

FILE NUMBER: Z201-287(CT)

DATE FILED: June 21, 2021

LOCATION: Southwest corner of Commerce Street and South Griffin Street

COUNCIL DISTRICT: 14

MAPSCO: 45 P

SIZE OF REQUEST: 0.46 Acres

CENSUS TRACT: 31.01

REPRESENTATIVE: Clay Christy

OWNER: McDonald's USA, LLC

APPLICANT: Claymoore Engineering

REQUEST: An application for a Specific Use Permit for a restaurant with drive-in or drive-through service on property zoned CA-1 Central Area District 1.

SUMMARY: The purpose of the request is to allow for a restaurant with drive-in or drive-through service on the site.

CPC RECOMMENDATION: **Approval** for a two-year period, subject to a site plan, landscape plan, and conditions.

STAFF RECOMMENDATION: **Approval** for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan, landscape plan, and staff's recommended conditions.

BACKGROUND INFORMATION:

- The site is currently developed with a 4,185-square-foot restaurant with drive-in or drive-through service.
- On June 14, 2000, City Council approved a Specific Use Permit No. 1410 for a restaurant with drive-in or drive-through service use for a ten-year period.
- On September 22, 2010, City Council approved a Specific Permit for a restaurant with drive-in or drive-through service use for a ten-year period with eligibility for automatic renewal for additional ten-year periods.
- The window for automatic renewals and standard renewals has lapsed and the applicant seeks a new Specific Use Permit for the restaurant with drive-in or drive-through use.
- Per the Dallas City Code, a restaurant with drive-in or drive-through use is an establishment principally for the sale and consumption of food where food service is provided to customers in motor vehicles for consumption on the premises.
- In a CA-1 zoning district, a Specific Use Permit is required for the proposed use.

Zoning History:

There have been no zoning change requests in the area in the past five years.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
Commerce Street	Central Business District	80' ROW
Griffin Street	Central Business District	100' ROW

Traffic

The applicant submitted a Traffic Assessment Memo with this request that evaluates the existing traffic conditions around the request site and includes a traffic impact assessment. The Engineering Division of the Sustainable Development and Construction Department reviewed the proposed request together with the Traffic Assessment Memo and determined that the request will not have a negative impact on the existing street system.

STAFF ANALYSIS

Comprehensive Plan

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request. The request is consistent with the goals and policies of the comprehensive plan.

LAND USE ELEMENT

GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES

Policy 1.1.3 Build a dynamic and expanded Downtown.

URBAN DESIGN ELEMENT

GOAL 5.2 STRENGTHEN COMMUNITY AND NEIGHBORHOOD IDENTITY

Policy 5.2.4 Enhance retail, industrial and business operations.

The 360 Plan

The 360 Plan was adopted in 2011 and is a strategic document guiding Downtown Dallas and the larger City Center to continued, long-term success. The 360 Plan has the following goal that the request complies with:

BUILD COMPLETE NEIGHBORHOODS

Goal 3 – Grow a Diverse Mix of Services and Retail

3.4 Amplify marketing efforts to attract and retain commercial tenants to the City Center.

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)	Restaurant with drive-in or drive-through use
North	CA-1(A)	Surface Parking
Northeast	PD No. 619, Subdistrict A	Public Park
East	PD No. 619, Subdistrict A	Utility or Government Installation (Other)
Southeast	CA-1(A)	Surface Parking
South	CA-1(A) with H/26 Historic Overlay	Office
West	CA-1(A)	Surface Parking

Land Use Compatibility:

The area of request is zoned an CA-1 Central Area District 1 and developed with a restaurant with drive-in or drive-through service use. The request site is generally surrounded by surface parking west, north, and southeast of the site. East of the site is a utility of government installation use and a public park northeast of the site.

The purpose of the request is to continue the restaurant use on the site. The restaurant use has been in operation at the location since 2000 and the use was approved on the site for a ten-year period and was renewed in 2010 for an additional ten-year period with eligibility for automatic renewals for additional ten-year periods. The applicant missed the renewal window and is seeking a new Specific Use Permit to continue the use.

