Wylie Planning and Zoning Commission Regular Meeting

December 19, 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. Regular Meeting Minutes from December 5, 2023

REGULAR AGENDA

- 1. Consider, and act upon, a Site Plan for Muddy Creek WasteWater Treatment Plant for a Sewage Treatment Plant Use, on 50.38 acres of Lot 1, Block 1 of Muddy Creek WasteWater Treatment Plant Addition. Property located at 5401 Pleasant Valley Road.
- 2. Consider, and act upon, a Site Plan for a convenience store with motor fueling sales on 1.739 acres. Property located at 508 N State Highway 78.
- <u>3.</u> 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 Multi-Family (MF) to Commercial Corridor Special Use Permit (CC-SUP) on 0.198 acres to allow for an office use within a residential structure. Property located at 100 S 3rd Street (ZC 2023-14).

WORK SESSION

RECONVENE INTO REGULAR SESSION

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 December 15, 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.

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 | ltem: | Α | |
|--------------|---------------|-------|---|--|
| Prepared By: | Lillian Baker | | | |
| Subject | | | | |

Consider, and act upon, minutes from the December 5, 2023 Regular Meeting.

Recommendation

Motion to approve Item A as presented.

Discussion

The minutes are attached for your consideration.

12/19/2023 Item A.

Wylie Planning and Zoning Commission Regular Meeting

December 05, 2023 – 6:00 PM Council Chambers - 300 Country Club Road, Building #100, Wylie, Texas 75098



CALL TO ORDER

Chair Joshua Butler called the meeting to order at 6:00 p.m. In attendance were Chair Joshua Butler, Commissioner Jennifer Grieser, Commissioner Joe Chandler, Commissioner Rod Gouge, Commissioner Jim Byrne, Commissioner Keith Scruggs, Director of Community Services Jasen Haskins, Senior Planner Kevin Molina, and Administrative Assistant Lillian Baker. Vice-Chair Jacque Loraine has resigned his position and was not in attendance.

INVOCATION & PLEDGE OF ALLEGIANCE

The invocation was made by Chair Butler and the Pledge of Allegiance was led by Commissioner Grieser.

ELECTION OF VICE-CHAIR

A motion was made by Commissioner Grieser and seconded by Commissioner Gouge to nominate and elect Commissioner Byrne for Vice-Chair. A vote was taken and carried 6-0.

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. Regular meeting minutes for November 7, 2023
- B. Consider, and act upon a recommendation to City Council regarding a Final Plat of Lot 1, Block A of Validus Addition, creating one industrial lot on 0.620 acres, located at 1602 Martinez Lane

BOARD ACTION ON CONSENT AGENDA

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

ADJOURNMENT

A motion was made by Commissioner Gouge and seconded by Commissioner Chandler to adjourn. A vote was taken and carried 6 - 0. Chair Butler adjourned the meeting at 6:03 p.m.

Joshua Butler - Chair

ATTEST

Lillian Baker - Secretary



Wylie Planning & Zoning Commission

AGENDA REPORT

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

Subject

Consider, and act upon, a Site Plan for Muddy Creek WasteWater Treatment Plant for a Sewage Treatment Plant Use, on 50.38 acres of Lot 1, Block 1 of Muddy Creek WasteWater Treatment Plant Addition. Property located at 5401 Pleasant Valley Road.

Recommendation

Motion to **approve** as presented.

Discussion

OWNER: North Texas Municipal Water District Trustee

The applicant is proposing to make an expansion to the Muddy Creek WasteWater Treatment Plant located at 5401 Pleasant Valley Road. The expansion consists of a variety of operations infrastructure, including a 2,180 sq.ft. office building for administrative purposes. The property is zoned Agricultural - Special Use Permit approved for the WasteWater Treatment Plant.

The expansion requires the creation of new fire lane access drives which includes a secondary access point from Pleasant Valley Road. An amended plat will be required prior to a certificate of occupancy being issued to show the fire lanes as dedicated easements.

