

FILE NUMBER: Z234-139(MB) **DATE FILED:** December 7, 2023

LOCATION: West line of South Griffin Street, between Commerce Street
and Jackson Street

COUNCIL DISTRICT: 14

SIZE OF REQUEST: Approx. 20,038 sq. ft. **CENSUS TRACT:** 48113003102

REPRESENTATIVE: Rob Baldwin [Baldwin Associates]

OWNER/APPLICANT: McDonald's Corporation

REQUEST: An application for an amendment to Specific Use Permit No. 2431 for a restaurant with drive-in or drive-through service on property zoned a CA-1(A) Central Area District.

SUMMARY: The purpose of the request is to continue use of the site as a restaurant with drive-in or drive-through service.

CPC RECOMMENDATION: Approval for a two-year period, subject to amended conditions.

STAFF RECOMMENDATION: Approval for a two-year period, subject to amended conditions.

BACKGROUND INFORMATION:

- The area of request is currently zoned a CA-1(A) Central Area District. The property is currently developed with a drive-through restaurant.
- The request site is an existing drive-through restaurant with 4,185 square feet of floor area on a lot with 20,038 square feet of area.
- The request site was previously granted SUP No. 1410 for a restaurant with drive-in or drive-through service for a ten-year period on June 14, 2000. On September 22, 2010, City Council approved a renewal for SUP No. 1410 for a ten-year period with eligibility for automatic renewals for additional ten-year periods. Applicant did not file a request for automatic or standard renewal before expiration; as such, applicant filed a request for a new Specific Use Permit.
- SUP No. 2431 was approved by City Council on December 8, 2021 for a restaurant with drive-in or drive-through service for a period of two years.
- SUP No. 2431 was scheduled to expire on December 8, 2023. The applicant filed for renewal on December 7, 2023.
- The applicant requests the renewal of SUP No. 2431 for a five-year period to continue operating a restaurant with drive-through service. Applicant proposes adding painted crosswalks on the Commerce Street and Jackson Street entrances in an amended site plan and conditions, as well as modifying the placement of parking spaces.
- On November 7, 2024, CPC moved to recommend approval for a two-year period, subject to amended conditions. No changes to the site plan or landscape plan were recommended by CPC.

Zoning History:

There has been one zoning case on one site in the area in the last five years.

1. **Z201-287:** On December 8, 2021, City Council approved an application for Specific Use Permit No. 2431 for a restaurant with drive-in or drive-through service on property zoned a CA-1(A) Central Area District, located on the west line of South Griffin Street, between Commerce Street and Jackson Street. [Subject site]

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing/Proposed ROW
Commerce Street	CBD	80 feet
Jackson Street	CBD	80 feet
South Griffin Street	CBD	100 feet

Traffic:

The Transportation Development Services Division of the Transportation Department has reviewed the request and determined that it will not have a significant impact on traffic.

STAFF ANALYSIS:

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006 and outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant’s request. The request complies with the following land use goals and policies of the Comprehensive Plan:

ECONOMIC ELEMENT

GOAL 2.1 PROMOTE BALANCED GROWTH

Policy 2.1.1 Ensure that zoning is flexible enough to respond to changing economic conditions.

The 360 Plan:

The 360 Plan is a strategic document that sets a clear, cohesive vision for Downtown Dallas and its surrounding neighborhoods, guiding the City Center to continued, long-term success. The plan was adopted by City Council in April 2011 and updated in 2015, 2016, and 2017. The area of request is located between the West End and Main Street District areas of the plan.

The applicant’s request to amend the Specific Use Permit for a drive-through restaurant meets the 360 Plan’s strategy to Build Complete Neighborhoods through the following goal:

3 Grow a Diverse Mix of Services and Retail

However, the applicant’s request conflicts with the intention of the following goal of the 360 Plan:

1.6 Amend Central Area (CA) zoning to address issues such as [...] disallowing as primary uses surface parking, drive-throughs, mini-warehouses and storage uses, and gas stations.

Staff notes that the goal pertains to a broader initiative to amend the city’s zoning code, rather than specific zoning cases. Nevertheless, staff recognizes the intention of the goal to phase out such primary uses within the CA district.

