CITY PLAN COMMISSION

THURSDAY, JULY 25, 2024

Planner: Wilson Kerr

FILE NUMBER: Z234-206(WK) DATE FILED: April 11, 2024

LOCATION: Southeast corner of Harvest Hill Road and Noel Road

COUNCIL DISTRICT: 13

SIZE OF REQUEST: Approx. 9.089 acres CENSUS TRACT: 48113009604

REPRESENTATIVE: Jim Dewey, Jr., JDJR Engineers & Consultants, Inc.

OWNER: Sterling Acquisition, LLC

APPLICANT: CR Capital

REQUEST: An application for an amendment to Planned Development

District No. 411.

SUMMARY: The purpose of the request is to allow for a building expansion.

STAFF RECOMMENDATION: Approval, subject to an amended development plan and

amended conditions.

BACKGROUND INFORMATION:

- The area of request is within PD No. 411.
- The request is for an amendment to the PD to reduce the side and rear setbacks for interior lot lines from 25 feet to 10 feet.
- The lot has frontage on Harvest Hill Road and Noel Road.

Zoning History:

There has been one zoning case in the area in the past five years.

- Z201-293: On January 12, 2022, City Council approved an application for the termination of deed restrictions [Z789-149] on property zoned an MU-3 Mixed Use District on the southeast corner of Lyndon B. Johnson Freeway and Dallas North Tollway.
- **2. Z223-305:** On June 26, 2024, City Council approved a Planned Development District for MU-2 Mixed Use District uses on property zoned a GO(A) General Office District on the south line of LBJ Freeway, between Noel Road and Montfort Drive.

Thoroughfares/Streets:

Thoroughfare/Street	Туре	Existing/Proposed ROW
Harvest Hill Road	Community Collector	60 feet
Noel Road	Local Street	-

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.

STAFF ANALYSIS:

Land Use:

	Zoning	Land Use
Site	PD 411	Nursing and Healthcare Facility
North	MF-1(A)	Multifamily
East	MF-1(A)	Multifamily
South	PD 50	Single family
West	NO(A)	Office

Land Use Compatibility:

The request site is within PD No. 411, and is currently occupied with a retirement and nursing facility. Other uses surrounding the area of request include multifamily to the north and east, single family to the south, and office to the west.

The purpose of the request is to allow the sale of the healthcare portion of the facility, located on the southeast corner of the site. The sale will result in a small building expansion on the site which will house the facility's laundry and kitchen facilities. The proposed amendment to the PD conditions regarding side and rear setbacks along interior lot lines will facilitate this building expansion. This request is compatible with the existing use on the site and surrounding uses in the area.

Landscaping:

Landscaping will be provided in accordance with the landscaping requirements in PD No. 411.

Parking:

There no changes proposed to the existing parking requirements of PD No. 411. The proposed amendment to the PD conditions will not impact parking on the site.

Market Value Analysis:

<u>Market Value Analysis (MVA)</u>, 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 in an "D" MVA area that extends to the south, east, and west. North of the request area across Harvest Hill Road is an "I" MVA cluster. Further to the east and west are "C" MVA clusters.

PROPOSED CONDITIONS

ARTICLE 411.

PD 411.

SEC. 51P-411.101. LEGISLATIVE HISTORY.

PD 411 was established by Ordinance No. 22325, passed by the Dallas City Council on February 8, 1995. Ordinance No. 22325 amended Ordinance No. 19455, Chapter 51A of the Dallas City Code, as amended. (Ord. Nos. 19455; 22325; 26042)

SEC. 51P-411.102. PROPERTY LOCATION AND SIZE.

PD 411 is established on property generally located at the southeast corner of Harvest Hill Road and Noel Road. The size of PD 411 is approximately 9.1225 acres. (Ord. Nos. 22325; 26042)

SEC. 51P-411.103. DEFINITIONS AND INTERPRETATIONS.

