

# Wylie Planning and Zoning Commission Regular Meeting

October 18, 2022 – 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

## 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, the approval of the October 4, 2022 Regular Meeting Minutes.
- B. Consider, and act upon a recommendation to City Council regarding a Final Plat of Whitley Road Estates, being a replat for Lot 4 establishing three lots on seven acres in the City of Wylie Extra Territorial Jurisdiction, located at 3387 Whitley Road.

## ADJOURNMENT

## CERTIFICATION

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

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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 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: Mary Bradley

### Subject

Consider, and act upon, Minutes from the October 4, 2022 Regular Meeting.

### Recommendation

Motion to approve item as presented.

### Discussion

The minutes are attached for your consideration.

# Wylie Planning and Zoning Commission Regular Meeting

October 04, 2022 – 6:00 PM

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



## CALL TO ORDER

Chair Bryan Rogers called the meeting to order at 6:00pm. Commissioners present: Chair Rogers, Vice Chair Joshua Butler, Commissioner Keith Scruggs, Commissioner Jennifer Grieser, Commissioner James Byrne, and Commissioner Rod Gouge. Commissioners absent were Commissioner Jacques Loraine. Staff present were: Community Services Director Jasen Haskins, Senior Planner, Kevin Molina, Engineering Development Manager Than Nguyen and Administrative Assistant Mary Bradley.

## INVOCATION & PLEDGE OF ALLEGIANCE

Chair Rogers gave the Invocation and Vice Chair Butler led the 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.*

No one addressed the Commissioners on Non-Agenda Items.

## 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 September 20, 2022 Minutes.
- B. Consider, and act upon a recommendation to City Council regarding a Final Plat Woodlake Village Lots 3-6 of Block A, Slate Commercial PD 2022-38, being a Replat of Lot 1, establishing four commercial lots on 7.788 acres, generally located on State Highway 78 being 1000' east of Eubanks Lane.

## Board Action

With no questions, a motion was made by Commissioner Gouge, and seconded by Vice Chair Butler to approve the Consent Agenda as presented. A vote was taken and carried 6 – 0.

## REGULAR AGENDA

- 1. Consider, and act upon, a Site Plan for Lot 4 of Slate Commercial PD 2022-38, for a multi-tenant retail development on 1.223 acres. Property generally located on State Highway 78 being 1000' east of Eubanks Lane.

## Staff Presentation

Senior Planner Molina stated that the applicant is proposing to develop a 10,066 square foot multi-tenant retail building on 1.223 acres, located on Lot 4, Block A of Woodlake Village. The property is zoned within Planned Development 2022-38 and allows for retail development with shared parking throughout the entire 7.89 acre site.

In August, 2022 the Commissioners made a motion to approve with stipulations and the vote failed. The site plan presented differed from the zoning exhibit and staff had concerns regarding the drive-through placement aligning with the entrance drive from State Highway 78. The new updated plan has the drive-through shifted to the west. This change has allowed for the development to not have a one way entrance when entering the site and allows for improved traffic flow. The presented plan more closely resembles the zoning exhibit of the Planned Development

Once completed the site is expected to have four total access points. One on-site from State Highway 78, two cross access from adjacent properties, and one from Centennial Drive. The Planned Development requirements call for one parking space for every 200 square feet of building area, a total of 51 parking spaces are required. The site plan provides 63 parking spaces, two being handicapped spaces.

### Public Comments

Mr. Sahil Kurji, developer for the development, addressed the Commissioners stating that the lot is bigger allowing the parking from the west side of the lot to the north side. This allows parking closer to the potential tenant on the east side. Thanked all staff and the Commissioners for working with them on revising the plan.

### Board Action

A motion was made by Commissioner Byrne, and seconded by Commissioner Gouge to approve Agenda Item 1 as presented. A vote was taken and carried 6 – 0.

