

FILE NUMBER: Z234-279(LG) **DATE FILED:** July 10, 2024
LOCATION: South corner of Maple Avenue and Hawthorne Avenue
COUNCIL DISTRICT: 2
SIZE OF REQUEST: Approx. 17,250 sq. ft. **CENSUS TRACT:** 48113000401

OWNER: Salrey Property Holdings, LLC

APPLICANT: Raymundo Castaneda

REQUEST: An application for a Specific Use Permit for a drive-through restaurant on property zoned a GR General Retail Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District.

SUMMARY: The purpose of the request is to allow the existing restaurant to become a drive-through restaurant.

STAFF RECOMMENDATION: **Approval** of a two-year period, subject to site plan and conditions.

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

PLANNED DEVELOPMENT DISTRICT NO. 193

<https://dallascityhall.com/departments/city-attorney/pages/articles-data.aspx?pd=193-l>

BACKGROUND INFORMATION:

- The area of request is currently developed with an approximately 2,700 sq. ft. one story building erected in 1972 per Dallas County Appraisal District records. The area of request is currently zoned a GR General Retail Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District.
- The applicant is proposing to add a drive-thru window to the existing restaurant building. Under the GR Subdistrict within PD Np. 193, the existing restaurant is permitted by right; the proposed drive-through component required a Specific Use Permit. Therefore, they are requesting a Specific Use Permit for a drive-through restaurant use.

Zoning History:

There have been no zoning cases in the area in the last five years.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing/Proposed ROW
Maple Avenue	Community Collector	70 ft. Bike Plan
Hawthorne Avenue	Local Street	50 ft.

Traffic:

The Engineering Division of the Planning and Development Department has reviewed the request and has no objection to the proposed request pending evaluation of traffic operations to include a mitigation plan that prevents queues from extending beyond the property line.

STAFF ANALYSIS:

Comprehensive Plan:

The forwardDallas! Comprehensive Plan (1.0) 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, since the application was filed prior to September 26, 2024.

The request complies with the following land use goals and policies of the Comprehensive Plan:

LAND USE ELEMENT

GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES

Policy 1.1.5 Strengthen existing neighborhoods and promote neighborhoods' unique characteristics.

ECONOMIC ELEMENT

GOAL 2.1 PROMOTE BALANCED GROWTH

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

Area Plan:

The Oak Lawn Special Purpose District and the Oak Lawn Plan include the following objectives:

- (1) To achieve buildings more urban in form.
- (2) To promote and protect an attractive street level pedestrian environment with continuous street frontage activities in retail areas.
- (3) To encourage the placement of off-street parking underground or within buildings similar in appearance to non-parking buildings.

(4) To promote development appropriate to the character of nearby neighborhood uses by imposing standards sensitive to scale and adjacency issues.

(5) To use existing zoned development densities as a base from which to plan, while providing bonuses to encourage residential development in commercial areas.

(6) To discourage variances or zoning changes which would erode the quantity or quality of single-family neighborhoods, or would fail to adhere to the standards for multiple-family neighborhoods and commercial areas.

(7) To promote landscape/streetscape quality and appearance.

While the applicant's request for a drive-through component to the existing restaurant is not completely consistent with objectives one (1) and three (3), the existing restaurant has frontage along Maple Avenue has street level pedestrian environment, by having an existing sidewalk and an area for a bus shelter for transit.

Land Use:

	Zoning	Land Use
Site	GR Subdistrict within PD No. 193	Restaurant
North	GR Subdistrict within PD No. 193	Vacant car wash
Northeast	GR Subdistrict within PD No. 193	Park
Southeast	GR Subdistrict within PD No. 193	Restaurant without drive-in service, retail food store
Southwest	MF-2 Subdistrict within PD No. 193	Single family, multiple-family
Northwest	GR Subdistrict within PD No. 193	Bar, lounge, or tavern, restaurant without drive-in service, auto repair garage (inside), undeveloped

Land Use Compatibility:

The area of request is currently developed with an approximately 2,700 sq. ft. one story building erected in 1972 per Dallas County Appraisal District records. According to the applicant, they have been operating the existing restaurant use since 1996. Properties across Maple Avenue are developed with a vacant car wash and park. Adjacent property to the southeast is developed with a retail food store and a restaurant without drive-in services. Adjacent properties to the southwest are developed with single family and multiple-family. To the northwest across Hawthorne Avenue, properties are developed

with bars, lounge, or tavern uses, a restaurant without drive-in service, and an auto repair garage.

