



Planning & Zoning Commission Agenda

Tuesday, May 13, 2025
6:00 PM

City Hall - 141 W. Renfro
Burleson, TX 76028

1. **CALL TO ORDER**

Invocation

Pledge of Allegiance

Texas Pledge:

Honor the Texas Flag, I pledge allegiance to thee, Texas, one state under God; one and indivisible

2. **CITIZEN APPEARANCES**

Other than public hearings, citizens in attendance who desire to speak to the Planning and Zoning Commission may speak during this section. Each person will be allowed three (3) minutes to speak and will not be interrupted by the Commission or staff. If you would like to speak, please fill out a speaker card and give the completed card to the City staff prior to addressing the Commission. Please note that the Commission may only take action on items posted on the agenda. The Texas Open Meetings Act prohibits the Commission from deliberating or taking action on an item not listed on the agenda. Please also note that speakers who desire to speak on an item listed for public hearing will address the Commission during the public hearing and consideration of that particular agenda item.

3. **CONSENT AGENDA**

All items listed below are considered to be routine by the Planning and Zoning Commission and will be enacted with one motion. There will be no separate discussion of the items unless a Commissioner or citizen so requests, in which event the item will be removed from the consent agenda and considered in its normal sequence. Approval of the consent agenda authorizes the Development Services Director to place each item on the City Council agenda in accordance with the Planning and Zoning Commission's recommendations.

[A.](#) Consider approval of the minutes from April 22, 2025 Planning & Zoning Commission meeting.

[B.](#) Highpoint Business Park Burleson, Lots 1R-A1 & 1R-A2, Block 1 (Case 24-369): Consider approval of a replat of Highpoint Business Park Burleson, Lots 1R-A1 & 1R-A2, Block 1 addressed as 4051 Vantage DR. (Staff Contact: Lidon Pearce, Principal Planner)

4. **PUBLIC HEARING**

[A.](#) 185 NW John Jones DR, Suite 150 (Case 25-095): Hold a public hearing and consider and take possible action on a zoning ordinance change request from "C", Commercial, to "C", Commercial with a Specific Use Permit for a Liquor Store. (Staff Contact: Lidon Pearce, Principal Planner)

5. REPORTS AND PRESENTATIONS**6. GENERAL****7. COMMUNITY INTERESTS ITEMS****8. EXECUTIVE SESSION**

In accordance with Chapter 551 of the Texas Government Code, the Commission may convene in Executive Session in the City Council Workroom in City Hall to conduct a closed meeting to discuss any item listed on this Agenda.

A. Pending or Contemplated Litigation or to Seek the Advice of the City Attorney Pursuant to Section 551.071

9. ADJOURN**Staff Contact**

Tony McIlwain

Director of Development Services

817-426-9684

CERTIFICATE

I hereby certify that the above agenda was posted on this the 7th of May 2025, by 5:00 p.m., on the official bulletin board at the Burleson City Hall, 141 W. Renfro, Burleson, Texas.



Amanda Campos

City Secretary

ACCESSIBILITY STATEMENT

The Burleson City Hall is wheelchair accessible. The entry ramp is located in the front of the building, accessible from Warren St. Accessible parking spaces are also available in the Warren St. parking lot. Sign interpretative services for meetings must be made 48 hours in advance of the meeting. Call the A.D.A. Coordinator at 817-426-9600, or TDD 1-800-735-2989.



Department Memo

Planning & Zoning Commission Meeting

DEPARTMENT: Development Services

FROM: Peggy Fisher, Administrative Assistant Sr.

MEETING: May 13, 2025

SUBJECT:

Approve the minutes from April 22, 2025 Regular Session of the Planning & Zoning Commission meeting.

SUMMARY:

Minutes from the April 22, 2025 Regular Session of the Planning & Zoning Commission meeting.

OPTIONS:

Approve as presented

RECOMMENDATION:

Approve the minutes from the April 22, 2025 Regular Session of the Planning & Zoning Commission meeting.

PRIOR ACTION/INPUT (Council, Boards, Citizens):

None

FISCAL IMPACT:

None

STAFF CONTACT:

Peggy Fisher
Recording Secretary
pfisher@burlesontx.com
817-426-9611

PLANNING AND ZONING COMMISSION

April 22, 2025
MINUTES

Roll Call

Commissioners Present

David Hadley
Cobi Tittle
Ashley Brookman
Bill Janusch
Michael Tune (Chair)
Clint Faram
Michael Kurmes
Brandon Crisp
Bobby Reading

Commissioners Absent

Dan Taylor

Staff

Matt Ribitzki, City Attorney
Emilio Sanchez, Assistant Director Development Services
Peggy Fisher, Administrative Assistant

REGULAR SESSION

1. Call to Order – 6:00 PM

Invocation – David Hadley

Pledge of Allegiance

Texas Pledge

2. Citizen Appearance

None

3. Consent Agenda

- A.** Consider approval of the minutes from April 8, 2025 Planning and Zoning Regular Commission meeting. (Staff Contact: Tony McIlwain, Director Development Services).
- B.** Xcell Ranch Estates Addition, Lots 11R & 12R (Case 24-295): Consider approval of a replat of Xcell Ranch Estates Addition, Lots 11R & 12R,

addressed as 7105 Starling Street. (Staff Contact: Emilio Sanchez, Deputy Director)

Motion made by Commissioner Ashley Brookman and second by Commissioner Clint Faram to approve the consent agenda.

Motion passed, 8-0. Commissioner Dan Taylor was absent.

4. Public Hearing

None

5. Reports and Presentations

None

6. General

None

7. Community Interest Items

None

8. Executive Session

In accordance with Chapter 551 of the Texas Government Code, the City Commission may convene in Executive Session in the City Council Workroom in City Hall to conduct a closed meeting to discuss any item listed on this Agenda.

A. Pending or Contemplated Litigation or to Seek the Advice of the City of Attorney Pursuant to Section 551.071

9. Adjourn

There being no further business Chair Michael Tune adjourned the meeting.

Time – 6:01PM

Peggy Fisher
Administrative Assistant
Recording Secretary

Planning & Zoning Commission Meeting

DEPARTMENT: Development Services
FROM: Lidon Pearce, Principal Planner
MEETING: May 13, 2025

SUBJECT:

Highpoint Business Park Burleson, Lots 1R-A1 & 1R-A2, Block 1 (Case 24-369):
Consider approval of a replat of Highpoint Business Park Burleson, Lots 1R-A1 & 1R-A2, Block 1 addressed as 4051 Vantage DR. (Staff Contact: Lidon Pearce, Principal Planner)

SUMMARY:

On December 9, 2024, an application was submitted by Yemi Durosawo with LANGAN Engineering on behalf of Sean Gilbert with BGO-SRE Burleson II LP (owner) for a replat of approximately 20.790 acres, to create 2 lots for non-residential development.

The plat is administratively complete and meets the requirements of Appendix A – Subdivision and Development Regulations.

RECOMMENDATION:

Approve the replat for Highpoint Business Park Burleson, Lots 1R-A1 & 1R-A2, Block 1.

PRIOR ACTION/INPUT (Council, Boards, Citizens):

N/A

REFERENCE:

[City of Burleson, TX PLAT REQUIREMENTS](#)

FISCAL IMPACT:

N/A

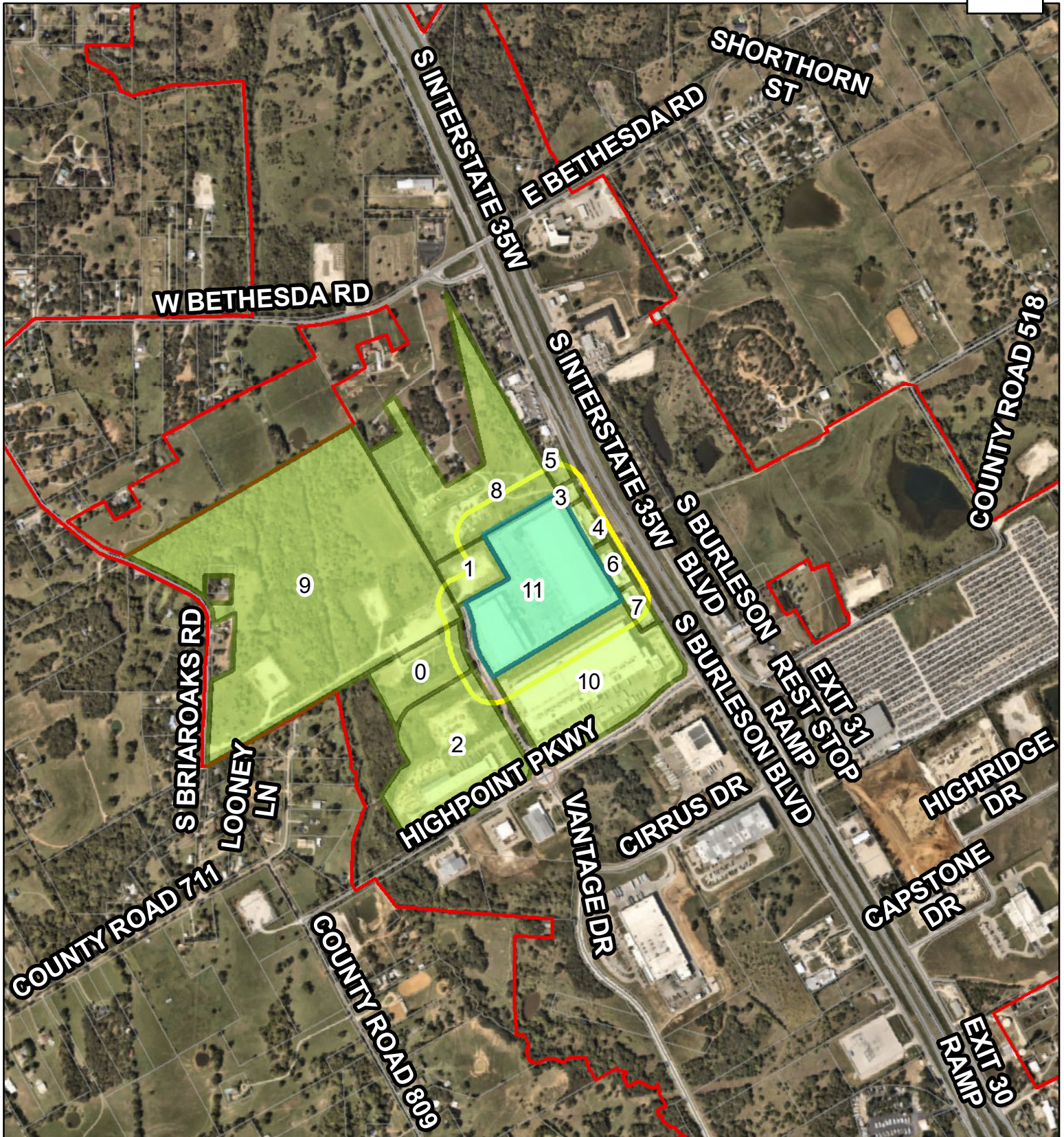
STAFF CONTACT:

Lidon Pearce, CNU-A, AICP
Principal Planner
lpearcel@burlesontx.com

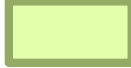
817-426-9649

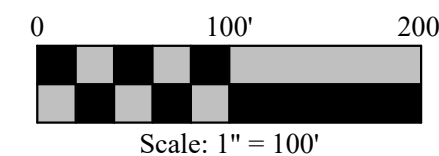
Properties within 200' of Case 24-369

Item B.



