



City of Benbrook

CITY COUNCIL COMMUNICATION

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| DATE: 05/16/2019 | REFERENCE NUMBER: PZ-2019-03 Z-19-02 CP-19-01 | SUBJECT: Adopt an ordinance rezoning Lots 8 and 9, Block 7, Benbrook Estates Addition, totaling 0.54 acres, from "HC-PD" Highway Corridor Planned Development District to "CR" Multiple-Family Restricted District and to amend the Benbrook Comprehensive Plan's land use designation, for said lots, from Commercial to Medium Density Residential. The properties are generally located northeast of the intersection Benbrook Boulevard (Hwy. 377) and Mercedes Street (112 and 116 Del Rio Avenue). Public Hearing | PAGE: 1 of 4 |
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Request Type: Rezoning and Land Use Plan Amendment

Site Description: 0.54 acres
Lots 8 & 9, Block 7 Benbrook Estates Addition

Location: 112 and 116 Del Rio Avenue

Current Zoning District: "HC-PD" Highway Corridor Planned Development District

Proposed Zoning District: "CR" Multiple-Family Restricted District

Property Owners: Gary W. Wilson (Lot 8)
Benbrook, Texas

Melissa Shores (Lot 9)
Benbrook, Texas

Applicant: Lonnie Huett
Benbrook, Texas

Summary

The applicant proposes to rezone Lots 8 and 9, Block 7, Benbrook Estates Addition, from "HC-PD" Highway Corridor Planned Development District to "CR" Multiple-Family Restricted District and further amend the Benbrook Land Use Plan for said lots from Commercial, which allows commercial zoning and development, to Medium Density Residential, which allows residential development with densities ranging between 6.25 and 12.5 dwelling units per acre.

Background

In October of 2007, Lots 7 - 11, Block 7, Benbrook Estates Addition, were rezoned from "B" One-Family District to "HC-PD" Highway Corridor Planned Development District for a proposed site-specific commercial development. But the planned development never materialized.

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| SUBMITTED BY: | DISPOSITION BY COUNCIL: <input type="checkbox"/> APPROVED <input type="checkbox"/> OTHER (DESCRIBE) | PROCESSED BY: |
| CITY MANAGER | | CITY SECRETARY DATE: |

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The applicant intends to purchase Lot 9, raze the existing home, and construct a two-family dwelling, similar to several other homes recently constructed throughout the neighborhood. Lot 8 currently has a two-family dwelling that, due to the commercial zoning, is considered "non-conforming," greatly limiting the owner's ability to utilize the property. Lot 7 was originally part of this rezone request; however, during the application review period, the owner received an offer for the purchase of the property and subsequently requested Lot 7 be excluded from consideration.

The Benbrook Land Use Plan designates Lots 7-11, Block 7, Benbrook Estates Addition as appropriate for commercial development. The applicant requests the Benbrook Land Use Plan be amended to designate Lots 8 and 9, Block 7, Benbrook Estates Addition as Medium Density Residential development, which would allow the property to be rezoned to "CR" Multiple-Family Restricted District.

Staff Analysis

- In order to rezone the property from "HC-PD" to "CR", the request must be consistent with the Benbrook Land Use Plan. The Medium Density Residential designation is consistent with other properties on the same residential street and neighborhood.
- If the Benbrook Land Use Plan amendment is approved, the rezoning request will be consistent with the City's Comprehensive Plan:
 - The zoning ordinance must be in compliance with the comprehensive plan. The Land Use Plan designation of Medium Density Residential provides for developments with a net density between 6.25 to 12.5 dwelling units per acre. The "CR" district is consistent with Medium Density Residential development.
 - The comprehensive plan states that the density of new residential areas should be in the same range as the average density of adjacent existing development. While there are several single-family residences nearby, the Comprehensive Plan has designated this area as Medium Density Residential. Over time, this area will have fewer single-family homes and more Medium Density Residential development.
- Because the planned commercial development never occurred, the properties have been in a state of non-conformance to the zoning ordinance since 2007.
- Stand-alone commercial properties fronting along Del Rio Ave. are not compatible with the residential uses in the area. The recent adjacent commercial development along Benbrook Blvd. has diminished the likelihood of the subject properties redeveloping, without access to Del Rio Ave. The existing PD ordinance prohibits access to Del Rio and the City's Comprehensive Plan discourages commercial access to a residential road; making any rezoning request for commercial uses unlikely. Without commercial access to Del Rio, a zone change to a compatible residential district is recommended.
- "CR" Multiple-Family Restricted District zoning designation is compatible with the surrounding development and zoning districts.
 - The subject properties are located on a residential street within a neighborhood with similar land uses.

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- All lots meet the dimensional requirements for "CR" district.
- The properties have access to public infrastructure.
 - The properties front onto Del Rio Street.
 - The properties have access to water, sewer, and power.
- Legal notifications were sent out, in accordance with State Law and City Ordinance.
- Staff has not received any communication in opposition to this request.

Planning and Zoning Commission Recommendation

The Planning and Zoning Commission recommends the City Council adopt an ordinance amending the Benbrook Land Use Plan designation for Lots 8 and 9, Block 7, Benbrook Estates Addition from Commercial to Medium Density Residential and to rezone said lots from "HC-PD" Highway Corridor Planned Development District to "CR" Multiple-Family Restricted District.

Attachments

- Aerial Map
- Zoning Map – Panel 10
- Land Use Plan Map – Panel 10
- Property Survey/Plat
- Development Requirements (CR district)
- Ordinance

**UNAPPROVED MINUTES
OF THE
CITY OF BENBROOK
PLANNING AND ZONING COMMISSION
REGULAR MEETING
THURSDAY, MAY 16, 2019**

III. REPORTS OF CITY STAFF

B. ZONING

- 2) Z-19-02/CP-19-01 – A request to rezone Lots 7, 8 and 9, Block 7 Benbrook Estates Addition (110, 112 and 116 Del Rio Avenue), totaling 0.90 acres, from "HC-PD" Highway Corridor Planned Development District to "CR" Multiple-Family Restricted District and to amend their future land use plan map designation, within the Benbrook Comprehensive Plan, from Commercial to Medium Density Residential. [PUBLIC HEARING]

Doug Howard, City Planner, presented the staff report and answered questions.

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Lonnie Huett, the applicant (7204 Tour Trail, Benbrook, Texas), answered questions from the Commission.

The Chair opened the public hearing at 8:08 p.m. There were no public comments. The Chair closed the public hearing at 8:08 p.m.

Motion by Commissioner Russel to recommend City Council adopt an ordinance amending the Benbrook Comprehensive Plan's land use plan designation for Lots 8 and 9, Block 7, Benbrook Estates Addition from Commercial to Medium Density Residential and to rezone said lots from "HC-PD" Highway Corridor Planned Development District to "CR" Multiple Family Restricted District.

Vote on the motion:

Ayes: Mr. Ramsey, Mr. Valverde, Mr. Russel, Ms. Seifert, Mr. Eason and Mr. Farrar

Noes: None

Abstain: None

Motion carried: 6 – 0 – 0