The applicant proposes to only add a drive-thru window and ordering station to the existing restaurant building; which requires a Specific Use Permit. According to the applicant, they are not proposing to increase the total floor area or modify the pavement on the site. The existing restaurant fronts a major arterial where the various restaurants and personal service uses operate as well as on a designated Special Retail Street. The Special Retail Street designated on specific streets in the Oak Lawn Area promotes a more walkable pedestrian-friendly environment along the streetscape. However, the restaurant's building orientation, parking lot, pavement on the northwest, and lack of landscaping have existed since 1979, based on the historic aerial maps, prior to the adoption of the Oak Lawn Special Purpose District in 1985. While the drive-through component is not completely consistent with the walkable environment, there is an existing sidewalk and an area for a bus shelter for transit along Maple Avenue. The proposed use will provide the residents to continue to dine at various businesses in the area. The added drive-through component to the existing restaurant use will not impact the surrounding uses negatively. However, staff recommends a two-year period because it will provide an opportunity to reevaluate if the window is detrimental.

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 considers the proposed request to be compatible with the existing development pattern of the area since the restaurant use is already existing and the applicant is only adding a drive-thru window and ordering station. Staff recommends approval for a two-year period, subject to a site plan and conditions. Since the restaurant building, parking lot, and driveway are already in existence, staff believes the two-year time period will

allow an initial period for the applicant to demonstrate their operation of the drive-through use, which can then be reevaluated following this initial period.

Landscaping:

Landscaping must be provided in accordance with the landscaping requirements of PD No. 193, the Oak Lawn Special Purpose District. The request site will not trigger any landscaping because there is no increase in the total floor area.

Parking:

Pursuant to Planned Development No. 193, off-street parking requirement for a drive-through restaurant is one space for each 100 square feet of floor area. Therefore, the existing 2,690 square foot restaurant, requires 27 parking spaces. Per site plan provided, there are 27 parking spaces on site.

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 currently within an “C” MVA area.

Z234-279(LG)

List of Owner

Salrey Property Holdings, LLC

Raymundo Castaneda, Owner

CPC Action
April 24, 2025

Motion: It was moved to recommend **approval** of a Specific Use Permit for a drive-through restaurant for a two-year period, subject to site plan and conditions, on property zoned a GR General Retail Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the south corner of Maple Avenue and Hawthorne Avenue.

Maker: Hampton
Second: Carpenter
Result: Carried: 10 to 0

For: 10 - Chernock, Hampton, Herbert, Forsyth,
Carpenter, Wheeler-Reagan, Franklin,
Sleeper, Housewright, Hall

Absent: 4 - Shidid, Haqq, Kingston, Rubin
Vacancy: 0
Observed: 1 - District 11***

*** Appointment not in attendance in accordance
with Section 8-20(e) of the Dallas City Code.

Notices:	Area: 200	Mailed: 24
Replies:	For: 0	Against: 0

Speakers: None

CPC Action
March 20, 2025

Motion: In considering an application for a Specific Use Permit for a drive-through restaurant on property zoned a GR General Retail Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the south corner of Maple Avenue and Hawthorne Avenue, it was moved to **hold** this matter under advisement until April 24, 2025.

Maker: Hampton
Second: Carpenter
Result: Carried: 11 to 0

For: 11 - Chernock, Hampton, Herbert*, Forsyth,
Shidid, Carpenter, Sleeper, Housewright,
Nightengale, Hall, Kingston, Rubin