THE CITY OF
BURLESON
TEXAS

-  Subject Property
-  Properties within 200 ft
-  200 ft Buffer

**LEGEND OF ABBREVIATIONS**

US.SyFt. United States Survey Feet
 TxCS,'83,NCZ Texas Coordinate System of 1983, North Central Zone
 P.R.J.C.T. Plat Records of Johnson County, Texas
 O.P.R.J.C.T. Official Public Records of Johnson County, Texas
 D.R.J.C.T. Deed Records of Johnson County, Texas
 VOL/PG/INST# Volume/Page/Instrument Number
 ESMT/BL Easement/ Building Line
 POB/POC Point of Beginning/Point of Commencing
 R.O.W. Right of Way

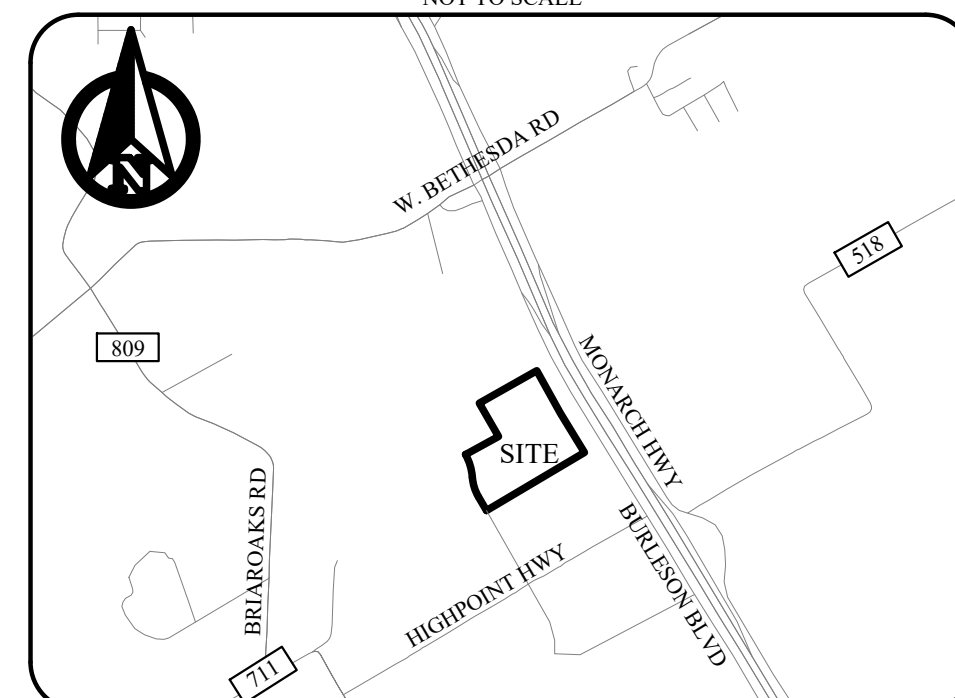
MONUMENTS / DATUMS / BEARING BASIS

CRS ○ 1/2" rebar stamped "JPH Land Surveying" found
 MNS ○ Mag nail & washer stamped "JPH Land Surveying" found
 "+" ○ "+" in concrete
 ○ Vertex or common point (not a monument)
 Coordinate values, if shown, are US.SyFt./TxCS,'83,NCZ
 Bearings are based on grid north (TxCS,'83,NCZ)

INTERSTATE HIGHWAY NO. 35 WEST
 SERVICE ROAD
 AS SHOWN ON VOL. 8, PG. 970
 P.R.J.C.T.
 VARIABLE WIDTH R.O.W.

VICINITY MAP

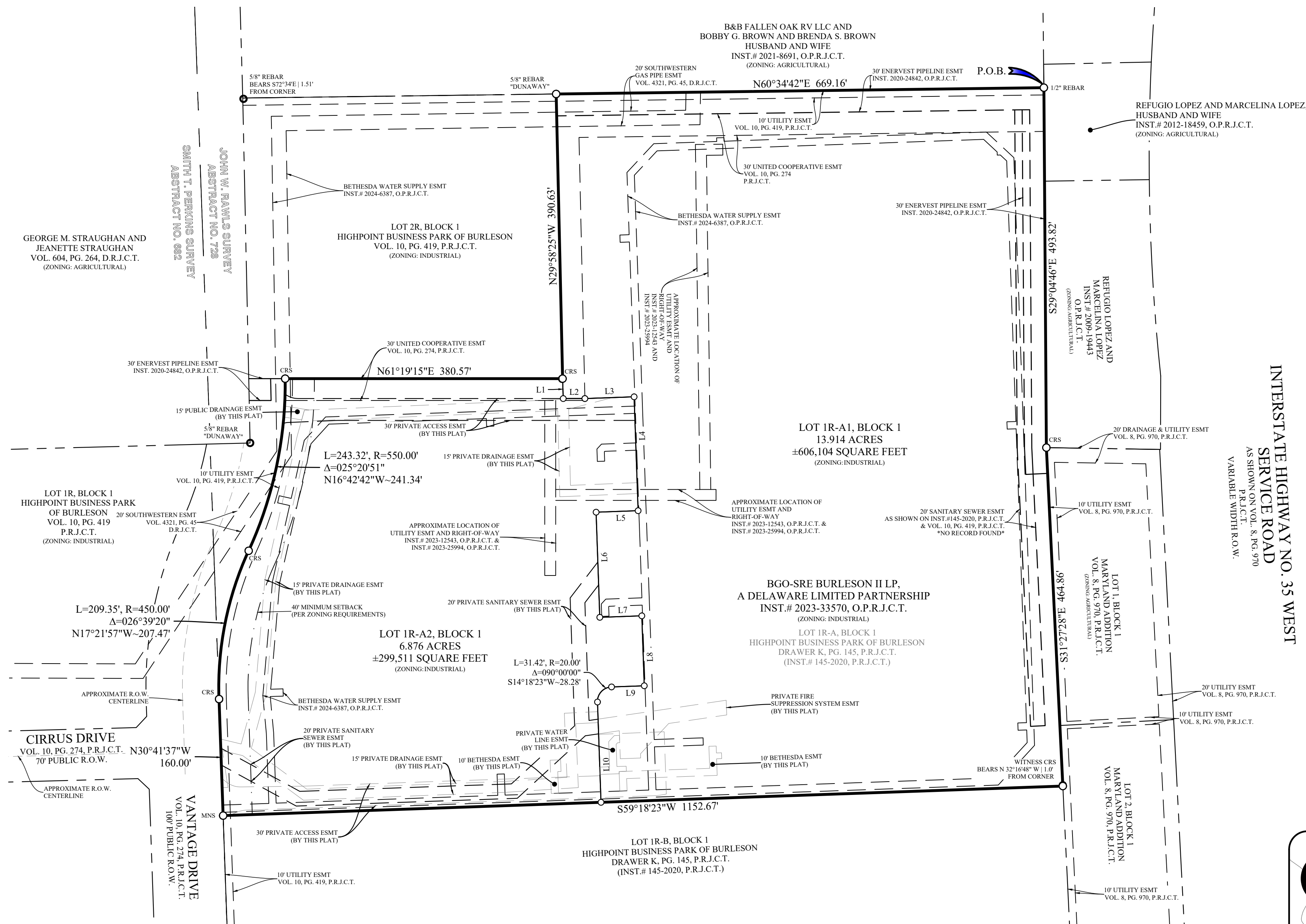
NOT TO SCALE



REPLAT
LOTS 1R-A1 & 1R-A2, BLOCK 1
HIGHPOINT BUSINESS PARK BURLESON

20.790 ACRES
 BEING A REPLAT OF
 LOT 1R-1, BLOCK 1, HIGHPOINT BUSINESS PARK BURLESON
 SITUATED IN THE
 CITY OF BURLESON, JOHNSON COUNTY, TEXAS

PREPARED: APRIL 2024 | REVISED: NOVEMBER 2024 - JANUARY 2025
 PAGE 1 OF 4



REFER TO PAGE 2 FOR PROPOSED EASEMENT DISTANCES
 REFER TO PAGE 3 FOR LINE | CURVE TABLE

SURVEYOR:

Robert W. Bryan
 2999 Olympus Blvd, Suite 165
 Dallas, TX 75019
 (817) 328-3200
 rbryan@langan.com

OWNER:

BGO-SRE Burleson II LP,
 a Delaware limited partnership
 c/o BentallGreenOak (U.S.) limited
 partnership
 399 Park Avenue, Floor 18,
 New York, New York 10022

