

# Wylie City Council Regular Meeting

April 11, 2023 – 6:00 PM

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



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## CALL TO ORDER

## INVOCATION & PLEDGE OF ALLEGIANCE

## PRESENTATIONS & RECOGNITIONS

PR1. National Public Safety Telecommunicator Week.

PR2. Sexual Assault Awareness Month.

PR3. Blue Star Banner Presentation.

## COMMENTS ON NON-AGENDA ITEMS

*Any member of the public may address Council 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. Council requests that comments be limited to three minutes for an individual, six minutes for a group. In addition, Council is not allowed to converse, deliberate or take action on any matter presented during citizen participation.*

## CONSENT AGENDA

*All matters listed under the Consent Agenda are considered to be routine by the City Council 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. Consider, and act upon, approval of the March 28, 2023 Regular City Council Meeting minutes.
- B. Consider, and act upon, the approval of a request to remodel and extend the existing patio and relocate the ADA ramp on a restaurant use, located at 302 N. Ballard within the Downtown Historic District.
- C. Consider, and act upon, Resolution No. 2023-05(R) supporting a rent-based community to provide economically attainable rental housing for very low to moderate income households, located at 511 W. Brown Street.
- D. Consider, and act upon, a Preliminary Plat for Dominion of Pleasant Valley Phase 7 creating 113 single-family residential lots and five open space lots on 71.635 acres, generally located at the southwest intersection of Dominion Drive and Pleasant Valley Road.
- E. Consider, and act upon, Ordinance No. 2023-12 for an amendment to the Browngate Pointe Planned Development 2020-43 to allow for a modification of the construction schedule terms of the townhome/commercial development. Property generally located on the northeast corner of Brown Street and Sanden Blvd. (ZC 2023-06).
- F. Consider, and act upon, Ordinance No. 2023-13 for an amendment to Planned Development 2014-28 and a zoning change from Commercial Corridor to Planned Development - Light Industrial (PD-LI) to allow for

an expansion of the area where light industrial uses are allowed. Property generally located east of the intersection of Business Way and Commerce Drive (ZC 2023-03).

- G. Consider, and act upon, Ordinance No. 2023-14 for a change in zoning from Agricultural (AG/30) and Commercial Corridor (CC) to Light Industrial - Special Use Permit (LI-SUP) on 14.03 acres generally located on the southwest corner of Old Alanis and West Alanis Drive (ZC 2023-01).

## **REGULAR AGENDA**

1. Hold a Public Hearing, consider, and act upon, a change in zoning from Commercial Corridor (CC) to Commercial Corridor - Special Use Permit (CC-SUP) to allow for a restaurant with drive- thru on 0.7866 acres, property located at 3008 W. FM 544 (ZC 2023-04).
2. Hold a Public Hearing, consider, and act upon, a change in zoning from Manufactured Home (MH) to Commercial Corridor - Special Use Permit (CC-SUP) to allow for a motor vehicle fueling station with convenience store and car wash on 1.793 acres, property located at 1001 S. Highway 78 (ZC 2023-05).
3. Hold a Public Hearing, consider, and act upon, a change in zoning from Commercial Corridor (CC) to Planned Development - Commercial Corridor (PD-CC) on 10.485 acres generally located on the southeast corner of State Highway 78 and Kreymer Lane.
4. Consider, and act upon, Ordinance No. 2023-15 amending Ordinance No. 2022-56, which established the budget for fiscal year 2022-2023; providing for repealing, savings and severability clauses; and providing for an effective date of this ordinance.
5. Consider, and act upon, the denial of a request to construct a residential structure on an existing lot for a new residential/retail office building, located at 308 N. Ballard within the Downtown Historic District.
6. Consider, and act upon, Resolution No. 2023-06(R), approving a Second Amendment to a Chapter 380 Agreement between the City of Wylie and Creekside Fine Grill, LLC, and authorizing the City Manager to execute any necessary documents.
7. Consider and act upon amendments to the Bylaws of the Wylie Economic Development Corporation.

## **WORK SESSION**

- WS1. Discuss the findings of the self-evaluation of facilities, programs, and events in the development of an ADA Transition Plan in accordance with the federally mandated requirement by Title II (State and Local Government) of the Americans with Disabilities Act.

## **RECONVENE INTO REGULAR SESSION**

## **EXECUTIVE SESSION**

## **RECONVENE INTO OPEN SESSION**

*Take any action as a result from Executive Session.*

## **READING OF ORDINANCES**

*Title and caption approved by Council as required by Wylie City Charter, Article III, Section 13-D.*

## **ADJOURNMENT**



## **CERTIFICATION**

I certify that this Notice of Meeting was posted on April 6, 2023 at 5:00 p.m. on the outside bulletin board at Wylie City Hall, 300 Country Club Road, Building 100, Wylie, Texas, a place convenient and readily accessible to the public at all times.

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*Stephanie Storm, City Secretary*

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*Date Notice Removed*

The Wylie Municipal Complex is wheelchair accessible. Sign interpretation or other special assistance for disabled attendees must be requested 48 hours in advance by contacting the City Secretary's Office at 972.516.6020. Hearing impaired devices are available from the City Secretary prior to each meeting.

If during the course of the meeting covered by this notice, the City Council should determine that a closed or executive meeting or session of the City Council or a consultation with the attorney for the City should be held or is required, then such closed or executive meeting or session or consultation with attorney as authorized by the Texas Open Meetings Act, Texas Government Code § 551.001 et. seq., will be held by the City Council at the date, hour and place given in this notice as the City Council may conveniently meet in such closed or executive meeting or session or consult with the attorney for the City concerning any and all subjects and for any and all purposes permitted by the Act, including, but not limited to, the following sanctions and purposes:

Texas Government Code Section:

- § 551.071 – Private consultation with an attorney for the City.
- § 551.072 – Discussing purchase, exchange, lease or value of real property.
- § 551.074 – Discussing personnel or to hear complaints against personnel.
- § 551.087 – Discussing certain economic development matters.
- § 551.073 – Discussing prospective gift or donation to the City.
- § 551.076 – Discussing deployment of security personnel or devices or security audit.



# Wylie City Council

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## AGENDA REPORT

Department: City Secretary  
Prepared By: Stephanie Storm

Account Code: \_\_\_\_\_

### Subject

Consider, and act upon, approval of the March 28, 2023 Regular City Council Meeting minutes.

### Recommendation

Motion to approve the Item as presented.

### Discussion

The minutes are attached for your consideration.

# Wylie City Council Regular Meeting Minutes

March 28, 2023 – 6:00 PM

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



## CALL TO ORDER

Mayor Matthew Porter called the regular meeting to order at 6:01 p.m. The following City Council members were present: Councilman David R. Duke, Councilman Scott Williams, Councilman Timothy T. Wallis (6:05), and Councilman Garrett Mize. Mayor *pro tem* Jeff Forrester and Councilman Dave Strang were absent.

Staff present included: City Manager Brent Parker; Deputy City Manager Renae Ollie; Assistant City Manager Lety Yanez; Police Chief Anthony Henderson; Finance Director Melissa Brown; Digital Media Specialist Kristina Kelly; City Secretary Stephanie Storm; Purchasing Manager Glenna Hayes; City Engineer Tim Porter; Community Services Director Jasen Haskins; Parks and Recreation Director Carmen Powlen; Wylie Economic Development Executive Director Jason Greiner; and various support staff.

## INVOCATION & PLEDGE OF ALLEGIANCE

Councilman Williams led the invocation and Councilman Mize led the Pledge of Allegiance.

## COMMENTS ON NON-AGENDA ITEMS

*Any member of the public may address Council 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. Council requests that comments be limited to three minutes for an individual, six minutes for a group. In addition, Council is not allowed to converse, deliberate or take action on any matter presented during citizen participation.*

Tina Stelnicki, representing the Wylie Chamber of Commerce, thanked the Mayor for his speech at the State of the City and thanked the City Council for attending. Stelnicki spoke about the upcoming awards banquet on April 20, 2023.

Councilman Wallis took his seat at the dias at 6:05 p.m.

## CONSENT AGENDA

*All matters listed under the Consent Agenda are considered to be routine by the City Council 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. Consider, and act upon, approval of the March 14, 2023 Regular City Council Meeting minutes.**
- B. Consider, and act upon, the City of Wylie Monthly Revenue and Expenditure Report for February 28, 2023.**
- C. Consider, and place on file, the City of Wylie Monthly Investment Report for February 28, 2023.**
- D. Consider, and place on file, the monthly Revenue and Expenditure Report for the Wylie Economic Development Corporation as of February 28, 2023.**

- E. Consider, and act upon, the award of a professional services project order (PSPO) #W2023-46-E for Wastewater System Model to Birkhoff, Hendricks & Carter LLP in the amount of \$200,140.00 and authorizing the City Manager to execute any necessary documents.**
- F. Consider, and act upon, a Preliminary Plat for Dominion of Pleasant Valley Phase 6 creating 153 single-family residential lots and two open space lots on 36.113 acres, generally located at the southwest intersection of Dominion Drive and Pleasant Valley Road.**

### **Council Action**

A motion was made by Councilman Duke, seconded by Councilman Williams, to approve the Consent Agenda as presented. A vote was taken and the motion passed 5-0 with Mayor *pro tem* Forrester and Councilman Strang absent.

## **REGULAR AGENDA**

- 1. Hold a Public Hearing to consider, and act upon, an amendment to the Browngate Pointe Planned Development 2020-43, to allow for a modification of the construction schedule terms of the townhome/commercial development. Property generally located on the northeast corner of Brown Street and Sanden Blvd. (ZC 2023-06).**

### **Staff Comments**

Community Services Director Haskins addressed Council stating for this particular zoning case the applicant is asking for amendments to the original construction terms that were in the Planned Development (PD) that was approved in 2020. This was for a mixed-used development which included a commercial property on lot one, track one at the southwest corner, and eight townhome buildings for a total of 39 units. The applicant is requesting to allow for about half of the townhome buildings to be built before the commercial building is started. The original terms of the PD required the commercial building and the townhome buildings to be started at the same time. All of the flat work throughout the entire development is almost completed, they just do not want to start the construction of the commercial building until they get some of the townhomes built. Additionally, the applicant requested, but Planning and Zoning (P&Z) Commission recommended it not be included, to file their final plat without rebuilding the sidewalk that goes along Sanden Boulevard on the west side of the property. The current sidewalk is aged and does not meet current City standards, and under the original PD, the applicant did agree to rebuild that sidewalk to current standards. Once that was removed, P&Z did recommend approval 7-0.

### **Council Comments**

Councilman Williams asked about the flatwork and asked for clarification on what the requested changes are from what was originally approved. Mayor Porter clarified the original development agreement stipulated in order to get a certificate of occupancy (CO) and sell the townhomes they had to have the commercial CO obtained at the same time and now the applicant is requesting to obtain the CO for 22 of the townhomes before getting the CO for the commercial building. Haskins clarified they have done the flatwork and are generally committed to the commercial. Williams asked what leverage the City has that the designated commercial will be commercial once the townhomes are filled. Haskins replied the applicant would only be able to sell 22 townhomes and would not get a CO for the 23rd unit without the commercial being started.

### **Applicant Comments**

Chuck Branch, the applicant, addressed Council stating the original agreement required the foundation to be started at the same time for both the townhomes and commercial building, and now they are requesting to move the foundation for the commercial after the 22nd townhome. Branch clarified, regarding the framing, originally it was at 50 percent and the shell was at 85 percent, and they are now requesting the framing and shell be done at 85 percent, or 33 of the COs. Branch clarified the flatwork has been completed and they have reached out to the EDC to assist with locating tenants for the commercial property.

Williams asked the reason for the requested changes. Branch replied the budget was based on 2020 numbers and with inflation and shortage of materials and labor, they are requesting the City's help so they can push through this and then will start the commercial. Porter confirmed it was related to cash flow. Branch confirmed that was correct.

### **Public Hearing**

Mayor Porter opened the public hearing on Item 1 at 6:17 p.m. asking anyone present wishing to address Council to come forward.

No one came forward for the public hearing.

Mayor Porter closed the public hearing at 6:17 p.m.

### **Council Action**

A motion was made by Councilman Williams, seconded by Councilman Duke, to approve Item 1 as presented. A vote was taken and the motion passed 4-1 with Councilman Wallis voting against and Mayor *pro tem* Forrester and Councilman Strang absent.

2. **Hold a Public Hearing, to consider, and act upon, a change in zoning from Agricultural (AG/30) and Commercial Corridor (CC) to Light Industrial - Special Use Permit (LI-SUP) on 14.03 acres generally located on the southwest corner of Old Alanis and West Alanis Drive (ZC 2023-01).**

### **Staff Comments**

Community Services Director Haskins addressed Council stating the applicant is requesting to rezone about 14 acres in order to do a 100,000-square-foot warehouse distribution center. The use is intended for a facility for coating and pre-manufactured windows. The applicant is requesting in the Special Use Permit (SUP) conditions that the bay doors on the north side of the property face Alanis and have landscape screening, which is not typically allowed under normal zoning. In addition to that, the applicant is going to provide a board-on-board fence along the east side of the property between them and the mobile home park. There were a couple of different options looked at and staff, working with the applicant, felt that was the best option in order to provide division between the two properties. The future land use plan is compatible with the proposed application, and if the zoning is approved, they still have to go through site planning and platting. Haskins reported notification was sent to six surrounding property owners, and one response in favor and none in opposition was received. After a few questions about the nature of the business and operating hours, the Planning and Zoning Commission did recommend approval 7-0.

### **Public Hearing**

Mayor Porter opened the public hearing on Item 2 at 6:21 p.m. asking anyone present wishing to address Council to come forward.

No one came forward for the public hearing.

Mayor Porter closed the public hearing at 6:22 p.m.

### **Council Comments**

Councilman Wallis asked what type of canopy the applicant is proposing. Haskins replied it would be constructed of metal, and staff will ensure the site plan meets the architectural intent of the Zoning Ordinance. Councilman Mize asked when it comes to the intended use for coating premanufactured windows, he wanted to ensure the nearby residents will not experience exposure to chemicals, fumes, and odors and asked if any insight could be provided on that. Haskins replied, from the staff's understanding, the entire operation will take place indoors. Chase Killingsworth, the applicant, addressed Council and clarified the film coating gets run through a laminator machine so there are no toxic fumes, confirmed everything will take place inside, and there will be no discharge from the facility. Councilman Williams asked if staff could speak to the need for the SUP. Haskins replied the Zoning Ordinance does not allow loading or service areas to be seen from a public street without a masonry wall, and the applicant is requesting landscaping instead of a masonry wall. Williams clarified only the side of the building will be facing the street and not the entire front of the building, and it will be along Alanis which is more of a

commercialized street instead of a residential street. Haskins confirmed that was correct. Porter stated he travels this road and would prefer to see landscaping instead of a masonry wall as it would be a nicer look.

### **Council Action**

A motion was made by Councilman Williams, seconded by Councilman Duke, to approve Item 2 as presented. A vote was taken and the motion passed 5-0 with Mayor *pro tem* Forrester and Councilman Strang absent.

3. **Hold a Public Hearing to consider, and act upon, an amendment to Planned Development 2014-28 and a zoning change from Commercial Corridor to Planned Development - Light Industrial (PD-LI) to allow for an expansion of the area where light industrial uses are allowed. Property generally located east of the intersection of Business Way and Commerce Drive (ZC 2023-03).**

### **Staff Comments**

Community Services Director Haskins addressed Council stating the applicant is requesting to expand an existing Planned Development (PD) that was approved in 2014 to allow for light industrial uses on the property. This particular PD will cover lots 5, 6, and 7 and the remainder of the property, lots 1, 2, 3, and 4 which are not part of this zoning case, would remain zoned commercial. The PD conditions do allow for a lumber yard in that particular area and that's the general plan going forward. The PD does also prohibit a list of uses in order to ensure that, should the lumber yard cease to exist, there would not be a light industrial type of use that may be detrimental to any of the residents that are on the north side of the railroad tracks. The future land use plan does call for regional commercial use in this area; therefore, it does meet the intent of the comp plan. Haskins reported notifications were mailed out to 43 surrounding property owners, one returned in favor, and two additional ones received after the packet was posted, one in favor and one against. The Planning and Zoning Commission did ask about the gravel surface that was shown in the exhibit where the lumber yard itself is and once it was explained that fire and engineering were generally okay with the idea they recommended approval 7-0.

### **Public Hearing**

Mayor Porter opened the public hearing on Item 3 at 6:32 p.m. asking anyone present wishing to address Council to come forward.

No one came forward for the public hearing.

Mayor Porter closed the public hearing at 6:32 p.m.

### **Council Comments**

Mayor Porter asked if the detention pond that's indicated is to help solve detention across the site, or does that only assist the back acreage. Jason Greiner, the applicant, replied the detention was drawn as a placeholder that would still allow for a 1.5-acre lumber yard. After calculations were made by the engineering firm, it was determined that lots 1 and 2 will have to detain their own, probably doing underground detention, and then outflow directly into the TxDOT system out front. Lots 3 and 7 do not have to be detained in the system the way that the engineering firm designed it, and there are some options to detain either on lot 4 or detain a little on lots 4, 5, and 6 which allows it to break up. The EDC is currently looking at cost estimates that propose a regional detention solution for lot 4 to see if they can size that appropriately to take detention off the entire site while the infrastructure is being installed. Greiner added if it's an incremental cost increase to minimize at the beginning and solve the problem for everyone, that will help avoid any detention issues. Porter asked what type of fence is proposed around the lumber yard. Haskins replied, in light industrial, chain link is allowed and if the Council desires a different type then that would need to be stated in the PD. Greiner replied if there is a desire to have a different type of screening he can get with their potential development partner on it. Greiner added there is some discussion that if the detention shifts offsite they would like to build three or four buildings and the buildings could potentially screen some of the lumber yard.

### **Council Action**

A motion was made by Councilman Duke, seconded by Councilman Williams, to approve Item 3 as presented. A vote was taken and the motion passed 5-0 with Mayor *pro tem* Forrester and Councilman Strang absent.

4. **Consider, and act upon, the signing of the Memorandum of Understanding (MOU) between Dallas-Fort Worth Regional Intelligent Transportation System Partners concerning guiding principles for multi-agency communication, data, and video sharing and authorizing the City Manager to execute any necessary documents.**

#### **Staff Comments**

City Engineer Tim Porter addressed Council stating in search of finding other sources of income for projects, staff has put together two projects that were submitted to the NCTCOG for their ITS program. Submitting projects does not guarantee funding for the project, but puts the City on a list and if funding becomes available they will reach out to the City. To be placed on the list the NCTCOG requires that they have a signed Memorandum of Understanding with the City. The Memorandum asks that the City share information throughout the region with others about our signals and does not require the City to give any kind of video information or money at this time. Porter added this is a standard form that any city that wants to participate in this program is asked to sign.

#### **Council Comments**

Mayor Porter confirmed that one of the potential future projects that the City is interested in is to try to create a smarter regional traffic signal system specific to Wylie initially with the possibility of integrating in the future with other surrounding entities to improve traffic flow in the region. City Engineer Porter confirmed that was correct, and added the City would like to allow our signals to communicate with one another because as of right now, they cannot do that. Councilman Williams stated that the City just took over the maintenance of 16 signals that were handled by TxDOT when our population surpassed 50,000 and this might be an avenue to help save City tax dollars. City Engineer Porter replied this is a way to possibly get up to 80 percent of funding for a future project if they have funding for it. Councilman Wallis asked to what level, when they say media, data, and video, are they asking for and what can they obtain as some people do not want to be videoed. City Engineer Porter replied it does mention that before any video is shared both parties have to agree; however, signals do not capture video and they do not record; they are simply there to detect cars. Porter added information that may be shared might be locations of vehicles and the number of cars going through. Porter also added this program is in its infancy, and there are a lot of things that have not been decided yet, as far as how the cities are going to interact with one another but it does provide provisions that if there are any major changes all the entities that sign this document will be made aware and it will require approval.

#### **Council Action**

A motion was made by Councilman Mize, seconded by Councilman Williams, to approve Item 4 as presented. A vote was taken and the motion passed 5-0 with Mayor *pro tem* Forrester and Councilman Strang absent.

Mayor Porter recessed the Council into a break at 6:47 p.m.

Mayor Porter reconvened the Council into Regular Session at 6:55 p.m.

### **WORK SESSION**

Mayor Porter convened the Council into a Work Session at 6:55 p.m.

#### **WS1. Discuss the City of Wylie's Tree Survey.**

Parks and Recreation Assistant Director Stowers addressed Council that in 2017, the City contracted with the Davy Resource Group to survey and take inventory of roughly 5,400 trees throughout our City located in public spaces. These areas included the Municipal Complex, athletic complexes at Founders and Community Park, several large roadways including State Highway 78, FM 544, and Brown Street, and a few of our neighborhood parks. This was the first step in eventually moving forward with an urban forest master plan. Stowers reported the current asset management software that Parks and Public Works use does not support GIS very well; therefore, they are unable to load the actual maintenance they do to the trees. The current software is going away by the end of this year as they are being bought out by another company; therefore, Parks and Public Works are looking for another software that can work well with GIS. The first step in creating an urban forest master plan is conducting a tree inventory;



however, staff is recommending holding off on this plan to allow a few staff members to obtain an arborist license, which will give staff the training and knowledge to inventory the trees themselves. Once new software is implemented, and with the help of mobile GPS trackers, staff can log this data themselves and increase their inventory, and will not have to have another survey conducted. Stowers added staff is seeking direction from Council on whether or not staff should pursue reaching out to a contracting firm to start an urban forest master plan, or if Council would rather the City take this in-house and have our staff become licensed. Stowers added it is a short class and it is inexpensive.

Council comments and feedback included: impressed by the data and work that has already been done; ensuring we are looking to do it sustainably so that the data is useful and reliable and something that we can update; being proactive to adding to the trees that we have in our community and our city; an urban forest master plan should be our aspiration for the future, but we need to start small and modestly; do like the idea of equipping our staff with the ability; look at public-facing municipal property first; when looking at software ensure a holistic approach to everything the City manages so that it is not just a tree software, and ensure the City would have control of the data; tracking tree data allows the City to have some variation of trees; having individuals with this knowledge on hand that can update the information themselves and understand the nuances would be beneficial; and it should be done in-house as much as possible.

The direction from Council was to move forward with employees obtaining licenses and purchasing new software that integrates with the City's GIS software.

## **WS2. Discuss property surrounding the northern peninsula of Lavon Lake.**

Deputy City Manager Ollie addressed Council requesting Council's direction on if the City wants to move forward with looking at disannexing roughly 3,850 acres of the northern peninsula, with only about 700 acres being actual land, and the remaining 2,800 acres being water. All of the land is owned by the Corp, is non-taxable, and is undeveloped. The City disannexed Clear Lake Park in 1999 and Princeton would annex this additional area to be continuous to their current City limits. Some considerations include: the sewer would be provided by Princeton as the City does not have any services in that area, it is not within the City's water CCN, this is all Corp property, it is very little land, and for public safety, it is a long way for the City to get over to that side of the lake and Princeton has recently taken over Branch Fire Department. The next steps would include Princeton gathering the metes and bounds, an ordinance would be drafted and brought before Council to disannex the property, and Princeton would then go through the annexation process.

Council questions and comments included whether Princeton is covering 100 percent of the cost to do the disannexation and annexation process, would like Princeton to cover the full cost as this project is at their request, would the City still be contiguous to the small peninsula that is currently within City limits if the City disannexes this piece, with the additional lake footage that they would be bringing into Princeton will they be able to provide services to that or will it still be on the City to provide services to those areas of the lake, if the Corp ever leased the space along the perimeter of the lake would the income be taxable, confirmed staff does not foresee any possible loss of tax revenue in the future, and concerned with losing a little bit of Wylie and any potential future opportunities.

The Council's direction included moving forward with the process of disannexation as long as it is paid for by Princeton.

## **RECONVENE INTO REGULAR SESSION**

Mayor Porter reconvened the Council into Regular Session at 7:21 p.m.

## **EXECUTIVE SESSION**

Mayor Porter convened the Council into Executive session at 7:23 p.m.

**Sec. 551.074. PERSONNEL MATTERS; CLOSED MEETING.**

(a) This chapter does not require a governmental body to conduct an open meeting:

- (1) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or
- (2) to hear a complaint or charge against an officer or employee.

(b) Subsection (a) does not apply if the officer or employee who is the subject of the deliberation or hearing requests a public hearing.

**ES1. Discuss the job performance of the City Manager.****Sec. 551.072. DELIBERATION REGARDING REAL PROPERTY; CLOSED MEETING.**

A governmental body may conduct a closed meeting to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on its negotiating position.

**ES2. Consider the sale or acquisition of properties located at Ballard/Brown, Brown/Eubanks, FM 544/Cooper, FM 544/Sanden, FM 1378/Parker, Jackson/Oak, Regency/Steel, State Hwy 78/Alanis, State Hwy 78/Ballard, and State Hwy 78/Brown.****Sec. 551.087. DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS; CLOSED MEETING.**

This chapter does not require a governmental body to conduct an open meeting:

- (1) to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or
- (2) to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1).

**ES3. Deliberation regarding commercial or financial information that the WEDC has received from a business prospect and to discuss the offer of incentives for Projects: 2013-9a, 2017-6a, 2021-2d, 2021-5a, 2021-6a, 2021-6c, 2021-8a, 2021-9a, 2021-9b, 2021-9f, 2022-9i, 2022-1b, 2022-4d, 2022-7b, 2022-8b, 2022-9f, 2022- 10d, 2022-11a, 2022-12a, 2023-1a, 2023-1b, 2023-1c, 2023-2a, 2023-2b, 2023-2c, 2023-2d, 2023-2e, 2023-3a, and 2023-3b.****RECONVENE INTO OPEN SESSION**

*Take any action as a result from Executive Session.*

Mayor Porter reconvened the Council into Open Session at 9:09 p.m.

**Council Action**

A motion was made by Councilman Wallis, seconded by Councilman Williams, to authorize the Wylie EDC to enter into a Performance Agreement with Project 2023-3a in an amount not to exceed \$7,000. A vote was taken and the motion passed 5-0 with Mayor *pro tem* Forrester and Councilman Strang absent.

**Council Action**

A motion was made by Councilman Duke, seconded by Councilman Williams, to authorize the Wylie EDC to enter into a Performance Agreement with Project 2023-1b in an amount not to exceed \$30,000. A vote was taken and the motion passed 5-0 with Mayor *pro tem* Forrester and Councilman Strang absent.

**ADJOURNMENT**

A motion was made by Councilman Mize, seconded by Councilman Williams, to adjourn the meeting at 9:11 p.m. A vote was taken and the motion passed 5-0 with Mayor *pro tem* Forrester and Councilman Strang absent.

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**Matthew Porter, Mayor**

**ATTEST:**

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**Stephanie Storm, City Secretary**



# Wylie City Council

## AGENDA REPORT

Department: Planning  
 Prepared By: Renae' Ollie

Account Code: \_\_\_\_\_

### Subject

Consider, and act upon, the approval of a request to remodel and extend the existing patio and relocate the ADA ramp on a restaurant use, located at 302 N. Ballard within the Downtown Historic District.

### Recommendation

Motion to approve the Item as presented.

### Discussion

**OWNER: Orduna Fatima Guadalupe**

**APPLICANT: Rodney K. Lewis**

The owner/applicant proposes to extend the existing patio south five feet and relocate the ADA ramp to the front. The current owner purchased the property in 2019 and did a major renovation to the structure including adding outdoor seating.

Previous renovations included constructing a walk-in cooler to the rear, opening up the southside of the building to add a bar on the porch, as well as adding doors and windows.

The plans indicate the side facing porch being extended five feet to the south and the front facing porch being extended three feet and five feet to the west. The porch extensions will have a new half wall exterior. In addition, a storage area will be constructed on the southeast corner of the building and will reuse the original windows. New exterior materials and paint will match existing.

No portion of the new construction shall encroach the existing sidewalks. The new ramp shall meet all ADA requirements prior to the City signing off on final inspection.

The owner desires to begin work in April.

#### HRC Discussion

The Commission voted 5-0 to recommend approval.

# FRANKIE'S CASA REMODEL



PLANS FOR: FRANKIE'S CASA  
PATIO ADDITION  
302 N. BALLARD AVENUE  
WYLLIE, TEXAS 75098

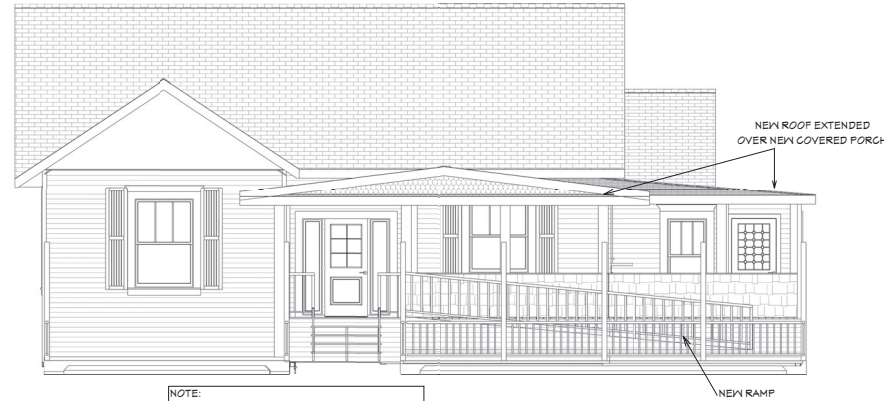
TITLE: COVER SHEET

SHANNON NEWBORN MARK NEWBORN  
**CADAZIGN**  
ROYSE CITY, TEXAS 75189  
469-338-9863  
DRAWN BY:

DATE:  
2/20/2023

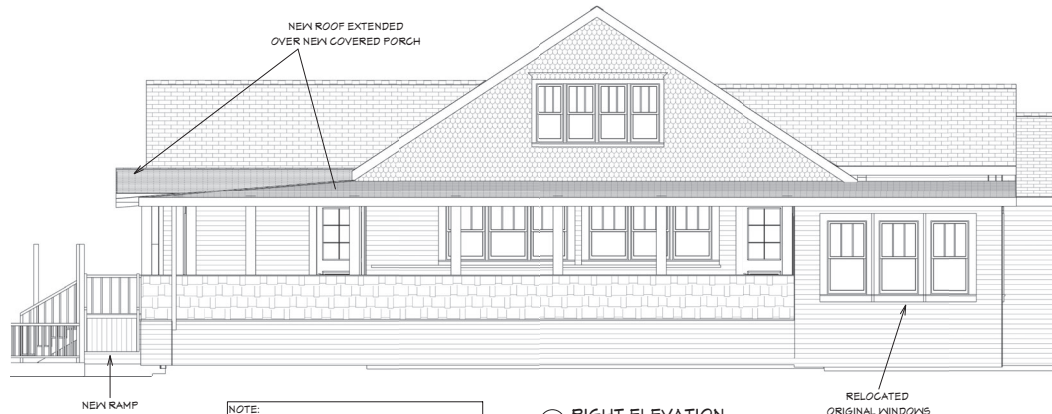
SCALE:  
AS SHOWN

SHEET:  
**A-1**



NOTE:  
1. MATCH EXISTING MATERIAL AND PAINT COLOR.  
2. FIELD VERIFY ROOF PITCH AND DIMENSIONS.

① **FRONT ELEVATION**  
SCALE: 1/4"=1'



NOTE:  
1. MATCH EXISTING MATERIAL AND PAINT COLOR.  
2. FIELD VERIFY ROOF PITCH AND DIMENSIONS.

② **RIGHT ELEVATION**  
SCALE: 1/4"=1'

PLANS FOR:  
FRANKIE'S CASA  
PATIO ADDITION  
302 N. BALLARD AVENUE  
WYLLIE, TEXAS 75098

TITLE:  
ELEVATIONS

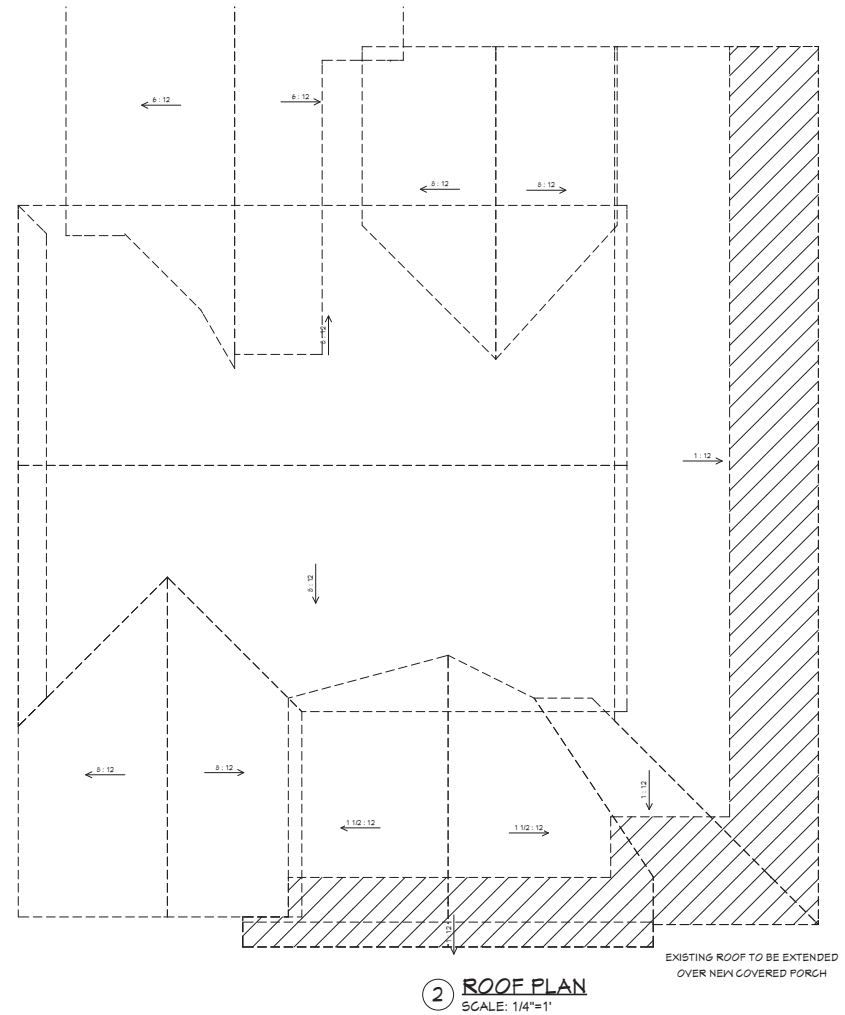
SHANNON NEWSON MARK NEWSON  
**CADAZIGN**  
ROYSE CITY, TEXAS 75189  
469-333-9863  
DRAWN BY:

DATE:  
2/20/2023

SCALE:  
AS SHOWN

SHEET:

**A-3**



17









03/23/2023 Item 2.

04/11/2023 Item B.



# Wylie City Council

## AGENDA REPORT

Department: City Manager  
 Prepared By: Renae Ollie

Account Code: \_\_\_\_\_

### Subject

Consider, and act upon, Resolution No. 2023-05(R) supporting a rent-based community to provide economically attainable rental housing for very low to moderate income households, located at 511 W. Brown Street.

### Recommendation

Motion to approve the Item as presented

### Discussion

#### Owner: Agape Resource and Assistance Center

Representatives of Agape Resource and Assistance Center discussed their potential project (Jericho Village) with Council during a work session in February 2021. As a result of that discussion, the owner has completed the submittal process and zoning and subsequent plans have been approved by Planning and Zoning Commission and City Council.

Jericho Village will provide 38 affordable apartment units with rents based on household income as a percent of Area Median Income with a goal to provide economically attainable rental housing for very low to moderate income households. In addition, empowerment support services will be provided on site and available to all residents in Jericho Village.

The City Council recognizes that there is a need for affordable housing to meet the needs of all persons within the City of Wylie and therefore supports and encourages the development of Jericho Village.

**RESOLUTION NO. 2023-05(R)****A RESOLUTION OF THE CITY OF WYLIE, TEXAS, EVIDENCING SUPPORT FOR A PROPOSED RENT BASED COMMUNITY TO PROVIDE ECONOMICALLY ATTAINABLE RENTAL HOUSING FOR LOW TO MODERATE INCOME HOUSEHOLDS; LOCATED AT 511 W. BROWN STREET.**

**WHEREAS**, Agape Resource & Assistance Center, Inc. a nonprofit corporation that provides housing and transitional services to homeless single women, moms and their children has proposed a new residential development to be located at 511 W. Brown Street, Wylie, Collin County, Texas 75098. The proposed community is to be named Jericho Village,

**WHEREAS**, the City Council of the City of Wylie seeks to encourage and maintain community diversity by ensuring housing choices and homebuyer opportunities to meet the needs of persons of different ages, income and/or social and economic backgrounds and different household and family structures; and

**WHEREAS**, Jericho Village, a new construction development of an urban village of 38 units of affordable apartments to be located at 511 W. Brown Street; and

**WHEREAS**, Jericho Village will provide apartments with rents based on household income as a percent of Area Median Income with a goal to provide economically attainable rental housing for very low, and moderate income households; and

**WHEREAS**, Jericho Village will also provide certain Empowerment Support Services on site that will be available to all residents in Jericho Village. These Empowerment Support Services, including such services as financial literacy education, budget coaching, and assistance with access to childcare, transportation and workforce education, are provided to help residents increase household economic stability; and

**WHEREAS**, the City Council of Wylie, Texas has determined that Jericho Village meets the City of Wylie's community development objectives to sustain affordable housing, reduce household cost burden and fits the affordable housing vision of the City.

**NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS, THAT:**

**SECTION 1:** The City Council of the City of Wylie, Texas recognizes that there is a need for affordable housing to meet the needs of all persons within the City of Wylie, especially for very low to moderate income households, and that City Council supports and encourages the development of Jericho Village.

**SECTION 2:** The City Manager is authorized to take any reasonable and necessary action to effectuate the direction and intention of this Resolution.

**SECTION 3:** This Resolution shall take effect immediately upon its passage.



**DULY PASSED AND APPROVED** by the City Council of the City of Wylie, Texas, this 11<sup>th</sup> day of April 2023.

\_\_\_\_\_  
Matthew Porter, Mayor

ATTEST:

\_\_\_\_\_  
Stephanie Storm, City Secretary



# Wylie City Council

## AGENDA REPORT

**Department:** Planning

**Prepared By:** Jasen Haskins, AICP

**Account Code:** \_\_\_\_\_

### Subject

Consider, and act upon, a Preliminary Plat for Dominion of Pleasant Valley Phase 7 creating 113 single-family residential lots and five open space lots on 71.635 acres, generally located at the southwest intersection of Dominion Drive and Pleasant Valley Road.

### Recommendation

Motion to approve the Item as presented.

### Discussion

**OWNER: Wylie DPV, LP**

**APPLICANT: J. Volk Consulting**

The applicant has submitted a Preliminary Plat for Dominion of Pleasant Valley Phase 7. Zoning for the single-family development was approved by the City Council in October 2020 as Planned Development (PD) Ordinance No. 2020-54.

The plat consists of 113 residential lots and five open space lots. The PD allows for a maximum of 1,104 single-family residential lots. Within Phase 1-7 of the Dominion of Pleasant Valley Development there are 986 residential lots leaving 118 residential lots that can be developed in future phases.

The plat dedicates the necessary rights-of-way and utility easements. Open space lots are to be dedicated to the City of Wylie and maintained by the H.O.A.

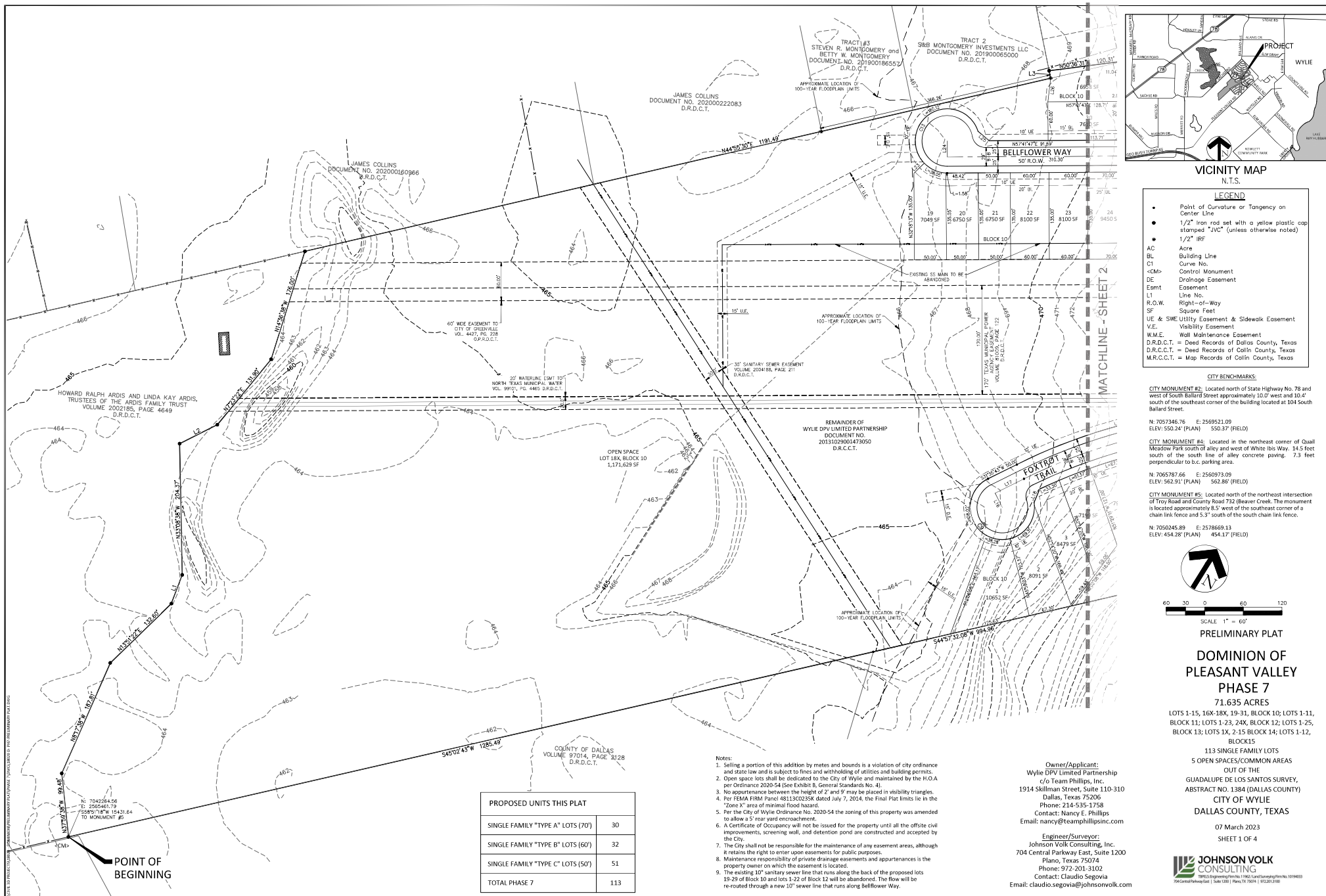
The plat is technically correct and abides by all aspects of the City of Wylie Subdivision Regulations. Approval is subject to additions and alterations as required by the City Engineering Department.

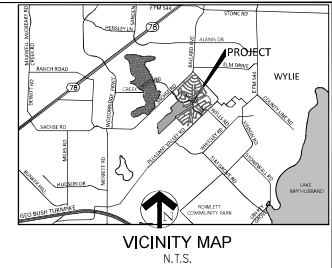
The Planning and Zoning Commission must provide a written statement of the reasons for conditional approval or disapproval to the applicant in accordance with Article 212, Section 212.0091 of the Texas Local Government Code.

### P&Z Recommendation

The Commission voted 7-0 to recommend approval.







**LEGEND**

- Point of Curvature or Tangency on Center Line
- 1/2" Iron rod set with a yellow plastic cap stamped "CVC" (unless otherwise noted)
- 1/2" RF

AC Acre  
BL Building Line  
C1 Curve No.  
C+M Control Monument  
DE Drainage Easement  
Easmt Easement  
L1 Line No.  
R.O.W. Right-of-Way  
SF Square Feet  
UE & SNE Utility Easement & Sidewalk Easement  
V.E. Visibility Easement  
W.M.E. Wall Maintenance Easement  
D.R.D.C.T. = Deed Records of Dallas County, Texas  
D.R.C.C.T. = Deed Records of Collin County, Texas  
M.R.C.C.T. = Map Records of Collin County, Texas

**CITY BENCHMARKS:**

**CITY MONUMENT #2:** Located north of State Highway No. 78 and west of South Ballard Street approximately 10.0' west and 10.4' south of the southeast corner of the building located at 104 South Ballard Street.

N: 7057346.76 E: 2569521.09  
ELEV: 550.24' (PLAN) 550.37' (FIELD)

**CITY MONUMENT #4:** Located in the northeast corner of Quail Meadow Park south of alley and west of White Iris Way. 14.5 feet south of the south line of alley concrete paving. 7.3 feet perpendicular to b.c. parking area.

N: 7055787.66 E: 2560973.09  
ELEV: 562.51' (PLAN) 562.86' (FIELD)

**CITY MONUMENT #5:** Located north of the northeast intersection of Troy Road and County Road 732 (Beaver Creek). The monument is located approximately 8.5' west of the southeast corner of a chain link fence and 5.3' south of the south chain link fence.

