIGNING BELOW:** If there should be 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 is required. (Notaries are available upon submittal.)

SUBMITTAL DEADLINE: 30 DAYS PRIOR TO P&Z PUBLIC HEARING DATE. All zoning applications must be advertised in the newspaper, and notices must be mailed to all property owners within 500 feet of the subject property. Please contact City staff in advance for submittal deadlines.

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 submitted, application fees, etc. Please contact City staff in advance for submittal requirements. [Drawings will not be returned to applicant.]

SUBMISSIONS. Failure to submit all materials to the City with this application will result in delays scheduling the agenda date.

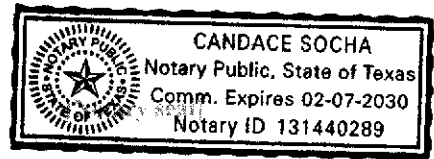
NOTICE OF PUBLIC RECORDS. The submission of plans/drawings/etc. with this application makes such items public record, and the applicant understands that these items may be viewed by the general public. Unless the applicant expressly states otherwise in writing, submission of this application (with associated plans/drawings/etc.) will be considered consent by the applicant that the general public may view and/or reproduce (i.e., copy) such documents.

ALL PARCELS/PROPERTIES MUST MATCH IN ACREAGE ALL OTHER DOCUMENTS SUBMITTED, WITH NO AMBIGUITY.

STATE OF TEXAS }
COUNTY OF COLLIN }

BEFORE ME, a Notary Public, on this day personally appeared William Robinson 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 denial."

[Signature]
*Owner / Agent (circle one)



SUBSCRIBED AND SWORN TO before me, this the 17 day of February 2026

Notary Public in and for the State of Texas: Candace Socha

Official Use Only	Action Taken
Planning & Zoning: _____	Date: _____
City Council: _____	Date: _____
Applicant Made a Written Withdrawal: <u>Yes or No</u>	Date: _____

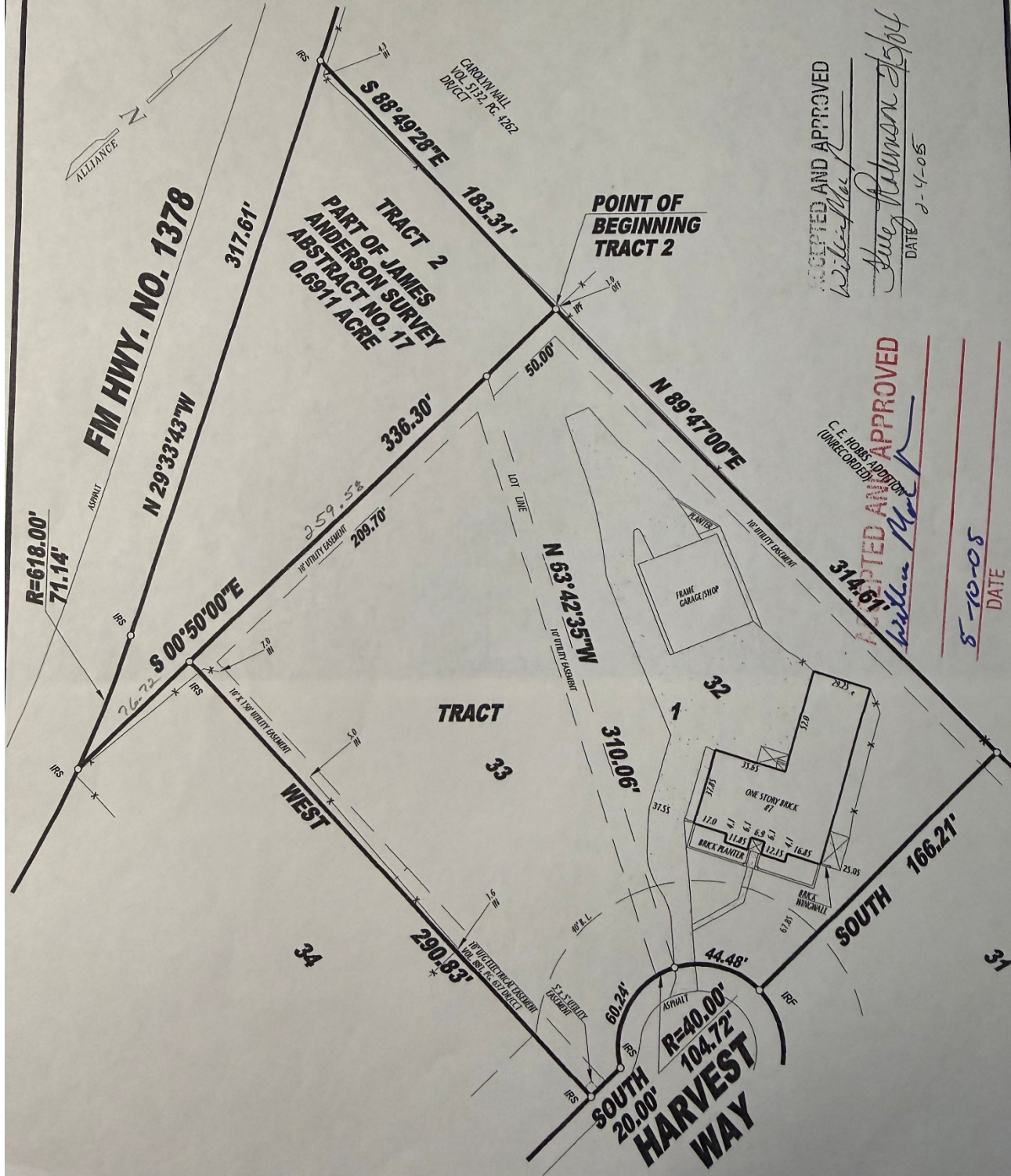
CITY OF LUCAS
972.727.8999

REC#: 00463139 2/25/2026 10:55 AM
OPER: CS TERM: 022
REF#: CHK# 2338

TRAN: 361.2000 REZONING
ROBINSON REZONING - CB - MARK
MARK ROBINSON
ZONING REQUEST 450.00CR

TENDERED:	450.00	CHECK
APPLIED:	450.00-	
CHANGE:	<hr/> 0.00	

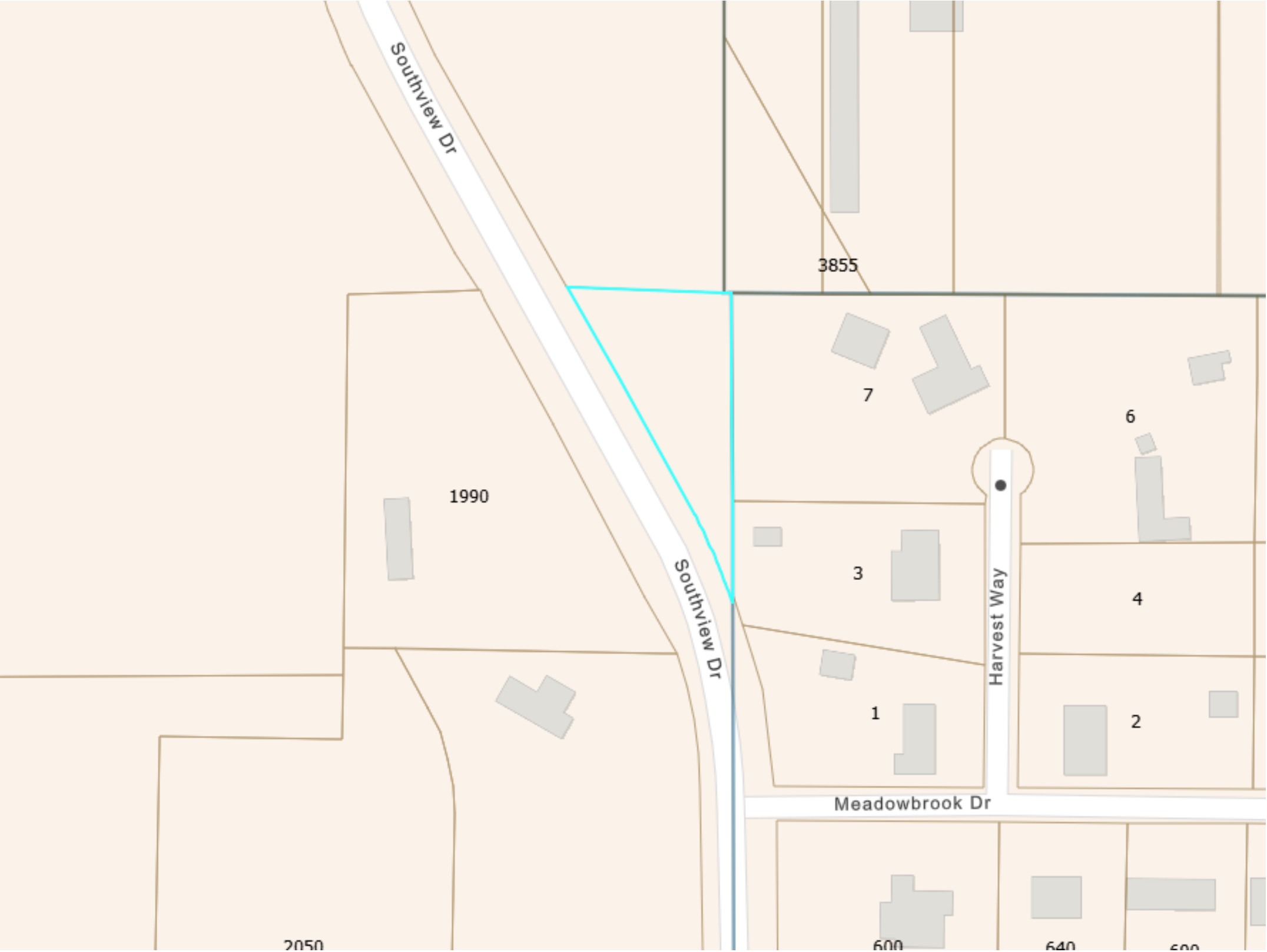
Records of _____ County, Texas. And, According to Community-Panel No. 48085C - 0465 Rev. G
of the FEDERAL EMERGENCY MANAGEMENT AGENCY Flood Hazard Boundary or Flood Insurance Rate Maps dated 1-19-98
the subject property IS NOT located in a designated Zone A (Area of 100 Year Flood Plain)



W. R. STARKEY MORTGAGE &
To: COMMONWEALTH LAND TITLE

in connection with the transaction described in

Robinson Rezoning Location Map





Outlook

FW: Tract 2 Variance Request Letter.docx

From Joe Hilbourn <JHilbourn@lucastexas.us>

Date Fri 3/13/2026 3:42 PM

To Candace Socha <Csocha@lucastexas.us>; Toshia Kimball <tkimball@lucastexas.us>

Cc John Whitsell <jwhitsell@lucastexas.us>

FYI

From: Mark Robinson <marrobin19@gmail.com>

Sent: Friday, March 13, 2026 2:24 PM

To: Joe Hilbourn <JHilbourn@lucastexas.us>

Subject: Re: Tract 2 Variance Request Letter.docx

Joe, please consider this email an appeal of the P&Z denial of our request to re-zone the property. Is there something formal I need to do or will this suffice?

Thanks!

Mark Robinson





**City of Lucas
City Council Agenda Request
April 2, 2026**

Requester: Joe Hilbourn, Development Services Director

Agenda Item Request:

Conduct a public hearing to consider Ordinance 2026-04-01042, a request by Lauren Nuffer with Kimley-Horn, on behalf of Wal-Mart Real Estate Business Trust, at 2662 W. Lucas Road, WAL-MART LUCAS ADDITION (CLU), BLK A, LOT 1R; Lucas, Texas, 75002; for a Specific Use Permit (SUP) and amended site plan to allow for a refueling station.

- A. Presentation by Joe Hilbourn, Development Services Director
 - B. Conduct public hearing
 - C. Take action on public hearing item
- (Joe Hilbourn, Development Services Director)**

Background Information:

The property is currently zoned as CB. The City of Lucas Code of Ordinances Chapter 14 “Zoning”, Article 14.043, titled “Districts,” Section 14.03.801 (e), titled “Schedule of uses chart.” Requires a specific use permit (SUP) within an area zoned as (CB) Commercial Business for a refueling station.

The property encompasses a total gross building area of 911,275 square feet on approximately 20.92 acres, resulting in a gross intensity of 0.19:1. Included in the SUP and amended site plan within the development is a 1,440-square-foot refueling station featuring six (6) fuel pumps. Based on zoning requirements, a total of 747 parking spaces are required for the development, and 750 parking spaces are provided, thereby exceeding the minimum parking requirement.

Attachments/Supporting Documentation:

1. Public Notice ~ Walmart - SUP Fuel Station
2. Zoning Packet Application and Checklist
3. Statement of Intent
4. Amended Site Plan
5. ZONING CONCEPT PLAN - EXHIBIT B
6. Location Map
7. Appeal Request
8. Ordinance# 2026-04-01042

Budget/Financial Impact:

N/A

Recommendation:

A motion was made by Commissioner Awezec, seconded by Chairman Tolson to deny the request during the Planning and Zoning Commission:

Reasons for denial:

- Traffic concerns with the existing retail strip
- Impact on Murphy Oil
- Not confident in the market demand for an additional gas station so close together.
- Allowing this SUP would prevent another type of development that might be more complementary to the needs of the City of Lucas’ citizens.

The request for the appeal was in writing within the prescribed ten days and attached to supporting documents.

Motion:

I make a motion to approve/deny Ordinance 2026-04-01042, a request by Lauren Nuffer with Kimley-Horn, on behalf of Wal-Mart Real Estate Business Trust, at 2662 W. Lucas Road, WAL-MART LUCAS ADDITION (CLU), BLK A, LOT 1R; Lucas, Texas, 75002; for a Specific Use Permit (SUP) and amended site plan to allow for a refueling station.



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, March 12, 2026 at 6:30 p.m. and City Council will conduct a second public hearing on Thursday, April 2, 2026 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 refueling station, more particularly described as follows:

Lauren Nuffer with Kimley-Horn, on behalf of Wal-Mart Real Estate Business Trust, at 2662 W. Lucas Road, WAL-MART LUCAS ADDITION (CLU), BLK A, LOT 1R; Lucas, Texas, 75002 have submitted an application for an SUP, per City of Lucas Code of Ordinances, Chapter 14, titled "Zoning," Article 14.043, titled "Districts," Section 14.03.801 (e), titled "Schedule of uses chart." within an area zoned as (CB) Commercial Business.

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 tkimball@lucastexas.us and it will be presented at the Hearing. If you have any questions about the above hearing you may contact jhilbourn@lucastexas.us.

CITY OF LUCAS

Zoning Guidelines and Application



665 Country Club Road
Lucas, Texas 75002

Office 972-912-1206
www.lucastexas.us



ZONING SUBMISSION REQUIREMENTS

The City is concerned about the time, expense and efforts you and City staff have or will put into your project. The checklists herein are provided to expedite the project review process, and to provide a clear understanding of what will be required, what will be expected, and what will be evaluated. City staff is bound by City Ordinance and State law regarding publishing of notices, mail-outs, etc. that will have an effect upon when your project will be heard by the approval body, which can only occur when the Zoning Application and plans are complete in all detail as determined by City staff.

Please read each checklist carefully. They are to be complete for all projects prior to acknowledgement by the City that the respective plan is accepted to proceed for approval. Instructions for completion are included with each checklist. Development regulations may be reviewed on the City's web site www.lucastexas.us.

It is recognized that there most often will be changes needed from what is initially submitted to the City for review. City staff conscientiously examines each item on a checklist to see if the item was sufficiently addressed according to City requirements. Where deficiencies are found, the plans will be marked and returned to the applicant named on the application to be addressed prior to further review or acceptance.



ZONING SUBMISSION REQUIREMENTS

1st or initial submittal

- ✓ • 2 (two) - 24" x 36" folded to approximately 8" x 12" copies of each plan
- ✓ • An electronic copy of required plat and/or exhibits in pdf format.
- ✓ • 6 (six) - 11" x 17" hardcopy reductions
- ✓ • Completed checklist
- ✓ • Completed application
- ✓ • A letter requesting any variance or exception, or why an issue was not addressed
- ✓ • An 8 ½" x 11" hardcopy reduction of the Plat
 - A fee as required

2nd and 3rd submittals to address requirements

- Highlight questions asked by Design Review Committee (DRC) committee in bold.
 - Provide response/correction directly below DRC question.
- 2 (two) - 24"x 36" folded (approximately 8" x 12") copies with required corrections
- An electronic copy of the corrected plat and/or exhibits in pdf format.
- 6 (six) - 11" x 17" hard copy reductions with required corrections

4th and subsequent submittal(s)

- 2 (two) - 24" x 36" folded (approximately 8" x 12") copies with required corrections.
- A fee equal to the original submission fee

When staff has determined the application is complete and accepted for final approval

- 30 (thirty) - 24" x 36" folded copies of Zoning Concept Plan and any/all other required Plan Exhibits
- 4 (four) - 11" x 17" Z folded copies.
- An electronic copy (8 1/2 x 11 size) in pdf format.
- Labels of an appropriate size for mailing, with current property owner(s) name and address, of any property located within 500' of all property lines.
- A copy of the affected parcels on a CollinCad generated map.
- Any changes made after Planning & Zoning review and before City Council review will require:
 - 15 (fifteen) - 24" x 36" copies of each Plan, folded to approximately 8" x 12"
 - 4 (four) - 11" x 17" or "12 x 18" reductions of each plan tri- or Z-folded.
 - An electronic copy of all plans in pdf format



Zoning Exhibit Checklist

Minimum Requirements

Project Name: WALMART #5672 - LUCAS, TX - FUEL

Preparer: Kimley-Horn - Lauren Nuffer P.E.

This checklist is provided to assist you in addressing the minimum requirements for a zoning or rezoning 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 initialing the box next to the required information. Initialing each item certifies to the City that you have completely and accurately addressed the issue. Return this form at the time of application submittal.

A zoning/rezoning request and associated 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.

N/A For Zoning or Rezoning to a Straight Zoning District

Location/vicinity map showing the location of the proposed zoning with cross streets is included. Indicate scale or not to scale (NTS) and provide north arrow.

Abstract lines, survey lines, county lines, corporate boundaries are correctly shown and clearly labeled.

Statement of purpose and intent of the zoning or rezoning that includes:

- Land Use(s) proposed
- Existing and proposed zoning
- Impact of uses(s) on the transportation system. NOTE: The City will determine if a Traffic Impact Analysis (TIA) is required.
- Impact of the use(s) on water and wastewater utilities (e.g. provide statement as to general availability).
- Impact on land use(s) adjacent to the rezoning request.
- Conformance to the Comprehensive Plan.
- Other information as required by City staff, Planning & Zoning Commission, and/or City Council
- If a residential use, the density of the proposal and density of adjacent residential use(s).

Adjacent zoning and existing land use(s) within 500 feet is indicated.

Adjacent driveways, streets, roads and other thoroughfares within 500 feet of the property are shown and labeled.

A note stating that development of the site will be in accordance with City of Lucas development standards.

Provide an electronic file (pdf) of Legal Description/Metes & Bounds Description with labeling at top of document.

Mailing labels of an appropriate size for mailing, with current property owner(s) name and address, of any property located within 500 feet of all property lines of subject property.



