

Wylie Planning and Zoning Commission Regular Meeting

September 19, 2023 – 6:00 PM

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



CALL TO ORDER

Chair Butler called the meeting to order at 6:00 p.m. In attendance were Chair Joshua Butler, Vice-Chair Jacque Loraine, Commissioner Jennifer Grieser, Commissioner Rod Gouge, Commissioner James Byrne, Commissioner Keith Scruggs, Director of Community Services Jasen Haskins, Sr. Planner Kevin Molina, Engineering Development Manager Than Nguyen, and Secretary Lillian Baker. Commissioner Joe Chandler arrived at 6:03 p.m.

INVOCATION & PLEDGE OF ALLEGIANCE

The Invocation was led by Chair Butler and the Pledge of Allegiance was led by Commissioner Loraine.

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.

None approached the Commission.

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. Minutes from September 5, 2023 Regular Meeting

Board Action on Consent Agenda

A motion was made by Commissioner Gouge and seconded by Commissioner Loraine to approve the Consent Agenda as presented. A vote was taken and carried 6 – 0.

REGULAR AGENDA

1. Consider, and act upon, a Site Plan for Lot 2B Block A of Aldi Wylie Addition for the development of an indoor athletic facility on 1.162 acres. Property located north of 3463 W FM 544.

Staff Discussion on Regular Agenda Item 1

Sr. Planner Molina presented and provided an overview of the plan and complies with what was submitted earlier this year. Limited landscaping due to frontage on FM544. The site plan meeting design requirements.

Board Action on Regular Agenda Item 1

A motion was made by Vice Chair Loraine and seconded by Commissioner Grieser to approve as presented. A vote was taken and carried 7 – 0.

2. 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 Neighborhood Services (NS) to Neighborhood Services - Special Use Permit (NS-SUP) on 1.814 acres to allow for a Smoke Shop Use. Property located at 456 Country Club Road Suite 126 (ZC 2023-16).

Staff Discussion on Regular Agenda Item 2

Sr. Planner Molina presented and stated it is an existing structure and the applicant is requesting a variance to the existing ordinance for the distance requirement from a nearby smoke shop and school (Primrose Daycare). Six notices were mailed to property owners and received one in favor from the Primrose owner and one in opposition from the property south of the 7-Eleven. The board inquired on ventilation and was clarified that previous discussion on another property was not the same situation. The Board also asked for clarification on the property owner was the respondent from the Daycare. It was also clarified that by state law that daycares are classified as schools.

Chair Butler opened a public hearing at 6:09 p.m. Citizen David Dahl addressed the Commission. He stated that the ordinance was put in place to regulate these establishments and was too new to be making concessions (variances). Chair Butler closed the public hearing at 6:10 p.m.

Chair Butler agreed with Citizen Dahl and stated his support of the existing ordinance. Vice-Chair Loraine agreed with Chair Butler's comments and stated it was not the right time to be making variances. Commissioner Grieser requested verification on the type of shop, that was addressed by Director Haskins.

Board Action on Regular Agenda Item 2

A motion was made by Vice-Chair Loraine and seconded by Chair Butler to recommend denial to City Council. A vote was taken and carried 7 – 0.

3. 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 Agricultural (AG/30) to Single Family 10/24 (SF 10/24) on 15 acres, Townhouse District (TH) on 3.8 acres, Commercial Corridor (CC) on 4 acres. Property located near 605 Country Club Road (ZC 2023-15).

Staff Discussion on Regular Agenda Item 3

Sr. Planner Molina presented the zoning change for 25 acres with 15 acres being zoned single family, 3.8 acres for townhomes, and 4 acres zoned commercial corridor. The single-family zoning includes 46 lots and the commercial is three buildings. Development has access to Country Club and connects to Washington Place in Presidential Estates. Mailed out to 41 property owners and received 12 responses in opposition within the notification area and 19 oppositions outside the notification area. The development is also adding pickleball courts, a half basketball court and open space in front of the townhomes. Clarification was made on the fire lanes for the Board. Director Haskins stated there was a difference required for commercial and residential. Sr. Planner Molina stated it was also based on the height of the building.

Applicant Ahmed presented an overview of the development. He stated that sloped roofs would be added for privacy for the neighboring houses. He also discussed the traffic capacity of Country Club. He also noted the garage entries would not be visible and rear entry. Commissioner Grieser requested clarification that the homes were for purchase and not rentals, to which the applicant confirmed the homes were for purchase. The Commission also asked Engineering about the traffic capacity. Engineer Nguyen stated that Country Club is a high capacity road way, that based on analysis could handle the added traffic flow. The Commission also clarified that this plan was in the scope of the Future Development plan.

Chair Butler opened a Public Hearing 6:33 p.m.

Multiple citizens approached the Commission in opposition and raised concerns and requested clarification on the traffic, crime, property values, notification letters, thru to Washington, flooding, and keeping the area as farm land.

In support of the project others stated that the applicant is a citizen of Wylie and is concerned what is best for the city and the development. It was also noted that the plan did fall within the future master plan with minimal impact being a majority residential and keeping a farm land is not reasonable nor would it be profitable for a farmer or beneficial to the city. It was also noted that housing is in need in the city for those that wish to move here. It was also noted that residents were aware that the unfinished connection streets would be part of a master plan. Citizens felt that bringing in affordable housing in Wylie would be advantageous. Citizens also stated that an influx of physicians that would take advantage of the available retail space, would be beneficial to the community.

The public hearing was closed at 7:16 p.m.

Director Haskins addressed the notification letter. The notification area is determined by State Legislature that the requirement is 200ft and this is the reason not all residents in the general area would not have received the notice. It was also addressed that the college owns 100 acres that touches a portion of the development and in order to reach 20% rule of opposition, the college would have to be involved in that decision. In addition, he addressed the traffic analysis not being required because it is not over 100 units. This topic will address with Engineering to see what can be done. He also noted that if Planning and Zoning approves recommendation, in the end it is City Councils final decision. The access street through Washington is required by Fire Department, that there must be two entry point access by law. It was reiterated that this meeting was for the zoning and that the development would have to come back for a site plan and platting, assuming it is approved through P&Z and Council. Commission asked if a fire gate could be added and Director Haskins stated it was something that could be looked into. The Commission reminded citizens that several apartment developments were interested in building on the property in discussion. In addition, Country Club's classification deems it capable of handling the traffic impact. The Commission also pointed out that the development would have a retention pond that would be beneficial to flood control in the area.

Board Action on Agenda Item 3

A motion was made by Commissioner Gouge and seconded by Chair Butler to approve a recommendation to City Council with the suggestions that Washington Street be open to emergency response vehicles only, and that a traffic impact analysis be required before platting. A vote was taken and carried 6 – 1.

ADJOURNMENT

A motion was made by Commissioner Gouge and seconded by Vice-Chair Loraine to adjourn. A vote was taken and carried 7 – 0. Chair Butler adjourned the meeting at 7:29 p.m.

Joshua Butler, Chair

ATTEST

Lillian Baker, Secretary