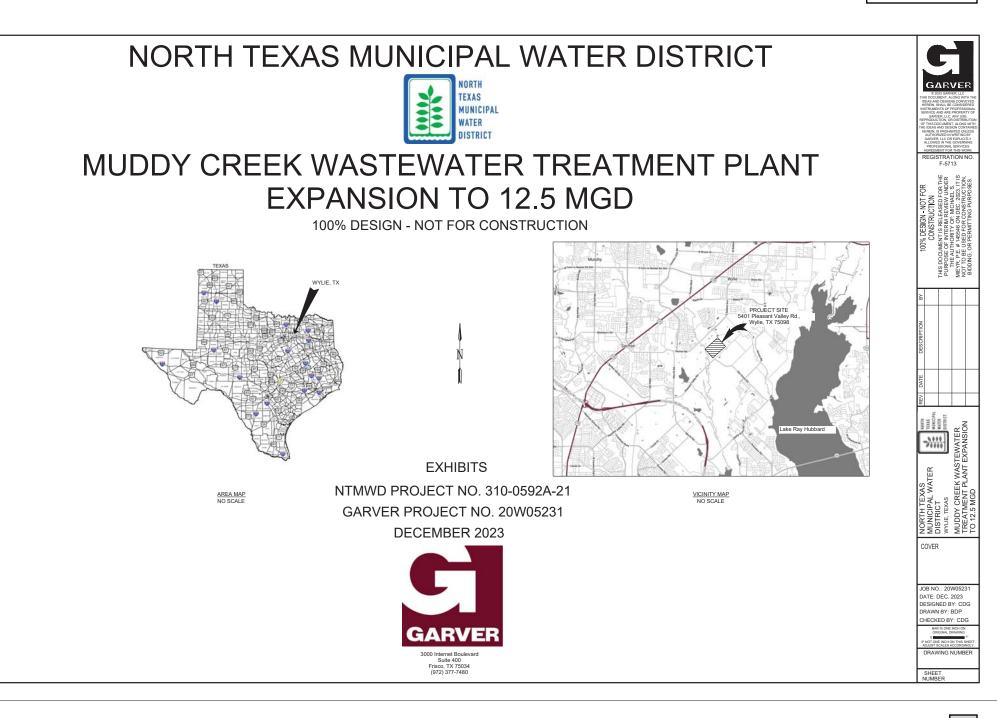
The office building's exterior material consists of scored cmu, split face cmu and metal panels that match the look of the adjacent existing office building located to the east. The new proposed building is to be attached to the existing structure with a matching roof line. 24 parking spaces are provided with one being ADA accessible.

The wastewater plant is screened from Pleasant Valley Road and from the adjacent properties by an existing landscaped berm with tree plantings.

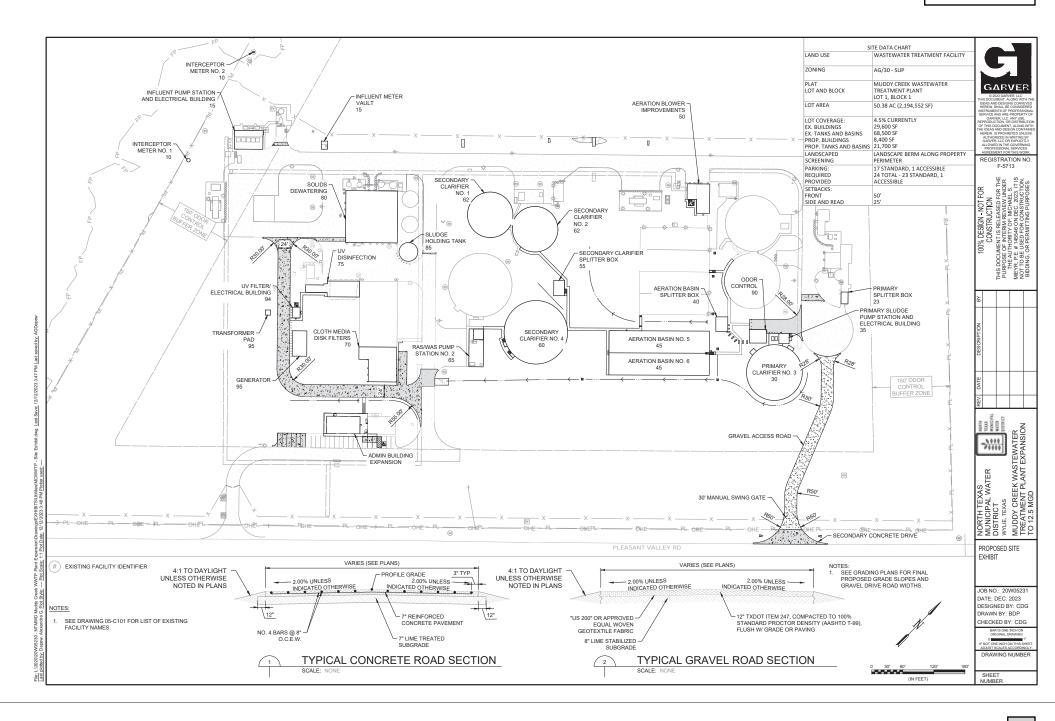
As presented, this site plan is in compliance with the design requirements of the zoning ordinance. Approval of the site plan is subject to additions and alterations as required by the City Engineering Department.