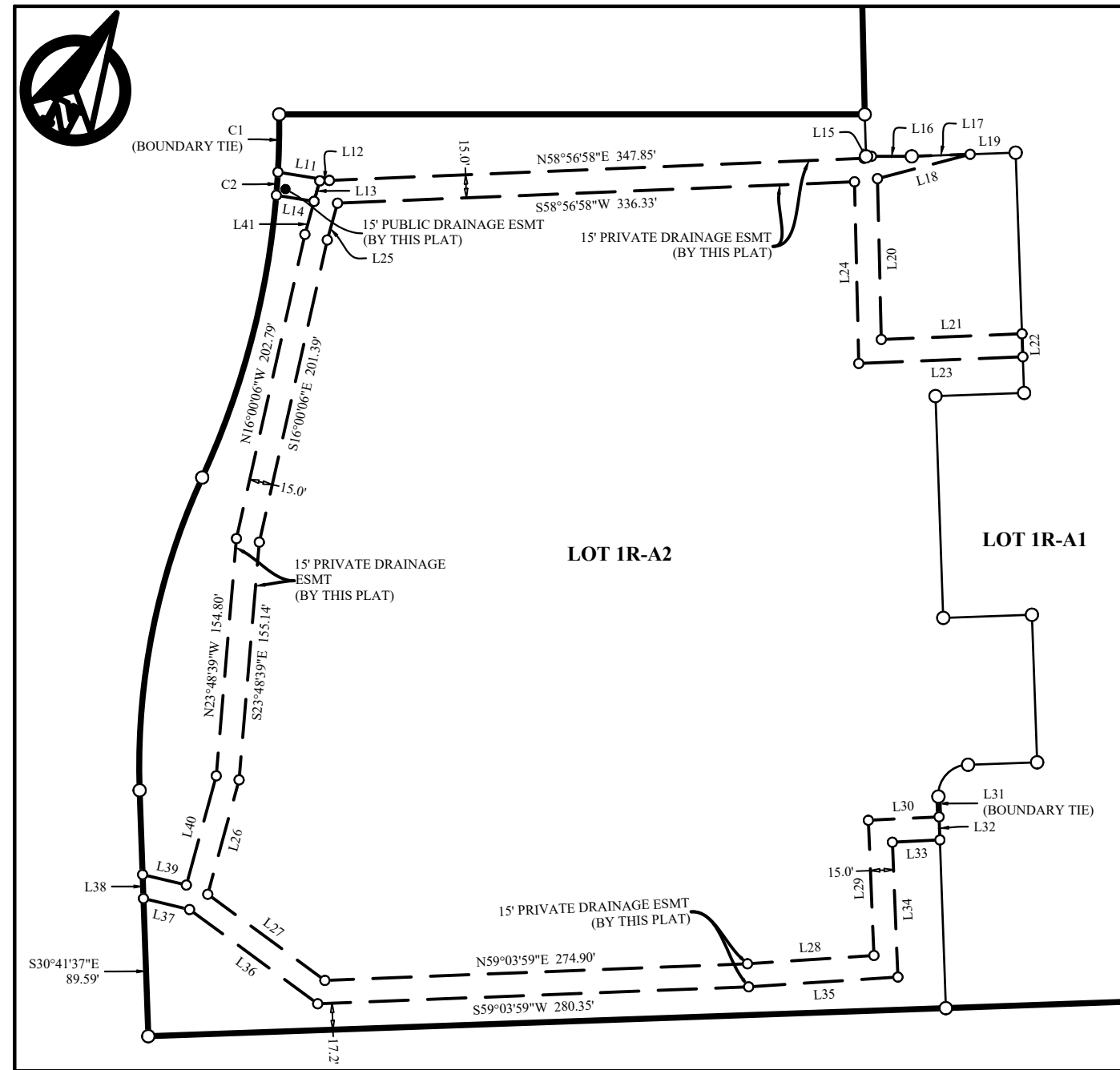
LANGAN

Langan Engineering and
 Environmental Services, LLC
 2999 Olympus Blvd, Suite 165
 Dallas, TX 75019

T: 817.328.3200 www.langan.com

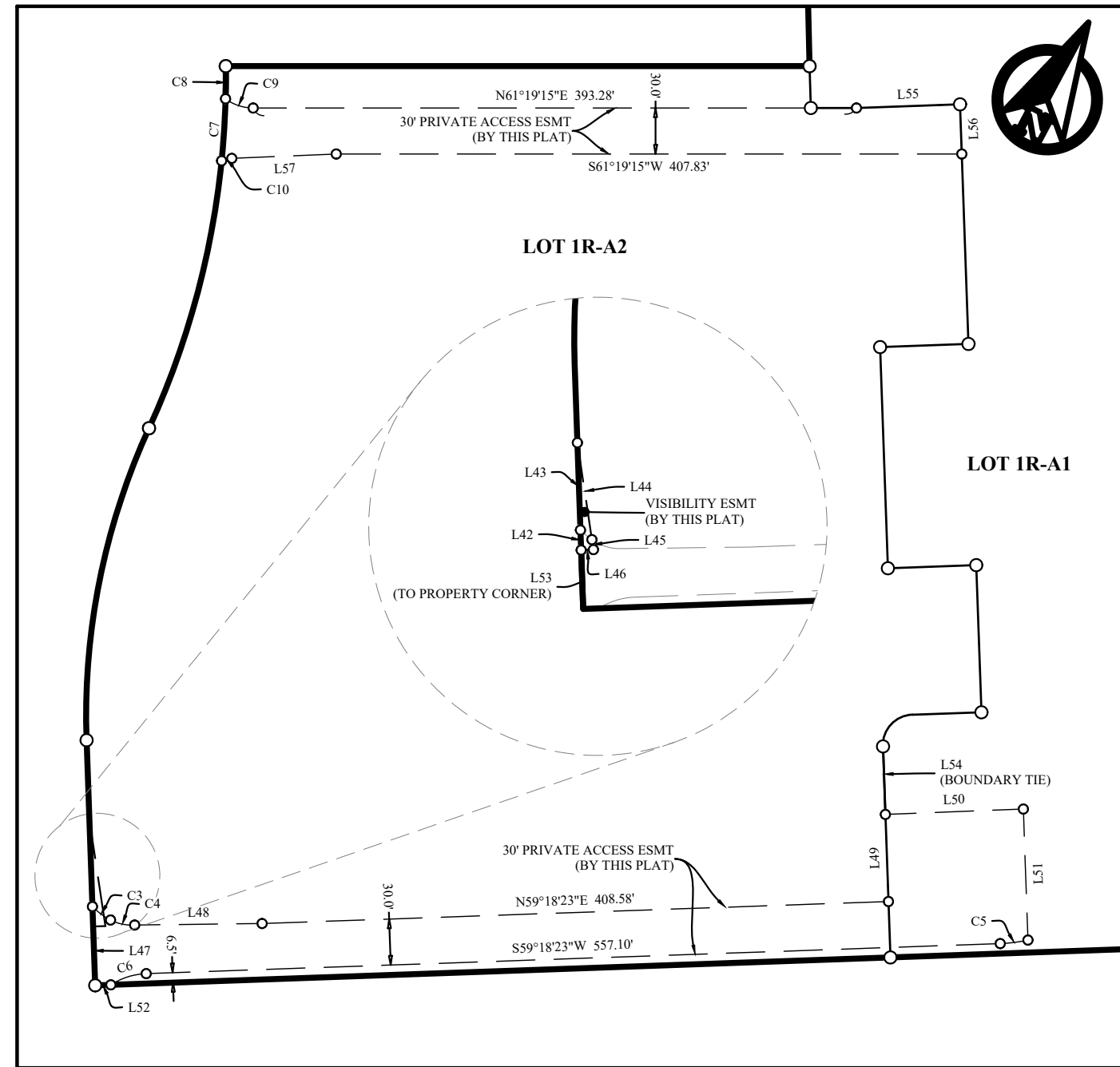
EASEMENTS DETAIL A

SCALE: 1" = 100'



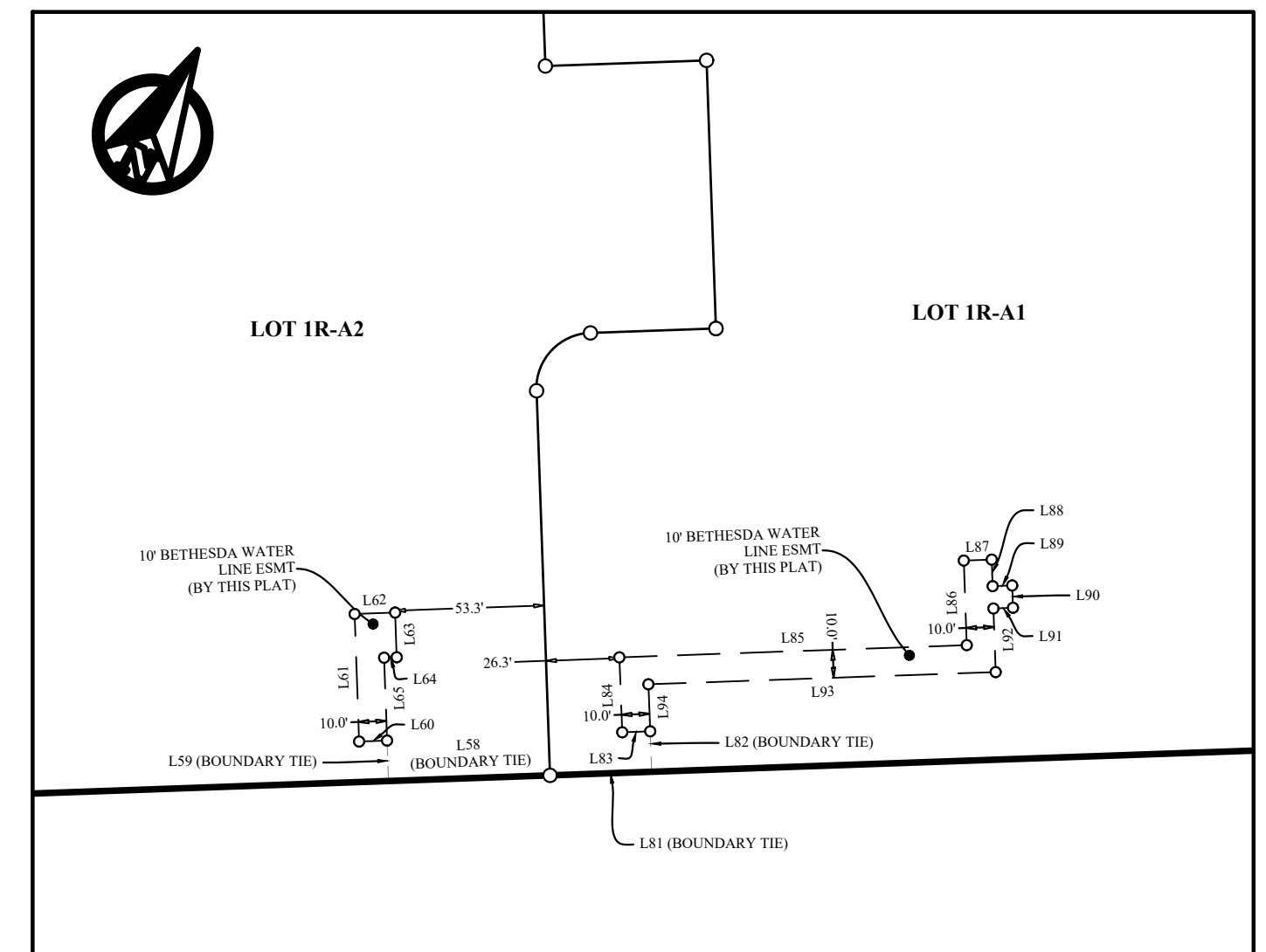
EASEMENTS DETAIL B

SCALE: 1" = 100'



