CITY OF WYLIE

Planning & Zoning Commission

Minutes

Regular Meeting

July 6, 2021 – 6:00 p.m.
Wylie Municipal Complex – Council Chambers
300 Country Club Road, Bldg. 100
Wylie, TX 75098

CALL TO ORDER

Chair Cory Plunk called the regular meeting to order at 6:00PM and announced a quorum present. P&Z Commissioners in attendance: Chair Cory Plunk, Vice Chair Bryan Rogers, Commissioner Joshua Butler, Commissioner Taylor Newsom, Commissioner Jacques Loraine, Commissioner Charla Riner and Commissioner Dan Norris.

Staff present: Mr. Jasen Haskins, Planning Manager, Jenneen Elkhalid, Project Engineer Manager, Kevin Molina, Senior Planner and Mary Bradley, Administrative Assistant II.

INVOCATION & PLEDGE OF ALLEGIANCE

Commissioner Rogers gave the invocation and Commissioner Riner the Pledge of Allegiance.

NOMINATE AND MOTION CHAIR AND VICE CHAIR

A motion was made by Commissioner Rogers and seconded by Commissioner Newsom, to nominate Commissioner Plunk as Chair. A vote was taken and carried 7-0.

A motion was made by Commissioner Newsom and seconded by Commissioner Loraine, to nominate Commissioner Rogers as Vice Chair. A vote was taken and carried 7-0.

CITIZENS COMMENTS ON NON-AGENDA ITEMS

There were no citizens present wishing to address the Commissioners.

CONSENT AGENDA

A. Consider and act upon approval of the Minutes from the June 15, 2021 Regular Meeting.

<u>**Commission Action**</u>

A motion was made by Commissioner Newsom, seconded by Vice Chair Rogers, to approve the Consent Agenda as presented. A vote was taken and the motion carried 7-0.

REGULAR AGENDA

1. **Hold a Public Hearing, to consider, and act upon a recommendation to City Council regarding a request for a change of zoning from Commercial Corridor (CC) to Commercial Corridor Special Use Permit (CC-SUP), to allow for a restaurant with drive-through on 1.022 acres, property located at 2817 W FM 544. (ZC 2021-18)**

Staff Discussion

Mr. Molina approached the Commissioners, stating that the applicant is requesting a SUP on 1.022 acres generally located on the northeast corner of Springwell Parkway and FM 544. The proposed use is for a Dutch Bros Coffee restaurant. In April the City Council amended the Zoning Ordinance to require all new restaurants with drive-throughs to obtain a Special Use Permit.

A preliminary plat for the development was recommended for approval by Planning and Zoning on June 15, 2021 with City Council consideration on July 13, 2021. The applicant is requesting the zoning exhibits to function as the review and approval of the site plan.

The zoning exhibit proposes two access points and 22 parking spaces with one ADA space. The site exceeds the maximum allowed parking, so 13 spaces are a grasscrete surface.

Notifications were mailed to 18 property owners within 200 feet of the property and one response was received in favor and none received in opposition to the request.

Commissioners Discussion

Mr. Sam Moore, Main & Main Capital Group, Frisco, applicant for the request, stated that the restaurant will provide a walk-up under a canopy, but no indoor seating. The drive-through will have dual lanes with employee/runners taking and completing the orders prior to the drive-through window. There will be curb-cut allowing for a left turn from the property onto Springwell Parkway.

Public Comments

Chair Plunk opened the Public Hearing on Item 1 at 6:12 PM. With no citizens approaching the Commissioners, Chair Plunk closed the Public Hearing.

Commission Action

A motion was made by Vice Chair Rogers, and seconded by Commissioner Newsom, to recommend approval to the City Council regarding a change of zoning from Commercial Corridor (CC) to Commercial Corridor Special Use Permit (CC-SUP), to allow for a restaurant with drive-through on 1.022 acres, property located at 2817 W FM 544. (ZC 2021-18). A vote was taken and the motion carried 7-0.

2. **Hold a Public Hearing, to consider, and act upon a recommendation to City Council regarding a request for a change of zoning from Commercial Corridor (CC) to Commercial Corridor Special Use Permit (CC-SUP), to allow for a restaurant with drive-through on 1.37 acres, property located at 499 S State Highway 78. (ZC 2021-16)**

Staff Discussion

Mr. Molina approached the Commissioners, stating that the applicant is requesting a Special Use Permit to allow for a restaurant with drive-through service. The drive-through lane does not contain a menu board and is to only be used for pre-ordered meals. Indoor and patio seating will be available for dine-in patrons.

