



City of Benbrook

Planning and Zoning Commission

DATE: 03/11/2021	REFERENCE NUMBER: FP-21-01	SUBJECT: A request to approve a Final Plat for 3.627 acres of land situated in the T.&N.O.R.R. Co. Survey, Abstract Number 1565, Tract 2A07, for a 3-lot commercial development.	PAGE: 1 of 3
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With a passing of the "Shot-Clock Bill" (H.B. 3167) during the 86th legislative session of the Texas State Legislature, the Planning and Zoning Commission must approve, approve with conditions, or disapprove a plat submitted to the city, along with their accompanying subdivision construction plans. If the plat and/or subdivision plan conform to adopted city development regulations, the Planning and Zoning Commission must approve.

Project Name: Victron

Request Type: Final Plat

Site Description: 3.627 acres, out of the T. & N. O. R.R. Co. Survey, Abstract Number 1565, Tract 2A07

Location: North and west of the Benbrook Boulevard and Hawkins Home Boulevard Intersection

Zoning District: "F" Commercial District

Property Owner/ Developer: Threshold Development Co.
Fort Worth, Texas

Applicant: Victron Group – Melinda Nelson
Waxahachie, Texas

Agent: Westfall Engineering – Michael Westfall
Allen, Texas

Background

- Ordinance 926 (approved in August of 1992) rezoned 30.78 acres of land on the west side of Hwy 377 (Benbrook Blvd), near what is known today as Whitestone Heights, from "F-PD" Commercial Planned Development District to "F" Commercial District.
- Ordinance 1089 (approved in April of 2001) reduced the amount of commercially zoned property from 30.78 to 5.05 acres and shifted the "F" district approximately 600 feet further south along Hwy 377 (Benbrook Blvd).

Summary

Generally, the applicant's subdivision plans depict the following:

- Conformance to zoning regulations:
 - The property is being divided into 3 commercial lots that meet the minimum lot dimensional requirements for the "F" zoning district.
 - Minimum Lot Width: 75ft
- Access to the public rights-of-way:

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- Existing access to Benbrook Blvd (U.S. Highway 377) and Hawkins Home Blvd.
- Driveway cut into Benbrook Blvd has been approved by TXDOT.
- The public infrastructure will consist of a median opening with a designated left turn lane, sidewalk, and a barrier free ramp.
- Adequate storm water and drainage design:
 - The storm water system will consist of a privately owned and maintained underground detention system that will outfall into the TxDOT right-of-way.
- The construction plans for the public infrastructure was reviewed and approved by the city engineer. The city engineer certifies that the municipal infrastructure improvements on the project are roughly proportionate to the proposed development as required on similar projects in accordance with Texas Local Government Code Section 212.904.
- Water and Sewer Access
 - Water and Sewer will be provided by the Benbrook Water Authority

Requests for Waivers and Relief

1. Unified Commercial Development. The applicant is requesting to be designated a “unified commercial development”.
 - a. “Unified commercial development” means commercial developments located within “E,” “F,” “G,” and “HC” zoning districts, with adjacent, adjoining property lines which abut or adjoin a public or private street that are developed, platted, phased, used, managed or marketed as a group, which may share drive aisles, shared parking and multiple pad sites (Section 17.08.020 of the zoning ordinance).
 - i. Properties within this development will be platted together, share drive aisles, and could share parking, if needed.
 - b. Side Yard: In a unified commercial development, interior side yard setbacks may be waived upon approval of the planning and zoning commission at the time of platting or site plan approval (Section 17.60.030.E of the zoning ordinance).
 - i. The applicant is not requesting any waivers or deviations to interior side yard setbacks.
 - c. In unified commercial developments, interior bufferyards may be altered with approval of the Planning and Zoning Commission (Table 17.98.030-C, Note 4 of the zoning ordinance).
 - i. Type “A” Bufferyards not required within shared drive aisles. Must be provided along all other interior property lines.
2. Relief from the City’s tree preservation requirements. The applicant proposes an alternative tree preservation and mitigation plan.
 - a. In accordance with Section 16.28.010.L an applicant may file for relief from the tree preservation and mitigation requirements. City ordinance provides a flexible process where an alternative plan may be approved by the Planning and Zoning Commission. The applicant submitted a letter detailing the specific relief requested and an alternative tree preservation and mitigation plan (see attached).
 - b. Criteria for approval:
 - i. The proposed alternative tree preservation plan adequately achieves, or is an improvement on, the intent of the requirements of [Section 16.28.010];
 - ii. It assures quality development that fits in with the character of Benbrook; and
 - iii. It clearly states the intended preservation objectives.

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- c. Staff supports the applicant's request for relief from the preservation and mitigation requirements. If approved, and prior to removing any trees, the applicant must:
 - i. Apply for and receive a tree removal permit;
 - ii. Pay the required mitigation fee for the removal of any applicable quality tree or secondary tree.
- d. Alternative Tree Mitigation Plan Summary. The applicant's alternative plan proposes the following:
 - i. All proposed and required mitigation provided during the development of lot 1, includes 69 caliper-inches of new trees (67 inches is required).
 - ii. Additional trees will be planted when lots 2 and 3 are developed to meet the minimum landscaping requirements of the zoning ordinance, resulting in substantially more trees planted than removed.

Staff Recommended Motion

Move to approve the Final Plat, number FP-21-01, as presented and subject to staff comments as contained in the staff report attachments.

Next Steps

- Plat Recordation. If FP-21-01 is approved, the following must occur prior to plat recordation:
 - Execution of a City of Benbrook Developer Agreement.
 - Submission of all documents and fees required for plat recordation.
- Pre-Construction Meeting:
 - Meet with BWA and city development staff prior to beginning construction of public infrastructure
- Apply for Building Permits. After recordation of the plat, the applicant may apply for building permits.

Attachments

1. Final Plat
2. Alternative Tree Mitigation Plan (Total Pages 6)
 - a. Request for Relief (Pg. 1 & 2)
 - b. Existing Tree Survey (Pg. 3)
 - c. Landscape Plans (Pgs. 4 & 5)
 - d. Conceptual Landscape Exhibit (Pg.6)
3. Staff Comments
4. Location Map