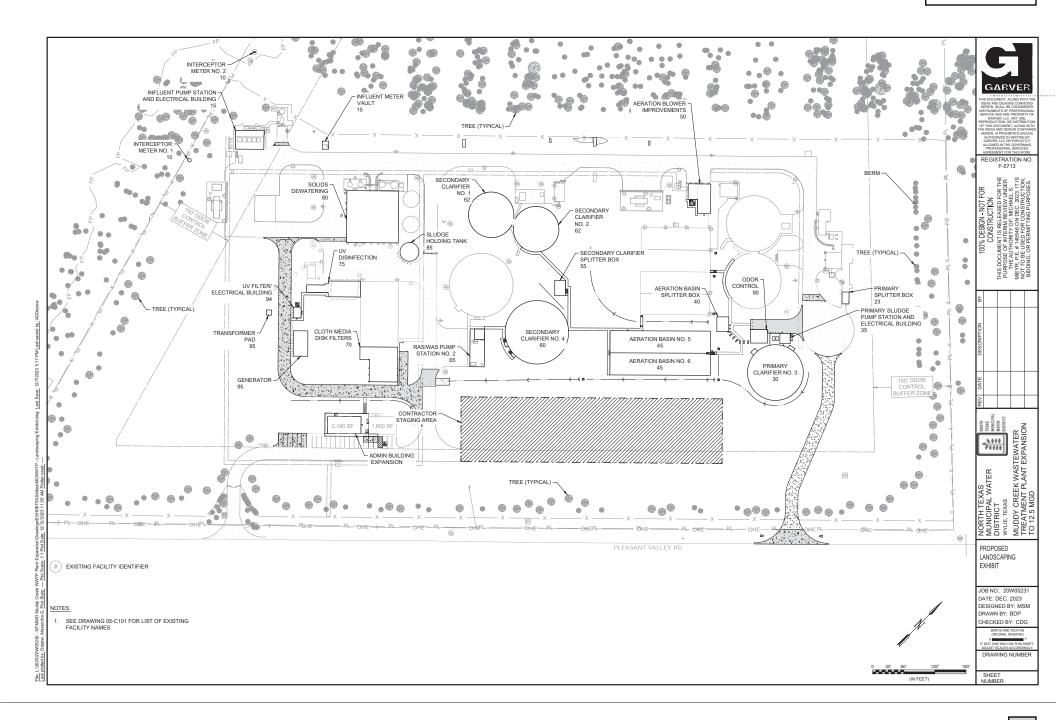
The Planning and Zoning Commission must provide a written statement of the reasons for conditional approval or disapproval to the applicant in accordance with Article 212, Section 212.0091 of the Texas Local Government Code.

