



Planning & Zoning Commission Agenda

Tuesday, June 28, 2022
6:30 PM

City Hall - 141 W. Renfro
Burleson, TX 76028

1. Call to Order

Invocation

Pledge of Allegiance

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. Approve the minutes from June 14, 2022 Planning & Zoning Commission meeting.
- B. Consider approval of a minute order finding that the absence of Commissioner Dyer from the May 10th, 2022 meeting was due to sickness, and excusing his absences from the April 26, May 10, and May 24, 2022, meetings.
- C. Final Plat of Helena Estates, Lots 1, 2 and 3, Block 1, located southwest of Roberts Lane with the approximate address of 6516 Helena Ct, within the Extraterritorial Jurisdiction of the City of Burleson. (Case 21-023): Consider approval of a Final Plat for Helena Estates.
- D. Replat of Space Acres, Lots 7R and 8R, Block 3, located east of Sundance Drive with the approximate address of 7204 N Sundance Dr, within the Extraterritorial Jurisdiction of the City of Burleson. (Case 22-061): Consider approval of a Replat for Space Acres.
- E. Replat of Broad Valley Farm, Lots 15R & 15R-1, located directly north of the intersection of Lace Lane and W County Road 714, with the approximate address of 1560 Broad Valley Ct,

within the City of Burleson. (Case 22-065): Consider approval of a Replat for Broad Valley Farm.

4. Public Hearing

- A. 2500 SW Hulen St (TOD Mixed-Use) (Case 22-058): Continue the public hearing opened on June 14, 2022 and consider a zoning change request from "PD" Planned Development district, to "PD" Planned Development district, to allow for commercial and multifamily residential development on 35.20 acres.
- B. 8121 CR 1016Z (Case 22-062): Hold a public hearing and consider a zoning change request from "A" Agricultural, to "C" Commercial, to allow for future commercial development.
- C. 3936 S Burleson (Case 22-043): Hold a public hearing and consider a zoning change request from "A", Agricultural, to "PD" Planned Development district for future industrial development.

5. Reports and Presentations

6. Community Interest Items

This is a standing item on the agenda of every regular meeting of the Planning and Zoning Commission. An "item of community interest" includes the following:

- Expression of thanks, congratulations, or condolence;
- Information regarding holiday schedules;
- Honorary recognitions of city officials, employees, or other citizens;
- Reminders about upcoming events sponsored by the city or other entity that is scheduled to be attended by city official or city employee; and
- Announcements involving imminent public health and safety threats to the city.

7. Recess into Executive Session

The Planning & Zoning Commission reserves the right to convene in Executive Session(s) during this meeting pursuant to the following Sections of the Government Code of the State of Texas:

Pursuant to Sec. 551.071 consultation with its Attorney:

The Planning & Zoning Commission may conduct private consultations with its attorneys when the Planning & Zoning Commission seeks the advice of its attorney concerning any item on this agenda or a matter in which the duty of the attorney to the Planning & Zoning Commission under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Government Code.

Pursuant to Sec 551.087 Deliberation regarding Economic Development

Negotiations The Planning and Zoning Commission may discuss or deliberate regarding commercial or financial information received from a business prospect that the City Of Burleson seeks to have locate, stay or expand in or near the City and which the City is conducting economic development negotiations or to deliberate the offer of a financial or other incentive to a business prospect; particularly, discussion with economic development specialist regarding potential economic incentive agreement for development of real property.

8. 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 **24th of June 2022, by 5:00 p.m.**, on the official bulletin board at the Burleson City Hall, 141 W. Renfro, Burleson, Texas.

Amanda Campos

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.

Memorandum

To: The Burleson Planning and Zoning Commission

From: Peggy Fisher, Senior Administrative Assistant

Date: June 28, 2022

Subject: Minutes from the June 14, 2022 Regular Session Planning and Zoning Commission Meeting.

Commission Action Requested:

Approve the minutes from the June 14, 2022 Regular Session of the Planning and Zoning Commission Meeting.

Background Information:

None

Board/Citizen Input:

None

Financial Considerations:

None

Attachments:

Minutes of the June 14, 2022 Regular Session of the Planning and Zoning Commission.

Staff Contact:

Peggy Fisher
Recording Secretary
817-426-9611

PLANNING AND ZONING COMMISSION

June 14, 2022
MINUTES

Roll Call

Commissioners Present

Kason Mobley
Jason Morse
Bill Janusch
Michael Tune
Chris Dyer

Commissioners Absent

Ava Summerhill
Dan Taylor
Adam Russell

Staff

Matt Ribitzki, City Attorney
Tony McIlwain, Director Development Services
Emilio Sanchez, Assistant Director Development Services
Lidon Pearce, Planner
Jared Wesley, City Engineer
Peggy Fisher, Administrative Assistant

REGULAR SESSION

Call to Order – 6:30 PM

Invocation – Chris Dyer

Pledge of Allegiance

1. Citizen Appearance

None

6. Executive Session

The Planning & Zoning Commission reserves the right to convene in Executive Session(s) during this meeting pursuant to the following Sections of the Government Code of the State of Texas:

- 1. Pursuant to Sec. 551.071 consultation with its Attorney: The Planning & Zoning Commission may conduct private consultations with its attorneys when the Planning & Zoning Commission seeks the advice of its attorney concerning any item on this agenda or a matter in which the duty of the attorney to the Planning & Zoning Commission under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly**

conflicts with Chapter 551 of the Government Code. Pursuant to Sec 551.087 Deliberation regarding Economic Development Negotiations The Planning and Zoning Commission may discuss or deliberate regarding commercial or financial information received from a business prospect that the City Of Burleson seeks to have locate, stay or expand in or near the City and which the City is conducting economic development negotiations or to deliberate the offer of a financial or other incentive to a business prospect; particularly, discussion with economic development specialist regarding potential economic incentive agreement for development of real property.

Commission Chairman Kason Mobley convened into executive sessions at 6:31 pm.

Commission Chairman Kason Mobley reconvened from executive session at 6:35 pm.

Commissioner Chris Dyer was excused from the meeting.

2. Consent Agenda

- A. Approve the minutes from May 24, 2022 Planning and Zoning Commission meeting.**
- B. Replat of Crittenden Acres, Lots 1R & 2R, Block 1 addressed as 8101 and 8109 CR 804 within the City's Extraterritorial Jurisdiction (ETJ) (Case 22-067): Consider approval of a replat for Crittenden Acres.**
- C. Final Plat of Lorene Mann Addition, Lot 1, Block 1, located west of North County Road 810 with the approximate address of 2417 N County Road 810, within the Extraterritorial Jurisdiction of the City of Burleson (Case 22-051): Consider Approval of a Final Plat for Lorene Mann Addition.**
- D. Final Plat of Reverie Phase 2, Lots 37-57, Park Land Dedication C, Block 1; Lots 10-17, Block 2; Lots 2-19, Block 3, located directly northeast of Reverie Road within the City of Burleson (Case 21-144): Consider approval of a Final Plat for Reverie Phase 2.**
- E. Final Plat of John Jones Retail Addition, Lot 1, Block 1, located southeast of the intersection of SE John Jones Drive and W County Road 714, addressed as 430 Nutmeg Avenue within the City of Burleson (Case 22-057): Consider approval of a Final Plat for John Jones Retail Addition.**

- F. Final Plat of Arabella at Burleson, Lot 1, Block 7, located directly east of the intersection of SW Hulen Street and Greenridge Drive within the City of Burleson (Case 22-066):** Consider approval of a Final Plat for Arabella at Burleson.

Motion was made by Commissioner Jason Morse and second by Commissioner Michael Tune to approve the consent agenda.

Motion passed, 4-0. Commissioners Adam Russell, Dan Taylor & Ava Summerhill were absent.

3. Public Hearing

- A. 2500 SW Hulen St (TOD Mixed-Use) (Case 22-058):** Hold a public hearing and consider a zoning change request from “PD” Planned Development district, to “PD” Planned Development district, to allow for commercial and multifamily residential development on 35.20 acres.

Lidon Pearce presented the case to the Commission, reviewed the staff report, and answered questions from the Commission.

Commission Chairman Kason Mobley opened the public hearing at 6:46 p.m.

Maxwell Fisher, applicant, addressed the commissioners and requested to table item 3A until the June 28, 2022 PZ Meeting.

Linda Knight, 2624 SW Hulen, addressed the commissioners and expressed her concerns regarding storm water overflow.

Lidon Pearce, Senior Planner, read an online speaker card from Glenda Bradley asking questions regarding this item.

Maxwell Fisher, applicant, addressed the commissioners regarding this item and stated that when they bring the item back they would have answers to some of these questions.

Motion was made by Commissioner Jason Morse and second by Commissioner Michael Tune to table item 3A until the June 28, 2022 PZ Meeting.

Motion passed, 4-0. Commissioners Adam Russell, Dan Taylor & Ava Summerhill were absent.

4. Reports and Presentations

None

5. Community Interest Items

None

Adjourn.

There being no further business Chair Kason Mobley adjourned the meeting.

Time – 6:54PM

Peggy Fisher
Administrative Assistant
Recording Secretary

Planning & Zoning Commission Meeting

DEPARTMENT: Development Services
FROM: Tony D. McIlwain, AICP, CFM, Director
MEETING: June 28, 2022

SUBJECT:

Consider approval of a minute order finding that the absence of Commissioner Dyer from the May 10th, 2022 meeting was due to sickness, and excusing his absences from the April 26, May 10, and May 24, 2022, meetings.

SUMMARY:

Prior to the Planning and Zoning Commission meeting of June 6th, 2022, staff advised Mr. Dyer that he had missed three consecutive, regularly scheduled Planning and Zoning Commission meetings. Commissioner Dyer provided staff with correspondence explaining that was that he was ill on the Planning and Zoning Commission meeting date of May 10th and missed the April 26th and May 24th meetings due to work conflicts.

OPTIONS:

- 1) Approve the minute order
- 2) Deny the minute order

RECOMMENDATION:

Staff recommends approval of the minute order excusing the absences of Commissioner Dyer from the Planning and Zoning Commission meetings of April 26th, May 10th and May 24th, 2022.

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

None

FISCAL IMPACT:

None

STAFF CONTACT:

Tony D. McIlwain, AICP, CFM
Director
tmcilwain@burlesontx.com
817-426-9684

Planning & Zoning Commission Meeting

DEPARTMENT: Development Services
FROM: JP Ducay, Senior Planner
MEETING: June 28, 2022

SUBJECT:

Final Plat of Helena Estates, Lots 1, 2 and 3, Block 1, located southwest of Roberts Lane with the approximate address of 6516 Helena Ct, within the Extraterritorial Jurisdiction of the City of Burleson. (Case 21-023): Consider approval of a Final Plat for Helena Estates.

SUMMARY:

On March 8, 2021, an application for a final plat including 3.905 acres was submitted by Nikole Barton, with Barton Surveying (Applicant) on behalf of Alfredo and Helena Gaona (Owners). The purpose of this plat is to reconfigure lot lines in order to increase the size of two lots currently under 1 acre and allow for the only vacant tract to be developed. The owner intends on developing a single-family home on the only undeveloped lot. The application is administratively complete and meets the requirements of Appendix A - Subdivision and Development regulations.

OPTIONS:

- 1) Approve the plat.
- 2) Deny of the plat.

RECOMMENDATION:

Staff recommends approval of the Final Plat of Helena Estates, Lots 1, 2 and 3, Block 1, located southwest of Roberts Lane with the approximate address of 6516 Helena Ct, within the Extraterritorial Jurisdiction of the City of Burleson. (Case 21-023)

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

None

FISCAL IMPACT:

None

STAFF CONTACT:

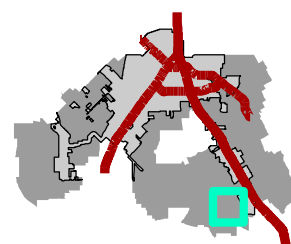
JP Ducay
Senior Planner
jducay@burlesontx.com
817-426-9648



Helena Estates

THE CITY OF
BURLESON
TEXAS

Final Plat
Case 21-023



Vicinity Map

Planning & Zoning Commission Meeting

DEPARTMENT: Development Services
FROM: JP Ducay, Senior Planner
MEETING: June 28, 2022

SUBJECT:

Replat of Space Acres, Lots 7R and 8R, Block 3, located east of Sundance Drive with the approximate address of 7204 N Sundance Dr, within the Extraterritorial Jurisdiction of the City of Burleson. (Case 22-061): Consider approval of a Replat for Space Acres.

SUMMARY:

On May 2, 2021, an application for a replat including 3.905 acres was submitted by Shelby Hoffman, with GSI Geomatic Solutions (Applicant) on behalf of Valeria Sigler (Owner). The purpose of this replat is to reconfigure the lot line between Lots 7 and 8, Block 3, Space Acres. The application is administratively complete and meets the requirements of Appendix A - Subdivision and Development regulations.

OPTIONS:

- 1) Approve the replat.
- 2) Deny of the replat

RECOMMENDATION:

Staff recommends approval of the Replat of Space Acres, Lots 7R and 8R, Block 3, located east of Sundance Drive with the approximate address of 7204 N Sundance Dr, within the Extraterritorial Jurisdiction of the City of Burleson. (Case 22-061).

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

None

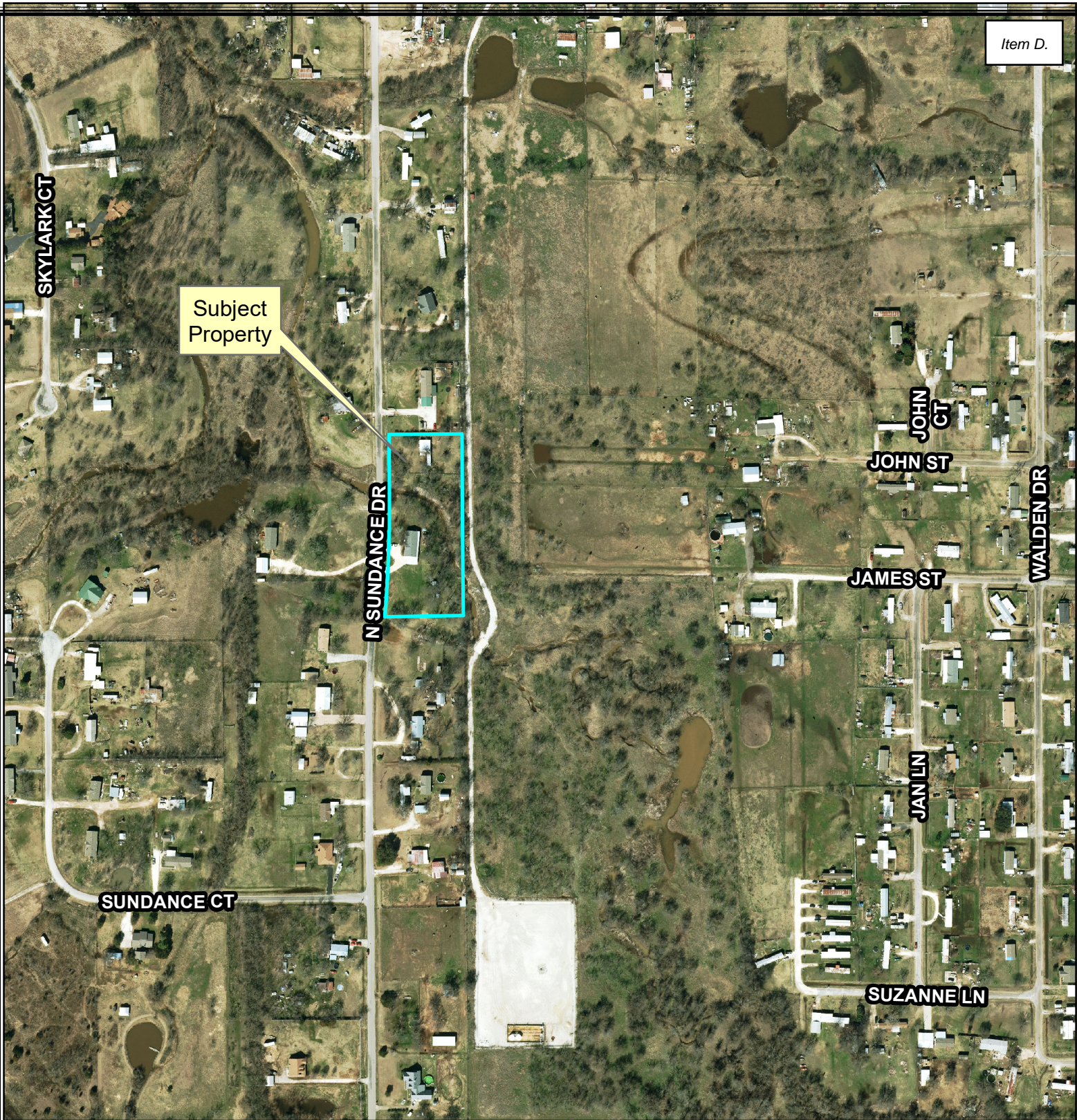
FISCAL IMPACT:

None

STAFF CONTACT:

JP Ducay

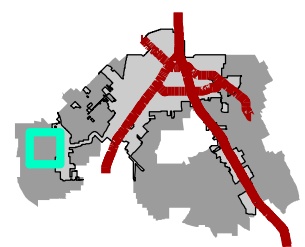
Senior Planner
jducay@burlesontx.com
817-426-9648



Space Acres

THE CITY OF
BURLESON
TEXAS

Replat
Case 22-061



Vicinity Map

PROPERTY DESCRIPTION

NOW THEREFORE KNOWN TO ALL MEN BY THESE PRESENTS: THAT VALERIA GAY SIGLER, DO HEREBY ADOPT THIS PLAT DESIGNATING THE HEREBEFORE DESCRIBED PROPERTY AS LOTS 7R AND 8R, BLOCK 3, SPACE ACRES, TO THE CITY OF BURLESON, 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 IN 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.

VALERIA GAY SIGLER

STATE OF TEXAS
COUNTY OF JOHNSON

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE SAID COUNTY AND STATE, ON THIS DAY PERSONALLY APPEARED VALERIA GAY SIGLER, 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 CONSIDERATION THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE ____ DAY OF _____, 2022.

NOTARY PUBLIC

A 2.327 ACRE TRACT OF LAND, BEING LOT 7, IN BLOCK 3, OF SPACE ACRES, AN ADDITION TO THE EXTRA TERRITORIAL JURISDICTION TO THE CITY OF BURLESON, JOHNSON COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 1, PAGE 65, OFFICIAL PUBLIC RECORDS, JOHNSON COUNTY, TEXAS, AND BEING LOT 8, IN BLOCK 3, OF SPACE ACRES, DISCLOSED IN A DEED, RECORDED IN INSTRUMENT NO. 2009-32342, OFFICIAL PUBLIC RECORDS, JOHNSON COUNTY, TEXAS, AND BEING LOT 8, IN BLOCK 3, OF SPACE ACRES, AN ADDITION TO THE EXTRA TERRITORIAL JURISDICTION TO THE CITY OF BURLESON, JOHNSON COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 1, PAGE 65, OFFICIAL PUBLIC RECORDS, JOHNSON COUNTY, TEXAS, CONVEYED TO VALERIE SIGLER, AS DESCRIBED IN A DEED, RECORDED IN VOLUME 1081, PAGE 310, OFFICIAL PUBLIC RECORDS, JOHNSON COUNTY, TEXAS, (O.P.R.L.C.T.), AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING, AT AN IRON ROD FOUND, AT THE NORTHWEST CORNER OF SAID LOT 7, AT THE SOUTHWEST CORNER OF LOT 6, IN BLOCK 3, OF SAID SPACE ACRES, CONVEYED TO CATHY WALLIS, AS DESCRIBED IN A DEED, RECORDED IN VOLUME 1668, PAGE 891, O.P.R.L.C.T., IN THE EAST LINE OF N. SUNDANCE DRIVE;

THENCE, WITH THE COMMON LINE BETWEEN SAID LOT 7, AND WITH SAID LOT 6, N 89°36'15" E, A DISTANCE OF 200.00 FEET, TO A CAPPED IRON ROD SET, STAMPED "GSI SURVEYING", FOR THE NORTHEAST CORNER OF SAID LOT 7, IN THE WEST LINE OF A TRACT OF LAND, CONVEYED TO BLUE PALACE, LLC, AS DESCRIBED IN A DEED, RECORDED IN INSTRUMENT NO. 2010-20844, O.P.R.L.C.T.;

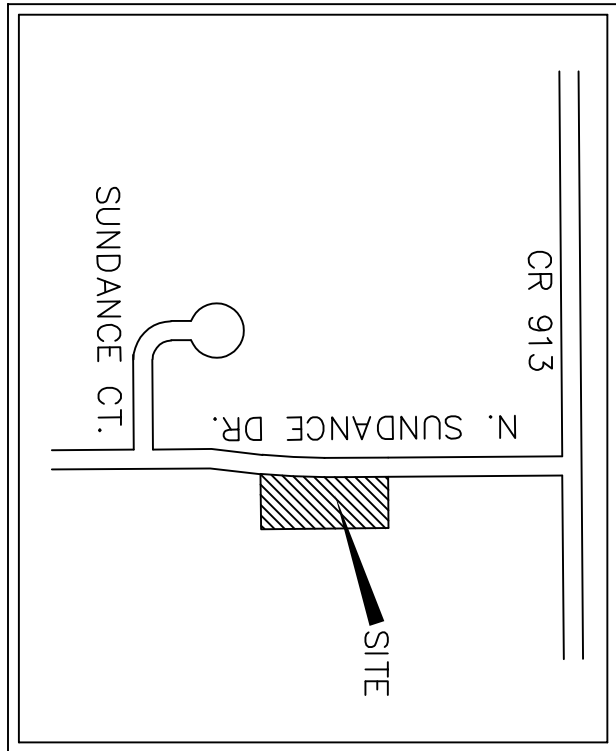
THENCE, WITH THE COMMON LINE BETWEEN SAID LOT 7, AND WITH SAID BLUE PALACE TRACT, AND WITH THE COMMON LINE BETWEEN SAID LOT 8, AND WITH SAID BLUE PALACE TRACT, CONSECUTIVELY, THE FOLLOWING TWO (2) COURSES AND DISTANCES:

1. S 00°23'45" E, A DISTANCE OF 250.00 FEET, TO A CAPPED IRON ROD SET, STAMPED "GSI SURVEYING";
2. S 00°29'12" E, A DISTANCE OF 248.11 FEET, TO A CAPPED IRON ROD SET, STAMPED "GSI SURVEYING", FOR THE SOUTHWEST CORNER OF SAID LOT 8, FOR THE NORTHEAST CORNER OF LOT 9, IN BLOCK 3, OF SAID SPACE ACRES, CONVEYED TO JAMES R. HAYS.

THENCE, WITH THE COMMON LINE BETWEEN SAID LOT 8, AND WITH SAID LOT 9, S 89°150" W, A DISTANCE OF 215.08 FEET, TO AN IRON ROD FOUND, AT THE SOUTHWEST CORNER OF SAID LOT 8, IN A CURVE TO THE LEFT, HAVING A RADIUS OF 3633.73 FEET;

THENCE, WITH THE EAST LINE OF N. SUNDANCE DRIVE, THE FOLLOWING TWO (2) COURSES AND DISTANCES:

1. WITH SAID CURVE TO THE LEFT, A CHORD BEARING AND DISTANCE OF: N 02°05'37" E, 338.05 FEET, AT AN ARC LENGTH OF 280.04 FEET, PASSING AN IRON ROD FOUND, IN ALL AN ARC LENGTH OF 38.17 FEET, TO A CAPPED IRON ROD SET, STAMPED "GSI SURVEYING";
2. N 00°23'45" W, A DISTANCE OF 161.70 FEET, TO THE POINT OF BEGINNING, AND CONTAINING 2.327 ACRES OF LAND AS SURVEYED ON THE GROUND UNDER THE SUPERVISION OF SHELBY J. HOFFMAN, R.P.L.S., NO.6084, ON APRIL 29, 2022.



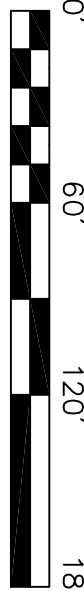
VICINITY MAP
(NOT TO SCALE)

THIS THE ____ DAY OF _____, 2022.

