

Wylie Planning and Zoning Commission Regular Meeting

March 07, 2023 – 6:00 PM

City Council Chambers - 300 Country Club Road, Building #100, Wylie, Texas 75098



CALL TO ORDER

Chair Bryan Rogers called the meeting to order at 6:00PM. Commissioners present: Chair Bryan Rogers, Vice Chair Joshua Butler, Commissioner Jacques Loraine, Commissioner Jennifer Grieser, Director of Community Services Jasen Haskins, Commissioner Rod Gouge, Commissioner James Byrne, Commissioner Keith Scruggs, Senior Planner Kevin Molina, and Secretary Lillian Baker

INVOCATION & PLEDGE OF ALLEGIANCE

Commissioner Gouge gave the invocation and Commissioner Butler led the pledge of allegiance.

COMMENTS ON NON-AGENDA ITEMS

Any member of the public may address the Commission regarding an item that is not listed on the Agenda. Members of the public must fill out a form prior to the meeting in order to speak. Commission requests that comments be limited to three minutes for an individual, six minutes for a group. In addition, the Commission is not allowed to converse, deliberate or take action on any matter presented during citizen participation.

No citizens approached the Commissioners

CONSENT AGENDA

All matters listed under the Consent Agenda are considered to be routine by the Commission and will be enacted by one motion. There will not be separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

- A. Consider and Act upon the approval of the February 21, 2023 Minutes.
- B. Consider, and act upon a recommendation to City Council regarding a Preliminary Plat for Dominion of Pleasant Valley Phase 6 creating 153 single family residential lots and two open space lots on 36.113 acres, generally located at the southwest intersection of Dominion Drive and Pleasant Valley Road.

BOARD ACTION

A motion was made by Commissioner Gouge and seconded by Vice Chair Butler, to approve the Consent Agenda as presented. A vote was taken and the motion passed 7-0.

REGULAR AGENDA ITEM 1

1. Consider, and act upon, a recommendation to City Council regarding a change in zoning from Agricultural (AG/30) & Commercial Corridor (CC) to Light Industrial - Special Use Permit (LI-SUP) on 14.03 acres generally located on the southwest corner of Old Alanis and W Alanis Drive. ZC 2023-01

STAFF COMMENTS REGULAR AGENDA ITEM 1

Sr. Planner Molina presented and stated that a Special Use Permit is required because of warehouse distribution center use. He also noted this is a concept plan and a site plan will need to be submitted at a later date. Current design is compliant with City code and provides adequate screening for loading doors. Requirements are being met for light industrial zoning and noise regulations. Notifications were distributed and received one response in favor. Applicant Killingsworth with Arco Murray Construction spoke and noted that the manufacturing was laminate on aluminum windows for residential homes. Mr. Killingsworth answered questions regarding the type of coating materials process. He stated there would be no onsite outside chemical storage and contained no hazardous processes. The business would operate Monday – Friday from 7:00AM – 7:00PM and would employ approximately 40 - 50 employees. Sr Planner Molina stated that the business would be putting up a board on board fence as a courtesy to the adjacent residential area.

BOARD ACTION REGULAR AGENDA ITEM 1

A public hearing was opened and no citizens approached the Commissioners. Public Hearing was closed by Chair Rogers.

A motion was made to make a recommendation to approve as submitted by Commissioner Byrne and seconded by Commissioner Greiser. A vote was taken and the motion was passed 7-0.

REGULAR AGENDA ITEM 2

2. Hold a Public hearing to consider, and act upon a recommendation to the City Council regarding an amendment to Planned Development 2014-28 and a zoning change from Commercial Corridor to Planned Development - Light Industrial (PD-LI) to allow for an expansion of the area where light industrial uses are allowed. Property generally located east of the intersection of Business Way and Commerce Drive. ZC 2023-03

STAFF COMMENTS REGULAR AGENDA ITEM 2

Sr. Planner Molina presented and provided an exhibit to show which lots would be light industrial and what would remain commercial. They are requesting the allowance of gravel for the construction yard area for equipment to be parked. This was an amendment to the existing PD. No screening is required along the railroad. There was one notification received in favor. Commissioner Byrne requested additional explanation on the request for the gravel, to which Sr Planner Molina reiterated the above mentioned and elaborated on the fire lane requirement. Director Haskins noted that the Fire Department was knowledgeable and accepting of the gravel area. Sr Planner Molina also noted that a site plan is still required.

BOARD ACTION REGULAR AGENDA ITEM 2

A public hearing was opened and no citizens approached the Commissioners. Public Hearing was closed by Chair Rogers.

