



City of Dallas
Planning Commission
Council Chambers - City Hall
February 8, 2011 - 7:00 p.m.

MINUTES

CALL TO ORDER

President Chuck Lerwick called the meeting to order at 7:00 p.m.

ROLL CALL

Commissioners Present: Chuck Lerwick, Carol Kowash, David Shein, Paul Holstege, Murray Stewart and Robert Wilson

Commissioners Absent: Dave Pederson

Staff present: City Attorney Lane Shetterly, Community Development Director Jason Locke, Planner John Swanson and Recording Secretary Kris Pierce

APPROVAL OF MINUTES

President Lerwick presented the minutes of the regular meeting of January 11, 2011. Commissioner Shein made a motion to approve the minutes as presented. Commissioner Kowash seconded the motion. The motion passed unanimously.

PUBLIC COMMENT

None

PUBLIC HEARING

- A) **SUB 10-03 Application for a 121 Lot Residential Subdivision (31.16 total acres) TAX LOT #7531A/600, 602 & 7530D/1002 known as the Creekside Subdivision, located on the South side of SW Oregon Trail Drive and SW Applegate Trail Drive.**
Applicant: Mark Grenz and Multi/Tech Engineering Services, Inc.

President Lerwick declared the official public hearing open at 7:02 p.m. President Lerwick called for any Commissioners who wished to declare any ex-parte contact, site visits or conflicts of interest; there were none. President Lerwick explained the hearing procedure and called for the Staff Report.

John Swanson presented the staff report, stating that the application was for a 121 Lot Subdivision. He further reported that the owner of the subject property is Green Tree, LLC and the applicant is Mark Grenz with Multi/Tech Engineering Services, Inc. The proposed 121 lot subdivision consists of 31.16 acres located south of SW Oregon Trail Drive and SW Applegate Trail Drive and is in the RL Zone. Access would be provided by new streets constructed from the ends of SW Oregon Trail Drive and SW Applegate Trail Drive. Mr. Swanson further reported that the subdivision would be developed in two phases and provided a map and oriented the Commission to the surrounding developments. The subdivision consists of four green spaces, one of which is proposed to be a park and another green space along the creek contained a portion of the paved Rickreall Creek Trail. Both of these spaces would be dedicated to the City. The other two green spaces would be maintained by the homeowner's association. Mr. Swanson explained the total green space accounts for 31% of the total area in the proposed subdivision.

Mr. Locke reviewed the supplemental staff report, which included a correction to the staff report regarding an intervening property between the UGB and city limits. He clarified that the subject property and the property directly to the west of the proposed subdivision are zoned RL and explained that the RL designation replaced the RS and RA zone designations. Mr. Locke explained the issues regarding the floodway and the floodplain and provided definitions from the Dallas Development Code. He further stated that Dallas Development Code does not allow development in the floodway and that there are significant requirements for development in the floodplain. Mr. Locke also explained that the prior application approval that required a fence be built on the western boundary had expired and the Commission would be considering the current application under the new Development Code, which would not require fencing, but noted that the requirements of Resolution 2605 would be applicable.

President Lerwick asked for questions and, hearing none, he called for the Applicant's presentation.

Applicant, Mark Grenz with Multi/Tech Engineering Services, Inc. representing Green Tree, LLC owners of the property, presented the application. Mr. Grenz explained that the proposed development of the subject property would be done in accordance with the current Development Code. He noted that the TIA Report did identify one intersection that was overcapacity and stated they will be working with staff to make any changes or improvements as necessary and further advised Green Tree, LLC has used the services of a technical consultant that has evaluated the site in terms of grading and fill regarding the section of the property that is in the floodplain. Mr. Grenz stated that they were in the process of

working with DSL and the Army Corp. of Engineers to identify the wetland areas and to obtain permits in order to make the improvements needed to that portion of the property. He followed by saying Multi/Tech Engineering Services, Inc. retained the services of Roger Sutherland, PC to review the floodplain issues, and submitted Mr. Sutherland's letter and report into the hearing record. Mr. Grenz stated they anticipated beginning the first phase of the project in 2012, and the second phase in 2014. Mr. Grenz indicated there were some discrepancies in the initial application and provided clarifying information.

President Lerwick asked if there were any questions of the applicant. Hearing none, he then asked that any persons wishing to speak on the application sign in and state their name and address for the record.

Shirley Mannenbach, 15380 W. Ellendale Road, Dallas, stated that she is the landowner to the west of the proposed development. She indicated that in December of 2007 there was flooding on her property and a portion of the adjoining property. Mrs. Mannenbach provided a short video clip depicting pictures of the 2007 flooding on their property and adjacent property.

President Lerwick asked if there were any other persons wishing to speak on the application.

Steve Mannenbach, 15380 W. Ellendale Road, Dallas, provided the Commission a packet and DVD of the video that was previously shown by Shirley Mannenbach. The packet and DVD were entered into the record. Mr. Mannenbach advised the Commission of a correction, stating that a portion of his property was located in the UGB and city limits. He further explained additional pictures in the packet, which depicted flooding and post-flood conditions. Mr. Mannenbach addressed the issue of fencing of the proposed subdivision and stated that the fencing requirement for the proposed subdivision was put into effect by Mr. Roger Jordan. He also provided the Commission a subdivision map from 1991, depicting a golf course in the Phase 2 area of the current proposal and asked that it be entered into the record. Mr. Mannenbach concluded his testimony by reiterating the issues he had with the proposed subdivision application, described his concerns regarding liability and development on the proposed site, and asked that the Commission deny the application.

Mr. Mannenbach requested that the record be kept open an additional two weeks to provide for additional testimony/evidence.

President Lerwick asked for the applicant's rebuttal testimony. Mr.Grenz, gave his rebuttal testimony by reiterating their position regarding the proposed subdivision and that the floodplain issues would be addressed at the appropriate time. He concluded by stating a step-back analysis would be done in the future prior to development of Phase 2.

President Lerwick called for questions by Commission Members and comments from staff. Hearing none, President Lerwick advised that the record would remain open for two weeks to allow for written testimony on the application, followed by an additional seven days for applicant rebuttal. Hearing no objections to this, President Lerwick closed the Public Hearing at 8:15 p.m.

OTHER BUSINES

None

COMMISSIONER COMMENTS

None

STAFF COMMENTS

None

The Meeting was adjourned at 8:17 p.m.

APPROVED:

President

Date