

Wylie Planning and Zoning Commission Regular Meeting

April 05, 2022 – 6:00 PM

Council Chambers - 300 Country Club Road, Building #100, Wylie, Texas 75098



CALL TO ORDER

Chair Cory Plunk called the meeting to order at 6 :01pm and announced a quorum was present. The following Commissioners were present: Chair Cory Plunk, Vice Chair Bryan Rogers, Commissioner James Byrne, Commissioner Dan Norris, Commissioner Taylor Newsom, and Commissioner Joshua Butler. Commissioner Jacques Loraine was absent.

Staff present included: Administrative Assistant II, Mary Bradley, Assistant City Manager Renae Ollie, Planning Manager, Jasen Haskins, Senior Planner, Kevin Molina and Project Engineering Manager, Jenneen Elkhaid.

COMMENTS ON NON-AGENDA ITEMS

Any member of the public may address 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, Commission is not allowed to converse, deliberate or take action on any matter presented during citizen participation.

No one addressed the Commissioners.

INVOCATION & PLEDGE OF ALLEGIANCE

Commissioner Norris gave the Invocation and Commissioner Butler led the Pledge of Allegiance.

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 15, 2022 Regular Meeting.

Board Action

A motion was made by Commissioner Newsom and seconded by Vice Chair Rogers to approve Consent Agenda Items as submitted. A vote was taken and carried 6 – 0.

REGULAR AGENDA

1. Hold a Public hearing to consider, and act upon a recommendation to the City Council to consider amendments to Zoning Ordinance 2015-09, Article 6, Section 6.3 Downtown Historic District.

Staff Presentation

Assistant City Manager Ollie addressed the Commissioners stating that at its October 28, 2021 meeting, the Historic Review Commission discussed at length the proposed updates to Article 6, Section 6.3 Downtown Historic District

guidelines and regulations. The Commission has reviewed the updates and recommends the following amendments to the ordinance.

- Better define substantial renovations and routine maintenance (Sec C.2 & C.3)
- Included a section on the submittal process for landmarks (Sec. C.6)
- Demolition & Relocation section (Sec. E)
- Separated parking standards for residential and non-residential uses (Sec E.4.c & d)
- Accessory structures: eliminated placement of garages behind the rear edge of the main building. (Sec. E.4.b.iii)
- Removed the prohibition of vertical siding (Sec. E.5.f.iv)
- Signage: updated to allow no more than two uprights for pole signs. (Sec. 6.a.i)
- Added a definition for *Mural Signs*. (Sec. 6.l)

Additionally, the Historic Review Commission recommended requiring a letter from a structural engineer providing the reason for a demolition of a contributing structure, which will be reviewed by the city inspector.

Public Comments

Chair Plunk opened the Public Hearing on Item 1. With no one addressing the Commissioners, Chair Plunk closed the Public Hearing on Item 1 at 6:22 pm.

Board Action

A motion was made by Vice Chair Rogers, and seconded by Commissioner Newsom to recommend approval for Item 1 as submitted. A vote was taken and carried 6 – 0.

2. Consider, and act upon, a Site Plan for Warehouse 32 an event center use on 2.91 acres, being Lot 1, Block 1 of Helmberger Industrial Park, located at 32 Steel Road.

Staff Presentation

Senior Planner Molina addressed the Commissioners stating that the applicant is proposing to develop a performing and wedding events center which measures 15,000 square feet on 2.91 acres located at 32 Steel Road. The property is zoned Light Industrial and the proposed event center use is allowed by right.

The site provides 32 percent landscaping which exceeds the 10 percent normally required. The development requires 150 parking spaces and provides 153 parking spaces.

Approval of the site plan is subject to additions and alterations as required by the City Engineering Department. Review of a flood study for the development is pending. The results of the review may require alterations to be made to the detention of the site. The developer is proposing for some storm water detention to be on the parking lot. This shall be allowed for short duration storage and be built to city standards in regards to surface slope and flow control structures.

Board Discussion

The Commissioners questioned the seating and if a warming kitchen provided. The applicant, Ms. Marissa Mailhes, addressed the Commissioners stating that the building is an open design and can be used for several different events. Off-site catering can bring portable warming equipment, no kitchen will be available.

Board Motion

A motion was made by Commissioner Newsom, seconded by Vice Chair Rogers, to approve Item 2 as submitted. A vote was taken and carried 6 – 0.

