



Planning & Zoning Commission

Minutes

Regular Meeting

March 2, 2021 – 6:00 p.m.

Wylie Municipal Complex – Council Chambers

300 Country Club Road, Bldg. 100

Wylie, TX 75098

CALL TO ORDER

Announce the presence of a Quorum.

Chair Cory Plunk called the regular meeting to order at 6:00PM. The following P&Z Commissioners were present: Vice Chair Bryan Rogers, Commissioner Brian Ortiz, Commissioner Charla Riner and Commissioner Dan Norris. Commissioner Taylor Newsom arrived after Invocation and Pledge of Allegiance.

Staff present: Mr. Jasen Haskins, Planning Manager, Kevin Molina, Senior Planner, and Mary Bradley, Administrative Assistant.

INVOCATION & PLEDGE OF ALLEGIANCE

Commissioner Ortiz gave the invocation and Commissioner Riner led the Pledge of Allegiance.

CITIZENS COMMENTS ON NON-AGENDA ITEMS

Residents may address Commissioners regarding an item that is not listed on the Agenda. Residents must fill out a non-agenda form prior to the meeting in order to speak. Commissioners requests that comments be limited to three (3) minutes. In addition, Commissioners not allowed to converse, deliberate or take action on any matter presented during citizen participation

No one approached the Commissioners.

CONSENT AGENDA

- A. Consider and act upon approval of the Minutes from the February 2, 2021 Regular Meeting.**
- B. Consider, and act upon a recommendation to the City Council regarding a Preliminary Plat for Kreymer at the Park Addition, being 49 residential lots and two open space lots on 16.48 acres. Property located at 2605 E Stone Rd.**

- C. Consider, and act upon a recommendation to City Council regarding a Final Plat for Emerald Vista Phase 1, to establish 91 residential lots, seven open space lots, and one Government Business lot on 27.369 acres, located on South Ballard Road at Elm Road.**

Commission Action

A motion was made by Vice Chair Rogers, seconded by Commissioner Riner, to approve the Consent Agenda as presented. A vote was taken and the vote carried 6-0.

REGULAR AGENDA

- 1. Consider, and act upon, a recommendation to City Council regarding a Final Plat for The Waters Addition, being a replat of Copeville RV Park and Tracts 86 and 110 of the Drury Anglin Survey, to create four lots on 19.273 acres for an RV Park development. Property generally located on CR 546 3700' west of North State Highway 78, Nevada, in the City of Wylie's Extra Territorial Jurisdiction.**

Staff Discussion

Mr. Molina stated that the Final Plat for The Waters Addition has unique circumstances. The plat will develop four irregular lots on 19.273 acres located outside the city limits within the extraterritorial jurisdiction (ETJ).

The applicant has stated that the irregular configuration of the lots is to accommodate the wastewater services for an RV Park. As presented, each lot consists of a fixed number of RV spaces that connect to a small onsite sewage facility (OSFF) that will treat less than 5,000 gallons of wastewater per day. Limiting that daily wastewater capacity allows Collin County authority to review and approve the OSFFs. If a development exceeds 5,000 gallons of wastewater per day, Texas Commission Environmental Quality would require a license from the developer.

Staff has concerns of the irregular lots due to the possibility of the site being sold at a future date. The irregular lots do not leave future property owners with many other options for development and has the possibility of creating access issues.

Board Discussion

Chair Plunk questioned the intention of the 5,000 gallons of wastewater. Staff responded that the developer is taking a tract of land and subdividing into four separate lots so that he will stay within County requirements and not be regulated by Texas Commission Environmental Quality.

The applicant, Marshall Warren, 536 Oakridge Trail, Copper Canyon, Texas, gave a short presentation of the use of the property. He stated that no lots will be sold, only leased, with concrete roads and gated community. Currently, 3.73 acres is developed with 30 sites for RV Park with one drip aerobic system. Each of the four lots in the submitted plat will have aerobic drip systems. Collin County has approved 100 gallons per day Septic for a Tiny Home lot.

Chair Plunk questioned what does the development entail if plat is denied. Mr. Warren responded that the State could approve the exact same system if there was one lot, and no one would know the property was subdivided.

Board Action

A motion was made by Commissioner Newsom, seconded by Vice Chair Rogers to recommend approval to City Council regarding a Final Plat for The Waters Addition, being a replat of Copeville RV Park and Tracts 86 and 110 of the Drury Anglin Survey, to create four lots on 19.273 acres for an RV Park development. Property generally located on CR 546 3700' west of North State Highway 78, Nevada, in the City of Wylie's Extra Territorial Jurisdiction. A vote was taken and the vote carried 5-1, with Chair Plunk voting in opposition.

2. **Hold a Public Hearing to consider, and act upon, a recommendation to City Council, regarding amending Zoning Ordinance (2010-19) Article 5, Sections 5.2.E.9 and 5.2.F.19 Listed Uses, as they relate to the Massage Establishments (ZC 2021-07).**

Staff Presentation

Mr. Haskins stated that in response to a work session held in February, to discuss bringing Massage Establishments in line with State regulations, which defines a Massage Establishment as a health care service. The amendment is to Article 5, Sections 5.2.E.9 and 5.2.F.19 of the Zoning Ordinance by moving Massage Establishments use category from a Sexually Oriented Business to a Personal Service use.

The change eases restrictions on the legitimate Massage Establishment uses, requiring a state license and to allow advertising as massage therapy.

Public Comments

Chair Plunk opened the public hearing on Item 2 asking anyone present wishing to address the Commissioners to come forward. With no one coming forward, Chair Plunk closed the public hearing.

