

**MINUTES  
OF THE MEETING OF THE  
CITY OF BENBROOK  
PLANNING & ZONING COMMISSION  
THURSDAY, JULY 13, 2006**

The regular monthly meeting of the Planning & Zoning Commission of the City of Benbrook was held on Thursday, July 13, 2006 at 7:30 p.m. in the Council Chambers at 911 Winscott Road with the following members present:

George Bolton  
David Ramsey  
Bret Early  
Alfredo Valverde  
Dian Price  
Larry Marshall  
Sanjiv Shah  
Jay Morrill

Also Present:

Dave Gattis, Assistant City Manager  
Ed Gallagher, City Planner  
Sue Clark, Recording Secretary  
Gordon Swift  
Victor Mashburn  
David Hudgins  
Daniel Staples  
Cindy Wayland  
Dr. James Gibson  
Shirley Rollert  
and approximately 15 others

**I. CALL TO ORDER**

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

**II. CONSIDERATION OF MINUTES**

**Regular Meeting – May 11, 2006**

Motion by Dr. Marshall to approve the minutes of the May 11, 2006 regular meeting of the Planning and Zoning Commission. Second by Mr. Valverde. The Chair called the question.

Vote on the Motion:

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

Noes: None

Motion carried 8 – 0

### III. REPORTS OF CITY STAFF

#### A. ZONING

None

#### B. SUBDIVISION PLATS

P – 06 – 02      Consider Preliminary Plat of Shady Valley Addition (Northwest of the north end of Shady Valley Drive, north of Block 2 of The Meadows, and east of Block 1 of Glen Avon Addition)

The Chair introduced the item and asked for a presentation from the applicant. Gordon Swift, 900 Monroe Street, Fort Worth, said he is representing the applicant, DCM Corporation, and is requesting the Commission's approval for the 22-lot, single-family preliminary plat submittal. Mr. Swift said they have read the Staff report and concur with all recommendations. Mr. Swift said they believe the plat conforms to the City's Subdivision Ordinance and other standards and requirements and requests Commission approval.

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

Ed Gallagher said the P-06-02 preliminary plat of proposed Shady Valley Addition involves an 8.5-acre site north of Block 2 of The Meadows Addition. The site is zoned "A" One Family District, the same zoning classification as the surrounding property. The single-family residential zoning in the area has existed since the early 1950s. The current owner of the property is Rhonda Pool, who acquired the property last year. The plat applicant, DCM Corporation, has a contract to obtain the property, subject to plat approval.

The 8.5-acre site is part of a 17.5-acre unplatted property purchased in 1951 by Douglas Mitchell with the 17.5 acres having frontage on Williams Road. That conveyance occurred prior to the 1955 approval of the first Subdivision Ordinance for the City of Benbrook. The City's subdivision regulations require platting to subdivide property into two or more parts, and for the issuance of building permits. Platting of The Meadows occurred in 1985 along the south line of the 17.5-acre Mitchell property and included the extension of all standard infrastructures through The Meadows plat area to the adjoining Mitchell property. In 1991, the 17.5-acre Mitchell property was illegally subdivided when the west 8.5 acres, proposed Shady Valley Addition, was sold without platting.

Mr. Gallagher said the Shady Valley Addition preliminary plat proposes 22 single-family lots with access from Shady Valley Drive at the southeast corner of the site and the extension of public improvements through the property. He said the Shady Valley Drive right-of-way contains a standard concrete street section, a 54-inch stormdrain pipe, a 6-inch sanitary sewer main, and a 6-inch water main, which were all required with The Meadows platting to serve the 17.5-acre Mitchell property and beyond. The Shady Valley Addition plat proposes to extend street and other necessary infrastructure through the site in accordance with Ordinance requirements.

In recent years, a single lot preliminary plat, Middle Earth Estates, was presented to the Commission in 2003 and proposed no infrastructure and no right-of-way to reach the neighboring property to the north and was not approved. In July of 2005, the Commission approved a single lot preliminary plat, Terre Sol Addition, with right-of-way to the north line of the site and limited infrastructure. In May, the owner abandoned final platting of Terre Sol Addition, initiated in March of this year.

Mr. Gallagher said the City Planning Staff has reviewed the preliminary plat submittal and notes the submittal appears to be generally complete and in conformance with the Comprehensive Plan. The lots shown on the plat meet or exceed all lot specifications of "A" One Family District in the Zoning Ordinance.