3. Consider, and act upon a recommendation to City Council regarding a Preliminary Plat of Birmingham and 78 Addition, establishing Lot 1, Block 1 on 1.038 acres, generally located on the northwest corner of State Highway 78 and Birmingham Street.

Staff Presentation

Senior Planner Molina addressed the Commissioners stating that the applicant submitted a Preliminary Plat to create Lot 1, Block 1 of Birmingham and 78 Addition. The plat dedicates a 24 feet fire lane and access easement with access from Industrial Drive and State Highway 78. The mutual access drive on State Highway 78 is pending Texas Department of Transportation review.

Staff is recommending a conditional approval pending Texas Department of Transportation approval of access from State Highway 78, per Subdivision Regulations II.2.2.E.2. The site plan for the development is on the regular agenda.

Board Action

A motion was made by Commissioner Newsom, seconded by Commissioner Butler, to recommend conditional approval Item 3 pending the approval from Texas Department of Transportation on the access from State Highway 78. A vote was taken and carried 6 – 0.

4. Consider, and act upon, a Site Plan for Victory at Wylie a multi-tenant retail use on 1.03 acres, being Lot 1, Block 1 of Birmingham and 78 Addition, located on the northwest corner of State Highway 78 and Birmingham Street.

Staff Presentation

Senior Planner Molina addressed the Commissioners stating that the applicant is proposing to develop a multi-tenant retail building which measures 9,160 square feet on 1.03 acres located on the northwest corner of State Highway 78 and Birmingham Street. The property is zoned Commercial Corridor with a Special Use Permit (SUP 2022-04) approved in January of 2022.

The site plan generally matches the presented plan of the Zoning Exhibit. Amendments include improvements to the turning radii of the drive thru and driveway entrances and widening of drive aisles. The site provides 53 parking spaces measuring 9 by 18 inches.

Staff is recommending conditionally approval pending Texas Department of Transportation approval of access from State Highway 78, per Zoning Ordinance Article 8.1C.5.c(3).

Board Action

A motion was made by Commissioner Newsom, seconded by Commissioner Norris to conditionally approve Item 4 pending Texas Department of Transportation approval of access from State Highway 78. A vote was taken and carried 6 – 0.

5. 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 1.02 acres, property located at 2020 N State Highway 78 (ZC 2022-07).

Staff Presentation

Senior Planner Molina addressed the Commissioners stating that the applicant is requesting a Special Use Permit (SUP) on 1.02 acres located at 2020 N State Highway 78 Lot 1R-5, Block C of Woodlake Village for a restaurant with drive-through service as required by the Zoning Ordinance.

The proposal includes a new 2,490 square foot structure for a Hwy 55 Burgers, Shakes, and Fries. The development also provides an outside seating area. The applicant is requesting the zoning exhibit to be considered as the site plan.

The development is to be accessed from State Highway 78 and provides cross access to the adjacent north, west, and east properties. The development provides 33 parking spaces with two being ADA accessible. Nine of the parking stalls have a grasscrete surface due to the site exceeding the maximum allowed parking, which is defined as 25 percent or more over the required minimum.

Seven notifications were mailed; with no responses returned in favor or in opposition of the request.

Public Comments

Chair Plunk opened the Public Hearing on Item 5. With no one approaching the Commissioners, Chair Plunk closed the Public Hearing for Item 5 at 6:38 pm.

Board Action

A motion was made by Commissioner Newsom, and seconded by Commissioner Byrne to recommend approval for Item 5 as submitted.

6. Hold a Public Hearing, consider, and act upon, a recommendation to the City Council regarding a change in zoning from from Commercial Corridor (CC) to Planned Development - Commercial Industrial (PD-CI) to allow for a Commercial and light industrial development on 7.789 acres generally located on SH78 1000' east of Eubanks Lane (ZC 2022-08).

Staff Presentation

Planning Manager Haskins addressed the Commissioners stating that the applicant is requesting to rezone 7.789 acres located on the northside of State Highway 78 between Eubanks Lane and Springcreek Parkway. The property is currently zoned Commercial Corridor. The applicant is requesting a Planned Development to allow for a combination of Light Industrial and Commercial uses.

The proposal includes three commercial pads totaling 2.723 acres with a proposed 13,466 square feet of commercial and retail space. The Planned Development Conditions allow for Restaurants with a drive-thru and automotive repair, minor as by-right uses in addition to normally allowed Commercial Corridor uses.

