

Wylie Planning and Zoning Commission Regular Meeting

October 17, 2023 – 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 Minutes from the October 3, 2023 Regular meeting.
- B. Consider, and act upon a recommendation to City Council regarding a Preliminary Plat of Lot 1-5X, Block A of Wylie Lake Townhomes Phase II, establishing four single-family attached and one open space lot on 0.937 acres. Property generally located north of 1924 Spencer Lane.

REGULAR AGENDA

- 1. Hold a Public Hearing, consider, and act upon, a recommendation to City Council regarding the writing of an ordinance for a change in zoning from Commercial Corridor (CC) to Commercial Corridor - Special Use Permit (CC-SUP) on 0.4496 acres to allow for Automobile Repair Minor use. Property located at 403 S State Highway 78 (ZC 2023-17).

EXECUTIVE SESSION

RECONVENE INTO OPEN SESSION

Take any action as a result from Executive Session.

ADJOURNMENT

CERTIFICATION

I certify that this Notice of Meeting was posted on October 13, 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.

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: A

Prepared By: Lillian Baker

Subject

Consider, and act upon, minutes from the October 3, 2023 Regular Meeting.

Recommendation

Motion to approve Item A as presented.

Discussion

The minutes are attached for your consideration.

Wylie Planning and Zoning Commission Regular Meeting

October 03, 2023 – 6:00 PM

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



CALL TO ORDER

Chair Butler called the meeting to order at 6:00 p.m. Present were Chair Joshua Butler, Commissioner Keith Scruggs, Commissioner Jim Byrne, Commissioner Rod Gouge, Commissioner Joe Chandler, Commissioner Jennifer Grieser, Director of Community Services Jasen Haskins, Senior Planner Kevin Molina, Engineering Development Manager Than Nguyen, and Administrative Assistant Lillian Baker. Absent was Vice-Chair Jacques Loraine.

INVOCATION & PLEDGE OF ALLEGIANCE

The invocation was given by Chair Butler and the Pledge of Allegiance was led by Commissioner Gouge.

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.

None approached the Commission.

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. Meeting Minutes from September 19, 2023.
- B. Consider, and act upon a recommendation to City Council regarding a Final Plat of David Estate, Lot 1, Block A establishing one lot on 1.671 acres in the City of Wylie Extra Territorial Jurisdiction, property located at 2551 & 2553 Elm Grove Road
- C. Consider, and act upon a recommendation to City Council regarding a Final Plat of Beaver Creek Estates, Lot 1-10, Block A establishing 10 residential lots on 17.053 acres in the City of Wylie Extra Territorial Jurisdiction, property located at the southeast corner of Beaver Creek Road and Fox Hollow.

Board Action on Consent Agenda

A motion was made by Commissioner Gouge and seconded by Commissioner Byrne to approve the Consent Agenda as presented. A vote was taken and carried 6 – 0.

ADJOURNMENT

A motion was made by Commissioner Grieser and seconded by Commissioner Gouge to adjourn the meeting. A vote was taken and carried 6 – 0. Chair Butler adjourned the meeting at 6:02 p.m.

ATTEST

Joshua Butler – Chair

Lillian Baker - Secretary



Wylie Planning & Zoning Commission

AGENDA REPORT

Department: Planning
Prepared By: Kevin Molina

Item Number: B

Subject

Consider, and act upon a recommendation to City Council regarding a Preliminary Plat of Lots 1-5X, Block A of Wylie Lake Townhomes Phase II, establishing four single-family attached and one open space lot on 0.937 acres. Property generally located north of 1924 Spencer Lane.

Recommendation

Motion to recommend **approval** as presented.

