

**FILE NUMBER:** Z212-335(JM)

**DATE FILED:** September 2, 2022

**LOCATION:** West corner of Terry Street and South Peak Street

**COUNCIL DISTRICT:** 2

**SIZE OF REQUEST:** ±1.44 acres

**CENSUS TRACT:** 48113002400

**APPLICANT /**

**REPRESENTATIVE:** Ramon Aranda

**OWNER:** Samadian Family Limited Partnership

**REQUEST:** An application for a Specific Use Permit for a commercial bus station and terminal on property zoned a CS Commercial Service District partially within a D Liquor Control Overlay.

**SUMMARY:** The purpose of this request is to allow an existing structure to be used as a commercial bus station and terminal.

**STAFF RECOMMENDATION:** Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site/landscape plan and conditions.

**BACKGROUND INFORMATION:**

- The property is currently zoned a CS Commercial Service District, which requires a Specific Use Permit for the operation of a commercial bus station and terminal use. The use is also only permitted by SUP with no residential districts within 500 feet of the site. The surrounding area beyond 500 feet is zoned non-residential districts.
- Chapter 51A defined a commercial bus station and terminal as a facility operated as a bus or shuttle passenger station or transfer center serving a privately owned transit operation.
- The applicant proposed to have a maximum of two buses on the property at a time. As presented in the SUP conditions and associated plan, the use would comply with additional requirements for providing a lobby/waiting area, seating, and loading/unloading of passengers within the property boundaries and outside of the right-of-way.

**Zoning History:** There have been one board of adjustment request and no zoning change requests in the area within the last five years.

1. **BDA189-007:** On January 16, 2019, the Board of Adjustment approved an alternate landscape plan in conjunction with a 26,000 sqft. addition. [***subject site; however, the addition was not completed.***]

**Thoroughfares/Streets:**

Thoroughfares/Street	Type	Existing ROW	Proposed ROW
Terry Street	Local Street	50 feet	--
Peak Street	Local Street	60 feet	--
Santa Fe Avenue	Local Street	30 feet	--

**Traffic:**

The Transportation Development Services Division of the Transportation Department has reviewed the request and determined that it will not significantly impact the surrounding roadway system. Staff will continue review of engineering plans at permitting to comply with city standards, if required. Peak Street and Terry Street are TxDOT rights-of-way and driveways on these frontages may require a spacing variance. The applicant's representative was working with TxDOT at the time of this report.

**STAFF ANALYSIS:****Comprehensive Plan:**

The *forwardDallas! Comprehensive Plan*, adopted by City Council in June 2006, outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request. The request is supported by the following goals:

**TRANSPORTATION ELEMENT:****GOAL 4.2 PROMOTE A VARIETY OF TRANSPORTATION OPTIONS**

Policy 4.2.2 Promote a network of on-street and off-street walking and biking paths.

*The request does not require improvements to sidewalks, yet the applicant has agreed to match and upgrade the South Peak Street sidewalks to be a consistent six feet-in-width. This encourages pedestrians to walk and provides a connection to the Santa Fe Trail system.*

**Surrounding Land Uses:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	CS Commercial Service District w/D Overlay	Vacant building, warehouse, and machinery, heavy equipment or truck sales and service
<b>Northwest</b>	CS Commercial Service District	Office, showroom, warehouse, auto service center, office, personal service, and vehicle display, sales, and service
<b>Northeast</b>	CS Commercial Service District	Undeveloped, office, showroom, warehouse, vehicle display, sales, and service, vehicle or engine repair or maintenance, and off-premise sign
<b>Southeast</b>	CS Commercial Service District	Expressway
<b>Southwest</b>	CS Commercial Service District	Vehicle or engine repair or maintenance, vacant building, mini-warehouse, and off-premise sign

**Land Use Compatibility:**

The property has hosted an array of auto-related and warehouse uses over the years. The surrounding properties are also zoned for commercial service and industrial uses. A majority of adjacent parcels contain auto-related uses.

The Santa Fe Trail is located to the northwest, along with office, showroom, warehouse, auto service center, office, personal service, and vehicle display, sales, and services uses. Undeveloped tracts, office, showroom, and warehouse, vehicle display, sales, and service, vehicle or engine repair or maintenance, and off-premise sign uses can be found to the northeast. The ERL Thornton Expressway is located to the southeast. Adjacent and farther southwest are a vehicle or engine repair or maintenance, vacant building, mini-warehouse, and an off-premise sign all along Terry Street.