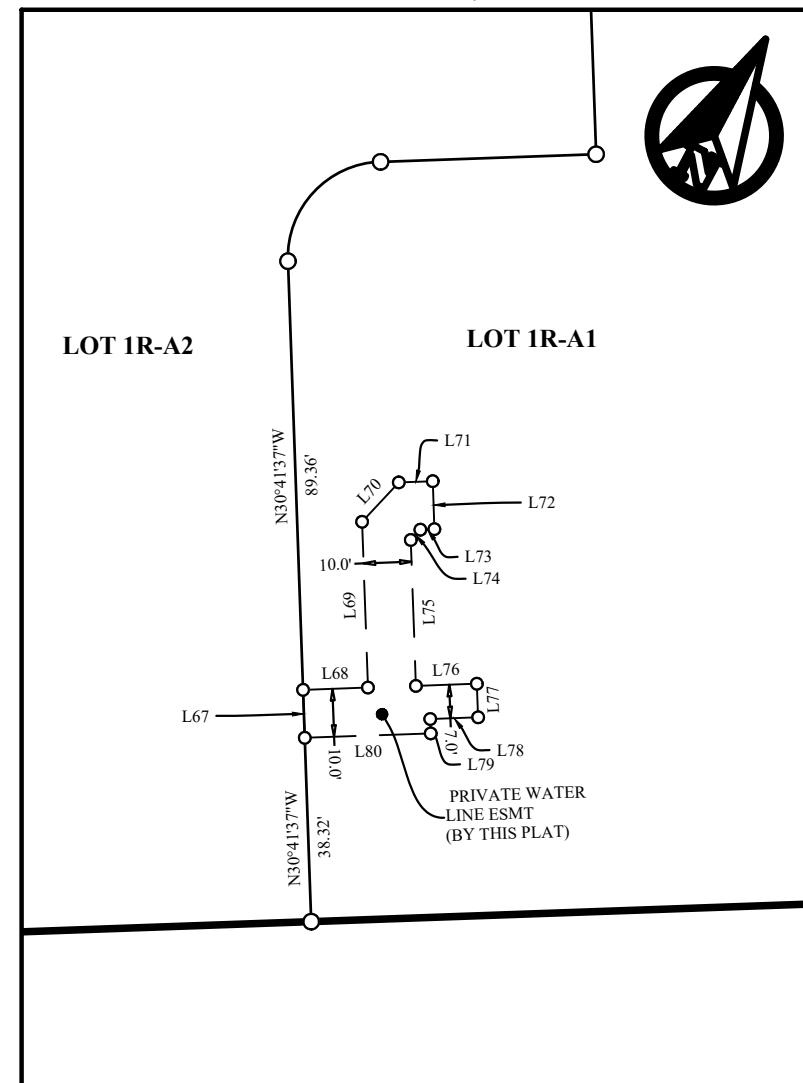
EASEMENTS DETAIL C

SCALE: 1" = 60'



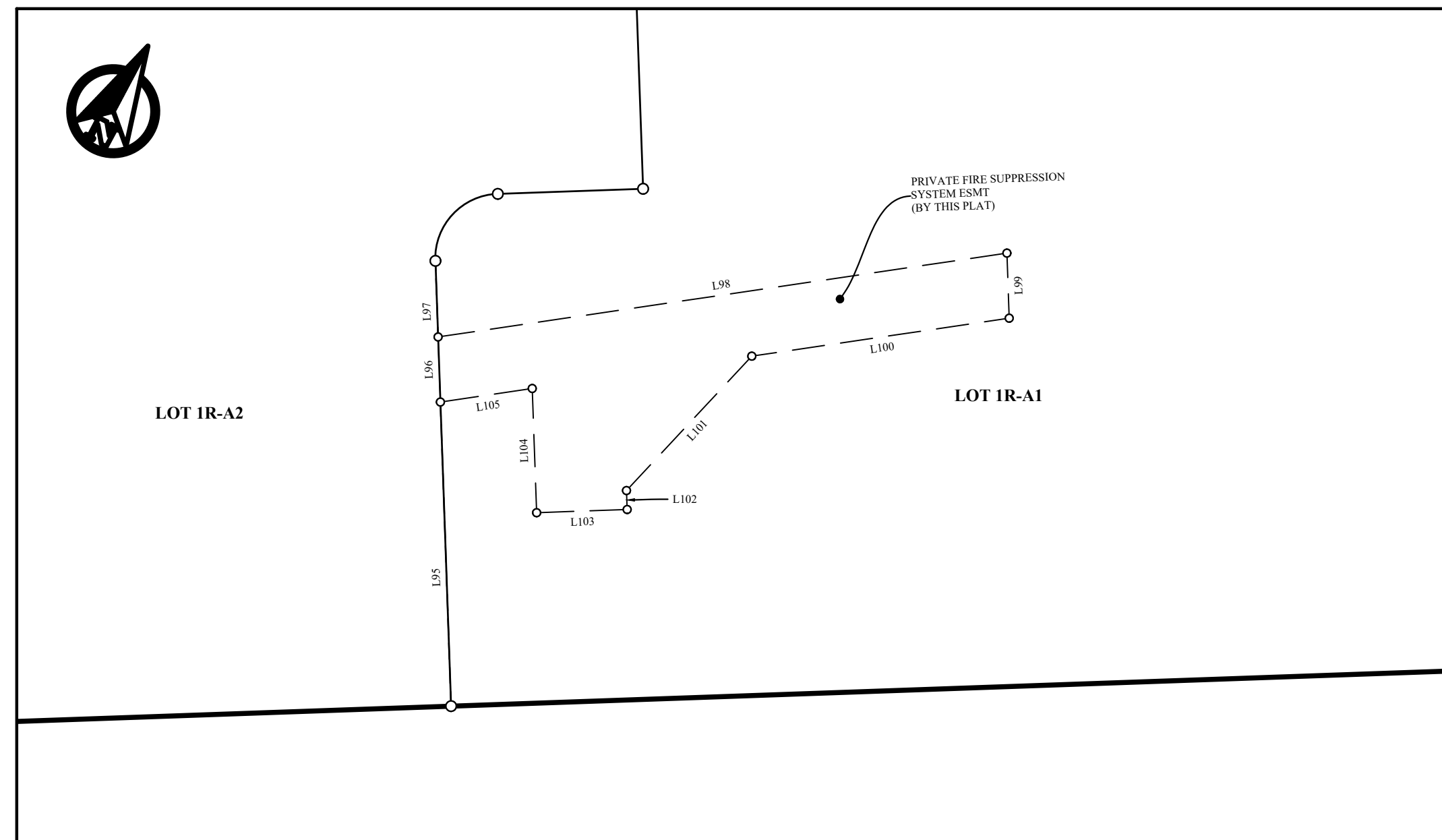
EASEMENTS DETAIL D

SCALE: 1" = 40'



EASEMENTS DETAIL E

SCALE: 1" = 40'



REFER TO PAGE 3 FOR LINE | CURVE TABLE

SURVEYOR:

Robert W. Bryan
2999 Olympus Blvd, Suite 165
Dallas, TX 75019
(817) 328-3200
rbryan@langan.com

OWNER:

BGO-SRE Burleson II LP,
a Delaware limited partnership
c/o BentallGreenOak (U.S.) limited
partnership
399 Park Avenue, Floor 18,
New York, New York 10022

LANGAN

Langan Engineering and
Environmental Services, LLC
2999 Olympus Blvd, Suite 165
Dallas, TX 75019

T: 817.328.3200 www.langan.com

TBPELS Firm #10194888

REPLAT LOTS 1R-A1 & 1R-A2, BLOCK 1 HIGHPOINT BUSINESS PARK BURLESON

20.790 ACRES
BEING A REPLAT OF
LOT 1R-1, BLOCK 1, HIGHPOINT BUSINESS PARK BURLESON
SITUATED IN THE
CITY OF BURLESON, JOHNSON COUNTY, TEXAS
PREPARED: APRIL 2024 | REVISED: NOVEMBER 2024 - JANUARY 2025
PAGE 2 OF 4

Easement Curve Data Table					
Curve #	Arc	Radius	Delta	Chord Bearing	Chord
C1	37.60'	550.00'	003°55'02"	S27°25'37"E	37.59'
C2	15.06'	550.00'	001°34'08"	N24°41'02"W	15.06'
C3	14.79'	45.00'	018°49'48"	S81°59'50"E	14.72'
C4	16.26'	30.00'	031°03'48"	N73°03'22"E	16.07'
C5	18.25'	100.00'	010°27'23"	S54°04'33"W	18.22'
C6	24.49'	45.00'	031°10'44"	S43°43'01"W	24.19'
C7	40.54'	550.00'	004°13'25"	N25°03'24"W	40.54'
C8	21.28'	550.00'	002°13'01"	N28°16'37"W	21.28'
C9	19.32'	30.01'	036°53'27"	N79°46'25"E	18.99'
C10	6.88'	15.00'	026°16'58"	S47°50'16"W	6.82'

Easement Line Data Table		
Line #	Bearing	Distance
L31	N30°41'37"W	13.23'
L32	S30°41'37"E	15.00'
L33	S58°33'05"W	30.93'
L34	S31°01'53"E	87.73'
L35	S57°34'17"W	97.23'
L36	N82°20'01"W	103.39'
L37	S74°46'29"W	30.84'
L38	N30°41'37"W	15.56'
L39	N74°46'29"E	29.25'
L40	N13°23'06"W	73.65'
L41	N13°10'08"W	22.28'
L42	N30°41'37"W	13.04'
L43	N30°41'37"W	56.96'
L44	S37°12'49"E	63.88'
L45	S37°12'49"E	6.57'
L46	S59°18'23"W	8.00'
L47	N30°41'37"W	51.45'
L48	N60°38'17"E	83.09'
L49	N30°41'37"W	56.82'
L50	N59°04'40"E	90.00'

Easement Line Data Table		
Line #	Bearing	Distance
L51	S30°41'37"E	85.52'
L52	S59°18'23"W	10.20'
L53	S30°41'37"E	38.42'
L54	N30°41'37"W	44.36'
L55	N59°18'23"E	67.59'
L56	S30°41'37"E	32.40'
L57	S58°55'16"W	68.14'
L58	N59°18'23"W	57.82'
L59	N30°41'37"W	14.49'
L60	S59°18'23"W	10.00'
L61	N30°41'37"W	45.66'
L62	N59°18'23"E	14.50'
L63	S30°41'37"E	16.00'
L64	S59°18'23"W	4.50'
L65	S30°41'37"E	29.66'
L67	N30°41'37"W	10.00'
L68	N59°18'23"E	13.52'
L69	N30°41'37"W	34.56'
L70	N14°18'23"E	11.21'
L71	N59°18'23"E	7.07'

Easement Line Data Table		
Line #	Bearing	Distance
L92	S30°41'37"E	22.78'
L93	S59°18'23"W	124.28'
L94	S30°52'28"E	16.83'
L95	N30°41'37"W	94.03'
L96	N30°41'37"W	20.12'
L97	N30°41'37"W	23.53'
L98	N52°56'13"E	177.67'
L99	S30°41'37"E	20.12'
L100	S52°56'13"W	80.41'
L101	S14°18'23"W	56.78'
L102	S30°41'37"E	5.86'
L103	S59°18'23"W	28.00'
L104	N30°41'37"W	38.40'
L105	S52°56'13"W	28.69'

TBPELS Firm #10194888

CITY OF BURLESON, JOHNSON COUNTY, TEXAS
PREPARED: APRIL 2024 | REVISED: NOVEMBER 2024 - JANUARY 2025
PAGE 3 OF 4

OWNER'S CERTIFICATE

STATE OF TEXAS §

COUNTY OF JOHNSON §

WHEREAS BGO-SRE Burleson II LP, a Delaware limited partnership, is the owner of that certain tract being all of Lot 1R-A, Block A, Highpoint Business Park Burleson, an addition in the City of Burleson, Johnson County, Texas, according to the plat thereof recorded in Drawer K, Page 145, Plat Records, Johnson County, Texas (P.R.J.C.T.) (Instrument No. 145-2020, P.R.J.C.T.), and being the same tract described in the deed to said BGO-SRE Burleson II LP, a Delaware limited partnership recorded under Instrument Number 2023-33570, Official Public Records, Johnson County, Texas; the subject tract is more particularly described as follows:

BEGINNING at a 1/2 inch rebar found at the north corner of said Lot 1R-A;
THENCE with the perimeter and to the corners of said Lot1R-A, the following calls:

1. SOUTH 29°04'46" EAST, a distance of 493.82 feet to a found 1/2 inch capped rebar stamped “JPH Land Surveying”;

2. SOUTH 31°27'28" EAST, a distance of 464.86 feet to a lot corner, from which a found 1/2 inch capped rebar stamped “JPH Witness Corner” bears NORTH 32°16'48" WEST, a distance of 1.0 feet;

3. SOUTH 59°18'23" WEST, a distance of 1,152.67 feet to a found Mag Nail with Metal Washer stamped “JPH Land Surveying”;

4. NORTH 30°41'37" WEST, a distance of 160.00 feet to a 1/2 inch capped rebar stamped “JPH Land Surveying” found at the beginning of a curve concave easterly (curve to the right), having a radius of 450.00 feet;

5. In a northerly direction, along the arc of said curve, passing through a central angle of 26°39'20", an arc length of 209.35 feet (a chord bearing of NORTH 17°21'57" WEST, a chord distance of 207.47 feet) to a 1/2 inch capped rebar stamped “JPH Land Surveying” found in a point of reverse curvature, concave westerly (curve to the left) having a radius of 550.00 feet;

6. In a northerly direction, along the arc of said curve, passing through a central angle of 25°20'51", an arc length of 243.32 feet (a chord bearing of NORTH 16°42'42" WEST, a chord distance of 241.34 feet) to a found 1/2 inch capped rebar stamped “JPH Land Surveying”;

7. NORTH 61°19'15" EAST, a distance of 380.57 feet to a found 1/2 inch capped rebar stamped “JPH Land Surveying”;

8. NORTH 29°58'25" WEST, a distance of 390.63 feet to a found 5/8 inch capped rebar stamped “Dunaway”;

9. NORTH 60°34'42" EAST, a distance of 669.16 feet returning to the POINT OF BEGINNING and enclosing 20.790 acres (±905,615 square feet).

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That BGO-SRE Burleson II LP, a Delaware limited partnership, acting herein by and through its duly authorized officer, does hereby adopt this plat designating the hereinabove described property as Lots 1R-A1 & 1R-A2, Block A, Highpoint Business Park Burleson, an addition in the City of Burleson, Johnson County, Texas, and does hereby dedicate to the public use forever all streets, tight-of-way, alleys and easements shown thereon. The City of any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs or other improvements or growths in which any way endanger or interfere with the construction, maintenance or efficiency of its respective systems on any of these easements, and the City or any public utility shall at all times have the right of ingress and egress to and from and upon the said easement for the purpose of constructing, reconstructing, inspecting, and patrolling, without the necessity at any time of procuring the permission of anyone.

This plat approved subject to all platting ordinances, rules, regulations, and resolutions of the City of Burleson, Johnson County, Texas.

WITNESS my hand this the ____ day of _____, 20__.

Authorized Officer of _____ Name
BGO-SRE Burleson II LP,
a Delaware limited liability company

STATE OF TEXAS §
COUNTY OF _____ §

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared _____, authorized officer of BGO-SRE Burleson II LP, a Delaware limited partnership, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purpose and considerations therein expressed.

Given under my hand and seal of office, this the ____ day of _____, 20__.

Notary Public in and for the State of Texas

GENERAL PLAT NOTES:

- The purposed of this replat is to subdivide the existing Lot 1R-A, Block A, into two (2) lots.
- This replat does not alter or remove existing deed restriction or covenants, if any, on this property.
- Selling a portion of any lot within this addition by metes and bounds is a violation of state law and city ordinance and is subject to fines and withholding of utility services and building permits.
- The private access and utility easement provides unrestricted use and maintenance of the property for utilities. These rights extend to all utility providers. The easement also provides the City or County with the right of access for any purpose related to the exercise of a governmental service or function including, but not limited to, fire and police protection, inspection and code enforcement. The easement permits the City of County to remove any vehicle or obstacle within the street that impairs emergency access.
- The fieldwork was completed in April 2024.
- Zoning information shown hereon are based on the City of Burleson interactive maps (<https://www.burlesontx.com/600/Maps>).
- The City of Burleson reserves the right to require minimum finish floor elevation on any lot within this subdivision. The minimum elevations shown are based on the most current information available at the time the plat is filed and may be subject to change.
- No fences or other structures will be allowed within the drainage easement.
- The requirement of public infrastructure was based on the Utility exhibit that was submitted for review with this plat on December 09, 2024 to the City of Burleson. Any additional structures proposed on this property may require the existing water lines to be improved and fire hydrant(s) to be installed for fire protection. Please contact the City of Burleson’s Development Services department prior to any development permit being issued.
- According to the Flood Insurance Rate Map (FIRM) Community Panel No. 48251C0200J dated 2012/12/04 the subject property is located within the following zone: Zone X – Areas determined to be outside the 500-year floodplain.
- The City of Burleson is not responsible for the design, construction, operation, maintenance or use of any storm water storage facility and associated drainage easements hereinafter referred to as “improvements,” to be developed and constructed by developer or successors. Developer will indemnify, defend and hold harmless the City of Burleson, its officers, employees and agents from any direct or indirect loss, damage, liability or expense and attorneys’ fees for any negligence whatsoever, arising out of the design, construction, operation, maintenance condition or use of the improvements, including any non-performance of the foregoing. Developer will require any successor in interest to accept full responsibility and liability for the improvements. All of the above shall be covenants running with the land. It is expressly contemplated that developer shall impose these covenants upon Lot(s) 1R-A2 abutting, adjacent or served by the improvements the full obligation and responsibility of maintaining and operating said improvements.
- The undersigned does covenant and agree that the private access easement may be utilized by any person or the general public for ingress and egress to other real property, and for the purpose of general public vehicular and pedestrian use and access, and for Fire Department and emergency use, in, along, upon, and across said premises, with the right and privilege at all times of the City of Burleson, its agents, employees, workmen, and representatives having ingress, egress, and regress in, along, upon, and across said premises. Maintenance of private access easements shall be the responsibility of the property owner.
- No improvements greater than 2 feet in height will be allowed within the visibility easements including but not limited to fences, walls, landscaping, signs, etc.
- The existing drainage system within the boundaries of Lots 1R-A1 and 1R-A2 was designed and constructed as a private drainage system. The City of Burleson will have no maintenance responsibility for any storm drainage facility located within private drainage easements as noted on the plat.
- Bethesda Water Supply nor the City of Burleson will have any maintenance responsibility for the 12 inch private fire line that supports the fire suppression system. The developer shall be responsible for the maintenance of the 12-inch private fire line.

PLANNING AND ZONING APPROVAL

Approved by the Planning and Zoning Commission of Burleson, Texas
this the _____, day of _____, 20__.

By: _____
Chair of Planning and Zoning Commission

By: _____
City Secretary

JOHNSON COUNTY RECORDING

Plat Filed _____

Instrument Number: _____ - _____

Drawer _____, Slide _____

By: _____
Johnson County Clerk

By: _____
Deputy Clerk

SURVEYOR'S CERTIFICATION

STATE OF TEXAS §

COUNTY OF DALLAS §

THIS is to certify that I, Robert W. Bryan, a Registered Professional Land Surveyor for the State of Texas, have platted the above subdivision from an actual survey on the ground; and that all lot corners, angle points, and points of curve have been properly marked on the ground, and that this plat correctly represents that survey made by me.

PRELIMINARY, THIS DOCUMENT SHALL NOT BE
RECORDED FOR ANY PURPOSE AND SHALL NOT
BE USED OR VIEWED OR RELIED UPON AS A
FINAL SURVEY DOCUMENT

Robert W. Bryan
Registered Professional
Land Surveyor No. 5508
rbryan@langan.com

REPLAT
LOTS 1R-A1 & 1R-A2, BLOCK 1
HIGHPOINT BUSINESS PARK BURLESON

20.790 ACRES
BEING A REPLAT OF
LOT 1R-1, BLOCK 1, HIGHPOINT BUSINESS PARK BURLESON
SITUATED IN THE
CITY OF BURLESON, JOHNSON COUNTY, TEXAS
PREPARED: APRIL 2024 | REVISED: NOVEMBER 2024 - JANUARY 2025
PAGE 4 OF 4

SURVEYOR:

Robert W. Bryan
2999 Olympus Blvd, Suite 165
Dallas, TX 75019
(817) 328-3200
rbryan@langan.com

OWNER:

BGO-SRE Burleson II LP,
a Delaware limited partnership
c/o BentallGreenOak (U.S.) limited
partnership
399 Park Avenue, Floor 18,
New York, New York 10022

LANGAN

Langan Engineering and
Environmental Services, LLC
2999 Olympus Blvd, Suite 165
Dallas, TX 75019

T: 817.328.3200 www.langan.com

Planning & Zoning Commission Meeting

DEPARTMENT: Development Services
FROM: Lidon Pearce, Principal Planner
MEETING: May 13, 2025

SUBJECT:

185 NW John Jones DR, Suite 150 (Case 25-095): Hold a public hearing and consider and take possible action on a zoning ordinance change request from "C", Commercial, to "C", Commercial with a Specific Use Permit for a Liquor Store. *(Staff Contact: Lidon Pearce, Principal Planner)*

SUMMARY:

On March 31, 2025, an application was submitted by A. Ron Thrower with Thrower Design LLC on behalf of Brett Baker with H-E-B (owners) for a zoning change request to allow liquor sales at 185 NW John Jones DR, Suite 150.

Development Overview:

This site is part of a commercial shopping center strip located within River Place Addition. The location is zoned C, Commercial and requires a Specific Use Permit to allow liquor sales at this site. If approved, liquor sales would only apply to the tenant of Suite 150, addressed as 185 NW John Jones and as shown on the ordinance exhibit(s).

