



City of Lucas
Planning and Zoning Commission
Regular Meeting
April 14, 2016
7:00 PM
City Hall – 665 Country Club Road

MINUTES

Call to Order

Chairman Rusterholtz called the meeting to order at 7:01 p.m.

Commissioners Present:

Chairman Peggy Rusterholtz
Vice Chairman David Keer
Commissioner Brian Blythe
Commissioner Andre Guillemaud
Alternate Commissioner Kevin Wier

Staff:

City Manager Joni Clarke
Development Services Director Joe Hilbourn
City Secretary Stacy Henderson

Commissioners Absent:

Commissioner Joe Williams
Alternate Commissioner Scott Sperling

It was determined that a quorum was present. Everyone was reminded to turn off or silence cell phones.

Chairman Rusterholtz announced that Alternate Commissioner Wier would be serving as a voting member in the absence of Commissioner Williams.

Chairman Rusterholtz also noted that Troop Members Walter Bedell and Bryce Foster from Troop 358 were in the attendance and asked that the Troop members lead the pledge of allegiance.

Public Hearing

1. Consider the request by Chris Rivas on behalf of M. Christopher Custom Homes, Ltd., for approval of a specific use permit for outside dining for a proposed restaurant for the property located at the northwest corner of the intersection of East and West Lucas Road more commonly known as Lucas Corners.
 - A. Presentation by Development Services Director Joe Hilbourn
 - B. Conduct Public Hearing
 - C. Take Action

A presentation was given by Development Services Director Joe Hilbourn discussing the components of the proposed specific use permit. Mr. Hilbourn stated that the request was continued from the Planning and Zoning Commission's March 10, 2016 meeting where the applicant was asked to bring forward a new site plan depicting the areas for the living screen separation from the residential area and located the proposed dining near the front of the building. Mr. Hilbourn noted staff's concerns with the request related to additional traffic and the noise and close proximity to the residential area associated with the outside dining.

Chairman Rusterholtz opened the public hearing at 7:07pm and called the following individuals forward that asked to speak:

Jasmine Chandler, 22 Cedar Bend Circle, Lucas stated that she lived directly behind the property and had concerns related to traffic, lights associated with a commercial business and parking lot, the hours of operation and noise associated with outside dining, as well as if there would be windows on the back side of the building that would be visible to the residential neighborhood.

Martin Warborg, 21 Cedar Bend Trail, Lucas, stated he too had concerns about noise associated with outdoor dining and the potential for outdoor music. He also had concerns related to lighting around the building and projecting into the residential neighborhood.

Chris Rivas, representing M. Christopher Custom Homes, came forward and discussed his request stating that a majority of outside dining had been moved to the front of the building with a small area dedicated to the back of the building. No outside dining would take place during the colder months, the hours of operation would not extend past 10:30pm and that they were in discussions with a tenant based on approval of a specific use permit. Mr. Rivas stated that at this time, the proposed tenant had not requested outdoor music.

There being no further comments from the audience, Chairman Rusterholtz closed the public hearing at 7:26pm.

The Commission discussed the dining proposed in the back of the building was not conducive for the residential neighborhood and that the dining proposed on the northwest side of the building be located completely in front of the building. The Commission also discussed the landscaping barrier proposed between the commercial and residential areas.

***MOTION:** A motion was made by Commissioner Blythe, seconded by Commissioner Guillemaud to table the request to the Planning and Zoning Commission meeting of May 12, 2016 to allow the applicant additional time to bring forward a site plan depicting the dining area at the northwest side of the building to be located completely in front of the building and the dining area at the rear of the building be removed. The motion passed unanimously by a 5 to 0 vote.*

Regular Agenda

2. Consider approval of the minutes of the March 10, 2016 Planning and Zoning Commission meeting.

***MOTION:** A motion was made by Commissioner Guillemaud, seconded by Vice Chairman Keer to approve the minutes of the March 10, 2016 Planning and Zoning Commission meeting. The motion passed unanimously by a 5 to 0 vote.*

3. **Consider the request by James Roberts on behalf of Logan Ford Ranch Estates for preliminary plat approval of Phase 2 consisting of 14 lots totaling 37.122 acres out of the Calvin Boles Survey, Abstract Number 28 for the property located at the northeast corner of East Winningkoff Road and Welborn Lane.**

A brief presentation was given by Development Services Director Joe Hilbourn discussing the components of the preliminary plat.

MOTION: *A motion was made by Vice Chairman Keer, seconded by Alternate Commissioner Wier to approve the preliminary plat of Phase 2 for Logan Ford Ranch Estates totaling 37.122 acres for the property located at the northeast corner of East Winningkoff Road and Welborn Lane. The motion passed unanimously by a 5 to 0 vote.*

4. **Consider the request by Cross Engineering on behalf of Blondy Jhune Estates for preliminary plat approval of Cross Creek Acres, a parcel of land being 19.836 acres out of the John Cahill Survey ABS 146 and the John Kerby Survey ABS 506 for the property located on Blondy Jhune Road approximately 1,300 feet east of Winningkoff Road, more commonly known as the Enloe property.**

A brief presentation was given by Development Services Director Joe Hilbourn discussing the components of the preliminary plat.

