



City of Lucas
Planning and Zoning Commission
Regular Meeting
June 9, 2016
7:00 PM
City Hall – 665 Country Club Road

MINUTES

Call to Order

Chairman Rusterholtz called the meeting to order at 7:00 p.m.

Commissioners Present:

Chairman Peggy Rusterholtz
Vice Chairman David Keer
Commissioner Andre Guillemaud
Commissioner Brian Blythe
Commissioner Joe Williams
Alternate Commissioner Scott Sperling

Staff:

Development Services Director Joe Hilbourn
City Attorney Julie Doshier
City Secretary Stacy Henderson

Commissioners Absent:

Alternate Commissioner Kevin Wier

City Council Liaison

Mayor Jim Olk

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

Public Hearing

1. **Consider amendments to the Code of Ordinances related to Division 8, Accessory Buildings, Structures and Uses.**
 - A. Presentation by Development Services Director Joe Hilbourn
 - B. Conduct Public Hearing
 - C. Take Action

Development Services Director Joe Hilbourn gave a presentation summarizing the proposed code changes relating to:

- No trailers, containers, commercial boxes or other similar structures shall be used as accessory buildings or structures;
- Guest/servants quarters language be changed to building containing habitable space as defined by the International Residential Code, and shall meet the requirements of the International Residential Code as adopted by the City;

- Accessory buildings containing habitable space shall meet the requirements of the International Residential Code as adopted by the City.
- The specific use permit may only be granted provided the owners of the property enact a deed restriction with the city as party to the deed restriction that prohibits the use of the guest/servants quarters to be used for lease/barter agreement other than that of the full-time domestic servants providing support to the property, healthcare providers for the residents of the main building or care takers of the property.

Chairman Rusterholtz opened the public hearing at 7:09 pm asking if anyone in the audience would like to speak regarding this request. There being none, the public hearing was closed at 7:10 pm.

The Commission discussed the definition of habitable space and also the requirement that was stricken related to deed restrictions. The Commission felt that leaving the deed restriction requirement in tact was warranted.

Mr. Hilbourn requested that this item be tabled as the zoning use chart would also need updating and would prefer to do all updates at one time.

The Commission directed staff to make the changes recommended by the City Attorney, and Section 14.04.304, Subsection F remain unchanged relating to deed restrictions.

MOTION: *A motion was made by Commissioner Blythe, seconded by Vice Chairman Keer to table this item to the July 14, 2016 Planning and Zoning Commission meeting. The motion passed unanimously by a 5 to 0 vote.*

Regular Agenda

2. Consider approval of the minutes of the May 12, 2016 Planning and Zoning Commission meeting.

MOTION: *A motion was made by Vice Chairman Keer, seconded by Commissioner Guillemaud to approve the minutes of the May 12, 2016 meeting as submitted. The motion passed unanimously by a 5 to 0 vote.*

3. Consider updates to the Comprehensive Plan, Chapters 1 through 4, including the future Land Use map and Aerial Illustration map.

Development Services Director Joe Hilbourn stated that staff incorporated the changes recommended by the Planning and Zoning Commission that were included in the draft document.

Chairman Rusterholtz discussed with the Commission a proposed Village Center zoning for the four lots fronting Estates Parkway near Lovejoy High School. Ms. Rusterholtz noted that Village Center zoning could be a good compromise for the area that is surrounded by the school and commercial zoning.

Mr. Hilbourn discussed with the Commission the requirements of Village Center zoning relating to buffer requirements and site plan requirements and was more user friendly abutting up to a residential neighborhood.

Rebecca Mark, 2550 Estates Parkway, stated that Village Center zoning would be a good use for the area, but she would like to meet with the other homeowners to discuss further. Ms. Mark stated that her remaining concern was related to the neighborhood behind them that would not be included as part of the potential rezoning.

Chairman Rusterholtz reviewed the grammatical changes she noted within the document with Development Services Director Joe Hilbourn.

The Commission discussed the requirements associated with a Planned Development district overlay and the difference between Village Center zoning and a Planned Development overlay.

Chairman Rusterholtz stated that she was not in favor of including lots on Rock Ridge Road in the potential rezoning, only the lots fronting Estates Parkway.

Liza Dupuy, 2450 Estates Parkway, noted that including the properties on Rock Ridge would give the homeowners a larger area to work with when trying to sell the properties and was not in favor of removing the properties on Rock Ridge Road from the potential rezoning.

The Commission discussed various commercial uses that were located in residential areas such as businesses located on Country Club Road and Lucas Road.

The Commission also noted that they would like the Comprehensive Plan to reflect the zoning designation from "RM" to "R" for residential property in the City's extraterritorial jurisdictions.

MOTION: *A motion was made by Vice Chairman Keer, seconded by Commissioner Williams to recommend approval of the Comprehensive Plan, Chapters 1 through 4 with the following changes:*

- 1. Changing the zoning on the four residential lots fronting Estates Parkway from Residential to Village Center;*
- 2. Accept the grammatical changes to the Comprehensive Plan as outlined by Chairman Rusterholtz;*
- 3. Change the name of residential zoning in the City's ETJ areas from RM to R for residential;*
- 4. Encompassing all recommended changes in the draft Comprehensive Plan document as presented.*

The motion passed by a 3 to 2 vote, with Commissioner Williams, Commissioner Guillemaud and Vice Chairman Keer voting in favor of the motion; and Commissioner Blythe and Chairman Rusterholtz voting in opposition.

4. Discuss and provide direction to staff regarding updates to the Comprehensive Plan, Chapter 5, Economic Development and Chapter 6 Parks, Recreation and Open Space.

Development Services Director Joe Hilbourn asked that the Commission review Chapters 5 and 6 of the Comprehensive Plan and send any proposed changes by June 20 so that the draft document can be brought back to the July 14, 2016 Planning and Zoning Commission meeting.

There was no action taken on this item, it was for discussion purposes only.

5. **Adjournment.**

MOTION: A motion was made by Commissioner Guillemaud, seconded by Commissioner Williams to adjourn the meeting at 8:06 p.m. The motion passed unanimously with a 5 to 0 vote.

Carl Keen for Peggy Rusterholtz
Peggy Rusterholtz, Chairman

ATTEST:

Stacy Henderson
Stacy Henderson, City Secretary

