



# Planning & Zoning Commission

## **Minutes**

### **Regular Meeting**

**January 5, 2021 – 6:00 p.m.**

**Wylie Municipal Complex – Council Chambers**

**300 Country Club Road, Bldg. 100**

**Wylie, TX 75098**

### **CALL TO ORDER**

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*Announce the presence of a Quorum.*

Chair Cory Plunk presided over the meeting and called the meeting to order at 6:00PM. Commissioners present: Chair Cory Plunk, Vice Chair Bryan Rogers, Commissioner Taylor Newsom, Commissioner Dan Norris, and Commissioner Mike McCrossin. Those absent: Commissioner Brian Ortiz and Commissioner Charla Riner.

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

### **INVOCATION & PLEDGE OF ALLEGIANCE**

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Vice Chair Rogers gave the invocation and Commissioner McCrossin led the Pledge of Allegiance.

### **CITIZENS COMMENTS ON NON-AGENDA ITEMS**

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*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**

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- A. Consider and act upon approval of the Minutes from the December 15, 2020 Regular Meeting.**

## **Commission Action**

A motion was made by Commissioner McCrossin, seconded by Commissioner Newsom, to approve the Consent Agenda as presented. A vote was taken and the vote carried 5-0.

## **REGULAR AGENDA**

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- 1. Consider, and act upon, a Site Plan for Truck Storage, on 1.24 acres of Lot 4, Block D of Regency Business Park Phase 2, property located at 218 Regency Drive.**

### **Staff Discussion**

Mr. Molina stated that the applicant is proposing to develop 1.240 acres of land for truck storage use. Basically, staff is recommending denial due to the applicant not addressing the comments from staff.

Mr. Haskins stated that the applicant was not present. The purpose of the recommendation is that the 2019 legislative law requires all submitted site plans to be acted upon by the Planning and Zoning Commission within 30 days of submission. The Zoning Ordinance 2019-23 require the following information and all was missing from the site plan:

- Section 4.3.E.1.a(1): Show landscaping meets 10% requirement
- Section 4.3.E.4.a((2)&(3): Landscaping along street frontage not met
- Section 4.3.E.4.a(4): Sidewalk shall be provided on Hensley
- Section 8.1.C.4.a(5): Provide a vicinity map
- Section 8.1.C.4.d(5): Location of all existing and proposed fire lanes and hydrants
- Section 8.1.C.4.e(2): Location and size of proposed plant materials, including paving.
- Section 8.1.C.4.e(3): Number and type of each landscape element
- Section 8.1.C.4.e(4): Height and type of all fencing or buffering
- Section 8.1.C.4.e(8): Location of visibility triangles where required
- Section 8.1.C.4.g(1): A preliminary drainage plan of the area showing the size and location of each existing and proposed drainage way and retention or detention area.
- Section 8.1.C.4.g(2): The proposed method of providing water and sewer utilities

### **Board Action**

A motion was made by Commissioner McCrossin, seconded by Vice Chair Rogers to disapprove based upon the deficiencies given by staff, the Site Plan for Truck Storage, on 1.24 acres of Lot 4, Block D of Regency Business Park Phase 2, property located at 218 Regency Drive. A vote was taken and the vote carried 5-0.

- 2. Hold a Public Hearing, consider, and act upon, a recommendation to City Council regarding a request for a change of zoning from Multifamily (MF) to Planned Development - Multifamily (PD-MF), to allow for townhome development on 26.653**

**acres located at the northwest corner of County Line Road and Troy Road.  
(ZC2020-17).**

#### Staff Presentation

Mr. Haskins stated that the applicant is requesting to rezone 26.653 acres located on the northwest corner of County Line Road and Troy Road. The property is currently zoned multi-family and was platted in 2017 as townhome development. The applicant desires to develop duplexes, and a few triplexes in lieu of the original platted townhomes development.

The original developer completed the utility and roadway construction but was unable to complete the development as originally planned. The original plan included 165 townhomes in about 25 buildings. The project has been dormant since.

The applicant is requesting to use the completed plat, utilities, and roadway for a duplex and triplex development. The reason for the proposed Planned Development is to allow all end lots to be 30 feet in order to place duplexes. The PD also allows for single car garages.

Notifications were mailed to 21 surrounding property owners, with no responses in favor or in opposition of the request.