BY: _____
CHAIR OF PLANNING AND ZONING COMMISSION

BY: _____
CITY SECRETARY

PLAT RECORDED IN _____, PAGE _____, SLIDE _____, CASE NO. 22-061



LEGEND

- IRF _____ IRON ROD FOUND
- C.M. _____ CONTROLLING MONUMENT
- POB _____ POINT OF BEGINNING
- CIRS _____ CAPPED IRON ROD SET
- STAMPED "GSI SURVEYING"
- U/E _____ UTILITY EASEMENT
- BL _____ BUILDING LINE
- () _____ DENOTES RECORD DATA

COUNTY CLERK, JOHNSON COUNTY, TEXAS

DEPUTY _____

OWNERS:

VALERIA GAY SIGLER
7204/7212 N. SUNDANCE DR.
JOSHUA, TEXAS 76058

FIRE FLOW NOTES:

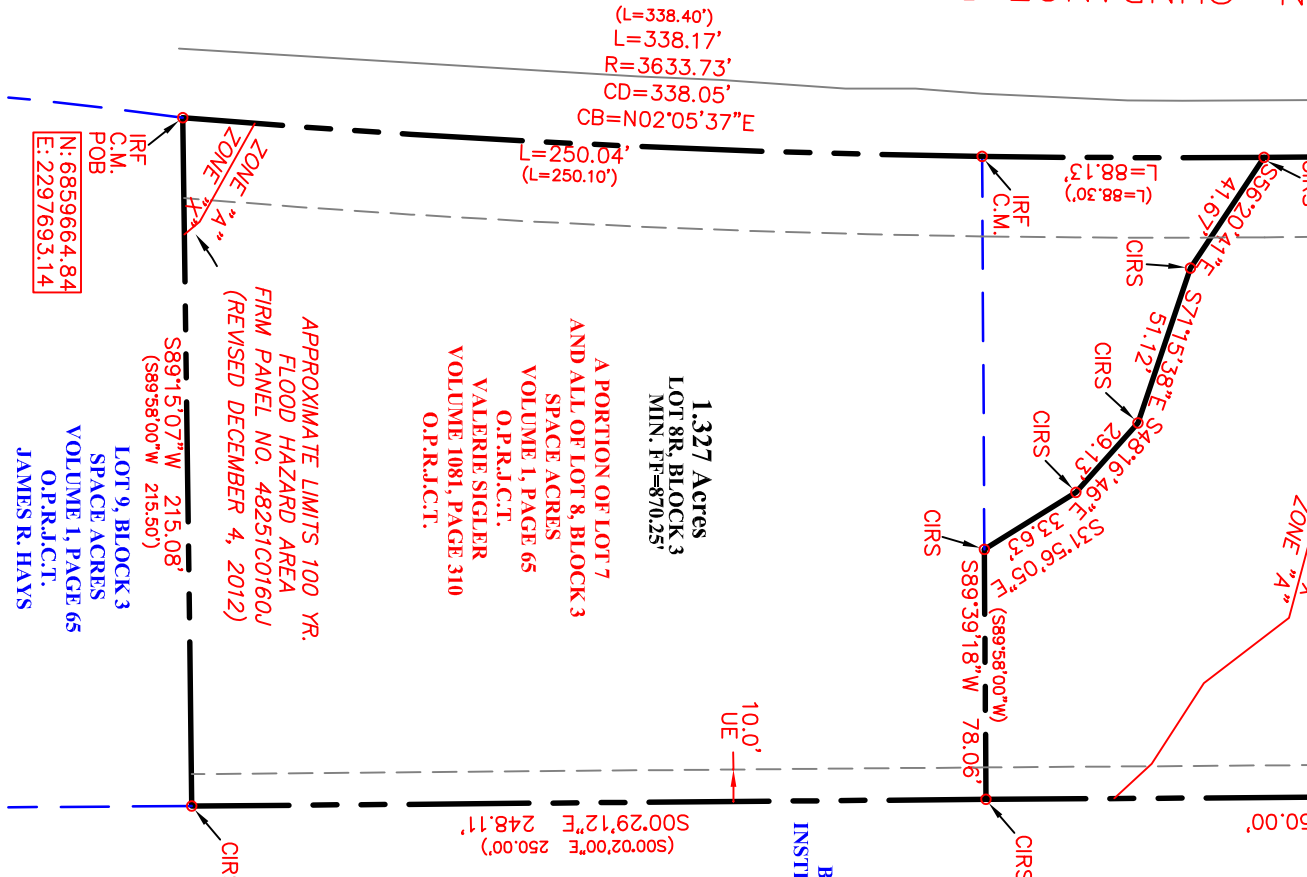
- FOR ALL SINGLE DETACHED AND DUPLEX RESIDENCES, EXCLUDING TOWNHOUSES AND APARTMENTS, FIRE HYDRANTS SHALL BE SPACED TO HAVE A FIRE HOSE LAYING DISTANCE OF NO GREATER THAN 500 FEET. THE FIRE HOSE LAYING DISTANCE IS MEASURED BY THE LAYING OF FIRE APPARATUS HOSE LINES ALONG THE RIGHT-OF-WAY OR ACCESS EASEMENTS 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 PER MINUTE, FIRE FLOW AND FLOW DURATION IN EXCESS OF 3,600 SQUARE FEET SHALL NOT BE LESS THAN THAT SPECIFIED IN TABLE B103.1 OF THE MOST CURRENT ADOPTED INTERNATIONAL FIRE CODE.
- ALL FIRE HYDRANTS MUST PROVIDE A MINIMUM OF 35 PSI STATIC PRESSURE AND A 20PSI RESIDUAL PRESSURE.
- FIRE HYDRANTS SHALL BE SPACED TO HAVE AN EFFECTIVE RADIUS OF 500 FEET OR A FIRE HOSE LAY DISTANCE NO GREATER THAN 500 FEET TO THE FRONT ELEVATION OF THE BUILDING, WHICH YIELDS RESULTS IN THE LOSER FIRE HYDRANT SPACING, OR AS REQUIRED IN THE CURRENT FIRE CODE.
- THE MINIMUM FIRE FLOW AND FLOW DURATION FOR THE BUILDINGS OTHER THAN ONE- AND TWO-FAMILY DWELLINGS SHALL BE AS SPECIFIED THE MOST CURRENT ADOPTED INTERNATIONAL FIRE CODE.

LOT 6, BLOCK 3
SPACE ACRES
O.P.R.L.C.T.
CATHY WALLIS
VOLUME 1668, PAGE 891
O.P.R.L.C.T.
(088580002)

LOT 7, BLOCK 3
1.000 Acres
LOT 7R, BLOCK 3
MIN. FT=971.00
A PORTION OF LOT 7, BLOCK 3
O.P.R.L.C.T.
VALERIA GAY SIGLER
INSTRUMENT NO. 2009-32342
O.P.R.L.C.T.

APPROXIMATE LIMITS 100 YR. FLOOD HAZARD AREA
FIRM PANEL NO. 48251C0160J
(REVISED DECEMBER 4, 2012)

LOT 8, BLOCK 3
1.327 Acres
LOT 8R, BLOCK 3
MIN. FT=969.025
A PORTION OF LOT 7 AND ALL OF LOT 8, BLOCK 3
SPACE ACRES
VOLUME 1, PAGE 65
O.P.R.L.C.T.
VALERIE SIGLER
VOLUME 1081, PAGE 310
O.P.R.L.C.T.



SURVEYOR'S CERTIFICATION

I, SHELBY J. HOFFMAN, DO CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND ON APRIL 29, 2022 AND THAT THE MONUMENTS SHOWN HEREON AS SET WERE PROPERLY PLACED UNDER MY PERSONAL SUPERVISION.

PRELIMINARY NOT TO BE RECORDED

REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 6084

JOHNSON COUNTY NOTES:

- 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.
- BLOCKING THE FLOW OF WATER OR CONSTRUCTING IMPROVEMENTS IN THE DRAINAGE EASEMENTS, AND FILING 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 LOT.
- 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 RULES OF JOHNSON COUNTY, TEXAS FOR PRIVATE SEWAGE FACILITIES ARE COMPLIED WITH.
- INSPECTION AND/OR ACCEPTANCE OF A PRIVATE SEWAGE FACILITY BY THE JOHNSON COUNTY PUBLIC WORKS DEPARTMENT 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 UPDARED BY THE OWNER AT THE OWNER'S EXPENSE IF NORMAL OPERATION OF THE FACILITY RESULTS IN OBSTRUCTABLE DOORS, IF UNSANITARY CONDITIONS ARE CREATED, OR IF THE FACILITY WHEN USED DOES NOT COMPLY WITH GOVERNMENTAL REGULATIONS.
- A PROPERTY DESIGNED AND CONSTRUCTED PRIVATE SEWAGE FACILITY SYSTEM, IN SUITABLE SOIL, CAN MALFUNCTION IF THE AMOUNT OF WATER IT 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 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 PLAT; AND ANY PUBLIC UTILITY, INCLUDING 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.
- 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, REPLATTING MAY BE REQUIRED.
- ALL BUILDING SETBACKS ARE SUBJECT TO CURRENT JOHNSON COUNTY DEVELOPMENT REGULATIONS.

CITY OF BURLESON NOTES:

1. 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.
2. ALL BUILDINGS OR STRUCTURES SHALL BE CONSTRUCTED SUCH THAT AT ALL GROUND LEVEL, EXTERIOR SIDES OF THE BUILDING ARE WITHIN 150 FEET OF A DEDICATED STREET OF FIRE LANE. IF THE 150 CANNOT BE REACHED FROM A PUBLIC STREET, A FIRE LANE CAPABLE OF SUPPORTING 85,000 LBS. SHALL BE REQUIRED ON SITE AT THE TIME OF CONSTRUCTION.
3. ANY PUBLIC UTILITY, INCLUDING CITY OF BURLESON, SHALL HAVE THE RIGHT TO MOVE AND KEEP MOVED ALL OR PART OF ANY BUILDING, FENCES, TREES, SHRUBS, OTHER GROSS OR IMPROVEMENTS WHICH IN ANY WAY IN DANGER OR INTERFERE WITH THE CONSTRUCTION OR MAINTENANCE, OR EFFICIENCY OF ITS RESPECTIVE SYSTEMS IN ANY OF THESE EASEMENTS SHOWN ON THE PLAT; AND ANY PUBLIC UTILITIES, 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 ANYTIME OF PROCURING THE PERMISSION OF ANYONE.
4. THE REQUIREMENT OF PUBLIC INFRASTRUCTURE WAS BASED ON THE UTILITY EXHIBIT THAT WAS SUBMITTED FOR REVIEW WITH THIS PLAT ON MAY 2, 2022 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.
5. THIS PLAT DOES NOT ALTER OR REMOVE EXISTING DEED RESTRICTIONS OR COVENANTS, IF ANY, ON THIS PROPERTY.
6. THE CITY OF BURLESON IS NOT RESPONSIBLE FOR THE DESIGN, CONSTRUCTION, OPERATION, MAINTENANCE, OR USE OF ANY NATURAL CREEK AND ASSOCIATED DRAINAGE EASEMENTS, HEREINAFTER REFERRED TO AS "FEATURE." 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 ATTORNEY'S FEES FOR ANY NEGLIGENCE WHATSOEVER, ARISING OUT OF THE DESIGN, CONSTRUCTION, OPERATION MAINTENANCE, CONDITION OR USE OF THE FEATURE INCLUDING ANY NON-PERFORMANCE OF THE FOREGOING. DEVELOPER WILL REQUIRE ANY SUCCESSOR IN INTEREST TO ACCEPT FULL RESPONSIBILITY AND LIABILITY FOR THE FEATURE.
7. ALL BEARINGS SHOWN HEREON ARE CORRELATED TO THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE (4202).
8. BLANKET EASEMENT FILED UNDER INSTRUMENT NO. 11198-2012, M483 (NA 2011).
9. EXISTING AND PROPOSED USE IS SINGLE FAMILY RESIDENTIAL.
10. THE PURPOSE OF THIS REPLAT IS TO ADJUST THE COMMON BOUNDARY LINE BETWEEN THE LOTS TO PROVIDE BETTER ACCESS TO THE CREEK BETWEEN THE LOTS.



REPLAT SHOWING

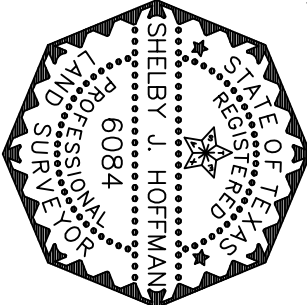
LOTS 7R AND 8R, BLOCK 3, SPACE ACRES, BEING LOTS 7 AND 8, IN BLOCK 3, OF SPACE ACRES, AN ADDITION TO THE EXTRA TERRITORIAL JURISDICTION TO THE CITY OF BURLESON, JOHNSON COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 1, PAGE 65, OFFICIAL PUBLIC RECORDS, JOHNSON COUNTY, TEXAS

GEOMATIC SOLUTIONS, INC.

3000 S. HULEN, SUITE 124-236, FORT WORTH, TEXAS
OFFICE: 817-487-8916

PELS FIRM NO. 10184400, SHELBY@GSISURVEY.COM

Scale: 1"=60'
Drawn: OF
Checked: SJH
Job: 2022-041



Planning & Zoning Commission Meeting

DEPARTMENT: Development Services
FROM: JP Ducay, Senior Planner
MEETING: June 28, 2022

SUBJECT:

Replat of Broad Valley Farm, Lots 15R & 15R-1, located directly north of the intersection of Lace Lane and W County Road 714, with the approximate address of 1560 Broad Valley Ct, within the City of Burleson. (Case 22-065): Consider approval of a Replat for Broad Valley Farm.

SUMMARY:

On May 2, 2022, an application for a replat including 4.618 acres was submitted by Marshall Miller, with Lonestar Land Surveying (Applicant) on behalf of Barney and Teresa Basden (Owners). The purpose of this replat is to subdivide Lot 15 into two single-family lots for future development. The application is administratively complete and meets the requirements of Appendix A - Subdivision and Development regulations.

OPTIONS:

- 1) Approve the replat.
- 2) Deny of the replat

RECOMMENDATION:

Staff recommends approval of the Replat of Broad Valley Farm, Lots 15R & 15R-1, located directly north of the intersection of Lace Lane and W County Road 714, with the approximate address of 1560 Broad Valley Ct, within the City of Burleson. (Case 22-065)

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

None

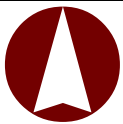
FISCAL IMPACT:

None

STAFF CONTACT:

JP Ducay

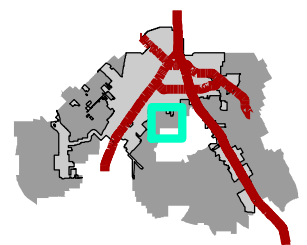
Senior Planner
jducay@burlesontx.com
817-426-9648



THE CITY OF
BURLESON
TEXAS

Broad Valley

**Replat
Case 22-065**



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. 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 GROWTHS 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 MAY 2, 2022, 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
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. FOR ALL SINGLE-FAMILY DETACHED AND DUPLEX RESIDENCES, EXCLUDING TOWNHOUSES AND APARTMENTS, FIRE HYDRANTS SHALL BE SPACED TO HAVE A FIRE HOSE LAYING DISTANCE OF NO GREATER THAN 500 FEET. THE FIRE HOSE LAYING DISTANCE IS MEASURED BY THE LAYING OF 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.
11. FOR COMMERCIAL BUILDINGS, FIRE HYDRANTS SHALL BE SPACED TO HAVE A FIRE HOSE LAY DISTANCE OF NO GREATER THAN 300 FEET. THE FIRE HOSE LAYING DISTANCE IS MEASURED BY THE LAYING OF 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.
12. 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.
13. ALL FIRE HYDRANTS MUST PROVIDE A MINIMUM OF 35 PSI STATIC PRESSURE AND A 20 PSI RESIDUAL PRESSURE.
14. THE MINIMUM FIRE FLOW AND FLOW DURATION FOR BUILDINGS OTHER THAN ONE-AND TWO-FAMILY DWELLING SHALL BE AS SPECIFIED THE MOST CURRENT ADOPTED INTERNATIONAL FIRE CODE.

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. 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 TIME OF CONSTRUCTION.
5. PROPERTY IS LOCATED WITHIN THE CITY LIMITS OF BURLESON.
6. 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.
7. THE PURPOSE OF THIS REPLAT IS TO DIVIDE LOT 15 INTO 2 RESIDENTIAL LOTS, BEING LOTS 15R AND 15R-1.

OWNER'S CERTIFICATE

STATE OF TEXAS
COUNTY OF JOHNSON

WHEREAS, **BARNEY AND TERESA BASDEN**, ARE THE SOLE OWNER(S) OF A 4.618 ACRE TRACT OF LAND SITUATED IN THE THOMAS CHANDLER SURVEY, ABSTRACT NUMBER 127, CITY OF BURLESON, JOHNSON COUNTY, TEXAS, AND BEING ALL OF LOT 15, BROAD VALLEY FARM, AN ADDITION TO THE CITY OF BURLESON, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 463, PAGE 727, PLAT RECORDS, JOHNSON COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 5/8" IRON ROD FOUND AT THE SOUTHWEST CORNER OF SAID LOT 15, SAME BEING THE SOUTHEAST CORNER OF LOT 18, SAID BROAD VALLEY FARM, AND BEING ON THE NORTH LINE OF COUNTY ROAD 714, A PRESCRIPTIVE RIGHT-OF-WAY;

THENCE NORTH 00 DEGREES 16 MINUTES 31 SECONDS EAST, ALONG THE WEST LINE OF SAID LOT 15, BEING COMMON WITH THE EAST LINE OF SAID LOT 18, A DISTANCE OF 504.64 FEET, TO A 5/8" IRON ROD FOUND AT THE NORTHWEST CORNER OF SAID LOT 15, SAME BEING THE NORTHEAST CORNER OF SAID LOT 18, AND BEING THE SOUTHWEST CORNER OF LOT 16, SAID BROAD VALLEY FARM;

THENCE SOUTH 89 DEGREES 42 MINUTES 45 SECONDS EAST, DEPARTING SAID COMMON LINE AND ALONG THE NORTH LINE OF SAID LOT 15, BEING COMMON WITH THE SOUTH LINE OF SAID LOT 16, AT A DISTANCE OF 199.34 FEET, PASSING A 5/8" CAPPED IRON ROD FOUND STAMPED "RPLS 1598" FOR REFERENCE, AND CONTINUING IN ALL 398.46 FEET, TO A 5/8" IRON ROD FOUND AT THE NORTHEAST CORNER OF SAID LOT 15, SAME BEING THE SOUTHWEST CORNER OF LOT 13, SAID BROAD VALLEY FARM, AND BEING THE NORTHWEST CORNER OF LOT 14, SAID BROAD VALLEY FARM, FROM WHICH A 1/2" IRON ROD FOUND AT THE NORTHEAST CORNER OF SAID LOT 14 BEARS SOUTH 89 DEGREES 38 MINUTES 45 SECONDS EAST, A DISTANCE OF 397.83 FEET;

THENCE SOUTH 00 DEGREES 17 MINUTES 09 SECONDS WEST, DEPARTING SAID COMMON LINE AND ALONG THE EAST LINE OF SAID LOT 15, BEING COMMON WITH THE WEST LINE OF SAID LOT 14, A DISTANCE OF 505.15 FEET, TO A 5/8" IRON ROD FOUND AT THE SOUTHEAST CORNER OF SAID LOT 15, SAME BEING THE SOUTHWEST CORNER OF SAID LOT 14, AND BEING ON THE NORTH LINE OF SAID COUNTY ROAD 714, FROM WHICH A 1/2" IRON ROD FOUND BEARS SOUTH 24 DEGREES 00 MINUTES 12 SECONDS EAST, A DISTANCE OF 1.07 FEET, AND FROM WHICH A 1/2" IRON ROD FOUND AT THE SOUTHEAST CORNER OF SAID LOT 14 BEARS SOUTH 89 DEGREES 39 MINUTES 17 SECONDS EAST, A DISTANCE OF 398.80 FEET;

THENCE NORTH 89 DEGREES 38 MINUTES 19 SECONDS WEST, DEPARTING SAID COMMON LINE AND ALONG THE SOUTH LINE OF SAID LOT 15, AT A DISTANCE OF 199.41 FEET, PASSING A 1/2" IRON ROD FOUND FOR REFERENCE, AND CONTINUING IN ALL 398.37 FEET, TO THE **POINT OF BEGINNING**, AND CONTAINING 4.618 ACRES OR 201,158 SQUARE FEET OF LAND, MORE OR LESS.

NOW THEREFORE KNOWN ALL MEN BY THESE PRESENTS:

THAT BARNEY AND TERESA BASDEN, OWNERS, DO HEREBY ADOPT THIS PLAT DESIGNATING THE HEREIN BEFORE DESCRIBED PROPERTY AS **LOT 15R AND LOT 15R-1, 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 ____ DAY OF _____, 2022.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

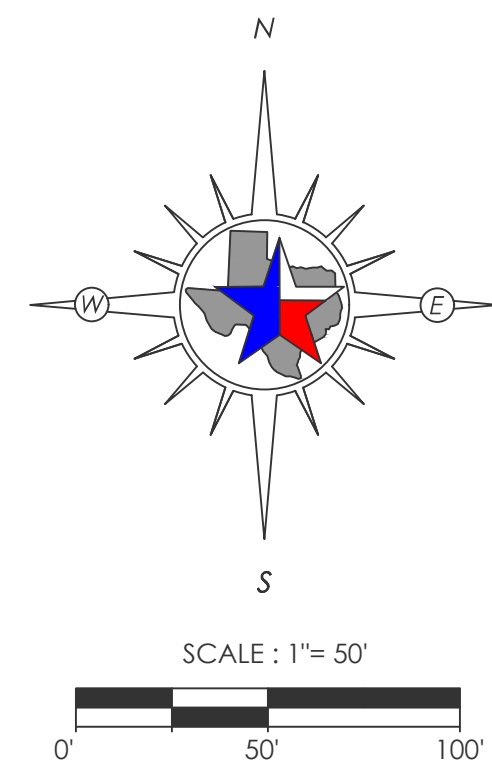
TERESA BASDEN

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 ____ DAY OF _____, 2022.

NOTARY PUBLIC IN AND FOR THE STATE OF 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.

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.

MARSHALL W. MILLER
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 6882
STATE OF TEXAS
DATE: _____, 2022

PROJECT NUMBER: 220359
REVISED DATE:
REVISION NOTES:
DATE: MAY 18, 2022

SHEET 1 OF 1

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

LEGEND

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



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

THIS THE ____ DAY OF _____, 2022.

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

REPLAT OF
LOTS 15R AND 15R-1
BROAD VALLEY FARM
BEING A REPLAT OF LOT 15, BROAD VALLEY FARM, AN
ADDITION TO THE CITY OF BURLESON, TEXAS.
PREPARED: MAY, 2022
2 LOTS LOCATED WITHIN THE CITY OF BURLESON, TEXAS.
CASE NO.: 22-065



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

Planning & Zoning Commission Meeting

DEPARTMENT: Development Services
FROM: Lidon Pearce, Senior Planner
MEETING: June 28, 2022

SUBJECT:

2500 SW Hulen St (TOD Mixed-Use) (Case 22-058): Continue the public hearing opened on June 14, 2022 and consider a zoning change request from "PD" Planned Development district, to "PD" Planned Development district, to allow for commercial and multifamily residential development on 35.20 acres.

SUMMARY:

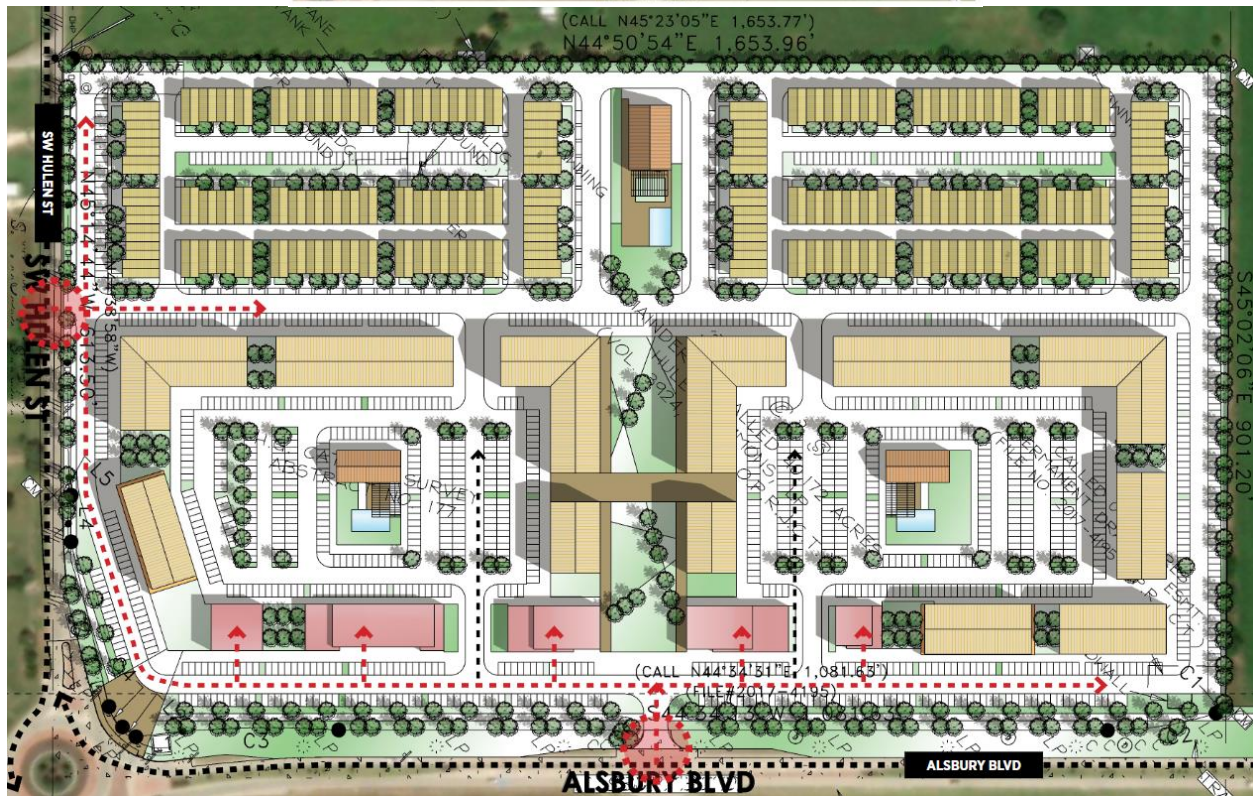
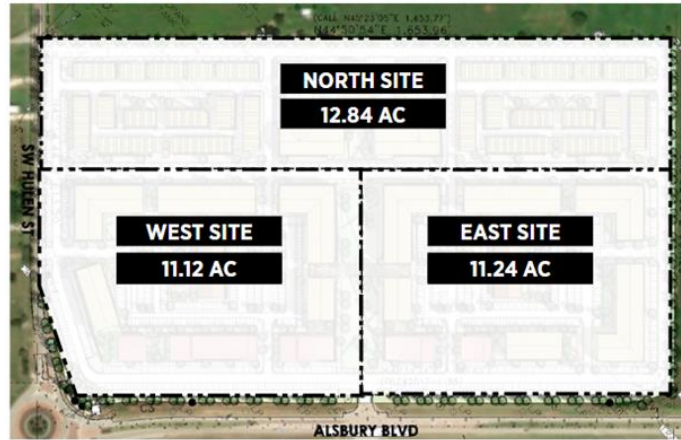
On April 18, 2022, an application was submitted by Trenton Robertson of Masterplan (applicant), on behalf of Nicholas Balsamo with Kalterra Capital Partners, to rezone approximately 35.20 acres from "PD" Planned Development district, to "PD" Planned Development district to allow for a mixture of commercial, multifamily, and owner-occupied townhome lots within the Transit-Oriented Development (TOD) district. The applicant has proposed a new "PD" for their 35.20-acre parcel, attached as Exhibit "B".