- (a) Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article.
- (b) Unless otherwise stated, all references to articles, divisions, or sections in this article are to articles, divisions, or sections in Chapter 51A. (Ord. 26042)

SEC. 51P-411.104. DEVELOPMENT PLAN.

Development and use of the Property must comply with the development plan (Exhibit 411A). In the event of a conflict between the provisions of this article and the development plan, the provisions of this article control. (Ord. Nos. 22325; 26042)

SEC. 51P-411.105. MAIN USES PERMITTED.

- (a) <u>Institutional and community service uses.</u>
 - -- Adult day care facility.
 - -- Child-care facility. [Subject to the limited use regulations contained in Section 51A-4.218 and further limited to a maximum floor area of 4,000 square feet.]
 - -- College, university, or seminary. [Subject to the limited use regulations contained in Section 51A-4.218 and further limited to a maximum floor area of 7,000 square feet.]
 - -- Convalescent and nursing homes, hospice care, and related institutions.
 - -- Hospital. [SUP]

(b) Office uses.

-- Medical clinic or ambulatory surgical center. [Limited to a maximum floor area of 15,000 square feet.]

- (c) Residential uses.
 - -- Retirement housing. [Limited to a maximum floor area of 250,000 square feet.]
 - -- Handicapped group dwelling unit. [SUP required if spacing component of Section 51A-4.209(3.1) is not met.]

(Ord. Nos. 22325; 26042)

SEC. 51P-411.106. ACCESSORY USES.

As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations contained in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217. (Ord. Nos. 22325; 26042)

SEC. 51P-411.107. DEVELOPMENT STANDARDS.

- (a) <u>Front yard</u>. Minimum front yard setback is 25 feet. Parking is allowed within the front yard setback.
- (b) <u>Side and rear yard</u>. Minimum side and rear yard setback is 25 feet. <u>Minimum side and rear setback for interior lot lines is 10 feet.</u> Parking is allowed within the side and rear setback.
- (c) <u>Density</u>. For a retirement housing use, a maximum of 275 dwelling units or suites are allowed. For a convalescent and nursing homes, hospice care, and related institutions use a maximum of 150 dwelling units or suites, with no more than 150 beds, are allowed.
 - (d) Floor area. Maximum floor area for all uses combined is 300,000 square feet.
 - (e) Height. Maximum height for any structure is 48 feet.
 - (f) <u>Lot coverage</u>. Maximum lot coverage is 40 percent, excluding surface parking lots.
 - (g) <u>Stories</u>. Maximum number of stories for any structure is three. (Ord. Nos. 22325; 26042)

SEC. 51P-411.108. OFF-STREET PARKING AND LOADING.

- (a) Consult the use regulations contained in Division 51A-4.200 for the specific off-street parking and loading requirements for each use.
- (b) Off-street parking and loading must be provided in the location shown on the development plan.
- (c) Controlled access gates, as shown on the development plan, must be installed and operational prior to the issuance of a certificate of occupancy for any medical clinic or ambulatory surgical center use. (Ord. Nos. 22325; 26042)

SEC. 51P-411.109. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI. (Ord. Nos. 22235; 26042)

SEC. 51P-411.110. LANDSCAPING.

Landscaping must be provided as shown on the development plan. Landscaping must be installed within six months after the issuance of a certificate of occupancy. Plant material must be maintained in a healthy, growing condition. (Ord. Nos. 22325; 26042)

SEC. 51P-411.111. SIGNS.

Signs must comply with the provisions for non-business zoning districts contained in Article VII. (Ord. Nos. 22325; 26042)

SEC. 51P-411.112. ADDITIONAL PROVISIONS.

- (a) The entire Property must be properly maintained in a state of good repair and neat appearance.
- (b) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city. (Ord. Nos. 22325; 26042)

SEC. 51P-411.113. PAVING.

All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation. (Ord. Nos. 22325; 26042)

SEC. 51P-411.114. COMPLIANCE WITH CONDITIONS.

