



Planning & Zoning Commission Agenda

Tuesday, September 26, 2023
6:00 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. Consider approval of the minutes from September 12, 2023 Planning & Zoning Commission meeting.

4. **PUBLIC HEARING**

A. KIA Dealership at 1233 Tarver Rd (Case 23-074): Hold a public hearing and consider an ordinance for a commercial site plan with waivers, and a zoning change request from "A", Agricultural, to "C" Commercial with a SUP, Specific Use Permit, allowing "Automobile sales" in specific plan area 3, "Hidden Creek Development Center" of the IH-35 Overlay district. *(Staff Presenter: Lidon Pearce, Senior Planner)*

B. Basden Storage at 755 E Renfro St (Case 23-010): Hold a public hearing and consider an ordinance for a commercial site plan with waivers, and a SUP, Specific Use Permit, allowing

"Mini-warehouse" in the C, Commercial Zoning District and specific plan area 1, "Spinks" of the IH35 Overlay district. (Staff Presenter: JP Ducay, Senior Planner)

5. **REPORTS AND PRESENTATIONS**

6. **COMMUNITY INTERESTS 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**

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

- A. **Pending or contemplated litigation or to seek the advice of the City Attorney pursuant to Section 551.071, Texas Government Code**
- B. **Discussion regarding possible purchase, exchange, lease, or value of real property pursuant to Section 551.072, Texas Government Code**
- C. **Deliberation regarding a negotiated contract for a prospective gift or donation to the state or the governmental body Pursuant to Section 551.073, Texas Government Code**
- D. **Personnel matters pursuant to Section 551.074, Texas Government Code**
- E. **Deliberation regarding (1) the deployment, or specific occasions for implementation of security personnel or devices; or (2) a security audit Pursuant to Sec. 551.076, Texas Government Code**
- F. **Deliberation regarding commercial or financial information received from or the offer of a financial or other incentive made to a business prospect seeking to locate, stay or expand in or near the territory of the City and with which the City is conducting economic development negotiations pursuant to Section 551.087, Texas Government Code**
- G. **Pursuant to Sec. 418.183(f), Texas Government Code, deliberation of information related to managing emergencies and disasters including those caused by terroristic acts (must be tape recorded)**

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 22nd of September 2023, by 5:00 p.m., on the official bulletin board at the Burleson City Hall, 141 W. Renfro, Burleson, Texas.



Amanda Campos

City Secretary

ACCESSIBILITY STATEMENT

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



Department Memo

Planning & Zoning Commission Meeting

DEPARTMENT: Development Services

FROM: Peggy Fisher, Administrative Assistant Sr.

MEETING: September 26, 2023

SUBJECT:

Approve the minutes from September 12, 2023 Regular Session of the Planning & Zoning Commission meeting.

SUMMARY:

Minutes from the September 12, 2023 Regular Session of the Planning & Zoning Commission meeting.

OPTIONS:

Approve as presented

RECOMMENDATION:

Approve the minutes from the September 12, 2023 Regular Session of the Planning & Zoning Commission meeting.

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

None

FISCAL IMPACT:

None

STAFF CONTACT:

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

PLANNING AND ZONING COMMISSION

September 12, 2023
MINUTES

Roll Call

Commissioners Present

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

Commissioners Absent

Michael Kurmes

Staff

Matt Ribitzki, City Attorney
Emilio Sanchez, Assistant Director Development Services
Jerald Ducay, Senior Planner
Peggy Fisher, Administrative Assistant

REGULAR SESSION

1. Call to Order – 6:02 PM

Invocation – David Hadley

Pledge of Allegiance

2. Citizen Appearance

None

3. Consent Agenda

- A.** Consider approval of the minutes from August 15, 2023 Planning and Zoning Regular Commission meeting. (Staff Contact: Tony McIlwain, Director Development Services).
- B.** Preliminary Plat extension for High Country: Approve a 24-month extension to the preliminary plat for High Country, Lots 1X, 78X, 1-78, Block 1; Lots 1-

20, Block 2; Lots 1-25, Block 3; Lots 1X, 1-26, Block 4; Lots 1X, 1-29, Block 5; Lots 1-20, Block 6, Lots 1-20, Block 7; and Lot 1X, Block 8 located approximately at 342 Landview Dr within the City of Burleson (*Staff Presenter: Lidon Pearce, Senior Planner*)

- C. Final Plat of 530B Addition (Case 23-049): Consider approval of a final plat for 530B Addition, Lots 1,2, and 3, Block 1, located at 3201 CR 530B. (*Staff Presenter: Lidon Pearce, Senior Planner*)
- D. Shannon Creek Phase 2; Lots 1-8, Block 12, Lots 10-19, Block 3, Lots 1-3 & 5-16, Block 5 (Case 22-021): Consider approval of a final plat for Lots 1-8, Block 12, Lots 10-19, Block 3, Lots 1-3 and 5-16, Block 5 of the Shannon Creek Phase 2 Development (*Staff Presenter: JP Ducay, Senior Planner*)

Motion made by Commissioner Todd Hulsey and second by Commissioner Bill Janusch to approve the consent agenda.

Motion passed, 8-0. Commissioner Michael Kurmes was absent.

4. Public Hearing

- A. **255 Centre Dr (Case 22-167):** Hold a public hearing and consider approval of an ordinance for a zoning change request from "A", Agricultural to "I", Industrial for a 0.35 acre portion of 255 Centre Dr. (*Staff Presenter: JP Ducay, Senior Planner*)

JP Ducay presented the case to the Commission, reviewed the staff report, and answered questions from the Commission.

Commission Chairman Michael Tune opened the public hearing at 6:08 p.m.

Commission Chairman Michael Tune closed the public hearing at 6:09 p.m.

Motion made by Commissioner Clint Faram and second by Commissioner Todd Hulsey to approve.

Motion passed, 8-0. Commissioner Michael Kurmes was absent

5. Reports and Presentations

- A. **Liquid Stone Concrete at 255 Centre Dr (Case 22-165):** Consider a resolution for a site plan of Liquid Stone Concrete located at 255 Centre Dr. (*Staff Presenter: JP Ducay, Senior Planner*)

JP Ducay presented the case to the Commission, reviewed the staff report, and answered questions from the Commission.

Motion made by Commissioner Bill Janusch and second by Commissioner Clint Faram to approve.

Jason Burghart, applicant, 8601 CR 519, answered questions from the commissioners regarding this item.

Motion passed, 8-0. Commissioner Michael Kurmes was absent

6. Community Interest Items

None

7. 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.**

8. Adjourn

There being no further business Chair Michael Tune adjourned the meeting.
Time – 6:24PM

Peggy Fisher
Administrative Assistant
Recording Secretary

Planning & Zoning Commission Meeting

DEPARTMENT: Development Services

FROM: Lidon Pearce, Senior Planner

MEETING: September 26, 2023

SUBJECT:

KIA Dealership at 1233 Tarver Rd (Case 23-074): Hold a public hearing and consider an ordinance for a commercial site plan with waivers, and a zoning change request from "A", Agricultural, to "C" Commercial with a SUP, Specific Use Permit, allowing "Automobile sales" in specific plan area 3, "Hidden Creek Development Center" of the IH-35 Overlay district. (Staff Presenter: Lidon Pearce, Senior Planner)

SUMMARY:

On June 12, 2023, an application was submitted by John Hamilton with Manhard Consulting, on behalf of International Autos KIA for a zoning change request of approximately 11.999 acres with a SUP for automobile sales for a KIA dealership. Subsequently the commercial site plan, which is required to be part of the adopted ordinance for an SUP, was submitted on July 10, 2023. On August 21, 2023, the applicant submitted a request for three waivers to the IH-35 Design Standards as a result of staff comments related to the site plan review.

Article V Supplemental Regulations, Section 130-105 (b): Application for a specific use permit may be made by any property owner or other person having a proprietary interest in the property for which a specific use permit is requested by filing an application on the forms provided by the city and paying the established fee. The application shall be accompanied by a site plan drawn to scale and showing the elements indicated in section 131, site plan requirements, when required by conditions of the specific use permit. The site plan shall be considered and filed as part of the ordinance, and if approved, filed prior to the issuance of a building permit.

Development Overview:

The property is located within IH-35 specific plan area 3, which requires an SUP for automobile sales. The uses and site development will occur in accordance with City of Burleson Code of Ordinances, "C", Commercial district zoning, and IH-35 design standards. The applicant has concurrently submitted a commercial site plan (attached as Exhibit 4) as required to be part of the adopted ordinance for SUP zoning requests. Additionally, the applicant has request two waivers to the IH-35 design standards and one waiver to the general landscaping requirements. The applicant's justification for the requested waivers is attached as Exhibit 5.

Site Plan Overview

Site Conformance Table

<u>Required</u>	<u>Staff's Findings</u>
<u>Lot Size, Coverage and Setbacks</u> Specific lot information as shown on site plan	Site plan is in compliance with all development regulations with the exception of the requested waiver to the IH-35 design standards for parking in the front yard setback.
<u>Landscaping –</u> 20% of Total Site shall be landscaped: 104,788 SF 40% of Total required in front yard: 41,915 SF Minimum 1 acre green space (IH35 area 3)	Landscaping proposed: 26.73% (140,055 SF) Waiver requested: 18,245 SF provided Waiver requested
<u>Parking Requirement –</u> 1 space per 200 SF (retail): 156 spaces 1 space per 500 SF (service): 32 spaces 9 ADA spaces	<u>Complies.</u> Parking provided: 156 spaces Parking provided: 32 spaces ADA spaces: 9 spaces

Site plan and landscaping exhibits are attached as Exhibit 4.

Waivers requested:

Appendix C Urban Design Standards, Article V section 5-52(o)(2): There shall be no off street parking between the principal address of the building and the street unless the city manager or his or her designee approves an alternative design. *(note: this requires City Council action only)*

- *Staff supports the waiver to the off street parking based on the nature of the proposed use, automobile sales.*

Appendix C Urban Design Standards, Article V Section 5-51(h)(2): For specific plan area 3, developments shall provide at least five percent net site area to one or a combination of the following: green; square, plaza; playground. The land area provided as public open space may be credited against the overall landscaping requirement on a square foot-for-square foot basis, for up to 50 percent of the total landscaping requirement. *(note: this requires City Council action only)*

- *Staff supports the waiver to the specific plan area 3 landscaping requirement based on the applicant providing additional landscaping for the overall site. Provided 26.73 %*

Article III Section 86-105(a): Not less than 40 percent of the total landscaping shall be located in the designated front yard. *(note: this requires P&Z and City Council action)*

- *Staff supports the waiver to the front yard landscaping requirement based on the applicant providing additional landscaping for the overall site. Provided 26.73 %*

This site is designated in the Comprehensive Plan as Regional Office/Commercial.

This land use category is intended for uses with regional emphasis due to the area's high visibility. Uses such as large retail centers, hotels, restaurants, and corporate or professional

offices are encouraged. Corresponding zoning districts include “GR”, General Retail and “C”, Commercial.

Staff supports a zoning change request to “C”, Commercial district based on the adjacent land uses, proximity to IH-35, and conformance with the Comprehensive Plan.

Engineering:

Prior to development of the site, platting and engineering reviews will be required, in addition to TxDOT review.

OPTIONS:

- 1) Recommend approval of an ordinance for a zoning change request from “A”, Agricultural to “C”, Commercial, and a specific use permit for automobile sales, with the associated commercial site plan and requested waiver to Code section 86-105(a); or
- 2) Recommend approval of an ordinance for a zoning change request from “A”, Agricultural to “C”, Commercial, and a specific use permit for automobile sales, with the associated commercial site plan and requested waiver to Code section 86-105(a), with additional conditions; or
- 3) Recommend denial of the ordinance for the requested zoning change, SUP, and associated commercial site plan.

RECOMMENDATION:

Staff recommends to the Planning and Zoning Commission approval of an ordinance for a zoning change request from “A”, Agricultural to “C”, Commercial, and a specific use permit for automobile sales, with the associated commercial site plan and requested waiver to Code section 86-105(a) (Case 23-074).

Pending the approval or disapproval of the commercial site plan and requested waiver, staff will update the attached site plan exhibit within the ordinance prior to the signing of the ordinance. The updated site plan exhibit will conform to all conditions and/or waivers as granted and approved by City Council.

Fiscal IMPACT:

None.

STAFF CONTACT:

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

KIA at 1233 Tarver Rd

Item A.

Location:

- 1233 Tarver Rd
- 11.999 acres

Applicant:

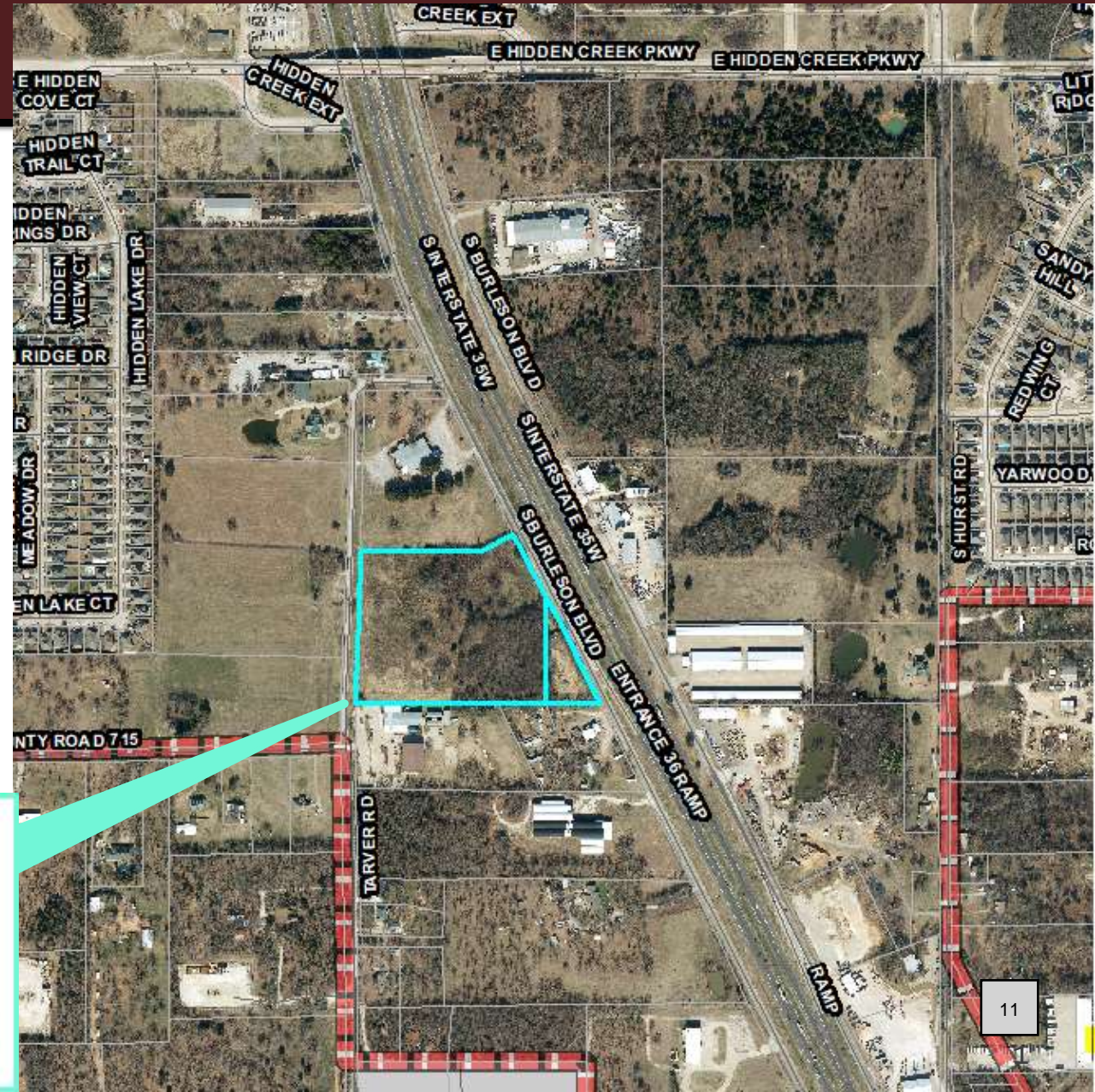
John Hamilton

International Autos KIA

Items for approval:

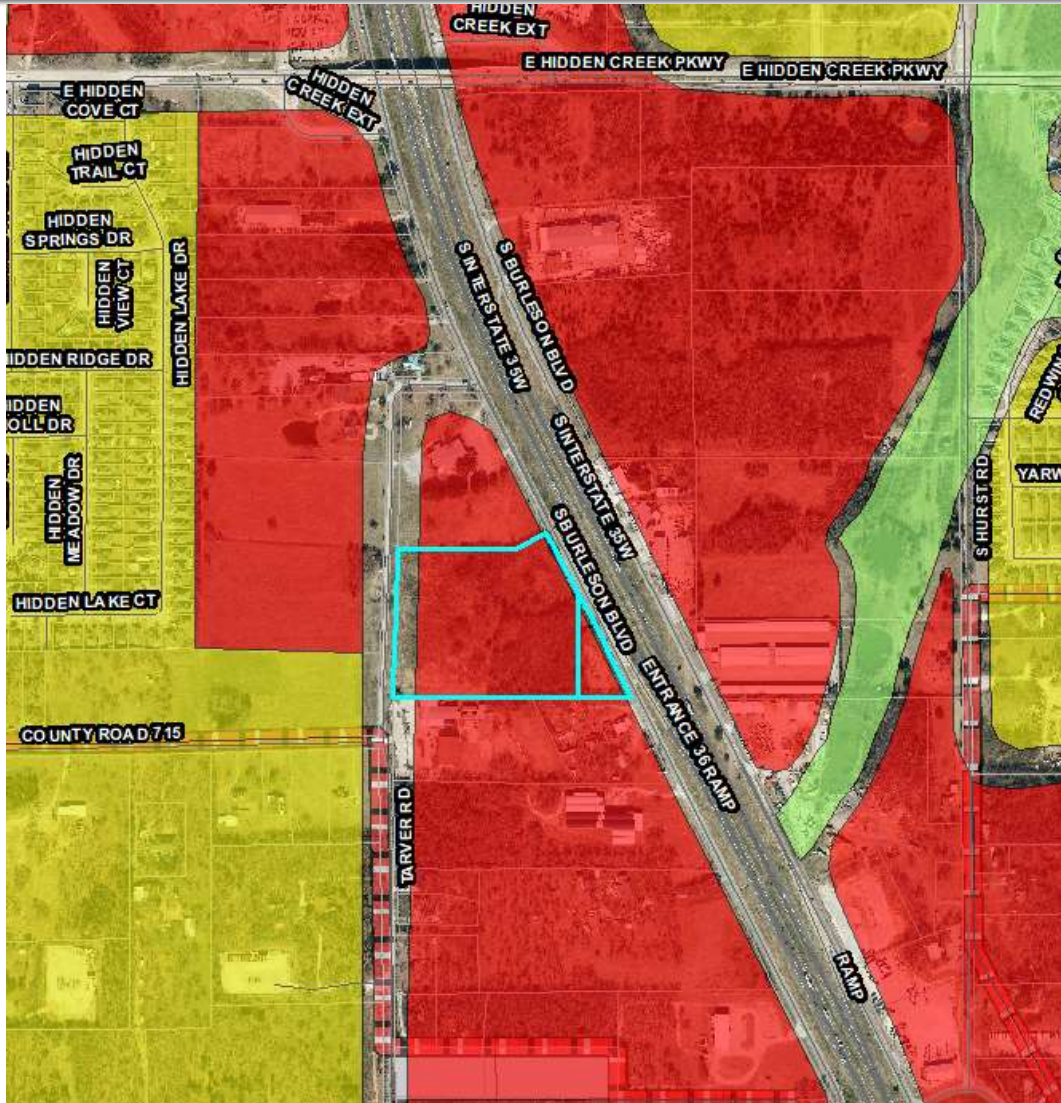
Zone change with SUP for auto sales

Commercial Site Plan with Waivers



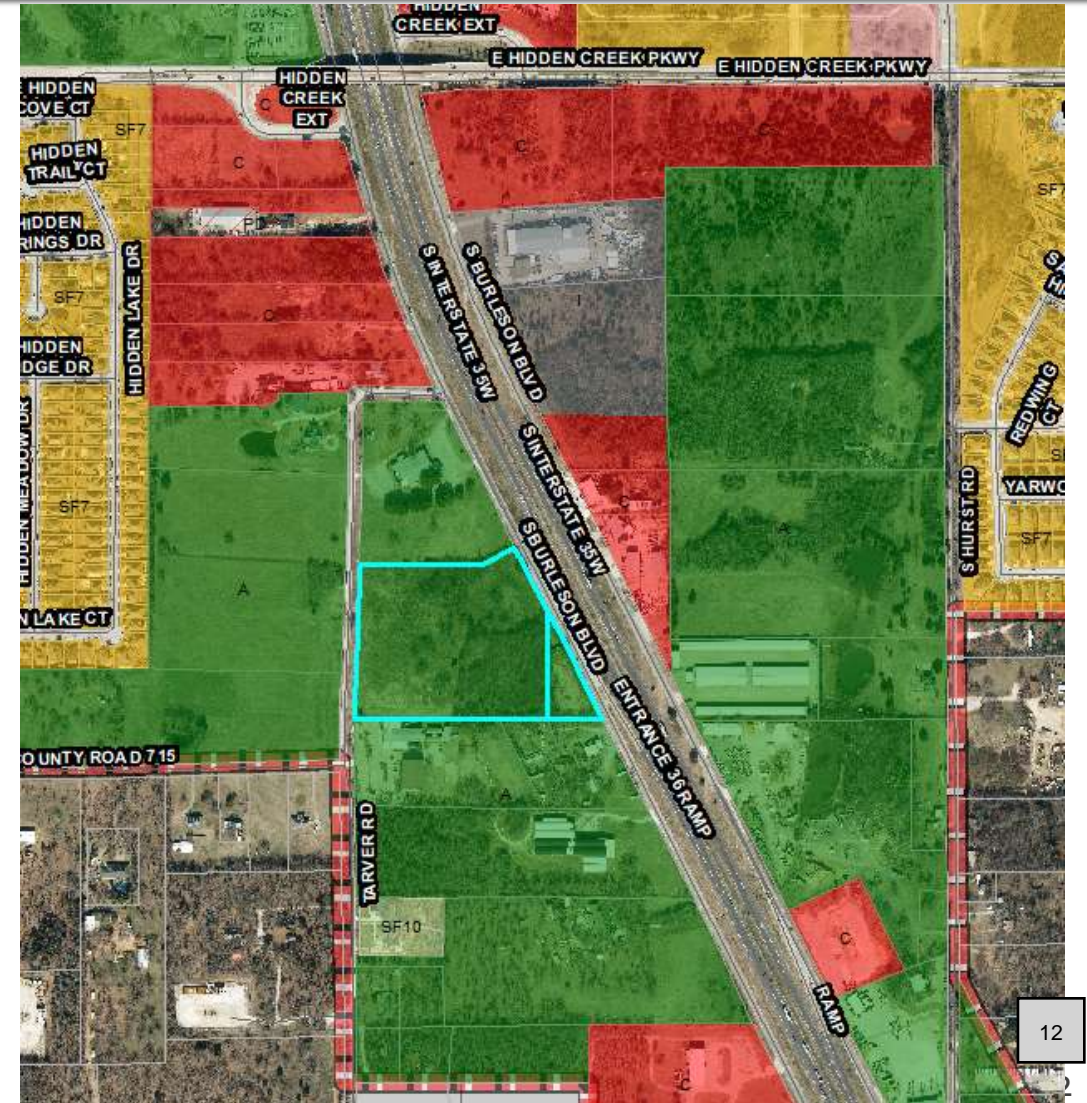
Comprehensive Plan

Regional Office / Commercial



Zoning

A, Agriculture



KIA at 1233 Tarver Rd

Item A.

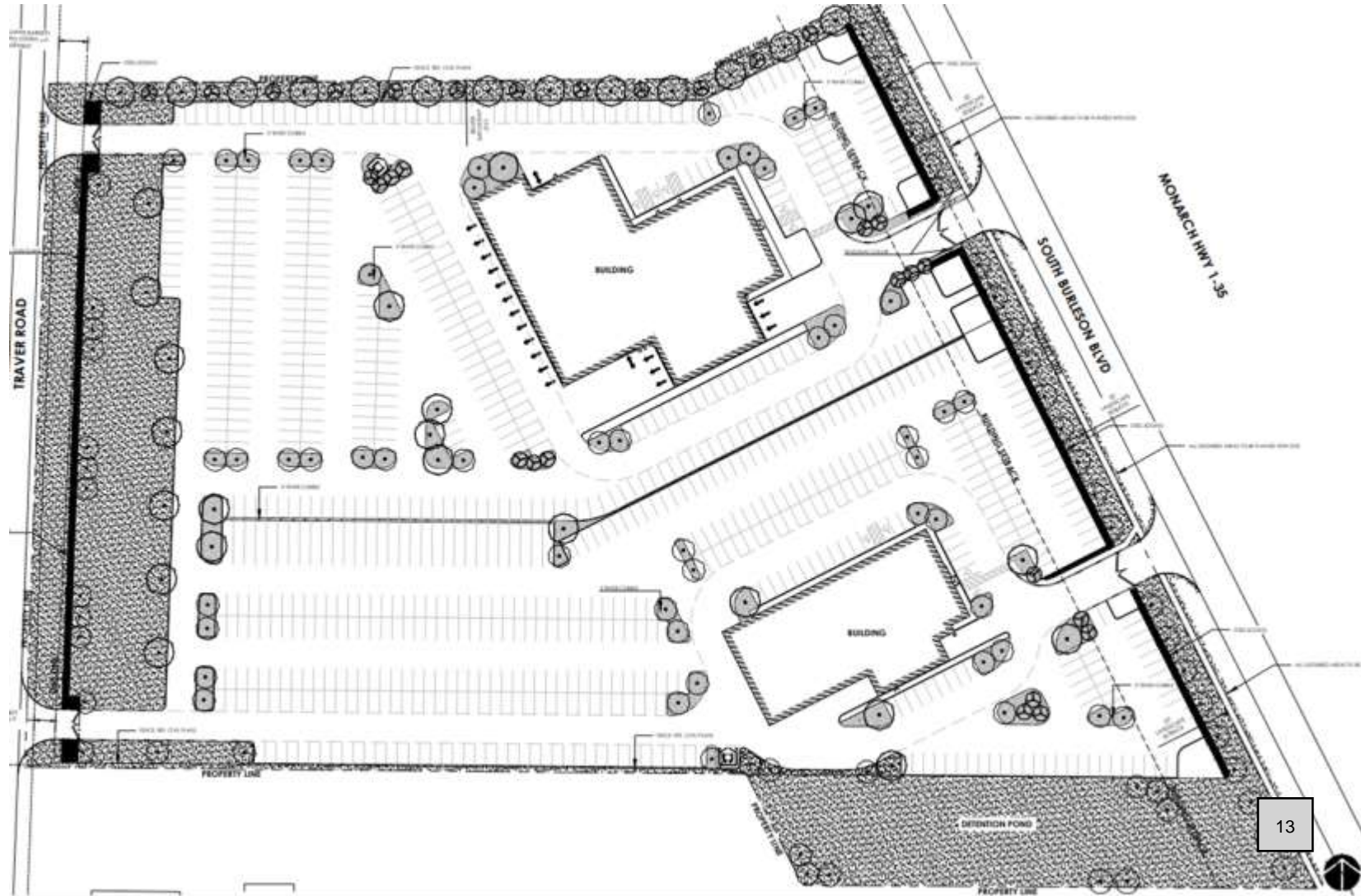
SITE INFORMATION

NORTH SITE

EX. ZONING:	A W/ IH-35 OVERLAY
PROP. ZONING:	A W/ IH-35 OVERLAY
PROP. LAND USE:	AUTO SALES
PROP. SITE ACREAGE:	5.79
PROP. BUILDING AREA (S.F.):	29,525
REQUIRED RETAIL PARKING:	70 (1 SPACE PER 200 S.F.)
PROVIDED RETAIL PARKING:	70
REQUIRED SERVICE PARKING:	32 (1 SPACE PER 500 S.F.)
PROVIDED SERVICE PARKING:	32
TOTAL PARKING PROVIDED:	102
REQUIRED ADA PARKING:	5
PROVIDED ADA PARKING:	5
TOTAL INVENTORY PARKING:	296
TOTAL PARKING AREA (S.F.):	112,407

SOUTH SITE

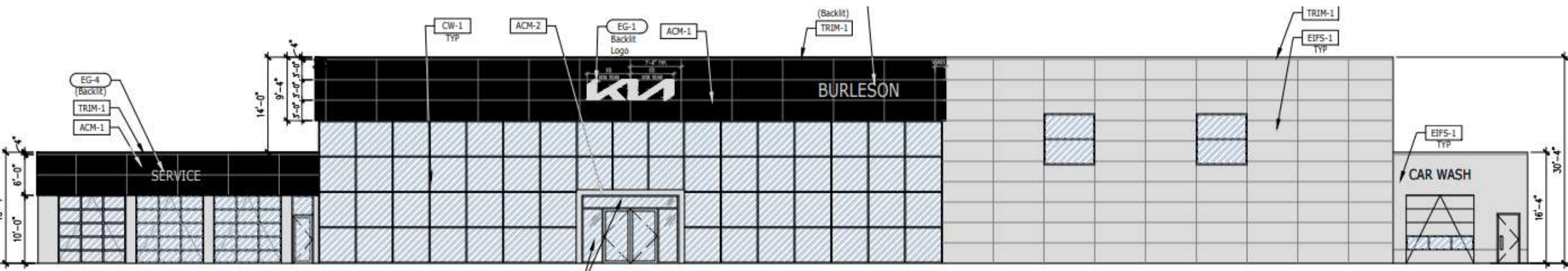
EX. ZONING:	A W/ IH-35 OVERLAY
PROP. ZONING:	A W/ IH-35 OVERLAY
PROP. LAND USE:	AUTO SALES
PROP. SITE ACREAGE:	6.21
PROP. BUILDING AREA (S.F.):	17,037
REQUIRED RETAIL PARKING:	86 (1 SPACE PER 200 S.F.)
PROVIDED RETAIL PARKING:	86
TOTAL PARKING PROVIDED:	86
REQUIRED ADA PARKING:	4
PROVIDED ADA PARKING:	4
TOTAL INVENTORY PARKING:	369
TOTAL PARKING AREA (S.F.):	121,863



KIA at 1233 Tarver Rd

Item A.

Building Renderings



KIA at 1233 Tarver Rd

OVERALL LANDSCAPE REQUIREMENTS

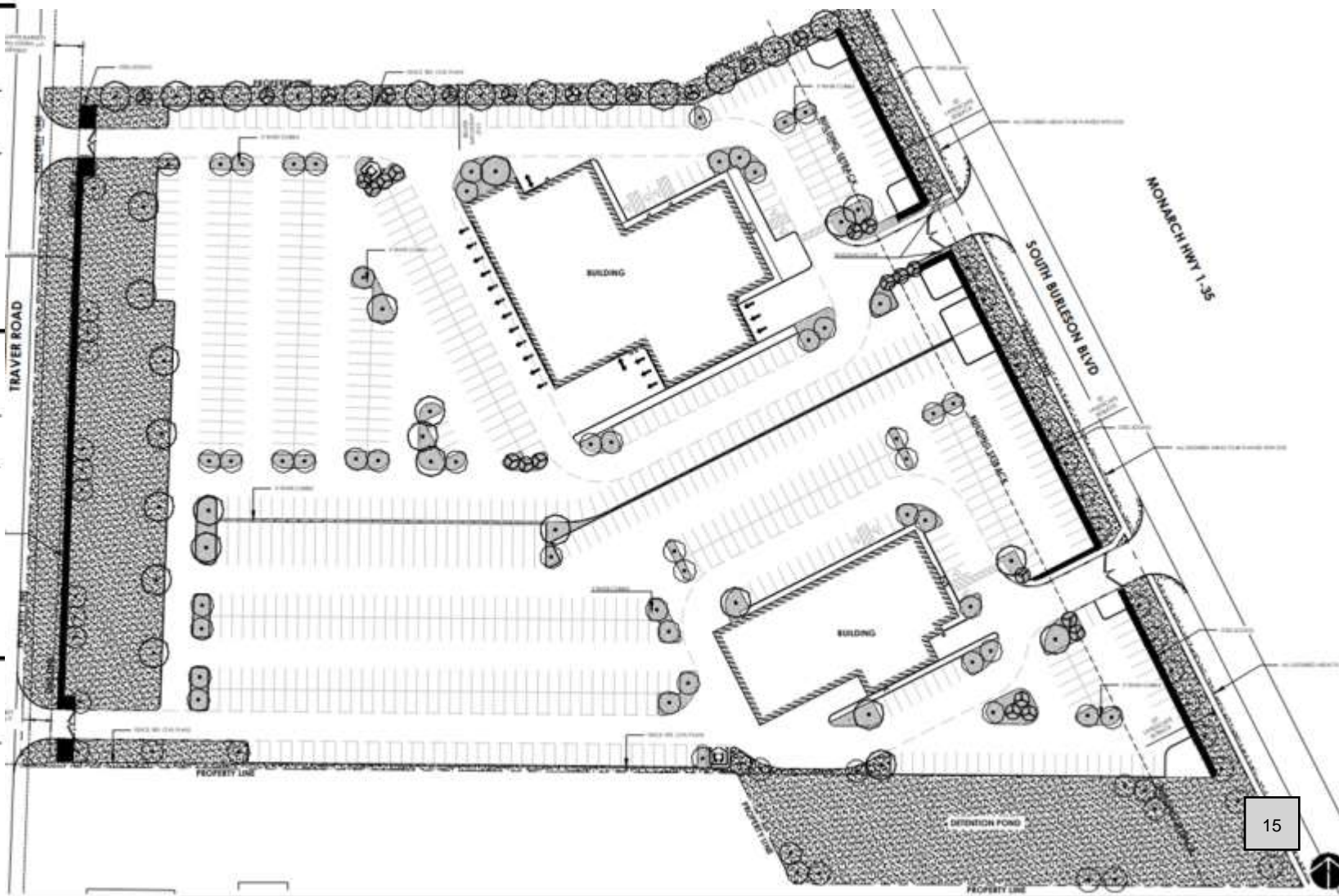
ZONING DISTRICT: I-35 OVERLAY - CITY OF BURLESON		
DESCRIPTION	REQUIRED	PROPOSED
LOT AREA: 12 Ac - 523,942 SF		
LANDSCAPE AREA - GRASS/GCVS/ROCKS	20% OF OVERALL SITE 523,942 SF X 0.2 = 104,788 SF	26.73% OF LOT AREA 140,055 TOTAL
LANDSCAPE AREA - FRONT YARD	40% OF LANDSCAPE AREA 104,788 SF X .4 = 41,915	17.5% OF LANDSCAPED AREA 18,245 SF VARIANCE REQUIRED

I-35 STREET LANDSCAPE REQUIREMENTS

ZONING DISTRICT: I-35 OVERLAY - CITY OF BURLESON		
DESCRIPTION	REQUIRED	PROPOSED
LOT AREA: 12 Ac - 523,942 SF		
I-35 STREET TREES	1 - 3" CAL TREE EVERY 30' O.C. Total: 24 TREES	24 - 3" CAL TREES
I-35 SHRUBS	15 - 5 GAL. SHRUB EVERY 30' OF FRONTAGE Total: 360 SHRUBS	450 5 GAL SHRUBS

BUILDING FOUNDATION REQUIREMENTS

ZONING DISTRICT: I-35 OVERLAY - CITY OF BURLESON		
DESCRIPTION	REQUIRED	PROPOSED
Lot Area: 12 Ac - 523,942 SF		
FOUNDATION PLANTING BLDG SF- 46,562	1 - 3" CAL TREE EVERY 7,500 SF WITHIN 30' OF FOUNDATION Total: 7 TREES	13 - 3" CAL TREES



KIA at 1233 Tarver Rd

Item A.

Site Conformance Table

<i>Required</i>	<i>Staff's Findings</i>
<u>Lot Size, Coverage and Setbacks</u> Specific lot information as shown on site plan	Site plan is in compliance with all development regulations with the exception of the requested waiver to the IH-35 design standards for parking in the front yard setback.
<u>Landscaping</u> 20% of Total Site shall be landscaped: 104,788 SF 40% of Total required in front yard: 41,915 SF Minimum 1 acre green space (IH35 area 3)	Landscaping proposed: 26.73% (140,055 SF) Waiver requested: 18,245 SF provided Waiver requested
<u>Parking Requirement</u> 1 space per 200 SF (retail): 156 spaces 1 space per 500 SF (service): 32 spaces 9 ADA spaces	Complies. Parking provided: 156 spaces Parking provided: 32 spaces ADA spaces: 9 spaces

KIA at 1233 Tarver Rd

Item A.

Waivers Requested

<i>Waiver</i>	<i>Staff's Findings</i>
<i>Appendix C Urban Design Standards, Article V section 5-52(o)(2):</i> There shall be no off street parking between the principal address of the building and the street unless the city manager or his or her designee approves an alternative design.	City Council action only. Staff supports the waiver to the off street parking based on the nature of the proposed use, automobile sales.
<i>Appendix C Urban Design Standards, Article V Section 5-51(h)(2):</i> For specific plan area 3, developments shall provide at least five percent net site area to one or a combination of the following. The land area provided as public open space may be credited against the overall landscaping requirement on a square foot for square foot basis, for up to 50 percent of the total landscaping requirement.	City Council action only. Staff supports the waiver to the specific plan area 3 landscaping requirement based on the applicant providing additional landscaping for the overall site. Provided 26.73 %
<i>Article III Section 86-105(a):</i> Not less than 40 percent of the total landscaping shall be located in the designated front yard.	P&Z recommendation required. Staff supports the waiver to the specific plan area 3 landscaping requirement based on the applicant providing additional landscaping for the overall site. Provided 26.73 %

KIA at 1233 Tarver Rd

Item A.

Utilities & Drainage:

Site will be served by Bethesda WSC and OSSF (septic).