Planning Analysis

The applicant is proposing to develop the site as a planned development and has used elements from the previous "PD" zoning outlined in Ordinance D-065-06 (attached as Exhibit C). This request (if approved) would only apply to this 35.20 acre parcel. The original/ current PD zoning would remain intact for the remainder of parcels within the TOD designated area.

Proposed Dwelling Unit Density
(747 units total – 21.22 DU/acre)

North Residential Site	East Residential Site	West Residential Site
10.28 dwelling units per acre	31.35 dwelling units per acre	23.61 dwelling units per acre



Conceptual Site Plan. Red structures represent commercial/retail units

Significant changes from original PD zoning to current zoning proposal:

- Multifamily is not required to have rear loaded parking or structured parking facility.
- Off street parking lots no longer limited to a 65-foot maximum width along Hulen and Alsbury.
- Multifamily apartments (non-endcap or live-work mixed-use apartments) now allowed by right.
 - Previously, only apartments were permitted as an end cap with a maximum of 24 units or as a component of mixed use with commercial and a parking structure.
- Multifamily is allowed to have a smaller minimum dwelling unit size than what would be allowed in previous PD, reduced minimum unit size from 750 SF to 600 SF
- Mixed-use and multifamily apartments allowed up to 4 stories by right without a parking structure.
- Increasing maximum lot coverage for multifamily from 70% to 80%
- Added metal as finish option and changed warranty from 50 to 30 years for cementitious-fiber clapboard.
- Increased minimum caliper of trees and landscaping along Hulen and Alsbury.
- Townhomes will be on individually platted lots.

Proposed phasing: The applicant has proposed the following phasing. The East Site shall be Phase I and the West Site or North Site shall be developed subsequently as dictated by market demand, however the civic space must be completed prior to receiving a Certificate of Occupancy for any structures in Phase I (North Site).

Staff has included conceptual site plans and exhibits provided by the applicant that show the connectivity for the site, proposed elevations of each development type, as well as overall site layout and open space as Exhibit “D”.

This site is designated in the Comprehensive Plan as Transit Oriented District.

This land use category is reserved for higher density development that incorporates public transit access via rail, streetcar, or bus. Mixed use development that provides opportunities to live, work, shop and play within a closely defined area should be prioritized. Development should include a mix of office, retail, cultural facilities, and multi-story housing and townhomes that may be located above retail and office centers to create an interesting ground level that is pedestrian friendly.

Traffic:

Based on information provided by the developer, the development is anticipated to include approximately 50,000 square feet of commercial space (assumed to be 25,000 square feet of restaurant and 25,000 square feet of general retail), 615 multifamily units, and 144 townhomes. Build-out of the development is anticipated to be completed by 2027. A traffic impact analysis (TIA) has been submitted and is currently being reviewed. The report indicated that access would be provided by four (4) proposed access connections: three (3) connections to Hulen Street and one (1) connection to Alsbury Boulevard, and that northbound right-turn auxiliary lanes should be constructed along Hulen Street (1 drive only) and Alsbury Boulevard. The traffic engineering consultant for the City has not given final approval to the TIA therefore neither has the Development Services Department.

Utilities/ Drainage:

Detention is required for developments 1 acre in size or larger; however, none is shown on the conceptual site plan. Detention of storm water shall be incorporated into the design of the Development.

Water is provided for a portion of the Development by the City of Burleson and the remainder provided by Johnson County Special Utility District (JCSUD). The development is proposing to have two separate water systems at this time. Sanitary sewer will be extended to the development from an existing sewer line located adjacent to the intersection of Alsbury Boulevard and Candler Drive.

OPTIONS:

- 1) Recommend approval of the zoning change request;
- 2) Recommend approval of the zoning change with additional PUD requirements; or
- 3) Recommend denial of the zoning change request.

RECOMMENDATION:

Staff recommends denial of the zoning change request due to:

- Proposed density without a proportional increase in the amount of commercial and retail or civic open spaces.
- Lack of vertical mixed-use components, a parking structure, and features that could be considered as a benefit to the public.

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

June 14, 2022 – The Planning and Zoning Commission opened the Public Hearing and unanimously approved the applicants request to continue the public hearing at the next Planning and Zoning meeting on June 28, 2022.

March 23, 2006 – City Council approved PD zoning for approximately 373 acres within the TOD district (Ordinance D-065-06).

PUBLIC NOTIFICATION:

Notice was mailed to surrounding property owners within 300 feet of the acreage proposed for this zone change and published in the newspaper in accordance with City ordinances and State law. In addition, a sign was placed on the subject property.

At this time there have been no formal opposition regarding this case.

FISCAL IMPACT:

None

STAFF CONTACT:

Lidon Pearce
Senior Planner
lpearce@burlesontx.com
817-426-9649

2500 SW Hulen ZC

Item A.

Location:

- 35.20 acres

Applicant:

Trenton Robertson
(Masterplan)

Nicholas Balsamo
(Kalterra)

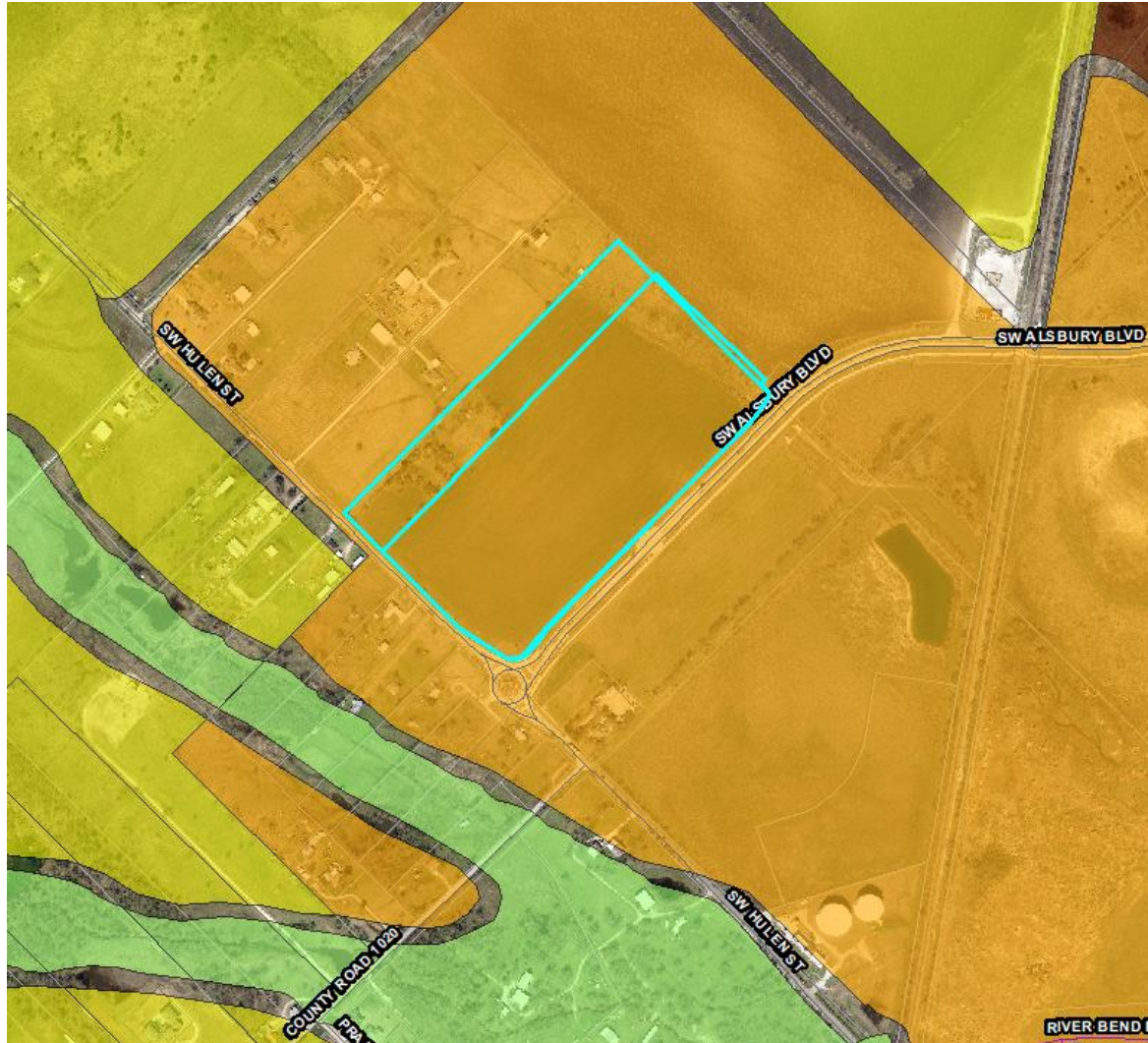
Item for approval:

Zoning Change (Case22-058)



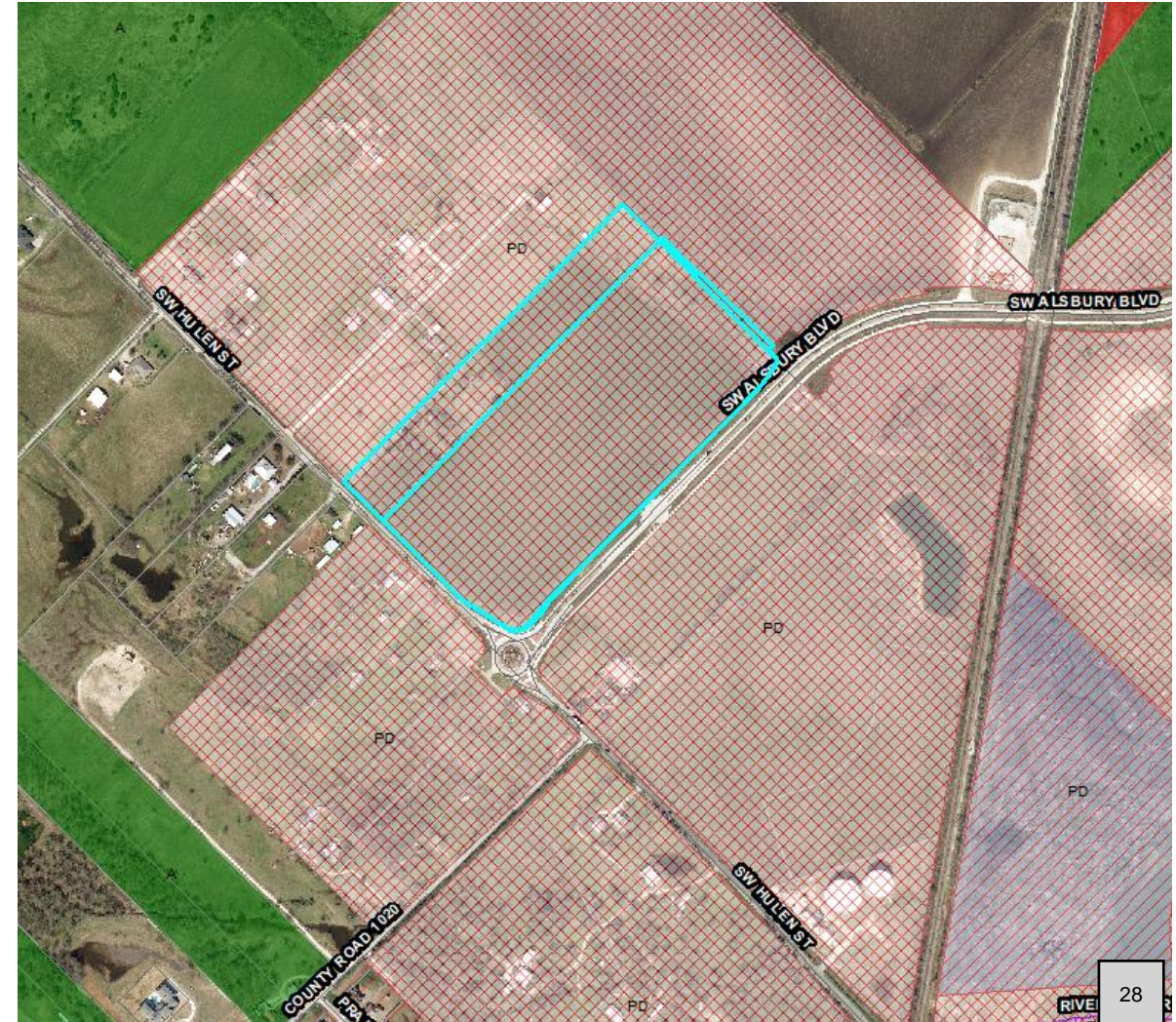
Comprehensive Plan

Transit Oriented District (TOD)



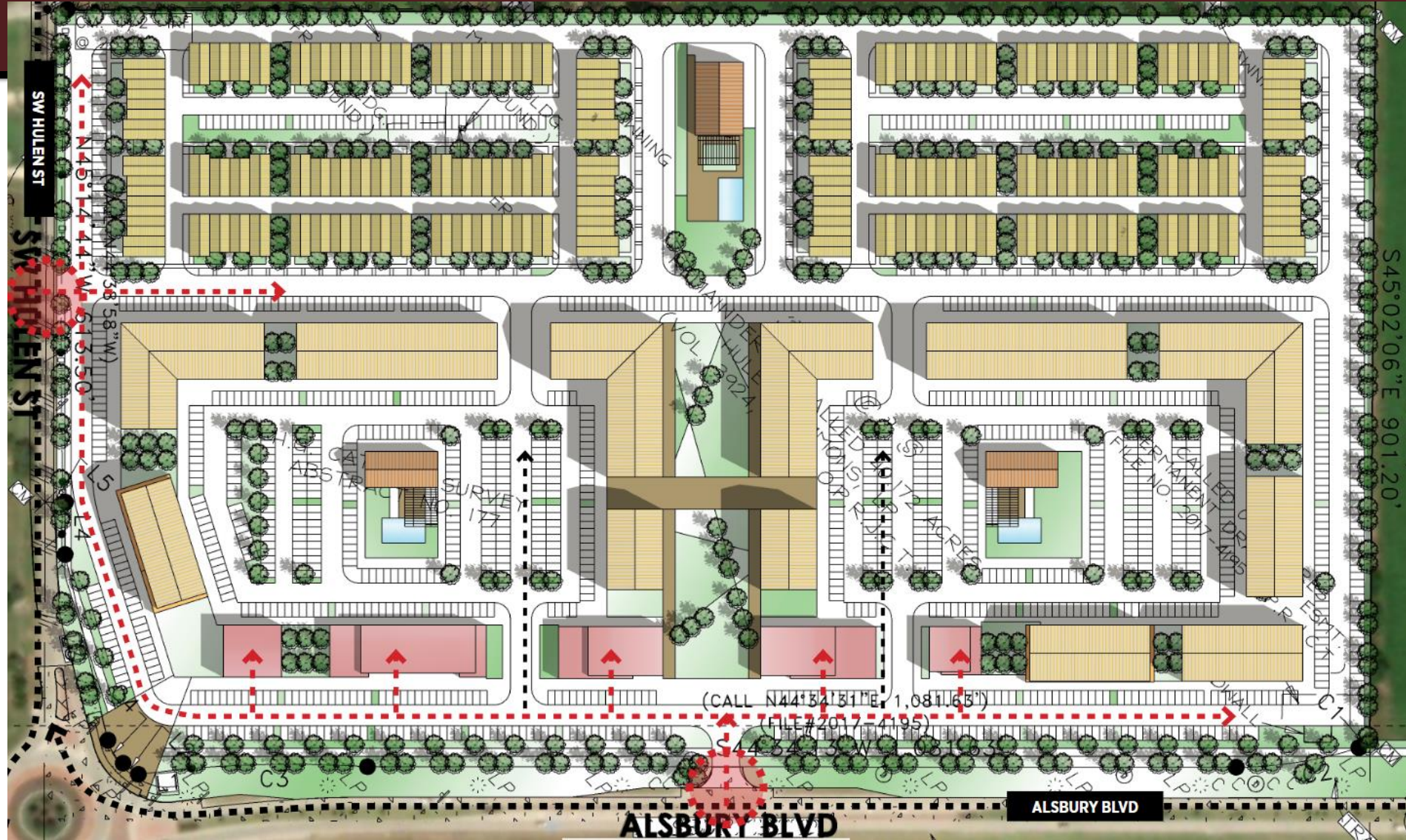
Zoning

PD (Ord. D-o65-o6)



2500 SW Hulen ZC

Item A.



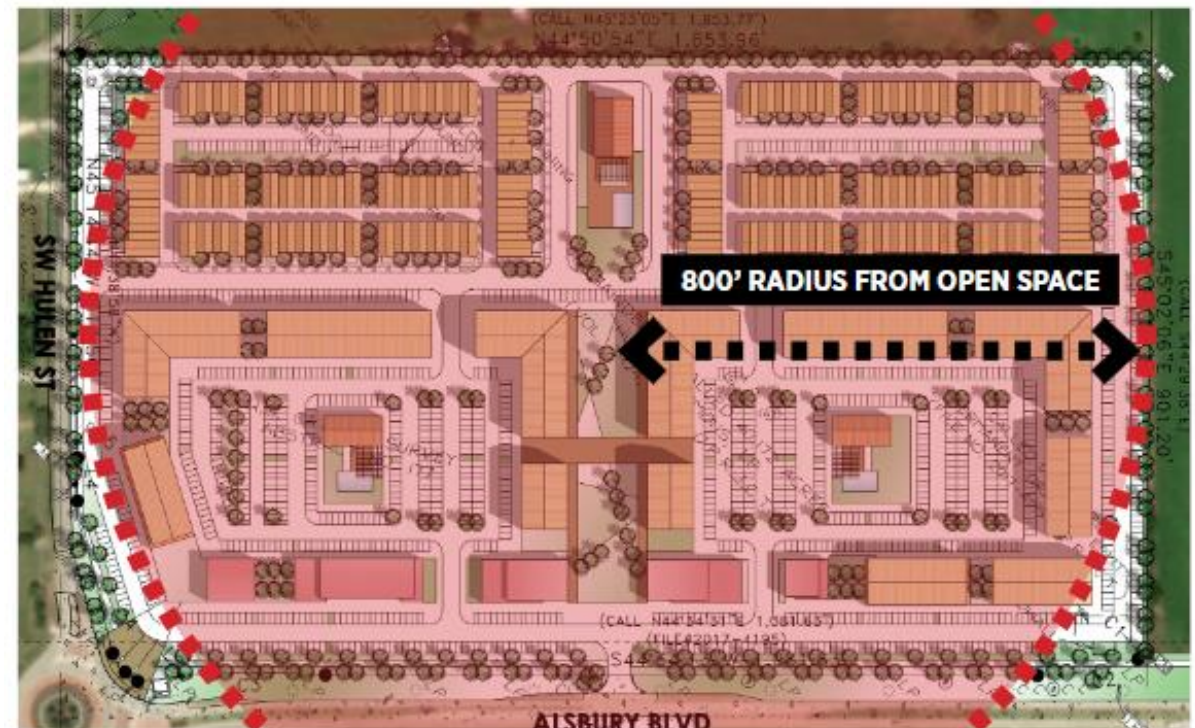
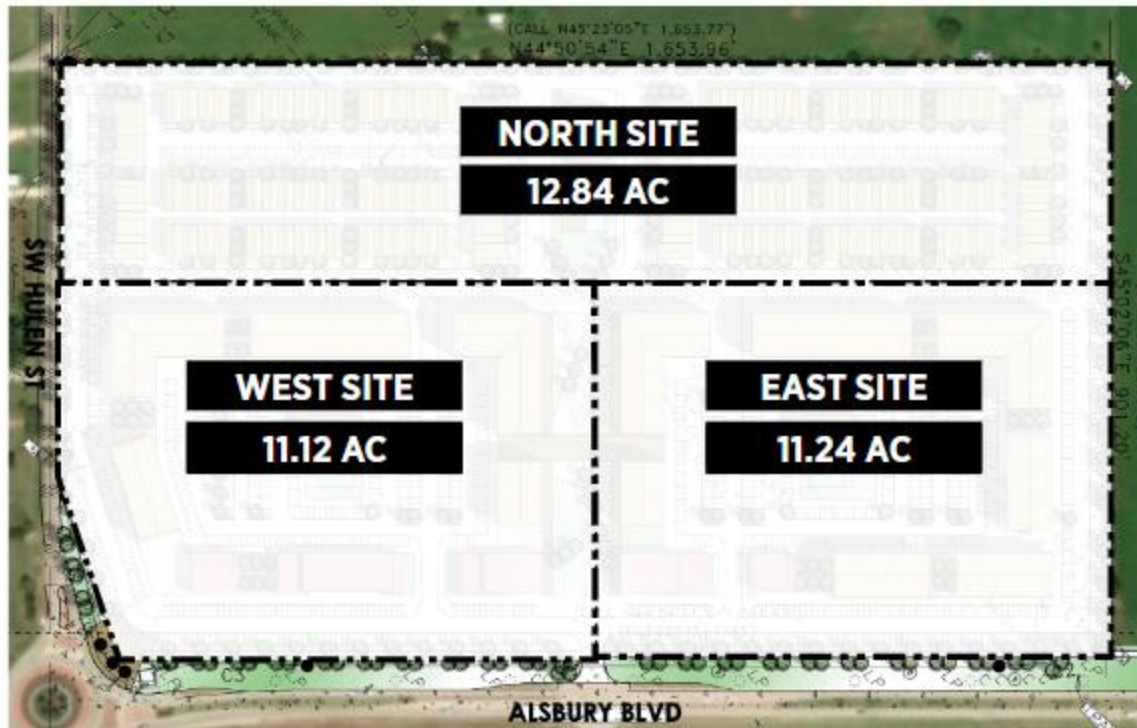
TOTAL ACRES	TOTAL UNITS	TOTAL UNITS/ACRE	TOTAL PARKING REQUIRED	TOTAL PROPOSED (APROX)
35.21	747	21.22	1,406	1,567

2500 SW Hulen ZC

Item A.

Proposed phasing:

North Site would be Phase 1 with core Civic/Open Space required to be completed prior to issuance of any Certificate of Occupancies. Market would dictate whether West or East Site would be Phase 2.