According to DCAD records, two buildings exist erected in 1976 and 1980 with a combined total of 10,998 square feet of floor area. The portion of the structure proposed for the commercial bus station and terminal use is at the east end of the site, at the intersection of Terry and South Peak Streets. According to the proposed site plan, the bus terminal would contain about 2,070 square feet, which is the portion of the structure built in 1980. The representative describes the operation as operating from 7:00 am to 10:00 pm with a total fleet in Texas of eight buses, each with a seating capacity of 42 passengers. A maximum of two buses would be on-site at once. The destinations include Austin, San Antonio, and Laredo, Texas. There are two buses departing in the morning and two departing in the evening. However, from Thanksgiving to New Year's Day, there are typically six departures per day. The bus terminal operates seven days a week. Maintenance of buses is done off-site.

The property has not been adequately maintained and currently has a deteriorated fence with barbed wire along the Santa Fe Avenue frontage, adjacent to the Santa Fe Trail. In general, landscaping does not exist on the property. Sidewalks are uneven in width and appearance/location. However, the applicant has agreed to provide consistent sidewalks along the Peak Street frontage at a width of six feet. Fencing improvements are noted on the site plan and indicate that the eight-foot metal fence section will be replaced and the eight-foot masonry fence will be repainted, both along Santa Fe Avenue and the trail frontage. Two additional lights internal along the Santa Fe Avenue frontage are proposed, as well. Landscaping improvements are proposed, despite not being required by code. These are described in the landscaping section of this report.

Additional provisions to operate this land use require a minimum distance of 500 feet from residential districts. All properties within 500 feet are zoned either a CS Commercial Service, IM Industrial Manufacturing, or IR Industrial Research District. None of these districts permit residential uses nor are they considered residential districts.

Furthermore, a lobby or waiting room is required with a minimum 200 square feet and one seat per 25 square feet of floor area. The proposed plan indicates there will be a 765-square-foot waiting area with 32 seats provided.

Loading and unloading of passengers is prohibited in the public right-of-way. The portion of the site fronting along South Peak Street has a canopy which will be used for passenger loading/unloading, as indicated on the plan.

Lastly, the outdoor sale of general merchandise or food is prohibited. None has been indicated in the proposed plan or conditions.

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 has determined the request complies with the additional provisions to operate the proposed commercial bus station and terminal and general provisions for consideration of approval of the SUP have been met because the request is consistent with the character of the neighborhood and does not pose a negative impact. Overall, the improvements to landscaping and sidewalks proposed along with general maintenance of the fencing and structures will add a significant benefit to this property located in vicinity of the Santa Fe Trail.

**Parking:**

Parking must be provided in accordance with the Dallas Development Code. A commercial bus station and terminal use shall provide one off-street parking space per 200 square feet of floor area plus one space per five seats of manufacturer's rated seating capacity for the maximum number of vehicles/buses on site during any one-hour time period. The site plan indicates the floor area is 2,070 square feet (11 spaces required) and the maximum number of buses is two with 42 seats ( $84/5=17$ ) each requiring a total of 28 parking spaces. The site plan shows a total of 31 off-street parking spaces provided.

**Landscaping:**

The landscaping requirements of Article X of the Dallas Development Code apply, as amended. If no building permit or paving permit with greater than 2,000 square feet is requested, no additional landscaping will be required. However, in an effort to improve the overall appearance of the property located adjacent to the Santa Fe Trail, the applicant has agreed to add landscaping as a condition to the SUP. The combined site/landscape plan indicate three bald cypress trees and four crepe myrtles are to be provided on the western portion of the site and in the parking lot. Eight planters with seasonal plants will be provided along the Peak Street frontage. All items will be required to be maintained in a healthy growing condition.

**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 to orange, representing the weakest markets. The site is not within an identifiable MVA cluster, nor is it adjacent to other MVA clusters. Sporadically, properties farther northwest are within the “D” cluster and to the northeast are within the “G” cluster.