The building official shall not issue a building permit or certificate of occupancy for a use in this PD until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city. (Ord. Nos. 22325; 26042)

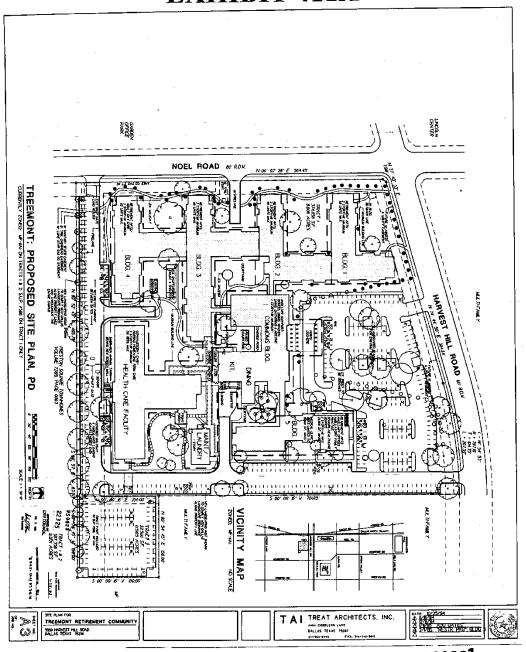
SEC. 51P-411.115. ZONING MAP.

PD 411 is located on Zoning Map No. D-7. (Ord. Nos. 22325; 26042)

EXISTING DEVELOPMENT PLAN (EXHIBIT 411A)

26042 EXHIBIT 411A

051968



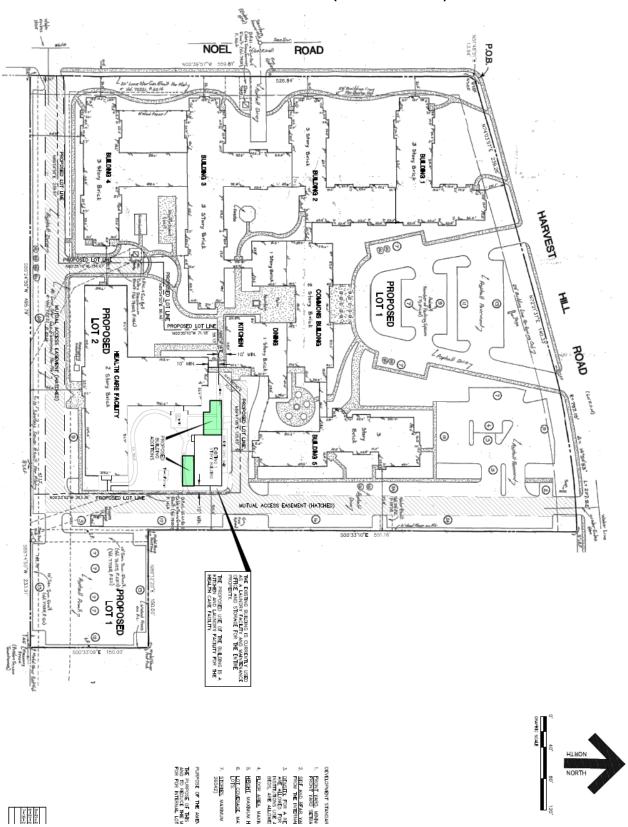
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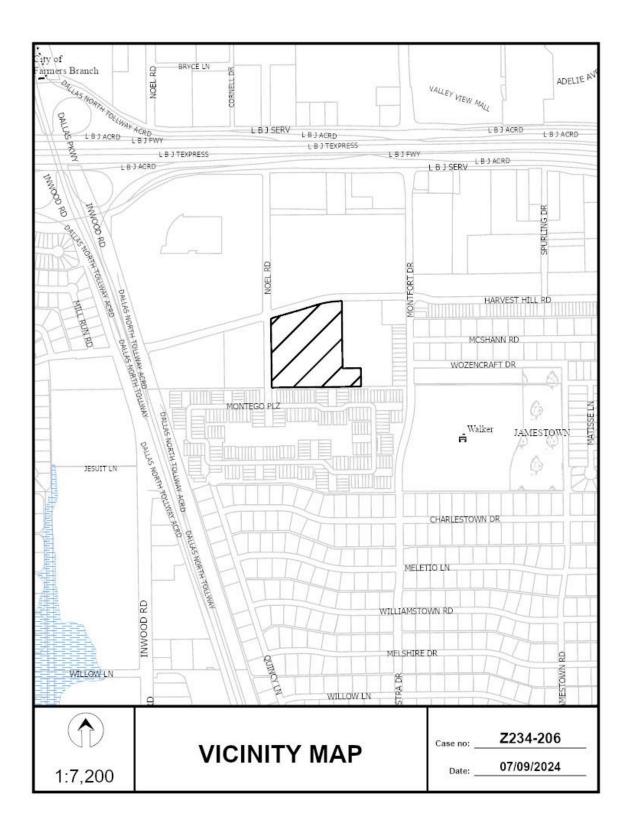
AMENDED DEVELOPMENT PLAN (EXHIBIT 411A)

