



PLANNING

To: Planning & Zoning Commission
From: Dakari Hill, Senior Planner
Through: David Hoover, AICP, Director of Development Services
Cc: Suzanne Porter, AICP, Planning Manager
Re: Specific Use Permit for Drive-Through Restaurant
Meeting: March 4, 2025

Item No. 4

Agenda Item:

Conduct a Public Hearing and consider and act upon a request for a Specific Use Permit for a Drive-Through Restaurant on Frontier Retail Center Revised, Block A, Lots 1-2, on 2.8± acres, located on the east side of Dallas Parkway and 800± feet south of Frontier Parkway. (ZONE-24-0021)

Future Land Use Plan:

The Future Land Use Plan recommends the Dallas North Tollway District.

Zoning:

The property is zoned Planned Development-69 (Retail).

Thoroughfare Plan:

This property has direct access to Dallas North Tollway and access to Frontier Parkway through cross access within the adjacent commercial development.

Parks Master Plan:

The Parks Master Plan does not indicate a park is needed on the subject property.

Legal Obligations and Review:

Notification was provided as required by the Zoning Ordinance and state law. Staff has not received any response to the proposed zoning request to date.

Attached Documents:

1. Aerial Map
2. Zoning Map

3. Approved Preliminary Site Plan (D22-0098)
4. Exhibit A-1 – Written Metes and Bounds
5. Exhibit A-2 – Boundary Exhibit
6. Exhibit B-1 – Site Plan
7. Exhibit B-2 – Simplified Site Plan
8. Exhibit C – Landscape Plan
9. Exhibit D – Façade Plan

Description of Agenda Item:

The purpose of this request is to obtain a Specific Use Permit for a drive-through restaurant. The intent is to construct a 5,385 square-foot drive-through restaurant, a 437 square-foot patio, and the associated 73 parking spaces.

History:

A Preliminary Site Plan (D22-0098) for Tract 1 of Planned Development-69, including Lots 1 and 2, was approved by the Planning & Zoning Commission on June 6, 2023. On the Preliminary Site Plan, two standalone restaurants were shown on Lots 1 and 2. The current layout shows the proposed drive-through restaurant on Lots 1 and 2.

Compatibility:

The zoning and land use of the surrounding properties are shown below.

	Zoning	Current Land Use	Future Land Use Plan
Subject Property	Planned Development-69	Vacant	Dallas North Tollway District
North	Planned Development-69	Vacant	Dallas North Tollway District
East	Planned Development-69	HEB	Dallas North Tollway District
South	Commercial Corridor	Vacant	Dallas North Tollway District
West	Commercial	Vacant	Dallas North Tollway District

Drive-Through Standards:

The applicant is requesting a Specific Use Permit for a drive-through restaurant with the condition that the stacking/drive-through lanes be allowed to be placed between the building and adjacent public right-of-way.

The Town’s Zoning Ordinance requires that drive-through restaurants obtain a Specific Use Permit to evaluate the appropriateness of the use. The Comprehensive Plan recommended revising development regulations pertaining to drive-throughs which included regulations for queuing and drive-through lanes. These recommendations were evaluated, and ordinance amendments were adopted by the Town Council on January 9, 2024, to revise design criteria for drive-throughs. One of the amendments was prohibiting stacking/drive-through lanes to be placed between a building and adjacent public right-of-way. Due to the stacking/drive-through lanes being shown between the building and Dallas Parkway, the proposed plan does not comply with this regulation.

Specific Use Permit Criteria:

The Zoning Ordinance contains the following four (4) criteria to be considered in determining the validity of an SUP request.

1. *Is the use harmonious and compatible with its surrounding existing uses or proposed uses?*
 - *The use is compatible, but the layout is not. The current configuration has the building backwards.*
2. *Are the activities requested by the applicant normally associated with the requested use?*
 - *The activities are those normally associated with a fast-food restaurant. The inconsistencies with the Town's regulations are not.*
3. *Is the nature of the use reasonable?*
 - *Not complying with the Town's regulations regarding drive-through restaurants for no valid reason is not reasonable.*
4. *Has any impact on the surrounding area been mitigated?*
 - *No.*

Town Staff Recommendation:

The proposed zoning request does not comply with the Town's Zoning Ordinance pertaining to the location of stacking/drive-through lanes. For this reason, Town Staff recommends denial of the request for a Specific Use Permit for a Drive-Through Restaurant on Frontier Retail Center Revised, Block A, Lots 1-2, on 2.8± acres, located on the east side of Dallas Parkway and 800± feet south of Frontier Parkway.

Town Council Public Hearing:

Upon a recommendation by the Planning & Zoning Commission, a Public Hearing for this item will be scheduled for the Town Council at their regular meeting on March 25, 2025.