

**MINUTES
OF THE MEETING OF THE
CITY OF BENBROOK
PLANNING & ZONING COMMISSION
THURSDAY, OCTOBER 13, 2005**

The regular monthly meeting of the Planning & Zoning Commission of the City of Benbrook was held on Thursday, October 13, 2005 at 7:30 p.m. in the Council Chambers at 911 Winscott Road with the following members present:

Symantha Spence
Bryan Welborn
George Bolton
Alfredo Valverde
Bret Early
John Dawson
Larry Marshall
Sanjiv Shah

Also Present:

Ed Gallagher, City Planner
Leslie Harris, Recording Secretary
Keith Bailey, City Council Member
Larry Stowe, City Council Member
Jason Gish
Charlie Stevens
Johnny Stevens
Dan Tulley
Paul Brown
And approximately 6 others

I. CALL TO ORDER

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

II. CONSIDERATION OF MINUTES

Regular Meeting – September 8, 2005

Motion by Mr. Valverde to approve the minutes of the September 8, 2005 Planning and Zoning Commission meeting as presented. Second by Ms. Spence. The Chair called the question.

Vote on the Motion:

Ayes: Ms. Spence, Mr. Bolton, Mr. Valverde, Mr. Early, Mr. Dawson, Mr. Welborn and Mr. Shah

Noes: None

Motion carried 7 – 0

III. REPORTS OF CITY STAFF

A. ZONING

None

B. SUBDIVISION PLATS

P – 05 – 04 Consider Preliminary Plat of La Vista at Team Ranch Addition, being a 29.36-acre tract of land in the Lewis Williams Survey Abstract Number 1749, the C.H. Borden Survey Abstract Number 243, and the D.H. Dixon Survey Abstract Number 443 (Northeast of the intersection of Cook Ranch Road and Bluestem Drive)

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

Jason Gish with MKEC Engineering Consultants, Wichita, Kansas, said he was representing the applicants, Team Ranch Partnership and Cook Team L.P. Mr. Gish said the proposed La Vista preliminary plat was designed to work with the grade of the land and in conjunction with future development of La Canterra. He said the homes in La Vista would probably start at \$250,000.

The chair asked for a report from Staff.

Mr. Gallagher said the La Vista at Team Ranch preliminary plat represents a proposed subdivision of 29-plus acres into 60, single-family residential lots, two entry feature lots, and two storm water and detention lots. Located northeast of the Cook Ranch Road and Bluestem Drive intersection, the plat indicates a single-phase development of the "B" One Family District zoned site as part of the Team Ranch Development. The preliminary plat submittal appears to be generally complete and in conformance with the Comprehensive Plan.

Mr. Gallagher said standard sidewalks should be included along all streets and a masonry-screening wall is called for along Cook Ranch Road and Bluestem Drive. The wall should observe a five-foot setback for required street landscaping and be located in a designated Screening Wall Easement. A mandatory homeowner's association is required for the maintenance of the screening wall, the street landscaping, the entry feature lots, and the drainage and detention lots. Mr. Gallagher said the homeowner's association should perpetually own the four common lots.

Utility easements should be added along the rear lines of all lots and Public Open Space Easements should be included at all street intersections, and the final plat submittal should include all necessary off-site easements.

Mr. Gallagher said Lot 3, Block 12 includes an existing 15-foot by 75-foot drainage easement that appears to be unnecessary with the proposed development. If the existing easement is intended to be vacated, the Commission should recommend that the City Council vacate the easement, conditioned on an alternate easement and storm drain installation.

The median cut in Cook Ranch Road at the proposed intersection of Sendero Drive should include a left turn bay for eastbound traffic. The final plat should correct all property descriptions, areas, and dimensions, and include a note prohibiting driveway access to Cook Ranch Road and Bluestem Drive.

Mr. Gallagher said the City Engineer notes numerous points of missing, incomplete, and incorrect information. However, none has a material impact on the plat concept and all can, and must, be resolved with the final plat and detailed engineering. The Benbrook Water Authority noted water main location requirements and standard development specifications, standards, and requirements.

The Fire Department does not support the proposed variance to the maximum 600-foot cul-de-sac length. However, the Fire Department cited several design standards that should be conditions of any variance approval. Mr. Gallagher said the standards should apply to the entire span between proposed Sendero Court and Highway 377. The Police Department has no comment on the plat. All utility requirements should be met with the final plat.

Mr. Gallagher said the preliminary plat application requests two variance approvals. The first variance request is to "Dead-End Streets, Cul-de-sacs and Loop Streets" (16.28.025, D, 5) of the Subdivision Ordinance.