195 ROAD PROPOSED LOT 2 (HATCH (Not trans from PROPOSED (Not trans from LOT 1 THE PROPOSED USE OF THE BUILDING IS A ROTCHEN AND LAUNDRY FACILITY FOR THE HEALTH CARE FACILITY. THE PRIMESE OF THIS MAKINE ANDIDAKENT IS TO ALLOW FOR BILLOWS EXPANSION AS SHOWN, AND TO REDUCE THE AMERICAN SEE AND REAR SUILDING SETBACK FROM 25 FEET TO TO FEET FOR FOR INTERVAL LOTS LIMISE. CONCLUMENT SYMMANS.

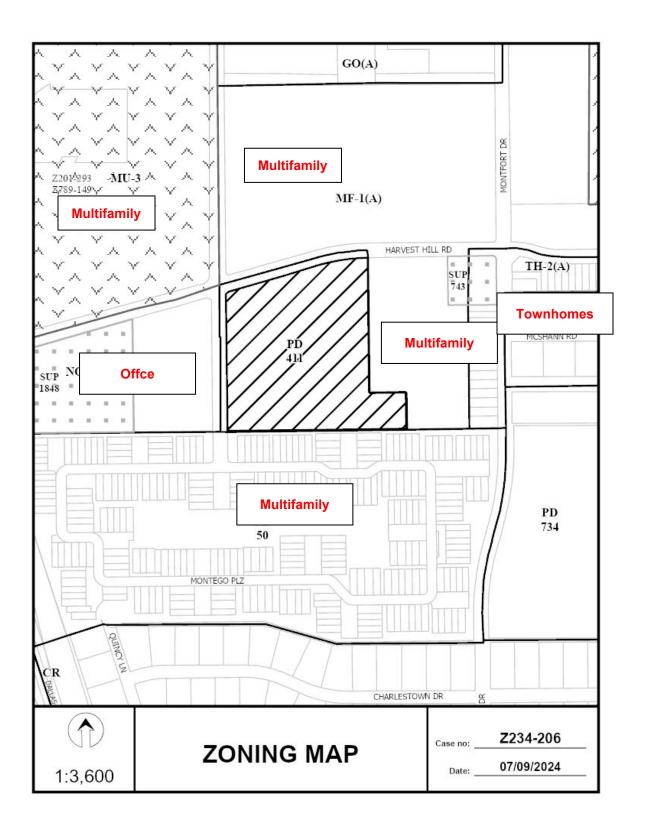
IN PROCESSION OF THE STANDARD STANDA DESETY, FOR A RETROBUST HOUSING USE, A WAXIMAN OF 275 DELING UNITS OR SUITS
ARE ALLOWED, FOR A CONVALESSOF AND NAMENO HOUSE, ADDRESSOR CASE, AND BLAND
ASTITUTIONS USE A HAMMAN OF 150 DISCLING UNITS OR SUITS, WITH NO MORE THAN 150
SUITS, ANY ALLOWED.

