

**MINUTES
OF THE MEETING OF THE
CITY OF BENBROOK
PLANNING & ZONING COMMISSION
THURSDAY, MARCH 8, 2007**

The regular monthly meeting of the Planning & Zoning Commission of the City of Benbrook was held on Thursday, March 8, 2007 at 7:30 p.m. in the Council Chambers at 911 Winscott Road with the following members present:

Joe Hughes
David Ramsey
Alfredo Valverde
Bret Early
Dian Price
Sanjiv Shah
Larry Marshall

Also Present:

Dave Gattis, Deputy City Manager
Ed Gallagher, City Planner
Sue Clark, Recording Secretary
Larry Stowe, Councilmember
Ron Rainey
Barry Hudson
Trine Owen
Jeff Polk
Dan Tulley
And 2 others

I. CALL TO ORDER

Chairman Early called the meeting to order at 7:30 p.m.

II. CONSIDERATION OF MINUTES

Regular Meeting – February 8, 2007

Motion by Mr. Valverde to approve the minutes of the February 8, 2007 regular meeting of the Planning and Zoning Commission as presented. Second by Ms Price. The Chair called the question.

Vote on the Motion:

Ayes: Mr. Hughes, Mr. Ramsey, Mr. Valverde, Mr. Early, Ms. Price, and Dr. Marshall

Abstain: Mr. Shah

Noes: None

Motion carried 7 – 0 – 1

III. REPORTS OF CITY STAFF

A. ZONING

Z – 07 – 03 Consider rezoning of 8.66 acres of land in the J. M. Evans Survey Abstract Number 466 from “D” Multiple Family District and “HC” Highway Corridor District to “HC-PD” Highway Corridor Planned Development District (East side of Vista Way, between Sproles Drive and Mercedes Street)

Consider rezoning of 57.80 acres of land in the H. Covington Survey Abstract Number 257 and the J. Stephens Survey Abstract Number 1494 form “D” Multiple Family District, “E” Commercial District, and “HC” Highway Corridor District to 24.99 acres of “D-PD” Multiple Family Planned Development District, 5.30 acres of “D/HC-PD” Multiple Family and Highway Corridor Planned Development District, and 27.50 acres of “HC-PD” Highway Corridor Planned Development District (West side of Benbrook Boulevard/ U.S. Highway 377, north side of Mercedes Street, east of Walnut Creek, and south of I-20/Loop 820)

P – 07 – 01 Consider preliminary plat of Benbrook Field Addition being 8.66 acres of land in the J. M. Evans Survey Abstract Number 466 (East side of Vista Way, between Sproles Drive and Mercedes Street) and 57.80 acres of land in the H. Covington Survey Abstract Number 257 and the J. Stephens Survey Abstract Number 1494 (West side of Benbrook Boulevard/ U.S. Highway 377, north side of Mercedes Street, east of Walnut Creek, and south of I-20/Loop 820)

G – 07 – 05 Consider Land Use Plan amendments and Thoroughfare Plan amendments of the Comprehensive Plan for Planning Area “D” reducing Mixed Use Village and increasing Commercial and High Density Multi Family land uses, and deleting proposed Vista Way north of Mercedes Street (West side of Benbrook Boulevard/ U.S. Highway 377, north and south of Mercedes Street, and south of I-20/Loop 820)

Chairman Early introduced the three items and asked for a presentation from the applicant.

Barry Hudson with Dunaway Associates said he was representing the applicants, the Benbrook Economic Development Corporation. Mr. Hudson said they have submitted a letter of request to postpone the three items for two months to adjust the three submittals.

Mr. Early asked what changed from the time of the original application. Mr. Hudson said

there are ongoing discussions about the possible transportation connections between Mercedes Street and Vista Way and the entire area. Mr. Hudson said the original submission on the agenda is for the deletion of a section of Vista Way and provide a private access easement. They are looking at different alternatives and doing some preliminary cost estimates on different alignments and they would affect the land use in the area.

The Chair asked for any comments, questions, or a motion from the Commission.

Motion by Dr. Marshall to postpone consideration of Z – 07 – 03, P – 07 – 01, and G – 07 – 05 until the May 10, 2007 meeting. Second by Mr. Shah. The Chair called the question.

Vote on the Motion:

Ayes: Mr. Ramsey, Mr. Valverde, Mr. Early, Ms. Price, Mr. Shah, Dr. Marshall, and Mr. Hughes

Noes: None

Motion carried 7 – 0

Z – 07 – 02 Consider rezoning of 27.58 acres of land in the J. M. Evans Survey Abstract Number 466 and the C. A. Kuykendall Survey Abstract Number 890, also being Lots 1-37 of Block 1; Lots 17-24 of Block 2; Lots 1, 2, and 33-56 of Block 3; Lots 1-30 of Block 4; and Lots 39-43 of Block 5; of Brookside At Benbrook Field Phase I from “BR” One Family Reduced District to “BR-PD” One Family Reduced Planned Development District (West of Vista Way and south of Sterling Drive)

Chairman Early introduced the item and asked for a presentation from the applicant.