Zoning Exhibit Checklist

Minimum Requirements (continued)

For **Special Use Permit (SUP) Requests, Conditional Use Permit (CUP) Requests and Planned Development / Zoning District Requests or Amendments**

- ✓ Zoning boundary is indicated by a heavy solid line, intermittent with 2 dash lines; dimensioned with bearing(s) and distance(s).
- ✓ A title block in the lower right corner that includes large, boldly printed “ZONING CONCEPT PLAN - EXHIBIT B”, owner and engineer(s), architect(s), and/or surveyor(s) names, addresses and phone numbers, project name, total acreage, survey name and abstract number (Addition Name & Lot and Block info if platted property), Collin County, submission date, and a log of submittal/revision dates since submitted to the City. A note shall be affixed to the Zoning Concept Plan as follows:

“This Concept Plan is for illustrative purposes only and subject to change. This Concept Plan, along with development regulations (for Planned Development requests), are intended to describe the intent of the Planned Development. Significant deviations from this Concept Plan, as determined by the Development Services Director, will require an amendment to the Concept Plan and, as necessary, the development regulations.”
- ✓ Location/vicinity map showing the location of the proposed zoning request/change with cross streets is included.
- ✓ Indicate scale or not to scale (NTS) and provide north arrow.
- ✓ Written and bar graph scale, and north arrow are indicated. North shall be oriented to the top or left side of the sheet.
- ✓ Abstract lines, survey lines, corporate boundaries are correctly shown and clearly labeled.
- ____ Statement of purpose and intent of the rezoning that includes:
 - ✓○ Land use(s) proposed
 - ✓○ Existing and proposed zoning and land use
 - ✓○ Impact of uses(s) on the transportation system.
 - NOTE: The City will determine if a Traffic Impact Analysis (TIA) is required.
 - ✓○ Impact of the use(s) on water and wastewater utilities (e.g. provide statement as to general availability).
 - ✓○ Impact on land use(s) adjacent to the rezoning request.
 - ✓○ Conformance to the Comprehensive Plan.
 - ✓○ Other information as required by City staff, Planning & Zoning Commission, and/or City Council
- ✓ Adjacent zoning and existing land use(s) within 500 feet is indicated.
- ____ Adjacent driveways, streets, roads and other thoroughfares within 500 feet of the project are shown.
- ____ Concept Plan that includes the following:
 - ✓○ Land use(s) proposed (building footprint(s) are to be graphically shown).
 - Thoroughfares as depicted on the Master Thoroughfare Plan (MTP) within and adjacent to the site are accurately located, named and dimensioned. Existing is to be shown as a light, solid line; proposed shown as a medium weight solid line.
 - ✓○ Medians, left-turn lanes, median openings, curb cuts, acceleration/deceleration lanes within 200 feet of the property are accurately located, labeled, and dimensioned. Existing is to be shown as a light, solid line; proposed shown as a medium weight solid line.
 - ✓○ If a structure is proposed, or proposed to remain, a minimum and maximum square footage (if no definitive/specific user(s) are identified at this time) is indicated for the structure(s).
 - ✓○ If a structure is proposed, or proposed to remain, the use, approximate location, and square footage of each building is provided.
 - N/A ○ If a residential use, the density of the proposal and density of adjacent residential use(s).
 - Project phasing lines.
 - Other pertinent data as may be required by City staff, Planning and Zoning Commission, and/or City Council.
 - N/A ○ Location of present, future or proposed public dedication of parks, open space, etc.
- ____ Mailing labels of an appropriate size for mailing, with current property owner(s) name and address, of any property located within 500 feet of all property lines of subject property.



Zoning Exhibit Checklist

Minimum Requirements (continued)

Special Use Permit (SUP) and **Conditional Use Permit (CUP)** requests shall also include the following items in table format on the Zoning Concept Plan (Exhibit “B”) and those specified in items 1 thru 10 above as applicable:

- Existing/proposed Lot Number(s)
- Lot area specified in square feet and acreage
- Building square footage (Indication of Minimum and Maximum suggested if no definitive/specific user(s) identified at this time)
- Proposed use for each proposed building by category of use (e.g. retail, medical office, restaurant with or without drive-thru, convenience store, bank with drive-thru, church, etc.)
- Parking count required and specified per use(s) with required ratio indicated

N/A **Planned Development (PD)** Zoning District requests shall also include Development Regulations (labeled/titled Exhibit “C”) with the following:

- Hard copy (8 ½” X 11”) and pdf file on disk is provided.
- List of proposed land uses
- Proposed use(s) for each building (non-residential and mixed-use development) by category of use (e.g. retail, professional office, medical office, church, restaurant, bank with drive through, etc.)
- Maximum square footage of each building (non-residential uses)
- Minimum lot area (residential uses)
- Minimum lot width (residential uses)
- Minimum lot depth (residential uses)
- Heights and stories
- Maximum lot coverage percentage
- Maximum lot count (residential uses)
- Minimum house size square footage excluding garages and breezeways
- Fencing requirements indicated
- Garage type(s) indicated (e.g. front entry, rear entry alley served, “J”-hook, etc.)
- Accessory Building regulations
- Subdivision Ordinance waiver/modification requests are specifically listed.
- Parking count required specified per use(s) with required ratio indicated
- Parking count provided
- Statement is provided indicating that all current development requirements of the City as amended shall be met unless approved otherwise within these Planned Development Zoning District Development Regulations.
- Hard copy (8 ½” X 11”) and electronic file (pdf) of Legal Description/Metes & Bounds Description with labeling at top of document indicating Exhibit “A” is provided.
- Mailing labels of an appropriate size for mailing, with current property owner(s) name and address, of any property located within 500 feet of all property lines.

NOTE: DEVIATIONS FROM CURRENT DEVELOPMENT STANDARDS/REGULATIONS NOT SPECIFICALLY ADDRESSED/LISTED FOR APPROVAL AS PART OF PLANNED DEVELOPMENT REGULATIONS MAY REQUIRE A HEARING/APPROVAL BY THE BOARD OF ADJUSTMENT (BOA).



ZONING APPLICATION

City of Lucas, Texas

Name of Project: WALMART #5672 - LUCAS, TX- FUEL

	Application Fee
<u> </u> Initial Zoning (newly annexed or agricultural property) per classification	\$450.00
<u> </u> Rezoning (property currently zoned) per classification	\$450.00
<input checked="" type="checkbox"/> Specific Use Permit (SUP) - see Zoning Ordinance for special requirements and procedures	\$450.00

Physical Location of Property: 2662 W LUCAS ROAD, LUCAS, TX 75002

[Address and General Location – approximate distance to nearest existing street corner]

Brief Legal Description of Property (must also attach accurate metes and bounds description):

WAL-MART LUCAS ADDITION, BLOCK A, LOT 1R

[Survey/Abstract No. and Tracts; or platted Subdivision Name with Lots/Block]

Collin County Appraisal District Short Account Number: 2907598

Acreage: 20.92 Existing Zoning: C Requested Zoning: No Change- SUP

[Attach a detailed description of requested zoning]

OWNER(S) NAME: WAL-MART REAL ESTATE BUSINESS TRUST

Phone Number: [REDACTED]

Applicant / Contact Person: [REDACTED]

Title: SR MANAGER

Company Name: WALMART

Mailing Address: [REDACTED] City: [REDACTED] State: [REDACTED] ZIP: [REDACTED]

Phone: [REDACTED] Fax: () Email Address: [REDACTED]

ENGINEER(S) / REPRESENTATIVE(S) NAME: LAUREN NUFFER, P.E.

Contact Person: LAUREN NUFFER, P.E.

Title: PROJECT MANAGER

Company Name: KIMLEY-HORN

Mailing Address: [REDACTED] City: [REDACTED] State: [REDACTED] ZIP: [REDACTED]

Phone: [REDACTED] Fax: () Email Address: [REDACTED]



ZONING APPLICATION (continued)

Name of Project: WALMART #5672 - LUCAS, TX

****READ BEFORE SIGNING BELOW:** If there should be 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 is required. (Notaries are available upon submittal.)

SUBMITTAL DEADLINE: 30 DAYS PRIOR TO P&Z PUBLIC HEARING DATE. All zoning applications must be advertised in the newspaper, and notices must be mailed to all property owners within 500 feet of the subject property. Please contact City staff in advance for submittal deadlines.

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 submitted, application fees, etc. Please contact City staff in advance for submittal requirements. [Drawings will not be returned to applicant.]

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.

ALL PARCELS/PROPERTIES MUST MATCH IN ACREAGE ALL OTHER DOCUMENTS SUBMITTED, WITH NO AMBIGUITY.

STATE OF TEXAS }
COUNTY OF COLLIN }

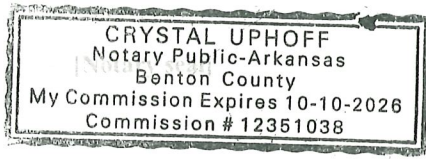
BEFORE ME, a Notary Public, on this day personally appeared Frank Rojas the undersigned who, under oath, stated the following: "I hereby certify that I am the owner, or duly authorized agent of the owner, (proof attached) for the purposes of this application; that all information submitted herein is true and correct. I understand that submitting this application does not constitute approval, and incomplete applications will result in delays and possible denial."

[Signature]

****Owner / Agent (circle one)**

SUBSCRIBED AND SWORN TO before me, this the 4 day of Feb, 2020

Notary Public in and for the State of Arkansas Crystal Uphoff



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



February 9, 2026

Mr. Joe Hilbourn
City of Lucas, TX
Planning & Zoning Commission
665 Country Club Road
Lucas, Texas 75002

**RE: *Lot 1R, Block A of Wal-Mart Lucas Addition
Specific Use Permit
Statement of Intent***

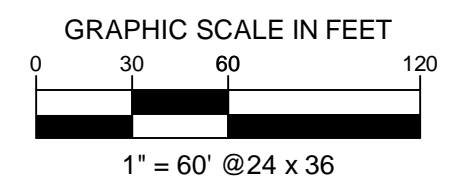
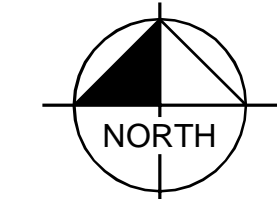
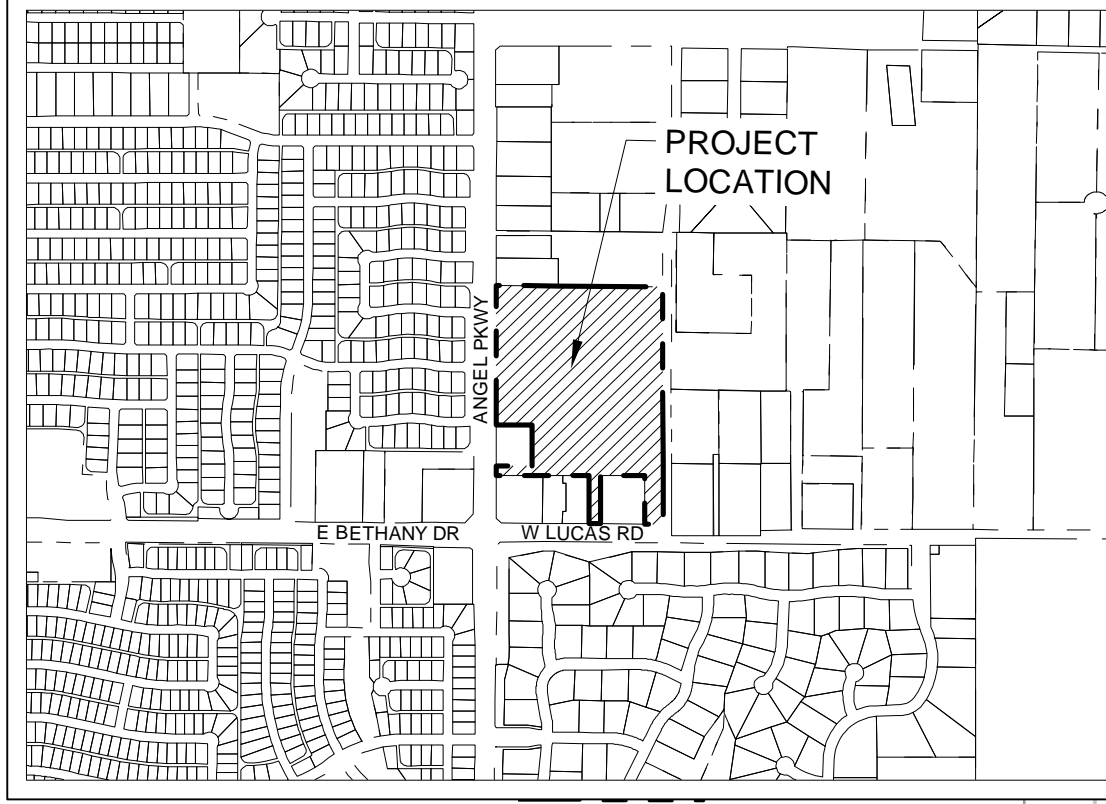
Dear Mr. Hilbourn:

Kimley-Horn respectfully submits this letter of intent for a formal review of the submitted Specific Use Permit. The property owner is proposing a 6-pump fuel station with 1,440 square foot convenience store within the existing 20.92-acre Walmart property. The subject property is currently zoned C-Commercial, and a Specific Use Permit is required for the fuel station. The proposed development is internal to the Walmart property and will be accessed by existing access drives on West Lucas Blvd and Angel Road. The fuel station will be served by existing water, sewer, and storm drainage located on the Walmart property. The subject property is currently developed with retail uses, and adjacent properties to the north and south include retail, restaurant, fuel station, and storage uses. To the east of the site, bordering the existing detention pond, there are residential properties. This convenience store with fuel station will provide services to nearby residents.

Thank you for your consideration.

Lauren Nuffer, P.E.
Kimley-Horn and Associates, Inc.

VICINITY MAP



LEGEND

- PROPERTY LINE
- EASEMENT
- BUILDING SETBACK

NOTES

- ALL DIMENSIONS ARE TO FACE OF CURB UNLESS OTHERWISE NOTED.
- DEVELOPMENT OF THE SITE TO BE IN ACCORDANCE WITH THE CITY OF LUCAS DEVELOPMENT STANDARDS



EX. WALMART
FFE: 647.00
BLDG SF: 184,446 SF

SITE DATA SUMMARY TABLE

GENERAL	
NAME OF PROJECT/DEVELOPMENT	WM #5672 FUEL STATION
PROPOSED USE	RETAIL SALES CONVENIENCE STORE WITH REFUELING STATION
EXISTING ZONING DISTRICT	C - COMMERCIAL
APPRAISAL DISTRICT PROPERTY ID	2907598
OVERALL SITE	
GROSS SITE AREA	911.275 SF / 20.92 AC
BUILDING	
TOTAL GROSS INTENSITY (FAR)	0.19 TO 1
TOTAL SQUARE FOOTAGE	184,446 SF 1,440 SF
IMPROVEMENTS	
NUMBER OF PUMPS	6 PUMPS
PARKING	
RETAIL SALES	696
TENANT SPACES	19
GARDEN CENTER	6
STORAGE / NON PUBLIC AREAS	20
ANCILLARY / NON PUBLIC AREAS	-
CONVENIENCE STORE WITH REFUELING STATION	6
TOTAL	747
PARKING NOTES	
1. RETAIL AREA PARKED AT 5 PER 1000 AND ALL OTHER AREAS AT 1 PER 1000	

Kimley»Horn
© 2024 KIMLEY-HORN AND ASSOCIATES, INC.
13455 NOEL ROAD, SUITE 700, DALLAS, TX 75240
PHONE: 972-770-1300
WWW.KIMLEY-HORN.COM
TEXAS REGISTERED ENGINEERING FIRM F-998

THIS SITE PLAN IS FOR CITY REVIEW ONLY TO ILLUSTRATE COMPLIANCE WITH ZONING AND DEVELOPMENT REGULATIONS. IT IS NOT INTENDED FOR CONSTRUCTION PURPOSES.

SCALE AS SHOWN
DESIGNED BY LHD
DRAWN BY JRL
CHECKED BY LAN

AMENDED SITE PLAN

Walmart STORE #5672-1015
1,440 FUEL STATION
CITY OF LUCAS, TEXAS



AMENDED SITE PLAN
WALMART #5672 FUEL STATION

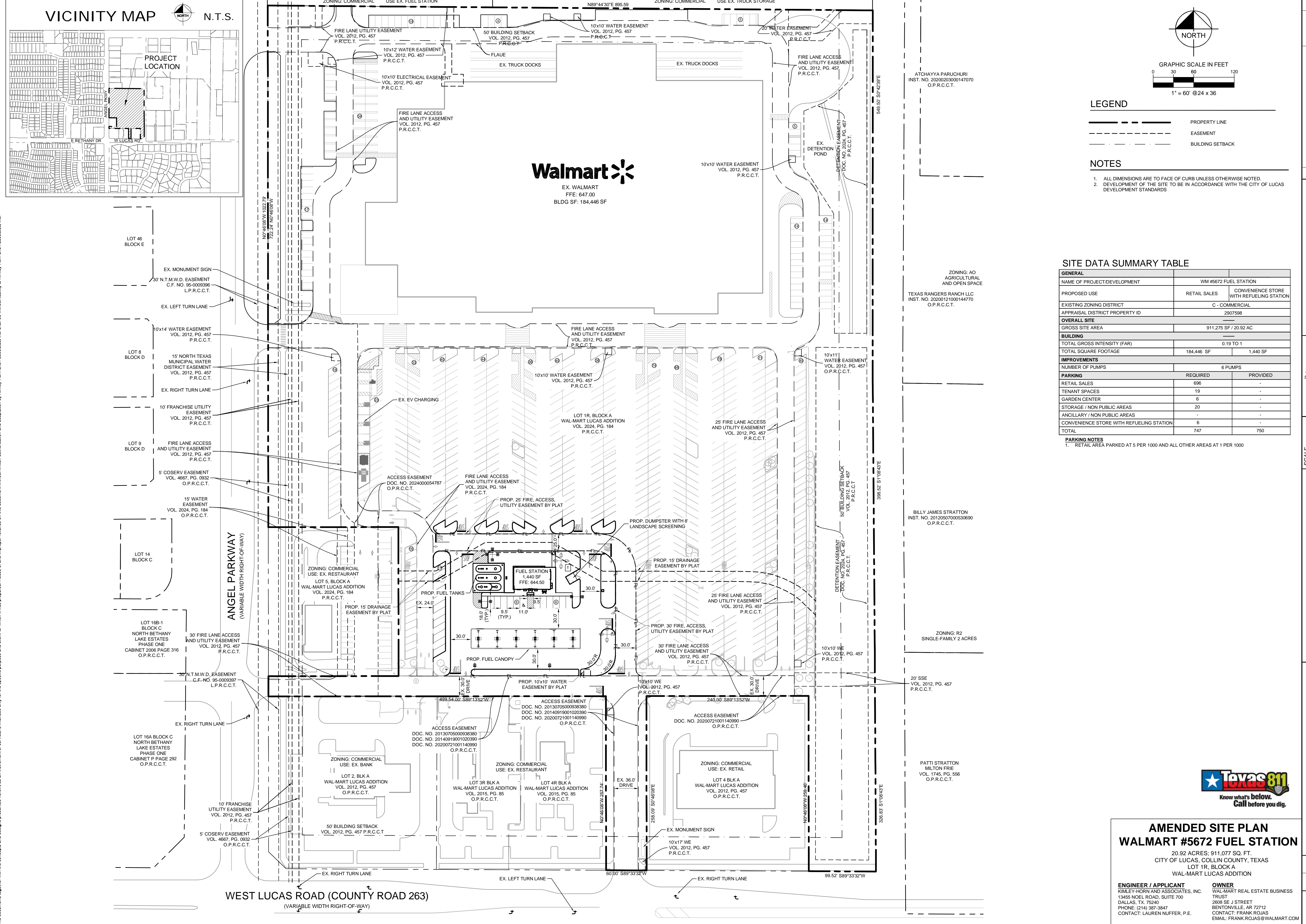
20.92 ACRES; 911,077 SQ. FT.
CITY OF LUCAS, COLLIN COUNTY, TEXAS
LOT 1R, BLOCK A
WAL-MART LUCAS ADDITION

DATE: 02/10/2026
PROJECT NO: 063363570
SHEET NUMBER: 6022

ENGINEER / APPLICANT: KIMLEY-HORN AND ASSOCIATES, INC.
13455 NOEL ROAD, SUITE 700
DALLAS, TX 75240
PHONE: (214) 387-3847
CONTACT: LAUREN NUFFER, P.E.