2. Hold a Public Hearing, consider, and act upon, a recommendation to the City Council regarding a change in zoning from Agricultural District (AG/30) to Planned Development - Single Family (PD-SF) to allow for a single family residential development with three open space lots and a commercial tract on 32.288 acres generally located on Country Club Road approximately 2000' south of Parker Road (ZC 2022-14).

### Staff Presentation

Senior Planner Molina addressed the Commissioners stating that the applicant is requesting to rezone 32.288 acres from AG/30 to a Planned Development with 78 single family lots, three open space lots and one commercial tract. The applicant has made changes to previous proposals based on feedback received during previous City Council meetings. The feedback generally consisted of concerns for the single family lot sizes, the limited amount of commercial property, and public access to the park. The applicant has reworked the site layout and PD Conditions to more closely resemble the SF-10/24 design standards of the Zoning Ordinance.

As presented, the requested PD allows for 78 single family homes on minimum 10,000 square foot lots. Home sizes are a minimum 2,400 square feet. These standards match the density requirements of the SF 10/24 zoning district. Some modifications to these standards are 7.5 feet side setbacks in lieu of 10 feet, 12.5 corner lots setbacks in lieu of 25 feet and 20' rear setbacks for Lots 26-32 Block A and Lots 9-11 Block B in lieu of 25 feet.

The architectural standards are also modified to allow for four lots skipped on the same side of the street without facade repetition in lieu of seven lots. The residential development shall also prohibit accessory structures.

### Board Discussion

Mr. John Arnold, Skorburg, developer, addressed the Commissioners and made a presentation stating that the property owner has decided not to include the land where an existing pond is currently located due to the complex difficulties of impoundment water rights by the City of Dallas.

Chair Rogers expressed concern from the Planned Development Conditions proposing four lots skipped on same side of street before repeating similar floor plan and elevation in lieu of the Zoning Ordinance requirement being seven lots. After some discussion, Chair Rogers offered revising the Conditions to skip six lots on same side of street and Mr. Arnold was in agreement.

#### Public Comments

Chair Rogers opened the Public Hearing for Item 2, with no one approaching the Commissioners, Chair Rogers closed the Public Hearing at 6:33 PM.

#### Board Action

A motion was made by Commissioner Grieser and seconded by Commissioner Gouge to recommend approval for Item 2, with stipulations that the exterior facades of homes on the same side of the street vary every six homes. A vote was taken and carried 6 – 0.

#### **ADJOURNMENT**

A motion was made by Commissioner Gouge, and seconded by Vice Chair Butler to adjourn the meeting at 6:35PM. A vote was taken and carried 6 – 0.

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*Bryan Rogers, Chair*

#### **ATTEST**

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*Mary Bradley, 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 Final Plat of Whitley Road Estates, being a replat for Lot 4 establishing three lots on seven acres in the City of Wylie Extra Territorial Jurisdiction, located at 3387 Whitley Road.

### Recommendation

Motion to recommend approval as presented.

### Discussion

**OWNER: Adriana Munoz**

**APPLICANT: Adams Surveying Company, LLC**

The applicant is proposing to divide Lot 4 of Whitley Road Estates into three lots being Lot 4R-1, 4R-2 & 4R-3 of Whitley Road Estates. The purpose of the replat is to subdivide the existing 7 acre lot to allow for the construction of two new single-family homes on Lot 4R-2 and 4R-3. The property contains an existing single family home on Lot 4R-1.

The property is located outside of the city limits within the Extra Territorial Jurisdiction in the county of Dallas at 3387 Whitley Road.

The plat shall dedicate a 30' mutual access & utility easement for access to all of the proposed lots from Whitley Road.

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 Gov't Code.