Discussion

OWNER: TAAS Investments

APPLICANT: Global Land Surveying

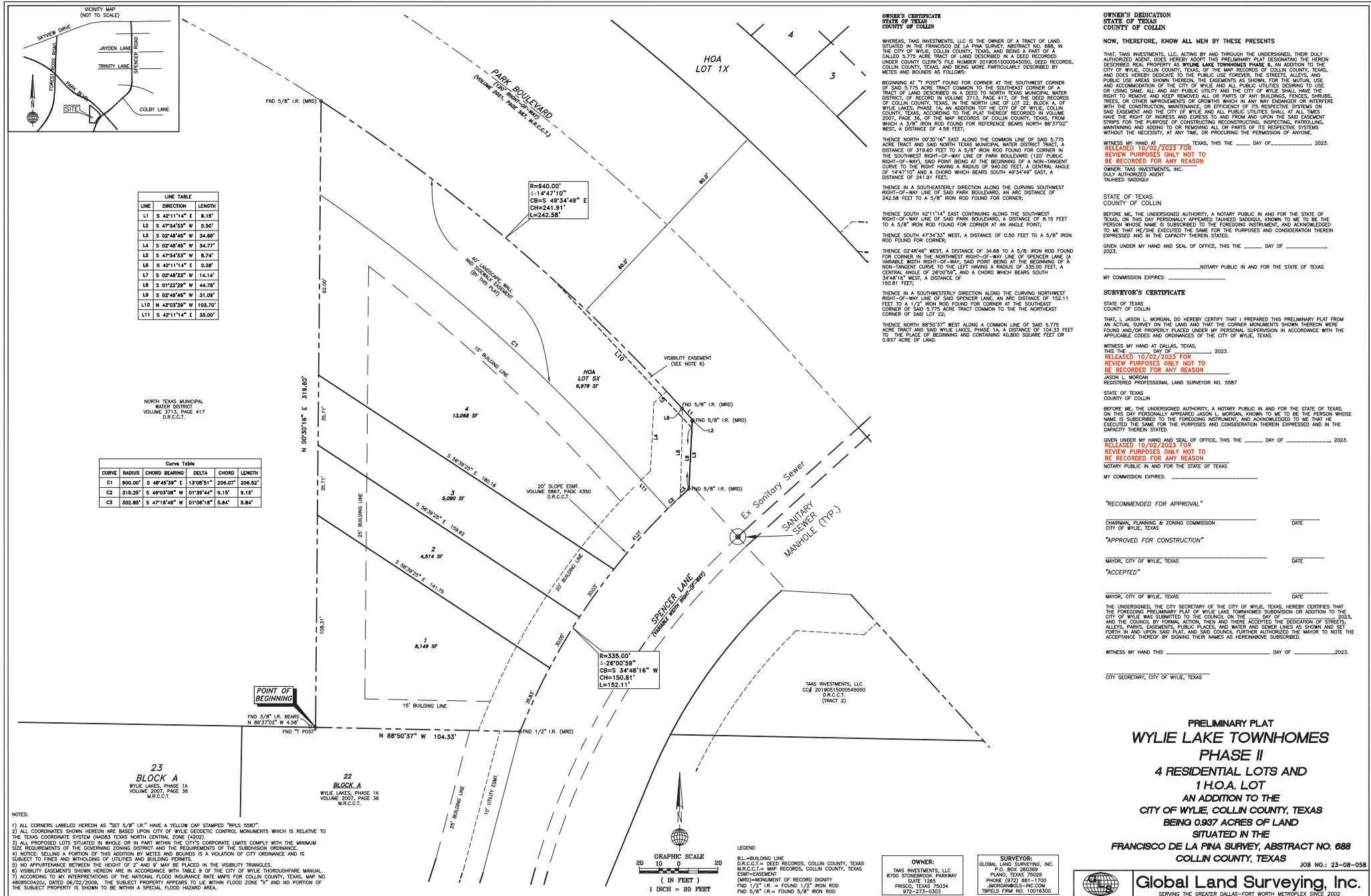
The applicant has submitted a Preliminary Plat to create Lots 1-5X, Block A of Wylie Lake Townhomes Phase II on 0.937 acres for a townhome development of four townhome units with one open space lot that serves as a 40' landscape buffer for the future road way of Park Boulevard. The property is generally located north of 1924 Spencer Lane.

The property is zoned within the Wylie Lakes Planned Development (Ordinance 2003-18) and allows for the proposed use. With this development no additional townhome units are allowed within the Wylie Lakes Subdivision as the development has reached its permitted 80 home maximum.

