

**MINUTES
OF THE MEETING OF THE
CITY OF BENBROOK
PLANNING & ZONING COMMISSION
THURSDAY, APRIL 9, 2009**

The regular monthly meeting of the Planning and Zoning Commission of the City of Benbrook was held on Thursday, April 9, 2009, 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
Sanjiv Shah
Joe Hughes
Larry Marshall
Brandon O'Donald

Also Present:

Ed Gallagher, City Planner
Sue Clark, Recording Secretary
Bob Rowley, City Engineer
Tom Rutledge
David Oliver
and approximately 35 others

I. CALL TO ORDER

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

Chairman Marshall noted the recent death of former Mayor Felix T. Hebert and his support of the Commission during his service of Mayor. The Chair asked for all to stand for a moment of silence in memory of Mayor Hebert.

II. CONSIDERATION OF MINUTES

Regular Meeting – December 11, 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. O'Donald, Mr. Wilson, Mr. Hughes, Dr. Marshall, Mr. Ramsey,
and Mr. Shah

Noes: None

Motion carried 8 – 0

III. REPORTS OF CITY STAFF

A. COMPREHENSIVE PLAN AMENDMENTS

None

B. ZONING

Z – 09 – 01 Consider Planned Development Site Plan for the addition of a proposed 4,708-square-foot activity building on Lot 1, Block 2, Rolling Hills Estates (Tabernacle of Praise Church, 10180 Rolling Hills Drive)

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

Tom Rutledge with Teague Nall and Perkins said he is representing the owners, Tabernacle of Praise Church. Mr. Rutledge said the PD site plan is primarily for an activity center building.

The Chair asked for a report from Staff.

Ed Gallagher said Tabernacle of Praise Church is the owner of the 28.5-acre, Community Facilities Planned Development zoned site on the northeast side of FM 2871 at the intersection with Rolling Hills Drive. He said the Z-09-01 PD Site Plan application proposes the addition of a 4,708 square-foot activity building near the southwest corner of the area occupied by the recently demolished equestrian riding arena building as shown on the site plan material prepared by Teague Nall & Perkins. The subject property, Lot 1 of Block 2, in Rolling Hills Estates, was initially occupied by a 67,000 square-foot arena building and a 25,865 square-foot stable building.

Mr. Gallagher said that in the early 1980's, zoning, plat, and site plan approvals were granted for the initial equestrian facility that was operated until the Tabernacle of Praise Church acquired the property in 2002. The next year the church remodeled the stable building into a sanctuary, classroom and office facility, and most recently demolished the old arena building in 2007. The site plan shows the activity building to be a 24-foot high metal structure and also shows the addition of an internal drive connecting the existing drives east and west of the current church building and no changes to the driveways serving the property from the two public roads.

Mr. Gallagher said the proposed activity building has been described as temporary to be replaced with future construction that includes multi-buildings, two phase development on the site. However, those plans are not finalized nor scheduled. The activity building, a facility for fellowship and education related to the existing church is a permitted use in the "CF" District. The plan shows conformance with the Height and Area Regulations for "CF" Districts as well as parking, exterior illumination and trash dumpster provisions of the Zoning Ordinance.

Zoning on surrounding property is predominantly for single-family residential but includes "CF", providing for churches and the proposed building would have limited visibility from existing residences. Mr. Gallagher said although the application does not specify a color, or colors, for the metal building and trim in the predominantly residential neighborhood, the Staff has the opinion that exterior colors should be neutral or earth tones as an approval condition of the "PD" Site Plan. Architectural design and material requirements in the Zoning Ordinance do not apply to "CF" District, including the proposed activity building.

Mr. Gallagher said that included in the application is landscape information showing four canopy trees adjacent to the building while the interior landscaping requirements of the Zoning Ordinance for the size of the proposed building calls for one canopy tree, two

understory trees, eight shrubs, and ground cover. With the size of the activity building in relation to the overall site and the location of the building on the site, any additional landscaping would gain minimal benefit toward the purpose of the landscape regulations in the Zoning Ordinance.

Mr. Gallagher said a development schedule is not included in the application as called for in the Zoning Ordinance although Church representatives have indicated construction will start as soon as possible following favorable Commission action on the submittal. However, it would not be unreasonable for Commission approval to include a two-year expiration of the approval if construction has not started.

Mr. Gallagher said the Benbrook Fire Department notes that the new connection drive and fire lane must be built, marked, and maintained in conformance with City and Fire Department standards and the building design and materials must meet Fire Code standards. The City Engineer reports that a final submittal will require the drainage areas to be defined and must conform with iSWM™ requirements as they relate to the project.

Staff recommends that the Planning and Zoning Commission approve the Z – 09 – 01, Planned Development Site Plan for a 4,708 square-foot activity building on Lot 1, Block 2, Rolling Hills Estates subject to:

1. The colors of the building and trim being neutral or earth tones,
2. Expiration of the site plan amendment after two years if construction has not commenced,
3. Fire Department and Engineering requirements, and
4. Any other provisions that the Commission believes are necessary to protect the community health, safety, morals and general welfare.

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

Discussion followed on the installation of the fire lane and the height of the existing retaining wall that is a remaining portion of the demolished arena.

There being no further comments or questions from the Commission, the Chair opened the public hearing at 7:45 p.m. and asked if anyone wished to speak for or against the item. There being none, the Chair closed the public hearing at 7:46 p.m. and asked for any further comments, questions, or a motion from the Commission.

Motion by Mr. Wilson to approve the Z-09-01 Planned Development Site Plan for a 4,708 square-foot activity building on Lot 1, Block 2, Rolling Hills Estates subject to the colors of the building and trim being earth tones, expiration of the site plan amendment after two years if construction has not commenced, Fire Department and Engineering requirements, and any other provisions that the Commission believes are necessary to protect the community health, safety, morals and general welfare. Second by Mr. Dawson.

The Chair asked for any comments or questions on the motion from the Commission. Mr. Valverde asked if the motion could include an explanation of the expiration of the approved site plan. Mr. Wilson withdrew his motion and Mr. Dawson concurred.

Second motion by Mr. Wilson to approve the Z-09-01 Planned Development Site Plan for a 4,708 square-foot activity building on Lot 1, Block 2, Rolling Hills Estates subject to the colors of the building and trim being earth tones, expiration of the site plan amendment after two years if construction has not commenced by issuance of a permit and the pouring of the foundation, Fire Department and Engineering requirements, and any other provisions that the Commission believes are necessary to protect the community health, safety, morals and general welfare. Second by Mr. O'Donald. The Chair called the question.

Vote on the motion.

Ayes: Mr. Valverde, Mr. O'Donald, Mr. Ramsey, Mr. Wilson, Mr. Hughes, Mr. Dawson, Dr. Marshall, and Mr. Shah

Noes: None

Motion carried 8 – 0

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: June 11, 2009

/S/ Larry Marshall Chair