

Planning & Zoning Commission
Regular Meeting
June 13, 2013, 7:00 PM
City Hall – 665 Country Club Road
Minutes

Call to Order

The meeting was called to order at 7:00 p.m. by Chairman Karen Hurtt.

Present/(Absent):

Chairman Karen Hurtt

Commissioner Sean McCaffity

Commissioner Brian Blythe

Alt Commissioner Joe Williams

Mayor Rebecca Mark (Absent)

City Manager Jeff Jenkins

City Engineer/Public Works Director Stanton Foerster

Vice-Chairman Peggy Rusterholtz

Commissioner David Keer (Absent)

Alt Commissioner Andre Guillemaud

City Attorney Joe Gorfida

Development Services Director Joe Hilbourn

Administrative Assistant Jennifer Faircloth

In the absence of Commissioner David Keer, Alternate Commissioner Andre Guillemaud will be a voting member for this meeting

It was determined that a Quorum was present.

Everyone was reminded to turn off or silence cell phones.

Commissioner Joe Williams led everyone in saying the Pledge of Allegiance.

Public Hearings

- 1) Public Hearing/Discuss and Consider an application request by Murphy Oil for a site plan for the operation of a refueling station and convenience store. The property to be considered is located in Collin County, Texas, and described as follows: ABS A0821 William Snider Survey, Tract 32, 6.47 acres, more commonly known as the Sterling property adjacent to Angel Parkway, just north of the existing Wal-Mart.

City Attorney Joe Gorfida noted that last week the City Council approved the Specific Use Permit (SUP) for this property. City Council made two stipulations to the site plan shown on the map tonight, one being landscaping added to the back of the property and the addition of carbon filters to control runoff. Both of the stipulations were included in the SUP.

Development Services Director Joe Hilbourn came forward to review the site plan with the commission.

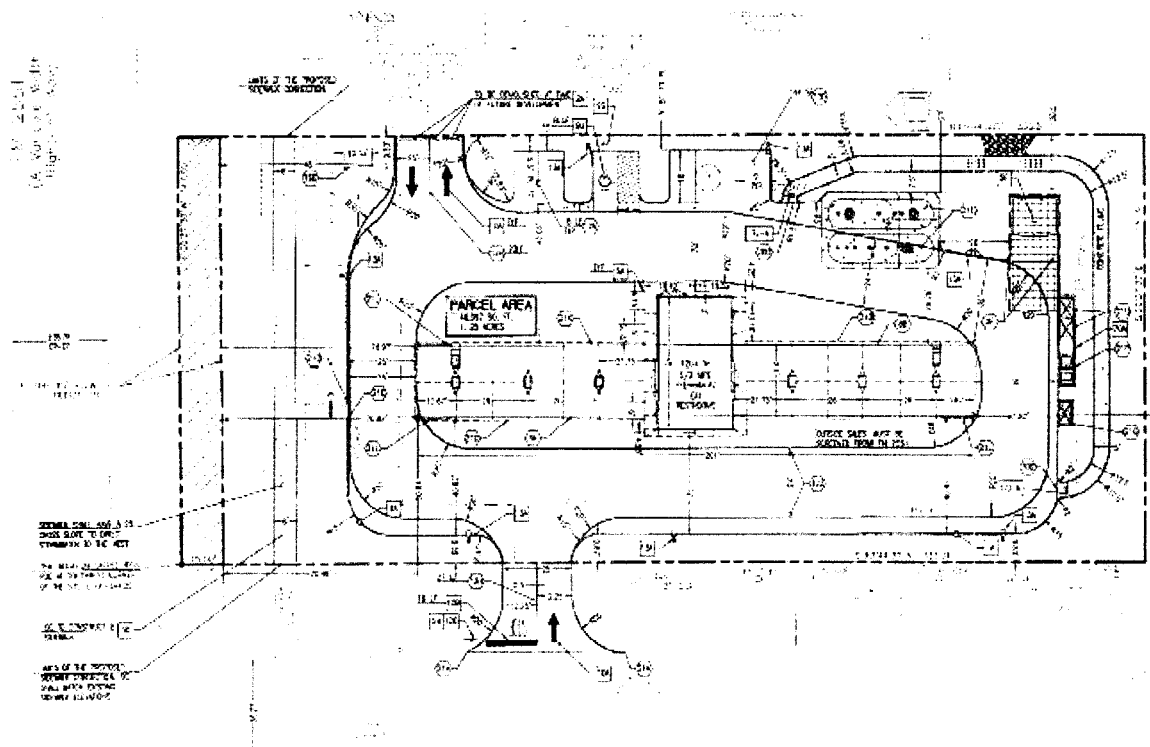
Yezenia Ortiz, has submitted an application on behalf of Murphy Oil, for a site plan for a refueling station in the Commercial Business District adjacent to Angel Parkway and just to the north of the existing Wal-Mart.

