Wylie Planning and Zoning Commission Regular Meeting

January 18, 2022 – 6:00 PM Council Chambers - 300 Country Club Road, Building #100, Wylie, Texas 75098



CALL TO ORDER

INVOCATION & PLEDGE OF ALLEGIANCE

COMMENTS ON NON-AGENDA ITEMS

Any member of the public may address Commission 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. Commission requests that comments be limited to three minutes for an individual, six minutes for a group. In addition, Commission 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 Commission 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 Minutes from December 21, 2021 Regular Meeting
- B. Consider, and act upon a recommendation to City Council regarding a Preliminary Plat for Allen Addition, establishing seven lots on 1.8298 acres, located on the southwest corner of E. Brown Street and W.A. Allen Boulevard.
- C. Consider, and act upon a recommendation to City Council regarding a Final Plat, being an Amended Plat of Lot 1, Block A of Stone 2514 Addition on 1.276 acres, located at 7940 E Parker Road.

REGULAR AGENDA

- 1. Consider, and act upon, a Site Plan for a daycare center use on 1.28 acres, property located at 7940 E Parker Road.
- 2. Remove from table and continue Public Hearing

Hold a Public Hearing, to consider, and act upon a recommendation to City Council regarding a request for a change of zoning from Commercial Corridor (CC) to Commercial Corridor Special Use Permit (CC-SUP), to allow for a restaurant with drive-through on 0.832 acres, property located at 2812 W FM 544. (ZC 2021-24)

ADJOURNMENT

CERTIFICATION

I certify that this Notice of Meeting was posted on January 14, 2022 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.

Stephanie Storm, City Secretary

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 Commission should determine that a closed or executive meeting or session of the Commission 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 Commission at the date, hour and place given in this notice as the Commission 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.



Planning & Zoning Commission AGENDA REPORT

Department:	Planning	Item:	Α
Prepared By:	Mary Bradley		
Subject			
Consider, and act upon,	Minutes from the December 21, 20	21 Regular Meeting.	

Recommendation

Motion to approve Item as presented.

Discussion

The minutes are attached for your consideration

Wylie Planning and Zoning Commission Regular Meeting

December 21, 2021 – 6:00 PM Council Chambers - 300 Country Club Road, Building #100, Wylie, Texas 75098



CALL TO ORDER

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

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

INVOCATION & PLEDGE OF ALLEGIANCE

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

COMMENTS ON NON-AGENDA ITEMS

Any member of the public may address the Commissioners 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. Commissioners request that comments be limited to three (3) minutes. In addition, Commissioners are not allowed to converse, deliberate or take action on any matter presented during citizen participation.

No Citizens approached the Commissioners to speak on a Non-Agenda Item.

CONSENT AGENDA

All matters listed under the Consent Agenda are considered to be routine by the Commission 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, the approval of the Minutes from the December 7, 2021 Regular Meeting.
- B. Consider, and act upon, a recommendation to the City Council regarding a Final Plat for Ballers Elite Addition, establishing one commercial lot on 0.620 acres, located at 1400 Martinez Lane.
- C. Consider, and act upon, a recommendation to City Council regarding a Preliminary Plat for Fathulla Addition, establishing one industrial lot on 2 acres, located 280' west of the intersection of Hooper Road and Hensley Lane.
- D. Consider, and act upon, a recommendation to City Council regarding a Preliminary Plat for Wellstar Addition, establishing one industrial lot on 2.31 acres and replating lots 12R, Block C and 15R, Block B, generally located east of the cul-de-sac of Capital street.

Commissioner Rogers requested Item C and D be pulled from Consent Agenda due to Conflict of Interest.

Commissioners Action

A motion was made by Commissioner Newsom, seconded by Commissioner Loraine, to approve Consent Agenda Items A and B as presented. A vote was taken and motion passed 6 - 0.

REGULAR AGENDA

Vice Chair Rogers was recused from the meeting for Item C and D and Agenda Item 1 and 2.

C. Consider, and act upon, a recommendation to City Council regarding a Preliminary Plat for Fathulla Addition, establishing one industrial lot on 2 acres, located 280' west of the intersection of Hooper Road and Hensley Lane.

