



PLANNING

To: Planning & Zoning Commission

Item No. 5

From: Dakari Hill, Senior Planner

Through: David Hoover, Director of Development Services

Re: Planning & Zoning Commission Meeting – September 19, 2023

Agenda Item:

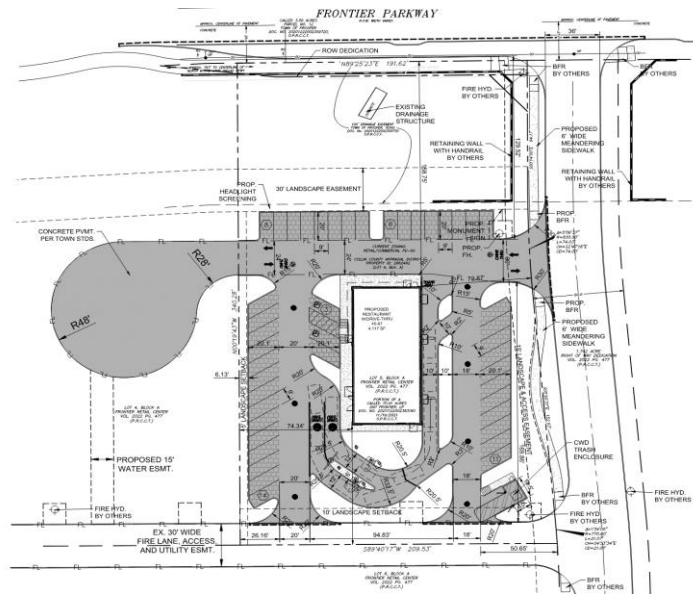
Conduct a Public Hearing and consider and act upon a request for a Specific Use Permit for a new Drive-Through Restaurant, on 1.5± acres, located south of West Frontier Parkway and east of North Dallas Parkway. (ZONE-23-0013)

Description of Agenda Item:

The zoning and land use of the surrounding properties are as follows:

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

Requested Zoning – Per Planned Development-69 (PD-69), the base zoning for this area is Retail District. A Specific Use Permit is required for drive-through restaurants in Retail District zoning. The purpose of this request is to allow for construction of a new 4,117 square foot drive-through restaurant as shown below:



Additionally, the Façade Plan shows the finished building elevations as shown below:

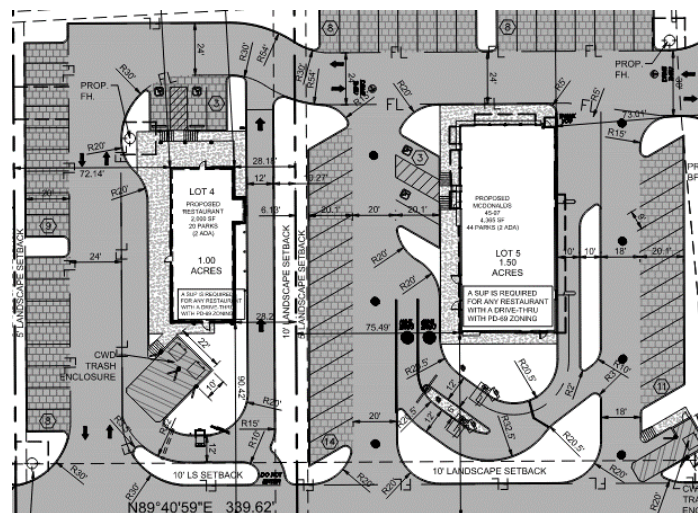


Comprehensive Factors:

Per the Zoning Ordinance, all uses containing a drive-in or drive-through shall be subject to the following landscaping standards:

“A minimum ten-foot-wide landscape island shall be constructed around the outer edge of the drive-through lane for a minimum distance to equal the length of stacking required for the drive-through facility.”

The applicant is requesting that the Specific Use Permit allow them to provide a ten-foot landscape buffer on the western property line in lieu of the required ten-foot-wide landscape island. Additionally, the proposed ten-foot landscape buffer would be inclusive of the neighboring property to the west. The proposed site would only provide five feet of the landscape buffer while the neighboring property would provide the other five feet. A Preliminary Site Plan of the location (D22-0098) was approved by the Planning & Zoning Commission on June 6, 2023. The proposed site and the neighboring property to the west on the approved Preliminary Site Plan are shown below:



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

1. *Is the use harmonious and compatible with its surrounding existing uses or proposed uses?*
2. *Are the activities requested by the applicant normally associated with the requested use?*
3. *Is the nature of the use reasonable?*
4. *Has any impact on the surrounding area been mitigated?*

Staff believes the applicant has not satisfied the criteria and recommends denial of the request.

Future Land Use Plan – The Future Land Use Plan recommends Tollway District.

Thoroughfare Plan – This property will have direct access to County Road #50.

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 and Zoning Maps
2. Proposed Exhibits
3. Letter of Intent

Staff Recommendation:

Staff recommends denial of the Specific Use Permit request for a new Drive-Through Restaurant, on 1.5± acres, located south of West Frontier Parkway and east of North Dallas Parkway. This Specific Use Permit request is not in compliance with the Town's landscaping requirements for drive-through restaurants. Staff does not believe the applicant's proposal encompassing the neighboring property's landscape buffer into their proposed landscape buffer mitigates the nonconformity regarding the landscape island.