Trine Owen with National Homes, 6133 Cliffbrook, North Richland Hills, said he and the joint applicant, Jeff Polk with Adams Polk Homes, had read the staff report and concur with the staff’s recommendations. Mr. Owen said they originally had requested a 20-foot front yard setback but is not adverse to Staff’s recommendation of leaving the setback at 25 feet. They are also in agreement with Staff’s recommendation that the rear yard setback be not less than fifteen feet (15’) for dwelling structures and not less than five feet (5’) for uninhabitable, detached accessory buildings.

Mr. Owen said the main reason for the rezoning is their request for a minimum 5-foot side yard setback. He said they want to build a period home product and the smaller setback helps them achieve that look and gives them flexibility for more creativity in the design of the homes. The homes will vary from approximately 1,900 square feet up to 3,500 square feet.

Jeff Polk, 6305 Bettinger, Colleyville, said the five-foot side yard setback is key to their home designs. Mr. Polk said, right now the “BR” zoning requires a combination of 15 feet, which takes out a substantial amount of width on the houses they can build. He said one of the main reasons is that they are not doing a single door on a two-car garage. Period homes from the 1920’s did not have 16-foot garage doors, so by doing two, eight and a half-

foot (8 ½ ') garage doors, another one and one half (1 ½') feet are required between the two doors. Another factor is the front porches and architectural details they want to use on the houses. With the combined 15-foot setback, they are left with a very small area on the front of the house.

Mr. Polk handed out pictures of houses and floor plans reflecting the style of homes they wish to build in the subdivision. He explained how the different front elevations would need to change if the requested 5-foot side yard setbacks are not approved. He said the majority of the homes will not have the minimum 5-foot on the side yards. Mr. Polk said there will be a good mix of different style homes that add to the charm of the neighborhood.

The Chair asked for any comments or questions from the Commission. Discussion followed between the applicants and the Commission on the design, exterior materials, size, width, and garages of the house plans that Mr. Polk handed out. Mr. Polk said he and Mr. Owen will oversee the architectural control of the houses and the deed restrictions will require at least 80 percent brick or stone on the entire first floor elevations. He said some of the plans will require some siding above the first floor but they are very particular about the type of siding that can be used.

The Chair asked for a report from Staff.

Ed Gallagher said the applicants, National Homes and Adams Polk Homes will be building single-family houses on the 106 lots of the recently platted Brookside At Benbrook Field Phase I development, west of the recent extension of Vista Way.

The two builders are requesting a Planned Development attachment to the current BR District classification on the lots to have reduced front, side, and rear yard setbacks and maintain all other provisions of BR District. The setback reductions are proposed as part of an anticipated 1920's period architectural theme for the development.

Mr. Gallagher said with the application, front yards would be reduced from 25 feet to 20 feet for houses and an additional five-foot reduction to have a 15-foot setback for porches. Side yards are proposed to maintain the five-foot minimum but delete the 15-foot combination minimum. Rear yards are proposed to reduce by ten feet, from a 15-foot minimum to a five-foot minimum.

Setbacks provide a standard of open space and consistency in a neighborhood and front setbacks additionally create a streetscape and provide for off-street parking that reduces on-street parking that results in traffic congestion and traffic hazards.

Mr. Gallagher said the reduced front setback will contribute to on-street parking and the staff does not support that element but has no objection to the five-foot porch encroachment of a 25-foot setback as part of an architectural theme. He said Staff does not object to the reduced rear yard with it applying to an uninhabitable, detached accessory building, but not the dwelling structure. The proposed deletion of the 15-foot minimum side yard combination has been used in a few other areas and Staff does not object to that element. However, it should be noted that the side yard reduction does limit future access to back yards for boat, trailer, and other similar equipment, and for swimming pool and other construction.

Mr. Gallagher said the requested zoning is compatible with existing zoning and land uses in

the area which have similar densities, permitted activities, and design standards and will not have an appreciable effect on existing or future infrastructure.

Section 211.004 of the Texas Local Government Code requires that "Zoning Regulations must be adopted in accordance with a comprehensive plan..." This rezoning conforms to the Land Use Element of the Comprehensive Plan.

Staff recommends that the Planning and Zoning Commission recommend City Council approval of the Z-07-02 rezoning of Brookside At Benbrook Field Phase I from "BR" One Family Reduced District to "BR-PD" One Family Reduced Planned Development District, with conformance with all provisions of the Zoning Ordinance except:

1. Front yards shall be not less than twenty-five feet (25'). Attached covered porches may encroach on the front yard requirement by up to five feet (5'), leaving a 20-foot (20') front yard at the width of the porch, with a front porch defined as a covered area fully open on the front and both sides with the side opening being a minimum of 5 feet (5'), or the depth of the encroachment.
2. Rear yards shall not be less than fifteen feet (15') for dwelling structures. Rear yards shall not be less than five feet (5') for uninhabitable, detached accessory buildings.
3. Side yards on interior lots shall be a minimum of five feet (5').

