



Wylie Planning & Zoning Commission

AGENDA REPORT

Department: Planning
Prepared By: Kevin Molina

Item Number: 2

Subject

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 Neighborhood Services (NS) to Neighborhood Services - Special Use Permit (NS-SUP) on 1.814 acres to allow for a Smoke Shop Use. Property located at 456 Country Club Road Suite 126 (**ZC 2023-16**).

Recommendation

Motion to recommend (**approval, approval with conditions or disapproval**) as presented.

Discussion

OWNER: Asif Anwar

APPLICANT: Asif Anwar

The applicant is requesting a Special Use Permit (SUP) on 1.814 acres to allow for a Vape Shop use at 456 Country Club Road suite #126. The existing retail suite measures 1,363 sq.ft. The current zoning is Neighborhood Services (NS) and the requested SUP is to allow for Smoke Shop use.

The SUP conditions contain exemptions to the Zoning Ordinance by allowing a smoke shop use within the Neighborhood Services District and allowing for the use to be exempt from the following provisions found in Section 5.2.F.26:

- No smoke shop shall be established within 1,500 feet of another smoke shop.
- Shall not be closer than 300 feet to a public or private school measured in direct line from property line to property line, and in direct lines across intersections, due to Primrose Daycare.

The property to the north is developed with a multi-tenant retail building which contains a smoke shop which was in place before the ordinance amendment requiring SUPs for Smoke Shops. The adjacent property to the south is developed with a convenience store. The property to the east is developed with a daycare center. The property to the west is developed with a community college. The subject property lies within the Local Commercial sector of the Comprehensive Land Use Plan. The proposed zoning is compatible with the Plan.

Notices were sent to six property owners within 200 feet as required by state law. At the time of posting, one response was received in favor being the property owner of the adjacent Primrose Daycare center and one in opposition of the request being the property located south of the subject property.

If zoning is approved, a finish out permit for the retail suite and Certificate of Occupancy shall be required prior to the business opening.