

Wylie Planning and Zoning Commission Regular Meeting

January 17, 2023 – 6:00 PM

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



CALL TO ORDER

Chair Bryan Rogers called the meeting to order at 6:01pm. Commissioners present: Chair Bryan Rogers, Vice Chair Joshua Butler, Commissioner Jacques Loraine III, Commissioner Jennifer Grieser, Commissioner Harold Gouge, Commissioner James Byrne and Commissioner Keith Scruggs. Staff present were: Community Services Director Jasen Haskins, Senior Planner Kevin Molina, Development Engineering Manager Than Nguyen, Wylie Economic Development Director Jason Greiner and Administrative Assistant Mary Bradley.

INVOCATION & PLEDGE OF ALLEGIANCE

Vice Chair Butler gave the Invocation and Commissioner Loraine led the Pledge of Allegiance.

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 approached the Commissioners on Non-Agenda Items.

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, the approval of the December 6, 2022 Regular Meeting Minutes
- B. Consider, and act upon a recommendation to City Council regarding a Final Plat for Dement Addition, being Lot 1 & 2, Block A, establishing two lots on 4.374 acres partially within the city limits of Wylie and partially within the City of Wylie Extra Territorial Jurisdiction, located at 950 Paul Wilson Road.
- C. Consider, and act upon a recommendation to City Council regarding a Final Plat for Collins ET, establishing two lots on 2.345 acres located in the City of Wylie Extra Territorial Jurisdiction north of and adjacent to 1224 Bozman Road.
- D. Consider, and act upon a recommendation to City Council regarding a Final Plat for Browngate Pointe Addition, establishing 39 residential, seven open space, and one commercial lot on 6.55 acres, generally located at the northeast corner of W. Brown Street and Sanden Boulevard.
- E. Consider, and act upon a recommendation to City Council regarding a Final Plat for Dominion of Pleasant Valley Phase 4, establishing 95 single family residential lots and four open space lots on 23.436 acres, generally located at the northeast corner of Pleasant Valley Road and Dominion Drive.

- F. Consider, and act upon a recommendation to City Council regarding a Final Plat for Dominion of Pleasant Valley Phase 5, establishing 68 single family residential lots and five open space lots on 25.822 acres, generally located at the southwest intersection of Dominion Drive and Pleasant Valley Road.
- G. Consider, and act upon a recommendation to City Council regarding a Final Plat for Wellstar Addition, establishing two industrial lots on 2.31 acres and replating lots 12R, Block C and 15R, Block B of Regency Business Park, Phase Three, generally located east of the cul-de-sac of Capital street.
- H. Consider, and act upon a recommendation to City Council regarding a Final Plat of Lot 2R of Wyndham Estates Phase III, being a Replat of Lot 2, 3 & 4 of Wyndham Estates Phase III, establishing one industrial lot on 2.68 acres, located on the northeast corner of Eubanks Lane and Squire Drive.

Chair Rogers requested that Item G be pulled from the Consent Agenda and considered individually.

Board Action

A motion was made by Vice Chair Butler, seconded by Commissioner Loraine, to approve the Consent Agenda as presented with the exception of Item G. A vote was taken and the motion passed 6 – 0.

REGULAR AGENDA

Chair Rogers recused himself due to a Conflict of Interest for Item G.

- G. Consider, and act upon a recommendation to City Council regarding a Final Plat for Wellstar Addition, establishing two industrial lots on 2.31 acres and replating lots 12R, Block C and 15R, Block B of Regency Business Park, Phase Three, generally located east of the cul-de-sac of Capital street.

Board Action

A motion was made by Board Member Loraine, seconded by Commissioner Gouge to recommend approval to City Council for Item B. A vote was taken and carried 5 – 0.

Chair Rogers returned to the meeting.

1. Consider, and act upon, a Site Plan for Lot 2R of Wyndham Estates Phase III, for an office/warehouse development on 2.68 acres. Property generally located on the northeast corner of Eubanks Lane and Squire Drive.