The Trinity River Corridor Comprehensive Land Use Study:

The Trinity River Corridor Comprehensive Plan was adopted on March 9, 2005. The Trinity River Corridor includes almost 70 square miles of territory in the center of Dallas and at the heart of a major urban region. While there is significant emphasis on new development patterns, there are also parts of the Downtown – Lakes District where the priority is on retaining and enhancing existing uses.

This use constitutes an existing use that has been in the area before the adoption of the Trinity River Land Use Study. Allowing this use to remain meets the priority of retaining existing uses in the area.

Land Use:

	Zoning	Land Use
Site	CA-1(A) Central Area District	Restaurant with drive-through
North	CA-1(A)	Surface parking
South	CA-1(A)	Office building
West	CA-1(A)	Surface parking
East	PD No. 619	Utility or government installation

Land Use Compatibility:

The request site consists of a restaurant with drive-through service. The applicant is requesting renewal of SUP No. 2431 to continue operation of the restaurant with drive-through service. The site is largely surrounded by surface parking, with two office buildings in proximity.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing

certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

Staff's analysis considers the surrounding land uses and history of the subject site. The restaurant with drive-through service has been in operation since before the adoption of the comprehensive plan, 360 Plan, and Trinity River Land Use Study. The site has previously been found to be suitable given the surrounding land uses, which are largely surface parking lots, a parking garage, and two office buildings in close proximity. Since the last renewal of SUP No. 2431, the surrounding land uses have not changed. As such, staff finds that the request would be compatible with surrounding land uses, contributes to the welfare of the area of request, and is not detrimental to the public health, safety, or general welfare.

Additionally, Transportation has not found the drive-through to have an adverse impact on the flow of traffic along Commerce Street, including the DART bus lanes that abut the subject site. Because of this, staff finds that the drive-through is not detrimental to the area.

The changes to the site plan include a reconfiguration of the drive-thru lane and parking spaces, placing the drive-thru lane closer to the restaurant with parking moved to the side closer to the property line. Additionally, the updated site plan includes requirements for pedestrian pavers along Commerce Street and parking pavers on the property, as well as screening of the drive-thru along South Griffin Street. Finally, the proposed site plan includes marked pedestrian crosswalks for the Commerce Street ingress/egress and the Jackson Street egress.

Given the general goals of the comprehensive plan, 360 Plan, and Trinity River Land Use Plan, staff recommends a time limit of five years for SUP No. 2431. This would allow the city to revisit the property on a regular basis and consider the suitability of the drive-through use with regard to future changes in surrounding land uses through continued

review. Additionally, the crosswalk marking requirements in the proposed conditions and site plan improve safety around the site for pedestrian users.

Landscaping:

Applicant proposes amending the landscape plan. Changes from the existing landscape plan are as follows:

- Raised pollinator gardens with native plants are proposed on the west/northwest corner of the site.
- Screening is proposed along South Griffin Street between the drive-thru lane and the property line.
- Some shrubbery on the north corner of the site will be replaced with pedestrian pavers and bollards to improve pedestrian connectivity with the property.

No changes to the number and placement of trees is proposed.

Parking:

Per the Dallas Development Code, within a CA-1(A) Central Area District, off-street parking is required at a ratio of one parking space for each 2,000 square feet of floor area. The subject site would be required to provide three parking spaces. Per the site plan and proposed conditions, nine off-street parking spaces are provided.

Market Value Analysis:

Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets (A through C) to orange, representing the weakest markets (G through I). The area of request is within a “D” MVA area.

List of Officers

McDonalds USA, LLC

Desiree Ralls-Morrison, Executive Vice President, General Counsel and Secretary

Angela K. Steele, Vice President, US General Counsel and Assistant Secretary

Sarah K. Lee, Assistant Secretary

Savan N. Vaghani, Assistant Secretary

**CPC Action
November 7, 2024**

Motion I: It was moved to recommend **denial** of an amendment to Specific Use Permit No. 2431 for a restaurant with drive-in or drive-through service on property zoned a CA-1(A) Central Area District, on the west line of South Griffin Street, between Commerce Street and Jackson Street.