N: 7050245.89 E: 2578669.13  
ELEV: 454.28' (PLAN) 454.17' (FIELD)

- Notes:
- Selling a portion of this addition by metes and bounds is a violation of city ordinance and state law and is subject to fines and withholding of utilities and building permits.
  - Open space lots shall be dedicated to the City of Wylie and maintained by the H.O.A. per Ordinance 2020-54 (See Exhibit B, General Standards No. 4).
  - No appearance between the height of 2' and 9' may be placed in visibility triangles.
  - Per FEMA FIRM Panel 4813C0235K dated July 7, 2014, the Final Plat limits lie in the "Zone X" area of minimal flood hazard.
  - Per the City of Wylie Ordinance No. 2020-54 the zoning of this property was amended to allow a 5' rear yard encroachment.
  - A Certificate of Occupancy will not be issued for the property until all the off-site civil improvements, screening wall, and detention pond are constructed and accepted by the City.
  - The City shall not be responsible for the maintenance of any easement areas, although it retains the right to enter upon easements for public purposes.
  - Maintenance responsibility of private drainage easements and appurtenances is the property owner on which the easement is located.
  - The existing 10" sanitary sewer line that runs along the back of the proposed lots 19-29 of Block 10 and lots 1-22 of Block 12 will be abandoned. The flow will be re-routed through a new 10" sewer line that runs along Bellflower Way.

**PROPOSED UNITS THIS PLAT**

SINGLE FAMILY "TYPE A" LOTS (70')	30
SINGLE FAMILY "TYPE B" LOTS (60')	32
SINGLE FAMILY "TYPE C" LOTS (50')	51
<b>TOTAL PHASE 7</b>	<b>113</b>

**PRELIMINARY PLAT**

**DOMINION OF PLEASANT VALLEY**

**PHASE 7**

**71.635 ACRES**

LOTS 1-15, 16X-18X, 19-31, BLOCK 10; LOTS 1-11, BLOCK 11; LOTS 1-23, 24X, BLOCK 12; LOTS 1-25, BLOCK 13; LOTS 1X, 2-15 BLOCK 14; LOTS 1-12, BLOCK 15

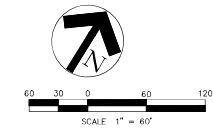
113 SINGLE FAMILY LOTS

5 OPEN SPACES/COMMON AREAS

OUT OF THE GUADALUPE DE LOS SANTOS SURVEY, ABSTRACT NO. 1384 (DALLAS COUNTY)

**CITY OF WYLIE**

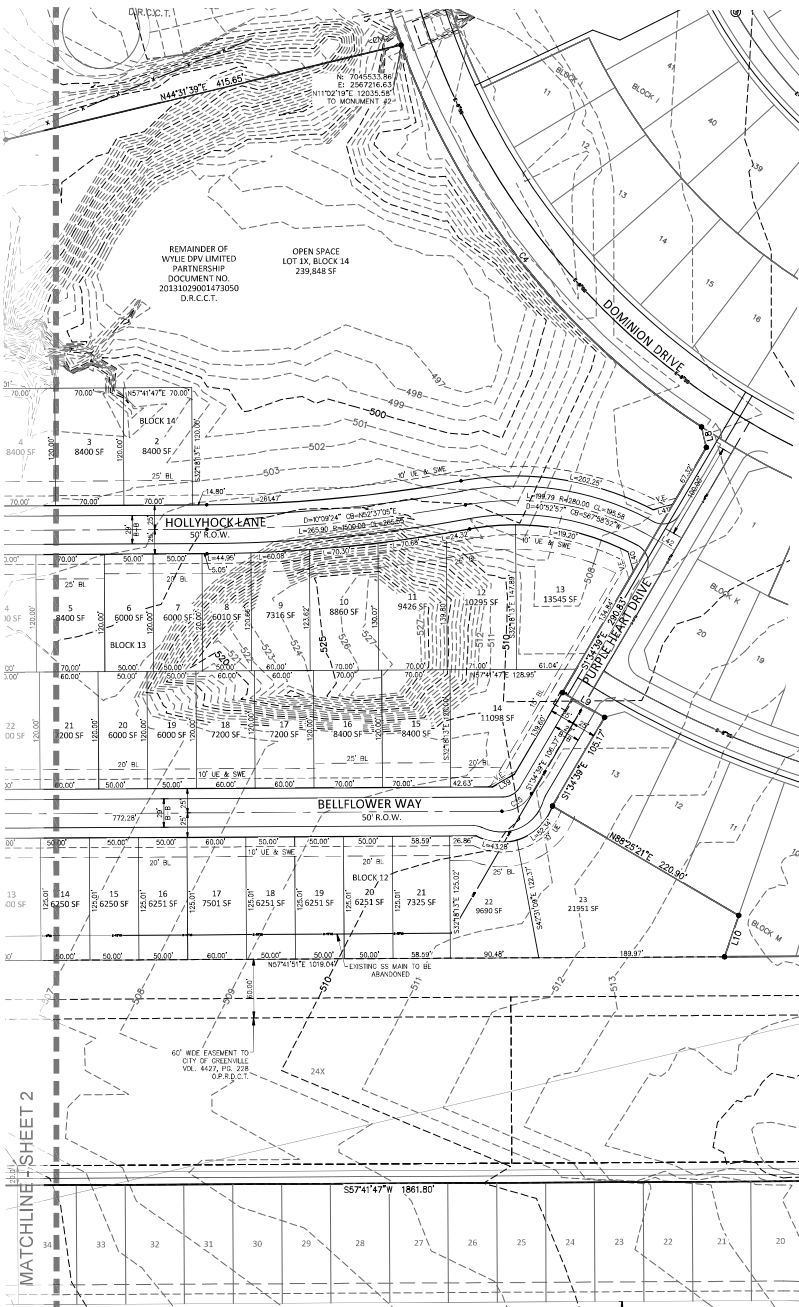
**DALLAS COUNTY, TEXAS**



**Owner/Applicant:**  
Wylie DPV Limited Partnership  
c/o Team Phillips, Inc.  
1914 Skillman Street, Suite 110-310  
Dallas, Texas 75206  
Phone: 214-535-1758  
Contact: Nancy E. Phillips  
Email: nancy@teamphillipsinc.com

**Engineer/Surveyor:**  
Johnson Volk Consulting, Inc.  
704 Central Parkway East, Suite 1200  
Plano, Texas 75074  
Phone: 972-201-3102  
Contact: Claudio Segovia  
Email: claudio.segovia@johnsonvolk.com





## CITY BENCHMARKS:

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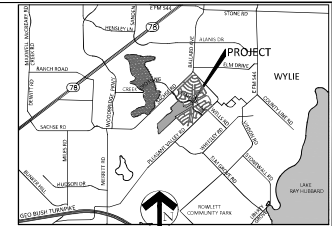
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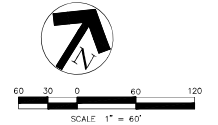
VICINITY MAP  
N.T.S.

## LEGEND

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- 1/2" IRF
- AC Acre
- BL Building Line
- C1 Curve No.
- <CM> Control Monument
- DE Drainage Easement
- ESMT Easement
- L1 Line No.
- R.O.W. Right-of-Way
- SF Square Feet
- UE & SWE Utility Easement & Sidewalk Easement
- V.E. Visibility Easement
- W.M.E. Wall Maintenance Easement
- D.R.C.C.T. = Deed Records of Dallas County, Texas
- D.R.C.C.T. = Deed Records of Collin County, Texas
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DOMINION OF  
PLEASANT VALLEY  
PHASE 7  
71.635 ACRES

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113 SINGLE FAMILY LOTS  
5 OPEN SPACES/COMMON AREAS  
OUT OF THE  
GUADALUPE DE LOS SANTOS SURVEY,  
ABSTRACT NO. 1384 (DALLAS COUNTY)  
CITY OF WYLIE  
DALLAS COUNTY, TEXAS

07 March 2023

SHEET 3 OF 4

**JOHNSON VOLK**  
CONSULTING  
19812 Engineering Parkway, Suite 100, Land Surveying Firm No. 10194653  
4000 Capital Boulevard, Suite 1000, Dallas, TX 75241, 972.221.2100

Owner/Applicant:  
Wylie DPV Limited Partnership  
c/o Team Phillips, Inc.  
1914 Skillman Street, Suite 110-310  
Dallas, Texas 75206  
Phone: 214-535-1758  
Contact: Nancy E. Phillips  
Email: nancy@teamphillipsinc.com

Engineer/Surveyor:  
Johnson Volk Consulting, Inc.  
704 Central Parkway East, Suite 1200  
Plano, Texas 75074  
Phone: 972-201-3102  
Contact: Claudio Segovia  
Email: claudio.segovia@johnsonvolk.com

Line	Length	Direction
L1	47.80	N11°18'38"W
L2	65.70	N31°22'22"E
L3	11.89	N43°30'27"W
L4	50.00	N46°29'25"E
L5	11.04	S43°30'27"E
L6	19.94	S40°38'52"W
L7	50.00	N45°04'54"W
L8	21.49	S45°23'26"E
L9	50.00	N48°25'01"E
L10	44.78	S13°00'10"E
L11	26.86	S12°20'15"W
L12	50.00	S21°01'15"E
L13	25.78	S70°38'15"E
L14	81.89	S45°52'19"E
L15	25.00	S44°50'20"W
L16	25.00	N88°24'17"W
L17	50.00	S31°35'43"W
L18	22.66	N8°49'58"W
L19	21.21	S77°18'15"E
L20	21.21	N12°41'47"E
L21	21.21	N12°41'47"E

Line	Length	Direction
L22	21.21	S77°18'15"E
L23	22.42	N14°02'17"E
L24	24.99	S32°18'13"E
L25	22.75	S81°37'10"E
L26	37.09	N20°08'29"W
L27	21.21	S12°41'47"W
L28	21.21	S77°18'15"E
L29	31.80	S14°17'39"W
L30	21.21	N77°18'15"W
L31	21.06	N02°52'49"W
L32	27.19	S32°18'13"E
L33	21.21	S12°41'47"W
L34	21.21	N77°18'15"W
L35	21.78	N14°14'22"E
L36	21.67	S18°33'41"E
L37	21.31	N89°16'20"E
L38	29.26	N45°31'00"E
L39	26.08	N28°03'34"E
L40	20.88	N47°28'29"W
L41	21.41	N42°29'08"E
L42	24.52	S88°29'27"W

Curve	Length	Radius	Delta	Chord	Chord Bearing
C1	2.24	305.00	000°25'13"	2.24	S43°17'57"E
C2	126.26	333.00	033°3'44"	125.45	N31°18'39"W
C3	53.95	525.00	000°5'34"	53.93	N38°51'45"E
C4	505.73	784.50	030°54'10"	497.02	S70°11'41"E
C5	59.03	300.00	011°12'23"	58.93	S02°41'16"E
C6	40.41	50.00	046°12'31"	39.32	S58°41'16"W
C7	2.70	305.00	000°30'24"	2.70	S69°13'58"W
C8	8.60	255.00	001°50'34"	8.60	N69°56'43"E
C9	108.02	50.00	123°47'00"	68.21	S30°13'30"E
C10	233.69	698.00	019°15'58"	232.60	S48°00'18"W
C11	387.22	850.00	026°06'04"	383.88	S44°38'45"W
C12	95.14	285.00	011°15'57"	95.05	S63°20'16"W
C14	54.75	285.00	011°15'57"	54.67	N37°54'20"W
C15	15.51	350.00	008°25'57"	15.47	S01°54'40"W
C16	84.63	575.00	008°25'57"	84.50	N01°54'40"E
C17	144.43	492.00	015°73'37"	144.19	S26°18'24"E
C18	75.14	500.00	008°36'37"	75.07	S40°13'25"W
C19	57.05	494.00	006°37'00"	57.02	S30°47'26"E
C20	77.89	546.00	009°02'14"	77.83	S24°25'49"E
C21	83.50	400.00	015°73'37"	83.35	S26°19'24"E
C22	284.39	640.00	025°73'37"	280.05	N33°04'23"W
C23	53.99	34.50	089°40'06"	48.69	S89°21'46"W
C24	142.23	50.00	162°54'04"	98.90	S89°09'03"W
C25	35.69	34.50	059°12'48"	34.12	N28°03'34"E







# Wylie City Council

## AGENDA REPORT

Department: Planning  
 Prepared By: Jasen Haskins, AICP

Account Code: \_\_\_\_\_

### Subject

Consider, and act upon, Ordinance No. 2023-12 for an amendment to the Browngate Pointe Planned Development 2020-43 to allow for a modification of the construction schedule terms of the townhome/commercial development. Property generally located on the northeast corner of Brown Street and Sanden Blvd. (ZC 2023-06).

### Recommendation

Motion to approve the Item as presented.

### Discussion

Final approval of Zoning Case 2023-06 requires an Ordinance to amend the zoning accordingly in the Official Zoning map of the City; and providing a penalty clause, a repeal clause, a savings clause, a severability clause, and an effective date.

The subject Ordinance allows for the amended zoning. Exhibit A (Legal Description), Exhibit B (PD Conditions), and Exhibit C (Zoning Exhibit) are included and made a part of this Ordinance.

The above described property shall be used only in the manner and for the purposes provided for in the Comprehensive Zoning Ordinance of the City, as amended herein by the granting of this zoning classification.

## ORDINANCE NO. 2023-12

**AN ORDINANCE OF THE CITY OF WYLIE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF WYLIE, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING ON THE HEREINAFTER DESCRIBED PROPERTY, ZONING CASE NUMBER 2023-06, AMENDING PD 2020-43 TO ALLOW FOR A MODIFICATION TO THE CONSTRUCTION SCHEDULE; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Planning and Zoning Commission and the governing body of the City of Wylie, Texas, in compliance with the laws of the State of Texas with reference to the amendment of the Comprehensive Zoning Ordinance, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally and to owners of the affected property, the governing body of the City is of the opinion and finds that the Comprehensive Zoning Ordinance and Map should be amended;

**NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS:**

**SECTION 1:** That the Comprehensive Zoning Ordinance of the City of Wylie, Texas, be, and the same is hereby, amended by amending the Zoning Map of the City of Wylie, to give the hereinafter described property a zoning classification of Planned Development said property being described in Exhibit A (Legal Description), hereto and made a part hereof for all purposes.

**SECTION 2:** That all ordinances of the City in conflict with the provisions of this ordinance be, and the same are hereby, repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

**SECTION 3:** That the above described property shall be used only in the manner and for the purposes provided for in the Comprehensive Zoning Ordinance of the City, as amended herein by the granting of this zoning classification as described in Exhibit B (PD Conditions) and Exhibit C (Zoning Exhibit).

**SECTION 4:** Any person, firm or corporation violating any of the provisions of this ordinance or the Comprehensive Zoning Ordinance, as amended hereby, commits an unlawful act and shall be subject to the general penalty provisions of Section 1.5 of the Zoning Ordinance, as the same now exists or is hereafter amended.

**SECTION 5:** Should any paragraph, sentence, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision thereof, other than the part so declared to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

**SECTION 6:** This ordinance shall be in full force and effect from and after its adoption by the City Council and publication of its caption as the law and the City Charter provide in such cases.

**SECTION 7:** The repeal of any ordinance, or parts thereof, by the enactment of this Ordinance,

shall not be construed as abandoning any action now pending under or by virtue of such ordinance; nor shall it have the effect of discontinuing, abating, modifying or altering any penalty accruing or to accrue, nor as effecting any rights of the municipality under any section or provisions of any ordinances at the time of passage of this ordinance.

**DULY PASSED AND APPROVED** by the City Council of the City of Wylie, Texas, this 11th day of April, 2023.

---

Matthew Porter, Mayor

ATTEST:

---

Stephanie Storm, City Secretary

*DATE OF PUBLICATION:* April 19, 2023, in The Wylie News



**Exhibit A-1**  
**Legal Description of Townhomes at Browngate Pointe**

Being a tract of land situated in the C. Atterbury Survey, Abstract No. 22 and D. Williams Survey, Abstract No. 1021, City of Wylie, Collin County, Texas said being a part of a tract of land conveyed to Birmingham Land, Ltd, by Special Warranty Deed recorded in Document No. 94-0029675, Deed Records, Collin County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod found at the Southwest corner of the Sanden Boulevard Church Addition, an Addition to the City of Wylie, Collin County, Texas, according to the map recorded in Volume 2013, Page 352, Map Records, Collin County, Texas, said point being on the East right-of-way line of Sanden Boulevard (variable width right-of-way);

THENCE South 88 degrees 23 minutes 58 seconds East, along the South right-of-way line of said Sanden Boulevard Church Addition, passing at a distance of 643.75 feet, a 1/2 inch iron rod, and having a total distance of 645.97 feet to a point for corner on the West line of Lot 1, Block A of Birmingham Farms, Phase 10, an Addition to the City of Wylie, Collin County, Texas, according to the map recorded in Volume 2014, Page 348, Map Records, Collin County, Texas;

THENCE South 01 degrees 18 minutes 10 seconds West, along said West line of Lot 1, Block A, passing at a distance of 383.58 feet, a 1/2 inch iron rod found at the Southwest corner of said Lot 1, Block A, and having a total distance of 403.59 feet to a point for corner on the North right-of-way line of West Brown Street (variable width right-of-way);

THENCE North 88 degrees 39 minutes 30 seconds West, along said North right-of-way line of West Brown Street, a distance of 732.35 feet to a point for corner at the intersection of said North right-of-way line of Brown Street and the aforementioned East right-of-way line of Sanden Boulevard;

THENCE North 01 degrees 27 minutes 43 seconds East, along said East right-of-way line of Sanden Boulevard, a distance of 9.23 feet to a point for corner at the beginning of a curve to the right with a radius of 969.00 feet, a delta of 24 degrees 12 minutes 57 seconds, and a chord bearing and distance of North 13 degrees 34 minutes 11 seconds East, 406.50 feet;

THENCE Northerly along said East right-of-way line of Sanden Boulevard and curve to the left, an arc length of 409.54 feet to the POINT OF BEGINNING and containing 285,453 square feet or 6.55 acres of land.

**EXHIBIT B****Browngate Pointe****Planned Development Standards****(ZONING CASE 2023-06)****I. Purpose:**

The intent of this planned development district is to allow for a gated townhome neighborhood with commercial uses that provides affordable housing for the community of Wylie.

**II. GENERAL CONDITIONS:**

- a. This Planned Development shall not affect any regulations within the 2019 Zoning Ordinances except as provided herein.
- b. The residential and commercial tracts (identified as Tract 2 Lots 1-39 and Tract 1 Lot 1, respectively on the Zoning Exhibit) shall be required to be developed concurrently with the following guidelines:
  1. No more than 22 of the townhome units shall receive a final inspection prior to an approved final foundation inspection by the City of Wylie of the commercial development on Tract 1. Lot 1.
  2. No more than 33 of the townhome units shall receive a final inspection prior to a shell building Certificate of Occupancy by the City of Wylie of the commercial development on Tract 1, Lot 1.
- c. All regulations of the Townhome District (TH) set forth in Article 3, Section 3.3 of the Comprehensive Zoning Ordinance (adopted as of 2019) are hereby replaced with the following:

**Figure B.1 – Townhome (TH)**

<b>Townhome Subdistrict</b>	
<b>Lot Size</b>	
Minimum Lot Area (sq. ft.)	2,950

Minimum End Lot Area (sq.ft.)	3,450
Minimum Lot Width (ft.)	35

Minimum Lot Width of End Lot (ft.)	40
Minimum Lot Depth (ft.)	84.5
Minimum Lot Depth Double Front Lot (ft.)	N/A
<b>Dwelling Regulations</b>	
Minimum Square Footage	1400
Design Standards Level of Achievement	
<b>Yard Requirements – Main Structures</b>	
Minimum Front Yard Setback (ft.)	20
Minimum Side Yard Setback (ft.)	0 for interior, 0 and 5 for Exterior
Minimum Side Yard for Corner Lots (ft.)	15
Minimum Rear Yard Setback (ft.)	25
Minimum Rear Yard Double Front Lots (ft.)	N/A
Maximum Lot Coverage	60%
Height of Structures	
Main Structure (ft.)	40

## II. SPECIAL CONDITIONS

1. Maximum number of Townhome residential lots not to exceed 40 lots
2. A tree survey shall not be required and no trees on the property are classified as protected within the tree preservation section 7.6 of the Zoning Ordinance.
3. H.O.A. shall be established to maintain exterior screening wall, private street(s) and other community features.
4. Average lot size shall be a minimum of 3,180 square feet. Lot sizes shall range from a minimum of 2,950 to a maximum of 4,000.
5. The streets, though private, shall conform to all aspects of the City of Wylie Design Standards in place at the time of construction.
6. Garages shall be a minimum of 400 square feet
7. Parkland will not be dedicated. Fees in lieu of dedication based on current parkland fees at the time of Planned Development adoption
8. As part of construction phase, the sidewalk along Sanden Blvd that does not meet city standard shall be rebuilt to match the current City standard of 5' width meandering.
9. Landscape shall be provided around any detention area in order to screen said area from view of a public right of way. The living screen shall consist of bushes, shrubs, trees, or other mutually agreed upon flora, at a minimum of 18" at planting. The HOA shall be responsible for the maintenance of the screening.

### **III. RESIDENTIAL DESIGN STANDARDS**

#### **1. Architectural Standards:**

##### **a. Building Bulk and Articulation**

In order to avoid large blank facades, variations in the elevation of the residential facades facing the public street shall be provided in both the vertical and the horizontal dimensions. At least 25% of the façade shall be offset of 1 foot either protruding from or recessed back from the remainder of the façade.

##### **b. House Numbers**

All Townhome residential units shall have a wall plaque with the resident

address accenting/matching the exterior wall material beside the main entry of the dwelling unit.

c. Exterior Façade Material

All Townhome residential units shall have exterior building materials as required by Section 3.4 of the September 2019 City of Wylie Zoning Ordinance and the executed Development Agreement attached to this Ordinance.

d. Exterior Façade – Porches

Each Townhome residential unit shall have a combined total covered front or side entry of 50 square feet of floor area.

e. Exterior Structure – Height

Main Structures shall be a maximum of 40 feet in height.

## **2. Repetition of Residential Unit Designs**

Each building within the Planned Development shall contain either 4 or 5 individually platted attached residential units. Each lot within a single structure shall have a different elevation, but each overall building will be similar.

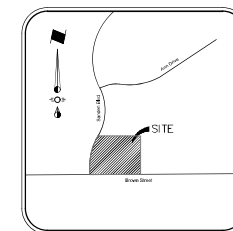
## **3. Neighborhood Features**

- a. This neighborhood shall be enclosed with a combination of masonry and wrought iron fencing.
- b. A landscaped buffer of at least 18 feet in width with a berm of at least three feet in height at a 3:1 slope shall be installed along the Brown Street frontage of Tract 2 (townhome residential lots as shown on Zoning Exhibit).
- c. An automatic sliding gate on each of the two entrances to the proposed private streets to give a gated community secure environment to the Townhome residential units. City services including police and fire protection shall have access to entry for the gates.

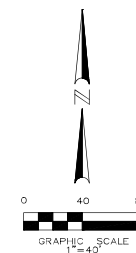
## **IV. COMMERCIAL DESIGN STANDARDS**

- a. Lot 1 of Tract 1 on the zoning exhibit is planned for an approximately 5,900 square feet commercial / office use. The design requirements for this portion of the development shall conform to Article 4 of the 2019 Zoning Ordinance for regulations of development within the Neighborhood Services District.

THIS CONCEPTUAL LAYOUT IS FOR CONCEPTUAL PLANNING PURPOSES ONLY AND HAS NOT BEEN REVIEWED OR APPROVED BY ANY GOVERNING AUTHORITY. IT IS NOT INTENDED TO BE USED FOR BIDDING OR CONSTRUCTION.



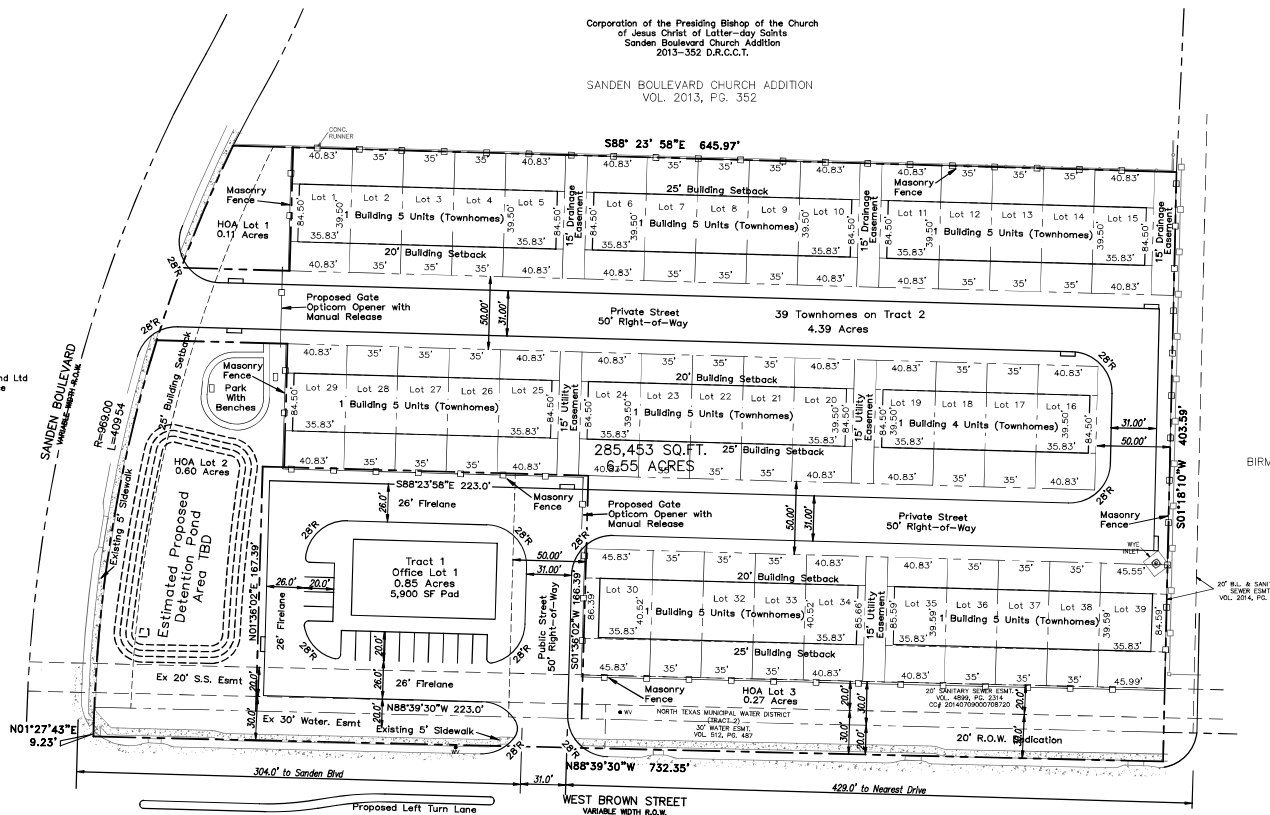
Vicinity Map  
NTS



**JP Engineering**  
700 S Central Expressway, Suite 400 Allen, Texas 75013 972-467-7505  
Texas P.E. Firm Number 14021

6.55 Acres Brown Street & Sanden Blvd  
D Williams Survey, Abstract No. 1021  
City of Wylie, Collin County, Texas  
**CONCEPTUAL LAYOUT**

Townhomes at Browngate Pointe and Shops at Browngate Pointe



PARC at Wylie  
Wylie Apartments LP  
Birmingham Farms Phase 10  
2014-348 D.R.C.C.T.  
LOT 1, BLOCK A  
BIRMINGHAM FARMS, PHASE 10  
VOL. 2014, PG. 348

#### SYNOPSIS

Existing Zoning: SF 10/24  
Proposed Zoning: PD  
Proposed Use: 39 Townhomes & 5,900 sf Office  
Lots: 39 Residential Lots  
3 HOA Lots  
1 Office Lot  
Overall Lot Area: 6.55 Acres Gross  
Office Lot 1 = 0.85 Acres  
Townhomes Lot 2 = 4.39 Acres  
HOA Lot 1 = 0.11 Acres  
HOA Lot 2 = 0.60 Acres  
HOA Lot 3 = 0.27 Acres  
ROW Dedication = 0.33 Acres  
6.55 Acres

Developers Schedule:  
Zoning Change Approval: May 26, 2020  
PPA by City Council: Jul 14  
CMA Approval by City: October 13  
SoD: November 15  
FPAs: May 15, 2021  
Start Vertical Construction: May, 30 2021

**ENGINEER:**  
JP Engineering  
700 S Central Expressway  
Suite 400  
Allen, Texas 75013  
David A. Jones, P.E.  
Project Manager  
Bill Perman  
972-467-7505

**DEVELOPER:**  
TAAS Investments, LLC  
8700 Stonebrook Parkway, #1265  
Frisco, Texas 75034  
Tauheed Siddiqui

No.	Date	Revision

Scale: 1" = 40'
File Name: Concept Plan
Date: 04/10/2023
Project No: 20004

Sheet	of	CL
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# Wylie City Council

## AGENDA REPORT

**Department:** Planning

**Prepared By:** Jasen Haskins, AICP

**Account Code:** \_\_\_\_\_

### Subject

Consider, and act upon, Ordinance No. 2023-13 for an amendment to Planned Development 2014-28 and a zoning change from Commercial Corridor to Planned Development - Light Industrial (PD-LI) to allow for an expansion of the area where light industrial uses are allowed. Property generally located east of the intersection of Business Way and Commerce Drive (ZC 2023-03).

### Recommendation

Motion to approve the Item as presented.

### Discussion

Final approval of Zoning Case 2023-03 requires an Ordinance to amend the zoning accordingly in the Official Zoning map of the City; and providing a penalty clause, a repeal clause, a savings clause, a severability clause, and an effective date.

The subject Ordinance allows for the rezoning. Exhibit A (Legal Description), Exhibit B (PD Conditions), and Exhibit C (Zoning Exhibit) are included and made a part of this Ordinance.

The above described property shall be used only in the manner and for the purposes provided for in the Comprehensive Zoning Ordinance of the City, as amended herein by the granting of this zoning classification.

## ORDINANCE NO. 2023-13

**AN ORDINANCE OF THE CITY OF WYLIE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF WYLIE, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING ON THE HEREINAFTER DESCRIBED PROPERTY, ZONING CASE NUMBER 2023-03, FROM PD 2014-28 AND COMMERCIAL CORRIDOR (CC) TO PLANNED DEVELOPMENT - LIGHT INDUSTRIAL (PD-LI) TO ALLOW FOR EXPANSION OF LIGHT INDUSTRIAL USES; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Planning and Zoning Commission and the governing body of the City of Wylie, Texas, in compliance with the laws of the State of Texas with reference to the amendment of the Comprehensive Zoning Ordinance, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally and to owners of the affected property, the governing body of the City is of the opinion and finds that the Comprehensive Zoning Ordinance and Map should be amended;

**NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS:**

SECTION 1: That the Comprehensive Zoning Ordinance of the City of Wylie, Texas, be, and the same is hereby, amended by amending the Zoning Map of the City of Wylie, to give the hereinafter described property a new zoning classification of Planned Development - Light Industrial (PD-LI) said property being described in Exhibit A (Legal Description), hereto and made a part hereof for all purposes.

SECTION 2: That all ordinances of the City in conflict with the provisions of this ordinance be, and the same are hereby, repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 3: That the above described property shall be used only in the manner and for the purposes provided for in the Comprehensive Zoning Ordinance of the City, as amended herein by the granting of this zoning classification as described in Exhibit B (PD Conditions) and Exhibit C (Zoning Exhibit).

SECTION 4: Any person, firm or corporation violating any of the provisions of this ordinance or the Comprehensive Zoning Ordinance, as amended hereby, commits an unlawful act and shall be subject to the general penalty provisions of Section 1.5 of the Zoning Ordinance, as the same now exists or is hereafter amended.

SECTION 5: Should any paragraph, sentence, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision thereof, other than the part so declared to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 6: This ordinance shall be in full force and effect from and after its adoption by the City Council and publication of its caption as the law and the City Charter provide in such cases.



**SECTION 7:** The repeal of any ordinance, or parts thereof, by the enactment of this Ordinance, shall not be construed as abandoning any action now pending under or by virtue of such ordinance; nor shall it have the effect of discontinuing, abating, modifying or altering any penalty accruing or to accrue, nor as effecting any rights of the municipality under any section or provisions of any ordinances at the time of passage of this ordinance.

**DULY PASSED AND APPROVED** by the City Council of the City of Wylie, Texas, this 11th day of April, 2023.

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Matthew Porter, Mayor

ATTEST:

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Stephanie Storm, City Secretary

*DATE OF PUBLICATION:* April 19, 2023, in The Wylie News

**EXHIBIT A****Legal Description****Lot 5**

Situated in the State of Texas, County of Collin and City of Wylie, being part of the E.C. Davidson Survey, Abstract No. 266, being part of a 4.79 acre tract as recorded under County Clerk No. 20170313000316910, part of a 1.065 acre tract as recorded under County Clerk No. 20140107000015390, and all of a 1.59 acre tract as recorded under County Clerk No. 20131112001531220 of the Collin County Land Records, with said premises being more particularly described as follows:

BEGINNING at a "Boundary Solutions" capped iron rod found at the intersection of the east right-of-way line of Commerce Street (65' right-of-way) with the south right-of-way line of a Dallas Area Rapid Transit Railway (100' right-of-way), marking the northwest corner of said 1.59 acre tract, and the northwest corner of the herein described premises;

THENCE with the south right-of-way line of a Dallas Area Rapid Transit Railway, the north line of said 1.59 acre tract, and partway with the north line of said 4.79 acre tract, North 88°00'40" East (basis of bearings), passing at 255.92 feet a 1" iron pipe found marking the northeast corner of said 1.59 acre tract, the northwest corner of said 4.79 acre tract, and continuing for a total distance of 431.90 feet to a "Roome" capped iron rod set marking the northeast corner of said premises;

THENCE crossing through said 4.79 acre tract, South 02°18'53" West, 319.74 feet to a "Roome" capped iron rod set in a curve, and marking the southeast corner of said premises;

THENCE continuing to cross through said 4.79 acre tract, and the aforementioned 1.065 acre tract as follows: Northwesterly along a curve to the left having a central angle of 03°31'52", for an arc distance of 2.59 feet, with a radius of 42.00 feet (chord = North 85°55'11" West, 2.59 feet) to a "Roome" capped iron rod set marking the end of curve; North 87°41'07" West, 428.10 feet to a "Roome capped iron rod set in the east right-of-way line of Commerce Street, same being the west line of said 1.065 acre tract, and marking the southwest corner of said premises;

THENCE with the east right-of-way line of Commerce Street, the west line of said 1.065 and 1.59 acre tracts, North 02°18'59" East, 287.25 feet to the place of beginning and containing 130,694 square feet or 3.000 acres of land.

**Lot 6**

Situated in the State of Texas, County of Collin and City of Wylie, being part of the E.C. Davidson Survey, Abstract No. 266, being part of a 4.79 acre tract as recorded under County Clerk No. 20170313000316910, part of a 1.065 acre tract as recorded under County Clerk No. 20140107000015390, and all of a 1.59 acre tract as recorded under County Clerk No. 20131112001531220 of the Collin County Land Records, with said premises being more particularly

described as follows:

BEGINNING at a "Boundary Solutions" capped iron rod found at the intersection of the east right-of-way line of Commerce Street (65' right-of-way) with the south right-of-way line of a Dallas Area Rapid Transit Railway (100' right-of-way), marking the northwest corner of said 1.59 acre tract, and the northwest corner of the herein described premises;

THENCE with the south right-of-way line of a Dallas Area Rapid Transit Railway, the north line of said 1.59 acre tract, and partway with the north line of said 4.79 acre tract, North 88°00'40" East (basis of bearings), passing at 255.92 feet a 1" iron pipe found marking the northeast corner of said 1.59 acre tract, the northwest corner of said 4.79 acre tract, and continuing for a total distance of 431.90 feet to a "Roome" capped iron rod set marking the northeast corner of said premises;

THENCE crossing through said 4.79 acre tract, South 02°18'53" West, 319.74 feet to a "Roome" capped iron rod set in a curve, and marking the southeast corner of said premises;

THENCE continuing to cross through said 4.79 acre tract, and the aforementioned 1.065 acre tract as follows: Northwesterly along a curve to the left having a central angle of 03°31'52", for an arc distance of 2.59 feet, with a radius of 42.00 feet (chord = North 85°55'11" West, 2.59 feet) to a "Roome" capped iron rod set marking the end of curve; North 87°41'07" West, 428.10 feet to a "Roome" capped iron rod set in the east right-of-way line of Commerce Street, same being the west line of said 1.065 acre tract, and marking the southwest corner of said premises;

THENCE with the east right-of-way line of Commerce Street, the west line of said 1.065 and 1.59 acre tracts, North 02°18'59" East, 287.25 feet to the place of beginning and containing 130,694 square feet or 3.000 acres of land.

## Lot 7

Situated in the State of Texas, County of Collin and City of Wylie, being part of the E.C. Davidson Survey, Abstract No. 266, being part of a 1.065 acre tract as recorded under County Clerk No. 20140107000015390 of the Collin County Land Records, with said premises being more particularly described as follows:

COMMENCING at a "Boundary Solutions" capped iron rod found at the intersection of the east right-of-way line of Commerce Street (65' right-of-way) with the south right-of-way line of a Dallas Area Rapid Transit Railway (100' right-of-way), and marking the northwest corner of a called 1.59 acre tract as recorded under County Clerk No. 20131112001531220 of the Collin County Land Records;

THENCE with the east right-of-way line of Commerce Street, the west line of said 1.59 acre tract, and the west line of said 1.065 acre tract, South 02°18'59" West, 287.25 feet to a "Roome" capped iron rod set marking the POINT OF BEGINNING, and the northwest corner of the herein described premises;

THENCE crossing through said 1.065 acre tract, South 87°41'07" East, 250.79 feet to a "Roome" capped iron rod set in the east line of said 1.065 acre tract, the west line of a called 4.79 acre tract as recorded under County Clerk No. 20170313000316910 of the Collin County Land Records, and marking the northeast corner of said premises;

THENCE with the east line of said 1.065 acre tract, the west line of said 4.79 acre tract, and the west line of Lot 3, Block 1 of Wallace Industrial Park as recorded in Volume F, Page 243 of the Collin County Map Records, South 03°08'28" West, 163.10 feet to a 5/8" iron rod found marking the southeast corner of said 1.065 acre tract, said premises, and the northeast corner of a called 0.8356 acre tract as recorded under County Clerk No. 20160901001165040 of the Collin County Land Records;

THENCE with the common line between said 0.8356 and 1.065 acre tracts, North 87°26'34" West, 248.44 feet to an "X" found in concrete in the east right-of-way line of Commerce Street, marking the northwest corner of said 0.8356 acre tract, the southwest corner of said 1.065 acre tract and said premises;

THENCE with the east right-of-way line of Commerce Street, and the west line of said 1.065 acre tract, North 02°18'59" East, 162.03 feet to the place of beginning and containing 40,576 square feet or 0.931 acres of land.

## 544 Gateway

### EXHIBIT "B"

#### Conditions For Planned Development

#### I. PURPOSE:

The purpose of this Planned Development is to amend Planned Development Ordinance 2014-28 by expanding the area where the listed light industrial uses are allowed.

#### II. GENERAL CONDITIONS:

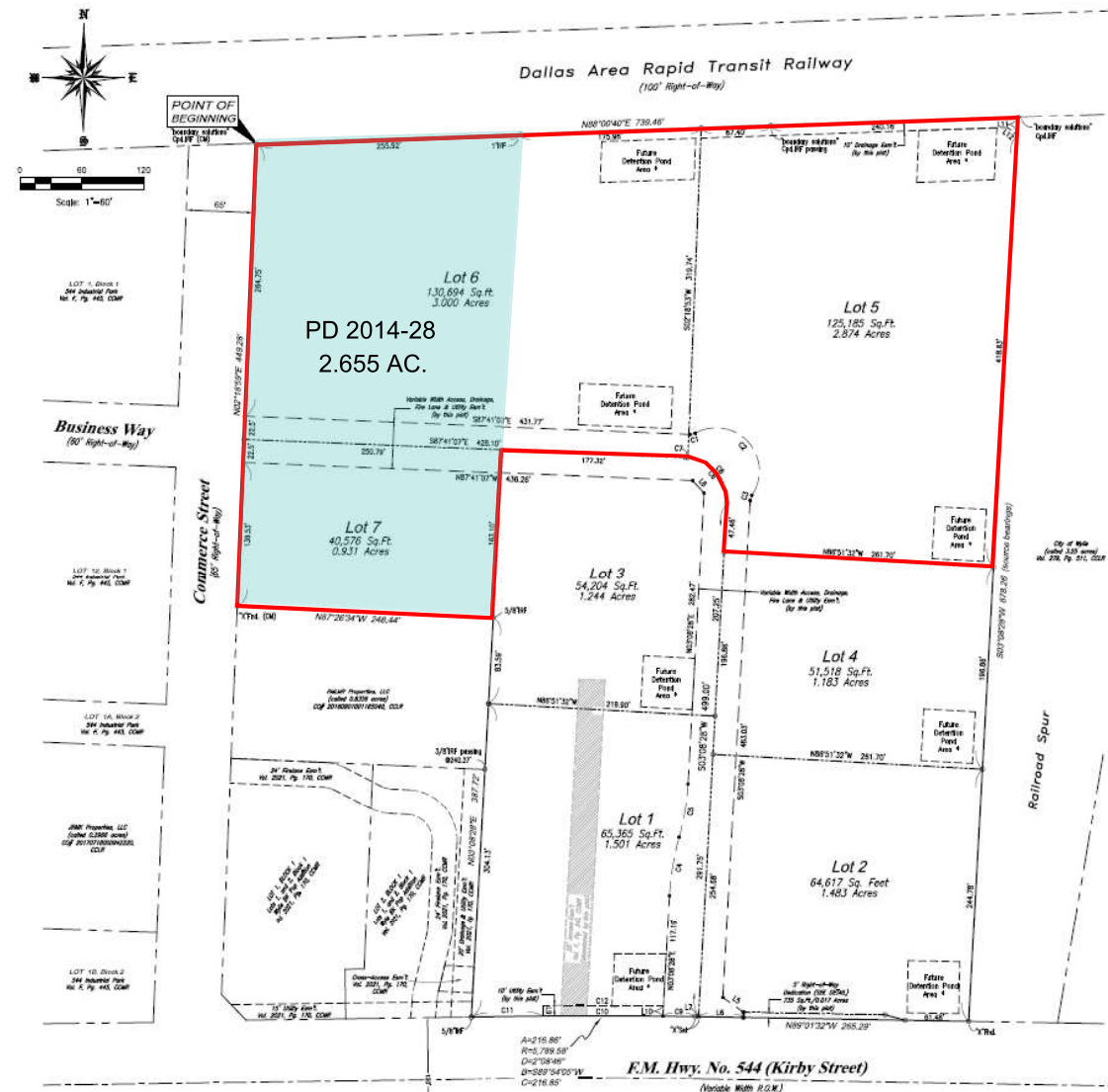
1. This Planned Development shall not affect any regulations within the Zoning Ordinance (adopted as of April 2021), except as specifically provided herein.
2. The design and development of the 544 Gateway development shall take place in general accordance with the Zoning Exhibit (Exhibit C).
3. All regulations of the Light Industrial District (LI) set forth in Article 4, Section 4.2 of the Zoning Ordinance (adopted as of April 2021) are hereby replaced with the following:

<b>Figure 4-5 – Light Industrial District (LI)</b>	
<b>Height</b>	
Height of Main Structure (feet)	50
Number of Stories	4
Residential Proximity	3 : 1 slope from residential lot line
<b>Building Placement and Coverage</b>	
Front Yard Setback (feet)	25
Side Yard Setback (feet)	10
Rear Yard Setback (feet)	25
Lot Coverage	50 %
<b>Buffering and Screening</b>	
Service and Loading Areas	May face a public street or adjacent residential uses

### III. SPECIAL CONDITIONS:

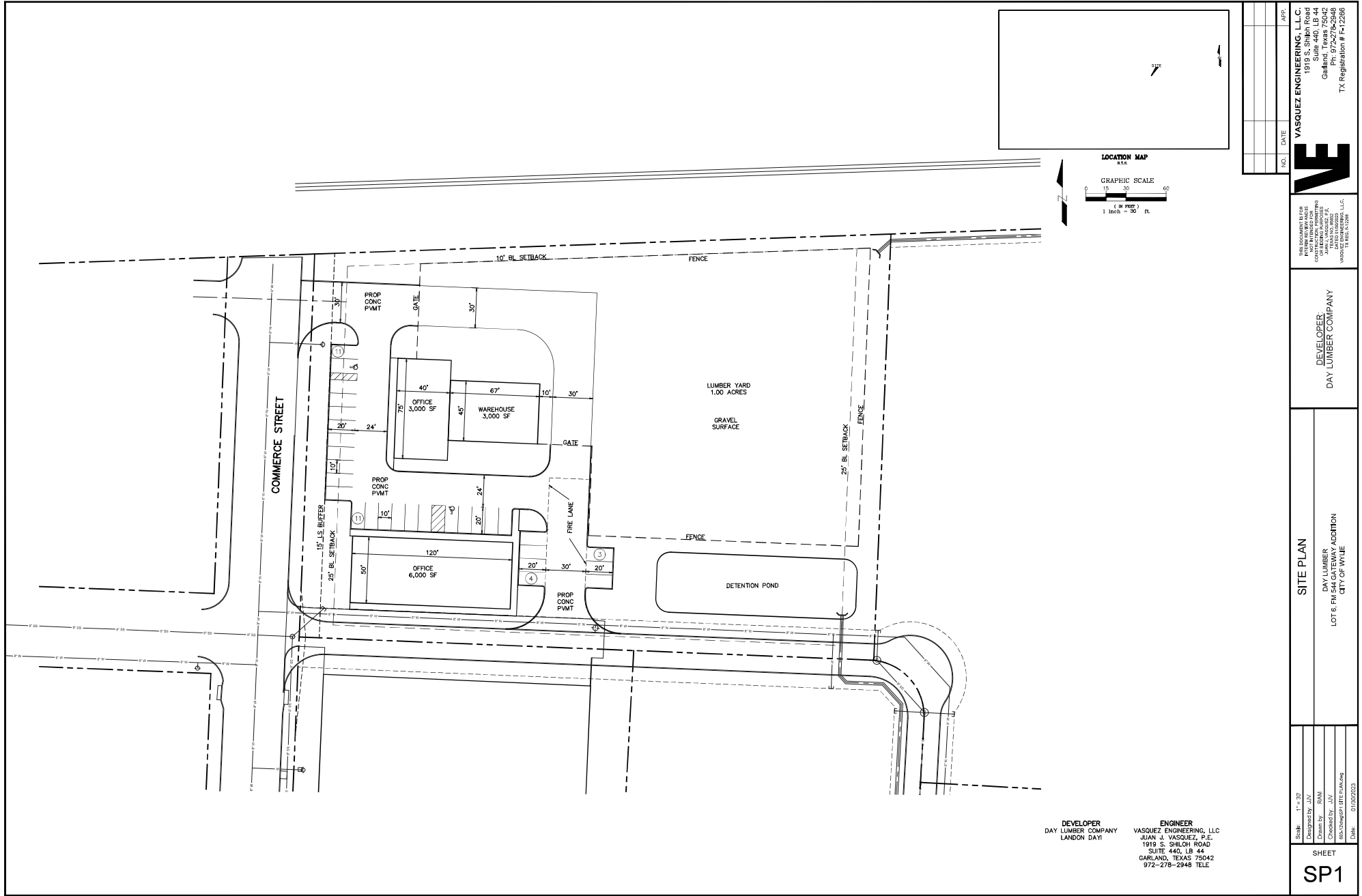
1. The following uses as defined in the Zoning Ordinance shall be permitted as follows on the subject property:
  - a. Contractor's Maintenance Yard with accessory outside storage (Retail, Personnel Service & Commercial or Wholesale, Distribution & Storage) permitted by right.
2. The following uses as defined in the Zoning Ordinance shall be prohibited on the subject property:
  - a. Animal Boarding/Kennel without Outside Pens
  - b. Hotel/Motel
  - c. Financial Institution (with or without drive-thru, Alternative)
  - d. Automobile Rental
  - e. Equipment Rental
  - f. Food Processing
  - g. Motor Vehicle Fueling Station
  - h. Truck Machinery & Heavy Equipment Sales, Service or Repair
  - i. Water Treatment Plant, Reservoir or Water Storage
  - j. Industrial (Outside)
  - k. Mini-warehouse (Self-storage)
  - l. Recycling Collection Center
3. No screening required along the north border along the railroad right-of-way.
4. The area labeled as lumberyard on the Zoning Exhibit (Exhibit C) shall be allowed to be developed with a gravel surface.

