

Wylie Planning and Zoning Commission Regular Meeting

March 19, 2024 – 6:00 PM

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



CALL TO ORDER

Chair Joshua Butler called the meeting to order at 6:00 pm. In attendance were Chair Joshua Butler, Vice-Chair James Byrne, Commissioner Joe Chandler, Commissioner Harold Gouge, Commissioner Zeb Black and Commissioner Keith Scruggs. Staff present were: Community Services Director Jasen Haskins, Senior Planner Kevin Molina, Project Engineer Manager Jenneen Elkhaid and Administrative Assistant Gabby Fernandez. Absent was Commissioner Jennifer Grieser.

INVOCATION & PLEDGE OF ALLEGIANCE

Chair Butler gave the Invocation and Commissioner Byrne led the Pledge of Allegiance.

COMMENTS ON NON-AGENDA ITEMS

Any member of the public may address 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, Commission is not allowed to converse, deliberate or take action on any matter presented during citizen participation.

No one approached the Commissioners on Non-Agenda Items.

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 March 5, 2024 Regular Meeting Minutes
- B. Consider, and act upon a recommendation to City Council regarding a Final Plat being a Replat of Lot 1, Block A of Validus Addition, creating Lot 1R-1 and Lot 1R-2, Block a of Validus Addition on 0.620 acres, located at 1602 and 1604 Martinez Lane.

Board Action

A motion was made by Commissioner Gouge, seconded by Commissioner Chandler, to approve the Consent Agenda as presented. A vote was taken and the motion passed 6 – 0.

REGULAR AGENDA

Remove from table

1. Hold a Public Hearing, consider, and act upon, a recommendation to City Council regarding the writing of an ordinance for a change in zoning from Agricultural (AG/30) to a Planned Development with single-family attached, single-family detached, commercial development and open space on 25.037 acres. Property located near 605 Country Club Road (ZC 2023-18).

Commission Discussion on Regular Agenda Item 1

Chair Butler explained that the item on the agenda was tabled from the last meeting and in order for the item to be discussed, the Board would have to vote to remove the item from the table.

Board Action on Item 1

A motion was made by Chair Butler, seconded by Commissioner Gouge, to approve Item 1 as presented. A vote was taken and carried 6 – 0.

Commission Discussion on Regular Agenda Item 2

Senior Planner Molina presented and stated that the applicant is requesting to rezone approximately 25 acres that are currently zoned Agricultural, to a planned development to have single-family homes, townhomes, and commercial development. Sr. Planner Molina explained that the developer has listened to nearby citizens and City Council's comments and has made changes to the proposal. The changes that were made included all of the single-family homes that are going to be required to match the zoning ordinance requirements and architectural standards including roof slope and exterior design. There is an emergency access that will serve as the secondary access point to the site from Washington Place that will only be used for emergency access. The commercial development went from 26,292 sq ft. to 23,800 sq ft. changing the commercial development from four acres to 2.7 acres of the property. 41 notices were mailed out to surrounding neighbors, and 5 were received within the notification area. 19 additional comment forms were received from outside of the notification area with one in favor and 18 against the request.

Doug Herron with Gustin Herron Architecture presented and stated that they were brought on the project. Herron stated that they have been working with the Fire Marshal and traffic control to try to meet the needs of the City of Wylie and the community. Along with the park that was suggested, there will also be a clubhouse with parking for the park. The park will not only be accessible for just this community but the surrounding community as well. Herron explained that this is why there were fewer commercial buildings. Herron explained the total use being 50 homes, five townhome buildings, and two commercial sites. incorporated was the civil engineer and his drainage proposal as well as access for fire. Herron mentioned traffic and crime concerns had been voiced by the community and that he thinks that has been narrowed down. The homes will be starting around five hundred thousand dollars and the townhomes are going to be a minimum of three to four bedrooms and the commercial part of the property still has not yet been determined exactly. He stated that the goal is to start everything at the same time once the builder is hired. There will be an eight-foot fence along with trees that will be planted by the developer in the lots so the neighbors will not have to see the development of the homes. They are currently working on an HOA for the community.

Commissioner Gouge stated that two stipulations previously were that Washington would be open only to emergency vehicles and that a traffic analysis was required. He questioned if there had been any action on the traffic impact analysis. Sr. Planner Molina answered that there was nothing that he knew of however if there was it would happen when the preliminary plat was submitted. Commissioner Gouge asked if that was being considered to which the Architect on the project, Doug Herron answered yes, it is being considered moving forward.

Chair Butler mentioned the Commercial building starting with the residential building as something that concerns him. He stated that in the past, there have been situations like this where the developer has come in saying there will be commercial land and the homes start getting built and the developer comes back stating the commercial piece will not work financially and they want to build more homes. He questioned if the developer would be open to some type of stipulation in the PD that includes a certain percentage of homes being completed or a certain percentage of commercial property being completed before the final inspection. Architect Herron stated there was no problem with that being added. Herron explained that this had been previously mentioned to him and they will be working with the builder to make sure things are how the City wants and on behalf of the developers and investors, that will not be a problem.

Vice-chair Byrne questioned why the new development plan has less than three acres of commercial space when the original had six acres. He stated that the corridor on Country Club Road is Commercial. Herron explained that reducing the commercial development was due to traffic control. Vice-chair Byrne and Chair Butler both expressed concern with the decrease in commercial development. Herron stated the developers don't mind adding more commercial to the plan, they would have to work with the City to figure out a way to get approval for larger commercial development.

