



Planning & Zoning Commission Agenda

Tuesday, June 25, 2024
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 June 11, 2024 Planning & Zoning Commission meeting.

B. Broad Valley Farm, Lots 14R, 14R-1, 14R-2, 15R-1-R (Case 23-288): Consider approval of a Replat for Broad Valley Farm, Lots 14R, 14R-1, 14R-2 and 15R-1-R; addressed as 1560 Broad Valley Court. (Staff Contact: Emilio Sanchez, Development Services Assistant Director)

C. Rocky Creek Estates Phase Two, Tracts F-R1 & F-R2 (Case 23-419): Consider approval of a replat for Rocky Creek Estates Phase Two, Tracts F-R1 & F-R2; addressed as 7615 CR 1014a. (Staff Contact: Lidon Pearce, Principal Planner)

4. **PUBLIC HEARING**

- A. 3162 S Burleson Blvd (Case 24-129): Hold a public hearing and consider a recommendation of approval for an ordinance for a zoning change request from "C" Commercial and "A" Agricultural to "PD", Planned Development for industrial development utilizing Appendix C, Article VII; Business Park Design Standards. (*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 of 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 19th of June 2024, by 5:30 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: June 25, 2024

SUBJECT:

Approve the minutes from June 11, 2024 Regular Session of the Planning & Zoning Commission meeting.

SUMMARY:

Minutes from the June 11, 2024 Regular Session of the Planning & Zoning Commission meeting.

OPTIONS:

Approve as presented

RECOMMENDATION:

Approve the minutes from the June 11, 2024 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

June 11, 2024
MINUTES

Roll Call

Commissioners Present

David Hadley
Dan Taylor
Ashley Brookman
Bill Janusch
Michael Tune (Chair)
Clint Faram
Bobby Reading

Commissioners Absent

Cobi Tittle
Michael Kurmes

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 May 28, 2024 Planning and Zoning Regular Commission meeting. (Staff Contact: Tony McIlwain, Director Development Services).

- B.** Arabella Addition, Lot 3, Block 6 (Case 24-045): Consider approval of a final plat for Arabella Addition, Lot 3, Block 6; addressed as 1697 Greenridge Dr. (Staff Contact: Lidon Pearce, Principal Planner)

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

Motion passed, 6-0. Commissioners Cobi Tittle & Michael Kurmes were 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: Emilio Sanchez, Development Services Assistant Director

MEETING: June 25, 2024

SUBJECT:

Broad Valley Farm, Lots 14R, 14R-1, 14R-2, 15R-1-R (Case 23-288): Consider approval of a Replat for Broad Valley Farm, Lots 14R, 14R-1, 14R-2 and 15R-1-R; addressed as 1560 Broad Valley Court. *(Staff Contact: Emilio Sanchez, Development Services Assistant Director)*

SUMMARY:

On October 2, 2023, an application for a replat was submitted by Marshall Miller (applicant) on behalf of Barney and Teresa Basden (owner) for a replat of approximately 6.927 acres. The property is being replatted to create 4 residential lots.

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

RECOMMENDATION:

Approve the Replat for The Broad Valley Farm, Lots 14R, 14R-1, 14R-2 and 15R-1-R.

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

None

REFERENCE:

[City of Burleson, TX PLAT REQUIREMENTS:](#)
[§ 3.6 Replat. \(ecode360.com\)](#)

FISCAL IMPACT:

None

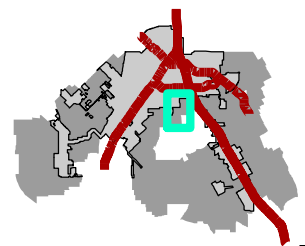
STAFF CONTACT:

Emilio Sanchez
Development Services Assistant Director
esanchez@burlesontx.com
817-426-9686



THE CITY OF
BURLESON
TEXAS

Replat
Lots 14R, 14R-1, 14R-2, 15R-1-R
Broad Valley Farm
Case 23-288



Vicinity Map

STANDARD NOTES

1. BLOCKING THE FLOW OF WATER OR CONSTRUCTING IMPROVEMENTS IN THE DRAINAGE EASEMENTS, AND FILLING OR OBSTRUCTION OF THE FLOODWAY IS PROHIBITED.
2. THE EXISTING CREEKS OR DRAINAGE CHANNELS TRAVERSING ALONG OR ACROSS THIS ADDITION WILL REMAIN AS OPEN CHANNELS AND WILL BE MAINTAINED BY THE INDIVIDUAL OWNERS OF THE LOT OR LOTS THAT ARE TRAVERSED BY OR ADJACENT TO DRAINAGE COURSES ALONG OR ACROSS SAID LOTS.
3. CITY OF BURLESON WILL NOT BE RESPONSIBLE FOR THE MAINTENANCE AND OPERATIONS OF SAID DRAINAGE WAYS OR FOR THE CONTROL OF EROSION.
3. CITY OF BURLESON WILL NOT BE RESPONSIBLE FOR ANY DAMAGE, PERSONAL INJURY OR LOSS OF LIFE OR PROPERTY OCCASIONED BY FLOODING OR FLOOD CONDITIONS.
4. ANY PUBLIC UTILITY, INCLUDING CITY OF BURLESON, SHALL HAVE THE RIGHT TO MOVE AND KEEP MOVED ALL OR PART OF ANY BUILDINGS, FENCES, TREES, SHRUBS, OTHER CROWTHS OR IMPROVEMENTS WHICH IN ANY WAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION OR MAINTENANCE, OR EFFICACY OF ITS RESPECTIVE SYSTEMS IN ANY OF THE EASEMENTS SHOWN ON THE PLAT; AND ANY PUBLIC UTILITY, INCLUDING CITY OF BURLESON, SHALL HAVE THE RIGHT AT ALL TIMES OF INGRESS AND EGRESS TO AND FROM SAID EASEMENTS FOR THE PURPOSE OF CONSTRUCTION, RECONSTRUCTION, INSPECTION, PATROLLING, MAINTAINING AND ADDING TO OR REMOVING ALL OR PART OF ITS RESPECTIVE SYSTEMS WITHOUT THE NECESSITY AT ANY TIME OF PROCURING THE PERMISSION OF ANYONE.
5. ALL BUILDING SETBACKS ARE SUBJECT TO CURRENT CITY OF BURLESON DEVELOPMENT REGULATIONS.
6. THE REQUIREMENT OF PUBLIC INFRASTRUCTURE WAS BASED ON THE UTILITY EXHIBIT DATED SEPTEMBER 13, 2023, SUBMITTED WITH THIS PLAT FOR REVIEW TO THE CITY OF BURLESON. ANY ADDITIONAL STRUCTURES PROPOSED ON THIS PROPERTY MAY REQUIRE THE EXISTING WATER LINES TO BE IMPROVED AND A FIRE HYDRANT(S) INSTALLED FOR FIRE PROTECTION. PLEASE CONTACT THE CITY OF BURLESON'S DEVELOPMENT SERVICES DEPARTMENT PRIOR TO ANY DEVELOPMENT PERMIT ISSUED.
7. WATER PROVIDER - BETHESDA WATER SUPPLY CORP. - (817) 295-2131
8. ELECTRIC PROVIDER - UNITED COOPERATIVE SERVICES - (817) 447-9292
ONCOR ELECTRIC DELIVERY COMPANY - (888) 313-6862
9. 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.
10. ACCESS PROHIBITED:
THE DRIVEWAY FOR LOT 14R-1 SHALL BE NO CLOSER THAN 250 FEET TO THE INTERSECTION OF CR 714 AND BROAD VALLEY COURT AS MEASURED FROM THE EXTENDED RIGHT-OF-WAY LINE TO THE CENTERLINE OF THE DRIVEWAY.
- ACCESS FOR LOT 14R-2 SHALL BE PROHIBITED FROM CR 714 AND SHALL BE TAKEN FROM BROAD VALLEY COURT.

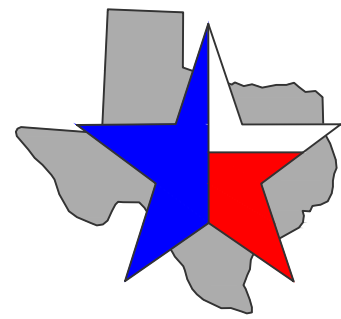
NOTES

1. THE BASIS OF BEARING IS THE TEXAS COORDINATE SYSTEM, NORTH AMERICAN DATUM OF 1983, NORTH CENTRAL ZONE, 4202.
2. CITY OF BURLESON WILL BE RESPONSIBLE FOR ALL FLOODPLAIN REGULATIONS AS IT RELATES TO DEVELOPMENT. ALL FUTURE PROPOSED DEVELOPMENT SHALL FOLLOW THE CITY OF BURLESON'S FLOODPLAIN REGULATIONS.
3. CITY OF BURLESON WILL NOT BE RESPONSIBLE FOR THE MAINTENANCE AND OPERATIONS OF SAID DRAINAGE WAYS OR FOR THE CONTROL OR EROSION.
4. PROPERTY IS LOCATED WITHIN THE CITY LIMITS OF BURLESON.
5. THE SUBJECT PROPERTY IS LOCATED IN ZONE "X", AREA DETERMINED TO BE OUTSIDE SPECIAL FLOOD HAZARD AREA, AS SHOWN ON THE FEMA FLOOD INSURANCE RATE MAP, MAP NO. 48251C0065J, MAP REVISED DECEMBER 4, 2012.
6. THE PURPOSE OF THIS REPLAT IS TO RECONFIGURE LOTS 14 AND 15R INTO MULTIPLE LOTS FOR THE PURPOSES OF DEVELOPMENT.
7. THIS PLAT DOES NOT ALTER OR REMOVE EXISTING DEED RESTRICTIONS OR COVENANT, IF ANY, ON THIS PROPERTY