The industrial lot includes a 72,645 square foot structure on 5.066 acres on the north side of the property behind the commercial frontage and a landscape buffer. Access for large truck traffic is provided on Centennial Drive to the north. The PD Conditions for the LI lot allows for all CC by-right uses in addition to the Warehouse Distribution and Automotive, Major uses.

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

Board Discussion

The Commissioners expressed concern of allowing automotive major and automotive minor uses. Mr. Sahil Kurji, the applicant, gave a short presentation and stated that he was willing to delete the automotive major and minor uses from the Planned Development.

Public Comments

Chair Plunk opened the Public Hearing on Item 6 at 6:50 pm.

Ms. Sondra Ferrigno, 2400 Palestine Court, addressed the Commissioners stating she was in favor of the request but expressed concern of overnight parking. Mr. Kurji responded that the Planned Development Conditions can stipulate no overnight parking.

Mr. Sam Mayfield, 1113 WA Allen, addressed the Commissioners recommended no overnight parking and expressed concern for traffic on Centennial, not created for heavy truck traffic.

Chair Plunk closed the Public Hearing on Item 6 at 6:52 pm.

Board Discussion

Mr. Kurji responded to the comments, stating that there will no overnight parking for the trucks.

Board Action

A motion was made by Commissioner Newsom and seconded by Commissioner Byrne to recommend approval with stipulations no overnight parking and delete no automotive use, either major or minor be allowed in the Planned Development Conditions for Item 6. A vote was taken and carried 6 – 0.

Remove From Table

A motion was made by Commissioner Newsom, seconded by Vice Chair Rogers to remove Item 7 from the Table. A vote was taken and carried 6 – 0.

7. Hold a Public Hearing, consider, and act upon, a recommendation to the City Council regarding a change in zoning from Agricultural District (AG/30) to Planned Development - Single Family (PD-SF) to allow for single family residential development on 47.2995 acres generally located on Country Club Road approximately 2000' south of Parker Road (ZC 2022-02).

Staff Presentation

Planning Manager Haskins addressed the Commissioners stating that the applicant is requesting a change in zoning from AG/30 to PD/SF to allow for 113 single family homes, an ~16 acre city park, and ~2.5 acres of commercial frontage on a total of 47.3 acres generally located on Country Club just north of Smith Elementary.

Based on feedback received during recent Planning and Zoning and City Council meetings, at which this item was tabled, the applicant increased the minimum residential lot size from 5,000 to 7,000 square feet (80 lots) or 9,000 square feet (33 lots) and reduced the number of lots from 150 to 113. The commercial property increased from 2.0 to 2.5 acres and open space decreased by one acre due to residential lot layout differences. The applicant has also proposed or resolved solutions to issues that dealt with lake water rights, utility water service, and emergency access.

The property is currently within the City of Parker's service area (CCN) for utility water service, however Parker and Wylie have an agreement that allows Wylie to supply water to this property.

Five notifications were mailed in accordance with state law; no comment forms were received in favor or in opposition of the request.

Board Discussion

The Commissioners complimented the applicant, Mr. John Arnold, Skorburg Company, on the revisions. Mr. Arnold addressed the Commissioners, stating that the item will go to the Parks Board on April 11, 2022 for a final recommendation before going to City Council on April 26, 2022. The Commissioners questioned the type of parking

spaces within the park area. Mr. Arnold stated that the parking spaces will be parallel parking if approved by the Parks Board.

Public Comments

Chair Plunk opened the Public Hearing for Item 7 at 7:07 pm. No one addressed the Commissioners, Chair Plunk closed the Public Hearing for Item 7 at 7:07 pm.

Board Action

A motion was made by Commissioner Newsom, seconded by Vice Chair Rogers, to recommend approval for Item 7, with condition to address the parking within the park area with the Parks Board and Staff. A vote was taken and carried 6 – 0.

Remove From Table

A motion was made by Commissioner Newsom, seconded by Commissioner Norris to remove Item 8 from the Table. A vote was taken and carried 6 – 0.

8. Consider, and act upon, a recommendation to City Council regarding a change in zoning from Commercial Corridor (CC) to Planned Development - Commercial Industrial (PD-CI) on 21.85 acres generally located on the southwest corner of State Highway 78 and Wylie East Drive. (ZC 2022-05).

Staff Presentation

Planning Manager Haskins addressed the Commissioners, stating that the applicant is requesting to rezone 21.85 acres located on the south side of State Highway 78 between Wylie East Drive and Anson Parkway. The property is currently zoned Commercial Corridor. The applicant is requesting a Planned Development to allow for a combination of Light Industrial and Commercial uses.

