

**MINUTES
OF THE MEETING OF THE
CITY OF BENBROOK
PLANNING & ZONING COMMISSION
THURSDAY, OCTOBER 9, 2008**

The regular monthly meeting of the Planning and Zoning Commission of the City of Benbrook was held on Thursday, October 9, 2008, at 7:30 p.m. in the Council Chambers at 911 Winscott Road with the following members present:

Alfredo Valverde
John Dawson
James Wilson
Brandon Weaver
Sanjiv Shah
Joe Hughes
Bob Pesce
Larry Marshall

Also Present:

Dave Gattis, Deputy City Manager
Ed Gallagher, City Planner
Sue Clark, Recording Secretary
Ron Sauma, Council Member
George Komechak
Tony Cummings

I. CALL TO ORDER

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

II. CONSIDERATION OF MINUTES

Regular Meeting – August 14, 2008

Motion by Mr. Valverde to approve the minutes as written. Second by Mr. Shah. The Chair called the question.

Vote on the Motion:

Ayes: Mr. Valverde, Mr. Pesce, Mr. Weaver, Mr. Wilson, Mr. Hughes, Dr. Marshall,
and Mr. Shah

Noes: None

Abstain: Mr. Dawson

Motion carried 7 – 0 – 1

III. REPORTS OF CITY STAFF

A. COMPREHENSIVE PLAN AMENDMENTS

None

B. ZONING

Z – 08 – 06

Consider rezoning of Blocks 1, 2, 3, 4, 5, 6, 7, and 8, and Tracts B1 and B2, Tracts CA, C1B, C1B1, C1C, C1D, C1E, C1H, C1H1, CIJ, C1K, and C2 – C22, Boston Heights Addition; Lot 1, Jack In The Box Addition; Lot 1, Martinez Addition (north side of Chapin Road from Williams Road to Boston Avenue, north and south sides of Longford Street, Lifford Street, Carrick Street, and Bangor Drive from Williams Road to Boston Avenue, north side of Bangor Drive from Boston Avenue to Westerly Road, north and south sides of Rush Street from Boston Avenue to Westerly Road, 3520 – 3536 Westerly Road, west side of Williams Road from Camp Bowie West Boulevard to Chapin Road, east and west sides of Boston Avenue from Camp Bowie West Boulevard to Bangor Drive, south side of Camp Bowie West Boulevard from Williams Road west to city limit); Lot 1, Block 1, Western Hills High School Addition (3600 Boston Avenue); Lots 1, 16, and 17, Block 7, Lots 1, 2, 15, 16, 17, 18, and 19, Block 8, and Lot 1, Block 9, Westvale Addition (8000 Ferndale Drive, 8000 – 8005 Northbrook Drive, 8000 – 8013 Westvale Drive, and 3808 Williams Road); Lots 1-10, Heritage Hills Addition (3800 – 3839 Coates Circle); Tracts 1D1, 1D, 1B2, 1B1, 1F, 1G, and 1H, in the McKinney & Williams Survey Abstract Number 1118 (7701, 7709, 7713, and 7833 Chapin Road and 3823, 3837, and 3853 Williams Road); Lots 2, 6, 7, 8, and 9, Triangle Addition (4734 – 4850 U.S. Highway 377, South) to apply “NAS” (Naval Air Station) Overlay District zoning classification to the existing underlying zoning district classification of each property.

The Chair introduced the item and asked for a presentation from the applicant.

Ed Gallagher said the Z-08-06 rezoning consideration is to establish the geographical boundaries of the recently established “NAS” Overlay District zoning classification. The regulatory text of the Zoning Ordinance for the “NAS” Overlay District was approved by the City Council last April and the current proposition is to apply the overlay district to the appropriate areas of the zoning map.

Mr. Gallagher said the City is the applicant in the rezoning to add the “NAS” Overlay District to the portions of Planning Area “A” in North Benbrook. There are numerous owners of the residential, commercial, and institutional properties involved.