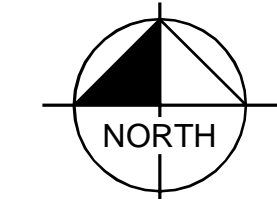
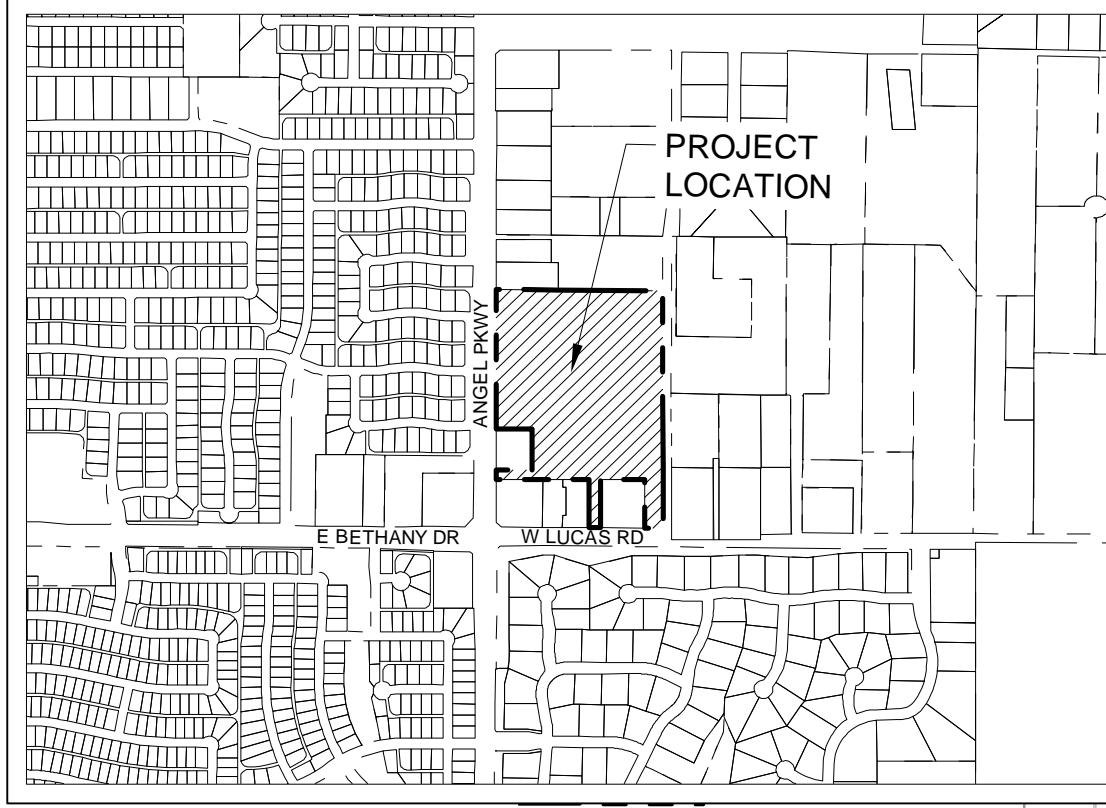
OWNER: WAL-MART REAL ESTATE BUSINESS TRUST
2808 SE J STREET
BENTONVILLE, AR 72712
CONTACT: FRANK ROJAS
EMAIL: FRANK.ROJAS@WALMART.COM

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VICINITY MAP

N.T.S.



GRAPHIC SCALE IN FEET
0 30 60 120
1" = 60' @ 24 x 36

LEGEND

- PROPERTY LINE
- - - EASEMENT
- - - BUILDING SETBACK

NOTES

1. ALL DIMENSIONS ARE TO FACE OF CURB UNLESS OTHERWISE NOTED.
2. DEVELOPMENT OF THE SITE TO BE IN ACCORDANCE WITH THE CITY OF LUCAS DEVELOPMENT STANDARDS

SITE DATA SUMMARY TABLE

GENERAL	
NAME OF PROJECT/DEVELOPMENT	WM #5672 FUEL STATION
PROPOSED USE	RETAIL SALES CONVENIENCE STORE WITH REFUELING STATION
EXISTING ZONING DISTRICT	C - COMMERCIAL
APPRAISAL DISTRICT PROPERTY ID	2907598
OVERALL SITE	
GROSS SITE AREA	911.275 SF / 20.92 AC
BUILDING	
TOTAL GROSS INTENSITY (FAR)	0.19 TO 1
TOTAL SQUARE FOOTAGE	184,446 SF 1,440 SF
IMPROVEMENTS	
NUMBER OF PUMPS	6 PUMPS
PARKING	
	REQUIRED PROVIDED
RETAIL SALES	696 -
TENANT SPACES	19 -
GARDEN CENTER	6 -
STORAGE / NON PUBLIC AREAS	20 -
ANCILLARY / NON PUBLIC AREAS	- -
CONVENIENCE STORE WITH REFUELING STATION	6 -
TOTAL	747 750
PARKING NOTES	
1. RETAIL AREA PARKED AT 5 PER 1000 AND ALL OTHER AREAS AT 1 PER 1000	

PLANS REVISION LOG

NO.	DESCRIPTION	DATE

ZONING CONCEPT PLAN - EXHIBIT B
WALMART #5672 FUEL STATION

20.92 ACRES; 911,077 SQ. FT.
CITY OF LUCAS, COLLIN COUNTY, TEXAS
LOT 1R, BLOCK A
WAL-MART LUCAS ADDITION

ENGINEER / APPLICANT
KIMLEY-HORN AND ASSOCIATES, INC.
13455 NOEL ROAD, SUITE 700
DALLAS, TX 75240
PHONE: (214) 387-3847
CONTACT: LAUREN NUFFER, P.E.

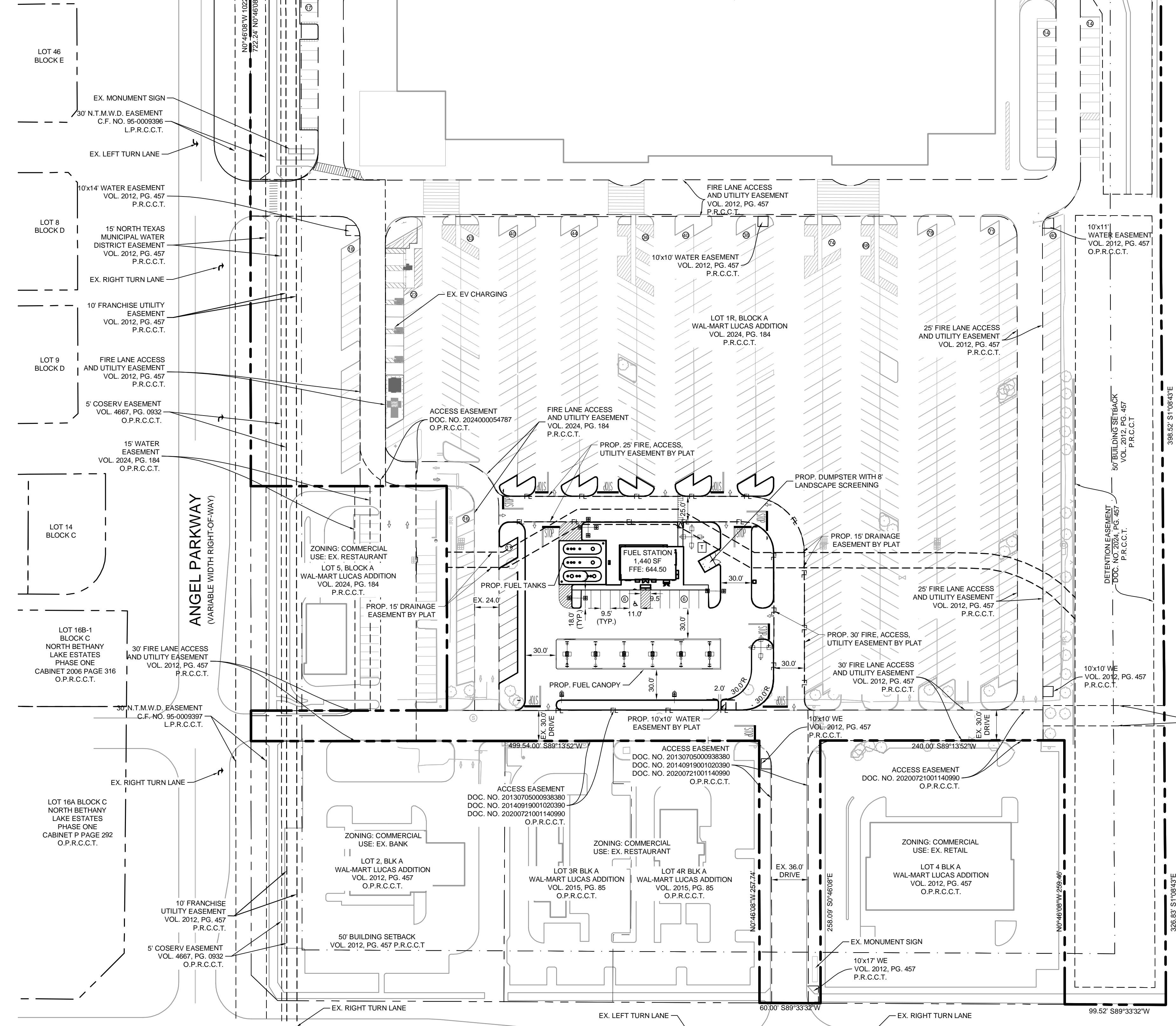
OWNER
WAL-MART REAL ESTATE BUSINESS TRUST
2618 SE J STREET
BENTONVILLE, AR 72712
CONTACT: FRANK ROJAS
EMAIL: FRANK.ROJAS@WALMART.COM

ARCHITECT
LOREN MCALLISTER
BRAND/OPS/BUILD-RIGHT
7007 DISCOVERY BLVD., DUBLIN, OH 43017
PHONE: (614) 634-7114
EMAIL: LOREN.MCALLISTER@WDPARTNERS.COM

SURVEYOR
KIMLEY-HORN AND ASSOCIATES, INC.
400 N. OKALHOMA DR., SUITE 105,
GELINA, TX 75209
PHONE: (972) 703-9663
CONTACT: MICHAEL SWAYNE, RPLS



EX. WALMART
FFE: 647.00
BLDG SF: 184,446 SF



WEST LUCAS ROAD (COUNTY ROAD 263)
(VARIABLE WIDTH RIGHT-OF-WAY)

This document, together with the concepts and designs presented herein, is an instrument of service, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.

Kimley-Horn
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13455 NOEL ROAD, SUITE 700, DALLAS, TX 75240
PHONE: 972-770-1300
WWW.KIMLEY-HORN.COM
TEXAS REGISTERED ENGINEERING FIRM 1-598

THIS CONCEPT PLAN IS FOR CITY REVIEW ONLY TO ILLUSTRATE COMPLIANCE WITH ZONING AND DEVELOPMENT REGULATIONS. IT IS NOT INTENDED FOR CONSTRUCTION PURPOSES.

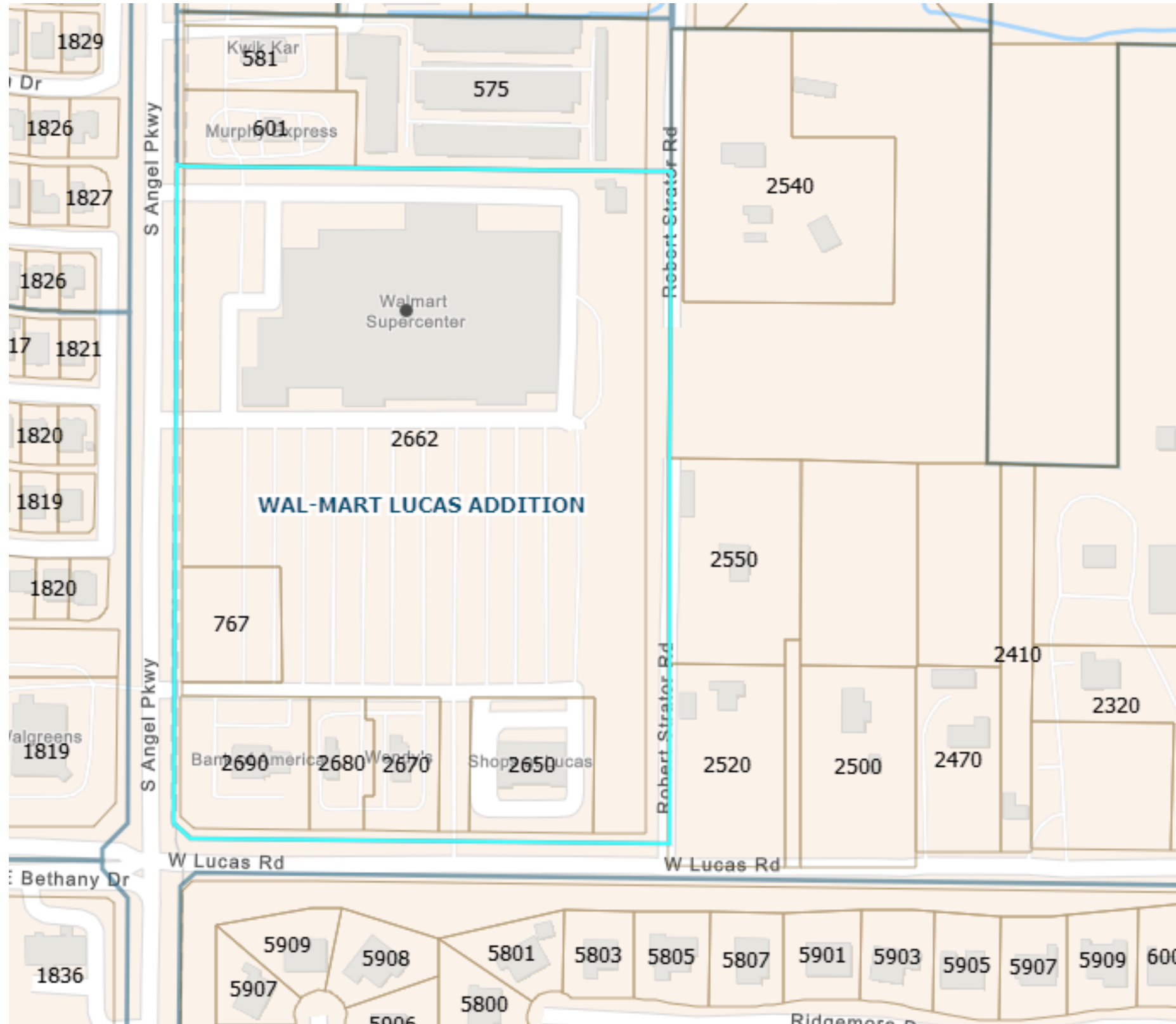
SCALE AS SHOWN
DESIGNED BY LHD
DRAWN BY JRL
CHECKED BY LAN

ZONING CONCEPT PLAN - EXHIBIT B

Walmart STORE #5672-1015
1,440 FUEL STATION
CITY OF LUCAS, TEXAS

DATE
02/10/2026
PROJECT NO.
063363570
SHEET NUMBER

Walmart Refueling Location Map



FW: Walmart Fuel SUP- P&Z

From Joe Hilbourn <JHilbourn@lucastexas.us>

Date Fri 3/13/2026 9:17 AM

To Candace Socha <Csocha@lucastexas.us>

Cc Toshia Kimball <tkimball@lucastexas.us>; John Whitsell <jwhitsell@lucastexas.us>; lauren.nuffer@kimley-horn.com <lauren.nuffer@kimley-horn.com>

Candace Kimley Horn would like to appeal the P and Z decision to the council, see below.

Joe

From: Nuffer, Lauren <lauren.nuffer@kimley-horn.com>

Sent: Friday, March 13, 2026 9:08 AM

To: Joe Hilbourn <JHilbourn@lucastexas.us>

Cc: Durey, Logan <Logan.Durey@kimley-horn.com>

Subject: Walmart Fuel SUP- P&Z

Good Morning Joe,

As applicant, we would like to appeal the recommendation by Planning and Zoning commission last night regarding agenda item #6, the SUP request for a fuel station at 2662 W Lucas Road, to City Council.

Thank you,

Lauren

Lauren Nuffer, P.E.

Kimley-Horn | 13455 Noel Road, Two Galleria Office Tower, Suite 700, Dallas, TX 75240

Direct: 214-387-3847 | Main: 972-770-1300

ORDINANCE #2026-04-01042
[Special Use Permit for Fuel Station Located
on Lot 1R, Block A of the Lucas Wal-Mart Addition]

AN ORDINANCE OF THE CITY OF LUCAS, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP OF THE CITY OF LUCAS, TEXAS, AS HERETOFORE AMENDED, BY GRANTING A SPECIFIC USE PERMIT TO ALLOW FOR THE OPERATION OF A FUEL STATION ON A 1.32 ACRE TRACT OF LAND OUT OF THE WILLIAM SNIDER SURVEY, ABSTRACT NUMBER 821, CITY OF LUCAS, COLLIN COUNTY, TEXAS, AND MORE COMMONLY KNOWN AS LOT 1R, BLOCK A OF THE LUCAS WAL-MART ADDITION, AND BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT “A” ATTACHED HERETO; PROVIDING FOR APPROVAL OF THE SITE PLAN ATTACHED HERETO AS EXHIBIT “B”; PROVIDING FOR THE APPROVAL OF THE ZONING CONCEPT PLAN ATTACHED HERETO AS EXHIBIT “C”; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Planning and Zoning Commission of the City of Lucas, Texas, and the governing body of the City of Lucas in compliance with the laws of the State of Texas and the ordinances of the City of Lucas, have given requisite notice of publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally and to all persons interested and situated in the affected area, and in the vicinity thereof, and in the exercise of its legislative discretion have concluded that the Comprehensive Zoning Ordinance and Map of the City of Lucas, Texas, as previously amended, should be amended.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LUCAS, TEXAS, THAT:

SECTION 1. That the Comprehensive Zoning Ordinance and Map of the City of Lucas, Texas, as heretofore amended, be and the same are hereby amended, to grant a Special Use Permit to allow for the operation of a fuel station on a 1.32-acre tract of land out of the William Snider Survey, Abstract Number 821, City of Lucas, Collin County, Texas, and more commonly known as Lot 1R, Block A of the Lucas Wal-Mart Addition, and being more particularly described in Exhibit “A” attached hereto and made a part hereof for all purposes.

SECTION 2. That the above-described property shall be used only in the manner and for the purposes provided for by the Comprehensive Zoning Ordinance of the City of Lucas as heretofore amended, subject to the following special conditions:

- (1) The Property shall be developed in accordance with the Site Plan attached hereto as Exhibit “B” and the Zoning Concept Plan attached as Exhibit “C”, and made a part hereof for all purposes;

- (2) The Property shall only be used as a drive-through for Wendy's; and
- (3) The hours of operation shall be seven days a week from: 5:00 a.m. until 1:00 a.m. May 1 through September 1; and, from 5:00 a.m. until 12 midnight September 2 through April 30.

SECTION 3. To the extent of any irreconcilable conflict with the provisions of this ordinance and other ordinances of the City of Lucas governing the use and development of the Property and which are not expressly amended by this ordinance, the provisions of this ordinance shall be controlling.

SECTION 4. That should any word, sentence, paragraph, subdivision, clause, phrase or section of this Ordinance or of the City of Lucas Code of Ordinances, as amended hereby, be adjudged or held to be voided or unconstitutional, the same shall not affect the validity of the remaining portions of said Ordinances or the City of Lucas Code of Ordinances, as amended hereby, which shall remain in full force and effect.

SECTION 5. An offense committed before the effective date of the Ordinance is governed by prior law and the provisions of the City of Lucas Code of Ordinances in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 6. That any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in the Code of Ordinances, as amended, and upon conviction in the municipal court shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense, and each and every day such violation shall continue shall be deemed to constitute a separate offense.