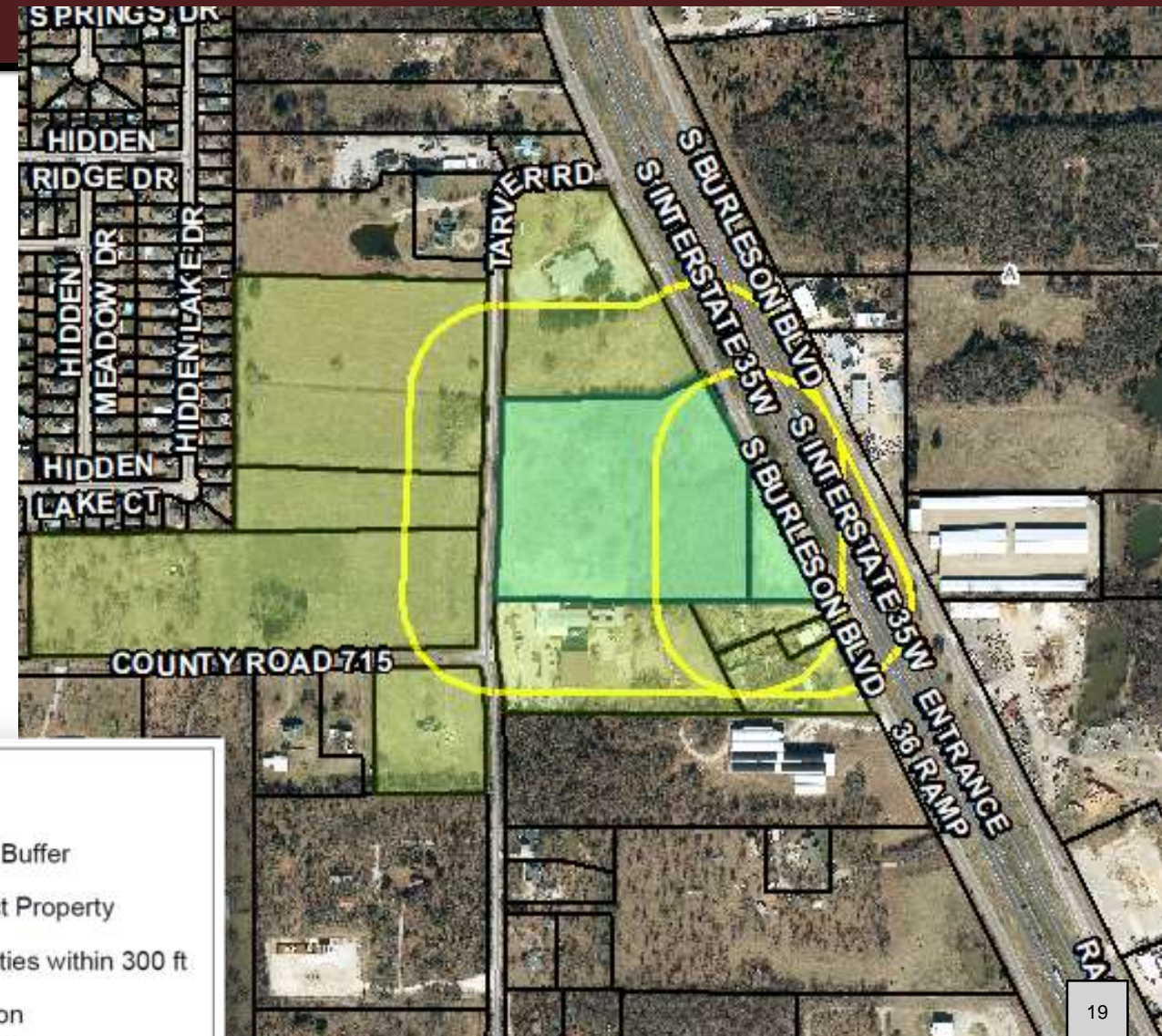
Traffic:

The main entrance is proposed from the IH35 service road which is a TxDOT facility. A TxDOT permit will be required.

KIA zone change and SUP

Public Hearing Notice

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

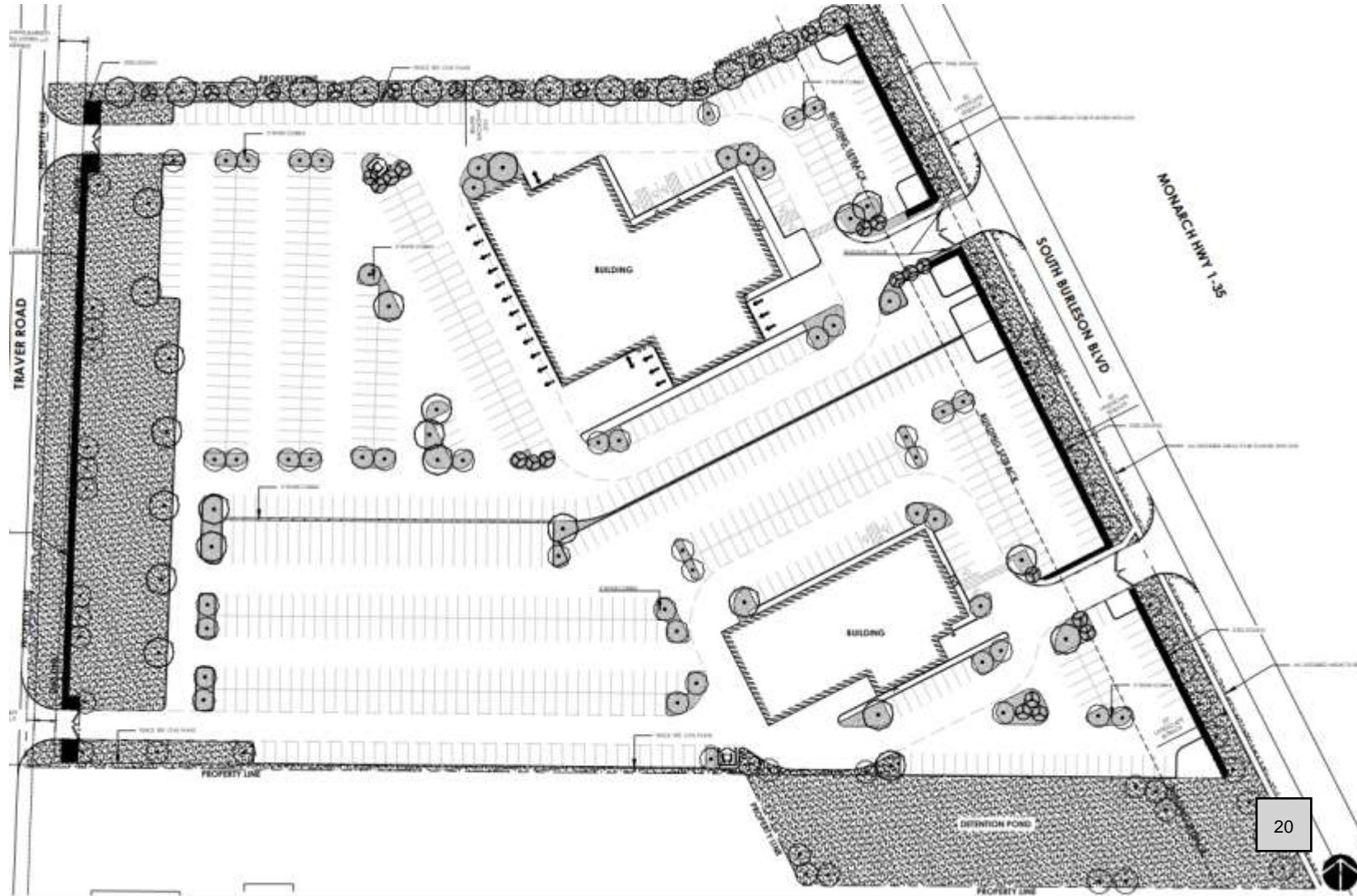


KIA at 1233 Tarver Rd

Item A.

Staff Recommendation

Recommend to City Council approval of an ordinance for a commercial site plan and zoning change request with a specific use permit for automobile sales and waiver to Section 86-105(a) (Case 23-074).



ORDINANCE

AN ORDINANCE AMENDING ORDINANCE B-582, THE ZONING ORDINANCE AND MAP OF THE CITY OF BURLESON, TEXAS, BY AMENDING THE OFFICIAL ZONING MAP AND CHANGING THE ZONING ON APPROXIMATELY 11.999 ACRES OF LAND SITUATED IN THE JAMES M. CARTWRIGHT SURVEY, ABSTRACT NUMBER 132, SITUATED IN THE CITY OF BURLESON, JOHNSON COUNTY, TEXAS, AND BEING A PORTION OF CALLED 13.288 ACRE TRACT OF LAND DESCRIBED BY DEED TO HOLY CROSS CHRISTIAN ACADEMY INC., RECORDED IN COUNTY CLERK FILE NUMBER 2021-8655, DEED RECORDS JOHNSON COUNTY, TEXAS (D.R.J.C.T.), FROM AGRICULTURAL (A) TO COMERCIAL (C) WITH A SPECIFIC USE PERMIT (SUP) FOR AUTO SALES; MAKING THIS ORDINANCE CUMULATIVE OF PRIOR ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING A PENALTY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

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

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

WHEREAS, an application for a zoning change was filed by **John Hamilton** on **June 12, 2023**, under **Case Number 23-074**, on property described herein below filed application with the City petitioning an amendment of the Zoning Ordinance and Map so as to rezone and reclassify said property from its current zoning classification; and

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

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Burleson, Texas voted **X to X** to recommend to the City Council of Burleson, Texas, that the hereinafter described property be rezoned from its classification of **Agricultural (A)** to **Commercial (C) with a Specific Use Permit (SUP) for Auto sales**; and

WHEREAS, notice was given of a further public hearing to be held by the City Council of the City of Burleson, Texas, to consider the advisability of amending the Zoning Ordinance and Map as recommended by the Planning and Zoning Commission, and all citizens and parties at interest were notified that they would have an opportunity to be heard, such notice of the time and place of such hearing having been given at least fifteen (15) days prior to such hearing by publication in the Fort Worth Star Telegram, Fort Worth, Texas, a newspaper of general circulation in such municipality; and

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

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

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

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

Section 1

The Zoning Ordinance and Map is hereby amended insofar as it relates to certain land described as 11.999 acres of land situated in the James M. Cartwright Survey, Abstract Number 132, situated in the City Of Burleson, Johnson County, Texas, and being a portion of called 13.288 acre tract of land described by deed to Holy Cross Christian Academy Inc., recorded in County Clerk File Number 2021-8655, Deed Records Johnson County, Texas (D.R.J.C.T.), as **described in Exhibit A**, by changing the zoning of said property from **Agricultural (A)** to **Commercial (C) with a Specify Use Permit (SUP) for Auto Sales** being attached hereto and incorporated herein by reference for all purposes, herein with an associated commercial site plan attached herein as **Exhibit B** with the following waivers to the commercial site plan;

City Council hereby grants a waiver to Appendix C Urban Design Standards, Article V section 5-52(o) (2): requiring no off street parking between the principal address of the building and the street unless the city manager or his or her designee approves an alternative design.

City Council hereby grants a waiver to Appendix C Urban Design Standards, Article V Section 5-51(h)(2): requiring that for specific plan area 3, developments shall provide at least five percent net site area to one or a combination of the following. The land area provided as public open space may be credited against the overall landscaping requirement on a square foot for square foot basis, for up to 50 percent of the total landscaping requirement

City Council hereby grants a waiver to Article III Section 86-105(a): requiring no less than 40 percent of the total landscaping shall be located in the designated front yard.

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:

Amanda Campos, City Secretary

E. Allen Taylor, Jr., City Attorney

EXHIBIT "A"**DESCRIPTION OF PROPERTY****LEGAL DESCRIPTION 5.786 ACRE TRACT 1**

BEING a 5.786 acre tract of land situated in the James M. Cartwright Survey, Abstract Number 132, City of Burleson, Johnson County, Texas, and being a portion of a called 13.288 acre tract of land described by deed to Holy Cross Christian Academy, INC., recorded in County Clerk's File Number 2021-8655, Deed Records, Johnson County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at an orange capped 1/2" iron rod found stamped "YARGER 5854" at the northeast corner of said called 13.288 acre tract, said found iron rod also being the southeasternmost corner of a called 8.09 acre tract of land described by deed to Jerry Branson, recorded in County Clerk's File Number 2015-10410, Deed Records, Johnson County, Texas, and being in the west right-of-way line of Interstate Highway 35W (a 350' right-of-way);

THENCE South 26 degrees 51 minutes 12 seconds East, along said west line of Interstate Highway 35W and the east line of said called 13.288 acre tract, 283.42 feet, to a point in line;

THENCE departing said common line, and over and across said called 13.288 acre tract the following calls:

South 63 degrees 12 minutes 38 seconds West, 389.29 feet;

North 89 degrees 26 minutes 56 seconds West, 456.73 feet, to a point in the west line of said called 13.288 acre tract; said point also being in the east line of Tarver Road, a prescriptive right-of-way;

THENCE North 02 degrees 03 minutes 53 seconds East, 353.30 feet, along said west line of the called 13.288 acre tract and said east line of Tarver Road to the southwest corner of said called 8.09 acre tract, said point being in the northwest corner of said called 13.288 acre tract;

THENCE North 89 degrees 48 minutes 31 seconds East, along the south line of the said called 8.09 acre tract and the north line of the called 13.288 acre tract, 526.72 feet, to an orange capped 1/2" iron rod found stamped "YARGER 5854";

THENCE North 63 degrees 11 minutes 41 seconds East, continuing along said common line, 153.21 feet, to the POINT OF BEGINNING, and containing 252,056 square feet or 5.786 acres of land, more or less.

LEGAL DESCRIPTION 6.213 ACRE TRACT 2

BEING a 6.213 acre tract of land situated in the James M. Cartwright Survey, Abstract Number 132, City of Burleson, Johnson County, Texas, and being a portion of a called 13.288 acre tract of land described by deed to Holy Cross Christian Academy, INC., recorded in County Clerk's File Number 2021-8655, Deed Records, Johnson County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 3/8" iron rod found at the southeast corner of said called 13.288 acre tract and being the northeast corner of called Tract Two, described by deed to Johnnie Tackett and Linda Tackett, recorded in Volume 4590, Page 256, Deed Records, Johnson County, Texas and said corner being in the west right-of-way line of Interstate Highway 35W (a 350' right-of-way);

THENCE North 89 degrees 37 minutes 43 seconds West, departing said west right-of-way line and along the north line of said Tract Two and the south line of said called 13.288 acre tract, 418.13 feet, to a found 3/8" iron rod;

THENCE North 26 degrees 47 minutes 13 seconds West, departing said common line and over and across said 13.288 acre tract, 101.50 feet, to a point;

THENCE North 89 degrees 26 minutes 56 seconds West, continuing over and across said called 13.288 acre tract, 587.71 feet, to a point in the west right-of-way line of Tarver Road, a prescriptive right-of-way and being in the west line of said called 13.288 acre tract;

THENCE North 02 degrees 03 minutes 53 seconds East, along said common line, 204.07 feet, to a point in line;

THENCE departing said common line, and over and across said called 13.288 acre tract the following calls:

South 89 degrees 26 minutes 56 seconds East, 456.73 feet;

North 63 degrees 12 minutes 38 seconds East, 389.29 feet, to a point in the east line of said called 13.288 acre tract, said point being in the west right-of-way line of Interstate Highway 35W;

THENCE South 26 degrees 51 minutes 12 seconds East, 531.26 feet, along said east line and said west right-of-way line, to the POINT OF BEGINNING, and containing 270,644 square feet or 6.213 acres of land, more or less.

EXHIBIT “B”