The east/west portion of proposed Shady Valley Drive, labeled as a 50-foot right-of-way, scales to 60 feet. With a 50-foot right-of-way, and the overall north/south property dimension of 380.45 feet shown, it appears the typical lot depths will be approximately 165 feet. The graphic scale shown does not match the one-inch to 100 feet scale indicated. The front yard building lines should be corrected to 25 feet from the 20-foot dimensions shown.

A 10-foot utility easement should be added along the street frontages of all lots in accordance with the Subdivision Ordinance. Public Open Space Easements should be added to affected lots and should be configured in conformance with the Subdivision Ordinance. An acceptable street name should be provided for the street segment indicated as Street "A" on the plat. A standard sidewalk along the east side of the northerly extension of Shady Valley Drive should be installed with initial infrastructure construction

Mr. Gallagher said the final plat must meet all requirements for final plats in accordance with the Subdivision Ordinance, including Texas State Plane Coordinates for at least two corners of the plat and the source of all bearings being the State Plane Coordinate System.

The City Engineer has reviewed the preliminary plat submittal and reports that the pavement and drainage improvements that will be associated with the proposed development appear to be roughly proportional to other developments that have been built in Benbrook.

The City Engineer also reports that an appropriately sized pipe should be extended to the north end of Street "A" to serve the undeveloped property to the north. The existing topography north of the project indicates that runoff will flow across the northwest corner of Lot 5, before discharging into Street "A". This may necessitate a drainage easement and some improvements across Lot 5 and consideration should be given to moving Street "A" one lot east to better align with the current topography. Further, the existing grate inlet at the north end of Shady Valley Drive should be removed and replaced with appropriately sized curb inlets.

The Public Works Department has reviewed the submittal and notes lot flooding has previously occurred at the adjoining houses on Saddlebrook Drive from water flowing south off the plat area. An earthen berm was constructed to move the water east, away from the houses, along the back property lines to the existing drop inlet at the north end of Shady Valley Drive. The proposed drainage facilities, along with lot grading, should be designed to

prevent future lot flooding.

Mr. Gallagher said significant water flows off the unplatted Burgan Living Trust property to the east into the drop inlet on Shady Valley Drive. Curbing on the new section of Shady Valley Drive should be designed to not obstruct the flow, causing drainage problems. The submittal has been reviewed by the Police and Fire Departments with neither offering comment.

Mr. Gallagher said the Benbrook Water Authority noted the developer will need to execute a Developer Authority agreement and should submit detailed plans using current BWA specifications. Other utility provider's reviews call for several additional utility easements.

Staff recommends that the Planning and Zoning Commission approve consideration of the preliminary plat of Shady Valley Addition (P – 06 – 02) pending:

1. the correction of plat dimensions and front yard building lines to 25 feet,
2. the addition of a 10-foot utility easement along the street frontage of all lots,
3. Public Open Space Easements configured in accordance with the Subdivision Ordinance on all affected lots,
4. an acceptable street name for Street "A",
5. the installation of standard sidewalks along the east side of the northerly extension of Shady Valley Drive with initial infrastructure construction,
6. conformance with all Engineering, Public Works, BWA and utility requirements, and
7. all final plat requirements of the Subdivision Ordinance.

The Chair asked for any comments or questions from the Commission. There being none, the Chair opened the public hearing at 7:42 p.m., and asked if anyone wished to speak for or against the item.

Victor Mashburn, 4735 Saddlebrook Drive, said he is the president of The Meadows Neighborhood Association, but is not speaking on behalf of the Association. Mr. Mashburn asked that the Commission consider the residents in The Meadows. He said he and his wife are concerned of the effect the 22 houses and 44 cars are going to have on the safety of their children, grandchildren, and themselves.

Mr. Mashburn said there would only be one entrance into the Shady Valley Addition, which will be off Meadows Drive, and that is a concern to him and others. He said the streets in The Meadows, off Williams Road, are deteriorating and they have voiced their concerns to Dave Gattis.

David Hudgins, 8123 Saddlebrook Drive, said The Meadows Addition has 100 existing homes with only one entrance, which exceeds the density allowed for one entrance. Mr.

Hudgins said he hopes the Commission will consider this when allowing an additional 22 homes with the approval of the Shady Valley Addition preliminary plat.