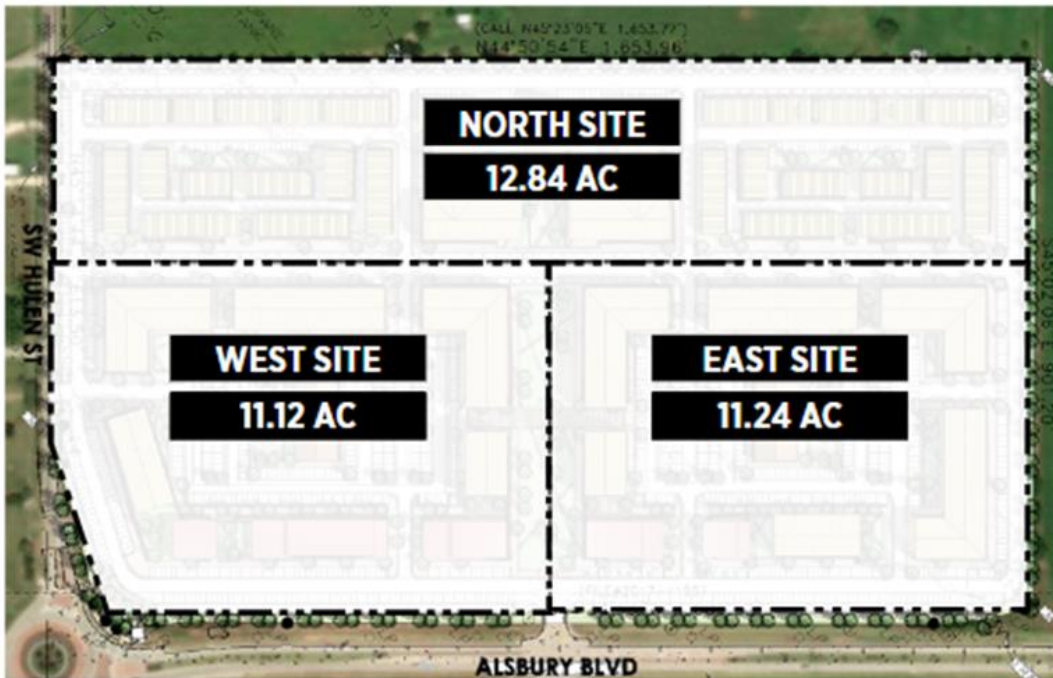
2500 SW Hulen ZC

Item A.

Proposed Density:

Overall -747 units total – 21.22 DU/acre

North Residential Site	East Residential Site	West Residential Site
10.28 dwelling units per acre	31.35 dwelling units per acre	23.61 dwelling units per acre



2500 SW Hulen ZC

Item A.

Notable changes with current zoning proposal:

- Multifamily is not required to have rear loaded parking.
- Off street parking lots no longer limited to a 65 foot maximum width along Hulen and Alsbury.
- Multifamily apartments (non-endcap or live-work mixed-use apartments) now allowed by right.
- Multifamily is allowed to have a smaller minimum dwelling unit size than what would be allowed in previous PD, reduced minimum unit size from 750 SF to 600 SF
- Mixed-use and multifamily apartments allowed up to 4 stories by right
- Increasing maximum lot coverage for multifamily from 70% to 80%
- Added metal as finish option and changed warranty from 50 to 30 years for cementitious-fiber clapboard.
- Increased minimum tree caliper and landscaping.
- All townhomes will be on individually platted lots.



2500 SW Hulen ZC

Utilities/ Drainage:

- Detention is required for developments 1 acre in size or larger; however, none is shown on the conceptual site plan. Detention of storm water shall be incorporated into the design of the Development.
- Water is provided for a portion of the Development by the City of Burleson and the remainder provided by JCSUD. The Development is proposing two separate water systems at this time. Sanitary sewer will be extended by the Development from an existing sewer line located adjacent at the intersection of Alsbury Boulevard and Candler Drive.

2500 SW Hulen ZC

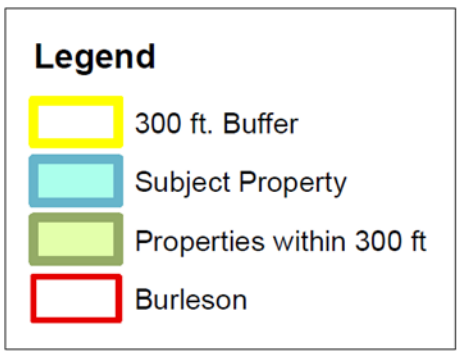
Traffic:

- The access to the mixed-use development including space for restaurant/retail, multifamily, and townhomes. Based on information provided by the developer, the development is anticipated to include approximately 50,000 square feet of commercial space (assumed to be 25,000 square feet of restaurant and 25,000 square feet of general retail), 615 multifamily units, and 144 townhomes. Build-Out of the development is anticipated to be completed by 2027. A traffic impact analysis has been submitted and is currently being reviewed. The report indicated that access would be provided by four (4) proposed access connections; three (3) connections to Hulen Street and one (1) connection to Alsbury Boulevard, and that northbound right-turn auxiliary lanes should be constructed along Hulen Street (1 drive only) and Alsbury Boulevard. The traffic engineering consultant for the City has not given final approval to the TIA therefore neither has the Development Services Department.

2500 SW Hulen ZC

Public Hearing Notice Public notices mailed to property owners within 300 feet of subject property.

Published in newspaper
Signs Posted on the property

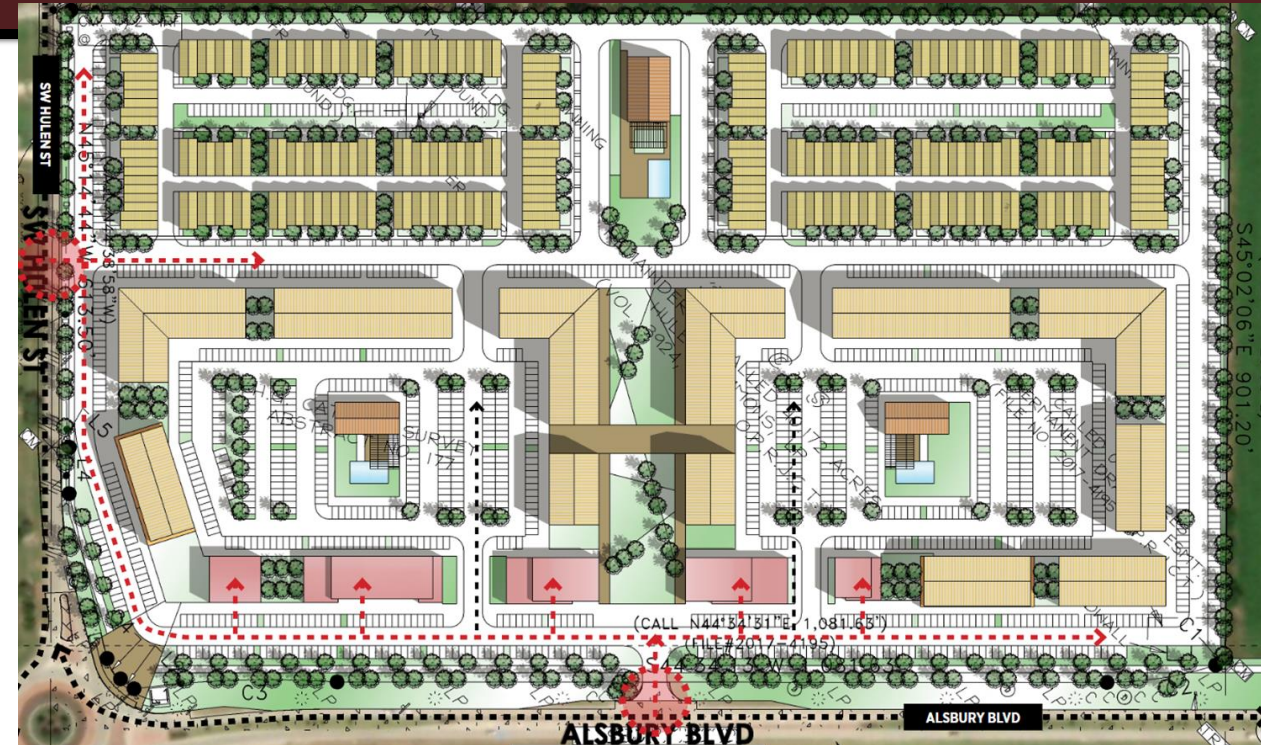


2500 SW Hulen ZC

Item A.

Staff's Recommendation

- Staff recommends denial of the zoning change request due to the proposed changes that would allow a greater residential density at the 4 story level height, without a proportional increase in the amount of commercial and retail or civic open spaces.
- The commercial/retail component of this area comprises approximately 50,000 gross SF, while the multifamily components compromise a disproportionately larger percentage of the 35 acre site. Additionally the lack of vertical mixed-use components, a parking structure, and features that could be considered as a benefit to the public make this project less desirable than what exists in the current PD outlined in ordinance D-065-06.

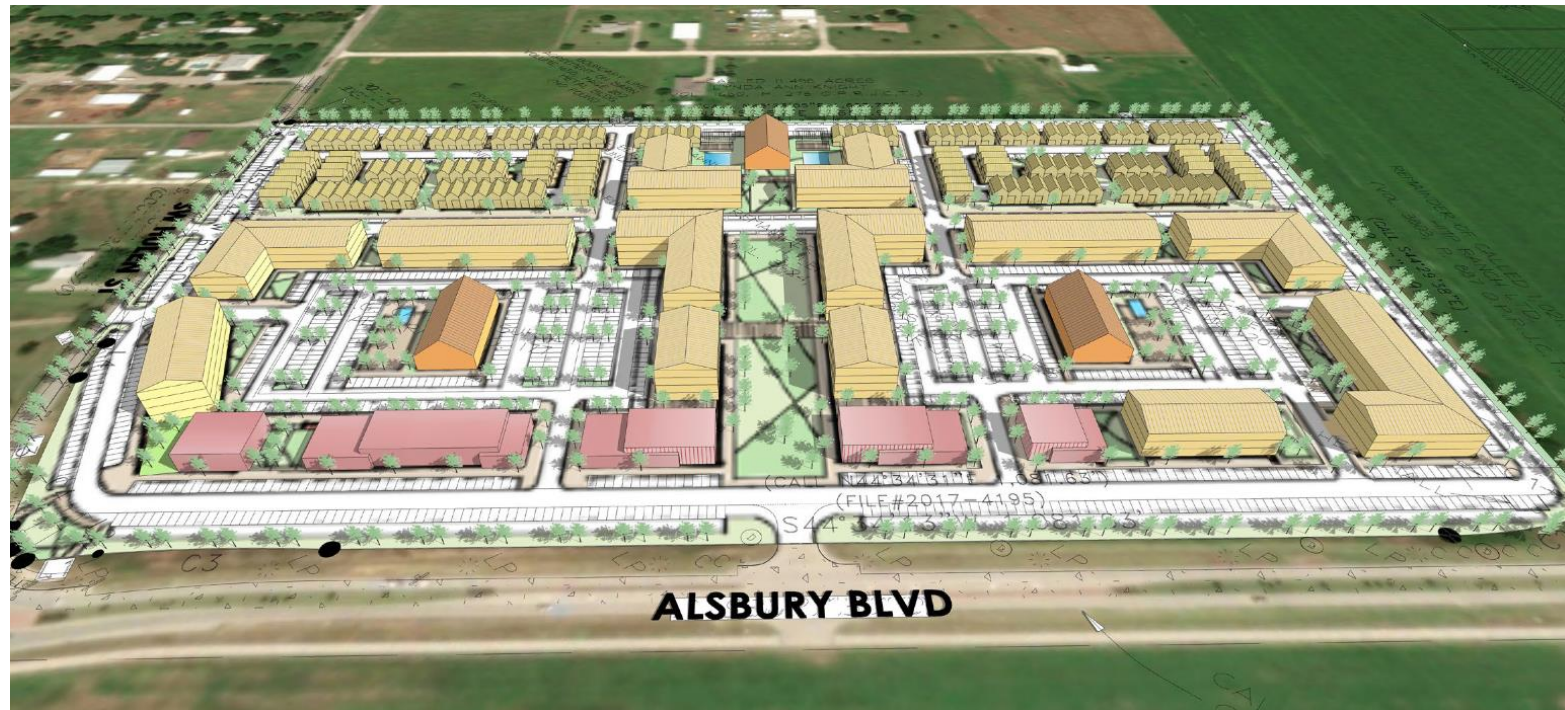


2500 SW Hulen ZC

Item A.

P&Z Action Requested

1. Open the Public Hearing;
2. Close the Public Hearing; and
3. Recommend disapproval of a zoning change request from “PD” Planned Development District to “PD” Planned Development District (Case 22-026).



Questions/Discussion

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 35.20 ACRE TRACT OR PARCEL OF LAND SITUATED IN THE H.G. CATLETT SURVEY, ABSTRACT NO. 177, JOHNSON COUNTY, TEXAS, AND BEING PART OF THAT CERTAIN CALLED 40.172 ACRE TRACT OF LAND CONVEYED FROM MATT POWELL TO HULEN COMMONS, LP, BY SPECIAL WARRANTY DEED, AS RECORDED IN VOLUME 3924, PAGE 66, OFFICIAL PUBLIC RECORDS, JOHNSON COUNTY TEXAS, FROM PD, PLANNED DEVELOPMENT DISTRICT 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, 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, an application for a zoning change was filed by Nicholas Balsamo on April 18, 2022 under Case Number 22-058; and

WHEREAS, the City of Burleson has complied with the notification requirements of the Texas Local Government Code and the Burleson Zoning Ordinance; and

WHEREAS, the City Council and Planning and Zoning Commission have held a public hearing and the Planning and Zoning Commission has made a recommendation on the proposed zoning amendment; and

WHEREAS, the City Council has determined that the proposed zoning ordinance amendment is in the best interest of the City of Burleson.

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

WHEREAS, the City Council 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 to the Code of Ordinances of the City of Burleson.

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

Section 1

The Official Zoning Map is hereby amended insofar as it relates to certain land described as approximately 35.20 acre tract or parcel of land situated in the H.G. Catlett survey, Abstract No. 177, Johnson County, Texas, and being part of that certain called 40.172 acre tract of land conveyed from Matt Powell to Hulen Commons, LP, by special warranty deed, as recorded in Volume 3924, Page 66, official public records, Johnson County Texas, included on Exhibit A, from PD, Planned Development District to PD, Planned Development District 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

Being a 35.20 acre tract or parcel of land situated in the H.G. Catlett Survey, Abstract No. 177, Johnson County, Texas, and being part of that certain called 40.172 acre tract of land conveyed from Matt Powell to Hulen Commons, LP, by Special Warranty Deed, as recorded in Volume 3924, Page 66, Official Public Records, Johnson County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a point at or near the centerline of S.W. Hulen Street, also known as County Road 920, at the South corner of a called 11.498 acre tract of land conveyed to Lynda Ann Knight, by Warranty Deed, as recorded in Volume 1650, Page 275, Official Public Records, Johnson County, Texas, and at the West corner of said 40.172 acre tract;

THENCE North 44 degrees 50 minutes 54 seconds East, with the Southeast line of said 11.498 acre tract and with the Northwest line of said 40.172 acre tract, passing at 25.26 feet a 1/2" iron rod found, continuing for a total distance of 1,653.96 feet to a 3/4" iron pipe found in the Southwest line of the remainder of a called 1,021.925 acre tract of land conveyed to HMP Ranch LTD., by Limited General Warranty Deed, as recorded in Volume 3803, Page 887, Official Public Records, Johnson County, Texas, at the East corner of said 11.498 acre tract, and at the North corner of said 40.172 acre tract;

THENCE South 45 degrees 02 minutes 06 seconds East, with the Southwest line of said 1,021.925 acre tract and with the Northeast line of said 40.172 acre tract, a distance of 901.20 feet to a 5/8" iron rod found at the North corner of a called 4.920 acre tract of land conveyed to the City of Burleson, by Judgement in Absence of Objections, as recorded in File No. 2017-4195, Official Public Records, Johnson County, Texas and at the beginning of a curve to the right, with a radius of 34.00 feet, a delta angle of 29 degrees 02 minutes 24 seconds, the chord of which bears South 11 degrees 52 minutes 44 seconds West, for a chord distance of 17.05 feet;

THENCE with the Northwest and Northeast line of said 4.920 acre tract, the following courses and distances:

Along the arc of said curve, for an arc length of 17.23 feet to a 5/8" iron rod found in a compound curve to the right, with a radius of 489.00 feet, a delta angle of 18 degrees 10 minutes 31 seconds, the chord of which bears South 35 degrees 28 minutes 58 seconds West, for a chord distance of 154.47 feet;

Along the arc of said curve, for an arc length of 155.12 feet to a 1/2" iron rod set capped (By-Line);

South 44 degrees 34 minutes 13 seconds West, a distance of 1,081.63 feet to a 1/2" iron rod set capped (By-Line) at the beginning of a curve to the left, with a radius of 1,551.00 feet, a delta angle of 08 degrees 05 minutes 36 seconds, the chord of which bears South 44 degrees 03 minutes 03 seconds West, for a chord distance of 218.90 feet;

Along the arc of said curve, for an arc length of 219.09 feet to a point;

South 38 degrees 00 minutes 03 seconds West, a distance of 66.84 feet to a 1/2" iron rod set capped (By-Line);

South 80 degrees 35 minutes 53 seconds West, a distance of 23.45 feet to a 1/2" iron rod set capped (By-Line) at the beginning of a curve to the right, with a radius of 49.00 feet, a delta angle of 40 degrees 58 minutes 20 seconds, the chord of which bears North 78 degrees 54 minutes 57 seconds West, for a chord distance of 34.30 feet;

Along the arc of said curve, for an arc length of 35.04 feet to a 1/2" iron rod set capped (By-Line);

North 58 degrees 25 minutes 47 seconds West, a distance of 237.30 feet to a 1/2" iron rod set capped (By-Line);

North 45 degrees 13 minutes 20 seconds West, a distance of 65.24 feet to a 1/2" iron rod set capped (By-Line);

South 44 degrees 46 minutes 40 seconds West, a distance of 24.86 feet to a PK nail found at or near the centerline of S.W. Hulen Street, at a West corner of said 4.920 acre tract, and in a Southwest line of said 40.172 acre tract;

THENCE North 45 degrees 14 minutes 44 seconds West, generally along the centerline of S.W. Hulen Street and with a Southwest line of said 40.172 acre tract, a distance of 613.50 feet to the POINT OF BEGINNING and CONTAINING 35.20 acres of land.

The Planned Development shall be subject to the following conditions:

A. APPLICABILITY

1. Applicability of Subdivision Standards. Lots utilized for uses within this Planned Development District shall conform to the requirements of the Subdivision and Development Ordinance. To the extent any standards therein conflict with standards herein, the standards herein shall control.
2. Applicability of Other Requirements of the Zoning Ordinance. All other requirements of the Zoning Ordinance shall apply unless they conflict with standards established within this Planned Development District.

B. LAND USES, BUILDING HEIGHTS, AND OTHER ACTIVITIES

1. Permitted Land Uses.
 - a. Multifamily
 - b. Townhome
 - c. Retail/Commercial
2. Building Heights. Buildings may not exceed four (4) stories in height.
3. All developments shall provide a minimum five (5) of the ten (10) of the following elements for each use (i.e., Multifamily, Townhome, Retail/Commercial):
 - (1) Patio/café seating
 - (2) Plaza or courtyard
 - (3) Water feature/fountain
 - (4) Bicycle racks
 - (5) Overhangs providing shade/colonnade
 - (6) Recessed front entryway of at least forty (40) square feet
 - (7) Sculpturing of the ground floor, utilizing cornices, corbelling, molding, string coursing, change in materials, and/or change in color
 - (8) Recessed windows, or arches, pediments or mullions to distinguish windows
 - (9) Sculptural/art feature
 - (10) Any other element as approved by the Development Services Director or their designee.
4. Outdoor Displays. Outdoor displays for retail uses shall be limited to no more than fifty percent (50%) of the building's private frontage for lots fifty (50) feet or less in width and no more than twenty-five percent (25%) for lots greater than fifty (50) feet in width. Displays shall be allowed with functional restrictions within the building's public frontage (i.e., the public right-of-way) upon the approval of the City Manager or designee, subject to the appeal to the City Council.

5. Café Seating. Outdoor café seating for restaurant, café, deli or coffee shop uses shall be limited to the building's private frontage unless café seating is licensed with functional restrictions with the building's public frontage (i.e., the public right-of-way) upon the approval of the City Manager or designee, subject to the appeal to the City Council.
6. Accessory Building Uses. The massing and use of accessory buildings shall comply with those standards contained in the Burleson Zoning Ordinance.

Prohibited Uses. Uses not specifically enumerated in this Planned Development District, but are substantially similar, may be permitted upon the approval of the City Manager or designee, subject to the appeal to the City Council. All other uses shall be prohibited, including but not limited to vehicle sales/services/repair, industrial, heavy manufacturing, and warehousing.

7. Townhouses. All townhouses shall be on individually platted lots utilizing rear entry garages.

C. STREET CONNECTIVITY AND VISTAS

1. All streets shall be located so that all streets terminate at other streets except where not feasible due to natural site conditions. Cul-de-sacs shall be permitted only when warranted by natural site conditions.
2. Alleys should be utilized where feasible.
3. At every termination point of a street, or where it makes a ninety-degree turn (plus or minus fifteen degrees), the street shall terminate on a building or vertical element to establish a terminated vista, unless the street terminates into a park, a monumented trail entrance, or natural area.

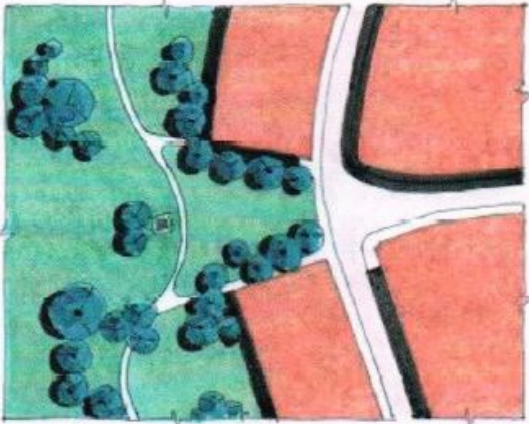

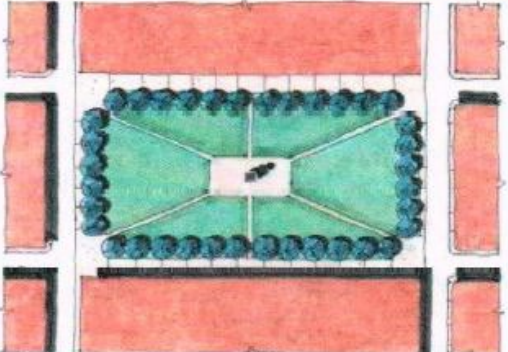
D. OFF-STREET PARKING

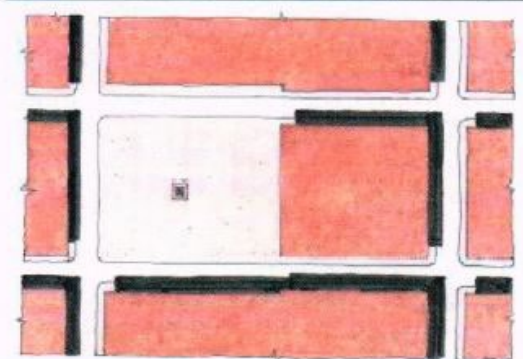
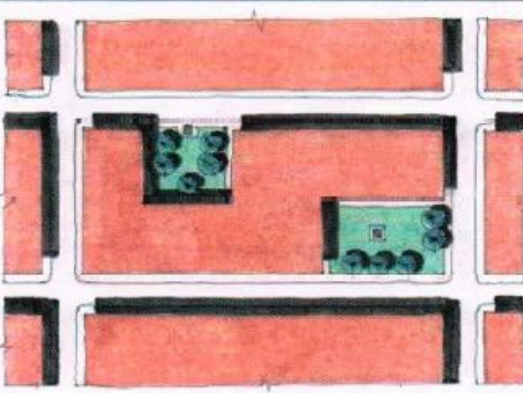
1. Parking shall be in compliance with section 134, vehicle parking regulations.
2. Off-street parking requirements for any and all uses permitted in this Planned Development District may be waived subject to a shared parking agreement or a coordinated parking plan approved by the City Manager or designee, subject to appeal to the City Council.

E. CIVIC SPACE

1. Each platted project shall assign at least five (5) percent of the acreage (not including public right-of-way or floodplain) to civic space as graphically depicted below. This standard shall not be satisfied through the option of payment into a parkland dedication fund.
2. Seventy (70) percent of all residential or mixed-use lots shall be located within 800 feet of green or civic space for any given platted project.

