



City of Lucas  
Planning and Zoning Commission  
Regular Meeting  
July 13, 2017  
7:00 PM

City Hall – 665 Country Club Road – Lucas, Texas

**MINUTES**

**Call to Order**

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

**Commissioners Present:**

Chairman Peggy Rusterholtz  
Vice Chairman David Keer  
Commissioner Scott Sperling  
Commissioner Joe Williams  
Alternate Commissioner Tim Johnson  
Alternate Commissioner Tommy Tolson

**Staff Present:**

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

**City Council Liaison:**

Mayor Jim Olk

**Commissioner Absent:**

Commissioner Andre Guillemaud

It was determined that a quorum was present. Everyone was reminded to turn off or silence cell phones and the Commission recited the Pledge of Allegiance.

Chairman Rusterholtz announced that Alternate Commissioner Tim Johnson would serve as a voting member in the absence of Commissioner Guillemaud.

**Public Hearings**

- 1. Public hearing to consider updating the City's Code of Ordinances amending Section 14.03.292 (3) use regulations requiring a specific use permit when the total square footage of any building exceeds 8,000 square feet in the Village Center zoning district.**

Development Services Director Joe Hilbourn gave a presentation stating that current Village Center zoning standards require a specific use permit when the total square footage of the main building and/or any accessory buildings exceeds 50,000 square feet.

Mr. Hilbourn proposed amending the standard within the Village Center zoning district to require a specific use permit when the total square footage of any building exceeded 8,000 square feet.

The Commission discussed the use of one building containing 8,000 square feet versus several smaller buildings totaling 8,000 square feet and what may be the best and highest use for the property. The Commission also discussed if outside patio areas or covered landscape areas would be considered as part of the 8,000-square foot requirement.

Mr. Hilbourn clarified that if any component of the building, such as outdoor seating were located under the roof of the building, it would be considered part of the 8,000 square feet.

The Commission discussed the minimum three-acre requirement needed to build upon in the Village Center zoning district and the various sizes of buildings that may be appropriate for the Village Center zoning district.

Chairman Rusterholtz opened the public hearing at 7:20pm. There being no one wishing to speak, the public hearing was closed.

**MOTION:** A motion was made by Commissioner Williams, seconded by Commissioner Sperling to recommend approval of updating the City's Code of Ordinances amending Section 14.03.292(3) use regulations requiring a specific use permit when the total square footage of any building exceeds 8,000 square feet in the Village Center zoning district. The motion passed unanimously by a 5 to 0 vote.

**2. Public hearing to consider updating the City's Code of Ordinances amending Section 14.01.004 Definitions to add a definition for pet day care.**

Development Services Director Joe Hilbourn gave a presentation proposing the following definition for pet daycare:

“Pet daycare refers to a short-term daytime care for pets during normal business hours or long-term care for pets. Pet daycares shall have separate kennels for different species of animals, different sex of animals, and for different sizes of animals, and shall have an environment that supports the safety and well-being of the pets that their care is entrusted”.

Mr. Hilbourn noted that definitions were already defined for livestock, exotic animals and kennels.

Chairman Rusterholtz discussed with the Commission the differences in definition of boarding versus daycare. The Commission also discussed the definition of kennels and outside runs.

The Commission discussed with Mr. Hilbourn the hours in which animals may be outside at a pet daycare facility, and that supervision was needed when pets were outside after a certain time in the evening.

Chairman Rusterholtz opened the public hearing at 7:42pm, there being no one wishing to speak, the public hearing was closed.

The Commission directed staff to amend the definition to reflect supervised outdoor exercise time during evening hours, and to change the requirement of having separate kennels for different species and sex of animals, to having cages available for different species and sex of animals.

**MOTION:** A motion was made by Commissioner Sperling, seconded by Alternate Commissioner Johnson to table this request to allow staff an opportunity to further clarify the definition. The motion passed unanimously by a 5 to 0 vote.

### Regular Agenda

**3. Consider approval of the minutes of the June 8, 2017 Planning and Zoning Commission meeting.**

Commissioner Tolson suggested the following amendments be made correcting language in the minutes.

**Correction:** The following error was made in the heading of Agenda Item 2 of the June 8, 2017 minutes which stated “73.35 acres of land currently zoned R-2”, and should be corrected to state “73.35 acres of land currently zoned Agricultural”.

**Correction:** The following error was made in the motion of Agenda Item 2 of the June 8, 2017 minutes which stated “73.35 acres of land currently zoned R-2”, and should be corrected to state “73.35 acres of land currently zoned Agricultural”.

**MOTION:** A motion was made by Chairman Rusterholtz, seconded by Commissioner Sperling to approve the minutes as amended. The motion passed unanimously by a 5 to 0 vote.

**4. Consider approval of a final plat on behalf of Pennington Partners LTD for a parcel of land located on Angel Parkway, north of the Kwik Lube, and part of the W.M. Snider Survey, ABS 821, creating a 39,823-square foot lot leaving a remainder of 19.243 acres, otherwise known as Lot 1 and 2, Block A of the Angel Addition.**

**MOTION:** A motion was made by Alternate Commissioner Johnson, seconded by Vice Chairman Keer to recommend approval of the final plat on behalf of Pennington Partners LTD for a parcel of land located on Angel Parkway, north of the Kwik Lube, and part of the W.M. Snider Survey, ABS 821, creating a 39,823-square foot lot and leaving a remainder of 19.243 acres. The motion passed unanimously by a 5 to 0 vote.

### Executive Session

The Planning and Zoning Commission may convene in a closed Executive Session pursuant to Chapter 551.071 of the Texas Government Code.

The Planning and Zoning Commission did not go into Executive Session at this meeting.

**5. Adjournment.**

**MOTION:** A motion was made by Commissioner Sperling, seconded by Commissioner Williams to adjourn the meeting at 8:00 pm. The motion passed unanimously by a 5 to 0 vote.

  
Peggy Rusterholtz, Chairman

  
Stacy Henderson, City Secretary