A motion was made by Vice Chair Butler and seconded by Commissioner Loraine, to approve Regular Agenda item 2 as presented. A vote was taken and the motion was passed 7-0.

REGULAR AGENDA ITEM 3

3. Hold a Public hearing to consider, and act upon a recommendation to the City Council regarding an amendment to the Browngate Pointe Planned Development 2020-43 to allow for a modification of the construction schedule terms of the townhome/commercial development. Property generally located on the northeast corner of Brown Street and Sanden Blvd. ZC 2023-06

STAFF COMMENTS REGULAR AGENDA ITEM 3

Sr. Planer Molina presented, stating the applicant has requested to amend the plan development for the construction schedule. The previous plan development had restrictions on when the townhomes would have final inspections and it was when the site was developed and fully constructed. This new proposal allows that 56% of the townhome units be built before the commercial development is substantially completed, which is in contrast to none of them being allowed. Allows for the final plat to be filed before the completion of the infrastructure. The Planned Development (PD) required the sidewalk along Sanden to be widened and the final plat to be filed, which would allow for some of the townhomes to be sold to fund the infrastructure. Applicant Branch with Valiant Real Estate spoke and stated that they exceeded budget due to unforeseen circumstances. He presented photos to the board to show utilities, signs, fire lanes, etc. Requested a delay to help recoup some of the cost. Chair Rogers, asked the applicant if the townhomes were being sold to bring in cash to begin the commercial. Chair Rogers asked why the sidewalk was delayed. The applicant stated that the sidewalks would be in for the project. Commissioner Gouge wanted to know the construction schedule had a projected date. The developer was asked by the applicant and the developer responded no. Chair Rogers noted that the turn lane was not completed and asked for information, to which the applicant did not. Vice Chair Butler asked for the reason for the delay on the sidewalk. The applicant stated it was an additional cost that they are requesting for delay. Commissioner Byrne stated concern/issue with the applicant completing their project taking priority of the sidewalk and stated that commitments should be fulfilled. Applicant asked the owner, who stated that they were open to completing the sidewalk in question. Owner noted that the sidewalk was not trafficked often, to which Director Haskins respectfully disagreed, stating that it is heavily trafficked. Chair Rogers noted that concessions could be given on the schedule in exchange for the sidewalk. Commissioner Byrne reiterated the importance of keeping the promise to the City that was previously made to have the sidewalk paved.

BOARD ACTION REGULAR AGENDA ITEM 3

A public hearing was opened and no citizens approached the Commissioners. Public Hearing was closed by Chair Rogers.

A motion was made by Commissioner Gouge and seconded by Commissioner Scruggs, to approve Regular Agenda item 3 with the caveat that the extension on the construction schedule would be granted if the sidewalk construction would be made prior to the final plat.

A vote was taken and passed 7-0.

WORK SESSION

WS1. Hold a work session to discuss potential amendments to the Zoning Ordinance regarding uses for smoke shops, smoking establishments, breweries, wineries, distilleries and other related alcohol requirements.

STAFF DISCUSSION

The board discussed the option of smoke shops to be treated similar to alcohol related shops. A recommendation to add a specific section in the Zoning Ordinance. It was discussed if these uses are something the City of Wylie wants or with restrictions, that require a Special Use Permit (SUP). Clarification was made that there would be two different uses, one would be smoke shops and the other smoking establishments. It was noted that legal counsel for the City of Wylie would be consulted further for guidance. In addition, Council discussed planning to get ahead of

future marijuana selling establishments, that are not currently legal in the state. Commissioner Byrne noted that the shops would need to be distanced from one another, not multiples in a row. Senior Planner Molina advised that he checked with the City of Murphy and noted their standards require stand-alone shops for these establishments. The board noted that these establishments would be best suited in commercial and/or light industrial areas of the City. Commissioner Loraine expressed belief that a Special Use Permit would be best practice. The board agreed that guidelines would also need to be adopted based on what is best for the City of Wylie. Commissioner Loraine stated that a definition needs to be established as well as making it known that the City would not want to condone any shops near schools or churches. It was recommended by the Commission that businesses would have to sign an affidavit stating if the sales (including paraphernalia) would be over or under 35%, 51%, or 75% of total sales.

A request was made by the commission to resend information on Planning and Zoning Basic training. Per Director Haskins, information would be sent by Secretary Lillian Baker.

ADJOURNMENT

A motion to adjourn was made by Commissioner Grieser and seconded by Commissioner Gouge. The meeting was adjourned at 6:54PM.

Bryan Rogers, Chair

ATTEST

Lillian Baker, Secretary