3. Backing buildings onto trails or natural areas is strongly discouraged. If a building backs onto trails or natural areas, it shall utilize a rear fence that is metal and not opaque in order to enhance visual security of the Public Space, trails, or natural areas. If a rear-loaded garage or pull through garage is utilized, the garage shall be located within three (3) feet of the side property line or utilize a common wall with an adjacent garage to enhance the visual security.
4. The civic space shall be designed in accordance with the following illustrative standards:

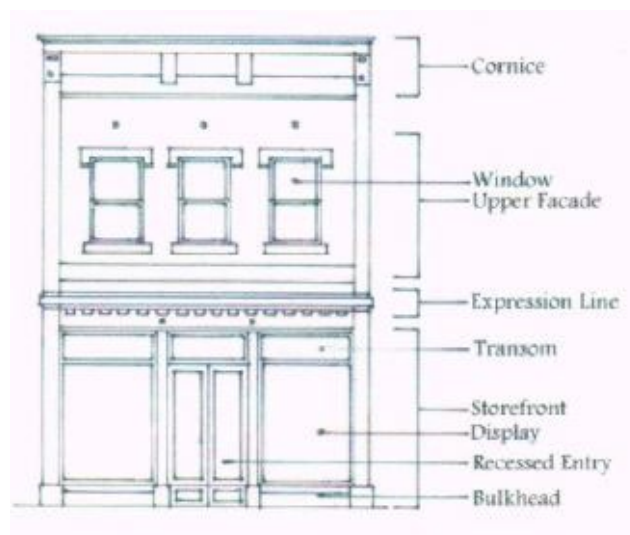
<p>a. Park</p> <p>A natural area available for unstructured recreation. A park may not be framed by building frontages. Parks shall be composed of trails, paths, meadows, tree stands and open shelters. Parks may be linear, following natural corridors and waterways. The minimum size shall be fifteen (15) acres.</p>	
<p>b. Green</p> <p>An open space, available for unstructured recreation. A green may be spatially defined by landscaping rather than building frontages. Its landscape shall consist of lawn and trees laid out naturally. The minimum size shall be two (2) acres and the maximum size shall be fifteen (15) acres.</p>	
<p>c. Square</p> <p>An open space available for unstructured recreation and civic purposes. A square is spatially defined by buildings. Its landscape shall consist of paths, lawns, and trees laid out formally. Squares shall be located at the intersection of important streets. The minimum size shall be one (1) acre and the maximum size shall be five (5) acres.</p>	

<p>d. Plaza</p> <p>A primarily hardscaped open space with formal landscaping, available for civic purposes and commercial activities. A plaza shall be spatially defined by buildings. Plazas should be dimensioned at an approximate 3:1 ratio in terms of its width relative to the building heights. It shall not be dimensioned at more than a 6:1 ratio</p>	
<p>e. Playground</p> <p>An open space designed and equipped for children's recreation. A playground shall be fenced and may include an open shelter. Playgrounds shall be located within residential areas and may be placed within a block as illustrated. They may included in parks and greens. There shall be no minimum or maximum size.</p>	

F. ARCHITECTURAL, LANDSCAPE, SIGNAGE AND MISCELLANEOUS STANDARDS

1. Architectural Standards

- a. An expression line shall delineate divisions between floors of all buildings, and a cornice shall delineate the tops of facades that do not utilize a pitched roof. For retail storefronts, a transom, display window area and bulkhead at the base shall be utilized.



- b. To screen rooftop mechanical equipment, other appurtenances, and flat or built-up roofs, all structures having a footprint of 5,000 square feet or less shall be constructed with a pitched roof. Those structures having a footprint greater than 5,000 square feet shall be constructed with either a pitched or parapet roof system enclosed on all sides.
- c. Mansard roofs and flat membrane-type roofs that are visible are prohibited. Roofs shall be constructed of a process and of materials that shall have a minimum installation and manufacturer's warranty of at least 20 years.
- d. Ground floor retail building plate heights shall be at least fifteen (15) feet in height.
- e. Windows shall be oriented vertically.
- f. Columns and piers shall be spaced no farther than the height of the column or pier.
- g. Transparency: Each floor of any building façade facing a park, plaza, or street shall contain transparent windows covering from 15 to 75 percent of the façade area. In order to provide clear views of merchandise and to provide natural surveillance of exterior street spaces, the street-level floor along the retail storefront façade shall have transparent storefront windows covering no less than fifty (50) percent of the façade area.
- h. Permitted finishes for commercial or mixed-use buildings – At least eighty percent (80%) of the exterior of all new buildings (excluding doors and windows) shall be finished in one or more of the following materials:
 - (1) Brick, stone, cast stone, rock, marble, granite, glass block, metal, and/or tile
 - (2) Exterior Insulating Finishing System (EIFS) as an accent (abuse resistant EIFS above 8 feet above grade)
 - (3) Cementitious-fiber clapboard with at least a 30-year warranty
 - (4) Split face concrete block, poured-in-place concrete, and tilt-wall concrete. Any use of concrete products shall have an integrated color and be textured or patterned. Tilt-wall concrete structures shall include reveals, punch-outs, or other similar surface characteristics to enhance the façade on at least twenty-five (25) percent of each façade.
- i. The following permitted finishes for residential buildings and live/work units shall be allowed: Cementitious-fiber clapboard; brick; stone; manmade stone and stucco utilizing a three-step process. The following shall be allowed up to thirty percent (30%) as an accent material: wood, Exterior Insulating Finishing System (EIFS) (abuse resistant EIFS above 8 feet above grade) or similar material over a cementitious base, rock, glass block and tile.
- j. Side facades and rear facades shall be of finished quality and of the same color and materials that blend with the front of the building. Rear facades may be painted tilt-wall

or painted block matching the same color of the rest of the building if the rear façade faces an alley or is not viewable from a public street or right-of-way.

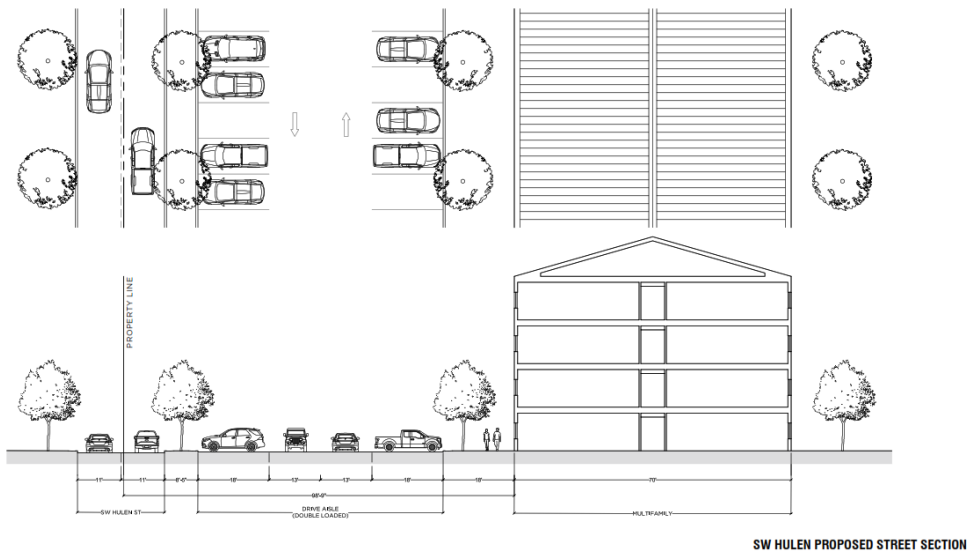
- k. On single family residences, at least one of the following shall be utilized: porches, stoops, bay windows, balconies, masonry clad chimneys, attached pergolas or colonnades. Those architectural elements may encroach into the build-to-line.
 - l. Plate Heights for single-family residential homes shall be no less than ten (10) feet for the first floor and nine (9) feet for the second or higher floors.
 - m. Garages for residential buildings generally shall be located at the rear on alleys, except in order to preserve trees at the rear of the lots. Pull-through garages are allowed if the garage door is set back behind the rear façade of the main structure. If front-loaded garages are utilized on single-family residential lots, the garages shall be no greater than twenty-four (24) feet wide, and set back at least ten (10) feet measured from the face of the main structure closest to the garage, or rotated ninety (90) degrees with windows on the wall facing the street. All garage doors shall be divided into single bays separated by at least an 18-inch column. Front-loaded garages on residential lots less than sixty (60) feet wide shall not be allowed. Town homes and courtyard apartments shall utilize rear-loaded garages.
 - n. An enclosed garage or carport shall be designed and constructed of the same material as the primary building.
 - o. The exterior walls of buildings may be lit with wall washer type lights, natural gas lamps, or low wattage decorative electric lamps.
2. Landscaping. Requirements for landscaping shall be in accordance with Chapter 86 of the Burleson Code of Ordinances, with the following exceptions:
- a. Required canopy trees shall be a minimum of four caliper inches; and
 - b. Required ornamental trees shall be a minimum of three caliper inches.
 - c. One canopy street tree or two ornamental trees, for each 40 linear feet of frontage, at a minimum four-inch caliper.
3. Signage. Requirements for signs shall be in accordance with the provisions of the Zoning Ordinance.
4. Dumpster Screening. All freestanding dumpsters shall be screened on all four sides with an opaque closure measuring to a height of at least six (6) inches above the top of the dumpster. A dumpster located in an alley on the perimeter of the project shall be screened from view on all sides with an opaque enclosure or building niche measuring at least six (6) inches above the top of the dumpster. The building niche shall be constructed

of material that matches the building. All dumpster enclosures utilized for non-residential uses shall include a pedestrian door.

G. STREET TYPES

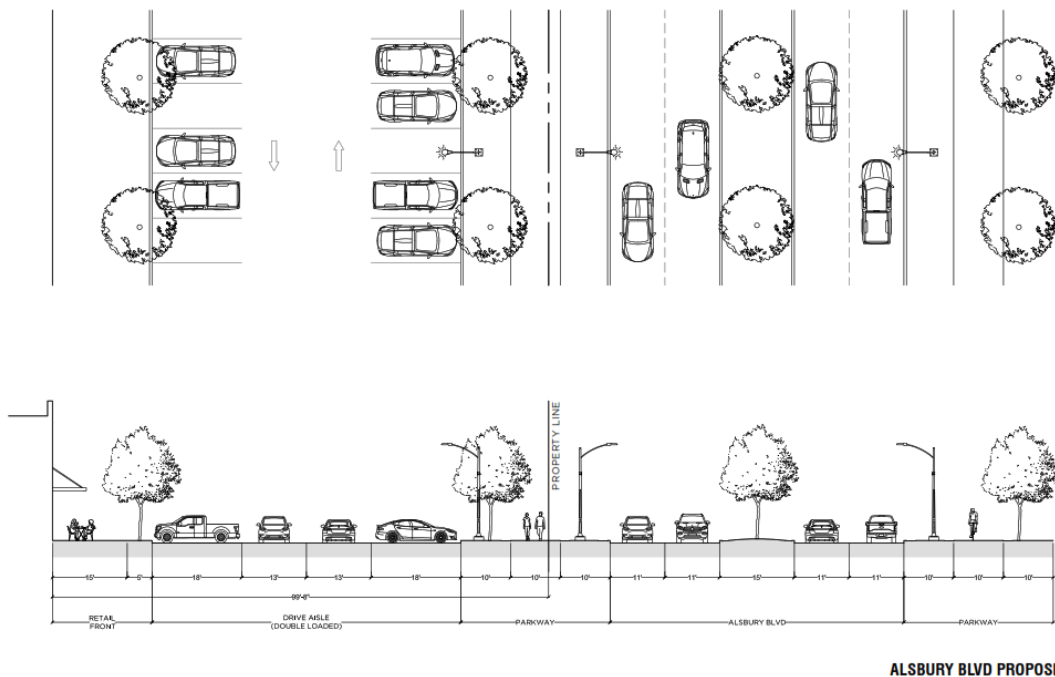
1. SW Hulen

- a. The exhibit below demonstrates the required street plan and section on the development's portion of SW Hulen Street.



2. Alsbury Blvd

- a. The exhibit below demonstrates the required street plan and section on the development's portion of Alsbury Blvd.



H. BUILDING TYPES

Development Standards	Lot Width Minimum (W)	Lot Depth Minimum	Minimum Side Yard/Rear Yard	Rear-loaded Covered Parking	Off Street Parking Spaces minimum per Dwelling Unit	Garage Setback (front- loaded)	Maximum Height	Square Foot Minimum-- Maximum per Dwelling Unit	Porch or Stoop / Depth Minimum	Accessory Unit/Max Square Footage	Maximum Lot Coverage
Townhome / Stacked Condo	20-30'	80'	0' / 5'	A	1.0	n/a	3 Stories	1000 -- No Max	A / 0'	A (5) / 400	70%
Multifamily	-	-	10'	A	1.5	n/a	4 Stories	600 -- No Max	A / 0'	A / No Max	50%
A - Allowed N - Not Allowed R - Required											

ORDINANCE D-065-06

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 OF APPROXIMATELY 373 ACRES OUT OF THE H.G. CATLETT SURVEY, ABSTRACTS NO. 180, 186 AND 177, AND THE S.M. BLAIR SURVEY, ABSTRACT 65, CITY OF BURLESON, JOHNSON COUNTY, TEXAS, FROM THE A AGRICULTURAL DISTRICT TO THE PD PLANNED DEVELOPMENT DISTRICT; MAKING THIS ORDINANCE CUMULATIVE OF PRIOR ORDINANCES; PROVIDING FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING A SAVINGS CLAUSE; AUTHORIZING PUBLICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a zoning change was initiated by the City of Burleson under Case Number 06-030; and

WHEREAS, the City of Burleson has complied with the notification requirements of the Texas Local Government Code and the Burleson Zoning Ordinance; and

WHEREAS, the City Council and Planning and Zoning Commission have held a joint public hearing and the Planning and Zoning Commission has made a recommendation on the proposed zoning amendment; and

WHEREAS, the City Council has determined that the proposed zoning ordinance amendment is in the best interest of the City of Burleson.

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

SECTION 1

The Comprehensive Plan, the Zoning Ordinance, and the Official Zoning Map are hereby amended insofar as they relate to certain land located in Burleson, Texas, as shown on the Zoning Map attached as Exhibit "A", and described by metes and bounds description attached as Exhibit "B", by changing the zoning of said property from the A Agricultural district to the PD Planned Development district, including any other conditions and restrictions imposed and approved by the City Council, which are incorporated herein.

SECTION 2

The Planned Development, commonly known as the Burleson West Transit Oriented Development, shall be subject to the following conditions:

A. COMMUNITY INTENT

The West Transit-Oriented Development (TOD) District establishes a mixed use community anchored by a planned commuter rail station linking Johnson and Tarrant Counties, surrounded by authentic neighborhoods with roots in the enduring qualities of Burleson—its small town ambience, its traditional downtown and its strong heritage.

The West TOD District provides the design and development standards for the subject area delineated within the West portion of the Burleson TOD, attached as Exhibit 1 and incorporated by reference. The TOD Street Type Matrix, Table A attached hereto and incorporated by reference, the TOD Building Type Matrix, Table B attached hereto and incorporated by reference, and the respective explanatory regulations accompanying those matrices constitute binding regulations and standards for the West TOD District and are incorporated herein by reference. In order to develop and sustain this community, the following standards are hereby established.

1. Walkability. In order to facilitate walkability and livability, all streets shall provide accessible sidewalks with street trees or adjacent trails. Block lengths shall be as short as possible to accommodate a walking environment. Street types and cross-sections are established herein to facilitate an integrated set of transportation choices—driving, walking, cycling and transit, as well as to form a place bounded by building facades creating “street walls.” Carefully designed civic spaces such as greens, squares, plazas and trails shall be integrated into the neighborhoods.
2. Home Occupations. In order to accommodate a community that reflects the modern economy and demographic trends, home occupations shall be allowed in all residential units as follows:
 - a. The occupation function shall be incidental to the primary function of the building as a residence.
 - b. No person outside the residence may be employed unless the residence is a Live-Work unit.
 - c. There shall be no exterior display, no exterior storage of materials and no other variation from the residential character of the principal building, unless the residential unit is a Live-Work Unit or the building has been converted to a non-residential function consistent with applicable building codes.
 - d. A Live-Work Unit shall have separate entry doors and spaces for the respective residential and non-residential functions.
3. Architecture. Architectural standards herein (e.g., “windows shall be oriented vertically”) are functional in nature. Conversely, architectural style (e.g., Victorian, Prairie, Arts & Crafts, etc.) shall be determined through privately enforced conditions, covenants & restrictions (CC&Rs) so that the neighborhoods over time are responsive to evolving market preferences and styles.
4. Applicability of Subdivision Standards
 - a. The standards herein shall establish the street cross-section criteria and lot standards for subdivision within the area depicted in Exhibit 1. Any approved Preliminary and/or Final Subdivision Plat must substantially conform to the adopted site plan and concept plan for zoning.
 - b. Lots utilized for uses within the West TOD District shall conform to the requirements of the Subdivision and Development Ordinance. To the extent any standards therein conflict with standards herein, the standards herein shall control.
5. Applicability of other Requirements the Zoning Ordinance. All other requirements of the Zoning Ordinance shall apply unless they conflict with standards established in the West TOD District.

B. LAND USES, BUILDING HEIGHTS, AND OTHER ACTIVITIES

1. This section shall apply to areas designated “mixed use,” “destination retail/mixed use” or the area within Hulen Street, Alsbury Street and the Railroad delineated in Exhibit 1.
 - a. A premises on a legal lot shall be used for the following:
 - (1) retail services
 - (2) retail goods sales

- (3) art, furniture or electronics studio (retail, repair or fabrication)
 - (4) restaurant, café, bakery, deli or coffee shop
 - (5) coffee roasting
 - (6) beer, wine or other alcoholic beverage on premises sales in conjunction with a restaurant
 - (7) movie and/or performance theater
 - (8) museum or philanthropic institutions
 - (9) fraternal or other private social club
 - (10) structured parking garage provided that the frontage on the ground floor addressing the primary street is another use delineated herein
 - (11) hotel
 - (12) bed & breakfast professional offices
 - (13) health services office, clinic or laboratory
 - (14) government/civic offices
 - (15) transit
 - (16) farmer's market, parade, cultural events (requires special use permit)
 - (17) gas station (subject to specific use permit based on design and location accommodating an urban environment)
 - (18) Residential uses per the Building Type Matrix (Table B) and per the applicable street established in the Street Type Matrix (Table A), except for Estate, Large, Medium and Small House
- b. Buildings may not exceed three (3) stories in height. Up to an additional five (5) stories may be constructed if structured parking is utilized and at least five (5) of the eight (8) of the following elements are utilized at the primary address of the building.
- (1) patio/café seating
 - (2) plaza or courtyard
 - (3) water feature/fountain
 - (4) bicycle racks
 - (5) overhangs providing shade/colonnade
 - (6) recessed front entryway of at least forty (40) square feet
 - (7) sculpturing of the ground floor, utilizing cornices, corbelling, molding, string coursing, change in materials, and/or change in color
 - (8) recessed windows, or arches, pediments or mullions to distinguish windows
- c. Buildings shall be sited according to the build-to-line established by street type in the Street Type Matrix (Table A)
2. This section applies to areas not designated "mixed use," or "destination retail/mixed use"; and the area west of Hulen Street or the area west of Alsbury Street delineated in Exhibit 1.
- a. Premises on a legal lot shall be used for residential or live-work (if applicable) uses per any of the housing types allowed in the Building Type Matrix (Table B) and per the applicable street established in the Street Type Matrix (Table A).
 - b. Building heights are established by the applicable building in the Building Type Matrix (Table B).
 - c. Buildings shall be sited according to the build-to-line established by street type in the Street Type Matrix (Table A)
3. Outdoor Displays. Outdoor displays for retail uses shall be limited to no more than fifty percent (50%) of the building's private frontage for lots fifty (50) feet or less in width and no more than twenty-five percent (25%) for lots greater than fifty (50) feet in width. Displays shall be allowed with functional restrictions within the building's public frontage (i.e., the public right-of-way) upon the approval of the City Manager or designee, subject to appeal to the City Council.
4. Café Seating. Outdoor café seating for restaurant, café, deli or coffee shop uses shall be limited to the building's private frontage unless café seating is licensed with functional restrictions with the

building's public frontage (i.e., the public right-of-way) upon the approval of the City Manager or designee, subject to appeal to the City Council.

5. Accessory Building Uses. The massing and use of accessory buildings shall comply with those standards contained in the Burleson Zoning Ordinance.
6. Prohibited Uses. Uses not specifically enumerated in the West TOD District, but are substantially similar, may be permitted upon the approval of the City Manager or designee, subject to appeal to the City Council. All other uses shall be prohibited, including but not limited to vehicle sales/services/repair, industrial, heavy manufacturing, and warehousing.

C. STREET CONNECTIVITY AND VISTAS

1. All streets shall be located so that all streets terminate at other streets except where not feasible due to natural site conditions. Cul-de-sacs shall be permitted only when warranted by natural site conditions.
2. Alleys should be utilized where feasible.
3. At every termination point of a street, or where it makes a ninety-degree turn (plus or minus fifteen degrees), the street shall terminate on a building or vertical element to establish a terminated vista, unless the street terminates into a park, a monumented trail entrance or natural area.

D. OFF-STREET PARKING

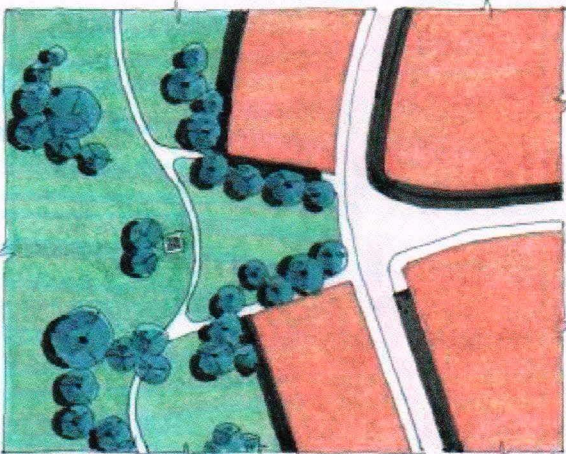
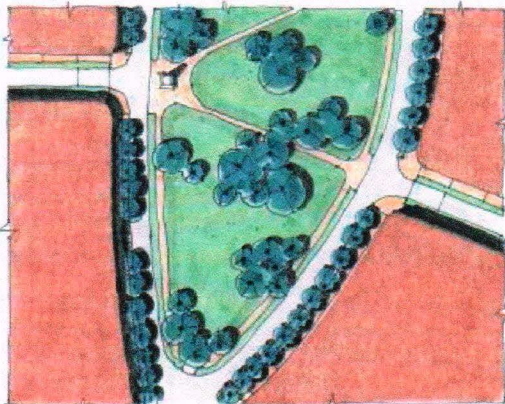
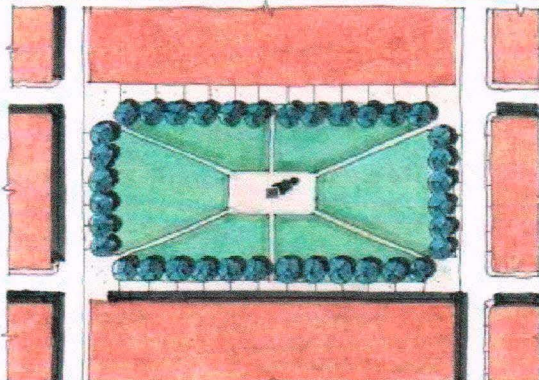
1. Location Generally. Off-street parking shall not be located between the primary address of the building and the public right-of-way.
2. Area within Hulen Street, Alsbury Street and the Railroad delineated in Exhibit 1. An off-street parking lot on the side of a building shall not be wider than sixty-five (65) feet, and a street-screen shall be provided such that the side of the parking bays closest to the street shall be screened by a wall or landscaped wrought iron fence three (3) feet in height.
 1. Spaces Required
 - (a) Residential Uses—As required by the applicable housing type in the Building Type Matrix (Table B)
 - (b) Non-residential Uses—As required by the Burleson Zoning Ordinance
 - (c) Neighborhood Commercial Incentive—The number of off-street parking spaces required for retail services, retail goods sales; pharmacies; dry cleaners; art, antique, furniture or electronics studios (retail, repair or fabrication); restaurants, cafés, delis or coffee shops; and retail bakeries shall be waived for the first 1,500 square feet of retail floor space (excluding kitchen, administrative and storage space) for a particular use as long as the total square footage of the use is no greater than 5,000 square feet.
3. Shared Parking. Off-street parking requirements for any and all uses permitted in the West TOD District may be waived subject to a shared parking agreement or a coordinated parking plan approved by the City Manager or designee, subject to appeal to the City Council.

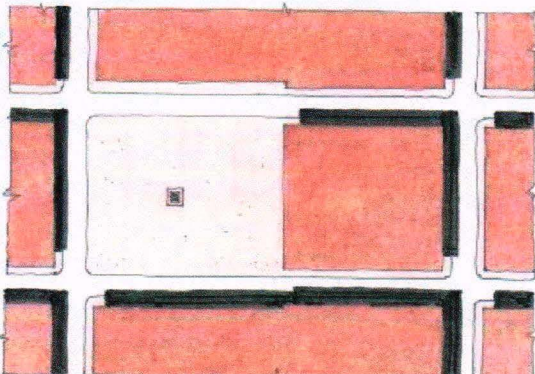
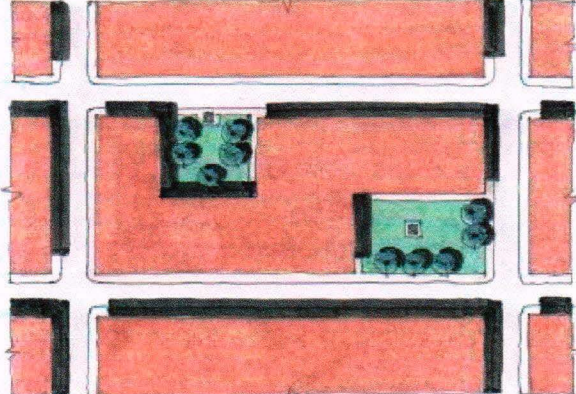
E. CIVIC SPACE

1. Each platted project shall assign at least five (5) percent of the acreage (not including public right of way or flood plain) to civic space as graphically depicted below. This standard shall not be satisfied through the option of payment into a parkland dedication fund.
2. Seventy (70) percent of all residential or mixed-use lots shall be located within 800 feet of green or

civic space for any given platted project.

