

# Wylie City Council

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## Minutes

### Regular Meeting

Tuesday, March 27, 2018 – 6:00 p.m.

Wylie Municipal Complex – Council Chambers

300 Country Club Road, Bldg. 100

Wylie, TX 75098

#### **CALL TO ORDER**

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*Announce the presence of a Quorum.*

Mayor Eric Hogue called the meeting to order at 6:00 p.m. City Secretary Stephanie Storm took roll call with the following City Council members present: Mayor *pro tem* Keith Stephens, Councilman David Dahl, Councilwoman Candy Arrington, Councilwoman Diane Culver, and Councilman Timothy Wallis. Councilman Jeff Forrester was absent.

Staff present included: City Manager Mindy Manson; Assistant City Manager Chris Holsted; Police Lieutenant Matt Miller; Fire Chief Brent Parker; Development Services Director Renae Ollie; City Engineer Tim Porter; Public Information Officer Craig Kelly; Finance Director Linda Bantz; Human Resource Director Lety Yanez; Parks and Recreation Superintendent Robert Diaz; City Secretary Stephanie Storm, and various support staff.

#### **INVOCATION & PLEDGE OF ALLEGIANCE**

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Mayor Hogue gave the invocation and the Wylie Way Students led the Pledge of Allegiance.

#### **PRESENTATIONS**

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- **Proclamation for Collin County Alumnae Chapter of Delta Sigma Theta Sorority 10<sup>th</sup> Anniversary.**

Mayor Hogue presented a proclamation to Jeannine Brew designating the weekend of March 30-April 1, 2018 as the Delta Sigma Theta Sorority, Inc. Collin County Alumnae Chapter weekend in Wylie, Texas.

- **Employee Milestone Anniversaries**

Mayor Hogue and City Manager Manson presented Millstone Anniversary honors to the following employees:

Brandon Webb, Facilities Maintenance Technician - 10 years of service  
Wesley Gheen, Fire Captain - 10 years of service

- **Wylie Way Students**

Mayor Hogue and Mayor *pro tem* Stephens presented medallions to students demonstrating “Shining the Wylie Way.” Each nine weeks one student from each WISD campus is chosen as the “Wylie Way Student.”

### **CITIZENS COMMENTS ON NON-AGENDA ITEMS**

*Residents may address Council regarding an item that is not listed on the Agenda. Residents must fill out a non-agenda form prior to the meeting in order to speak. Council requests that comments be limited to three (3) minutes. In addition, Council is not allowed to converse, deliberate, or take action on any matter presented during citizen participation.*

Matthew Porter, citizen of Wylie, addressed Council regarding the NCTCOG update.

### **CONSENT AGENDA**

*All matters listed under the Consent Agenda are considered to be routine by the City Council 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 of March 13, 2018, Regular Meeting of the Wylie City Council. (S. Storm, City Secretary)**
- B. Consider, and act upon, approval of a Final Plat for Kingdom Court Addition to establish 9 residential lots on 11.048 acres within Wylie’s ETJ, generally located north of County Road 489 and west of SH 78. (R. Ollie, Development Services Director)**
- C. Consider, and act upon, approval of a Final Plat for Dominion of Pleasant Valley, Phase 2. The Plat will create 214 single-family residential lots and multiple open space areas on 62.849 acres and dedicate the necessary rights of way and parkland dedication. Subject property generally located south of the intersection of Sachse Road and Pleasant Valley Road. (R. Ollie, Development Services Director)**
- D. Consider, and act upon, approval of a Final Plat for Inspiration, Phases 4A consisting of 16.832 acres to establish single-family residential lots for a master planned development within Wylie’s ETJ, generally located north of Parker Road (F.M. 2514) on Inspiration Blvd. (R. Ollie, Development Services Director)**
- E. Consider, and act upon, the award of a professional services project order (PSPO) #W2018-57-E for Improvements to Eubanks Lane from Hwy 78 to North Texas Municipal Water District Entrance Drive to Halff Associates, Inc. in the amount of \$215,300.00 and authorizing the City Manager to execute any necessary documents. (G. Hayes, Purchasing)**
- F. Consider, and place on file, the City of Wylie Monthly Investment Report for February 28, 2018. (L. Bantz, Finance Director)**
- G. Consider, and place on file, the City of Wylie Monthly Revenue and Expenditure Report for February 28, 2018. (L. Bantz, Finance Director)**
- H. Consider, and act upon, Resolution No. 2018-15(R) of the City Council of the City of Wylie, Collin, Dallas and Rockwall counties, Texas, amending Resolution Nos. 2018-04(R) and 2018-11(R), Section 1, to amend the election judges; and providing for an effective date. (S. Storm, City Secretary)**

- I. **Consider, and place on file, the monthly Revenue and Expenditure Report for the Wylie Economic Development Corporation as of February 28, 2018.** (*S. Satterwhite, WEDC Director*)

### Council Action

A motion was made by Mayor *pro tem* Stephens, seconded by Councilman Dahl to approve the Consent Agenda as presented. A vote was taken and the motion passed 6-0 with Councilman Forrester absent.