In considering whether to grant a specific use permit, the following supplemental regulations must be met unless otherwise approved by City Council:

Supplemental Regulation	Applicant Response
Shall not be located within the Old Town Overlay District or within 300 feet of IH-35 frontage without City Council approval.	BUILDING IS NOT LOCATED IN THESE AREAS
Minimum building size shall be 5,000 sq. ft.	ACKNOWLEDGED - BUILDING IS APPROXIMATELY 1,370 SQUARE FEET

No liquor stores shall be allowed within 1,000 feet of another liquor store as measured in a straight line from their respective property lines.	BUILDING IS NOT LOCATED NEAR ANOTHER LIQUOR STORE
A liquor (package) store shall not have walk-up window access and shall not have drive-through or drive-up access.	BUILDING DOES NOT/WILL NOT HAVE A DRIVE THROUGH OR DRIVE UP ACCESS
The liquor store has an independent entrance for deliveries and customers. "Partitioned" means walls or other physical divisions separating the liquor store from all other retail or commercial establishments.	THIS LIQUOR STORE DOES HAVE A SEPARATE ENTRANCE FOR DELIVERIES AND CUSTOMERS
All windows shall be either polycarbonate or have a protective shatterproof film installed on both sides and glass window.	TEMPERED GLASS WITH SHATTERPROOF FILM ON BOTH SIDES WILL BE INSTALLED
Shall provide additional landscaping between front facade and the parkway.	NOT APPLICABLE DUE EXISTING SHOPPING CENTER AND STOREFRONT
Shall maintain a 15-foot landscaping buffer with canopy trees planted no less than 20 feet on center along entire frontage	NOT APPLICABLE DUE EXISTING SHOPPING CENTER AND STOREFRONT

This site is designated in the Comprehensive Plan as Urban Mixed Use.

The Urban Mixed-Use area is concentrated along Wilshire Boulevard, near John Jones Drive and Hulen Street. These areas should include both nonresidential and higher density residential uses to promote local pedestrian activity. The goal is to create mixed uses in one area that captures some pedestrian trips that would otherwise require an additional trip in a vehicle.

Staff supports the specific use permit request for liquor sales as the use type generally conforms to the uses of the C, Commercial zoning district.

RECOMMENDATION:

Recommend approval of the ordinance to City Council; with the condition that liquor store sales only apply to Suite 150, addressed as 185 NW John Jones DR (Case 25-095).

PRIOR ACTION/INPUT (Council, Boards, Citizens):

N/A

REFERENCE:

[City of Burleson, TX ZONING DISTRICTS](#)

FISCAL IMPACT:

N/A

STAFF CONTACT:

Lidon Pearce, CNU-A, AICP
Principal Planner
lpearcel@burlesontx.com
817-426-9649

ZC – 185 NW John Jones DR

Item A.

Location:

- 185 NW John Jones DR
- H-E-B shopping center

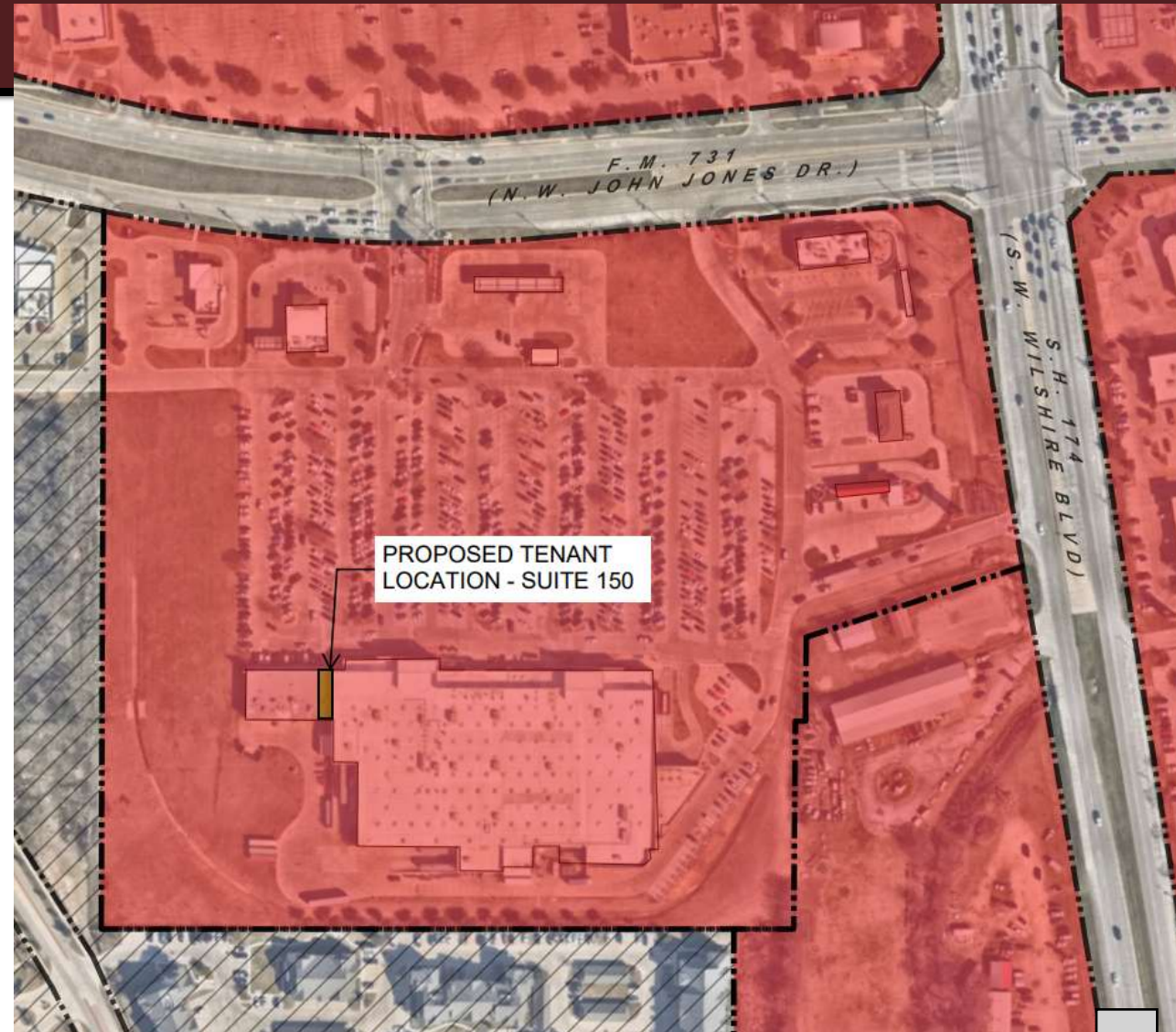
Applicant:

A. Ron Thrower (applicant)

Brett Baker (H-E-B, owners)

Item for approval:

Zoning Change from "C'" Commercial to "C" Commercial with a SUP for a liquor store (Case 25-095)



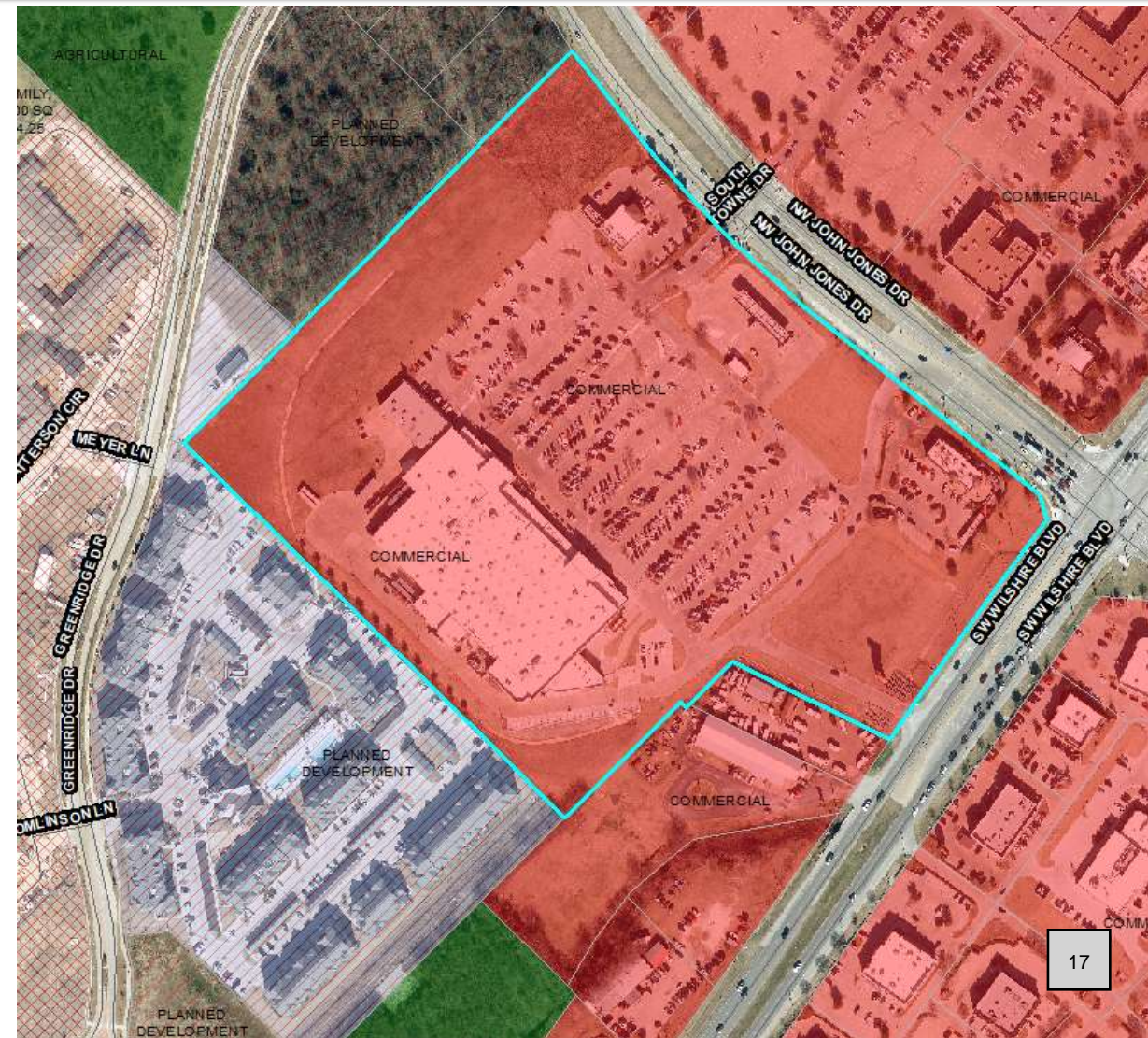
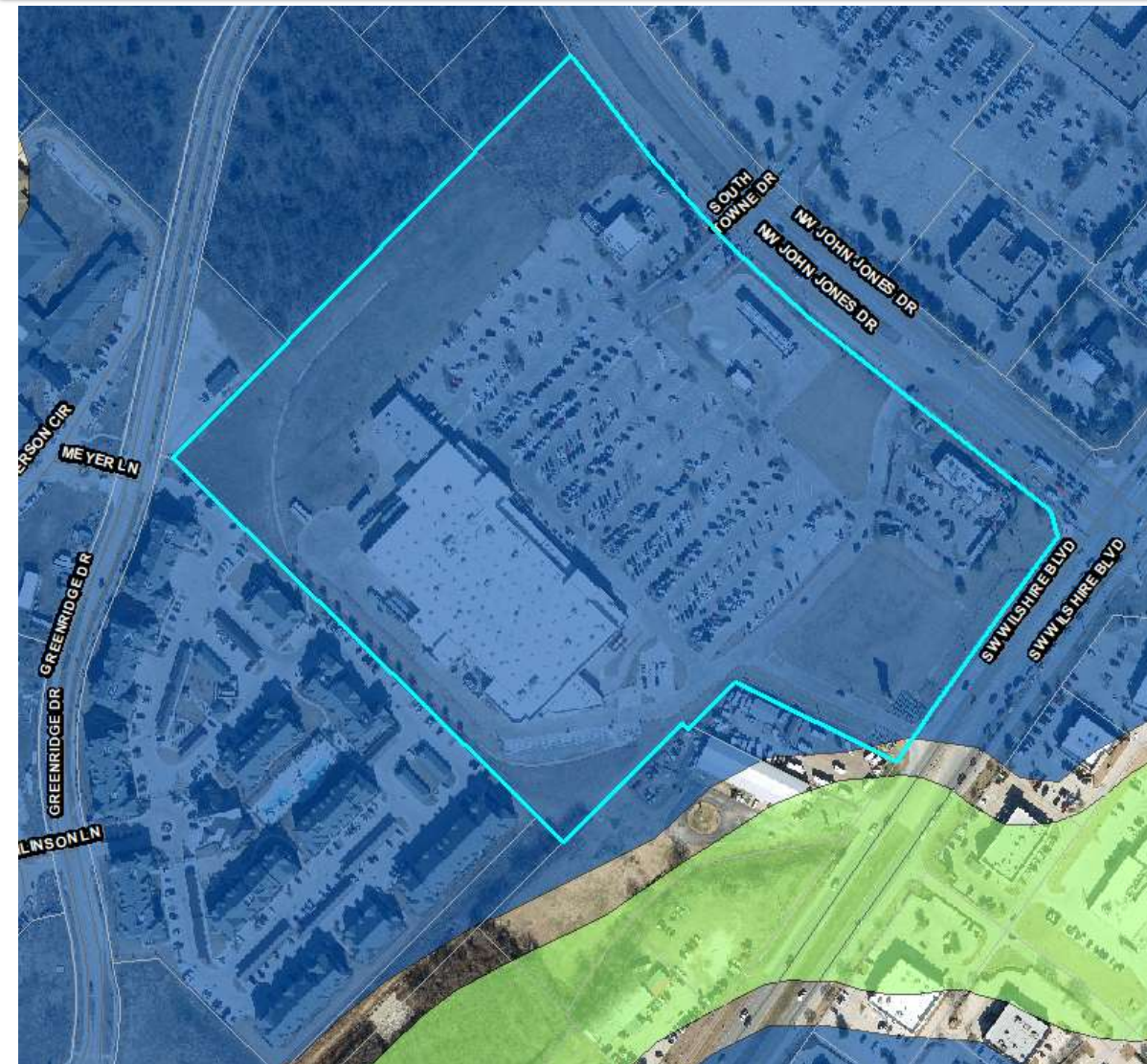
Comprehensive Plan