OWNER(S)
BARNEY & TERESA BASDEN
1560 BROAD VALLEY CT
BURLESON TX 76028

LEGEND
DRJCT = DEED RECORDS, JOHNSON COUNTY, TEXAS
PLAT = PLAT RECORDS, JOHNSON COUNTY, TEXAS
CCR# = COUNTY CLERK'S INSTRUMENT NUMBER
IRF = IRON ROD FOUND
IRS = 5/8" CAPPED IRON ROD SET STAMPED "LONESTAR RPLS 6882"

REPLAT
LOTS 14R, 14R-1, 14R-2, 15R-1-R
BROAD VALLEY FARM
BEING A REPLAT OF LOTS 14 AND LOT 15R-1, BROAD VALLEY FARM, AN ADDITION TO THE CITY OF BURLESON, TEXAS.
PREPARED: MAY, 2024
4 LOTS LOCATED WITHIN THE CITY OF BURLESON, TEXAS.
CASE NO.: 23-288



— LONESTAR —
LAND SURVEYING, LLC
TBPELS FIRM# 10194707
3521 SW WILSHIRE BLVD.,
JOSHUA, TX 76058
817-935-8701
MARSHALL.MILLER@LONESTARLANDSURVEYING.COM

OWNER'S CERTIFICATE

STATE OF TEXAS
COUNTY OF JOHNSON

WHEREAS, **BARNEY BASDEN AND TERESA BASDEN**, ARE THE SOLE OWNER(S) OF A 6.927 ACRE TRACT OF LAND SITUATED IN THE THOMAS CHANDLER SURVEY, ABSTRACT NUMBER 127, CITY OF BURLESON, JOHNSON COUNTY, TEXAS, AND BEING ALL OF LOT 14, BROAD VALLEY FARM, AN ADDITION TO THE CITY OF BURLESON, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 463, PAGE 727, AND ALL LOT 15R-1, BROAD VALLEY FARM, AN ADDITION TO THE CITY OF BURLESON, ACCORDING TO THE PLAT THEREOF RECORDED IN COUNTY CLERK'S INSTRUMENT NUMBER 2022-144, PLAT RECORDS, JOHNSON COUNTY, TEXAS, RESPECTIVELY, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD FOUND AT THE SOUTHEAST CORNER OF SAID LOT 14, BEING AT THE INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF COUNTY ROAD 714-A, A 60' RIGHT-OF-WAY AND THE APPARENT NORTH LINE OF COUNTY ROAD 714, A PRESCRIPTIVE RIGHT-OF-WAY;

THENCE NORTH 89 DEGREES 39 MINUTES 17 SECONDS WEST, ALONG THE NORTH LINE OF SAID COUNTY ROAD 714, BEING COMMON WITH THE SOUTH LINE OF SAID LOT 14, A DISTANCE OF 398.80 FEET, TO A 5/8" IRON ROD FOUND AT THE SOUTHWEST CORNER OF SAID LOT 14, SAME BEING THE SOUTHWEST CORNER OF SAID LOT 15R-1;

THENCE NORTH 89 DEGREES 38 MINUTES 19 SECONDS WEST, CONTINUING ALONG SAID NORTH RIGHT-OF-WAY LINE, BEING COMMON WITH THE SOUTH LINE OF SAID LOT 15R-1, A DISTANCE OF 199.41 FEET, TO A 1/2" IRON ROD FOUND AT THE SOUTHWEST CORNER OF SAID LOT 15R-1, SAME BEING THE SOUTHWEST CORNER OF LOT 15-R, SAID BROAD VALLEY FARM (2022-144), FROM WHICH A 5/8" IRON ROD FOUND AT THE SOUTHWEST CORNER OF SAID LOT 15R BEARS NORTH 89 DEGREES 38 MINUTES 19 SECONDS WEST, A DISTANCE OF 198.96 FEET;

THENCE NORTH 00 DEGREES 19 MINUTES 09 SECONDS EAST, DEPARTING SAID NORTH LINE AND ALONG THE WEST LINE OF SAID LOT 15R-1, BEING COMMON WITH THE EAST LINE OF SAID LOT 15R, A DISTANCE OF 504.89 FEET, TO A 5/8" CAPPED IRON ROD FOUND STAMPED "RPLS 1598" AT THE NORTHWEST CORNER OF SAID LOT 15R-1, SAME BEING THE NORTHEAST CORNER OF SAID LOT 15R, AND BEING ON THE SOUTH LINE OF LOT 16, SAID BROAD VALLEY FARM (463-727), FROM WHICH A 5/8" IRON ROD FOUND AT THE NORTHWEST CORNER OF SAID LOT 15R BEARS NORTH 89 DEGREES 42 MINUTES 45 SECONDS WEST, A DISTANCE OF 199.34 FEET;

THENCE SOUTH 89 DEGREES 40 MINUTES 05 SECONDS EAST, DEPARTING SAID COMMON LINE AND ALONG THE NORTH LINES OF SAID LOT 15R-1 AND SAID LOT 14, BEING COMMON WITH THE SOUTH LINE OF SAID LOT 16 AND THE SOUTH LINE OF LOT 13, SAID BROAD VALLEY FARM (463-727) AT A DISTANCE OF 199.12 FEET, PASSING A 5/8" IRON ROD FOUND AT THE SOUTHEAST CORNER OF SAID LOT 16 AND CONTINUING IN ALL 596.95 FEET, TO A 1/2" IRON ROD FOUND AT THE NORTHEAST CORNER OF SAID LOT 14, SAME BEING THE SOUTHEAST CORNER OF SAID LOT 13, AND BEING ON THE WEST RIGHT-OF-WAY LINE OF SAID COUNTY ROAD 714-A;

THENCE SOUTH 00 DEGREES 10 MINUTES 30 SECONDS WEST, DEPARTING SAID COMMON LINE AND ALONG THE WEST RIGHT-OF-WAY LINE OF SAID COUNTY ROAD 714-A, A DISTANCE OF 505.09 FEET, TO THE **POINT OF BEGINNING**, AND CONTAINING 6.927 ACRES OR 301,755 SQUARE FEET OF LAND, MORE OR LESS.

NOW THEREFORE KNOWN ALL MEN BY THESE PRESENTS:

THAT BARNEY BASDEN AND TERESA BASDEN, OWNERS, DO HEREBY ADOPT THIS PLAT DESIGNATING THE HEREIN BEFORE DESCRIBED PROPERTY AS **LOT 14R, LOT 14R-1, LOT 14R-2, 15R-1-R, BROAD VALLEY FARM**, AN ADDITION TO THE CITY OF BURLESON, JOHNSON COUNTY, TEXAS, AND DO HEREBY DEDICATE TO THE PUBLIC USE FOREVER ALL STREETS, RIGHTS-OF-WAY, ALLEYS AND EASEMENTS SHOWN THEREON, THE CITY, COUNTY, OR 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, COUNTY, 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, TEXAS OR JOHNSON COUNTY.

BARNEY BASDEN

DATE ____/____/____.

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS DAY PERSONALLY APPEARED _____, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN.

WITNESS MY HAND AND SEAL OF OFFICE THIS THE 20TH DAY OF MAY, 2024.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

TERESA BASDEN

DATE ____/____/____.

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS DAY PERSONALLY APPEARED _____, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN.

WITNESS MY HAND AND SEAL OF OFFICE THIS THE 20TH DAY OF MAY, 2024.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS



APPROVED BY THE PLANNING AND ZONING
COMMISSION OF BURLESON, TEXAS.

THIS THE ____ DAY OF _____, 2024.