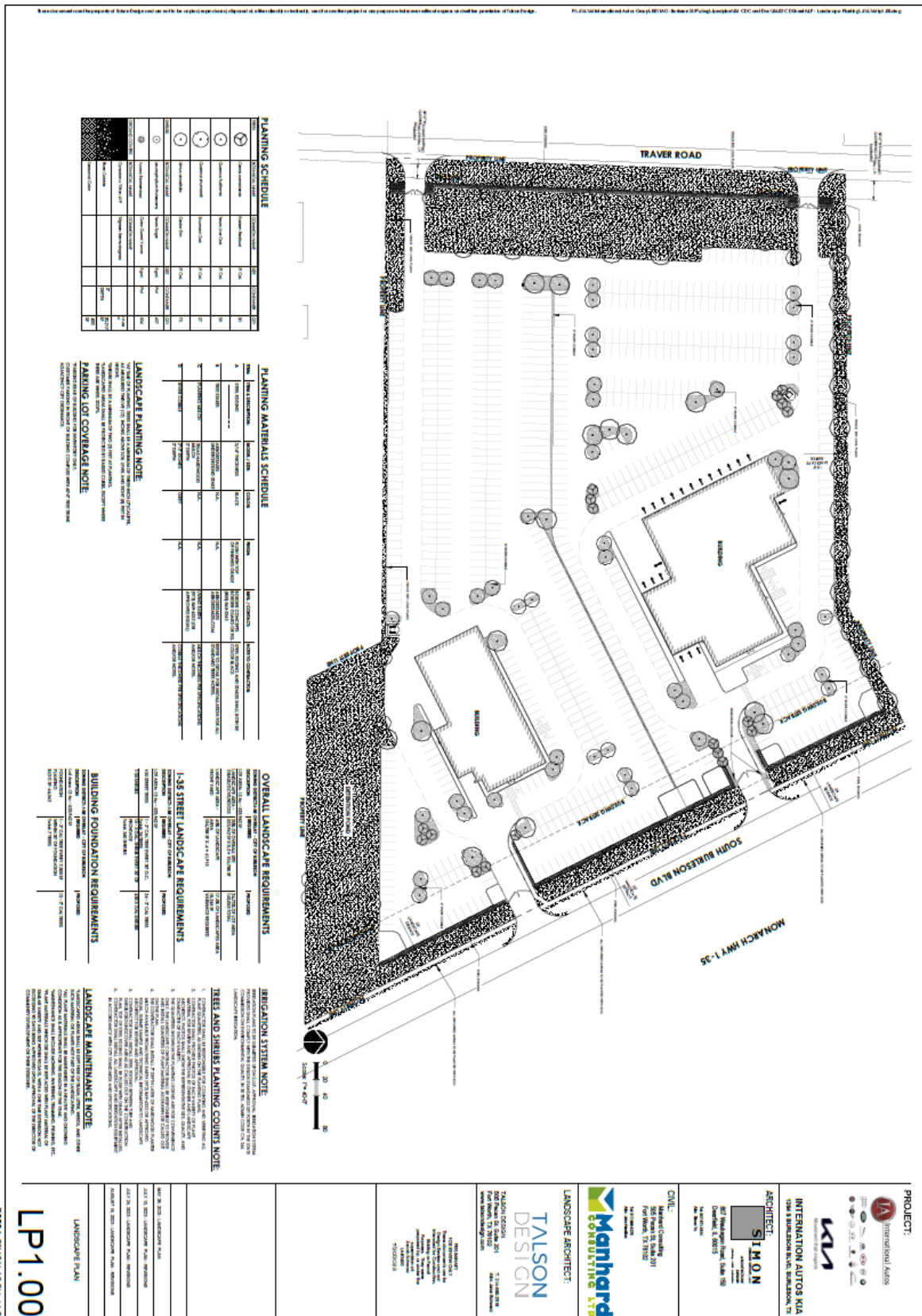
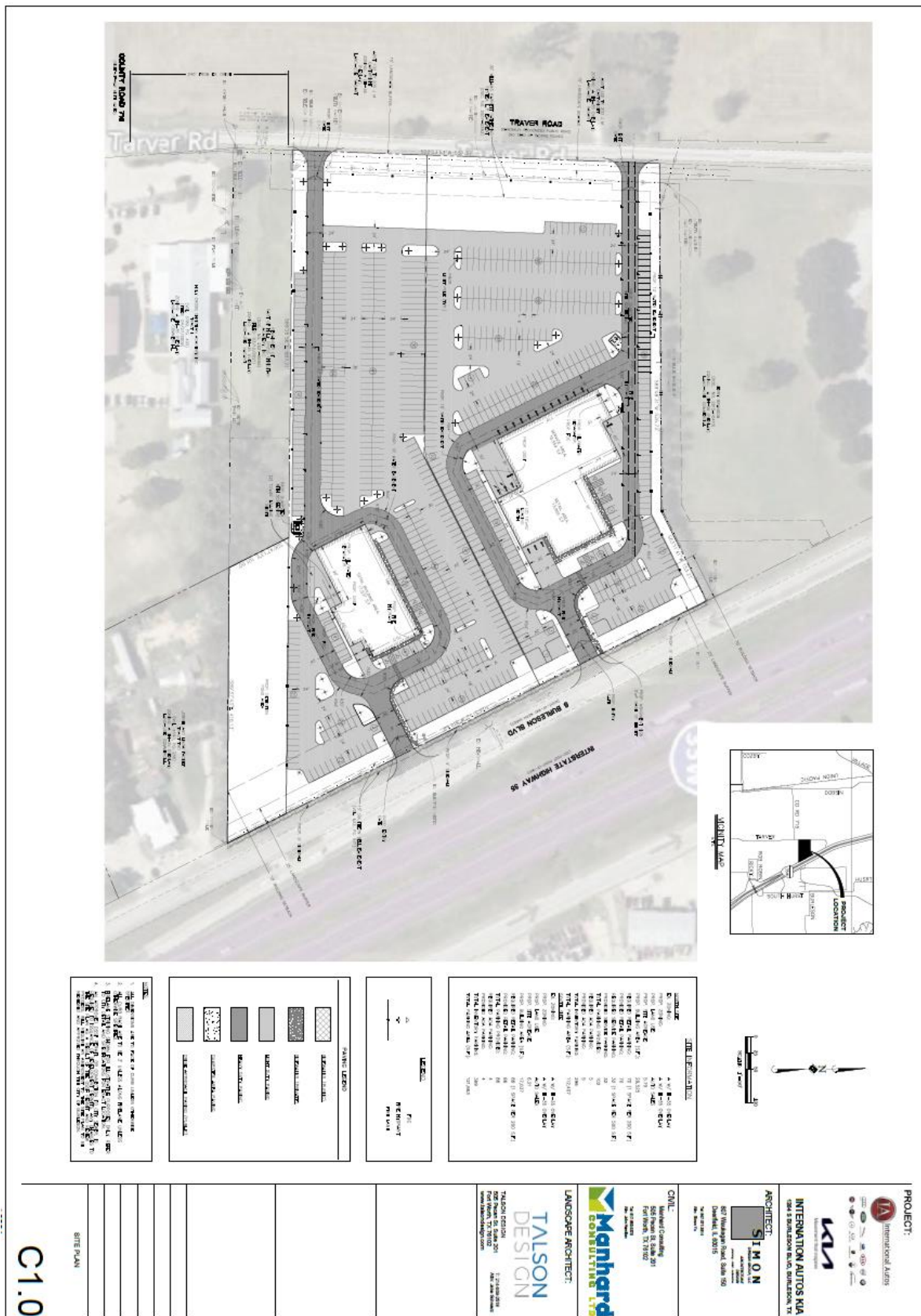
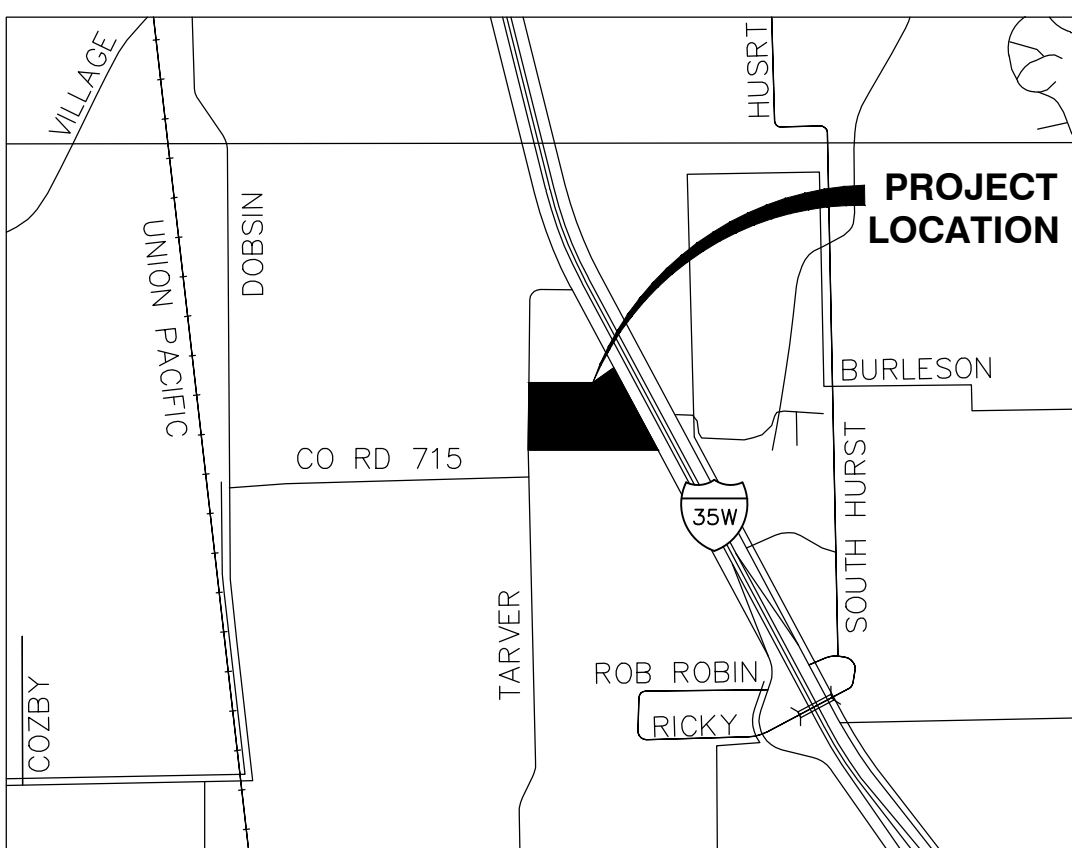
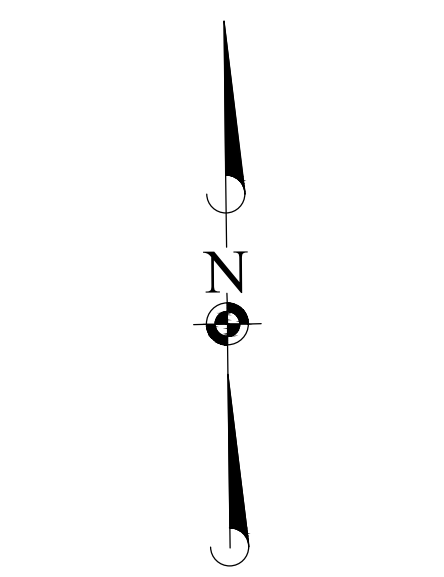


EXHIBIT "B" (continued)





VICINITY MAP
N.T.S.



0 25 50 100

SCALE: 1"=50'


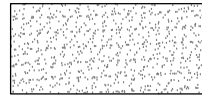


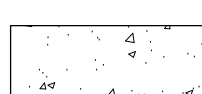

SITE INFORMATION

<u>NORTH SITE</u>	
EX. ZONING:	A W/ IH-35 OVERLAY
PROP. ZONING:	A W/ IH-35 OVERLAY
PROP. LAND USE:	AUTO SALES
PROP. SITE ACREAGE:	5.79
PROP. BUILDING AREA (S.F.):	29,525
REQUIRED RETAIL PARKING:	70 (1 SPACE PER 200 S.F.)
PROVIDED RETAIL PARKING:	70
REQUIRED SERVICE PARKING:	32 (1 SPACE PER 500 S.F.)
PROVIDED SERVICE PARKING:	32
TOTAL PARKING PROVIDED:	102
REQUIRED ADA PARKING:	5
PROVIDED ADA PARKING:	5
TOTAL INVENTORY PARKING:	296
TOTAL PARKING AREA (S.F.):	112,407
<u>SOUTH SITE</u>	
EX. ZONING:	A W/ IH-35 OVERLAY
PROP. ZONING:	A W/ IH-35 OVERLAY
PROP. LAND USE:	AUTO SALES
PROP. SITE ACREAGE:	6.21
PROP. BUILDING AREA (S.F.):	17,037
REQUIRED RETAIL PARKING:	86 (1 SPACE PER 200 S.F.)
PROVIDED RETAIL PARKING:	86
TOTAL PARKING PROVIDED:	86
REQUIRED ADA PARKING:	4
PROVIDED ADA PARKING:	4
TOTAL INVENTORY PARKING:	369
TOTAL PARKING AREA (S.F.):	121,863

LEGEND

	FDC
	FIRE HYDRANT
	FIRE LANE

PAVING LEGEND

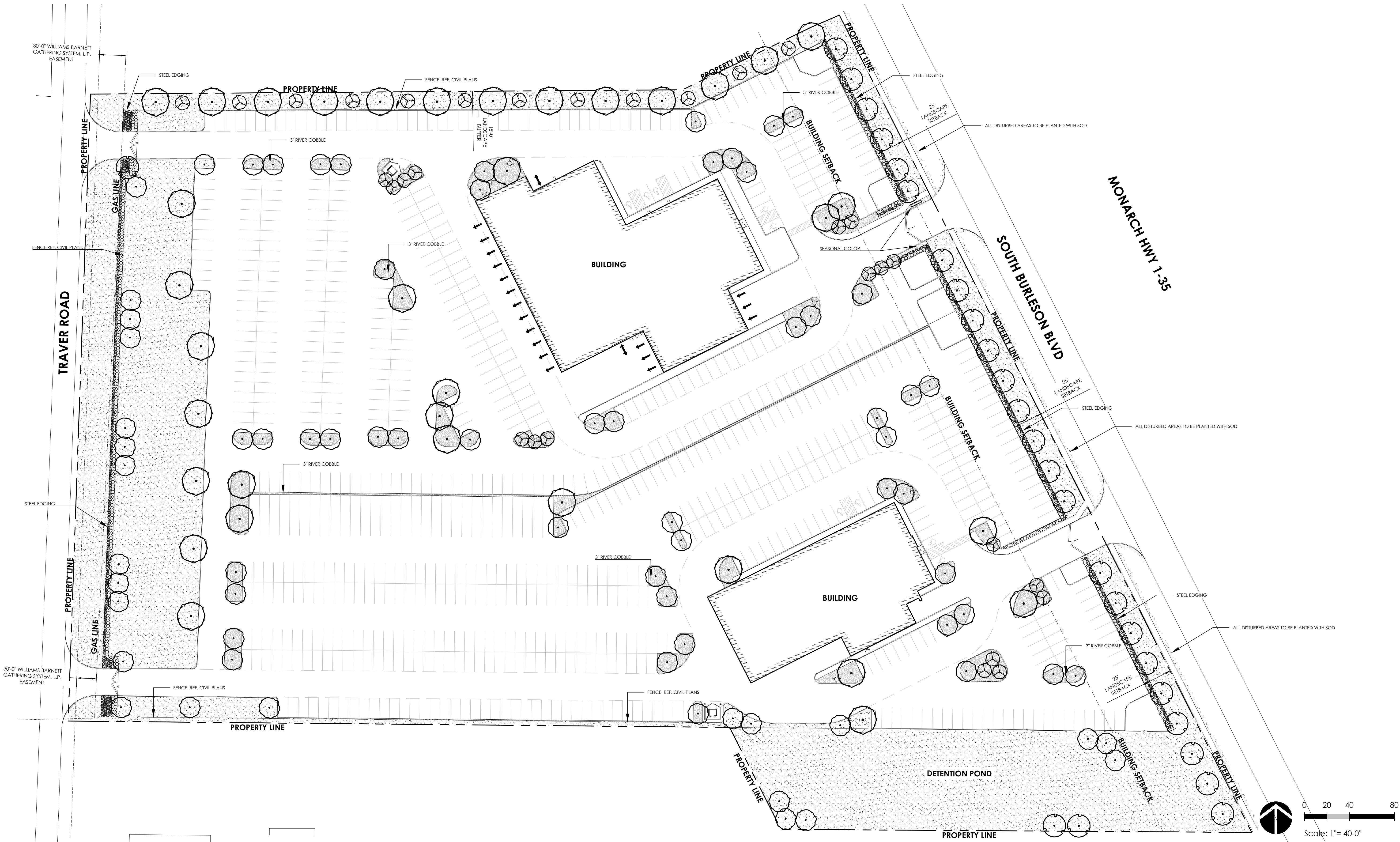
	<u>SIDEWALKS (PUBLIC)</u>
	<u>SIDEWALKS (PRIVATE)</u>
	<u>LIGHT DUTY PAVING</u>
	<u>HEAVY DUTY PAVING</u>
	<u>DUMPSTER AREA PAVING</u>
	<u>DRIVE APPROACH PAVING (PUBLIC)</u>

NOTES

1. ALL DIMENSIONS ARE TO FACE OF CURB UNLESS OTHERWISE SPECIFIED.
2. ALL CURB RADI ARE TO BE 3' UNLESS ALONG FIRELANE UNLESS OTHERWISE SPECIFIED.
3. FIRELANE STRIPING SHOWN FOR ILLUSTRATIVE PURPOSES ONLY. REFER TO CITY DETAIL AND SPECIFICATIONS FOR EXACT LOCATION.
4. AN APPROVED OSSF PERMIT; OR CONNECTION TO CITY SEWER, IS REQUIRED TO ISSUANCE OF DEVELOPMENT PERMITS. ANY CHANGES TO THE SITE PLAN AS A RESULT OF THE OSSF PERMIT AND REVIEW SHALL BE SUBMITTED TO THE CITY AND MUST BE REVIEWED AND APPROVED THROUGH THE CITY OF BURLESON.

SITE PLAN

C1.0



PLANTING SCHEDULE

TREES	BOTANICAL NAME	COMMON NAME	SIZE	CONTAINER	QTY
	Cercis canadensis	Eastern Redbud	3" Cal.		30
	Quercus fusiformis	Texas Live Oak	3" Cal.		35
	Quercus shumardii	Shumard Oak	3" Cal.		27
	Ulmus crassifolia	Cedar Elm	3" Cal.		73
SHRUBS	BOTANICAL NAME	COMMON NAME	SIZE	CONTAINER	QTY
	Leucophyllum frutescens	Texas Sage	5 gal.	Pot	437
	Yucca filamentosa	Color Guard Yucca	5 gal.	Pot	534
GROUND COVERS	BOTANICAL NAME	COMMON NAME			
	Cynodon x Tifton 419	Tifgreen Bermudagrass			117,409 SF
	River Cobble		3" DEPTH		20,217 SF
	Seasonal Color				400 SF

PLANTING MATERIALS SCHEDULE

ITEM:	ITEM & DESCRIPTION:	MODEL / SIZE:	COLOR:	FINISH:	MFR. / CONTACT:	NOTE TO CONTRACTOR:
A	STEEL EDGING -----	3/16" THICKNESS	BLACK	FLUSH WITH TOP OF FINISHED GRADE	BORDER CONCEPTS BORDER GUARD OR EQ. (800) 845-3343	STEEL EDGING AND STAKES SHALL BOTH BE COLOR BLACK
B	TREE STAKES	ARBORSTAKES UNDERGROUND STAKE	N.A.	N.A.	ARBORSTAKES ARBORSTAKES.COM	REFER TO DETAIL FOR INSTALLATION FOR ALL STANDARD TREES NOTED.
C	PLANTING MULCH	TEXAS HARDWOOD MULCH 3" DEPTH	N.A.	N.A.	LIVING EARTH (972) 869-4332 (OR APPROVED EQUAL)	MULCH THICKNESS PER SPECIFICATIONS AND/OR NOTES.
D	RIVER COBBLE	2"-3" STONES 3" DEPTH	GREY	N.A.		COBBLE THICKNESS PER SPECIFICATIONS AND/OR NOTES.

LANDSCAPE PLANTING NOTE:

*AT TIME OF PLANTING, TREES SHALL BE A MINIMUM OF THREE-INCH (3") CALIPER, AS MEASURED TWELVE (12) INCHES ABOVE SOIL LEVEL AND EIGHT (8) FEET IN HEIGHT.

*SHRUBS SHALL BE A MINIMUM OF TWO (2) FEET AT PLANTING.

*LANDSCAPED AREAS SHALL BE PROTECTED BY RAISED CURBS, EXCEPT WHERE THERE ARE WHEEL STOPS.

PARKING LOT COVERAGE NOTE:

*PARKING REAR OF BUILDING FOR INVENTORY ONLY.

CUSTOMER PARKING IN FRONT OF BUILDING COMPLIES WITH 60'-0" TREE TRUNK ADJACENCY CITY ORDINANCE.

OVERALL LANDSCAPE REQUIREMENTS

ZONING DISTRICT: I-35 OVERLAY - CITY OF BURLESON	REQUIRED	PROPOSED
DESCRIPTION		
LOT AREA: 12 AC - 523,942 SF		
LANDSCAPE AREA - GRASS/GC/VS/ROCKS	20% OF OVERALL SITE 523,942 SF X 0.2 = 104,788 SF	26.73% OF LOT AREA 140,055 TOTAL
LANDSCAPE AREA - FRONT YARD	40% OF LANDSCAPE AREA 104,788 SF X .4 = 41,915	17.5% OF LANDSCAPED AREA 18,245 SF VARIANCE REQUIRED

I-35 STREET LANDSCAPE REQUIREMENTS

ZONING DISTRICT: I-35 OVERLAY - CITY OF BURLESON	REQUIRED	PROPOSED
DESCRIPTION		
LOT AREA: 12 AC - 523,942 SF		
I-35 STREET TREES	1 - 3" CAL TREE EVERY 30' O.C. Total: 24 TREES	24 - 3" CAL TREES
I-35 SHRUBS	15 - 5 GAL. SHRUB EVERY 30' OF FRONTAGE Total: 360 SHRUBS	450 5 GAL SHRUBS

BUILDING FOUNDATION REQUIREMENTS

ZONING DISTRICT: I-35 OVERLAY - CITY OF BURLESON	REQUIRED	PROPOSED
DESCRIPTION		
LOT Area: 12 AC - 523,942 SF		
FOUNDATION PLANTING WITHIN 30' OF FOUNDATION BLDG SF - 46,562	1 - 3" CAL TREE EVERY 7.500 SF Total: 7 TREES	13 - 3" CAL TREES

IRRIGATION SYSTEM NOTE:

IRRIGATION PLANS TO BE SUBMITTED UPON S.U.P. APPROVAL. IRRIGATION SYSTEM PROVIDED SHALL COMPLY WITH THE DESIGN STANDARDS SET FORTH BY THE STATE COMMISSION ON ENVIRONMENTAL QUALITY, IN 30 TEX. ADMIN CODE CH. 344 LANDSCAPE IRRIGATION.