AMENDED DEVELOPMENT PLAN (EXHIBIT 411A) – ENLARGED

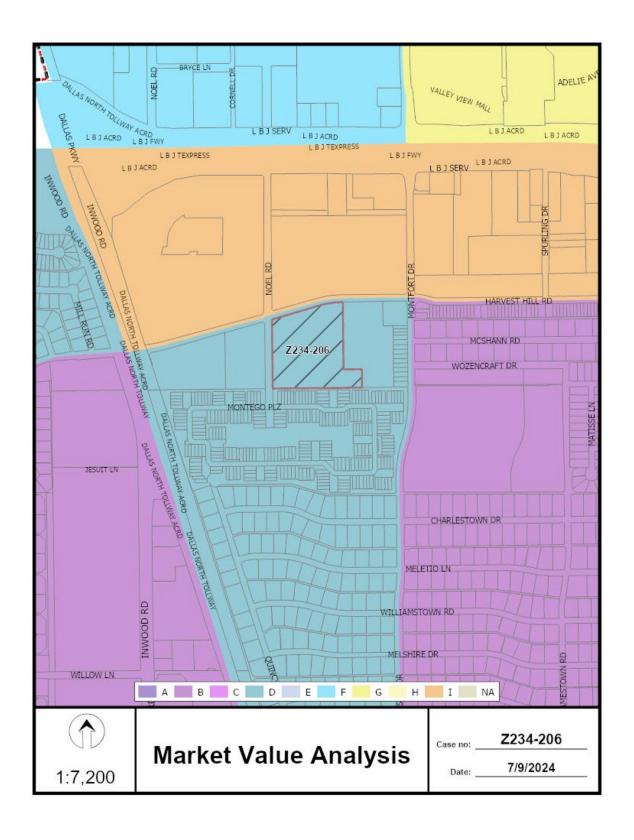


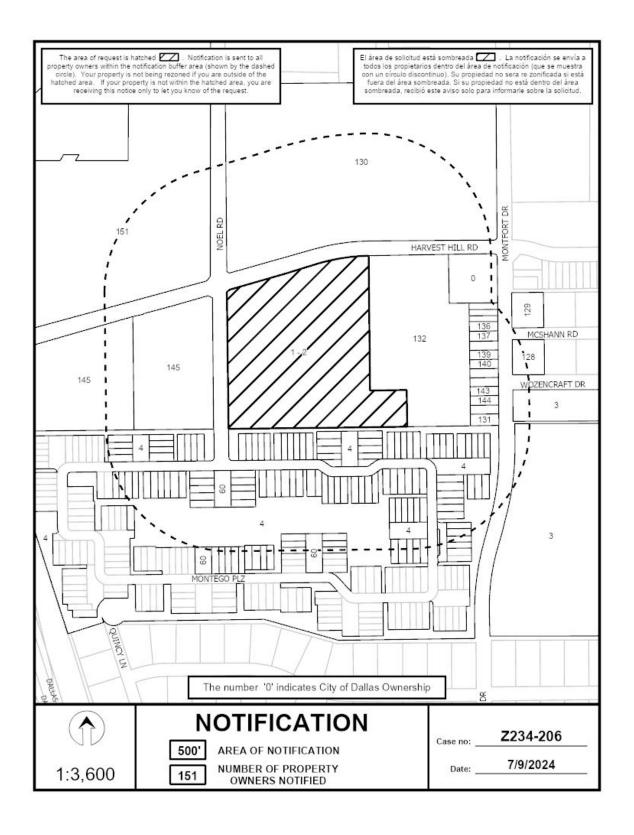












Notification List of Property Owners Z234-206

151 Property Owners Notified

Label #	Address		Owner
1	5550	HARVEST HILL RD	STERLING ACQUISITION CORP
2	5550	HARVEST HILL RD	5550 HARVEST HILL RD PROPCO LP
3	12532	NUESTRA DR	Dallas ISD
4	900001	NO NAME ST	PRESTON SQUARE INC
5	12203	MONTEGO PLAZA	VICK MARY ANN
6	12205	MONTEGO PLAZA	HEALY JOHN
7	12207	MONTEGO PLAZA	URIE KAREN E
8	12209	MONTEGO PLAZA	COLLINS SUSAN A
9	12211	MONTEGO PLAZA	WHITE ASHLEY B
10	12215	MONTEGO PLAZA	CADIGAN JOHN J IV
11	12217	MONTEGO PLAZA	MALHAS DURAID
12	12219	MONTEGO PLAZA	DAVIS DIANNE
13	12221	MONTEGO PLAZA	KANE DEBORAH ANN
14	12223	MONTEGO PLAZA	PATTERSON PEGGY E
15	12225	MONTEGO PLAZA	ALLEN ELEANOR
16	12231	MONTEGO PLAZA	LEE JOHN W &
17	12233	MONTEGO PLAZA	Taxpayer at
18	12235	MONTEGO PLAZA	TEHAN PATRICK H
19	12237	MONTEGO PLAZA	HADSELL JERRI ANNE
20	12243	MONTEGO PLAZA	YOUNG JAMES L
21	12245	MONTEGO PLAZA	BLAIR PROPERTY HOLDINGS SERIES
22	12247	MONTEGO PLAZA	LAVENDER MARY S
23	12249	MONTEGO PLAZA	KORRUB RONALD MICHAEL &
24	12251	MONTEGO PLAZA	BOYCE GEORGE ALLEN & JODI
25	12253	MONTEGO PLAZA	SUMNER BOBBYE
26	12255	MONTEGO PLAZA	WUNDERLICK JOSEPH THOMAS

Label #	Address		Owner