Mr. Hudgins said drainage is another concern because of the water that drains off the site into The Meadows. He said, in 1958 there was a gravel pit on the site which is now a hole approximately 180 feet to 200 feet long.

Daniel Staples, 8235 Meadowside, said he is against the proposed addition. When he bought his home, The Meadows was a quiet neighborhood with no building around the area, there was only one way in and out, and just a few homes. He said with the way the City is growing, he feels like he is driving in Arlington, and run-off is a problem the Commission should consider.

Cindy Wayland, 8204 Saddlebrook Drive, said drainage is a big concern because water sheet flows through the site. She said the drainage plan on the preliminary plat is not sufficient to handle the water and the submittal does not include a drainage easement on the rear of the proposed lots that back up to The Meadows. There should be a drainage easement adjacent to The Meadows easements and water should drain into it and flow into a drain on Shady Valley Drive.

Dr. James Gibson, 8209 Saddlebrook Drive, said in April of this year when the city received a large amount of rain, Ms. Wayland's back yard flooded. With the wire mesh and black plastic that was installed, the water would have gone into her home if he had not opened the plastic and allowed the water to go into Shady Valley Drive. He said this is a serious consideration.

The Chair asked Staff to address the concerns of the speakers. Dave Gattis said The Meadows sits at the bottom of a hill and there is approximately 23 acres of natural runoff that goes into the back yards of the property owners. With the Shady Valley project, a large portion of the runoff will be diverted into the new street and storm drain system reducing the natural runoff to approximately 3 acres.

Mr. Gattis said under State law the adjacent property owner as a developer, is responsible to not increase the peak runoff on the adjacent property or to concentrate it or impound it on somebody else's property. It is clear to Staff that the development will significantly reduce the amount of runoff onto The Meadows property owners. He said the preliminary plat consideration is a preliminary design and as a final design, the City Engineer will be taking a much closer look to assure the laws are followed.

Mr. Gattis said the issue was raised about the additional 22 lots and how they will affect the traffic. The preliminary plat would not meet current standards because any project with more than 20 lots has to have two ways in and two ways out. In effect, the project has frontage on only one street but Staff has required the developer to provide the ability for a street connection to the east and to the north. Mr. Gattis said if Mrs. Mitchell had not illegally subdivided the property, she would have been required to make a connection to Williams Road as part of the subject plat.

Mr. Gattis said when The Meadows Addition preliminary plat was approved, the Commission required a connection to Mary's Creek Drive. The City Council directed the Commission to reconsider and remove the connection. At some future time, there will be

two connections with circulation to the north and east of the subject property.

Cindy Wayland said the gravel pit is another concern of hers and asked where the water would run after the pit is filled. She thinks the added rooftops would also increase the velocity of the runoff.

Gordon Swift said that for 50 years he has been a registered professional engineer. He said when the development is completed, the water that is collected in the street and City stormdrain, will be much improved for the adjacent property owners.

Shirley Rollert, 8228 Saddlebrook, said she is concerned with the drainage already mentioned. Ms. Rollert said there is a Texaco station at the end of Meadowside Drive and if there were an explosion that affected their bridge, there are too many families with only one way in and out. She said if the Commission approves the Shady Valley preliminary plat, the City could use eminent domain to provide an additional entrance/exit.

There being no further comments or questions, the Chair closed the public hearing at 8:05 p.m. and asked for any comments, questions, or a motion from the Commission.

Mr. Ramsey asked if the drainage pipe on the northern edge of Shady Valley Drive would be extended to the northern edge of the subject property. Mr. Gallagher said the existing 54-inch pipe must be extended to the north but as it is extended, it may be downsized to a 48-inch or 36-inch pipe, depending on the water to be collected from the street.

Ms. Price asked if there is a required time-frame of when an additional entrance/exit will be provided. Mr. Gallagher said it would be as development occurs on adjacent properties.

There being no further questions or comments from the Commission, the Chair asked for a motion.

Motion by Mr. Bolton that the Planning and Zoning Commission approve P – 06 – 02, preliminary plat of Shady Valley Addition, subject to the recommendations of Staff. Second by Mr. Ramsey. The Chair called the question.

Vote on the Motion:

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

Noes: None

Motion carried 8 – 0

**C. PD SITE PLANS**

None

**D. GENERAL**

**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 8:15 p.m.

APPROVED: September 14, 2006

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Chair