



Wylie City Council

AGENDA REPORT

Department: Planning
Prepared By: Jasen Haskins

Account Code: _____

Subject

Hold a Public Hearing, consider, and act upon, the writing of an ordinance for a change in zoning from Commercial Corridor (CC) to Commercial Corridor- Special Use Permit (CC-SUP) on 1.47 acres to allow for a Smoking Establishment. Property located at 2771 W. FM 544 (ZC 2025-04).

Recommendation

Motion to approve the Item as presented.

Discussion

OWNER: Nirmal Investments LLC

APPLICANT: Rafat Hamam

The applicant is requesting a Special Use Permit (SUP) on 1.47 acres to allow for the expansion of a hookah lounge use located at 2771 W. FM 544. The current zoning is Commercial Corridor and the existing hookah lounge is legally non-conforming due to the business being in operation prior to the Smoking Establishment use category being created in the Zoning Ordinance as of June 2023.

Per section 9.5 of the Zoning Ordinance expansion of a legally non-conforming use requires the business be brought into conformity, thus the request for the Special Use Permit for a Smoking Establishment. The request is to expand the floor area of the existing 1,800 sq. ft. by 900 sq. ft. for a total of 2,700 sq. ft.

The SUP conditions allow for the Hookah House and Lounge as a Smoking Establishment use. Additionally, all on-site smoking shall be conducted inside the establishment and the establishment is limited to the selling of hookah products only and is prohibited from selling or allowing the use of any other style of smoking or vaping products.

The current layout contains a lounge area for hookah smoking and eating. The request for the expansion is being made for additional space that will be available for the delivery of online food orders.

The property to the north is developed with a railroad track adjacent to a single family detached residential subdivision. The property to the east is developed with retail and personal service uses. The property to the south is zoned Agricultural and developed with a single family home. The property to the west is undeveloped.

The subject property lies within the Regional Commercial sector of the Comprehensive Land Use Plan. Development within this sector's main purpose is to provide areas to allow for a broad range of commercial, retail, and office uses oriented toward major roadways. Heavy commercial or light industrial uses may be appropriate depending on compatibility with surrounding areas.

Notices were sent to twenty-seven property owners within 200 feet as required by state law. At the time of posting, one response was received in opposition and none in favor of the request.

If zoning is approved, a permit for the expansion shall be required prior to the space being allowed to be occupied by the business. Should the SUP be denied, the use will be able to continue in its current location and form.

P&Z Recommendation

After some discussion on the ventilation required (which the current use already has in place), the nature and disposition of the current business, and the types of hookah products the SUP limits the use of, the Commissioners voted 6-0 to recommend approval.