27	12257	MONTEGO PLAZA	PERKINS FAMILY TRUST A
28	12259	MONTEGO PLAZA	PAPPAS ANTIGONI
29	12261	MONTEGO PLAZA	MOERSCHELL MARIE
30	12263	MONTEGO PLAZA	WHITEHURST MARY EVELYN
31	12265	MONTEGO PLAZA	MCCOY DONNY G & MELISSA A
32	12267	MONTEGO PLAZA	CAVITT CAROL H
33	12271	MONTEGO PLAZA	PIZITZ SHERI L
34	12273	MONTEGO PLAZA	PUMPELLY WILFRED C
35	12275	MONTEGO PLAZA	TIGNOR REVOCABLE TRUST
36	12277	MONTEGO PLAZA	THOMPSON EVELYN CORINNE B
37	12279	MONTEGO PLAZA	FOGEL MELANIE GOLDSTEIN
38	12301	MONTEGO PLAZA	MOORE VIRGINIA W
39	12305	MONTEGO PLAZA	ARNETT SUSAN C
40	12309	MONTEGO PLAZA	SMITH AMY CURRAN
41	12311	MONTEGO PLAZA	JOHNSON DELIA ALICE LEE
42	12315	MONTEGO PLAZA	TRISTAN RICHARD M & LINDA
43	12317	MONTEGO PLAZA	MCCOOL LESLIE PICKERING
44	12319	MONTEGO PLAZA	PAGEL MARCIE JUNE
45	12321	MONTEGO PLAZA	TOBOLOWSKY PEGGY MARIE
46	12323	MONTEGO PLAZA	DIBBERN MARY ELIZABETH WILSON
47	12327	MONTEGO PLAZA	JOSEPHSON SCOTT R
48	12329	MONTEGO PLAZA	THOMPSON CHARLENE
49	12331	MONTEGO PLAZA	ROSENBAUM FRANKLIN &
50	12333	MONTEGO PLAZA	RANEY BRIDGET G
51	12571	MONTEGO PLAZA	CARRANCEJIE ANNE
52	12573	MONTEGO PLAZA	SOWA MARK PAUL &
53	12575	MONTEGO PLAZA	WEBBER CAROLYN S
54	12587	MONTEGO PLAZA	WILLIAMS MARI
55	12589	MONTEGO PLAZA	HUGHES ANNE
56	12591	MONTEGO PLAZA	HAGY LAUREN
57	12593	MONTEGO PLAZA	GRIM JAMES &

