



City of Lucas
Planning and Zoning Commission
Regular Meeting
July 11, 2019
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.

It was determined that a quorum was present. Chairman Rusterholtz stated that Alternate Member Tommy Tolson would be seated as a voting member. Everyone was reminded to turn off or silence their cell phones and the Pledge of Allegiance was recited.

Commissioners Present:

Chairman Peggy Rusterholtz
Commissioner Andre Guillemaud
Commissioner Joe Williams
Commissioner Tim Johnson
Alternate Commissioner Tommy Tolson

Staff Present:

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

Commissioners Absent:

Vice Chairman David Keer
Alternate Commissioner Adam Sussman

Public Hearing Agenda

- 1. Public Hearing to consider the request by Mr. Khalil Hussein for a special use permit for a minor automotive repair shop and used car sales in a Commercial zoning district for the property located at 995 West Lucas Road, Abstract A0538 Jas Lovelady Survey, Tract 14, being 2.25 acres.**

Development Services Director Joe Hilbourn explained that the special use permit proposed a minor automotive repair shop with used car sales. Mr. Hilbourn noted that the minor automotive repair use with a secondary use of state vehicle inspections fits the area and surrounding uses. However, a used car lot raised concerns related to parking, lighting, signage, and congestion at the limited intersection area. Mr. Hilbourn noted that staff recommends approval of the minor automotive repair shop and denial of the used car sales.

Chairman Rusterholtz opened the public hearing at 7:05 pm.

Khalil Hussein, 995 West Lucas Road, stated that he would like to have an inspection business at this location that could also conduct minor automotive repairs. Mr. Hussein stated that he did not want a used car lot but would like to be able to sell vehicles on occasion. He also stated that if more parking spaces were needed for his business that additional vehicle parking could be added at the back portion of the lot.

Chairman Rusterholtz read into the record an email received from Misty Lambert stating concerns about the proposed automotive repair/used car sales use creating more traffic in the area and with its close proximity to schools and children walking created a dangerous situation.

There being no one else wishing to speak, the public hearing was closed at 7:08 pm.

Commissioner Guillemaud expressed his concern with granting a specific use permit for used car sales as the permit goes with the land and the property owner or future property owner would be allowed to have a used car sales lot.

Chairman Rusterholtz stated that she was not in favor of either proposal as there were already several existing auto repair businesses at the intersection, and the property was not a good location for used car sales and increased traffic.

Commissioner Guillemaud asked about long term storage at this location.

Mr. Hilbourn stated that long term storage was not allowed and would require a specific use permit. The property was in violation of zoning currently as there was a boat parked on the property for sale and boat/vehicle sales was not allowed without a specific use permit.

The Commission discussed where additional parking could be located on site as well as code requirements for an approved all-weather surface.

Mr. Hussein stated that he would like to withdraw his request for used auto sales and request his specific use permit be considered for a minor automotive repair shop only.

MOTION: A motion was made by Commissioner Guillemaud, seconded by Commissioner Williams to recommend approval of the specific use permit for a minor automotive repair shop only in a Commercial zoning district for the property located at 995 West Lucas Road. The motion passed by a 4 to 1 vote with Chairman Rusterholtz voting in opposition.

2. Public hearing to consider a request for a specific use permit by Bill George of Bill George Custom Homes on behalf of Dan & Julie Rembold property owners at 1345 Snider Lane, Abs A0477 T D James Survey, Tract 80, to allow a kitchen and food preparation area in an accessory building with habitable space.

Development Services Director Joe Hilbourn explained that the request proposes a kitchen and food preparation area in an accessory building with habitable space. The lot is currently zoned AO and has 29 acres. The property owners have an existing building permit to construct an accessory building with habitable space that meets the City's requirements but would like to amend the approved building plans to allow a food preparation area in the accessory building under construction. Mr. Hilbourn stated that currently there were two other accessory buildings being constructed, a small 240 square foot accessory building and a 2,400 square foot building.