3. Backing buildings onto trails or natural areas is strongly discouraged. If a building backs onto trails or natural areas, it shall utilize a rear fence that is metal and not opaque in order to enhance visual security of the Public Space, trails or natural areas. If a rear-loaded garage or pull through garage is utilized, the garage shall be located within three (3) feet of the side property line or utilize a common wall with an adjacent garage to enhance the visual security.
4. The civic space shall be designed in accordance with the following illustrative standards.

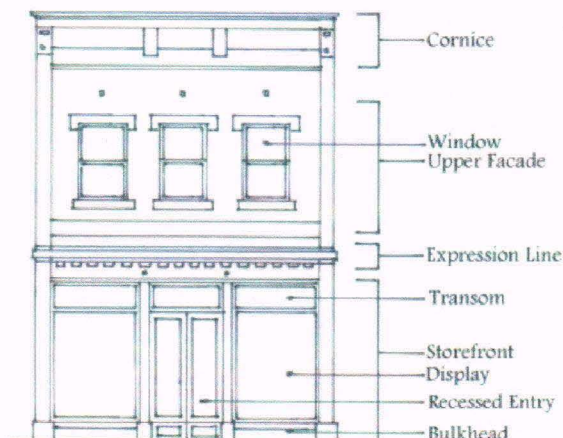
<p>a. Park</p> <p>A natural area available for unstructured recreation. A park may not be framed by building frontages. Parks shall be composed of trails, paths, meadows, tree stands and open shelters. Parks may be linear, following natural corridors and waterways. The minimum size shall be fifteen (15) acres.</p>	
<p>b. Green</p> <p>An open space, available for unstructured recreation. A green may be spatially defined by landscaping rather than building frontages. Its landscape shall consist of lawn and trees laid out naturally. The minimum size shall be two (2) acres and the maximum size shall be fifteen (15) acres.</p>	
<p>c. Square</p> <p>An open space available for unstructured recreation and civic purposes. A square is spatially defined by buildings. Its landscape shall consist of paths, lawns, and trees laid out formally. Squares shall be located at the intersection of important streets. The minimum size shall be one (1) acre and the maximum size shall be five (5) acres.</p>	

<p>d. Plaza</p> <p>A primarily hardscaped open space with formal landscaping, available for civic purposes and commercial activities. A plaza shall be spatially defined by buildings. Plazas should be dimensioned at an approximate 3:1 ratio in terms of its width relative to the building heights. It shall not be dimensioned at more than a 6:1 ratio</p>	
<p>e. Playground</p> <p>An open space designed and equipped for children's recreation. A playground shall be fenced and may include an open shelter. Playgrounds shall be located within residential areas and may be placed within a block as illustrated. They may included in parks and greens. There shall be no minimum or maximum size.</p>	

F. ARCHITECTURAL, LANDSCAPE, SIGNAGE AND MISCELLANEOUS STANDARDS

1. Architectural Standards

- a. An expression line shall delineate divisions between floors of all buildings, and a cornice shall delineate the tops of facades that do not utilize a pitched roof. For retail storefronts, a transom, display window area and bulkhead at the base shall be utilized.



- b. To screen rooftop mechanical equipment, other appurtenances, and flat or built-up roofs, all structures having a footprint of 5,000 square feet or less shall be constructed with a pitched roof. Those structures having a footprint greater than 5,000 square feet shall be constructed with either a pitched or parapet roof system enclosed on all sides.

- c. Mansard roofs and flat membrane-type roofs that are visible are prohibited. Roofs shall be constructed of a process and of materials that shall have a minimum installation and manufacturer's warranty of at least 20 years.
- d. Ground floor retail building plate heights shall be at least fifteen (15) feet in height.
- e. Windows shall be oriented vertically. Windows on single family or town house residential buildings shall also utilize significant surrounds or shutters, as well as mullions between grouped windows.
- f. Columns and piers shall be spaced no farther apart than the height of the column or pier.
- g. Transparency: Each floor of any building façade facing a park, plaza or street shall contain transparent windows covering from 15 to 75 percent of the façade area. In order to provide clear views of merchandise and to provide natural surveillance of exterior street spaces, the street-level floor along the retail storefront facade shall have transparent storefront windows covering no less than fifty (50) percent of the façade area.
- h. Permitted finishes for commercial or mixed use buildings – At least eighty percent (80%) of the exterior of all new buildings (excluding doors and windows) shall be finished in one or more of the following materials:
 - (1) Brick, stone, cast stone, rock, marble, granite, glass block and/or tile
 - (2) Exterior Insulating Finishing System (EIFS) as an accent (abuse resistant EIFS above 8 feet above grade)
 - (3) Cementitious-fiber clapboard with at least a 50-year warranty
 - (4) Split face concrete block, poured-in-place concrete, and tilt-wall concrete. Any use of concrete products shall have an integrated color and be textured or patterned. Tilt-wall concrete structures shall include reveals, punch-outs, or other similar surface characteristics to enhance the façade on at least twenty-five (25) percent of each façade.
- i. The following permitted finishes for residential buildings and live/work units shall be allowed: Cementitious-fiber clapboard (not sheets) with at least a 50-year warranty; brick; stone; man-made stone and stucco utilizing a three-step process. The following shall be allowed up to thirty percent (30%) as an accent material: wood, Exterior Insulating Finishing System (EIFS) (abuse resistant EIFS above 8 feet above grade) or similar material over a cementitious base, rock, glass block and tile.
- j. Side facades and rear facades shall be of finished quality and of the same color and materials that blend with the front of the building. Rear facades may be painted tilt-wall or painted block matching the same color of the rest of the building if the rear façade faces an alley or is not viewable from a public street or right-of-way.
- k. On single-family residences, at least one of the following shall be utilized: porches, stoops, bay windows, balconies, masonry clad chimneys, attached pergolas or colonnades. Those architectural elements may encroach into the build-to-line.
- l. Plate Heights for single-family residential homes shall be no less than ten (10) feet for the first floor and nine (9) feet for the second or higher floors.
- m. Garages for residential buildings generally shall be located at the rear on alleys, except in order to preserve trees at the rear of the lots. Pull-through garages are allowed if the garage door is set back behind the rear façade of the main structure. If front-loaded garages are utilized on single-family residential lots, the garages shall be no greater than twenty-four (24) feet wide, and set back at least ten (10) feet measured from the face of the main structure closest to the garage, or rotated ninety (90) degrees with windows on the wall facing the street. All garage doors shall be divided into single bays separated by at least an 18-inch column. Front-loaded garages on

residential lots less than sixty (60) feet wide shall not be allowed. Town homes and courtyard apartments shall utilize rear-loaded garages.

- n. An enclosed garage or carport shall be designed and constructed of the same material as the primary building.
 - o. The exterior walls of buildings may be lit with wall washer type lights, natural gas lamps, or low wattage decorative electric lamps.
2. Landscaping. Requirements for landscaping shall be in accordance with Chapter 10 of the Burleson Code of Ordinances.
 3. Signage. Requirements for signs shall be in accordance with the provisions of the Zoning Ordinance.
 4. Dumpster Screening. All freestanding dumpsters shall be screened on all four sides with an opaque closure measuring to a height at least six (6) inches above the top of the dumpster. A dumpster located in an alley on the perimeter of the project shall be screened from view on all sides with an opaque enclosure or building niche measuring at least six (6) inches above the top of the dumpster. The building niche shall be constructed of material that matches the building.

EXHIBIT 1 – BURLESON TOD

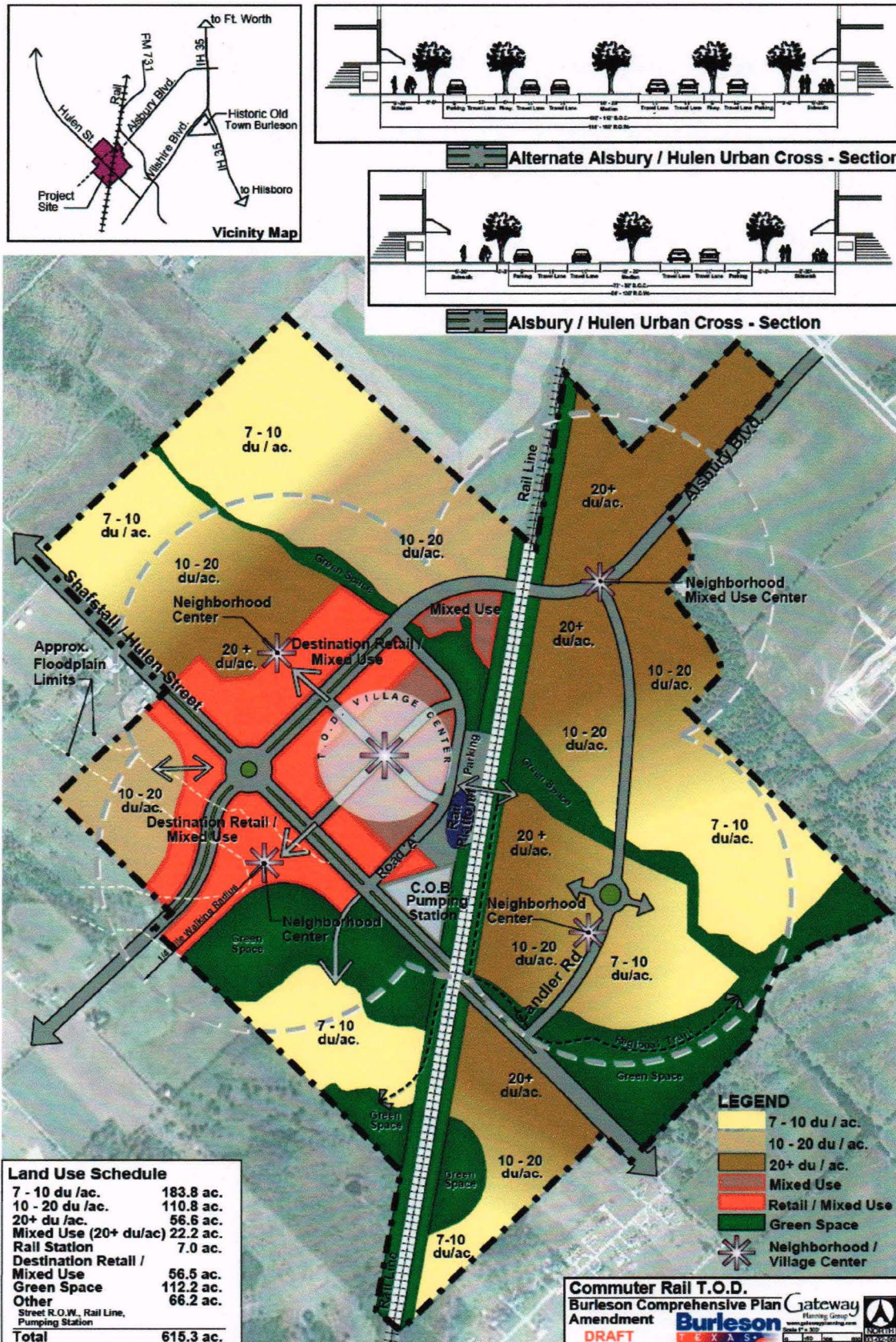


TABLE A – TOD STREET TYPE MATRIX

Street Types (1)		Curb Radii	Speed mph	Build-to-Line (2)	Street Cross Section (3)	Building Types (4)
A-68-34	Two-way Avenue with Parking	15'	30	20'-30'		All
S-56-30	Two-way Street with Parking	15'	25	20'-30'		All
S-50-26	Two-way Street with Parking	10'	20	15'-25'		All except non-residential, apartment, and Live-Work/Urban Loft
S1W-40-18	One-way Street with Parking	10'	15	15'-20'		All
C-34-23	Two-way Court with Parking	10'	15	10'-25'		All except non-residential and apartment
RA-20-14	Residential Alley (5)	15'	15	3'-7' or ? 16' (6)		All except non-residential and urban loft
CA-20-20	Commercial Alley - Temporary Parking	15'	15	0'-5'		All except House and Townhome/Stacked Condo
PA-138-62	Primary Arterial (Ailsbury--Hulen)	15'	35	varies		All except House
PA-168-80	Primary Arterial (Alternative Ailsbury--Hulen)	15'	35	varies		All except House

Gateway Planning Group

Explanatory Regulations:

- The first number in the type name establishes the right-of-way width; the second number establishes the paved section width.
The paved section width dimensions are set curb face to curb face except primary arterials, and the parkway includes the top of curb. Mountable curbs shall be allowed. Curbless streets shall be allowed adjacent to greenways, Public Space, and trails for storm water management purposes.
- A Build-to-Line (BTL) shall be established and platted for each street. No less than 80% of the buildings along a block shall conform to the BTL. For the Side Street side of buildings on corner lots, the minimum side yard dimension shall serve as the BTL.
- Trees denote required street trees.
- The West TOD Zoning District Building Types Matrix establishes the building types and core uses allowed.
- For houses fronting on greens, the RA-20-14 alleys may serve as sole street access for the lot if the BTL is established at 7 feet or greater than 16 feet, or on-street parking is located within 100 feet of the front door, or additional off-street parking is provided.

TABLE B – TOD BUILDING TYPE MATRIX

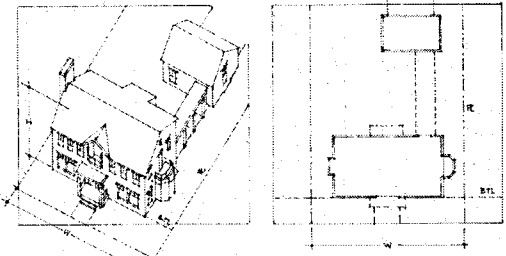
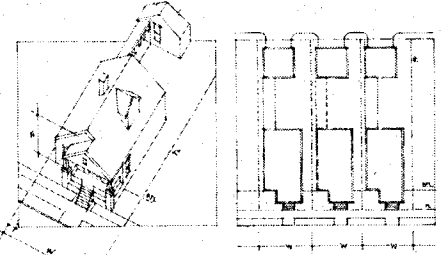
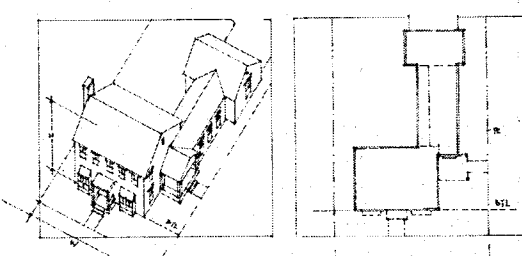
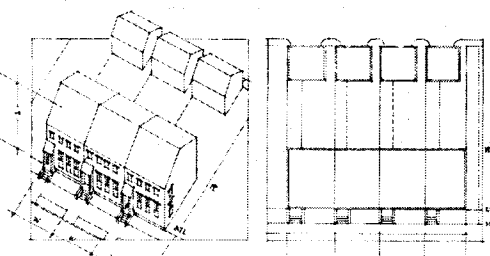
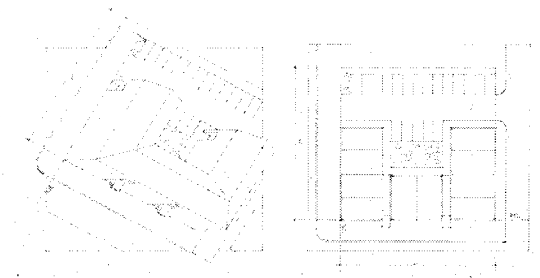
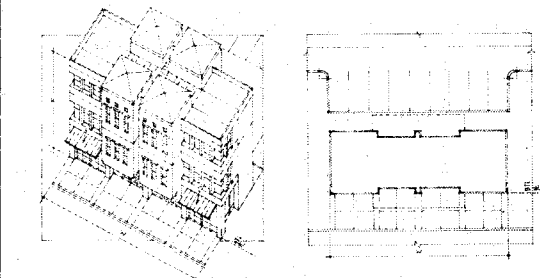
Development Standards												Prototypical Building Types
Types	Lot Widths Minimum (W)	Lot Depth Minimum	Minimum Side Yard/Rear Yard	Rear-loaded Covered Parking ⁽¹⁾	Off Street Parking Spaces Minimum Per Dwelling Unit ⁽¹⁾	Garage Set Back (front-loaded) ⁽²⁾	Maximum Height (H)	Square Foot Minimum-Maximum Per Dwelling Unit	Porch or Stoop / Depth Minimum	Accessory Unit/Max Square Footage	Maximum Lot Coverage	
Estate House	70'-80'	110'	5'	A	2	10'	2 story	3000 - No max	A/6'	A(5)/ 1000'	50%	
Large House	60'-69'	110'	5'	A	2	10'	2 story	2400-3600	A/6'	A(5)/ 800'	60%	
Medium House	50'-59'	100'	5'	R ⁽³⁾	2	n/a	2 story	1600-2600	R/6'	A(5)/ 800'	50%	
Small House	40'-49'	100'	4' ⁽⁶⁾	R	1	n/a	2 story	1400-2200	R/6'	A(5)/ 400'	60%	
Cottage House	25'-39'	90'	4' ⁽⁶⁾	R	1	n/a	2 story	900-1800	R/6'	A(5)/ 400'	70%	
Multi-Unit House ⁽⁷⁾⁽⁸⁾	60'-100'	110'	5'	R	1	10'	2 story	1700 - No max	R/6'	A(5)/ 400'	60%	
Townhome/ Stacked Condo	20'-30'	80'	0'/5'	R	1	n/a	3 story	1000 - No Max	R/0'	A(5)/ 400'	70%	

TABLE B – TOD BUILDING TYPE MATRIX

"End Cap" Apartment (9) (11)	120'	150'	10'	R	1	n/a	2 story	750 - No Max	A	N	80%	
Live-Work/ Urban Loft (12)	25'	100'	5' (13)	R	1	n/a	4 story (6)	750 - No Max	A	N	100%	

A - Allowed

N - Not Allowed

R - Required

Gateway Planning Group

Explanatory Regulations:

- (1) An enclosed garage or a carport shall be constructed of the same material as the main residential structure. Rear-loaded garages may be attached at side property line.
- (2) Garage setback shall be measured from the face of the main structure closest to the garage. Carports shall not be allowed for front-loaded parking.
- (3) "Pull-through" garages shall be allowed if the front façade of the garage is set back behind the rear façade of the house. Covered breezeways connecting the garage and the house shall be allowed.
- (5) The accessory unit shall have cooking facilities and a bathroom; but shall not require a separate water meter.
- (6) Buildings may be sited at side property line so long as buildings on adjacent lots are not within 8'.
- (7) 2 to 6 units shall be allowed.
- (8) The design of the building shall make the multi-unit structure appear as a large single-family house.
- (9) Maximum 24 units shall be allowed per building.
- (10) Courtyard(s) shall face street and provide at least 100 square feet of space per unit.
- (11) Address of building shall face the street at the end of the block so that the building acts as a block "cap."
- (12) Residential Uses shall be allowed on ground floor of building on a commercial streets with a specific use permit and if the ground floor is constructed to meet requirements of the Americans with Disabilities Act and applicable commercial building code and fire code standards; or if the residential use does not front the main address of the building and a separate entrance from the commercial use is provided externally or into a common public hallway. All Live-work units require a separate entrance for the non-residential use.
Buildings 40 units or greater per acre housing shall utilize structured parking within the area bounded by Alsbury, Hulén and the Railroad ROW.
- (13) No side yard required for urban buildings within the area bounded by Alsbury, Hulén and the Railroad ROW.

SECTION 3 CUMULATIVE CLAUSE

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 4 SEVERABILITY CLAUSE

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.

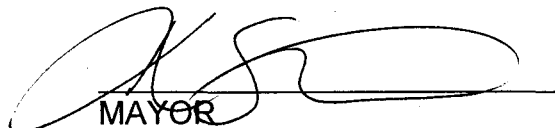
SECTION 5 PENALTY CLAUSE

Any person, firm, association of persons, company, corporation, or their agents, 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 V.T.C.A. 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.

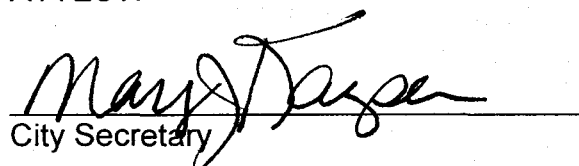
SECTION 6 EFFECTIVE DATE

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

PASSED AND APPROVED this the 23rd day of March 2006


MAYOR

ATTEST:


City Secretary

First Reading: 3/9/06

Exhibit A Zoning Map

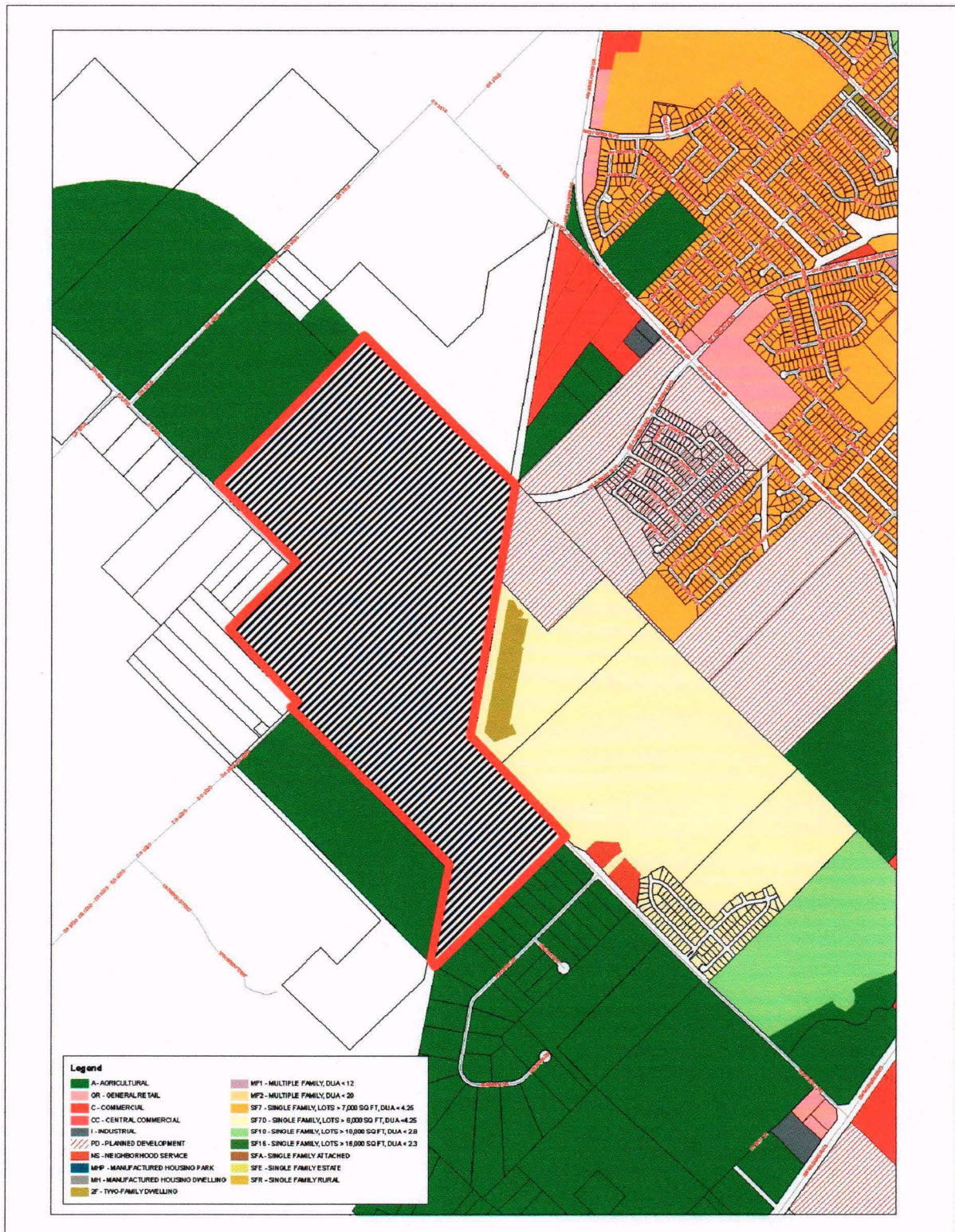


Exhibit B Metes and Bounds Description

Being approximately 373 acres of land out of the H.G. Catlett Survey, Abstract 177; the H.G. Catlett Survey, Abstract 180; the H.G. Catlett Survey, Abstract 186; and the S.M. Blair Survey, Abstract 65, and being more particularly described as follows:

BEGINNING at the east corner of Tract 12C, HG Catlett Survey, Abstract 180, said point being in the south right-of-way line of County Road 920 (Shaffstall Road);

THENCE North 45 degrees West 1,700 feet along the south right-of-way line of County Road 920 (Shaffstall Road) to a point in the east right-of-way line of the BNSF railroad;

THENCE North 9 degrees East, following the east right-of-way line of the BNSF railroad, a distance of 3,390 feet to a point in the west line of Tract 2, SM Blair Survey, Abstract 65;

THENCE North 45 degrees West, leaving the east right-of-way line of the BNSF railroad and following the common extra-territorial jurisdiction line with the City of Fort Worth, as shown on the Official City Map dated February 13, 2003, a distance of 2,720 feet to a point, said point being on a line North 43 degrees East 370 feet from the east corner of Tract 9, HG Catlett Survey, Abstract 177;

THENCE, South 43 degrees West, leaving said point a distance of 2,670, following the south line of said Tract 9, to a point in the south right-of-way line of County Road 920 (Shaffstall Road), said point being in the north line of Tract 27A, HG Catlett Survey, Abstract 186;

THENCE South 45 degrees East 1,340 feet, following the south right-of-way line of County Road 920 (Shaffstall Road) to the northwest corner of Tract 33D, HG Catlett Survey, Abstract 186;

THENCE South 43 degrees West, leaving the south right-of-way line of County Road 920 (Shaffstall Road), a distance of 1,200 feet, following the northwest line of said Tract 33D, and passing the southwest line of said Tract 33D to a point in the southwest line of Tract 36, HG Catlett Survey, Abstract 186;

THENCE South 45 degrees East, following the southwest line of said Tract 36, a distance of 1,215 feet to a point in the northwest right-of-way line of County Road 1020;

THENCE South 45 degrees West, following the northwest right-of-way line of County Road 1020, a distance of 120 feet to a point in the southeast line of Tract 37B, HG Catlett Survey, Abstract 186;

THENCE South 45 degrees East, leaving the northwest right-of-way line of County Road 1020, and following the southwest line of Tracts 11A and 11, HG Catlett Survey, Abstract 180, a distance of 2,900 feet to the northwest right-of-way line of the BNSF railroad;

THENCE South 9 degrees West, following the northwest right-of-way of the BNSF railroad, a distance of 1,200 feet to a point, said point also being the most southerly east corner of Tract 10, HG Catlett Survey, Abstract 180;

THENCE South 68 degrees East, a distance of 100 feet to a point in the southeast right-of-way line of the BNSF railroad, said point also being the most westerly corner of Lot 11, Block 1, Tantarra Estates Addition, an addition to Johnson County, Texas, as shown on the plat recorded in Volume 8, Page 368, Plat Records, Johnson County, Texas;

THENCE North 45 degrees East, following the northwest line of said Block 1, Tantarra Estates Addition, a distance of 2,270 feet to the POINT OF BEGINNING, and containing 373 acres of land, more or less.