Commissioners Action

A motion was made by Commissioner Newson, seconded by Commissioner Norris to approve Item C as submitted. A vote was taken and carried 5 - 0.

D. Consider, and act upon, a recommendation to City Council regarding a Preliminary Plat for Wellstar Addition, establishing one industrial lot on 2.31 acres and replating lots 12R, Block C and 15R, Block B, generally located east of the cul-de-sac of Capital street.

Commissioners Action

A motion was made by Commissioner Newsom, seconded by Commissioner Norris to approve Item D as submitted. A vote was taken and carried 5 - 0.

1. Consider, and act upon, a Site Plan for an office showroom/warehouse use. Property located 280' west of the intersection of Hooper Road and Hensley Lane.

Staff Comments

Senior Planner, Mr. Molina addressed the Commissioners stating that the applicant is proposing to develop a 5,000 square feet office building on two acres located 280 feet west of the intersection of Hooper Road and Hensley Lane. The site plan represents phase one out of four possible phases for the two acre site. The development requires a minimum of seven parking spaces for the office showroom/warehouse use and provides 17 parking spaces with one of them meeting the ADA Handicap requirement.

Access to the site is proposed from a drive that connects to Hensley Lane. The access lanes on the site plan are shown as being 24 feet wide.

Commissioners Action

A motion was made by Commissioner Newson, seconded by Commissioner Norris to approve Item 1 as submitted. A vote was taken and carried 5-0.

2. Consider, and act upon, a Site Plan for an office showroom/warehouse use on 2.31 acres, generally located east of the cul-de-sac of Capital street.

Staff Comments

Senior Planner, Mr. Molina addressed the Commissioners stating that the applicant is proposing to develop two office/warehouse buildings measuring 15,590 square feet and 12,100 square feet on 2.31 acres located east of the cul-de-sac of Capital Street. The development requires a minimum of 38 parking spaces for the office showroom/warehouse use and is providing 38 parking spaces with two of them meeting ADA Handicap requirements.

Access to the site is proposed from a drive that connects to Capital Street. The access lanes on the site plan are shown as having an opening of 30 feet wide and a width of 30 feet when adjacent to overhead doors.

The entire site provides 10 percent of landscaped area which includes a 10 feet landscape buffer along the frontage of Capital Street.

Commissioners Action

A motion was made by Commissioner Newsom, seconded by Commissioner Butler to approve Item 2 as submitted. A vote was taken and carried 5 - 0.

Vice Chair Rogers joined back into the meeting at 6:20 PM.

3. Consider, and act upon, a Site Plan for a CareNow medical clinic. Property located at 3080 W FM 544.

Staff Comments

Senior Planner, Mr. Molina addressed the Commissioners stating that the applicant is proposing to develop a 4,600 square feet medical clinic on 1.04 acres located on Lot 13R-1 Block A of Woodbridge Crossing Addition. The development requires a minimum of 16 parking spaces and is providing 39 parking spaces with two meeting ADA requirements.

The landscaping requirements are being met by providing 25 percent landscaped area and a 10 foot landscape buffer along the frontage of FM 544.

Board Discussion

Mr. Clay Cristy with Claymore Engineering, representative for the applicant, addressed the Commissioners stating that the facility is a physician's office and not an emergency room facility.

Commissioners questioned if the proposed access into the facility will obtain a new curb-cut off FM 544. Engineering Project Manager, Ms. Elkhalid stated that the curb-cut would not meet the 100 feet separation requirement from the Texas Department of Transportation.

Board Action

A motion was made by Vice Chair Rogers, seconded by Commissioner Lorraine to approve Item 3 as submitted. A vote was taken and carried 6 - 0.

4. Consider, and act upon, a Site Plan amendment for an addition to a Tractor Supply general merchandise use. Property located at 900 S. Westgate Way.

Staff Comments

Senior Planner, Mr. Molina addressed the Commissioners stating that the applicant is proposing to develop a 5,296 square feet greenhouse to the back of existing Tractor Supply located at 900 S Westgate Way.

The development requires a total of 60 parking spaces and is providing 62 parking spaces with four meeting the ADA Handicap requirement.

The greenhouse and storage area exterior material consists of polycarbonate panels, metal siding and roll up curtains.