Against: 0

Absent: 3 - Wheeler-Reagan, Franklin, Haqq

Vacancy: 0

Conflict: 1 - Rubin**

*out of room, shown voting in favor

**out of room when vote was taken

Notices: Area: 300

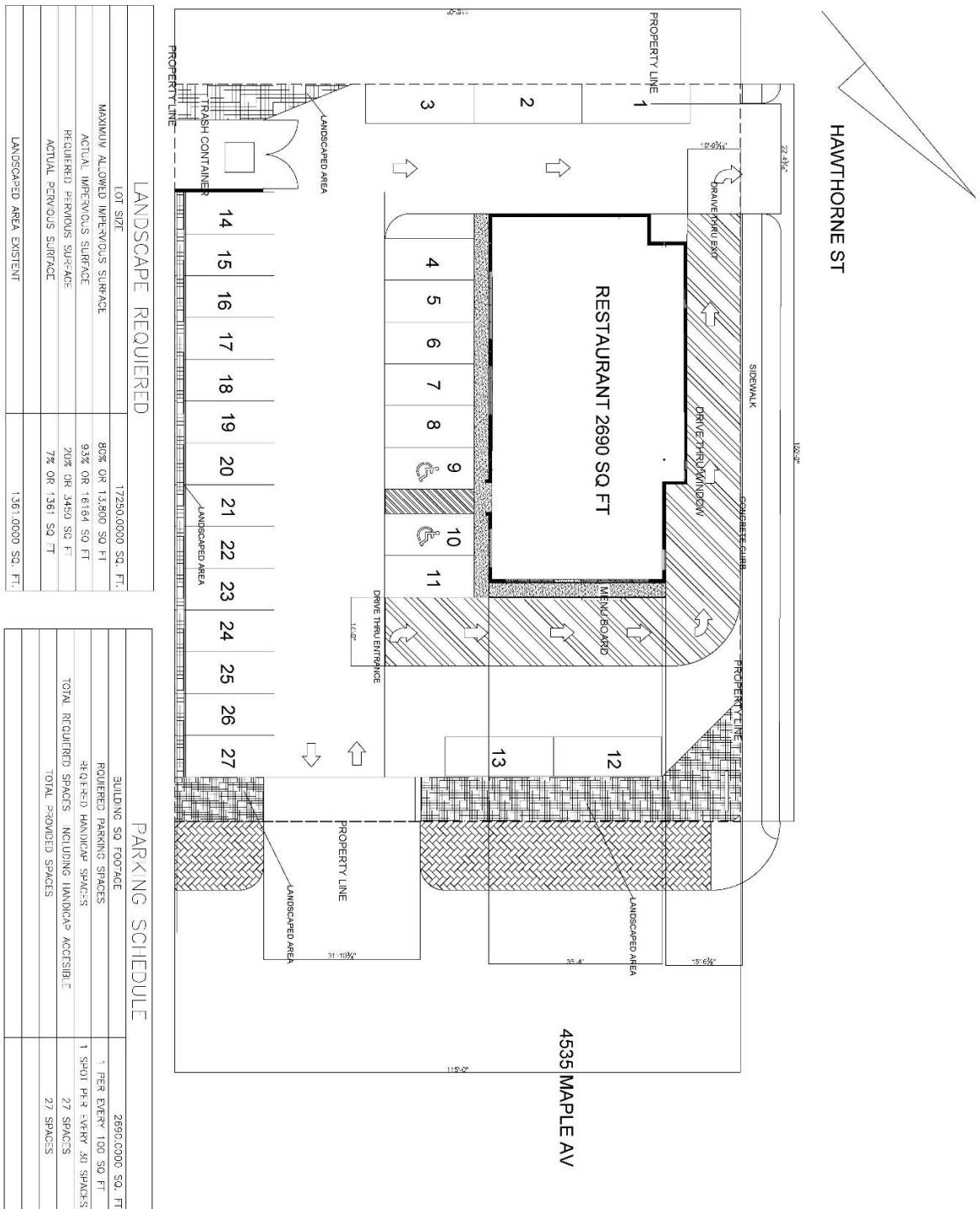
Mailed: 55

Replies: For: 1

Against: 1

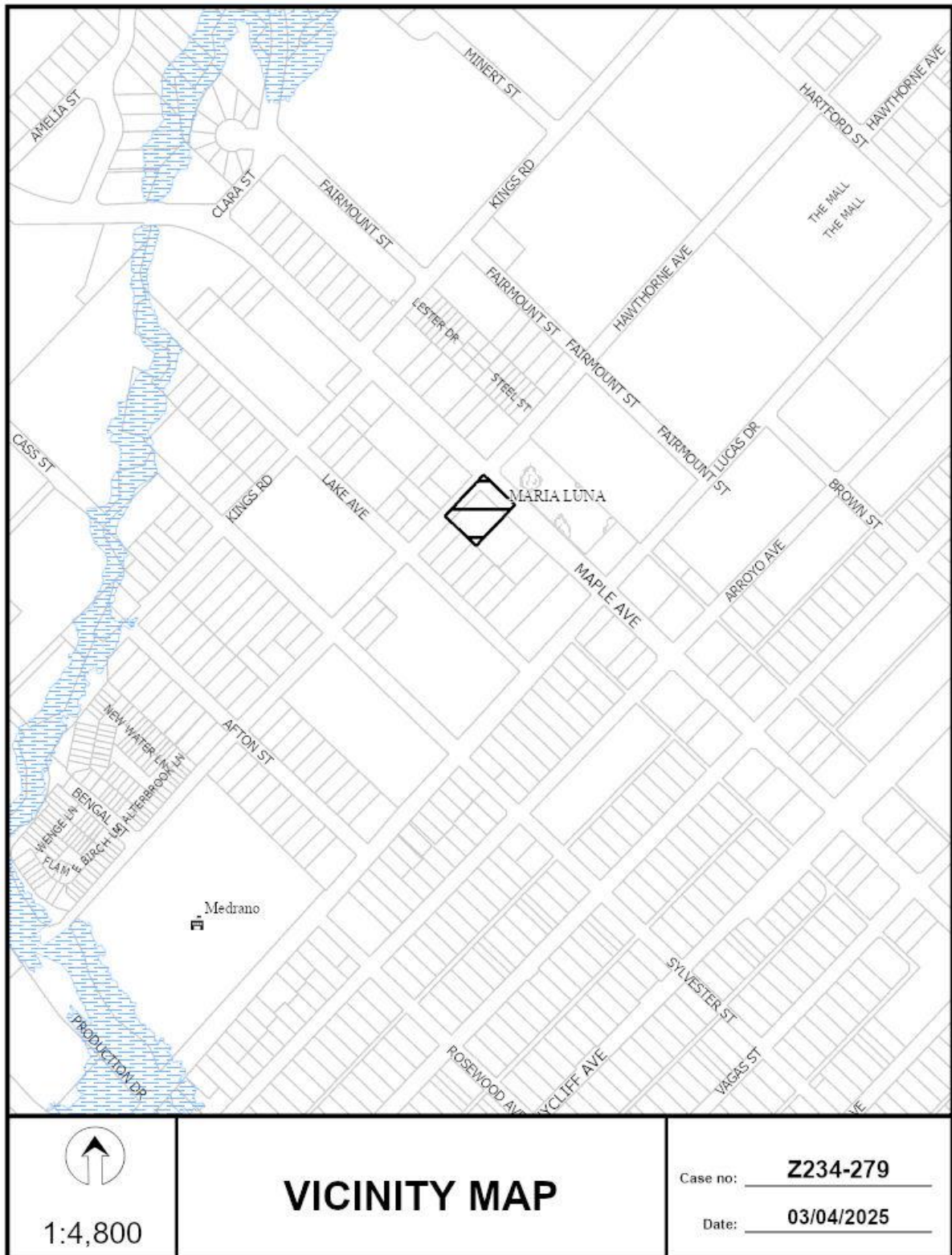
Speakers: None

Proposed Site Plan

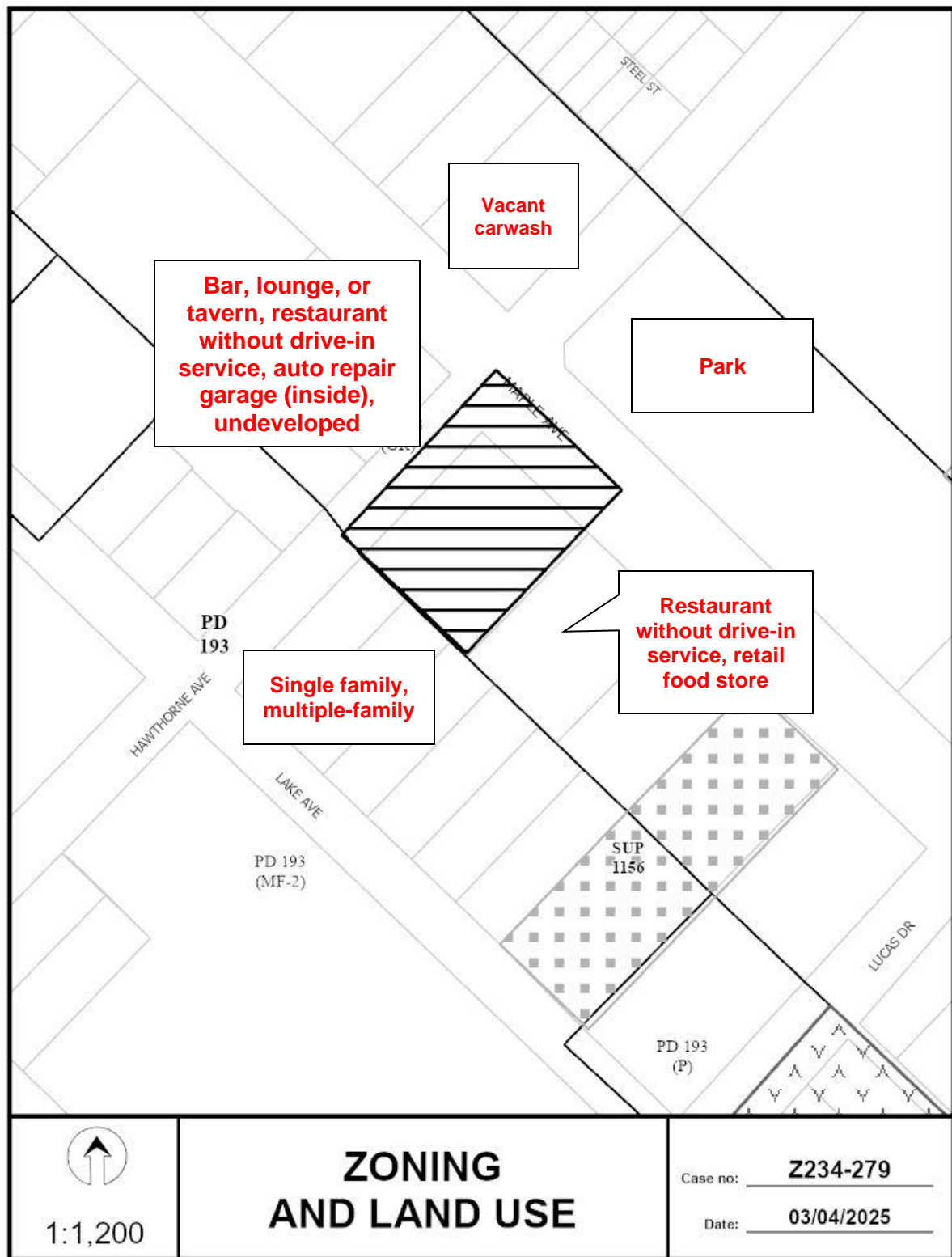


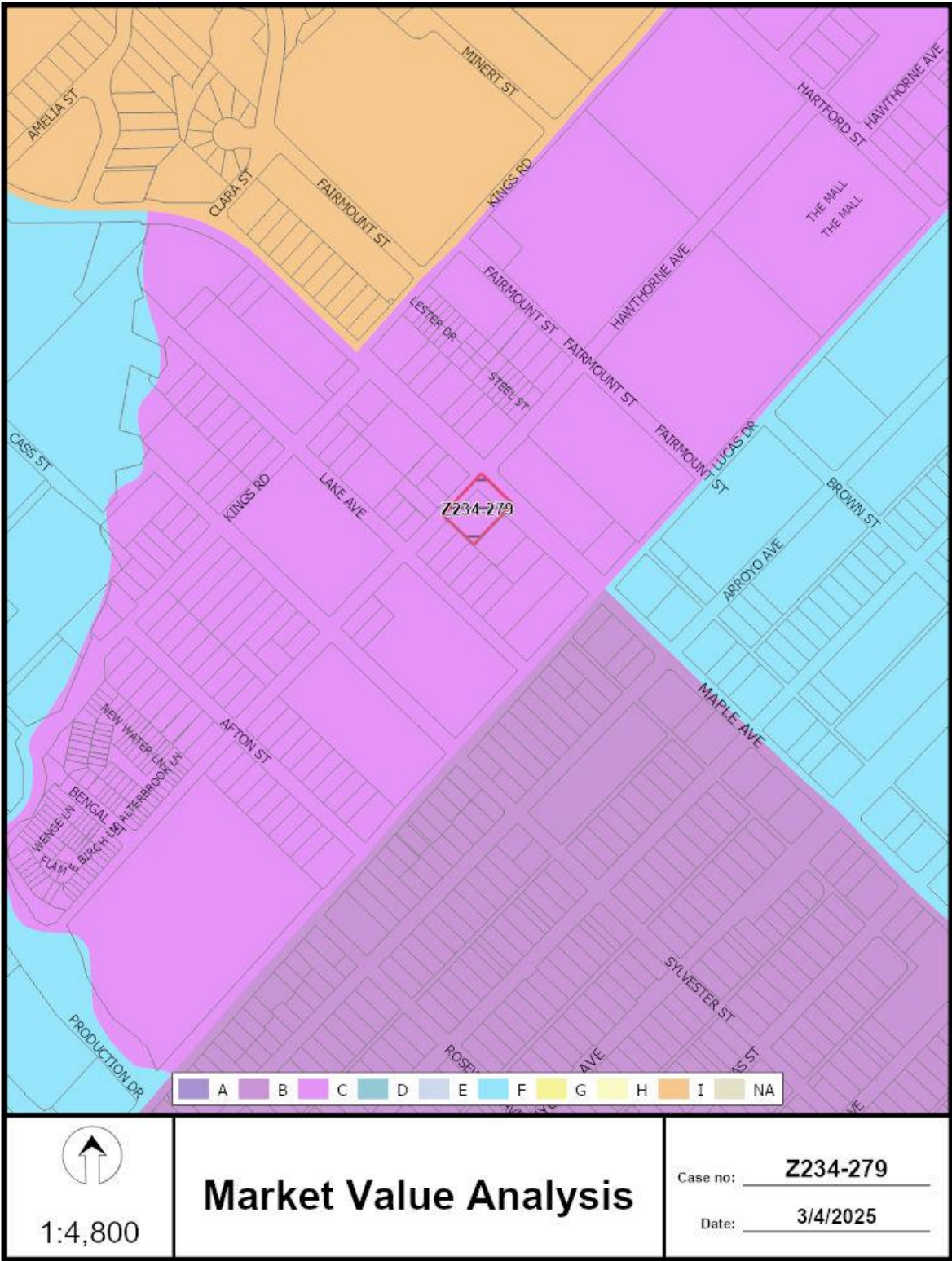