SECTION 7. That this Ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Lucas, and it is accordingly so ordained

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF LUCAS,
COLLIN COUNTY, TEXAS, ON THIS _____ DAY OF
_____, 2026.**

APPROVED:

Dusty Kuykendall, Mayor

APPROVED AS TO FORM:

ATTEST:

Joseph J. Gorfida, Jr., City Attorney
(03-23-26;egm)

Toshia Kimball, City Secretary

EXHIBIT "A"
LEGAL DESCRIPTION

Being a tract of land situated in the William Snider Survey, Abstract No. 821, Collin County, Texas and being part of Lot 1R, Block A, Wal-Mart Lucas Addition, an addition to the City of Lucas, as recorded in Book 2012, Page 457, Plat Records, Collin County, Texas

EXHIBIT "C" ZONING CONCEPT PLAN

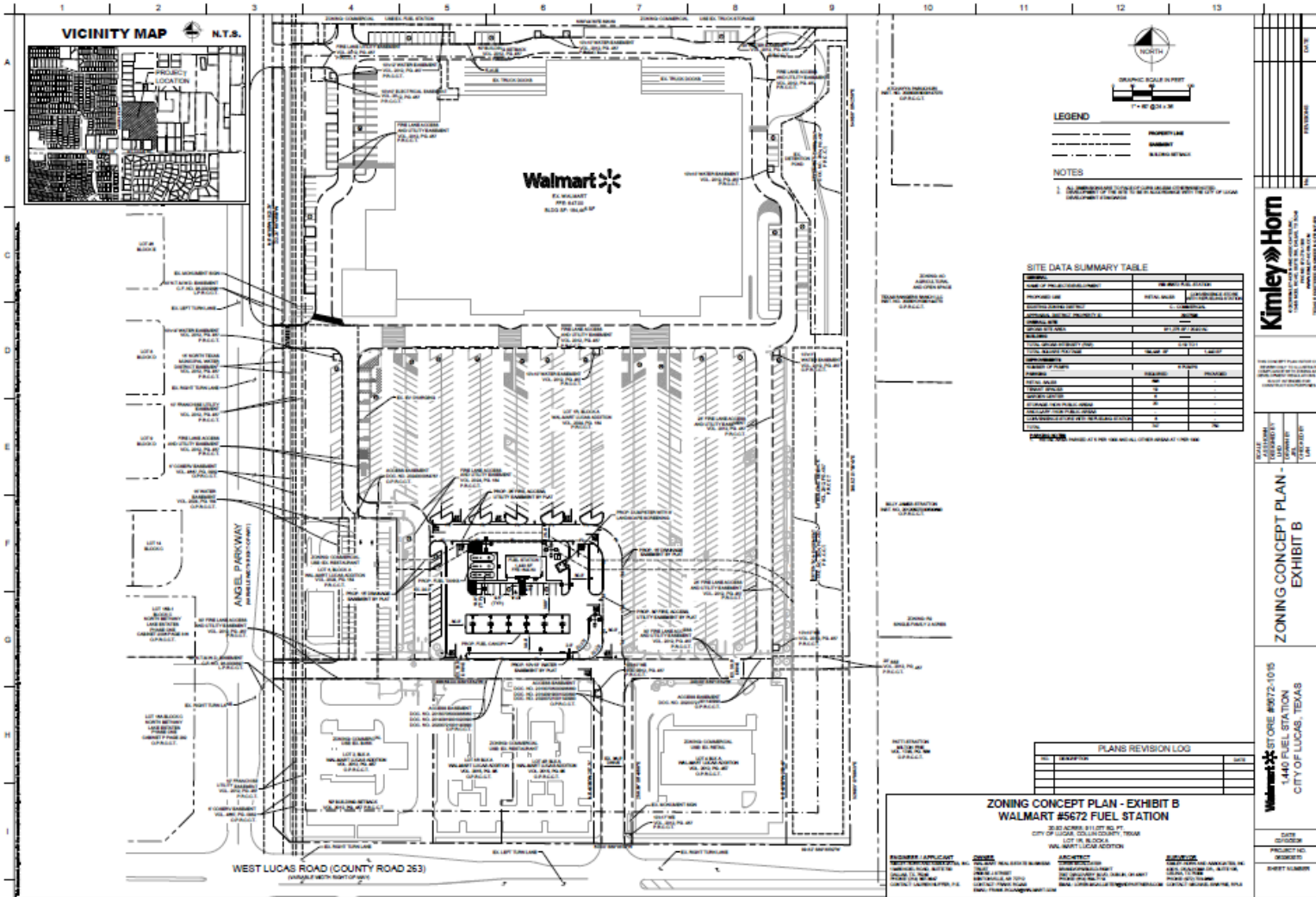


Exhibit "C"
City of Lucas
Ordinance # 2026-xx-xxx
Approved: _____, 2026



City of Lucas City Council Agenda Request April 2, 2026

Requester: Patrick Hubbard, CIP Manager

Agenda Item Request:

Consider authorizing the City Manager to negotiate and enter into an agreement with 7 Arrows Land Staff, LLC in an amount not to exceed \$413,000 to provide Land Rights Acquisition Services for the West Lucas Road Reconstruction Project using funds in account 21-8210-491-136.

Background Information:

The City of Lucas is proposing to assume responsibility for the acquisition of right-of-way for the West Lucas Road Reconstruction Project. In preparation, the city has received a proposal from 7 Arrows Land Staff, LLC, for the completion of all necessary land acquisition services for the purchase of necessary right-of-way and easements for the project as outlined in the attached scope of work.

In addition, 7 Arrows is available to provide any supplemental services necessary for completion of this acquisition. This includes any necessary condemnation or imminent domain services.

Attachments/Supporting Documentation:

1. 7 Arrows Proposal

Budget/Financial Impact:

This agreement will be funded with contingency funds for the West Lucas Road Reconstruction project.

Recommendation:

Staff recommends authorizing the City Manager to negotiate and enter into an agreement with 7 Arrows Land Staff, LLC in an amount not to exceed \$413,000 to provide Land Rights Acquisition Services for the West Lucas Road Reconstruction Project.

Motion:

I make a motion to approve/deny authorizing the City Manager to negotiate and enter into an agreement with 7 Arrows Land Staff, LLC in an amount not to exceed \$413,000 to provide Land Rights Acquisition Services for the West Lucas Road Reconstruction Project using funds in

account 21-8210-491-136.



March 12, 2026

City of Lucas
Attn: Joseph Hilbourn, Development Services Director
jhilbourn@lucastexas.us

Re: W. Lucas Road Project
Land Rights Acquisition Services

SCOPE OF SERVICES

GENERAL: The City of Lucas has real estate impacts associated with the W. Lucas Road Project (the Project) which will include appraisal and easement acquisition services. 7Arrows Land Staff, LLC (7Arrows) shall provide a variety of services to support the City of Lucas (Client) in the execution of the project's ROW objectives. It may also include, as directed by the Client, assistance with open houses or similar meetings with the public, presentations to all approval authorities, and other real estate and property work that may be needed from time to time to support the timely execution of the project.

BASIC SERVICES: 7Arrows shall render the following professional services in connection with the development of the Project.

1. Title Services

- a) Secure and review preliminary title commitment (Schedules A, B & C) or preliminary title search information for all properties.
- b) Secure title commitments and updates in accordance with insurance rules and requirements for parcel payment submissions for properties which will be acquired in fee simple and for easements.
- c) Secure title insurance for all parcels, insuring acceptable title. Cure all exceptions on Schedule C, when applicable. Written approval by Client will be required for any exceptions to coverage.
- d) Attend closings and provide closing services in conjunction with Title Company for all tracts.
- e) Record all original instruments immediately after closing at the respective County Clerk's Office.
- f) Charges from the Title Company for preliminary title reports, title insurance and closing costs will be paid by the Client.
- g) For parcels wherein the value of the easement is less than \$20,000.00, 7Arrows shall provide a 30-year Limited Title Report including current ownership and existing encumbrances.

2. Appraisal Services

- a) Prepare and conduct personal pre-appraisal contact with interest owner(s) for each parcel.

BRIDGING THE GAP....*between design & construction*

www.7arrowsland.com



- b) Contact property owners or their designated representative to offer an opportunity to accompany the appraiser on the appraiser's inspection of subject property. Maintain record of contact in file.
- c) Finalize complete appraisal report for each parcel. These reports shall conform to the Client's policies and procedures along with the Uniform Standards of Professional Appraisal Practice.
- d) All completed appraisals will be administratively reviewed and approved by the Client.
- e) Appraisal fee could be adjusted based on complexity of evaluation within range provided in Fee Schedule.

3. Negotiation Services

- a) Analyze appraisal reports and confirm approved value prior to making offer for each parcel.
- b) Analyze preliminary title report to determine potential title problems and propose methods to cure title deficiencies. (Exhaust all efforts to obtain subordinations of liens, waiver of lienholders and clear any title, if 7Arrows staff cannot cure title through standard practices, the Client will be responsible for obtaining legal counsel to remedy any title deficiencies as required by title or alternatively, may elect to close the easement without a title policy).
- c) Prepare the initial offer letter and any other documents required or requested by the Client in an acceptable form (Offer Letter, Purchase Contract, Instruments of Conveyance).
- d) Mail the Client approved Initial Offer Letters including the Landowners' Bill of Rights by Certified Mail-Return Receipt Requested (CMRRR).
- e) Contact each property owner or owner's designated representative and present the written offer in person where practical. When owners do not wish to have offers delivered in person, they will be mailed via certified mail with return receipt for documentation of delivery/receipt. Maintain follow-up contacts and secure the necessary instruments upon acceptance of the offer for closing.
- f) Provide a copy of the appraisal report for the subject property exclusively to the property owner or authorized representative at the time of the offer.
- g) Respond to property owner inquiries verbally and/or in writing within two business days.
- h) Prepare a separate negotiator contact report for each parcel file for each contact.
- i) Maintain parcel files of original documentation related to the purchase of the real property or property interests/acquisition of the Easement or Right of Way.
- j) Present counteroffers in a form as directed by the Client. Transmit any written counteroffer from property owners including supporting documentation, and Agent's recommendation with regard to the counteroffer.
- k) Prepare second and final offer letter as necessary by CMRRR.



4. Acquisition/Closing Services

- a) Prepare check request, review closing documents and facilitate execution of all necessary documents. Attend closings and provide closing services in conjunction with Title Company for all tracts.
- b) Transport any documents to the Client and landowner for signatures.
- c) Record or cause to be recorded all original instruments immediately after closing at the respective County Clerk's Office.
- d) Review Title Policy and provide to Client for permanent storage.
- e) In the event settlement with a landowner cannot be reached, 7Arrows will charge the closing fee upon submission of an Eminent Domain/Condemnation package summarizing all landowner engagements.
- f) For parcels wherein the value of the easement is less than \$20,000.00, 7Arrows shall have all documents signed and notarized by the property owner and recorded in the county records. Client shall pay the property owner directly for said easement(s), unless otherwise directed by Client.

5. Project Administration

- a) Maintain status reports of all parcels and project activities through Smartsheet.
- b) Provide bi-weekly update reports to Client.
- c) Participate in project review meetings as requested.
- d) Provide schedule or areas of work indicating anticipated start and end dates
- e) Copy designated Client representative on all property owner correspondence, as requested.
- f) Maintain copies of all correspondence and contacts with property owners.
- g) Update database with status information and documentation.

SUPPLEMENTAL SERVICES (Not contemplated within BASIC SCOPE & FEE):

6. Condemnation Support

- a) Upon receipt to proceed with Eminent Domain from Client, order updated "Condemnation Limited Title Report" (search parameters set by Client and/or outside legal counsel)
- b) Prepare condemnation package as directed by Client and deliver to Client's designee or legal counsel.



- c) Upon notification from Client, request update of appraisal.
- d) As necessary, the appraiser will appear and or testify as an Expert Witness in eminent domain proceedings and be available for pre-hearing or pre-trial meetings as directed by Client (additional fees to be charged on an hourly basis).
- e) As necessary, the ROW Manager will appear and provide Expert Witness testimony when requested (Additional fees will be charged on an hourly basis).
- f) Supplemental Appraisal Fee to be applied for complex appraisals as needed.

Submitted By: Nicole Costanza

Nikki Costanza, Managing Partner

Date: 3/12/2026



City of Lucas W. Lucas Road Fee Schedule		
Service Item	Service Fee	
<u>I. Acquisition Services</u>		
Title & Title Curative	\$	2,000
Administrative Fee	\$	1,500
Easement / ROW Negotiation Services	\$	3,000
Closing Services	\$	1,500
Total Price per Parcel	\$	8,000
Number of Parcels		25
<i>Sub-Total Acquisition Services</i>	<i>\$</i>	<i>200,000</i>
Additional Easement Fee	\$	1,000
<i>No. of Parcels with 1+ Easement</i>		<i>15</i>
<i>Sub-Total Acquisition Services (1+ Easemen</i>	<i>\$</i>	<i>15,000</i>
<u>II. Appraisal Services</u>		
Appraisals	\$	6,000
Parcel Count - Appraisals		23
<i>Total Appraisal Services</i>	<i>\$</i>	<i>138,000</i>
<u>III. Project Management Services</u>		
Project Manager Hourly Rate (\$/Hr)	\$	200
Project Management Hours		300
<i>Total Project Management Services</i>	<i>\$</i>	<i>60,000</i>
Total Estimated Cost†	\$	413,000
<u>IV. Condemnation Support Services</u>		
Testifying Witness Hourly Rate (\$/hr)	\$	400
Appraiser Associate Hourly Rate (\$/hr)	\$	250
Research Hourly Rate (\$/hr)	\$	125
†7Arrows Land Staff, LLC will only charge for services performed. **Condemnation Cost will be estimated on an as needed basis and provided as a supplement.		



Expected Parcels for City of Lucas W. Lucas Road	
City of Lucas Parcel Reference	Collin County PID #
6	1217971
7	2868631
8	1217917
9	1217882
10	1217962
11	2122010
	2019345
12	2686952
13	2589351
14	2829211
15	1215036
16	2078270
17	2121496
	2121494
18	2103994
19	2104014
20	2104015
21	2104022
22	2665863
23	2962444
24	2023685
31	2631297
40	2632587
41	2665868
TBD	2596172



**City of Lucas
City Council Agenda Request
April 2, 2026**

Requester: Patrick Hubbard, CIP Manager

Agenda Item Request:

Consider authorizing the City Manager to negotiate and enter into an agreement with Surveying and Mapping, LLC in an amount not to exceed \$79,200 to provide surveying for the West Lucas Road Reconstruction Project using funds in account 21-8210-491-136.

Background Information:

The City of Lucas is proposing to assume responsibility for the acquisition of right-of-way for the West Lucas Road Reconstruction Project. In preparation, the city has received a proposal from Surveying and Mapping, LLC, for the completion of all necessary surveying in support of land acquisition services for the purchase of necessary right-of-way and easements for the project as outlined in the attached scope of work.

Attachments/Supporting Documentation:

1. SAM Proposal

Budget/Financial Impact:

This agreement will be funded with contingency funds for the West Lucas Road Reconstruction project.

Recommendation:

Staff recommends authorizing the City Manager to negotiate and enter into an agreement with surveying and Mapping, LLC in an amount not to exceed \$79,200 to provide Surveying for the West Lucas Road Reconstruction Project.

Motion:

I make a motion to approve/deny authorizing the City Manager to negotiate and enter into an agreement with Surveying and Mapping, LLC in an amount not to exceed \$79,200 to provide surveying for the West Lucas Road Reconstruction Project.



Delivery Method:

Email: pHubbard@lucastexas.us

March 23, 2026

Patrick Hubbard, MPA, AICP, CFM
City of Lucas
665 Country Club Road
Lucas, Texas 75002

**RE: West Lucas Road Easements
Lucas, Texas
SAM Project Number: 1026108168**

Dear Mr. Hubbard,

Surveying And Mapping, LLC (SAM) is pleased to present the City of Lucas with this proposal to provide professional land surveying services in connection with the above-referenced project. The attached scope of services with associated fees is based upon our understanding of the project per the information provided to SAM via email on March 22, 2026

After you have reviewed the attached proposed Scope of Services, associated fees and schedule, please do not hesitate to call if you have any questions or comments. Again, thank you for the opportunity to provide this proposal. We are looking forward to working with you on this project.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Michael Medina'.

Michael Medina, RPLS / SAM
Sr. Project Manager
mmedina@sam.biz
(214) 926-7179

Surveying And Mapping, LLC
1341 W. Mockingbird Lane / Suite 400W / Dallas, Texas 75247
214.631.7888 Office / TBPELS #10064300

sam.biz



Scope of Services

Project Overview

Prepare 36 easement document within the existing West Lucas Road project limits located along the north and south side of West Lucas Road from FM 2551 (Angel Parkway) to FM 1378 (Country Club Road).

Assumptions

The following assumptions were made for the preparation of this Scope of Services. If these assumptions do not prove correct, a modification to the scope and budget for this project may be required.

- Client will provide Right of Entry and access to any private properties as required to perform the services described herein, and if necessary gain permission of adjoining properties.
- Texas811 (an underground utility locator service) will not be utilized as part of this scope of services.
- SAM assumes that no significant discrepancies will be found between the proposed survey and the subject property. Supplemental work to rectify or validate the prior survey is not within this scope.
- Only property corners for the subject property will be verified.
- A topographic survey or improvement survey is not part of this scope of work.
- Horizontal Project Datum will be relative to the Texas State Plane Coordinate System, NAD 83, North Central Zone 4202, U.S. Survey Feet.

Scope of Services

SAM will provide the following services:

- Review and analyze the current recorded deed and/or plats, adjoining deeds or plats and right-of-way information.
- Locate the subject property corner markers, fences, and/or other items that will allow SAM to construct the subject tract boundary.
- Set easement monumentation.
- Prepare easement exhibit and legal description in PDF format.

Additional Services – Survey

In addition to the services outlined above, SAM will provide additional services as requested by the client on a time and materials basis, based upon our Contract Rate Schedule. If requested, a scope of work and estimated fee will be provided in writing prior to SAM proceeding with any additional service. These additional services include, but are not limited to, the following:

- Subsurface Utility Engineering Services
- Aerial Photography.
- Land Title Commitment Services.
- Platting
- Any other service not specifically described above.

Project Deliverables – Survey

SAM will provide the following project deliverables:

- 36 Easement exhibit and legal description in PDF format



Project Schedule

Based on receipt of written agreement and notice to proceed, SAM field crew will mobilize within 5 working days pending no weather delays or conditions beyond our control. SAM will submit the deliverables within 2-3 weeks upon the final collection of field data. SAM's Project Manager will keep the client apprised of the progress and any delays that occur.

Fees

This proposal is valid for 90 days, after which a revised proposal may be submitted per SAM's own discretion. The fees below are based upon SAM performing all services concurrently with this scope of work.

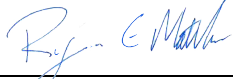
SAM will provide the services described above for the ***lump sum fee of \$79,200.00*** (\$2,200.00 per Easement X 36 Easements)

STANDARD TERMS AND CONDITIONS
(State of Texas)

1. Access To Site - Unless otherwise stated, Surveying And Mapping, LLC, a Texas limited liability company (“SAM”) will have access to the project site for activities necessary for the performance of the services. SAM will take precautions to minimize damage due to these activities, but has not included in the fee the cost of restoration of any resulting damage.
2. Ownership Of Documents - Client acknowledges that all original papers, documents, maps, surveys, digital data and other work product and copies thereof, produced by SAM pursuant to this Agreement shall remain the property of SAM except documents which are to be filed with public agencies. Client further acknowledges that Client’s right to utilize the services and work product performed pursuant to this Agreement will continue only so long as Client is not in default pursuant to the terms and conditions of this Agreement and Client has performed all obligations under this Agreement.
3. Copyright - The parties hereto agree that all protections of the United States and the greater of the protections afforded SAM by Texas state copyright laws and the copyright laws of the state in which the project is performed shall be applicable to the work product to the benefit of SAM, including common law and statutory law, whether or not any copyright for such work product actually is registered, and without regard to whether or not such copyright actually applies to such work product.
4. Invoices - Invoices for fees and all other charges will be submitted monthly for all services rendered as the work progresses, and the net amount shall be due and payable as of the date of the invoice at SAM's office in Austin, Travis County, Texas.
5. Client's Obligation to Pay - Client's obligation to pay is solely that of Client, and the acts or omissions of any third party shall not affect that obligation. All sums due and not received shall be construed as past due. To cover the costs of collection, all past-due amounts will incur a late charge of one and one-half percent (1 ½ %) per month until paid. The Client shall pay all attorney’s fees or court costs incurred by SAM in collecting any past-due amounts. In the event that Client fails to pay SAM within thirty (30) days after invoices are rendered, then Client agrees that SAM shall have the right to stop or suspend work and consider the non-payment as grounds for a total breach of this Agreement.
6. Termination Of Services - This Agreement may be terminated by either party upon five (5) days’ written notice, by mutual consent or in the event of persistent failures of performance of material terms and conditions of this Agreement by the other party through no fault of the terminating party. SAM shall then be paid for the services completed up to the time of the termination date based upon the attached Rate Schedule.
7. Dispute Resolution – If a dispute arises out of or in connection with or relation to this Agreement, the parties shall endeavor reasonably to settle the dispute through direct discussions. If a dispute is not resolved through direct discussions, claims or disputes in connection with the services provided under this Agreement between Client and SAM shall be submitted to non-binding mediation in Austin, Travis County, Texas. In the event non-binding mediation does not result in resolution of the claim or dispute, the dispute shall be resolved by litigation in the courts of the state in which the services are performed, and the parties hereby consent and submit to exclusive venue in, and the exclusive jurisdiction of, such courts and waive all rights to proceed in any other venue or jurisdiction. Client and SAM agree to include a similar dispute resolution agreement with all contractors, subcontractors, subconsultants, suppliers and fabricators, thereby providing for mediation as the primary method for dispute resolution between all parties. The substantially prevailing party in any litigation arising out of or relating to this Agreement shall be entitled to recover from the other party reasonable attorneys' fees, costs, and expenses incurred by the prevailing party.
8. Governing Law - This Agreement shall be construed and enforced in accordance with the laws of the state of Texas.
9. Indemnification - The Client shall, to the fullest extent permitted by law, indemnify and hold harmless SAM, its officers, directors, members, managers, employees, agents, insurers and subconsultants (collectively “SAM Parties”) from and against all damages, liabilities, penalties, fees, claims, suits and costs, including reasonable attorney's fees and defense costs, arising out of or in any way connected with the performance by any of the SAM Parties of the services under this Agreement, excepting only those damages, liabilities or costs attributable to the sole negligence or willful misconduct of SAM.
10. Limitation Of Liability - In recognition of the relative risks, rewards and benefits of the project to both the Client and SAM, the risks have been allocated such that the Client agrees that, to the fullest extent permitted by law, total liability to the Client for any and all injuries, claims, suits, costs, liabilities, fees, losses, expenses, penalties, fines, damages or claim expenses arising out of this Agreement from any cause or causes shall not exceed the total fee paid by the Client to SAM, excluding any sales tax, for the services rendered. Such causes include, but are not limited to, SAM's negligence, errors, omissions, strict liability, breach of contract or breach of warranty. Except for the indemnification provisions provided herein, neither party shall be liable to the other for consequential, incidental, indirect, punitive or special damages (including loss of profits, data, business or goodwill), regardless of the legal theory advanced or of any notice given as to the likelihood of such damages.

