

Wylie Planning and Zoning Commission Regular Meeting

February 01, 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 January 18, 2022 Regular Meeting
- B. Consider, and act upon a recommendation to City Council regarding a Final Plat, being a Replat of Lots 26R-1 & 26R-2, Block 2 of Brown and Burns Addition, establishing two lots on 0.603 acres, located on the northeast corner of N. Jackson Avenue and Jefferson Street.

REGULAR AGENDA

- 1. Hold a Public hearing to consider, and act upon a recommendation to the City Council to allow a change in zoning from Downtown Historic District – Residential only to allow commercial and/or residential uses, located at 401 N. Keefer within the Downtown Historic District. ZC 2022-04

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 January 28, 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: A

Prepared By: Mary Bradley

Subject

Consider, and act upon, Minutes from the January 18, 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

January 18, 2022 – 6:00 PM

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



CALL TO ORDER

Chair Cory Plunk called the meeting to order at 6:00 PM and announced a quorum present. Planning and Zoning Commissioners in attendance were: Chair Cory Plunk, Vice Chair Bryan Rogers, Commissioner Taylor Newsom, Commissioner Joshua Butler, Commissioner Jacques Loraine and Commissioner Jim Byrne. Commissioner Dan Norris was absent.

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

INVOCATION & PLEDGE OF ALLEGIANCE

Commissioner Newsom gave the invocation and Commissioner Butler let the Pledge of Allegiance.

COMMENTS ON NON-AGENDA ITEMS

Any member of the public may address the 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, the Commission is not allowed to converse, deliberate or take action on any matter presented during citizen participation.

Chair Plunk welcomed the new appointed Commissioner Jim Byrne.
No Citizen 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 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.

Commissioners Action

A motion was made by Commissioner Newsom, seconded by Vice Chair Rogers to approve Consent Agenda as presented. A vote was taken and motion passed 6 – 0.

REGULAR AGENDA

1. Consider, and act upon, a Site Plan for Little's Academy, a daycare center use on 1.28 acres, property located at 7940 E Parker Road.

Staff Comments

Senior Planner, Mr. Molina approached the Commissioners stating that the applicant is proposing to develop a 9,922 square foot Little's Academy, day care center on 1.276 acres located on Lot 1, Block A of Stone 2514 Addition.

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. The purpose of the variance was to allow for growth.

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.

Commissioners Action

With no questions for the applicant or Staff, a motion was made by Commissioner Newsom, seconded by Commissioner Butler to approve as presented. A vote was taken and carried 6 – 0.

2. Remove from table and continue Public Hearing

A motion was made by Commissioner Butler, seconded by Commissioner Newsom to remove Item 2 from the Table.

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 approached the Commissioners stating that the Item was tabled at the December 21, 2021 Regular Meeting so the applicant could revise the proposal to address the Commission's concerns.

The original site was developed for a restaurant without a drive through service. The property owner is requesting a Special Use Permit to allow a drive through service for marketing purposes as the previous restaurant closed. The applicant has not provided, nor do the SUP conditions stipulate an ultimate end user.

The applicant has amended the zoning exhibit to include a stop sign at the exit of the drive- through lane and a yield sign for the eastern drive that intersects with the exit drive-through lane.

Continue Public Hearing

Chair Plunk continued the Public Hearing, asking anyone that wished to address the Commissioners to come forward. With no one approaching the Commissioners, Chair Plunk closed the Public Hearing.

Commissioners Discussion

The Commissioners discussed the option of having a window for the drive-through service in the rear of the property. The Commissioners expressed concern for the pedestrians and possible blocking of the fire lane to the adjacent existing commercial uses. Chair Plunk stated the structure was not developed to have a drive-through, the space between the buildings was too tight.

Commissioners Action

A motion was made by Commissioner Newsom, seconded by Commissioner Loraine to recommend denial to the City Council for Item 2. A vote was taken and carried 6 – 0.

Chair Plunk stated that there were no other items on the Agenda, and asked for any announcements. Ms. Bradley stated that there will be a meeting on February 1, 2022.

ADJOURNMENT

A motion was by Commissioner Butler, seconded by Vice Chair Rogers to adjourn the meeting at 6:31PM. 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
Prepared By: Kevin Molina

Item Number: B

Subject

Consider, and act upon a recommendation to City Council regarding a Final Plat, being a Replat of Lots 26R-1 & 26R-2, Block 2 of Brown and Burns Addition, establishing two lots on 0.603 acres, located on the northeast corner of N. Jackson Avenue and Jefferson Street.

Recommendation

Motion to recommend **approval** as presented.