Commissioners Action

A motion was made by Commissioner Newsom, seconded by Vice Chair Rogers, to approve Item 4 as submitted. A vote was taken and carried 6 - 0.

5. Hold a Public Hearing to consider, and act upon a recommendation to City Council regarding a request for a change of zoning from Commercial Corridor (CC) to Commercial Corridor Special Use Permit (CC-SUP), to allow for a restaurant with drive-through on 0.832 acres, property located at 2812 W FM 544. (ZC 2021-24).

Staff Comments

Senior Planner, Mr. Molina addressed the Commissioners, stating that the applicant is requesting a Special Use Permit for a drive through to a restaurant located at 2812 W FM 544 on 0.832 acres. The property was developed as a restaurant without a drive through. The applicant desires to add a drive through for marketing purposes.

Changes made from the existing site layout include removing 13 existing parking spaces for the addition of a drive through lane. The site will use the existing access that connects to FM 544. The landscaped area exceeds 20 percent and contains an existing landscape buffer with sidewalks along the street frontage.

Notifications were mailed to 12 surrounding property owners. One response was received in opposition and none received in favor of the request.

Board Discussion

Commissioners expressed concern of the visibility layout concern and stacking in the drive through. The applicant, Ms. Tania Inigo, Franz Architects, Fort Worth, Texas, stated that the owner has several restaurants that are interested; burgers, breakfast, coffee or a sandwich deli. The intent is to receive approval for the Special Use Permit and then move forward with a definite restaurant.

Public Comments

Chair Plunk opened the public hearing for Item 5 at 6:41 PM

Ms. Susan McClure, Barbee Development Company, owner of adjacent property, spoke in opposition of the request, stating that when the subject property was developed a restriction was made not to allow a hamburger restaurant. Ms. McClure expressed concern about stacking.

Chair Plunk closed the public hearing for Item 5 at 6:45 PM

Board Discussion

Commissioners Newsom, Loraine and Chair Plunk expressed concern for traffic, safety and marketing concerns. Engineering Project Manager, Ms. Elkhalid stated that the minimum Engineering standards are met, but not an ideal layout, because of the stacking.

Board Action

A motion was made by Commissioner Newsom, seconded by Commissioner Loraine to recommend denial to City Council for Item 5. A vote was taken and failed 3 - 3.

After some discussion with Staff for direction, a motion was made by Commissioner Butler, seconded by Commissioner Newsom to table Item 5 to the January 18, 2022 Meeting. A vote was taken and carried 6 - 0.

Administrative Assistant, Ms. Bradley stated that the next meeting will be January 18, 2022 and wished everyone a very Merry Christmas and Happy New Year.

ADJOURNMENT

A motion was made by Commissioner Newsom, seconded by Vice Chair Rogers to adjourn the meeting at 6:55 PM. A vote was taken and carried 6 - 0.

Cory Plunk, Chair

ATTEST:

Mary Bradley, Administrative Assistant II

Wylie Planning & Zoning Commission

AGENDA REPORT

Department:	Planning	Item Number:	В
Prepared By:	Kevin Molina		

Subject

Consider, and act upon a recommendation to City Council regarding a Preliminary Plat for Allen Addition, establishing seven lots on 1.8298 acres, located on the southwest corner of E. Brown Street and W.A. Allen Boulevard.

Recommendation

Motion to recommend **approval** as presented.

Discussion

OWNER: Absar LLC

APPLICANT: GEONAV

The applicant has submitted a Preliminary Plat for Lot 1-7, Block A of Allen Addition. The property is located on the southwest corner of E Brown Street and W.A. Allen Boulevard. The land is zoned single-family detached Planned Development (PD 2021-42). The Planned Development was approved in August of 2021 and allows for a development similar to the single family homes south of the subject property.

The purpose of the plat is to create seven single-family detached lots with rear access from an alley that connects to E. Brown St and W.A. Allen Road. The plat shall also dedicate utility easements.

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.



Wylie Planning & Zoning Commission AGENDA REPORT

Department:PlanningItem Number:CPrepared By:Kevin Molina

Subject

Consider, and act upon, a recommendation to City Council regarding a Final Plat, being an Amended Plat of Lot 1, Block A of Stone 2514 Addition on 1.276 acres, located at 7940 E Parker Road.