- 11. Authority - Client affirmatively represents and states that he/she is authorized to enter into this Agreement, either as the owner or an officer of _____, or as Company's duly authorized agent, trustee or receiver for the purpose of entering into this Agreement.
- 12. Professional Services - All engineering and surveying services are regulated under the Texas Board of Professional Engineers and Land Surveyors.
- 13. Use of Work Product - SAM acknowledges that Client is requesting services to be performed under the applicable work order(s) for the purpose of providing such information to other parties including, but not limited to, clients, customers, governmental entities and other interested parties. Client agrees that the work product prepared by SAM may not be altered in any way except for the addition of page numbers or exhibit captions necessary to incorporate that work product into other documents. SAM agrees to provide copies of the work product mutually agreed upon by both parties described in the work orders hereof.
- 14. Subpoenas or Requests for Information - In the event SAM or any of its personnel are requested or authorized by the Client or third parties with which the Client is involved in a claim or dispute or, are required by government regulation, subpoena, or other legal process, to produce any information or our personnel as witnesses with respect to the services performed by SAM hereunder, the Client will, so long as neither SAM nor its personnel are a party to the proceeding in which the information or personnel are sought, reimburse SAM for its professional time and expenses, as well as the actual fees and expenses of SAM's counsel, incurred in responding to such requests.

SURVEYING AND MAPPING, LLC

Signature: 
 Date: 5/21/2025
 Printed Name: Ryan Matthews
 Title: Vice President-Operations Manager

COMPANY NAME: _____

Signature: _____
 Date: _____
 Printed Name: _____
 Title: _____



City of Lucas City Council Agenda Request April 2, 2026

Requester: Patrick Hubbard, CIP Manager

Agenda Item Request:

Consider an analysis of pavement condition data, discuss strategies for the City of Lucas Road Improvement Program, and provide direction to the City Manager.

Background Information:

NEXCO Highway Solutions of America (NHS A) is a pavement management company hired by the City of Lucas to conduct a data-driven assessment of roadway conditions throughout the city.

Development Services/Engineering contracted NHS A to collect full system data beginning in 2022. Data collection for fall/winter 2023 and 2024 periods only consisted of thoroughfares, asphalt streets and areas of known concern. Staff repeated full system data collection in early 2026. Staff have since analyzed the results and compared them to the previous years.

This item provides an update on the priorities established during the 2025 streets workshop. The top priority of City Council established at this workshop is the repair of all road sections designated as failed by NHS A. Staff caution against flat year-over-year comparison of topline data due to shifts in NEXCO methodology and assessment area. For example, sections of gravel roadway that were previously identified as good condition are now classified as failed. In addition, the coverage area is much larger. The current average pavement condition score in Lucas is 77 of 100.

Staff has implemented several new program activities under Road Improvements to provide for interim and small-scale maintenance to enhance the agility of road maintenance while still prioritizing the backlog of major rehabilitation projects needed to bring the failed segments up to good condition. Staff has also further developed plans for long-term asset management and replacement, including asphalt-to-concrete conversion of Type-C Streets.

Attachments/Supporting Documentation:

1. 2026 NEXCO Summary
2. 2024 NEXCO Summary

Budget/Financial Impact:

The general scope of the Road Improvement Program is confined to those projects funded through Account 11-8209-301 – Improvement Roads. The fiscal year 2025-2026 budget for this program is \$1,350,000.

Revenue Account 11-4101-100 includes a budgeted \$684,451 (51%) from restricted sales tax revenue that must be expended on road improvements. The remaining \$665,549 (49%) was contributed from unrestricted general fund revenue. Commercial property development trends support the prediction that restricted sales tax will contribute an increasing percentage of these funds over time.

Recommendation:

This is a discussion and presentation item. No action is required.

Motion:

NA

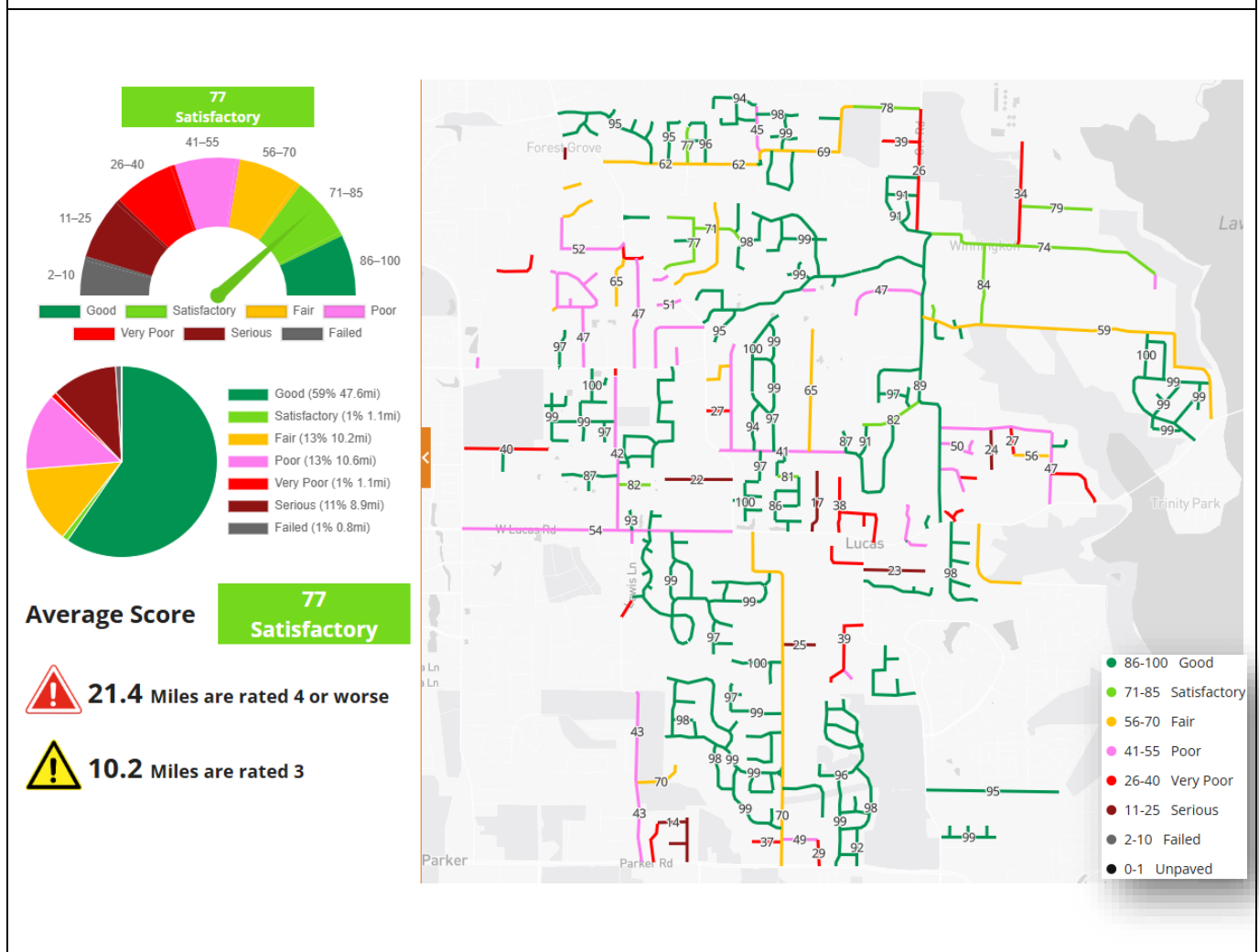
Topline Summary for Pavement Condition Assessment Prepared for the City of Lucas

(Data collected from January 20th to February 2nd, 2026)

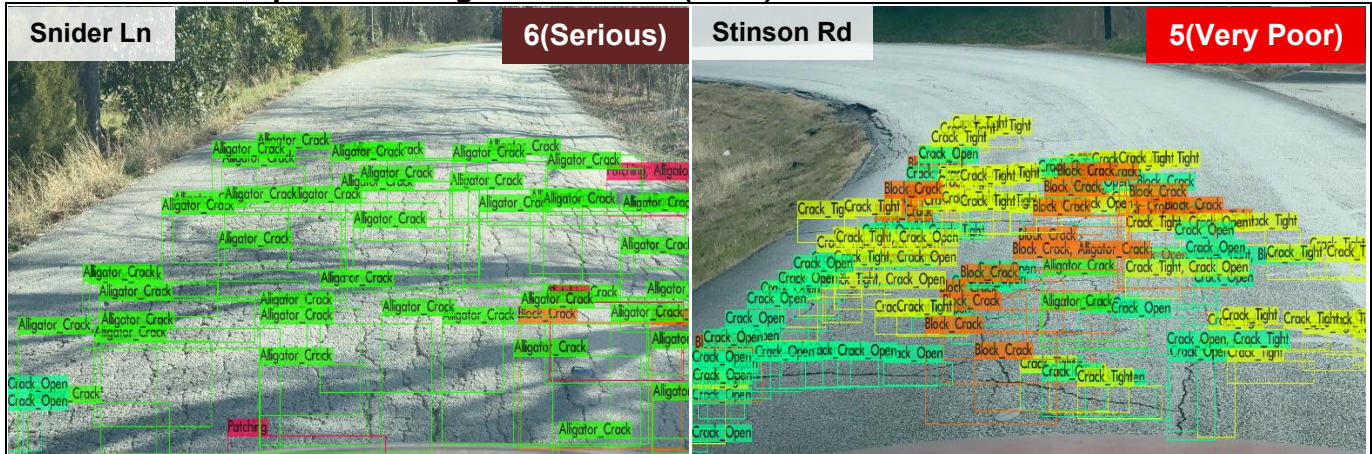
This is a quick assessment summary to better prepare maintenance and rehabilitation planning. Please refer to the **Data Analysis Tool** for a more detailed analysis and planning in addition to this summary.

Overall Condition

- The average SPM-PCI score of surveyed streets is 77(Satisfactory).
- A total of 21.4 miles (26% of the surveyed streets) are rated 4(Poor) or worse, which need rehabilitation. Rehabilitation works for chunks of these segments would be recommended for efficient repair.
- A total of 10.2 miles (13% of the surveyed streets) are rated 3(Fair), which need proactive maintenance. Crack sealing would be recommended to slow deterioration and extend pavement service life.



Sections to be Repaired - Segments rated 4(Poor) or worse -



Label	Length (mi)	Miles of Each Rating				Total Miles of 4+5+6+7	100-scaled Average of SPM-PCI
		4: Poor (Score: 41-55)	5: Very Poor (Score: 26-40)	6: Serious (Score: 11-25)	7: Failed (Score: 2-10)		
Lewis Ln_3	1.08	0.62	0.02	0.32	0.07	0.96	43
Snider Ln	2.31	0.40	0.04	0.40	0.07	0.91	59
Stinson Rd	2.24	0.50	0.04	0.30	0.00	0.84	70
Orr Rd	0.78	0.12	0.06	0.48	0.08	0.74	26
Ingram Ln_2	0.97	0.12	0.04	0.55	0.02	0.73	42

- The table shows the top 5 streets in terms of total miles with rating 4(Poor) or worse segments and candidates for rehabilitation work.
- In the segments rated 6(Serious)/7(Failed), extensive alligator cracking is observed. One possible reason for the distress is a weakened base. When the base layer has been weakened, even after partial patches are treated, other new distresses will quickly form and return the pavement to the same condition in a short period of time. Therefore, replacing the surface and base would be recommended to improve the situation.
- In the segments rated 4(Poor)/5(Very Poor), block or multiple cracks are observed. If they are left untreated, water intrusion will damage the base layer and greatly increase rehabilitation costs. Therefore, replacing the surface would be recommended to prevent base weakening.

For Proactive Maintenance - Segments rated 3(Fair) -

Label	Length (mi)	Miles 3: Fair (Score: 56-70)
W Lucas Rd	1.68	0.86
Snider Ln	2.31	0.72
W Forest Grove Rd_1	0.96	0.34
Stinson Rd	2.24	0.33
E Winningkoff Rd	1.50	0.30

- The table shows the top 5 streets in terms of total miles with rating 3(Fair) segments and candidates for proactive maintenance.
- In the segment rated 3(Fair), there are several isolated cracks. Water intrusion through these cracks increases the risk of additional distress, leading to worsening conditions.
- Crack sealing would reduce water intrusion and slow pavement deterioration. Proactive maintenance such as crack sealing would be recommended to extend pavement service life and reduce total maintenance cost.

*Due to its length and number of sporadic distresses, Snider Ln and Stinson Rd are included in both Sections to be Repaired and For Proactive Maintenance.

Topline Summary for Pavement Condition Assessment Prepared for the City of Lucas

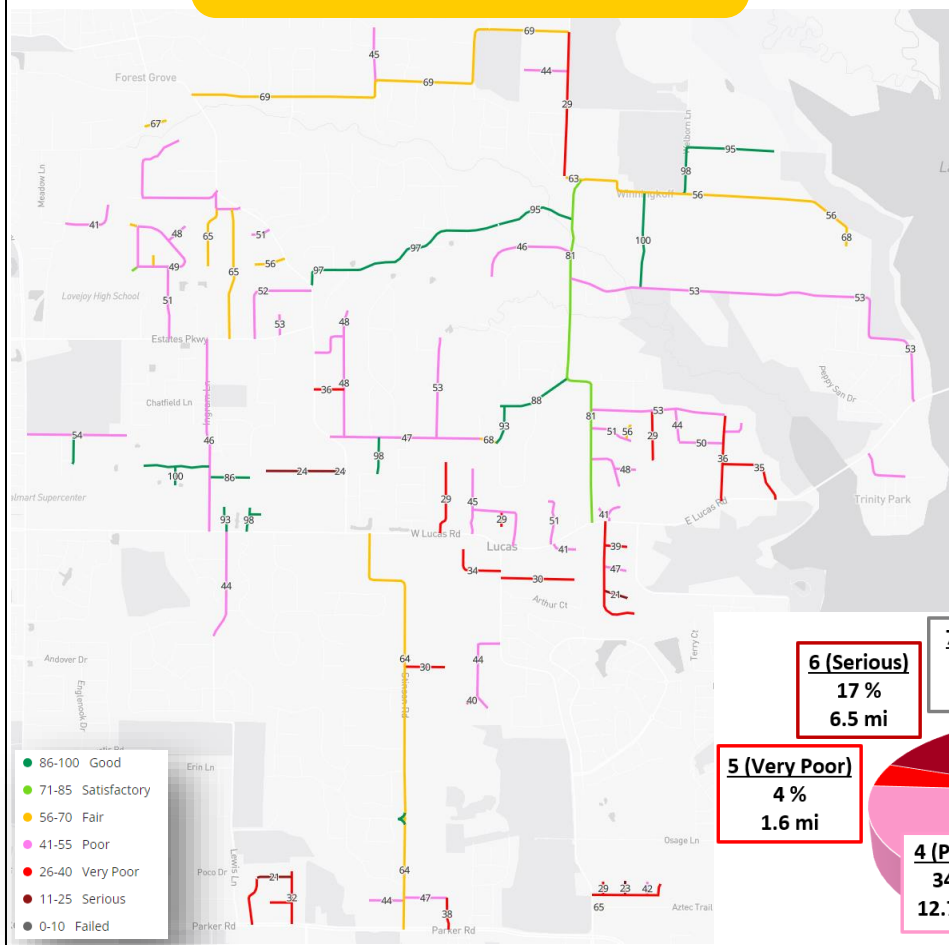
(Data collected in Dec 2024)

This is a quick assessment summary to better prepare maintenance and rehabilitation planning. Please refer to the **Data Analysis Tool** for a more detailed analysis and planning at the top of this summary.

Overall Condition

- About 22 miles (58% of surveyed streets) are rated 4(Poor) or worse, which need rehabilitation work. Rehabilitation works for chunks of these segments would be recommended for efficient repair.
- About 5.7 miles (15% of surveyed streets) are rated 3(Fair), which need proactive maintenance. Crack sealing would be recommended to prevent entry of water and slow deterioration.

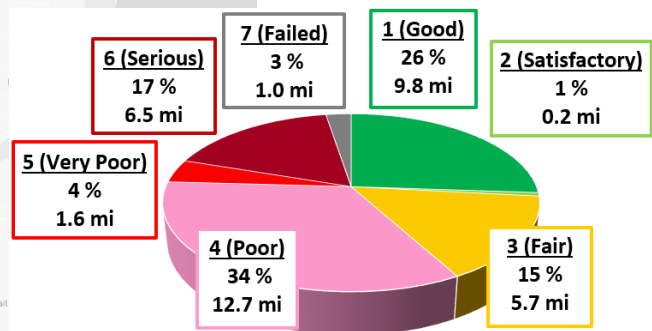
**Average SPM-PCI Score
 57.0 (Fair)**



Pavement Condition Map



Pavement Condition Rating

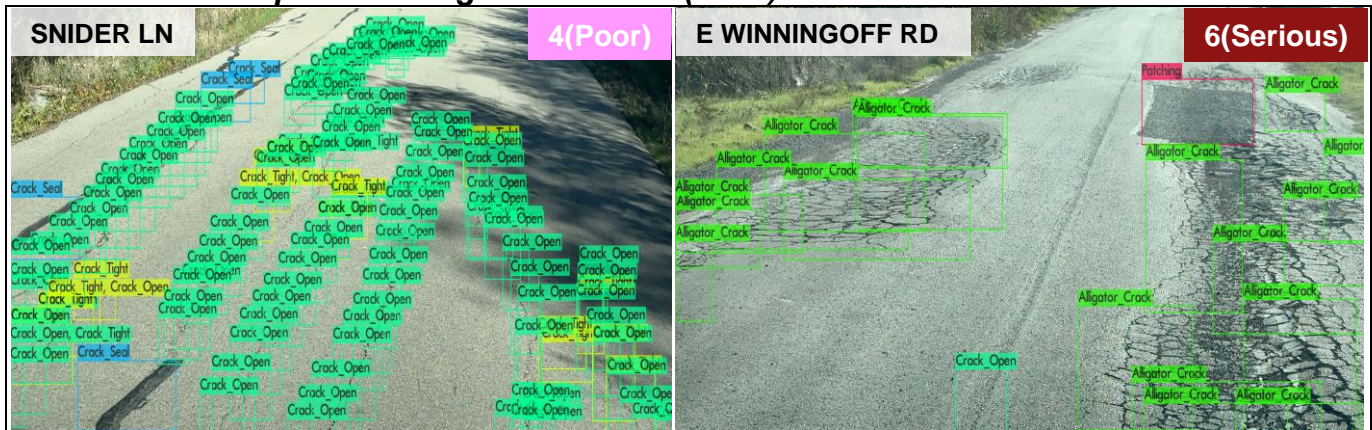


Pavement Condition Percentage

* Unpaved segments are classified as Failed condition on the Pavement Condition Map

** Unpaved segments are not included in the average score calculation

Sections to be Repaired - Segments rated 4(Poor) or worse -



Street Name	Length (mi)	Miles of Each Rating					100-scaled	
		4: Poor (PCI: 41-55)	5: Very Poor (PCI: 26-40)	6: Serious (PCI: 11-25)	7: Failed (PCI: 0-10)	Total Miles of 4+5+6+7	Average of SPM-PCI	
SNIDER LN	2.32	0.83	0.12	0.39	0.09	1.43	53.33	
STINSON RD	2.26	0.81	0.11	0.19	0.00	1.11	64.37	
E WINNINGKOFF RD	1.50	0.55	0.11	0.28	0.04	0.98	55.66	
ORR RD	0.76	0.23	0.03	0.47	0.02	0.75	28.90	
INGRAM LN_2	0.97	0.24	0.05	0.30	0.09	0.69	45.64	

- The table shows the top 5 streets in terms of total miles with rating 4(Poor) or worse segments and candidates for rehabilitation work.
- In the segments rated 4(Poor)/ 5(Very Poor), multiple cracks are observed. If they are left untreated, water intrusion will damage the base layer, and rehabilitation costs will greatly increase. Therefore, replacing the surface would be recommended to prevent base weakening.
- In the segments rated 6(Serious)/7(Failed), severe alligator cracks are observed. One of the possible reasons for alligator cracking is a weakened base. When the base layer has been weakened, even after partial patches or crack sealing are treated, other new distresses will quickly form and return the pavement to the same condition in a short period of time. Therefore, replacing the surface and base would be recommended to improve the situation.