The residential lots are in compliance with the townhouse design standards of the Zoning Ordinance. The open space lot is to be owned and maintained by the existing Homeowners Association of the Wylie Lake Townhomes.

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: Planning
Prepared By: Kevin Molina

Item Number: 1

Subject

Hold a Public Hearing, consider, and act upon, a recommendation to City Council regarding the writing of an ordinance for a change in zoning from Commercial Corridor (CC) to Commercial Corridor - Special Use Permit (CC-SUP) on 0.4496 acres to allow for Automobile Repair Minor use. Property located at 403 S State Highway 78 (ZC 2023-17).

Recommendation

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

Discussion

OWNER: Don Montgomery

APPLICANT: Don Montgomery

The applicant is requesting a Special Use Permit (SUP) on 0.4496 acres to allow for an existing structure that measures 5,225 sq.ft. to be used for an auto repair service use. The property is located at 403 S State Highway 78. The current zoning is Commercial Corridor (CC).

The original structure was constructed in 1970 and has been previously used for a similar auto repair use. The property is now being used for a smoke shop. With the current Zoning Ordinance a Special Use Permit is required to revert back to the Automobile Repair Minor use.

The development is to be accessed by an existing drive with access to S State Highway 78 and Williams Street. The building contains two roll up door access bays that can be accessed from Williams Street. A plat shall be required prior to any Certificate of Occupancy being approved.

The Special Use Permit is requesting for a parking reduction of four parking spaces to allow for the site's existing 14 parking spaces in lieu of the required 18 spaces.


The adjacent property to the south is developed with an office suite. The property to the east is developed with a fueling station. The property to the north and west is developed with restaurants. 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 13 property owners within 200 feet as required by state law. At the time of posting, no responses were received in favor and one protest response was received outside of the notification area.

Locator Map



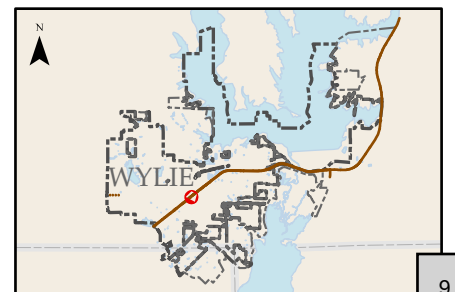
ZONING CASE:
 ZC 2023-17 1st Choice Auto & Tire SUP

 SUBJECT property

0 0.1 0.2 0.3 0.4 Miles



Date: 9/13/2023



1st Choice Auto & Tire

EXHIBIT "B"