Board Action

A motion was made by Commissioner Newsom, seconded by Commissioner Norris to recommend approval to the City Council, amending Zoning Ordinance (2010-19) Article 5, Sections 5.2.E.9 and 5.2.F.19 Listed Uses, as they relate to the Massage Establishments (ZC 2021-07). A vote was taken and motion carried 6-0.

3. **Hold a Public Hearing to consider, and act upon, a recommendation to City Council amending Zoning Ordinance (2018-03), Article 5, Sections 5.1 Land Use Charts and 5.2 Listed Uses, as they relate to requiring Special Use Permits for certain uses currently allowed by right (ZC 2021-05).**

Staff Presentation

Mr. Haskins stated that in response to a work session held in February, and the result of the work session, the Commission directed Staff to amend the Zoning Ordinance by requiring Special Use Permits for some uses currently allowed by right. Those amendments are summarized below, and a reason why. The Mission of the City of Wylie is to protect the health, safety and welfare of citizens of Wylie, beside the use is how the Mission of the City of Wylie is addressed.

- Commercial Greenhouse / Nursery - Remove as an allowed use in Neighborhood Services (NS) and require a SUP in Community Retail (CR) due to effects of noise and odor near residential development.
- Theater - Require an SUP in all allowed zoning districts due to noise, traffic, and redevelopment difficulties.
- Dry Cleaning (on-site) - Require SUP in NS, CR, CC and remove as allowed use in DTH due to environmental concerns.
- Motor Vehicle Fueling Station - Require SUP in CR and CC due to environmental concerns, public safety, and redevelopment difficulties.
- Restaurant with Drive in - Require SUP in CR and CC and remove from LI due to traffic volatility, pedestrian safety, air quality concerns, and redevelopment difficulty.
- Vehicle Sales - Require SUP in CC and LI due to environmental concerns and redevelopment difficulties.
- Contractor's Maintenance Yard - Remove use from the retail chart (F.8) as the use is duplicated in the wholesale chart (I.2) and require SUP in CC due to noise, odor, and environmental concerns.

These changes allow city staff, the Planning and Zoning Commission, and City Council the opportunity to thoroughly review each use and recommend site specific requirements on a case by case basis.

Public Comments

Chair Plunk opened the public hearing on Item 3 asking anyone present wishing to address the Commissioners to come forward. With no one coming forward, Chair Plunk closed the public hearing.

Board Action

A motion was made by Commissioner Newsom, seconded by Vice Chair Rogers to recommend approval to the City Council amending Zoning Ordinance (2018-03), Article 5, Sections 5.1 Land Use Charts and 5.2 Listed Uses, as they relate to requiring Special Use Permits for certain uses currently allowed by right (**ZC 2021-05**). A vote was taken and motion carried 6-0.

4. **Hold a Public Hearing to consider, and act upon, a recommendation to City Council, regarding amending Zoning Ordinance (2018-03), Article 5, Section 5.2.F Listed Uses, as they relate to permanent, accessory, and temporary uses for Food Trucks Parks and Farmers Markets (ZC 2021-06)**

Staff Presentation

Mr. Haskins stated that last year, in response to a work session held last year, the general idea is to expand and allow certain conditions and requirements for Food Truck Parks and Farmer's

Markets. Currently the Ordinance allows Farmer's Markets with a Temporary Use Permit. The proposed amendment to Article 5, Section 5.2.F Listed Uses allows Food Truck Parks and Farmer's Markets with the following definitions: Special Use Permit for permanent stand alone Food Truck Parks and Farmer's Markets; add food vendors / farmers market style sales to the Accessory Outside Sales; amending the Seasonal Sales Stand definition to allow Food Trucks and Farmer's Markets; and amending the Temporary Uses to adjust for the addition of Food Trucks and Farmer's Markets.

These amendments will allow for Food Trucks and Farmer's Markets in the City on a more permanent basis.

Public Comments

Chair Plunk opened the public hearing on Item 4 asking anyone present wishing to address the Commissioners to come forward. With no one coming forward, Chair Plunk closed the public hearing.

Board Discussion

Chair Plunk expressed concern of the definition for Food Truck Park/Farmers Markets, Section 29.B.2. Staff will revise the statement for permanent Food Truck Parks to define utilities as water and electrical use on the site.

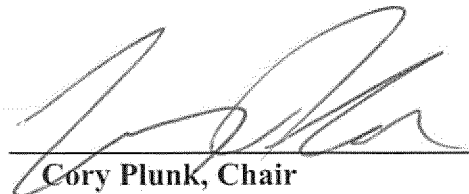
Board Action

A motion was made by Vice Chair Rogers, seconded by Commissioner Riner to recommend approval to the City Council, amending Zoning Ordinance (2018-03), Article 5, Section 5.2.F Listed Uses, as they relate to permanent, accessory, and temporary uses for Food Trucks and Farmers Markets (**ZC 2021-06**), with revision of 29.b.2 for water and electric utility use. A vote was taken and motion carried 6-0.

Ms. Bradley the next Planning and Zoning Meeting is scheduled for March 16, 2021.

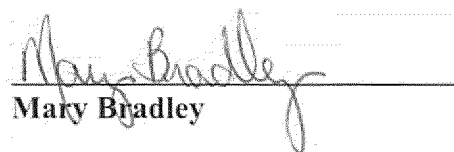
ADJOURNMENT

A motion was made by Commissioner Newsom, and seconded by Commissioner Norris, to adjourn the meeting at 7:03 PM. A vote was taken and carried 6-0.



Cory Plunk, Chair

ATTEST:



Mary Bradley