Recommendation

Motion to recommend **approval** as presented.

Discussion

OWNER: Little's Academy LLC

APPLICANT: Vilbig & Associates

The applicant has submitted an amended plat for Lot 1, Block A of Stone 2514 Addition. The property is located at 7940 E Parker Road.

The property was zoned Commercial Corridor in August of 2020 for the purpose of being developed as a daycare use and a final plat was approved for the site in October of 2020 for the purpose of the sale of land.

The purpose of the amended plat is to dedicate a 24' wide fire lane, access and utility easement for the development of a daycare facility.

The site plan for a daycare is also on this Agenda.

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.





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Wylie Planning & Zoning Commission

AGENDA REPORT

Department:	Planning	Item Number:	1
Prepared By:	Kevin Molina		

Subject

Consider, and act upon, a Site Plan for a daycare center use on 1.276 acres, property located at 7940 E Parker Road.

Recommendation

Motion to **approve** as presented.

Discussion

OWNER: Little's Academy LLC

APPLICANT: Vilbig & Associates

The applicant is proposing to develop a 9,922 sq.ft day care center on 1.276 acres located on Lot 1, Block A of Stone 2514 Addition. The property was zoned Commercial Corridor from Agricultural in August of 2020 for the intended purpose of being developed as a daycare use.

The development is currently planned for eight classrooms and provides 33 parking spaces with two of them being ADA accessible. In September of 2021 the applicant was granted a variance allowing for up to 10 classrooms with the 33 parking space count (ZBA 2021-14), while leaving the overall building at the same 9,922 square feet.

The site is in compliance with the landscaping requirements by providing 41% of landscaped area.

Access to the site is proposed from a driveway that loops around the site from E Parker Road and includes the fire lane.

The structure's exterior material consists of brick, limestone veneer, and cap stone. The structure also provides an attached covered drop off canopy.

As presented, this site plan is in compliance with the design requirements of the Zoning Ordinance. Approval of the site plan 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.





vers. 1-11-2022

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ASSOCIATES, INC. ENGINEERS & SURVEYORS

VILBIG & , CONSULTING E (214) (214)

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GENERAL NOTES:

LANDSCAPE DESIGN PLANS ARE BASED ON SITE AND SURVEY CAD FILES PROVIDED FROM VILBIG & ASSOC. AND HELVEY-WAGNER

OBTAIN ALL PERMITS THAT ARE REQUIRED BY THE CITY BEFORE BEGINNING WORK. PROVIDE COPIES OF ALL PERMITS TO OWNER OR OWNER'S REPRESENTATIVE PRIOR TO BEGINNING WORK COVERED BY THE PERMIT. COMPLY WITH THE CITY LAND USE POLICY AND CODES, AND WITH APPLICABLE WATER QUALITY PROTECTION STANDARDS FOR ALL WORKS.

EXERCISE CAUTION WHEN WORKING NEAR EXISTING PLANTINGS AND IMPROVEMENTS. ANY SIGNS, STRUCTURES, OR PLANTINGS SHALL BE REPLACED AT THE CONTRACTORS EXPENSE IF DAMAGED BEYOND USE, TO BE DETERMINED BY OWNER.

CLEAN ALL WORK AREAS AT THE END OF EACH WORKING DAY. COLLECT ALL DEBRIS AND DISPOSE OF OFF SITE DAILY. STORE ALL MATERIALS, PRODUCTS, AND EQUIPMENT IN A LOCATION APPROVED BY THE OWNER, AND IN AN ORGANIZED FASHION.