For Proactive Maintenance - Segments rated 3(Fair) -

Street Name	Length (mi)	Miles 3: Fair (PCI: 56-70)
SNIDER LN	2.32	0.45
W FOREST GROVE RD	1.91	0.44
WINNINGKOFF RD	1.93	0.40
STINSON RD	2.26	0.39
KINGSWOOD DR	0.33	0.22

- The table shows the top 5 streets in terms of total miles with rating 3(Fair) segments and candidates for proactive maintenance.
- In the segment rated 3(Fair), there are several isolated cracks.
- Water intrusion through these cracks increases the risk of additional distress, leading to worsening condition. Crack sealing would reduce water intrusion and slow pavement deterioration. Since these segments are scattered over the entire network, we recommend planning sequential implementation of proactive maintenance for these segments.

*** Due to its length and number of sporadic distresses, SNIDER LN and STINSON RD are included in both Sections to be Repaired and For Proactive Maintenance.



**City of Lucas
City Council Agenda Request
April 2, 2026**

Requester: Joe Hilbourn, Development Services Director

Agenda Item Request:

Consider adopting Ordinance 2026-04-01041 of the City of Lucas, Texas, amending the Code of Ordinances by amending Chapter 3 titled “Building Regulations” by amending Article 3.16 titled “Signs.”

Background Information:

The City of Lucas sign regulations in Article 3.16 have been in place since August 2, 2007, with only a few minor amendments, the last occurring in February 2014. The ordinance regulates the location, size, design, construction, use, and maintenance of signs to protect public safety, support clear communication, and preserve the city’s rural character. It defines many types of signs, identifies which are exempt, which are prohibited, and which require permits by zoning district, and sets standards for appearance, illumination, and maintenance. It also addresses nonconforming signs, variances, and compensation when lawful signs must be relocated or removed. Because both local needs and Texas law have evolved—most recently with changes in state law in September 2025 regarding illegally placed signs—this update represents a substantial overhaul of the existing sign ordinance to modernize standards, improve enforceability, and align the city’s regulations with current state requirements. This agenda item was brought forth to the February 19, 2026, City Council meeting. Staff made the recommended changes to the ordinance.

Attachments/Supporting Documentation:

1. Notice of Public Hearing Ch. 3 Article 3.16 Signs
2. Ordinance# 2026-04-01041

Budget/Financial Impact:

NA

Recommendation:

Staff recommends approval as presented.

Motion:

I make a motion to approve/deny adopting Ordinance 2026-04-01041 of the City of Lucas,

Texas, amending the Code of Ordinances by amending Chapter 3 titled “Building Regulations” by amending Article 3.16 titled “Signs.”



NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN, that the City Council of the City of Lucas, Texas will conduct a public hearing on Thursday, April 2, 2026, at 6:30 p.m., at Lucas City Hall, 665 Country Club Road, Lucas, Texas to consider amendments to the City of Lucas Code of Ordinances, Chapter 3, titled "Building Regulations," Article 3.16, titled "Signs".

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, Toshia Kimball, 665 Country Club Road, Lucas, Texas 75002, email tkimball@lucastexas.us and it will be presented at the hearing. If you have any questions about the above hearing, you may contact Development Services Director, Joe Hilbourn at jhilbourn@lucastexas.us.



**ORDINANCE #2026-04-01041
[Amending Code of Ordinances Chapter 3, Signs]**

AN ORDINANCE OF THE CITY OF LUCAS, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 3 "BUILDING REGULATIONS," BY AMENDING ARTICLE 3.16 "SIGNS" TO CONFORM WITH CONSTITUTIONAL REQUIREMENTS AND PROVIDE FOR SAFETY FOR MOTORISTS; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City Council of the City of Lucas has determined that it is in the best interest of the citizens of the City of Lucas to update regulations regarding the construction and placement of signs, as stated herein within the City limits and the extraterritorial jurisdiction of the City.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LUCAS, TEXAS, THAT:

SECTION 1. The Code of Ordinances of the City of Lucas, Texas, is hereby amended by amending Chapter 3 "Building Regulations" by removing the current Article 3.16 titled "Signs" and replacing with the following:

**"CHAPTER 3
BUILDING REGULATIONS**

...

ARTICLE 3.16 SIGNS

§ 3.16.001 Purpose, Applicability and Scope.

The purpose of this article is to regulate the location, size, construction, erection, duration, use and maintenance of all signs within the jurisdiction of the city. The general objectives of these regulations are to promote safety, convenience, and a sense of community, and support the objectives of individual zoning districts while preserving the city's unique country appearance and atmosphere. In accordance with state law, the provisions of this article are extended to the extraterritorial jurisdiction of the City. Objectives to be pursued in applying specific standards are as follows:

- (1) Safety. To promote the safety of persons and property by providing that signs:
 - (A.) Do not create a hazard due to dilapidation, collapse, fire, decay, substandard condition, or abandonment;
 - (B.) Do not obstruct firefighting or police surveillance; and
 - (C.) Do not create traffic hazards by confusing or distracting motorists, or by impairing the driver's ability to see pedestrians, obstacles or other vehicles or to read traffic signs.

- (2) Communications efficiency. To promote the efficient transfer of information in sign messages so as to identify individual businesses and residential and public uses without creating confusion or unsightliness.

- (3) Landscape quality and preservation. To protect the appearance and economic value of the landscape by providing that:
 - (A.) All signs in terms of size, scale, height, and location are properly related to the overall adjacent land use, character and development lot size;
 - (B.) All signs, sign supports and sign bases shall be so constructed and designed to provide for design compatibility with surrounding land use. The materials used, form, color, lighting and style should be similar to the materials used in the surrounding land uses;
 - (C.) Signs do not interfere with scenic views;
 - (D.) Signs do not create a nuisance to persons using the public rights-of-way;
 - (E.) Signs do not constitute a nuisance to occupancy of adjacent and contiguous property by their brightness, size, or height;
 - (F.) Signs are not detrimental to land or property values; and
 - (G.) Signs contribute to the special character of the particular areas or districts within the city, helping the observer to understand the city and orient himself within it.

§3.16.002 Definitions

Unless the context clearly indicates otherwise, for the purpose of this article, the following words and phrases have the meanings respectively ascribed to them by this section:

- (1) *Advertise*. To attract, or to attempt to attract, the attention of any person to any business, accommodations, goods, services, property, or commercial activity.

- (2) *Advertising*. Any promotion of commodities or services.
- (3) *Agricultural sign*. Any sign identifying the farm or ranch on which it is placed and advertising the produce, crops, animals or poultry raised or quartered thereon.
- (4) *Animated*. Copy or other images that flash or move or otherwise change.
- (5) *Area*. The area of a sign measured as follows:
 - (a) Square or rectangular signs: Length times height of the sign;
 - (b) Irregular shaped signs: Area of rectangles necessary to enclose the sign face; and
 - (c) Signs composed of individual letters mounted or painted on a natural or existing finish of a building surface: Sum of area of rectangle necessary to enclose total copy.
- (6) *Attached sign*. Any sign attached to, applied on, or supported by any part of a building (such as a wall, roof, window, canopy, awning, arcade, or marquee) that encloses or covers usable space.
- (7) *Awning sign*. An awning sign is a sign which is applied to, attached, or painted on awning or other roof-like cover, intended for protection from the weather or as a decorative embellishment, projecting from a wall or roof of a structure over a window, walk, door, or the like.
 - (a) *Banner*. A temporary sign banner sign is a sign having characters, letters, or illustrations applied to vinyl, plastic, cloth, canvas, or other light fabric, with the only purpose of such nonrigid material being for background.
- (8) *Board of adjustments*. The board of adjustments of the city.
- (9) *Building*. A structure which has a roof supported by columns, walls, or air for the shelter, support, or enclosure of persons, animals or chattel.
- (10) *Building official or designee*. The individual, or his subordinates, designated by the city and charged with code and ordinance enforcement.
- (11) *Changeable electronic variable message signs (CEVMS)*. A sign which permits light to be turned on or off intermittently or which is operated in a way whereby light is turned on or off intermittently, including an illuminated sign on which such illumination is not kept stationary or constant in intensity and color at all times when such sign is in use, including an LED (light emitting diode) or digital sign, and which varies in intensity or color. A CEVMS sign does not include a sign located within the right-of-way that functions as a traffic-control device and that is described and identified in the Manual on Uniform Traffic-Control Devices (MUTCD) approved by the Federal Highway Administrator as the National Standard.

- (12) *Character.* Any letter of the alphabet or numeral.
- (13) *Commercial message.* A message placed or caused to be placed before the public by a person or business enterprise directly involved in the manufacture or sale of the products, property, accommodations, services, attractions, or activities or possible substitutes for those things which are the subject of the message and that:
- (a) Refers to the offer for sale or existence for sale of products, property, accommodations, services, attractions, or activities; or
 - (b) Attracts attention to a business or to products, property, accommodations, services, attractions, or activities that are offered or exist for sale or for hire.
- (14) *Construction sign.* A temporary sign identifying the property owner, decorator, architect, engineer, contractor, subcontractor and/or financier engaged in the design, construction or improvement of the premises on which the sign is located.
- (15) *Copy.* Letters, characters, illustrations, logos, graphics, symbols, writing or combination thereof designed to communicate information of any kind or to advertise, announce the purpose of, or identify the purpose of a person or entity, or to identify or advertise a business or business product, or to advertise the sale or lease of premises.
- (16) *Digital/Electronic Signs.* Provide identification or advertisement of a specific business, service, product, activity, person, organization, place or building.
- (17) *Dilapidated, deteriorated or substandard condition.* Dilapidated, deteriorated or substandard condition shall mean any sign:
- (A.) Where elements of the surface or background can be seen as viewed from the normal viewing distance (intended viewing distance), to have portions of the finished material missing, or otherwise not in harmony with the rest of the surface;
 - (B.) Where the structural support or frame members are visibly bent, broken, dented or torn;
 - (C.) Where the panel is visibly cracked or in the case of wood and similar products, splintered in such a way as to constitute an unsightly or harmful condition;
 - (D.) Where the sign or its elements are twisted or leaning or at angles other than those at which it was originally erected (such as may result from being blown or the failure of structural support);
 - (E.) Where the message or wording can no longer be clearly read by a person with normal eyesight under normal viewing conditions; or
 - (F.) Where the sign or its elements are not in compliance with the requirements of the National Electrical Code and/or the International Building Code currently adopted by the city.
- (18) *Directional sign.* A temporary off-premise sign which is limited, exclusively, to the identification of a specific premises, occupancy, or owner of said premises located elsewhere, and which tells the location of and/or route to said premises or occupancy.

- (19) *Erect.* To build, attach, hang, place, suspend, fasten, affix, maintain, paint, draw, or otherwise construct.
- (20) *Face or surface.* The surface of the sign upon, against, or through which the message is displayed or illustrated on the sign.
- (21) *Feather Flags.* A type of advertising banner that is characterized by its vertical, feather-like shape and are typically attached to a flexible pole allowing it to sway, flutter, or otherwise move in the wind in such a manner that is designed to draw attention and are commonly used by businesses and event organizers to promote a brand or event.
- (22) *Freestanding sign.* Any self-supporting sign connected to the ground that is not attached to a building or structure for reasons of support.
- (23) *Garage sale, estate sale, yard sale, rummage sale or similar sale signs.* The occasional sale of tangible personal property.
- (24) *Government sign.* A flag, insignia, legal notice, or informational, directional, traffic, or safe school zone sign which is legally required or necessary to the essential functions of government agencies.
- (25) *Height.* As applied to a sign, means the vertical distance measured from an average elevation of the finished grade along the area of sign installation, excluding any artificial berming, to the highest part of the sign or its supporting structure, whichever is higher.
- (26) *Identification sign.* A sign that includes as copy only the name of the business, place, organization, building, or person it identifies.
- (27) *Illuminated sign.* Any sign which is directly lighted by an electrical or artificial light source, internal or external. This definition does not include signs that are illuminated by streetlights or other light sources owned by any public agency or light sources that are specifically operated for the purpose of lighting the area in which the sign is located rather than the sign itself.
- (28) *Inflatable sign.* An inflatable sign is a sign manufactured of plastic, cloth, canvas, or other light fabric and inflated with air.
- (29) *Instructional sign.* An instructional sign is a sign that provides instruction, information, or direction to the general public. The sole purpose of an instructional sign is to provide instruction, information, or direction to the general public that is essential to the health, safety, and public welfare of the community. An instructional sign shall contain no other message, copy, announcement, or decoration other than the essential instruction, information, or direction and shall not advertise or otherwise draw attention to an individual, business, commodity, service, activity, or product. Such signs shall include, but are not limited to, the following: signs identifying a property's street address, restrooms,

public telephones, handicap parking spaces, reserved parking spaces, freeze warning, no trespassing, no dumping, no loitering, and construction entrance signs. Signs erected by the municipal, state or federal government for the purpose of public instruction, warning, street or highway designation, control of traffic and similar uses incidental to the public interests shall be considered instructional signs. An instructional sign also includes signs of a warning, directive or instructional nature erected by a public utility company that operates under a franchise agreement with the city.

- (30) *Internal directional sign.* An internal directional sign is a sign that is supported from the grade to the bottom of the sign having or appearing to have a solid base and generally used to provide direction to drive-through lanes and to buildings and tenants within large multitenant retail, multifamily, or office developments.
- (31) *Intersection.* The junctions of the centerlines of any two public rights-of-way other than alleyways, crossing at grade, or, where the crossing is separated at grade, the intersection is the point where expressway travel pavements converge or diverge, or the point where any expressway interchange ramp intersects the expressway travel pavement.
- (32) *Logo.* Any formalized design or insignia of a company, service or product which is commonly used in advertising to identify that company, service or product.
- (33) *Marketing sign.* A temporary sign identifying the subdivision or manufactured home park name, and may include the name and telephone number of the home builders or sales contacts for the property, the price point, the city name and logo, and the school district name.
- (34) *Menu board sign.* A menu board sign is a sign erected in conjunction with a use that incorporates a drive-through or drive-in and generally used to provide service and/or product options and pricing for customers who remain in their vehicles.
- (35) *Monument sign.* A monument sign is a sign that is supported from the grade to the bottom of the sign having or appearing to have a solid and opaque base and generally used to identify the name of a business or development.
- (36) *Noncommercial message.* Any message that is not a commercial message.
- (37) *Occupancy.* The purpose for which a building is used or intended to be used. The term also includes the building or room housing such use.
- (38) *Off-premises sign.* A sign that pertains to a business, person, organization, activity, event, place, service, or product not principally located or primarily manufactured or sold on the premises on which the sign is located.
- (39) *On-premises sign.* A freestanding sign identifying or advertising a business, person, or activity, and installed and maintained on the same premises as the business, person, or activity.

- (40) *Permanent.* A sign intended to be used for a period of longer than six (6) months.
- (41) *Person.* An individual, corporation, sole proprietorship, government or governmental subdivision or agency, trust, partnership, or two (2) or more persons having a joint or common economic interest.
- (42) *Political sign.* Any type of sign which refers only to the issues, political parties or candidates involved in a political election.
- (43) *Portable sign.* Any sign that is not securely connected to the ground in such a way that it cannot easily be moved from one location to another, including signs which are mounted on skids, trailers, wheels, legs or stakes, and that is not an attached sign, vehicular sign, political sign, or a sign that refers solely to the sale or lease of the premises.
- (44) *Premises.* A lot or unplatted tract that is reflected in the plat books of the building inspection division of the city.
- (45) *Protective sign.* Any sign which is commonly associated with safeguarding the permitted uses of the occupancy, including but not limited to “bad dog,” “beware of dog,” “electric fence,” “no trespassing,” and “no solicitors.”
- (46) *Residential subdivision sign.* A sign used to identify the name of a specific residential subdivision.
- (47) *Roofline.* The uppermost part of the main structure of the building, excluding appurtenances such as air conditioners, chimneys, vents, etc.
- (48) *Scoreboard.* Scoreboards are signs erected at an athletic field or stadium, and which are generally used to maintain the score or time expired in an event at the field or stadium. This definition shall also include signs mounted or applied to the outfield wall within a baseball field.
- (49) *Setback.* The distance between a sign and the nearest existing public right-of-way line or planned future right-of-way line as proposed on the city’s thoroughfare plan, whichever is greater. An alley is not considered to be public right-of-way for the purpose of calculating a setback. Where a public way crosses a railroad right-of-way, the setback is measured from the public right-of-way line extended across the railroad right-of-way.
- (50) *Sign.* An outdoor structure, sign, display, light device, figure, painting, drawing, message, plaque, poster, billboard, or other thing that is designed, intended, or used to advertise or inform.
- (51) *Special event sign.* Signs for the advertisement of temporary events likely of interest to the entire community of the city.

- (52) *Subdivision monument or entry sign.* A subdivision monument is a physical improvement such as a sign, wall, or structure, constructed to draw attention to or enhance a subdivision or its surrounding area. A subdivision entry sign is a sign that generally identifies a residential development and that generally refers to the platted name of the subdivision.
- (53) *Support.* Any pole, post, strut, cable, or other structural fixture or framework necessary to hold and secure a sign, providing that said fixture or framework is not imprinted with any picture, symbol or word using characters in excess of one inch in height, nor is internally or decoratively illuminated.
- (54) *Vehicular sign.* Any sign on a vehicle moving along the ground or on any vehicle parked, incidental to its principal use for transportation. This definition does not include signs which are being transported to a permanent site.
- (55) *Visibility triangle.* A triangle sight area, at all intersections, which shall include that portion of the public right-of-way and any corner lot within the adjacent curb lines and a diagonal line intersecting such curb lines at points fifty feet (50') back from their intersection.
- (56) *Wall sign.* A wall sign is a sign painted on or erected parallel to and extending not more than twelve (12) inches from the facade of any building to which it is attached, supported throughout its entire length by the building face. Class B wall signs are a maximum of sixty-four (64) square feet, do not project away from the surface to which it is attached, are not attached to any source of electricity and do not require professional installation. All other wall signs are considered class A.
- (57) *Window sign.* A window sign is a sign that is visible from a public street or sidewalk and that is posted, attached, painted, placed, or affixed in or on a window.
- (58) *Wood frame sign:*
- a. A temporary wood frame sign is a sign that is generally used to advertise a new building, opening dates, leasing opportunities, and/or to identify the property owner, architect, contractor, engineer, landscape architect, or financier engaged in the design, construction or improvement of the premises on which the sign is located. Wood frame signs are also used to advertise sales and zoning information of properties. Although wood frame signs are generally constructed of wood, the definition does not exclude metal, or plastic signs used for same purpose.
 - b. A permanent wood frame sign is a sign that is generally used to identify the premises on which the sign is located. This is generally intended for a church, civic organization, club or small business. Although wood frame signs are generally constructed of wood, the definition does not exclude metal or plastic signs used for the same purpose.

- (59) *Yard sign.* Any temporary stake sign placed on a residentially zoned lot, including but not limited to yard signs that publicize the arrival of a newborn, family celebration, or the participation of a family member in a school activity or sport. Yard signs shall also include signs that advertise the presence of a home security system, garage sales, and seasonal decorations.

§3.16.003 Penalty

Any person, firm or corporation violating any of the provisions of this article shall be deemed guilty of a misdemeanor and, upon conviction, shall be punished by a penalty or fine as provided in section 1.01.009(a) of this code for each offense, and every day such offense is continued shall constitute a new and separate offense.

§3.16.004 Administration

The duties and responsibilities of administering this article shall be vested in the building official or designee of the city or such other person as may be designated from time to time by the city administrator.

§3.16.005 General provisions

- (a) Signs shall be in harmony and consistent with the architecture of the building and relate to the features of the building in terms of location, scale, color, lettering materials, texture and depth. Signs shall not be dominant but shall be proportionate and shall complement the building, existing signs and surroundings.
- (b) There shall be consistent sign design throughout a particular development, whether residential or commercial. The design elements include style of lettering, construction material, size and illumination.
- (c) Freestanding signs shall be integrated with the landscaping on site.
- (d) No electric wiring associated with a sign shall be visible to public view.
- (e) Illuminated signs.
 - (1) Sources of sign illumination shall be completely shielded from the view of vehicular traffic and shall not be visible from any residential district.
 - (2) External lights used for the illumination of any sign on a building, whether such lights are attached to or separate from the building, shall not project above the highest elevation of the front wall of the building or more than eighteen feet (18') above the street level of the premises, whichever is less.