TREES AND SHRUBS PLANTING COUNTS NOTE:

- CONTRACTOR SHALL BE RESPONSIBLE FOR COUNTING AND VERIFYING ALL PLANT QUANTITIES, AS SHOWN ON THE PLANTING PLANS.
- CONTRACTOR SHALL PROVIDE PHOTOS OF EACH VARIETY OF PLANT MATERIAL FOR REVIEW AND APPROVAL BY OWNER AND LANDSCAPE ARCHITECT. PHOTOS SHALL SHOW THE REPRESENTATIVE SIZE, QUALITY, AND CHARACTER OF EACH VARIETY.
- THE QUANTITIES SHOWN IN THE PLANTING LEGEND ARE FOR CONVENIENCE ONLY. THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE TO PROVIDE AND INSTALL QUANTITIES OF PLANT MATERIAL AS DRAWN OR CALLED OUT ON THE PLAN.
- THE CONTRACTOR SHALL INSTALL 3" DEPTH LAYER OF HARDWOOD PLANTER MULCH AVAILABLE FROM LIVING EARTH (972) 869-4332 OR APPROVED EQUAL. SUBMIT SAMPLE AND TECHNICAL INFORMATION TO LANDSCAPE ARCHITECT FOR REVIEW AND APPROVAL.
- CONTRACTOR SHALL INSTALL STEEL EDGING BETWEEN TURF AND SHRUB/GROUND COVER AREAS AS CALLED OUT ON THE CONSTRUCTION PLAN. TOP OF STEEL EDGING SHALL BE FLUSH WITH GRADE AFTER INSTALLED.
- CONTRACTOR SHALL INSTALL ALL LANDSCAPE AND IRRIGATION EQUIPMENT IN ACCORDANCE WITH CITY STANDARDS AND SPECIFICATIONS.

LANDSCAPE MAINTENANCE NOTE:

*LANDSCAPED AREAS SHALL BE KEPT FREE OF TRASH, LITTER, WEEDS, AND OTHER SUCH MATERIAL OR PLANTS NOT PART OF THE LANDSCAPING.
*ALL PLANT MATERIALS SHALL BE MAINTAINED IN A HEALTHY AND GROWING CONDITION AS IS APPROPRIATE FOR THE SEASON OF THE YEAR.
*MAINTENANCE SHALL INCLUDE MOWING, WATERING, TRIMMING, PRUNING, ETC.
*PLANT MATERIALS WHICH DIE SHALL BE REPLACED WITH PLANT MATERIAL OF SIMILAR VARIETY AND SIZE WITHIN 90 DAYS, WITH A ONE TIME EXTENSION NOT EXCEEDING 90 DAYS BEING APPROVED UPON APPROVAL OF THE DIRECTOR OF COMMUNITY DEVELOPMENT OR THEIR DESIGNEE.

PROJECT:



INTERNATION AUTOS KIA
1264 S BURLESON BLVD, BURLESON, TX

ARCHITECT:



807 Waukegan Road, Suite 150
Deerfield, IL 60015

Tel: 847-571-3814
Attn: Simon Yu

CIVIL:

Manhard Consulting
505 Pecan St, Suite 201
Fort Worth, TX 76102

Tel: 817-866-6378
Attn: John Hamilton



LANDSCAPE ARCHITECT:



TALSON DESIGN
505 Pecan St, Suite 201
Fort Worth, TX 76102
www.talsondesign.com

T: 214-669-2519
Attn: Jake Schwarz

PRELIMINARY
FOR REVIEW ONLY
These documents are for
Design Review and not
intended for Construction,
Bidding or Permit
Purposes. They were
prepared by, or under the
supervision of:
Jacob Schwarz
LA#3400
7/20/2023

MAY 26, 2023 - LANDSCAPE PLAN

JULY 10, 2023 - LANDSCAPE PLAN - REVISIONS

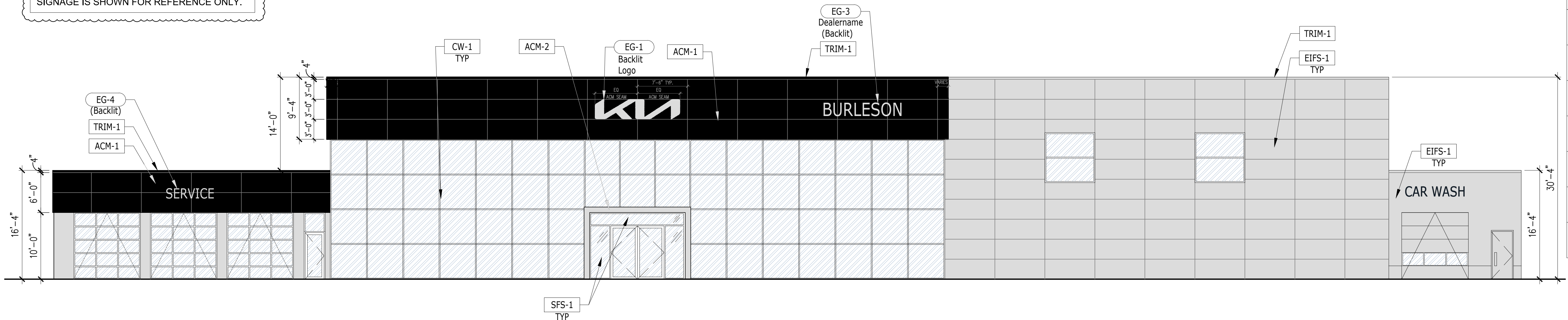
JULY 24, 2023 - LANDSCAPE PLAN - REVISIONS

AUGUST 18, 2023 - LANDSCAPE PLAN - REVISIONS

LANDSCAPE PLAN

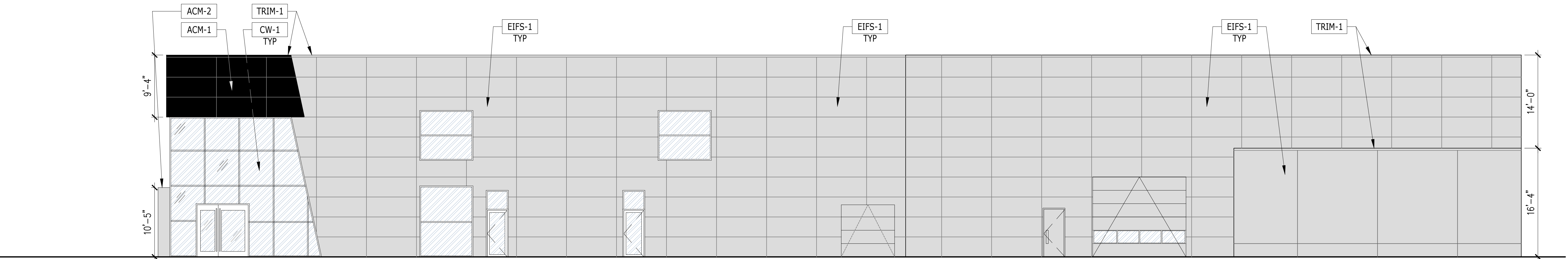
LP1.00

NOTE: REVIEW OF THE SIGNAGE SHOWN WILL BE CONDUCTED UNDER A SEPARATE PERMIT. SIGNAGE IS SHOWN FOR REFERENCE ONLY.

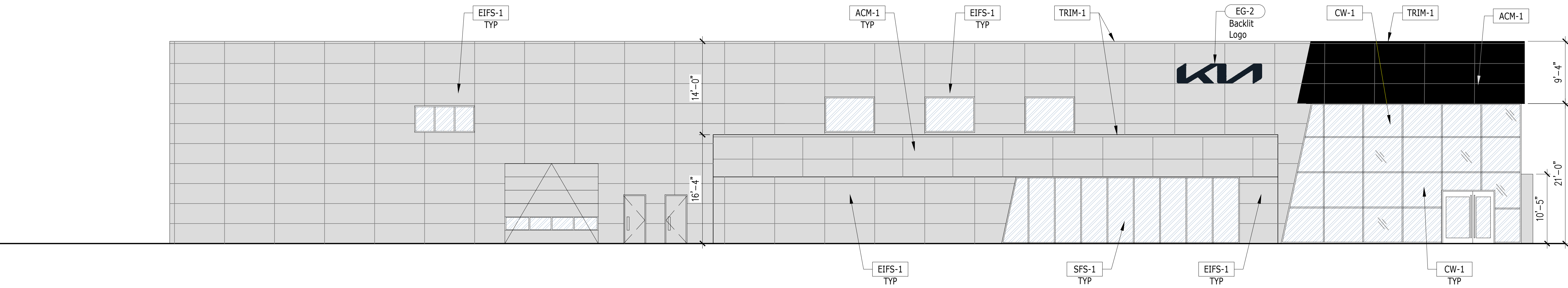


FRONT ELEVATION
SCALE: 1/8" 1

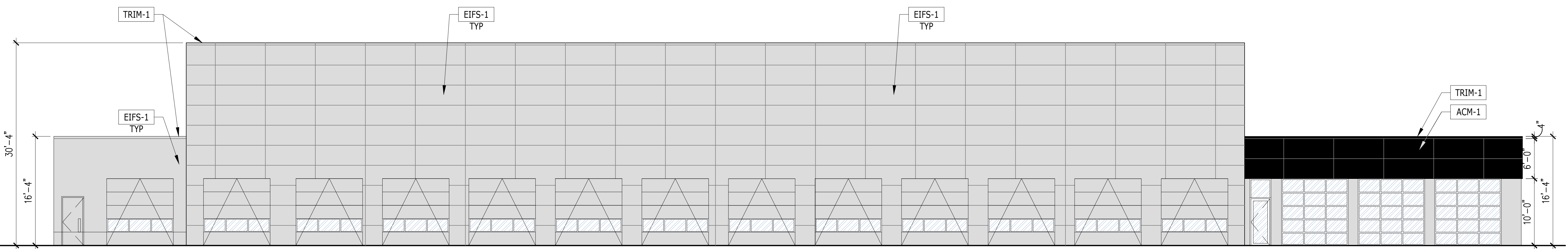
LEGEND	
EG-?	GRAPHICS DESIGNATOR - EXTERIOR BACKLIT CHANNEL LETTER SIGNAGE
ACM-1	COMPOSITE METAL PANEL - TOB BLACK
ACM-2	BSX SILVER METALLIC
CW-1	CURTAIN WALL GLAZING SYSTEM - CLEAR ANODIZED ALUMINUM FRAME, LOW-E CLEAR GLASS
SFS-1	STOREFRONT GLAZING SYSTEM - CLEAR ANODIZED ALUMINUM FRAME, LOW-E CLEAR GLASS
EIFS-1	EXTERIOR INSULATED FINISH SYSTEM - PAINT BENJAMIN MOORE COVENTRY GRAY
TRIM-1	ALUMINUM ROOF COPING CAP - MATCH ADJACENT FINISH



RIGHT ELEVATION
SCALE: 1/8" 2



LEFT ELEVATION
SCALE: 1/8" 3



BACK ELEVATION
SCALE: 1/8" 4

PROJECT:



INTERNATION AUTOS KIA
BURLESON, TX

ARCHITECT:



807 Waukegan Road, Suite 150
Deerfield, IL 60015

Tel: 847-571-3814
Attn: Simon Yu

CIVIL:

Manhard Consulting
505 Pecan St, Suite 201
Fort Worth, TX 76102

Tel: 817-866-6378
Attn: John Hamilton

MECH / PLUMB ENGINE:

ELEC ENGINE:

JUNE 30, 2023 - PLANNING

JULY 27, 2023 - PER COMMENTS

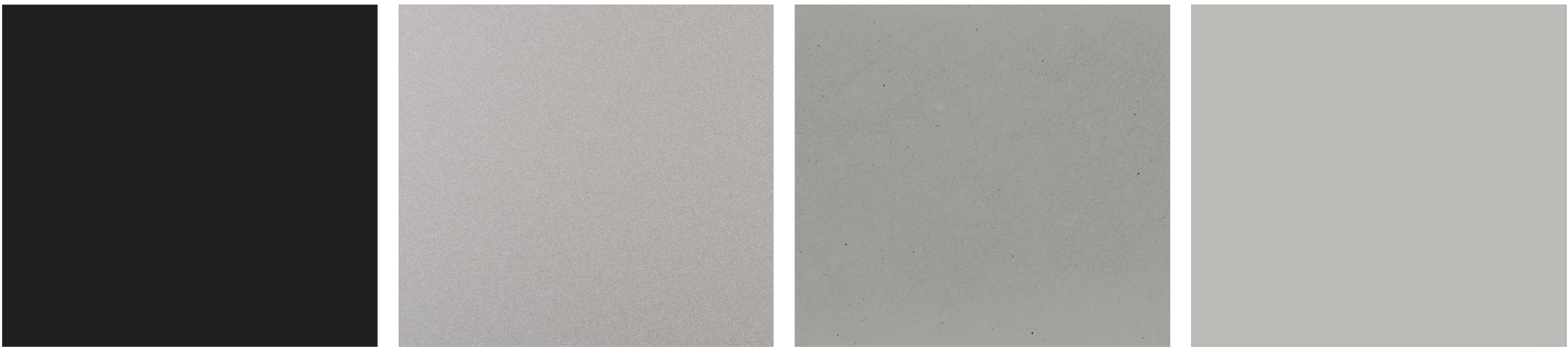
EXTERIOR ELEVATIONS

A04.01

NOTE: SIGNAGE SHOWN FOR
REFERENCE ONLY. SIGN REVIEW
TO BE UNDER SEPARATE PERMIT



RENDERING - PROTOTYPE EXTERIOR
SCALE: None



MATERIALS SAMPLES - EXTERIOR
SCALE: None

PROJECT:



INTERNATION AUTOS KIA
BURLESON, TX

ARCHITECT:



807 Waukegan Road, Suite 150
Deerfield, IL 60015
Tel: 847-571-3814
Attn: Simon Yu

CIVIL:

Manhard Consulting
505 Pecan St, Suite 201
Fort Worth, TX 76102
Tel: 817-866-6378
Attn: John Hamilton

MECH / PLUMB ENGIN:

ELEC ENGIN:

JUNE 30, 2023 - PLANNING

EXTERIOR
RENDERING

A4.05

August 21, 2023

VARIANCE REQUEST

Please review our variance application in association with Site Plan 23-129. Per this submittal, we kindly ask for the city staff's approval of our variance in conjunction with the proposed auto sales development and recommendation for approval in the following Planning & Zoning Commission and City Council hearings.

Due to proposed land use, we are requesting a variance for Article V Section 5-52.o. This portion of the code does not permit parking between the principal address of the building and the street without approval of alternate design when in the IH-35 overlay specific plan area 3. As shown in our site plan (attached), for the function of auto sales, we are requesting the ability to park in the area between the building and IH-35 Frontage Road. This location of parking is typical for land uses associated with auto sales.

Due to land use and site constraints, we are also requesting a variance for Article V Section 5-51.h.2. This portion of the code requires a 'green' with a minimum area of 1 acre. The north site is roughly 5 acres while the south site is roughly 7 acres. By requiring 1 acre of 'green', as described in the code, the developable area of the site is greatly compromised. While we are not able to meet the 'green' requirements, we are exceeding the minimum requirement of 5% net site dedicated to open space. The cumulative of both sites would require 26,198 sf of landscaped area and we are providing 95,513 sf. As shown in the site plan (attached), and due to the function of the proposed site, the open spaces are spread out across both sites. Furthermore, we are providing over one continuous acre of open green space along Traver Road equating to 45,985 sf. and should satisfy the 'green' requirement from a cumulative viewpoint.

Additionally, due to land use and site constraints, we are also requesting a variance for Article III Section 86-105.a. This portion of the code requires no less than forty percent of the total landscaping to be located in the designated front yard. Due to the layout of the site, the open spaces are spread out across the site. We are providing one continuous acre of open green space along Traver Road equates to 45,985 sf. The open space "Landscape Buffer" along the north property line equates to 11,938 SF open space, and the open access detention pond equates to 37,590 SF. All spaces have turf and trees.

Sincerely,



John C. Hamilton, P.E.
Sr. Project Manager
Manhard Consulting
jhamilton@manhard.com
(817) 865-5378

Planning & Zoning Commission Meeting

DEPARTMENT: Development Services

FROM: JP Ducay, Senior Planner

MEETING: September 26, 2023

SUBJECT:

Basden Storage at 755 E Renfro St (Case 23-010): Hold a public hearing and consider an ordinance for a commercial site plan with waivers, and a SUP, Specific Use Permit, allowing “Mini-warehouse” in the C, Commercial Zoning District and specific plan area 1, “Spinks” of the IH35 Overlay district. *(Staff Presenter: JP Ducay, Senior Planner)*

SUMMARY:

On January 23, 2023, an application was submitted by Chad Wallace with Baird Hampton & Brown, on behalf of Bruce Basden requesting a Specific Use Permit (SUP) to allow for the use of “mini-warehouse” in order to develop a self-storage facility at 755 E Renfro Street. Subsequently, a commercial site plan; which is required to be part of the adopted ordinance for an SUP, was submitted on April 17, 2023. The applicant also submitted a request for eleven (11) waivers to the IH-35 Design standards, Fencing and Screening regulations and the Landscaping generally section of the code as a result of staff comments related to the site plan review.

Article V Supplemental Regulations, Section 130-105 (b): Application for a specific use permit may be made by any property owner or other person having a proprietary interest in the property for which a specific use permit is requested by filing an application on the forms provided by the city and paying the established fee. The application shall be accompanied by a site plan drawn to scale and showing the elements indicated in section 131, site plan requirements, when required by conditions of the specific use permit. The site plan shall be considered and filed as part of the ordinance, and if approved, filed prior to the issuance of a building permit.

Development Overview:

The property has a base zoning of C, Commercial and is located within IH-35 specific plan area 1, which requires an SUP for the use of “mini-warehouse”. The uses and site development will occur in accordance with City of Burleson Code of Ordinances, “C”, Commercial district zoning, and IH35 design standards. The applicant has concurrently submitted a commercial site plan (attached as Exhibit 4) as required to be part of the adopted ordinance for any SUP zoning request. Additionally, the applicant has requested eight waivers to the IH-35 Design Standards, two waivers to the Fencing and Screening regulations and one waiver to the general landscaping requirements. Of the 11 waivers, the Planning and Zoning Commission only has the authority to consider and make a recommendation for the waiver to the general landscaping

requirements, in this case, Section 86, 103 (h), established below as waiver number 11. The applicant's justification for all of the requested waivers is attached as Exhibit 5. The proposed development consists of six retail suites facing Renfro Street totaling approximately 17,000 square-feet and three levels of climate-controlled self-storage space totaling 137,000 square-feet behind the retail suites. The retail and storage uses will be contained in one building with a footprint of 55,822 square-feet and a total gross floor area of 153,648 square-feet.

