



Wylie City Council

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 Downtown Historic District (DTH) to Downtown Historic District - Special Use Permit (DTH-SUP) on 0.23 acres to allow for a Smoking Establishment. Property located at 308 N. Ballard Avenue (ZC 2025-02).

Recommendation

Motion to approve the Item as presented.

Discussion

OWNER: Vidita Patel

APPLICANT: Jose Hernandez

The applicant is requesting a Special Use Permit (SUP) on 0.23 acres to allow for a Cigar Lounge use at 308 N. Ballard Avenue. The floor area of the existing structure measures 1,250 sq. ft. The current zoning is Downtown Historic District (DTH).

The SUP conditions allow for the Cigar Lounge as a Smoking Establishment use. The establishment is limited to cigars only and is not permitted for any other style of smoking or vaping products.

The proposed development contains a lounge area, a humidor, and will offer charcuterie style food. Additionally, the development is proposing to allow for customers to bring in their own alcoholic beverages. Neither the Texas Alcoholic Beverage Commission (TABC) nor the City of Wylie regulate bring-your-own-beverage (BYOB) establishments.

The SUP allows for outdoor seating and music but limits noise and hours of operation for live entertainment to 9 p.m. daily. Additionally, any structural additions must be reviewed and approved as required by Section 6.3 of the City of Wylie Zoning Ordinance.

The SUP shall be rescinded and the base zoning of DTH be established, should the business not be owned by Faustino Cigars, LLC.

The property to the north is developed with a single-family residence that operates as a short-term rental. The property to the west is developed as an office for the Wylie Chamber of Commerce. The property to the south is developed with a coffee shop. The property to the east is developed with a church.

The subject property lies within the Downtown sector of the Comprehensive Land Use Plan. Development within this sector's main purpose is to build upon the existing Downtown development pattern by encouraging appropriate infill and redevelopment of similar uses. The secondary purpose is to preserve and promote Downtown as the cultural center and key economic driver for Wylie.

Notices were sent to fourteen property owners within 200 feet as required by state law. At the time of posting, one response was received in favor and two in opposition of the request.

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

P&Z Recommendation

After discussion regarding limitations to the addition of outdoor entertainment and seating area, the Commission voted 5-0 to recommend approval.