- (3) Sources of sign illumination shall be extinguished by 10:00 p.m., and shall remain extinguished until dawn or one-half hour before the business opens, whichever is earlier.
- (f) There shall be no minimum setback requirement for freestanding signs; provided, however, that freestanding signs shall not be placed or erected within any public right-of-way, are not erected within the visibility triangle, and comply with the provisions of this article.
- (g) Visibility. All signs shall observe all visibility requirements. Signs shall not be placed within visibility triangles, corner clips, and V.A.M. (visibility, access, and maintenance) easements.
- (h) Signs in which electrical wiring and connections are used shall comply with the requirements of the city's electrical code.
- (i) Every sign in the city, regardless of whether any permit is required for such sign, shall be maintained in a safe, presentable and sound structural and operational condition at all times, including the replacement of nonfunctioning, broken, defective, or missing parts, painting, repainting, cleaning and any other acts required for the maintenance of such sign. All signs and sign supports, brackets and frames shall be kept painted or otherwise treated to prevent rust, rot or deterioration. If, upon inspection by the building official or designee, a sign is found to violate this section, written notice shall be given to the owner, giving the owner sixty (60) days to either put the sign in acceptable condition or remove the sign. Otherwise, the building official or designee is hereby authorized to cause the removal of the sign at the expense of the owner.
- (j) Banners and feather flags shall be permissible for a period not exceeding thirty (30) calendar days in a year and are subject to permitting. The thirty (30) days can be during one (1) time period, four (4) one-week periods or two (2) two-week periods.

§3.16.006 Sign specifications and design.

- (a) Compliance with zoning ordinance, building code, National Electrical Code, and other ordinances. All sign structures shall comply with City of Lucas Code of Ordinances, Chapter 3, Building Regulations and Chapter 14, Zoning, the National Electrical Code, and other city ordinances, as they currently exist or may be amended. If the standards as described herein are more restrictive, then the provisions of this article shall apply.
- (b) Signs posted in specified areas. Unless otherwise permitted within this article, no person shall post or cause to be posted, attach or maintain any sign upon:
 - (1) Any city-owned property or right-of-way without the written permission of the city council;
 - (2) Any utility easement. Should a property owner be able to demonstrate to the City Manager or designee and/or franchise utility company that there is no other viable

location for a sign other than a utility easement, a sign may be located within the utility easement subject to written approval from the City Manager or designee and/or franchise utility company and subject to the providing of a letter to the city releasing the city of any liability for repair or replacement of a sign damaged by work occurring within the utility easement;

- (3) Any tree, light pole, or any utility pole or structure;
 - (4) Any fence, railing or wall, except in accordance with this article; or
 - (5) Any sidewalk within the right-of-way or a sidewalk easement, curb, gutter, or street, except for house numbers or fire lane designation.
- (c) Signs attached to fire escapes. No sign shall be attached in any manner to any fire escape or to the supporting members of any fire escape, nor shall it be guyed to or supported by any part of the fire escape.
 - (d) Traffic signs, signals, or devices. No sign shall be erected or displayed in such a manner as to interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal, or device, including, but not limited to, signs making use of the words “stop,” “go,” “look,” “slow,” “danger,” or any other similar word, phrase, symbol or character or employ any red, yellow, green, or other colored lamp or light in such a manner as to cause confusion or otherwise interfere with vehicular or pedestrian traffic.
 - (e) Accumulation of rainwater. All signs shall be constructed so as to prevent the accumulation of rainwater in the sign.
 - (f) Location near telephone cable, power line, or street light. No sign shall be erected nearer than two (2) feet from any telephone cable, power line or any street light standard.
 - (g) Signs not to block or interfere with exits or windows and pedestrian and vehicular traffic. No sign shall be so erected as to block, partially block, or interfere in any way with a required means of exit from any building nor with any window. No sign shall block, interfere, or otherwise hinder pedestrian or vehicular traffic on a public sidewalk, a public thoroughfare, a fire lane easement, or a driveway required to access parking.
 - (h) Glass signs over public property. Signs constructed of glass or other materials that may shatter upon impact are prohibited over public right-of-way.
 - (i) Assumed wind load for design purposes. For the purposes of design of structural members in signs, an assumed wind load of thirty (30) pounds per square foot shall be used. All signs shall be constructed to receive dead loads as required by the International Building Code. The sign permit application must include a statement signed by the applicant that states compliance with these requirements.

- (j) Multiple signs on a property or building. The permitting of a sign on a property or building shall not preclude the permitting of other types of signs on a property or building unless the signs are expressly prohibited herein.
- (k) Exemptions. Signs located within a building with the exception of window signs shall not be regulated by this article.

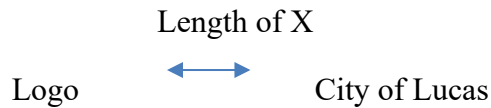
§3.16.007 Measurement of sign area and height.

- (a) The area of a sign shall be measured as follows:
 - (1) For signs in the shape of a square, rectangle, circle, or similar standard geometric shape, the area shall be calculated by using the standard mathematical formula (height multiplied by width, 3.14 multiplied by radius squared, etc.). This method of measurement is most commonly used for monument signs, wood frame signs, and stake signs.
 - (2) For signs with an irregular shape, the area shall be measured by enclosing the sign elements with intersecting lines. This method of measurement is most commonly used for wall signs with individual lettering and for irregularly shaped monument signs. (See diagram.)



- (3) The area of a spherical, cylindrical or other three-dimensional sign shall be measured by calculating the area of a two-dimensional drawing of the largest elevation of the sign.
- (b) Where a sign has two faces, the area of the largest sign face shall be used to determine the area of the sign provided the two faces are within five (5) degrees of parallel. Where a sign has two or more faces that are greater than five (5) degrees from parallel, the sign area shall either be calculated as the sum of the area of each face, or the sign will constitute two signs (a V-sign). A V-sign is permitted at the corner of a property with two street frontages as long as the sign has a common post and common signs.
- (c) The area of wall signs containing multiple elements shall be calculated as follows:
 - (1) Regardless of the spacing between letters, letters forming a word or name shall be considered a single sign.
 - (2) When two or more separate items in a sign, such as a word or logo, are separated horizontally or vertically by less than the width or height of the largest item, the items shall be considered a single sign and the area shall be determined by measuring the area enclosing the sign elements with straight, intersecting lines.

The following sign elements are considered one sign:



- (3) When two or more separate items in a sign, such as a word or logo, are separated horizontally or vertically by more than the width or height of the largest item, the items shall be considered a separate sign and the area of each item shall be determined individually.

The following sign elements are considered two signs:



- (d) The supports of a stake sign or wood frame sign shall not be included in calculating the area of the sign, but shall be included in the measurement of the height of the sign.
- (e) The height of all signs shall be measured from the top edge of the sign and/or support structure to the average finished grade of the ground below the sign and/or support structure. If a sign is located on a mound, berm, or other raised area for the sole purpose of increasing the height of the sign, the height of the mound, berm, or other raised area shall be included in the height of the sign.

§3.16.008 Creation of site plan.

The City Manager or designee shall not issue a permit for construction, erection, placement, or maintenance of a sign until a site plan is submitted for the sign.

§3.16.009 Exempt signs.

The following exempt signs, as designated under this section, are allowed without a permit in all zoning districts. All exempt signs except (a) shall be setback a minimum of ten (10) feet from the edge of pavement.

- (a) City governmental signs for control of traffic or other regulatory purposes, street signs, danger signs, railroad crossing signs and signs of public utility service companies indicating danger and/or aids to service or safety which are erected by or on approval of the city.
- (b) The flag, pennant or insignia of any nation, organization of nations, state, county or city, of any religious, civic or fraternal organization, or of any educational institution, provided such flags are no larger than sixty (60) square feet, are flown on a pole no higher than

thirty-five feet (35'), are flown at a height no greater than thirty-five feet (35') if attached to a building, and are not illuminated, and provided such flags are not used in connection with a commercial promotion or as an advertising device.

(c) Signs that contain primarily a political message and are located on private real property with the consent of the property owner and:

- (1) Do not have an effective area greater than thirty-six (36) square feet;
- (2) Are not more than eight (8) feet high;
- (3) Are not illuminated; or
- (4) Do not have any moving elements.

(d) Temporary signs:

- (1) Special event signs on public property designated by the city for such signage, provided that they are not illuminated and provided they are not erected more than thirty (30) days prior to the event to which they apply and are removed within seven (7) days after the event to which they apply. Special event signs must not exceed six (6) feet in height, and shall be no larger than sixty-four (64) square feet in area.
- (2) Holiday lights and decorations which do not contain advertising and are not used as such, clearly incidental and customarily and commonly associated with any national, local or religious holiday.
- (3) One temporary (1) nonilluminated sign shall be allowed on each lot or parcel of real estate, whichever is larger, to advertise the leasing, rental or sale of such lot or parcel, provided that it does not exceed eight (8) square feet in total area and no part of such sign shall extend more than four feet (4') above the surface of the ground on which it is erected.
- (4) Temporary resident information signs on matters of local interest such as garage, estate, yard or similar sales, provided such signs are not illuminated and do not exceed four-and-one-half (4-1/2) square feet in area. Each sign must have the name of the resident erecting the sign and the date of the posting and must be removed within twenty-four (24) hours following the conclusion of the event.
- (5) Nonilluminated temporary signs for the seasonal sale of agricultural products such as hay, grain, fruits and vegetables, not to exceed thirty-two (32) square feet in area, and provided that the products are produced within the city or extraterritorial jurisdiction of the city.
- (6) Temporary resident information signs on matters of local interest such as lost and found pet notices, free pets, and neighborhood gatherings, provided such signs are not illuminated and do not exceed four-and-one-half (4-1/2) square feet in area. Each sign must have the name of the resident erecting the sign and the date of the posting and must be removed within seven days of the date of the posting.

(7) Yard sign shall be permitted only on lots containing an occupied single-family dwelling and shall be located a minimum of ten (10) feet from the edge of pavement. Yard signs regulations are as follows:

- i. Publicizing arrival of newborn or other family celebration – seven (7) consecutive days per event
- ii. School activities –
- iii. Home security – shall not exceed one (1) square foot in area.

(e) Two (2) nonilluminated attached identification signs including only the address and/or name of the occupant per lot or parcel, whichever is greater, not to exceed two (2) square feet in area.

(f) A maximum of two (2) protective signs per acre, in accordance with the following provisions:

- (1) Each sign must not exceed one-and-one-half (1-1/2) square feet in area.
- (2) Detached signs must not exceed two (2) feet in height.
- (3) Letters must not exceed six inches (6") in height.
- (4) Such signs shall be nonilluminated.

(g) Wrought iron or pipe fencing which forms a name, address or logo as an ornamental part of the fencing, gate, or entrance to premises.

(h) Landscaping, including plants, flowers, rocks, seashells or wood mulch, which is grown, trimmed or manipulated in such a way as to form sign copy.

(i) Construction signs shall conform to the following requirements:

- (1) The sign area shall not exceed twelve (12) square feet.
- (2) Construction signs may not be illuminated.
- (3) Signs shall not be placed more than seven (7) days in advance of the project and must be removed within seven (7) days of completion of the project.
- (4) Only one construction sign per street frontage, per property is permitted.

(A.)

§3.16.010 Prohibited signs.

(a) Signs using any combination of forms, words, colors, or lights which imitate standard public traffic regulatory, or emergency signs, signals, or devices are prohibited. No sign shall make use of the word “stop,” “go,” “look,” “slow,” “danger,” or any other similar word, phrase, symbol or character or employ any red, yellow, orange, green or other colors or light in such a manner as to interfere with, mislead or confuse vehicular or pedestrian traffic.

- (b) No sign shall be erected, relocated or maintained so as to prevent free ingress to or egress from any door, window, or fire escape. No sign of any kind shall be attached to a standpipe or fire escape except signs relating directly to a standpipe or fire escape.
- (c) Animated signs, including but not limited to those signs or sign parts which flash, reflect, blink, or effect changes in hue or intensity or illumination, are prohibited. Signs or sign parts illuminated to such intensity or in such a manner as to cause glare or brightness to a degree that they constitute hazards or nuisances are prohibited, including searchlights and beacons. Signs which employ the use of luminescent inert gases, including but not limited to neon, argon and krypton, and which are visible from the exterior of structures, are specifically prohibited.
- (d) Moving signs, including but not limited to signs which rotate, move or reflect, pennants, banners, streamers, flags (except as specifically permitted under section 3.16.007(4)), and generally, signs having parts which may be set in motion by mechanical, electrical or atmospheric means.
- (e) Signs which emit sound, odor or visible matter are prohibited.
- (f) A sign shall not project above the top of the second floor or the roofline, whichever is lower, of the building to which it is affixed.
- (g) Off-premises signs are prohibited unless specifically authorized by another section of this article.
- (h) Portable signs are specifically prohibited.
- (i) Signs attached to or upon any vehicle where any such vehicle is allowed to remain parked in the same location or in the same vicinity, at frequent or extended periods of time, where the intent is apparent to be using the vehicle and signs for purposes of advertising an establishment, service or product, are prohibited. This prohibition does not include car wraps, stickers, or magnetically attached signs to delivery vehicles.
- (j) No person shall attach or maintain any sign upon any public utility pole or tree.
- (k) Freestanding signs that exceed forty (40) square feet in area or six (6) feet in height are prohibited unless specifically authorized by another section in this article.
- (l) It shall be unlawful for any person to display upon any sign any obscene, indecent or immoral matter.
- (m) Changeable electronic variable message signs and other moving, flashing, intermittently lighted, changing color, beacons, revolving or similarly constructed signs shall not be allowed.

§ 3.16.011 Permissible signs that require the issuance of a sign permit.

The following signs are permissible, upon issuance of a sign permit, subject to the following conditions and the specifications contained in this Article. Signs that do not comply with the following conditions and the specifications are considered prohibited.

(b) Awning signs:

- (1) A permit shall not be issued to erect or place an awning sign on a property until a site plan and/or final plat has been approved by the city for development of the property.
- (2) Awning signs are permitted in conjunction with a nonresidential use.
- (3) In no case shall the supporting structure of an awning sign extend into or over the street right-of-way.
- (4) Buildings may have both a wall sign and an awning sign on the same building face with permission of city council.

(c) Banner signs and feather flags.

- (1) A sign permit shall not be issued to erect or place a banner sign and feather flags on a property until a site plan and/or final plat has been approved by the city for development of the property.
- (2) One banner sign and one feather flag may be placed on a building for four (4) two-week periods per calendar year. The periods may be combined. Each suite within a retail development shall be considered a building and shall therefore be allowed to erect a banner sign or feather flag accordingly.
- (3) Banner signs and feather flags are permitted only in conjunction with a nonresidential use.
- (4) Specific requirements for banner signs:
 - i. The maximum area of a banner sign is thirty-two (32) square feet, and the width of a banner sign may not exceed sixty-five percent (65%) of the width of the building or lease upon which the banner sign is located.
 - ii. New businesses shall be permitted to place a banner on their building prior to the issuance of a certificate of occupancy and up to eight (8) weeks after the date of issuance of a certificate of occupancy. The banner(s) shall not count against the allowances provided in subsection (2)(B)(i)b.
 - iii. Religious organizations that operate in a temporary facility may erect a banner during times of worship provided the banner is placed no earlier than two (2)

hours prior to worship and is removed no later than two (2) hours after worship. The banner shall not count against the allowances provided in subsection (2)(B)(i)b.

- iv. All four corners of a banner sign shall be securely attached to the front, side, or rear surface of a building or a banner sign shall be securely attached to a fence or fence posts permanently secured in the ground. However, such sign shall not face a residential neighborhood unless separated by a major thoroughfare with the exception that this requirement shall not apply to banner signs permitted in subsection (2)(B)(ii)b.
- v. With written permission of the city manager or designee, banner signs may also be erected during social or athletic events at a park or other city-owned property. The banners shall be attached to pavilions, fences, vehicles, stakes, or poles.

(5) Specific requirements for feather flags:

- i. New businesses shall be permitted to place one feather flag on the lot or parcel prior to the issuance of a certificate of occupancy and up to eight (8) weeks after the date of issuance of a certificate of occupancy with a minimum setback of 10 feet from the edge of pavement. Feather flags shall not be placed in the visibility triangle.
- ii. Religious organizations that operate in a temporary facility shall be permitted to place one feather flag on the lot or parcel provided such feather flag is placed no earlier than two (2) hours prior to worship and is removed no later than two (2) hours after worship and is placed with a minimum setback of 10 feet from the edge of pavement. Feather flags shall not be placed in the visibility triangle.b.

(d) Monument signs.

- (1) A sign permit shall not be issued to erect or place a monument sign on a property until a site plan and/or final plat has been approved by the city for development of the property and after the issuance of a building permit for a building on the property.
- (2) Monument signs are permitted only in conjunction with a nonresidential use.
- (3) Minimum setback is ten (10) feet from the front, side, and rear property lines.
- (4) Monument signs shall be entirely constructed of the same or complementary materials as the front building facade of the principle building on the same lot or shall be stone or brick. All sign text and graphic elements shall be attached to this masonry structure not closer than six (6) inches from the top and side edges and twelve (12) inches from the bottom edge of the sign structure. Sculpted aluminum sign panels will be permitted. The minimum height permitted for text and graphic elements is six (6) inches.

- (5) A lot is allowed a maximum of one (1) monument sign per one hundred feet (100) of street frontage.
- (6) The maximum area of a monument sign, including the one-foot masonry border, is fifty (50) square feet.
- (7) The maximum height of a monument sign is eight (8) feet, six (6) inches.
- (8) Monument signs may only be illuminated utilizing internal lighting for sculpted aluminum panels or a ground lighting source where the light itself and supporting structure are not visible from any public right-of-way.

(e) Internal directional signs.

- (1) A sign permit shall not be issued to erect or place an internal directional sign on a property until a site plan and/or final plat has been approved by the city for development of the property and after issuance of a building permit on a building on the property.
- (2) Internal directional signs are permitted only in conjunction with a nonresidential use.
- (3) Minimum setbacks are fifty (50) feet from the front property line and fifteen (15) feet from the side and rear property lines.
- (4) The design, materials, and finish of internal directional signs shall match those of the front building facade of the primary structure on the same lot.
- (5) If a property that is larger than five (5) acres averages more than two (2) internal directional signs per acre, a sign coordination plan shall be approved by the Planning and Zoning Commission during the site plan approval process for the placement of the signs. Properties smaller than five (5) acres shall not be permitted to exceed two (2) internal directional signs.
- (6) The maximum area of an internal directional sign is four (4) square feet.
- (7) The maximum height of an internal directional sign is thirty (30) inches.

(f) Menu board signs.

- (1) A sign permit shall not be issued to erect or place a menu board sign on a property until a site plan and/or final plat has been approved by the city for development of the property and after issuance of a building permit on a building on the property.
- (2) Menu board signs are permitted only in conjunction with a nonresidential use that includes a drive-through or drive-in.
- (3) Minimum front yard setback shall be twenty-five (25) feet.

(4) Drive-through menu board.

- i. Shall be supported from the grade to the bottom of the sign having or appearing to have a solid base.
- ii. The design, materials, and finish of a drive-through menu board shall match or be complementary to those of the front facade of the building(s) on the same lot. Internal lighting may be utilized for the sign panels.
- iii. One drive-through menu board sign is permitted per drive-through use on a lot.
- iv. The maximum area of a drive-through menu board is forty-eight (48) square feet with a maximum height of eight (8) feet.
- v. Drive-through menu boards shall be located at the side or rear of the principal building(s) on the lot.

(5) Drive-through pre-order sign.

- i. Shall be supported from the grade to the bottom of the sign having or appearing to have a solid base.
- ii. The design, materials, and finish of a drive-through menu board shall match those of the front facade of the building(s) on the same lot. Internal lighting may be utilized for the sign panels.
- iii. One drive-through pre-order sign is permitted at the entrance of a drive-through lane and shall be set back a minimum of twenty (20) feet from the drive-through menu board in the same drive-through lane.
- iv. The maximum area of a drive-through pre-order sign is eighteen (18) square feet with a maximum height of six (6) feet.
- v. Drive-through pre-order signs shall be located at the side or rear of the principal building(s) on the lot.

(6) Drive-in menu board.

- i. Shall be supported from the grade to the bottom of the sign having or appearing to have a solid base. If the drive-in stalls are covered by a canopy, the drive-in menu board signs may be attached directly to the canopy support columns.
- ii. The design, materials, and finish of a drive-in menu board's sign base shall match those of the front facade of the building(s) on the same lot. Internal lighting may be utilized for the sign panels.

- iii. One drive-in menu board sign is permitted per ordering station.
- iv. The maximum area of a drive-in menu board sign is nine (9) square feet with a maximum height of eight (8) feet.

(g) Subdivision entry signs.