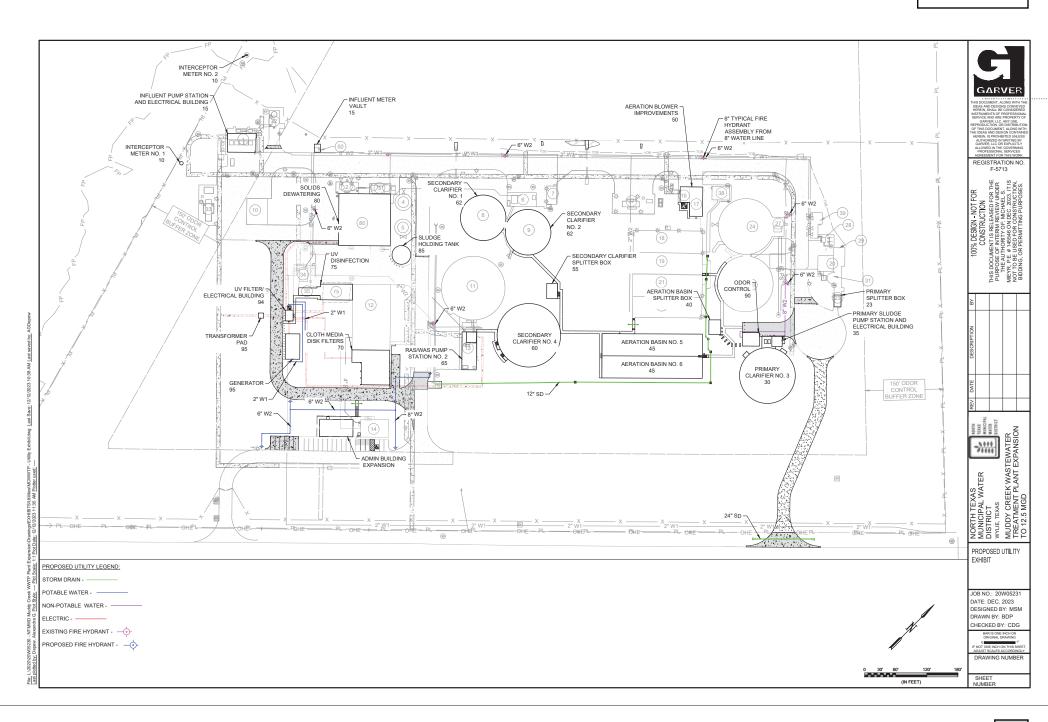
APPLICANT: Garver USA

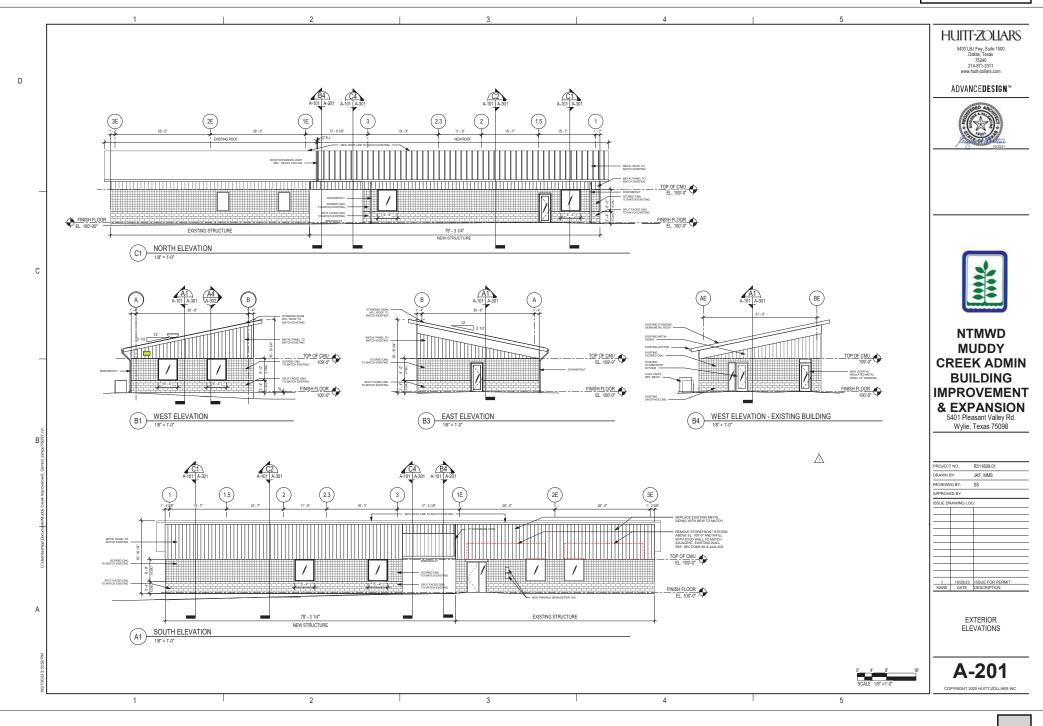


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Wylie Planning & Zoning Commission

AGENDA REPORT

| Department: | Planning | Item Number: | 2 |
|--------------|--------------|--------------|---|
| Prepared By: | Kevin Molina | | |

Subject

Consider, and act upon, a Site Plan for a convenience store with motor fueling sales on 1.739 acres. Property located at 508 N State Highway 78.

Recommendation

Motion to **approve** as presented.

Discussion

OWNER: Wylie EDC

APPLICANT: Dimension Group

The applicant is proposing to develop a 4,650 sq.ft. convenience store with motor fueling sales on 1.739 acres. Property located at 508 N State Highway 78. The proposed use is allowed by right by the Cooper Plaza Planned Development 2023-02 approved in January of 2023.

The site plan is in compliance with the zoning exhibit of Planned development 2023-02

The site provides 27.2% landscaping. The landscape plan includes a 10" landscape buffer along State Highway 78 and Brown Street. Additional screening is provided for a dumpster enclosure in proximity to Brown Street.