Discussion

OWNER: Wylie Bible Church of Texas

APPLICANT: Roome Land Surveying

The applicant has submitted a Replat to create Lots 26R-1 and 26R-2, Block 2 of Brown and Burns Addition. The property is located on the northeast corner of N. Jackson Avenue and Jefferson Street. The land is zoned Downtown Historic District (DTH).

The entire property currently contains the Wylie Bible Church. The purpose of the plat is to subdivide the existing lot into two lots for marketing purposes. DTH zoning allows for zero lot lines and the existing buildings and proposed property lines meet those requirements.

This plat is dedicating 5' of Right of Way for the future expansion of Jackson Avenue.

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: Jasen Haskins, AICP

Item Number: 1

Subject

Hold a Public hearing to consider, and act upon a recommendation to the City Council to allow a change in zoning from Downtown Historic District – Residential only to allow commercial and/or residential uses, located at 401 N. Keefer within the Downtown Historic District. **ZC 2022-04**

Recommendation

Motion to recommend **approval** as presented.

Discussion

At its October 28, 2021 meeting, staff received direction from the Historic Review Commission (HRC) to move forward with presenting a rezoning case for the property located at 401 N. Keefer to allow both commercial and residential uses. The current base zoning of Downtown Historic (DTH) District will not change.

In accordance with Section 6.3 of the Zoning Ordinance, the DTH district allows for both commercial and/or residential uses in the same structure. However, some properties are restricted to residential uses only as adopted by Ordinance 2015-08. Residential only properties were those lots west of Keefer to Cotton Belt and those properties located north of Brown, west of the railroad tracks.

The subject property consists of two lots and is bordered on the east by St Louis Southwestern Railroad. See Exhibits A and B. The property has been the subject of several requests for modifications and renovations over the years. The Wylie Economic Development Corporation purchased the property in 2021 and is working with the railroad for expanded ingress and egress access on property directly to the east.

Any new development or renovations would continue to adhere to current design standards and allowed uses of the DTH regulations. In block faces within the District that are currently developed with residential structures, new construction shall be of historic design.

