

PLANNING & ZONING COMMISSION
AGENDA
Regular Meeting: April 1, 2025

AGENDA ITEM:

Consideration and possible action regarding a request for a special use permit for a fast-food restaurant with drive-through service at 21049 Eva Street.

SUBMITTED BY: Corinne Tilley, Code Enforcement Officer, Planning/Zoning Administrator

APPROVED FOR AGENDA: Ruby Beaven, City Secretary and Director of Administrative Services

BACKGROUND:

21049 Eva Street is located in the B-Commercial zoning district.

The B-Commercial zoning district is designated for a wide range of business uses within enclosed areas as well as the other uses provided for in the zoning code (Sec. 98-178).

The proposed use in the development of the property is a fast-food restaurant with drive-through service.

References:

Zoning Code Sections 98-1, 98-27, 98-88, 98-179, 98-286
2020 Comprehensive Plan
Copy of zoning determination letter

According to the ordinance, a restaurant is permitted in the commercial zoning district. However, the ordinance doesn't define a restaurant or distinguish between different types of restaurants, such as fast food, sit-down, fine dining, to-go, or those with drive-through service. This lack of specific definitions creates ambiguity in the application of the ordinance. Therefore, without specific definitions, a determination has been made that if any use is not specifically permitted according to the use table or in the district use regulations, a special use permit is required.

Findings for the Planning and Zoning Commission:

Effect of the proposed use on the comprehensive plan and on the character and development of the neighborhood:

According to the 2020 Comprehensive Plan, Chapter 3 Land Use Planning, Development Recommendations indicates promoting infill. Infill development encourages a more efficient investment in infrastructure because it encourages growth where there is existing infrastructure. This finding is met.

According to the 2020 Comprehensive Plan, Chapter 3 Land Use Planning, the Downtown Site Plan design based on community input to promote connectivity, safety, and increasing available parking in the historic downtown. The site plan was to stimulate commercial and residential growth by creating an inviting, walkable experience that allows residents and visitors to shop, relax, work, and play in a central area. Focusing on pedestrian accessibility, mixed land use, and enhancing physical appearance are crucial elements that will support this goal. With proper site design layout, this finding can be met.

According to the 2020 Comprehensive Plan, Chapter 5 Transportation, the Future Thoroughfare Plan mentioned creating standards for sidewalk and bulb-outs. This specifically mentioned Liberty Street (FM 149) and Eva Street (SH105) as the ideal spot to introduce bulb-outs that would produce benefits for pedestrian safety, reducing turn speeds, additional space for landscaping, etc. This finding is subject to a partnership with TXDOT.

In summary, the proposed fast-food restaurant with drive-through service aligns with several key elements of the 2020 Comprehensive Plan; Infill Development, Downtown Site Plan, and the Future Thoroughfare Plan. The proposed use is consistent with the comprehensive plan's goals and can positively contribute to the character and development of the neighborhood, provided that the necessary design and partnership considerations are addressed.

FISCAL ANALYSIS:

N/A

RECOMMENDATION:

Based on the findings, staff recommends that the Planning and Zoning Commission approve the special use permit for a fast-food restaurant with drive-through service subject to the following conditions:

1. All development requirements of the City Ordinance must be strictly adhered to.
2. The development must comply with the recommendations and requirements outlined in the feasibility study.
3. The approval is contingent upon the results of the traffic impact analysis, ensuring that any necessary modifications or improvements are implemented to address pedestrian and traffic safety and circulation concerns.

By meeting these conditions, the proposed development will align with the comprehensive plan and contribute positively to the character and development of the neighborhood.