Label #	Address		Owner
58	12595	MONTEGO PLAZA	SHREVE SHIRLEY J
59	12597	MONTEGO PLAZA	BEENE ALLEN
60	900001	NO NAME ST	PRESTON SQUARE INC
61	12202	MONTEGO PLAZA	HADEN MARGARET M
62	12204	MONTEGO PLAZA	GHOST TREE LLC
63	12206	MONTEGO PLAZA	REGINA GEORGE & ASSOCIATES LLC
64	12208	MONTEGO PLAZA	HUNTER DONNA S
65	12210	MONTEGO PLAZA	BERMAN CHERYL
66	12212	MONTEGO PLAZA	LATHAM ANNETTE
67	12214	MONTEGO PLAZA	ODDO MARTHA
68	12216	MONTEGO PLAZA	TEST DAVID
69	12218	MONTEGO PLAZA	BREIER PAMELA E
70	12220	MONTEGO PLAZA	THOMAS KATHLEEN A &
71	12222	MONTEGO PLAZA	GRUBER TERESA DARGAN
72	12224	MONTEGO PLAZA	LEAMAN MELISSA
73	12226	MONTEGO PLAZA	Taxpayer at
74	12228	MONTEGO PLAZA	12228 MONTEGO PLAZA LLC
75	12230	MONTEGO PLAZA	HENNESSY JAMES &
76	12232	MONTEGO PLAZA	MCCARTAN KYLE
77	12234	MONTEGO PLAZA	NGUYEN AMANDA K
78	12236	MONTEGO PLAZA	FRANCO MELISSA
79	12238	MONTEGO PLAZA	TORELL WILLIAM & NANCY
80	12240	MONTEGO PLAZA	SLUSSER HELEN
81	12242	MONTEGO PLAZA	WENDORF DENVER F JR EST OF
82	12244	MONTEGO PLAZA	MILLOT JOAN M
83	12246	MONTEGO PLAZA	CASABURRI CAROL
84	12248	MONTEGO PLAZA	Taxpayer at
85	12250	MONTEGO PLAZA	CHRISTIAN PATRICIA & LARRY D
86	12252	MONTEGO PLAZA	HAYWARD FRANK EARL III
87	12254	MONTEGO PLAZA	GEHAN KARA & PETER
88	12334	MONTEGO PLAZA	RAMZY DAVID F &

Label #	Address		Owner
89	12332	MONTEGO PLAZA	SEEBERGER RUDOLPH G TR
90	12330	MONTEGO PLAZA	TEHAN RESIDENCE TRUST THE
91	12328	MONTEGO PLAZA	WHALEY ANDREW L
92	12326	MONTEGO PLAZA	OLTROGGE EUGENE M &
93	12324	MONTEGO PLAZA	GRUEN ALYSSA
94	12340	MONTEGO PLAZA	FOLMNSBEE CATHY & GARY LIVING TR
95	12342	MONTEGO PLAZA	MARTTER THERESA
96	12344	MONTEGO PLAZA	SIMS ALEC C &
97	12346	MONTEGO PLAZA	CATES MARY ANGELA
98	12348	MONTEGO PLAZA	GUSE MATTHEW ALLEN & SHANNON
99	12408	MONTEGO PLAZA	ISRAEL JOSHUA
100	12410	MONTEGO PLAZA	THOMASON LAIREN & CULLEN
101	12412	MONTEGO PLAZA	ANDERSON CHARLES W
102	12418	MONTEGO PLAZA	VELVIN BENJAMIN DREW III
103	12420	MONTEGO PLAZA	YANKOVICH KATHERINE
104	12422	MONTEGO PLAZA	RILEY JANET TOMASO
105	12430	MONTEGO PLAZA	OBRIEN SANDRA S
106	12432	MONTEGO PLAZA	CORELY RENEE H
107	12434	MONTEGO PLAZA	JENNINGS MELISSA
108	12436	MONTEGO PLAZA	OCAMPO JUAN D & LISA G
109	12438	MONTEGO PLAZA	ROUNTREE GRADY L TR
110	12440	MONTEGO PLAZA	FRAZER STEWART & CHRISTY
111	12442	MONTEGO PLAZA	BAGLEY TIM J &
112	12444	MONTEGO PLAZA	TALKINGTON MARK M &
113	12446	MONTEGO PLAZA	NEUHOFF LINDA MARIE
114	12482	MONTEGO PLAZA	MAYRATH MARTIN N
115	12564	MONTEGO PLAZA	THOMPSON BARB & MARK
116	12566	MONTEGO PLAZA	REULER SHARON
117	12568	MONTEGO PLAZA	BYERS BARBARA M TR
118	12570	MONTEGO PLAZA	WRIGHT BRANDT CAMERON &
119	12572	MONTEGO PLAZA	FUSCO SUZANNE M & ANIELLO