Site Plan Overview

Site Conformance Table

<i>Required</i>	<i>Staff's Findings</i>
<u>Lot Size, Coverage and Setbacks</u> Specific lot information as shown on site plan	Site plan is in compliance with all development regulations with the exception of: <ul style="list-style-type: none"> • 8 - IH-35 Building Design Standards • 2 - Fencing and Screening Regulations • 1 - Landscaping Generally Requirement
<u>Landscaping –</u> 20% of Total Site shall be landscaped: 28,360 SF 40% of Total required in front yard: 11,344 SF 90% maximum of grass/groundcover	Landscaping provided: 21.9% (32,071 SF) Landscaping provided: 89% (28,645 SF) Waiver request: 96% grass/groundcover proposed
<u>Parking Requirement –</u> 1 space per 300 SF (retail): 57 spaces 1 space per 3,000 SF (storage): 46 spaces 5 ADA spaces	Complies. – Via Parking Agreement Parking provided: 57 spaces Parking provided: 46 spaces ADA spaces: 6 spaces

Site plan and landscaping exhibits are attached as Exhibit 4.

Waivers requested:

1. **Section:** IH-35 Design Standards, Sec. 5-51 Landscaping (d) Perimeter

Required: All parking areas adjacent to a major or minor arterial street, as shown in the master thoroughfare plan, shall be located a minimum of 25 feet from the right-of-way line.

Provided: Parking is located as close as five feet (5') from the Right-of-Way line along Hurst Road.

Justification: Hurst Road has an extra-large green space with a distance of 33' from the curb to the Right-of-Way line.

2. **Section:** IH-35 Design Standards, Sec. 5-51 Landscaping (d) (1 & 2) Perimeter

Required: One large tree, three-inch in caliper minimum shall be planted on 30-foot centers within the required landscaped area. A minimum of 15 five-gallon shrubs shall be planted in the landscaped area for every 30 linear feet of frontage. The shrubs shall be planted in such a way to screen the parking lot from the roadway.

Provided: Eight (8) perimeter trees are being requested in lieu of the required 23 trees. 110 shrubs are being requested in lieu of the required 206 shrubs.

Justification: The majority of the site is elevated above the roadway. Shrubs have been provided in areas where the road is at a similar elevation. Retaining walls will be required as the site slopes from north to south. The retaining walls will impede the planting and canopy of some of the required perimeter trees.

3. **Section:** IH-35 Design Standards, Sec. 5-51 Landscaping (e) Foundation planting

Required: Foundation plantings are required for buildings or groups of buildings that have 40,000 square feet of gross building area or larger. One three-inch caliper tree shall be required for each 7,500 square feet of gross building area. The trees shall be located no farther than 30 feet from the face of the building.

Provided: Eight (8) trees are required to accommodate this requirement – the applicant is proposing to provide zero foundation trees.

Justification: The sites topography slopes from back to front. As a result, approximately half of the building will be below finished grade. The face of the building will be broken up by a retail component on the front rather than landscaping.

4. **Section:** IH-35 Design Standards, Sec. 5-51 Landscaping (c,4) Parking lot landscaping

Required: Landscaped islands shall be located at the terminus of all rows of parking. The islands shall be a minimum five feet in width and extend the entire length of the parking stall and contain at least one three-inch caliper tree.

Provided: There are 11 landscape islands, of which, five (5) will contain the required tree.

Justification: The topography of the site slopes from north to south with portions of the building being below grade. Root systems of the required trees could possibly damage the foundation walls and retaining walls around the parking area.

5. **Section:** IH-35 Design Standards, Sec. 5-51 Landscaping (c,2) Parking lot landscaping

Required: Any portion of each parking space shall be located within 60 feet of the trunk of a tree.

Provided: Of the 103 total parking spaces, only 66 will be located within 60' of the trunk of a tree.

Justification: Most of the spots not meeting this requirement are located within the shared parking area and irrigation will not be present. All other spots are adjacent to the loading zones where large trucks can damage trees.

6. **Section:** IH-35 Design Standards, Sec. 5-50 Building Design (d)

Required: On all other publicly visible façades, at least 20 percent of the wall area between two and ten feet above grade shall consist of windows or similar glazing.

Provided: The owner is proposing to provide 18 percent of glazing on the right (east) façade and 2 percent on the rear (north) façade in lieu of the required 20 percent.

Justification: The front (south) façade will meet the glazing requirement due to the retail nature of this elevation, however, the east and north elevations are primarily storage related where glazing is not a desirable architectural element.

7. **Section:** IH-35 Design Standards, Sec. 5-50 Building design (j)

Required: Columns and piers shall be spaced no farther apart than they are tall.

Provided: The columns will be spaced approximately 26'-8" apart in lieu of the required 16'.

Justification: The requested spacing allows for the desirable architectural elements of combining the retail portion with the storage portion of the building.

8. **Section:** Fencing and Screening Regulations, Sec. 36-12 Nonresidential uses (e,3) Trash/recycling receptacle screening

Required: Shall not encroach into any required setbacks.

Provided: The dumpster enclosure is setback three (3) feet from the eastern property line in lieu of the required 10 foot setback.

Justification: The dumpster is intended for the retail component of the project and as such, needs to be located adjacent to the retail areas. At this location, the dumpster is 30 feet away from the curb/street. There is a large grass/green area between Hurst Road and the proposed sites property line that will act as a natural buffer.

9. **Section:** Fencing and Screening Regulations, Sec. 36-14 Transitional Screening (a)

Required: When a nonresidential use abuts a residential use, transitional screening shall be required for separating these districts or uses along the entire property line of the higher intensity district. Shall be incumbent upon the developer of the more intensively zoned property to screen his property from a less intensive zoning district.

Provided: No transitional screening is being provided along the northern property line.

Justification: Although the property to the north is zoned residential, the current use operating at this location is a church. The owner of the subject property and the owner of the northern church property have established a parking and access agreement.

10. **Section:** IH-35 Design Standards, Sec. 5-53 Fencing and screening (b)

Required: Loading docks shall be incorporated into the overall design of the building and landscape so that the visual impacts are contained and out of view from adjacent properties and public streets.

Provided: No screening is being provided in attempt to limit the loading bay visibility on the northern elevation.

Justification: Screening would encumber the shared parking and access agreement with the northern property. Additionally, the loading dock is setback over 250' from the public street and will naturally be difficult to see.

11. **Section:** Landscape Standards, Sec. 86-103 Landscaping generally (h) – **This section warrants a recommendation from Planning and Zoning Commission when a waiver is requested.**

Required: Grass and/or groundcovers shall not be allowed to comprise over 90 percent of any required landscape area.

Provided: The landscaping plan is proposing 96% of the landscape area to be grass and/or groundcover in lieu of the required maximum of 90%.

Justification: The percentage of grass and groundcover exceeds the required amount due to the reduction of trees and shrubs as a result of the sites topography.

This site is designated in the Comprehensive Plan as Community Commercial.

This land use category is intended to provide suitable areas for the development of light to medium intensity commercial uses to support surrounding urban development.

Staff supports the Specific Use Permit request for “mini-warehouse” based on the adjacent land uses and general conformance to the the Comprehensive Plan.

ENGINEERING:

Utilities:

- Water – The subject property will be served by Bethesda Water Supply Corporation.
- Sewer – The subject property will be served by the City of Burleson.
- Storm – The subject property will subject to the City of Burleson Design Standards Manual and will include a small detention pond.

Access:

- Access to E. Renfro is controlled by TxDOT and is subject to their regulations including a right turn lane.
- Access to Hurst Road is controlled by the City of Burleson and subject to the Design Standards Manual.

OPTIONS:

- 1) Recommend approval of an ordinance for a specific use permit for mini-warehouse with the associated commercial site plan and waiver to Section 86, 103 (h), Landscaping generally requirements; or
- 2) Recommend approval of an ordinance for a specific use permit for mini-warehouse with the associated commercial site plan and waiver to Section 86, 103 (h), Landscaping generally requirements with additional conditions; or

- 3) Recommend denial of the ordinance.

RECOMMENDATION:

Recommend to City Council approval of an ordinance for a specific use permit for mini-warehouse and a commercial site plan with a waiver to Section 86,103(h) (Case 23-010).

Pending the approval or disapproval of the commercial site plan and requested waivers, staff will update the attached site plan exhibit within the Ordinance prior to the signing of the ordinance. The updated site plan exhibit will conform to all conditions and/or waivers as granted and approved by City Council.

FISCAL IMPACT:

None.

STAFF CONTACT:

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

Basden Storage at 755 E Renfro St

Item B.

Location:

- 755 E Renfro St.
- 3.255 acres

Applicant/Owner:

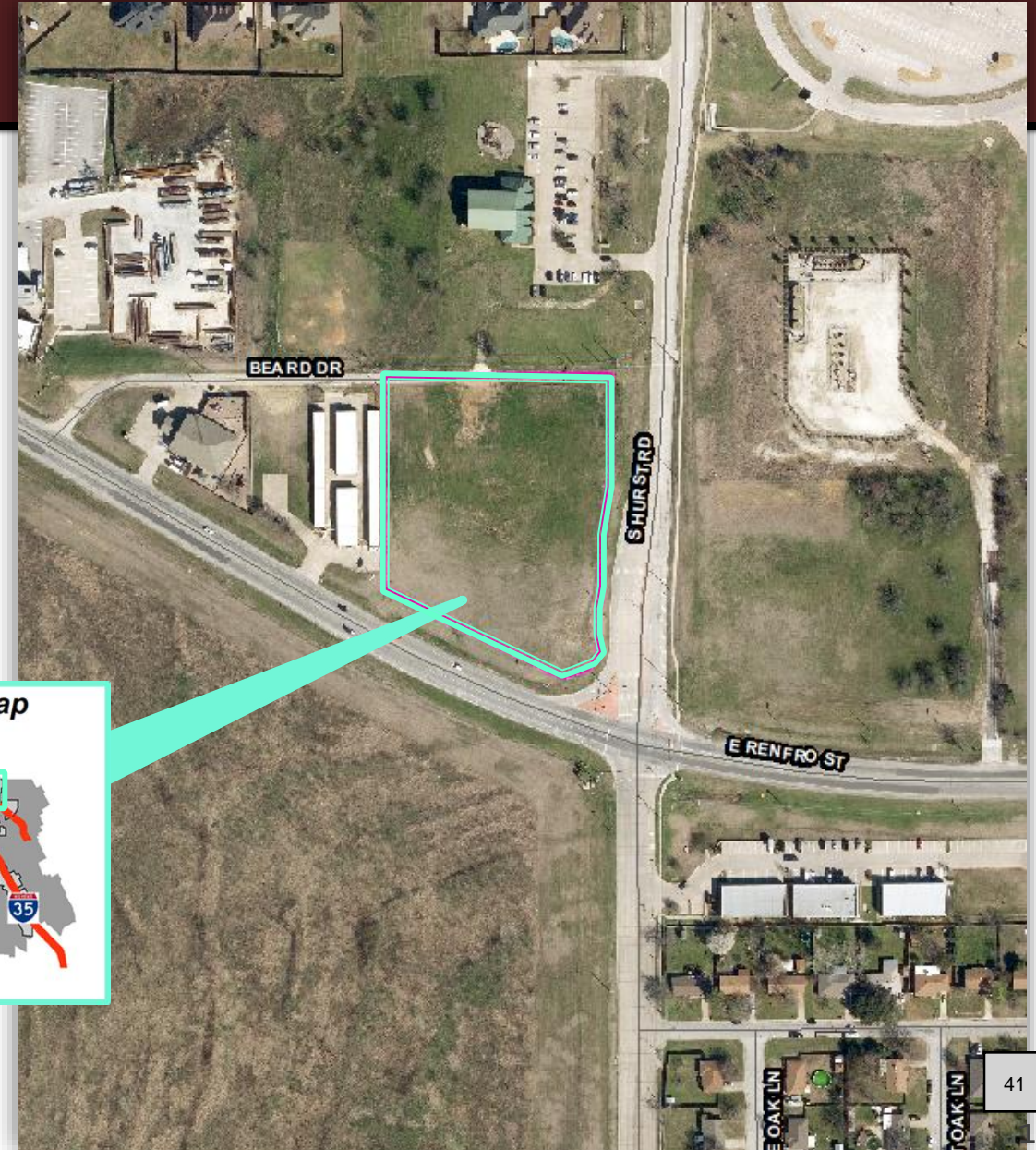
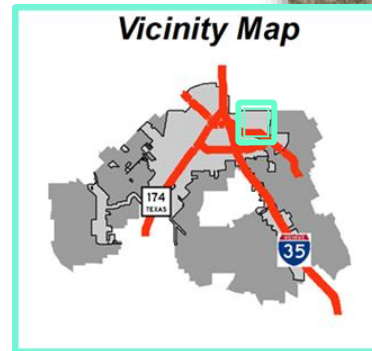
Chad Wallace – (Applicant)

Bruce Basden – (Owner)

Items for approval:

SUP for Mini-warehouse

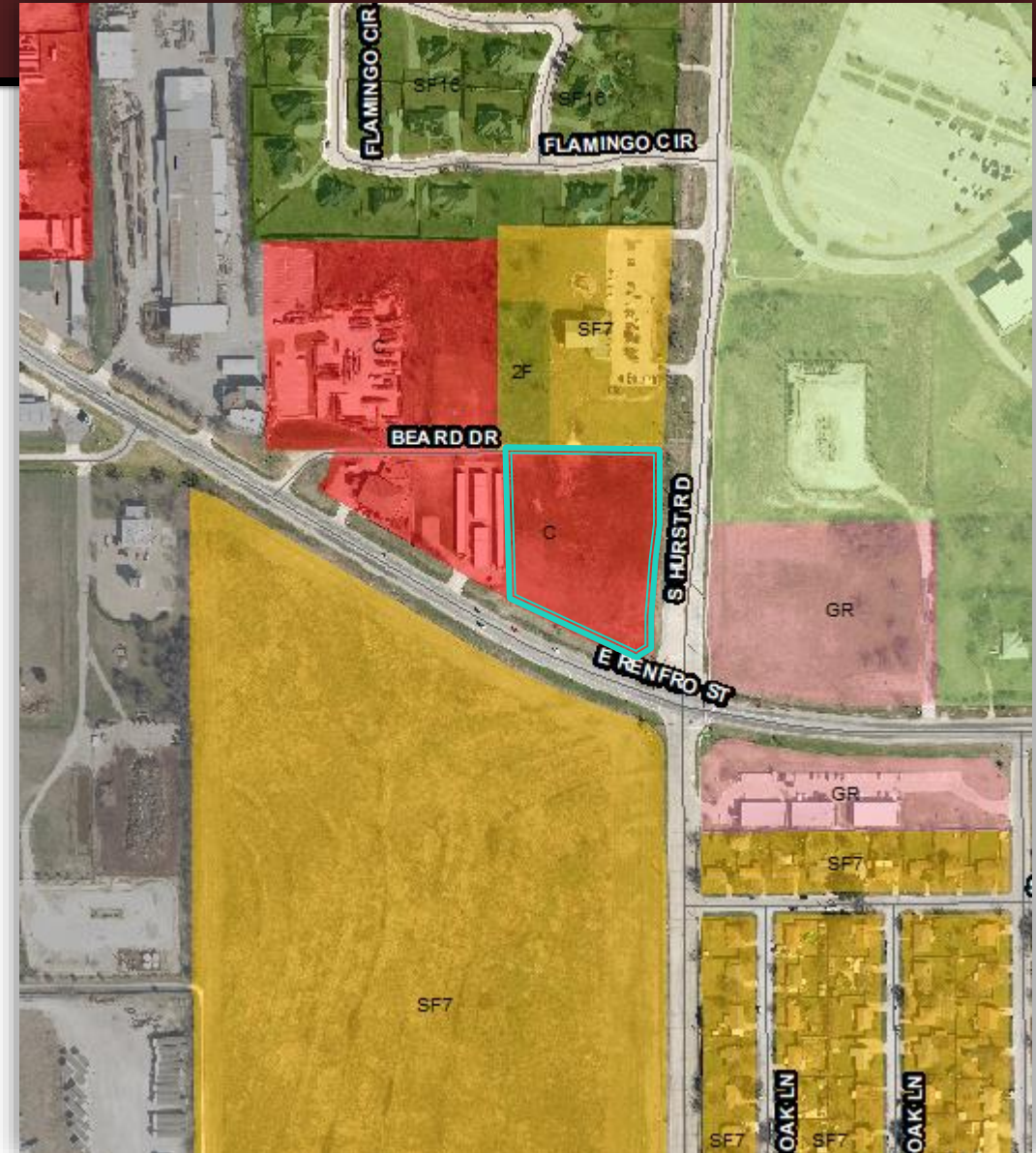
Commercial Site Plan with Waivers



Basden Storage at 755 E Renfro St

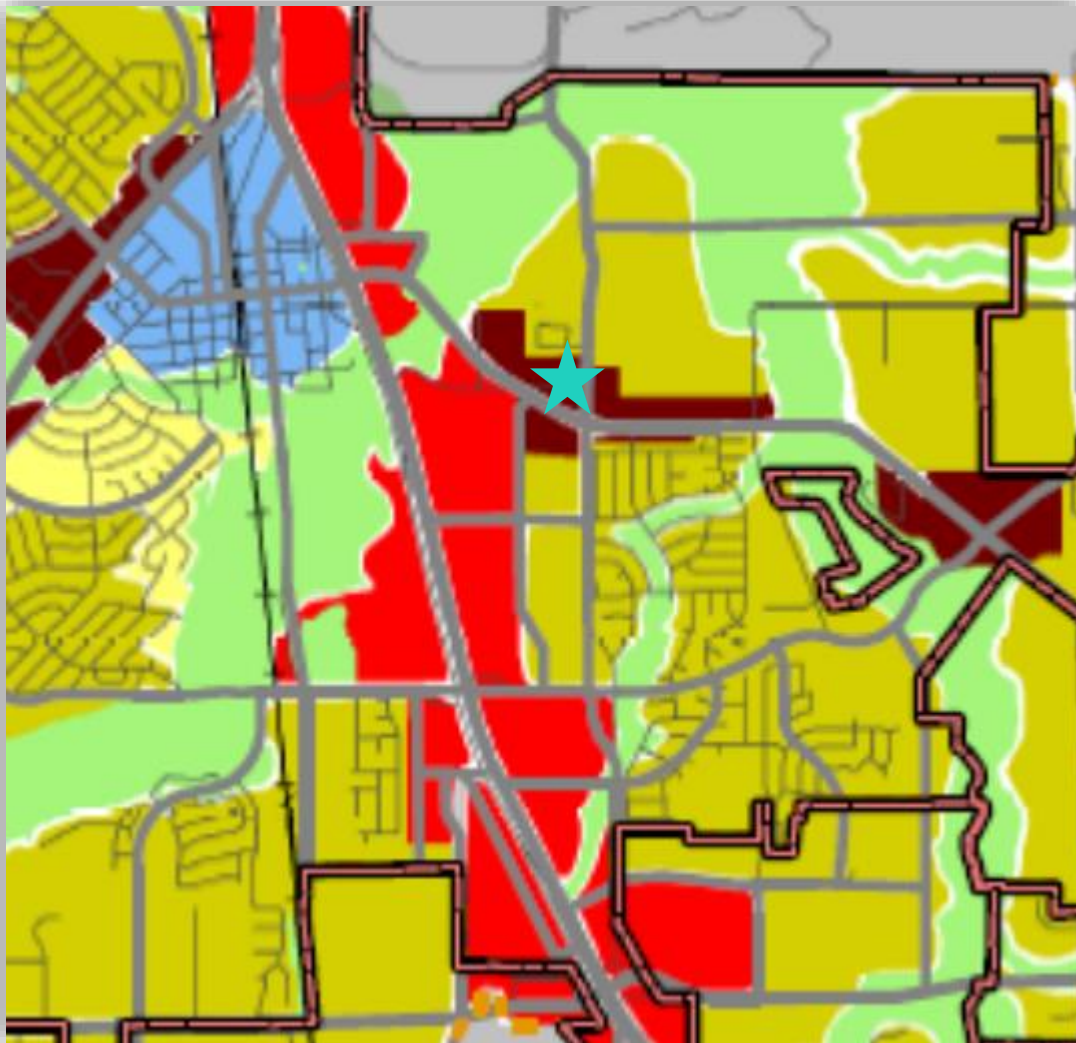
Zoning Information

- Zoning: C, Commercial
- Overlay: IH-35 Specific plan area 1 “Spinks”
 - Requesting a SUP to allow for the use of “Mini-warehouse”
- The applicant has also submitted a Commercial Site Plan (23-041) proposing to construct a retail / self-storage facility on the subject site.
 - Site is located within IH-35 Overlay – standards were applied during the site plan review process. However, any waivers requested to this section do not require a recommendation from P&Z.
 - Recommendation of the site plan shall be made without consideration of the IH-35 & Screening waiver requests.