# Zoning Exhibit



Area of Existing PD 2014-28 (2.655 AC.)

Area of Proposed (6.805 AC.)



SHEET  
SP1





# Wylie City Council

## AGENDA REPORT

Department: Planning  
 Prepared By: Jasen Haskins, AICP

Account Code: \_\_\_\_\_

### Subject

Consider, and act upon, Ordinance No. 2023-14 for a change in zoning from Agricultural (AG/30) & Commercial Corridor (CC) to Light Industrial - Special Use Permit (LI-SUP) on 14.03 acres generally located on the southwest corner of Old Alanis and West Alanis Drive (ZC 2023-01).

### Recommendation

Motion to approve the Item as presented.

### Discussion

Final approval of Zoning Case 2023-01 requires an Ordinance to amend the zoning accordingly in the Official Zoning map of the City; and providing a penalty clause, a repeal clause, a savings clause, a severability clause, and an effective date.

The subject Ordinance allows for the rezoning. Exhibit A (Legal Description), Exhibit B (SUP Conditions), and Exhibit C (Zoning Exhibit) are included and made a part of this Ordinance.

The above described property shall be used only in the manner and for the purposes provided for in the Comprehensive Zoning Ordinance of the City, as amended herein by the granting of this zoning classification.

## ORDINANCE NO. 2023-14

**AN ORDINANCE OF THE CITY OF WYLIE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF WYLIE, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING ON THE HEREINAFTER DESCRIBED PROPERTY, ZONING CASE NUMBER 2023-01, FROM AGRICULTURAL (AG/30) AND COMMERCIAL CORRIDOR (CC) TO LIGHT INDUSTRIAL - SPECIAL USE PERMIT (LI-SUP) TO ALLOW FOR CERTAIN LIGHT INDUSTRIAL USES; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Planning and Zoning Commission and the governing body of the City of Wylie, Texas, in compliance with the laws of the State of Texas with reference to the amendment of the Comprehensive Zoning Ordinance, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally and to owners of the affected property, the governing body of the City is of the opinion and finds that the Comprehensive Zoning Ordinance and Map should be amended;

**NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS:**

**SECTION 1:** That the Comprehensive Zoning Ordinance of the City of Wylie, Texas, be, and the same is hereby, amended by amending the Zoning Map of the City of Wylie, to give the hereinafter described property a new zoning classification of Light Industrial - Special Use Permit (LI-SUP), said property being described in Exhibit A (Legal Description), hereto and made a part hereof for all purposes.

**SECTION 2:** That all ordinances of the City in conflict with the provisions of this ordinance be, and the same are hereby, repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

**SECTION 3:** That the above described property shall be used only in the manner and for the purposes provided for in the Comprehensive Zoning Ordinance of the City, as amended herein by the granting of this zoning classification as described in Exhibit B (SUP Conditions) and Exhibit C (Zoning Exhibit).

**SECTION 4:** Any person, firm or corporation violating any of the provisions of this ordinance or the Comprehensive Zoning Ordinance, as amended hereby, commits an unlawful act and shall be subject to the general penalty provisions of Section 1.5 of the Zoning Ordinance, as the same now exists or is hereafter amended.

**SECTION 5:** Should any paragraph, sentence, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision thereof, other than the part so declared to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

**SECTION 6:** This ordinance shall be in full force and effect from and after its adoption by the City Council and publication of its caption as the law and the City Charter provide in such cases.

**SECTION 7:** The repeal of any ordinance, or parts thereof, by the enactment of this Ordinance, shall not be construed as abandoning any action now pending under or by virtue of such ordinance; nor shall it have the effect of discontinuing, abating, modifying or altering any penalty accruing or to accrue, nor as effecting any rights of the municipality under any section or provisions of any ordinances at the time of passage of this ordinance.

**DULY PASSED AND APPROVED** by the City Council of the City of Wylie, Texas, this 11th day of April, 2023.

\_\_\_\_\_  
Matthew Porter, Mayor

ATTEST:

\_\_\_\_\_  
Stephanie Storm, City Secretary

*DATE OF PUBLICATION:* April 19, 2023, in The Wylie News

## Exhibit A

### Legal Description

Being a tract of land, situated in the R. D. Newman Survey, Abstract No. 660, in the City of Wylie, Collin County, Texas, and being a part of that called 10.85 acre tract of land, described in deed to The Easterling Family Limited Partnership, as recorded in Volume 5644, Page 5261, of the Deed Records, Collin County, Texas (D.R.C.C.T.) and being all of that called 6.52 acre tract, described in deed to Wylie Economic Development Corporation, as recorded under Document No. 20141216001362890, of the Official Public Records, Collin County, Texas (O.P.R.C.C.T.), said tract being more particularly described, as follows:

BEGINNING at a 5/8" iron rod found for the northeasterly corner of said 6.52 acre tract, same being in the westerly line of GLEN KNOLL MOBILE HOME PARK, an addition to the City of Wylie, as recorded in Volume E, Page 5, of the Map Records, Collin County, Texas (M.R.C.C.T.), same being in the southeasterly monumented line of Alanis Drive;

THENCE South 00°22'28" West, along the common line between said 6.52 acre tract and GLEN KNOLL MOBILE HOME PARK, a distance of 1078.65' to a point for corner, being the southeasterly corner of said 6.52 acre tract, same being the southwesterly corner of said GLEN KNOLL MOBILE HOME PARK, said corner also being in the northerly line of Lot 1, Block B, of WOODBRIDGE GOLF CLUB, an addition to the City of Wylie, as recorded in Volume L, Page 246, M.R.C.C.T., from which a 3/8" iron rod found bears, North 00°22'28" East, a distance of 1.96';

THENCE North 88°29'28" West, along the common line between said 6.52 acre tract and said Lot 1, a distance of 284.12' to a point for corner, being the southwesterly corner of said 6.52 acre tract, same being the southeasterly corner of said 10.85 acre tract, from which a 1/2" iron rod found bears, South 50°22'35" East, a distance of 1.11', and from also which a 5/8" iron rod found bears, North 00°25'28" East, a distance of 2.10';

THENCE along the common line between said 10.85 acre tract and said Lot 1, the following (2) two courses and distances:

1. North 88°29'28" West, a distance of 54.77' to a 1/2" iron rod found for an angle point;

2. North  $88^{\circ}44'43''$  West, a distance of 298.51' to a 1" iron pipe found for the southwesterly corner of said 10.85 acre tract, same being the southeasterly corner of a called 10.85 acre tract, described in deed to Larry Van Nelson and wife, Polly H. Nelson, as recorded under County Clerk's File No. 96-0103920, D.R.C.C.T.;

THENCE North  $00^{\circ}18'43''$  East, along the common line between said 10.85 acre (Easterling tract) and said 10.85 acre (Nelson tract), a distance of 920.51' to a point for corner in the southerly monumented line of Alanis Drive, same being in a curve to the left, having a radius of 920.00', a central angle of  $39^{\circ}58'49''$ , and a chord which bears, North  $78^{\circ}11'48''$  East, a chord distance of 629.02';

Thence along said curve to the left, in a northeasterly direction, passing a  $5/8$ " iron rod found along said arc at a distance of 357.91', and continuing in all, a total arc length of 641.97' to a point for corner, being at the beginning of a curve to the right, having a radius of 800.00', a central angle of  $01^{\circ}57'37''$ , and a chord which bears, North  $59^{\circ}13'52''$  East, a chord distance of 27.37';

Thence along said curve to the right, in a northeasterly direction, an arc length of 27.37' to the POINT OF BEGINNING and containing 611,158 square feet or 14.030 acres of land, more or less.

## STEALTH BTS

### EXHIBIT “B”

#### CONDITIONS FOR SPECIAL USE PERMIT

#### **I. PURPOSE:**

The purpose of this special use permit is to allow for the Warehouse / Distribution Center use within the Light Industrial District.

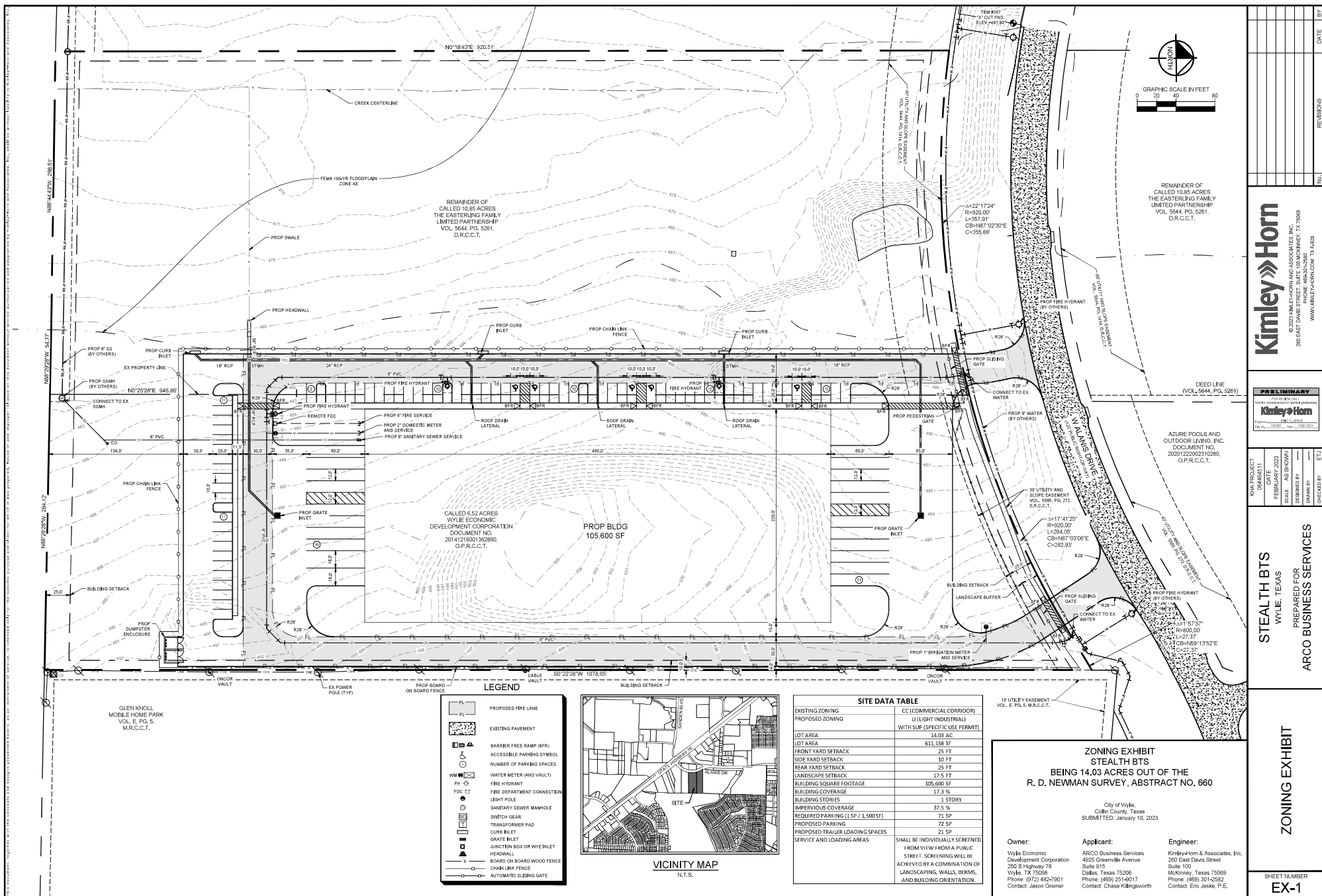
#### **II. GENERAL CONDITIONS:**

1. This exhibit shall not affect any regulations within the Zoning Ordinance (adopted as of April 2021 and amended April 2022), except as specifically provided herein.
2. The design and development of the Warehouse / Distribution Center shall be in accordance with Section III below and the Zoning Exhibit (Exhibit “C”).

#### **III. SPECIAL CONDITIONS:**

1. The following listed use as defined in Article 5 of the Zoning Ordinance (adopted as of April 2021) and as depicted in the Zoning Exhibit (Exhibit “C”) shall be allowed by-right:
  - a. Warehouse / Distribution
  - b. General Office
  - c. Office Showroom / Warehouse
  - d. Light Assembly & Fabrication
  - e. Industrial (Inside)
2. The subject property shall be developed in conformance with all regulations of the Light Industrial Zoning District set forth in, Section 4.3, and Section 5.2 of the Zoning Ordinance (adopted as of April 2021) in every respect with exception to the uses indicated in Section III.1, above
3. Design criteria shall be in conformance with Light Industrial Architectural Design Requirements of the Zoning Ordinance (adopted as of April 2021), except as follows:

- a. Façade offsets to be achieved via canopies above dock doors on the north side of the building and above entrances along the west side of the building.
- b. Landscaped screening shall be provided on the north side of the loading area along West Alanis Drive.



**Kimley-Horn**

© 2023 KIMLEY-HORN AND ASSOCIATES, INC.  
260 EAST DAVIS STREET, SUITE 100, MCKINNEY, TX 75069  
PHONE: (469) 301-2582  
WWW.KIMLEY-HORN.COM

**PRELIMINARY**

Kimley-Horn

WHA PROJECT  
DATE  
FEBRUARY 2023  
SCALE  
AS SHOWN  
DESIGNED BY  
DRAWN BY  
CHECKED BY  
ETC.

**STEALTH BTS**  
WYLIE, TEXAS  
PREPARED FOR  
ARCO BUSINESS SERVICES

**ZONING EXHIBIT**

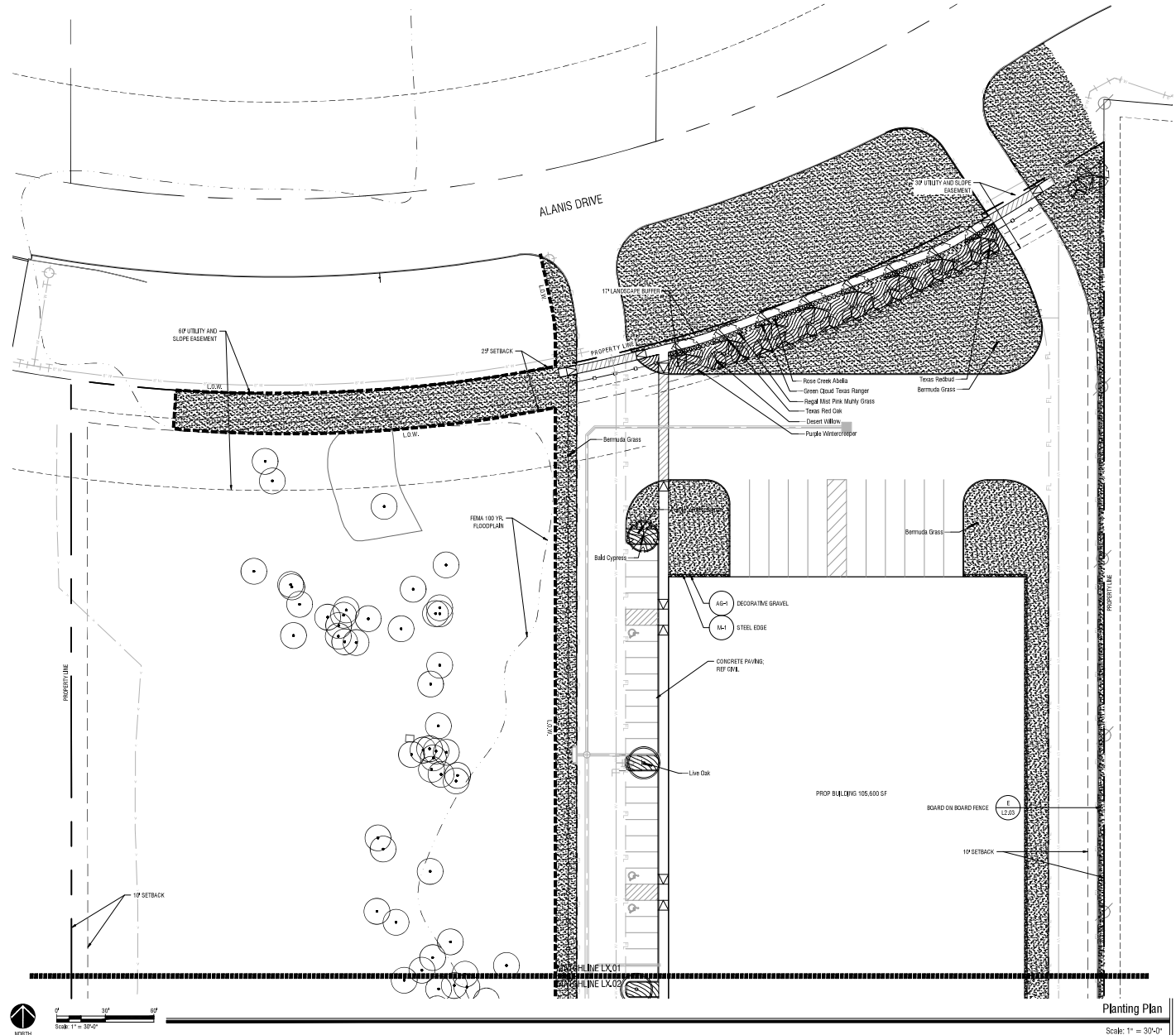
SHEET NUMBER  
**EX-1**



## 55

[illegible]

A(=1)	DECORATIVE GRAVEL (BULKING) TYPE: _____ QTY: _____ INSTALL: _____ SUPPLIER: _____ PROJECT: _____ APPROVAL: _____	TILAS GRASS 1" x 2" x 8" (DEPTH, REF. DETAILS) REF. DETAILS: _____ JEWELL 1.14A-57.574 SAMPLE: MCKIPP
1/1-1	STEEL EDGE (AT PLANTING) MATERIAL: _____ COLOR: _____ LENGTH: _____ REF. DETAILS: _____ APPROVAL: _____	3/16" x 3" STEEL PLATE POWDERCOATED (COLOR BLACK) LENGTH: 10' PLANTING REF. DETAILS: ALL JOINTS TO BE FLUSH AND LEVEL CUT SHIRT, SAMPLE
M(=2)	STEEL EDGE (AT PLANTING) MATERIAL: _____ COLOR: _____ LENGTH: _____ REF. DETAILS: _____ APPROVAL: _____	1/8" x 3" STEEL PLATE POWDERCOATED (COLOR BLACK) LENGTH: 10' PLANTING REF. DETAILS: ALL JOINTS TO BE FLUSH AND LEVEL CUT SHIRT, SAMPLE



**Kimley»»Horn**  
© 2022 KIMLEY-HORN AND ASSOCIATES, INC.  
200 EAST DAVIS STREET, SUITE 100, MCKINNEY, TX 75069  
PHONE: 469-301-2580 FAX: 972-250-3620  
WWW.ATILE-HORN.COM TX F-428

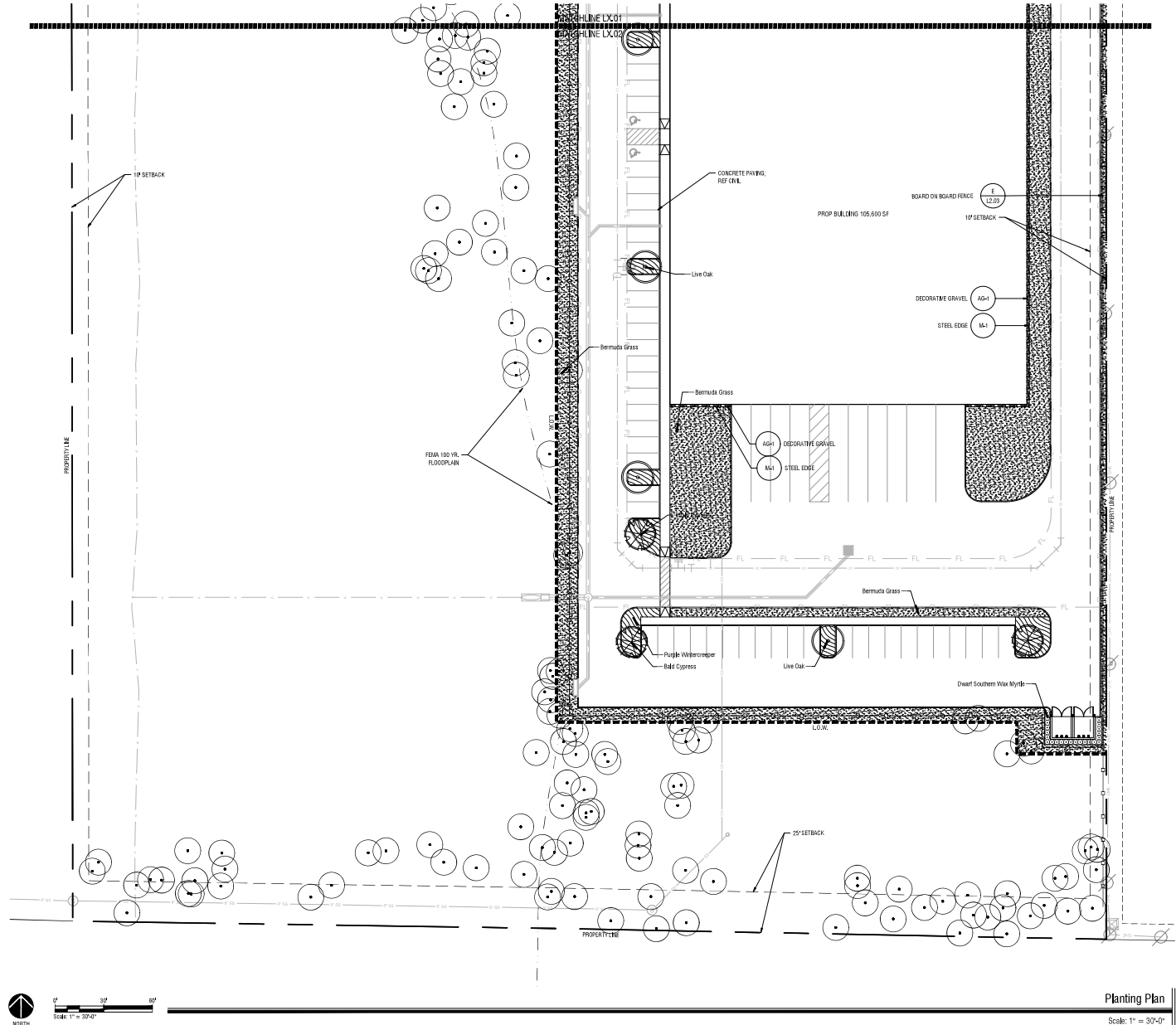
<b>PRELIMINARY</b>	
FOR REVIEW ONLY Not for construction or permit purposes	
<b>Kinley &amp; Horn</b>	
Project	Country Club
L.A. No.	DATE 02-08-2019

KHA PROJECT	DATE	SCALE	AS SHOWN	N/A	N/A	CL
06822110	FEBRUARY 2023	DESIGNED BY			DRAWN BY	
		CHECKED BY				

**STEALTH BTS**  
WYLLIE, TEXAS  
PREPARED FOR  
**ARCO BUSINESS SERVICES**

PLANTING PLAN

SHEET NUMBER  
L2.01

[illegible]

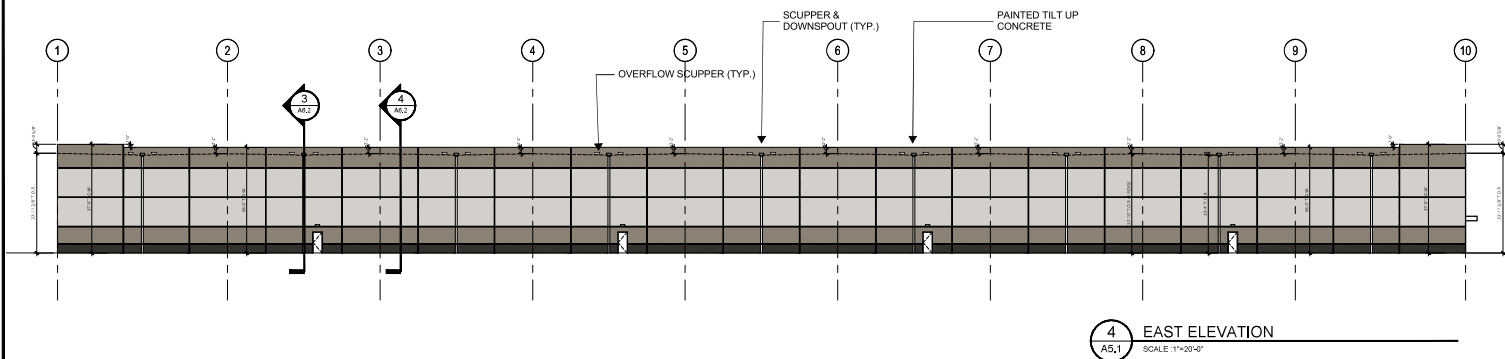
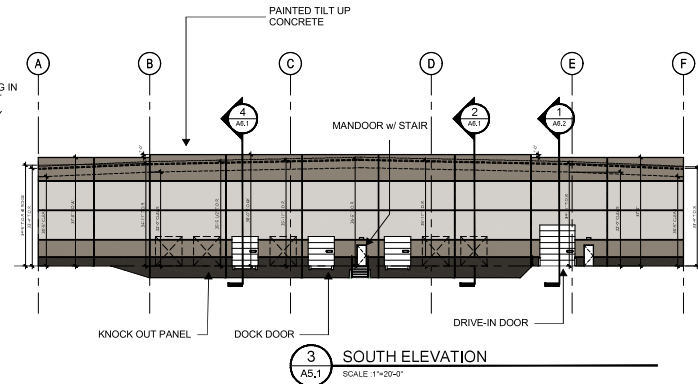
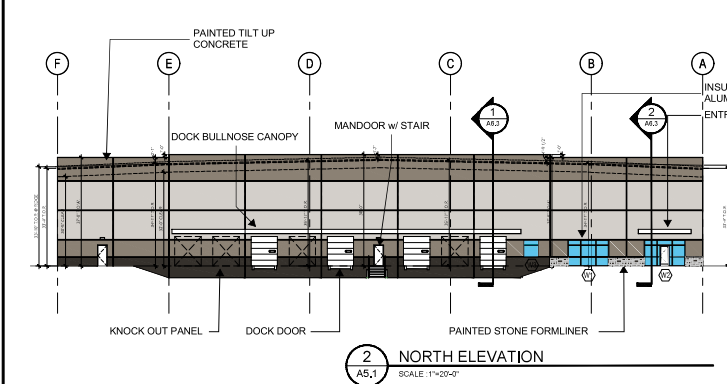
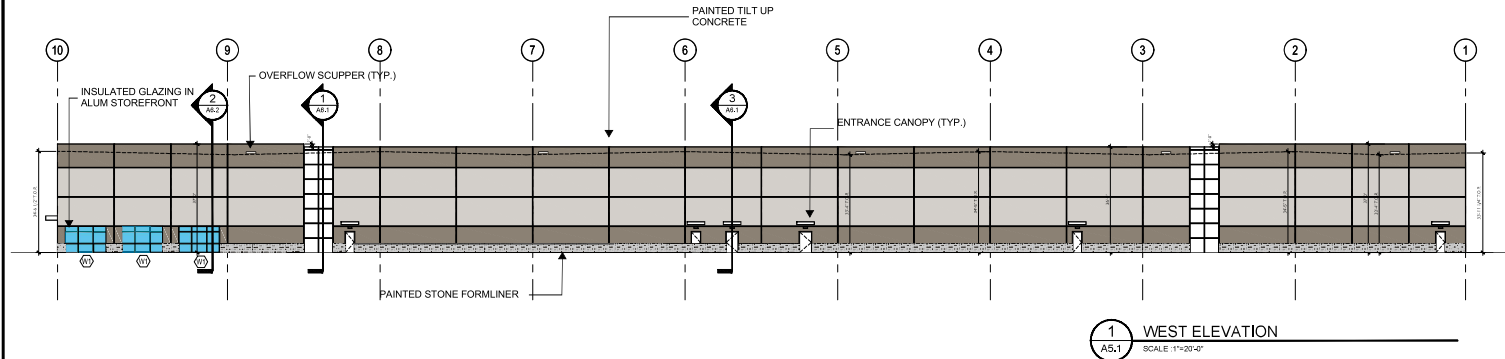
<b>PRELIMINARY</b>	
FOR REVIEW ONLY Not for construction or permit purposes	
<b>Kinley+Horn</b>	
P.O. #	Contract #
L.R. No.	Date

KHA PROJECT	DATE	SCALE	AS SHOWN	N/A	N/A	CL
068222110	FEBRUARY 2023	DESIGNED BY				
		DRAWN BY				
		CHECKED BY				

**STEALTHBTS**  
WYLIE, TEXAS  
PREPARED FOR  
**ARCO BUSINESS SERVICES**

## PLANTING PLAN

SHEET NUMBER  
L2.02



# ELEVATION KEY NOTES

- 1 TILT-UP CONCRETE PANELS W/ REVEALS (PAINTED). REFER TO STRUCTURAL DRAWINGS FOR ADDITIONAL INFO.
- 2 TILT-UP CONCRETE FLAT PANELS W/ REVEALS (PAINTED) AND FORM LINE. REFER TO STRUCTURAL DRAWINGS FOR ADDITIONAL INFO.
- 3 SCHEDULED OVERHEAD DOOR. SEE FLOOR PLANS AND DOOR SCHEDULE FOR ADDITIONAL INFO.
- 4 SCHEDULED DOOR AND FRAME. SEE FLOOR PLANS AND DOOR SCHEDULE FOR ADDITIONAL INFO.
- 5 DOCK STAIR W/ HANDRAILS AND GUARDRAILS (ALL EXPOSED STEEL TO BE GALVANIZED).
- 6 PRE-FINISHED, GALVANIZED METAL GUTTER AND DOWNSPOUTS. SEE ROOF PLAN FOR ADDITIONAL INFO.
- 7 3/4\"/>

CONSULTING ENGINEERS  
ARCHITECT  
DESIGN BUILDER

ARCHITECT  
**GMA**  
STEALTH  
SHINO

DESIGN BUILDER  
**ARCO MURRAY**  
STEALTH  
SHINO

PROJECT  
**STEALTH SHINO**  
WILEY, TX

JOB NO.: GA1851/6208  
PA: DAB  
DATE: 02.27.2023

REVISIONS

SHEET NUMBER  
**A5.1**  
EXTERIOR ELEVATIONS

**Metes and Bounds Description:**

Being a tract of land, situated in the R. D. Newman Survey, Abstract No. 660, in the City of Wylie, Collin County, Texas, and being a part of that called 10.85 acre tract of land, described in deed to the Eastern Family Limited Partnership, as recorded in Volume 3444, Page 2351, of the Deed Records, Collin County, Texas (D.R.C.C.T.) and being all of that called 6.52 acre tract, described in deed to Wyle Economic Development Corporation, as recorded under document No. 201412-000-302690, of the Official Public Records, Collin County, Texas (O.P.R.C.C.T.), said tract being more particularly described, as follows:

**BEGINNING** at a 5/8" iron rod found for the northeasterly corner of said 6.52 acre tract, same being in the westerly line of **OLEN KNOLL MOBILE HOME PARK**, an addition to the City of Wylie, as recorded in Volume L, Page 5, of the Map Records, Collin County, Texas (M.R.C.C.T.), same being in the southeasterly monumented line of Aloha Drive;

**THENCE** South 00°27'28" West, along the common line between said 6.52 acre tract and **OLEN KNOLL MOBILE HOME PARK**, a distance of 1078.65' to a point for corner, being the southeasterly corner of said 6.52 acre tract, same being the southeasterly corner of said **OLEN KNOLL MOBILE HOME PARK**, said corner also being in the northerly line of Lot 1, Block B, of **WOODBINE GOLF CLUB**, an addition to the City of Wylie, as recorded in Volume L, Page 246, M.R.C.C.T., from which a 3/8" iron rod found bears, North 00°22'28" East, a distance of 1.90';

**THENCE** North 88°29'28" West, along the common line between said 6.52 acre tract and said Lot 1, a distance of 284.12' to a point for corner, being the southeasterly corner of said 6.52 acre tract, same being the southeasterly corner of said 10.85 acre tract, from which a 1/2" iron rod found bears, South 00°22'30" East, a distance of 1.11', and from said also a 5/8" iron rod found bears, North 00°25'28" East, a distance of 2.10';

**THENCE** along the common line between said 10.85 acre tract and said Lot 1, the following (2) two courses and distances:

1. North 08°29'28" West, a distance of 54.77' to a 1/2" iron rod found for an angle point;

2. North 08°14'43" West, a distance of 395.51' to a 1" iron also found for the southeasterly corner of said 10.85 acre tract, same being the southeasterly corner of a called 10.85 acre tract, described in deed to Larry Van Nelson and wife, Polly H. Nelson, as recorded under County Clerk's File No. 96-003020, D.R.C.C.T.;

**THENCE** North 00°18'43" East, along the common line between said 10.85 acre (Eastern tract) and the southerly monumented line of Aloha Drive, same being in a curve to the left, having a radius of 820.00', a central angle of 39°58'49", and a chord which bears, North 78°11'04" East, a chord distance of 629.02';

Thence along said curve to the left, in a northeasterly direction, passing a 3/8" iron rod found along said arc at a distance of 357.91', and continuing in a straight line, in a northeasterly direction, to a point for corner, being the beginning of a curve to the right, having a radius of 820.00', a central angle of 0°13'37", and a chord which bears, North 58°3'50" East, a chord distance of 27.37';

Thence along said curve to the right, in a northeasterly direction, an arc length of 27.37' to the **POINT OF BEGINNING** and containing 611.58 square feet or 14.030 acres of land, more or less.

**SYMBOLS LEGEND**

—x—x—	Wire Fence	—W—W—	Water Valve
—w—w—	Wood Fence	—M—M—	Water Meter
—c—c—c—	Chain Link Fence	—F—F—	Fire Hydrant
—c—c—c—	Concrete	—ICV—ICV—	Irrigation Control Valve
—A—A—A—	Asphalt	—SSC—SSC—	Sanitary Sewer Cleanout
—L—L—L—	Light Standard	—SSM—SSM—	Sanitary Sewer Manhole
—B—B—B—	Bay/Way/Anchor	—BDM—BDM—	Storm Drain Manhole
—U—U—U—	Utility Pole	—G—G—G—	Gas Meter
—O—O—O—	Overhead Wire	—GV—GV—GV—	Gas Valve

**General Notes:**

1. According to the Flood Insurance Rate Map of the City of Wylie, Collin County, Texas, Map No. 4808500354, Map revised June 02, 2009, and the Letter of Map Revision 08-06-2363P, effective November 25, 2009, the herein described property is located in Zone "X" (unshaded), described by said map to be, "Areas determined to be outside the 0.2% annual chance floodplain" and in Shaded Zone "AL", described by said map to be, "Special Flood Hazard Areas (SFHA) subject to inundation by the 1% annual chance flood, base flood elevations determined" and in Shaded Zone "X", described by said map to be, "Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot; or with probable peaks less than 1 square mile; and areas protected by levees from 1% annual chance flood". This flood statement does not imply that the property and/or the structure therein will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This flood statement shall create liability on the part of the surveyor in any way.

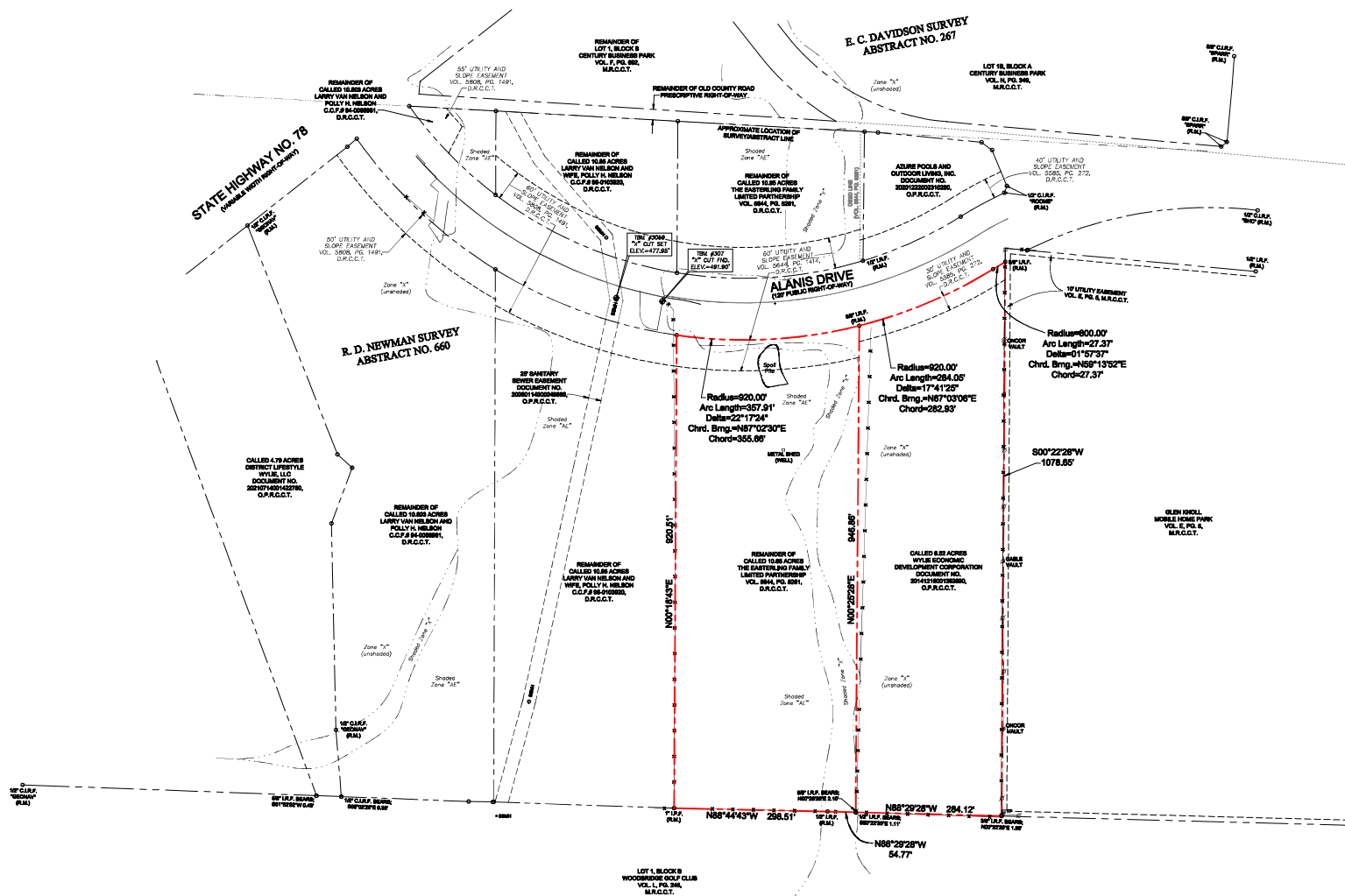
2. The surveyor has relied on the herein described subject deeds with regard to any easements, restrictions, or rights-of-way affecting the above described property. No additional research regarding said easements, restrictions or rights-of-way has been performed by the surveyor.

3. Bearings, elevations and coordinates (surface) are based on the City of Wylie GPS Monument No(s), 4 and 5. Surface to Goid conversion factor is 0.99983021, at base point 0.0.

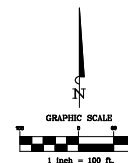
**Surveyor's Certification:**

I, Michael B. Arthur, Registered Professional Land Surveyor in and for the State of Texas, hereby certify that the plot herein represents an actual survey made on the ground and that all lines and dimensions shown are correct to the best of my knowledge. There were no visible conflicts found during the time of this survey, except as shown.

DATE: 03/08/2022 SCALE: 1" = 100' DRAWN BY: C.S.H. CHK'D BY: M.B.A. JOB NO.: 2022-0084

**ABBREVIATIONS**

I.R.F. = Iron Rod Found  
 (R.M.) = Reference Monument  
 C.I.R.F. = Capped Iron Rod Found  
 C.I.R.S. = 1/2" Iron rod with yellow plastic cap stamped "N.T.S. 5888" set  
 M.R.C.C.T. = Map Records, Collin County, Texas  
 D.R.C.C.T. = Deed Records, Collin County, Texas  
 O.P.R.C.C.T. = Official Public Records, Collin County, Texas



**BOUNDARY EXHIBIT  
 R. D. NEWMAN SURVEY  
 ABSTRACT NO. 660  
 CITY OF WYLIE,  
 COLLIN COUNTY, TEXAS**

**North Texas  
 Surveying, L.L.C.**

Registered Professional Land Surveyors  
 1010 West University  
 McKinney, TX 75069  
 Ph. (469) 484-2074 Fax: (469) 484-1997  
 www.northtexasurveying.com  
 Firm Registration No. 10076200



# Wylie City Council

## AGENDA REPORT

**Department:** Planning  
**Prepared By:** Jasen Haskins, AICP

**Account Code:** \_\_\_\_\_

### Subject

Hold a Public Hearing, consider, and act upon, a change in zoning from Commercial Corridor (CC) to Commercial Corridor - Special Use Permit (CC-SUP) to allow for a restaurant with drive- thru on 0.7866 acres, property located at 3008 W. FM 544 (ZC 2023-04).

### Recommendation

Motion to approve the Item as presented.

### Discussion

**OWNER: Springwell Parkway Associates**

**APPLICANT: Josh Gardner**

The applicant is requesting a Special Use Permit (SUP) on 0.7866 acres located at 3008 W. FM 544, Lot 1R-3-1, Block B of Jacobs Addition, for a restaurant with drive-through service as required by the Zoning Ordinance.

The request includes a new 2,858 square foot structure for a Bojangles restaurant. The structure is planned to have an exterior that consists of brick veneer and hardie plank siding. Canopies are also provided at the main entrance and drive-through windows.

The development is to be accessed from FM 544 and Regency Drive and provides cross access to the west and south properties with a connection to Springwell Parkway. The development provides 20 parking spaces with two being ADA accessible and is in compliance with fire lane requirements.

The site provides 30% landscaping with a 10-foot landscaped buffer and sidewalks along FM 544 and Regency Drive.

The surrounding properties are zoned Commercial Corridor and have existing commercial uses such as restaurant, and car sales. There are three drive-thru restaurants within ½ mile (Dutch Bros, Freddy's, and Golden Chick). The site is located in the Regional Commercial sector of the future land use map and is consistent with the existing surrounding development and land use classification of the comprehensive plan.

The applicant has requested the SUP approval to act as the Site Plan approval for the development. The proposed site plan, landscape plan, and elevations have been reviewed by City staff and meet the requirements of the Zoning Ordinance.

Notifications/Responses: Ten notifications were mailed; with no responses returned in favor or in opposition of the request.

