



# Wylie City Council

## AGENDA REPORT

Department: Planning  
Prepared By: Jasen Haskins

Account Code: \_\_\_\_\_

### Subject

**Tabled from 07-08-2025**

*Remove from table and consider*

Hold a Public Hearing, consider, and act upon, the writing of an ordinance for a change in zoning from Neighborhood Services (NS) to Community Retail - Special Use Permit (CR-SUP) on 1.056 acres to allow for a motor fueling station with a convenience store and drive-thru restaurant use. Property located at 1400 Country Club Road (ZC 2025-06).

### Recommendation

Motion to approve the request to table this Item.

### Discussion

**OWNER: ADC Industrial LLC**

**APPLICANT: ADC Industrial LLC**

The applicant is requesting to rezone 1.056 acres located on the northeast corner of Country Club Road and Park Blvd. at 1400 Country Club Road from Neighborhood Services to Community-Retail with a Special Use Permit (CR-SUP) to allow for a motor fueling station with a 4,000 sq. ft. convenience store and drive-thru restaurant use.

The applicant is proposing to offer the sale of beer and wine within the convenience store and allow for the sale of smoking products as required by the Smoking Zoning Ordinance amendments 2025-14. The development is also proposing to allow for a drive-thru restaurant by right.

The special conditions of the SUP allow for the sale of beer and wine and smoking products limited to cigarettes and cigars with a waiver to the 300' distance requirements from a public school due to the proximity from Dodd Elementary. The property is 299.71' from the school. The sale of e-cigarettes, vape cartridges, CBD or THC smokable or edible products shall be prohibited.

Wylie Independent School District has been contacted and has no opinion regarding the proposed development.

Hours of operation are proposed to be Sunday to Friday 5 a.m. to midnight for the convenience store and restaurant use. Saturday 5 a.m. to 1 a.m. for the convenience store and restaurant use. Fuel pumps are accessible 24 hours a day, every day.

The Zoning Exhibit shall serve as the concept plan and shows the general location of building, parking, vehicle access, and landscaping placement. If approved the development shall be required to provide a site plan and an amended plat prior to development commencing with full compliance with site design codes and regulations.

The property to the west is developed with the Wylie United Methodist Church. The property to the north is owned by the applicant and zoned Neighborhood Services. The property to the east is developed with Goddard School of Wylie and zoned

Neighborhood Services. The property to the south is undeveloped and zoned Neighborhood Services. There are no completed drive-thru restaurants within ½ mile of the subject property. The closest motor fueling station with a convenience store is located south at Country Club and Brown Street.

The site is located in the Local Commercial sector of the future land use map and is consistent with land use classification of the Comprehensive 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 and one in opposition of the request. The opposition letter comes from a property that is rather large; therefore, per Section 211.006 of the Local Government Code, for a rezoning to take effect a three-fourths affirmative vote is required due to the opposition of the rezoning exceeding 20% of the notified area.

In October 2020 the property owner applied for a similar zoning change that was denied by City Council with a 4-2 vote. At that time, there was opposition from the private school adjacent to this property and the City did not have the ability to limit the types of smoking products sold at a business.

**P&Z Recommendation**

The Commission voted 3-2 to recommend approval with the dissenting votes feeling that this property was not appropriate for a c-store, gas station, and drive-thru restaurant.