



City of Lucas
Planning and Zoning Commission
Regular Meeting
August 10, 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 Attorney Julie Doshier
Special Projects Coordinator Cathey Bonczar

City Council Liaison Absent:

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 Tommy Tolson would serve as a voting member in the absence of Commissioner Guillemaud.

Public Hearings

- 1. Public hearing to consider the request by Pennington Partners LTD, on behalf of Legacy Alliance Holdings, LLC, for approval of a specific use permit for a drive-thru for the property located at the southeast corner of Angel Parkway and Lake Travis Drive.**

Development Services Director Joe Hilbourn gave a summary overview of the request and proposed changes, and recommended approval with the listed conditions being met.

Chairman Rusterholtz opened the public hearing at 7:08pm.

Clay Christy with Claymoore Engineering explained that they were working with Staff on proposed changes and were willing to make any suggested changes proposed by the Commission.

Brad DeYoung with Legacy Alliance discussed requested changes that were currently being completed and presented a sample rendering of the proposed building. He felt that adding a third

bump-out to the building would not allow for future flexibility as tenants change out. Due to the frontage limitations, Mr. DeYoung suggested that instead of a third bump-out, they use Austin Stone in the three vertical columns in the middle of the building and possibly adjust the landscaping with the addition of another bed.

City Attorney Julie Doshier clarified the recommendations with the Commission.

Pennington Partners LTD requested the following:

- third bump-out not be required
- Two remaining bump-outs be a minimum of four feet, with added planter areas in front of each bump-out.
- City accept the three columns of Austin Stone in front of the building in lieu of the wainscot all the way around the building.

When asked if tenants had been identified, Mr. DeYoung explained that they are in negotiations with three out of the four, but were not to contract yet, and none of the three were the potential drive through tenant. Additional clarification of design and use was discussed.

Chairman Rusterholtz asked and Mr. Hilbourn confirmed that if the drive-through was not approved, this request would be withdrawn.

There being no one else wishing to speak, Chairman Rusterholtz closed the public hearing at 7:23pm.

Commission members discussed the merits with City Attorney Julie Doshier and agreed to the following recommendations from staff and amendments:

1. As staff recommended
2. As staff recommended
3. Eliminate the third bump-out and include three columns
4. Bump-outs be a minimum of four feet with 18-24-inch planting areas between the walkway and the building
5. Use Austin Stone on columns in front of the building in lieu of the wainscot across the front and on both side elevations of the building
6. As staff recommended using three-inch caliper trees at four-foot intervals east of the building. Five trees from the large tree list and five from the small tree list filling the gaps between the larger trees for a visual buffer.

MOTION: A motion was made by Chairman Rusterholtz, seconded by Commissioner Williams to approve the specific use permit request by Pennington Partners LTD, on behalf of Legacy Alliance Holdings, LLC, for a drive-thru for the property located at the southeast corner of Angel Parkway and Lake Travis Drive with the following recommendations:

- Attach the site plan and concept plan to the specific use permit as presented
- Eliminate the third bump-out and include three columns
- Bump-outs be a minimum of four feet with 18-24-inch planting areas between the walkway and the building

- Use Austin Stone on columns in front of the building in lieu of the wainscot across the front and on both side elevations of the building
- As staff recommended using three-inch caliper trees at four-foot intervals east of the building. Five trees selected from the large tree list and five from the small tree list filling the gaps between the larger trees for a visual buffer.

The motion passed unanimously by a 5 to 0 vote.

The motion above approves the use associated with the specific use permit request, but does not approve the site plan.

2. Public hearing to consider the request by Rutledge Haggard on behalf of the Steven W. Hendrick Trust for a zoning change from AO to R-2 for a parcel of land located on the north and south sides of Blondy Jhune Road and Country Club Road, being part of the Peter Lucas Survey, A-537; J.W. Kerby Survey, A-506; James Grayum Survey, A-506, Tracts 1, 2, & 3.

Development Services Director Joe Hilbourn gave a summary overview of the request.

Chairman Rusterholtz opened the public hearing at 7:38pm. Ms. Rusterholtz stated that a representative for the applicant was present and available to answer any questions as well.

Janean McLaughlin, 3 Skyview Drive, spoke in opposition of the change. Ms. McLaughlin stated that she was concerned about this development in regard to water usage, traffic, and loss of the country feel.

Wick Hefner, property owner of 2 Skyview Drive, spoke in opposition of the change. He expressed concerns about the traffic light at 1378 and Estates and potential issues with safe traffic flow in the area. Asked if there had been any discussion or analysis done in regard to traffic flow, and expressed concerns about the small, narrow bridge at Skyview and Country Club Road.

Alma Dixon, 4 Skyview Drive asked for clarification regarding the R-2 zoning.

Sherry Nederhoff, 1160 Snider Lane spoke in opposition of the change. Ms. Dixon stated that she would prefer the R-2 zoning not pass. Ms. Nederhoff stated that she feels this is a horse community and would prefer it stay that way.

Maureen Miller, 317 McMillen, asked for clarification that the rezoning will be two acres minimum with no special exceptions. She voiced concerns about traffic flow, and asked that when the plat was brought forward, the Commission consider placing a signal light at the intersection.

Developer, Sarah Scott with Kimley-Horn, 13455 Noel Road, Dallas, was present to answer questions, and stated that there were no engineering issues that would prevent the property from being developed as R-2.

Chairman Rusterholtz closed the public hearing at 7:50pm.

MOTION: A motion was made by Commissioner Williams, seconded by Commissioner Sperling to approve the request on behalf of the Steven W. Hendrick Trust for a zoning change from AO to R-2 for a parcel of land located on the north and south sides of Blondy Jhune Road and Country Club Road. The motion passed unanimously by a 5 to 0 vote.

3. Continuation of a public hearing from the July 13, 2017 meeting to consider amending the City’s Code of Ordinances, Section 14.01.004 - Definitions to add a definition for Pet Day Care to the Zoning Use Chart.

Development Services Director Joe Hilbourn explained the definition of pet day care based on input from the previous Planning and Zoning Commission meeting.

Vice Chairman Kerr recommended changing the name from “Pet Day Care” to “Pet Day Care and Boarding”.

Mr. Hilbourn proposed not taking action at this meeting, and suggested that he would bring back the definition, the district requirements, and the Zoning Use Chart at a future meeting using the same definition in all documents.

Additional discussion resulted in a recommendation for the use of the terms “pets”, “domesticated animals”, and “live-stock”, clarifying what animals could be boarded at this facility, clarifying the times when animals could be outside, and defining the difference between “kennel” and “pet day care”.

Staff was given direction for recommended changes and no action was taken.

Regular Agenda

4. Discuss updating the City’s Code of Ordinances, Section 14.03.354 - Special District Requirements by adding minimum standards for Pet Day Care.

Staff was given direction for recommended changes in the previous item and no action was taken.

5. Consider approval of the minutes of the July 13, 2017 Planning and Zoning Commission meeting.

MOTION: A motion was made by Commissioner Williams, seconded by Alternate Commissioner Tolson to approve the minutes as submitted. The motion passed unanimously by a 5 to 0 vote.

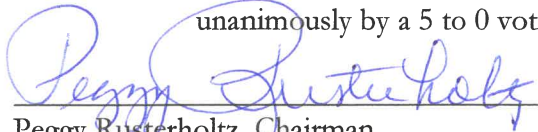
Executive Session

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 Williams, seconded by Alternate Commissioner Tolson to adjourn the meeting at 8:14 pm. The motion passed unanimously by a 5 to 0 vote.


Peggy Rusterholtz, Chairman


Cathey Bonczar, Executive Assistant