- (1) A sign permit shall not be issued to erect or place a subdivision entry sign on a property until a preliminary plat has been approved by the city for development of the property.
- (2) All subdivision entry signs shall be located within the platted limits of a residential subdivision.
- (3) Subdivision entry signs may be in the form of a sign mounted to a screening wall, so long as the sign does not project above the top of the wall.
- (4) Subdivision entry signs shall have a maximum area of sixty (60) square feet and a maximum height of eight (8) feet.
- (5) The maximum number of subdivision entry signs shall equal one (1) monument sign, or two (2) signs attached to screening walls (not a combination of both) per street entrance.
- (6) Alternative types of subdivision entry signs, including, but not limited to neighborhood entry signs within an overall subdivision, may be approved as part of a sign coordination plan as approved by the Planning and Zoning Commission during the Preliminary and Final plat process.

(h) Subdivision monuments.

- (1) A sign and/or building permit shall not be issued to erect or place subdivision monuments on a property until a preliminary plat or site plan has been approved by the city for development of multifamily or nonresidential use or a preliminary plat or final plat has been approved by the city for development of single-family homes. The requirement to prepare the aforementioned plans may be waived should the owner of the property on which the monument is proposed to be located, or his/her representative prepare written and/or graphic documentation to the satisfaction of city staff to explain the relationship of the proposed monument to future land uses on the property.
- (2) Subdivision monuments placed on private property shall observe all building line and setback requirements. A nonhabitable monument may encroach into a required setback provided all visibility clips and easements are observed and the monument is deemed by city staff not to negatively impact fire protection of existing or future development.

- (3) Subdivision monuments may be placed in the right-of-way subject to approval by the Planning and Zoning Commission during the preliminary and Final Plat process and so long as the requirements of this article can be met.
 - (4) Subdivision monuments may not be erected within an area designated as future right-of-way on the city's thoroughfare plan.
 - (5) The developer of the subdivision monument must provide a plan for future maintenance of the monument to the city for review.
 - (6) The maximum height of subdivision monuments shall be Ten (10) feet.
- (i) Wall signs.
- (1) A sign permit shall not be issued to erect or place a wall sign on a property until a site plan and/or final plat has been approved by the city for development of the property and after the issuance of a building permit for a building on the property.
 - (2) Wall signs are permitted in conjunction with a nonresidential use.
 - (3) Wall signs of any character placed directly on the face of a wall shall be set at a minimum of nine (9) feet above the grade.
 - (4) When projections on the wall face prevent the erection of the sign flat against the wall face, the space between the back of the sign and the wall shall be closed at the top, bottom and ends with noncombustible materials.
 - (5) In no case shall an attached sign, project above the roof line or parapet wall of any building. Signs shall be no closer vertically to the eave of the roof-line or overhang than the predominant height of the text or graphic elements.
 - (6) Wall signs with exterior letters and exposed neon lighting are not allowed unless neon is protected or shielded in a secure manner.
 - (7) Wall signs shall not be allowed on any facade (other than the main front of the building) that faces property zoned, or designated on the future land use plan, for single-family uses if the sign is within one hundred fifty (150) feet of the property line of said residential property.
 - (8) The minimum height allowed for text or graphic elements shall be six (6) inches.
 - (9) The maximum size of wall signs shall be as follows:

Wall Height	Maximum Sign Height	Maximum % of Wall Height
0 feet – 20 feet	20% of wall height	75%
20+ feet – 30 feet	20% of wall height	60%
30+ feet	20% of wall height	50%

(j) Wood frame signs:

- (1) In no case shall a wood frame sign contain information pertaining to off premises uses.
- (2) The sign shall be located no closer than fifteen (15) feet to any property line, or from the edge of pavement, whichever is greater. The sign shall not be placed in a visibility triangle.
- (3) The minimum distance between wood frame signs is two hundred (200) feet.
- (4) The maximum area of a wood frame sign is thirty-two (32) square feet.
- (5) The maximum height of a wood frame sign is eight (8) feet.
- (6) A maximum of one (1) wood frame sign shall be placed on a property per street frontage. If multiple wood frame signs are permitted on a tract of land, only one (1) sign shall be placed along each street frontage. A platted single- family or two-family subdivision shall be considered a single property for the purpose of this provision.
- (7) Temporary wood frame signs:
 - i. For properties with single-family zoning or future land use plan designation, the sign shall be removed upon the issuance of certificates of occupancy for ninety-five (95) percent of the homes within a single-family or two-family subdivision.
 - ii. For properties with agricultural, or nonresidential zoning or future land use plan designation, the sign shall be removed prior to the issuance of the certificate of occupancy for any building on the property.
 - iii. Signs shall be kept in a workmanlike manner.
- (8) Permanent wood frame signs.

In all zoning categories, permanent wood frame signs shall be permitted so long as the organization or business occupies the premises and so long as the sign remains in good repair.

(k) Scoreboards.

- (1) All Scoreboards are considered permanent structures.
- (2) Scoreboard signs shall be erected within the limits of and face into the athletic field or stadium.

(l) Instructional signs.

The maximum area of an instructional sign is sixteen (16) square feet.

(m) Window signs.

The square footage of a window sign shall not exceed fifty (50) percent of the square footage of the window in which the sign is located.

(n) Model Home Signs.

- (1) A sign permit shall not be issued to erect or place a model home sign on a property until issuance of a building permit on a building on the property.
- (2) A minimum of 25' from the edge of pavement.
- (3) Shall not be placed in the visibility triangle.
- (4) Maximum size of thirty two (32) square feet.
- (5) One (1) sign permitted per lot.
- (6) Maximum height of eight (8) feet.
- (7) Made of the same or similar material to the main structure.

(o) Digital/Electronic Signs.

- (1) A sign permit shall not be issued to erect or place a digital/electronic sign on a property until a site plan and/or final plat has been approved by the city for development of the property and after the issuance of a building permit for a building on the property.
- (2) Size: Monument sign: 100 percent of total allowable sign area, as specified in §3.16.009 (4).
- (3) Number: One per street frontage.
- (4) Location: May be a monument or wall sign, in non-residential uses only.
- (5) Landscaping: Same as required for a monument sign.

- (6) Design: Moving, flashing, animated, intermittently lighted, changing color, beacons, revolving, scrolling, dissolving, or similarly constructed signs shall not be allowed. Each message shall be displayed for at least thirty (30) seconds, and a change of message shall be accomplished within two (2) seconds or less. Signs erected at a public school (except scoreboards), religious institution, or other lawful non-residential use in a residential zoned district must be regulated by an automated timer that limits the period of illumination from 6:00 a.m. to 10:00 p.m. Signs must be erected a minimum of 50 feet from an adjacent residential property line. Signs located in a non-residential zoned district must be located a minimum of 150 feet from a residential zoned property. Digital/Electronic signs shall not be used to display commercial messages relating to products/services that are not offered on the premises.
- (7) Electronic component of a sign: May be encased in the same sign cabinet as the nonelectronic sign component or If located to the side of a nonelectronic sign component must be the same height as the nonelectronic sign component; or if located above or below a nonelectronic sign component must be the same width as the nonelectronic sign component.
- (8) Intensity of display brightness will automatically adjust to natural light conditions. Brightness cannot interfere with the vision of traffic on an adjacent road. A programmable sign shall be equipped with a properly functioning default mechanism that will cause the sign to revert immediately to a single, fixed, non-transitory image or to a black screen if the sign malfunctions. The illumination intensity of the display of a digital display shall not exceed one foot candle measured at the property line.
- (9) Digital/Electronic Wall signs shall only be approved as part of the site plan review process by the Planning and Zoning Commission and City Council.

§3.16.010 Permits; inspections.

- (a) Except as otherwise provided for in Article, it shall be unlawful for any person to erect, place, display, alter or relocate a sign without first obtaining a permit or permits from the city.
- (b) It shall be the duty of the City Manager or designee, upon the filing of an application for a sign permit, to examine the plans, specifications and other data, including the premises upon which the sign is to be erected, relocated, or repaired, including the following information:
 - (1) Name, address, and telephone number of the owner of the property.
 - (2) Size of the sign (i.e., height, length, area, thickness, number of faces).
 - (3) Letter style and size.
 - (4) Illumination.

- (5) Colors (i.e., background, letters, trim).
 - (6) Construction, materials, structural integrity and installation details.
 - (7) Location (i.e., height above grade, distance from roofline, building width, location from lot lines).
- (c) If the proposed structure is in compliance with all the requirements of this article, the building code and all other applicable laws and ordinances of the city, the city shall then issue the sign permit. If the work authorized under a sign permit has not been completed within ninety (90) days after the date of issuance, the permit shall become null and void unless renewed by the city.
- (d) The City Manager or designee may, in writing, suspend or revoke a permit issued under provisions of this article whenever the permit is issued on the basis of a material omission or misstatement of fact, or in violation of this article or this code or the laws of this state or the federal government.
- (e) Sign permits for new or additional signs shall not be issued for a specific occupancy if such occupancy displays unlawful or nonconforming signs. A sign permit may be issued for a specific occupancy provided the terms thereof specify modification or removal of nonconforming signs resulting in conformity with the provisions of this article.
- (f) On application for any sign permit required by this article, the city shall collect a fee in accordance with the fee schedule of the city, as amended from time to time.
- (g) Each sign requiring a permit shall be inspected by the City Manager or designee in January of each year so as to determine compliance with the approved application and permit issued. The building official or designee shall communicate in writing to the owner of any sign found not in compliance and said sign shall be subject to the conditions outlined in section 3.16.005(i) of the general provisions of this article. For this inspection, the city shall collect an annual fee in accordance with the fee schedule of the city, as amended from time to time.

§3.16.011 Nonconforming Signs.

- (a) Existing signs in conflict with this article shall be classified as nonconforming.
- (b) A nonconforming sign shall not be altered, rebuilt, enlarged, extended, or relocated.
- (c) A nonconforming sign shall not be permitted to remain after cessation or change of the business or activity to which the sign pertains.
- (d) A nonconforming sign shall not be reestablished, repaired, or rebuilt if the sign is allowed to deteriorate, or is damaged or destroyed by any means, to an extent that the cost of repair or reconstruction is 50% or more of the replacement cost.

- (e) A nonconforming sign shall not be converted to another nonconforming sign by changing copy, except as follows: Any existing sign which is designed for changing copy, such as a bulletin or message board, joint identification tenant sign, or gasoline pricing sign, may be changed where individual letters, numerals, or name panels are readily interchangeable.
- (f) A nonconforming off-premises sign (billboard) located on any lot shall be removed prior to the issuance of any building permit, or prior to any variance, use permit, replatting, or zoning change becoming effective for that lot, and shall not be reconstructed at any later time.
- (g) A lot may not be divided, or created, for the express or implied purpose of preserving the nonconforming status of any off-premises/off-site sign (billboard).
- (h) On premises where there exists a nonconforming sign, no new sign of any type otherwise permitted in this article shall be erected or placed on such premises, permanently or temporarily, until such existing legal nonconforming sign is brought into compliance with this article or otherwise removed.
- (i) Signs rendered discontinued:
 - (1) The use of any sign which is located on property which becomes vacant and unoccupied for a period exceeding twelve (12) months shall be deemed to have been discontinued. Any sign whose use has been discontinued is prohibited and shall be removed.
 - (2) Sign structures which remain vacant for a period exceeding ninety (90) days, devoid of any message of permitted or legal nonconforming use for ninety (90) days, or display a message pertaining to a time, event, or purpose that no longer applies for a period exceeding ninety (90) days, shall be deemed to be discontinued. Any sign whose use has been discontinued is prohibited and shall be removed.

§3.16.012 Variances.

The Board of Adjustment shall have authority to grant special variance exceptions from the provisions of this article on proper application. Special exceptions may be granted when circumstances permit and when the proposed exception does not violate the spirit or intent of this article, on such conditions and requirements as may reasonably be required by the board.

§3.16.013 Compensation for signs required to be relocated, reconstructed or removed.

- (a) Generally. Subject to the requirements of chapter 216, Local Government Code, the city may require the relocation, reconstruction, or removal of any sign within its corporate limits or extraterritorial jurisdiction. In lieu of compensation for a sign that is required to be relocated, reconstructed, or removed, the city may exempt from required relocation, reconstruction, or removal those signs lawfully in place on the effective date of the requirement, August 2, 2007.

- (b) Sign Control Board. Before requiring the relocation, reconstruction, or removal of any sign within the city's corporate limits or extraterritorial jurisdiction, the mayor shall first appoint a Sign Control Board. Members of this board shall be appointed for a term of two (2) years. The Sign Control Board shall be composed of:
- (1) Two (2) real estate appraisers, each of whom must be a member in good standing of a nationally recognized professional appraiser society or trade organization that has an established code of ethics, educational program, and professional certification program;
 - (2) One (1) person engaged in the sign business in the municipality;
 - (3) One (1) employee of the state department of transportation who is familiar with real estate valuations in eminent domain proceedings; and
 - (4) One (1) architect or landscape architect licensed by this state.
- (c) Determination of amount of compensation. The Sign Control Board shall first determine the amount of compensation due the owner of a sign that is required to be relocated, reconstructed, or removed. The determination shall be made after the owner of the sign is given the opportunity for a hearing before the board about the issues involved in the matter.
- (d) Compensation for relocated sign. The compensable costs for a sign that is required to be relocated include the expenses of dismantling the sign, transporting it to another site, and re-erecting it. The Sign Control Board shall determine the compensable costs according to the standards applicable in a proceeding under chapter 21, Texas Property Code. In addition, the city shall issue to the owner of the sign an appropriate permit or other authority to operate a substitute sign of the same type at an alternative site of substantially equivalent value. Whether an alternative site is of substantially equivalent value is determined by standards generally accepted in the outdoor advertising industry, including visibility, traffic count, and demographic factors. The city shall compensate the owner for any increased operating costs, including increased rent, at the new location. The owner is responsible for designating an alternative site where the erection of the sign would be in compliance with this article.
- (e) Compensation for reconstructed sign. The compensable costs for a sign that is required to be reconstructed include expenses of labor and materials and any loss in the value of the sign due to the reconstruction in excess of fifteen percent (15%) of that value. The Sign Control Board shall determine the compensable costs according to standards applicable in a proceeding under chapter 21, Property Code.
- (f) Compensation for removal of off-premises sign.
- (1) For an off-premises sign that is required to be removed, the compensable cost is an amount computed by determining the average annual gross revenue received by the owner from the sign during the two (2) years preceding September 1, 1985, or the two

years preceding the month in which the removal date of the sign occurs, whichever is less, and by multiplying that amount by three (3). If the sign has not been in existence for all of either two-year periods, the average annual gross revenue for that period, for the purpose of this computation, is an amount computed by dividing twelve (12) by the number of months that the sign has been in existence, and multiplying that result by the total amount of the gross revenue received for the period that the sign has been in existence. However, if the sign did not generate revenue for at least one month preceding September 1, 1985, this computation of compensable costs is to be made using only the average annual gross revenue received during the two years preceding the month in which the removal date of the sign occurs, and by multiplying that amount by three. In determining the amounts under this subsection, a sign is treated as if it were in existence for the entire month if it was in existence for more than fifteen (15) days of the month and is treated as if it were not in existence for any part of the month if it was in existence for fifteen (15) or fewer days of the month.

(2) The owner of the real property on which the sign was located is entitled to be compensated for any decrease in the value of the real property. The compensable cost is to be determined by the Sign Control Board according to standards applicable in a proceeding under chapter 21, Texas Property Code.

(g) Compensation for removal of on-premises sign. For an on-premises sign that is required to be removed, the compensable cost is an amount computed by determining a reasonable balance between the original cost of the sign, less depreciation, and the current replacement cost of the sign, less an adjustment for the present age and condition of the sign.

(h) Method of compensation.

(1) To pay the compensable costs required under this article, the city may use only a method, or a combination of the methods, prescribed by this section.

(2) If a sign is required to be relocated or reconstructed, the city, acting pursuant to the Property Redevelopment and Tax Abatement Act (chapter 312, Tax Code), may abate municipal property taxes that otherwise would be owed by the owner of the sign. The abated taxes may be on any real or personal property owned by the owner of the sign except residential property. The right to the abatement of taxes is assignable by the holder, and the assignee may use the right to abatement with respect to taxes on any nonresidential property in the same taxing jurisdiction. If tax abatement is used to pay compensable costs, the costs include reasonable interest and the abatement period may not exceed five (5) years.

(3) The city may allocate to a special fund in the municipal treasury, to be known as the "sign abatement and community beautification fund," all or any part of the municipal property taxes paid on signs, on the real property on which the signs are located, or on other real or personal property owned by the owner of the sign. The city may make payments from that fund to reimburse compensable costs to owners of signs required to be relocated, reconstructed, or removed.

- (4) The city may provide for the issuance of sign abatement revenue bonds and use the proceeds to make payments to reimburse costs to the owners of signs within its corporate limits that are required to be relocated, reconstructed, or removed.
- (5) The city may pay compensable costs in cash.
- (i) Tax appraisal of property with nonconforming sign. For each nonconforming sign, the Sign Control Board shall file with the appropriate property tax appraisal office the board's compensable costs value appraisal of the sign. The appraisal office shall consider the board's appraisal when the office, for property tax purposes, determines the appraised value of the real property to which the sign is attached.
- (j) The city may, without paying compensation as provided by this section, require the removal of an on-premise sign or sign structure not sooner than the first anniversary of the date the business, person, or activity that the sign or sign structure identifies or advertises ceases to operate on the premises on which the sign or sign structure is located. If the premises containing the sign or sign structure is leased, the city may not require removal under this subsection sooner than the second anniversary after the date the most recent tenant ceases to operate on the premises. The removal of a sign or sign structure as described by this subsection does not require the appointment of a Sign Control Board.
- (k) Exceptions.
- (1) The requirements of this section do not apply to a sign that was erected in violation of local ordinances, laws, or regulations applicable at the time of its erection.
- (2) The requirements of this section do not apply to a sign that, having been permitted to remain in place as a nonconforming use, is required to be removed by the city because the sign, or a substantial part of it, is blown down or otherwise destroyed or dismantled for any purpose other than maintenance operations or for changing the letters, symbols, or other matter on the sign.
- (3) For purposes of subsection (2) above, a sign or substantial part of it is considered to have been destroyed only if the cost of repairing the sign is more than sixty percent (60%) of the cost of erecting a new sign of the same type at the same location.
- (l) Appeal. Any person aggrieved by a decision of the Sign Control Board may file in district court a verified petition setting forth that the decision is illegal, in whole or in part, and specifying the grounds of the illegality. The petition must be filed within 20 days after the date the decision is rendered by the board.
- (1) On the filing of the petition, the court may issue a writ of certiorari directed to the board to review the decision of the board and shall prescribe in the writ the time within which a return must be made, which must be longer than 10 days and may be extended by the court.

- (2) The board is not required to return the original papers acted on by it, but it shall be sufficient to return certified or sworn copies of the papers. The return must concisely set forth all other facts as may be pertinent and material to show the grounds of the decision appealed from and must be verified.
- (3) The court may reverse or affirm, wholly or partly, or modify the decision brought up for review.
- (4) Costs may not be allowed against the Sign Control Board unless it appears to the court that the board acted with gross negligence, in bad faith, or with malice in making the decision appealed from.

SECTION 2. In the event of an irreconcilable conflict between the provisions of another previously adopted ordinance of the City of Lucas and the provisions of this Ordinance, the provisions of this Ordinance shall be controlling.

SECTION 3. Should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Zoning Ordinance as a whole.

SECTION 4. An offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Zoning Ordinance, as amended, in effect when the offense was committed, and the former law is continued in effect for this purpose.

SECTION 5. Any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in the Zoning Ordinance of the City of Lucas, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

SECTION 6. This Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such case provide.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF LUCAS, COLLIN COUNTY, TEXAS, ON THIS _____ DAY OF _____, 2025.

APPROVED:

Dusty Kuykendall, Mayor

APPROVED AS TO FORM:

ATTEST:

Joseph J. Gorfida, Jr., City Attorney
(11-7-2025:cgm:4907-3907-4936v1)

Toshia Kimball, City Secretary



**City of Lucas
City Council Agenda Request
April 2, 2026**

Requester: City Council

Agenda Item Request:

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

Background Information:

NA

Attachments/Supporting Documentation:

None

Budget/Financial Impact:

NA

Recommendation:

NA

Motion:

NA



**City of Lucas
City Council Agenda Request
April 2, 2026**

Requester: City Council

Agenda Item Request:

Reconvene from Executive Session and take any action necessary as a result of the Executive Session.

Background Information:

NA

Attachments/Supporting Documentation:

None

Budget/Financial Impact:

NA

Recommendation:

NA

Motion:

NA