



# Wylie City Council

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## 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 1.483 acres to allow for a drive-through restaurant use. Property located at 902 W. FM 544 (ZC 2024-03).

### Recommendation

Motion to approve the Item as presented.

### Discussion

**OWNER: Wylie Economic Development Corporation**

**APPLICANT: JP Engineering**

The applicant is requesting a Special Use Permit (SUP) on 1.483 acres to allow for a drive-through restaurant use within a 10,002 sf multi-tenant retail structure. The property is located at 902 W. FM 544. The current zoning is Commercial Corridor (CC).

The Special Use Permit (SUP) conditions allows for the drive-through restaurant use and is requesting for the Zoning Exhibit to act as the site plan for the development. Approval of the SUP shall act as site approval. Staff has reviewed the Site Plan and it meets all City requirements except for the landscaping as noted below.

The development is required to provide 53 parking spaces. The development is in compliance by providing 56 parking spaces with three being ADA accessible. The development provides a 24 ft. fire lane that loops around the entire structure with access to John Yeager Way, a named driveway. This named access drive allows for a connection to FM 544.

The landscaping percentage is at 19.1%, which is 0.9% under the 20% requirement. The initial plans contained 20%, however a loading space was required to be added as the commercial building is over 10,000 sq. ft. Staff and the developer discussed including the 20% landscaping with the loading space, but this was at the cost of three parking spaces. Staff's recommendation is to allow for the 19.1% landscaped area to preserve the three parking spaces. The multi-tenant nature of this development warrants the need for parking and the landscaped area meeting the intent, if not the letter, of the Zoning Ordinance by providing a landscape buffer along FM 544 with tree plantings throughout the site. Sidewalks shall also be constructed along FM 544 and John Yeager Way.

The building's exterior material consists of brick, stone veneer, and stucco with awnings along the tenant entrances.

As presented, this Zoning Exhibit is in compliance with the design requirements of the Zoning Ordinance. Approval of the site development is subject to additions and alterations as required by the City Engineering Department.

The surrounding property to the west and north is undeveloped and owned by the Wylie Economic Corporation, being the same property owner as the applicant of this SUP request. The property to the east contains a railroad. The property to the

south contains a multi-tenant retail building. There are 14 completed drive-thru restaurants within ½ mile (Fuzzy's Taco Shop, Burger King, Wendy's, Taco Bell, Arby's, Golden Chick, Chipotle, McDonalds, KFC, Taco Delite, Starbucks, Chick-Fil-A, Whataburger, and Sonic). The site is located in the Regional Commercial sector of the future land use map and is consistent with the existing surrounding development and land use classification of the comprehensive plan.

Notices were sent to 13 property owners within 200 feet as required by state law. At the time of posting, no responses were received in favor or in opposition of the request.

**P&Z Recommendation**

The Commission voted 7-0 to recommend approval.