**List of Partners**

**Samadian Family Limited Partnership:**

Malek Samadian—President

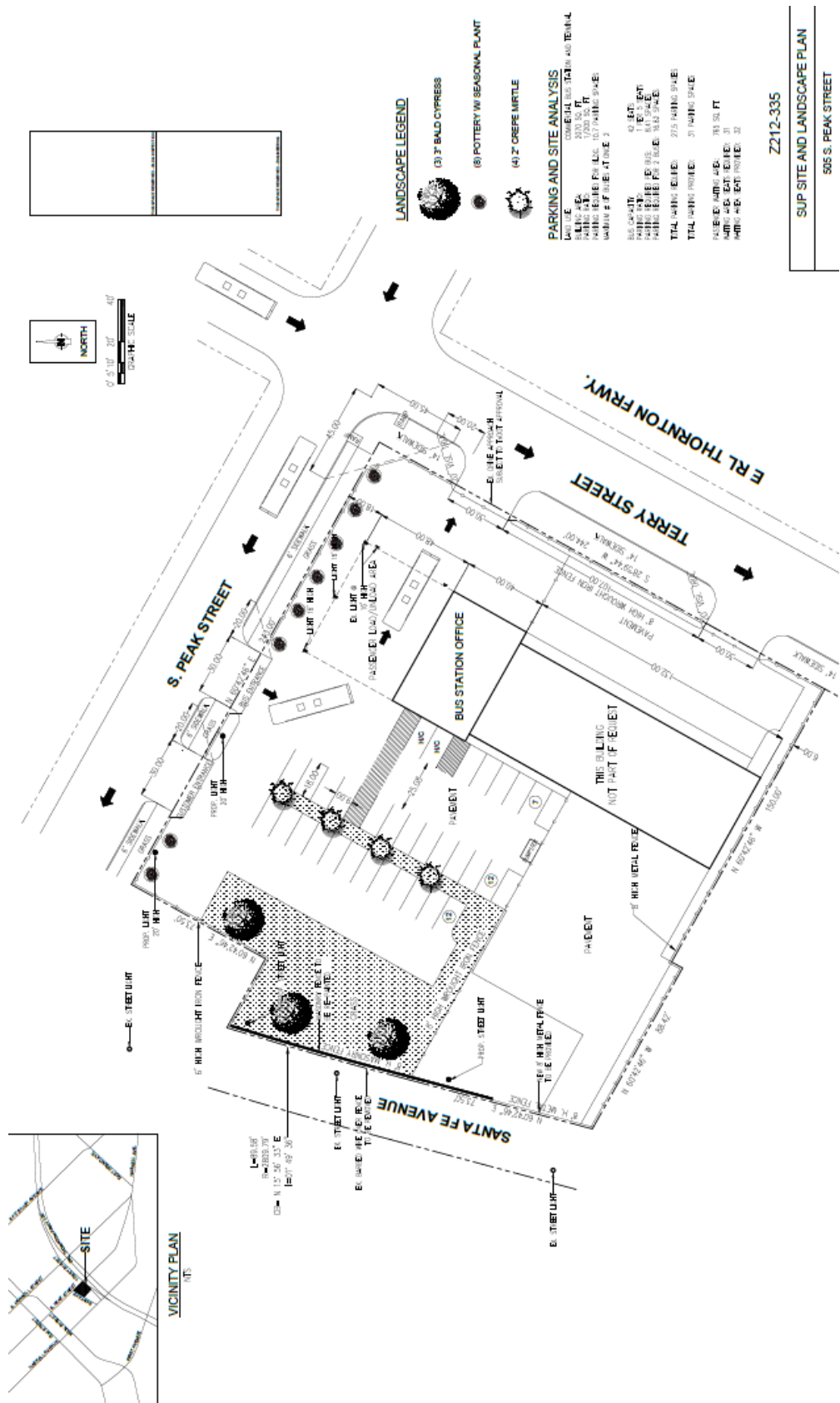
Linda Samadian—Secretary

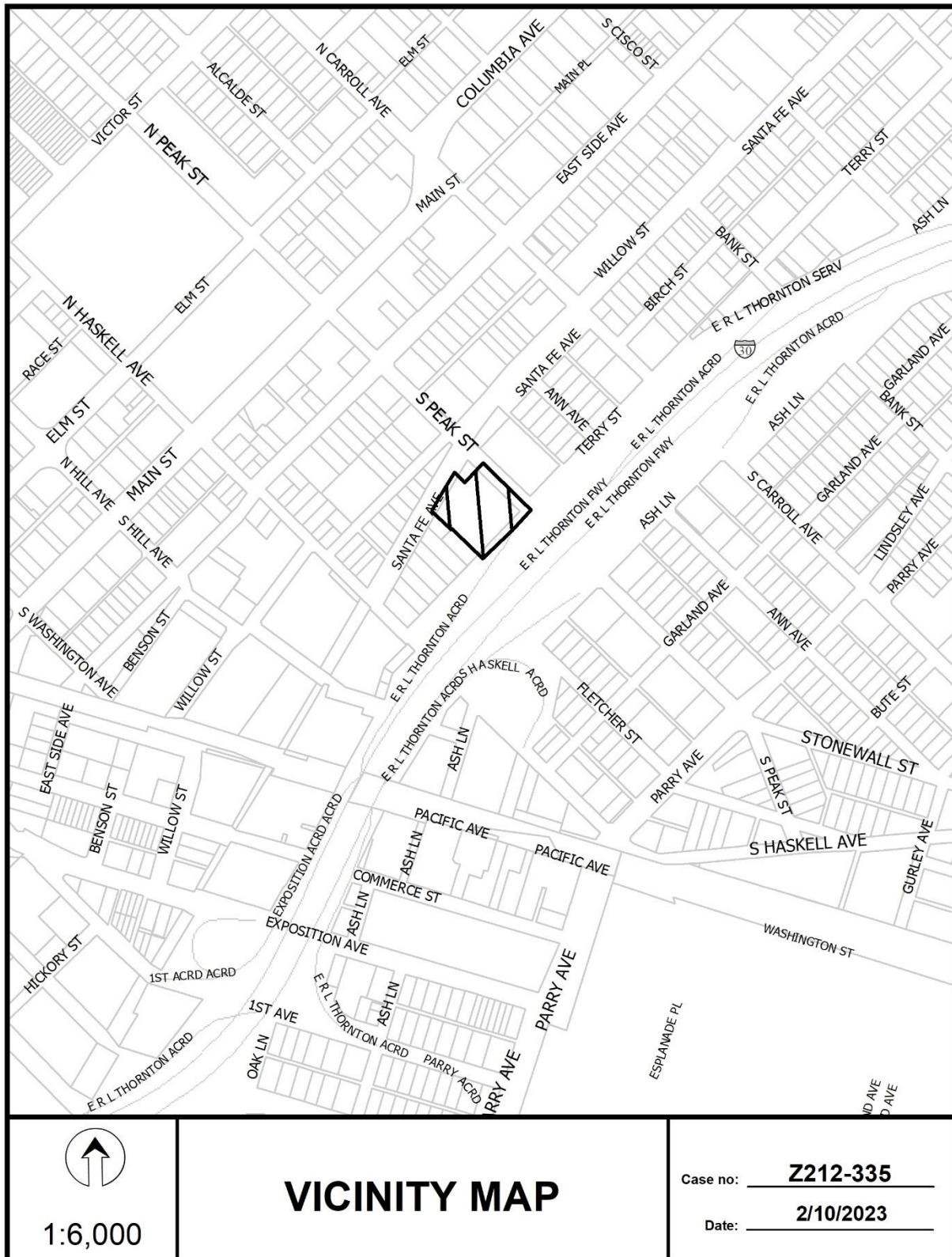
**Proposed SUP Conditions**

1. **USE**: The only use authorized by this specific use permit is a commercial bus station and terminal.
2. **SITE PLAN**: Use and development of the Property must comply with the attached site/landscape plan.
3. **TIME LIMIT**: This specific use permit expires on\_\_\_\_\_, (five-year period from the passage of this ordinance) but is eligible for automatic renewal for additional five-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 180<sup>th</sup> but before the 120<sup>th</sup> 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. **LANDSCAPE PLAN**: Landscaping must be provided as shown on the attached site/landscape plan and maintained in accordance with Article X of the Dallas Development Code, as amended.
5. **LOADING AND UNLOADING**: No loading or unloading of passengers is permitted in the public right-of-way.
6. **MAXIMUM FLOOR AREA**: The maximum floor area for the commercial bus station and terminal is 2,070 square feet in the location shown on the attached site plan.
7. **SIDEWALKS**: Sidewalks must be provided in the location shown on the attached site/landscape plan.
8. **MAINTENANCE**: The entire Property must be properly maintained in a state of good repair and neat appearance.
9. **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.