#### Board Discussion

Mr. Ryan Joyce, 1189 Waters Edge Drive, Rockwall, applicant for the subject property stated that the property was originally platted as a 165 townhome development, and infrastructure for 72 units completed. Mr. Joyce gave a presentation to the Commissioners stating that the desire is to utilize the existing plat with no changes to the infrastructure. The duplexes (twinhomes) will be approximately 1,200 to 1,500 square feet. The 'twinhomes' will have a single family appeal and increase usable backyard space with increased side yards. The single car garage for each unit will be 225 square feet in lieu of the 500 square feet requirement from the Zoning Ordinance. In addition, a small storage area to the side of the garage will allow trash cans and bicycles.

Commissioners questioned if the layout for the property that does not include infrastructure in place, could be configured according to the zoning ordinance. Mr. Joyce stated that the financial aspect would not allow it to be re-configured. The Commissioners expressed concern for the width of the driveways to be shared with both residents, and recommended widening the driveway on both sides. Mr. Joyce stated that adding double width driveways to each unit is possible.

#### Public Comments

Chair Plunk opened the Public Hearing. With no one approaching the Commissioners, Chair Plunk closed the Public Hearing.

#### Board Action

A motion was made by Vice Chair Rogers, seconded by Commissioner Newsom to recommend approval with conditions of having double wide driveway to the City Council, regarding a request for a change of zoning from Multifamily (MF) to Planned Development - Multifamily (PD-MF), to allow for townhome development on 26.653 acres located at the northwest corner of County Line Road and Troy Road. (ZC 2020-17). A vote was taken and motion carried 5-0.

3. **Hold a Public Hearing, consider, and act upon, a recommendation to City Council regarding a request for a change of zoning from Agricultural District (AG/30) to Planned Development - Multifamily District (PD-MF), to allow for multifamily development on 3.92 acres located at 425 North Ballard Avenue (ZC2020-18).**

#### Staff Presentation

Mr. Haskins stated that the applicant is requesting rezoning to Planned Development - Multifamily to allow for two apartment buildings of 94 units. The applicant is requesting a PD to allow for a dense urban style multifamily development.

The PD Conditions stipulate a density of 24 units per acre versus the 15 units per acre; 1.75 parking space per unit versus 2.00; the square footage for a one bedroom unit to be 650 in lieu of 900 square feet; a building height of 50 feet in lieu of 40 feet and a 4:12 roof pitch in lieu of 8:12.

The PD Conditions also include a five feet in lieu of six feet sidewalk; landscaping every 10 parking spaces in lieu of 12 and a trash compactor in lieu of dumpsters.

Comment forms were mailed to 40 surrounding property owners. Three comment forms received in favor, two were within the 200 feet notification area and one outside the 200 feet notification area, a letter from the Downtown Merchants Association generally in favor of customers. Forty-two comment forms were received in opposition and fourteen were inside the 200 feet notification area and twenty-six were outside the required notification area.

#### Board Discussion

Mr. Gabriel Northington, Cross Architects, 879 Junction, Allen, Texas, representing the architect firm for the subject property, gave a presentation stating that the development will consist of two apartment buildings three-story in height. Seventy of the units will be one bedroom and twenty-four will be two bedrooms, totalling 94 apartment units. The access to the development will be off Ballard and a gated access off North Jackson.

Commissioners questioned if commercial use can be on the first floor. Mr. Colton Tapp, 2250 Sachse Road, applicant, responded that the intent is not to be in competition with downtown merchants, therefore the use will be all multifamily.

Commissioners questioned the boundaries of the Downtown Historic District and to clarify the zoning for Downtown Historic District that does not allow multifamily. Ms. Ollie approached the Commissioners, stating that the boundaries of the Downtown Historic District do not apply to the

subject property; the intent was to allow transition from historic property to residential. Thus not to disrupt the historic use to the south and the residential development to the north and west of the subject property.

### Public Comments

Chair Plunk opened the public hearing.

Sadie Byboth, Kurt Ulmer, Mona Cooper, Alicia Hollins, Jonathan Walk, Christine Walk, Elias Rodriguez, Ross Grant, Keith Huyck, Chris Allen, Jeff Milton, Donna Edge, Blake Herpeche, Hada Hahs, Lucy D. Fenimore and Susan Wilson all approached the Commissioners expressing concern of traffic, height of the buildings, access to North Jackson increasing the traffic, three-story apartments not transitioning from the historic area to single family residential, and the number of variances the applicant is requesting.