### **P&Z Recommendation**

The Commission voted 7-0 to recommend approval.



# Locator Map

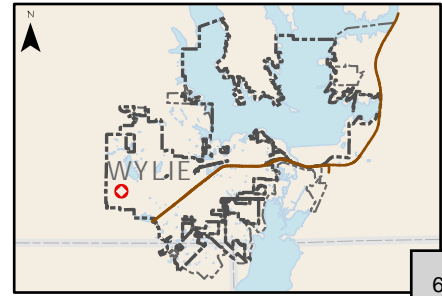


ZONING CASE:  
ZC 2023-04; Bojangles SUP

 SUBJECT property

0.00      0.05      0.10      0.15      0.20 Miles

Date: 2/23/2023





## Bojangles

### EXHIBIT "B"

#### Conditions For Special Use Permit

#### I. PURPOSE:

The purpose of this Special Use Permit is to allow for a restaurant with drive-in or drive-through service use.

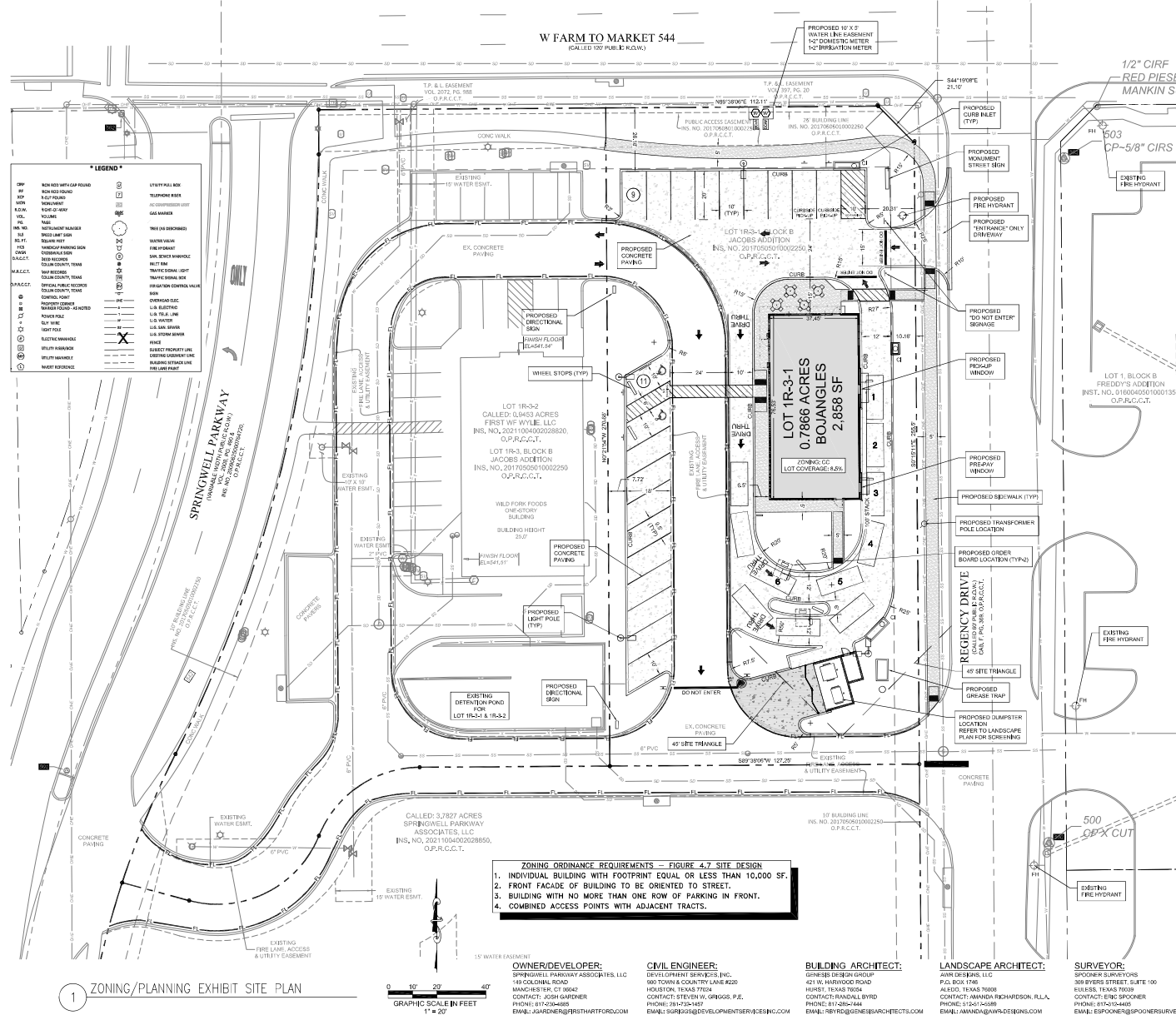
#### II. GENERAL CONDITIONS:

1. This Special Use Permit shall not affect any regulations within the Zoning Ordinance (adopted as of April 2021), except as specifically provided herein.
2. The design and development of the Bojangles development shall take place in general accordance with the Zoning Exhibit (Exhibit C).

#### III. SPECIAL CONDITIONS:

1. The Zoning Exhibit (Exhibit C) shall serve as the Site Plan for the Bojangles Development. Approval of the SUP shall act as site plan approval.





VICINITY MAP	
N.T.S.	
PROPERTY ID: 2854560	ZIP CODE: 75098
CITY OF WYLIE, COLLIN COUNTY, TEXAS	

PROPOSED DEVELOPMENT SCHEDULE	
ZONING PROCESS	FEB 2023 – APR 2023
CIVIL PLANS	APR 2023 – JUN 2023
CONSTRUCTION	JUN 2023 – OCT 2023

SITE DATA TABLE		
BLOCK:	EXISTING	B
LOT:	EXISTING	1R-3-1
NUMBER OF LOTS INCL:	EXISTING	1
ZONING:	EXISTING	CC (COMMERCIAL CORRIDOR)
PROPOSED USE:	—	RESTAURANT W/DRIVE-THRU
BUILDING AND SITE DIMENSIONS:		
LOT AREA:	AC (SF)	0.74866 (34,264)
MAIN BUILDING AREA:	SF	2,855
MAX. BUILDING HEIGHT:	FT	50
IMPERVIOUS AREA:	SF	25,249
LOT COVERAGE MAX:	%	50
LOT COVERAGE ACTUAL:	%	8.50
SETBACKS:		
MIN. FRONT BUILDING:	FT	25
SIDE BUILDING:	FT	10
REAR BUILDING:	FT	10
LANDSCAPE REQUIREMENTS:		
REQUIRED LANDSCAPE AREA:	SF	7,853 (20% LOT + 50/PARK)
PROVIDED LANDSCAPE AREA:	SF	9,012
PARKING REQUIREMENTS:		
MIN. PARKING ALLOWED:	SPACES	19 (1 SP PER 150 SF BLDG)
MAX. PARKING ALLOWED:	SPACES	24
PARKING PROVIDED:	SPACES	20
ADA PARKING REQUIRED:	SPACES	1
ADA PARKING PROVIDED:	SPACES	2

CONTROL POINT TABLE				
POINT	DESCRIPTION	NORTHING	EASTING	ELEV.
500	CP X CUT	7,056,887.79	2,555,682.37	537.31'
501	CP-5/8" CRS "S&A CONTROL"	7,056,917.61	2,555,278.49	542.08'
502	CP X CUT	7,057,187.50	2,555,300.96	541.18'
503	CP-5/8" CRS "S&A CONTROL"	7,057,169.44	2,555,688.57	539.10'





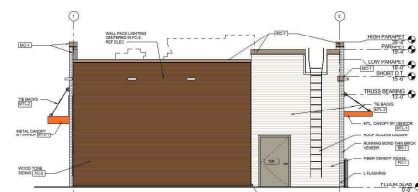
1 NORTH ELEVATION (FRONT)

SCALE: 1/8" = 1'-0"



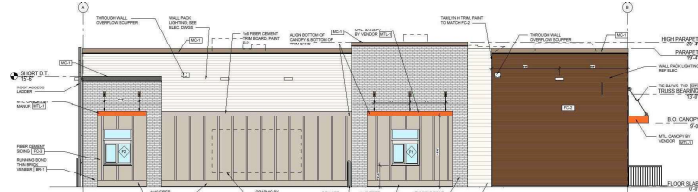
2 WEST ELEVATION

SCALE: 1/8" = 1'-0"



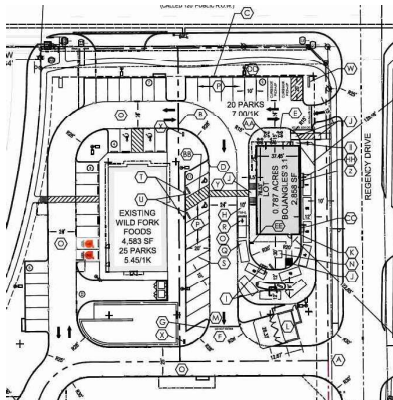
3 SOUTH ELEVATION

SCALE: 1/8" = 1'-0"



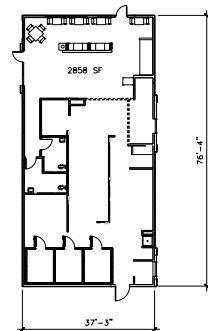
4 EAST ELEVATION

SCALE: 1/8" = 1'-0"



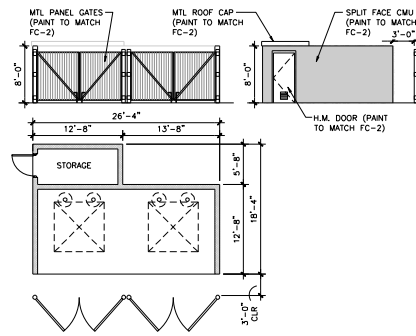
5 KEY PLAN (SITE)

SCALE: NTS



6 FLOOR PLAN

SCALE: 1/16" = 1'-0"



7 TRASH ENCLOSURE

SCALE: 1/8" = 1'-0"

EXTERIOR FINISH SCHEDULE			
NO.	DESCRIPTION	MANUF.	FINISH / STYLE
BR-1	11TH BRICK VENEER	ARTHRIC	MAGNOLIA BAY
FC-1	FIBERCEMENT SIDING	HARDIE PLANK LAP SIDING	SMOOTH, 8" PRIMED, PAINTED BENJAMIN MOORE, OC-54 WHITE WISP
FC-2	FIBERCEMENT SIDING	HARDIE PLANK LAP SIDING	CEADARMILL, 8" PRIMED, PAINTED BENJAMIN MOORE, HONEYCOMB 1120
FC-3	FIBERCEMENT SIDING	JAMES HARDIE	VERTICAL PANEL SMOOTH & BATTEN BOARD, PTD BENJAMIN MOORE 456 DUFFERIN TERRACE
MC-1	SPR-FIN. METAL COPING	DURO-LAST	SEVERA TAIL
SF-1	1ST STOREFRONT ASSEMBLY	KAWNEER	CLEAR ANODIZED

MATERIAL TABULATIONS				
	NORTH	WEST	SOUTH	EAST
GROSS	725	1434	681	1497
NET	557	1249	648	1468
WOWS/DRS	148	185	33	29
BRICK	0	153	0	302
	(0%)	(12.2%)	(0%)	(20.7%)
CEMENTITIOUS SIDING	545	1071	648	1153
	(98.8%)	(85.7%)	(100%)	(78.5%)
CANOPY	32	25	0	13
	(4.7%)	(2.0%)	(0%)	(1.0%)

## ZONING ORDINANCE

FIGURE 4.9 ARCHITECTURAL DESIGN REQUIREMENTS (DESIRABLES)

### BUILDING MATERIALS

1. USE OF TWO COMPLEMENTARY PRIMARY FACADE MATERIALS TO HELP ACHIEVE FACADE ARTICULATION, VISUAL VARIETY AND/OR ARCHITECTURAL DETAILING. (BRICK AND CEMENTITIOUS SIDING SELECTED AS TWO PRIMARY MATERIALS.)

### BUILDING ARTICULATION, FORM AND MASSING

1. APPLICATIONS OF BASE STANDARDS TO FACADES NOT FACING A PUBLIC STREET. (PRIMARY MATERIALS AND ARCHITECTURAL DETAILING WAS CARRIED AROUND ALL FOUR FACADES.)  
2. USE OF ARCHITECTURAL DETAILING AND/OR MATERIALS TO PROVIDE VARIETY IN VISUAL APPEARANCE. (THE BUILDING IS USING VARIED MATERIALS AND PATTERNS AS WELL AS RAISED PARAPETS AND CANTILEVERED CANOPIES.)



THE SHOPS AT WYLIE
SUBDIVISION: JACOBS ADDITION, LOT 1R-3-1, BLOCK B
CITY PROJECT NO:
PREPARED DATE: 01-24-23

## OWNER

FIRST HARTFORD REALTY CORP.  
2529 6th Ave  
Fort Worth, TX 76110  
Phone: (817) 230-4885  
Contact: Josh Gardner

## APPLICANT

DEVELOPMENT SERVICES, INC.  
900 Town & Country Ln., Suite 220  
Houston, Texas 77024  
Phone: (281) 732-1457  
Contact: Steven W. Griggs, P.E.

## ARCHITECT

GENESIS DESIGN GROUP, INC.  
9500 Ray White Rd, Suite 200  
Fort Worth, Texas 76244  
Phone: (817) 285-7444  
Contact: Randall L. Byrd  
email: rbyrd@genesisarchitects.com



421 W. Harwood, Ste 100  
Houston, Texas 77054-2038  
Phone: (817) 285-7444  
Fax: (817) 285-7314  
www.genesisarchitects.com

Texas Firm #BR-2139

**Bojangles**  
3008 FM 544 WEST, WYLIE, TX

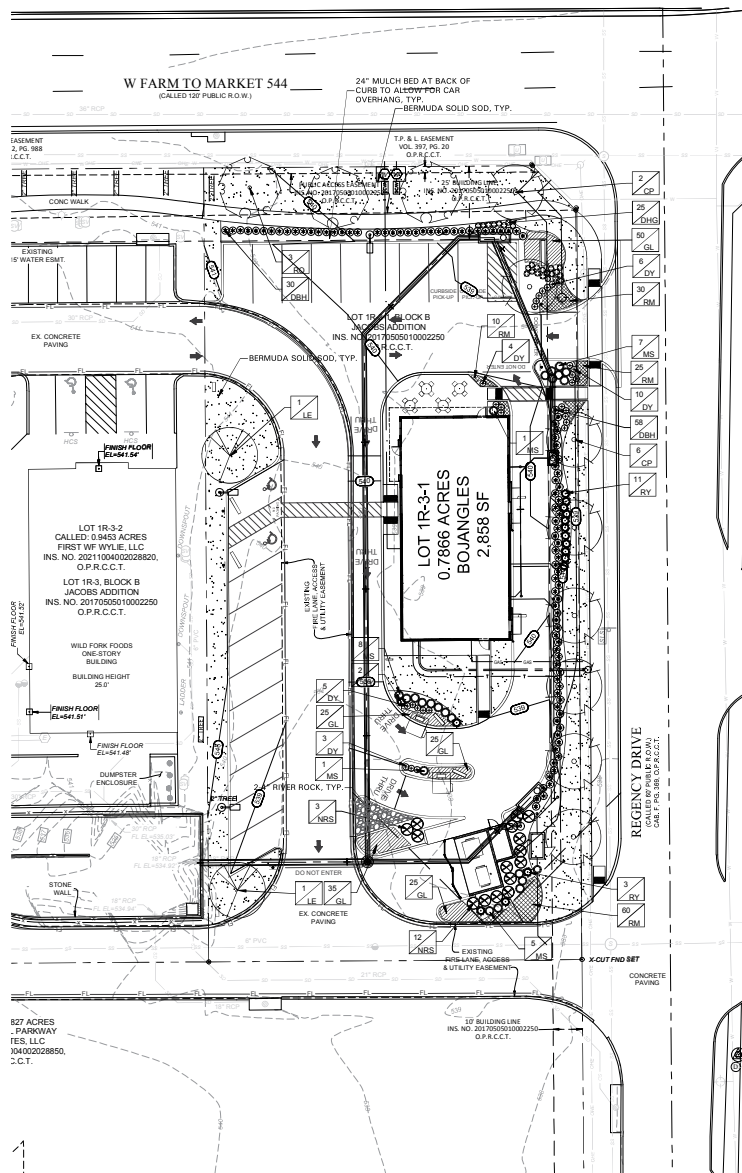
FACADE  
PLAN  
SUBMITTAL



01-30-2023

SD-1

23-001



LANDSCAPE SITE PLAN

GENERAL LAWN NOTE:

1. CONTRACTOR SHALL COORDINATE OPERATIONS AND AVAILABILITY OF EXISTING TOSPOL WITH ON-SITE CONSTRUCTION MANAGER
2. LAWN SHALL BE LEFT AT LEAST 1" BELOW FINAL FINISHED GRADE PRIOR TO TOSPOL INSTALLATION.
3. CONTRACTOR TO FIND GRADE LOCATIONS TO ACHIEVE FINAL CONTOURS AS SHOWN ON CIVIL DRAWINGS. CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING ALL BUILDINGS, ROUNDINGS AT TOP AND BOTTOM OF SLOPES SHALL BE MAINTAINED AND NOT TO BE CHANGED. CONTRACTOR SHALL BE RESPONSIBLE FOR STANDING WATER MAY OCCUR
4. ALL LAWN AREAS SHALL BE FINE GRADE (IRIGATION THENCHES, CROWN, SETTLER AND FLOOD GRAD APPROXIMATE) AS SHOWN. CONSTRUCTION MANAGER OR LANDSCAPE ARCHITECT PRIOR TO LAWN INSTALLATION
5. CONTRACTOR SHALL REMOVE ALL ROCKS 3" IN DIAMETER AND LARGER REMOVE ALL DIRT, CLODS, STONES, CONCRETE PILES, TRASH ETC PRIOR TO LAWN TOSPOL AND GRASS SEEDING
6. CONTRACTOR SHALL MAINTAIN ALL LAWN AREAS UNTIL FINAL ACCEPTANCE. CONTRACTOR SHALL BE RESPONSIBLE FOR ANY UNACCEPTABLE TURF AREA AND SHALL PROVIDE REPLACEMENT IF NECESSARY.

**SOLID 500:**

- ISOL DRAIN**
1. SOLID SOO SHALL BE PLACED AGAINST ALL VERTICAL EDGES AT A MINIMUM OF 1/2" AND SHALL INCLUDE CURBS, WALKS, INLETS, MANHOLES AND PLUMBING AREAS. SOO SHALL COVER OTHER AREAS COMPLETELY AS INDICATED BY PROJECT SPECIFICATIONS.
2. SOO SHALL BE STRONGLY ROOTED THROUGHOUT RESISTANT SO, NOT LESS THAN 2 YEARS' AGE, FREE OF WEEDS AND UNDESIRABLE NATIVE GRASS AND MOSS. SOO SHALL BE MINIMUM OF 3/4" (1/2" EXCLUDING TOP GROWTH) AND THICK.
3. SOO SHALL BE PLACED TO COVER INDICATED AREAS COMPLETELY, ENSURING EDGES ARE TOUCHING WITH TIGHTLY FITTING JOINTS. NO OVERLAPS WITH OTHER STRIPS OF SOO SHALL BE ALLOWED.
4. SOO SHALL BE PLACED TO COVER ALL AREAS OF THE PROJECT, INCLUDING TOP DRESS JOINTS IN SOO BY HAND WITH TOPSOIL TO FILL VOID IF NECESSARY.
5. SOO SHALL BE REPLED TO CREATE A SMOOTH EVEN SURFACE. SOO SHOULD BE WATERED THOROUGHLY DURING INSTALLATION PROCESS.
6. SOO SHALL BE PLACED TO COVER ALL AREAS OF THE PROJECT BY MARCH 1ST, OVERSEED BERMUDA GRASS WITH WHITE HYDRANT AT A RATE OF 4 LBS PER 1000 S.F.

HYDROMULC

1. SCARIFY AND LOOSEN ALL AREAS TO BE HYDROMULCHED TO A MINIMUM DEPTH OF 2 INCHES.
2. BERMUDA GRASS SEED SHALL BE EXTRA HULMED, TREATED LAWN TYPE SEED, SHALL BE DELIVERED TO THE SITE IN ITS OWN CONTAINER.
3. BERMUDA GRASS SEED SHALL MEET THE FOLLOWING REQUIREMENTS:
  - a. FIBER SHALL BE 100% WOOD CELLULOSE OR FIBER, DELIVERED TO THE SITE IN ITS OWN CONTAINER.
  - b. FIBER SHALL BE 100% WOOD CELLULOSE OR FIBER, DELIVERED TO THE SITE IN ITS OWN CONTAINER.
  - c. FIBER SHALL BE 100% WOOD CELLULOSE OR FIBER, DELIVERED TO THE SITE IN ITS OWN CONTAINER.
4. FIBER SHALL BE DELIVERED TO THE SITE IN ITS UNOPENED CONTAINER AND SHALL BE "TERRIO-TACK" OR, AS MANUFACTURED BY "TERRIO" OR APPROVED EQUIVALENT.
5. HYDROMULCH WITH BERMUDA GRASS SEED AT A RATE OF 2 POUNDS PER SQUARE YARD.
6. USE A BATTER BOARD AGAINST ALL BED AREAS TO PREVENT OVER SPRAW.
7. WATER AREAS TO BE HYDRO MULCHED TO A MINIMUM OF 100% GRASS NEEDED FOR OPTIMUM MOISTURE FOR SEED APPLICATION.
8. IF INSTALLATION OCCURS BETWEEN SEPTEMBER 1ST AND MAY 1ST, ALL LAWN AREAS SHALL BE HYDRO MULCHED TO A MINIMUM OF 100% GRASS AT A RATE OF FOUR POUNDS PER ONE THOUSAND SQUARE FEET.
9. LAWN AREAS SHALL BE HYDRO MULCHED TO A MINIMUM OF 100% GRASS FOLLOWING THE FOLLOWING GROWING SEASON AS PART OF THIS CONTRACT.
10. NO SOIL OR SUBSTRATE SHALL BE EXPOSED TO THE PUBLIC.
11. LAWN SEEDED AREAS IMMEDIATELY AFTER INSTALLATION TO LAWN AREAS.
12. ALL LAWN AREAS TO BE HYDRO MULCHED SHALL ACHIEVE 100%.

COVERAGE PRIOR TO FINAL ACCEPTANCE.

## LANDSCAPE TABULATIONS for Wylie, TX

**Landscaping in Required Yards**

1. At least 20% of the site shall be landscaped.

## Site: 34,206 s.f.

REQUIRED	PROVIDED
6853 s.f. (20%)	10221 s.f. (30%)

4. 50 sq. ft. of landscape shall be provided for each parking space.

1. 50 sq. ft. of landscape shall be provided for each parking space.
2. No parking space shall be further from 60' from a landscaped area on site.

3. All parking rows shall have a landscape area at least every 12

Parking Spaces = 20

REQUIRED	PROVIDED
1000 s.f. landscape	1583 s.f. landscape

**Landscaping of Street Frontage**

2. Trees required in buffer in groves or belts, 30-40' spacing. Trees

REQUIRED	PROVIDED
10' buffer	10'+ buffer

## 4 trees, 3" cal.

7 trees, 3" cal.	7 trees, 3" cal.
4 of the 8 desirable provided	

1. A landscape that exceeds the minimum by 10%

2. Landscaping 10% or more in excess of 50 s.f. per parking space
3. Parking lots with no space further than 40' from a landscaped area
4. Increase in minimum width of landscape buffer by 20%

[illegible]

PLANT SCHEDULE					
QTY	LABEL	COMMON NAME	SCIENTIFIC NAME	SIZE	NOTES
SHADE TREES					
8	CP	Chinese Pistache	<i>Pistacia chinensis</i>	3" cal.	12 ft., 4 spread, matching
2	LE	"Storage" Lacebark Elm	<i>Ulmus parviflorus 'VPMIT'</i>	4" cal.	14 ft., 5 spread, matching
3	HO	Texas Red Oak	<i>Quercus buckleyi</i>	3" cal.	12 ft., 5' spread
SHRUBS					
96	DBH	Dwarf Burford Holly	<i>Ilex cornuta 'Burford Nana'</i>	3 gal.	full, 20" spread, 30" o.c.
25	DHG	Dwarf Hammi Grass	<i>Neenacantho alpestrisoides 'Hammeh'</i>	3 gal.	full, 18" spread, 24" o.c., 24" o.c.
28	DY	Dwarf Yapon Holly	<i>Ilex vomitoria 'Concord'</i>	3 gal.	full, 24" spread, 24" o.c.
22	MS	Morming Light Mesquit	<i>Mesquiteria intermedia 'Morning Light'</i>	3 gal.	full, 20" spread, 30" o.c.
16	NRB	Nellie R Yapon Holly	<i>Mex x Nellie R. Yapon</i>	3 gal.	full, 40" o.c.
16	RY	Red Yucca	<i>Yucca filamentosa</i>	3 gal.	full, 24" sptri, 30" o.c.
GROUNDCOVERS/VINES/GRASSES					
160	RI	Guest I vine	<i>Linum catharticum</i>	1 gal.	full, 18" o.c.
125	RM	Cremating Rosemary	<i>Prostratus officinalis 'Prostratus'</i>	1 gal.	full, 18" o.c.
		Bermuda Solid Soid	<i>Cynodon dactylon</i>		

Plant list is an aid to bidders only. Contractor shall verify all quantities on plan. All heights and spreads are minimums. Trees shall have a strong central leader and be of matching specimens. All plant material shall meet or exceed remarks as indicated.



GRAPHIC SCALE

0 20 40 FEET

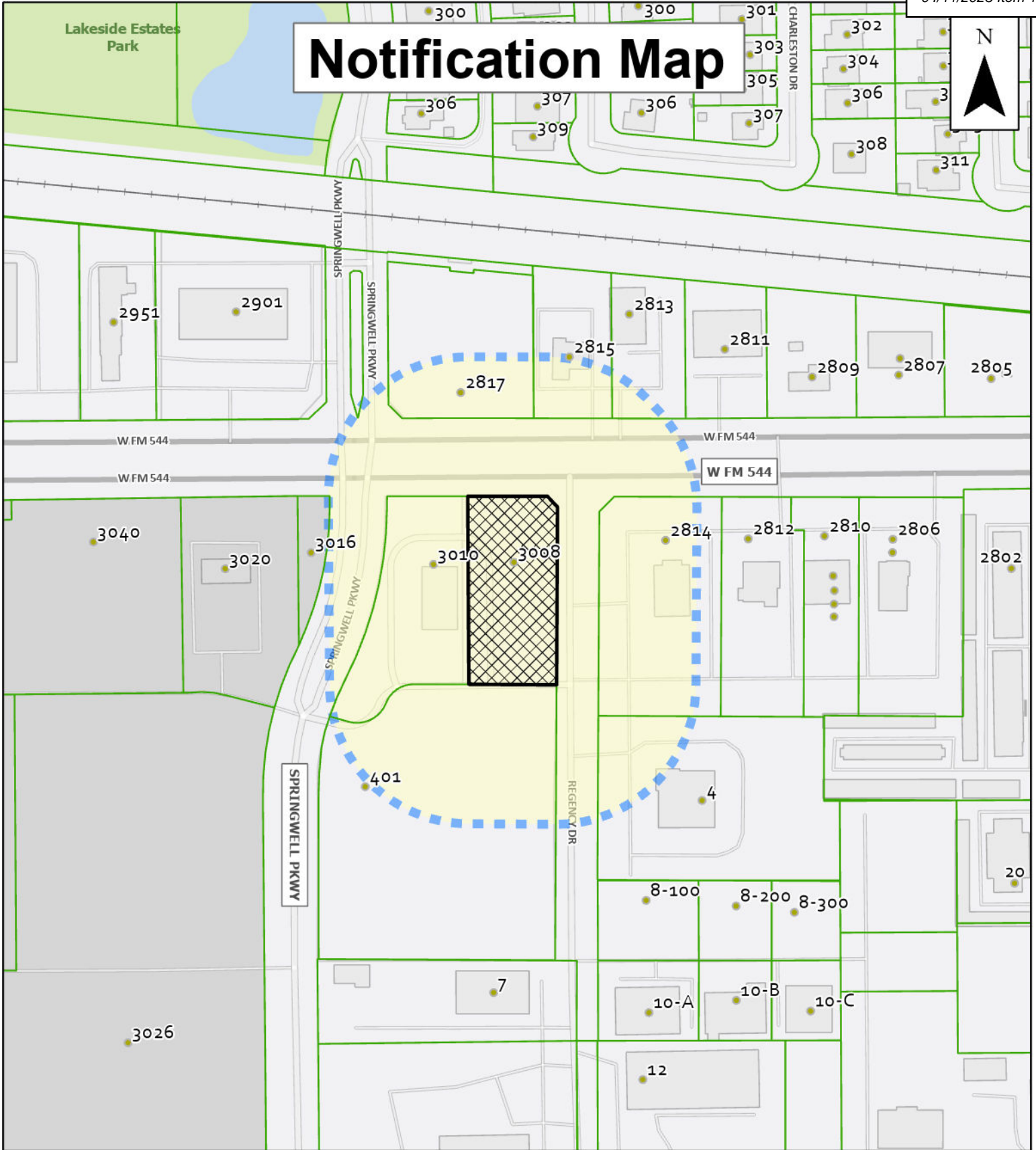
Scale 1"=20' - 0"



AWR Designs, LLC  
P.O. Box 1746  
Aledo, Texas 76008  
amanda@awr-designs.com  
c. 512.517.5589





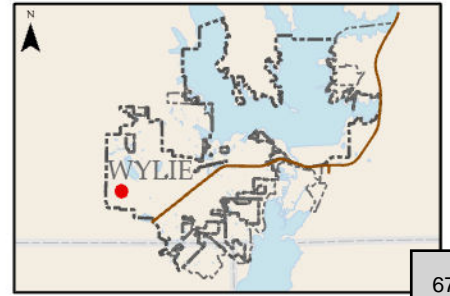


**ZONING CASE:**  
**ZC 2023-04; Bojangles SUP**

 SUBJECT property  200 foot Notification Buffer



Date: 2/23/2023





# Wylie City Council

## AGENDA REPORT

**Department:** Planning

**Prepared By:** Jasen Haskins, AICP

**Account Code:** \_\_\_\_\_

### Subject

Hold a Public Hearing, consider, and act upon, a change in zoning from Manufactured Home (MH) to Commercial Corridor - Special Use Permit (CC-SUP) to allow for a motor vehicle fueling station with convenience store and car wash on 1.793 acres, property located at 1001 S. Highway 78 (ZC 2023-05).

### Recommendation

Motion to approve the Item as presented.

### Discussion

**OWNER:** Wylie 33-78, LLC

**APPLICANT:** Estacado Interest

The applicant is requesting a change in zoning from Manufactured Home to Commercial Corridor-Special Use Permit (CC-SUP) on 1.793 acres located at 1001 S. Highway 78 for a motor vehicle fueling station with convenience store and car wash use as required by the Zoning Ordinance. Site Plan and plat applications shall be required if the zoning is approved.

The applicant has provided a zoning exhibit, which includes a 2,824 sq. ft. convenience store with canopy covered fueling pumps. A 3,652 sq. ft. car wash structure is also proposed with vacuum bays. The development is to be accessed from State Highway 78 with two access points.

The SUP conditions allow for the car wash exiting vehicle bay to face State Highway 78 with a landscape screening requirement and allows for the fueling station site to have a master sign plan.

The surrounding properties are zoned commercial to the north and west. Light Industrial development to the south and manufactured home development to the east. The site is located in the Regional Commercial sector of the future land use map and is consistent with the existing surrounding development and land use classification of the comprehensive plan.

Notifications/Responses: Six notifications were mailed; with no responses returned in favor or in opposition of the request.

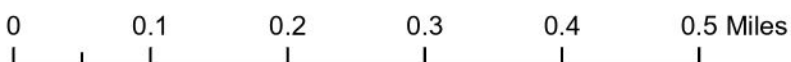
### P&Z Recommendation

The Commission voted 7-0 to recommend approval with the stipulation that the area in front of the carwash exit be landscaped to screen the exit from State Highway 78. The requirement was added to the SUP Conditions.





 SUBJECT property





**Wylie Gas Station & Car Wash**  
**EXHIBIT “B”**  
**Conditions For Special Use Permit**

**I. PURPOSE:**

The purpose of this Special Use Permit is to allow for a gas station and car wash service use.

**II. GENERAL CONDITIONS:**

1. The site shall be developed and uses allowed shall be in accordance with Commercial Corridor (CC) design standards, as provided in Article 4 and 5 of the City of Wylie Zoning Ordinance as adopted April 2021, except as specifically provided herein.
2. This Special Use Permit shall not affect any regulations within the Zoning Ordinance (adopted as of April 2021), except as specifically provided herein.
3. The design and development of the Wylie Gas Station & Car Wash development shall take place in general accordance with the Zoning Exhibit (Exhibit C).

**III. SPECIAL CONDITIONS:**

1. The following listed uses as defined in Article 5 of the Zoning Ordinance (adopted as of April 2021) and as depicted in the Zoning Exhibit (Exhibit “C”) shall be allowed by-right:
  - a. Car Wash
  - b. Fueling Station
  - c. Convenience Store
2. Section 4.1.C(3) of the Zoning Ordinance (adopted as of April 2021) shall be amended to allow for service and loading areas to be visible from a public street for Lot 2 of the Zoning Exhibit (Exhibit C) to allow for the car wash bay to face a public street. There shall be landscaping required at the exit landscape island that reasonably screens the carwash opening from view from State Highway 78.
3. The square footage of the signage depicted on the Zoning Exhibit (Exhibit C) shall be permitted.

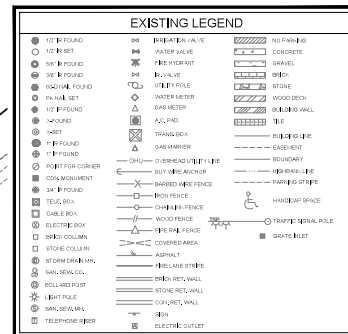


BOUNDARY LINE TABLE

LINE #	DISTANCE	BEARING
L1	228.02	N49°03'59"E
L2	56.98	N51°39'37"E
L3	130.09	N51°39'37"E
L4	122.03	N08°07'28"W
L5	18.00	N51°52'32"E
L6	228.19	N08°07'28"W
L7	176.89	N88°34'03"W
L8	350.34	N88°34'03"W
L9	9.64	N25°45'02"E
L10	98.70	N08°07'28"W
L11	24.26	N51°52'32"E
L12	140.15	N08°07'28"W

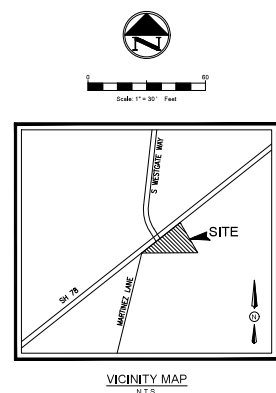
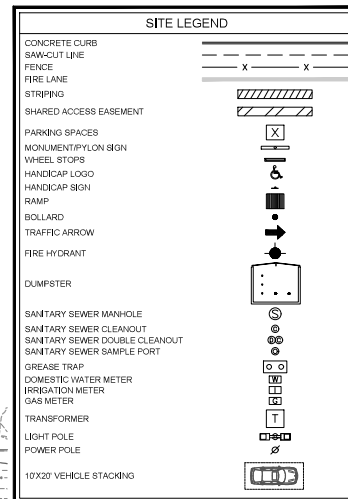
EASEMENT/SETBACK LEGEND

BUILDING SETBACK	B.S.
LANDSCAPE SETBACK	L.S.
FIRE LANE, ACCESS & UTILITY EASEMENT	F.A.U.E.
FIRE LANE, ACCESS & DRAINAGE EASEMENT	F.A.D.E.
ACCESS EASEMENT	A.E.
SIDEWALK EASEMENT	S.E.
SANITARY SEWER EASEMENT	S.S.E.
WATER EASEMENT	W.E.
ELECTRICAL EASEMENT	E.E.
UTILITY EASEMENT	U.E.
DRAINAGE & DETENTION EASEMENT	D.D.E.



**SITE DATA SUMMARY TABLE**

SITE ACREAGE	1.790 AC (XX.XXX S.F.)
ZONING	GR-GENERAL RETAIL
PROPOSED USE	HOTEL
BUILDING AREA	XX.XXX S.F.
NUMBER OF STORIES	1
BUILDING HEIGHT	30'-0"
BUILDING COVERAGE	30%
FLOOR AREA RATIO	0.80
NUMBER OF GUEST ROOMS	80
IMPERVIOUS AREA	XX.XXX S.F. (60.0%)
PERVIOUS LANDSCAPE AREA	XX.XXX S.F. (40.0%)
REGULAR PARKING REQUIRED	XX SPACES
1 SP PER 200 S.F.	
REGULAR PARKING PROVIDED	XX SPACES
HANDICAP PARKING REQUIRED	XX SPACES (1 VAN ACCESSIBLE)
HANDICAP PARKING PROVIDED	XX SPACES (1 VAN ACCESSIBLE)
TOTAL PARKING PROVIDED	XX SPACES
ON-SITE PARKING PROVIDED	75 PARKING SPACES
OFF-SITE SHARED PARKING PROVIDED	10 PARKING SPACES



## SITE GENERAL NOTES

1. ALL CONSTRUCTION SHALL BE IN STRICT ACCORDANCE WITH THE CITY OR LOCAL JURISDICTION STANDARDS.
2. THE LOCATION OF UNDERGROUND UTILITIES INDICATED ON THE PLANS IS TAKEN FROM AS-BUILTS, UTILITY PLANS OR SURVEY. IT IS THE CONTRACTOR'S RESPONSIBILITY TO MAKE ARRANGEMENTS WITH THE OWNERS OF SUCH UNDERGROUND UTILITIES PRIOR TO WORKING IN THE AREA TO CONFIRM THEIR EXACT LOCATION AND TO DETERMINE WHETHER ANY ADDITIONAL UTILITIES OTHER THAN THOSE SHOWN ON THE PLANS MAY BE PRESENT. THE CONTRACTOR SHALL PRESERVE AND PROTECT ALL UNDERGROUND UTILITIES. IF EXISTING UNDERGROUND UTILITIES ARE DAMAGED, THE CONTRACTOR WILL BE RESPONSIBLE FOR THE COST OF REPAIRING THE UTILITY.
3. WHERE EXISTING UTILITIES OR SERVICE LINES ARE CUT, BROKEN OR DAMAGED, THE CONTRACTOR SHALL REPLACE OR REPAIR THE UTILITIES OR SERVICE LINES WITH THE SAME TYPE OF ORIGINAL MATERIAL AND CONSTRUCTION, OR BETTER, UNLESS OTHERWISE SHOWN OR NOTED ON THE PLANS. AT HIS OWN COST AND EXPENSE, THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE ENGINEER AT ONCE OF ANY CONFLICTS WITH UTILITIES.
4. ALL EXCAVATIONS, TRENCHING AND SHORING OPERATIONS SHALL COMPLY WITH THE REQUIREMENTS OF THE U. S. DEPARTMENT OF LABOR, OSHA, CONSTRUCTION SAFETY AND HEALTH REGULATIONS AND ANY AMENDMENTS THERETO.
5. THE CONTRACTOR SHALL RESTORE ALL AREAS DISTURBED BY CONSTRUCTION TO ORIGINAL CONDITION OR BETTER. RESTORED AREAS INCLUDE, BUT ARE NOT LIMITED TO TRENCH BACKFILL, SIDE SLOPES, FENCES, DRAINAGE DITCHES, DRIVEWAYS, PRIVATE YARDS AND ROADWAYS. ANY CHANGES NEEDED AFTER CONSTRUCTION PLANS HAVE BEEN RELEASED, SHALL BE APPROVED BY THE CITY ENGINEER. THESE CHANGES MUST BE RECEIVED IN WRITING.
7. THE CONTRACTOR SHALL PROVIDE "RED LINED" MARKED PRINTS TO THE ENGINEER PRIOR TO FINAL INSPECTION INDICATING ALL CONSTRUCTION WHICH DEVIATED FROM THE PLANS OR WAS CONSTRUCTED IN ADDITION TO THAT INDICATED ON THE PLANS.
8. ALL CURB RADIIUS TO BE 10' OR 2' UNLESS OTHERWISE NOTED ON THE SITE PLAN.

## SITE PLAN

**MURPHY AND CARWASH**  
 NEC MARTINEZ LN. & SH 78  
 CITY OF WYLLIE  
 COLLIN COUNTY, TEXAS 75096  
 E.C. DAVIDSON SURVEY, ABS. NO. 267



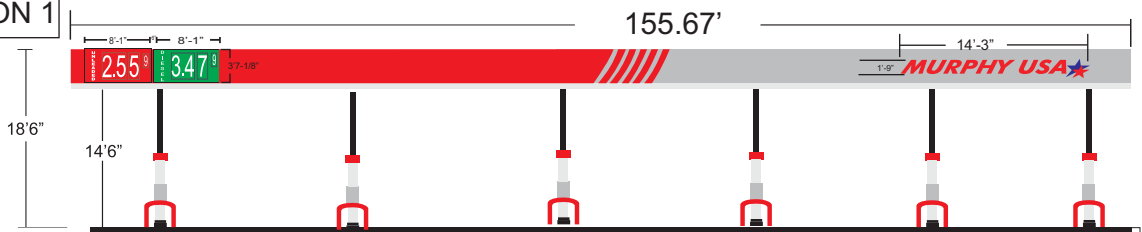
P.E.	DES.	DATE	SCALE	PROJECT NO.	SHEET NO.
KP	EB	03/06/23	SCALE BAR	006-23	C-3.0

TX, P.E. FIRM #11525

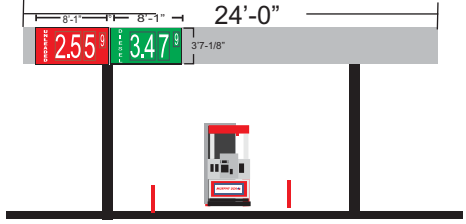


Know what's below.  
Call before you dig.

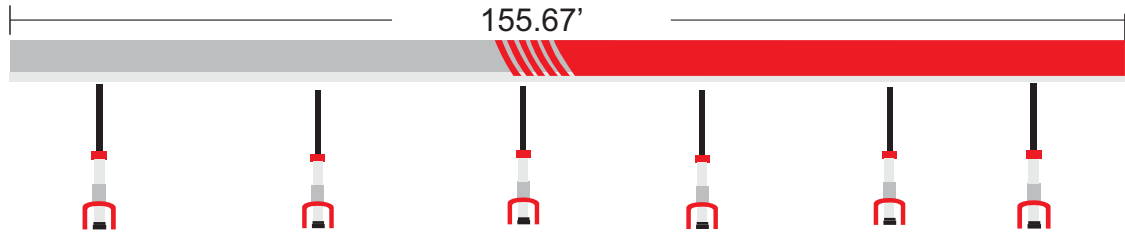
NO.	DATE	DESCRIPTION	BY
1	01/24/23	1st ZONING SUBMITTAL	EB
2	02/24/23	2nd ZONING SUBMITTAL	EB
3	03/06/23	3rd ZONING SUBMITTAL	EB



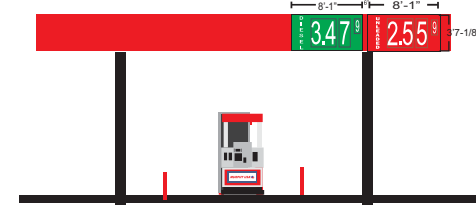
North Elevation



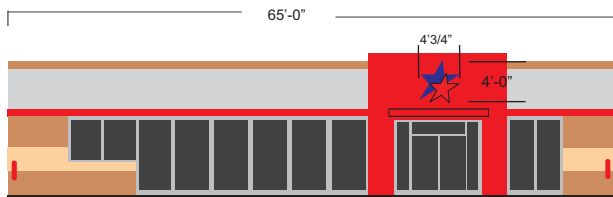
West Elevation



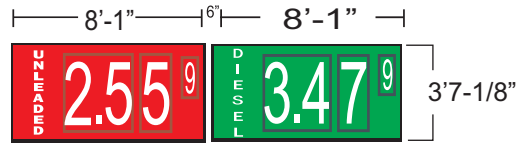
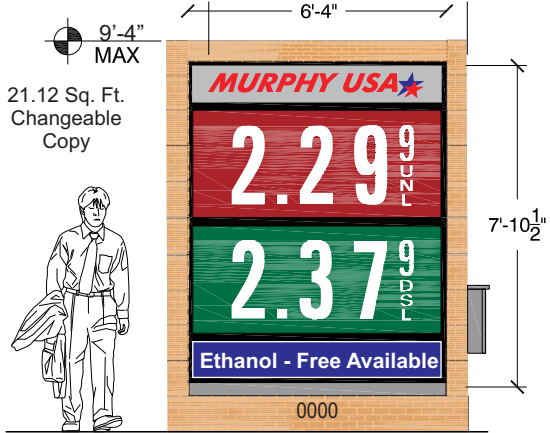
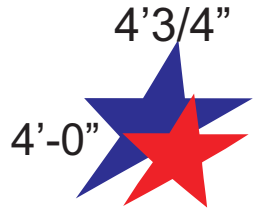
South Elevation



East Elevation



NORTH ELEVATION BUILDING ONLY



SIGN	QTY.	HEIGHT	WIDTH	AREA S.F.	TOTAL S.F.
MURPHY USA CANOPY LOGO	1	1'-9"	14'-3"	24.76	24.76
MURPHY USA BUILDING LOGO	1	1'-9"	14'-3"	24.76	24.76
STAR	1	6'-0"	5'-9-3/4"	34.90	34.90
Canopy Gas Price Signs	6	3'-7-1/8"	8'-1"	29.05	174.30
Monument					
MUSA/UNL/DSL/EFA	1	7'-10 1/2"	6'-4"	49.88	49.88
SIGN TOTAL:					308.60

**National Signs  
&  
Service**

799 Greenbriar Rd.  
Fate, TX. 75132

972-772-4901  
Fax 972-772-5037

Sign Installation Group, Inc.