Proposed Site Plan

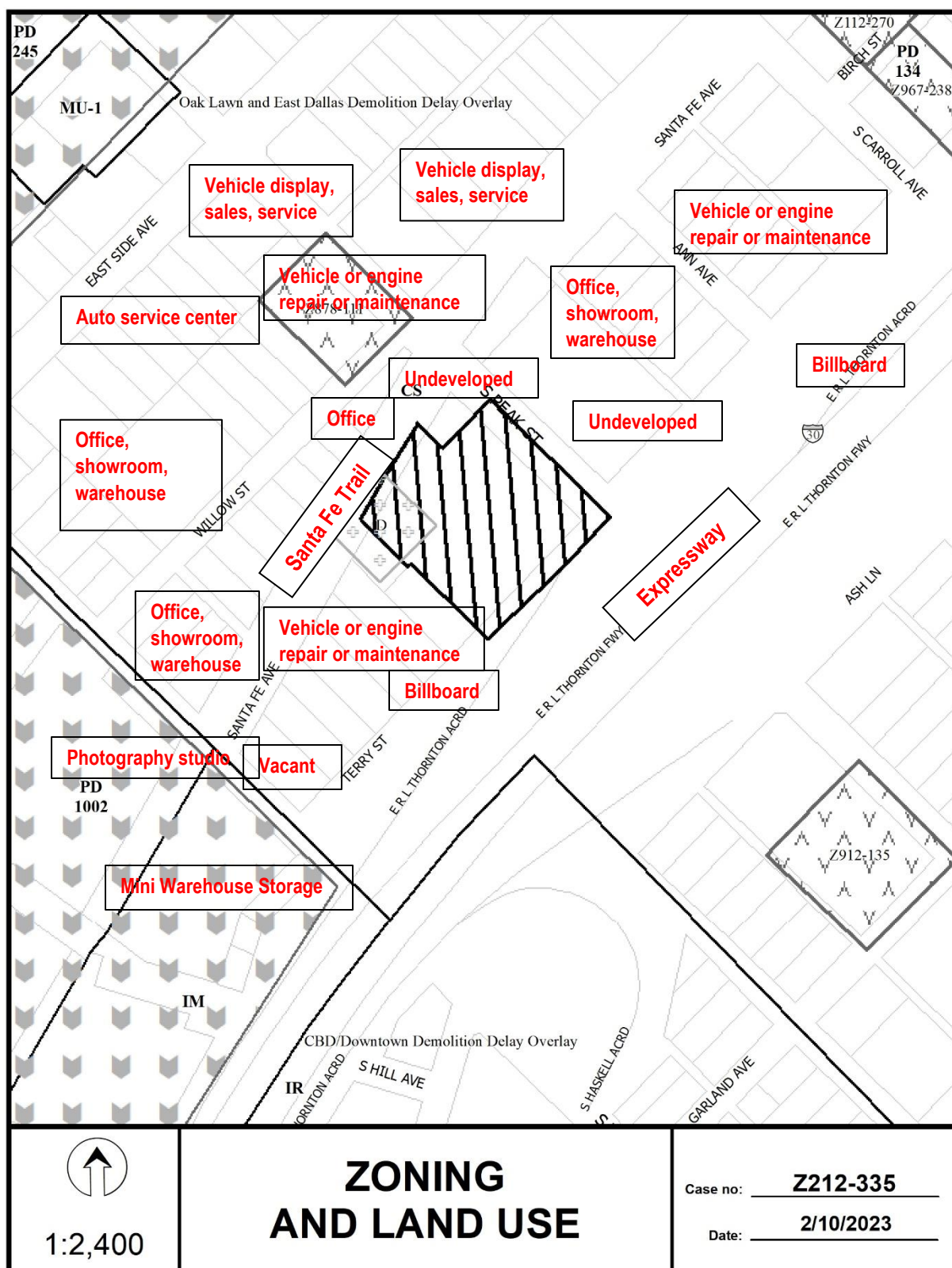




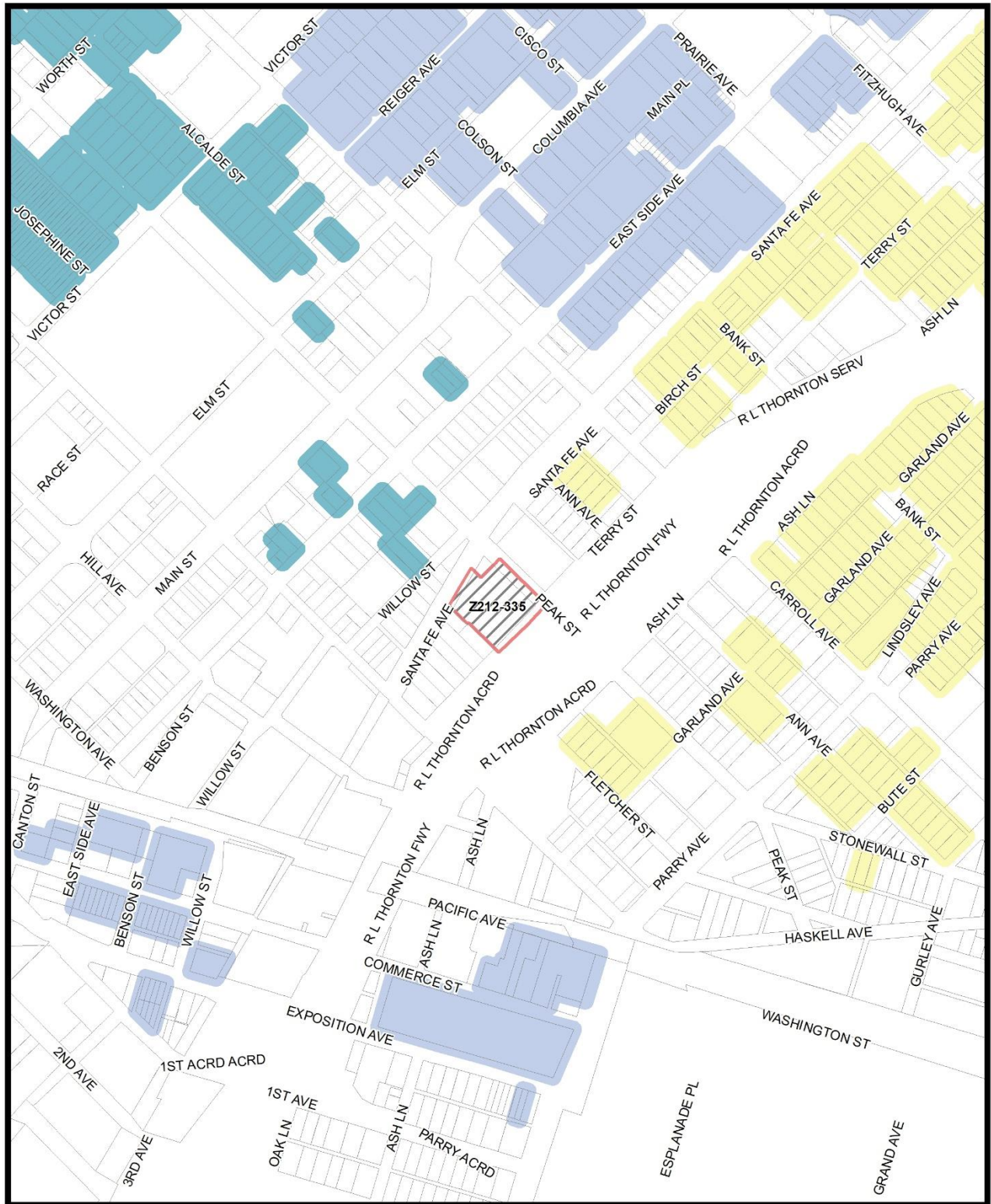








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Market Value Analysis A B C D E F G H I NA