AFFIDAVIT OF PUBLICATION

THE STATE OF TEXAS
COUNTY OF JOHNSON
CITY OF BURLESON

BEFORE ME, a notary public in and for the above named County, on this day personally appeared the person whose name is subscribed below, who having been duly sworn, says upon oath that he or she is a duly authorized officer or employee of the *Burleson Star*, which is a newspaper of general circulation in the above named County, devoting not less than 25% of its total column lineage to the carrying of items of general interest, published not less frequently than once each week, entered as periodical permit postal matter in the county where published, and having been published regularly and continuously for not less than 12 months prior to the making of any publication. The clipping attached to this Affidavit was published in said newspaper on the following date(s):

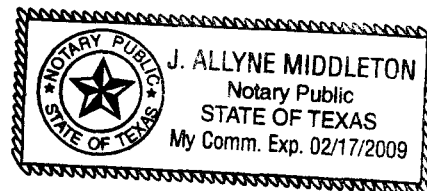
March 29 & April 2, 2006

Joe Massey

Authorized Officer or Employee

SUBSCRIBED AND SWORN TO BEFORE ME on this 30 day of March, 2006

J. Allyn Middleton
J. Allyn Middleton
Notary Public



ORDINANCE

D-065-06

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 of approximately 373 acres out of the H.G. Catlett Survey, Abstracts No. 180, 186 and 177, and the S.M. Blair Survey, Abstract 65, City of Burleson, Johnson County, Texas, from the A Agricultural District to the PD Planned Development District; making this ordinance cumulative of prior ordinances; providing for the violation of this ordinance; providing a savings clause; authorizing publication; and providing for an effective date.

Be it ordained by the City Council of the City of Burleson, Texas:

SECTION 5

PENALTY CLAUSE

Any person, firm, association of persons, company, corporation or their agents, 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 non compliance 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 V.T.C.A. 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.

Passes and Approved on this 23rd day of March, 2006.

/s/Mayor, Ken Shetter
Attest: City Secretary,
Mary Kayser

B - 3/29, 4/02 - ord D-065-06

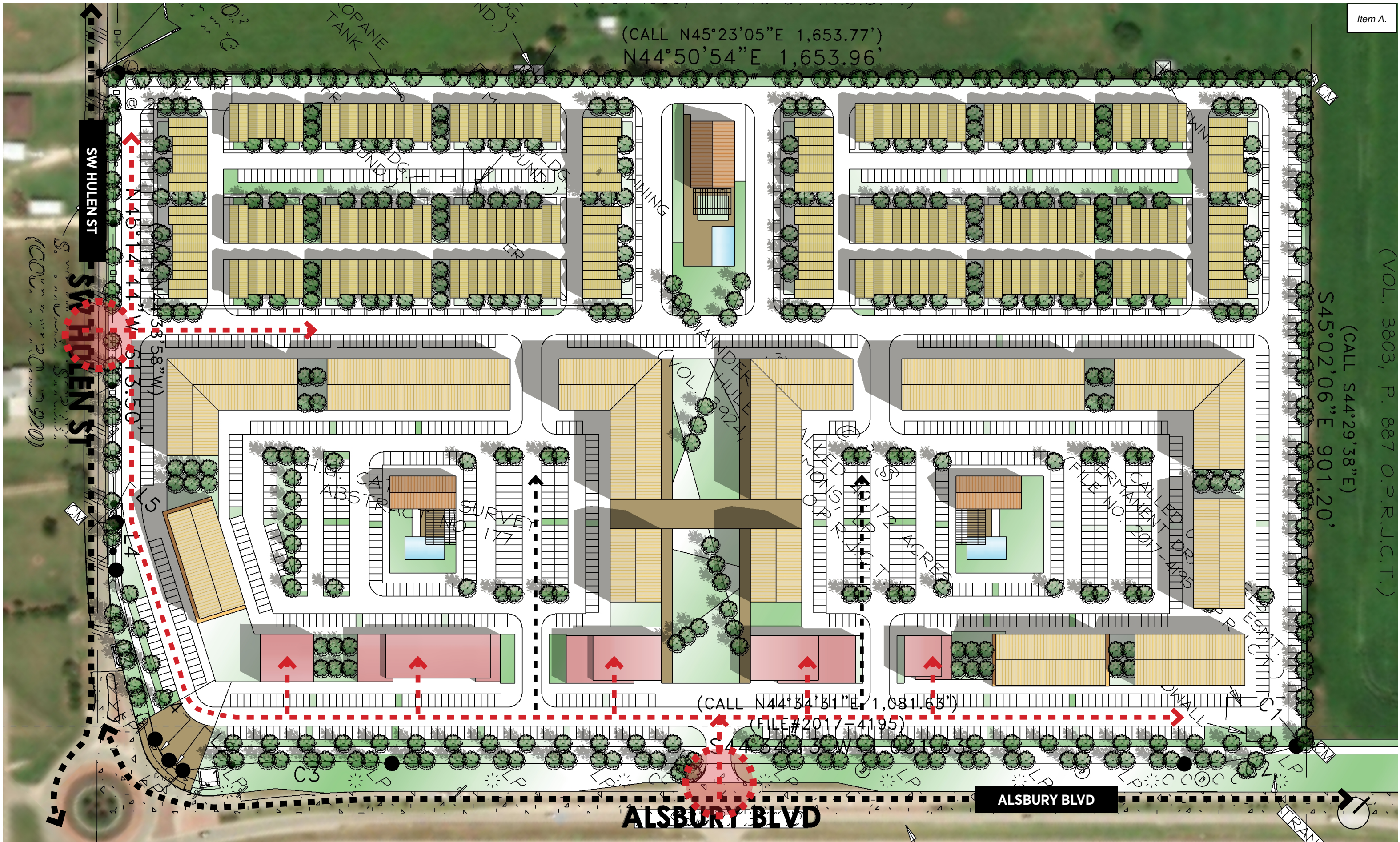


BURLESON MIXED USE

BURLESON, TEXAS

PRELIMINARY PLANNING STUDIES

04 . 15 . 2022

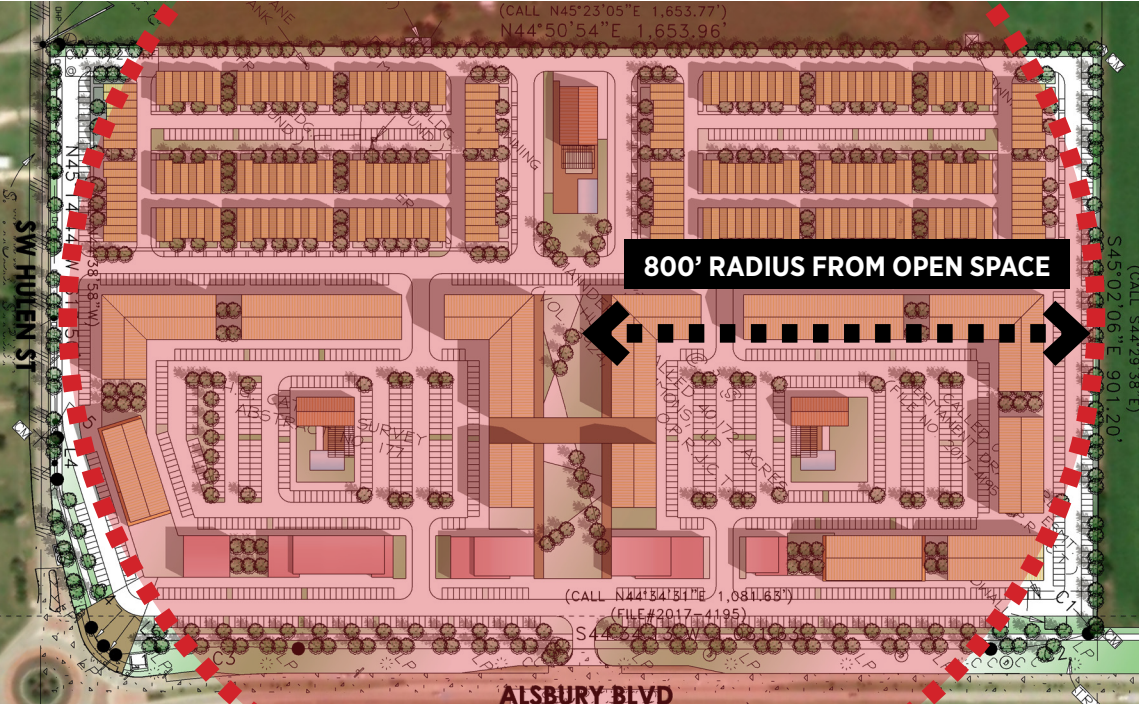
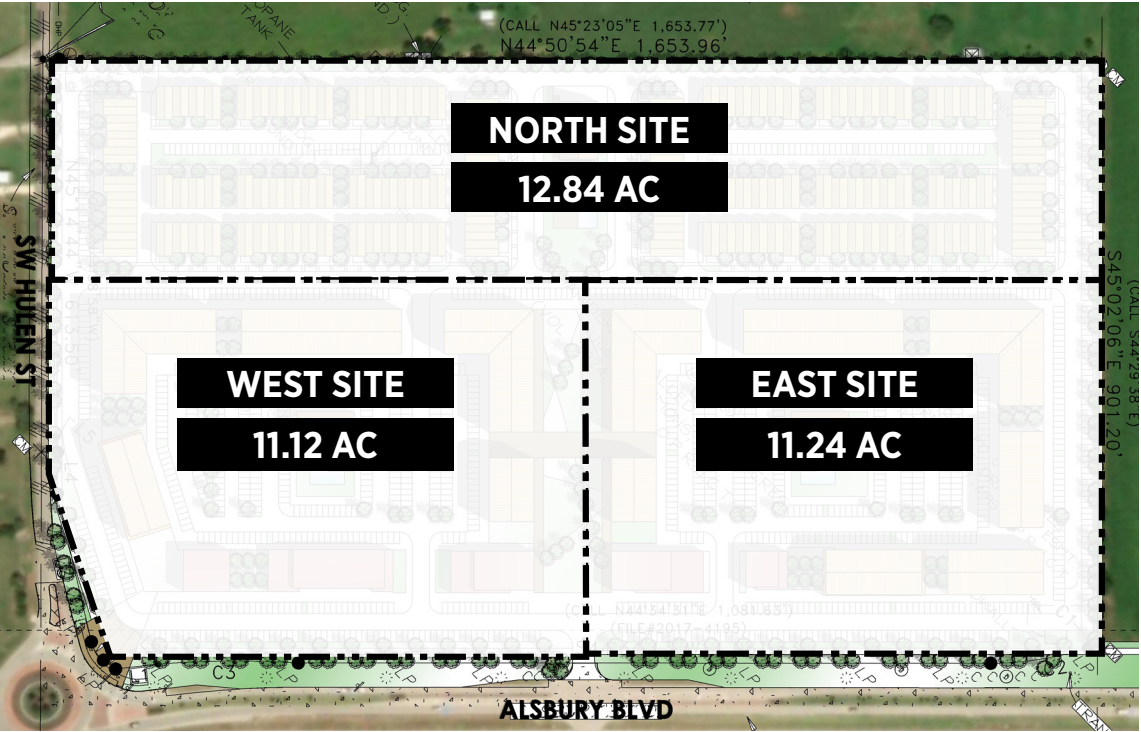








PROPOSED PLANNING



BURLESON TOD EAST RESIDENTIAL SITE	Floorplate - Gross SF	NRSF @ 83% Efficiency	Levels	Average Unit Size	# Units/ Keys	Total Gross Square Footage	Parking Ratio	Required Parking	Proposed Parking Space Count
Restaurant / Retail Total	12,500		1			12,500	7 per 1000	88	
Surface Parking									100
Leasing Office	3,400		1			3,400	3 per 1000	10	
Amenities - Fitness/Coworking (Accessory Use)	4,160		1			4,160			
Clubhouse (Accessory Use)	4,000		1			4,000			
Level 1 Multifamily	85,000	70,550	1	850	83	85,000	1.55 per Unit	129	
Level 2 Multifamily	92,000	76,360	1	850	90	92,000	1.55 per Unit	139	
Level 3 Multifamily	92,000	76,360	1	850	90	92,000	1.55 per Unit	139	
Level 4 Multifamily	92,000	76,360	1	850	90	92,000	1.55 per Unit	139	
Total					353	372,560		546	
Surface Parking									550
GRAND TOTAL				Units per Acre	31.35	385,060		644	650
				Site Square Footage	489,759				
				11.24	Acres				

BURLESON TOD WEST RESIDENTIAL SITE	Floorplate - Gross SF	NRSF @ 83% Efficiency	Levels	Average Unit Size	# Units/ Keys	Total Gross Square Footage	Parking Ratio	Required Parking	Proposed Parking Space Count
Restaurant / Retail Total	20,000		1			20,000	7 per 1000	140	
Surface Parking									140
Leasing Office	3,400		1			3,400	3 per 1000	10	
Amenities - Fitness/Coworking (Accessory Use)	4,160		1			4,160			
Clubhouse (Accessory Use)	4,000		1			4,000			
Level 1 Multifamily	62,000	51,460	1	850	61	62,000	1.55 per Unit	94	
Level 2 Multifamily	69,000	57,270	1	850	67	69,000	1.55 per Unit	104	
Level 3 Multifamily	69,000	57,270	1	850	67	69,000	1.55 per Unit	104	
Level 4 Multifamily	69,000	57,270	1	850	67	69,000	1.55 per Unit	104	
Total					263	280,560		407	
Surface Parking									435
GRAND TOTAL				Units per Acre	23.61	300,560		557	575
				Site Square Footage	484,555				
				11.12	Acres				

BURLESON TOD NORTH RESIDENTIAL SITE	Floorplate - Gross SF	NRSF @ 83% Efficiency	Levels	Average Unit Size	# Units/ Keys	Total Gross Square Footage	Parking Ratio	Required Parking	Proposed Parking Space Count
Amenity/Clubhouse	5,500		1			5,500			
East Townhomes	84,150		2	2,550	66	168,300	1.55 per Unit	102	
West Townhomes	84,150		2	2,550	66	168,300	1.55 per Unit	102	
Total					132	336,600		205	
Surface Parking									210
Garage Parking in Townhome									132
GRAND TOTAL				Units per Acre	10.28	342,100		205	342
				Site Square Footage	559,271				
				12.84	Acres				

TOTAL ACRES	TOTAL UNITS	TOTAL UNITS/ACRE	TOTAL PARKING REQUIRED	TOTAL PROPOSED (APROX)
35.21	747	21.22	1,406	1,567

Planning & Zoning Commission Meeting

DEPARTMENT: Development Services
FROM: Lidon Pearce, Senior Planner
MEETING: June 28, 2022

SUBJECT:

8121 CR 1016Z (Case 22-062): Hold a public hearing and consider a zoning change request from "A" Agricultural, to "C" Commercial, to allow for future commercial development.

SUMMARY:

On May 2, 2022, an application was submitted by Richard and Teri Kahler (owners) to rezone approximately 1.5 acres from "A" Agricultural, to "C" Commercial for future commercial development.

Planning Analysis

The site is located adjacent to Chisholm Trail Parkway and currently has a commercial structure that was built prior to the property being involuntarily annexed into the City of Burleson in 2016. If the zoning request is approved, a septic system installation and subsequent building inspections will be required prior to the issuance of any certificate of occupancy.

Zoning and Land Use Table:

	Zoning	Use
Subject Site	A, Agricultural	Commercial building
North	A, Agricultural	Undeveloped
East	A, Agricultural	Undeveloped
South	SP, Site Plan	Light Manufacturing (Ord. C-723-12)
West	Chisholm Trail Parkway	Tollway

This site is designated in the Comprehensive Plan as Chisholm Trail Corridor. Land uses along the Chisholm Trail Corridor should be primarily nonresidential, with the primary use being large-scale professional campuses, such as office parks or medical centers. Complementary large-scale retail will also be appropriate. Commercial and General Retail are both listed as appropriate corresponding zoning districts for this area.

Traffic:

The proposal as presented does not warrant a traffic impact analysis (TIA).

Utilities/ Drainage:

Though the property is within City Limits, no sanitary sewer facility is available, therefore it will require an onsite sewage facility (Septic). Any development greater than 1 acre is required to analyze whether detention of stormwater is required. At this time there is no development associated with this zoning case.

OPTIONS:

- 1) Recommend approval of the zoning change request; or
- 2) Recommend denial of the zoning change request.

RECOMMENDATION:

Approval of a zoning change request from "A" Agricultural, to "C" Commercial, to allow for future commercial development (Case 22-062).

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

June 20, 2016 – City Council conducted final reading of the annexation.

PUBLIC NOTIFICATION:

In accordance with City ordinances and State law, notice of the proposed zone change for this property was mailed to surrounding property owners within 300 feet of the site and published in the newspaper.

At this time there have been no inquiries regarding this case.

FISCAL IMPACT:

None

STAFF CONTACT:

Lidon Pearce
Senior Planner
lpearce@burlesontx.com
817-426-9649

8121 CR 1016z ZC

Location:

- 8121 CR 1016Z

Applicant:

Richard & Teri Kahler (Owner)

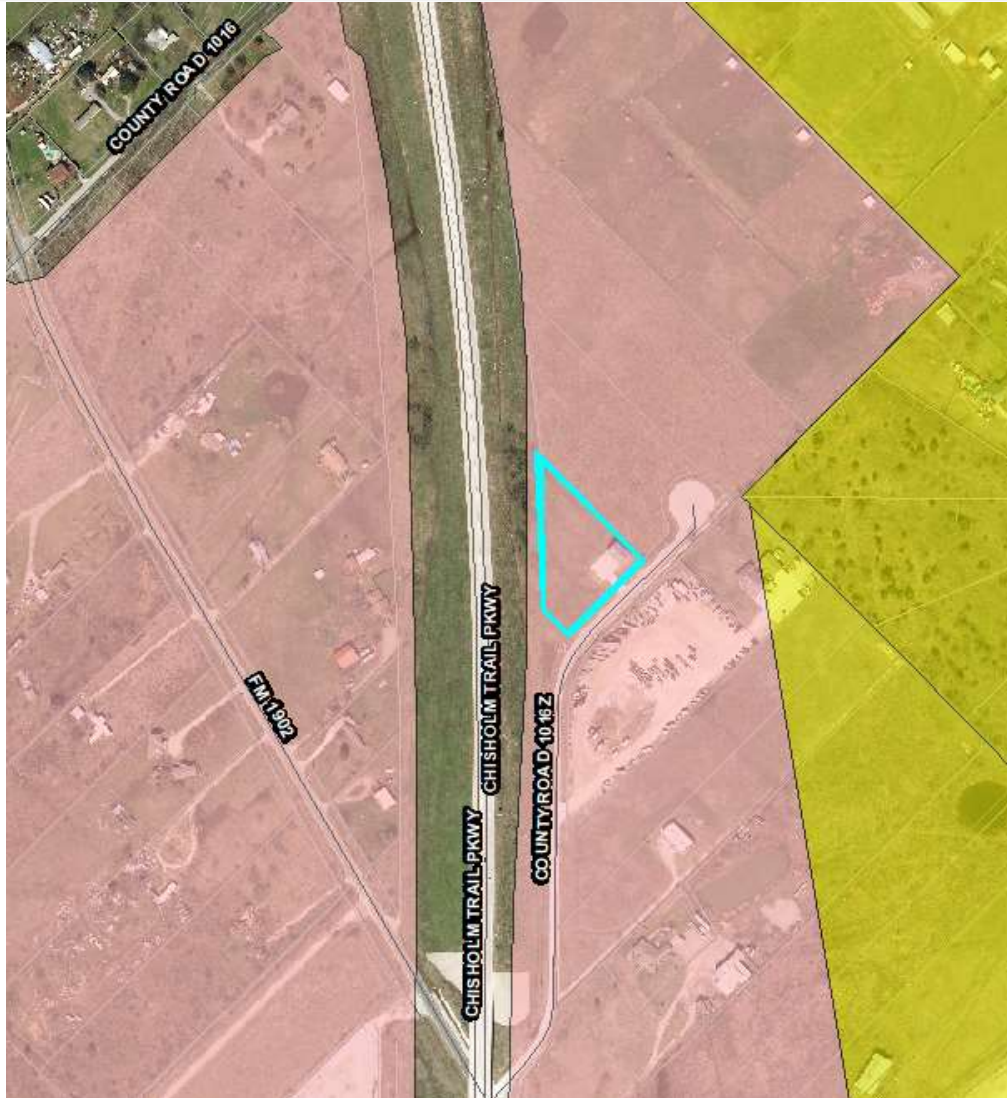
Item for approval:

Zoning change from A, Agriculture to C, Commercial



Comprehensive Plan

Chisholm Trail Corridor



Current Zoning

Item B.

Agricultural



8121 CR 1016z ZC

Traffic:

- The proposal as presented does not warrant a traffic impact analysis (TIA).

Utilities/ Drainage:

- Though the property is within City Limits, no sanitary sewer facility is available therefore it will require and OSSF (Septic).
- Any development greater than 1 acre is required to analyze if detention of stormwater is necessary. At this time there is no development with this zoning case.

8121 CR 1016z ZC

Public Hearing Notice Public notices mailed to property owners within 300 feet of subject property.

Published in newspaper
Signs Posted on the property

Staff has received no inquiries concerning this request.



Item B.

Legend

- 300 ft. Buffer
- Subject Property
- Properties within 300 ft.
- Burleson

8121 CR 1016z ZC

Staff's Recommendation

Staff recommends approval of the zoning change request form A, Agriculture to C, Commercial.

- Request is consistent with the goals and policies of the Comprehensive Plan
- Commercial building existed prior to annexation
- Approval of zoning request will allow for future commercial development



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 1.544 ACRE TRACT OF LAND ADDRESSED AS 8121 COUNTY ROAD 1016Z, AND BEING A PORTION OF LOT 12, SITUATED IN THE JOHN FOSTER SURVEY, ABSTRACT NO. 276, OFFICIAL PUBLIC RECORDSM JOHNSON COUNTY, TEXAS, FROM A, AGRICULTURAL DISTRICT TO C, COMMERCIAL 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, 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, an application for a zoning change was filed by Richard & Teri Kahler on May 2, 2022 under Case Number 22-062; and

WHEREAS, the City of Burleson has complied with the notification requirements of the Texas Local Government Code and the Burleson Zoning Ordinance; and

WHEREAS, the City Council and Planning and Zoning Commission have held a public hearing and the Planning and Zoning Commission has made a recommendation on the proposed zoning amendment; and

WHEREAS, the City Council has determined that the proposed zoning ordinance amendment is in the best interest of the City of Burleson.