Comprehensive Plan

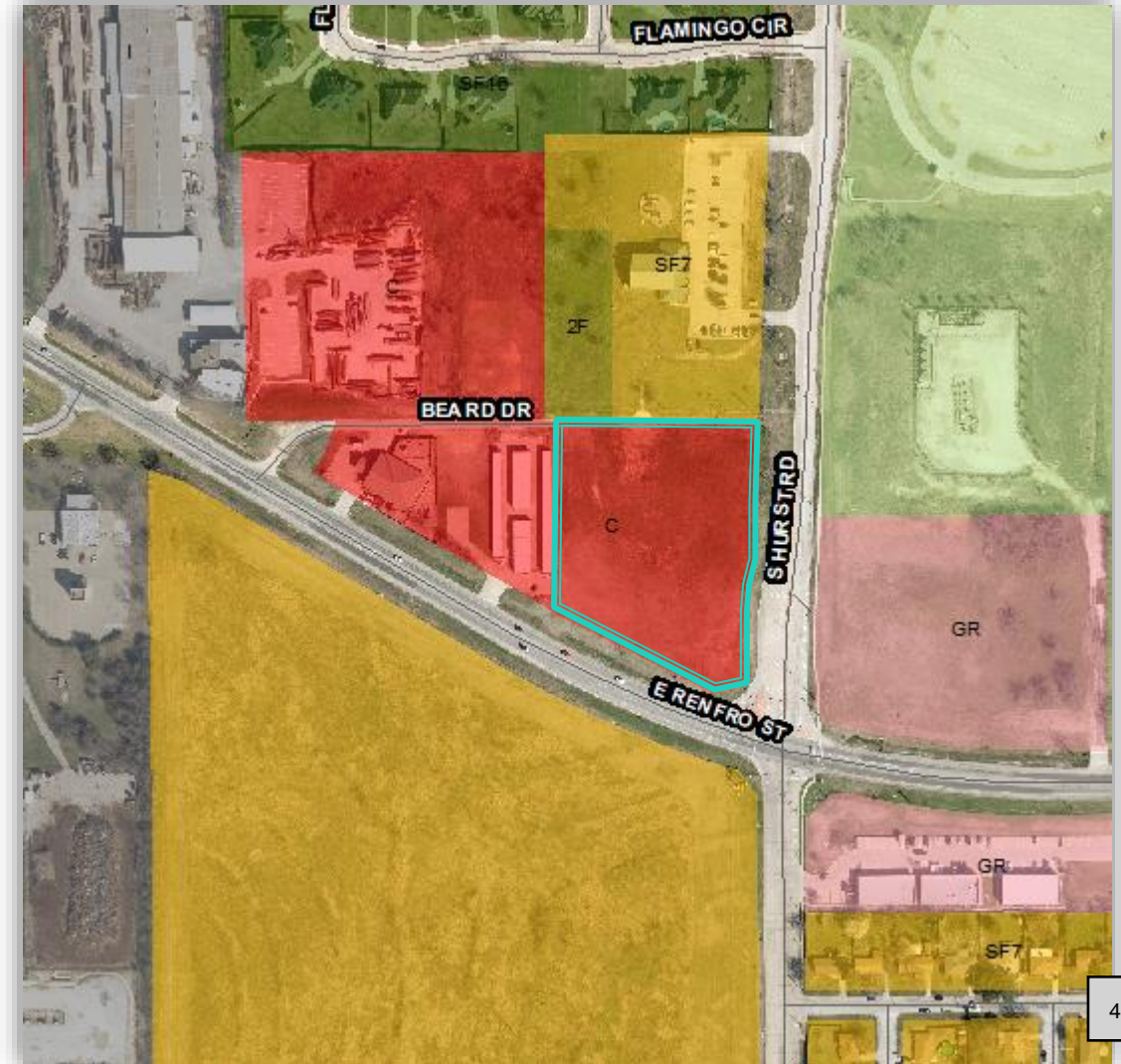
Community Commercial



Zoning

C, Commercial

Item B.

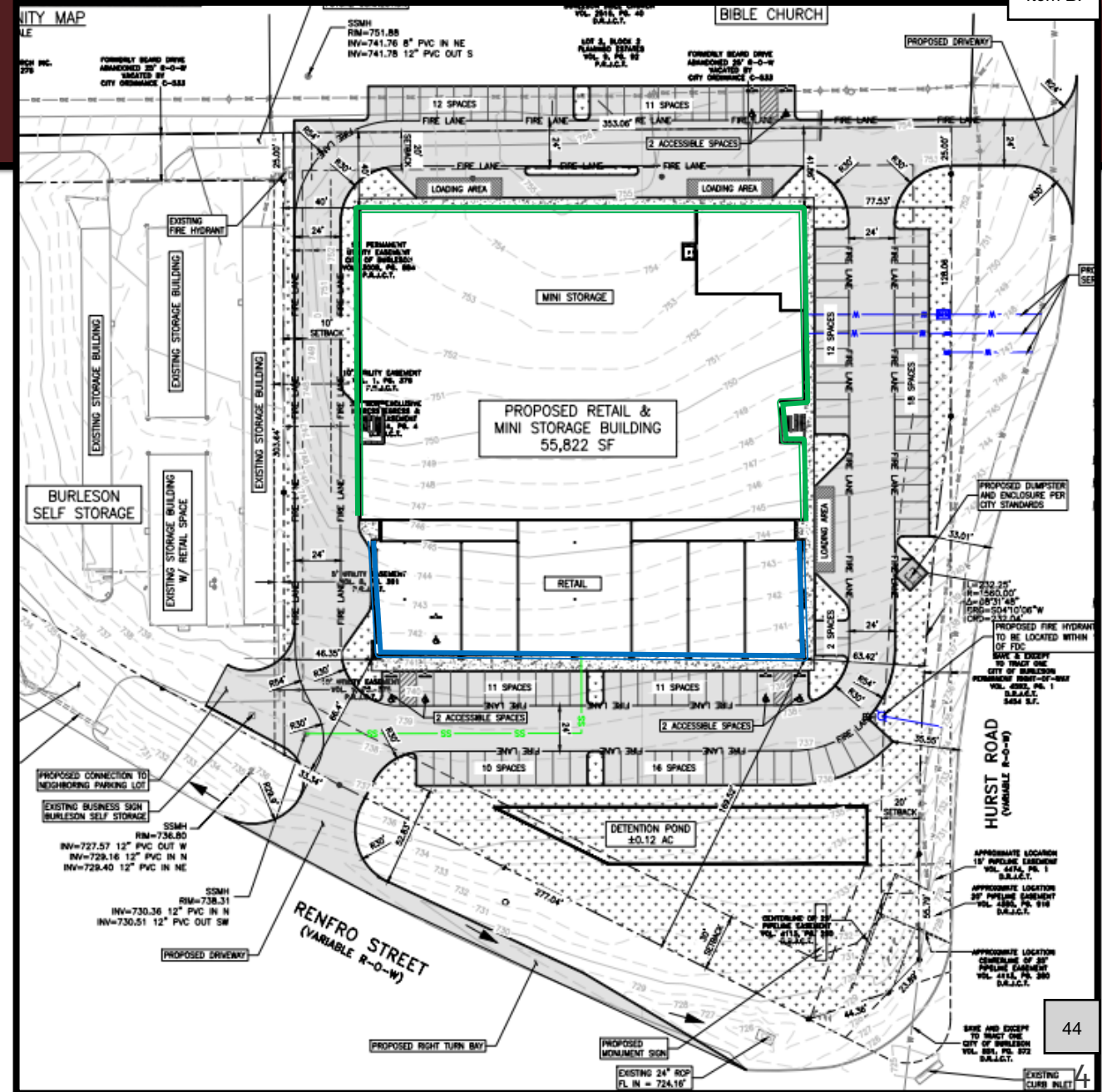


Basden Storage CSP

Item B.

Site Plan Summary:

- Building footprint: 55,822sf
- Gross floor area: 153,648sf
- Height: 45 feet / Three-stories
- Use: Retail / Self-storage
 - Six retail suites (17,000sf) ■
 - Three levels of climate controlled self-storage (137,000sf) ■
- 11 waivers being requested
 - one warrants P&Z Recommendation
- Parking agreement



Basden Storage at 755 E Renfro St

Item B.

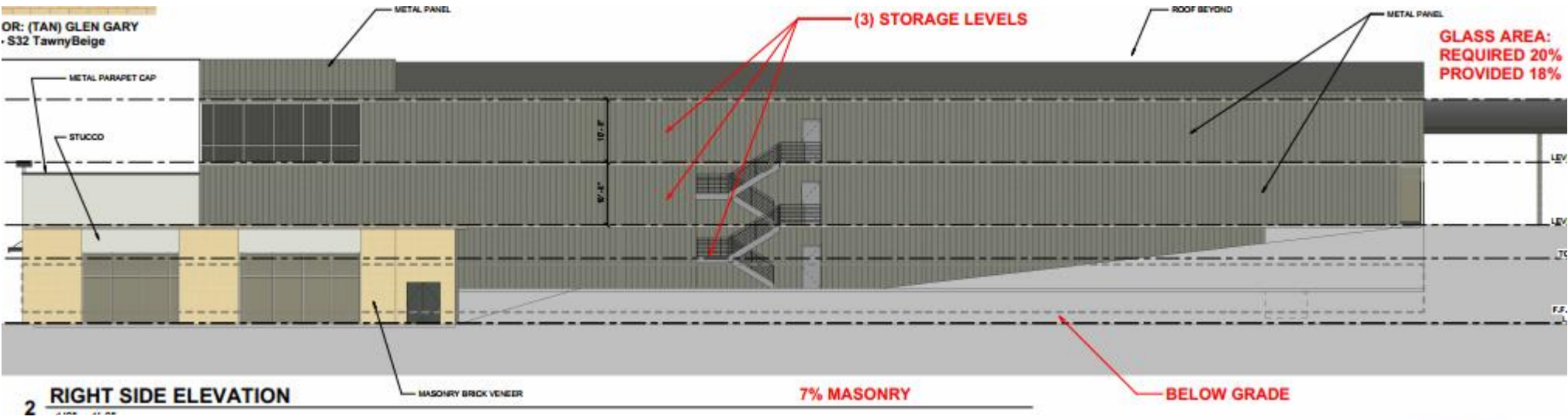
Elevations:

- Perspective at corner of Renfro and Hurst

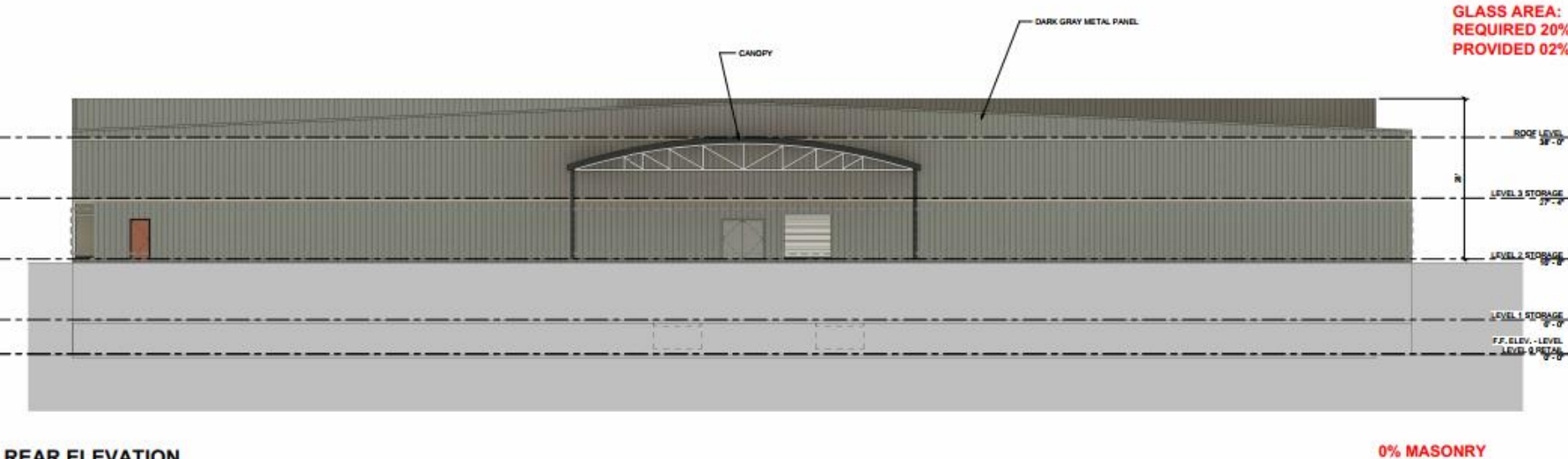


Basden Storage CSP

East



North



Basden Storage at 755 E Renfro St

Item B.

Site Conformance Table

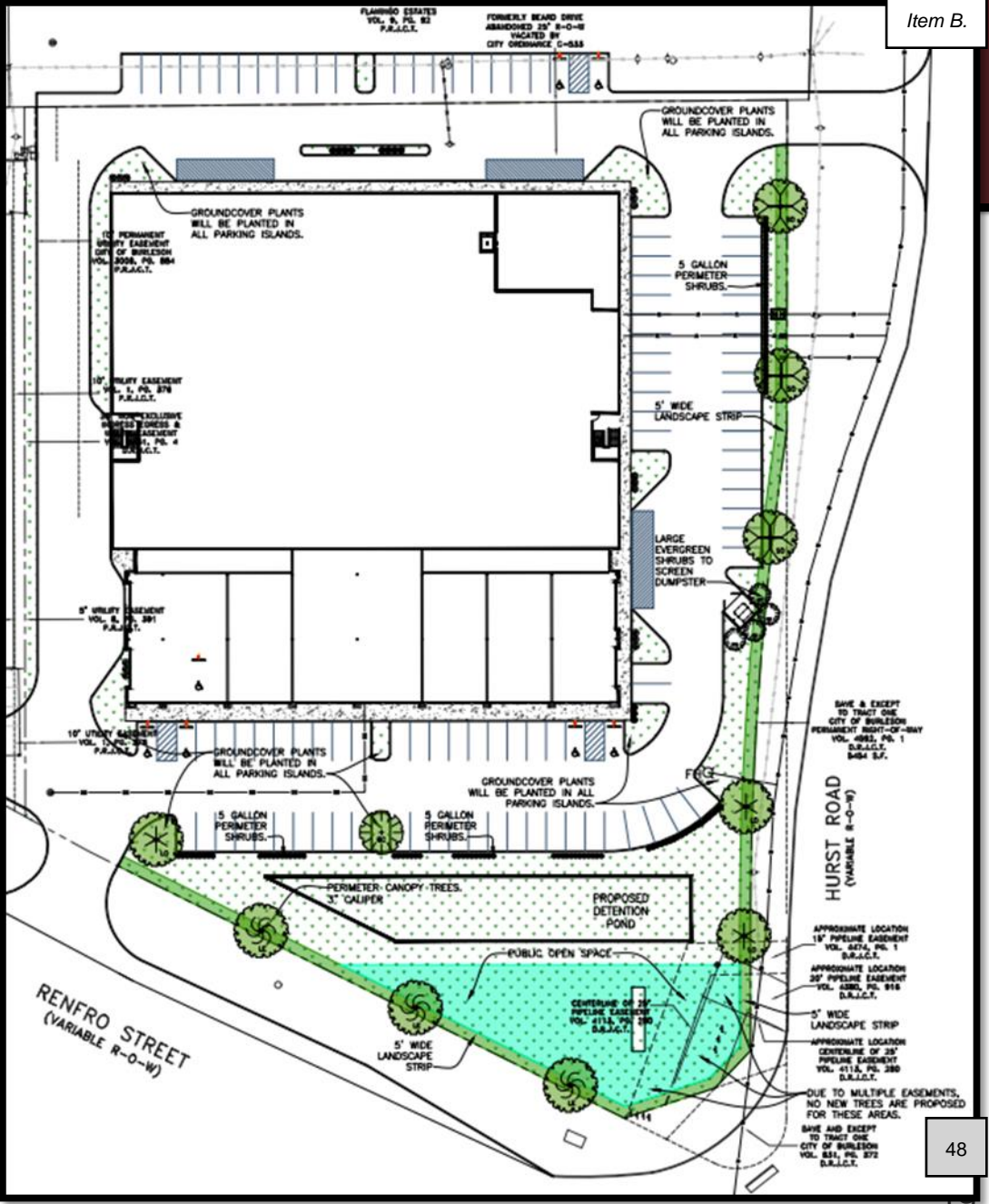
<i>Required</i>	<i>Staff's Findings</i>
<u>Lot Size, Coverage and Setbacks</u> Specific lot information as shown on site plan	Site plan is in compliance with all development regulations with the exception of: <ul style="list-style-type: none">• 8 - IH-35 Building Design Standards• 2 - Fencing and Screening Regulations• 1 - Landscaping Generally Requirement
<u>Landscaping –</u> 20% of Total Site shall be landscaped: 28,360 SF 40% of Total required in front yard: 11,344 SF 90% maximum of grass/groundcover	Landscaping provided: 21.9% (32,071 SF) Landscaping provided: 89% (28,645 SF) Waiver request: 96% grass/groundcover proposed
<u>Parking Requirement –</u> 1 space per 300 SF (retail): 57 spaces 1 space per 3,000 SF (storage): 46 spaces 5 ADA spaces	Complies. – Via Parking Agreement Parking provided: 57 spaces Parking provided: 46 spaces ADA spaces: 6 spaces

Basden Storage CSP

Waiver Request:

- Landscaping generally (h)
- P&Z consideration is required when making recommendation

<u>Required:</u>	Grass and/or groundcovers shall not be allowed to comprise over 90 percent of any required landscape area.
<u>Provided:</u>	The landscaping plan is proposing 96% of the landscape area to be grass and/or groundcover in lieu of the required maximum of 90%.
<u>Justification:</u>	The percentage of grass and groundcover exceeds the required amount due to the reduction of trees and shrubs as a result of the sites topography.