In the text of the Zoning Ordinance, the “NAS” Overlay District includes the areas affected by the average day-night 65 decibel noise contour resulting from aircraft operations at the Naval Air Station Fort Worth Joint Reserve Base. Mr. Gallagher said the configuration of the 65 decibel contour generates the boundaries of the district on the zoning map. The overlay district is added to the underlying zoning classification of the properties that regulates uses, setbacks, and other typical zoning specifications. The overlay district does not require any changes or alterations to any established uses or structures but does affect future construction regarding design and materials to reduce the noise level impact inside new structures, particularly dwellings and schools.

Mr. Gallagher said the "NAS" Overlay District was established to provide for uses that are compatible with the aircraft operations at the Naval Air Station and to avoid incompatible, or conflicting land uses; and follows recommendations in the Joint Land Use Study Report that was accepted by the City Council last December. He said the Study followed the work of the Joint Land Use Study Policy Committee that included representation from Benbrook, Fort Worth, White Settlement, Lake Worth, Westworth Village, and River Oaks along with Tarrant County, the Defense Department, the Naval Air Station, Lockheed Martin, and the North Central Texas Council of Governments.

In the Comprehensive Plan, excessive noise is recognized as an environmental constraint that can be a limitation to urban development and that flight operations at the Naval Air Station are a major source of ambient noise. Mr. Gallagher said the Plan also notes that noise standards established by the Department of Housing and Urban Development indicate that levels less than 65 decibels are generally acceptable for residential uses and levels above 65 decibels are normally considered unacceptable and sound attenuation is recommended for buildings housing sensitive uses. The establishment of the overlay district and the current rezoning consideration are both compatible with the Plan.

Mr. Gallagher said Staff recommends that, after holding a public hearing, the Planning and Zoning Commission recommend that the City Council approve the Z-08-06 rezoning of the subject properties with the addition of the "NAS" Overlay District to the current underlying zoning district classification of each property.

The Chair asked for any comments or questions from the Commission. There being none, the Chair opened the public hearing at 7:37 p.m. and asked if anyone wished to speak for or against the item.

Mr. George Komechak, 8109 Rush Street, asked what the "NAS" Overlay District overlay zoning means to him and his property and all existing homes in the area.

Mr. Gallagher said the overlay does not affect the homes as they stand today. He said if any of the homes were to burn or incurs extensive damage and has to be rebuilt, the reconstruction would have to be designed and use materials to reduce the noise level impact inside the new structures.

Mr. Komechak said there have been several developers over the past years that discussed building apartments on the vacant property north of Western Hills High School, between the school and the strip center on Camp Bowie West Boulevard. He asked if apartments were built, would the overlay zoning require additional noise attenuation to be accepted. Mr. Gallagher said that was correct.

Tony Cummings, 3801 Palomino Drive, said he owns 8000 Longford Drive and he wanted to know what the decibel levels were of the old B-58s.

Mr. Gallagher said he did not know the levels but it was a lot more intense than it is now and had a greater impact on Benbrook and the entire west side of Tarrant County.

The Chair asked if anyone else wished to speak for or against the item. There being none, the Chair closed the public hearing at 7:45 p.m. and asked for any comments, questions, or a motion from the Commission.

Mr. Wilson said for clarification, existing buildings would not be impacted by the overlay zoning but new buildings would be impacted. He said the existing building energy codes generally cover the sound attenuation needed to comply with the zoning.

Motion by Mr. Valverde that the Planning and Zoning Commission recommend the City Council approve the Z – 08 – 06 rezoning of the subject properties with the addition of the “NAS” Overlay District to the current underlying zoning district classification of each property. Second by Mr. Pesce. The Chair called the question.

Vote on the Motion:

Ayes: Mr. Valverde, Mr. Pesce, Mr. Weaver, Mr. Wilson, Mr. Hughes, Mr. Dawson, Dr. Marshall, and Mr. Shah

Noes: None

Motion carried 8 – 0

Mr. Gallagher said the City Council would consider the item at their November 20, 2008 meeting.

C. SUBDIVISION PLATS

None

D. PD SITE PLANS

None

E. GENERAL

None

IV. PRESENTATIONS BY PLANNING AND ZONING COMMISSION MEMBERS

None

V. CITIZEN 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 7:50 p.m.

APPROVED: _____ 2008

_____ Chair