The property is more formally known as ABS A0821 William Snider Survey, Tract 32, 6.47 acres.

Facts:

- Site size 51,183 square feet plus or minus, minimum permitted CB zone 30,000 square feet.
- Parking required 6 spaces, 7 are shown.
- Maximum impervious coverage allowed 75%, amount of impervious cover less than 60%.
- The site has an approved SUP; the site plan incorporates the required elements from the approval.
- 17J-A is the water quality filtration system
- No propane refilling equipment shown on site

Site Plan:



Staff recommends approval as presented.

The Public Hearing was opened at 7:05 p.m.

Jessie Ortiz, with Murphy Oil, came forward and stated that the revisions requested by the City Council were made and would be available to answer any questions.

There was no one present who wished to speak FOR or AGAINST this item.

The Public Hearing was closed at 7:06 p.m.

MOTION: Commissioner Brian Blythe made a Motion to approve the site plan for the operation of a refueling station and convenience store. The property to be considered is located in Collin County, Texas, and described as follows: ABS A0821 William Snider Survey, Tract 32, 6.47 acres, more commonly known as the Sterling property adjacent to Angel Parkway, just north of the existing Wal-Mart. Commission Sean McCaffity seconded the Motion. Motion Carried. Vote: 6-0

- 2) Public Hearing/Discuss and Consider an amendment to the City of Lucas' Code of Ordinance Chapter 14 "Definition" by adding definitions for a drive-through, drive-thrus, drive-in, and drive-up.

Development Services Director Joe Hilbourn came forward to review the changes to the City of Lucas' Code of Ordinance Chapter 14 "Definition" by adding definitions for a drive-through, drive-thrus, drive-in, and drive-up with the commission.

Proposed Definition:

A drive-through, drive-thrus, drive in, or drive up is a service provided by a business that allows customers to purchase a product without leaving their car. For the purposes of this definition any service that is provided to a customer without the need for the customer to leave their vehicle is a drive through, drive-thrus, drive in or drive up.

The Public Hearing was opened at 7:09 p.m.

There was no one present who wished to speak FOR or AGAINST this item.

The Public Hearing was closed at 7:09 p.m.

Commissioner Sean McCaffity asked what is the difference between a drive-through and a drive-thru? The City Attorney Joe Gorfida stated that the spelling has been inconsistency throughout the code so both spellings are being included.

Vice-Chairman Peggy Rusterholtz noticed that there is a discrepancy in the use of drive-thrus and drive-thru. If drive-thrus needs to be plural then we need to make sure it is written that way in the code. City attorney Joe Gorfida stated that it will be singular and will make sure this change is made.

MOTION: Commissioner Sean McCaffity made a Motion to approve the amendment to the City of Lucas' Code of Ordinance Chapter 14 "Definition" by adding definitions for a drive-through, drive-thrus, drive-in, and drive-up with the stipulations as noted by the City Attorney Joe Gorfida. Vice-Chairman Peggy Rusterholtz seconded the motion. Motion carried. Vote: 6-0

- 3) Public Hearing/Discuss and Consider an amendment to the City of Lucas' Code of Ordinances Chapter 14 "Zoning"; Article 14.03 "Districts"; Division 7 regarding the Commercial Business District (CB) by amending Section 14.03.353, Development

Regulations subsection (9) to read as follows: Impervious Coverage, the maximum impervious coverage shall not exceed sixty-five percent (65%) of the total lot area, exclusive of green space permitted in the Commercial Business District (CB).