MOTION: *A motion was made by Alternate Commissioner Wier, seconded by Commissioner Blythe to approve the preliminary plat of Blondy Jhune Estates for Cross Creek Acres totaling 19.836 acres, for the property located on Blondy Jhune Road approximately 1,300 feet east of Winningkoff Road, more commonly known as the Enloe property. The motion passed unanimously by a 5 to 0 vote.*

5. **Consider the request by Todd Wintters on behalf of Bristol Park, LLC. for final plat approval of Bristol Park Phase 3 being a 46.136 acre tract of land out of the John Gray survey Abstract Number 349 located at the northwest corner of Highland Drive and Snider Lane.**

A brief presentation was given by Development Services Director Joe Hilbourn discussing the components of the final plat.

MOTION: *A motion was made by Commissioner Blythe, seconded by Commissioner Guillemaud to approve the final plat of Bristol Park Phase 3, totaling 46.136 acres located at the northwest corner of Highland Drive and Snider Lane. The motion passed unanimously by a 5 to 0 vote.*

6. **Consider approving the Covenants, Conditions and Restrictions for Phase 1 of the Logan Ford Ranch Estates consisting of 11 lots totaling 31.897 acres out of the Calvin Boles Survey, Abstract Number 28 with one remaining lot of 37.122 acres for the property located at the northeast corner of East Winningkoff Road and Welborn Lane.**

Development Services Director Joe Hilbourn stated that the City Attorney advised staff that the Covenants, Conditions and Restrictions for Phase 1 of Logan Ford Ranch Estates did not require Planning and Zoning Commission approval because there was no common area proposed and the item could be removed from the Agenda.

Chairman Rusterholtz announced that Agenda Item No. 6 was removed from the Agenda.

7. **Consider the request by James Roberts on behalf of Logan Ford Ranch Estates for final plat approval of Phase 1 consisting of 11 lots totaling 31.897 acres with one remaining lot totaling 37.122 acres out of the Calvin Boles Survey, Abstract Number 28 for the property located at the northeast corner of East Winningkoff Road and Welborn Lane.**

A brief presentation was given by Development Services Director Joe Hilbourn discussing the components of the final plat.

MOTION: *A motion was made by Alternate Commissioner Wier, seconded by Vice Chairman Kerr to approve the final plat of Phase 1 of the Logan Ford Ranch Estates totaling 31.897 acres with one lot remaining totaling 37.122 acres for the property located at the northeast corner of East Winningkoff Road and Welborn Lane. The motion passed unanimously by a 5 to 0 vote.*

8. **Discuss and provide direction to staff regarding proposed amendments to the Code of Ordinances related to manufactured accessory buildings.**

Development Services Director Joe Hilbourn gave a presentation discussing the proposed amendments to the Code of Ordinances related to accessory buildings outlined as follows:

1. Buildings shall be securely fixed to a permanent foundation.
2. Apply for and obtain all applicable permits and licenses before construction begins on a building site.
3. Buildings shall be built according to the International Residential Code as adopted by the city.
4. Buildings shall be inspected according to the International Residential Code by a third party inspection company through the process of offsite construction.
5. Onsite inspections shall include zoning, underground utilities if applicable, foundation, and a final inspection.

Mr. Hilbourn clarified that the proposed amendments would not pertain to accessory buildings under 200 square feet.

The Commission discussed with Mr. Hilbourn zoning associated with accessory buildings, making a distinction between occupied and unoccupied buildings, and exempting buildings with two or three open sides.

This was a discussion item only, no action was taken.

9. **Discuss and provide direction to staff regarding updates to the Comprehensive Plan, Chapters 1 through 4, including the Future Land Use Map and Lucas Aerial Illustration Map.**

The Commission and Development Services Director Joe Hilbourn reviewed various portions of the Comprehensive Plan, Land Use Map and Aerial Illustration Map and noted the following modifications:

- Land Use Map should have consistent labeling as other City maps
- Small lot areas such as Inspiration, Brockdale Park and Seis Lagos be designated as R-S for Residential Suburban

Chairman Rusterholtz called the following individuals forward to speak regarding this request:

Delvin Dupuy, 2450 Estates Parkway, noted that in an earlier plan, his property along with others located near Lovejoy High School were proposed to be zoned commercial, however on the plan proposed, that has been changed to residential.

Rebecca Mark, 2550 Estates Parkway, noted that the residential properties along Estates Parkway were surrounded by commercial zoning. Ms. Mark asked if a guarantee for approval would be in place should the eight property owners along Estates Parkway spend the necessary funds to have deed restrictions created to change these residential properties commercial.

The Commission discussed various options for this area such as changing zoning, creating planned development districts, and the concern about creating more commercial property within the city

Chairman Rusterholtz stated that this area would need further study before any changes occurred.

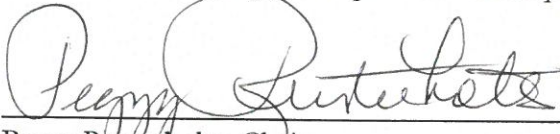
Alternate Commissioner Wier excused himself from the meeting at 8:55 pm.

The Commission agreed to email Chairman Rusterholtz their remaining comments or modifications and the Chairman would work with staff to update the document and bring before the Commission at a later time.

This was a discussion item only, no action was taken.


10. Adjournment.

MOTION: *A motion was made by Commissioner Blythe, seconded by Commissioner Guillemaud to adjourn the meeting at 9:05 p.m. The motion passed unanimously with a 5 to 0 vote.*



Peggy Rusterholtz, Chairman

ATTEST:


Stacy Henderson, City Secretary