**OWNER'S CERTIFICATE**

STATE OF TEXAS  
COUNTY OF DALLAS

WHEREAS Francisco Munoz and Adriana Munoz, husband and wife, are the owners of a 7,000-acre tract of land situated in the B.J. Doen Survey, Abstract Number 382, City of Wylie, Dallas County, Texas, being all of Lot 4 of Whitley Road Estates, an addition to the City of Wylie, Dallas County, Texas, according to the Plat thereof recorded in Volume 99104, Page 97 of the Deed Records of Dallas County, Texas (D.R.D.C.T.), and being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8-inch capped iron rod set with yellow cap stamped "ADAMS SURVEYING COMPANY LLC" in the northwesterly right-of-way line of Whitley Road (a 60-foot wide right-of-way, Volume 99104, Page 97, D.R.D.C.T.), some point being the southeasterly common corner of said Lot 4 and Lot 3 of said Whitley Road Estates, from which a 5/8-inch capped iron rod found with yellow cap stamped "DCAA RPLS 3935" for the southerly common corner of Lots 1 and 2 of said Whitley Road Estates bears S 44°44'36" W, a distance of 461.54 feet;

THENCE N 44°53'49" W, along the common line of said Lots 3 and 4, a distance of 1,318.77 feet (called 1,318.84 feet by Plat) to a 5/8-inch capped iron rod set with yellow cap stamped "ADAMS SURVEYING COMPANY LLC" in the northwesterly right-of-way line of said Whitley Road, some point being the southeasterly common corner of said Lots 4 and 5, from which a 5/8-inch capped iron rod found with yellow cap stamped "DCAA RPLS 3935" for the southeasterly common corner of said Lot 5 and Lot 6 of said Whitley Road Estates bears N 44°44'36" E, a distance of 231.31 feet;

THENCE S 44°53'49" E, along the common line of said Lots 4 and 5, a distance of 1,318.77 feet (called 1,318.84 feet by Plat) to a 5/8-inch capped iron rod set with yellow cap stamped "ADAMS SURVEYING COMPANY LLC" in the northwesterly right-of-way line of said Whitley Road, some point being the southeasterly common corner of said Lot 4 and Lot 5 of said Whitley Road Estates;

THENCE S 44°44'36" W, along the northwesterly right-of-way line of said Whitley Road, a distance of 231.15 feet to the POINT OF BEGINNING and CONTAINING 7,000 acres (or 304,919 square feet) of land, more or less.

**OWNER'S DEDICATION**

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That I/we, Francisco Munoz and Adriana Munoz, Owners, do/does hereby bind themselves and their heirs, assigns and successors of title this plat designating the hereinabove described property as "LOT 4R-1, 4R-2 AND 4R-3, WHITLEY ROAD ESTATES", an addition to Dallas County, and do hereby dedicate to the public use forever the streets, alleys, and right-of-way easements shown thereon, and do hereby reserve the easement strips shown on this plat for the mutual use and accommodation of garbage collection agencies and all public utilities desiring to use or using same. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other improvements or growths that in any way impede or interfere with the construction, maintenance or efficiency of its respective systems on any of these easement strips, and any public utility shall at all times have the right of ingress and egress to and from and upon the said easement strips for the purpose of constructing, reconstructing, inspecting, patrolling, without the necessity at any time of procuring the permission of anyone. This plat approved subject to all plating ordinances, rules, regulations and resolutions of Dallas County, Texas.

Francisco Munoz

STATE OF TEXAS  
COUNTY OF DALLAS

Before me, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared \_\_\_\_\_, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they each executed the same for the purposes and considerations therein expressed.

GIVEN UNDER MY HAND SEAL OF OFFICE this the \_\_\_\_\_ of \_\_\_\_\_, 2022.

My commission expires: \_\_\_\_\_ Notary Public, State of Texas

**SURVEYOR'S STATEMENT**

THAT I, John Truong, do hereby certify, that I prepared this plat from an actual on the ground survey of the land as described and that the corner monuments shown thereon were properly placed under my personal supervision in accordance with the Plating Rules and Regulations of Dallas County.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

John Truong, Registered Professional Land Surveyor, #6514

STATE OF TEXAS  
COUNTY OF DALLAS

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared John Truong, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND SEAL OF OFFICE this the \_\_\_\_\_ of \_\_\_\_\_, 2022.

