



Wylie Planning & Zoning Commission

AGENDA REPORT

Department: Planning
Prepared By: Kevin Molina

Item Number: 2

Subject

Hold a Public Hearing, consider, and act upon, a recommendation to City Council regarding the writing of an ordinance for a change in zoning from Commercial Corridor (CC) to Commercial Corridor- Special Use Permit (CC-SUP) on 1.47 acres to allow for a Smoking Establishment. Property located at 2771 W FM 544 (**ZC 2025-04**).

Recommendation

Motion to recommend (**approval, approval with conditions or disapproval**) as presented.

Discussion

OWNER: Nirmal Investments LLC

APPLICANT: Rafat Hamam

The applicant is requesting a Special Use Permit (SUP) on 1.47 acres to allow for the expansion of a Hookah Lounge use located at 2771 W FM 544 . The floor area of the existing structure measures 1,800 sq.ft. and is being requested to be expanded by 900 sq.ft. for a total of 2,700 sq.ft. The current zoning is Commercial Corridor and the existing use is legally non-conforming due to the business being in operation prior to the Smoking Establishment use category being created in Zoning Ordinance as of June of 2023.

Per section 9.5 of the Zoning Ordinance expansion of a non-conforming use requires the business to be granted a Special Use Permit for a Smoking Establishment in order to be in compliance with the Zoning Ordinance.

The SUP conditions allow for the Hookah House and Lounge as a Smoking Establishment use. All on-site smoking shall be conducted inside the establishment The establishment is limited to the selling of hookah products only and is not permitted for any other style of smoking or vaping products.

The proposed development contains a lounge area for hookah smoking and eating. The request for the expansion is being made for additional space for online food orders.

The property to the north is developed with a railroad track adjacent to a single family detached residential subdivision. The property to the east is developed with retail and personal service uses. The property to the south is zoned Agricultural and developed with a single family home. The property to the west is undeveloped.

The subject property lies within the Regional Commercial sector of the Comprehensive Land Use Plan. Development within this sector's main purpose is to provide areas to allow for a broad range of commercial, retail, and office uses oriented toward major roadways. Heavy commercial or light industrial uses may be appropriate depending on compatibility with surrounding areas.

Notices were sent to twenty-seven property owners within 200 feet as required by state law. At the time of posting, one response was received in opposition and none in favor of the request.

If zoning is approved, a permit for the expansion shall be required prior to the space being allowed to be occupied by the business. Should the SUP be denied, the use will be able to continue in its current location and form.