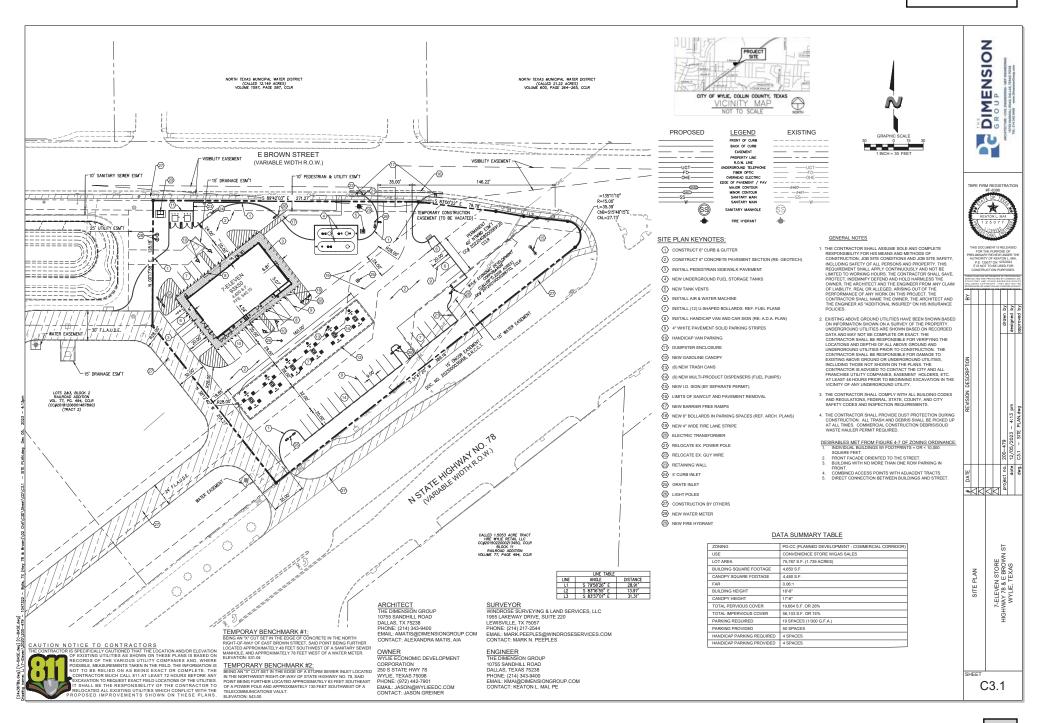
The structure's exterior material consists of brick, stone veneer, fiber cement panels, and cmu. Entrances are emphasized with canopies and recessed architectural features.

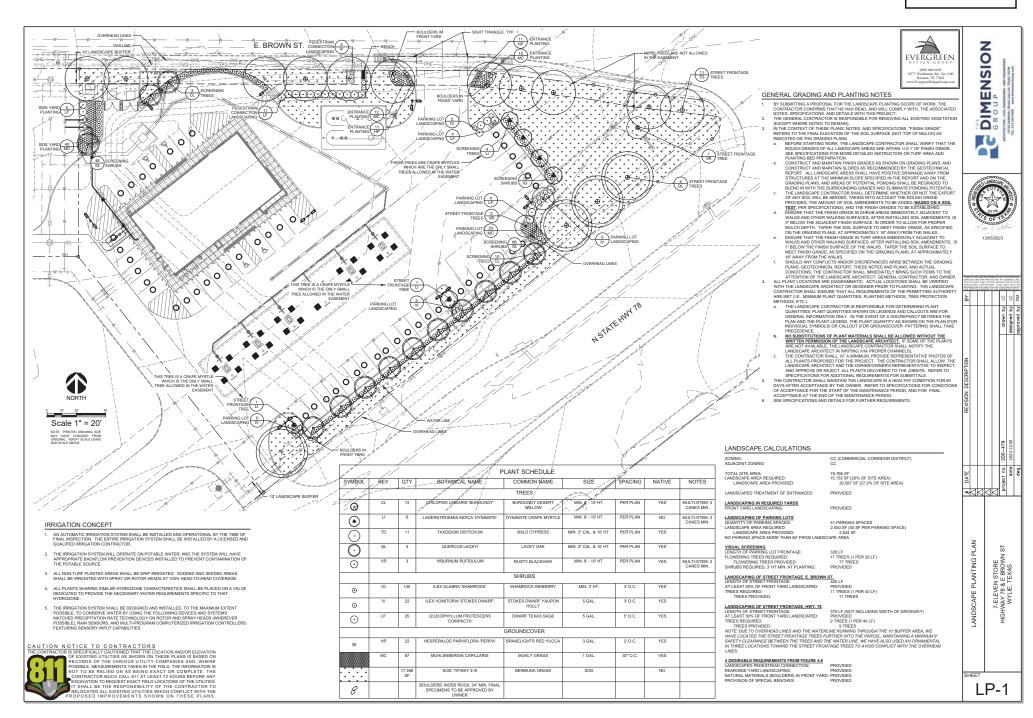
Fifty parking spaces are provided onsite with four being ADA accessible. The Planned Development allows for the parking stalls to be sized at 9' by 20'.

Access to the site is proposed via entrances from State Highway 78 and E Brown Street. Additional access points are provided to connect to the remainder of the Cooper Plaza commercial lots to the west.

As presented, this site plan is in compliance with the design requirements of the Zoning Ordinance and of Planned Development 2023-02. 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.





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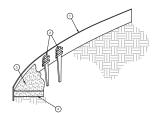
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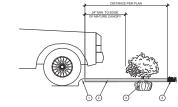
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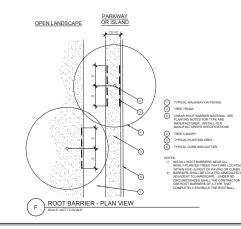
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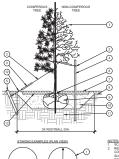




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 MULCH LAYER (3) PLANT

PLANTING AT PARKING AREA E





TREE PLANTING

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TREE CANOPY

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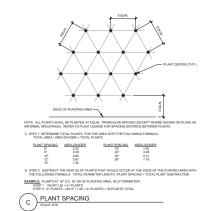
3 24" X 3/4" P.V.C. MARKERS OVER WIRES.