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 supports the new Specific Use Permit for the restaurant with drive-in or drive-through use in the area. The use has been at the location for over 20 years. The area plan calls for retaining existing uses in the area and approving the use for the location is in line with

the area plan. The conditions and the site plan are the same as approved with the previous SUP. Staff recommends approval for a 10-year period with eligibility for additional 10-year periods. CPC recommended it for two years.

Parking:

Pursuant to the Dallas Development Code, off-street parking and loading spaces must be provided in accordance with Division 51A-4.200 for the specific off-street parking and loading requirements for each use. Within a CA-1 district, for all uses except single-family and duplex, off-street parking is only required for a building built after June 26, 1967, or an addition to an existing building, at a ratio of one parking space for each 2,000 square feet of floor area, requiring three spaces for this site. The proposed site plan provides five off-street parking spaces.

Landscaping:

Landscaping must be provided in accordance with the landscape plan, as determined by the Chief Arborist. The landscape plan has been reviewed by staff and there are no objections to the proposed landscape plan.

Market Value Analysis

Market Value Analysis (MVA), is a tool to aid residents and policymakers 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 to orange, representing the weakest markets. The site is not within a MVA category.

CPC ACTION
October 21, 2021

Motion: It was moved to recommend **approval** of a Specific Use Permit for a restaurant with drive-in or drive-through service for a two-year period, subject to a site plan, landscape plan, and conditions on property zoned CA-1(A) Central Area District 1, on the southwest corner of Commerce Street and South Griffin Street.

Maker: Kingston
Second: Rubin
Result: Carried: 13 to 0

For: 13 - MacGregor, Hampton, Anderson, Shidid,
Carpenter, Jackson, Blair, Jung, Suhler, Haqq,
Stanard, Kingston, Rubin

Against: 0
Absent: 0
Vacancy: 2 - District 3, District 10

Notices:	Area: 200	Mailed: 9
Replies:	For: 0	Against: 0

Speakers: For: Rob Baldwin, 3904 Elm St., Dallas, TX, 75226
Jimmy Lopez, 2309 Watercrest Dr., Keller, TX, 76248
Against: None

LIST OF OFFICERS

Officers of McDonald's USA , LLC

Robert T. Lancaster
Denise A. Horne
David Bartlett
Sarah K. Lee
Karen A. Matusinec
Mahrukh S. Hussain
Valery D. Mathelier
Savan N. Vaghani

ClayMoore Engineering

Matt Moore – President/Owner
Clay Cristy – President/Owner

CPC RECOMMENDED SUP CONDITIONS

1. USE: The only use authorized by this specific use permit is a restaurant with drive-in or drive-through service.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.

