



Wylie City Council

AGENDA REPORT

Department: Planning
Prepared By: Jasen Haskins, AICP

Account Code: _____

Subject

Hold a public hearing, consider, and act upon, a request for a variance to the distance requirement for alcohol establishments from a church or house of worship to allow for a distillery, property located at 702 N SH 78 (VC2021-01).

Recommendation

Motion to approve item as presented.

Discussion

The Applicants are the owners of Herman Marshall Distillery, currently located in Garland, Texas. The distillery owners want to move the business to Wylie as two of them are Wylie residents.

The applicant's preferred site for the distillery, located at 702 SH 78, meets the zoning requirements for the use with the exception of the distance from a church / house of worship. The Church is located at 701 N SH 78, which is a property adjacent to the proposed distillery site. The distance from the church to the distillery is ~200 ft., while the zoning ordinance calls for 300 ft. separation.

Texas Alcohol Beverage Code (109.33e) allows for a municipality that has enacted the allowed distance requirements to grant a variance to that requirement. The applicant is requesting a variance.

If approved, the applicant has stated that improvements will be made to the site including the removal of most of the chain link fencing, additional trees, shrubs, and other landscaping, along with another building for barrel storage. Staff has not seen the specifics of the site, which may require P&Z Commission approval.

Additionally, the applicant has stated:

Business hours are M-F 8-5; open to the public Sat. 10-6

There will be approx. 15 employees

There will be approx. one delivery truck per day (non-semi)

Notices were mailed to all property owners within 200 ft. At the time of publication one comment form in favor of the variance had been returned. Additionally, the EDC has had contact with the church leadership and reported they are not opposed to the variance. Lastly, there is a restaurant that serves alcohol in the same structure as the existing church, ~205 ft. distant.

Financial Summary/Strategic Goals

Planning Management