Maker: Kingston
Second: Hampton
Result: Failed: 6 to 8

For: 6 - Chernock, Hampton, Carpenter, Sleeper,
Housewright, Kingston

Against: 8 - Herbert, Forsyth, Shidid, Wheeler-Reagan,
Blair, Haqq, Hall, Rubin

Absent: 1 - Eppler

Vacancy: 0

Note: Commissioner Wheeler-Reagan asked the maker of the motion if a Friendly amendment would be considered. Commissioner Kingston, maker of the motion, did not accept the amendment. Commissioner Wheeler-Reagan made an alternate motion.

Alternate Motion: It was moved to recommend **approval** of Specific Use Permit No. 2431 for a restaurant with drive-in or drive-through service for a three-year period, with no changes to conditions, on property zoned a CA-1(A) Central Area District, on the west line of South Griffin Street, between Commerce Street and Jackson Street.

Maker: Wheeler-Reagan
Second: Forsyth
Result: Failed: 5 to 9

For: 5 - Forsyth, Shidid, Wheeler-Reagan, Blair,
Haqq

Against: 9 - Chernock, Hampton, Herbert, Carpenter,
Sleeper, Housewright, Hall, Kingston, Rubin

Absent: 1 - Eppler

Vacancy: 0

Motion II: It was moved to recommend **approval** of Specific Use Permit No. 2431 for a restaurant with drive-in or drive-through service for a two-year period, with no changes to the conditions, on property zoned a CA-1(A) Central Area District, on the west line of South Griffin Street, between Commerce Street and Jackson Street.

Maker: Kingston
Second: Hampton
Result: Carried: 14 to 0

For: 14 - Chernock, Hampton, Herbert, Forsyth,
Shidid, Carpenter, Wheeler-Reagan, Blair,
Sleeper, Housewright, Haqq, Hall, Kingston,
Rubin

Against: 0
Absent: 1 - Eppler
Vacancy: 0

Notices: Area: 200 Mailed: 5
Replies: For: 0 Against: 1

Speakers: For: Rob Baldwin, 3904 Elm St., Dallas, TX, 75226
Suzane Kedron, 2323 Ross Ave., Dallas, TX, 75201
LeAnne Lewis, 1200 Main St., Dallas, TX, 75202
Alfredo Gomez, 1810 Shoreline Dr., Mesquite, TX, 75149
Sean Mitchell, Address not provided
Sarah Dodd, Address not provided
Against: Dustin Bullard, 900 Jackson St., Dallas, TX, 75202

**CPC RECOMMENDED CONDITIONS
(All changes highlighted)**

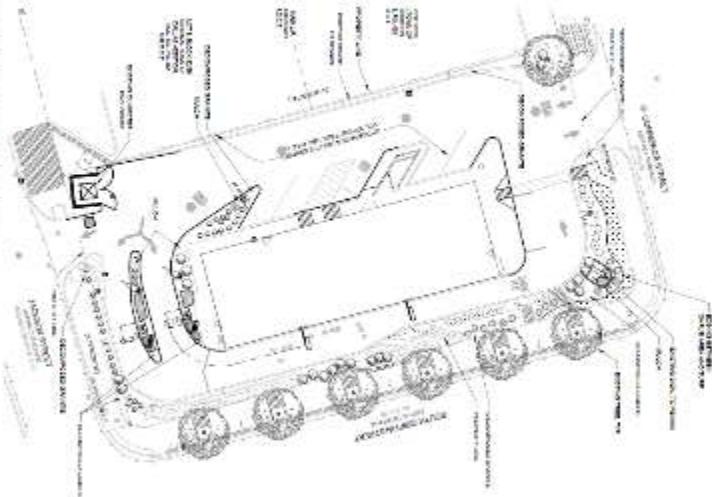
1. USE: The only use authorized by this specific use permit is a restaurant with a drive-in or drive-through window.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on **[two years from the passage of this ordinance]**.
4. OFF-STREET PARKING: A minimum of five off-street parking spaces must be provided in the location shown on the attached site plan.
5. LANDSCAPING: Landscaping must be provided as shown on the attached landscaping plan.
6. INGRESS AND EGRESS: Ingress and egress must be provided as shown on the attached site plan. Ingress to the Property from Jackson Street is prohibited. "Do Not Enter" signs must be installed at the Jackson Street exit as shown on the attached site plan.
7. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
8. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