- 5 CALL 811 & MINIMUM OF THREE FULL BUSINESS DAYS PRIOR TO DIGGING COORDINATE WORK TO AVOID EXISTING AND PROPOSED LITUITIES
- 6. DAMAGE TO EXISTING UTILITIES THAT ARE PROPERLY MARKED IS THE RESPONSIBILITY OF THE CONTRACTOR

UTILITY LOCATIONS SHOWN ON THE PLAN ARE APPROXIMATE, DETERMINE THE EXACT LOCATION ON SITE, NOTIFY OWNER IF CONFLICTS EXIST, PLANTINGS MAY BE 7 ADJUSTED TO AVOID CONFLICTS WITH UTILITIES AND/OR EXISTING ABOVE GROUND ELEMENTS. ADJUSTMENTS MUST MEET ALL UTILITY/SAFETY CRITERIA AND BE APPROVED BY THE OWNER

DETERMINE AND COMPLY WITH THE MAINTENANCE OF TRAFFIC REQUIREMENTS IDENTIFIED IN THE MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES (MUTCO) FOR STREETS AND HIGHWAYS (U.S. DEPARTMENT OF TRANSPORTATION F.H.W.A.). SEE STANDARD INDEX NUMBER 623 OF THE ROADWAY AND TRAFFIC DESIGN STANDARDS. ALL LANDSCAPE MATERIALS SHALL BE MAINTAINED TO PROVIDE CONTINUOUS CLEAR ZONE FOR SIGHT VISIBILITY FOR PEDESTRIANS AND VEHICULAR TRAFFIC AND LANDSCAPE MAINTENANCE SHALL CONFORM TO CRITERIA SET FORTH IN TXDOT ROADWAY AND TRAFFIC DESIGN STANDARDS.

LANDSCAPE NOTES:

- FOLLOW PLANTINGS SPECIFICATIONS AND DETAILS SHOWN ON THE PLAN FOR ALL PLANTINGS. 1.
- OBTAIN WRITTEN APPROVAL FROM THE OWNER FOR ANY PROPOSED SUBSTITUTIONS OF PLANT SPECIES OR SPECIFICATIONS 2.
- THE PLANS SHALL TAKE PRECEDENCE WHERE QUANTITIES AND/OR SPECIES DIFFER BETWEEN THE PLANTING PLANS AND PLANT LIST. 3.

4. THE LOCATION OF PLANT MATERIAL AS SHOWN ON THESE PLANS IS FINAL. THE FINAL LOCATIONS CAN BE ADJUSTED ON SITE TO ACCOMMODATE UNFORESEEN FIELD CONDITIONS. THESE CHANGES MUST COMPLY WITH ALL SAFETY SETBACK CRITERIA AND BE DIRECTED OR APPROVED BY THE OWNER.

REPORT IMMEDIATELY TO THE OWNER ANY DISCREPANCY BETWEEN THE CONSTRUCTION DRAWINGS AND FIELD CONDITIONS, VERIEY ALL PLANT COUNTS AND REPORT ANY DISCREPANCIES TO THE OWNER PRIOR TO PURCHASING PLANT MATERIAL.

ALL PLANTS SHALL BE NURSERY GROWN OR TRANSPLANTED ON SITE AND IN ACCORDANCE WITH THE AMERICAN STANDARD FOR NURSERY STOCK LATEST EDITION (ANSI Z-60).

7 ALL PLANTS SHALL BE HARD LINDER CLIMATIC CONDITIONS SIMILAR TO THOSE IN THE LOCALITY OF THE PROJECT.

ALL PLANTS SHALL BE TYPICAL OF THEIR SPECIES OR VARIETY AND SHALL HAVE A NORMAL GROWTH HABIT. THEY SHALL BE SOUND, HEALTHY AND VIGOROUS, WELL BALANCED AND DENSELY FOLIATED WHEN IN LEAF. THEY SHALL BE FREE OF DISEASE AND INSECT PESTS, EGGS, OR LARVAE. PLANTS SHALL HAVE HEALTHY, WELL-DEVELOPED ROOT SYSTEMS.

SUBSTITUTIONS: WHEN PLANTS OF A SPECIFIED KIND OR SIZE ARE NOT AVAILABLE WITHIN A REASONABLE DISTANCE, SUBSTITUTIONS MAY BE MADE, UPON REQUEST BY THE CONTRACTOR, IF APPROVED BY LANDSCAPE DESIGNER

PROTECT ALL PLANT MATERIALS DURING TRANSPORT AND DELIVERY TO THE JOB SITE WITH SHADE CLOTH OR OTHER ACCEPTABLE MEANS 10 OF WINDBURN PREVENTION.

