



Wylie City Council

AGENDA REPORT

Department: Planning
Prepared By: Jasen Haskins, AICP

Account Code: _____

Subject

Hold a Public Hearing, 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 an Alternative Financial Institution on 1.5 acres, located at 2901 W. FM 544 (ZC 2021-03).

Recommendation

Motion to deny a request for a change of zoning from Commercial Corridor (CC) to Commercial Corridor - Special Use Permit (CC-SUP), to allow for an Alternative Financial Institution on 1.5 acres, located at 2901 W. FM 544 (ZC 2021-03).

Discussion

OWNER: Burk-Robertson Family Ltd Ps

APPLICANT: Matthew Baulier

The owner of property 2901 W. FM 544 is requesting a Special Use Permit (SUP) for a tenant to be allowed to offer alternative loan services.

The Zoning Ordinance requires all alternative loan services, as defined in the Texas Finance Code, to be granted a Special Use Permit and be subject to additional provisions regarding the use and location of the service.

The Zoning Ordinance contains six provisions and the applicant is requesting a waiver for two of the six, relating to distance requirements:

- To allow the use within 500 feet of the rights-of-way of any four-lane divided or greater thoroughfare. Zoning requires a minimum of 500 feet and the property for the use is adjacent to FM 544, a greater than four lane thoroughfare.
- To allow the use within 300 feet from any zoned or used for residential purposes, property line to property line. Zoning requires 300 feet minimum and the property is 100' from a residential use to the north, separated by the rail line.

The four remaining provisions that the applicant is abiding by are:

- The use is at least 1,000 feet from another alternative financial institution.
- The hours of operations shall be established by the City Council. Proposed hours of operation are included in the conditions of the SUP.
- There shall be no outside queuing.
- The use shall have an indoor waiting area large enough to accommodate all customers.

The SUP conditions require the zoning to revert to the CC district should the Wallace Management service cease to occupy the property.

The property to the east, south, and west are zoned commercial. The property to the north is zoned within the Lakeside Estates residential Planned Development.

Notifications/Responses: Seventeen (17) notifications were mailed; with no responses received in favor or in opposition of the request.

P&Z Commission Discussion

After discussion regarding the general operation of the business and the request for waivers on two of three of the distance requirements the Commissions voted 4-2 to recommend denial. Approval of the request will require a $\frac{3}{4}$ majority vote.