CLIENT:



ADDRESS:

Murphy USA  
Highway 78 & Westgate  
Wylie, Texas 75098

DATE:

2/25/2023

DESIGNER:

SPW

PROJECT MANAGER:

ELECTRONIC FILE NAME:

22124

APPROVAL DATE:

REV 3

CLIENT SIGNATURE:

PAGE #

1



## Exterior Paint Finishes (Retrofits)

The attached Sherwin Williams paint colors are for design intent. Provide mock ups of each color onsite for Driven Brands final selection.







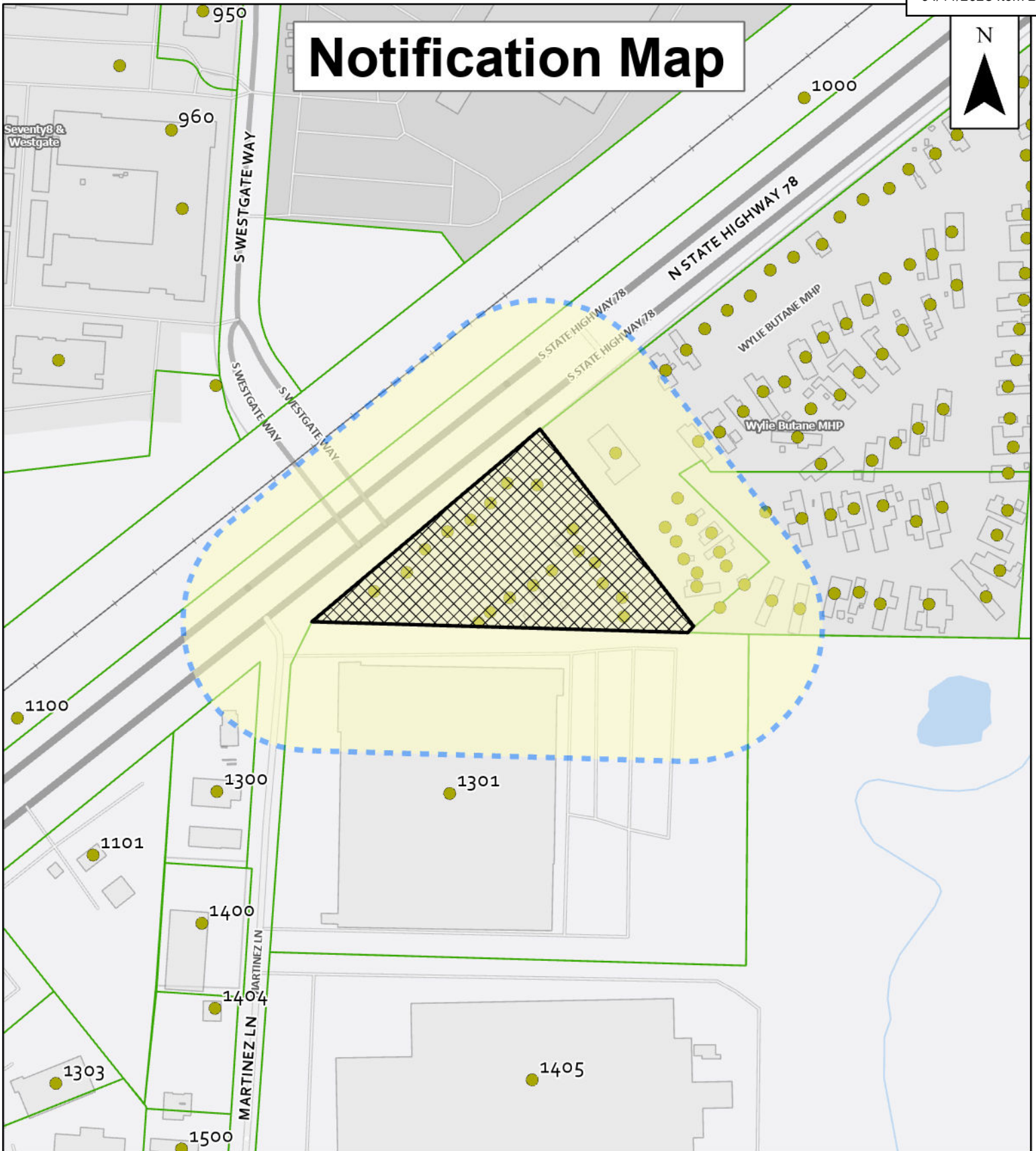








# Notification Map



**ZONING CASE:**  
**ZC 2023-05; WYLIE GAS STATION AND CARWASH**

 SUBJECT property  200 foot Notification Buffer

0 50 100 200 300 400 500 600 Feet



Date: 2/27/2023





# Wylie City Council

## AGENDA REPORT

**Department:** Planning

**Prepared By:** Jasen Haskins, AICP

**Account Code:** \_\_\_\_\_

### Subject

Hold a Public Hearing, consider, and act upon, a change in zoning from Commercial Corridor (CC) to Planned Development - Commercial Corridor (PD-CC) on 10.485 acres generally located on the southeast corner of State Highway 78 and Kreymer Lane (2023-02).

### Recommendation

Motion to approve the Item as presented.

### Discussion

**OWNER: SCSD-FINNERLL, LTD**

**APPLICANT: Claymoore Engineering**

The applicant is requesting to rezone 10.485 acres located on the southeast corner of State Highway 78 and Kreymer Lane. The property is currently zoned Commercial Corridor. The applicant is requesting a Planned Development (PD) to allow for a commercial environment with a focus on commerce, dining, and office uses.

The proposal includes a master plan of nine commercial lots with access from Kreymer Lane and State Highway 78.

The zoning exhibit calls out the potential for approximately 11,400 sq. ft. of sit-down restaurant space, 4,000 sq. ft. of drive-through restaurant space, and 29,500 sq. ft. of medical office use space. If zoning is approved each lot will be required to present a site plan and plat for consideration.

The PD establishes uses that are allowed by-right within the subject property:

- All by-right Commercial Corridor District uses except industrial uses (Sections 5.2H and 5.2I)
- Convenience Store
- Motor Vehicle Fueling Station
- Restaurant with Drive-In or Drive-Thru Services
- Food Truck Park
- Alcohol/Liquor Uses, which shall be exempt from distance requirements from church, public hospitals, public schools, and private schools

The following uses are expressly prohibited on the subject property:

- Sexually Oriented Business
- Equipment Rental
- Automobile Rental
- Automotive Repair Minor
- Car Wash
- Vehicle Display, Sales or Service
- And as mentioned above, any uses listed under sections 5.2H and 5.2I of the Zoning Ordinance



The following are modifications to the Commercial Corridor district design standards that the PD is requesting:

- Section 3.1.B(4) of the Subdivision Regulations shall be amended to allow for a 24' access easement connecting to Kreymer Lane to replace the requirement of requiring 30' of street frontage for lots 7-10 of the Zoning Exhibit.
- Section 22-448.a(4) of the Sign Ordinance shall be amended to allow for off premises signage for all pad sites within the Planned Development to allow for multi-tenant signage on Lot 1, Lot 2, and Lot 4 as generally shown on the Zoning Exhibit.

The development provides fire lanes and fire hydrants throughout the site and is in compliance with fire code requirements.

The properties adjacent to the subject property are zoned commercial to the north, west, and east, and Agricultural to the south.

The subject property lies within the Regional Commercial Sector of the Comprehensive Land Use Plan. The proposed zoning is compatible with the Plan.

Notices were sent to 20 property owners within 200 feet as required by state law. At the time of posting no responses were returned in favor or in opposition of the request.

**P&Z Recommendation**

After some discussion on drainage and decel lanes, the Commission voted 7-0 to recommend approval.

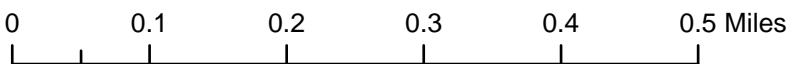


# Locator Map

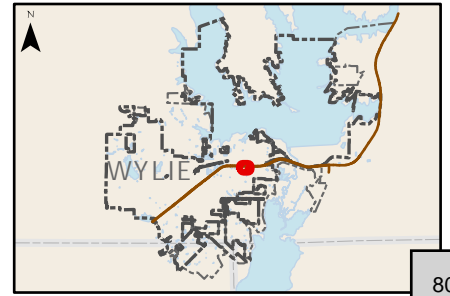


ZONING CASE:  
ZC 2023-02; Kreymer Retail

 SUBJECT property



Date: 2/6/2023





## Kreymer Retail

## EXHIBIT "B"

## CONDITIONS FOR PLANNED DEVELOPMENT

## I. PURPOSE:

The purpose of this Planned Development is to create a commercial environment with a focus on commerce, dining and office uses.

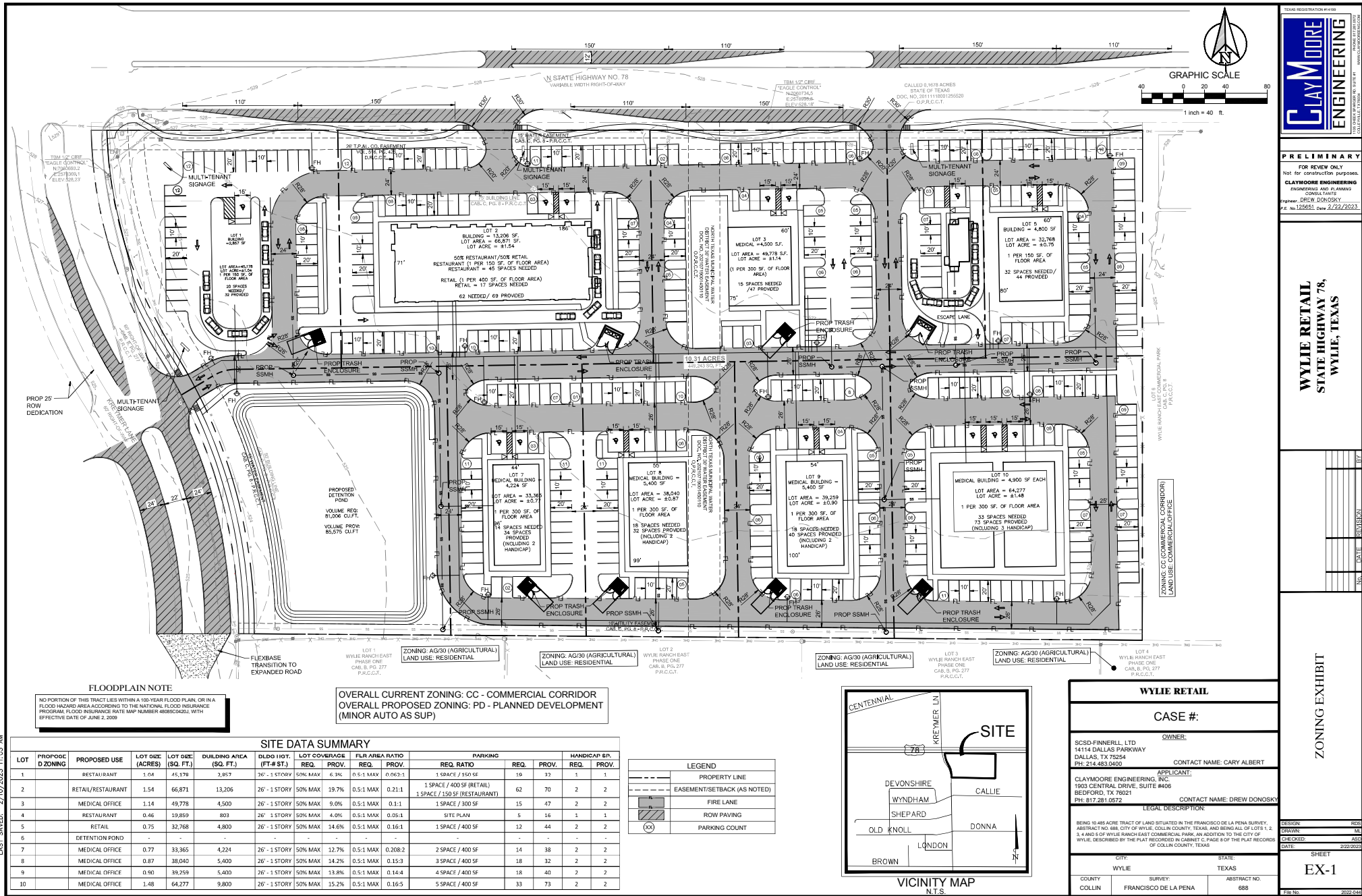
## II. GENERAL CONDITIONS:

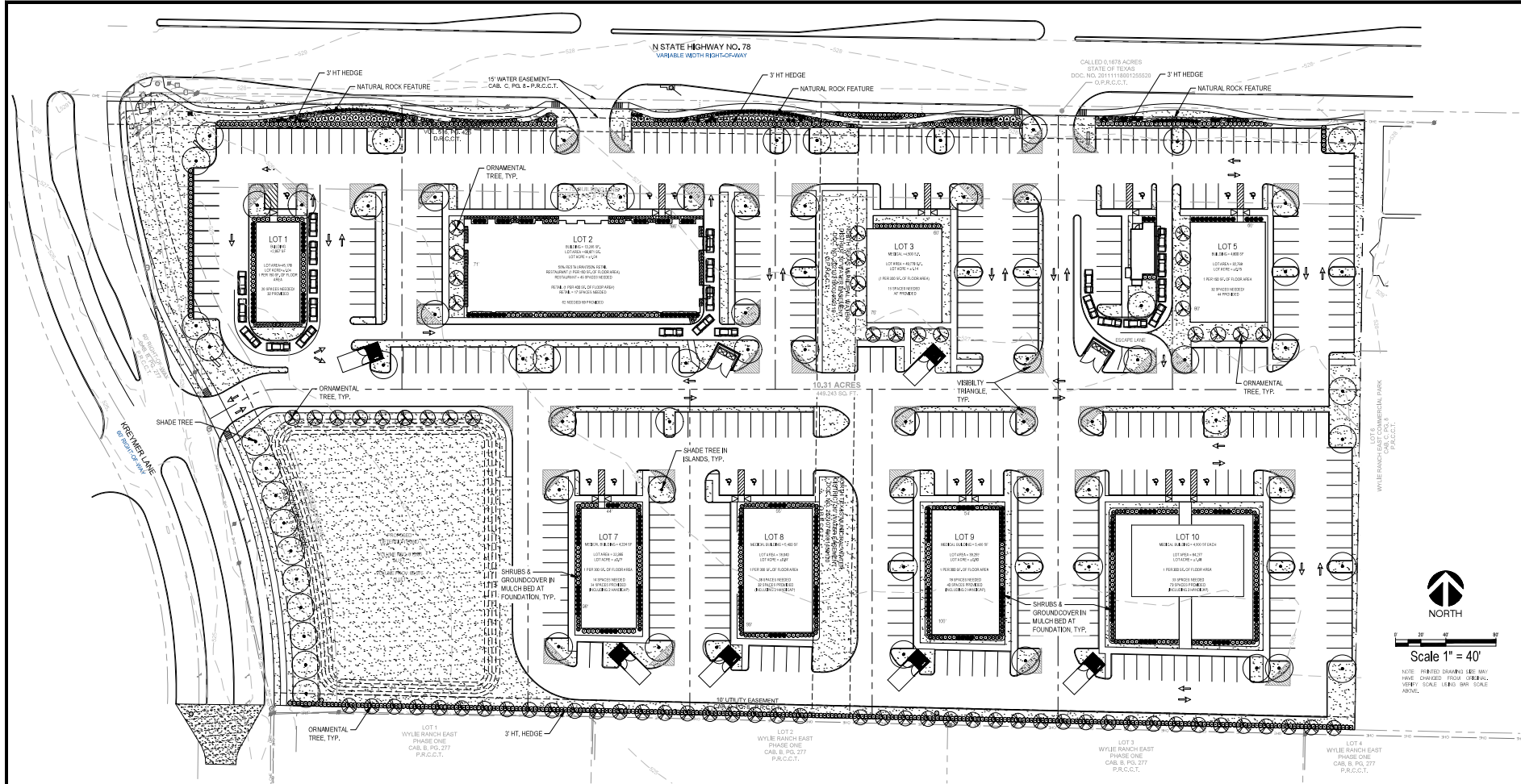
1. Unless otherwise explicitly stated in the PD, all variations are from the City of Wylie's Zoning Ordinance as amended April 2021.
2. This Planned Development shall not affect any regulations of the aforementioned Zoning Ordinance except as specifically provided herein.
3. The underlying zoning for this Planned Development District shall be Commercial Corridor (CC).
4. The development shall be in general conformance with the Zoning Exhibit.

## III. SPECIAL CONDITIONS:

1. The following uses as defined in the Commercial Corridor District (CC) shall be expressly permitted on the subject property:
  - a. Convenience Store
  - b. Motor Vehicle Fueling Station
  - c. Restaurant with Drive-In or Drive-Thru Service
  - d. Food Truck Parking
  - e. Alcohol/Liquor Uses, which shall be exempt from distance requirements from churches, public hospitals, public schools and private schools
2. The following uses as defined in the Commercial Corridor District (CC) shall be expressly prohibited on the subject property:
  - a. Sexually Oriented Business
  - b. Equipment Rental
  - c. Automobile Rental
  - d. Car Wash
  - e. Vehicle Display, Sales or Service

- f. Any and all uses listed under Sections 5.2.H and 5.2.I of the Zoning Ordinance
3. Section 22-448.a(4) of the Sign Ordinance shall be amended to allow for off premises signage for all pad sites within the Planned Development to allow for multi-tenant signage on Lot 1, Lot 2, & Lot 4 as generally shown on the Zoning Exhibit.
  4. Section 3.1.B(4) of the Subdivision Regulations shall be amended to allow for a 24' access easement connecting to Kreymer Lane to replace the requirement of requiring 30' of street frontage for lots 7-10 of the Zoning Exhibit.
  5. The development shall provide screening along the southern border with the planting of ornamental trees and a hedge 3' in height.





WYLIE RETAIL  
 CITY OF WYLIE, TX  
 ZONING: CC (COMMERCIAL CORRIDOR)  
 PROJECT AREA: 449,222 SF (10.3 AC)

#### LANDSCAPE REQUIREMENTS

##### REQUIRED YARDS:

###### BASE STANDARD

LANDSCAPE AREA 20% (89,844 SF) REQ'D

FRONT YARD LANDSCAPE: REQ'D AND PROVIDED

SIDE/REAR YARDS NEXT TO RESIDENTIAL: REQ'D AND PROVIDED

###### DESIRABLE

PROVIDED: LANDSCAPING IN SIDE AND REAR YARD NOT OTHERWISE REQUIRED.

##### PARKING LOTS (413 TOTAL SPACES):

###### BASE STANDARD

50 SF OF LANDSCAPING/SPACE: 20,650 SF REQ'D

NO PARKING SPACE FURTHER THAN 80' FROM LANDSCAPED AREA. PROVIDED

ROWS 12+ SPACES OR LONGER SHALL HAVE LANDSCAPED ISLANDS AT END. PROVIDED

ALL PARKING ROWS SHALL HAVE LANDSCAPED AREAS AT LEAST EVERY 12 SPACES. PROVIDED

###### DESIRABLE

PROVIDED: LANDSCAPING 10% OR MORE IN EXCESS OF 50 SF/SPACE (63% EXCESS)

PROVIDED: LANDSCAPED PEDESTRIAN CONNECTION TO MAIN ENTRANCE

##### VISUAL SCREENING (ADJACENT TO RES. SOUTH PROPERTY LINE (863 LF)

5' STRIP W/ CONTINUOUS 3' HT. SHRUBS + 1 FLOWERING TREE/20 LF

TREES: 43 FLOWERING TREES REQ'D

SHRUBS: CONTINUOUS 3' HT. HEDGE

##### STREET FRONTS

BASE STANDARD: 10' WIDE LANDSCAPED BUFFER + ONE (1' CAL.) TREE PER 30-40 LF

STATE HWY 78 (866 LF): 25 TREES REQ'D

KREYMER LANE (507 LF): 12 TREES REQ'D

\* DUE TO UTILITY EASEMENTS, TREES HAVE BEEN LOCATED IN PARKING LOT ADJACENT TO FRONTAGE

###### DESIRABLE

PROVIDED: USE OF ROCK WALLS OR OTHER NATURAL LANDSCAPE FEATURES.

PROVIDED: INCREASE IN MINIMUM WIDTH OF LANDSCAPE BUFFER BY 20% (+ 15' WIDE)

#### PLANTINGS TO BE FROM THE FOLLOWING LIST:

##### LARGE SHADE TREES (83 TOTAL)

- RED OAK
- BURR OAK
- SOUTHERN MAGNOLIA
- LIVE OAK
- BALD CYPRESS

##### SMALL ORNAMENTAL TREES (63 TOTAL)

- YAUPOIN HOLLY
- CRAPE MYRTLE
- WAX MYRTLE
- CHERRY LAUREL
- RED BUD
- CEDAR ELM

##### SHRUBS/GROUNDCOVERS (41-1350 TOTAL)

- RED TIP PHOTINIA
- BURFORD HOLLY
- YAUPOIN HOLLY
- NANDINA
- DWARF CRAPE MYRTLE
- WAXLEAF LIGUSTRUM
- ABELIA
- JUNKERS
- BARBERRY
- ASIAN JASMINE
- LIPOPE
- MONKEY GRASS
- MONDO GRASS



R-1	STANDING SEAM METAL ROOFING - CHARCOAL
R-2	DUROLAST ROOFING
R-3	METAL COPING - ANODIZED ALUMINUM



DATE

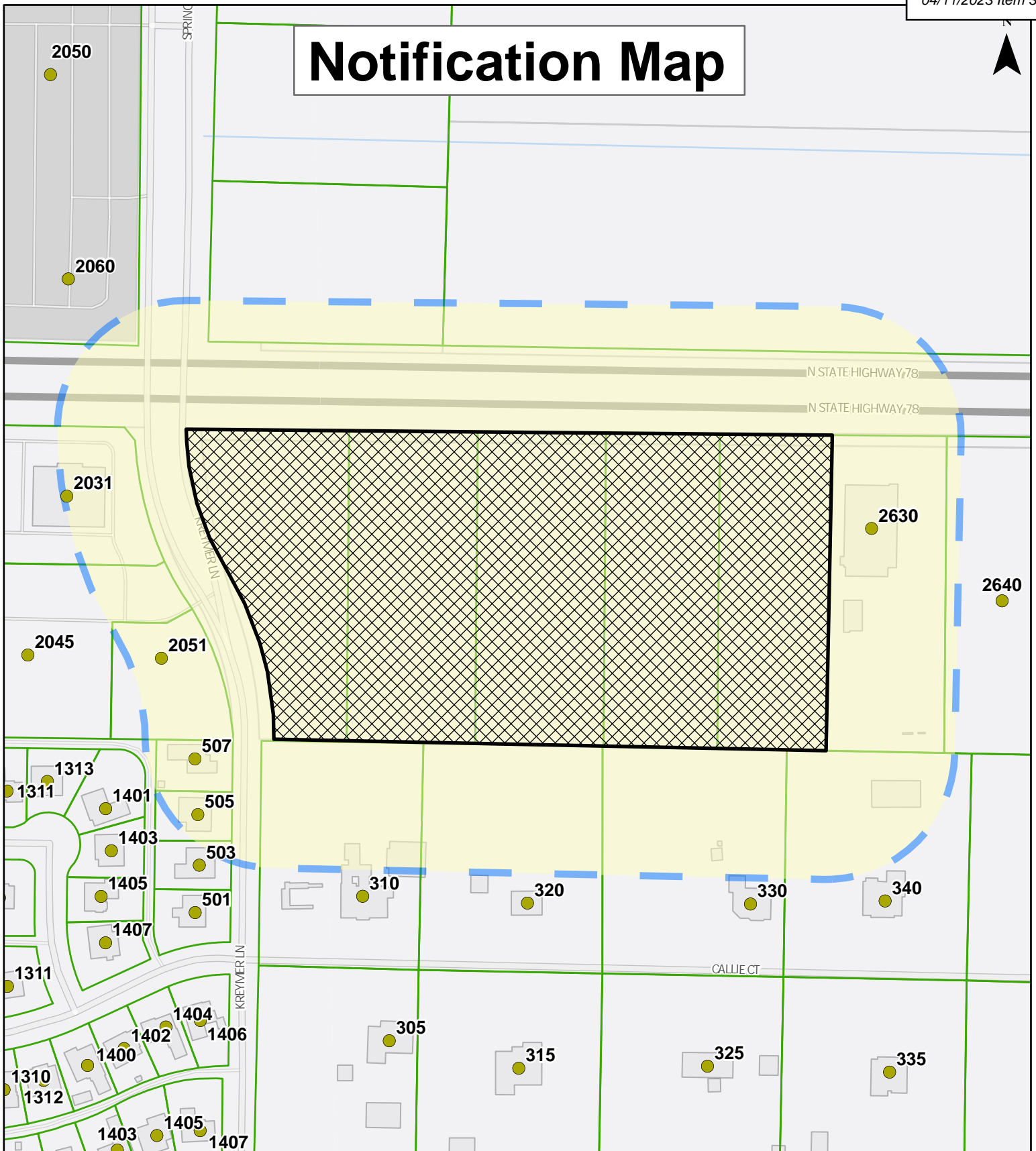
EXT-4

## SHEET NUMBER:

PROJECT NUMBER:  
**CAE22005**



# Notification Map



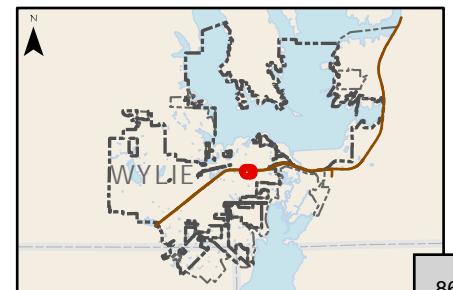
ZONING CASE:  
ZC 2023-02; Kreymer Retail

 SUBJECT property  200 foot Notification Buffer

0 50 100 200 300 400 500 600 Feet



Date: 2/6/2023







# Wylie City Council

## AGENDA REPORT

Department: Finance  
 Prepared By: Melissa Beard

Account Code: See Exhibit A

### Subject

Consider, and act upon, Ordinance No. 2023-15 amending Ordinance No. 2022-56, which established the budget for fiscal year 2022-2023; providing for repealing, savings and severability clauses; and providing for an effective date of this ordinance.

### Recommendation

Motion to approve Item as presented.

### Discussion

The mid-year budget amendments are generally intended to cover unanticipated and/or unavoidable revenue and expenditure adjustments to the adopted budget. The detail is attached in Exhibit A for the requested items, which are, located within the General Fund, Utility Fund, 4B Sales Tax Fund, WEDC, Parks A & I, Hotel Occupancy, Debt Service Funds and Capital Funds. The requests are further defined as neutral (matching revenues to expenditures), revenue increases or expenditure increases. General Fund salary and benefits savings from the first half of the fiscal year are included in the amendment in the amount of \$336,855 and Utility Fund salary and benefits savings in the amount of \$198,392.

The account detail is included in **Exhibit A**.

## **ORDINANCE NO. 2023-15**

### **AN ORDINANCE OF THE CITY OF WYLIE, TEXAS, AMENDING ORDINANCE NO. 2022-56, WHICH ESTABLISHED THE BUDGET FOR FISCAL YEAR 2022-2023; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City Council heretofore adopted Ordinance No. 2022-56 setting forth the Budget for Fiscal Year 2022-2023 beginning October 1, 2022, and ending September 30, 2023; and,

**WHEREAS**, the City Departments and Divisions routinely review their budget appropriations to determine if any changes are necessary; and

**WHEREAS**, based upon said review the City staff now recommends that certain amendments to the Budget be considered by the City Council; see Exhibit A; and,

**WHEREAS**, the City Council has the authority to make amendments to the City Budget under Article VII, Section 4 of the City Charter, as well as State law; and,

**WHEREAS**, the City Council has determined that the proposed amendments to the FY 2022-2023 Budget; see Exhibit A, with the revenues and expenditures therein contained, is in the best interest of the City; and therefore, desires to adopt the same by formal action.

**NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WYLIE, TEXAS:**

**SECTION I:** The proposed amendments to the FY 2022-2023 Budget of the City of Wylie; Exhibit A, as heretofore adopted by Ordinance No. 2023-15, are completely adopted and approved as amendments to the said FY 2022-2023 Budget.

**SECTION II:** All portions of the existing FY 2022-2023 Budget and Ordinance No. 2022-56, except as specifically herein amended, shall remain in full force and effect, and not be otherwise affected by the adoption of the amendatory ordinance.

**SECTION III:** Should any paragraph, sentence, sub-division, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision thereof, other than the part or parts as declared to be invalid, illegal, or unconstitutional.

**SECTION IV:** This ordinance shall be in full force and effect from and after its adoption by the City Council and publication of its caption as the law and the City Charter provide in such cases.

**SECTION V:** That all other ordinances and code provisions in conflict herewith are hereby repealed to the extent of any such conflict or inconsistency and all other provisions of the Wylie City Code not in conflict herewith shall remain in full force and effect.

**SECTION VI:** The repeal of any ordinance, or parts thereof, by the enactment of the Ordinance, shall not be construed as abandoning any action now pending under or by virtue of such ordinance; nor shall it have the effect of discontinuing, abating, modifying or altering any penalty accruing or to accrue,

nor as affecting any rights of the municipality under any section or provision of any ordinances at the time of passage of this ordinance.

**DULY PASSED AND APPROVED** by the City Council of the City of Wylie, Texas, this 11th day of April, 2023.

---

Matthew Porter, Mayor

ATTEST:

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Stephanie Storm, City Secretary

# **FY 2023 Mid Year Adjustments**

## **Salary & Benefits Savings**

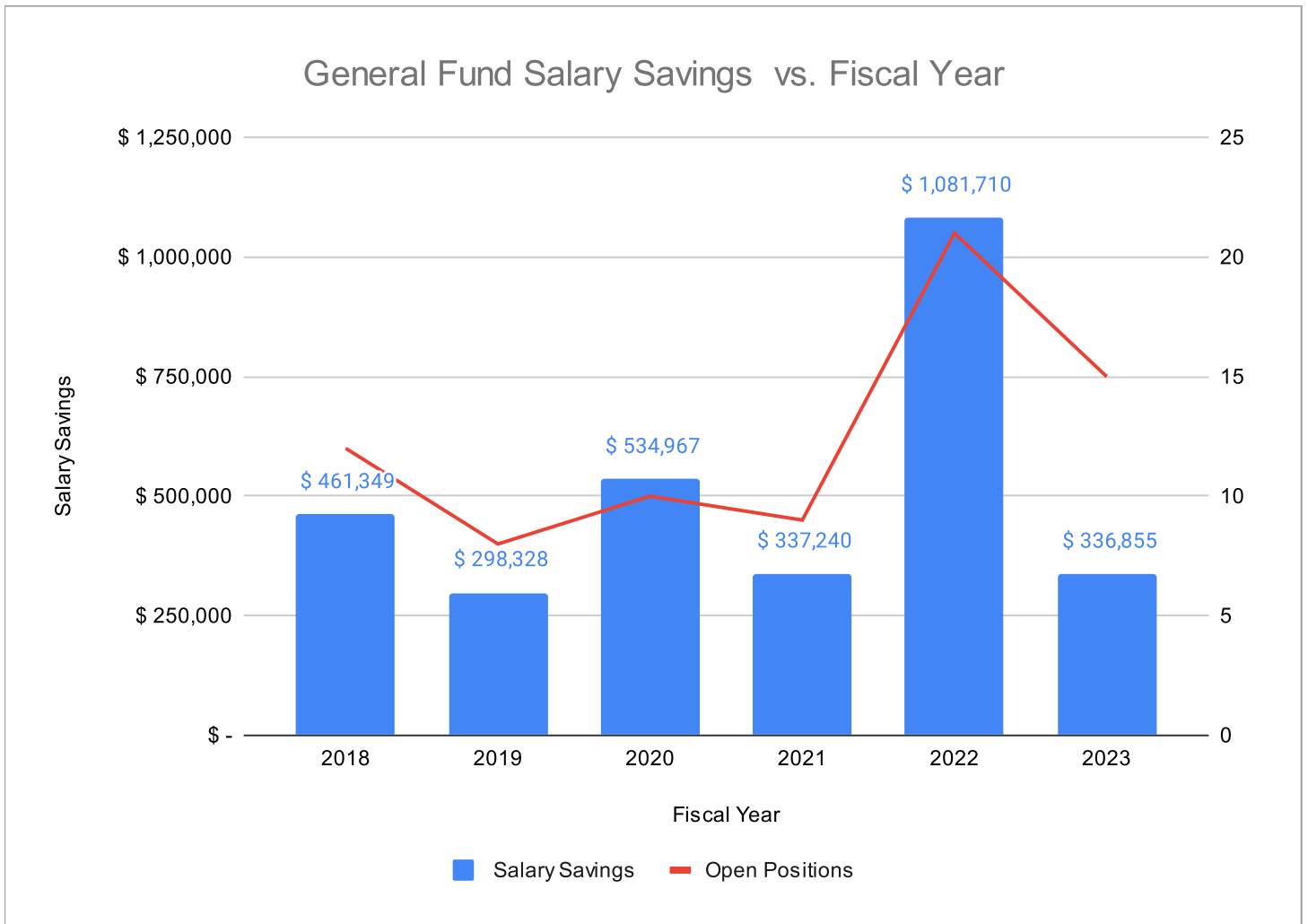
### **Exhibit A**

#### **FY 2023 General Fund Budget Adjustments**

City Council	\$	(114)	Workers Comp
City Manager	\$	3,374	
City Secretary	\$	12,795	Budget for Dep CS, Position filled with Admin
Finance	\$	(3,483)	
Facilities	\$	(5,217)	Insurance Changes/Workers Comp
Municipal Court	\$	28,457	Turnover/Open Position
Human Resources	\$	1,400	
Purchasing	\$	35,836	Turnover/Open Position
Information Technology	\$	3,196	
Police	\$	(18,381)	Insurance and Workers Comp
Fire	\$	32,347	Open Positions offset by Workers Comp
Emergency Communications	\$	(18,367)	Employee Retirement Payouts (2)
Animal Control	\$	39,308	Open Positions
Planning	\$	10,571	Turnover/Open Position
Building Inspections	\$	83,218	Open Positions
Code Enforcement	\$	16,579	Open Position
Streets	\$	50,341	Open Positions
Parks	\$	87,164	Open Positions
Library	\$	(22,169)	
	\$	336,855	

#### **FY 2023 Utility Fund Budget Adjustments**

Utility Fund Admin	\$	(15,870)	Retirement Payout
Water	\$	72,729	Turnover/Open Positions
Wastewater	\$	139,742	Turnover/Open Positions
Engineering	\$	(8,738)	Insurance Changes
Utility Billing	\$	10,529	Turnover/Open Positions
	\$	198,392	



Fiscal Year	Salary Savings	Open Positions
2018	\$ 461,349	12
2019	\$ 298,328	8
2020	\$ 534,967	10
2021	\$ 337,240	9
2022	\$ 1,081,710	21
2023	\$ 336,855	15



## City of Wylie

### FY 2023 Mid-Year Adjustments

Fund/Account	Account Description	Mid-Year Description	Amount	Additional Description
100-4000-48410	Miscellaneous Income	Ballistic Vest Reimbursement Allocation	(6,001.00)	
100-4000-48410	Miscellaneous Income	LEOSE Reimbursement	(4,446.00)	
100-4000-48440	Contributions/Donations	Catholic Foundation Donation	(5,779.00)	
100-4000-49600	Insurance Recoveries	Guardrail repair to Stone and WA Allen	(11,200.00)	
100-4000-49600	Insurance Recoveries	Guardrail repair to Country Club and Lakefield	(16,612.00)	
100-5181-59430	Transfer to Capital Projects Fund	Stone Road Construction - Use of GF Fund Balance	6,000,000.00	
100-5181-56610	Utilities - Electric	Increase in electric usage/cost	24,000.00	
100-5181-56630	Utilities - Water	Increase in water usage/cost	39,000.00	
100-5181-56660	Utilities - Gas	Increase in gas usage/cost	25,300.00	
100-5211-52710	Wearing Apparel and Uniforms	Ballistic Vest Reimbursement Allocation	6,001.00	Funded from Ballistic Vest Reimbursement
100-5251-52250	Medical and Surgical	Feline Leukemia Tests	3,780.00	
100-5251-56040	Special Services	Temporary Kennel Attendant Services	40,460.00	Funded from Salary Savings
100-5251-52130	Tools & Equipment	Purchase Kuranda Bedding	2,055.00	Funded from Pet Data Licensing and Contributions
100-5231-51130	Overtime	Overtime for Fire Marshal's Office	18,000.00	
100-5231-52310	Fuel	Increase in Fuel Costs	25,000.00	
100-5231-58510	Motor Vehicles	Reserve Ambulance Units	250,000.00	
100-5231-52250	Medical and Surgical	Lifepak 15	50,926.00	
100-5231-52250	Medical and Surgical	Stryker Stretchers	50,000.00	
100-5241-56210	Travel & Training	LEOSE Reimbursement	4,446.00	Funded From Comptroller
100-5411-51130	Overtime	Unexpected Overtime from Ice Storm	24,646.00	
100-5411-54210	Streets and Alleys	Guardrail repair to Stone and WA Allen	11,200.00	
100-5411-54210	Streets and Alleys	Guardrail repair to Country Club and Lakefield	16,612.00	
100-5411-58210	Streets and Alleys	Woodbridge Pkwy/Hensley Lane Signal Construction	250,000.00	
100-5551-52130	Tools & Equipment	Enhance Library Services	5,779.00	Funded From Donation
<b>TOTAL GENERAL FUND</b>			<b>6,803,167.00</b>	
111-5611-51470	Workers Comp	Workers Comp audit adjustments	233.89	
<b>TOTAL WEDC</b>			<b>233.89</b>	
112-5000-59430	Transfer to Capital Project Fund	East Meadow Splashpad Additional Funding	785,000.00	
112-5000-59430	Transfer to Capital Project Fund	Community Park Splashpad Additional Funding	285,000.00	
112-5000-59430	Transfer to Capital Project Fund	Dog Park Additional Funding	205,000.00	
112-5614-58150	Land Betterments	Pickelball Court at Community Park	70,000.00	
112-5614-58150	Land Betterments	Community Park Restrooms	300,000.00	
112-5614-58150	Land Betterments	Brown House Outdoor Restrooms	300,000.00	
112-5614-58150	Land Betterments	Founders Park Renovation of Three Football Fields	1,000,000.00	
112-5612-51470	Workers Comp	Workers Comp audit adjustments	65.41	
112-5613-51470	Workers Comp	Workers Comp audit adjustments	1,050.99	
112-5614-51470	Workers Comp	Workers Comp audit adjustments	1,138.17	
112-5625-51470	Workers Comp	Workers Comp audit adjustments	3,756.90	
112-5625-56630	Utilities - Water	Increase in water usage/cost	40,000.00	
<b>TOTAL 4B SALES TAX FUND</b>			<b>2,991,011.47</b>	
611-5712-51130	Overtime	Unexpected Overtime from Ice Storm	14,340.00	
611-5714-51130	Overtime	Unexpected Overtime from Ice Storm	9,392.00	
611-5715-52350	Meter/Service Connect Supplies	AMI Meters All Sizes	10,000.00	
611-5714-56610	Utilities - Electric	Increase in electric usage/cost	6,000.00	
<b>TOTAL UTILITY FUND</b>			<b>39,732.00</b>	

## City of Wylie

### FY 2023 Mid-Year Adjustments

Fund/Account	Account Description	Mid-Year Description	Amount	Additional Description
121-5621-59430	Transfer to Capital Project Fund	East Meadown Splashpad Additional Funding	200,000.00	
<b>TOTAL PARKS A &amp; I FUND</b>			<b>200,000.00</b>	
161-5651-56040	Special Services	Support for ESFNA Tournament	100,000.00	
<b>TOTAL HOTEL OCCUPANCY FUND</b>			<b>100,000.00</b>	
312-5000-59132	Transfer to 4B Debt Service	Close Fund 312	188,984.00	
313-4000-49133	Transfer from 4B Debt Service	Close Fund 312	(188,984.00)	
<b>TOTAL DEBT SERVICE FUNDS</b>			<b>0.00</b>	
417-4000-49111	Transfer From General Fund	Stone Road Construction	(6,000,000.00)	
470-400049131	Transfer from Special Revenue	Splashpads and Dog Park	(1,475,000.00)	
<b>TOTAL CAPITAL FUNDS</b>			<b>(7,475,000.00)</b>	

# GENERAL FUND

## STATEMENT OF REVENUES AND EXPENDITURES

	BUDGET 2022-23	PROJECTED PERSONNEL SAVINGS	OTHER AMENDMENTS	AMENDED FY 2022-2023
<b>BEGINNING FUND BALANCE</b>	<b>\$30,411,011</b>			<b>\$30,411,011</b>
<b>REVENUES:</b>				
Ad Valorem Taxes	37,234,844			37,234,844
Sales Taxes	2,802,400			2,802,400
Franchise Fees	1,442,750			1,442,750
Licenses & Permits	2,429,011			2,429,011
Intergovernmental Revenues	4,338,970			4,338,970
Service Fees	339,000			339,000
Fines and Forfeitures	60,000			60,000
Interest & Miscellaneous	215,417		16,226	231,643
<b>Total Revenues</b>	<b>48,862,392</b>		<b>16,226</b>	<b>48,878,618</b>
<b>OTHER FINANCING SOURCES:</b>				
Transfers from Other Funds/Other Financing Sources	2,640,585		27,812	2,668,397
Use of Fund Balance for Carry-Forward Items	1,711,613			1,711,613
<b>Total Other Financing Sources</b>	<b>4,352,198</b>		<b>27,812</b>	<b>4,380,010</b>
<b>Total Revenues &amp; Other Financing Sources</b>	<b>53,214,590</b>	<b>0</b>	<b>44,038</b>	<b>53,258,628</b>
<b>EXPENDITURES:</b>				
General Government				
City Council	95,165	(114)		95,279
City Manager	1,302,321	3,374		1,298,947
City Secretary	391,877	12,795		379,082
City Attorney	170,000	0		170,000
Finance	1,359,949	(3,483)		1,363,432
Facilities	1,051,596	(5,217)		1,056,813
Municipal Court	580,378	28,457		551,921
Human Resources	817,788	1,400		816,388
Purchasing	330,531	35,836		294,695
Information Technology	2,300,558	3,196		2,297,362
Public Safety				
Police	13,371,073	(18,381)	6,001	13,395,455
Fire	13,107,776	32,347	393,926	13,469,355
Emergency Communications	2,397,904	(18,367)	4,446	2,420,717
Animal Control	729,459	39,308	46,295	736,446
Development Services				
Planning	373,797	10,571		363,226
Building Inspections	599,708	83,218		516,490
Code Enforcement	279,004	16,579		262,425
Streets	5,230,598	50,341	302,458	5,482,715
Community Services				
Parks	2,792,585	87,164		2,705,421
Library	2,319,659	(22,169)	5,779	2,347,607
Combined Services	4,403,459	0	88,300	4,491,759
<b>Total Expenditures</b>	<b>54,005,185</b>	<b>336,855</b>	<b>847,205</b>	<b>54,515,535</b>
Transfers to Other Funds/Other Financing	0		6,000,000.00	6,000,000
<b>ENDING FUND BALANCE</b>	<b>\$29,620,416</b>	<b>336,855</b>	<b>6,803,167</b>	<b>\$23,154,104</b>

# UTILITY FUND

## STATEMENT OF REVENUES AND EXPENDITURES

	BUDGET 2022-23	PROJECTED PERSONNEL SAVINGS	OTHER AMENDMENTS	AMENDED FY 2022-2023
<b>BEGINNING FUND BALANCE</b>	<b>\$26,123,845</b>			<b>\$26,123,845</b>
REVENUES:				
Service Fees	25,933,619			25,933,619
Interest & Miscellaneous	94,000			94,000
Total Revenues	26,027,619		0	26,027,619
OTHER FINANCING SOURCES:				
Transfers from Other Funds/Other Financing Sources	0			0
Use of Fund Balance for Carry-Forward Items	2,276,241			2,276,241
Total Other Financing Sources	2,276,241		0	2,276,241
<b>Total Revenues &amp; Other Financing Sources</b>	<b>28,303,860</b>	<b>0</b>	<b>0</b>	<b>28,303,860</b>
EXPENDITURES:				
Utility Administration	619,070	(15,870)		634,940
Utilities - Water	4,458,970	72,729	14,340	4,400,581
City Engineer	1,111,681	(8,738)		1,120,419
Utilities - Wastewater	1,333,727	139,742	15,392	1,209,377
Utility Billing	1,287,946	10,529	10,000	1,287,417
Combined Services	15,892,103	0		15,892,103
<b>Total Expenditures</b>	<b>24,703,497</b>	<b>198,392</b>	<b>39,732</b>	<b>24,544,837</b>
Transfers to Other Funds/Other Financing	2,488,646			2,488,646
<b>ENDING FUND BALANCE</b>	<b>\$27,235,562</b>	<b>198,392</b>	<b>39,732</b>	<b>\$27,394,222</b>

**REQUEST FORM - MID YEAR BUDGET AMENDMENT****FISCAL YEAR 2023**

<b>RANK</b>	<b>1</b>	<b>OF</b>	<b>1</b>	<b>REQUEST:</b>	<b>TRANSFER GFFB TO NEW CAPITAL FUND</b>	<b>DEPARTMENT:</b>	<b>FINANCE</b>
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New Request: Yes      New personnel? No      Salary Grade: N/A

Funds already expensed? No      Change Level of current personnel?      From:      To:

**PURPOSE/OBJECTIVE OF REQUEST:**

This request is to transfer General Fund Fund Balance of \$6 million to a new capital projects fund "Stone Road Construction" so that the project revenue sources and project expenses are more easily tracked.