11 ALL PLANT MATERIALS SIZES SHOWN ARE TO BE CONSIDERED MINIMUMS FOR BOTH HEIGHT AND SPREAD, WHERE DEVIATION FROM GRADES AND STANDARDS OCCURS, GRADES AND STANDARDS RULES.

- 12. FIELD STAKE THE LOCATION OF ALL PLANT MATERIAL PRIOR TO INSTALLATION FOR THE REVIEW AND APPROVAL OF THE OWNER.
- 1.3 APPLY PRE-EMERGENT HERBICIDE IN ALL AREAS THAT WILL BE MULCHED PER MFR DIRECTIONS.
- 14. APPLY POST-EMERGENT HERBICIDE IN ALL MULCHED AREAS AS REQUIRED BEFORE AND AFTER MULCH INSTALLATION PER MFR DIRECTIONS.
- 15 INSTALL ALL PLANT MATERIALS LISING SOLIND HORTICILITURAL PRACTICES AS PROVIDED BY THE INTERNATIONAL SOCIETY OF ARBORICILITURE
- 16. INSURE DRAINAGE AND PERCOLATION IN ADEQUATE IN ALL PLANTING PITS PRIOR TO INSTALLATION OF PLANT MATERIAL.
- 17 COMPLETELY REMOVED GROW BAGS OR GROW BAG TYPE MATERIALS, CAGES, AND STRAPS BEFORE PLANTING.

18 CUT AND PULL BACK THE TOP ONE-HALF OF BURLAP AROUND THE BASE OF THE TRUNK FOR B&B MATERIAL, DO NOT REMOVE THE BURIAP

USE THE SOIL REMOVED FOR THE PLANTING HOLE TO FILL IN AROUND THE ROOTBALL. NO AMENDMENTS SHALL BE ADDED TO THE 19. BACKFILL SOIL EXCEPT AGRIFORM FERTILIZER TABLETS IN EACH PLANT PIT PER MFG RECOMMENDATIONS

- 20. INSTALL ALL TREES SO THE ROOTBALL REMAINS 3" ABOVE THE FINISH GRADE.
- 21 JET IN WITH WATER ALL TREES AT THE TIME OF INSTALLATION TO ELIMINATE ANY AIR POCKETS.

PROPERLY BRACE AND/OR STAKE AT THE TIME OF PLANTING THE TRUNKS OF ALL TREES. REMOVE ALL TREE STAKING AND SUPPORTS ONE YEAR AFTER.

MULCH TO 3" DEPTH WITH HARDWOOD MULCH ALL PLANTING BEDS, INCLUDING TREES INSTALLED IN TURF. INCLUDE ALL STAKING AND WATER SAUCER WITHIN THE MULCH BED.

ALL PROPOSED PLANT MATERIALS WILL BE INSTALLED IN AREAS THAT REEIVE HEAD TO HEAD COVERAGE FROM A PERMANENT AND 24 AUTOMATIC IRRIGATION SYSTEM

25 AS A GENERAL GUIDELINE TREES REQUIRE APPROXIMATELY 3 MONTHS PER CALIPER INCH FOR ESTABLISHMENT AND APPROXIMATELY 1-3 GALLONS PER CALIPER INCH PER WATERING. EX: A 3" TREE WILL REQUIRE 3-9 GALLONS PER WATERING AND SHOULD BE IRRIGATED AS REQUIRED FOR APPROXIMATELY 9 MONTHS.

26. REPLACE PLANT MATERIALS THAT ARE DEAD OR DYING PRIOR TO FINAL ACCEPTANCE.

27. WARRANT PLANTING FOR A PERIOD OF 1 YEAR BEGINNING UPON SUBSTANTIAL COMPLETION OR FINAL ACCEPTANCE, WHICH EVER ACCURES AND A COMPLETION ACCURES AND A COMPLETANCE ACCURES AND A COMPLETION ACCURES AND A COMPLETANCE ACCURES AND A COMPLETANC

01/18/2022 Item 1.