Conditions For Special Use Permit

I. PURPOSE:

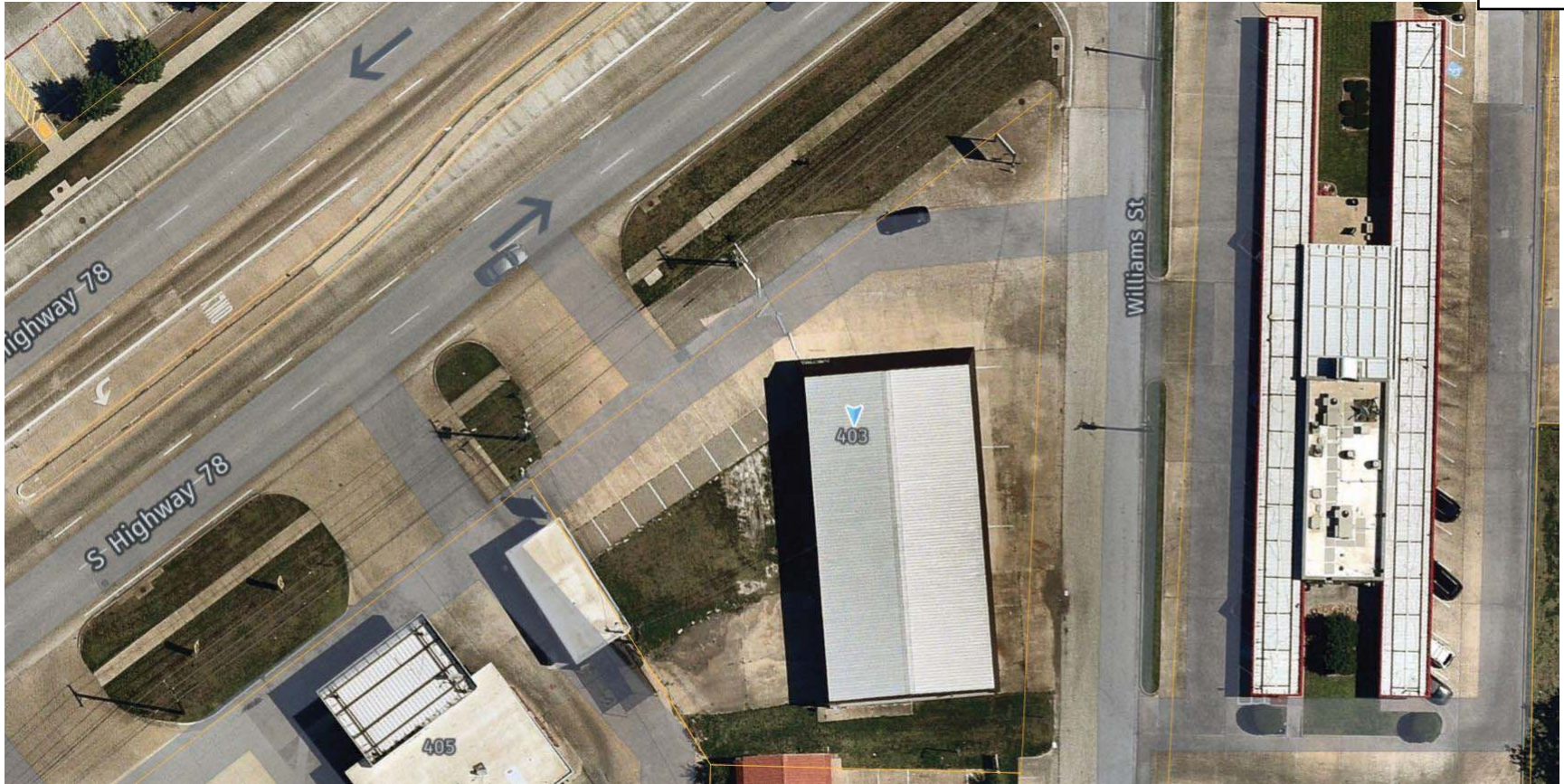
The purpose of this Special Use Permit is to allow for an automobile repair use classified as Automobile Repair, Minor.

II. GENERAL CONDITIONS:

1. This Special Use Permit shall not affect any regulations within the Zoning Ordinance (adopted as of June 2023), except as specifically provided herein.
2. The design and development of the automobile repair use shall take place in general accordance with the Zoning Exhibit (Exhibit C).