ACCOUNT NO.			DESCRIPTION	AMOUNT
100	5181	59430	Transfer to Capital Project Fund	\$ 6,000,000.00
<b>TOTAL</b>				<b>\$ 6,000,000.00</b>

**ADDITIONAL COMMENTS:**

Projected cost of this project is \$6 million. The county has pledged 27% participation (\$1,620,000). After project completion, any remaining funds will be returned to the General Fund.

The money will be transferred to Fund 417 Stone Road Construction.



## REQUEST FORM - MID YEAR BUDGET AMENDMENT

FISCAL YEAR 2023

RANK	1	OF	1	REQUEST:	WORKERS COMP AUDIT ADJUSTMENT	DEPARTMENT:	Various
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New Request: Yes      New personnel? No      Salary Grade: N/A

Funds already expensed? Yes      Change Level of current personnel?      From:      To:

**PURPOSE/OBJECTIVE OF REQUEST:**

Adjustments for Workers Comp Audit. This request is for 4B, WEDC. The General Fund and Utility Fund adjustments were part of the salary savings calculation. The General Fund total was \$116,265 and the Utility Fund amount was \$5,141.

ACCOUNT NO.			DESCRIPTION	AMOUNT
112	5612	51470	Brown House	\$ 65.41
112	5613	51470	Senior Center	\$ 1,050.99
112	5614	51470	4B Parks	\$ 1,138.17
112	5625	51470	Recreation Center	\$ 3,756.90
			<b>Total 4B Workers Comp Adjustments</b>	<b>\$ 6,011.47</b>
111	5611	51470	WEDC Workers Comp Adjustments	\$ 233.89
<b>TOTAL</b>				<b>\$ 6,245.36</b>

**ADDITIONAL COMMENTS:**

## REQUEST FORM - MID YEAR BUDGET AMENDMENT

FISCAL YEAR 2023

RANK	1	OF	1	REQUEST:	INCREASE TO UTILITIES - ELECTRIC/GAS/WATER	DEPARTMENT:	Various
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New Request: Yes      New personnel? No      Salary Grade: N/A

Funds already expensed? No      Change Level of current personnel?      From:      To:

**PURPOSE/OBJECTIVE OF REQUEST:**

Increases to the electric, gas and water budgets due to increased usage and cost.

ACCOUNT NO.			DESCRIPTION	AMOUNT
100	5181	56610	Utilities - Electric	\$ 24,000.00
100	5181	56630	Utilities - Water	\$ 39,000.00
100	5181	56660	Utilities - Gas	\$ 25,300.00
			<b>Total General Fund</b>	<b>\$ 88,300.00</b>
112	5625	56630	Utilities Water	<b>\$ 40,000.00</b>
611	5714	56610	Utilities - Electric	\$ 6,000.00
			<b>TOTAL</b>	<b>\$ 134,300.00</b>

ADDITIONAL COMMENTS:

**REQUEST FORM - MID YEAR BUDGET AMENDMENT****FISCAL YEAR 2023**

<b>RANK</b>	<b>1</b>	<b>OF</b>	<b>1</b>	<b>REQUEST:</b>	<b>SUPPORT ESFNA</b>	<b>DEPARTMENT:</b>	<b>HOTEL OCCUPANCY TAX FUND</b>
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New Request: Yes

New personnel?

No

Salary Grade: \_\_\_\_\_

Funds already expensed?

No

Change grade of current personnel?

From:

To:

**PURPOSE/OBJECTIVE OF REQUEST:**

The Ethiopian Sports Federation in North America (ESFNA) is a non-profit, tax-exempt organization founded in 1984 to promote amateur soccer and cultural events within the Ethiopian community in North America. ESFNA will host its 40th Annual Sports and Cultural Event July 2nd – July 8th at Wylie Stadium. The week-long tournament is projected to bring in over 1,000 players, coaches and staff, and an additional 30,000 – 40,000 attendees, fans, and families.

In accordance with Sec. 106-105. - Use of tax revenue, Article V. Hotel/Motel Tax of the Code of Ordinances, the revenue derived from the hotel occupancy tax will only be used for the purposes authorized by Texas Tax Code § 351.101 et seq. as it exists or may be amended, as the city council may direct and authorize. The request is to utilize such funds to support ESFNA in bringing this event to Wylie.

ACCOUNT NO.			DESCRIPTION	AMOUNT
161	5651	56040	Special Services - Support ESFNA	\$ 100,000
<b>TOTAL</b>				<b>\$ 100,000</b>

**ADDITIONAL COMMENTS:**

**REQUEST FORM - MID YEAR BUDGET AMENDMENT****FISCAL YEAR 2023**

<b>RANK</b>	<b>1</b>	<b>OF</b>	<b>2</b>	<b>REQUEST: BALLISTIC VEST REIMBERSEMENT</b>	<b>DEPARTMENT: POLICE</b>
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New Request: No

New personnel?

No

Salary Grade: \_\_\_\_\_

Funds already expensed?

Yes

Change grade of current personnel?

From:

To:

**PURPOSE/OBJECTIVE OF REQUEST:**

Allocation of funds to the Wylie Police Department Wearing Apparel & Uniform account as reimbursement for the purchase of ballistic vests through the Ballistic Vest Program.

ACCOUNT NO.			DESCRIPTION	AMOUNT
100	5211	52710	Wearing Apparel and Uniforms	\$ 6,001
100	4000	48410	Miscellaneous Income	\$ (6,001)
<b>TOTAL</b>				<b>\$ -</b>

**ADDITIONAL COMMENTS:**

## REQUEST FORM - MID YEAR BUDGET AMENDMENT

FISCAL YEAR 2023

RANK	2	OF	2	REQUEST: LEOSE REIMBURSEMENT	DEPARTMENT: POLICE
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New Request: No      New personnel? No      Salary Grade: \_\_\_\_\_

Funds already expensed? Yes      Change grade of current personnel?      From:      To:

**PURPOSE/OBJECTIVE OF REQUEST:**

Reallocation of reimbursed funds to the Travel & Training Accounts for Wylie Fire & Rescue Telecommunicator for an annual allocation payment from Law Enforcement Officer Standards and Education. The Comptroller is directed by the Occupations Code, Section 1701.157 to make an annual allocation from the LEOSE account to qualified law enforcement agencies for expenses related to the continuing education of persons licensed under Chapter 1701, Occupations Code, which includes telecommunicators. By law these funds must be used for the continuing education of persons licensed under Chapter 1701, Occupations Code. The total funds allocated are \$4,46.39

ACCOUNT NO.			DESCRIPTION	AMOUNT
100	5241	56210	Travel and Training	\$ 4,446
100	4000	48410	Miscellaneous Income	\$ (4,446)
TOTAL				\$ -

**ADDITIONAL COMMENTS:**



**REQUEST FORM - MID YEAR BUDGET AMENDMENT****FISCAL YEAR 2023**

<b>RANK</b>	<b>1</b>	<b>OF</b>	<b>3</b>	<b>REQUEST: TRANSFER OF DONATED FUNDS</b>	<b>DEPARTMENT: ANIMAL SERVICES</b>
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New Request: Yes

New personnel?

No

Salary Grade: \_\_\_\_\_

Funds already expensed?

Yes

Change grade of current personnel?

From:

To:

**PURPOSE/OBJECTIVE OF REQUEST:**

Monetary donations were received from citizens and local business through individual donations or Pet Data Licensing. The donations are being requested for deposit into the Animal Control Tools & Equipment Account to purchase Kuranda bedding.

ACCOUNT NO.			DESCRIPTION	AMOUNT
100	5251	52130	Tools and Equipment	\$ 2,055
<b>TOTAL</b>				<b>\$ 2,055</b>

**ADDITIONAL COMMENTS:**

**REQUEST FORM - MID YEAR BUDGET AMENDMENT****FISCAL YEAR 2023**

<b>RANK</b>	<b>2</b>	<b>OF</b>	<b>3</b>	<b>REQUEST:</b>	<b>TRANSFER OF DONATED FUNDS</b>	<b>DEPARTMENT:</b>	<b>ANIMAL SERVICES</b>
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New Request: Yes

New personnel?

No

Salary Grade: \_\_\_\_\_

Funds already expensed?

Yes

Change grade of current personnel?

From:

To:

**PURPOSE/OBJECTIVE OF REQUEST:**

Employment agency fees for temporary kennel attendant services due to staff shortage. Current expenditures are \$15,800 Anticipated future costs \$24,660.00.

ACCOUNT NO.			DESCRIPTION	AMOUNT
100	5251	56040	Special Services	\$ 40,460

<b>TOTAL</b>	<b>\$ 40,460</b>
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**ADDITIONAL COMMENTS:**

Animal Services utilizes a temporary kennel attendant to assist with cleaning and animal care. Animal Services has a current open position for an Animal Services Officer. Further shortages are caused by mandatory training, vacation, illness and court appearances.

**REQUEST FORM - MID YEAR BUDGET AMENDMENT****FISCAL YEAR 2023**

<b>RANK</b>	<b>3</b>	<b>OF</b>	<b>3</b>	<b>REQUEST:</b>	<b>ADDITIONAL FUNDS FOR MEDICAL SERVICES</b>	<b>DEPARTMENT:</b>	<b>ANIMAL SERVICES</b>
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New Request: Yes

New personnel?

No

Salary Grade: \_\_\_\_\_

Funds already expensed?

Yes

Change grade of current personnel?

From:

To:

**PURPOSE/OBJECTIVE OF REQUEST:**

As part of the trap and release program for felines, the procedure was changed to test and vaccinate the cats for feline leukemia when they are at the vet for sterilization. This procedure was recommended after the budget was approved, which caused the medical account to be very short.

ACCOUNT NO.			DESCRIPTION	AMOUNT
100	5251	52250	Medical	\$ 3,780
<b>TOTAL</b>				<b>\$ 3,780</b>

**ADDITIONAL COMMENTS:**

Feline leukemia tests and vaccination costs \$30 each. This will reimburse the account for the tests already completed and the additional tests for the remainder of the year.

## REQUEST FORM - MID YEAR BUDGET AMENDMENT

FISCAL YEAR 2023

RANK	1	OF	3	REQUEST:	INCREASE FUEL BUDGET	DEPARTMENT:	FIRE
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New Request: Yes

New personnel?

No

Salary Grade: \_\_\_\_\_

Funds already expensed? No

Change grade of current personnel?

From:

To:

**PURPOSE/OBJECTIVE OF REQUEST:**

Fuel was budgeted based on utilization from October 21 to April 22. We added additional usage to accommodate fire station 4 coming online. As soon as the budget was submitted the monthly costs began to increase. This adjustment is based on current usage in the current fiscal year.

ACCOUNT NO.			DESCRIPTION	AMOUNT
100	5231	52310	Fuel and Lubricants	\$ 25,000
TOTAL				\$ 25,000

**ADDITIONAL COMMENTS:**

**REQUEST FORM - MID YEAR BUDGET AMENDMENT****FISCAL YEAR 2023**

<b>RANK</b>	<b>2</b>	<b>OF</b>	<b>3</b>	<b>REQUEST:</b>	<b>INCREASE OVERTIME BUDGET</b>	<b>DEPARTMENT:</b>	<b>FIRE</b>
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New Request: Yes

New personnel?

No

Salary Grade: \_\_\_\_\_

Funds already expensed?

No

Change grade of current personnel?

From:

To:

**PURPOSE/OBJECTIVE OF REQUEST:**

The department is requesting to move \$18,000 to Overtime to cover additional overtime expenses associated with covering the recent assignment of Battalion Chief Claborn to the Fire Marshal division in Administration. Chief Claborn has been reassigned from operations and has realized a tremendous amount of work to be done to properly re-organize the Prevention Division. Chief Claborn has to complete required specialized training in Fire Prevention in order to properly lead and manage the division. This training will be need to be completed quickly and in addition to his normal work hours.

ACCOUNT NO.			DESCRIPTION	AMOUNT
100	5231	51130	Overtime	\$ 18,000
<b>TOTAL</b>				<b>\$ 18,000</b>

**ADDITIONAL COMMENTS:**

## REQUEST FORM - MID YEAR BUDGET AMENDMENT

FISCAL YEAR 2023

RANK	3	OF	3	REQUEST:	RESERVE AMBULANCE UNITS AND EQUIPMENT	DEPARTMENT:	FIRE
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New Request: Yes

New personnel?

No

Salary Grade: \_\_\_\_\_

Funds already expensed?

No

Change grade of current personnel?

From:

To:

**PURPOSE/OBJECTIVE OF REQUEST:**

These funds will allow WFR to begin the process of transitioning EMS services from our current contractor to becoming a division of Wylie Fire Rescue. The current contract expires October 2024. These items have extended delivery times due to ongoing supply chain issues.

ACCOUNT NO.			DESCRIPTION	AMOUNT
100	5231	58510	Motor Vehicles (Reserve Ambulance Units)	\$ 250,000
100	5231	52250	Medical and Surgical (Lifepak 15)	\$ 50,926
100	5231	52250	Medical and Surgical (Stryker Stretchers)	\$ 50,000
TOTAL				\$ 350,926

**ADDITIONAL COMMENTS:**



**REQUEST FORM - MID YEAR BUDGET AMENDMENT****FISCAL YEAR 2023**

<b>RANK</b>	<b>1</b>	<b>OF</b>	<b>4</b>	<b>REQUEST:</b>	<b>OVERTIME FROM FEB ICE STORM</b>	<b>DEPARTMENT:</b>	<b>PUBLIC WORKS</b>
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New Request: Yes

New personnel?

No

Salary Grade: \_\_\_\_\_

Funds already expensed? Yes

Change grade of current personnel?

From:

To:

**PURPOSE/OBJECTIVE OF REQUEST:**

The purpose of this request is to replace funds that were dispensed for wages during the ice storm in February of 2023. This was a Monday- Friday event.

ACCOUNT NO.			DESCRIPTION	AMOUNT
100	5411	51130	Streets - Overtime	\$ 24,646
611	5712	51130	Water - Overtime	\$ 14,340
611	5714	51130	Wastewater - Overtime	\$ 9,392

<b>TOTAL</b>	<b>\$ 48,378</b>
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**ADDITIONAL COMMENTS:**

Salary savings for Streets - \$50,341, Water - \$72,729 and Wastewater - \$139,742.

## REQUEST FORM - MID YEAR BUDGET AMENDMENT

FISCAL YEAR 2023

RANK	2	OF	4	REQUEST:	TRANSFER INSURANCE REIMBURSEMENT FOR STONE RD @ WA ALLEN	DEPARTMENT:	PUBLIC WORKS
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New Request: Yes

New personnel?

No

Salary Grade: \_\_\_\_\_

Funds already expensed?

Yes

Change grade of current personnel?

From:

To:

**PURPOSE/OBJECTIVE OF REQUEST:**

The purpose of this request is to recover funds paid by Public Works Streets and Alley line item for a contractor to repair the guardrail at the location of Stone Road and WA Allen due to being hit by a vehicle. The insurance company has reimbursed the city and the check was deposited on 2/16/2023.

ACCOUNT NO.			DESCRIPTION	AMOUNT
100	5411	54210	Streets and Alleys	\$ 11,200
100	4000	49600	Insurance Recoveries	\$ (11,200)
TOTAL				\$ -

**ADDITIONAL COMMENTS:**

The City was reimbursed for this on December 12, 2022, from Travelers Insurance.

**REQUEST FORM - MID YEAR BUDGET AMENDMENT****FISCAL YEAR 2023**

<b>RANK</b>	<b>3</b>	<b>OF</b>	<b>4</b>	<b>REQUEST:</b>	<b>TRANSFER INSURANCE REIMBURSEMENT FOR COUNTRY CLUB @ LAKEFIELD</b>	<b>DEPARTMENT:</b>	<b>PUBLIC WORKS</b>
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New Request: Yes

New personnel?

No

Salary Grade: \_\_\_\_\_

Funds already expensed?

Yes

Change grade of current personnel?

From:

To:

**PURPOSE/OBJECTIVE OF REQUEST:**

The purpose of this request is to recover funds that Public Works paid out for a contractor to repair the guardrail at the location of Country Club Road in the area of Lakefield Drive. These funds are in the process of being reimbursed to the city.

ACCOUNT NO.			DESCRIPTION	AMOUNT
100	5411	54210	Streets and Alleys	\$ 16,612
100	4000	49600	Insurance Recoveries	\$ (16,612)

**TOTAL****\$ -****ADDITIONAL COMMENTS:**

The City has not received the insurance money yet, but it is process.

**REQUEST FORM - MID YEAR BUDGET AMENDMENT****FISCAL YEAR 2023**

<b>RANK</b>	<b>4</b>	<b>OF</b>	<b>4</b>	<b>REQUEST:</b>	<b>SIGNAL LIGHT CONSTRUCTION</b>	<b>DEPARTMENT:</b>	<b>STREETS</b>
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New Request: No

New personnel?

No

Salary Grade: \_\_\_\_\_

Funds already expensed? No

Change grade of current personnel?

From:

To:

**PURPOSE/OBJECTIVE OF REQUEST:**

The signal light construction for Woodbridge Parkway & Hensley was approved in the FY2023 budget in the amount of \$350,000. The project cost is under-budgeted by \$250,000. This request is to use an additional \$250,000 from General Fund Fund Balance to complete the project.

ACCOUNT NO.			DESCRIPTION	AMOUNT
100	5411	58210	Streets and Alleys	\$ 250,000
<b>TOTAL</b>				<b>\$ 250,000</b>

**ADDITIONAL COMMENTS:**

**REQUEST FORM - MID YEAR BUDGET AMENDMENT****FISCAL YEAR 2023**

<b>RANK</b>	<b>1</b>	<b>OF</b>	<b>1</b>	<b>REQUEST:</b>	<b>USE OF CATHOLIC FOUNDATION DONATION</b>	<b>DEPARTMENT:</b>	<b>LIBRARY</b>
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New Request: Yes

New personnel?

No

Salary Grade: \_\_\_\_\_

Funds already expensed? Yes

Change grade of current personnel?

From:

To:

**PURPOSE/OBJECTIVE OF REQUEST:**

The library receives a donation from the Catholic Foundation setup through Rita and Truett Smith estate. It is used to enhance library service.

ACCOUNT NO.			DESCRIPTION	AMOUNT
100	5551	52130	Tools and Equipment	\$ 5,779
100	4000	48440	Contributions/Donations	\$ (5,779)
<b>TOTAL</b>				<b>\$ -</b>

**ADDITIONAL COMMENTS:**

**REQUEST FORM - MID YEAR BUDGET AMENDMENT****FISCAL YEAR 2023**

<b>RANK</b>	<b>1</b>	<b>OF</b>	<b>7</b>	<b>REQUEST:</b>	<b>SPLASH PAD AT MUNICIPAL COMPLEX</b>	<b>DEPARTMENT:</b>	<b>PARD</b>
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New Request: Yes

New personnel?

No

Salary Grade: \_\_\_\_\_

Funds already expensed?

Yes

Change grade of current personnel?

From:

To:

**PURPOSE/OBJECTIVE OF REQUEST:**

The Parks and Recreation Department is requesting additional funds, through a mid-year adjustment, for the construction of a new splash pad at the East Meadow Trailhead, located on the Municipal Complex Property. Originally, \$600,000 was allocated for construction, however after completing design work and adding the necessary infrastructure (i.e. parking, restrooms, and utilities) the price has been estimated at \$1,585,000. The Parks and Recreation Department would like to request an additional \$985,000, using a combination of the 4B Fund Balance and the Parks Acquisition and Improvement Fund from the West Zone.

ACCOUNT NO.			DESCRIPTION	AMOUNT
112	5000	59430	Transfer to Capital Project Fund	\$ 785,000
121	5621	59430	Transfer to Capital Project Fund	\$ 200,000
<b>TOTAL</b>				<b>\$ 985,000</b>

**ADDITIONAL COMMENTS:**

The money will be transferred to the Capital Fund 470 - Community Reinvestment Fund.



**REQUEST FORM - MID YEAR BUDGET AMENDMENT****FISCAL YEAR 2023**

<b>RANK</b>	<b>2</b>	<b>OF</b>	<b>7</b>	<b>REQUEST:</b>	<b>SPLASH PAD AT COMMUNITY PARK</b>	<b>DEPARTMENT:</b>	<b>PARD</b>
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New Request: Yes

New personnel?

No

Salary Grade: \_\_\_\_\_

Funds already expensed? Yes

Change grade of current personnel?

From:

To:

**PURPOSE/OBJECTIVE OF REQUEST:**

The Parks and Recreation Department is requesting additional funds, through a mid-year adjustment, for the construction of a new splash pad at Community Park. Originally, \$600,000 was allocated for construction, however after completing design work it was decided that a mechanical structure would need to be installed to house the pump and filtration system for the new splash pad. The price has been estimated at \$885,000. The Parks and Recreation Department would like to request an additional \$285,000 using 4B Fund Balance to complete this project.

ACCOUNT NO.			DESCRIPTION	AMOUNT
112	5000	59430	Transfer to Capital Project Fund	\$ 285,000
<b>TOTAL</b>				<b>\$ 285,000</b>

**ADDITIONAL COMMENTS:**

The money will be transferred to the Capital Fund 470 - Community Reinvestment Fund.

**REQUEST FORM - MID YEAR BUDGET AMENDMENT****FISCAL YEAR 2023**

<b>RANK</b>	<b>3</b>	<b>OF</b>	<b>7</b>	<b>REQUEST:</b>	<b>DOG PARK AT MUNICIPAL COMPLEX</b>	<b>DEPARTMENT:</b>	<b>PARD</b>
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New Request: Yes

New personnel?

No

Salary Grade: \_\_\_\_\_

Funds already expensed? Yes

Change grade of current personnel?

From:

To:

**PURPOSE/OBJECTIVE OF REQUEST:**

The Parks and Recreation Department is requesting additional funds, through a mid-year adjustment, for the construction of a new Dog Park, located on the Municipal Complex property. Originally, \$700,000 was allocated for construction, however after completing design work it was discussed that having three dog paddocks was necessary for a smooth operation for the dog park. Having a third paddock would allow maintenance staff to shut a portion of the park down for wear and tear maintenance, without impacting participation to the whole park. The dog park will include one small dog paddock and two large dog paddocks. The price has been estimated at \$905,000. The Parks and Recreation Department would like to request an additional \$205,000 using 4B Fund Balance.

ACCOUNT NO.			DESCRIPTION	AMOUNT
112	5000	59430	Transfer to Capital Project Fund	\$ 205,000
<b>TOTAL</b>				<b>\$ 205,000</b>

**ADDITIONAL COMMENTS:**

The money will be transferred to the Capital Fund 470 - Community Reinvestment Fund.

**REQUEST FORM - MID YEAR BUDGET AMENDMENT****FISCAL YEAR 2023**

<b>RANK</b>	<b>4</b>	<b>OF</b>	<b>7</b>	<b>REQUEST:</b>	<b>PICKLEBALL AT COMMUNITY PARK</b>	<b>DEPARTMENT:</b>	<b>PARD</b>
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New Request: Yes

New personnel?

No

Salary Grade: \_\_\_\_\_

Funds already expensed?

No

Change grade of current personnel?

From:

To:

**PURPOSE/OBJECTIVE OF REQUEST:**

The Parks and Recreation Department is requesting additional funds, through a mid-year adjustment, for the construction of Pickleball Courts at Community Park. The growing need for this sport in the Wylie community has increased. The Parks and Recreation Department would like to refurbish one of the three basketball courts at the park into a space that would contain 3 pickleball courts. The funds requested will be to add concrete to all four sides of the existing basketball court, 10' chainlink fencing surrounding the court, and all necessary pickleball surfacing and equipment required to play. The price has been estimated at \$70,000. The Parks and Recreation Department would like to request these funds using 4B Fund Balance.

ACCOUNT NO.			DESCRIPTION	AMOUNT
112	5614	58150	Land Betterments	\$ 70,000
<b>TOTAL</b>				<b>\$ 70,000</b>

**ADDITIONAL COMMENTS:**

**REQUEST FORM - MID YEAR BUDGET AMENDMENT****FISCAL YEAR 2023**

<b>RANK</b>	<b>5</b>	<b>OF</b>	<b>7</b>	<b>REQUEST:</b>	<b>COMMUNITY PARK RESTROOMS</b>	<b>DEPARTMENT:</b>	<b>PARD</b>
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New Request: Yes

New personnel?

No

Salary Grade: \_\_\_\_\_

Funds already expensed?

No

Change grade of current personnel?

From:

To:

**PURPOSE/OBJECTIVE OF REQUEST:**

The Parks and Recreation Department is requesting additional funds, through a mid-year adjustment, for the construction of new restrooms at Community Park. This park is home to Wylie's Youth Baseball Association, as well as soon to be destination for a splash pad and new pickleball courts. In addition, there is a recently renovated large playground, large reservable pavilion, and multiple practice fields used by youth soccer, football, and lacrosse. Currently, there are two restrooms on the premises; one at the youth baseball complex, and the other where the new splash pad, pickleball courts, playground, and pavilion are. The Parks and Recreation Department is requesting to replace the latter outdated restroom near these new amenities. These restrooms would be similar to the new restrooms being installed at the East Meadow Trailhead, near the other splash pad being constructed. The price has been estimated at \$300,000. The Parks and Recreation Department would like to request these funds using 4B Fund Balance.

ACCOUNT NO.			DESCRIPTION	AMOUNT
112	5614	58150	Land Betterments	\$ 300,000
TOTAL				\$ 300,000

**ADDITIONAL COMMENTS:**

**REQUEST FORM - MID YEAR BUDGET AMENDMENT****FISCAL YEAR 2023**

<b>RANK</b>	<b>6</b>	<b>OF</b>	<b>7</b>	<b>REQUEST:</b>	<b>BROWN HOUSE OUTDOOR RESTROOMS</b>	<b>DEPARTMENT:</b>	<b>PARD</b>
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New Request: Yes

New personnel?

No

Salary Grade: \_\_\_\_\_

Funds already expensed?

No

Change grade of current personnel?

From:

To:

**PURPOSE/OBJECTIVE OF REQUEST:**

The Parks and Recreation Department is requesting additional funds, through a mid-year adjustment, for the construction of new outdoor restrooms at the Thomas and Mattie Brown House. The home now serves as the Welcome Center in historic downtown Wylie. The house welcomes visitors to Wylie and offers a rare glimpse into its history with free tours, seasonal exhibits, programming, and Wylie-themed items in the gift shop. The Welcome Center participates in many of the special events that take place in downtown Wylie. The Parks and Recreation Department continues to increase the beautification and appearance of the Welcome Center by installing new landscape, adding an accessible ramp, and removing the wrought iron fencing that surrounded the premises. The next planned phase of the outdoor space is to add an outdoor restroom facility. The restrooms will assist in downtown City events, provide a restroom facility for those visiting Wylie, and make outdoor programming and rentals at the house possible. The price has been estimated at \$300,000. The Parks and Recreation Department would like to request these funds using 4B Fund Balance.

ACCOUNT NO.			DESCRIPTION	AMOUNT
112	5614	58150	Land Betterments	\$ 300,000
TOTAL				\$ 300,000

**ADDITIONAL COMMENTS:**

**REQUEST FORM - MID YEAR BUDGET AMENDMENT****FISCAL YEAR 2023**

<b>RANK</b>	<b>7</b>	<b>OF</b>	<b>7</b>	<b>REQUEST:</b>	<b>FOUNDERS FIELD RENOVATIONS</b>	<b>DEPARTMENT:</b>	<b>PARD</b>
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New Request: Yes

New personnel?

No

Salary Grade: \_\_\_\_\_

Funds already expensed? No

Change grade of current personnel?

From:

To:

**PURPOSE/OBJECTIVE OF REQUEST:**

The Parks and Recreation Department is requesting additional funds, through a mid-year adjustment, for the renovation of three football fields at Founders Park. Founders Park is home to a number of youth sports associations, such as youth football, softball, and soccer. In 2010, the east side of Founders Park was renovated to include two new restrooms and concession stands, two new softball fields, six new soccer fields, sand volleyball courts, and a basketball court. Renovations to the football fields were not made during time. Throughout the last several years these football fields have continued to see increased wear and tear with the growing youth leagues. The Wylie Youth Football League has also had to move some of their games to WISD fields for better playability. The fees for the fields at WISD are high and ultimately WFL would like to keep their games on City property. The funds would be used to crown all three fields, move field lighting, add new irrigation, and add new athletic grade sod meant for compaction. The price has been estimated at \$1,000,000. The Parks and Recreation Department would like to request these funds using 4B Fund Balance.

ACCOUNT NO.			DESCRIPTION	AMOUNT
112	5614	58150	Land Betterments	\$ 1,000,000
<b>TOTAL</b>				<b>\$ 1,000,000</b>

**ADDITIONAL COMMENTS:**



**REQUEST FORM - MID YEAR BUDGET AMENDMENT****FISCAL YEAR 2023**

<b>RANK</b>	<b>1</b>	<b>OF</b>	<b>1</b>	<b>REQUEST:</b>	<b>AMI METERS ALL SIZES</b>	<b>DEPARTMENT:</b>	<b>UTILITY BILLING</b>
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New Request: Yes

New personnel?

No

Salary Grade: \_\_\_\_\_

Funds already expensed?

No

Change grade of current personnel?

From:

To:

**PURPOSE/OBJECTIVE OF REQUEST:**

To provide customers and new builds with meters without wait times or fear that the meters will have another shortage due to lack of supplies.

The Utility Department will need an additional \$10,000 to purchase meters. These meters have been on back order for over a year due to a supply shortage. The Neptune facilities are running again and we want to make sure we get meters ordered in advance so we do not run into a problem with another shortage or lack of meters to run our current infrastructure.

ACCOUNT NO.			DESCRIPTION	AMOUNT
611	5715	52350	Meter/Service Connect Supplies	\$ 10,000
TOTAL				\$ 10,000

**ADDITIONAL COMMENTS:**

**REQUEST FORM - MID YEAR BUDGET AMENDMENT****FISCAL YEAR 2023**

<b>RANK</b>	<b>1</b>	<b>OF</b>	<b>1</b>	<b>REQUEST:</b>	<b>CLOSE FUND 312</b>	<b>DEPARTMENT:</b>	<b>FINANCE</b>
-------------	----------	-----------	----------	-----------------	-----------------------	--------------------	----------------

New Request: Yes

New personnel?

No

Salary Grade: \_\_\_\_\_

Funds already expensed?

No

Change grade of current personnel?

From:

To:

**PURPOSE/OBJECTIVE OF REQUEST:**

Fund 312 was the debt service fund for the 4B 1996 bonds which have been paid off. The balance remaining can only be used to reduce debt. Staff recommends transferring these remaining dollars to Fund 313 which is the debt service fund for 4B 2013 bonds. This will allow a smaller transfer in FY 2024 from the 4B Operating funds to make the FY2024 debt payment for Fund 313.

ACCOUNT NO.			DESCRIPTION	AMOUNT
312	5000	59132	Transfer to 4B Debt Service	\$ 188,984
313	4000	49133	Transfer from 4B Debt Service	\$ (188,984)
<b>TOTAL</b>				<b>\$ -</b>

**ADDITIONAL COMMENTS:**



# Wylie City Council

## AGENDA REPORT

Department: Planning  
 Prepared By: Renae' Ollie

Account Code: \_\_\_\_\_

### Subject

Consider, and act upon, the denial of a request to construct a residential structure on an existing lot for a new residential/retail office building, located at 308 N. Ballard within the Downtown Historic District.

### Recommendation

Motion to approve the Item as presented.

### Discussion

#### OWNER/APPLICANT: Ashish Patel

The applicant/owner desires to add a secondary detached structure for the purpose of retail office use. The lot area is 9,757 square feet and currently has a 1,250 square foot residential structure with general office use on the lot.

As presented, the new structure will be 1,456 square feet which includes a 160 square foot covered front porch, 2 bedrooms, 2 bathrooms, an office, dining room, living room, and a kitchen.

Required parking breakdown per submitted plans and in accordance with Article 5 Use Charts:

- Office space  $1/400 = 1$  space
- Single Family residential (as shown on plans) = 2 spaces
- 6 parking spaces were poured in 2019 in the rear of the property with access from the alley. Those spaces do not appear on the subject plans, but the owner has verbally stated that the spaces will remain. The plans indicate new concrete in the front immediately adjacent to Ballard. City Ordinance restricts the design of any parking stall that allows any movement into or out of the stall upon public right-of-way.

In accordance with Article 5, Section 5.2.B.9 Single Family Dwelling, Detached means one dwelling unit located on a lot. Section 6.3.D.2 allows for residential and commercial uses within the same structure. It is staff's opinion that the existing structure along with the proposed structure does not meet the regulations of the Ordinance and is therefore not allowed.

#### D. Permitted Uses

**1. The Downtown Historic District may contain any combination of uses shown in the Use Chart in Article 5, Section 5.1.**

**2. Within the Downtown Historic District there are both residential and nonresidential uses which may be located in either residential structures or commercial structures. To maintain the architectural and historic character of existing blocks where one type of structure predominates, the following regulations shall apply.**

- a. Residential uses may be in residential structures or commercial structures. Residential uses in commercial structures are only allowed if they occupy less than 40 percent of the floor area of the building; and do not occupy the area adjacent to the street front.**
- b. Nonresidential uses may be in residential or commercial structures. Nonresidential uses in residential structures must be in those blocks where existing residential structures predominate.**

*c. In block faces within the District that are currently developed with residential structures, new construction shall be of historic design. Either residential or nonresidential uses may be located in the residential structures.*

*d. In block faces within the Downtown Historic District that are currently developed with commercial structures, new construction shall be of historic design.*

Additional parking requirements outlined in Article 6.3.E.4.c:

***c. Parking for Nonresidential Uses***

*i. Onsite surface parking shall generally not be placed in the required front yard and shall generally be separated from public streets by the building which it serves.*

***Exceptions to this requirement include:***

*a. A lot that is used entirely for surface parking with no listed use in accordance with Section 5.2.*

*b. Surface parking on corner lots or lots with frontage on 2 or more public streets shall comply with the above parking requirements along at least one street frontage.*

*c. Where onsite surface parking is constructed to serve existing buildings or additions to existing buildings, the above parking requirements shall not apply.*

The applicant could continue to operate the current structure as a commercial use or convert it to a single-family residential dwelling or a combination of both commercial and residential. However, as a single platted lot, a second structure on the property could only be an accessory structure as defined by the Ordinance or a second commercial use meeting all current codes, including but not limited to front, side, and rear setbacks, required parking and paving.

**History of the property**

In 2019, the owner/applicant presented a similar plan to the HRC for consideration. The 2019 plan included a 560 square foot prefabricated building for residential/office use. The submittal included several options to either renovate the existing garage or construct a new prefabricated building. The proposal was ultimately withdrawn by the applicant and did not move forward.

**HRC Discussion**

The Commission asked for clarification from the owner as his full intent of the property. The owner stated various options for the property including outdoor seating, parking, all office and/or retail. The Commissioners also discussed the size of the property and whether two separate structures would fit. The Commission agreed that the plans did not meet the regulations of the ordinance.

The Commission voted 5-0 to recommend denial.



PERSPECTIVE VIEW  
NTS

**GENERAL NOTES:**

1. THESE DESIGN DOCUMENTS ARE INTENDED TO BE A REPRESENTATION OF THE DESIGN INTENT AND ARE SUPPLIED TO ILLUSTRATE THE GENERAL TYPE OF CONSTRUCTION DESIRED. THE DRAWINGS ARE INTENDED TO IMPLY A PREMIUM QUALITY OF WORKMANSHIP THROUGHOUT.
2. DISCREPANCIES, ERRORS, OMISSIONS, AND ANY QUESTIONS REGARDING THE INTENT OF THE PLANS, SPECIFICATIONS, OR CONTRACT DOCUMENTS SHALL BE REFERRED TO THE GENERAL CONTRACTOR FOR CLARIFICATION.
3. CONTRACTORS OR SUBCONTRACTORS SHALL VERIFY ALL DIMENSIONS OR CLEARANCES AND SHALL BE RESPONSIBLE FOR THE VERIFICATION THEREOF TO INSURE COMPLIANCE WITH THE DRAWINGS, SPECIFICATIONS, AND PERTINENT CODES. DIMENSIONS OF ANY EXISTING CONDITIONS MUST BE VERIFIED AT THE JOB SITE AND ANY DISCREPANCIES REPORTED TO THE GENERAL CONTRACTOR.
4. CONTRACTORS OR SUBCONTRACTORS SHALL IMMEDIATELY NOTIFY THE GENERAL CONTRACTOR'S PROJECT MANAGERS / JOB SITE SUPERVISOR IF FOR ANY REASON THEY CANNOT COMPLY WITH ANY FACET OF THE DRAWINGS, DOCUMENTS, DESIGN INTENT, OR SCHEDULING.
5. ALL WORK AND MATERIAL LISTED OR IMPLIED IN THESE DRAWINGS SHALL BE SUPPLIED AND INSTALLED BY THE CONTRACTORS OR SUBCONTRACTORS RESPONSIBLE. ANY WORK ADVERSELY AFFECTING ANOTHER TRADE SHALL BE IMMEDIATELY BROUGHT TO THE ATTENTION TO THE GENERAL CONTRACTOR.
6. CONTRACTORS OR SUBCONTRACTORS SHALL DISPOSE OF CONSTRUCTION DEBRIS IN A TIMELY MANNER IN THE DUMPSTER PROVIDED BY THE GENERAL CONTRACTOR. EVERY EFFORT SHALL BE MADE TO MAINTAIN A CLEAN JOB SITE.
7. CONTRACTORS OR SUBCONTRACTORS SHALL TAKE NOTE THAT ANY COST CAUSED BY DEFICIENT WORKMANSHIP OR MATERIALS, IMPROPER SCHEDULING OR DELINQUENT ORDERING, SHALL BE BORNE BY THE PARTY RESPONSIBLE.
8. DURING CONSTRUCTION, CONTRACTORS OR SUBCONTRACTORS WILL BE RESPONSIBLE FOR REPAIRING ANY DAMAGE RESULTING FROM THEIR CONSTRUCTION ACTIVITIES. ANY CUTTING OR PATCHING OF ANY EXISTING FINISHED WORK SHALL MATCH ADJOINING SURFACES.
9. SAFETY FIRST! CONTRACTORS OR SUBCONTRACTORS SHALL FURNISH ANY EQUIPMENT OR SUPPLIES NECESSARY TO PERFORM THEIR WORK IN A MANNER THAT SHALL MEET OR EXCEED OSHA REQUIREMENTS.
10. CONTRACTORS OR SUBCONTRACTORS SHALL PROVIDE ANY TEMPORARY BARRIERS, LIGHTING, COVERINGS, FIRE PROTECTION, AND ANY OTHER EQUIPMENT TO PROTECT THE SAFETY OF ALL PERSONS AND PROPERTY THROUGHOUT THE ENTIRE PERIOD OF THEIR PORTION OF THE CONSTRUCTION CONTRACT FOR ANY AREA PERTINENT TO THE SUBCONTRACTORS SCOPE OF WORK. SUBCONTRACTORS SHALL COORDINATE WITH THE GENERAL CONTRACTOR FOR ANY EQUIPMENT, PROTECTION, ETC., THAT MUST REMAIN IN PLACE AFTER COMPLETION OF THE SUBCONTRACTORS PORTION OF WORK.

**BUILDING CODE ANALYSIS:**

ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH ALL APPLICABLE LOCAL, COUNTY, STATE OR FEDERAL LAWS AND APPLICABLE CONSTRUCTION CODES AS CURRENTLY RECOGNIZED BY THE CITY OF WYLLIE, COLLIN COUNTY, TEXAS.

**CONTRACTOR NOTES:**

1. ALL EXTERIOR WALLS SHALL BE 2 x 4 U.N.O.
2. ALL INTERIOR WALLS SHALL BE 2 x 4 U.N.O.
3. ALL FINISHED WALLS SHALL BE FIELD VERIFIED PRIOR TO ANY CUSTOM CABINETRY.
4. ALL DIMENSIONS TO BE VERIFIED AT JOBSITE.
5. SLIGHT ADJUSTMENT IN WALL LOCATIONS UP TO 1" SHALL BE MADE IN ORDER TO GET PLUMBING IN WALLS, SO LONG AS IT DOES NOT AFFECT THE FUNCTION OF FLOOR OR ROOF TRUSSES. THIS DOES NOT RELIEVE THE PLUMBER OF LIABILITY IF NOT DONE.
6. UNDER NO CIRCUMSTANCES SHALL ANY DIMENSIONS BE SCALED FROM THESE DRAWINGS. ANY CRITICAL DIMENSIONS NOT GIVEN SHALL BE BROUGHT TO THE ATTENTION OF THE BUILDER PRIOR TO CONSTRUCTION.
7. DOOR AND WINDOW ROUGH OPENINGS SHALL BE SUCH THAT OUTSIDE EDGES OF ADJACENT DOOR, WINDOW, AND TRANSOM TRIM BE ALIGNED U.N.O.
8. WINDOW SIZES GIVEN ARE APPROXIMATE UNIT SIZES. VERIFY ACTUAL SIZES AND ROUGH OPENINGS WITH MANUFACTURER.
9. FRAME ALL DOORS 3" FROM CORNERS WHERE POSSIBLE.