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

WHEREAS, the City Council 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 to the Code of Ordinances of the City of Burleson.

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

Section 1

The Official Zoning Map is hereby amended insofar as it relates to certain land described as approximately 1.544 acre tract of land addressed as 8121 County Road 1016Z, and being a portion of Lot 12, situated in the John Foster Survey, Abstract No. 276, official public records, Johnson County Texas, shown on Exhibit A, from A, Agricultural District to C, Commercial District.

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



Planning & Zoning Commission Meeting

DEPARTMENT: Development Services
FROM: Lidon Pearce, Senior Planner
MEETING: June 28, 2022

SUBJECT:

3936 S Burleson (Case 22-043): Hold a public hearing and consider a zoning change request from "A", Agricultural, to "PD" Planned Development district for future industrial development.

SUMMARY:

On March 21, 2022, an application was submitted by Jeff Landon with Kimley-Horn on behalf of Charles Ezell (Owner) to rezone approximately 73.72 acres from "A" Agricultural to "I" Industrial with a specific use permit for a proposed industrial development. After further staff review and discussions with the applicant, the request was modified to "PD" Planned Development.

Planning Analysis

The proposed development will be speculative distribution warehouses for a mixture of potential commercial and industrial uses. The site is currently zoned A, Agriculture and is located in the IH-35 overlay district. The "PD" Planned Development requires the applicant to develop the site in accordance with all current "I", Industrial, and IH35 design standards. Additionally, the PD allows the additional use of a contractor's office with a screened storage yard and prohibits sexually oriented businesses and auto salvage yards which would be allowed by right with traditional "I", Industrial zoning. If the zoning request is approved, the applicant will be required to plat the property and submit a Commercial Site Plan (CSP) for Planning and Zoning Commission recommendation and City Council consideration.

Zoning and Land Use Table

	Zoning	Use
Subject Site	A, Agricultural	Undeveloped
North	A, Agricultural and ETJ	Undeveloped and residential (ETJ)
East	IH-35	Interstate
South	A, Agricultural	Industrial
West	A, Agricultural	Undeveloped, gas well



Exhibit A. (Location and surrounding zoning)

This site is designated in the Comprehensive Plan as Employment Growth Center.

This land use category should incorporate a mix of low and medium density industrial buildings and yards that have ample parking and loading for cars and trucks. Sites should have quality road access with wide street lanes and large intersections. Buildings and screening materials for outdoor storage should be of a quality that is reflective of Burleson and protects our image as seen from the IH-35W gateway. Industries should have upward mobility as well as potential for skilled workers to include logistics and warehousing.

Staff's determination is that the current proposal will meet the intent of the Comprehensive Plan designation.

Traffic:

The site will be accessed from the IH-35 service road and will require TxDOT approval.

Utilities/ Drainage:

There is no city sewer available to this site and the city does not currently have any projects identified on the CIP plan to extend sewer. The applicant will be required to install a sewage treatment facility or O.S.S.F.

Water is provided by Bethany.

Detention of storm water is required for any development greater than 1 acre; it will be evaluated with the plat submittal.

OPTIONS:

- 1) Recommend approval of the zoning change request; or
- 2) Recommend approval of the zoning change request with additional or modified conditions; or
- 3) Recommend denial of the zoning change request.

RECOMMENDATION:

Staff recommends approval of the zoning change request from "A" Agriculture, to "PD", Planned Development district.

PUBLIC NOTIFICATION:

Notice was mailed to surrounding property owners within 300 feet of the acreage proposed for this zone change and published in the newspaper in accordance with City ordinances and State law. In addition, a sign was placed on the subject property.

At this time there have been no formal opposition regarding this case.

FISCAL IMPACT:

None

STAFF CONTACT:

Lidon Pearce

Senior Planner

lpearce@burlesontx.com

817-426-9649

3936 S Burleson ZC

Item C.

Location:

- 3936 S Burleson

Applicant:

Jeff Landon (applicant)

Charles Ezell (owner)

Item for approval:

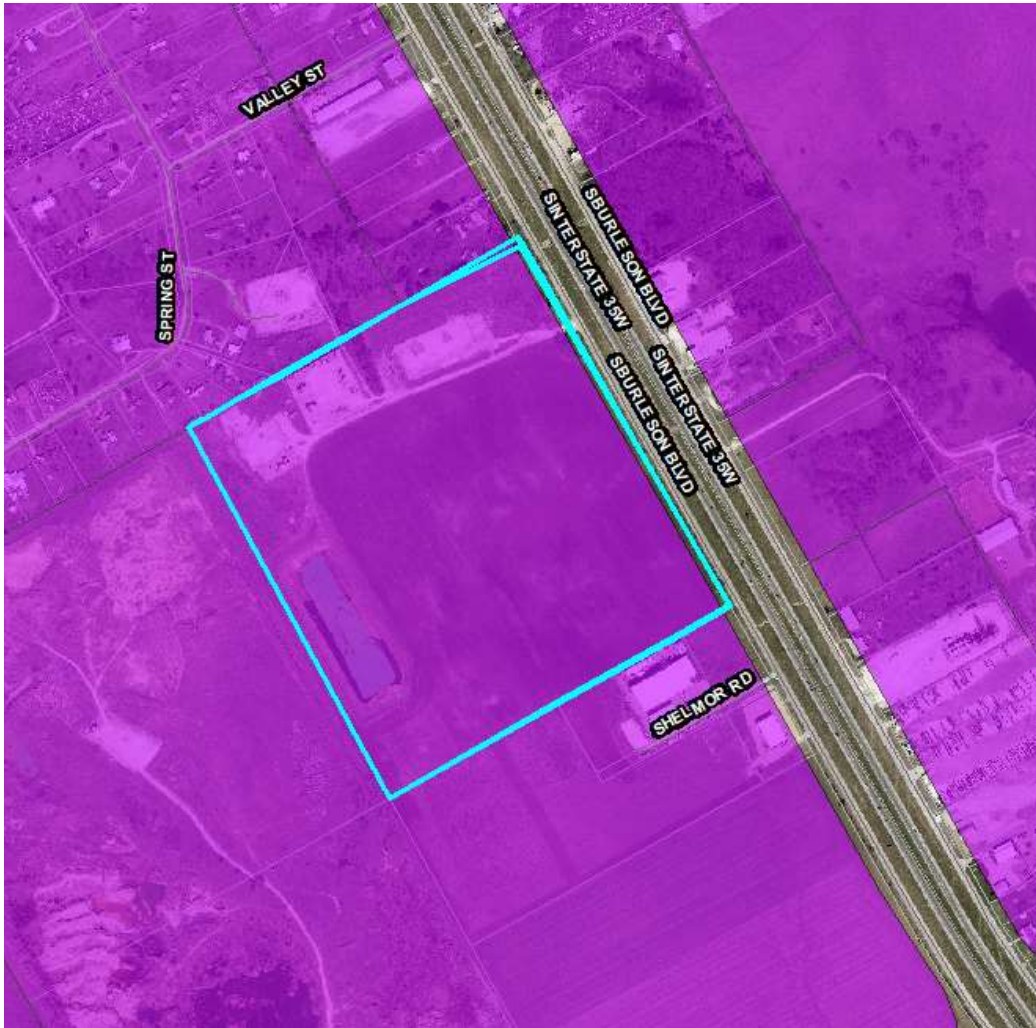
Zoning Change (Case 22-043).

- A, Agriculture to PD, Planned Development



Comprehensive Plan

Employment Growth Center



Current Zoning

Agricultural



Planned Development Specifics

- The PD requires conformance with all current "I", Industrial and IH-35 design standards (setbacks, landscaping, etc.)
- Allows the by-right land uses in the Industrial zoning district as well as the IH-35 overlay, in addition to a contractor's office with screened storage (required by Specific Use Permit in IH-35 overlay).
- The following Industrial zoning district uses are strictly prohibited by the PD:
 1. Sexually Oriented Businesses (SOBs)
 2. Auto salvage yards

3936 S Burleson ZC

Traffic:

- The site will be accessed from the IH-35 service road and will require TxDOT approval.

Utilities/ Drainage:

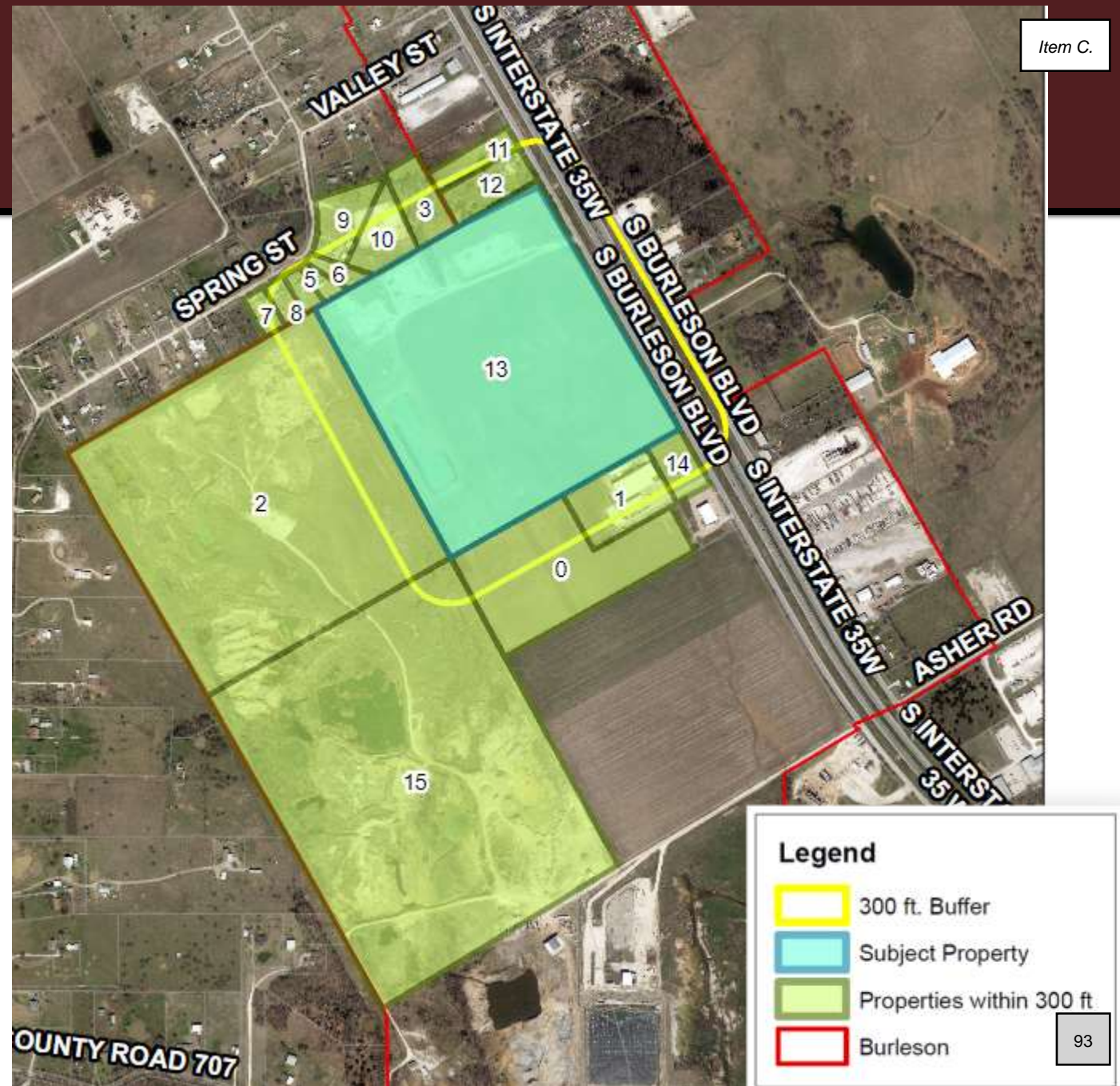
- There is no city sewer available to this site and the city does not currently have any projects identified on the CIP plan to extend sewer. The applicant will be required to install a sewage treatment facility or O.S.S.F.
- Water is provided by Bethany.
- Detention of storm water is required for any development greater than 1 acre; it will be evaluated with the plat submittal.

3936 S Burleson

Public Hearing Notice Public notices mailed to property owners within 300 feet of subject property.

Published in newspaper
Signs Posted on the property

Staff has received no inquiries concerning this request.



3936 S Burleson

Item C.

Staff's Recommendation

Staff recommends approval of the zoning change request to PD, Planned Development.

- PD is consistent with the goals and policies of the Comprehensive Plan; and
- Requires conformance with all "I", Industrial and IH35 design standards;
- Prohibits SOBs and auto salvage yards.



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 73.72 ACRE TRACT OF LAND ADDRESSED AS 3936 SOUTH BURLESON BLVD, AND BEING SITUATED IN THE ISSAC SAUNDERS SURVEY, ABSTRACT NO. 800, CONVEYED BY DEED, AS RECORDED IN VOLUME 1390, PAGE 397, OFFICIAL PUBLIC RECORDS, JOHNSON COUNTY TEXAS, FROM A, AGRICULTURAL DISTRICT 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, 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, an application for a zoning change was filed by Charles Ezell on March 21, 2022 under Case Number 22-043; and

WHEREAS, the City of Burleson has complied with the notification requirements of the Texas Local Government Code and the Burleson Zoning Ordinance; and

WHEREAS, the City Council and Planning and Zoning Commission have held a public hearing and the Planning and Zoning Commission has made a recommendation on the proposed zoning amendment; and

WHEREAS, the City Council has determined that the proposed zoning ordinance amendment is in the best interest of the City of Burleson.

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

WHEREAS, the City Council 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 to the Code of Ordinances of the City of Burleson.

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

Section 1

The Official Zoning Map is hereby amended insofar as it relates to certain land described as approximately 73.72 acre tract or parcel of land situated in the Isaac Saunders survey, Abstract No. 800, conveyed by deed, as recorded in Volume 1390, Page 397, official public records, Johnson County Texas, shown on Exhibit A, attached hereto and incorporated herein by reference for all purposes, from A, Agricultural District to PD, Planned Development District, the use and development of which shall be subject to the development standards, conditions, and restrictions set forth in Section 2 and the Conceptual Site Plan set forth in Exhibit B, attached hereto and incorporated herein by reference for all purposes.

Section 2.

The Planned Development district, as defined by Exhibit A, shall be subject to the following conditions:

1. GENERAL

- a. This property is subject to all the regulations contained in the City of Burleson development codes, except where amended by this Ordinance.

2. PERMITTED LAND USES

Except as otherwise provided herein, land uses shall be permitted within this PD district shown on Exhibit A and are limited to Industrial district (I) and uses permitted within the IH35 overlay district as defined by the City of Burleson Zoning Ordinance. Additionally, a contractor's office with screened outside storage is permitted within the PD district shown on Exhibit A. Except as otherwise provided herein, use and development of the property shall be in accordance with the Industrial district and IH35 design standards.

3. PROHIBIT LAND USES

The following land uses are prohibited within the PD district shown on Exhibit A:

- (i) Sexually Oriented Businesses; and
- (ii) Auto Salvage Yards.

4. COCEPTUAL SITE PLAN

No building permits for any additional structures or uses within this PD district shall be approved except by a subsequent amendment to this ordinance approved by the City Council in accordance with the procedures and requirements of the City of Burleson Zoning Ordinance. A conceptual site plan is included as Exhibit B within this ordinance.

5. GENERAL DEVELOPMENT CRITERIA

No building permits for any additional structures or parking shall be approved except by a subsequent amendment to this ordinance approved by the City Council in accordance with the procedures and requirements of the City of Burleson Zoning Ordinance. A conceptual site plan is included as Exhibit B within this ordinance.

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 & LEGALITY:

Amanda Campos, City Secretary

E. Allen Taylor, Jr., City Attorney

Exhibit A

FIRST TRACT:

A PART OF THE ISAAC SAUNDERS SURVEY IN JOHNSON COUNTY, TEXAS:

AND BEGINNING AT A STAKE, THE SOUTHEAST CORNER OF THE 200 ACRE TRACT HERETOFORE CONVEYED BY J. A. EASTERWOOD TO J. T. CARTER, SEPT. 10, 1892;

THENCE S. 6 W, WITH THE NORTH BOUNDARY LINE THEREOF, 1344 VRS. TO A STAKE, THE SOUTHWEST CORNER OF THE HEREBY CONVEYED;

THENCE N. 30 W., 420.1 VRS. TO A STAKE FOR THE NORTHWEST CORNER OF THIS TRACT;

THENCE N. 60 E., 1344 VRS. TO A STAKE IN THE EAST BOUNDARY LINE OF SAID 200 ACRE TRACT, FOR THE NORTHEAST CORNER OF THIS TRACT;

THENCE S. 30 E. WITH SAID LINE, 420.1 VRS. TO THE PLACE OF BEGINNING AND CONTAINING 100 ACRES OF LAND, AND BEING THE SAME TRACT CONVEYED BY JAS. E. HOLMES, ET AL, TO JOHN EZELL, DATED OCT., BY DEED OF RECORD IN VOL. 129, PAGE 213, DEED RECORDS OF JOHNSON COUNTY, TEXAS, TO WHICH REFERENCE IS HERE MADE.

SECOND TRACT:

A PART OF THE ISAAC SAUNDERS SURVEY, JOHNSON COUNTY;

AND BEGINNING AT A STONE MOUND IN THE CENTER OF THE NORTH LINE OF SAID SURVEY, AT THE NORTHWEST CORNER OF 210 ACRES FORMERLY OWNED BY JAS. EASTERWOOD;

THENCE S. 30 E., PASSING THE SOUTHWEST CORNER OF SAID EASTERWOOD'S 210 ACRE TRACT AT 883 VRS. IN ALL 923 VRS. TO A STONE MOUND, THE NORTHEAST CORNER OF A 100 ACRE TRACT CONVEYED TO SAID EASTERWOOD BY J. W. MYERS;

THENCE 2. 60 W., 734 VRS. TO A STONE MOUND IN THE NORTH LINE OF SAID 100 ACRE TRACT;

THENCE N. 30 W., 923 VRS. TO STONE MOUND IN THE NORTH LINE OF THE ORIGINAL SURVEY;

THENCE N. 60 E., 734 VRS. TO THE BEGINNING; CONTAINING 120 ACRES OF LAND, AND BEING THE SAME TRACT CONVEYED BY JOHN W. MYERS, ET AL TO J. J. MCGEE, NOV. 2, 1886, BY DEED OF RECORD IN VOL. 34, PAGE 426, DEED RECORDS OF JOHNSON COUNTY, TEXAS, TO WHICH REFERENCE IS HERE MADE.

THIRD TRACT:

A PART OF THE ISAAC SAUNDERS SURVEY IN JOHNSON COUNTY, TEXAS;

AND BEGINNING AT A STAKE IN THE WEST BOUNDARY LINE OF THE SURVEY, THE NORTHWEST CORNER OF 320 ACRES SET OFF BY COURT ORDER TO J. A. EASTERWOOD;

THENCE N. 60 E., WITH THE NORTH BOUNDARY LINE THEREOF, 1344 VRS. TO THE NORTHEAST CORNER OF THE SAME;

THENCE N. 30 W., 420.1 VRS. TO A STAKE;

THENCE S. 60 W., 1344 VRS. TO A STAKE IN THE WEST BOUNDARY LINE OF THE SANDERS SURVEY;

THENCE S. 30 E., 420.1 VRS. WITH SAID WEST BOUNDARY LINE TO THE PLACE OF BEGINNING;

AND CONTAINING 100 ACRES OF LAND, AND BEING THE SAME TRACT CONVEYED BY C. A. ANDERSON ET AL TO JOHN EZELL NOV. 14, 1924, BY DEED OF RECORD IN VOL. 246, PAGE 305, DEED RECORDS OF JOHNSON COUNTY, TEXAS, TO WHICH REFERENCE IS HERE MADE FOR FURTHER DESCRIPTION THEREOF.

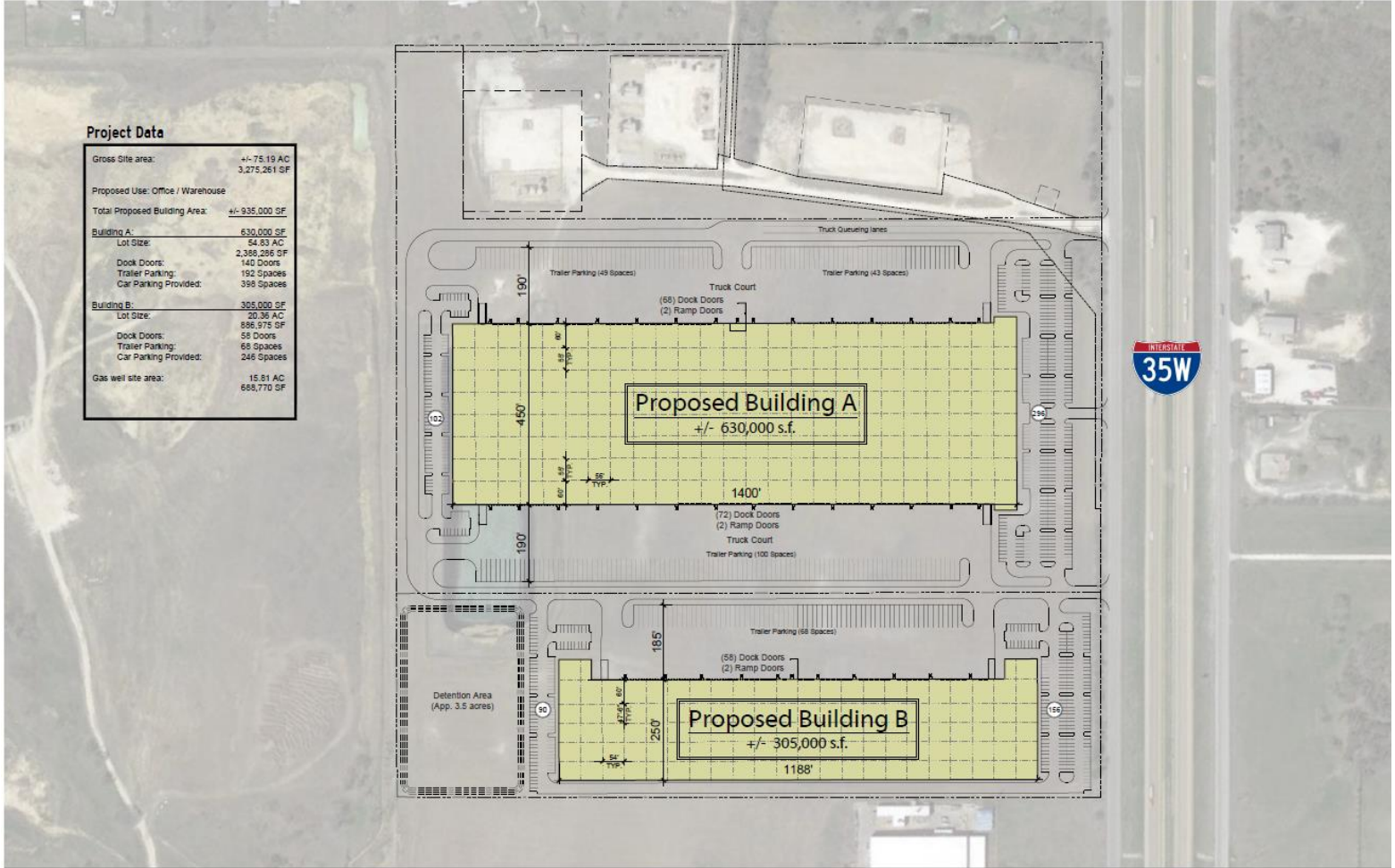
NOTE: COMPANY DOES NOT REPRESENT THAT THE ABOVE ACREAGE AND/OR SQUARE FOOTAGE CALCULATIONS ARE CORRECT.

SAVE AND EXCEPT that portion of land conveyed to Spring Valley, Inc. in Warranty Deed (with Vendor's Lien), dated May 30, 1979, filed June 1, 1979, and recorded in Volume 798, Page 495, Real Property Records, Johnson County, Texas

SAVE AND EXCEPT that portion of land conveyed to Edward L. Bourne and wife, Angela Bourne in Warranty Deed (with Vendor's Lien) dated May 25, 1979, filed June 1, 1979, and recorded in Volume 798, Page 500, Real Property Records, Johnson County, Texas.

SAVE AND EXCEPT that portion of land conveyed to John Patrick Culpepper, dated February 15, 1999, filed February 18, 1999, and recorded in Volume 2293, Page 605, Real Property Records, Johnson County, Texas.

Exhibit B “Conceptual Site Plan”



Hunt Southwest

Burleson site

Preliminary Site Plan
Burleson, TX | RBA PROJECT 22029 | 6/6/2022