Urban Mixed-Use

Zoning

C, Commercial

Item A.



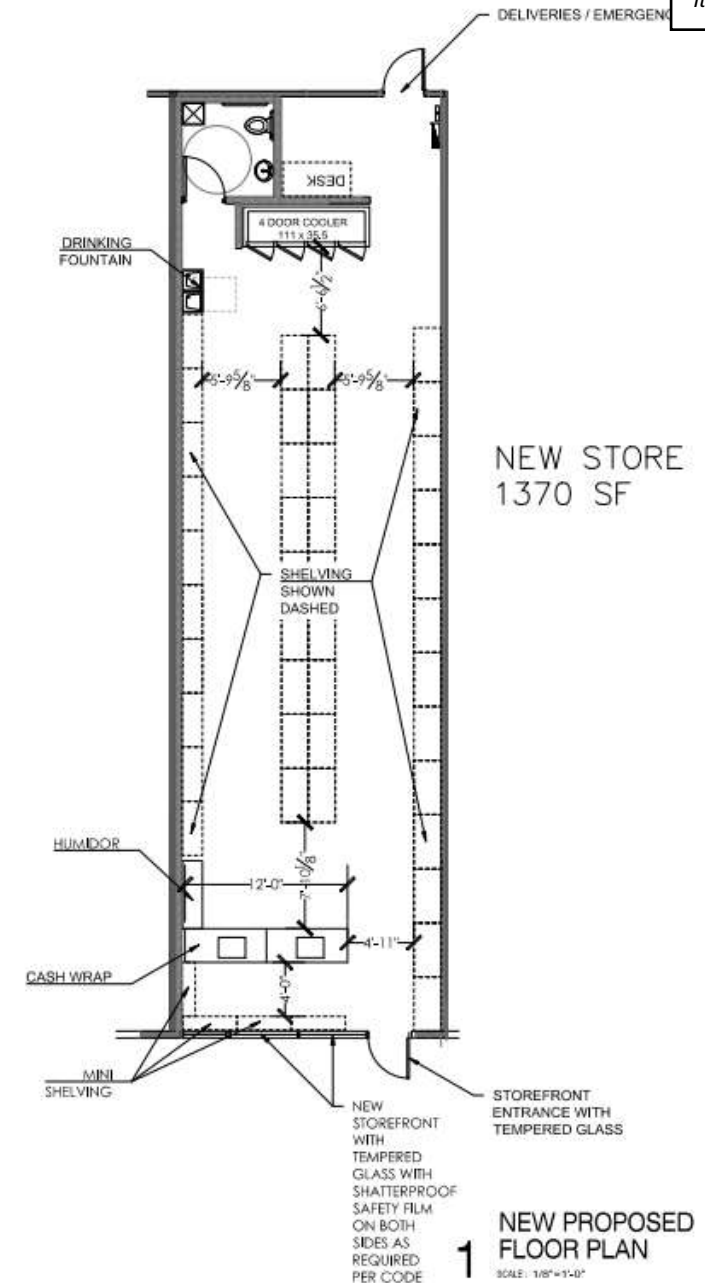
ZC – 185 NW John Jones DR

Item A.

Supplemental Regulation	Applicant Response
Shall not be located within the Old Town Overlay District or within 300 feet of IH-35 frontage without City Council approval.	BUILDING IS NOT LOCATED IN THESE AREAS
Minimum building size shall be 5,000 sq. ft.	ACKNOWLEDGED - BUILDING IS APPROXIMATELY 1,370 SQUARE FEET
No liquor stores shall be allowed within 1,000 feet of another liquor store as measured in a straight line from their respective property lines.	BUILDING IS NOT LOCATED NEAR ANOTHER LIQUOR STORE
A liquor (package) store shall not have walk-up window access and shall not have drive-through or drive-up access.	BUILDING DOES NOT/WILL NOT HAVE A DRIVE THROUGH OR DRIVE UP ACCESS
The liquor store has an independent entrance for deliveries and customers. "Partitioned" means walls or other physical divisions separating the liquor store from all other retail or commercial establishments.	THIS LIQUOR STORE DOES HAVE A SEPARATE ENTRANCE FOR DELIVERIES AND CUSTOMERS
All windows shall be either polycarbonate or have a protective shatterproof film installed on both sides and glass window.	TEMPERED GLASS WITH SHATTERPROOF FILM ON BOTH SIDES WILL BE INSTALLED
Shall provide additional landscaping between front facade and the parkway.	NOT APPLICABLE DUE EXISTING SHOPPING CENTER AND STOREFRONT
Shall maintain a 15-foot landscaping buffer with canopy trees planted no less than 20 feet on center along entire frontage	NOT APPLICABLE DUE EXISTING SHOPPING CENTER AND STOREFRONT

ZC – 185 NW John Jones DR

Item A.

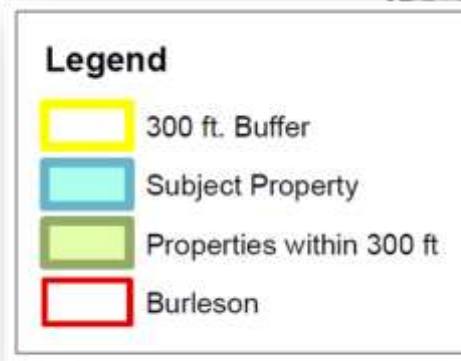


19

ZC – 185 NW John Jones DR

Public Hearing Notice

- Public notices were mailed to property owners (based on current JCAD records) within 300 feet of subject property
- Published in newspaper
- Signs Posted on the property

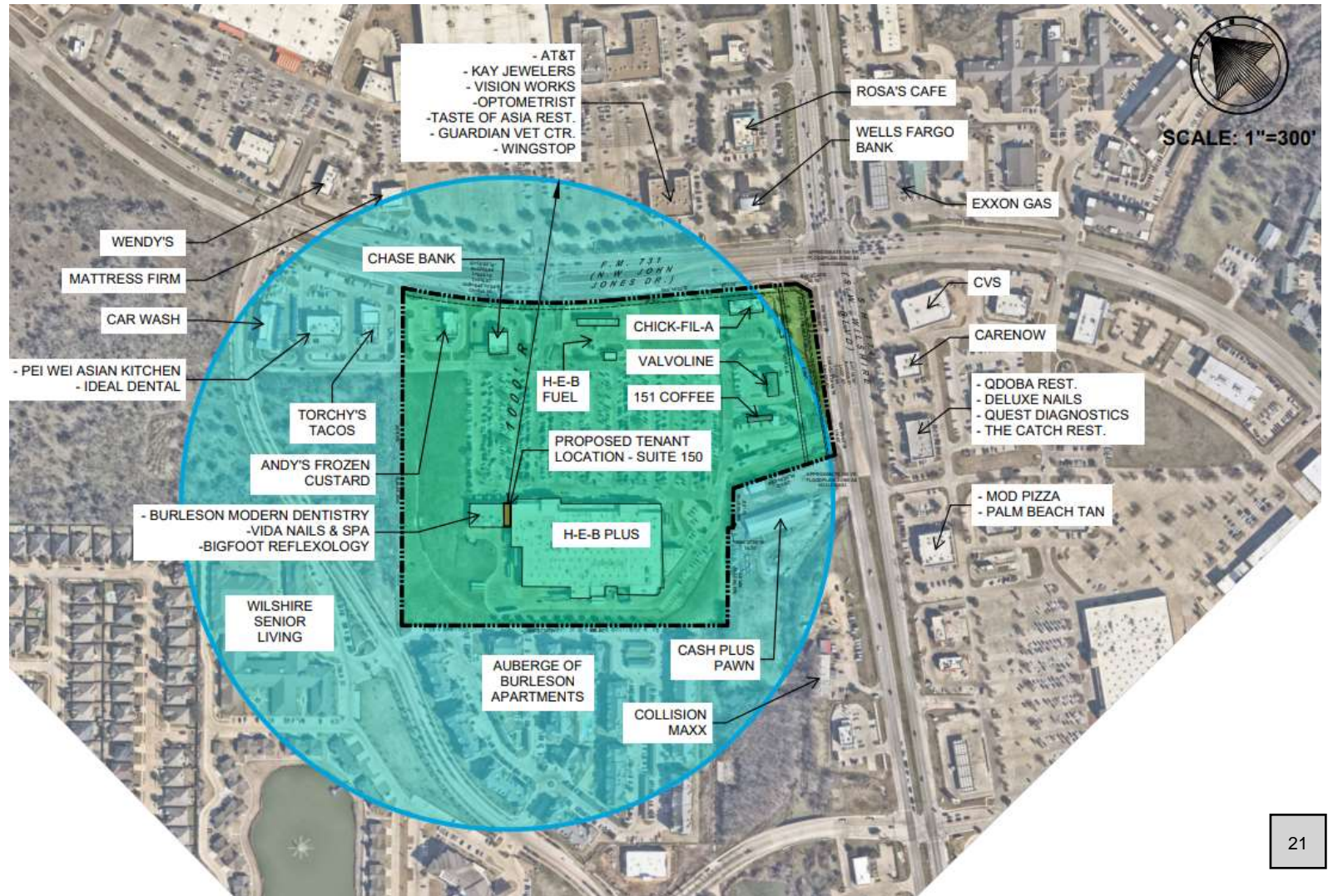


ZC – 185 NW John Jones DR

Item A.