Layout Page Table			
Label	Title	Description	Comments
A-1	COVER SHEET		
A-2	SITE PLAN / ROOF PLAN		
A-3	ELEVATIONS / SCHEDULES		
A-4	DIMENSION PLAN / ELECTRICAL PLAN		

PLANS FOR:

ASHISH PATEL  
308 N. BALLARD  
WYLLIE, TEXAS 75098

TITLE:  
COVER SHEET

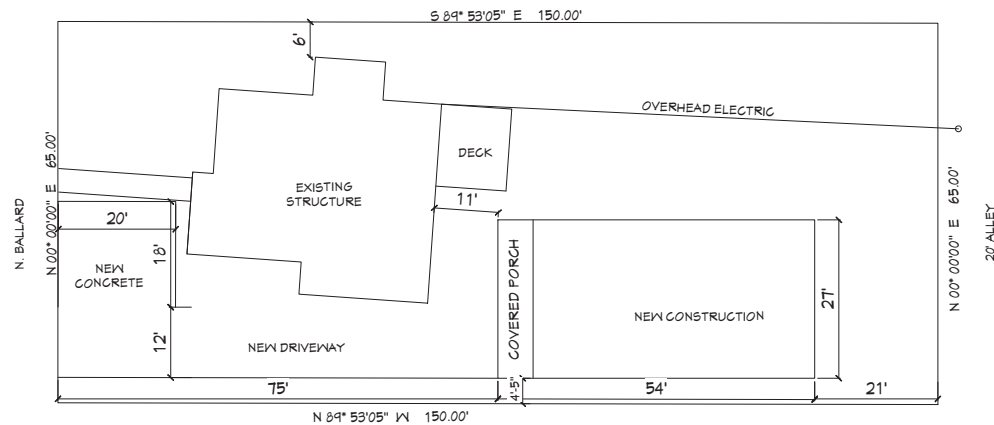
SHANNON NEWBOM MARK NEWBOM  
**CADAZIGN**  
ROYSE CITY, TEXAS 75189  
469-393-9863  
DRAWN BY:

DATE:  
2/14/2023

SCALE:  
AS SHOWN

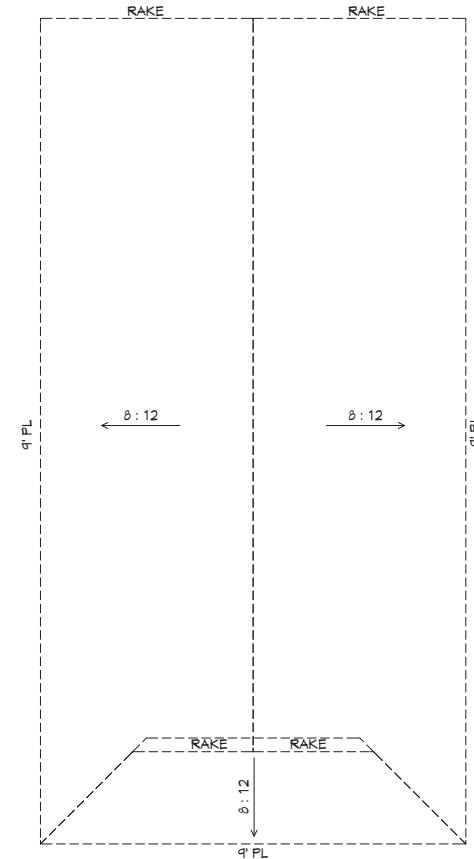
SHEET:

A-1



- NOTE:
1. TOPOGRAPHICAL INFORMATION SUPPLIED BY A THIRD PARTY. CADAZIGN IS NOT RESPONSIBLE FOR ANY TOPOGRAPHICAL OR SURVEY INFORMATION. ALL MEASUREMENTS SHOULD BE FIELD VERIFIED. MEASUREMENTS ARE APPROXIMATE AND ARE FOR LAYOUT PURPOSES ONLY.
  2. OWNER AND BUILDER ARE RESPONSIBLE FOR VERIFYING ALL PROPERTY SETBACKS, RESTRICTIONS, AND ELEVATION MEASUREMENTS.
  3. OWNER AND OR BUILDER RESPONSIBLE FOR DETERMINING AND DESIGNING RETAINING WALLS AND STRUCTURAL STEM WALLS

① SITE PLAN  
SCALE: 1"=10'



② ROOF PLAN  
SCALE: 1/4"=1'

- NOTE:
1. APPROXIMATELY 1900 S.F. ROOFING AREA

PLANS FOR:  
ASHISH PATEL  
308 N. BALLARD  
WYLLIE, TEXAS 75098

TITLE:  
SITE PLAN / ROOF PLAN

SHANNON NEWSON MARK NEWSON  
**CADAZIGN**  
ROYSE CITY, TEXAS 75189  
409-338-9863  
DRAWN BY:

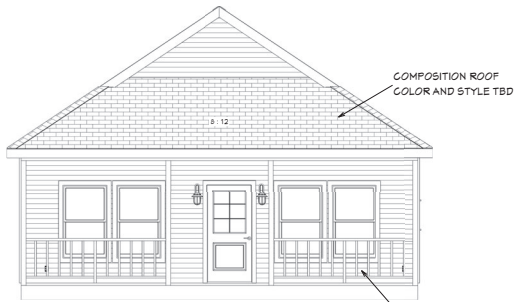
DATE:  
2/14/2023

SCALE:  
AS SHOWN

SHEET:

A-2

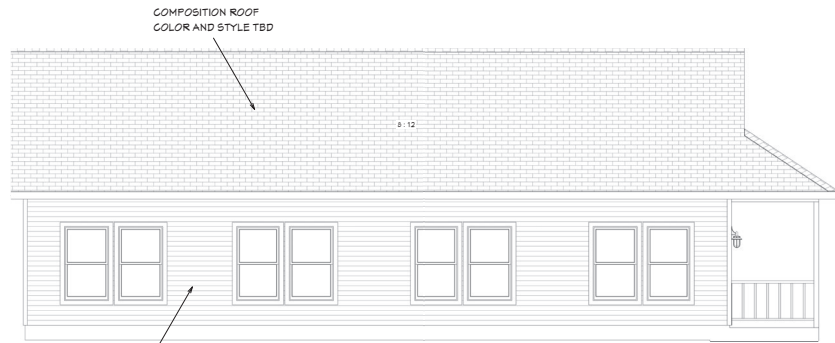




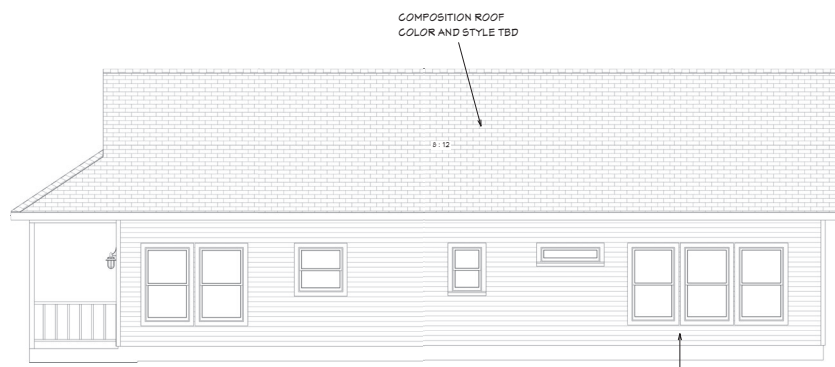
1 FRONT ELEVATION  
SCALE: 1/4"=1'



2 REAR ELEVATION  
SCALE: 1/4"=1'



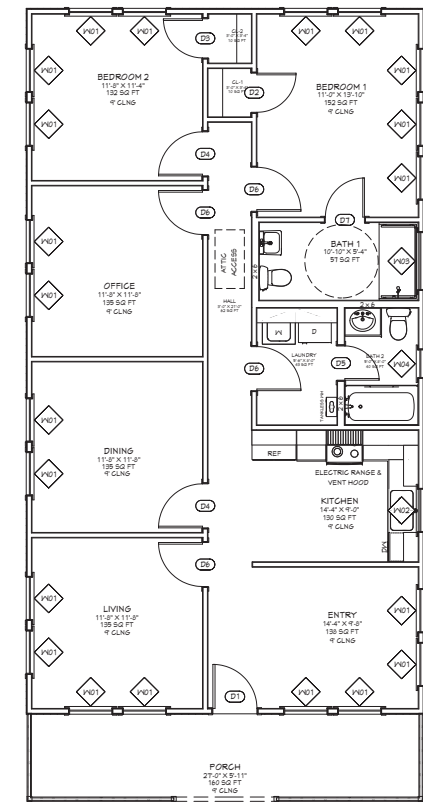
3 LEFT ELEVATION  
SCALE: 1/4"=1'



4 RIGHT ELEVATION  
SCALE: 1/4"=1'

WINDOW SCHEDULE									
NUMBER	LABEL	QTY	FLOOR	SIZE	WIDTH	HEIGHT	R/O	DESCRIPTION	HEADER
W01	3050 SH 6'-5" HH	21	1	3050SH	36"	60"	3T"x6"1"	SINGLE HUNG	2'x6'x40" (2)
W02	3030 SH 6'-5" HH	1	1	3030SH	36"	36"	3T"x3T"	SINGLE HUNG	2'x6'x40" (2)
W03	4010 FXD 6'-5" HH	1	1	4010FX	48"	12"	4T"x13"	FIXED GLASS	2'x6'x52" (2)
W04	2030 SH 6'-5" HH	1	1	2030SH	24"	36"	25"x3T"	SINGLE HUNG	2'x6'x28" (2)

DOOR SCHEDULE									
NUMBER	LABEL	QTY	FLOOR	SIZE	WIDTH	HEIGHT	R/O	DESCRIPTION	HEADER
D1	3060 LEX	1	1	3060 LEX	36"	80"	35"x83"	EXT. HINGED DOOR	E02
D2	2560	1	1	2560 L IN	32"	80"	34"x82 1/2"	HINGED DOOR	F10
D3	2560	1	1	2560 R IN	32"	80"	34"x82 1/2"	HINGED DOOR	F10
D4	3060	2	1	3060 L IN	36"	80"	35"x82 1/2"	HINGED DOOR	F10
D5	2460	1	1	2460 R IN	28"	80"	30"x82 1/2"	HINGED DOOR	F10
D6	3060	4	1	3060 R IN	36"	80"	35"x82 1/2"	HINGED DOOR	F10
D7	2560	1	1	2560 R IN	32"	80"	34"x82 1/2"	HINGED DOOR	F10



1 DOOR & WINDOW SCHEDULES  
SCALE: 1/4"=1'

PLANS FOR:  
ASHISH PATEL  
303 N. BALLARD  
WYLLIE, TEXAS 75098

TITLE:  
ELEVATIONS / SCHEDULES

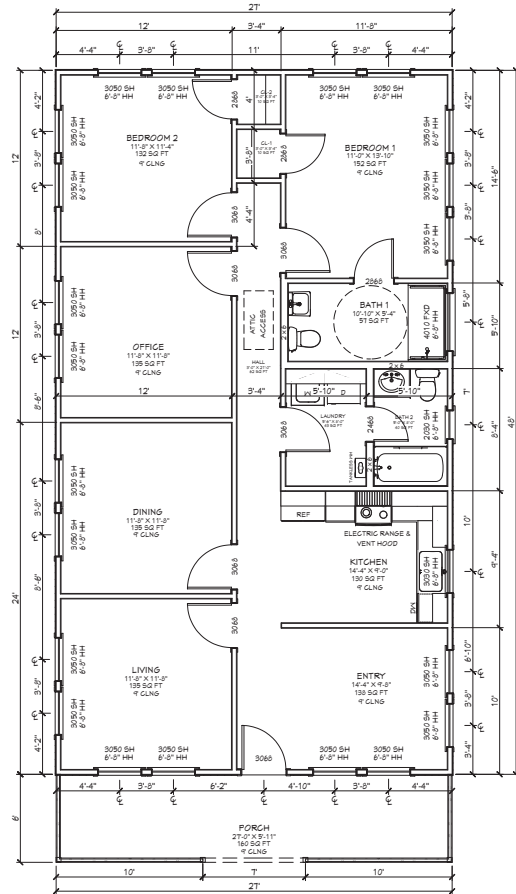
SHANNON NEWBORN MARK NEWBORN  
**CADAZIGN**  
ROYSE CITY, TEXAS 75189  
469-333-9863  
DRAWN BY:

DATE:  
2/14/2023

SCALE:  
AS SHOWN

SHEET:

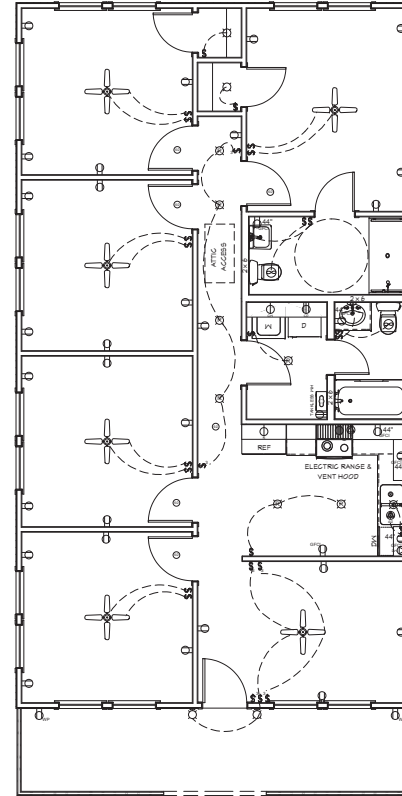
A-3



1 FLOOR PLAN  
SCALE: 1/4"=1'

AREAS	
TOTAL LIVING AREA	1246 SQ. FT.
COVERED PORCH	160 SQ. FT.
TOTAL SQ. FT.	1406 SQ. FT.

Living Area  
1246 sq ft



2 ELECTRICAL PLAN  
SCALE: 1/4"=1'

ELECTRICAL - DATA - AUDIO LEGEND	
SYMBOL	DESCRIPTION
[Symbol]	Ceiling Fan
[Symbol]	Ventilation Fans: Ceiling Mounted, Wall Mounted
[Symbol]	Ceiling Mounted Light Fixtures: Surface/Pendant, Fluorescent, Track Lights, Low Voltage
[Symbol]	Wall Mounted Light Fixtures: Flush Mounted, Wall Scones
[Symbol]	Chandelier Light Fixture
[Symbol]	Fluorescent Light Fixture
[Symbol]	240V Receptacles
[Symbol]	120V Receptacles: Duplex, Weather Proof, GFCI
[Symbol]	Switches: Single Pole, Weather Proof, 3-Way, 4-Way
[Symbol]	Audio: Speaker, Intercom
[Symbol]	Audio: Intercom, Control Panel, Switch
[Symbol]	Speakers: Ceiling Mounted, Wall Mounted
[Symbol]	Wall Jacks: CAT5, CAT6, 75, TV/Cable
[Symbol]	Telephone Jack
[Symbol]	Intercom
[Symbol]	Thermostat
[Symbol]	Door Chime, Door Bell Button
[Symbol]	Smoke Detectors: Ceiling Mounted, Wall Mounted
[Symbol]	Electrical Breaker Panel
[Symbol]	MOTION SENSOR SPOTLIGHT

PLANS FOR:  
ASHISH PATEL  
308 N. BALLARD  
WYLLIE, TEXAS 75098

TITLE:  
DIMENSION PLAN / ELECTRICAL PLAN

SHANNON NEWSON MARK NEWSON  
**CADAZIGN**  
ROYSE CITY, TEXAS 75189  
469-333-9863  
DRAWN BY:

DATE:  
2/14/2023

SCALE:  
AS SHOWN

SHEET:  
**A-4**



# Wylie City Council

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## AGENDA REPORT

**Department:** City Manager  
**Prepared By:** Brent Parker

**Account Code:** \_\_\_\_\_

### Subject

Consider, and act upon, Resolution No. 2023-06(R), approving a Second Amendment to a Chapter 380 Agreement between the City of Wylie and Creekside Fine Grill, LLC, and authorizing the City Manager to execute any necessary documents.

### Recommendation

Motion to approve the Item as presented, with an extension of the performance deadline for six additional months to expire on October 27, 2023.

### Discussion

On April 27, 2021 the City entered into a Chapter 380 Agreement with Hillside Grill to facilitate Hillside's proposed remodel of the restaurant located at 2600 E. FM 544.

On April 12, 2022, due to some variables outside the control of Hillside, they came before City Council and sought two items: an assignment from Hillside Grill to Creekside Fine Grill, and an extension of the 380 Agreement until April 27, 2023.

Staff recommends the modified amendment allowing for a six-month extension of the performance deadline and elimination of the 90-day extension.

**RESOLUTION NO. 2023-06(R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS, HEREBY AUTHORIZING THE CITY MANAGER OF THE CITY OF WYLIE, TEXAS, TO EXECUTE A SECOND AMENDMENT TO A CHAPTER 380 AGREEMENT BY AND BETWEEN THE CITY OF WYLIE AND CREEKSIDE FINE GRILL, LLC.**

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS:**

SECTION 1: The City Manager of the City of Wylie, Texas, is hereby authorized to execute, on behalf of the City Council of the City of Wylie, Texas, a Second Amendment to a Chapter 380 Agreement by and between the City of Wylie, Texas and Creekside Fine Grill, LLC.

SECTION 2: This Resolution shall take effect immediately upon its passage.

**DULY PASSED AND APPROVED by the City Council of the City of Wylie, Texas, this 11th day of April, 2023.**

\_\_\_\_\_  
Matthew Porter, Mayor

**ATTEST TO:**

\_\_\_\_\_  
Stephanie Storm, City Secretary

## SECOND AMENDMENT – CHAPTER 380 AGREEMENT

THIS SECOND AMENDMENT – CHAPTER 380 AGREEMENT (this “Second Amendment”), is entered into and is effective as of the \_\_\_\_ day of \_\_\_\_\_, 2023, by and between the CITY OF WYLIE, TEXAS, a Texas home-rule city (“City”), and CREEKSIDE FINE GRILL, LLC, a Texas limited liability company (“Creekside”).

### W I T N E S S E T H:

WHEREAS, City and HILLSIDE GRILL, LLC, a Texas limited liability company (“Hillside”) entered into that certain Chapter 380 Agreement dated April 27, 2021 (the “Agreement”), to facilitate Hillside’s proposed remodel of the Restaurant located on the Property, as those terms are defined in the Agreement; and

WHEREAS, City, Hillside and Creekside executed that certain Assignment and First Amendment – Chapter 380 Agreement dated April 12, 2022 (the “First Amendment”) to address the assignment of the Agreement from Hillside to Creekside and to modify and amend the Agreement in certain respects as more particularly set forth in the First Amendment; and

WHEREAS, City and Creekside desire to further modify and amend the Agreement in certain respects, as more particularly set forth in this Second Amendment.

NOW, THEREFORE, in consideration of the recitals set forth above and the mutual covenants and agreements contained herein and for other good and valuable consideration, the sufficiency and receipt of all of which are hereby acknowledged, City and Creekside agree to further amend and modify the Agreement as follows:

1. Defined Terms. Capitalized terms used but not defined in this Second Amendment will have the meanings given to them in the Agreement or the First Amendment, as applicable.
2. Modification of Performance Deadline. Notwithstanding anything to the contrary in the Agreement or the First Amendment, the Performance Deadline as defined in the Agreement is hereby extended for six (6) additional months to expire on October 27, 2023. This modification also removes Creekside’s ability or right to extend the Performance Deadline one (1) time for a period of ninety (90) additional days.
3. Ratification. As expressly modified by this Second Amendment and as previously modified by the First Amendment, the Agreement is hereby ratified and confirmed by City and Creekside.
4. Counterparts; Transmission. This Second Amendment may be executed in multiple counterparts, each of which shall be deemed an original, and all of which shall constitute one and the same agreement. Transmission of an executed signature page of this Second Amendment by email will be effective to create a binding agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Second Amendment the day and year first above written.

**CITY:**

CITY OF WYLIE, TEXAS

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

**CREEKSIDE:**

CREEKSIDE FINE GRILL, LLC, a Texas limited liability company

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_



# Wylie City Council

## AGENDA REPORT

Department: WEDC  
 Prepared By: Jason Greiner

Account Code: \_\_\_\_\_

### Subject

Consider, and act upon, amendments to the Bylaws of the Wylie Economic Development Corporation.

### Recommendation

Motion to approve the Item as presented.

### Discussion

The Wylie Economic Development Board of Directors began the process of reviewing and discussing the need for modifications to the existing bylaws at the November 29, 2021 WEDC Work Session. At that time, the Board directed WEDC staff to provide examples of bylaws and handbook material from other Type A Corporations for their individual review. In March 2022, the WEDC Board appointed Melisa Whitehead and Tim Gilchrist to a Subcommittee of the Board to review and recommend any modifications to the existing bylaws of the organization. Blake Brininstool was appointed to the Subcommittee in January 2023 due to the Board resignation of Tim Gilchrist.

WEDC Bylaws require that a notice of proposed amendments is posted ten days in advance and any amendments/repeals/new bylaws require approval of four out of five Board Members prior to review/approval by City Council. Accordingly, the WEDC Board met at a Special Called Meeting on April 3, 2023 and voted unanimously to approve the Second Amended and Restated Bylaws of the Wylie Economic Development Corporation, subject to approval by Wylie City Council.

While some modifications to the bylaws are routine in nature and include minor procedural/administrative revisions and updates, staff has provided additional detail concerning notable revisions to the proposed Second Amended Bylaws.

4.04 1h	Amended - Director shall be hired by the Board, subject to City Council Approval and removed by a vote of 4 members of the Board, subject to Council Approval
4.04 4a v	Amended to provide annual report to City Council no later than April 1.
4.06	Discussed term limits, but no significant changes. At this time, there are no term limits.
4.07	Amended - Annual Meeting of the Board in October.
4.08	Correction of numbering to include 4.08 and modification on subsequent sections; Updated to require attendance of 75% of the regularly scheduled Board Meetings.
4.14	Added Section 4.14 outlining the creation of the Board Member Handbook.
5.02	Amended this section to state that the Board only votes on the Vice President, who serves a 1-year term. VP then becomes President and shall serve a 1-year term. After the 1-year term the President shall revert back to a Board Member. The President and VP shall serve until the next Vice President is elected. Amended the Election Date from July to Oct.
5.09 and 7.03	Amended to include Director of Econ Dev authorization to make purchases and/or expenditures up to \$25,000 without obtaining any approval or consent.



If Council elects to modify the proposed amendments, this item will be further discussed and approved at the WEDC Board Meeting on April 19, 2023. The Item will then return to Council on April 25, 2023 for final approval.

**SECOND AMENDED AND RESTATED BYLAWS  
OF  
WYLIE ECONOMIC DEVELOPMENT CORPORATION  
A TEXAS NON-PROFIT CORPORATION**

**WYLIE, TEXAS**

**ARTICLE I  
OFFICES**

**1.01 Registered Office and Registered Agent**

The Corporation shall have and continuously maintain in the State of Texas a registered Office, and a registered agent whose Office is identical with such registered Office, as required by Chapter 22 of the Texas Business Organizations Code. The Board of Directors may, from time to time, change the registered agent and/or the address of the registered office, provided that such change is appropriately reflected in these Bylaws and in the Articles of Incorporation.

The registered office of the Corporation is located at, 250 South Hwy 78, Wylie, Texas 75098, and at such address is the Corporation, whose mailing address 250 South Hwy 78, Wylie, Texas 75098. The registered agent of the Corporation shall be the President of the Corporation.

**1.02 Principal Office**

The principal office of the Corporation in the State of Texas shall be located in the City of Wylie, County of Collin, and it may be, but need not be, identical with the registered office of the Corporation.

**ARTICLE II  
PURPOSES**

**2.01 Purposes**

The Corporation is a non-profit corporation created under Section 4A of Tex.Rev.Civ.Stat.art. 5190.6, as amended from time to time, known as the Texas Development Corporation Act of 1979. The Corporation is now governed by Chapter 501 of the Local Government Code (the "Development Corporation Act"). The purpose of the Wylie Economic Development Corporation is to promote and develop industrial and manufacturing enterprises to promote and encourage employment and the public welfare, in accordance with the Articles of Incorporation.

**ARTICLE III  
MEMBERS**

**3.01 Members**

The Corporation shall have no members.

**ARTICLE IV  
BOARD OF DIRECTORS**

#### 4.01 Board of Directors

The business and affairs of the Corporation and all corporate powers shall be exercised by or under authority of the Board of Directors (the “Board”), appointed by the governing body of the City of Wylie, and subject to applicable limitations imposed by Chapter 22 of the Texas Business Organizations Code, the Development Corporation Act, the Articles of Incorporation, and these Bylaws. The Board may, by contract, resolution, or otherwise, give general or limited or special power and authority to the officers and employees of the Corporation to transact the general business or any special business of the Corporation, and may give powers of attorney to agents of the Corporation to transact any special business requiring such authorization.

The Board may plan and direct its work through a Director of Economic Development, who will be charged with the responsibility of carrying out the Corporation’s program as adopted and planned by the Board. The Board may contract with another entity for the services of a director.

#### 4.02 Number and Qualifications

The authorized number of Directors of this Board shall be five (5).

The Directors of the Corporation shall be appointed by and serve at the pleasure of the Wylie City Council. The number of Directors shall be five (5). Each Director shall meet at least one (1) of the following qualifications:

- (a) serve, or have served, as Chief Executive Officer of a company; or
- (b) serve, or have served, in a position of executive management of a company; or
- (c) serve, or have served, in a professional capacity.

In addition to the above qualifications:

- (1) each Director must have lived in the City Limits or operated a business in the City Limits for a minimum of one (1) year; and
- (2) each Director must live in the City Limits during the tenure of office.

The City Council shall consider an individual’s experience, accomplishments, and educational background in appointing members to the Board to ensure that the interests and concerns of all segments of the community are considered. The Board may make recommendations of individuals to the council for appointment to the Board.

#### 4.03 Bonds and Insurance

The corporation shall all provide a General Liability Policy, including Board Members, and a Public Officials Liability Policy for Board Members of not less than one million dollars (\$1,000,000.00). The corporation shall also provide a Fidelity Bond covering all employees and Board Members of not less than one hundred thousand dollars (\$100,000.00). The bonds and insurance referred to in this section shall be considered for the faithful accounting of all moneys and things of value coming into the hands of the offices. The bonds and insurance shall be obtained from accredited, surety, and insurance companies authorized to do business in the State of Texas.

All premiums for the liability insurance and fidelity bonds will be maintained and funded at the

total expense of the corporation. Copies of bonds and insurance policies shall be filed with the City Secretary and furnished to the corporation and Board Members.

#### 4.04 General Duties of the Board

1. The Board shall develop an overall economic development plan for the City which shall include and set forth intermittent and/or short-term goals which the Board deems necessary to accomplish compliance with its overall economic development plan. Such plan shall be approved by the City Council of the City of Wylie. The overall development plan developed by the Board shall be one that includes the following elements:

- a. An economic development strategy to permanently bolster the business climate throughout the city.
- b. Strategies to fully utilize the assets of the city which enhance economic development.
- c. Identification of strategies to coordinate public, private, military, and academic resources to develop and enhance business opportunities for all citizens of Wylie. This plan shall include methods to improve communication and cooperation between the above-mentioned entities.
- d. Assurance of accountability of all tax moneys expended for the implementation of the overall economic development plan.
- e. Identification of strategies and provide for implementation of identified strategies for direct economic development as defined in this section.
- f. An annual work plan outlining the activities, tasks, projects, and programs to be undertaken by the Board during the upcoming fiscal year.
- g. To assist the Board in the implementation of the overall economic development plan, the Board may seek out and employ a Director of Economic Development. The Director of Economic Development shall be responsible to the Board and shall act as the Board's chief administrative officer and shall assist the Board in carrying out the duties of the Board as set forth in this section. The Board shall, in the annual budget, make provisions for the Compensation to be paid to the Director of Economic Development and such compensation so established by the Board shall comprise the salary and benefits paid to the Director of Economic Development for his/her services.
- h. The Director of Economic Development shall be hired by the Board, subject to final approval by the Wylie City Council, and may be removed by a vote of 4 members of the Board, subject to final approval by the Wylie City Council.

2. The Board shall review and update its overall economic development plan from time to time to ensure that said plan is up to date with the current economic climate and is capable of meeting Wylie's current economic development needs.

3. The Board shall expend, in accordance with State law, the tax funds received by it on direct economic development where such expenditures will have a direct benefit to the citizens of Wylie.

As used herein, "direct economic development" shall mean the expenditure of such tax funds for

programs that directly accomplish or aid in the accomplishment of creating identifiable new jobs or retaining identifiable existing jobs including job training and/or planning and research activities necessary to promote said job creation. The Corporation's focus will be primarily in the areas of:

- a. Business retention and expansion
- b. Business attraction

4. Wylie Economic Development Corporation shall make reports to the City Council of the City of Wylie. The Wylie Economic Development Corporation shall discharge this requirement by reporting to the City Council in the following manner:

- a. Wylie Economic Development Corporation shall make a detailed report to the City Council once each year. Such report shall include, but not be limited to, the following:
  - i. A review of all expenditures made by the Board in connection with their activities involving direct economic development as defined in this article, together with a report of all other expenditures made by the Board.
  - ii. A review of the accomplishments of the Board in the area of direct economic development.
  - iii. The policies and strategy followed by the Board in relation to direct economic development together with any proposed changes in such activities.
  - iv. A review of the activities of the Board in areas of endeavor other than direct economic development together with any proposed changes in such activities.
  - v. The annual required report shall be made to the City Council no later than April 1 of each year.
  - vi. The annual report shall be considered by the City Council for its review and acceptance.
- b. The Board shall be regularly accountable to the City Council for all activities undertaken by them or on their behalf, and shall report on all activities of the Board, whether discharged directly by the Board or by any person, firm, corporation, agency, association, or other entity on behalf of the Board. This report shall be made by the Board to the City Council semi-annually with the first report being made each succeeding six (6) months. The semi-annual report shall include the following:
  - i. Accomplishments to date as compared with the overall plan or strategy for direct economic development.
  - ii. Anticipated short term challenges during the next semi-annual reporting period together with recommendations to meet such short-term challenges.
  - iii. Long term issues to be dealt with over the succeeding twelve- month period or longer period of time, together with recommendations to meet such issues with emphasis to be placed on direct economic development.
  - iv. A recap of all budgeted expenditures to date, together with a recap of budgeted

funds left unexpended and any commitment made on said unexpended funds.

#### 4.05 Implied Duties

The Wylie Economic Development Corporation is authorized to do that which the Board deems desirable to accomplish any of the purposes or duties set out or alluded to in Section 4.04 of these Bylaws and in accordance with State law.

#### 4.06 Tenure

Directors will be elected to serve terms of three (3) years, and Directors may serve for an unlimited number of consecutive terms.

#### 4.07 Meetings; Notice; Conduct

The Board shall attempt to meet at least once each month within the city of Wylie, at a place and time to be determined by the President. All meetings of the Board shall provide notice thereof as provided and as required by the Open Meetings Act. Any member of the Board may request that an item be placed on the agenda by delivering the same in writing to the secretary of the Board prior to the posting of the notice required by the Open Meetings Act. The President of the Board shall set regular meeting dates and times at the beginning of his/her term. Special Meetings may be called by any member of the Board in accordance with the provisions of the Open Meetings Act.

The notice shall contain information regarding the particular time, date, and location of the meeting and the agenda to be considered. All meetings shall be conducted in accordance with the Open Meetings Act.

The annual meeting of the Board of Directors shall be held in October of each year. The Board may retain the services of a recording secretary if required.

#### 4.08 Attendance; Vacancy

Regular attendance of the Board meetings is required of all Members. The following number of absences may require replacement of a member: three (3) consecutive absences, or attendance reflecting absences constituting 25% of the Board's regular meetings over a 12-month period. In the event that the Board elects to replace the member violating the attendance requirements, the member will be notified by the President and, subsequently, the President shall submit in writing to the City Secretary the need to replace the Board member in question. Any vacancy on the Board shall be filled by appointment by the City Council of a new member or members meeting the qualifications set out in Section 4.02 above. When a person is appointed to fill a vacancy on the Board of Directors to finish out the remainder of a former Director's term, the term served by the appointee shall not count as a full term by such appointee for purposes of the term limits set forth in Section 4.06 above.

#### 4.09 Quorum

A majority of the entire membership of the Board of Directors shall constitute a quorum and shall be required to convene a meeting. If there is an insufficient number of Directors present to convene the meeting, the presiding officer shall adjourn the meeting.

#### 4.10 Compensation

The duly appointed members of the Board shall serve without compensation but shall be reimbursed for actual or commensurate cost of travel, lodging and incidental expense while on official business of the Board in accordance with State law.

#### 4.11 Voting; Action of the Board of Directors

Directors must be present in order to vote at any meeting. Unless otherwise provided in these Bylaws or in the Articles of Incorporation or as required by law, the act of a simple majority present shall be the act of the Board of Directors. In the event that a Director is aware of a conflict of interest or potential conflict of interest, with regard to any particular vote, the Director shall bring the same to the attention of the meeting and shall abstain from the vote, unless the Board determines that no conflict of interest exists. Any Director may bring to the attention of the meeting any apparent conflict of interest or potential conflict of interest of any other Director, in which case the Board shall determine whether a true conflict of interest exists before any vote shall be taken regarding that particular matter. The Director as to whom a question of interest has been raised shall refrain from voting with regard to the determination as to whether a true conflict exists.

#### 4.12 Board's Relationship with City Council

In accordance with State law, the City Council shall require that the Wylie Economic Development Corporation be responsible to it for the proper discharge of its duties assigned in this article. The Board shall determine its policies and direction within the limitations of the duties herein imposed by applicable laws, the Articles of Incorporation, these Bylaws, contracts entered into with the City, and budget and fiduciary responsibilities.

#### 4.13 Board's Relationship with Administrative Departments of the City

Any request for services made to the administrative departments of the City shall be made by the Board or its designee in writing to the City Manager. The City Manager may approve such request for assistance from the Board when he/she finds such requested services are available within the administrative departments of the City and that the Board has agreed to reimburse the administrative department's budget for the costs of such services so provided.

#### 4.14 Board Handbook

The Board has established a Board Member Handbook setting forth additional expectations and requirements applicable to members of the Board. All Board members shall be given a copy of the Board Member Handbook and shall familiarize themselves with its contents. The Board Member Handbook may be modified by the Board from time to time.

### **ARTICLE V OFFICERS**

#### 5.01 Officers of the Corporation

The elected officers of the Corporation shall be a President, Vice President, Secretary, and Treasurer. The Board may resolve to elect one or more Assistant Secretaries or one or more Assistant Treasurers as it may consider desirable. Such officers shall have the authority and perform the duties of the office as the Board may from time to time prescribe or as the Secretary or Treasurer may from time-to-time delegate to his/her respective Assistant. Any two (2) or more offices may be held by the same person, except the offices of President and Secretary.



### 5.02 Selection of Officers

The Vice President shall be elected by the Board and shall serve a term of one (1) year. On the expiration of the term of office of the Vice President, the Vice President shall succeed to the office of President, the then-current President shall cease to be President but shall continue as a member of the Board, and the Board shall elect a new Vice President from among its Members to hold such office. The term of office of the President and Vice President shall always be for a period of one year; provided, however, that the President and Vice President continue to serve until the election of the new Vice President.

The Secretary and Treasurer shall be selected by the members of the Board and shall hold office for a period of one (1) year; provided, however, that they shall continue to serve until the election of their successors. Elections shall be held in October at a regular or special meeting of the Board.

Any officer meeting the qualifications of these Bylaws may be elected to succeed himself/herself or to assume any other office of the Corporation.

### 5.03 Vacancies

Vacancies in any office which occur by reason of death, resignation, disqualification, removal, or otherwise, shall be filled by the Board of Directors for the unexpired portion of the term of that office in the same manner as other officers are elected to office.

### 5.04 President

1. The President shall be the presiding officer of the Board with the following authority:
  - a. Shall preside over all meetings of the Board.
  - b. Shall have the right to vote on all matters coming before the Board.
  - c. Shall have the authority, upon notice to the members of the Board, to call a special meeting of the Board when in his/her judgment such meeting is required.
  - d. Shall have the authority to appoint standing committees to aid and assist the Board in its business undertakings of other matters incidental to the operation and functions of the Board.
  - e. Shall have the authority to appoint ad hoc committees which may address issues of a temporary nature or concern or which have a temporary effect on the business of the Board.
2. In addition to the above mentioned duties, the President shall sign with the Secretary of the Board any deed, mortgage, bonds, contracts, or other instruments which the Board of Directors has approved and unless the execution of said document has been expressly delegated to some other officer or agent of the Corporation, including the Director of Economic Development, by appropriate Board resolution, by a specific provision of these Bylaws, or by statute. In general, the President shall perform all duties incident to the office, and such other duties as shall be prescribed from time to time by the Board of Directors.

#### 5.05 Vice President

In the absence of the President, or in the event of his/her inability to act, the Vice President shall perform the duties of the President. When so acting, the Vice President shall have all power of and be subject to all the same restrictions as upon the President. The Vice President shall also perform other duties as from time to time may be assigned to him/her by the President.

#### 5.06 Secretary

The Secretary shall keep or cause to be kept, at the registered office a record of the minutes of all meetings of the Board and of any committees of the Board. The Secretary shall also file a copy of said Minutes with the City and the same to be given, in accordance with the provisions of these Bylaws, or as required by the Open Meetings Act or the Open Records Act or other applicable law. The Secretary shall be custodian of the corporate records and seal of the Corporation, and shall keep a register of the mailing address and street address, if different, of each director.

#### 5.07 Treasurer

The Treasurer shall be bonded for the faithful discharge of his/her duties with such surety or sureties and in such sum as the Board of Directors shall determine by Board resolution, but in no event shall the amount of such bond be less than an amount equal to the average of the sums which the Treasurer has access to and the ability to convert during a twelve (12) month period of time. The Treasurer shall have charge and custody of and be responsible for all funds and securities of the Corporation. The Treasurer shall receive and give receipt for money due and payable to the Corporation from any source whatsoever, and shall deposit all such moneys in the name of the Corporation in such bank, trust corporation, and/or other depositories as shall be specified in accordance with Article VII of these Bylaws. The treasurer shall, in general, perform all the duties incident to that office, and such other duties as from time to time assigned to him/her by the President of the Board.

#### 5.08 Assistant Secretaries and Assistant Treasurers

The Assistant Secretaries and Assistant Treasurers, if any, shall in general, perform such duties as may be assigned to them by the Secretary or the Treasurer, or by the President of the Board of Directors.

#### 5.09 Director of Economic Development

The Corporation may employ a Director of Economic Development. The Director of Economic Development shall serve as the Chief Executive Officer of the Corporation and shall oversee all administrative functions of the Corporation. The Director shall develop policies and procedures for the Corporation including financial, accounting, and purchasing policies and procedures to be approved by the Board and City Council. The Director of Economic Development is hereby authorized to make purchases and/or expenditures not exceeding \$25,000.00 without obtaining any approval or consent.

#### 5.10 Other Employees

The Corporation may employ such full or part-time employees as needed to carry out the programs of the Corporation.

#### 5.11 Contracts for Services

The Corporation may contract with any qualified and appropriate person, association, corporation

or governmental entity to perform and discharge designated tasks which will aid or assist the Board in the performance of its duties. However, no such contract shall ever be approved or entered into which seeks or attempts to divest the Board of Directors of its discretion and policy-making functions in discharging the duties herein above set forth in this section.

## **ARTICLE VI COMMITTEES**

### 6.01 Qualifications for Committee Membership

Members of committees shall be appointed by the President and approved by the Board. Committee members need not be members of the Wylie Economic Development Corporation unless required by these Bylaws or Board resolution.

### 6.02 Standing Committees

The President shall have authority to appoint the following standing committees of the Board and such other committees as the Board may deem appropriate in the future:

**Budget, Finance and Audit Committee:** This committee shall have the responsibility of working with the Director, or the contractual entity performing as Director as the case may be, in the formation and promotion of the annual budget of the Board. The Committee shall present such budget to the Board and, upon approval, shall present, in accordance with these Bylaws, said budget to the City Council. In addition to the preparation of the budget, the committee shall keep the Board advised in such matters. The Committee shall further have the responsibility to oversee and work with auditors of the City or outside auditors when audits of the Board are being performed.

**Committee for Business Retention and Expansion:** This committee shall work with the Director of Economic Development and shall keep the Board informed of all development and activities concerning business retention and expansion.

**Committee for New Business Attraction and Recruitment:** This committee shall work with the Director of Economic Development and shall keep the Board informed of all developments and activities concerning business attraction and recruitment.

### 6.03 Special Committees

The President may determine from time to time that other committees are necessary or appropriate to assist the Board of Directors, and shall designate, subject to Board approval, the members of the respective committees.

No such committee shall have independent authority to act for or instead of the Board of Directors with regard to the following matters: amending, altering, or repealing the Bylaws; electing, appointing, or removing any member of any such committee or any Director or Officer of the Corporation; amending the Articles of Incorporation; adopting a plan of merger or adopting a plan of consolidation with another corporation; authorizing the sale, lease, exchange, or mortgage of all or substantially all of the property and assets of the Corporation; authorizing the voluntary dissolution of the Corporation or revoking the proceedings thereof; adopting a plan for the distribution of the assets of the Corporation; or amending, altering, or repealing any resolution of the Board of Directors which by its terms provides that it shall not be amended, altered, or repealed by such committee.

The designation and appointment of any such committee and delegation to that committee of authority shall not operate to relieve the Board of Directors, or any individual Director, of any responsibility imposed on it or on him/her by law or these Bylaws.

#### 6.04 Term of Committee Members

Each member of a committee shall continue as such until the next appointment of the Board of Directors and until his/her successor on the committee is appointed, unless the committee shall be sooner terminated or unless such member has ceased to serve on the Board of Directors, or unless such member be removed from such committee.

Any committee member may be removed from committee membership by the President, with Board approval, whenever in their judgment the best interests of the Corporation would be served by such removal.

#### 6.05 Vacancies on Committees

Vacancies in the membership of any committee may be filled in the same manner as provided with regard to the original appointments to that committee.

#### 6.6 Ex-Officio Members

The City Manager or his/her designee and the Mayor or his/her designee may attend all meetings of the Board of Directors or Committees. These representatives shall not have the power to vote in the meetings they attend. Their attendance shall be for the purpose of ensuring that information about the meeting is accurately communicated to the City Council and to satisfy the City Council obligation to control the powers of the Corporation.

### **ARTICLE VII FINANCIAL ADMINISTRATION**

The Corporation may contract with the City for financial and accounting services. The Corporation's financing and accounting records shall be maintained according to the following guidelines:

#### 7.01 Fiscal Year

The fiscal year of Corporation shall begin on October 1 and end on September 30 of the following year.

#### 7.02 Budget

A budget for the forthcoming fiscal year shall be submitted to, and approved by, the Board of Directors and the City Council of the City of Wylie. In submitting the budget to the City Council, the Board of Directors shall submit the budget on forms prescribed by the City Manager and in accordance with the annual budget preparation schedule as set forth by the City Manager. The budget shall be submitted to the City Manager for inclusion in the annual budget presentation to the City Council.

#### 7.03 Contracts

As provided in Article V above, the President and Secretary shall execute any contracts or other

instruments which the Board has approved and authorized to be executed, provided, however, that the Board may by appropriate resolution authorize any other officer or officers or any other agent or agents, including the Director of Economic Development, to enter into contracts or execute and deliver any instrument in the name and on behalf of the Corporation. Notwithstanding the foregoing, the Director of Economic Development has been authorized to make certain purchases and expenditures without additional approval or consent pursuant to Section 5.09 of these bylaws. Such authority may be confined to specific instances or defined in general terms. When appropriate, the Board may grant a specific or general power of attorney to carry out some action on behalf of the Board, provided, however that no such power of attorney may be granted unless an appropriate resolution of the Board authorizes the same to be done.

#### 7.04 Checks and Drafts

All checks, drafts, or orders for the payment of money, notes, or other evidence of indebtedness issued in the name of the Corporation shall be signed or bear the facsimile of the President or the Treasurer, or such other person as designated by the Board or otherwise authorized pursuant to these Bylaws.

#### 7.05 Deposits

All funds of the Wylie Economic Development Corporation shall be deposited on a regular basis to the credit of the Corporation in a local bank which shall be federally insured.

#### 7.06 Gifts

The Wylie Economic Development Corporation may accept on behalf of the Corporation any contribution, gift, bequest, or devise for the general purposes or for any special purpose of the Corporation.

#### 7.07 Purchasing

All purchases made and contracts executed by the Corporation shall be made in accordance with the requirements of the Texas Constitution and statutes of the State of Texas, and any other laws, rules, or regulations applicable to the Corporation.

#### 7.08 Investments

Temporary and idle funds which are not needed for immediate obligations of the Corporation may be invested in any legal manner in accordance with Chapter 2256 of the Texas Government Code (the Public Funds Investment Act).

#### 7.09 Bonds

Any bonds issued by the Corporation shall be in accordance with the statute governing this corporation but in any event, no bonds shall be issued without approval of the City Council after review and comment by the city's bond counsel and financial advisor.

#### 7.10 Uncommitted Funds

Any uncommitted funds of the Corporation at the end of the fiscal year shall be considered a part of the Fund Balance.

The Undesignated Fund Balance may be committed for any legal purpose provided the Corporation's Board of Directors and the City Council both approve such commitment. This may include the establishment of a Permanent Reserve Fund which shall be accumulated for the purpose of using the interest earnings of such fund to finance the operation of the Corporation.

## **ARTICLE VIII BOOKS AND RECORDS**

### 8.01 Books and Records

The Corporation shall keep correct and complete books and records of all actions of the Corporation, including books and records of account and the minutes of meeting of the Board of Directors and of any committee having any authority of the Board and to the City Council. All books and records of the Corporation may be inspected by Directors of the Corporation or his/her agent or attorney at any reasonable time; and any information which may be designated as public information by law shall be open to public inspection at any reasonable time. Chapter 551 of the Texas Government Code (the "Open Meetings Act") and Chapter 552 of the Texas Government Code (the "Open Records Act") shall apply to disclosure of public information. The Board of Directors shall provide for an annual financial audit to be performed by a competent independent audit firm.

### 8.02 Monthly Reports

The Corporation shall provide the City Council monthly summaries of proposed dispersal of funds for anticipated projects, and funds that are dispersed over \$50,000.00.

## **ARTICLE IX SEAL**

### 9.01 Seal

The Board of Directors may obtain a corporate seal which shall bear the words "Wylie Economic Development Corporation"; the Board may thereafter use the corporate seal and may later alter the seal as necessary without changing the corporate name; but these Bylaws shall not be construed to require the use of the corporate seal.

## **ARTICLE X PROGRAM**

### 10.01 Authorization

The Corporation shall carry out its program subject to its Articles of Incorporation and these Bylaws, and such resolutions as the Board may from time to time authorize.

### 10.02 Program

The program of the Wylie Economic Development Corporation shall be to assist, stimulate, and enhance economic development in Wylie, Texas, subject to applicable State and Federal law, these Bylaws, and the Articles of Incorporation.

## **ARTICLE XI PARLIAMENTARY AUTHORITY**

### 11.01 Amendments to Bylaws

These Bylaws may be amended or repealed, and new Bylaws may be adopted by an affirmative vote of four (4) of the authorized Directors serving on the Board, at a special or regular meeting of the Directors held for such specific purpose, and the notice requirements stated herein above regarding special and regular meetings shall apply. The Directors of the Corporation present at a properly called meeting of the Board may, by a vote of four (4), in accord with the requirements of Article IV herein above, amend or repeal and institute new Bylaws, provided that at least ten (10) days prior to the meeting, written notice setting forth the proposed action shall have been given to the directors, and public notice regarding such action given according the requirements of the Open Meetings Act.

Notwithstanding the foregoing, no amendment shall become effective unless the City Council approves the amendment.

## **ARTICLE XII DISSOLUTION**

### 12.01 Dissolution

On petition of ten (10) percent or more of the registered voters of the City of Wylie requesting an election on the dissolution of the Corporation, the City Council shall order an election on the issue. The election must be conducted according to the applicable provision of the Election Code. The ballot for the election shall be printed to provide for voting for or against the proposition:

“Dissolution of the Wylie Economic Development Corporation”

If a majority of voters voting on the issue approve the dissolution, the Corporation shall continue operations only as necessary to pay the principal of and interest on its bonds and to meet obligations incurred before the date of the election and, to the extent practicable, shall dispose of its assets and apply the proceeds to satisfy those obligations. When the last of the obligations is satisfied, any remaining assets of the Corporation shall be transferred to the City, and the Corporation is dissolved.

## **ARTICLE XIII INDEMNITY**

### 13.01 Indemnity

The Board of Directors shall authorize the Corporation to pay or reimburse any current or former Director or Officer of the Corporation for any costs, expenses, fines, settlements, judgments, and other amounts, actually and reasonably incurred by such person in any action, suit, or proceeding to which he or she is made a party by reason of holding such position as Officer or Director; provided, however, that such Officer or Director shall not receive such indemnification if he/she be finally adjudicated in such instance to be guilty of negligence or misconduct in office. The indemnification herein provided shall also extend to good faith expenditures incurred in anticipation of, or preparation for, threatened or proposed litigation. The Board of Directors may, in proper cases, extend the indemnification to cover the good faith settlement of any such action, suit, or proceedings, whether formally instituted or not.



**ARTICLE XIV**  
**MISCELLANEOUS**

14.01 Relation to Articles of Incorporation

These Bylaws are subject to, and governed by, the Articles of Incorporation and applicable State statutes under which the Corporation is organized.