### REGULAR AGENDA

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1. **Consider authorizing the City Manager to sign a Development Agreement between the City of Wylie, BPE Phase V, LTD., and Braddock Place Estates Homeowners Association, Inc., for regulations for the Developer to design and construct a playground within Phase 3 of the Braddock Place Subdivision, and Developer to pay to the City \$50,000 (Security Deposit) to secure Developer's performance under the agreement.** (*R. Ollie, Development Services Director*)

### Staff Comments

Development Services Director Ollie addressed Council stating this item is the agreement that the Developer shall design and construct, at no cost to the City, a playground on Lot 5, Block B within Braddock Phase 3 with construction being completed on or before December 31, 2018. In addition, the Developer shall pay a security deposit in the amount \$50,000 to the City to assure performance in accordance with the agreement. The security deposit shall be made payable to the City within three days of the effective date of this agreement.

### Council Action

A motion was made by Mayor *pro tem* Stephens, seconded by Councilwoman Culver to approve authorizing the City Manager to sign a Development Agreement between the City of Wylie, BPE Phase V, LTD., and Braddock Place Estates Homeowners Association, Inc., for regulations for the Developer to design and construct a playground within Phase 3 of the Braddock Place Subdivision, and Developer to pay to the City \$50,000 (Security Deposit) to secure Developer's performance under the agreement. A vote was taken and the motion passed 6-0 with Councilman Forrester absent.

2. **Hold a Public Hearing and consider, and act upon, a change of zoning from Single-Family 10/24 (SF-10/24) District to Planned Development for Patio Homes on approximately 18 acres, generally located at the northwest corner of Brown Street and Westgate Way within the D.W. Williams Survey, Abs A1021, Tr 2. ZC2017-09** (*R. Ollie, Development Services Director*)

### Tabled from 03-13-2018

*Remove from table and consider*

A motion was made by Mayor *pro tem* Stephens, seconded by Councilman Dahl to remove Item No. 2 from the table and consider. A vote was taken and the motion passed 6-0 with Councilman Forrester absent.

### Applicant/Council Comments

Councilman Wallis stated he would like the Developer to keep in mind the lot size vs. home size in regard to set-backs on the smaller lot sizes. Councilwoman Arrington verified that this subdivision would have sidewalks, curbs, and gutters to prevent potential drainage issues. Developer Trey Walette confirmed that this neighborhood will have sidewalks, curbs, and gutters, no culverts under driveways, there will be 15 feet in each rear yard, and some homes may have more space than that between homes.

### Public Hearing

Mayor Hogue opened the public hearing on ZC2017-09 at 6:41 p.m. asking anyone present wishing to address Council to come forward.

Matthew Porter, citizen of Wylie, addressed Council expressing concerns regarding the proposed development.

Mayor Hogue closed the public hearing at 6:46 p.m.

### Council Action

A motion was made by Mayor *pro tem* Stephens, seconded by Councilman Dahl to approve a change of zoning from Single-Family 10/24 (SF-10/24) District to Planned Development for Patio Homes on approximately 18 acres, generally located at the northwest corner of Brown Street and Westgate Way within the D.W. Williams Survey, Abs A1021, Tr 2. ZC2017-09. A vote was taken and the motion passed 6-0 with Councilman Forrester absent.

3. **Hold a Public Hearing and consider, and act upon, a change in zoning from Planned Development (PD) to Planned Development-Commercial Corridor (PD-CC), to allow for retail and self-storage uses. Generally located south of the intersection of FM 544 and Woodbridge Parkway (721 & 731 Woodbridge Parkway). ZC2018-03 (R. Ollie, Development Services Director)**

### Staff Comments

Development Services Director Ollie addressed Council stating the applicant is requesting to amend the current Planned Development to allow for self-storage as a permitted use in a mixed-use setting on approximately 3.19 acres located north of the existing movie theater on Woodbridge Parkway (721 & 731 Woodbridge Parkway). The Developer is requesting for this development to be approved in two phases. Phase 1 includes development of 104,650 gross square feet of self-storage toward the rear of the subject property, and Phase 2 includes development of a commercial retail space on the frontage of Woodbridge Parkway. Lot 3 will consist of one three-story self-storage building, and three single-story self-storage buildings. Lot 4 will consist of a future commercial development. A newly created lot 5 (by plat) will consist of 22 existing parking spaces. The site, landscaping, and architectural design plans are in compliance with the base requirements of the zoning ordinance and current PD standards. The Comprehensive Land Use Plan designates this area as General Urban Sector, promoting a wide range of opportunities to "live, work and play" generally supporting retail, service, office, light production, and research development uses.