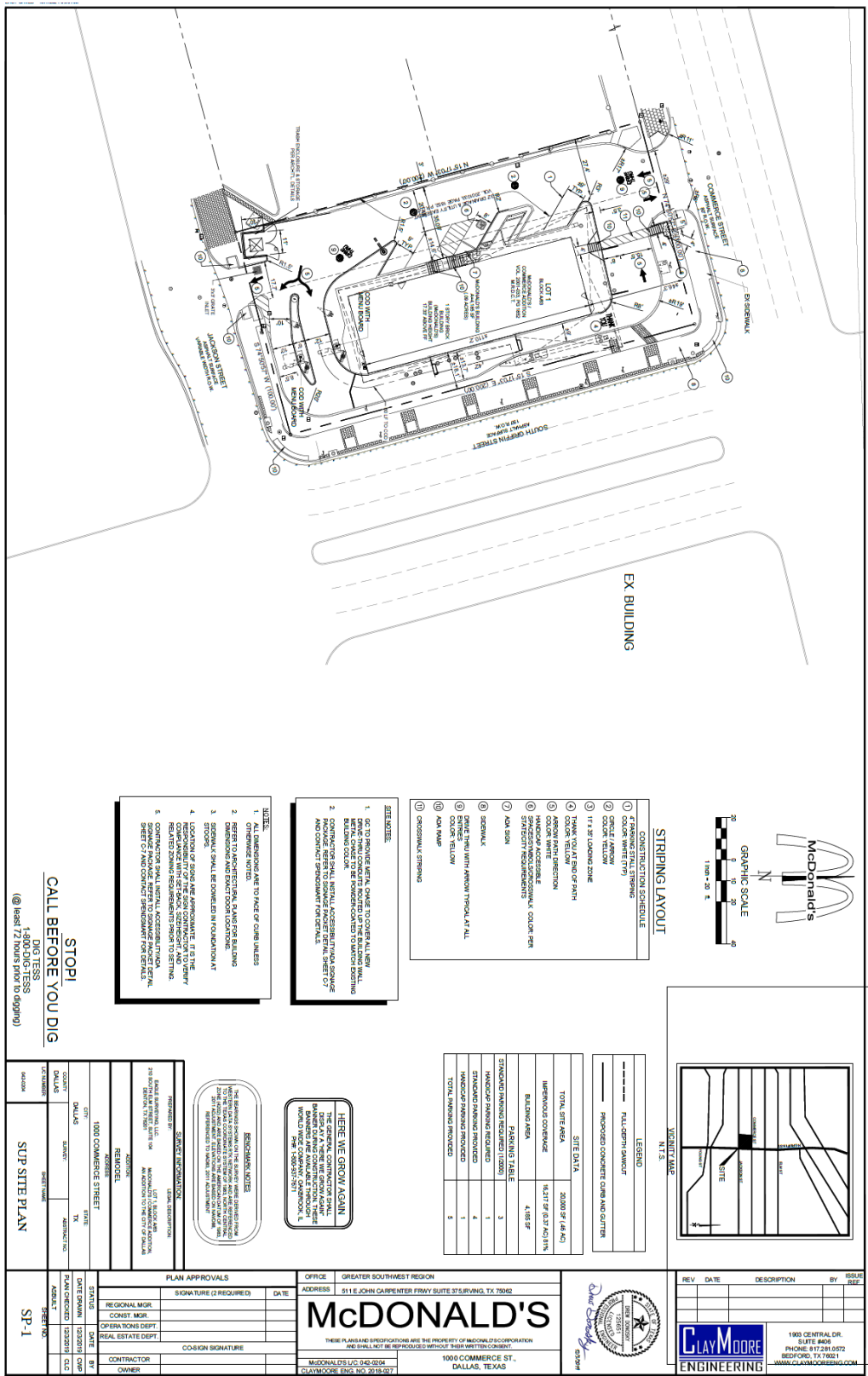
CPC Recommendation

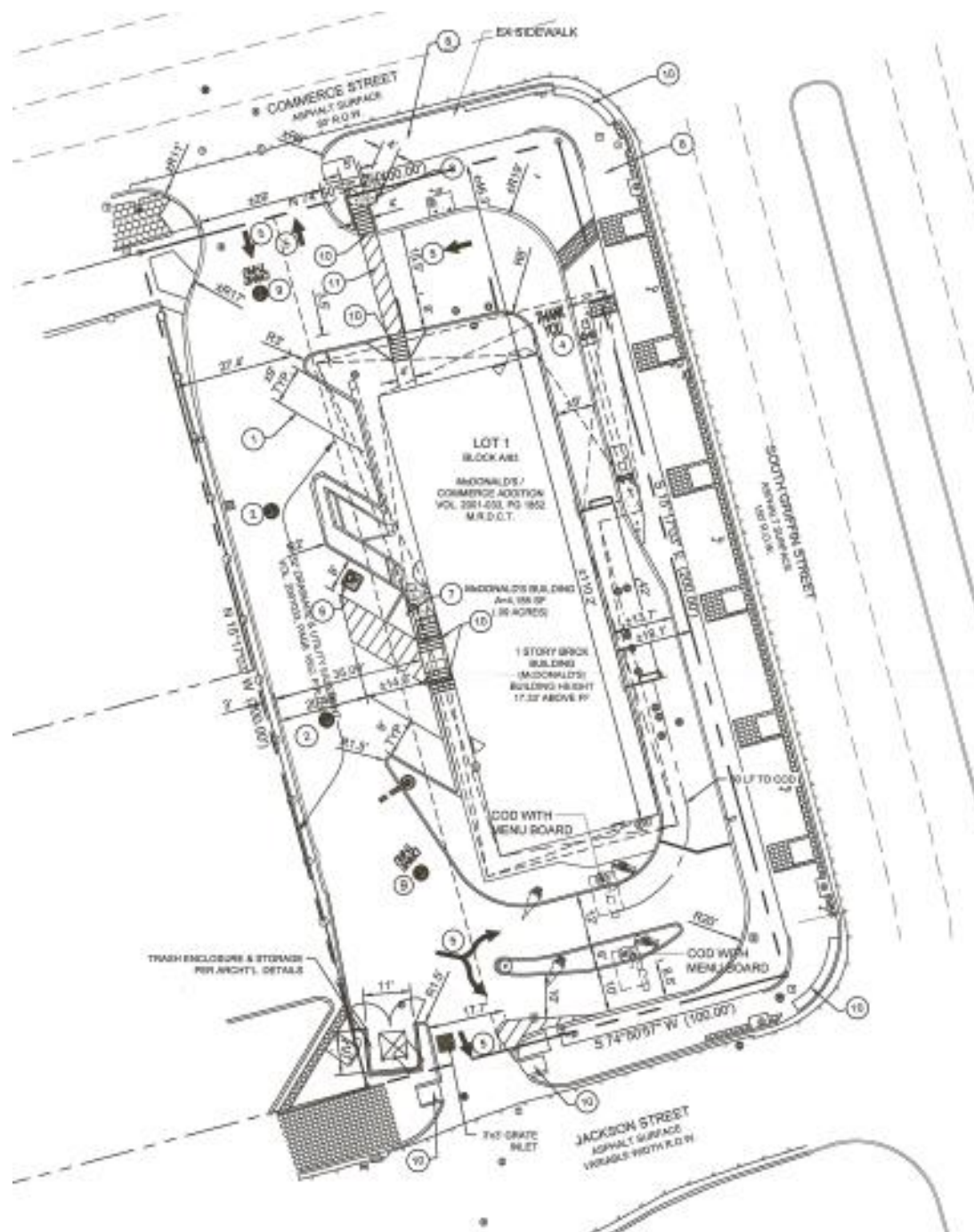
3. TIME LIMIT: This specific use permit expires two-years from the passage of this ordinance.