Label #	Address		Owner
120	12574	MONTEGO PLAZA	FUSCO ANIELLO & SUZANNE M
121	12576	MONTEGO PLAZA	MORRIS JOSEPH B & CLARE S
122	12578	MONTEGO PLAZA	LEVINE ELAINE SUE
123	12580	MONTEGO PLAZA	OCONNOR DANIEL C
124	12582	MONTEGO PLAZA	MANION CAMILLE
125	12590	MONTEGO PLAZA	YAP TUAN HOWE
126	12592	MONTEGO PLAZA	COLLINS JAMES GEORGE
127	12598	MONTEGO PLAZA	HARRIS NICOLA
128	5608	MCSHANN RD	CHEN EDDIE
129	5607	MCSHANN RD	CASEY ZELMA PHILLIPS ET AL
130	5575	HARVEST HILL RD	PLAZA HILL INVESTORS LP
131	12607	MONTFORT DR	ASHLEY DAVID &
132	5580	HARVEST HILL RD	WESTDALE TWO CITIES PARTNERS LP
133	12709	MONTFORT DR	ROZELL MARTHA J
134	12707	MONTFORT DR	MORENO JUAN C
135	12705	MONTFORT DR	TOLNAY SHAUN
136	12703	MONTFORT DR	MARSHALL JUDITH A
137	12701	MONTFORT DR	WARBURTON SARAH E &
138	12623	MONTFORT DR	SINZINGER RICHARD A
139	12621	MONTFORT DR	BERT ELLIS L & ALLYNE
140	12619	MONTFORT DR	SAIDA YOSSI & MICHAL
141	12617	MONTFORT DR	YOUNG JUDITH C
142	12615	MONTFORT DR	VARELA JOSE LUIS
143	12613	MONTFORT DR	JAGARLAPUDI PRASHANT &
144	12611	MONTFORT DR	SAIDA YOSSI & MICHAL
145	5310	HARVEST HILL RD	BPRE TOLL HILL HOLDINGS LP
146	12577	MONTEGO PLAZA	BRANCH RUDOLPH E
147	12583	MONTEGO PLAZA	Taxpayer at
148	12585	MONTEGO PLAZA	MEYERS ELIA
149	12594	MONTEGO PLAZA	INGELS SHERRY H REVOCABLE
150	12596	MONTEGO PLAZA	Taxpayer at

Label #	Address		Owner
151	5400	LBJ FWY	TEACHERS INSURANCE AND
89	3030	BRYAN ST	OVESON RONALD H & JOHN W
90	3030	BRYAN ST	KEITH LANGFORD III
91	3030	BRYAN ST	WATSON ORA
92	3030	BRYAN ST	DODD ROBERT&
93	3030	BRYAN ST	FREDENBURG KIMBERLY SCOTT
94	3030	BRYAN ST	WHITE PETER C
95	3030	BRYAN ST	MITCHELL LISA ALEXANDRIA