The Planning and Zoning Commission tabled this item at the March 15, 2022 meeting to allow the applicant to address some concerns regarding the proposed development.

The amended proposal includes reducing the Light Industrial building from 318,000 to 272,000 square feet and increasing the commercial buildings from 31,000 to 37,000 square feet. The allowed uses have been amended to remove car washes and minor automotive repair as by-right uses. The site layout has been modified to remove commercial truck traffic from Wylie East Drive.

A Traffic Impact Analysis (TIA) was completed by the developer's consultant for the entire site. The TIA indicated that the site will generate approximately 470 daily peak hour trips. With the addition of a northbound left-turn lane on Wylie East Drive, striping of northbound Anson Parkway at Hwy 78 to include a dedicated 500' left turn lane, and a decel lane off of SH78, the TIA concludes that the current roadway network can handle the added development generated traffic.

City Engineering staff has added that the right turn from SH78 to Anson needs to be evaluated to determine if turn radii can accommodate commercial truck traffic and that Anson, being a local collector, may not be designed to withstand repeated heavy commercial traffic.

Notification Forms were mailed to 52 property owners within 200 feet of the request. One comment form was returned in favor of the request and five responses in opposition. Staff received a petition from approximately 150 property owners within the area in opposition of the request.

Board Discussion

The Commissioners were in general agreement that the proposed changes did not address all their concerns.

Public Comments

Chair Plunk opened the Public Hearing for Item 8 at 7:22 pm.

The following citizens spoke in opposition of the request, expressing concerns of traffic, noise, proximity of the warehouse building to the adjacent neighborhood, and additional traffic on Anson Parkway: Ms. Sondra Ferrigno, Ms. Jamie Bogard, Mr. Braden Barber, Mr. Cordgreo Swait, Mr. John Knight, Mr. Nemorio Carbajal, Mr. Charlie Bogard, Ms. Tricia Mallette, and Mr. John Ebey.

Chair Plunk closed the Public Hearing for Item 8 at 7:47 pm.

Board Discussion

Mr. Jacob Halter, P.E. Engineer with Kimley-Horn addressed the Commissioners stating that the Traffic Impact Analysis was revised from the March 24, 2022 study, separating the warehouse facility resulting in 20 percent increase of the truck traffic, with 13 truck trips in the morning peak hours and 16 truck trips in the evening, with a total 140 for 24-hour period.

Mr. Bill Dahstrom, representing the applicant, addressed the Commissioners asking that the Food Processing noted as allowed within the Special Conditions of the Planned Development be removed.

Commissioner Newsom recommended reducing the height of the warehouse facility and asked for poll of the Commissioners. No other Commissioner was in favor of just reducing the height of the building. The Commissioners expressed concern of the proximity to the neighborhood, truck traffic trips, using Anson Parkway as a major access into the development, and Anson Parkway not designed as a collector road.

Board Action

A motion was made by Vice Chair Rogers, seconded by Commissioner Byrne to recommend denial for Item 8. A vote was taken and carried 6 – 0.

Chair Plunk called for a recess at 8:10 pm. Chair Plunk called the meeting back to order at 8:20 pm for an Work Session.

WORK SESSION

WS1. Hold a work session to discuss a proposed development of for-rent single-family style homes, a hotel, and commercial uses on approximately 25 acres located on Country Club Road 1200' north of Brown Street.

Staff Presentation

Planning Manager Haskins addressed the Commissioners stating the applicant is seeking input from the P&Z Commissions regarding the proposed development of 270+ single family style rental homes, a hotel, and 10,000 square feet of commercial space on approximately 25 acres north of and adjacent to Fire Station #2.

Mr. Felipe Castillo, applicant Urban Moment addressed the Commissioners stating that the intent is to receive input for an all rental property development, including cottage style homes and duplexes, with amenities including a dog park. The development will include up to three bedroom homes. However, the three bedroom units will only be approximately 10 percent of the whole development.

The Commissioners recommended more commercial along Country Club and each residential structure have two parking spaces per unit.

RECONVENE INTO REGULAR SESSION

Chair Plunk reconvened into Regular Session.

ADJOURNMENT

A motion was made by Vice Chair Rogers, seconded by Commissioner Norris to adjourn the meeting at 9:00 pm.
A vote was taken and carried 6 – 0.

Cory Plunk, Chair

ATTEST:

Mary Bradley, Secretary