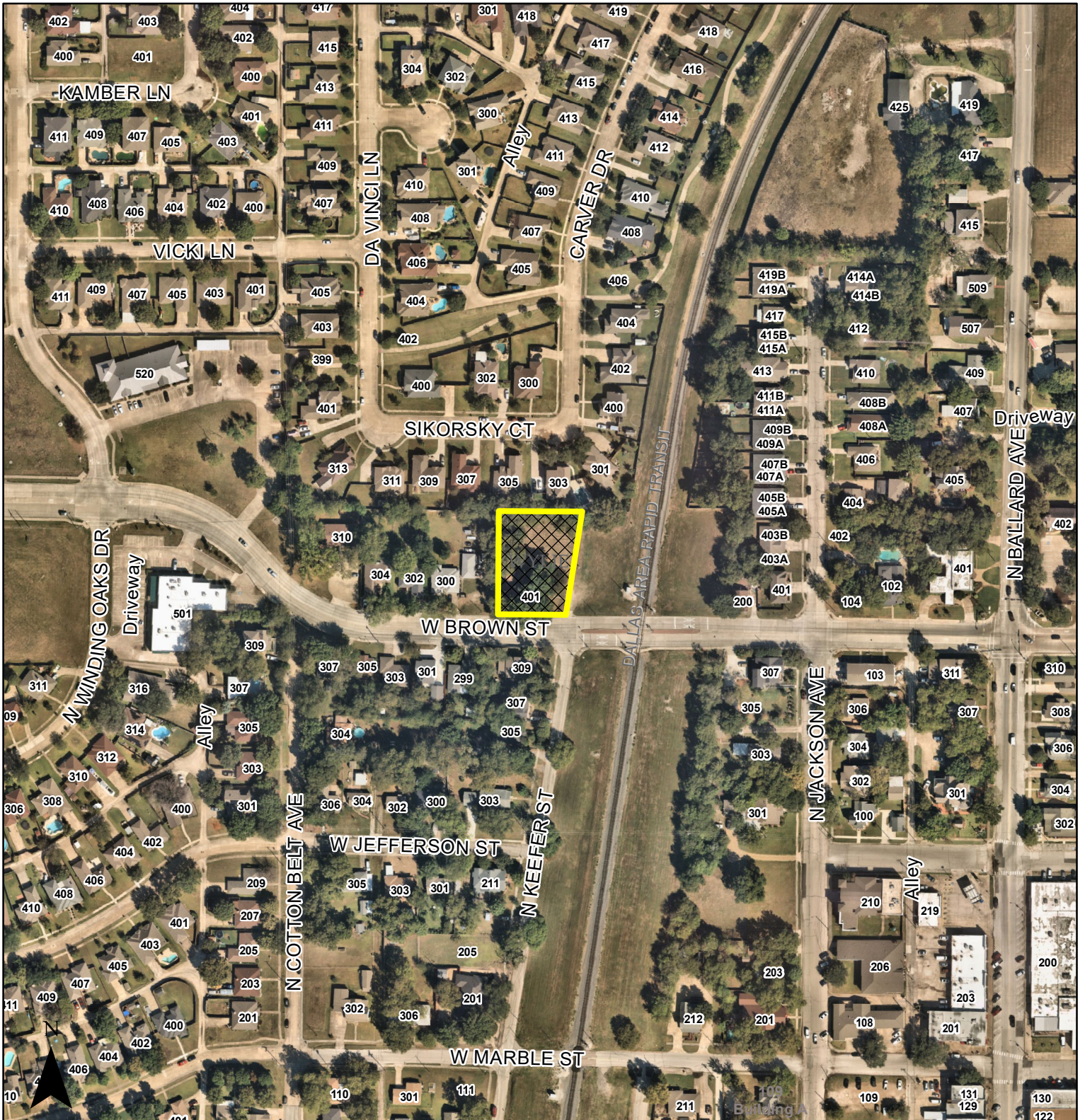
HRC Discussion

The HRC discussed the zoning request at their January 27, 2022 meeting, ultimately voting 6-0 to recommend approval.

Notifications were mailed to 23 surrounding property owners. One response was