The Ordinance notes that the maximum dimension of a cul-de-sac should be no longer than six hundred (600) feet. The proposed cul-de-sac length is approximately 1,050 feet long, approximately 450 feet in excess of the Ordinance specification. The proposed cul-de-sac serves 21 residential lots with over fifty percent beyond the 600-foot Ordinance maximum. The 21 residential lots exceeds the 20 lot maximum provisions of the Ordinance without at least two points of access (16.28.005,B,7 and 16.28.025,A,7). The Ordinance also provides that the Planning and Zoning Commission may approve a longer than 600-foot cul-de-sac with extra wide lots. Any approval motion should include the conclusion that the La Vista plat presents extra wide lots.

Mr. Gallagher said the maximum cul-de-sac length of 600 feet specified in the Ordinance is to provide adequate access in accordance with 16.04.020 Purpose A, of the Ordinance, "to provide for the orderly, safe, and healthful development of the area... in accordance with the City's Comprehensive Plan." In Section 7.3 of the Comprehensive Plan, Tenet 4 notes, "Transportation systems should be developed and maintained to provide safe, efficient, and comfortable means of travel to, from, and within the City."

The orderly, safe development, and safe, efficient means of travel referenced in the purpose of the Ordinance and the Comprehensive Plan are principally for traffic circulation and public safety considerations. It is the Staff's opinion that the over 1,000-foot cul-de-sac will reduce the efficiency of routine travel and compromise public safety response capabilities.

Mr. Gallagher said the second variance request is to "Preservation of Trees and Native Vegetation" (16.28.010) as referenced in the Subdivision Ordinance. The Ordinance requirements provide that a tree and native vegetation survey is part of the contents of a preliminary plat submittal (16.16.020,B,3,u). The variance request notes that the over six-inch caliper trees primarily exist in the Lot 21 and Lot 42, Block 12 areas, that are proposed to remain largely undisturbed.

With the exception of the two referenced lots and a smaller stand of trees in the Patreota Drive area east of the intersection of Sendero Drive, the other trees existing on the site are primarily hackberry trees located along old fence lines that existed with the ranch use of the property. It is Staff's opinion that any variance should be limited to waiving the hackberry trees along the old fence lines from the Ordinance required Tree Survey.

Mr. Gallagher said a variance request to “Streets, General, Street Connectivity” (16.28.025, A, 15) of the Subdivision Ordinance is not part of the plat application but is a necessary consideration by the Commission in preliminary plat approval.

The plat has a street connectivity index of 1.125, which is less than the minimum index of 1.4 specified in the Ordinance. A variance can be avoided by either:

- A. Connection between Sendero Drive and Patreota Drive within the La Vista plat area, or
- B. Connection between Sendero Drive and La Bandera Trail in existing La Bandera Phase 2

The Planning and Zoning Commission should make a determination regarding each of the two-variance requests and the un-requested but necessary variance in any action on the P-05-04 preliminary plat submittal. Any approval conditions of any variance request should be a part of each determination. The applicant should specify how the trees would be protected on Lot 20 and Lot 42.

Mr. Gallagher said Staff recommends that the Planning and Zoning Commission approve consideration of the preliminary plat of La Vista at Team Ranch (P-05-04) pending:

1. the installation of sidewalks along all interior streets, a six-foot masonry screening wall along Cook Ranch Road and Bluestem Drive located in a Screening Wall Easement, five feet from the right-of-way lines, landscaping required by the Zoning Ordinance,
2. a mandatory homeowner’s association responsible for maintenance of the wall, Cook Ranch Road and Bluestem Drive parkways, Lots 1, 21, and 42 of Block 12, and Lot 16 of Block 13, the four lots remaining in perpetual ownership of the homeowner’s association,
3. the addition of utility easements along the rear lines of all lots, the addition of P.O.S.E. s in conformance with the Ordinance, all necessary off-site easements,
4. a left turn bay with the median cut on Cook Ranch Road, correction of all dimensions, descriptions, and calculations, the prohibition of driveways on Cook Ranch Road and Bluestem Drive, and
5. conformance with all Engineering, BWA, Public Safety, and utility comments and requirements, and all final plat requirements of the Subdivision Ordinance.

Mr. Gallagher said Staff recommends that the Planning and Zoning Commission include specific determinations regarding each of the variance considerations in any approval of the preliminary plat. Additionally, approval should include a recommendation to the City Council to vacate the 15-foot by 75-foot Drainage Easement on Lot 3, Block 12, if that is the intention of the applicant.

The Chair asked for any comments or questions from the Commission. Mr. Dawson said he is concerned with the variance request to the maximum 600-foot cul-de-sac length because of the street crossing between Lots 21 and 42, Block 12, and the potential for flooding at that crossing. If approved as requested, the homeowners on the north side of the crossing would have no

means of egress in the event of a flood. Mr. Gallagher said the Fire Department has recommended conditions of the variance for a fire access road but does not include access during a flood event noted by Mr. Dawson.