Development Services Director Joe Hilbourn came forward to review an amendment to the City of Lucas' Code of Ordinance Chapter 14 "Zoning"; Article 14.03 "Districts"; Division 7 regarding the Commercial Business District (CB) by amending Section 14.03.353, Development Regulations subsection (9) to read as follows: Impervious Coverage, the maximum impervious coverage shall not exceed sixty-five percent (65%) of the total lot area, exclusive of green space permitted in the Commercial Business District (CB).

Staff has brought forward a recommendation for a change to the impervious cover requirements

Proposed Code Change

Sec. 14.03.353 Development regulations

- (9) Impervious coverage. The maximum impervious coverage shall not exceed sixty-five percent (65%) of the total lot area, exclusive of green space.

The Public Hearing was opened at 7:13 p.m.

There was no one present who wished to speak FOR or AGAINST this item.

The Public Hearing was closed at 7:13 p.m.

Chairman Karen Hurtt has spoken with several of the Councilmembers and they are in favor of this reduction of impervious coverage to sixty-five percent rather than seventy-five percent coverage. Decorative concrete is no longer allowed to come up to the building, this change would require use of landscaping.

City Attorney Joe Gorfida stated that this was a recommendation by the City Council to be sent back to Planning and Zoning for consideration. City Council will vote on this at the July 18, 2013 meeting.

MOTION: Vice-Chairman Peggy Rusterholtz made a Motion to approve the amendment to the City of Lucas' Code of Ordinances Chapter 14 "Zoning"; Article 14.03 "Districts"; Division 7 regarding the Commercial Business District (CB) by amending Section 14.03.353, Development Regulations subsection (9) to read as follows: Impervious Coverage, the maximum impervious coverage shall not exceed sixty-five percent (65%) of the total lot area, exclusive of green space permitted in the Commercial Business District (CB). Commissioner Karen Hurtt seconded the Motion. Motion carried. Vote: 6-0.

Regular Agenda

- 4) Discuss and Consider the approval of the minutes from the May 9, 2013 Planning & Zoning Commission meeting.

Chairman Karen Hurtt asked the board if anyone had any corrections. Vice-Chairman Peggy Rusterholtz stated that she has two corrections and will forward to the City Secretary.

MOTION: Commissioner Brian Blythe made a Motion to approve the minutes from May 9, 2013 Planning & Zoning meeting with the correction presented to the City Secretary . Commissioner Sean McCaffity seconded the Motion. Motion Carried. Vote: 6-0.