In 2007 City Council adopted an Ordinance specifying the location of Mini-Warehouse uses throughout the City. Prior to 2007, Mini-Warehouse uses were allowed by right within Commercial Corridor (CC) District, Light Industrial (LI), and with a Special Use Permit (SUP) within the Community Retail (CR) District. Upon the adoption of Ordinance No. 2007-04 Mini-Warehouse uses continued to be allowed by

right within LI and HI districts, allowed with an SUP in CC and prohibit the use within CR District. In 2011, Council again directed staff to revisit land use categories and specifically address mini-storage uses. With the adoption of Ordinance No. 2012-01, Mini-Warehouse uses were allowed with the approval of an SUP only within LI & HI zoning districts.

Ollie stated that 11 notifications were mailed to property owners within 200 feet of the proposal. One response was received opposing the request at the time of posting.

The Commission voted 5-1 to recommend approval of the request.

Ollie stated the elevations of the three-story self-storage building are to provide architectural articulation with offsets that resemble retail storefronts.

### **Applicant/Council Comments**

Rob Baldwin, representing Hines Development, addressed Council stating this lot is 900 feet deep and 150 feet wide, and this is a good solution with a destination use at the back of the property, and once the retail tenant is known, they will design a building for them up front. The building does sit lower than Kroger so there will be a retaining wall along the north side property line adjacent to the Woodbridge Centre. All the units in the main building are air conditioned. The self-storage buildings will be placed in a manner that hides loading areas and service bays from view from street frontages.

Councilman Wallis expressed concerns regarding the safety of pedestrian traffic from the high school to the retail in front. Baldwin responded that during the platting process concerns like this are addressed. Councilwoman Culver stated that she was on the fence about having a storage facility in a prime retail area and asked why the property could not be utilized for office space. Baldwin responded that the depth of the property and lack of visibility from the street makes it hard to utilize for an office space purpose.

Dennis McIntire, representing B&B Theatres, addressed Council stating they have been marketing the property since April 2012 and there has been very little retail and office interest. McIntire stated they feel this is the best use for this retail property.

### **Public Hearing**

Mayor Hogue opened the public hearing on ZC2018-03 at 7:20 p.m. asking anyone present wishing to address Council to come forward.

Matthew Porter, citizen of Wylie, addressed Council asking if the zoning on the front lots could be different than the back section to preserve the front lots for commercial uses.

Ollie replied that the PD specifies the mini-storage on Lot 3 only, so if the applicant wanted to have mini-storage on the front lots, it would have to come back as a Zoning Case.

Mayor Hogue closed the public hearing at 7:22 p.m.

### **Council Action**

A motion was made by Councilman Dahl, seconded by Councilman Wallis to approve a change in zoning from Planned Development (PD) to Planned Development-Commercial Corridor (PD-CC), to allow for retail and self-storage uses. Generally located south of the intersection of FM 544 and Woodbridge Parkway (721 & 731 Woodbridge Parkway). ZC2018-03. A vote was taken and the motion passed 5-1 with Councilwoman Culver voting against and Councilman Forrester absent.

4. **Hold a Public Hearing and consider, and act upon, a change of zoning from Agricultural – 30 District (AG-30) to Business Government (BG) for College or University uses on approximately 54 acres, generally located at Brown Street, and west of Country Club Road. ZC2018-04 (R. Ollie, Development Services Director)**

#### **Staff Comments**

Development Services Director Ollie addressed Council stating the item is a request that consists of five separate tracts. Tract 13 and lot 2 were the subject of land conveyance from the City of Wylie to Collin College in 2016. Since that time, the applicant has acquired additional land to the north for a total of five lots. They are requesting to re-zone the lots to set the boundaries; currently these lots are zoned AG. Establishing permanent zoning of Business Government is the first step in the development process.

Ollie reported twenty-four notifications were mailed, with one response returned in favor of the request at the time of posting.

#### **Public Hearing**

Mayor Hogue opened the public hearing on ZC2018-04 at 7:31 p.m. asking anyone present wishing to address Council to come forward.

No one was present wishing to address Council.

Mayor Hogue closed the public hearing at 7:32 p.m.