My commission expires: \_\_\_\_\_ Notary Public, State of Texas

**RECORD MONUMENTS**

RM 1: 5/8-inch capped iron rod found with yellow cap stamped "DCAA RPLS 3935" on the north right-of-way line of Whitley Road (a 60-foot-wide right-of-way), same point being the southeasterly common corner of Lots 1 and 2 of Whitley Road Estates, an addition to the City of Wylie according to the plat thereof recorded in Volume 99104, Page 97 of the Plat Records of Dallas County, Texas.

RM 2: 5/8-inch capped iron rod found with yellow cap stamped "DCAA RPLS 3935" on the north right-of-way line of Whitley Road (a 60-foot-wide right-of-way), same point being the southeasterly common corner of Lots 5 and 6 of Whitley Road Estates, an addition to the City of Wylie according to the plat thereof recorded in Volume 99104, Page 97 of the Plat Records of Dallas County, Texas.

**FLOOD STATEMENT**

According to Map No. 48113C0235K, dated July 07, 2014 of the National Flood Insurance Program Map, Flood Insurance Rate Map of Dallas County, Texas, Federal Emergency Management Agency, Federal Insurance Administration, this property is within Zone "X". Zone "X" is defined as areas determined to be outside the 0.2% annual chance floodplain. This flood statement does not imply that the property and/or the structures thereon 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 not create liability on the part of the surveyor.

**GENERAL NOTES**

- All bearings are based on the recorded plat of Whitley Road Estates, an addition to the City of Wylie ETJ according to the plat thereof recorded in Volume 99104, Page 97 of the Plat Records of Dallas County, Texas.
- All elevations are based on the North American Vertical Datum of 1988 (NAVD 88), Geoid Model 12B, via GPS observation.
- Selling a portion of property by metes and bounds, except as shown on an approved, filed and accepted Conveyance Plat, Final Plat or Minor Plat is a violation of the City Code of Ordinances and State Law.
- Purpose of this plat is to create three lots from previous platted lands.

**APPROVAL BLOCKS**

Chairman of the Planning and Zoning Commission  
City of Wylie, Texas

"APPROVED FOR CONSTRUCTION"

Mayor, City of Wylie, Texas

"ACCEPTED"

Mayor, City of Wylie, Texas

Witness my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

City Secretary  
City of Wylie, Texas

Date

**LEGEND**

⊗ = WATER METER  
⊕ = WATER VALVE  
⊖ = FIRE HYDRANT  
⊙ = CLEAN OUT  
⊗ = GAS METER  
⊗ = TELECOMMUNICATIONS MARKER  
⊗ = UTILITY POLE  
— OHW = OVERHEAD WIRE  
— ASP = ASPHALT PAVING  
— X = BARBED WIRE FENCE  
[ ] = COVERED AREA

**ABBREVIATIONS**

CRF = CAPPED IRON ROD FOUND  
CRS = 5/8" YELLOW CAPPED IRON ROD SET STAMPED "ADAMS SURVEYING COMPANY LLC"  
D.R.D.C.T. = DEED RECORDS OF DALLAS COUNTY, TEXAS  
O.P.R.D.C.T. = OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS  
SQ. FT. = SQUARE FEET  
VOL. = VOLUME  
PG. = PAGE  
INST. NO. = INSTRUMENT NUMBER  
(M) = MEASURED  
(R) = RECORD

**PRELIMINARY**

This document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document.

**FINAL PLAT**

LOTS 4R-1, 4R-2 AND 4R-3  
WHITLEY ROAD ESTATES

BEING A Replat of Lot 4 of Whitley Road Estates, Volume 99104, Page 97, Plat Records, B.J. Doen Survey, Abstract No. 382 City of Wylie ETJ, Dallas County, Texas

7,000 ACRES

PROJECT NUMBER: -----

October 5, 2022

SHEET 1 OF 1