

Wylie Planning and Zoning Commission Regular Meeting

March 21, 2023 – 6:00 PM

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, Engineering Development Manager Than Nguyen, and Secretary Lillian Baker

INVOCATION & PLEDGE OF ALLEGIANCE

Vice 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 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, minutes from the March 7, 2023 Regular Meeting.
- B. Consider, and act upon a recommendation to City Council regarding a Preliminary Plat for Dominion of Pleasant Valley Phase 7 creating 113 single family residential lots and five open space lots on 71.635 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 Commissioner Grieser, to approve the Consent Agenda as presented. A vote was taken and the motion passed 7-0.

REGULAR AGENDA

- 1. Consider, and act upon, a Site Plan for Lot 2A, Block 2 of Oak Retail, for a distillery and event center development on 2.02 acres. Property generally located at 702 N State Highway 78.

STAFF COMMENTS REGULAR AGENDA ITEM 1

Sr. Planner Molina presented and covered the submitted site plan for the Herman Marshall Distillery. Commissioner Byrne requested further clarification on the initial features, that were presented during the Zoning Commission meeting. Commissioner Gouge also sought further clarification on the location, to which Sr. Planner Molina confirmed the location. Chair Rogers asked if there were any issues with the planning and Sr. Planner Molina stated no issues. The applicant was present, but opted not to approach the commission.

BOARD ACTION REGULAR AGENDA ITEM 1

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

2. Consider, and act upon, a recommendation to City Council regarding a change in zoning from Commercial Corridor (CC) to Planned Development - Commercial Corridor (PD-CC) on 10.485 acres generally located on the southeast corner of State Highway 78 and Kreymer Lane.

STAFF COMMENTS REGULAR AGENDA ITEM 2

Sr. Planner Molina stated the applicant had submitted a request for a planned development for the land and the purpose would be for a commercial development and also allow for uses that require a Special Use Permit for a motor fueling station, restaurant with drive-thru and convenience store. The PD also prohibits certain uses. The plan development does allow for off-site signage for the commercial development. These lots located to the south can have signage on the front for visibility. Landscaping plans were also covered. The rear lots require 30' street frontage in lieu they have 24' access drives on Kreymer and it was reviewed by City Staff, including the Fire Department and it was determined that it met code with these adjustments. Commissioner Byrne asked if it complies with the future plan and if the pond was adequate, which he stated seemed small for the plan. Chair Rogers raised concern of the dumpsters on the corners on impeding visibility. Staff stated that that would be an item reviewed prior to finalization of the plat. Applicant Matt Moore with Claymore Engineering spoke on behalf of the land owner and developer. He stated that they had run drainage calculations and said the pond provided accurate storage and would continue to work with staff to verify the drainage is adequate. Applicant Moore stated that they would reevaluate and determine the best location for dumpsters.

BOARD ACTION REGULAR AGENDA ITEM 2

A public hearing was opened and two citizens addressed their concerns with the Board. Citizen Sharon Dowdy stated she resides behind the buildings. She stated she was not against the plan but had some concerns she wanted addressed. Drainage is of great concern and stated that flooding is an existing issue and questioned the developers attention to the drainage issue. Citizen Dowdy also addressed concern over the screening and who would be responsible for replacing living screens that die. Citizen Dowdy also addressed traffic concerns and that Kreymer turning on Highway 78 is already an existing problem. Citizen Dowdy is concerned by the increased traffic it will bring. Citizen Dowdy also reiterated the dumpsters and turn lanes that do not currently exist and if those would be completed. Citizen Dowdy asked how binding were the plats and if the medical buildings were binding and questioned the number of medical buildings. In addition, Citizen Dowdy raised concerns over the number of fast food restaurants opening. Citizen Dowdy thanked the commission and yielded the remainder of her time. Citizen John Smyder also resides behind the development and shares the same concerns as Citizen Dowdy. Drainage was of a concern and that proper screening was not being implemented for the project. Citizen Smyder questioned the capacity of the pond as the applicant and previously described. Citizen Smyder also raised concerns over existing foot traffic and the added foot traffic the restaurants will bring. Citizen Smyder also stated he was discouraged by the amount of trash that is increasing on his property from the existing developments and future development. Citizen Smyder thanked the council for their time and yielded the remainder of his time. Chair Rogers closed the Public Hearing.