Chairman Rusterholtz opened the public hearing at 7:23 pm.

Sean Watts, 1115 Snider asked for clarification regarding the two buildings and which building would be a home.

Julie Rembold, 1345 Snider, stated that they were constructing a new building for their parents, and they were also constructing a barn on site to house their cattle and tractors.

Chairman Rusterholtz asked if she understood that the deed would prevent the owner from renting the property and that the accessory building was to be used for family/visitor use only.

Ms. Rembold discussed with the Commission why the building could not be rented and the Code of Ordinance requirements.

Stephanie Schertz, 1111 Snider Lane, asked why deed restrictions were needed and if the property could be subdivided.

Mr. Hilbourn stated that the property could be subdivided but would be required to meet all subdivision regulations that included adequate roadway frontage to Snider Lane. Mr. Hilbourn also explained that the City does not allow accessory buildings to be rented in residential zoning districts per the City's Zoning Ordinance.

There being no one else wishing to speak, the public hearing was closed at 7:29 pm.

Commissioner Tolson asked how the City could enforce the deed restrictions if a rental situation occurred.

Mr. Hilbourn stated that the City could not enforce deed restrictions and would enforce a rental situation through the City's Code of Ordinances.

MOTION: A motion was made by Commissioner Guillemaud, seconded by Commissioner Williams to approve the specific use permit for a kitchen and food preparation area in an accessory building with habitable space for the property located at 1345 Snider Lane, Abs A0477 T D James Survey, Tract 80. The motion passed unanimously by a 5 to 0 vote.

3. Public hearing to consider a request by Wesner Custom Homes on behalf of Mike and Terri West property owners of 1121 West Forest Grove, Lucky 7 Farm, Blk A, Lot 1R for a specific use permit to allow a kitchen and food preparation area in an accessory building with habitable space.

Chairman Rusterholtz explained that this item was not posted correctly on the agenda and therefore could not be heard or discussed at this meeting.

There was no action or discussion taken on this item.

Regular Agenda

4. Consider approval of the minutes of the June 13, 2019 Planning and Zoning Commission meeting.

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

5. Discuss potential agenda items for the joint City Council/Planning and Zoning Commission drainage workshop on September 12, 2019.

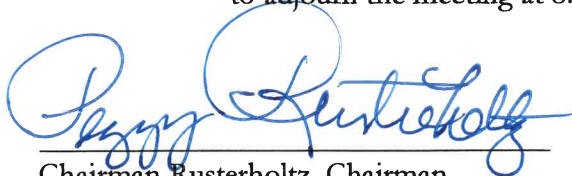
City Engineer Stanton Foerster explained that the City Council would like to hold a joint meeting with the Commission on September 12 regarding drainage in the City, the City's role on public and private property, and determine a vision for the future in addressing drainage throughout the City. Mr. Foerster stated that he would like to develop an agenda for the meeting and asked for topics of discussion. The following items were suggested for the upcoming agenda:

- Drainage requirements for less than five acres
- Review the City's current codes regarding drainage before the September 12 meeting so that the Commission is familiar with existing requirements
- The water shed pond behind the Bait Shop at Southview/West Lucas Road should be taken into consideration
- Reach out to Army Corp of Engineers regarding resources they may have available related to drainage in the area
- Education regarding different types of easements including Federal flow easements and the 100-year flood plain
- Budgeting for the future, drainage fees
- Determine if Public Improvement Districts were a viable option to fund drainage improvements
- Requiring drainage study/impact from property owners

The Commission asked that the City Engineer attend their August meeting and bring forward existing ordinances that are in place for drainage.

6. Adjournment.

MOTION: A motion was made by Commissioner Williams, seconded by Commissioner Tolson to adjourn the meeting at 8:19 pm. The motion passed unanimously by a 5 to 0 vote.


Chairman Rusterholtz, Chairman


Stacy Henderson, City Secretary