Staff Comments

Senior Planner Molina approached the Commissioners, stating that the applicant is proposing to develop two office/warehouse buildings totaling 47,380 square feet on 2.68 acres located on the northeast corner of Eubanks Lane and Squire Drive. The property is zoned Light Industrial and allows for the proposed use. The development includes fire lanes and access drives to Eubanks Lane and Squire Drive. 68 parking spaces are being provided with four being handicapped spaces.

The exterior material of the structure consists of brick and metal panels. The entrances are architecturally enhanced with metal awnings and exterior wall offsets to meet the City's architectural requirements. Landscape screening is provided to hide the roll up doors from view of Eubanks Lane.

Board Comments

Commissioner Byrne asked staff if the project has accounted for the widening of Eubanks Lane. Senior Planner Molina stated that the project has dedicated Right-of-Way for Eubanks Lane and it has been shown on the plat being Item H of the Consent Agenda.

Commissioner Gouge asked staff for clarification on the report stating that the site is in general compliance with the design requirements of the Zoning Ordinance. Senior Planner Molina stated that the plan has some pending comments regarding driveway spacing requirements that will be addressed at a staff level during the civil plan review. Development Engineering Manager Than Nguyen explained how there is an existing driveway to the east that prevents the site plan from meeting the driveway spacing requirement. A proposed mutual access agreement to combine the two driveways will be considered.

Board Action

A motion was made by Commissioner Gouge, seconded by Commissioner Butler, to approve Item 1 as presented. A vote was taken and carried 6 – 0.

2. Hold a Public Hearing, consider, and act upon, a recommendation to City Council regarding a change in zoning from Commercial Corridor (CC) to Commercial Corridor - Special Use Permit (PD-SUP) on 0.917 acres located at 2505 FM 1378 (ZC 2022-17).

Staff Comments

Senior Planner Molina approached the Commissioners, stating that the applicant is requesting a Special Use Permit to allow for residential structure to be converted to a commercial building for an office use. The proposed plan adds seven parking spaces with a new proposed driveway entrance from FM 1378.

The SUP conditions allows for the existing residential structure design to be allowed within the Commercial Corridor design requirements and sets restrictions on any additions or major alterations being allowed.

Staff has recommended for the zoning request to be denied due to the property having a prior zoning case for Commercial Corridor with ground up commercial development and also due to the fact that the proposed request does not fit in line with the Comprehensive Plans goal of Local Commercial development along that portion of street frontage of 1378.

Notices were sent to four property owners within 200 feet as required by state law. One response was received in favor and none in opposition of the request.

Chair Rogers announced that Board member Grieser has arrived at 6:20pm

Board Comments

Mr. Newzad Brifki, the applicant, provided additional information regarding the intent of the proposed request. He stated that the building will be used for office use space. He stated his goal was to preserve the existing development with the goal of waiting until a larger strip of the land can be acquired for new commercial development.

Commissioner Byrne asked staff if it was possible to set a limitation on the Special Use Permit to render it null and void if the property were ever to change in ownership. Applicant Brifki stated that if that motion passed his property would not maintain its desirability and value.

Community Services Director Jasen Haskins stated that the conversion of the residential property to commercial would require an investment for the infrastructure and compliance of commercial building code life and safety standards.

Commissioner Loraine mentioned that allowing for this Special Use Permit and deviation of the Comprehensive Plan could set a precedent for future zoning changing requests that deviate from the intent of the city's land use plan.

Public Comments

Chair Rogers opened the Public Hearing on Item 2, with no questions, Chair Rogers closed the Public Hearing.

Board Action

A motion was made by Commissioner Byrne, seconded by Commissioner Grieser, to recommend approval of Item 3 to City Council with the condition that the Special Use Permit would be null and void if the property changed ownership. A vote was taken and carried 7 – 0.

Staff stated that the next Planning and Zoning meeting will be February 07, 2023. Staff and the Board thanked Administrative Assistant Mary Bradley for her years of service with the Planning and Zoning Commission board and congratulated her on her promotion to Administrative Assistant for the City Secretary's office.

ADJOURNMENT

A motion was made by Commissioner Gouge, and seconded by Commissioner Loraine to adjourn the meeting at 6:43PM. A vote was taken and carried 7 – 0.

Bryan Rogers, Chair

ATTEST

Mary Bradley, Secretary