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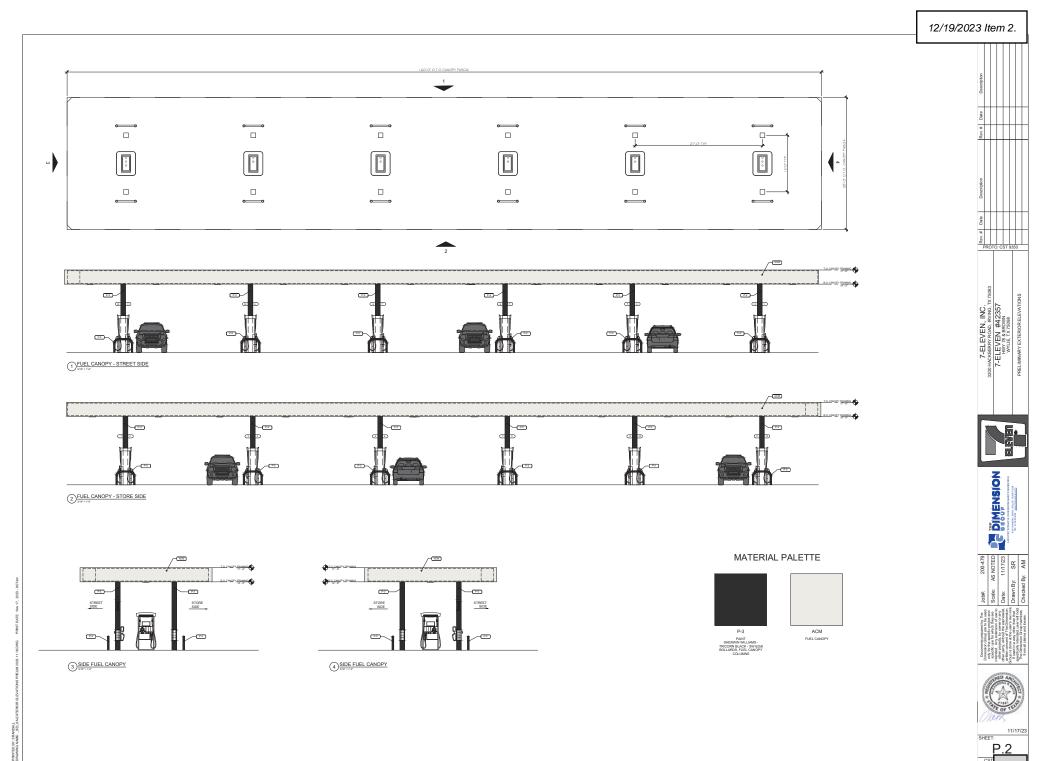




LP-2



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Wylie Planning & Zoning Commission

AGENDA REPORT

| Department: | Planning | Item Number: | 3 |
|--------------|--------------|--------------|---|
| Prepared By: | Kevin Molina | | |

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 Multi-Family (MF) to Commercial Corridor - Special Use Permit (CC-SUP) on 0.198 acres to allow for an office use within a residential structure. Property located at 100 S 3rd Street (**ZC 2023-14**).

Recommendation

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

Discussion

OWNER: Robert Heath

APPLICANT: Better Design Resources

The applicant is requesting to rezone 0.198 acres located at 100 S 3rd Street. The current zoning is Multi-Family (MF) and the requested rezoning is Commercial Corridor - Special Use Permit (CC-SUP) to allow for an office use within a residential structure.

The purpose of the request is to allow for the applicant to preserve the architectural character of the existing home located at 100 S 3rd Street by allowing for the residential structure to be expanded with a 400 sq.ft. addition that matches the home's existing architecture. Records show the existing structure dates back to 1904, however this property is not within the downtown historic district.

The Special Use Permit conditions allow for the architectural design standards of the existing and proposed expansion to be in compliance with the requirements for city approvals. The conditions also allow for a reduced front setback of 13'8" in lieu of the typical 25' setback.

The development is to be accessed by a one way drive with an entrance on East Oak Street and exit on North 3rd Street. Seven parking stalls are provided for the office use. One ADA space will be required onsite. A fire lane is not required on site as the fire service will be provided from the public streets.

The Zoning Exhibit within this Special Use Permit shall act as the site plan for the development. Approval of the site plan is subject to additions and alterations as required by the City Engineering Department.