Proposed Conditions

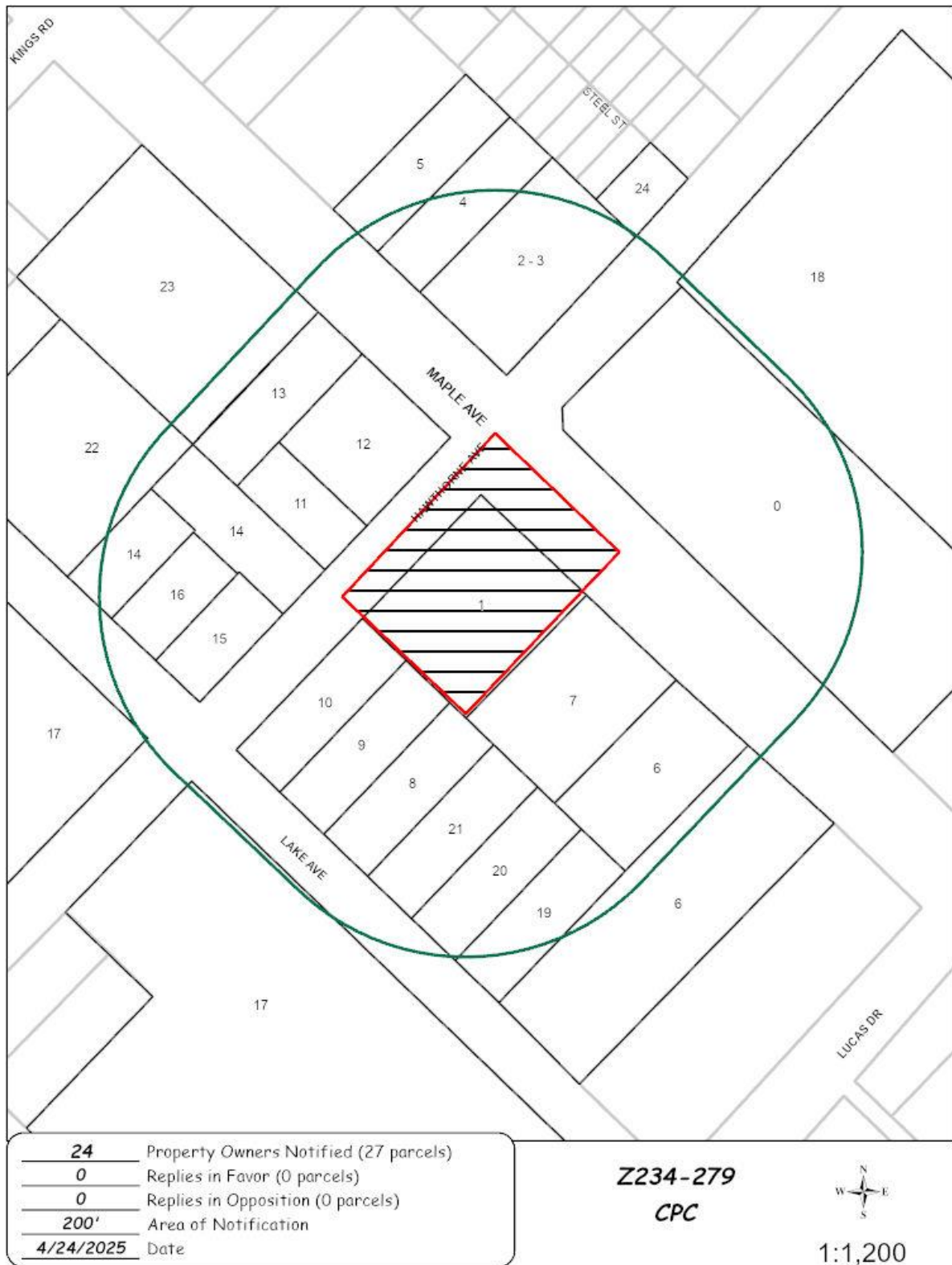
1. USE: The only use authorized by this specific use permit is a drive-through use.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on **[two years after the date of approval]**.
4. INGRESS-EGREES: Ingress and egress must be provided as shown on the attached site plan. No other ingress or egress is permitted.