The Commission brought to attention the water easement. Applicant Moore showed the location of the larger water line easement and stated that it was designed to collect all the developed flow and an outfall will include a smaller pipe to reduce the flow before it outfalls into the system and Kreymer Lane. Applicant stated all the water is

captured before it leaves the property with a slow release. Applicant also stated that the pond will be green space. Commissioner Byrne requested that the fence be discussed. The applicant stated that utilities were limiting them to a softer screen and the living screen would be a combination of hedges and trees. Applicant stated that the traffic concerns would be addressed and will be working with TXDOT to implement those plans. Applicant stated that the property would be a Property Owner Association (POA) and not a Homeowner's Association (HOA). Commissioner Loraine expressed concern over flooding and drainage and whether the City had taken into consideration the impact of the development to the existing neighborhood. Further discussion was made by the Commission to provide examples on the improvements that can be made by developers to the community with the type of drainage that the applicant had previously addressed. The Commission also discussed and clarified that all builds would have to go through the Commission. It was also discussed that the pond and turn lanes would be constructed and functional before the development takes place. No additional persons approached the Commission. Chair Rogers closed the public hearing.

A motion was made by Commissioner Gouge and seconded by Vice Chair Butler. A vote was taken and passed 7-0.

A vote was taken and passed 7-0.

3. Hold a Public Hearing, consider, and act upon, a recommendation to the City Council regarding a change in zoning from Commercial Corridor (CC) to Commercial Corridor - Special Use Permit (CC-SUP) to allow for a restaurant with drive- thru on 0.7866 acres, property located at 3008 W FM 544 (ZC 2023-04)

STAFF COMMENTS REGULAR AGENDA ITEM 3

Sr. Planner Molina covered specifics of the Special Use Permit for the drive-thru as well as the site plan.. Due to limited space. The Commission requested verification of the address which would Sr. Planner Molina stated it would be investigated and confirmed for the correct address. Engineering Development Manager Than Nguyen addressed the fire access question from the Commission and stated that the Fire Department was consulted during a pre-development meeting and though the space is limited, there are two points of access for the facility.

Applicant Josh Gardner answered questions on the start of Bojangles in North Texas and why Wylie was selected, to which applicant stated that they felt the nuisance would be well accepted in the area. Applicant stated that the escape lane was discussed with staff. Applicant stated the development would include a turn around space and two additional parking spaces dedicated to relieve congestion from the drive-thru. Applicant stated that limited availability of free standing pad sites on FM544 brought them to the selected location.

BOARD ACTION REGULAR AGENDA ITEM 3

A public hearing was opened and no one approached the commission. Chair Rogers closed the public hearing.

A motion was made by Commissioner Byrne and seconded by Commissioner Scruggs. A vote was taken and passed 7-0.

4. Hold a Public Hearing, consider, and act upon, a recommendation to the City Council regarding a change in zoning from Manufactured Home (MH) to Commercial Corridor - Special Use Permit (CC-SUP) to allow for a motor vehicle fueling station with convenience store and car wash on 1.793 acres, property located at 1001 S Highway 78 (ZC 2023-05)

STAFF COMMENTS REGULAR AGENDA ITEM 4

Sr. Planner Molina discussed proposed buildings and car wash structures. Site plans and plats will be presented at a later date. The development is consistent with the land use plan. Commissioner Byrne raised concern of existing tenants on the property. Sr. Planner Molina stated that the property owner has plans to re-development, but is unaware if notices have been provided to the tenants. Commission discussed freezing situations and minimal runoff

of water from car washes. The applicants were present and approached the Commission. Devon Ferris and Kenan Mackey and stated that arrangements were made with existing tenants by the seller of the property. Mr. Ferris stated that the majority of the water is captured on property and should not be of concern. Mr. Ferris also stated that the convenience store would not be open 24/7, but it was his understanding that the gas pumps would be 24/7. Mr. Mackey addressed the Commission's concerns on screening and Staff reiterated that the site plan would address screening. The Commission discussed that a loading zone with roller doors have to be screened from the street. Mr. Ferris stated a live screen would be included in the exit area of the car wash that would be in compliance. Commission addressed noise ordinances that would exist due to current zoning, which the development is next to a residential area.

BOARD ACTION REGULAR AGENDA ITEM 4

A public hearing was opened and no one approached the commission.. Chair Rogers closed the public hearing.

A motion was made by Commissioner Gouge with an amendment to signage and landscaping that will be added. The motion was seconded by Commissioner Grieser.

A vote was taken and passed 7-0.

ADJOURNMENT

A motion to adjourn was made by Commissioner Gouge and seconded by Commissioner Grieser. A vote was taken and passed 7-0. The meeting was adjourned at 7:02PM

Bryan Rogers, Chair

ATTEST

Lillian Baker, Secretary