



Planning & Zoning Commission

Minutes

Regular Meeting

February 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 Taylor Newsom, Commissioner Brian Ortiz, Commissioner Charla Riner and Commissioner Mike McCrossin. Commissioner Dan Norris was absent.

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 Taylor 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 January 5, 2021 Regular Meeting.**
- B. Consider, and act upon, a recommendation to City Council regarding a Final Plat, being a Replat of Lot 2, Block A of the Holiday Inn Express Wylie Addition, establishing two commercial lots on 2.988 acres, generally located on the southwest corner of FM 544 and Sanden Boulevard.**

Commission Action

A motion was made by Vice Chair Rogers, seconded by Commissioner McCrossin, 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 Site Plan for a Restaurant with Drive-In or Drive-through Service (Fuzzy's Taco Shop), on 0.6180 acres. Property located at 910 W FM 544.**

Staff Discussion

Mr. Molina stated that the applicant is proposing to redevelop an existing restaurant site located at 910 W FM 544. A site plan was approved for the site in 2008, but the building has been unoccupied since 2015.

The applicant is proposing to increase landscaping, provide outside seating, remove the drive-thru menu board and reduce the length of the drive thru aisle. Revisions to the elevations include modifying the exterior colors, adding roll-up doors for access to the patio, and installing a patio structure for outside eating.

Prior to the issuance of a Certificate of Occupancy a Final Plat will be required to be filed with the county and will create a joint access drive with adjacent property that is not developed.

Board Discussion

The Commissioners questioned the purpose of removing the order menu from the drive-thru. Staff responded that this will allow for pick-up delivery service by online ordering or using a mobile app.

Board Action

A motion was made by Vice Chair Rogers, seconded by Commissioner McCrossin to approve a Site Plan for a Restaurant with Drive-In or Drive-through Service (Fuzzy's Taco Shop), on 0.6180 acres. Property located at 910 W FM 544. A vote was taken and the vote carried 6-0.

2. **Hold a Public Hearing, consider, and act upon a recommendation to City Council regarding a change of zoning from Agricultural District (AG/30) to Townhouse District (TH), to allow for single family attached residential development on 1.83 acres, generally located at the southwest corner of Brown Street and WA Allen Boulevard. (ZC 2021-01).**

Staff Presentation

Mr. Molina stated that the applicant is requesting to change the zoning from Agricultural to Townhouse on 1.83 acres, to allow townhouse units on individually platted lots. The proposed zoning and use is compatible with the Comprehensive Land Use Plan.

Although the request is straight zoning, the applicant has provided a concept zoning exhibit to demonstrate the feasibility of developing the property under the Townhouse District zoning category. The concept zoning exhibit may change in design and layout, but will meet the current or amended Zoning Ordinance, Building Code, Fire Code, and any other relevant codes or ordinances at time of preliminary plat. The conceptual zoning exhibit complies with parking requirements, setbacks and minimum lot design with the exception of engineering drawings.

Notifications were mailed to 23 surrounding property owners, with three responses in opposition and no responses in favor of the request.

Public Comments

Chair Plunk opened the public hearing on Item 2 at 6:13 p.m. asking anyone present wishing to address the Commissioners to come forward.

Sam Mayfield, Kyle Johnson, Brett Blair, and Kenneth Carr addressed the Commission with concerns which included the type of clientele that will be leasing the townhomes, possible increase of crime, drainage issues, screening from adjacent residential homes, landscaping on the property and lights shining into adjacent property yards and homes.

Chair Plunk closed the public hearing at 6:26 p.m.

Applicant Comments

Ahmed Helaluzzaman, 545 Coventry Drive, Grapevine, applicant for the subject property addressed the Commission stating that they desire to be good neighbors and develop a nice and quiet neighborhood. The townhomes will be two-story with garages and propose to plant trees as living screens adjacent to existing residential development. Naim Khan, 2105 Canyon Creek, Garland, stated that a civil engineering firm will design the drainage by putting an inlet in the back of the property.

Board Discussion

The Commissioners discussed the concerns of landscaping and that townhomes do not make sense at the proposed location. Staff responded that the Zoning Ordinance requires each residential unit provide landscaping and one tree in the front for each lot, and a 10 foot landscaping buffer along street frontage and a six foot masonry wall in the front, no requirement for screening in the back. The Commissioners desired a Planned Development, to allow control measures for screening, lighting, trees and parking. Commissioner Taylor stated the development did not make sense for the location.

Board Action

A motion was made by Commissioner Newsom, seconded by Commissioner McCrossin to recommend disapproval to the City Council, regarding a request for a change of zoning change of from Agricultural District (AG/30) to Townhouse District (TH), to allow for single family attached residential development on 1.83 acres, generally located at the southwest corner of Brown Street and WA Allen Boulevard (ZC2021-01). A vote was taken and motion carried 6-0.

WORK SESSION

- a. **Hold a work session to discuss potential amendments to the Zoning Ordinance regarding the requirement for Special Use Permits on various uses, the distance requirements for alcohol sales from daycares, and aligning local and state law as they relate to massage establishments.**

Mr. Haskins stated that the purpose of the work session is to receive direction from the Commission on text amendments to Article 5 in the Zoning Ordinance.

The law defines daycares as having the same rules as public schools. Therefore no changes will need to be made as far as the distance requirements for alcohol sales from daycares. A facility that wanted to sell alcohol sales can not be located 300 feet from a daycare. Chair Plunk stated the rule should go both directions, a daycare can not develop close to an existing facility that sells alcohol.

At the conclusion of a recent joint work session with the Commission and City Council, staff was directed to make recommendations for requiring Special Use Permits on some uses that are currently allowed by right. These uses are: Commercial Greenhouse/Nursery; Theater; Dry Cleaning (on-site); Motor Vehicle Fueling Station in CR zoning; Restaurant with Drive Thru; Vehicle Sales; and Contractor's Maintenance Yard. These uses may disrupt adjacent properties, have unique development characteristics, or are difficult to redevelop due to the nature of the site or structure. Commissioners desired the definition of Restaurant with Drive Thru be modernized.

The City of Wylie ordinances classify all Massage Establishments as sexual oriented businesses (SOB). Staff is asking for direction on defining massage establishments and the provisions required for operation. State Law allows Massage Establishments that are licensed.

Board Discussion

Commissioners directed staff to move forward with modernizing the definition of the uses listed above. As well as aligning the definition for Massage Establishments with State Law requiring licensed.

- b. **Hold a work session to discuss options for joint work sessions with other boards, commissions, and councils.**

Mr. Haskins stated that staff does realize the importance of having joint work sessions, and the importance of the Commission's time to attend the joint sessions. However the joint work sessions are public meetings, and subject to quorum requirements and fall under the Open

Meetings Act. Staff also encouraged the Commissioner's to contact Council Members through email (obeying quorum rules) to address any concerns on how joint work sessions are conducted.

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

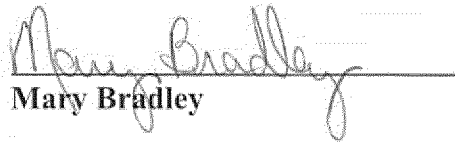
ADJOURNMENT

A motion was made by Vice Chair Rogers, and seconded by Commissioner McCrossin, to adjourn the meeting at 7:30 PM. A vote was taken and carried 6-0.



Cory Plunk, Chair

ATTEST:



Mary Bradley