



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 620 N. State Highway 78 (ZC 2021-02).

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 620 N. State Highway 78 (ZC 2021-02).

Discussion

OWNER: Cheung Pun LLC

APPLICANT: Andrew Deetz

The owner of property 620 N. State Highway 78 is requesting a Special Use Permit (SUP) for an existing 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 three of the six, all relating to distance requirements:

- To allow the use within 1,000 feet from any lot containing another alternative financial institution. Zoning requires 1,000 feet between properties containing the use, however there are two existing alternative financial institutions currently within 1,000 feet. One is located on the same lot, the other approximately 700' to the southwest (see exhibit).
- 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 State Highway 78, 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 adjacent to a residential use to the south.

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

- The hours of operations shall be established by 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 Liberty Tax Service cease to occupy the property.

The property to the north, east, and west are zoned commercial. The property to the south is zoned multi-family.

Notifications/Responses: fifteen (15) 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 all three of the distance requirements the Commissions voted 5-1 to recommend denial. Approval of the request will require a $\frac{3}{4}$ majority vote.