Staff's Recommendation

- Staff recommends approval of an ordinance for the zoning change request to “C, Commercial with a specific use permit for a Liquor Store” with the condition liquor sales only apply to the unit addressed as 185 NW John Jones DR, Suite 150.
- Retail use conforms with the Comprehensive Plan



Ordinance

AN ORDINANCE AMENDING ORDINANCE B-582, THE ZONING ORDINANCE OF THE CITY OF BURLESON, TEXAS, BY AMENDING THE OFFICIAL ZONING MAP AND CHANGING THE ZONING ON APPROXIMATELY 26.917 ACRES OF LAND DESCRIBED AS LOT 1R, BLOCK 1, RIVER PLACE ADDITION IN THE PLAT FILED IN VOLUME 10, PAGE 268, SLIDE E, PLAT RECORDS JOHNSON COUNTY, TEXAS (P.R.J.C.T) FROM "C" COMMERCIAL TO "C" COMMERCIAL WITH A SPECIFIC USE PERMIT FOR LIQUOR STORE SALES AT THE LOCATION ADDRESSED AS 185 NW JOHN JONES DR, SUITE 150, MAKING THIS ORDINANCE CUMULATIVE OF PRIOR ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING A PENALTY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Burleson, Texas ("City"), is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the City Council passed, approved, and adopted Ordinance B-582, being the Zoning Ordinance and Map of the City of Burleson, Texas, showing the locations and boundaries of certain districts, as amended, and codified in Appendix B of the City of Burleson Code of Ordinances (2005) (the "Zoning Ordinance and Map"); and

WHEREAS, an application for a zoning change was filed by **A. Ron Thrower** on behalf of H-E-B, LP on **March 31, 2025**, under **Case Number 25-095**, on property described herein below filed application with the City petitioning an amendment of the Zoning Ordinance and Map so as to rezone and reclassify said property from its current zoning classification; and

WHEREAS, the Planning and Zoning Commission of Burleson, Texas, held a public hearing on said application after at least one sign was erected upon the property on which the change of classification is proposed in accordance with the Zoning Ordinance and Map, and after written notice of such public hearing before the Planning and Zoning Commission on the proposed rezoning had been sent to owners of real property lying within 300 feet of the property on which the change of classification is proposed, said notice having been given not less than ten (10) days before the date set for hearing to all such owners who rendered their said property for City taxes as the ownership appears on the last approved City Tax Roll, and such notice being served by depositing the same, properly addressed and postage paid, in the U.S. mail; and

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Burleson, Texas voted **X to 0** to recommend XX to the City Council of Burleson, Texas, that the hereinafter described property be rezoned from its classifications of **Commercial (C)** to **Commercial (C) with a Specific Use Permit (SUP) for a Liquor Store at the unit addressed as 185 NW John Jones DR, Suite 150**; and

WHEREAS, notice was given of a further public hearing to be held by the City Council of the City of Burleson, Texas, to consider the advisability of amending the Zoning Ordinance and Map as recommended by the Planning and Zoning Commission, and all citizens and parties at interest

were notified that they would have an opportunity to be heard, such notice of the time and place of such hearing having been given at least fifteen (15) days prior to such hearing by publication in the Fort Worth Star Telegram, Fort Worth, Texas, a newspaper of general circulation in such municipality; and

WHEREAS, all citizens and parties at interest have been given an opportunity to be heard on all the matter of the proposed rezoning and the City Council of the City of Burleson, Texas, being informed as to the location and nature of the use proposed on said property, as well as the nature and usability of surrounding property, have found and determined that the property in question, as well as other property within the city limits of the City of Burleson, Texas, has changed in character since the enactment of its classification of **Commercial (C)** and, by reason of changed conditions, does consider and find that this amendatory Ordinance should be enacted since its provisions are in the public interest and will promote the health, safety and welfare of the community; and

WHEREAS, the City Council of the City of Burleson, Texas, may consider and approve certain ordinances or ordinance amendments at only one meeting in accordance with Section 2-4 of the City of Burleson Code of Ordinances (2005); and

WHEREAS, the City Council of the City of Burleson, Texas, finds that this Ordinance may be considered and approved in only one meeting because the provisions of this Ordinance concern an individual zoning case that does not propose a change to the language of the City of Burleson Code of Ordinances.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BURLESON, TEXAS:

Section 1 MAP AND ZONING AMENDMENT

The Official Zoning Map is hereby amended insofar as it relates to certain land described as LOT 1R, BLOCK 1, RIVER PLACE ADDITION, in the plat filed in VOLUME 10, PAGE 268, SLIDE E, Plat Records, Johnson County, Texas, included on Exhibit A, from C, Commercial to C, Commercial with a Specific Use Permit (SUP) for a Liquor Store at the unit addressed as 185 NW John Jones DR, Suite 150, which are incorporated herein as Exhibit B, being attached hereto and incorporated herein by reference for all purposes.

Section 2.

The findings and recitals set forth above in the preamble of this ordinance are incorporated into the body of this ordinance as if fully set forth herein.

Section 3.

It is hereby officially found and determined that the meeting at which this ordinance is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

Section 4.

This ordinance shall be cumulative of all provisions of ordinances of the City of Burleson, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed. To the extent that the provisions of the City of Burleson's various development ordinances conflict with this ordinance, the terms of this ordinance shall control.

Section 5.

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance are severable., and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the city council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

Section 6.

An offense committed before the effective date of this ordinance is governed by the prior law and the provisions of the Code of Ordinances, as amended, in effect when the offense was committed and the former law is continued in effect for that purpose.

Section 7.

Any person, firm, association of persons, company, corporation, or their agents, its servants, or employees violating or failing to comply with any of the provisions of this article shall be fined, upon conviction, not less than one dollar (\$1.00) nor more than two thousand dollars (\$2,000.00), and each day any violation of noncompliance continues shall constitute a separate and distinct offense. The penalty provided herein shall be cumulative of other remedies provided by State Law, and the power of injunction as provided in Texas Local Government Code 54.012 and as may be amended, may be exercised in enforcing this article whether or not there has been a complaint filed.

Section 8.

This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

PASSED AND APPROVED:

First and Final Reading: the _____ day of _____, 20_____.

Chris Fletcher, Mayor
City of Burleson, Texas

ATTEST:

APPROVED AS TO FORM & LEGALITY:

Amanda Campos, City Secretary

E. Allen Taylor, Jr., City Attorney

Exhibit A Property Description

WHEREAS, HEB GROCERY COMPANY, L.P. is the owner of a parcel of land located in the City of Burleson, Johnson County, Texas, and being a part of Seth M. Blair Survey, Abstract Number 66, a part of the Joshua Minett Survey, Abstract Number 548, and being all of Lot 1, Block 1, River Place Addition, an addition to the City of Burleson as recorded in Volume 9, Page 906, Johnson County Plat Records, and being further described as follows:

BEGINNING at a concrete monument found at the north corner of said Lot 1, said point being in the southwest right-of-way line of Farm-to-Market Highway 731 (N.W. John Jones Drive, a 140 foot wide right-of-way);

THENCE along the northeast line of said Lot 1 and along the southwest right-of-way line of Farm-to-Market Highway 731 as follows:

Southeasterly, 649.19 feet along a curve to the left which has a central angle of 16 degrees 53 minutes 16 seconds, a radius of 2202.55 feet, a tangent of 326.97 feet, and whose chord bears South 42 degrees 17 minutes 24 seconds East, 646.85 feet to a concrete monument found for corner;

South 50 degrees 44 minutes 02 seconds East, 563.29 feet to concrete monument found for corner;

South 16 degrees 47 minutes 30 seconds East, 48.15 feet to a concrete monument found for corner in the northwest right-of-way line of State Highway 174 (S.W. Wilshire Boulevard, a 160 foot wide right-of-way);

THENCE along the northwest right-of-way line of State Highway 174 as follows:

South 36 degrees 39 minutes 53 seconds West, 154.09 feet to a concrete monument found for corner;

Southwesterly, 237.07 feet along a curve to the left which has a central angle of 01 degrees 10 minutes 38 seconds, a radius of 11,539.57 feet, a tangent of 118.54 feet, and whose chord bears South 35 degrees 26 minutes 56 seconds West, 237.07 feet to a concrete monument found for corner;

South 34 degrees 41 minutes 43 seconds West, 116.83 feet to a one-half inch iron rod found at the east corner of Lot 4R, Block 1, Kirkpatrick's Commercial Addition, an addition to the City of Burleson as recorded in Volume 8, Page 805, Johnson County Plat Records;

THENCE North 63 degrees 44 minutes 39 seconds West, 328.52 feet to a one-half inch iron rod found at the north corner of said Lot 4R;

THENCE South 44 degrees 48 minutes 37 seconds West, 121.08 feet to a five-eighths inch iron rod found for corner in the northwest line of Lot 5R, Block 1, Kirkpatrick's Commercial Addition, an addition to the City of Burleson as recorded in Volume 8, Page 807, Johnson County Plat Records;

THENCE North 45 degrees 37 minutes 30 seconds West, 14.75 feet to a five-eighths inch iron rod found for corner;

THENCE South 44 degrees 50 minutes 31 seconds West, 300.01 feet to a three-eighths inch iron rod found at the south corner of said Lot 1;

THENCE North 45 degrees 37 minutes 30 seconds West, 999.30 feet to a one-half inch iron rod found at the west corner of said Lot 1;

THENCE North 44 degrees 34 minutes 19 seconds East, 1036.00 feet along the northwest line of said Lot 1 to the POINT OF BEGINNING and containing 1,172,500 square feet or 26.917 acres of land.

Specific Use Permit only applies to the unit addressed as 185 NW John Jones DR, Suite 150 (shown below)