BY: _____
CHAIR OF PLANNING AND ZONING COMMISSION

BY: _____
CITY SECRETARY

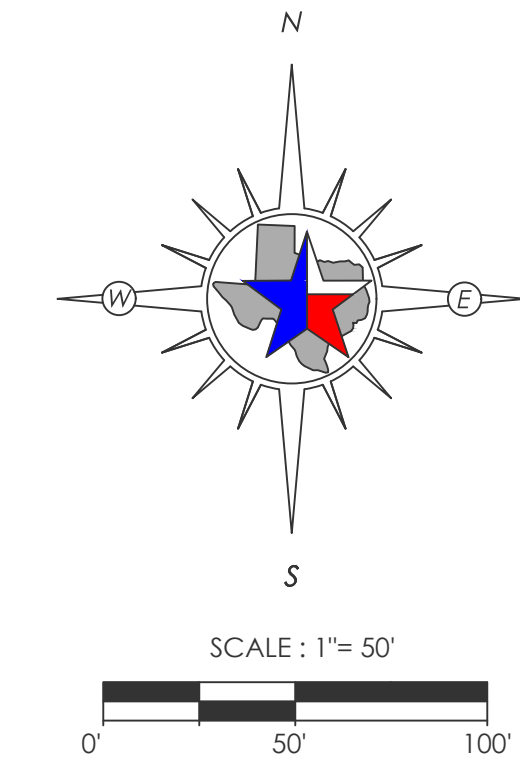
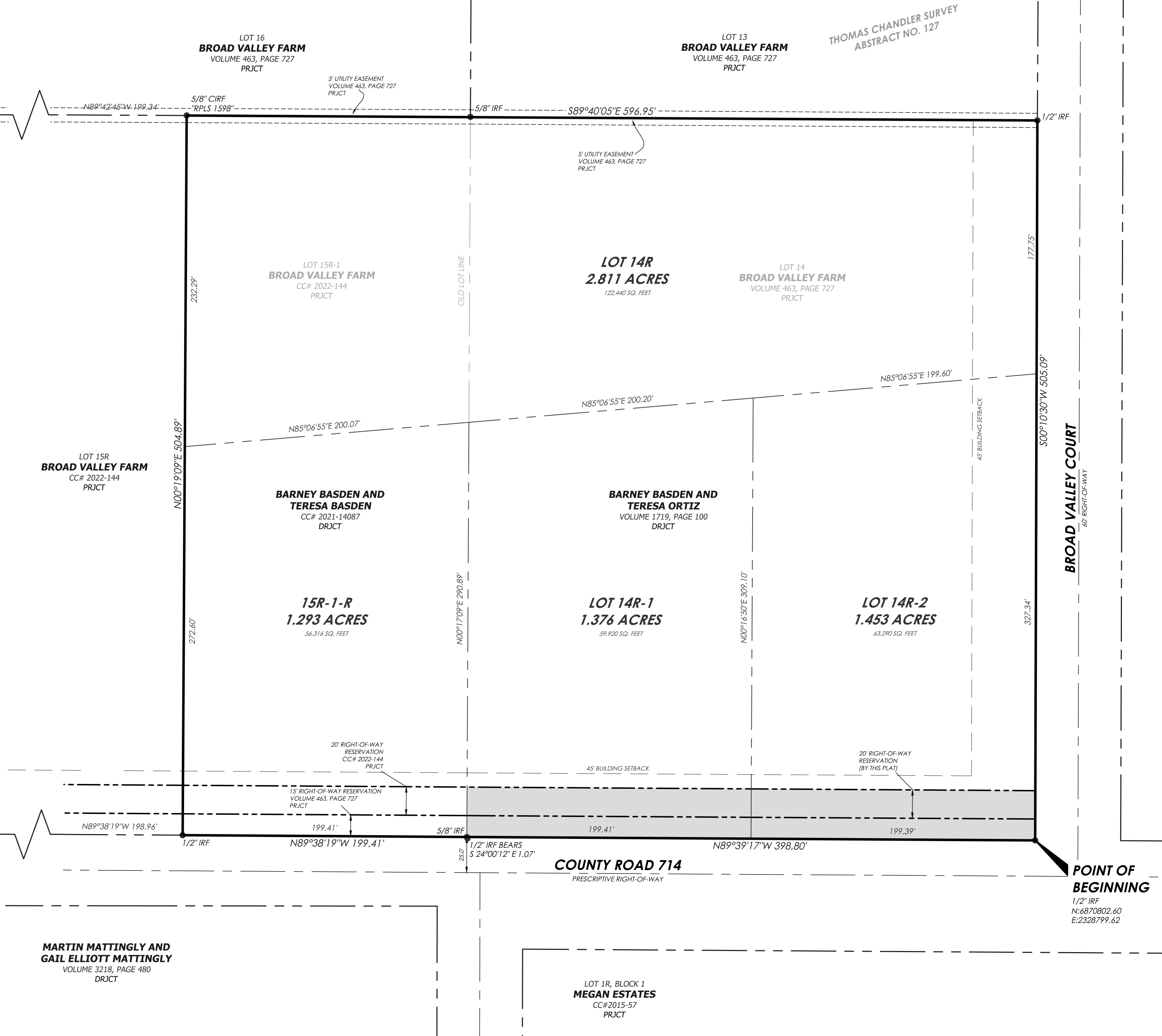
JOHNSON COUNTY APPROVAL BLOCK

PLAT FILED YEAR _____, INST # _____,

SLIDE _____, VOL. _____, PG. _____

JOHNSON COUNTY PLAT RECORDS

COUNTY CLERK, JOHNSON COUNTY, TEXAS



SURVEYOR'S CERTIFICATE

THIS IS TO CERTIFY THAT I, MARSHALL W. MILLER, A REGISTERED PROFESSIONAL LAND SURVEYOR OF THE STATE OF TEXAS, HAVE PLATTED THE ABOVE SUBDIVISION FROM AN ACTUAL ON THE GROUND SURVEY, AND THAT ALL LOT CORNERS, ANGLE POINTS, AND POINTS OF CURVE SHALL BE PROPERLY MARKED ON THE GROUND, AND THAT THIS PLAT CORRECTLY REPRESENTS THE PROPERTY AS DETERMINED BY A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION.

MARSHALL W. MILLER
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 6882
STATE OF TEXAS

DATE: MAY 20, 2024

PROJECT NUMBER: 230065
REVISION DATE:
REVISION NOTES:

DATE: MAY 20, 2024

Planning & Zoning Commission Meeting

DEPARTMENT: Development Services
FROM: Lidon Pearce, Principal Planner
MEETING: June 25, 2024

SUBJECT:

Rocky Creek Estates Phase Two, Tracts F-R1 & F-R2 (Case 23-419): Consider approval of a replat Rocky Creek Estates Phase Two, Tracts F-R1 & F-R2; addressed as 7615 CR 1014a. (Staff Contact: Lidon Pearce, Principal Planner)

SUMMARY:

On December 27, 2023, an application for a replat was submitted by Ron Coombs with Coombs Land Surveying on behalf of William Hart (owner) for a replat of approximately 5.211 acres. The property is being replatted for the purpose of creating for two residential lots in the ETJ.

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

RECOMMENDATION:

Approve the replat for Rocky Creek Estates Phase Two, Tracts F-R1 & F-R2

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

N/A

REFERENCE:

[City of Burleson, TX PLAT REQUIREMENTS:](#)
[§ 3.6 Replat. \(ecode360.com\)](#)

FISCAL IMPACT:

None

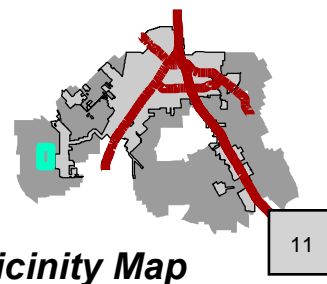
STAFF CONTACT:

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



Replat
Rock Creek Estates Phase Two
Tracts F-R1 & F-R2
Case 23-419

THE CITY OF
BURLESON
TEXAS



Vicinity Map

STANDARD NOTES:

- Blocking the flow of water or constructing improvements in the drainage easements and filling or obstruction of the floodway is prohibited.
- The existing creeks or drainage channels traversing along or across this addition will remain as open channels and will be maintained by the individual owners of the lot or lots that are traversed by or adjacent to drainage courses along or across said lots.
- Johnson County will not be responsible for the maintenance and operations of said drainage ways or for the control of erosion.
- Johnson County will not be responsible for any damage, personal injury or loss of life or property occasioned by flooding or flood conditions.
- On-site sewage facility performance cannot be guaranteed even though all provisions of the City of Burleson or Johnson County for Private Sewage Facilities are complied with.
- Inspections and/or acceptance of a private sewage facility by the City of Burleson or Johnson County shall indicate only that the facility meets minimum requirements and does not relieve the owner of the property from complying with County, State and Federal regulations. Private Sewage Facilities, although approved as meeting minimum standards, must be upgraded by the owner at the owner's expense if normal operation of the facility results in objectionable odors, if unsanitary conditions are created, or if the facility when used does not comply with governmental regulations.
- A properly designed and constructed private sewage facility system, installed in suitable soil, can malfunction if the amount of water that is required to dispose of is not controlled. It will be the responsibility of the lot owner to maintain and operate the private sewage facility in a satisfactory manner.
- Any public utility, including the City of Burleson or Johnson County, shall have the right to move and keep moved all or part of any buildings, fences, trees, shrubs, other growths or improvements which in any way endanger or interfere with the construction or maintenance or efficiency of its respective systems in any of the easements shown on the plot, and any public utility, including the City of Burleson and Johnson County, shall have the right at all times of ingress and egress to and from said easements for the purpose of construction, reconstruction, inspection, patrolling, maintaining and adding to or removing all or part of its respective systems without the necessity at any time of procuring the permission of anyone.
- Johnson County will be responsible for all floodplain regulations as it relates to development. In the event the property is ever annexed into the City of Burleson, all future proposed development shall follow the City of Burleson's floodplain regulations.
- All building setbacks are subject a current Johnson County development regulations.

NOTES:

- The purpose of this replat is to divide Tract F into 2 lots.
- The intended use of these lots is for residential use.
- All set monuments are 1/2-inch iron rods with orange plastic cap stamped "R. W. COOMBS RPLS 5294" unless otherwise noted.
- All bearings and coordinates are referenced to the Texas State Plane Coordinate System, North Central Texas Zone, 4202 (NAD 83). All distances and areas shown are surface.
- According to Community Panel No. 48251C0160 J, effective date December 4, 2012, of the Federal Emergency Management Agency, National Flood Insurance Program Map, this property lies within Zone "A" which is a Special Flood Hazard Area and Zone "X", which is not a Special Flood Hazard Area. If this site is not within a Special Flood Hazard Area, the statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur, and flood heights may be increased by man made or natural causes. This statement shall not create liability on the part of the surveyor.
- This plot does not alter or remove existing deed restrictions or covenants, if any, on this property.
- The City of Burleson reserves the right to require minimum finish floor elevation on any lot within the 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.
- A minimum of 1 acre per residential structure is required for on-site sewage facilities (septic systems). If more than one structure is proposed for construction on a lot in the future, re-platting may be required.
- All building setbacks are subject to current Johnson County Development Regulations.
- All buildings or structures shall be constructed such that all ground level, exterior sides of the building are within 150 feet of a dedicated street or fire lane. If the 150 feet cannot be reached from a public street, a fire lane capable of supporting 80,000 lbs shall be required on site at the time of construction.
- The fire lane shall be 24 feet in width with a 30 feet inside radii and 54 foot outside radii/ The fire lane section shall either follow Detail P-11, or 8 inches of concrete on 95% compacted base is acceptable. The developer shall be responsible for all testing and shall provide the results to the City inspectors.
- For all single-family detached and duplex residences, excluding townhouses and and apartments, fire hydrants shall be space to have a fire hose laying distance of no greater than 500 feet. The fire hose laying distance is measure by laying of the fire apparatus hose lines along the right-of-way or access easements from the nearest water supply on a street to the main entrance of the building.
- For commercial buildings, fire hydrants shall be placed to have a fire hose lay distance of no greater than 300 feet. The fire hose laying distance is measured by the laying of the fire apparatus hose lines along the right-of-way or access easements from the nearest water supply on a street to the main entrance of the building.
- The minimum fire flow requirements for one- and two-family dwellings having a fire-flow calculation area, which does not exceed 3,600 square feet, shall be 1,500 gallons per minute. Fire flow and flow duration for dwellings having a fire-flow calculation area in excess of 3,600 square feet shall not be less than that specified in Table B105.1 of the most current adopted International Fire Code.
- All fire hydrants must provide a minimum of 35-psi static pressure and 20-psi residual pressure.
- No fences or other structures will be allowed within drainage easement.
- The City of Burleson will not be responsible for the construction or maintenance of any non-drainage related improvements within the drainage easement, including but not limited to, paving and fences.