received in opposition and two were received in favor of the request.

Locator Map

02/01/2022 Item 1.



401 Keefer St



Subject Property

0 115 230 460 690 920 Feet

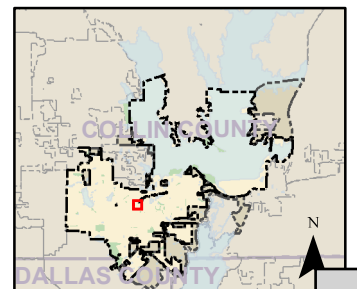
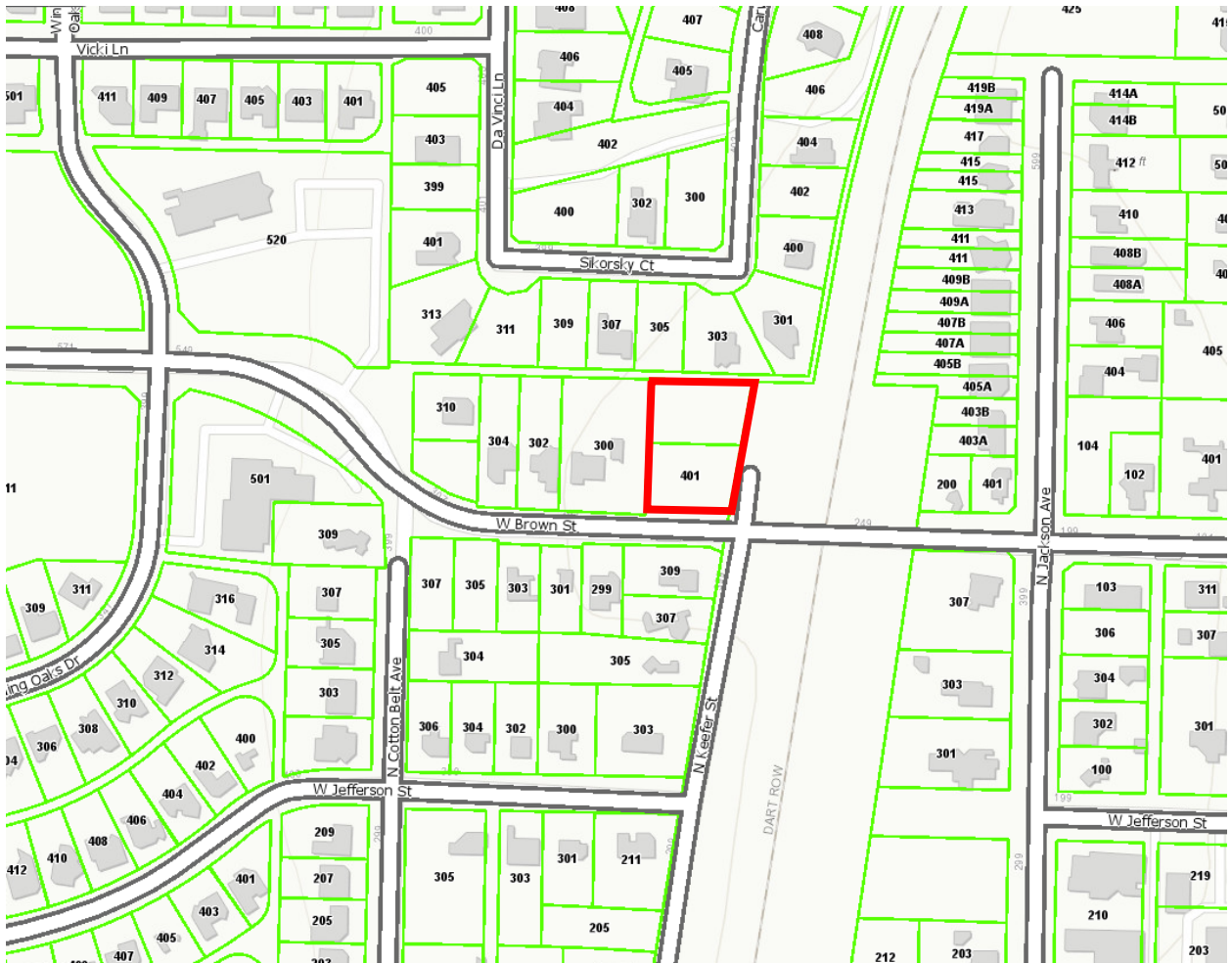


