



PLANNING

To: Mayor and Town Council

From: David Hoover, AICP, Director of Development Services

**Through: Mario Canizares, Town Manager
Chuck Ewings, Assistant Town Manager**

Re: Specific Use Permit for Drive-Through Restaurant

Town Council Meeting – March 25, 2025

Strategic Visioning Priority: 3. Commercial Corridors are ready for Development

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.

Budget Impact:

There is no budgetary impact affiliated with this item.

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-1 – Landscape Plan
9. Exhibit C-2 – Landscape Rendering
10. 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. However, the enhanced landscaping as depicted in the exhibit provided by Chick-Fil-A does appear to generally follow the intent of the ordinance amendments to hide and/or screen the drive-throughs at fast food restaurants. As such, although Staff still believes the layout does not follow the ordinance, Staff would agree with the Planning and Zoning's assessment as the basis for their approval.

Planning & Zoning Recommendation:

The Planning & Zoning Commission unanimously recommended approval of this item by a vote of 7-0 at their meeting on March 4, 2025, subject to the landscaping along Dallas Parkway matching the rendering provided by the applicant (Exhibit C-2).

Proposed Motion:

I move to approve/deny a request for a Planned Development for an existing Professional Office on Bryant's First Addition, Block 15, Lot 1R, on 0.6± acre, to accommodate a right-of-way acquisition along First Street, located on the northeast corner of Coleman Street and First Street.