

**MINUTES
OF THE MEETING OF THE
CITY OF BENBROOK
PLANNING & ZONING COMMISSION
THURSDAY, MAY 8, 2008**

The regular monthly meeting of the Planning & Zoning Commission of the City of Benbrook was held on Thursday, August 14, 2008, at 7:30 p.m. in the Council Chambers at 911 Winscott Road with the following members present:

Alfredo Valverde
David Ramsey
James Wilson
John Dawson
Larry Marshall

Also Present:

Dave Gattis, Deputy City Manager
Ed Gallagher, City Planner
Sue Clark, Recording Secretary
Bob Rowley, City Engineer
Dennis Wilson
Thomas Johnson
Robin Gage
Sonya Wood
Leslie Worthington
Rena Wymore
Roy Mosley
Wilmer Pruitt
Betty Davis
and approximately 14 others

I. CALL TO ORDER

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

II. CONSIDERATION OF MINUTES

Regular Meeting – April 10, 2008

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

Vote on the Motion:

Ayes: Mr. Valverde, Mr. Wilson, Mr. Dawson, and Dr. Marshall,

Noes: None

Abstain: Mr. Ramsey,

Motion carried 4 – 0 – 1

III. REPORTS OF CITY STAFF

A. COMPREHENSIVE PLAN AMENDMENTS

None

B. ZONING

Z – 08 – 03 Consider rezoning of Lot 22, Block 3, Benbrook Estates from “B” One Family District to “CR” Multiple Family District (219 Bandera Avenue)

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

Thomas Johnson, 9029 Sirocka Drive, said he is requesting a zoning change for 219 Bandera Drive from single-family to duplex. He said he intends to build a very large, high quality duplex on the site. Mr. Johnson said the existing structure has fire damage and he would like to remove that structure and build a duplex valued at approximately \$200,000.

The Chair asked for any comments or questions from the Commission. There being none, the Chair asked for a report from Staff.

Ed Gallagher, City Planner, said Thomas Johnson is the owner of Lot 22 of Block 3, in the Benbrook Estates subdivision. Mr. Johnson is the applicant requesting the change from “B” One Family District to “CR” Multiple-Family-Restricted District for the 12,250-square-foot lot at 219 Bandera Avenue. The proposed zoning conforms with the Land Use Plan, meets the requirements of Section 211.004 of the Texas Local Government Code and will allow construction of a duplex residential structure on the lot. The anticipated duplex construction will cause the removal of the mid-1955 vintage house currently on the property.

Benbrook Estates was platted in 1946 and is the oldest subdivision in the City. For the past 50 plus years, the neighborhood has had a mix of one-family and two-family dwellings. Recent construction has also been mixed but predominately with the two-family dwellings.

Staff recommends that after conducting a public hearing, the Planning & Zoning Commission recommend that the City Council approve the Z-08-03 rezoning of Lot 22, Block 3, Benbrook Estates from “B” One Family District to “CR” Multiple Family Restricted District.

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.

Robin Gage, 211 Bandera, said their street is the only street in the neighborhood that does not have multiple family dwellings and she would like to see it stay that way. Ms. Gage said they have had difficulty with Section 8 housing and they are concerned the property values will go down with multi-family housing on their street.

Sonya Wood, 214 Bandera Avenue, said she built her house in 1998 and she has watched houses in the neighborhood for the last ten years sit vacant and uninhabitable. She said people are now buying the homes and remodeling. Ms. Wood said she is an apartment manager and knows how hard renters are to deal with and she thinks the Commission should not approve the rezoning request.

Leslie Worthington, 209 Bandera Avenue, said she is against the rezoning because the neighborhood is presently single-family homes with low crime, safe, and a place where the kids can run and play. Ms. Worthington said she has worked hard to maintain her house and she does not want to have multi-family housing on her street.

Rena Wymore, 215 Bandera Avenue, said the people on her street really care about their neighborhood and she would like the City to keep the area single-family dwellings.

Roy Mosley, 223 Bandera Avenue, said he does not want the rezoning approved because he has five kids and he is concerned with people moving in and out of a multiple family zoned house.

Wilmer Pruitt, 218 Bandera Avenue, said he feels that if duplexes are allowed on their street, it will disrupt their single-family life. Mr. Pruitt said he has no problem with Mr. Johnson building duplexes, he just thinks it is at the wrong place at the wrong time.

Betty Davis, 210 Bandera Avenue, said she does not think they need multi-family dwellings on their street because it would bring down property values, and crime to the neighborhood.

William Dahlgren, 213 Bandera Avenue, said he sought out a neighborhood when he returned from Iraq, that would be an older neighborhood, that was quiet, and close to a school that his wife could walk his children to, and he chose Bandera Avenue. When he bought the house at 213 Bandera Avenue, he did extensive remodeling to match the two new houses across the street. Mr. Dahlgren said he has lived in multi-family while in the service and people move in and out constantly and you never know who your neighbors are or if your children will be safe.

Sherae Thompson, 212 Bandera Avenue, said the main reason she and her husband bought their home is because it was such a nice neighborhood and somewhere to start a family. Ms. Thompson said if there had been a duplex at 219 Bandera Avenue at the time, she would not have been able to convince her husband to buy their house. She said she hopes the Commission will consider that they do not want a multi-family dwelling in their neighborhood.

Chris Price, 213 Bandera Avenue, said he is against the rezoning because all the houses on Bandera Avenue are kept clean and nice and they do not want their street to look like Del Rio or San Saba Avenue.

Mr. Johnson said the duplex would never be Section 8 housing and the rent would be at least \$1,000 a month so it would not be bringing riff raff in. He said the duplexes he built on San Angelo have raised the property values.

There being no further speakers, the Chair closed the public hearing at 7:55 p.m. and asked for any comments, questions, or a motion from the Commission. Discussion followed between the Commission, the applicant, and Staff.

Motion by Mr. Wilson that the Commission recommends that the City Council approve the Z-08-03 rezoning of Lot 22, Block 3, Benbrook Estates from "B" One Family District to "CR" Multiple Family Restricted District. Second by Mr. Valverde. The Chair called the question.

Vote on the Motion:

Ayes: Mr. Valverde, Mr. Ramsey, Mr. Wilson, and Mr. Dawson

Noes: Dr. Marshall

Motion carried 4 – 1

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 8:10 p.m.

Following the regular meeting, the Commission met for a work session and presentation by Dennis Wilson, FAICP, on New Urbanism and Form-Based Codes. The work session convened at 8:15 p.m., attended by Commission members Valverde, Wilson, Dawson, Marshall, and Ramsey, and City Staff members Gattis, Clark, and Gallagher. Also in attendance were Thomas Johnson and Councilmember Dan Tully. The work session concluded at 9:30 p.m.

APPROVED: _____ 2008

/S/ Larry Marshall _____ Chair