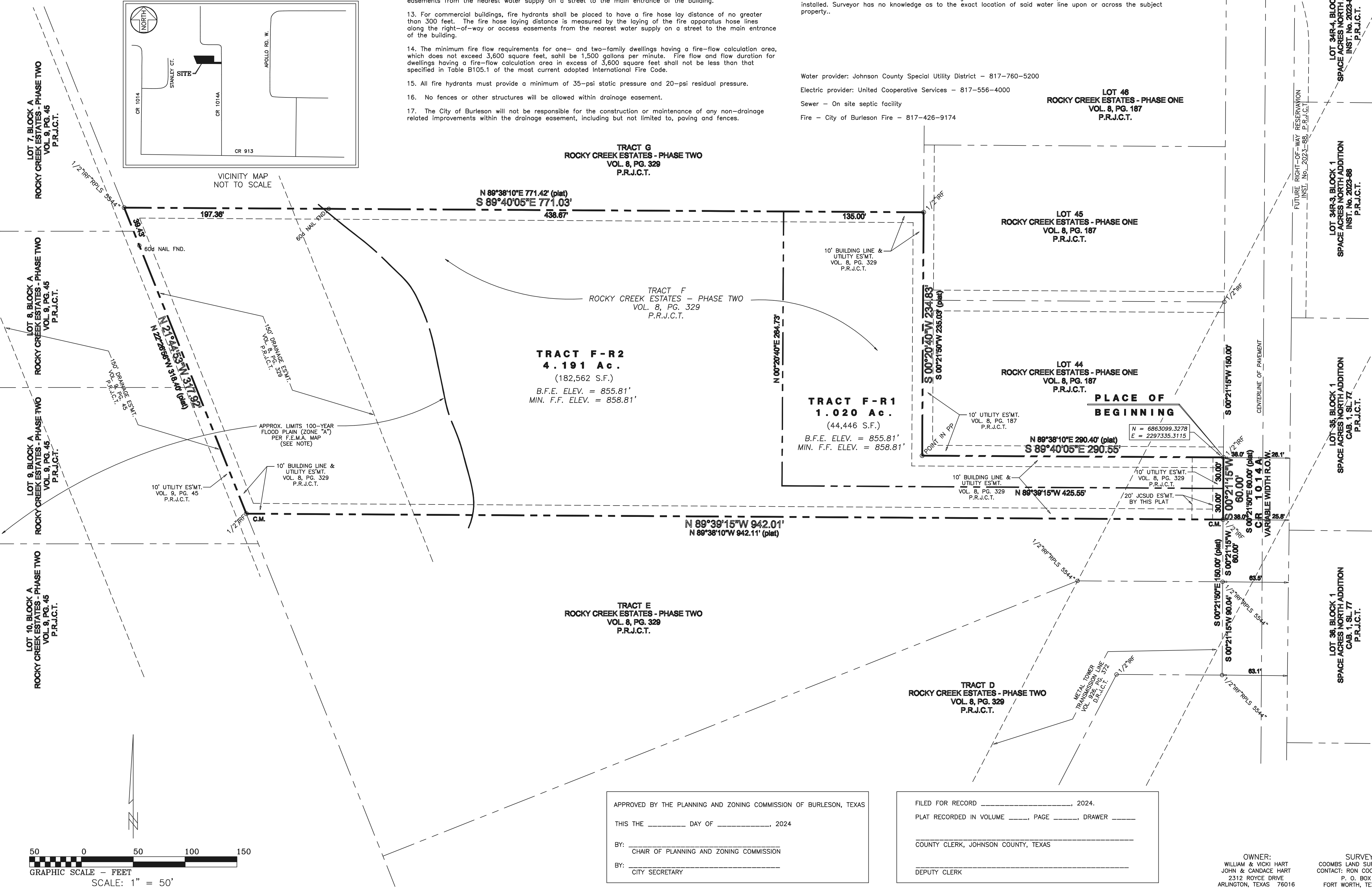
- The minimum fire flow and flow duration for buildings other than one- and two-family dwelling shall be as specified in the most current adopted International Fire Code.
- The fire marshal may waive the requirement for the lay of hose distance or the installation of a hydrant for subdivisions of 2 lots or less when the existing water supply in the area will not support a hydrant. Appeals to the fire marshal's decision shall be made to the Planning and Zoning Commission and City Council. If the development is within 100 feet of an 8-inch water main, the owner must extend the main to and through the development and provide a fire hydrant.
- A fire hydrant shall be installed at the end of mains on cul-de-sacs. Other fire hydrants shall be located at street intersections and shall align with common lot lines. Additional fire hydrants may be required between intersections to meet the minimum spacing requirements.
- When the street is designated on the Master Thoroughfare Map as an arterial or larger, fire hydrants shall be required on the same side of the street the building is to be constructed. All streets with medians shall have a fire hydrant on the same side of the street that the building is to be constructed.
- Fire hydrants shall be located in accessible, protected areas. They shall be located a minimum of 3 feet and no more than 8 feet behind the back of curb. They shall not be located in the sidewalk.
- Fire hydrants shall be located outside curb returns and at least 8 feet from a drive.
- A clear space of three feet shall be maintained around all fire hydrants.
- Fire hydrant mains shall be placed within 4 feet and 6 feet in depth. Offsets or bends shall be used to bring the fire hydrant up to allowable depths.
- Private fire protection systems and private fire hydrant locations shall be approved by the fire marshal prior to construction. A fire hydrant shall be installed no more than 150 feet from the fire department connection for an automatic sprinkler system.
- Johnson County Special Utility District and Monarch Utilities do not have infrastructure in place for fire hydrants on County Road 1014A.
- Property is subject to West Prairie Water Supply Corporation easement recorded in Vol. 532, Pg. 444, D.R.J.C.T. Document states that the easement granted shall not exceed 20' in width, the course of said easement shall be designated by the grantor. Surveyor has no knowledge as to the location of a water line upon or across the subject property.
- Property is subject to Johnson County Special Utility District easement recorded in CC# 2022-24092, D.R.J.C.T. Document states that the easement granted shall be 20' in width, centered on the water line as installed. Surveyor has no knowledge as to the exact location of said water line upon or across the subject property..

Water provider: Johnson County Special Utility District — 817-760-5200

Electric provider: United Cooperative Services — 817-556-4000

Sewer — On site septic facility

Fire — City of Burleson Fire — 817-426-9174



STATE OF TEXAS

COUNTY OF JOHNSON

WHEREAS, WILLIAM AND VICKI HART and JOHN AND CANDACE HART are the sole owners of a tract of land located in the C. P. HOLLI SURVEY, ABSTRACT No. 385, Johnson County, Texas according to the deed recorded in Clerk's File No. 2021-48500 of the Deed Records of Johnson County, Texas and being all of Tract F, Rocky Creek Estates — Phase Two, an addition to Johnson County, Texas, according to the plat recorded in Volume 8, Page 329 of the Plat Records of Johnson County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2-inch iron rod found at the most Easterly Northeast corner of said Tract F, being the Southeast corner of Lot 44, Rocky Creek Estates — Phase One, an addition to Johnson County, Texas, according to the plat recorded in Volume 8, Page 187 of the Plat Records of Johnson County, Texas and lying in the West right-of-way line of County Road 1014A (a variable with right-of-way);

THENCE S 00° 21' 15" W, 60.00 feet along the East boundary line of said Tract F with the said West right-of-way line of County Road 1014A to a 1/2-inch iron rod found at the Southeast corner of said Tract F, Being the Northeast corner of Tract E, said Rocky Creek Estates — Phase Two;

THENCE N 89° 39' 15" W, 942.01 feet along the common boundary line between said Tracts E and F to a 1/2-inch iron rod found at the Southwest corner of said Tract F, lying in the East boundary line of Block A, Rocky Creek Estates — Phase Two, an addition to Johnson County, Texas, according to the plat recorded in Volume 9, Page 45 of the Plat Records of Johnson County, Texas;

THENCE N 21° 44' 53" W, 317.92 feet along the common boundary line between said Tract F and said Block A to a 1/2-inch iron rod found with yellow plastic cap stamped "RPLS 5544" at the Northwest corner of said Tract F, being the Southwest corner of Tract G, aforesaid Rocky Creek Estates — Phase Two;

THENCE along the North boundary line of said Tract F as follows:

S 89° 40' 05" E, 771.03 feet with the South boundary line of said Tract G to a 1/2-inch iron rod found at the most Northerly Northeast corner of said Tract F, lying in the West boundary line of Lot 45, aforesaid Rocky Creek Estates — Phase One;

S 00° 20' 40" W, 234.83 feet with the West boundary line of said Lot 45 and aforesaid Lot 44, Rocky Creek Estates — Phase One to a point in a power pole at the Southwest corner of said Lot 44;

S 89° 40' 05" E, 290.55 feet with the South boundary line of said Lot 44 to the PLACE OF BEGINNING, containing 5.211 acres (227,008 square feet) of land.