EXISTING LANDSCAPE PLAN (NO CHANGES PROPOSED)



PLANTING AND IRRIGATION TO REMAIN

THE EXISTING LANDSCAPE PLAN IS TO REMAIN AS SHOWN ON THE ATTACHED PLANS. THE EXISTING LANDSCAPE PLAN IS TO REMAIN AS SHOWN ON THE ATTACHED PLANS. THE EXISTING LANDSCAPE PLAN IS TO REMAIN AS SHOWN ON THE ATTACHED PLANS. THE EXISTING LANDSCAPE PLAN IS TO REMAIN AS SHOWN ON THE ATTACHED PLANS.



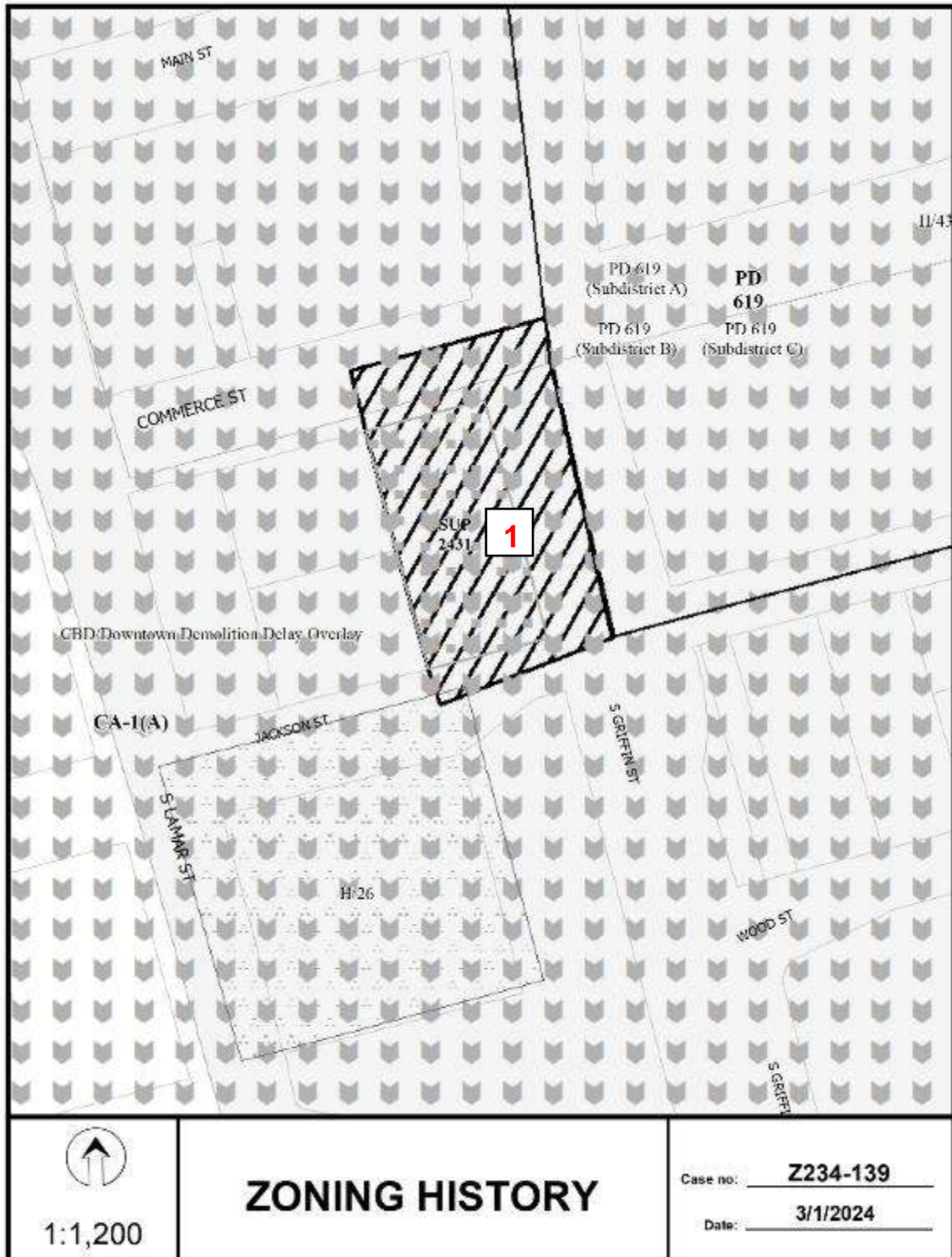
PLANT SCHEDULE

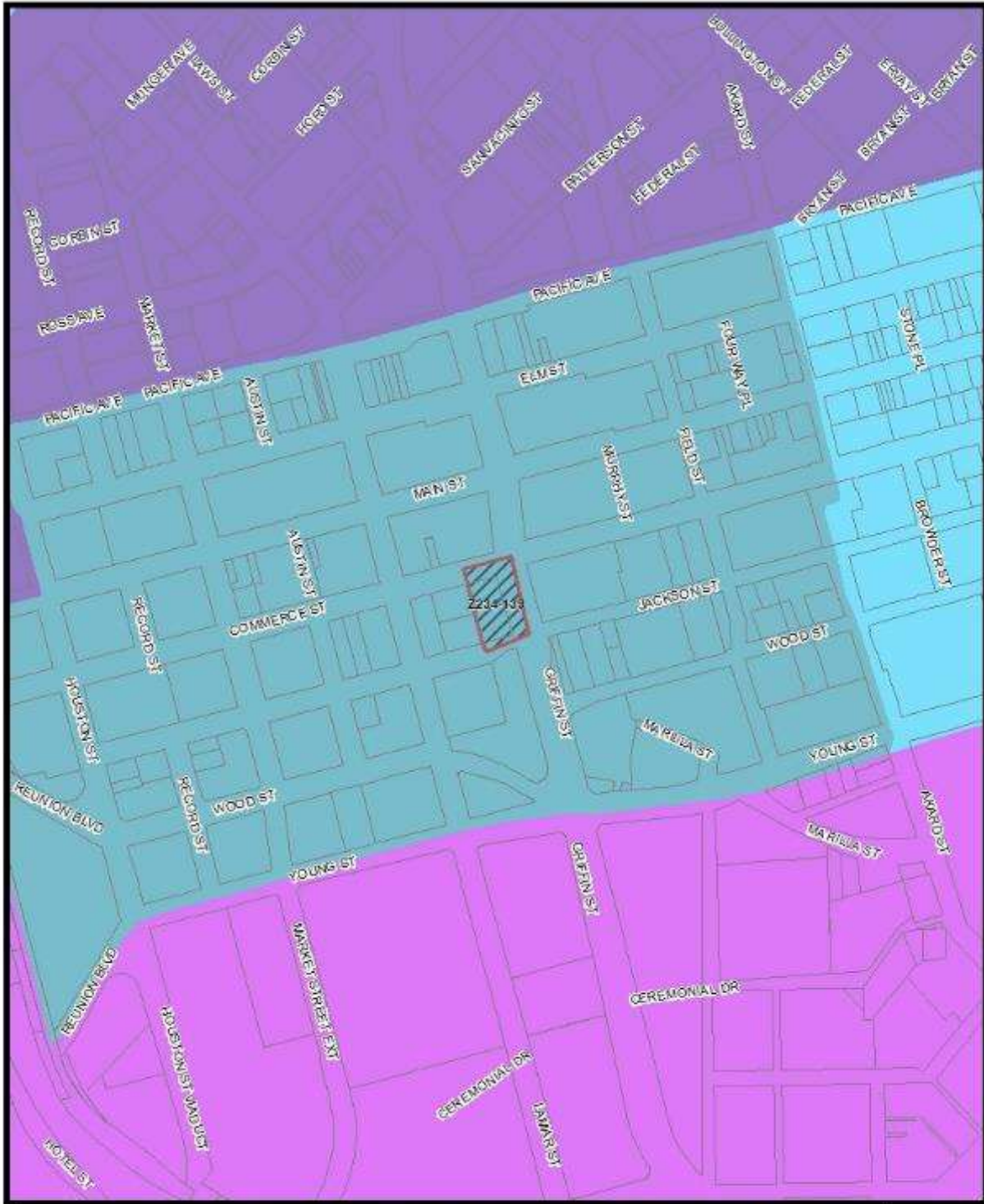
NO.	SYM.	PLANT SPECIFICATION	QUANTITY	SCALE	DATE
1	1	10' ROUND PALM TREE	1	1-1/2"	1/18
2	2	6' ROUND PALM TREE	1	1-1/2"	1/18
3	3	4' ROUND PALM TREE	1	1-1/2"	1/18
4	4	2' ROUND PALM TREE	1	1-1/2"	1/18
5	5	1' ROUND PALM TREE	1	1-1/2"	1/18
6	6	1/2' ROUND PALM TREE	1	1-1/2"	1/18
7	7	1/4' ROUND PALM TREE	1	1-1/2"	1/18
8	8	1/8' ROUND PALM TREE	1	1-1/2"	1/18