The proposed development is a remodel of an existing structure with modifications that add a drive-through window, for a restaurant use and an urgent care use. The requested zoning request is to allow the drive-through special use permit. The proposed SUP is for the Chipotle Restaurant only. The original site was developed for a bank and contained a drive-thru and was later converted to a nail salon for personal service use.

The proposed zoning exhibit provides a total of 45 parking spaces with two being ADA accessible, which is 13 over the minimum required 32. Changes made from the existing site layout include removing three existing parking spaces for the placement of a dumpster and adding eleven additional parking spaces, eight of which are 9 feet by 18 feet, with this stipulation included within the SUP conditions.

Sixteen notifications were mailed to surrounding property owners as required by law, no comments were received in favor or in opposition of the request.

Commissioners Discussion

Mr. Clay Cristy, with Claymoore Engineering, representative of the applicant, approached the Commissioners and made a presentation to the Commissioners, stating that the building will have two separate uses. The purpose for the drive-through is to pick up orders only; the food will be ordered through a Mobile App.

Public Comments

Chair Plunk opened the Public Hearing on Item 2 at 6:18PM. With no one approaching the Commissioners, Chair Plunk closed the Public Hearing on Item 2.

Commission Action

A motion was made by Commissioner Norris, and seconded by Commissioner Riner, to recommend approval to the City Council regarding a request for a change of zoning from Commercial Corridor (CC) to Commercial Corridor Special Use Permit (CC-SUP), to allow for a restaurant with drive-through on 1.37 acres, property located at 499 S State Highway 78. (ZC 2021-16). A vote was taken and the motion carried 7-0.

3. **Hold a Public Hearing, to consider, and act upon a recommendation to City Council regarding a request for a change of zoning from Agricultural (AG/30) to Planned Development (PD), to allow for a mixed-use community on 47.29 acres generally located at 2301 FM 1378. (ZC 2021-15)**

Staff Discussion

Mr. Haskins approached the Commissioners, stating that the applicant is requesting to rezone 47.29 acres located at 2301 FM 1378, from Agricultural to a Planned Development to allow for a mixed-use community, consisting of three subdistricts containing a mix of commercial, residential and open space uses.

The commercial subdistrict measures 4.2 acres with frontage along Country Club (FM 1378). This district is planned for commercial structures with permitted uses to generally comply with the Community Retail District with the addition of the following uses allowed by right:

- Financial Institution with drive-thru
- Financial Institution, Alternative
- Car Wash
- Restaurant with drive-thru

The building area proposes 20,000 square feet with 109 parking spaces being provided. The parking ratios are in line with the requirements of the Zoning Ordinance.

The multifamily subdistrict measures 25.2 acres and proposes a mixture of townhomes and single family units with an allowed maximum density of 11 dwelling units per gross acre, or about 25 percent less density than the maximum allowed in the Zoning Ordinance. A total of 187 townhome units and 61 single-family rental homes are proposed on the Zoning Exhibit. The subdistrict provides a total of 529 parking spaces with a parking ratio of approximately 2.1 parking spaces per unit.

The open space subdistrict measures 17.8 acres for a city park. This area includes a four acre pond that will be dedicated to the City after water impoundment concerns are resolved. The developer has proposed splitting the legal costs of resolving impoundment with the City of Wylie, estimated to be $120,000.

An eight foot wide pedestrian trail approximately 3,700 feet in length, is planned. The Parks Board reviewed the dedication and improvements and recommended approval of the open space subdistrict as presented.

Notifications were mailed to sixteen property owners. No responses for or against were received from within city limits. Six responses were received in opposition from property owners outside of the city limits.

<u>Commissioners Discussion</u>

The Commissioners requested the Financial Institution, Alternative and a Car Wash be stricken from an allowed use.

Mr. John Allums with Capstar Real Estate, representing the applicant, gave a short presentation, stating that the applicant will agree to remove the Financial Institution, Alternative and Car Wash from allowed use. Commissioners questioned if there will be parking adjacent to the open space. Mr. Allums stated that 22 parallel parking spaces are provided. Commissioners questioned the water impoundment. Mr. Allums stated that some water rights in the four acre pond are owned by the City of Dallas, and it is a legal issue and does not foresee any issues with City of Dallas resolving the impoundment. It is an expensive process, and the cost to the City of Wylie may be $60,000. The proposed development will create 248 total units, with 187 townhome units and 61 cottages. The majority will be one and two bedroom units with some three bedroom units. The three bedrooms will be three-story townhomes. The townhome and cottages will be a step between single family home and apartment living. All the residential units will be rental property.

Mr. Mike Ogmore, JHP Architects, addressed the Commission, stating that the elevations on the townhomes will be constructed with brick and siding with gable roofs. The garages are hidden from the main street with internal courtyards.