The Chair asked for any comments or questions from the Commission. Ms. Price asked what kind of landscaping would be used in the project. Mr. Polk said the entire yard will have full sod and irrigation. He said they had originally wanted to plant trees along the right-of-way but City ordinances would not allow it so they will require two trees in the front yard of every lot.

Ms. Price asked why the homes with front porches could not be pushed back instead of encroaching into the 25-foot front yard setback. Mr. Polk said most customers want a bigger back yard. Mr. Owen said a bigger back yard also increases the perceived and actual value of the property.

Mr. Shah said he would like to have some assurance that what the applicants are asking for, will be built the way it has been presented. He said he would like to have architectural standards as part of the PD zoning. Dave Gattis said, when PD zoning requirements are reduced from what would ordinarily be required, it is not unreasonable to consider the public benefit. Mr. Gattis said the Commission could attach required architectural standards in return for granting the less restrictive setback standards that would normally be required.

Following discussion between Staff and the Commission on architectural standards and setbacks, the Chair opened the public hearing at 8:28 p.m. and asked if anyone wished to speak for or against the item.

Ron Rainey, Director Benbrook Economic Development Corporation, said Benbrook EDC and their development partners had originally planned on a ranch theme for all the commercial properties in the development. Because of all the cities that have developed areas with a ranch theme, they looked at ways to make the Benbrook development unique. Mr. Rainey said in the early 1900s, the area was known as Benbrook Field, where many Canadian pilots were trained as part of World War I operations. He said they have changed

the theme of the two large commercial developments at Benbrook Field to look more like that era, i.e., WWI and the 1920s.

Mr. Rainey said the applicants are excited about the period type homes they plan to build, which have been described as looking like the area around TCU. It will make the whole project look like it has been there for a number of years because one particular commercial development at 200,000 square feet, has agreed to a façade that matches the 1920s period. Mr. Rainey said another commercial development at 140,000 square feet has also agreed so it will really blend well as you go from the commercial areas into the residential areas. If the requirement for the applicants to build that period home is for the variance they are requesting, then Mr. Rainey said he would support that variance.

The Chair asked if there any others that wished to speak for against the item. There being none, the Chair closed the public hearing at 8:30 p.m. and asked for any comments, questions, or a motion from the Commission.

Discussion followed between the Commission, Staff, and the applicants on architectural standards, setbacks, tract or volume builders versus custom builders, and how the ordinance for the PD zoning should be worded.

Motion by Dr. Marshall that the Commission recommend the City Council approve Z – 07 – 02 with conformance with all provisions of the Zoning Ordinance except:

1. Front yards shall be not less than twenty-five feet (25'). Attached covered porches may encroach on the front yard requirement by up to five feet (5'), leaving a 20-foot (20') front yard at the width of the porch, with a front porch defined as a covered area fully open on the front and both sides with the side opening being a minimum of 5 feet (5'), or the depth of the encroachment.
2. Rear yards shall not be less than fifteen feet (15') for dwelling structures. Rear yards shall not be less than five feet (5') for uninhabitable, detached accessory buildings.
3. Side yards on interior lots shall be a minimum of five feet (5').
4. Architectural standards shall be related to early 20th Century theme, pre 1945-time period, as approved by the Building Official and if not approved, the builder may submit the plan to the Planning and Zoning Commission for approval.
5. Landscaping shall be left up to the developer.
6. At least 65 percent of the front elevation shall be masonry.
7. The builders deed restrictions shall include limitations on recreational vehicles not be allowed past the front building line.

Second by Mr. Valverde. Following discussion on the motion, the Chair called the question.

Vote on the Motion:

Ayes: Mr. Valverde, Mr. Early, Ms. Price, Mr. Shah, Dr. Marshall, Mr. Hughes, and Mr. Ramsey

Noes: None

Motion carried 7 – 0

B. SUBDIVISION PLATS

None

C. PD SITE PLANS

None

D. GENERAL

G – 07 – 04 Consider Update of Section 8 – Community Facilities of the Comprehensive Plan

Motion by Mr. Shah that the Commission continues the item until the April 12, 2007 regular meeting. Second by Mr. Ramsey. The Chair called the question.

Vote on the Motion:

Ayes: Mr. Early, Ms. Price, Mr. Shah, Dr. Marshall, Mr. Hughes, Mr. Ramsey, and Mr. Valverde,

Noes: None

Motion carried 7 – 0

IV. PRESENTATIONS BY PLANNING AND ZONING COMMISSION MEMBERS

None

V. CITIZENS PRESENTATIONS

None

VI. ADJOURNMENT

The Chair noted there were no additional matters of business on the regular Commission agenda and declared the Commission regular meeting adjourned at 9:20 p.m.

APPROVED: _____ 2007

_____, Chair