#### **Council Action**

A motion was made by Mayor *pro tem* Stephens, seconded by Councilwoman Arrington to approve change of zoning from Agricultural – 30 District (AG-30) to Business Government (BG) for College or University uses on approximately 54 acres, generally located at Brown Street, and west of Country Club Road. ZC2018-04. A vote was taken and the motion passed 6-0 with Councilman Forrester absent.

#### **EXECUTIVE SESSION**

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*Recess into Closed Session in compliance with Section 551.001, et.seq. Texas Government Code, to wit:*

Mayor Hogue recessed the Council into Executive Session at 7:33 p.m. reading the caption below.

#### **§§Sec. 551.074. PERSONNEL MATTERS; CLOSED MEETING.**

This chapter does not require a governmental body to conduct an open meeting:

- (1) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or
  - (2) to hear a complaint or charge against an officer or employee.
- (b) Subsection (a) does not apply if the officer or employee who is the subject of the deliberation or hearing requests a public hearing.

- **City Engineer**
- **Director of Public Services**
- **Municipal Court Judges**
- **Prosecutor for the City**

#### **RECONVENE INTO OPEN SESSION**

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*Take any action as a result from Executive Session.*

Mayor Hogue reconvened into Open Session at 8:34 p.m.

5. **Consider, and act upon, Resolution No. 2018-16(R) , a Resolution of the City Council of the City of Wylie, Texas, repealing Resolution Nos. 2016-06(R), 2017-07(R), and 2017-08(R).** (*M. Manson, City Manager*)

#### **Council Action**

A motion was made by Councilwoman Culver, seconded by Councilman Dahl to approve Resolution No. 2018-16(R), a Resolution of the City Council of the City of Wylie, Texas, repealing Resolution Nos. 2016-06(R), 2017-07(R), and 2017-08(R). A vote was taken and the motion passed 6-0 with Councilman Forrester absent.

6. **Consider, and act upon, the award of a professional services project order (PSPO) #W2018-58-E for the 2018 update of the Water Distribution System Master Plan, 10 Year Capital Improvement Plan, and Impact Fee Study to Birkhoff, Hendricks & Carter L.L.P. in the amount of \$145,300.00 and authorizing the City Manager to execute any necessary documents.** (*G. Hayes, Purchasing*)

#### **Staff Comments**

City Engineer Porter addressed Council stating staff requests the approval of a professional services agreement with Birkhoff, Hendricks & Carter, L.L.P. for updating the Water, Wastewater, and Roadway Capital Improvement Plan and Impact Fee Study. The Texas Local Government Code requires an examination and update of impact fees every five years. Previously the fees were separated out by Utility and Roadway and they were done on separate years every two years in an alternating fashion. This year they have been combined into one study, one update and will be done at the same time every four years.

#### **Council Action**

A motion was made by Councilwoman Arrington, seconded by Councilwoman Culver to award professional services project order (PSPO) #W2018-58-E for the 2018 update of the Water Distribution System Master Plan, 10 Year Capital Improvement Plan, and Impact Fee Study to Birkhoff, Hendricks & Carter L.L.P. in the amount of \$145,300.00 and authorizing the City Manager to execute any necessary documents. A vote was taken and the motion passed 6-0 with Councilman Forrester absent.

#### **WORK SESSION**

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Mayor Hogue convened into Work Sessions at 8:38 p.m.

- **Update for the remodeling of Station 2.** (*B. Parker, Fire Chief*)

Fire Chief Parker addressed Council stating there are two preliminary suggestions that have been developed. Option 1 is adding a bay to the north side of the fire station and reconfiguring the dormitories to the south side of the station to address the mixed gender issue. If a bay is added to the north side, then a driveway will have to be created in order to get the apparatus into the bay. Option 2 is recreating bays on the backside of the station so you could drive thru the parking lot into the bays, and out of the driveway that is on the north side of the station. The current bays would be remodeled to address the dormitories and fitness area as needed. Staff requests Council's direction to move forward with working on an agreement with an architect to determine the best and most cost effective way for the Fire Station 2 remodel. Consensus of Council was to move forward.

**RECONVENE INTO REGULAR SESSION**

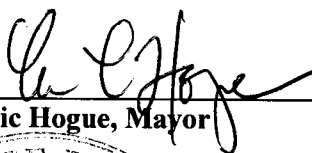
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Mayor Hogue reconvened into Open Session at 8:41 p.m.

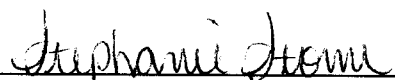
**ADJOURNMENT**

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A motion was made by Mayor *pro tem* Stephens, seconded by Councilwoman Culver to adjourn the meeting at 8:42 p.m. A vote was taken and the motion passed 6-0 with Councilman Forrester absent.

  
Eric Hogue, Mayor

**ATTEST:**

  
Stephanie Storm, City Secretary