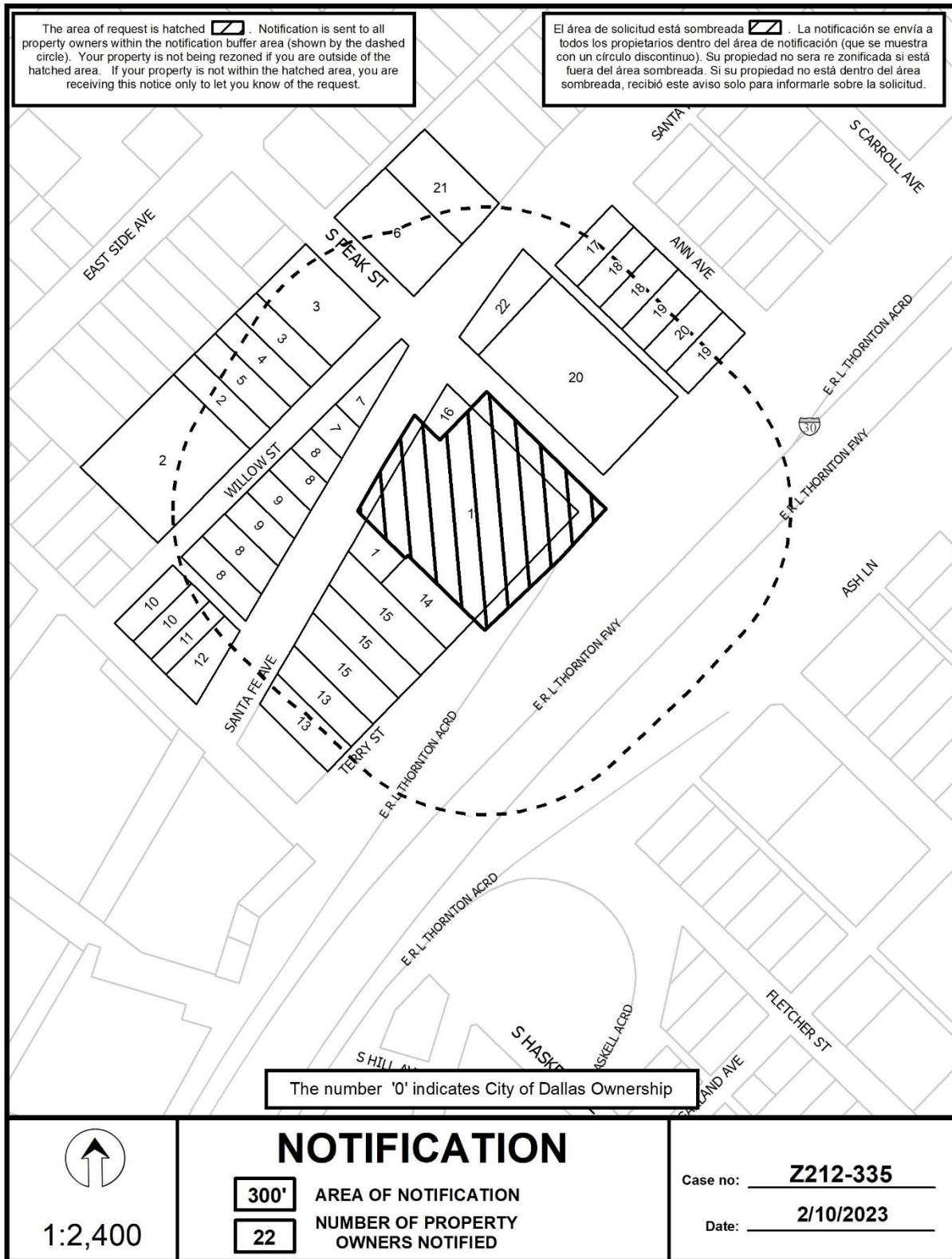


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## Market Value Analysis

Printed Date: 2/10/2023





02/10/2023

***Notification List of Property Owners******Z212-335******22 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	4210 SANTA FE AVE	SAMADIAN FAMILY LIMITED PARTNERSHIP
2	4201 WILLOW ST	HINCKLEY HAL GREGORY SR
3	4219 WILLOW ST	ESPARZA JOSE DE JESUS
4	4217 WILLOW ST	4311 WILLOW PTNRS LLC
5	4213 WILLOW ST	JGT HOLDINGS LLC
6	4307 WILLOW ST	DELAROSA PEDRO
7	4226 WILLOW ST	ARELLANO VIRGINIA LISETTE
8	4210 WILLOW ST	JGT HOLDINGS LLC
9	4204 WILLOW ST	JGT HOLDINGS LLC
10	400 S HASKELL AVE	ANDERSON BRENT
11	406 S HASKELL AVE	ORCHARD JAMES W III
12	412 S HASKELL AVE	JGT HOLDINGS, LLC
13	4111 TERRY ST	HOLY DAVID E
14	4203 TERRY ST	HOLY DRILLING LLC
15	4115 TERRY ST	RODRIGUEZ JAVIER
16	501 N PEAK ST	VEGA MIKE
17	405 ANN AVE	SANCHEZ RAFAEL
18	409 ANN AVE	SANCHEZ RAFAEL
19	505 ANN AVE	SAFE CAPITAL INVESTMENTS LLC
20	509 ANN AVE	PICCOLA FAMILY LTD PS
21	4311 WILLOW ST	4311 WILLOW PARTNERS LLC
22	500 S PEAK ST	KORDI MORTEZA & MOHAMMAD