



Wylie City Council

AGENDA REPORT

Department: Planning
Prepared By: Kevin Molina

Account Code: _____

Subject

Tabled from 12-14-2021

Remove from table and consider

Hold a Public Hearing to consider, and act upon, a request for a change of zoning from Commercial Corridor (CC) to Commercial Corridor Special Use Permit (CC-SUP), to allow for a restaurant with drive-through on 0.832 acres, property located at 2812 W FM 544 (ZC 2021-24).

Recommendation

Motion to approve withdrawal item.

Discussion

OWNER: Barid Rentals

ENGINEER: Franz Architects

The City Council tabled this item awaiting a final recommendation from the P&Z Commission. The Commission had previously reached a deadlock of a 3-3 vote in December 2021 and reconsidered the item at the January 2022 meeting.

P&Z Commission Discussion

At the January 18, 2022 Planning and Zoning Commission Meeting, the Commission discussed alternative drive-through approaches for the conversion of the sit-down restaurant to a restaurant with drive-through service. The Commission was presented with three possible options, to recommend approval with the drive through service coming from the front of the building, to recommend approval with the drive through service starting from the back of the building, and lastly to recommend denial of the Special Use Permit.

Ultimately, the Commission voted 6-0 to recommend denial due to concerns with the existing fire lanes being blocked.

APPLICANT HAS REQUESTED TO WITHDRAW THE APPLICATION

The applicant has requested a withdrawal of the application as the property owner has elected to wait on the Special Use Permit request until there is an interested tenant that desires the drive-through service.

PREVIOUS REPORT BEGINS HERE

At the December 21, 2021 Planning and Zoning Commission meeting the applicant requested a Special Use Permit (SUP) on 0.832 acres generally located at 2812 W FM 544. The Zoning Ordinance requires all restaurants with drive-throughs to obtain a Special Use Permit. After some discussion regarding the visibility and site design, and failure to achieve a majority vote for a recommendation to City Council, the commission tabled the item so the applicant could revise the proposal to address the commission's concerns. The amendments are outlined below.

- A stop sign has been provided at the exit of the drive-through lane
- A yield sign has been provided for the eastern drive that intersects with the exit drive-through lane

The amended zoning exhibit is included.

The original site was developed for a restaurant without a drive-through service. The property owner has requested for the drive through service allowance for marketing purposes as the previous restaurant closed. The applicant has not provided, nor do the SUP conditions stipulate an ultimate end user.

As presented the concept plan with the front drive through entrance is in compliance with the 140' drive-through stacking requirement; however, there are traffic flow concerns as any overflow in the drive-thru would spill out into the main front drive aisle that serves three other connected properties, and consist of one drive-through restaurant, a nail salon, a dentistry, and a medical clinic with a drive-through. Changes made from the existing site layout include removing 13 existing parking spaces for the addition of a drive through lane. A remainder of 26 parking spaces with two ADA accessible are provided onsite. The site will use the existing access that connects to FM 544. The landscaped area exceeds 20% and contains an existing landscape buffer with sidewalks along the street frontage.

The alternative concept plan with the rear drive through entrance does not meet the 140' stacking requirement and has access concerns as vehicles that drive in from the northwest drive will be required to complete a U-turn to access the lane.

The structure is proposed to retain the exterior that consists of existing materials of stone, stone banding, and EIFS. Canopies are also provided at the drive-through window and at the main entrances.

A site plan review and approval shall be required if this Special Use Permit is approved.

Notifications/Responses: 12 notifications were mailed; with one response received in opposition and none in favor of the request.

Financial Summary/Strategic Goals

Planning Management