



City of Lucas
Planning & Zoning Commission
Regular Meeting
February 11, 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 Joe Williams
Commissioner Andre Guillemaud
Commissioner Brian Blythe
Alternate Commissioner Scott Sperling

Staff:

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

Commissioners Absent:

Alternate Commissioner Kevin Wier

City Council Liaison Present:

Mayor Jim Olk

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.

Public Hearings

1. **Consider approval of a request by Liberty Bank on behalf of Victoria Hamilton Parsons, Etal., to rezone a 50-acre tract of land from Agricultural District (AO) to Residential (R-1.5) for a parcel of land located on the south side of Forest Grove Road, approximately 1,300 feet west of the intersection of Orr Road and Forest Grove Road.**
 - A. **Presentation by Development Services Director Joe Hilbourn**
 - B. **Conduct Public Hearing**
 - C. **Take Action**

Chairman Rusterholtz announced that the applicant has requested that their item be withdrawn from the agenda. Chairman Rusterholtz noted that approximately forty emails were received in opposition to the request and Grant Gulickson, 200 Doris Drive was also in the audience to express his opposition to the request.

2. **Consider the specific use permit request by Rudy Rivas on behalf of Lucas Corners, LLC for approval of outside dining for the property located at the northwest corner of the intersection of East and West Lucas Road.**
 - A. **Presentation by Development Services Director Joe Hilbourn**
 - B. **Conduct Public Hearing**
 - C. **Take Action**

Development Services Director Joe Hilbourn briefed the Commission on the request stating it was continued from the January 14, 2016 Planning and Zoning Commission meeting to allow the applicant additional time to bring forward a site plan and landscape plan for the proposed property. Mr. Hilbourn stated that staff had concerns related to the traffic and noise associated with outside dining at this location.

The Commission discussed the trees currently separating the commercial property from the residential neighborhood and if that was an adequate buffer for the noise that would be created with outside dining.

Chris Rivas, representing M. Christopher Custom Homes, stated that the proposed trees were one inch in caliper and would be planted immediately allowing for more growth. The area would also be provided with an irrigation system for watering the trees. Mr. Rivas stated there was no particular tenant at this time.

Commissioner Guillemaud and Chairman Rusterholtz expressed their concerns with the outside dining proposed so close to the residential neighborhood and the noise and trash that could become a problem.

Chairman Rusterholtz opened the public hearing at 7:15 p.m., with no one wishing to speak, the public hearing was closed.

MOTION: *A motion was made by Chairman Rusterholtz, seconded by Commissioner Guillemaud to recommend denial of the specific use permit request for outside dining for the property located at the northwest corner of the intersection of East and West Lucas Road without prejudice. The motion for denial passed unanimously by a 5 to 0 vote.*

Chairman Rusterholtz announced that the Commission would combine and discuss Agenda Items 3, 4 and 5 as they were all related to requirements associated with Retirement Home/Senior Independent Living Facilities.

3. **Consider amending Section 14.03.801, Subsection E the Code of Ordinances Zoning Use Chart, Schedule of Uses to add a requirement for Retirement Home/Senior Independent Living Facility to require a specific use permit within the Commercial Business and Light Industrial districts and amend the use chart to require a specific use permit for nursing home in the Village Center, Commercial Business and Light Industrial districts.**

4. **Consider amending Section 14.03.354 of the City's Code of Ordinances by adding special district requirements for retirement homes/senior independent living facilities to the Commercial zoning district to include height and maximum number of units.**
5. **Consider amending Section 14.01.004, Subsection B, Definitions of the City's Code of Ordinances to create a new definition for Retirement Homes/Senior Independent Living Facilities.**
 - A. **Presentation by Development Services Director Joe Hilbourn**
 - B. **Conduct Public Hearing**
 - C. **Take Action**

Development Services Director Joe Hilbourn briefed the Commission on the proposed amendments relating to creating a new definition for retirement home/senior independent living facilities, proposed specific use permit requirements, and adding special district requirements relating to height and the number of units allowed.

Chairman Rusterholtz opened the public hearing at 7:23 p.m., there being no one wishing to speak, the public hearing was closed.

The Commission discussed dwelling size of nursing home units, the number of units as well as the definition. They also discussed the high density use and associated traffic.

Chairman Rusterholtz reopened the public hearing at 7:39 p.m.

Leon Luckey, 1065 Wendy, stated he was against high density associated with nursing home facilities and the additional traffic.

Chairman Rusterholtz closed the public hearing at 7:41 p.m.

MOTION: *A motion was made by Commissioner Blythe, seconded by Commissioner Williams to recommend approval of amending Section 14.03.801, Subsection E the Code of Ordinances Zoning Use Chart, Schedule of Uses to add a requirement for Retirement Home/Senior Independent Living Facility to require a specific use permit within the Commercial Business and Light Industrial districts and amend the use chart to require a specific use permit for nursing home in the Village Center, Commercial Business and Light Industrial districts. The motion passed unanimously by a 5 to 0 vote.*

MOTION: *A motion was made by Chairman Rusterholtz, seconded by Commissioner Williams to recommend denial of amending Section 14.03.354 of the City's Code of Ordinances by adding special district requirements for retirement homes/senior independent living facilities to the Commercial zoning district to include height and maximum number of units. The motion for denial passed unanimously by a 5 to 0 vote.*

MOTION: *A motion was made by Chairman Rusterholtz, seconded by Vice Chairman Keer, to recommend approval of amending Section 14.01.004, Subsection B, Definitions of the City's Code of Ordinances to create a new definition for Retirement Homes/Senior Independent Living Facilities. The motion passed unanimously by a 5 to 0 vote.*

Regular Agenda

- 6. Consider approval of a request by Chris Rivas, on behalf of M. Christopher Custom Homes, Ltd., for site plan with a living screen for a proposed office/retail building and a restaurant with outside dining for the property located at the northwest corner of the intersection of East and West Lucas Road.**

Development Services Director Joe Hilbourn stated that this item would require to be tabled or denied since the associated specific use permit request earlier in the agenda was denied.

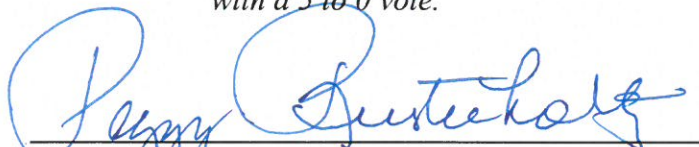
MOTION: *A motion was made by Chairman Rusterholtz, seconded by Commissioner Blythe, to table this agenda item. The motion passed unanimously by a 5 to 0 vote.*

- 7. Consider approval of the minutes of the January 14, 2016 Planning and Zoning Commission meeting.**

MOTION: *A motion was made by Vice Chairman Keer, seconded by Commissioner Williams to approve the minutes as presented. The motion passed unanimously by a 5 to 0 vote.*


- 8. Adjournment.**

MOTION: *A motion was made by Commissioner Williams, seconded by Commissioner Guillemaud to adjourn the meeting at 7:58 p.m. The motion passed unanimously with a 5 to 0 vote.*



Peggy Rusterholtz, Chairman

ATTEST:



Stacy Henderson, City Secretary