Chair Plunk closed the public hearing.

Mr. Tapp approached the Commissioners in response to concerns stating that a six foot wall will be constructed to the north of the property and to the west of the property. The widening of Ballard/Parker by TxDOT will include sidewalks along Ballard.

### Board Discussion

Commissioners expressed major concern of traffic along Ballard and North Jackson, and that the project is not transitional from the historic district to residential district.

### Board Action

A motion was made by Commissioner McCrossin, and seconded by Commissioner Newsom to recommend disapproval to the City Council regarding a request for a change of zoning from Agricultural District (AG/30) to Planned Development - Multifamily District (PD-MF), to allow for multifamily development on 3.92 acres located at 425 North Ballard Avenue (**ZC2020-18**). A vote was taken and carried 5 - 0.

Chair Plunk stated that the meeting will take a ten-minute break at 8:01PM. The meeting resumed at 8:09PM.

- 4. Hold a Public Hearing, consider, and act upon, a recommendation to City Council regarding an amendment to Planned Development 99-32, to allow for a change to the maximum fence height, on 327.5 acres generally located north and east of McMillen Road and McCreary Road (ZC2020-19).**

### Staff Presentation

Mr. Molina stated that the applicant is requesting to amend existing Planned Development Ordinance 1999-32 to allow for a maximum eight foot height fence in lieu of the required six foot maximum fence height.

The Creekside Estates subdivision was established and constructed in 1999. The height of the fence was stipulated in the ordinance. However, due to several homeowners desiring eight foot height fences, the Homeowners Association is requesting the modification.

Notifications were mailed to 766 property owners within 200 feet, 25 comment forms received in favor and two received in opposition of the request.

#### Board Discussion

Mr. Jim Lenox, 3004 Jacob Drive, representative of the Homeowners Association Committee stated that due to the restriction of the height of fence within the current Planned Development, several homeowners requested variance to construct an eight foot fence. This is not a mandatory requirement for the residents of Creekside Estates to construct an eight foot fence, but an option to construct a height maximum of eight feet.

#### Public Comments

Chair Plunk opened the public hearing.

Mr. David Andrews, 3004 Hinnant Drive, spoke in favor of the amendment.

Chair Plunk closed the public hearing.

#### Board Action

A motion was made by Commissioner McCrossin and seconded by Vice Chair Rogers to recommend approval to the City Council regarding an amendment to Planned Development 99-32, to allow for a change to the maximum fence height, on 327.5 acres generally located north and east of McMillen Road and McCreary Road (**ZC2020-19**). A vote was taken and carried 5 - 0.

#### **WORK SESSION**

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**Hold a work session to discuss a townhome multi-family use of property generally located on State Highway 78 north of Brown Street.**

Mr. Haskins stated that the developer is considering a multifamily townhome style use on a 17 acre tract of land located at 901 North State Highway 78.

The purpose of the work session is to determine if the development's current vision and design fits the location, density and aesthetics for the area prior to commencing an in-depth zoning application.

#### Board Discussion

Glenn Lanier, Thomas Hill and Dave Holland, 10210 North Central Expressway, Suite 300, Dallas, Texas, developers for the subject property gave a presentation stating that there is a creek on both sides of the property making it challenging to develop.

The Commissioners expressed desire to have commercial along Highway 78 and multifamily development along Brown. Highway 78 is a prime location for retail. Mr. Holland stated that the property has been dormant for years, concerned if there is a market for commercial use. Commissioners encouraged the developer to contact Wylie Economic Development Corporation to see if property is viable for commercial use in the current or in the future.

Ms. Bradley reminded the Commissioners of the joint work session with the City Council on January 12, 2021. The next Planning and Zoning Meeting is scheduled for February 2, 2021.

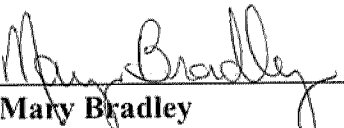
#### **ADJOURNMENT**

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A motion was made by Commissioner Newsom, and seconded by Commissioner McCrossin, to adjourn the meeting at 8:50 PM. A vote was taken and carried 5-0.

  
Cory Plunk, Chair

#### **ATTEST:**

  
Mary Bradley