STATE OF TEXAS

COUNTY OF JOHNSON

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT, WILLIAM AND VICKI HART and JOHN AND CANDACE HART, being the sole owners of the above described parcel, does hereby adopt the herein above described property as TRACT F-R1 AND TRACT F-R2, ROCKY CREEK ESTATES — PHASE TWO, an addition to Johnson County, Texas and hereby dedicates to the public use, without reservation, the streets, easements, right-of-ways, and any other public areas shown herein.

WILLIAM HART VICKI HART
Date: _____

JOHN HART CANDACE HART
Date: _____

STATE OF TEXAS

COUNTY OF TARRANT

BEFORE ME, the undersigned authority, on this day personally appeared WILLIAM AND VICKI HART, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same for purposes and considerations therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the _____ day of _____, 2024.

NOTARY PUBLIC

STATE OF TEXAS

STATE OF TEXAS

COUNTY OF JOHNSON

BEFORE ME, the undersigned authority, on this day personally appeared JOHN AND CANDACE HART, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same for purposes and considerations therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the _____ day of _____, 2024.

NOTARY PUBLIC

STATE OF TEXAS

SURVEYOR'S CERTIFICATE

THIS is to certify that I, RONALD W. COOMBS, a Registered Professional Land Surveyor of the State of Texas, certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed, under my personal supervision, in accordance with the subdivision regulations of the City of Burleson, Texas.

RONALD W. COOMBS, R.P.L.S.
Texas Registration No. 5294

REPLAT
TRACT F-R1 AND TRACT F-R2
ROCKY CREEK ESTATES - PHASE TWO
BEING A REVISION OF TRACT F, ROCKY CREEK ESTATES—
PHASE TWO, AN ADDITION TO JOHNSON COUNTY, TEXAS
ACCORDING TO THE PLAT RECORDED IN
VOLUME 8, PAGE 329 OF THE
PLAT RECORDS OF JOHNSON COUNTY, TEXAS
2 LOTS
MAY 22, 2024

Planning & Zoning Commission Meeting

DEPARTMENT: Development Services
FROM: Lidon Pearce, Principal Planner
MEETING: June 25, 2024

SUBJECT:

3162 S Burleson Blvd (Case 24-129): Hold a public hearing and consider a recommendation of approval for an ordinance for a zoning change request from "C" Commercial and "A" Agricultural to "PD", Planned Development for industrial development utilizing Appendix C, Article VII; Business Park Design Standards. (Staff Contact: Lidon Pearce, Principal Planner)

SUMMARY:

On April 1, 2024, a zoning change request was submitted by Rob Orr representing Burleson Highpoint Investments LLC (owners) to change the zoning of approximately 39.801 acres to PD, Planned Development.

DEVELOPMENT OVERVIEW:

The owners are proposing a PD, Planned Development with a base zoning district of I, Industrial for a future industrial development adjacent to the Highpoint Business Park. Development of the site and structures would occur in accordance with the City of Burleson Code of Ordinances, Business Park Design Standards, Appendix C, Article VII. In addition to the land use regulations found in the base I, Industrial zoning district; staff has incorporated additional land use regulations and restrictions into the Planned Development. These land use regulations were taken from the existing Business Park Overlay District and incorporated into the proposed Ordinance (attached as Exhibit 3).

Zoning and Land Use Table

	Zoning	Use
Subject Site	C, Commercial and A, Agricultural	Primarily undeveloped
North	I, Industrial	Business Park, Golden State Foods

East	IH-35W and A, Agricultural	Interstate and RV Park
South	FM 917 (Conveyor) and A, Agricultural	Primarily undeveloped
West	ETJ and A, Agricultural	Primarily undeveloped

This site is designated in the Comprehensive Plan as Employment Growth Center and Regional Office/ Commercial.

Employment Growth Centers offer important employment opportunities, occupy large areas of land, and are generally located near major roads. The City's Highpoint Business Park has been a great start to diversifying the economy and bringing world-class industries to the City. This future land use category focuses on the opportunities to expand the development.

Regional office / commercial includes uses such as large retail centers, hotels, restaurants, and corporate or professional offices are encouraged in this category.

Staff has determined the requested zoning and use align with the Comprehensive Plan based on the adjacent business park and location along FM 917 and IH-35W.

Engineering:

Engineering civil construction reviews will be required prior to the development of the site.

RECOMMENDATION:

Recommend approval to City Council for an ordinance for the zoning change.

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

December 6, 2010– Business Park Design Standards adopted by City Council.

REFERENCE:

[City of Burleson, TX ZONING DISTRICTS \(ecode360.com\)](http://ecode360.com)

[City of Burleson, TX BUSINESS PARK DESIGN STANDARDS \(ecode360.com\)](http://ecode360.com)

[City of Burleson, TX OVERLAY ZONING DISTRICTS \(ecode360.com\)](http://ecode360.com)

FISCAL IMPACT:

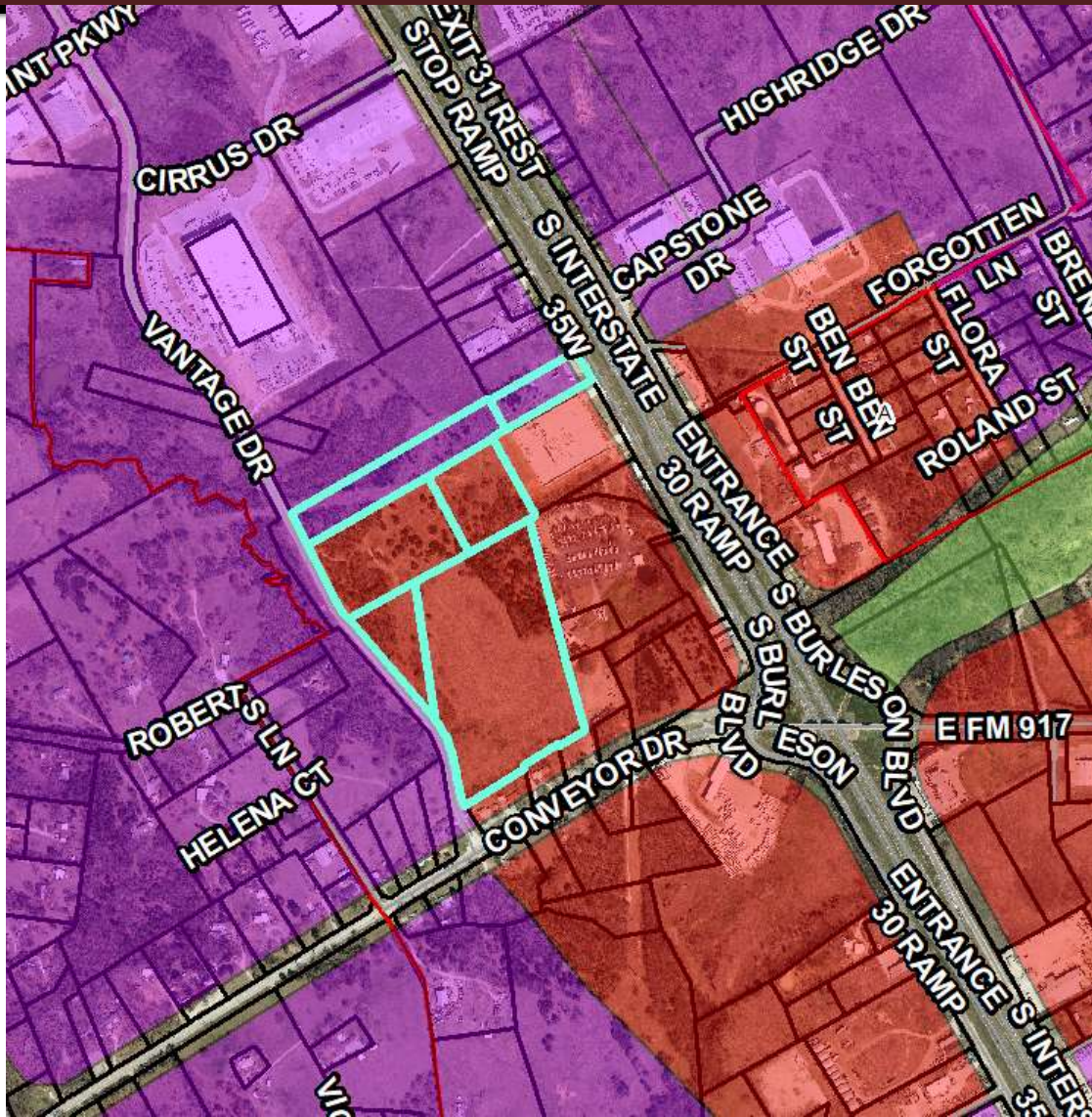
None

STAFF CONTACT:

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

Comprehensive Plan

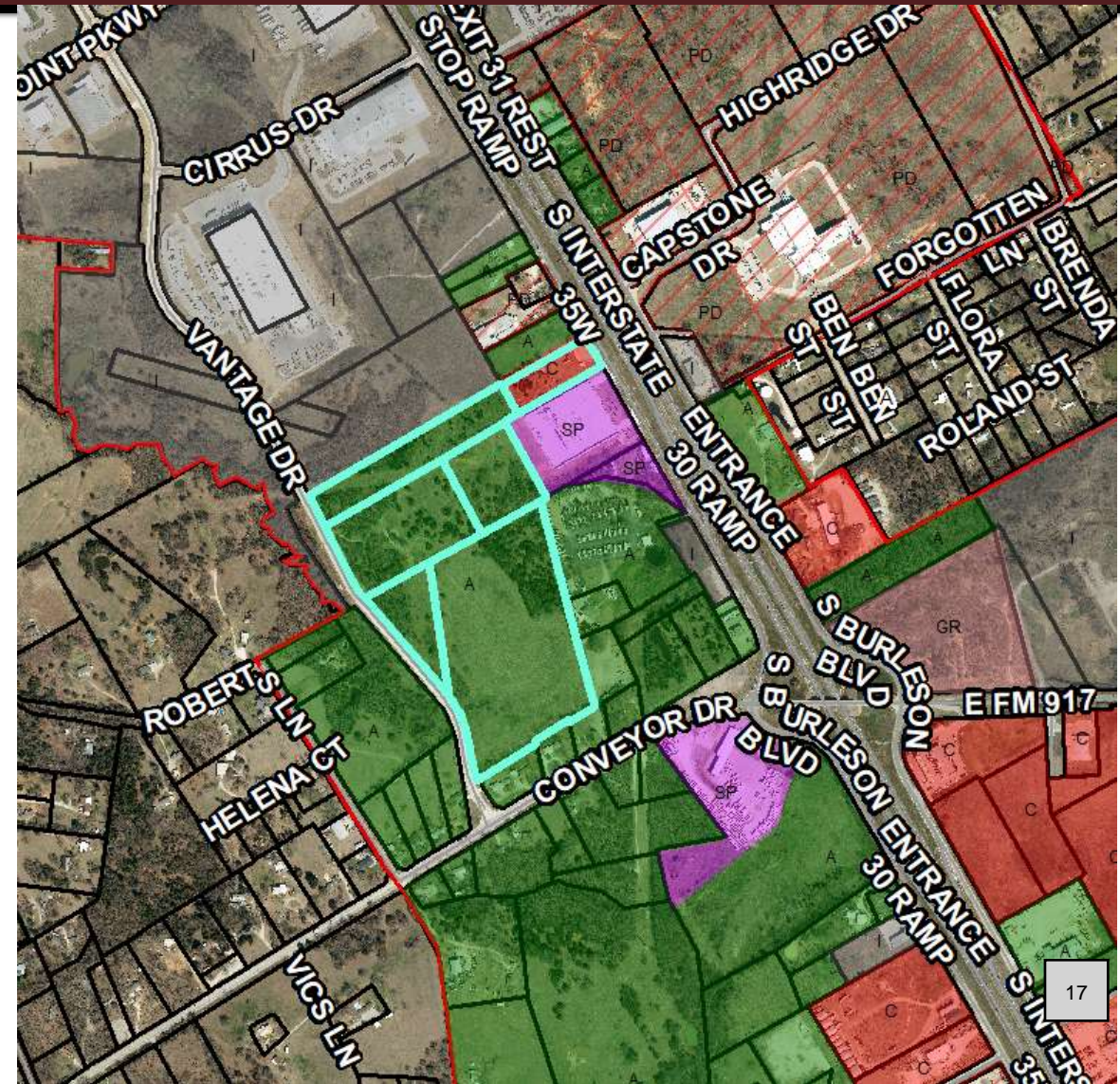
Employment Growth Center & Regional Office/ Commercial



Zoning

Item A.

Commercial and Agricultural



ZC - 3162 S Burleson

Item A.

Ordinance Elevation Examples

Acceptable



Unacceptable



ZC - 3162 S Burleson

Item A.

PD Regulations

- **Development Regulations in accordance with the Business Park Design Standards (will be reviewed at site plan submittal)**
- **Land Uses in accordance with I, Industrial zoning with additional restricted uses as outlined in the Business Park overlay**

Prohibited uses include (not limited to) land uses such as:

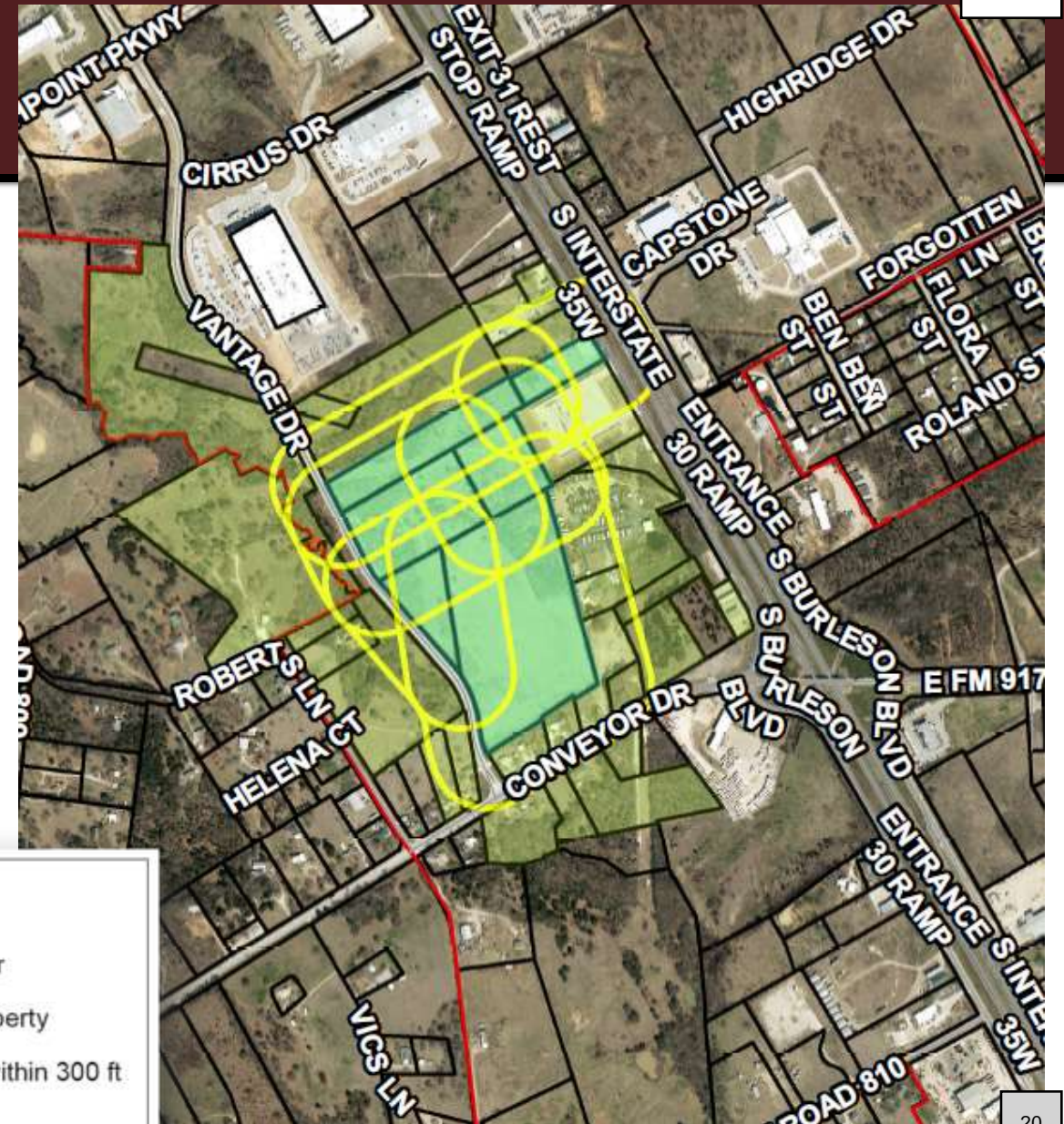
- Auto repair, sales, tire retread, salvage yard, etc.
- Brick, cement or lime plants
- Sand, gravel, and topsoil extraction
- Sewage plants
- Sexually oriented business

ZC - 3162 S Burleson

Item A.

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.
- At this time staff has received no formal opposition