EXHIBIT A

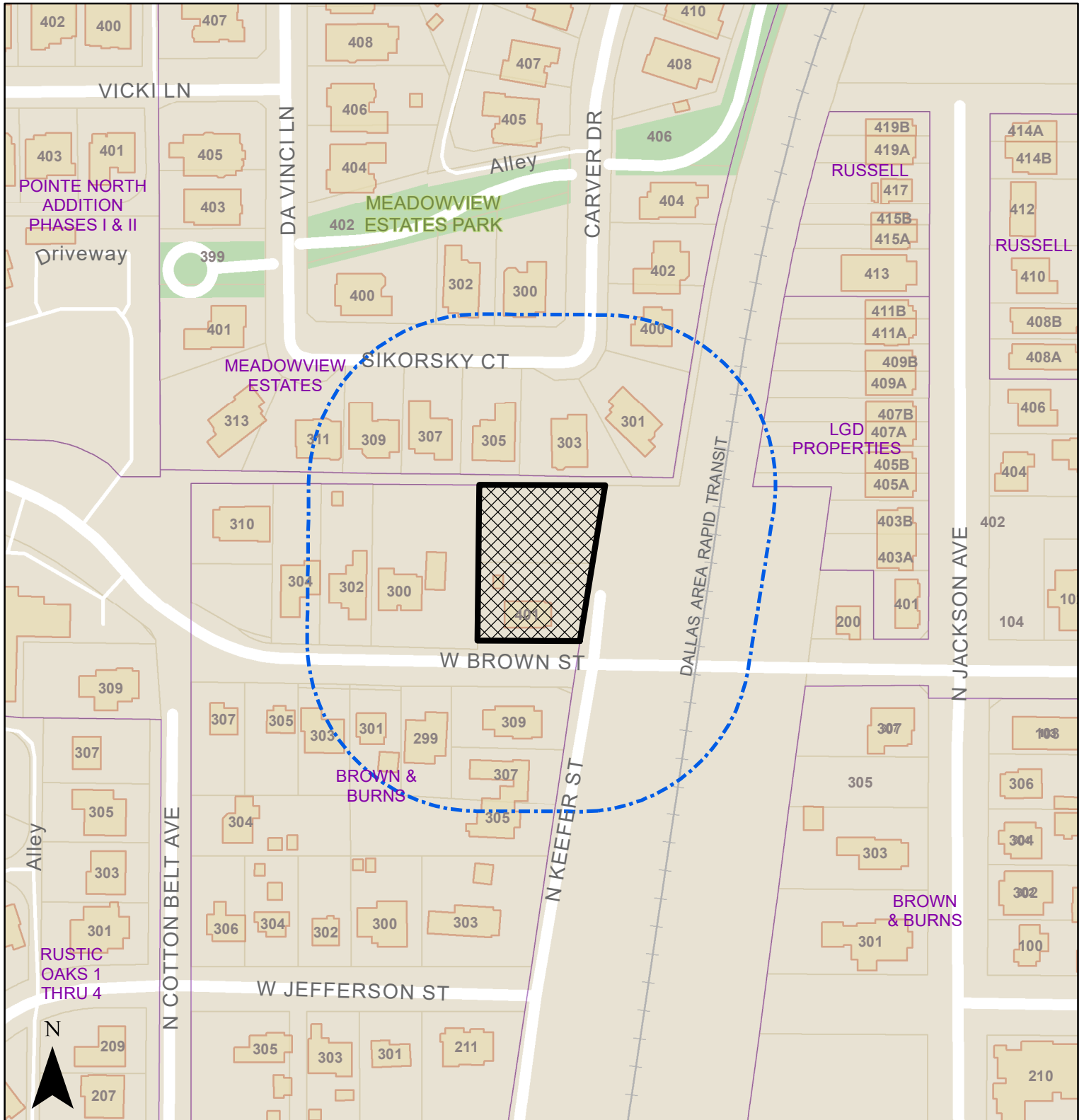


EXHIBIT B



Notification Map

02/01/2022 Item 1.



401 Keefer St

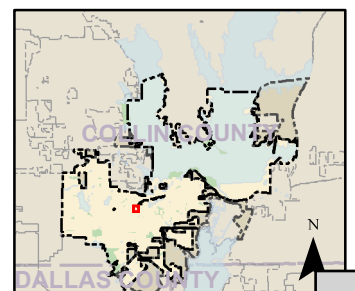


200 Foot Notification Buffer



Subject Property

0 75 150 300 450 600 Feet



PUBLIC COMMENT FORM (Please type or use black ink)

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

☒ I am **FOR** the requested zoning as explained on the attached public notice for Zoning Case #2022-04.
☐ I am **AGAINST** the requested zoning as explained on the attached public notice for Zoning Case #2022-04.

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

Date, Location & Time of
Historic Review Commission Meeting: Thursday, January 27, 2022 6:00 pm
Municipal Complex, 300 Country Club Road, Building 100, Wylie, Texas

Date, Location & Time of
Planning & Zoning
Commission meeting: Tuesday, February 1, 2022 6:00 pm
Municipal Complex, 300 Country Club Road, Building 100, Wylie, Texas

Date, Location & Time of
City Council meeting: Tuesday, February 8, 2022 6:00 pm
Municipal Complex, 300 Country Club Road, Building 100, Wylie, Texas

Name: B.R. Conkle
(please print)
Address: P.O. Box 680 (Mailing Address)
Wylie, TX 75098
Signature: Billy R. Conkle
Date: 1-18-2022

COMMENTS:

We are the owners of 309 N. Keefer Dr., Wylie, TX 75098

PUBLIC COMMENT FORM*(Please type or use black ink)*

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

X I am **FOR** the requested zoning as explained on the attached public notice for Zoning Case #2022-04.

 I am **AGAINST** the requested zoning as explained on the attached public notice for Zoning Case #2022-04.

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

Date, Location & Time of
 Historic Review Commission Meeting: Thursday, January 27, 2022 6:00 pm
 Municipal Complex, 300 Country Club Road, Building 100, Wylie, Texas

Date, Location & Time of
 Planning & Zoning
 Commission meeting: Tuesday, February 1, 2022 6:00 pm
 Municipal Complex, 300 Country Club Road, Building 100, Wylie, Texas

Date, Location & Time of
 City Council meeting: Tuesday, February 8, 2022 6:00 pm
 Municipal Complex, 300 Country Club Road, Building 100, Wylie, Texas

Name: Bob Heath
 (please print)

Address: 303 Rush Creek
Wylie, TX 75098

Signature: Bob Heath

Date: 1-11-22

COMMENTS:

PUBLIC COMMENT FORM*(Please type or use black ink)*

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

I am **FOR** the requested zoning as explained on the attached public notice for Zoning Case #2022-04.



I am **AGAINST** the requested zoning as explained on the attached public notice for Zoning Case #2022-04.

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

Date, Location & Time of

Historic Review Commission Meeting:

Thursday, January 27, 2022 6:00 pm

Municipal Complex, 300 Country Club Road, Building 100, Wylie, Texas

Date, Location & Time of

Planning & Zoning

Commission meeting:

Tuesday, February 1, 2022 6:00 pm

Municipal Complex, 300 Country Club Road, Building 100, Wylie, Texas

Date, Location & Time of

City Council meeting:

Tuesday, February 8, 2022 6:00 pm

Municipal Complex, 300 Country Club Road, Building 100, Wylie, Texas

Name:

Allison Piphro

Address:

(please print)
300 Sikorsky Ct
Wylie TX 75098

Signature:

Allison Piphro

Date:

1/10/2022

COMMENTS:

The city already has trouble with traffic flow near this area, and this would further the issues by adding a business. A new modern building would take away from the neighborhood. Please do NOT change this! Please consider the roadway on Brown as a factor and the people of this area that are against it