Staff Recommendation

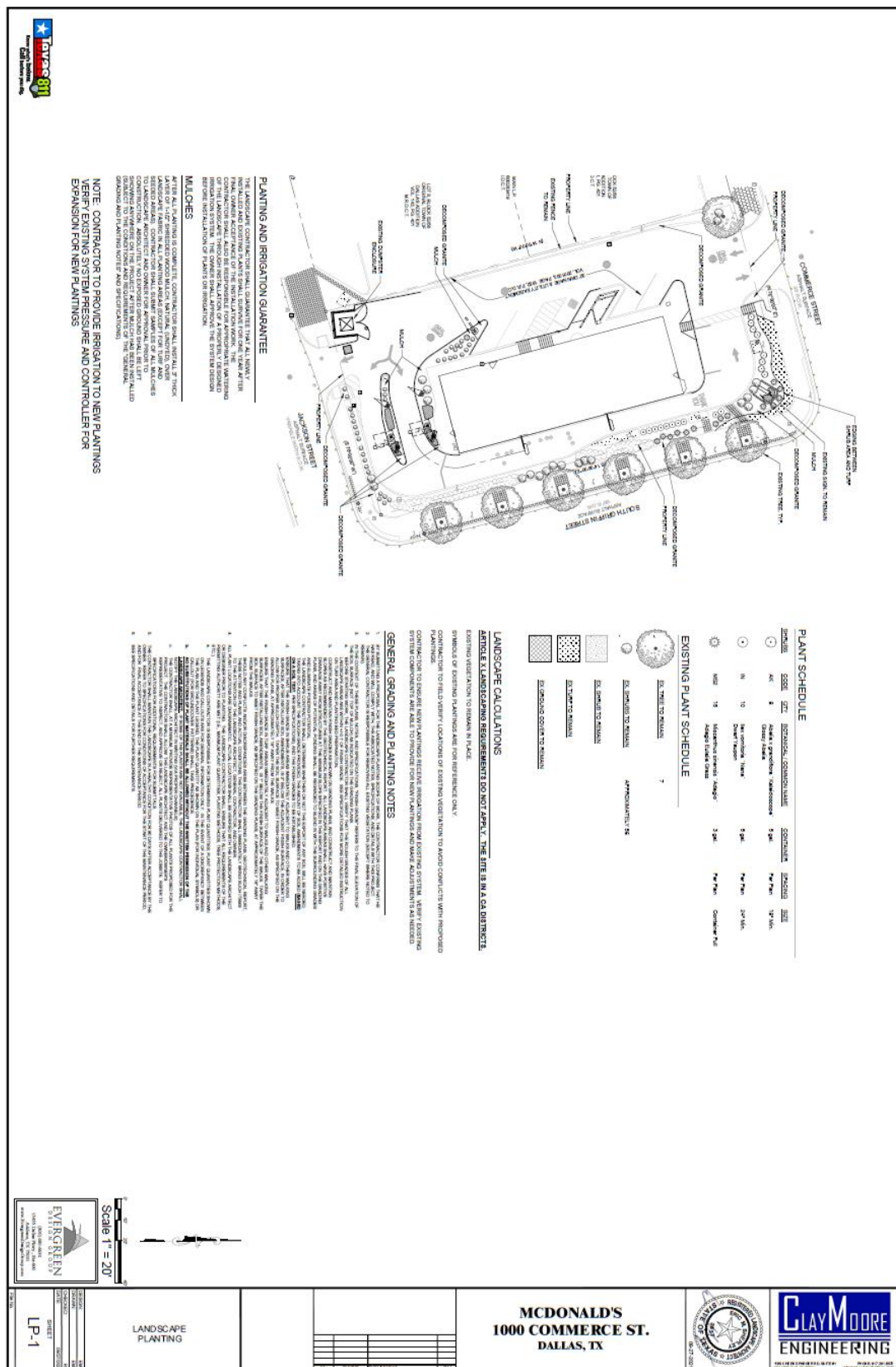
3. TIME LIMIT: This specific use permit expires 10-years from the passage of this ordinance, but is eligible for automatic renewal for additional 10-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)
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 entire 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.

CPC RECOMMENDED SITE PLAN





CPC RECOMMENDED LANDSCAPE PLAN



PLANTING SPECIFICATIONS

Abstract

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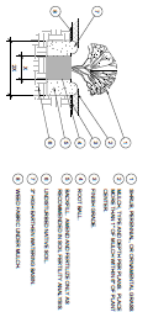
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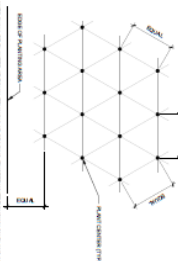
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6. ALL SERVICES MUST BE PAID FOR IN ADVANCE.

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26. REFERENCES _____
27. COMMENTS _____
28. SIGNATURE _____
29. DATE _____
30. INITIALS _____