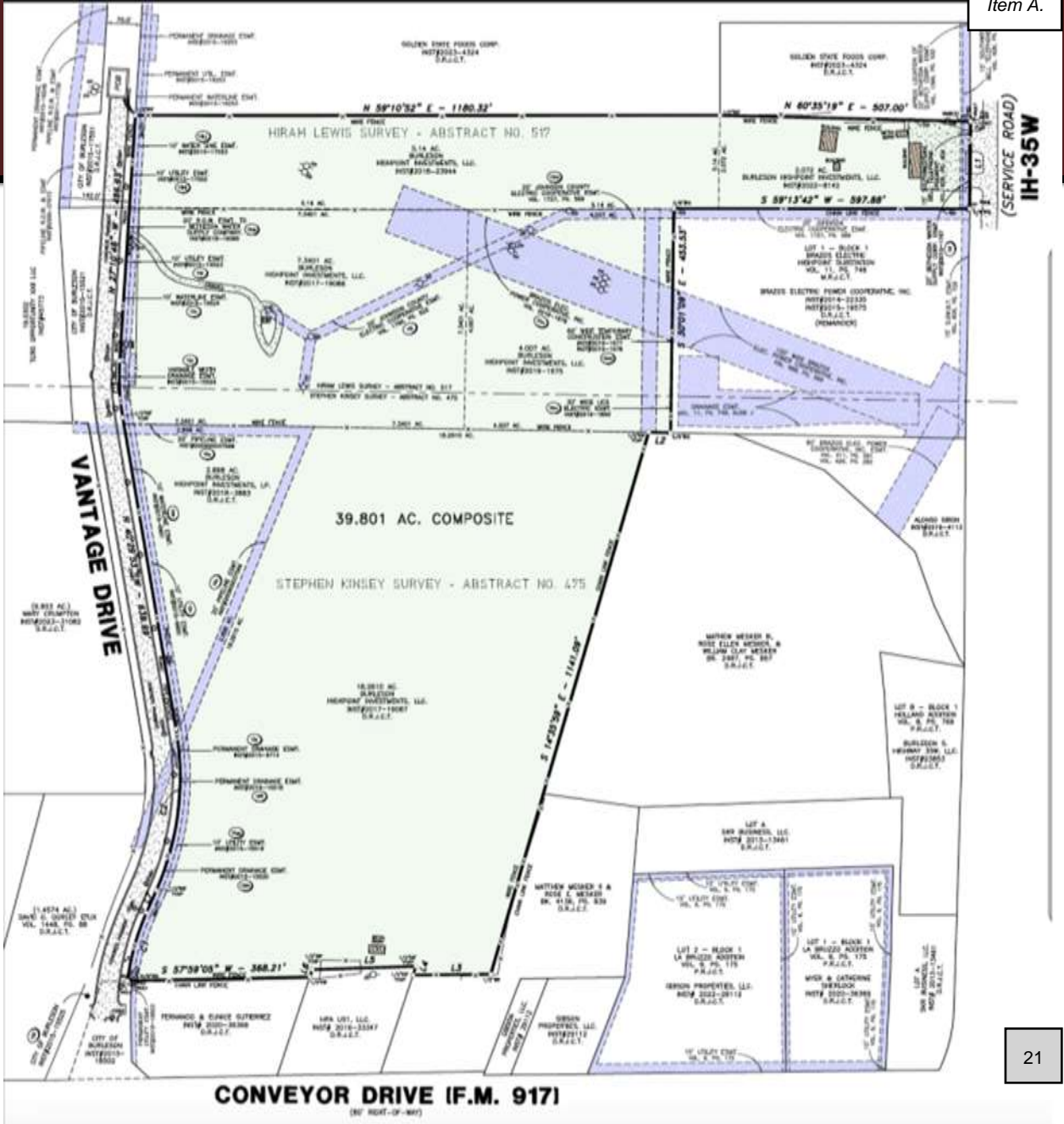
ZC - 3162 S Burleson

Item A.

Staff's Recommendation

Staff has determined that the requested zoning and use align with the Comprehensive Plan.

Staff recommends approval of the ordinance for a zoning change.



Ordinance

AN ORDINANCE AMENDING ORDINANCE B-582, THE ZONING ORDINANCE AND MAP OF THE CITY OF BURLESON, TEXAS, BY AMENDING THE OFFICIAL ZONING MAP AND CHANGING THE ZONING ON APPROXIMATELY 39.801 ACRES OF LAND SITUATED IN THE HIRAM LEWIS SURVEY ABSTRACT NO. 517 AND THE STEPHEN KINSEY SURVEY, ABSTRACT NO. 475, IN ADDITION TO LAND CONVEYED TO BURLESON HIGHPOINT INVESTMENTS, LLC BY DEED RECORDED UNDER INSTRUMENT NUMBERS 2018-23944; 2022-8142; 2017-19086; 2019-1675; 2018-3883; AND 2017-19087, JOHNSON COUNTY DEED RECORDS (J.C.D.R.T.), JOHNSON COUNTY, TEXAS, FROM ‘C’ COMMERCIAL AND “A” AGRICULTURAL TO “PD” PLANNED DEVELOPMENT DISTRICT; 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 **Rob Orr** on **April 1, 2024**, under **Case Number 24-142**, 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 **7 to 0** to recommend approval to the City Council of Burleson, Texas, that the hereinafter described property be rezoned from its classifications of **Commercial (C) and Agricultural (A)** to **Planned Development (PD)**; 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 Agricultural (A)** 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 located in Burleson, Texas, described on the legal description attached as **Exhibit A**, by changing the zoning of said property from C, Commercial district and A, Agriculture district to the PD, Planned Development district industrial development.

Section 2

The property shall be developed and used in accordance with the applicable provisions of the City of Burleson, Code of Ordinances, as amended, except to the extent modified by the Development Standards attached as Exhibit B.

Section 3.

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 4.

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 5.

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 6.

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 7.

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 8.

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 9.

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:

Amanda Campos, City Secretary

E. Allen Taylor, Jr., City Attorney

EXHIBIT "A"**LEGAL DESCRIPTION:**

BEING ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATED IN THE HIRAM LEWIS SURVEY ABSTRACT NO. 517 AND THE STEPHEN KINSEY SURVEY, ABSTRACT NO. 475, CITY OF BURLESON, JOHNSON COUNTY, TEXAS, AND BEING ALL OF 5.14 ACRE, 2.072 ACRE; 7.3401 ACRE, 4.007 ACRE, 2.898 ACRE, AND 18.2610 ACRE TRACTS OF LAND CONVEYED TO BURLESON HIGHPOINT INVESTMENTS, LLC BY DEED RECORDED UNDER INSTRUMENT NOS. 2018-23944; 2022-8142; 2017-19086; 2019-1675; 2018-3883; AND INSTRUMENT NUMBER 2017-19087 OF THE OFFICIAL RECORDS OF JOHN COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS;

BEGINNING AT A 1/2" IRON ROD FOUND IN THE NORTHEASTERLY RIGHT-OF-WAY LINE OF S. BURLESON BOULEVARD (VARIABLE WIDTH RIGHT-OF-WAY), SAID POINT BEING THE MOST WESTERLY SOUTHWEST CORNER OF SAID BURLESON HIGHPOINT INVESTMENTS, LLC - 5.14 ACRE TRACT AND THE SOUTHWEST CORNER OF A TRACT OF LAND CONVEYED TO GOLDEN STATE FOODS CORP BY DEED RECORDED UNDER INSTRUMENT NO. 2023-4324 OF THE OFFICIAL RECORDS OF JOHNSON COUNTY, TEXAS;

THENCE NORTH 59° 10' 52" EAST DEPARTING THE NORTHEASTERLY RIGHT-OF-WAY LINE OF S. BURLESON BOULEVARD AND ALONG THE NORTHWEST LINE OF SAID BURLESON HIGHPOINT INVESTMENTS, LLC - 5.14 ACRE TRACT AND THE SOUTHEAST LINE OF SAID GOLDEN STATE FOODS CORP TRACT FOR A DISTANCE OF 1180.61 FEET TO A 1/2" IRON ROD FOUND FOR CORNER, SAID POINT BEING THE WESTERLY CORNER OF AFORESAID BURLESON HIGHPOINT INVESTMENTS, LLC - 2.072 ACRE TRACT;

THENCE NORTH 60° 35' 19" EAST ALONG THE NORTHWEST LINE OF SAID BURLESON HIGHPOINT INVESTMENTS, LLC - 2.072 ACRE TRACT AND THE SOUTHEAST LINE OF SAID GOLDEN STATE FOODS CORP TRACT FOR A DISTANCE OF 507.00 FEET TO A 1/2" IRON ROD WITH YELLOW PLASTIC CAP FOUND FOR CORNER, SAID POINT BEING THE MOST NORTHERLY NORTHEAST CORNER OF SAID BURLESON HIGHPOINT INVESTMENTS, LLC - 2.072 ACRE TRACT AND THE EASTERLY CORNER OF SAID GOLDEN STATE FOODS CORP TRACT;

THENCE SOUTH 30° 11' 30" EAST ALONG THE NORTHEAST LINE OF SAID BURLESON HIGHPOINT INVESTMENTS, LLC - 2.072 ACRE TRACT, FOR A DISTANCE OF 176.47 FEET TO A 1/2" IRON ROD WITH YELLOW PLASTIC CAP FOUND FOR CORNER, SAID POINT BEING THE EASTERLY CORNER OF SAID BURLESON HIGHPOINT INVESTMENTS, LLC - 2.072 ACRE TRACT AND THE NORTHEAST CORNER OF LOT 1, BLOCK 1, BRAZOS ELECTRIC POWER COOPERATIVE INC., AN ADDITION TO THE CITY OF BURLESON, JOHNSON COUNTY, TEXAS, ACCORDING THE PLAT THEREOF RECORDED IN VOLUME 11, PAGE 746 OF THE MAP RECORDS OF JOHN COUNTY, TEXAS;

THENCE SOUTH 59° 13' 42" WEST ALONG THE SOUTHEAST LINE OF SAID BURLESON HIGHPOINT INVESTMENTS, LLC - 2.072 ACRE AND 5.14 ACRE TRACTS AND THE NORTHWEST LINE OF SAID LOT 1, BLOCK 1, BRAZOS ELECTRIC HIGHPOINT SUBSTATION ADDITION, FOR A DISTANCE OF 597.88 FEET TO A POINT FOR CORNER, SAID POINT BEING THE WESTERLY CORNER OF SAID LOT 1, BLOCK 1, BRAZOS ELECTRIC HIGHPOINT SUBSTATION ADDITION AND THE NORTHERLY CORNER OF AFORESAID BURLESON HIGHPOINT INVESTMENTS, LLC - 4.0007 ACRE TRACT;

THENCE SOUTH 30° 01' 09" EAST ALONG THE WEST LINE OF SAID LOT 1, BLOCK 1, BRAZOS ELECTRIC HIGHPOINT SUBSTATION ADDITION AND THE EAST LINE OF SAID BURLESON HIGHPOINT INVESTMENTS, LLC - 4.0007 ACRE TRACT, FOR A DISTANCE OF 453.53 FEET TO A POINT (FLAGGED FENCE) FOR CORNER, SAID POINT BEING THE SOUTHWEST CORNER OF SAID LOT 1, BLOCK 1, BRAZOS ELECTRIC HIGHPOINT SUBSTATION ADDITION AND THE SOUTHEAST CORNER OF AFORESAID BURLESON HIGHPOINT INVESTMENTS, LLC - 4.0007 ACRE TRACT, SAID POINT BEING IN THE NORTHWEST LINE OF A TRACT OF LAND CONVEYED TO MATHEW MESKER III, ROSE ELLEN MESKER, & WILLIAM CLAY MESKER BY DEED RECORDED IN VOLUME 2487, PAGE 857 OF THE DEED RECORDS OF JOHNSON COUNTY, TEXAS;

