



PLANNING AND ZONING COMMISSION MEETING

October 12, 2023 | 6:30 PM

Council Chambers

City Hall | 665 Country Club Road, Lucas, Texas

Commissioners Present:

Chairman Tommy Tolson
Vice-Chairman Joe Williams
Commissioner Peggy Rusterholtz
Alternate Commissioner Frank Hise
Alternate Commissioner Sean Alwardt

Staff Present:

City Manager Joni Clarke
Assistant City Manager Kent Souriyasak
Development Services Director Joe Hilbourn
City Attorney Courtney Morris

Commissioners Absent:

Commissioner Chris Bierman
Commissioner James Foster

City Council Liaison Absent:

Mayor Jim Olk

Call to Order

The meeting was called to order at 6:30 pm and the Pledge of Allegiance was recited.

Chairman Tolson announced Alternate Commissioner Hise and Alternate Commissioner Alwardt as voting members to meet requirements of a quorum for the meeting.

Consent Agenda

1. Consent Agenda:

- A. Approval of the minutes of the September 14, 2023 Planning and Zoning Commission meeting.**

Chairman Tolson moved this item from the consent agenda to the regular agenda for discussion.

Public Hearing Agenda

- 2. Continuation of a Public Hearing and consider a Specific Use Permit (SUP) application filed by Aaron Aldape to permit an accessory dwelling unit with more than 600 square feet of habitable space at 121 Estelle Lane, Lucas, Texas, and being more particularly described as Lot 8, Block C of the Huntwick Addition.**

- A. Presentation by Development Services Director Joe Hilbourn**
- B. Conduct Public Hearing**
- C. Take action on the Specific Use Permit request**

Chairman Tolson indicated this item needs to be taken off the table and requires a motion.

Development Services Director Joe Hilbourn recommends leaving the item on the table until the next Planning and Zoning Commission meeting so the applicant can submit further information.

Chairman Tolson recommended postponing consideration of this item until the next meeting.

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

MOTION: A motion was made by Commissioner Rusterholtz, seconded by Commissioner Alwardt to postpone the public hearing until the applicant contacts the City for the next Planning and Zoning Commission meeting in November. The motion passed unanimously by a 5 to 0 vote.

3. Conduct a Public Hearing and consider a Specific Use Permit (SUP) requested by Wal-Mart Real Estate to permit a drive-through restaurant at 2662 West Lucas Road, Lucas, Texas, situated on a 0.975-acre tract of land in the W. Snider Survey, Part of Lot 1, Block A Wal-Mart Lucas Addition.

- A. Presentation by Development Services Director Joe Hilbourn**
- B. Conduct Public Hearing**
- C. Take action on the Specific Use Permit request**

Development Services Director Joe Hilbourn presented this item indicating the Specific Use Permit for Panda Express has expired as there was no permit issued for construction within 12 months.

Chairman Tolson opened the Public Hearing at 6:41 pm. There were no members of the public wishing to speak. Chairman Tolson closed the Public Hearing at 6:41 pm.

Commissioner Hise asked if it is normal to extend a Specific Use Permit. Mr. Hilbourn clarified this is a request for a new Specific Use Permit to move forward with their plans.

MOTION: A motion was made by Commissioner Williams, seconded by Commissioner Rusterholtz to approve a Specific Use Permit requested by Wal-Mart Real Estate to permit a drive-through restaurant at 2662 West Lucas Road, Lucas, Texas, situated on a 0.975-acre tract of land in the W. Snider Survey, Part of Lot 1, Block A Wal-Mart Lucas Addition.

Regular Agenda

4. Consider approving a request by Aziz Aghayev on behalf of Forest Grove Lucas, LLC for a minor plat creating two lots being 2.34 acres of a called 7.33-acre tract of land located in the John W. Kerby Survey, Abstract Number 506, Tract 13, otherwise known as 950 West Forest Grove Road, Lucas, Texas.

Chairman Tolson removed this item from the agenda at the request of the applicant.

5. Discuss updating the City of Lucas Code of Ordinances, Chapter 14 titled "Zoning".

The Planning and Zoning Commission reviewed each page of Chapter 14 and provided recommended changes including:

- Add definition for "cosmetic tattooing"
- Revise definitions for "lot of record" and "public park, playground or community center"

- Remove definitions for “main building” and “nuisance”
- Consider a future agenda item for City Council to consider changing the definition of “nuisance” in Chapter 8
- Remove entire language in (c) from Division 2, Section 14.03.053
- Remove entire language in (1) and (2) from Division 3, Section 14.03.111
- Regarding area regulations from R2, R1.5 and R1 sections, remove specific language “where a building line is established on a plat, which is not consistent with this ordinance, the building line that is a greater distance from the front property line shall be observed”
- Regarding lot widths from R2, R1.5 and R1 sections, change “street property line” to “building line setback”
- Remove specific language referring to minimum percentage and construction materials for dwellings from various sections
- Remove entire language in (3) from Division 6, Section 14.03.292
- Remove entire “editor’s note” from Division 6, Section 14.03.296
- Remove entire language in (A) from Division 6, Section 14.03.353
- Remove entire language in (1), (2) and (3) from Division 9, Section 14.03.471
- Move specific language “all drive-through, drive-in and drive-up businesses shall require a specific use permit” from Division 9, Section 14.03.471 to Section 14.03.472
- Remove entire language in (g) from Division 9, Section 14.03.472
- Add “personal services” to the list of off-street nonresidential parking in Division 2, Section 14.04.033.
- Remove entire language in (1), (2), (3) and (5) from Division 2, Section 14.04.032
- Make edits for clarity and consistency regarding off-street nonresidential parking for nonresidential uses to Division 2, Section 14.04.033
- Revise language referring to the United States Bureau of Mines Information Circular 7118 if it needs to be updated in Division 3, Section 14.04.073
- Remove specific language referring to 10 feet in relation to attached and detached accessory buildings and structures in Division 8, Section 14.04.304 (1)(A) and (1)(B)
- Prepare a revision to regulations regarding accessory dwelling units

6. Approval of the minutes of the September 14, 2023 Planning and Zoning Commission meeting.

This item was moved from the consent agenda to the regular agenda for discussion. Commissioner Rusterholtz proposed an amendment to correct the term “maximum” to “minimum” on the second page of the minutes under Agenda Item 2.

MOTION: A motion was made by Commissioner Rusterholtz, seconded by Commissioner Williams to approve the minutes of the September 14, 2023 Planning and Zoning Commission meeting with the amendment. The motion passed unanimously by a 5 to 0 vote.

7. Adjournment.

Chairman Tolson adjourned the meeting at 7:50 pm.

Tommy Tolson, Chairman

Kut Souriyasak, Assistant City Manager