Chair Butler opened the Public Hearing at 6:18 PM. Resident Lanny White approached the Commission stating that the presentation was great, however, he does not think it is in the right area. He explained his concern was regarding the traffic in the area. He questioned having another park in the area and who would be maintaining the area. He stated that Country Club is the busiest street in Wylie and that he does not see the traffic flow going down. He stated that Country Club and the neighborhood were full and while the presentation was great, he thinks it should be in a different area as the area has been saturated with houses and businesses.

Resident David Dahl approached the commission stating that he has been watching this property since he moved to the neighborhood and is very anxious to see the property be developed and cleaned up. He stated that he liked this development plan because Washington would only be opened in the event of a fire. He explained that he has lived in Presidential Estates for twenty years and there has never been a house fire in their development. He stated that if they have opened it up for maintenance, he has only seen that twice in twenty years. Dahl stated that he is in favor of the park. He stated that for traffic, the predominant traffic flow is Southbound and people traveling will be going Southbound as well. He stated that lastly, the owner of this property has the right to develop. He stated that under the State Charter and the City Charter, he is allowed to develop. He stated that the area was not overbuilt and that there was a huge street capable of handling the traffic.

Resident Jeff Montney approached the commission stating that he has been in the area for just shy of two years and that they moved to the area because it was somewhat open compared to other areas. He stated that the traffic is going to end somewhere and that is on 544. He stated that he avoids this area. The High School is getting out and you can't turn left so he does not go anywhere at a certain time. He questioned if anyone had a number for how many people per home there would be and how many cars per household. He explained that if everyone was going to work at the same time and coming home at the same time, how would that not affect their area? He explained that pulling out of the subdivision onto the road is unpleasant at certain times of the day. He stated that Presidential Estates would not be using that park and that there are other parks in the area and that the park would congest the area even more and that he is against the development.

Resident Wendy Good approached the Commission questioning a flier that was given through all of Presidential Estates with things that they would be doing and benefits of the development however she was there at the last

City Council meeting and one thing mentioned to the developer was that they were saying all of these things but none of it was in writing so it is not legal. She questioned what of the things being said were actually in writing and how they were going to be held accountable for what they were saying was going to be developed. She expressed that this was a big concern of hers. She questioned why not change the zoning to residential. She stated that everything possibly needed was within a mile so she is unclear as to why more businesses are needed.

With no one else approaching the Commission, Chair Butler closed the Public Hearing at 6:31 PM.

Community Services Director Jasen Haskins addressed the question regarding what was being said versus what had to be done in the proposal that was given. He explained that there are Plan Development Conditions that list all of the things that have to be done. There is also a Zoning Exhibit and if that is to be approved by Council, it would then become a City Ordinance and that is how they are legally held accountable for what needs to be completed.

Commissioner Gouge stated that he was satisfied with the changes that have been made and that is why he questioned the two conditions that were placed originally for approval. He wanted to ensure those conditions were being considered and followed through. Commissioner Gouge stated that he would not want to do something that would destroy the City in any shape or form.

Vice-chair Byrne stated that Resident Dahl was right about this being someone's property and that they have every right to develop it. He said that if you'd like to do something else with the land, the owner would sell it to you. He explained that if the owners intention was to build on the property, they were going to make sure they built to the proper ordinance. He stated we can't stop them from building if they're within the ordinance. He stated that the population has doubled and people are coming and what is trying to be done is to control what was being built to the best of their ability and the best way they know how.

Chair Butler stated that the applicant came back and tried to listen to everybody and it looks like they are doing the best they can with what was told to them however anything that is open space on Country Club in the comprehensive plan is Planned Commercial and to not utilize the whole frontage for commercial is hard to accept. He explained that though they are saying that the commercial will be done simultaneously with residential, he has heard that before and there is nothing in the PD right now that talks about that. Director Haskins stated that the best thing to do if this was to be recommended to Council was to add a concurrency requirement within the PD. He explained that he would work with the applicant to get the language in the PD before it goes to Council and they would figure out the specifics. He stated that they will make it a concurrency where it is figured out where there would be half of the commercial completed before half of the houses are done. Something like that.

Vice-chair Byrne stated that these are houses being built and not apartment buildings. He stated that Wylie has one of the highest homeownership rates in the DFW area. He stated that they never try to burden any other neighborhood with an apartment building because that is how you get a lot of the problems that have been discussed. He stated that you don't get it as much with home ownership. Commissioner Gouge agreed with Vice-Chair Byrne about not wanting apartment complexes.

Commissioner Black questioned how the traffic density report would be shared with the public to which Director Haskins answered the report will be required before Planning if the zoning was ultimately approved. It is a copyrighted document so it can't be put online or anything of that sort but anybody could stop in and it will be available in the Planning and Zoning office.

The Commission discussed the houses not having an alleyway and that they will have a garage so they will have front-facing parking.

Commissioner Scruggs asked about the commercial zoning and if there was a way to remove the commercial to make it residential. Director Haskins explained that the owner of the property came in and had a work session with the Council and asked what they wanted and what he needed to do and what we are seeing now with this

development plan is his best interpretation of what he heard during that work session and that there needed to be commercial along Country Club as that was majority of Council's wish.

Chair Butler stated that his support of this is based on having some type of stipulation or recommendation to the City Council.

Board Action on Item 2

A motion was made by Commissioner Gouge and seconded by Chair Butler, to table Agenda Item 2. A vote was taken and carried 4-2. In opposition were Commissioner Byrne and Commissioner Chandler.

ADJOURNMENT

A motion was made by Commissioner Gouge, and seconded by Commissioner Chandler to adjourn the meeting at 6:52 PM. A vote was taken and carried 6 – 0.

Joshua Butler, Chair

ATTEST

Gabby Fernandez, Secretary