THENCE SOUTH 60° 27' 57" WEST ALONG THE SOUTH LINE OF AFORESAID BURLESON HIGHPOINT INVESTMENTS, LLC – 4.0007 ACRE TRACT AND THE NORTHWEST LINE OF SAID MATHEW MESKER III, ROSE ELLEN MESKER, & WILLIAM CLAY MESKER TRACT, FOR A DISTANCE OF 44.45 FEET TO A 1/2" IRON ROD WITH YELLOW PLASTIC CAP FOUND FOR CORNER, SAID POINT BEING THE NORTHEAST CORNER OF AFORESAID BURLESON HIGHPOINT INVESTMENTS, LLC – 18.2610 ACRE TRACT AND THE MOST WESTERLY NORTHWEST CORNER OF SAID MATHEW MESKER III, ROSE ELLEN MESKER, & WILLIAM CLAY MESKER TRACT;

THENCE SOUTH 14° 35' 59" EAST ALONG THE EAST LINE OF AFORESAID BURLESON HIGHPOINT INVESTMENTS, LLC – 18.2610 ACRE TRACT AND THE WEST LINE OF SAID MATHEW MESKER III, ROSE ELLEN MESKER, & WILLIAM CLAY MESKER TRACT AND ALONG THE WEST LINE OF A TRACT OF LAND CONVEYED TO MATTHEW MESKER II & ROSE E. MESKER BY DEED RECORDED IN VOLUME 4136, PAGE 839 OF THE DEED RECORDS OF JOHNSON COUNTY, TEXAS, FOR A DISTANCE OF 1141.09 FEET TO A 1/2" IRON ROD FOUND FOR CORNER, SAID POINT BEING THE SOUTHEAST CORNER OF BURLESON HIGHPOINT INVESTMENTS, LLC – 18.2610 ACRE TRACT AND A COMMON CORNER OF SAID MATTHEW MESKER II & ROSE E. MESKER TRACT;

THENCE SOUTH 58° 33' 09" WEST ALONG THE COMMON LINE OF SAID BURLESON HIGHPOINT INVESTMENTS, LLC – 18.2610 ACRE TRACT AND MATTHEW MESKER II & ROSE E. MESKER TRACT, FOR A DISTANCE OF 157.06 FEET TO A 1/2" IRON ROD WITH YELLOW PLASTIC CAP FOUND FOR CORNER, SAID POINT BEING IN THE EAST LINE OF A TRACT OF LAND CONVEYED TO HPA USI LLC BY DEED RECORDED IN INSTRUMENT NO. 2019-33347 OF THE OFFICIAL RECORDS OF JOHNSON COUNTY, TEXAS;

THENCE ALONG THE COMMON LINE OF SAID BURLESON HIGHPOINT INVESTMENTS LLC – 18.2610 ACRE TRACT AND HPA USI LLC TRACT, THE FOLLOWING COURSES AND DISTANCES NUMBERED 1, 2, AND 3;

1. NORTH 12° 39' 38" WEST FOR A DISTANCE OF 18.39 FEET TO A 1/2" IRON ROD WITH YELLOW PLASTIC CAP FOUND FOR CORNER;
2. SOUTH 57° 25' 16" WEST FOR A DISTANCE OF 209.24 FEET TO A 1/2" IRON ROD WITH YELLOW PLASTIC CAP FOUND FOR CORNER;
3. SOUTH 11° 53' 53" EAST FOR A DISTANCE OF 15.67 FEET TO A 1/2" IRON ROD FOUND FOR CORNER, SAID POINT BEING THE NORTHEAST CORNER OF A TRACT OF LAND CONVEYED TO FERNADO & EUNICE GUTIERREZ BY DEED RECORDED IN INSTRUMENT NO. 2020-36369 OF THE OFFICIAL RECORDS OF JOHNSON COUNTY, TEXAS;

THENCE SOUTH 57° 59' 05" WEST ALONG THE SOUTH LINE OF SAID BURLESON HIGHPOINT INVESTMENTS LLC – 18.2610 ACRE TRACT AND FERNADO & EUNICE GUTIERREZ TRACT FOR A DISTANCE OF 368.45 FEET TO A POINT FOR CORNER IN THE AFORESAID NORTHEAST RIGHT-OF-WAY LINE OF S. BURLESON BOULEVARD, SAID POINT BEING THE SOUTHWEST CORNER OF SAID BURLESON HIGHPOINT INVESTMENTS LLC – 18.2610 ACRE TRACT AND BEING IN THE NORTH LINE OF TRACT OF LAND CONVEYED TO CITY OF BURLESON BY DEED RECORDED IN INSTRUMENT NO. 2015-18502 OF THE OFFICIAL RECORDS OF JOHNSON COUNTY, TEXAS, SAID POINT ALSO BEING THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 496.00 FEET, A CENTRAL ANGLE OF 16° 33' 58" , A CHORD BEARING NORTH 15° 17' 46" WEST AT A DISTANCE OF 142.91 FEET;

THENCE ALONG THE AFORESAID NORTHEAST RIGHT-OF-WAY LINE OF S. BURLESON BOULEVARD AND THE WEST LINE OF SAID BURLESON HIGHPOINT INVESTMENTS LLC – 18.2610 ACRE TRACT, FOR AN ARC DISTANCE OF 143.41 FEET TO A POINT FOR CORNER;

THENCE NORTH 07° 00' 47" WEST CONTINUING ALONG THE AFORESAID NORTHEAST RIGHT-OF-WAY LINE OF S. BURLESON BOULEVARD AND THE WEST LINE OF SAID BURLESON HIGHPOINT INVESTMENTS LLC – 18.2610 ACRE TRACT, FOR A DISTANCE OF 49.76 FEET TO A 1/2" IRON ROD FOUND FOR CORNER, SAID POINT BEING THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 564.00 FEET, A CENTRAL ANGLE OF 33° 45' 52", A CHORD BEARING NORTH 23° 53' 16" WEST AT A DISTANCE OF 327.58 FEET;

THENCE CONTINUING ALONG THE AFORESAID NORTHEAST RIGHT-OF-WAY LINE OF S. BURLESON BOULEVARD AND THE WEST LINE OF SAID BURLESON HIGHPOINT INVESTMENTS LLC – 18.2610 ACRE AND 2.898 ACRE TRACTS, FOR AN ARC DISTANCE OF 332.36 FEET TO A POINT FOR CORNER;

EXHIBIT “B”

DEVELOPMENT STANDARDS

A. Applicability

All development located within the boundaries of this Planned Development District shall adhere to the rules and regulations set forth in this zoning ordinance. All City of Burleson Engineering standards will be adhered to unless otherwise specified in this document or in the approval process of engineering plans.

B. Development area and Building Elevations.

Development of any property within the boundaries of this Planned Development District shall generally conform to the Elevation Examples (attached as Exhibit C). If there is any conflict between the text of this ordinance and the concept plan or elevation examples, the text of this article controls.

C. Base Zoning District

The property shall be developed and used in accordance with the base zoning district of the “I, Industrial District” with additional land use regulations as given in the Business Park Overlay District, Appendix B, Section(s) 103-4 and 103-5; and as stated below.

- a. Primary uses: In addition to permitted uses of the underlying districts, following uses are allowed:

- Corporate headquarters
- Data processing, hosting, and related services
- Logistics facilities
- Motel or hotel
- Office, business and professional
- Office, medical or dental
- Park or public playground
- Research and development facilities
- Retail shop
- Warehousing for storage and distribution

- b. Accessory uses:

- Auto laundry/carwash
- Automotive fuel sales
- Battery Charging Area
- Caretaker's or guard's residence
- Mechanical bay

- c. Uses allowed with specific use permit:

- Antenna facility—Subject to compliance with all the provisions of City of Burleson Code of Ordinances, Appendix B, Zoning Ordinance, Section 44 Antenna Facilities with the following additional conditions:
Shall be concealed from public right-of-way; or

Shall be screened from public view.

Medical care facilities

d. **Prohibited uses:** The following uses are prohibited:

Animal pound, private

Asphalt/concrete batching (permanent)

Auto glass, seat cover, muffler shop

Auto impoundment

Auto, new used auto sales (outdoors)

Auto painting or body shop

Auto parts and accessory sales (with outside storage)

Auto repair garage

Auto sales or auction

Automobile/truck rental service

Brick kiln or tile plant

Cement or hydrated lime

Cleaning plant, commercial

Contractors, electrical/mechanical/plumbing (with outside storage)

Contractor, storage equipment

Custom personal service shop

Dump or sanitary landfill

Dyeing/laundry plant, commercial

Go-cart track

Hatchery

Hauling or storage company

Heavy machinery sales/repair

Kennel

Livestock auction

Maintenance and repair services for buildings

Massage, therapeutic

Motorcycle sales and repair

Monopole antenna

Open salvage yard

Open storage of commercial goods

Paint shop

Parking lot or structure, commercial (auto)

Parking lot, trucks/trailers

Plumbing shop (with outside storage)

Sand/gravel extraction storage (outside)

Sewage pumping station

Sewage treatment plant

Sexually oriented business.

Stable or barn, private

Taxidermy

Tire retread, recapping and storage

Trailer, manufactured home sales, rental, assembly and manufacturing

Topsoil/sand extraction/storage

Veterinarian, office only

Veterinarian hospital

Veterinarian with outside animal pens

Welding or machine shop

Wrecking or auto salvage yard

D. Development Regulations

Development will be held to the requirements of the “Business Park Design Standards” as given in the City of Burleson Code of Ordinances, Appendix C, Article VII.

Development Area



Building Elevations (Page 1 of 4)

The following is a representation of industrial building designs that should be considered generally acceptable or unacceptable within the PD, Planned Development. Images shown here do not constitute the acceptance of any specific building design.

ACCEPTABLE





NOT ACCEPTABLE