Dr. Marshall said the applicant built an emergency access road in La Bandera Phase 2 that is not accessible and asked if the applicant is going to build the same type of road in La Vista at the end of the long cul-de-sac in question for the variance. Mr. Gallagher said the emergency access road at the end of Sendero Court in La Vista would have to meet fire department specs.

Jason Gish said the extra long cul-de-sac proposed in La Vista is the result of trying to work with the grade of the land as much as possible, preserve the real benefits to the project site, and not clear the entire area. Mr. Early asked Mr. Gish to comment on the emergency access at the north end of the cul-de-sac. Mr. Gish said they do not want to add an emergency access because they would have to add a gate and it is difficult to maintain over time.

Mr. Gish said, although the cul-de-sac is over 1,000 feet long, it only has 21 lots and there are several areas that he could cite that have cul-de-sacs less than 600 feet but have more than 20 lots. Because the La Vista lots are bigger, he does not think the volume of people will be any different traffic wise on other plat areas.

Following continued discussion between the Commission, Staff, and the applicant, the Chair opened the public hearing at 8:30 p.m. and asked if anyone wished to speak for or against the item. There being none, the Chair closed the public hearing at 8:31 p.m. and ask for any comments, questions, or a motion from the Commission.

Mr. Gish said the design of the plat area has proven they are interested in keeping the tree areas therefore, the applicant is requesting the variance request to the Tree Survey Ordinance and because of the thickness of the plant area, it would be very difficult to do a complete survey. In La Cantera Phase I, the developer has several tree preservation measures that they implemented in the construction plans, so they are working very hard in the construction phase to keep and preserve the trees as best they can.

Mr. Welborn asked Staff to clarify the need for vacating the existing drainage easement on Lot 3, Block 12. Mr. Gallagher said it appears that the stormwater is intended to be transferred to a proposed stormdrain line to be located in the proposed 20-foot drainage easement along the lot line between Lots 2 and 3. Mr. Gish said that is correct and they are requesting the vacation of the existing easement. Mr. Gallagher said Commission approval of the preliminary plat should include a recommendation that the City Council vacate the existing 15-foot by 75-foot drainage easement conditioned on the necessary alternate easement and the installation of alternate drainage facilities.

Charlie Stevens, the developer/applicant, asked the Commission to approve the preliminary plat application and the variance request to the maximum cul-de-sac length, based on his assurance that they will work with the Fire Department to provide emergency access to the north of the subdivision, to the Fire Department's specifications or approval. If they find the requirements to be cost prohibitive, they will look at alternate means of access.

Motion by Mr. Welborn that the Commission approve P-05-04, preliminary plat of La Vista, as recommended by Staff, pending:

1. the installation of sidewalks along all interior streets, a six-foot masonry screening wall along Cook Ranch Road and Bluestem Drive located in a Screening Wall Easement,

five feet from the right-of-way lines, landscaping required by the Zoning Ordinance,

2. a mandatory homeowner's association responsible for maintenance of the wall, Cook Ranch Road and Bluestem Drive parkways, Lots 1, 21, and 42 of Block 12, and Lot 16 of Block 13, the four lots remaining in perpetual ownership of the homeowner's association,
3. the addition of utility easements along the rear lines of all lots, the addition of P.O.S.E. s in conformance with the Ordinance, all necessary off-site easements,
4. a left turn bay with the median cut on Cook Ranch Road, correction of all dimensions, descriptions, and calculations, the prohibition of driveways on Cook Ranch Road and Bluestem Drive, and
5. conformance with all Engineering, BWA, Public Safety, and utility comments and requirements, and all final plat requirements of the Subdivision Ordinance.

Further, that the Commission recommend the City Council vacate the existing 15-foot by 75-foot Drainage Easement on Lot 3, Block 12, at the appropriate time; approve the variance to the "Street Connectivity Index of the Subdivision Ordinance" (16.28.025, S, 15); approve the variance request to "Dead-End Streets, Cul-de-sacs and Loop Streets" of the Subdivision Ordinance (16.28.025, D,5) pending approval by the Fire Department; and approve the variance request to "Preservation of Trees and Native Vegetation" (16.28.010) of the Subdivision Ordinance. Second by Mr. Valverde. The Chair called the question.

Vote on the motion.

Ayes: Ms. Spence, Mr. Bolton, Mr. Valverde, Dr. Marshall, and Mr. Welborn

Noes: Mr. Early, Mr. Dawson, and Mr. Shah

Motion carried 5 – 3

C. PD SITE PLANS

None

D. GENERAL

None

IV. CITIZENS PRESENTATIONS

None

V. ADJOURNMENT

The Chair noted there were no additional matters of business on the regular Commission agenda and declared the Commission regular meeting adjourned at 9:05 p.m.

APPROVED: _____, 2005

Chair