The Special Use Permit shall be null and void if the structure is damaged or destroyed with an expense of restoration exceeding 75% of the repair/replacement cost of the structure. The structure shall then comply with the Commercial Corridor zoning design regulations.

The adjacent property to the north and west are zoned Commercial and are developed with a vacant lot and a donut shop. The properties to the south and east are developed with single family homes. 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 16 property owners within 200 feet as required by state law. At the time of posting, one response was received in favor and one in protest of the request.

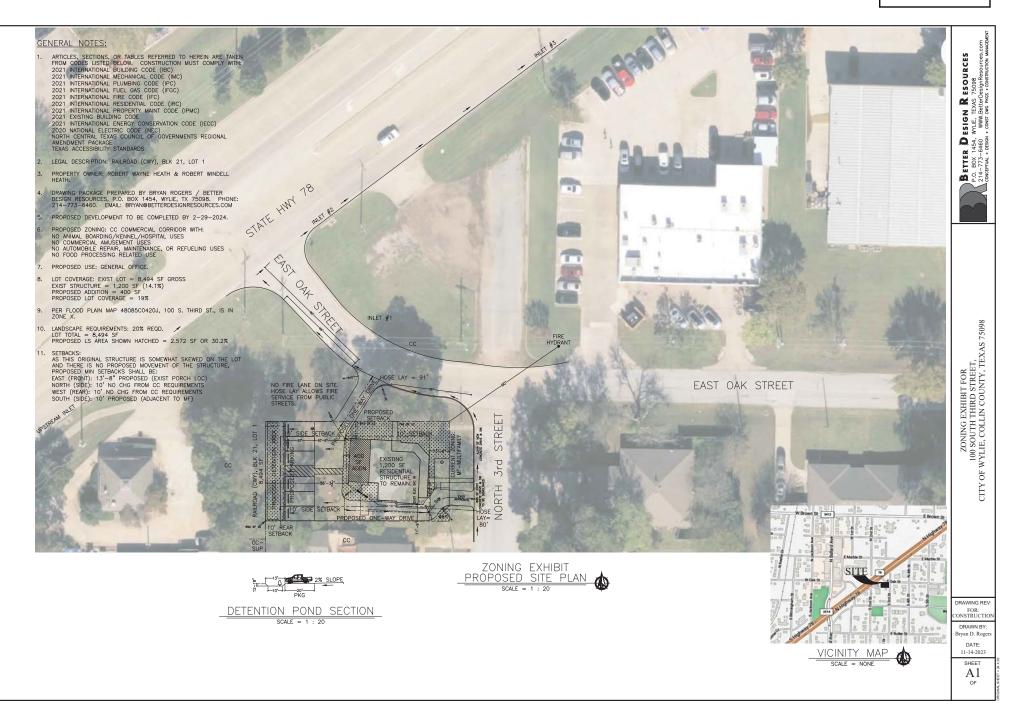


| ZONING CASE: | | | | |
|--------------|----------|----------|-------------|----------|
| Z | C 2023-1 | 4 100 | S Third St. | (SUP) |
| | Subject | property | | |
| 0 | 0.05 | 0.1 | 0 | .2 Miles |
| 1 | | 1 | | 1 |





Date: 11/14/2023





DINORTH ELEVATION





2 EAST ELEVATION

100 S 3rd

EXHIBIT "B"

Conditions For Special Use Permit

I. PURPOSE:

The purpose of this Special Use Permit is to allow for the preservation of an existing historic residential structure by allowing the structure to be converted into a commercial office use for a home healthcare agency with the ability for the structure be used simultaneously as a residence.