Ms. Sarah Scott, with Kimley-Horn, representing the engineer for the property, stated that a Traffic Impact Analysis was done and found that the proposed development does not have a disproportionate effect on the existing vehicle traffic operations. The proposed site driveways provide the appropriate level of access for the development.

Public Comments

Chair Plunk opened the Public Hearing at 6:55pm for Item 3, asking anyone present wishing to address the Commissioners to come forward.

Sam Struthers addressed the Commissioners with concerns of overcrowding school, number of stories of the townhomes, traffic and water impoundment.

Melissa Kenfield addressed the Commissioners, speaking in favor of this development and stating that property owners have the right to request zoning of the property, and residential units.

Aleksandra Rolfson addressed the Commissioners representing the homeowners association within Riverchase, with concerns about floodplain, traffic impact, drainage, screening of the property and desire to have land donated as open space only.

Clay Monroe addressed the Commissioners with concerns regarding drainage, traffic and screening of the development.

Kent Swaner addressed the Commissioners neither in favor or in opposition to the request, reminding the Commissioners to review drainage, stormwater and number of parking spaces versus parking on the street.

Kelly Hankey addressed the Commissioners with concerns regarding traffic, stormwater drainage, and students to school.

Blake Switzer addressed the Commissioners neither in favor or in opposition to the request, questioning if a fence or screening will be constructed between the adjacent property to the south of the request and if parking for the retail would overlap into the church or school to the south.

Chair Plunk closed the Public Hearing at 7:16pm for Item 3.

Commission Discussion

Mr. Allums addressed the Commissioners stating that a wrought iron fence can be constructed along the north property line by the park. A fence along the south side already exists. He stated that not every townhome will be two or three stories. Commissioners asked the percentage of three story townhomes. After discussion with staff, the Commission requested that 33 percent be three stories and Mr. Allums agreed with the request. The land will be dedicated to the city whether the water impoundment is approved by the City of Dallas or not. A restriction will be made on the number of people living in the units.

Ms. Scott addressed the Commissioners stating that the Traffic Impact Study was done in 2018, with studies done on the current traffic flow numbers all the way up to 2029. Sanitary Sewer easement was recently installed for adjacent development across the applicant's property, and stub outs already provided.

Ms. Elkhalid addressed the Commissioners stating that lift stations are not encouraged, but the drawings of the civil plans are still in the works and have not been approved by the engineering department.

Commission Action

A motion was made by Vice Chair Rogers, and seconded by Commissioner Newsom, to recommend approval to the City Council with conditions to strike Car Wash and Financial Institution, Alternative, construct a fence on the north side of the property line adjacent to the park and allow 33 percent of the development to be three stories. A vote was taken and the motion carried 5-2, with Commissioners Riner and Butler voting in opposition.

4. Consider and act upon appointing a Commissioner to the Comprehensive Master Plan Advisory Committee.

Staff Discussion

Mr. Haskins approached the Commissioners, stating that at the direction of City Council, staff has started work with a consultant for the 2022 Comprehensive Master Plan. One of the first steps in developing a draft plan is to formulate a Citizen Advisory Committee or Comp Plan Advisory Committee, as per the City Council recommendation.

The Committee will have fourteen members. The Committee will meet about once a month for 2 to 3 hours for each meeting and the process is expected to last about one year and be completed by Summer of 2022.

Staff is asking for the Commission to discuss and vote to confirm a member.

Commissioners Discussion

Chair Plunk polled the Commissioners for volunteers. Commissioner Riner and Commissioner Loraine both volunteered to be nominated. Commissioner Newsom questioned time commitment and who is able to forward-think. Commissioner Riner stated that she could make the time and desired to better understand the process for Planning and Zoning Commission and understand the Comprehensive Plan vision. Commissioner Loraine stated that he was retired and is involved with his homeowners association in his subdivision.

Commission Action

A motion was made by Commissioner Newsom, seconded by Commissioner Butler to appoint Commissioner Loraine to be on the Comprehensive Plan Advisory Committee. A vote was taken and the motion carried 5-2.

WORK SESSION

WS1. Hold a work session to discuss the Planning and Zoning Commissions rules, procedures, and responsibilities.

Mr. Haskins went over the rules, procedures and responsibilities with the Commissioners. Staff answered general questions from the Commissioners.

Ms. Bradley mentioned that the next Planning and Zoning Meeting is scheduled for July 20, 2021.

ADJOURNMENT

A motion was made by Commissioner Newsom, and seconded by Vice Chair Rogers, to adjourn the meeting at 8:05 PM. A vote was taken and carried 7-0.

Cory Plunk, Chair

ATTEST:

Mary Bradley