Wylie Planning & Zoning Commission

AGENDA REPORT

Department:	Planning	Item Number:
Prepared By:	Kevin Molina	

Subject

Hold a Public Hearing, to consider, and act upon a recommendation to City Council regarding a request for a change of zoning from Commercial Corridor (CC) to Commercial Corridor Special Use Permit (CC-SUP), to allow for a restaurant with drive-through on 0.832 acres, property located at 2812 W FM 544. (**ZC 2021-24**)

Recommendation

Motion to recommend (approval, approval with conditions or disapproval) as presented.

Discussion

OWNER: Barid Rentals

ENGINEER: Franz Architects

Remove from Table and continue Public Hearing

At the December 21, 2021 Planning and Zoning Commission meeting the applicant requested a Special Use Permit (SUP) on 0.832 acres generally located at 2812 W FM 544. The Zoning Ordinance requires all restaurants with drive-throughs to obtain a Special Use Permit. After some discussion regarding the visibility and site design, and failure to achieve a majority vote for a recommendation to City Council, the commission tabled the item so the applicant could revise the proposal to address the commission's concerns. The amendments are outlined below.

- A stop sign has been provided at the exit of the drive-through lane
- A yield sign has been provided for the eastern drive that intersects with the exit drive-through lane

The amended zoning exhibit is included.

The original site was developed for a restaurant without a drive-through service. The property owner has requested for the drive through service allowance for marketing purposes as the previous restaurant closed. The applicant has not provided, nor do the SUP conditions stipulate an ultimate end user.

Changes made from the existing site layout include removing 13 existing parking spaces for the addition of a drive through lane. A remainder of 26 parking spaces with two ADA accessible are provided onsite. The site will use the existing access that connects to FM 544. The landscaped area exceeds 20% and contains an existing landscape buffer with sidewalks along the street frontage.

As presented the project is in compliance with the 140' drive-through stacking requirement; However there are traffic flow concerns as any overflow in the drive-thru would spill out into the main front drive aisle that serves three other connected properties, and consist of one drive-through restaurant, a nail salon, a dentistry, and a medical clinic with a drive-through.

The structure is proposed to retain the exterior that consists of existing materials of stone, stone banding, and EIFS. Canopies are also provided at the drive-through window and at the main entrances.

Notifications/Responses: 12 notifications were mailed; with one response received in opposition and none in favor of the request.

Locator Map

01/18/2022 Item 2.





Freddy's Lot 2R1, Blk B

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 Freddy's Lot 2R1, Block B development shall take place in general accordance with the Zoning Exhibit (Exhibit C); however, separate site plan approval shall be required.





Notification Map

01/18/2022 Item 2.



01/18/2022 Item 2.

PUBLIC COMMENT FORM

(Please type or use black ink)

Department of Planning 300 Country Club Road Building 100 Wylie, Texas 75098

undecided about a drive three

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I am **EXAMPLE** I am **AGAINST** the requested zoning as explained on the attached public notice for Zoning Case #2021-24. I am **AGAINST** the requested zoning as explained on the attached public notice for Zoning Case #2021-24.

Please feel free to contact the Planning Department at 972.516.6320 with questions or concerns

Date, Location & Time of Planning & Zoning Commission meeting:

Tuesday, December 21, 2021 6:00 pm Municipal Complex, 300 Country Club Road, Building 100, Wylie, Texas

Date, Location & Time of City Council meeting:

Tuesday, January 11, 2021 6:00 pm Municipal Complex, 300 Country Club Road, Building 100, Wylie, Texas

Name:	Susan McClure
Address:	(please print) McClure Partners
	P.O. Bop 2935 Nylie, TX 75098
Signature:	Susan McChur
Date:	11-30-2021

COMMENTS:

My Company Barbee Development Company owns the building at 2810 FM 544. This building has 2 tenants, Wylie Dentistry and Posh Nail Salon and they of course will benefit from having a replacement restaurant in the former Kicking Q BBQ space because this will increase exposure. So, I am all for back filling with another food service concept.

HOWEVER, I don't see how a drive thru will work <u>because of the left turn lane from the median in 544</u> <u>into the project</u>. Picture: The car turning left from the median, will be turning head on into the car who just received their food from the drive thru service window and that car will be moving forward straight for the car trying to enter the project. This will create huge traffic problems within the project and very likely, major traffic accidents on FM544.