# Wylie City Council

## AGENDA REPORT

**Department:** City Manager

**Account Code:** \_\_\_\_\_

**Prepared By:** Renae' Ollie

### Subject

Discuss the findings of the self-evaluation of facilities, programs, and events in the development of an ADA Transition Plan in accordance with the federally mandated requirement by Title II (State and Local Government) of the Americans with Disabilities Act.

### Recommendation

Direction to move forward with next steps.

### Discussion

ADA Transition Plans are a federally mandated requirement by Title II (State and Local Government) of the Americans with Disabilities Act. Title II of ADA states that no qualified individual with a disability be excluded from participation or denied the benefits of the services, programs, or activities based on disability. The Transition Plan will present the City's vision to improve accessibility throughout the City of Wylie for years to come.

Beginning in 2012, Joseph Tidwell, the City's Engineering Construction Supervisor, began certification training in the field of ADA. In early 2021, the City began an in-house self-evaluation of its facilities and worked with staff to determine what facilities and programs were or were not meeting the standards in accordance with Title II. The City is committed to vetting these results with stakeholders as required by law and developing an implementation plan designed to implement necessary changes and track good-faith compliance efforts.

Adopting an ADA Transition Plan will help the City schedule and track its progress on upgrades and renovation projects as well as the development of new projects and buildings. The City's safety committee consists of employees from various departments who meet quarterly, and will play a significant role in the ADA Transition Plan.

#### Getting Started:

1. Appoint an ADA Coordinator - *Joseph Tidwell, Engineering Construction Supervisor/ADA Coordinator*
2. Provide Public Notice about the ADA requirements - *Notice to be placed on City website*
3. Get feedback from employees with disabilities. *Received and created an ADA action and expense log*
4. Develop a Grievance Procedure to establish how and where a complaint is filed with the City. *Completed*
5. Conduct a Self-Evaluation for compliance with current ADA standards. *Employee Evaluation Completed*
6. Create an ADA Self-Evaluation and ADA Transition Plan Public Outreach Survey form. *Completed*

#### Next Steps:

1. Disseminate the Public Outreach Survey form for public comment.
2. Update the Transition Plan and include the results of public input.
3. Adopt the Transition Plan.

4. Develop an Implementation Plan, including a schedule for completing the recommended facility improvements and the funding sources to be used.

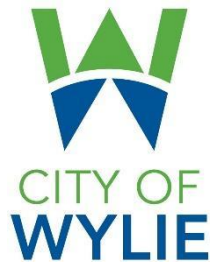
Attachments to be made part of the Transition Plan:

- Appendix A - Public Notices and Postings
- Appendix B - Grievance Form
- Appendix C - Acknowledgement Letter for Receipt of Grievance
- Appendix D - General Findings and Summary from Staff Evaluation
- Appendix E - General Findings and Summary from Public Survey Form



**WIDE AWAKE WYLIE**

# ADA Self-Evaluation and Transition Plan





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## CHAPTER 1.0 EXECUTIVE SUMMARY

### 1.1 Introduction

The Americans with Disabilities Act was passed in 1990 as a step towards the disestablishment of discrimination against individuals with disabilities. ADA Title II requires communities to establish self-evaluations and/or transition plans, as determined by community employee size, for updating public facilities. Title II covers programs, activities, and services of government entities with a specific focus on protecting citizens from discrimination on the basis of disability. The goal of this act is to afford every individual the opportunity to benefit from businesses and services and to afford businesses and services the opportunity to benefit from the patronage of all Americans. This document will guide the planning and implementation of necessary program and facility modifications in the years to come. The ADA Transition Plan is significant in that it establishes the City of Wylie's (the "City") ongoing commitment to the development and maintenance of policies, programs and facilities that include all residents and visitors to the City of Wylie.

### 1.2 Federal Accessibility Requirements

The development of a transition plan is a requirement of the Federal regulations implementing the Rehabilitation Act of 1973, which requires that all organizations receiving federal funds make their programs available without discrimination to persons with disabilities. The Act, which became known as the "civil rights act" of persons with disabilities, states:

*No otherwise qualified individual with a disability in the United States shall, solely by reason of his or her disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.*  
(Section 504)

Subsequent to the enactment of the Rehabilitation Act of 1973, Congress passed the Americans with Disabilities Act on July 26, 1990 (the "ADA"). Title II of the ADA prohibits disability discrimination by all public entities. Title II provides protections to individuals with disabilities that are at least equal to those provided by the nondiscrimination provisions of Title V of the Rehabilitation Act. The legislative mandate, therefore, prohibits the City from, either directly or through contractual arrangements:

- Denying persons with disabilities the opportunity to participate in services, programs, or activities that are not separate or different from those offered to others, even if the City offers permissibly separate or different activities.
- Selecting facility locations that have the effect of excluding or discriminating against persons with disabilities.

The City of Wylie is obligated to observe all requirements of Title I in its employment practices; Title II in its policies, programs and services; any parts of Titles IV and V that apply to the City and its programs, services, or facilities; and all requirements specified in the ADA Access Guidelines (ADAAG) that apply to facilities and other physical holdings. Details of the Americans with Disabilities Act of 1990 can be found on the ADA website at [www.ada.gov](http://www.ada.gov).

#### Administrative Requirements, Locations of Information

- The ADA can be found at: [www.ada.gov/pubs/ada.htm](http://www.ada.gov/pubs/ada.htm)
- Department of Justice ADA regulations for Title II, 28 CFR Part 35, can be found at: <http://www.ada.gov/regs2010/ADAREgs2010.htm>
- Section 504 can be found at: <https://www.hud.gov/programdescription/sec504>

Included in Title II are administrative requirements for all government entities employing more than 50 people. These administrative requirements are:

- Designation of a person who is responsible for overseeing Title II compliance;
- Development of an ADA grievance procedure;
- Completion of a self-evaluation; and
- Development of a transition plan if the self-evaluation identifies any structural modifications necessary for compliance. Modification records must be retained for three years.

### **1.3 State of Texas Accessibility Requirements**

In addition to complying with ADA requirements, the City will also comply with the Texas Accessibility Standards, Elimination of Architectural Barriers as contained in Texas Government Code, Chapter 469. Details can found on their website:

<http://www.statutes.legis.state.tx.us/Docs/GV/htm/GV.469.htm>

### **1.4 Declarations**

#### **Compliance with the Americans with Disabilities Act**

In accordance with the requirements of Title II of the ADA, the City will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

#### **Employment**

The City does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations circulated by the U.S. Equal Employment Opportunity Commission under Title I of the ADA.

#### **Effective Communication**

The City will, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they may participate equally in the City's programs, services, and activities, including but not limited to, qualified sign language and/or language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing, or vision impairment

#### **Modifications to Policies and Procedures**

The City will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of the City's programs, services, and activities. Anyone who requires auxiliary aid or service for, or has a complaint related to, effective communication, or a modification of policies or procedures to allow participation in a program, service, or activity in the City should contact:

City of Wylie ADA Coordinator  
Attn: Joe Tidwell  
300 Country Club Rd, Building 100  
Wylie, TX 75098  
972-516-6010  
Email: Joe.tidwell@wylietexas.gov

#### **Surcharges and Fees**

The City will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services to accommodate access to or participation in programs or services.



## Undue Burden

The ADA does not require the City to undertake any action that would represent an undue financial and administrative burden. This determination is to be made by the ADA Coordinator and must be accompanied by a statement citing the reason(s) for reaching that conclusion. The determination that undue burdens would result must be based on an evaluation of all resources available for use in the programs.

*"Undue hardship" means an action requiring significant difficulty or expense, when considered in light of the following factors: (1) The nature and cost of the accommodation needed. (2) The overall financial resources of the facilities involved in the provision of the reasonable accommodations, the number of persons employed at the facility, and the effect on expenses and resources or the impact otherwise of these accommodations upon the operation of the facility. (3) The overall financial resources of the covered entity, the overall size of the business of a covered entity with respect to the number of employees, and the number, type, and location of its facilities. (4) The type of operations, including the composition, structure, and functions of the workforce of the entity. (5) The geographic separateness, administrative, or fiscal relationship of the facility or facilities.*

## CHAPTER 2.0 COMPLIANCE WITH TITLE II REQUIREMENTS

This section makes reference to various parts of the Code of Federal Regulations (CFR), section 35 as it pertains to ADA requirements that the City must comply with or address as part of the transition plan. The details of which can be found on the ADA website: [www.ada.gov/reg2.html](http://www.ada.gov/reg2.html).

### 2.1 Notification

Applicants, participants, beneficiaries, and other interested persons have been notified of their rights and the City's obligations under Title II of the ADA as required by 28 CFR §35.106. This notification appears on the City's website: [www.wylietexas.gov](http://www.wylietexas.gov). Public meetings notices and agendas also include this notification.

### 2.2 Designation of Responsible Employee

The City has designated a responsible employee to coordinate its efforts to comply with and carry out the City's ADA responsibilities in accordance with 28 CFR §35.107(a). The ADA Coordinator has been designated to oversee compliance with the non-discrimination requirements and can be contacted at: City of Wylie ADA Coordinator, Attn: Joe Tidwell, 300 Country Club Rd, Building 100, Wylie, TX 75098 Telephone: 972-516-6010, or [joe.tidwell@wylietexas.gov](mailto:joe.tidwell@wylietexas.gov).

### 2.3 Self-Evaluation and Transition Plan

Title II of the ADA requires that the City conduct a self-evaluation of its services, policies, and practices and make modifications as necessary to comply with 28 CFR §35.105. A self-evaluation is an assessment of the City's current policies and practices, identifies, and corrects those policies and practices that are inconsistent with Title II requirements. The ADA Transition Plan continues the process of identifying any barriers to accessibility that might be present. The City has completed the self-evaluation process and will continue the process through solicitation of public comment. This transition plan is a living document that will be updated periodically to reflect the ongoing assessment and resolution/response to public comment. Updates will be provided as amendments to the plan, inclusion of additional annexes, and/or updates to the City's website: [www.wylietexas.gov](http://www.wylietexas.gov).

## 2.4 Establishment of Grievance Procedure

The City has established a grievance procedure for resolving complaints of violations in accordance with 28 CFR §35.107(b). Refer to Section 4.0 below.

## 2.5 Emergency Management

The City of Wylie Emergency Management Coordinator (EMC) develops, maintains and facilitates the all-hazard Emergency Management Plan as required by Local, State and Federal statutes and laws. During all emergency planning (Mitigation, Preparedness, Response, and Recovery), the City is committed to be in compliance with the ADA requirements as outlined in Chapter 7 under Title II (<http://www.ada.gov/pcatoolkit/chap7emergencymgmt.htm>) of the ADA. The EMC ensures that all parties with responsibilities under the Emergency Management Plan are aware of ADA requirements and that all programs and third party agreements are in compliance with ADA.

# CHAPTER 3.0 EVALUATION AND STEPS TAKEN

## 3.1 Self-Evaluation

The self-evaluation is the City's assessment of its current policies, practices and procedures to determine compliance with the ADA. As part of this assessment, the City will conduct an ongoing evaluation review of physical barriers in its buildings and facilities with the assistance of representatives from various departments housed in those facilities (i.e. Parks and Recreation, Library, Senior Center, Public Safety Building, etc.).

The City evaluated its programs, services, and activities for compliance with the ADA in the following areas:

- Identified all programs, activities and services
- City-wide Events
- Employee Safety
- Reviewed all of the policies, practices and procedures that govern the administration of the City's programs, activities and services.

Recognizing that the City has limited funds, staff will utilize a variety of criteria for prioritizing the removal of physical barriers. These criteria may include but not be limited to the following:

- Frequency of public use;
- Nature of the programs offered at the facility;
- Public feedback obtained through the public input and grievance processes;
- Availability of funding (Grants, Development Agreements, Interlocal Agreements, etc.);
- Policy modifications to ensure nondiscrimination; and
- Planning of future construction activity – Capital Improvement Plan/Annual Sidewalk Budgeting.

## 3.2 Action Taken to Improve Access

In 2009 the City implemented a citywide Sidewalk Improvement Plan as part of the Neighborhood Accountable Communities Through the Involvement Of Neighborhoods (A.C.T.I.O.N.) Plan adopted in 2007. The plan included assessing existing conditions of sidewalks and streets and implementing recommendations to improve walkability to comply with ADA regulations.

The City of Wylie established a Safety Committee in January 2010 for the purpose of recommending improvements to our workplace safety program and to help in the identification of corrective measures needed to eliminate or control recognized safety and health hazards. The Safety Committee consists of one representative from each department plus five subject matter experts that includes the Fire Chief, Emergency Management Coordinator, Purchasing Manager, Facilities Manager. The City added an ADA Coordinator to the list of subject matter experts in 2021.

The Safety Committee is responsible for these tasks:

- Provide safety activities including required quarterly and annual training as outlined in the adopted safety manual.
- Set goals concerning safety performance within the assigned department(s).
- Enforce all safety rules in coordination with the department management and supervisory staff.
- Review accident reports and recommend corrective actions.
- Attend and participate in quarterly safety meetings.

All employees of every level are responsible for maintaining a workplace free from recognized hazards that could result in injuries or accidents. Compliance training is provided to educate employees on identifying hazards and how to report hazards and other safety related concerns.

As new City facilities have been constructed or existing buildings remodeled, the City has complied with State of Texas design requirements through review by the Texas Department of Licensing and Regulation (TDLR).

As part of the self-evaluation process, the following list summarizes activities related to evaluating existing conditions and implementing ADA required improvements and compliance:

- 2010 Established an employee Safety Program
- 2011 provided devices for the hearing impaired to be used during public meetings
- 2018 adoption of the City's Thoroughfare Plan to guide street improvements in the City for the following decades.
- 2019 Civic Engagement to provide the citizens of Wylie an opportunity to learn about city departments and how we work together to make Wylie a great place to live, work, and shop.
- 2020 Downtown Strategic Plan with assistance from The North Texas Council of Governments
  - Data collection
  - Stakeholder and public involvement
  - Strategic Plan Development
- 2021 Appointed an ADA Coordinator
- 2021 Comprehensive Plan Update
  - City Council appointed 14 citizens to serve on the committee
  - Joint Workshop with City Council
  - Joint Public Hearing with City Council
- 2021 Citizen Bond Committee
  - City Council appointed 14 citizens to serve on the committee
  - Four public meetings
  - 2021 GIS inventory of City's sidewalks, signalized and unsignalized intersections, crosswalks at major intersections.
- 2021-22 Citywide Sidewalk Repair Program through Public Works
  - Completed 5,750 linear feet of concrete
  - Approximately \$350,00 spent on sidewalk repair

One of the key findings of these public involvement exercises is that the residents of Wylie support improvements to sidewalks and streets throughout the City, which led to the citywide Sidewalk Repair Program along with additional studies, which are currently underway. Additionally, the City of Wylie continues to work closely with TxDOT and the NCTCOG as part of the City's Downtown Strategic Plan. All of these projects comply with TxDOT's Self Evaluation and Transition Plan for compliance with the Americans with Disabilities Act (dated January 2004).

## **CHAPTER 4.0 GRIEVANCE PROCEDURE AND INSTRUCTIONS**

### **4.1 Purpose of Guidelines**

The City of Wylie utilizes many different approaches in removing barriers in the public right of way, including proactively identifying and eliminating the barrier, responding to public grievances and ensuring that discrimination complaints are handled promptly, effectively, and equitably. Under the Americans with Disabilities Act, users of City facilities and services have the right to file a grievance if they believe the City has not provided reasonable accommodation.

### **4.2 File a Grievance Form**

The complainant should fill out the ADA Complaint/Grievance Form (refer to Attachment B), giving all of the information requested. Under the grievance procedures, a formal complaint must be filed as soon as possible, but no later than 30 calendar days of the alleged occurrence. Upon request, reasonable accommodations will be provided in completing the form, or alternative formats of the form will be provided. The ADA Complaint/Grievance Procedure and Form may be obtained from and sent to the City of Wylie ADA Coordinator, Attn: Joe Tidwell, 300 Country Club Rd, Building 100, and Wylie, TX 75098. Contact the ADA Coordinator at the address listed above, via telephone 972-516-6010, or email [joe.tidwell@wylietexas.gov](mailto:joe.tidwell@wylietexas.gov) with additional questions.

The ADA Coordinator is required to acknowledge receipt of the grievance within 15 days (refer to Attachment C). If the response of the ADA Coordinator does not satisfactorily resolve the issue, the complainant may appeal the response, to the City Manager's Office for a final determination. If at any time the complainant is not satisfied with the City of Wylie's handling of the grievance, the complainant may file directly with the U.S. Department of Justice.

### **4.3 Investigation Process**

Following the filing of a grievance, the ADA Coordinator or another authorized representative shall determine whether, and to what extent, an investigation of the grievance is warranted. The ADA Coordinator or their designee shall conduct any resulting investigation. A thorough investigation affords all interested persons and their representatives an opportunity to submit evidence relevant to a grievance. The ADA Coordinator will complete the investigation within 60 calendar days of receipt of the grievance. If appropriate, the ADA Coordinator will arrange to meet with the complainant to discuss the matter and attempt to reach a resolution of the grievance.

### **4.4 Resolution**

Any resolution of the grievance shall be documented in the ADA Coordinator file and the case will be closed. All written complaints and resolutions shall be kept on file for seven years. The resolution of any specific grievance will require consideration of varying circumstances, such as the specific nature of the disability; the nature of the access to facilities; the safety of others; and the degree to which an

accommodation would constitute a fundamental alteration to the facility, or cause an undue hardship to the City. Accordingly, the resolution by the City of any grievance does not constitute an admission of liability, guilt or a precedent upon which the City is bound or upon which other parties may rely. The ADA Coordinator or other authorized representatives shall maintain the confidentiality of all files and records relating to grievances filed, unless disclosure is authorized or required by law. Any retaliation, coercion, intimidation, threat, interference or harassment for the filing of a grievance, or used to restrain a complainant from filing, is prohibited and should be reported immediately to the ADA Coordinator or their designee.

## **CHAPTER 5.0 EMERGENCY MANAGEMENT**

A priority of the City's Office of Emergency Management is helping people prepare for and respond to emergencies. Making local preparedness and response programs accessible to people with disabilities is a critical part of this responsibility.

### **5.1 Access to 9-1-1 Services**

The City partners with Collin, Dallas, and Rockwall Counties for all 9-1-1 services.

### **5.2 Functional Needs Assessments**

A functional needs assessment of the local residents will assist in ensuring that emergency management procedures are in compliance with the ADA. Functional needs assessments are encouraged as part of the City's Emergency Operations Plan in order to facilitate the notification, evacuation and sheltering phases of an emergency incident. The State of Texas currently has a functional needs registry that is available to any individual who may require additional assistance. This is a voluntary, confidential registration and individuals may apply through the Texas Information Referral Network (2-1-1) or online through the State of Texas Emergency Assistance Registry ("STEAR"):

<https://www.txdps.state.tx.us/dem/stear/public.htm>

STEAR will provide the City with a list of individuals requiring assistance. All information will remain confidential and at no time will names, addresses or other personal information be published, sold or provided to any third parties unless otherwise required by law. The City will utilize public outreach to educate citizens regarding this registration process.

### **5.3 Functional Needs Planning**

Planning for local residents with Functional Needs is contained in the City of Wylie Emergency Operations Plan in Annexes A Warning, B Communication, C Shelter and Mass Care, E Evacuation, I Emergency Public Information, O Human Services, and S Transportation. The Emergency Operations Plan can be found online at <http://www.Qgtx.org/291/Emergency-Operations-Plan>

## CHAPTER 6.0 CONCLUSION

Services and programs offered by the City to the public must be accessible for all citizens and reasonable accommodations must be made for those with disabilities. The process of making City facilities and programs accessible to all individuals will be ongoing and the City will continue to review accessibility issues through self-evaluation, resolution of complaints, and by making reasonable modifications to various programs. The City has made progress towards improving accessibility as seen by the following actions:

- Designation of an ADA Coordinator
- Implementation of an ADA grievance procedure
- Conducting an ongoing self-assessment to identify issues needing to be resolved
- Complying with Federal and State requirements as facilities are modified or constructed
- Planning future improvements through the capital improvement program

### 6.1 Next Steps

The City intends to budget for and complete the Self-Evaluation of programs, services, activities, and facilities identified in this document. Our next steps are:

- Develop an Implementation Plan, including a schedule for completing the recommended facility improvements and the funding sources to be used.
- Complete any remaining Self-Evaluation phases and update the City's ADA Transition Plan after each additional phase.
- Continue to update the City's ADA Transition Plan as projects are implemented and citizen requests/complaints are received.
- Create and maintain facility reports with the compliance status of each element evaluated based on the 2023 ADA Transition Plan.
- Provide additional staff training regarding needs of persons with disabilities in emergency situations.

It is imperative that the City collaborate with the community to work together to identify and resolve accessibility issues. Periodic updates will be made to the Plan and published on the City's website going forward.

**APPENDIX A – PUBLIC NOTICES AND POSTINGS****City of Wylie Seeks Public Input on Facility and Program Accessibility**

*Citizens are Encouraged to Complete the Online Survey*

Under Title II of the Americans with Disabilities Act (ADA), the City of Wylie must complete a self-evaluation, including a citizen survey, of our public facilities, programs, and activities, to determine compliance with the ADA and barriers to accessibility. Once the self-evaluation is complete, the City of Wylie will prepare an action plan to address identified barriers to accessibility.

Citizens are encouraged to provide input on the City's accessibility by completing the online survey at [WylieTexas.gov/ADA](http://WylieTexas.gov/ADA). The survey takes approximately ten minutes and may be submitted anonymously.

For more information about the ADA self-evaluation process or for accommodation to complete the survey, please contact our ADA Coordinator, Joseph Tidwell, 972-516-6000 or email [joe.tidwell@wylietexas.gov](mailto:joe.tidwell@wylietexas.gov). Go to [WylieTexas.gov/ADA](http://WylieTexas.gov/ADA) for updates and details on the City's ADA program

ADA Citizen Survey (Direct Link to Survey)



**APPENDIX B – GRIEVANCE FORM****City of Wylie - ADA Complaint / Grievance Form**

Complainant: \_\_\_\_\_

Person Preparing Complaint (if different from Complainant): \_\_\_\_\_

Relationship to Complainant (if different from Complainant): \_\_\_\_\_

Street Address &amp; Apt. No.: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: (\_\_\_\_\_) \_\_\_\_\_ E-mail: \_\_\_\_\_

When did the discrimination occur? Date: \_\_\_\_\_

Please provide a complete description of the specific complaint or grievance:

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Please specify any location(s) related to the complaint or grievance (if applicable):

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Please state what you think should be done to resolve the complaint or grievance:

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Please attach additional pages as needed.

☐ Please do not contact me personally.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Return to: City of Wylie ADA Coordinator, Attn: Joe Tidwell, 300 Country Club Rd, Building 100, Wylie, TX 75098. Upon request, reasonable accommodation will be provided in completing this form or copies of the form will be provided in alternative formats. Contact the ADA Coordinator at the address listed above, via telephone 972-516-6010, or e-mail [joe.tidwell@wylietexas.gov](mailto:joe.tidwell@wylietexas.gov).

## APPENDIX C – ACKNOWLEDGEMENT LETTER FOR RECEIPT OF GRIEVANCE



{Date}

{Complainant Name or Name of Representative}  
{Address}

**Re: Acknowledgement of Receipt of Grievance**

Dear Mr./Ms. {Complainant Name or Name of Representative}:

This letter is to inform you that Mr. Joe Tidwell, City of Wylie ADA Coordinator, received your grievance on {date} regarding {insert brief statement of Complainant's grievance}. Please find enclosed a description of the City of Wylie Grievance Process, including notification of your right to request a State hearing at any time during the grievance process.

We take your grievance very seriously and are continuing to work toward resolving the issue to your satisfaction.

Within 90 calendar days of receiving your grievance, Wylie City staff will provide you with a written response about the findings of the investigation and the action taken to resolve the grievance. If you feel that waiting 90 calendar days represents a serious health threat, we will expedite the review process to a decision within 72 hours of receiving your grievance.

You may contact Lynn Fagerstrom at 972-516-6040 at any time for information about your grievance. The hearing impaired may call 711, which is the relay service provided by the FCC.

Thank you for working with us to resolve this matter.

Sincerely,

Lynn Fagerstrom  
Human Resources Risk Administrator

Enclosures

## APPENDIX D

### GENERAL FINDINGS AND SUMMARY FROM STAFF EVALUATION INTRODUCTION

Accessibility applies to all aspects of a program, activity or service, including but not limited to advertisement, eligibility, participation, physical access, provision of auxiliary aids, policies and communication.

#### SELF-EVALUATION BY DEPARTMENTS

With an added and concerted effort beginning in 2021, the City of Wylie conducted a self-evaluation of the accessibility of all City offered programs and events. The questionnaire provided the bases of identifying barriers and creating solutions to remove such barriers. The questionnaire was distributed to the following department liaisons:

- City Secretary's Office
- Code Compliance
- Communications and Marketing
- Emergency Management
- Facilities Management
- Fire
- Human Resources
- Information Technology
- Law Enforcement
- Library
- Municipal Court System
- Parks and Recreation
- Planning
- Public Works
- Purchasing
- Utility Billing

In addition, the City conducted a physical audit of City facilities to identify barriers and then form recommendations and alterations in order to meet state and federal accessibility standards. The list of facilities surveyed include:

- City Hall
- City owned parking lots
- City owned curb ramps
- City programs housed in city owned and leased facilities
- Rita Smith Public Library
- Senior Recreation Center
- Wylie Recreation Center

Findings from these surveys can be found in the Self-Evaluation Findings and Recommendations section.

#### SELF-EVALUATION/FINDINGS/RECOMMENDATIONS

**Public Meetings:**

Findings	Recommendations
ADA verbiage is posted on the City's website 72 hours before meetings and prefer a 48-hour notice if ADA accessibility is required. Microphones and the podium are ADA accessible and can be moved for accessibility. City hall and the council chamber allow for plenty of room to maneuver a wheelchair. ADA seating is also available.	Verbiage announcements regarding ADA accommodations will be reviewed for future meetings. Will also look into training staff to recognize potential ADA needs to be addressed prior to the meetings.
Video communication is not closed caption. The current video system does not include audio descriptors. Anyone needing Assistive Listening Devices are available upon request.	Closed caption options are currently in review and quotes have been requested to modify the current system.
Access to the City buildings are wheelchair accessible and are clearly marked. Each City building has conveniently marked handicapped parking at each parking lot. The side door of city hall is for employee use only.	
Regarding hearing impaired accommodations, the city does not currently have a sign language interpreter on staff and a contract sign language interpreter can be pre-arranged with prior notice. Staff is available to assist with speaker cards when requested for individuals wishing to communicate public comments. Public comments are limited to three minutes and additional time is allotted for those with disabilities.	

**Public City-Wide Events:**

The City currently does not have a checklist prior to any events to recognize any ADA modifications needed, nor is staff trained in advance to recognize these needs. However, employees are always available to make accommodations. Should an emergency occur during an event the incident commander takes charge and the public will be notified through Nixle alerts.	The City is currently implementing a checklist for future use.
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Findings	Recommendations
In the event of an evacuation, local hospitals have been identified for transport, along with other transportation. The emergency operations team takes charge in emergency situations.	
The City has a historical home within the downtown historic district that is open to the public. The home includes a wheelchair access ramp. During public events at the City's historical home, the Public Works department assists in setting up and makes modifications for the public, volunteers and employees.	

**Employment:**

Currently the City does not contract with an agency that recruits or seeks employees with disabilities.	The HR Director and HR Analyst over recruitment are currently researching other special job posting websites.
The City of Wylie displays ADA notices in all work areas along with an ADA grievance process. ADA notices are posted in the common areas in each department and in the employee's break room area.	
Job descriptions as well as job advertising postings include detailed information about job requirements, both physical and related to job duties. When setting up an interview, the candidate is asked if any accommodations are needed prior to the interview. If so, accommodations are arranged at that time. The city does not have a service for those applicants that are deaf or hard of hearing.	<p>The HR Director will continue to train hiring managers to ask applicants if any accommodations are required for the interview process.</p> <p>The HR Director will look into a process to offer a service for those applying who may be hearing impaired or hard of hearing.</p>
The HR Director conducts annual supervisor training that covers topics in etiquette and legal question formation for the hiring selection panel. This information is sent to each hiring manager upon a job being posted to make certain these areas are covered during the selection panel. Supervisors are trained on a case-by-case matter with ADA accommodations.	

Findings	Recommendations
Current job openings inform candidates of reasonable accommodations that are available and appropriate during the selection process.	
Medical, ADA and Worker Compensation employee records are kept separate from regular personnel files and maintained in a confidential manner. The City is in Compliance with ADA record keeping regulations in regards to health and special needs.	
The Department of Labor and ADA website are resources used in the decision-making process for reasonable accommodation. HR has steps in place to determine employees with disabilities.	
Policies for reasonable accommodations are not readily available to employees or candidates for employment.	A policy is currently in review and upon approval by the City Manager.
The City Employee Handbook contains information on reasonable accommodations policy, to include performance of essential functions, the selection process and the receipt of benefits and privileges of employment. The City benefits are outlined in the handbook and do not change outside of those policies. HR does address accommodations for performing essential functions in the handbook via training.	
The reasonable accommodation policy requires an interactive process which includes; disability disclosure, interactive problem solving, accommodation selection, accommodations implementation and ongoing follow up to ensure effectiveness. This process is assigned to HR personnel and filed in the employee's confidential medical file that is kept separately from other employees.	
Supervisor training is ongoing and includes training for recognizing an employee's needs with reasonable accommodations. Training includes that supervisors should be observant and not wait for an employee to request a specific ADA accommodation.	

Findings	Recommendations
Undue hardship for reasonable accommodations and cost associated, how is this budgeted?	A SOP is drafted for the determination process. Cost of hardships are on a case by case basis. Budget should fall under Special Services. Steps are taken to ensure the requirements for specific job functions are job related.
Employment postings include a description of nondiscrimination policy for all jobs listed. Guidance from EEOC are also used to identify employees who might need assistance.	
Emergency plans are carried out with the current staff in place and coordinated with the Fire Department. The Safety Coordinator plans drills for the department safety liaisons. These drills are scheduled annually.	The safety committee is exploring whether or not persons with disabilities are involved with the planning of drills.

**Evacuations/Safety:**

Evacuations for City events and safety processes are evaluated, conducted, and carried out with the Emergency Operations Task Team. This team determines the safest process with all persons and ADA requirements. This is a cooperative effort with Fire and Police.	More actions and procedures are needed to communicate with event employees during such an event.
The City has a mandated new hire orientation for all employees that includes emergency evacuations, as well as Stop the Bleed and active attacker training. Classes are held quarterly.	
The City has a safety committee in force to prepare departments on the safest direction to evacuate, however, little consideration has been made for those with disabilities such as wheelchairs, blindness and hearing.	The city will work with the Fire Department to prepare a plan for such events for those with ADA needs.
Drills for emergency preparedness are held annually. In 2022, the Emergency Management Coordinator conducted the table top drills. Ongoing annual drills will be performed by the safety committee.	
If prolonged sheltering in place is necessary, is there a means of obtaining accessible cots, medications, and medical supplies? Are there professionals who can help?	The City has an agreement with WISD for the use of facilities, reception and care during emergencies.



**Communications:**

Findings	Recommendations
Public notices are displayed in Franklin Gothic font size 11. This is the preferred standard print for city communication.	
Closed caption is auto generated with social media and not currently on the City website. The Boards and Commission board is currently seeking to develop a closed caption meeting.	Areas of closed captioning for city and public notices will be explored in the future to accommodate the ADA guideline suggestions.
The city does not currently have computer access for the public, however, there is access to computers at the library.	These computers do not have visual accessibility at this time and will be explored for the FY 23-24 budget cycle
City publications are sent out monthly in the form of a newsletter, and the City has daily social media posts. As needed, press releases are published. Staff is trained in appropriate use of "person first language." Staff review publications to ensure no offensive images or language. Materials sent out are not offered in alternative formats.	
The main phone line is automated to route callers to specific departments. Phone lines are in English. No services are offered on a touch screen unless on a personal tablet or cell phone. Currently there is no option for a second language or hearing-impaired callers.	
The website offers live and recorded video for the public meetings. The meetings are an audio/video recording.	Research for a captioned meeting will be looked into in the near future. Currently there is no policy in place to secure video remote interpreting services (VRI).
The Public Information Officer does not have an on staff sign language interpreter nor is one used each time a press release is published. A sign language interpreter has been used in critical situations. The interpreter is often situated next to the speaker.	
City hall has a TV video message display. Messages include upcoming events, hours of operation and other general messages. This TV video display is not audio, nor closed caption, the	

Findings	Recommendations
City hall does not utilize a public address system with interactive devices for the hearing impaired. Sign language is available on elevators, doors and public restroom areas. Assistive listening devices are available through the video/audio system in the Council Chambers.	The operations department (IT/facilities) has previously budgeted for an intercom system for city hall. No action has been taken at this time.
Announcements are distributed electronically in a PDF format. PDF format is distributed through online and email distribution. Word documents are a preferred format.	

**Website:**

The Public Information Officer is currently redesigning the website.	Update and redesign the City website to be compliant with ADA requirements.
Website information conveyed is typically in black and white. Information and documents are organized and easy to read without an associated style sheet. Columns and headers are identified for data tables. Updates are addressed the same way for all City public web sites.	Information on the website is not available in color.  At this time, we will have to research if redundant text links are available for each active region of a server-side image map.
Are systems in place that may time out while a person is giving a response? If yes, is there a way that the user is warned and can obtain more time without losing data?	Currently we are not aware of any systems that time out. Will need to investigate this more closely.
Has the City reviewed Title II of the ADA to ensure their website and programs are compliant with ADA?	Systems have been reviewed, and are not in compliance. Staff is working on bringing the site into compliance.

**EE Policy:**

The City does not have a mobility policy in place, and currently not prohibited, the Council Chambers does have an area accessible for such devices.	No policy is in place and has not yet been updated as required by 28 CFR 35.137. Staff will work on implementing a policy.
How does the City research purchases of new equipment and how is access determined?	The City does not have a process in place to determine what new equipment is accessible for communication and transportation, etc. These policies will go into review and update with findings and changes.

Findings	Recommendations
The City does not currently have a policy in place to prohibit discrimination of former illegal drug usage.	The City is considering updating such policies.

**EE Training:**

The City employee handbook manual gives clear instructions on etiquette, language, and City's legal disability civil rights mandates. The City Employee Handbook is reviewed consistently and updated as needed.	
City vendors are expected to hold the same standards as employees.	The City is in the process of adding this to its policy.
City maintenance staff are trained to recognize access and safety issues. Training is always ongoing.	
Law enforcement employees receive disability training from the OSS Academy.	
Are there any areas noted above that should be studied with this self-evaluation?	There are no specific areas; however, safety and recognizing areas of access for disability is consistent for any modification if needed.

**EE ADA:**

The City utilizes EEOC published guidelines regarding lawful means of identifying employees who might need assistance during emergency evacuations due to their disability.	Initial training took place July 12, 2022 with ongoing training taking place quarterly. Currently establishing a redundancy plan for the absence of the department liaison. All emergency plans are coordinated with the Fire Department and continue being facilitated by the safety liaisons.
How are staff and visitors accounted for after an evacuation?	The Emergency Management Coordinator is working with safety liaisons to establish plans and ongoing training.
ADA compliance is posted in all work areas.	

Findings	Recommendations
Supervisors are responsible for the reasonable accommodation request for employees with ADA needs when requested by the employee. Included in these requests are medical inquiries.	Supervisors attend a regular supervisors training organized by Human Resources that include ongoing training and the procedure for making requests for medical or ADA accommodations. Included in training are any legal requirement training essentials.
Employees needing reassignment of a position are reviewed on a case by case basis by the HR Director. The reassigned employee must be able to perform the essential functions of the new position with or without reasonable accommodations. The reasonable accommodations process is handled with a full ADA Interactive process in place through HR.	No policy is in place for prohibiting staff from competing for the position they are being assigned to.
Has the guidance for employers issued by the EEOC, concerning identifying staff with disabilities that may need assistance in an emergency been used? If yes, how often is it used?	No, however, HR has steps in place to identify staff with disabilities.
Is a statement disseminated to all staff annually putting them on notice that the City of Wylie has prohibited disability discrimination or harassment including jokes or inappropriate language?	Training was added to the 2022 in-service day agenda and will be covered each year in all employee in-service day training.
HR has drafted a guideline to follow in determining undue hardship and reasonable accommodation process. Steps are taken into place to determine that the requirements of a position are met and are job related.	An SOP document in HR has the guidelines.
Steps are taken to ensure alternative formats are available for applicants with various disabilities.	These formats are reviewed case by case. Various accommodations are made, such as hiring a tutor and allowing extra time, etc.
All job postings/openings are announced with the nondiscrimination policy concerning persons with disabilities.	

Findings	Recommendations
The City uses guidelines published by EEOC regarding lawful means of identifying employees who might need assistance during an emergency due to their disability.	
Are persons with disabilities involved in emergency plan creation, drills and debriefings?  Michael Grubbs, the safety coordinator liaison, has partnered with Debbie Buccino, the Emergency Management Safety Coordinator, for further action on this issue. Emergency plans are also coordinated with the Fire Department.	Michael Grubbs, the safety coordinator liaison, has partnered with Debbie Buccino, for further action on this training. They will be looking into adding persons with disabilities to complete training.  HR will revisit this concern once the ADA plan is in place.
How are safety coordinator liaison coordinating with departments in assisting persons with disabilities during emergencies.	Currently there is no action plan, however, training continues in 2023 for an action plan and for redundancies made in the assignment.

**City Wide Events:**

Reverse 911 System Notification Alerts.	The City has a Nixle Alert system that can identify alerts for areas, sections or a portion of the city to alert those areas of any emergencies, delays, etc.
Emergency Events are at the command of the Incident Commander.	Evacuations and safety processes are at the command of the Incident Commander.
In the case of an evacuation where accessible vehicles, drivers, fuel, and appropriate destinations are needed, the City does have procedures in hand. Evacuations of buildings are conducted with a public safety check to ensure the area is clear.	
How is new staff oriented regarding the emergency plan? Are drills held? Do emergency plans drills involve persons with disabilities? Are safety drills held and do they involve different incidents? Is the ADA coordinator involved with these drills?	All new City employees attend an orientation that involves mandated courses in active attacker, severe weather and fire. The City has held active drills that have included staff with disabilities in the past. The ADA Coordinator position is new and will be involved in future drills.

Findings	Recommendations
In response to bomb threat evacuations the site is checked for explosives before it is populated. If the need arises for decontamination before leaving, a procedure is in place to hold all parties on site until decontamination has been completed. Emergency response team has procedures set in place to evacuate and decontaminate areas in case of emergency.	
How are emergency evacuations handled?	Emergency response teams have travel and routes pre-planned with the Fire Department, as well as staging for emergency equipment and needed ADA.

**Law Enforcement:**

Have the City of Wylie first responders been trained regarding disability civil rights mandates, under State and Federal laws?	Wylie first responders attend Crisis Intervention Training.
The Public Safety Building has ADA standards in the holding and booking areas of the jail. Visitor areas of the holdings also are ADA accessible. Service animals of inmates cannot be accommodated at the holding area.	Inmates have access to a phone system; however, it is not ADA compatible. Inmates needing an interpreter may request an interpreter be called in. Service animals of inmates will be released to family members or animal services.
Wylie Police Officers have access to a sign interpreter through the 911 Dispatch Center. Dispatch has TTY and training is implemented every six months.	
Officers are trained in best techniques for communication with persons with disabilities and officer safety. Areas of training include hard of hearing, mental impairment, crisis intervention and drug impairment.	
Wylie public safety staff are training in crisis management to address competing disabilities ( <i>i.e. someone is on the bus with a service dog and another person on the bus has a phobic response to the dog and wants it removed as an accommodation. Both have rights to be considered. The passengers are in conflict.</i> )	

Findings	Recommendations
In the case of an emergency, a registry of persons with disabilities is kept on file. The City does not refer to the US Department of Justice guidance regarding disasters.	
If prolonged sheltering in place is necessary, what procedures are in place?	Procedures are coordinated through the Safety Coordinator; emergency cots, medication and other necessary items will be made available.

**ADA Programs:**

The City of Wylie has a plan for ADA Notice and Grievance dissemination. The ADA Coordinator handles the fact finding in grievance administration.	Currently the ADA Notice of Compliance is under review and will be updated by the Deputy City Manager.
Does the ADA Coordinator Office have access to City senior management?	ADA Coordinator and City Management are both located in the same building for easy and quick access for civil rights and disability issues.
ADA Coordinator and Risk Management are both responsible for reasonable accommodations to applicants and employees in accordance with U.S. Equal opportunity Employment Opportunity Commission under Title 1 of the ADA.	
Undue hardship is determined by the ADA Coordinator and a panel. The determination is based upon its nature and whether it meets the definition contained within the regulation.	Currently there is no anti-surge policy in place and will be adopted in the future by the City of Wylie.
There is no language in place to hold vendors applicable with State and Federal disability civil rights mandates.	This is currently in review.
A person with disability who believes they have been discriminated against by a city vendor, will go through the City's complaint procedures.	The City will need to research procedures for events, to make certain there is a checklist prior to events that cover any persons with disability and assure proper access is not denied.



Findings	Recommendations
Service animals on City property are addressed by individual departments. Should an animal need to relieve itself they would be required to step outside the building. Incidents involving service animals should be addressed with immediate supervision.	At this time no policy is in place to address these incidents. The Deputy City Manager is currently working on city-wide amendments to Chapter 18 of City Code.
Policy is not yet in place to address policy modifications and determination of undue burden; nor to address direct threat; or maintenance of accessible features.	These policies will need to go under review with assistance from the ADA Coordinator.
Guidance is always available from staff to accommodate the needs of the public, volunteers and employees. The City and its employees are committed to serving the access ability for those who are in need due to a disability or mobility issue. Not limited to moving furniture, making more room for access or reach access.	



## APPENDIX E

### ADA Self-Evaluation and Transition Plan

#### Public Outreach Survey

The City of Wylie is in the process of completing its Americans with Disabilities Act (ADA) Self-Evaluation and Transition Plan which is required by the ADA Title II (28 CFR §35.105(a)). As part of this process, the City is asking for your input by completing this questionnaire that addresses accessibility of programs, services, and activities offered to the public.

Our goal is that each City program, service or activity is readily accessible to and usable by persons with disabilities when viewed in its entirety.

**Submissions will be accepted through [DATE].**

1. How would you rate the City of Wylie's accessibility? This includes communication, programs, services, events, access to government facilities, parks, parking, trails, etc.

- ☐ Highly accessible
- ☐ Accessible with few challenges
- ☐ Generally accessible, but could be improved
- ☐ Not at all accessible

Additional comments:

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2. How well do City of Wylie's policies and procedures support people with disabilities?

- ☐ Very well
- ☐ Somewhat
- ☐ Needs improvement
- ☐ Not sure

3. Do you know who to contact if you need assistance, have a concern or complaint, or need accommodations to access a facility or service?

- ☐ No, I do not know who to contact
- ☐ Yes, I know who to contact

If yes, please list who you would contact

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## APPENDIX E

### ADA Self-Evaluation and Transition Plan Public Outreach Survey

4. Have you ever experienced or observed a situation when you or another individual were unable to participate in a program, access information, or obtain services due to any of the following circumstances? (check all that apply)

- |   |   |
|---|---|
| <input type="checkbox"/> Building not accessible            | <input type="checkbox"/> Activity or event not accessible           |
| <input type="checkbox"/> Educational program not accessible | <input type="checkbox"/> Activity or event not accessible           |
| <input type="checkbox"/> Services not accessible            | <input type="checkbox"/> Material not available in alternate format |
| <input type="checkbox"/> Website not accessible             | <input type="checkbox"/> Interpreter not provided                   |
| <input type="checkbox"/> Not applicable                     |   |
| <input type="checkbox"/> Other (please specify) _____       |   |

5. Have you ever requested an accommodation for a disability from the City?

- ☐ Yes      ☐ No

6. If an accommodation was requested, was your accommodation provided?

- ☐ Yes      ☐ No      ☐ Not applicable

If no, were you given a reason why it was not provided? Please describe: \_\_\_\_\_

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7. Check all programs, services or activities in which you participate at a City facility.

- |                                   |                                     |  |  |
|-----------------------------------|-------------------------------------|--|--|
| <input type="checkbox"/> Classes  | <input type="checkbox"/> Recreation | <input type="checkbox"/> Meetings        | <input type="checkbox"/> Sporting events |
| <input type="checkbox"/> Seminars | <input type="checkbox"/> Volunteer  | <input type="checkbox"/> Work (Employee) | <input type="checkbox"/> Other           |

If other, please describe: \_\_\_\_\_

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8. What do you feel should be the City's highest priority to improve accessibility for persons with disabilities? \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_



## APPENDIX E

### ADA Self-Evaluation and Transition Plan Public Outreach Survey

9. What role most adequately describes your association with the City and the representation you are providing?

- ☐ Member of the public with a disability
- ☐ Member of the public without a disability
- ☐ Relative or caregiver of a person with a disability
- ☐ City volunteer
- ☐ Other: \_\_\_\_\_

#### **OPTIONAL CONTACT INFORMATION:**

Name \_\_\_\_\_ Telephone \_\_\_\_\_

Address \_\_\_\_\_

Email Address \_\_\_\_\_

Thank you for your time and consideration.

City of Wylie ADA Coordinator  
Attn: Joe Tidwell  
300 Country Club Rd, Building 100  
Wylie, TX 75098  
972-516-6100

Email: [Joe.tidwell@wylietexas.gov](mailto:Joe.tidwell@wylietexas.gov)

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