5. HOURS OF OPERATION: The drive-through restaurant may only operate between 7:00 am and 10:00 pm., Monday through Sunday.
6. DRIVE-THROUGH LOUDSPEAKER: Use of drive-through loudspeaker must comply with Planned Development No 193 Sec. 51P-193.129(d) Drive-through loudspeaker regulations.
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.











04/23/2025

Reply List of Property Owners***Z234-279******24 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	4535	MAPLE AVE	Taxpayer at
2	4602	MAPLE AVE	BAKER ALBERT JR
3	4600	MAPLE AVE	BAKER ALBERT L JR
4	4610	MAPLE AVE	PATINO JOSE S
5	4614	MAPLE AVE	PATINO JUAN J & DELIA
6	4515	MAPLE AVE	SBLFT OF 2016 LTD
7	4525	MAPLE AVE	4525 MAPLE LLC
8	4528	LAKE AVE	Taxpayer at
9	4534	LAKE AVE	BOLDER VISION LLC
10	4538	LAKE AVE	FIERROS JUAN
11	2443	HAWTHORNE AVE	JEANETTE INV III LTD
12	4601	MAPLE AVE	MILLVIEW LLC
13	4611	MAPLE AVE	FTL ASSOCIATES LTD
14	2439	HAWTHORNE AVE	OJEDA BEN B LP
15	4600	LAKE AVE	RODRIGUEZ JESUS MARTINEZ &
16	4606	LAKE AVE	JIMENEZ MARIO A
17	4503	LAKE AVE	SEP CASA LLC
18	2515	LUCAS DR	DALLAS HOUSING AUTHORITY
19	4516	LAKE AVE	1250 WDT LTD &
20	4520	LAKE AVE	1250 WDT LTD
21	4524	LAKE AVE	KENT BRIAN D JR & TINA M
22	4614	LAKE AVE	OJEDA FAMILY PARTNERSHIP
23	4617	MAPLE AVE	OJEDA BEN B LTD PS
24	4603	STEEL ST	NOESS CARRIE LOU