9	9	1/4" ROUND PALM TREE	1	1-1/2"	1/18
10	10	1/8" ROUND PALM TREE	1	1-1/2"	1/18
11	11	1/4" ROUND PALM TREE	1	1-1/2"	1/18
12	12	1/8" ROUND PALM TREE	1	1-1/2"	1/18
13	13	1/4" ROUND PALM TREE	1	1-1/2"	1/18
14	14	1/8" ROUND PALM TREE	1	1-1/2"	1/18
15	15	1/4" ROUND PALM TREE	1	1-1/2"	1/18
16	16	1/8" ROUND PALM TREE	1	1-1/2"	1/18
17	17	1/4" ROUND PALM TREE	1	1-1/2"	1/18
18	18	1/8" ROUND PALM TREE	1	1-1/2"	1/18
19	19	1/4" ROUND PALM TREE	1	1-1/2"	1/18
20	20	1/8" ROUND PALM TREE	1	1-1/2"	1/18
21	21	1/4" ROUND PALM TREE	1	1-1/2"	1/18
22	22	1/8" ROUND PALM TREE	1	1-1/2"	1/18
23	23	1/4" ROUND PALM TREE	1	1-1/2"	1/18
24	24	1/8" ROUND PALM TREE	1	1-1/2"	1/18
25	25	1/4" ROUND PALM TREE	1	1-1/2"	1/18
26	26	1/8" ROUND PALM TREE	1	1-1/2"	1/18
27	27	1/4" ROUND PALM TREE	1	1-1/2"	1/18
28	28	1/8" ROUND PALM TREE	1	1-1/2"	1/18
29	29	1/4" ROUND PALM TREE	1	1-1/2"	1/18
30	30	1/8" ROUND PALM TREE	1	1-1/2"	1/18



	LANDSCAPE PLANTING LP-1		MCDONALD'S 1000 COMMERCE ST. DALLAS, TX	







Market Value Analysis A B C D E F G H I NA

1:4,800

Market Value Analysis

Printed Date: 3/1/2024



<u>5</u>	Property Owners Notified (14 parcels)
<u>0</u>	Replies in Favor (0 parcels)
<u>1</u>	Replies in Opposition (1 parcel)
<u>200'</u>	Area of Notification
<u>11/7/2024</u>	Date

Z234-139
CPC



1:1,200

11/06/2024

Reply List of Property Owners

Z234-139

5 Property Owners Notified 0 Property Owners in Favor 1 Property Owners Opposed

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1	1000 COMMERCE ST	MCDONALDS CORP
	2	909 COMMERCE ST	DALLAS MAIN LP
	3	900 JACKSON ST	CHARTER FOUNDERS SQUARE LLC
	4	1100 COMMERCE ST	U S GOVERNMENT
	5	1100 JACKSON ST	BUNTING PARTNERS LP
X	A1	900 MAIN ST	DALLAS MAIN LP