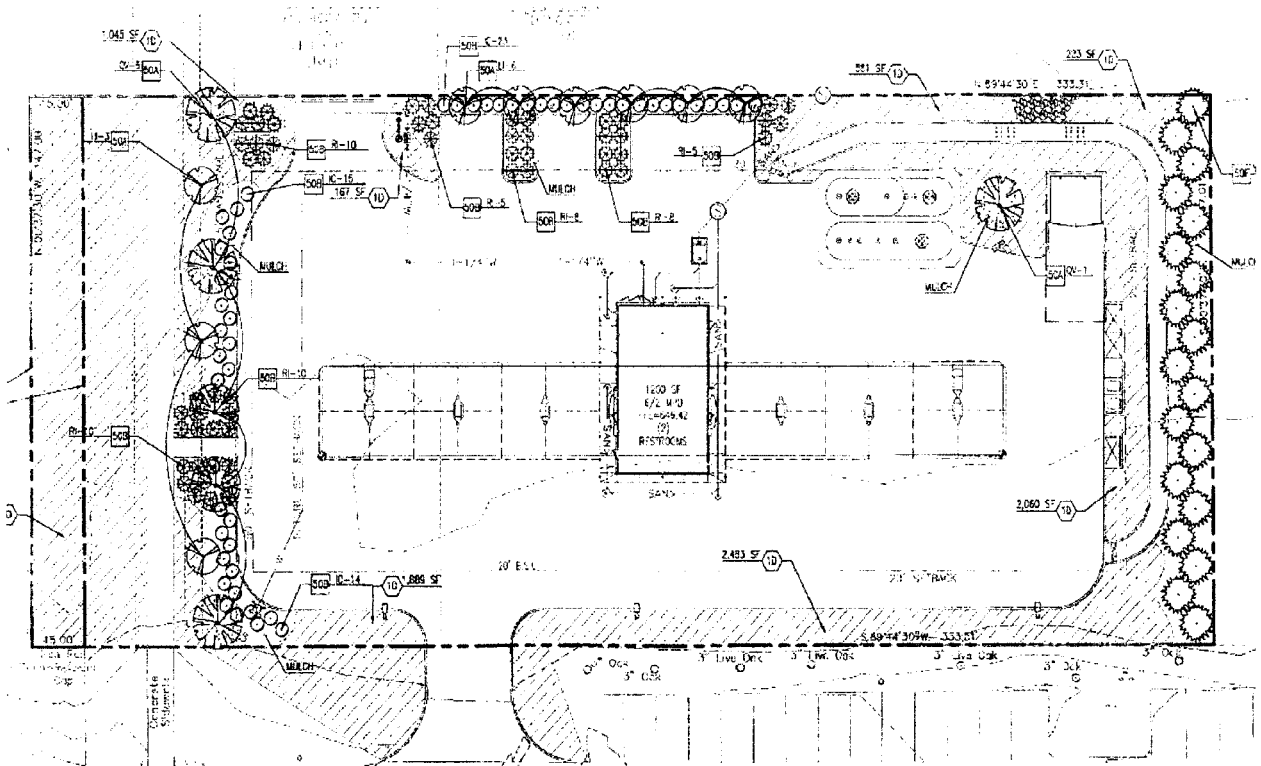
- 5) Discuss and Consider the approval of a landscape plan for Murphy Oil to operate a refueling station and convenience store. The property to be considered is located in Collin County, Texas, and described as follows: ABS A0821 William Snider Survey, Tract 32, 6.47 acres, more commonly known as the Sterling property adjacent to Angel Parkway, just north of the existing Wal-Mart.

Yezenia Ortiz, has submitted an application on behalf of Murphy Oil, for a landscape plan for a refueling station in the Commercial Business district adjacent to Angel Parkway and just to the north of the existing Wal-Mart. The property is more formally known as ABS A0821 William Snider Survey, Tract 32, 6.47 acres.

Facts:

- Minimum landscape required is 15 % with 5% interior landscape, and 25% green space.
- Shown is 34% green space, 20% landscape, and 5% interior parking.
- Parking is required to be buffered with trees and bushes, 1 tree for every 20 lineal feet and 8 bushes for every 20 linear feet, shown is 6 trees and 32 bushes for 70 linear feet.
- The landscape plan also incorporates design features to match the requirements placed on the SUP, enclosed storage, tree buffer at the rear of the property, and species of trees.

Landscape Plan:



Staff recommends approval as presented.

MOTION: Alternate Commissioner Andre Guillemaud made a Motion to approve the landscape plan for Murphy Oil to operate a Refueling Station and convenience store. The property to be considered is located in Collin County, Texas, and described as follows: ABS A0821 William Snider Survey, Tract 32, 6.47 acres, more commonly known as the Sterling property adjacent to Angel Parkway, just north of the existing Wal-Mart. Vice-Chairman Peggy Rusterholtz seconded. Motion carried. Vote: 6-0.

6) Adjournment.

MOTION: Vice-Chairman Peggy Rusterholtz made a Motion to adjourn the meeting at 7:23 p.m. Commissioner Brian Blythe seconded the Motion. Motion carried. Vote: 6-0.

These minutes were approved by a majority vote of the Planning & Zoning Commission on August 8, 2013.



Karen Hurtt
 Karen Hurtt
 Chairman

ATTEST:

Jennifer Faircloth
 Jennifer Faircloth
 Administrative Assistant