SHRUB AND PERENNIAL PLANTING

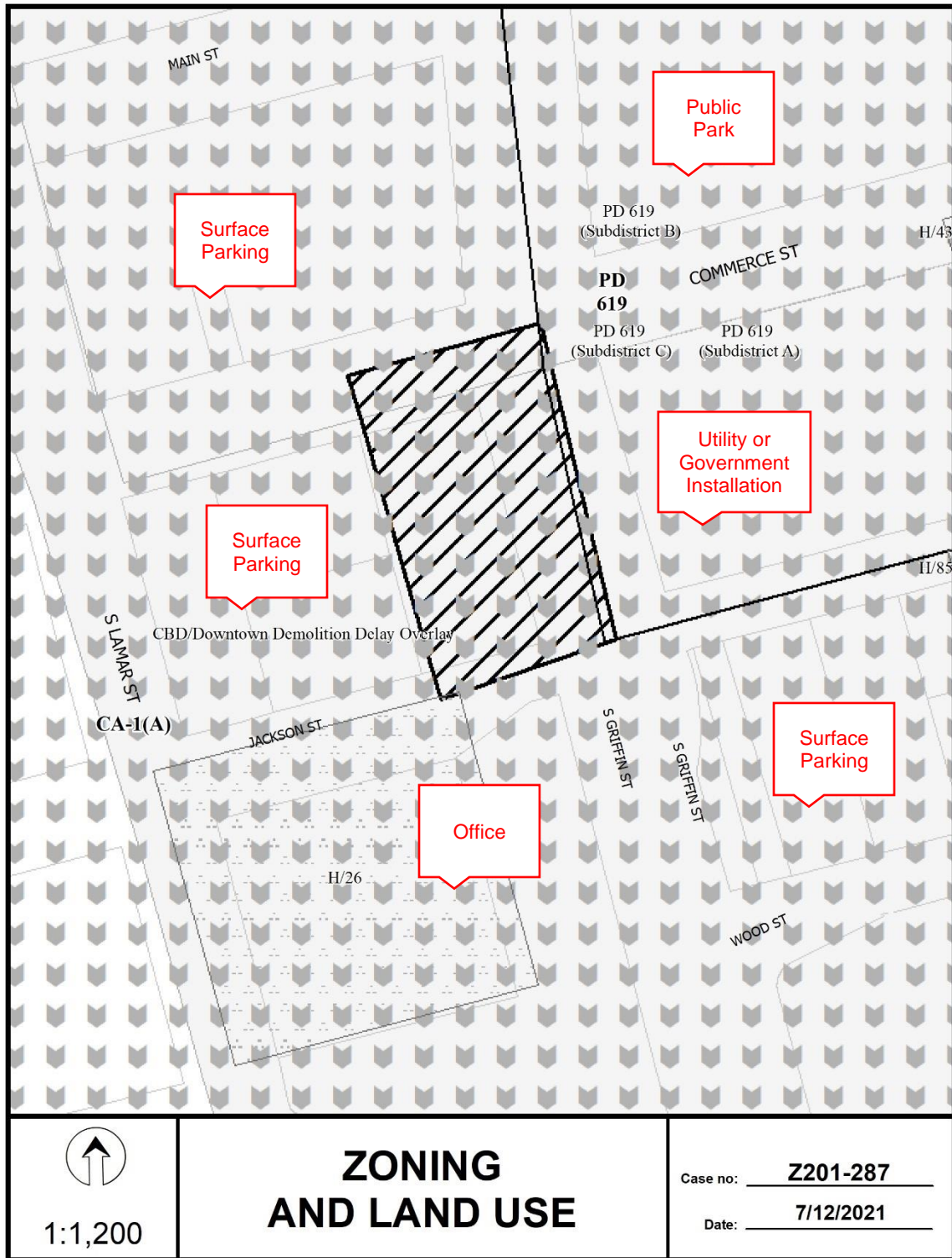


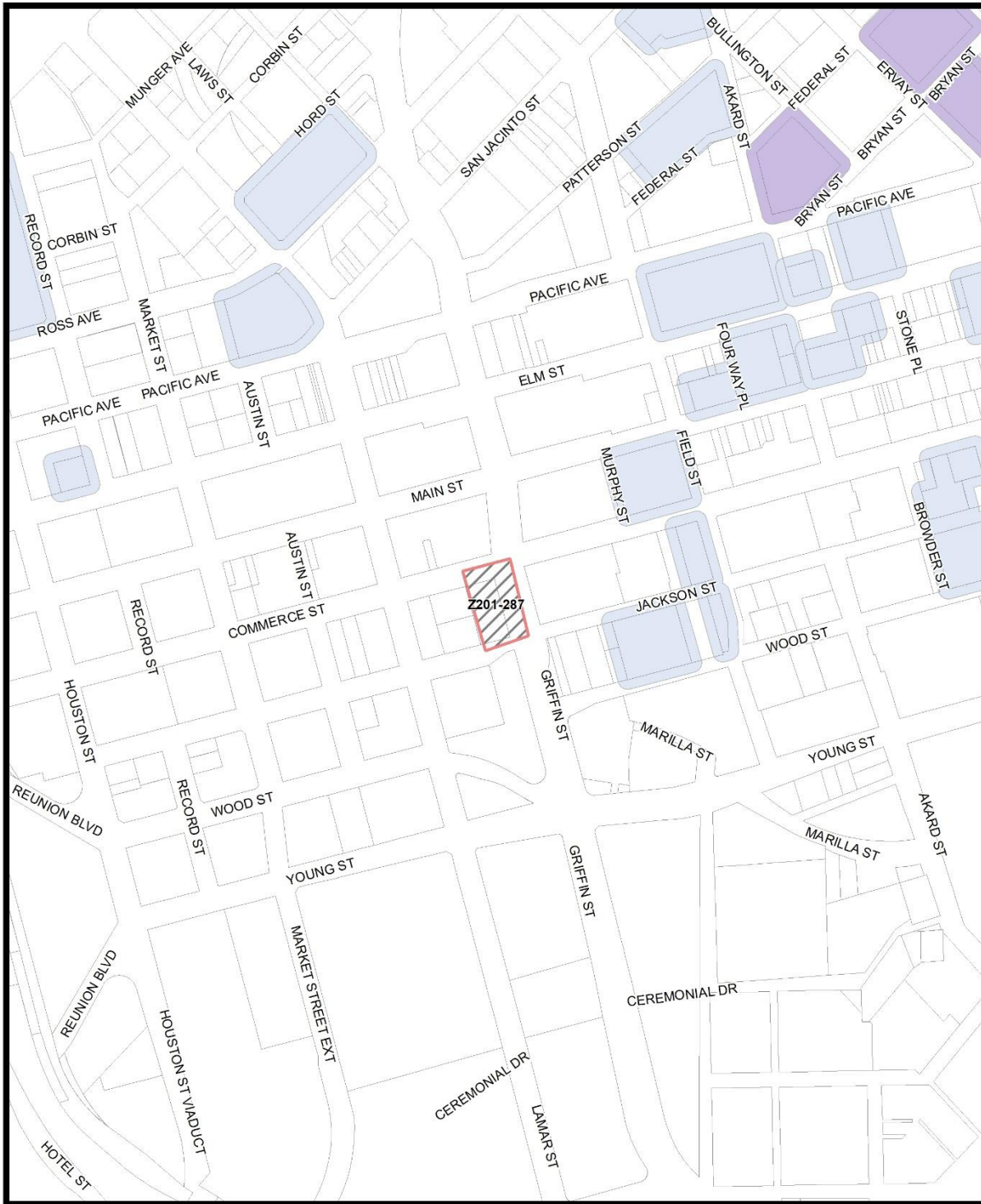
PLANT SPACING











Market Value Analysis

A B C D E F G H I NA



1:4,800

Market Value Analysis

Printed Date: 9/3/2021

CPC RESPONSES



Z201-287(CT)

10/20/2021

Reply List of Property Owners

Z201-287

9 Property Owners Notified 0 Property Owners in Favor 0 Property Owners Opposed

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1	1000 COMMERCE ST	MCDONALDS CORP
	2	900 MAIN ST	Taxpayer at
	3	909 COMMERCE ST	Taxpayer at
	4	908 COMMERCE ST	Taxpayer at
	5	903 JACKSON ST	Taxpayer at
	6	907 JACKSON ST	Taxpayer at
	7	900 JACKSON ST	JACKSON WOOD LTD
	8	1100 COMMERCE ST	U S GOVERNMENT
	9	1100 JACKSON ST	BUNTING PARTNERS LP