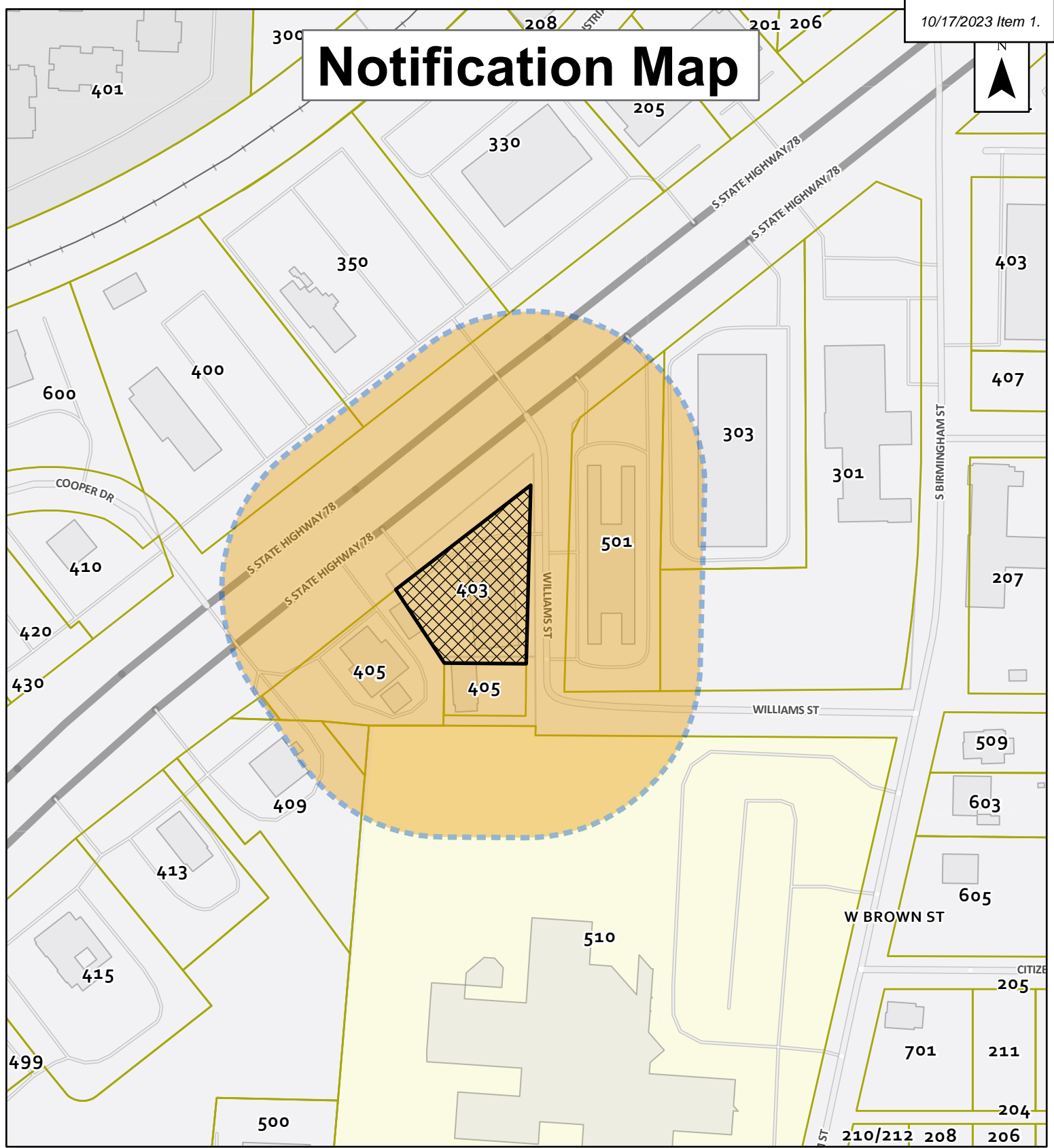
III. SPECIAL CONDITIONS:

1. The development within this Special Use Permit shall be permitted to provide 14 parking spaces in lieu of the required 18 parking spaces of the Zoning Ordinance (adopted as of June 2023).





Notification Map



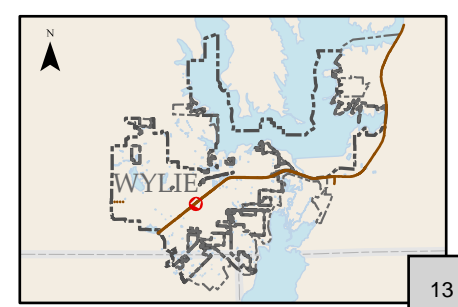
ZONING CASE:
ZC 2023-17 1st Choice Auto & Tire SUP

 SUBJECT property  200 foot Notification Buffer

0 50 100 200 300 400 Feet



Date: 9/13/2023





Public Comment Form

First Name *

Steve

Middle Name

D

Last Name *

Martin

Address *

Street Address

1517 star point ln

Address Line 2

City

Wylie

State / Province / Region

TX

Postal / Zip Code

75098

Case # *

ZC2023-17 403 S St Hwy 78

Response *

- ☐ I am FOR the requested zoning as explained on the public notice
- ☒ I am AGAINST the requested zoning as explained on the public

Comments

I agree and understand that by signing the electronic signature, that it is the equivalent to my manual/handwritten signature.

Signature *

A black and white image of a handwritten signature, which appears to be 'Steve D Martin', on a light gray background.

Date of Signature

9/20/2023