II. GENERAL CONDITIONS:

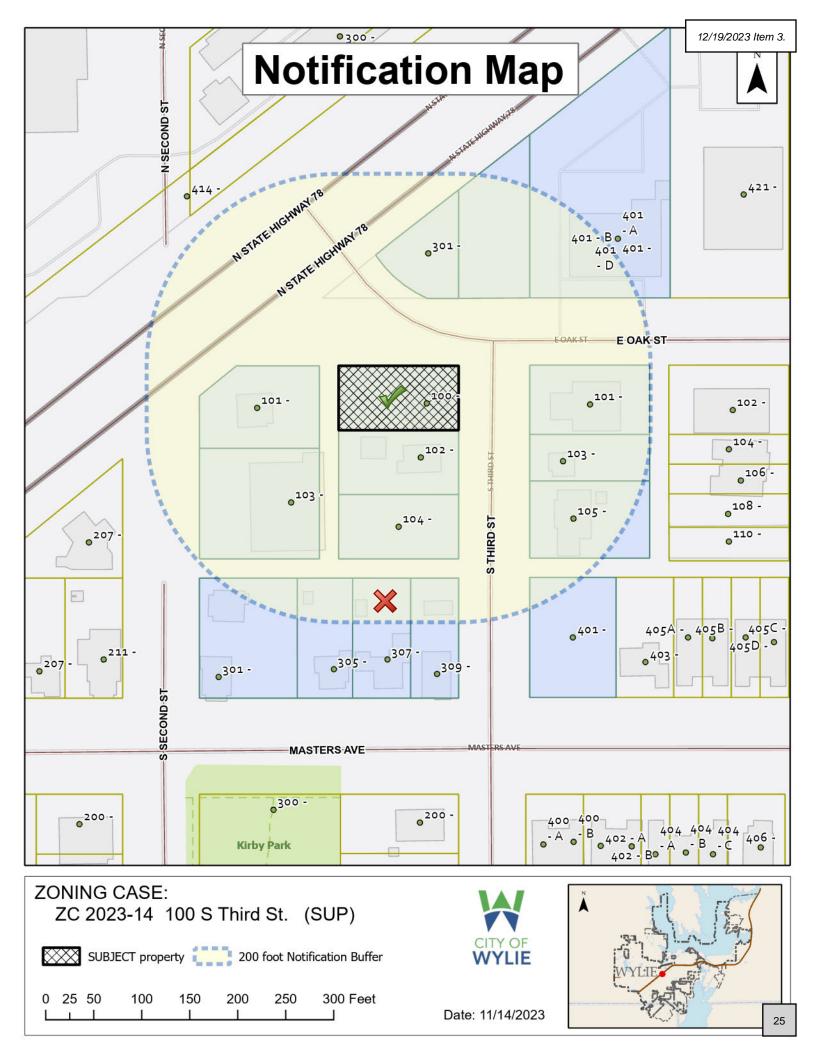
- 1. This Special Use Permit shall not affect any regulations of the Commercial Corridor (CC) set forth in Article 4, Section 4.1 of the Comprehensive Zoning Ordinance (adopted as of June 2023), except as specifically provided herein.
- 2. The design and development of the 100 S 3rd development shall be in accordance with Section 3 below and the Zoning Exhibit (Exhibit B).

III. SPECIAL CONDITIONS:

- Design criteria of the Commercial Corridor (CC) Architectural Design Requirements of the Zoning Ordinance (adopted as of June 2023) shall be modified to allow for the residential structure's material and design comprised of wood paneling and hardie board to be in compliance with the architectural design standards of the Zoning Ordinance.
- 2. The following uses as defined in the June 2023 Comprehensive Zoning Ordinance shall be allowed:
 - a. General Office
 - b. Single Family Dwelling (Detached)
- 3. Design criteria of the Commercial Corridor Development Standards of the Zoning Ordinance (adopted as of June 2023) shall be modified to allow for a front setback of 13'8" in lieu of the typical 25' setback.

- 4. The Special Use Permit shall be null and void if the structure is damaged or destroyed with an expense of restoration exceeding 75% of the repair/replacement cost of the structure. The structure shall then comply with the Commercial Corridor zoning design regulations.
- 5. This Special Use Permit shall automatically terminate and be rescinded without further action by the City or City Council, and the property reverted to the underlying Commercial Corridor zoning if the property and or business is not majority owned, managed, or operated by Musa Dirisu.
- 6. The Zoning Exhibit (Exhibit C) shall serve as the Site Plan for the development. Approval of the SUP shall act as site plan approval.





CITY OF Public Comment Form

| First Name[*] Dirisu | Middle Name | Last Name[*] Musa | | |
|--|----------------------------|--------------------------------------|--|--|
| Address * | | | | |
| Street Address | | | | |
| 100 S 3rd St | | | | |
| Address Line 2 | | | | |
| City | State / Province / | Region | | |
| Wylie | ТХ | | | |
| Postal / Zip Code | | | | |
| 75098 | | | | |
| Case #* ZC2023-14 100 S 3rd St 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 am strongly in support of the zoning change. I agree and understand that by signing the electronic signature, that it is the equivalent to my manual/handwritten signature. | | | | |
| Signature * | | 4 | | |
| 1-musz | Date of Signa 12/4/2023 | ure | | |
| | | | | |

CITY OF Public Comment Form

| First Name[*] Lindsey | Middle Name | Last Name [*] Jones | | |
|--|----------------------------------|---------------------------------|--|--|
| Address* | | | | |
| Street Address | | | | |
| 307 masters avenue | | | | |
| Address Line 2 | | | | |
| City | State / Province / Re | egion | | |
| Wylie | ТХ | | | |
| Postal / Zip Code | | | | |
| 75098 | | | | |
| Case #* ZC2023-14 100 S 3rd St | | | | |
| Response * | | | | |
| \bigcirc I am FOR the requested zoning as | s 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 * | | | | |
| | Date of Signatu | re | | |
| Dor | 11/27/2023 | | | |
| | | | | |