Basden Storage at 755 E Renfro St

Item B.

Utilities & Drainage:

- **Water** – The subject property will be served by Bethesda Water Supply Corporation.
- **Sewer** – The subject property will be served by the City of Burleson.
- **Storm** – The subject property will subject to the City of Burleson Design Standards Manual and will include a small detention pond.

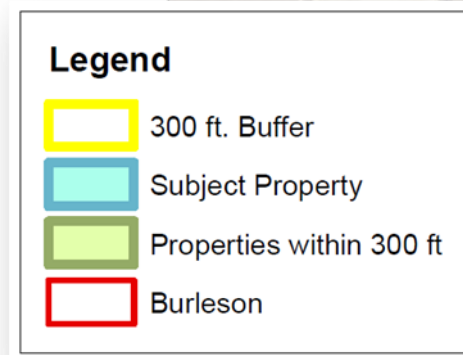
Traffic:

- Access to E. Renfro is controlled by TxDOT and is subject to their regulations including a right turn lane.
- Access to Hurst Road is controlled by the City of Burleson and subject to the Design Standards Manual.

Basden Storage SUP

Public Hearing Notice

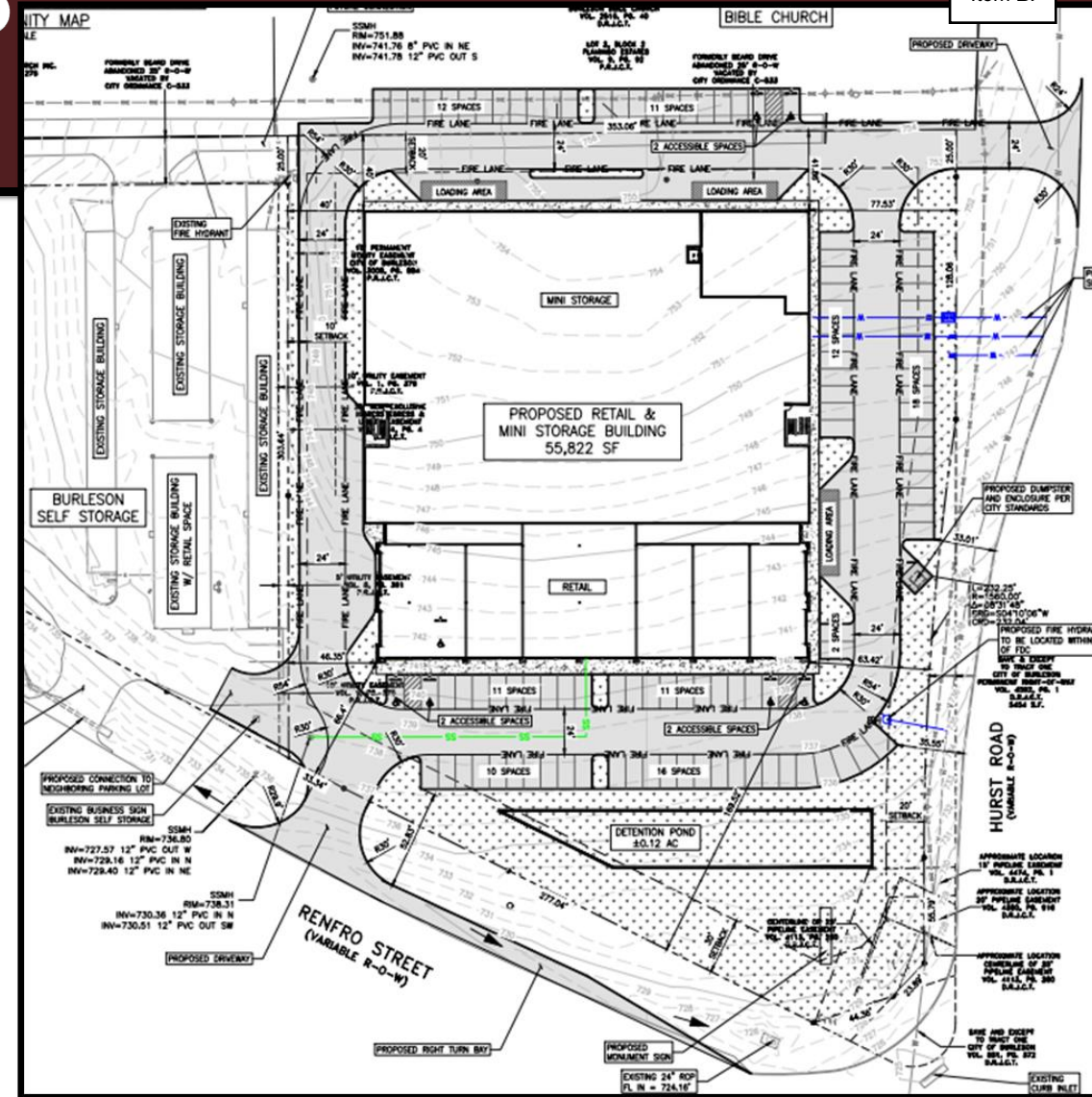
- Public notices were mailed to property owners (based on current JCAD records) within 300 feet of subject property
- Published in newspaper
- Signs Posted on the property



Item B.

Item B.

Recommend to City Council approval of an ordinance for a specific use permit for mini-warehouse and a commercial site plan with a waiver to Section 86,103(h) (Case 23-010).



ORDINANCE

AN ORDINANCE AMENDING ORDINANCE B-582, THE ZONING ORDINANCE AND MAP OF THE CITY OF BURLESON, TEXAS, BY AMENDING THE OFFICIAL ZONING MAP AND CHANGING THE ZONING ON APPROXIMATELY 3.255 ACRES OF LAND DESCRIBED AS LOT 3R, BLOCK 1, BROWN MANOR; ADDRESSED AS 755 EAST RENFRO STREET, SITUATED IN THE CITY OF BURLESON, JOHNSON COUNTY, TEXAS, FROM COMMERCIAL (C) TO COMERCIAL (C) WITH A SPECIFIC USE PERMIT (SUP) FOR MINI-WAREHOUSE; MAKING THIS ORDINANCE CUMULATIVE OF PRIOR ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING A PENALTY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

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

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

WHEREAS, an application for a **specific use permit** was filed by **Chad Wallace** on **January 23, 2023**, under **Case Number 23-010**, on property described herein below filed application with the City petitioning an amendment of the Zoning Ordinance and Map so as to **allow for the use of Mini-warehouse in its current zoning classification of Commercial (C)**; and

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

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Burleson, Texas voted **X to X** to recommend to the City Council of Burleson, Texas, that the hereinafter described property is **authorized to operate a Mini-warehouse use in its current zoning classification of Commercial (C)**; and

WHEREAS, notice was given of a further public hearing to be held by the City Council of the City of Burleson, Texas, to consider the advisability of amending the Zoning Ordinance and Map as

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

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

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

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

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

Section 1

The Zoning Ordinance and Map is hereby amended insofar as it relates to certain land described as **3.255 acres of land described as Lot 3R, Block 1, Brown Manor; addressed as 755 East Renfro Street, situated in the City Of Burleson, Johnson County, Texas**, as described in **Exhibit A**, by approving a Specific Use Permit (SUP) for the use of Mini-warehouse in its current zoning classification of Commercial (C) being attached hereto and incorporated herein by reference for all purposes, herein with an associated commercial site plan attached herein as **Exhibit B** with the following waivers to the commercial site plan;

City Council hereby grants a waiver to Appendix C Urban Design Standards, Article V section 5-51(d): requiring all parking areas adjacent to a major or minor arterial street, as shown in the master thoroughfare plan, shall be located a minimum of 25 feet from the right-of-way line.

City Council hereby grants a waiver to Appendix C Urban Design Standards, Article V Section 5-51(d) (1, 2): requiring that one large tree, three-inch in caliper minimum shall be planted on 30-foot centers within the required landscaped area and a minimum of 15 five-gallon shrubs shall be planted in the landscaped area for every 30 linear feet of frontage. The shrubs shall be planted in such a way to screen the parking lot from the roadway.

City Council hereby grants a waiver to Appendix C Urban Design Standards, Article V section 5-51(e): requiring foundation plantings for buildings or groups of buildings that have 40,000 square feet of gross building area or larger. One three-inch caliper tree shall be required for each 7,500 square feet of gross building area. The trees shall be located no farther than 30 feet from the face of the building. The plantings are intended to break up the face of the building as well as minimize the visual impact of large areas of impervious cover.

City Council hereby grants a waiver to Appendix C Urban Design Standards, Article V section 5-51(c, 4): requiring landscaped islands shall be located at the terminus of all rows of parking. The islands shall be a minimum five feet in width and extend the entire length of the parking stall. The islands shall contain at least one three-inch caliper tree consistent with the recommended tree list.

City Council hereby grants a waiver to Appendix C Urban Design Standards, Article V section 5-51(c, 2): requiring any portion of each parking space shall be located within 60 feet of the trunk of a tree. Pavement shall not be allowed within three feet of the trunk of a tree.

City Council hereby grants a waiver to Appendix C Urban Design Standards, Article V section 5-50(d): requiring on all other publicly visible façades, at least 20 percent of the wall area between two and ten feet above grade shall consist of windows or similar glazing.

City Council hereby grants a waiver to Appendix C Urban Design Standards, Article V section 5-50(j): requiring columns and piers shall be spaced no farther apart than they are tall.

City Council hereby grants a waiver to Article II section 36-12(e, 3): requiring trash and recycling receptacles shall not encroach into any required setbacks.

City Council hereby grants a waiver to Article II section 36-14(a): requiring when a nonresidential use abuts a residential use, transitional screening shall be required for separating these districts or uses along the entire property line of the higher intensity district. Shall be incumbent upon the developer of the more intensively zoned property to screen his property from a less intensive zoning district

City Council hereby grants a waiver to Appendix C Urban Design Standards, Article V section 5-53(b): requiring loading docks, truck parking, outdoor storage, waste cans, waste dumpsters, trash compactors and other service functions shall be incorporated into the overall design of the building and landscape so that the visual impacts are contained and out of view from adjacent properties and public streets.

City Council hereby grants a waiver to Article III Section 86-103(h): requiring grass and/or groundcovers shall not be allowed to comprise over 90 percent of any required landscape area.

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:

Amanda Campos, City Secretary

E. Allen Taylor, Jr., City Attorney

EXHIBIT "A"

DESCRIPTION OF PROPERTY

A TRACT OF LAND SITUATED IN THE D. ANDERSON SURVEY, ABSTRACT NO. 4, JOHNSON COUNTY, TEXAS, BEING A PORTION OF BEARD DRIVE, AN ABANDONED 25' RIGHT-OF-WAY BY CITY ORDINANCE C-533, AND TOGETHER WITH ALL OF LOT 3-11, BLOCK 1, BROWN MANOR, AN ADDITION TO THE CITY OF BURLESON, JOHNSON COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN VOLUME 1, PAGE 376, PLAT RECORDS, JOHNSON COUNTY, TEXAS; SAVE AND EXCEPT A PORTION OF LOT 9, BLOCK 1, DEEDED TO THE CITY OF BURLESON BY DEED DATED MARCH 24, 1980, AND RECORDED IN VOLUME 831, PAGE 372, DEED RECORDS, JOHNSON COUNTY, TEXAS (D.R.J.C.T.); AND SAVE AND EXCEPT A PORTION OF LOTS 6-9, BLOCK 1, DEEDED TO THE CITY OF BURLESON BY DEED DATED MAY 4, 2009, AND RECORDED IN VOLUME 4592, PAGE 1, (D.R.J.C.T.), AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD FOUND WITH CAP STAMPED "RPLS 5544" AT THE NORTHWEST CORNER OF SAID LOT 3, BLOCK 1, IN THE SOUTHERLY LINE OF FORMERLY BEARD DRIVE ABANDONED 25' RIGHT-OF-WAY VACATED BY CITY ORDINANCE C-533;

THENCE N 00°04'58" W LEAVING SAID NORTHWEST CORNER AND SAID SOUTHERLY LINE, A DISTANCE OF 25.00 FEET TO A 1/2" IRON ROD SET WITH CAP STAMPED "RPLS 5544" IN THE NORTHERLY LINE OF SAID BEAR DRIVE;

THENCE N 89°27'50" E ALONG THE NORTH LINE OF SAID BEARD DRIVE, A DISTANCE OF 353.06 FEET TO A 1/2" IRON ROD SET WITH CAP STAMPED "RPLS 5544" IN THE WESTERLY RIGHT-OF-WAY LINE OF HURST ROAD (VARIABLE R-O-W);

THENCE S 00°02'50" W ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 153.06 FEET TO A 1/2" IRON ROD FOUND WITH CAP STAMPED "RPLS 5544" FOR THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT WITH A RADIUS OF 1560.00 FEET, WHOSE LONG CHORD BEARS S 04°10'06" W, 232.04 FEET;

THENCE WITH SAID NON-TANGENT CURVE TO THE LEFT THROUGH A CENTRAL ANGLE 08°31'48", AN ARC LENGTH OF 232.25 FEET TO A 1/2" IRON ROD FOUND WITH A CAP STAMPED "RPLS 5544" IN SAID WESTERLY RIGHT-OF-WAY LINE;

THENCE S 00°05'57" E, A DISTANCE OF 55.79 FEET TO A 1/2" IRON ROD FOUND WITH A CAP STAMPED "RPLS 5544" IN SAID WESTERLY RIGHT-OF-WAY LINE;

THENCE S 43°29'02" W, A DISTANCE OF 23.89 FEET TO A 1/2" IRON ROD FOUND WITH A CAP STAMPED "RPLS 5544" IN SAID WESTERLY RIGHT-OF-WAY LINE;

THENCE S 71°34'26" W, A DISTANCE OF 44.36 FEET TO A 1/2" IRON ROD FOUND WITH A CAP STAMPED "RPLS 5544" IN THE NORTHEASTERLY RIGHT-OF-WAY LINE OF RENFRO STREET (VARIABLE R-O-W);

THENCE ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE AND THE SOUTHWESTERLY LINE OF SAID BLOCK 1, BROWN MANOR THE FOLLOWING TWO COURSES;

N 63°29'27" W, A DISTANCE OF 277.04 FEET TO A 1/2" IRON ROD FOUND WITH A CAP STAMPED "RPLS 5544";

N 61°15'41" W, A DISTANCE OF 33.34 FEET TO A 1/2" IRON ROD FOUND WITH A CAP STAMPED "RPLS 5544";

THENCE N 00°04'58" W LEAVING SAID NORTHEASTERLY RIGHT-OF-WAY LINE AND THE SOUTHWESTERLY LINE OF SAID BLOCK 1, A DISTANCE OF 303.64 FEET TO THE POINT OF BEGINNING AND CONTAINING 3.255 ACRES OF LAND, MORE OR LESS.

EXHIBIT "B" (continued)

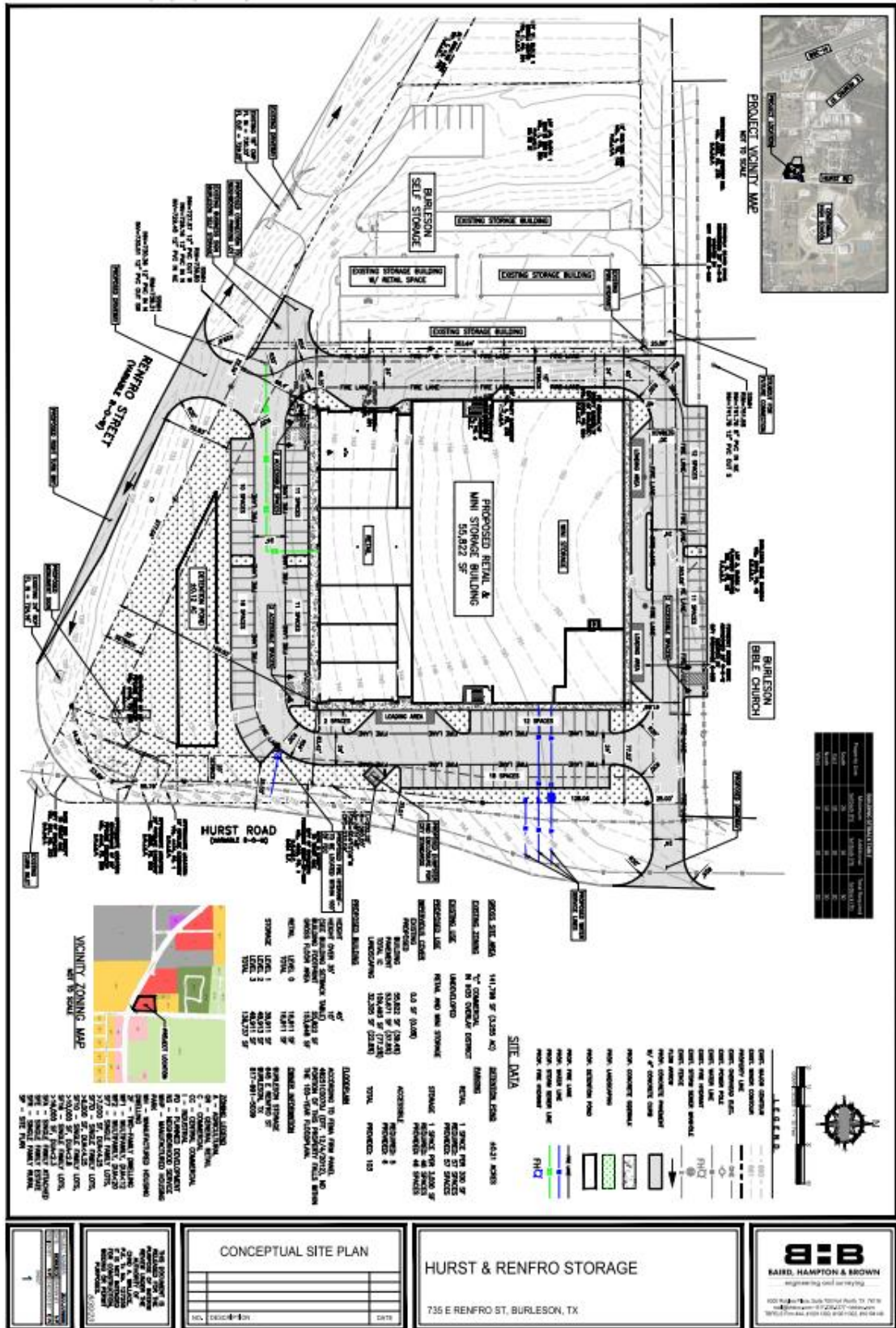


EXHIBIT “B” (continued)

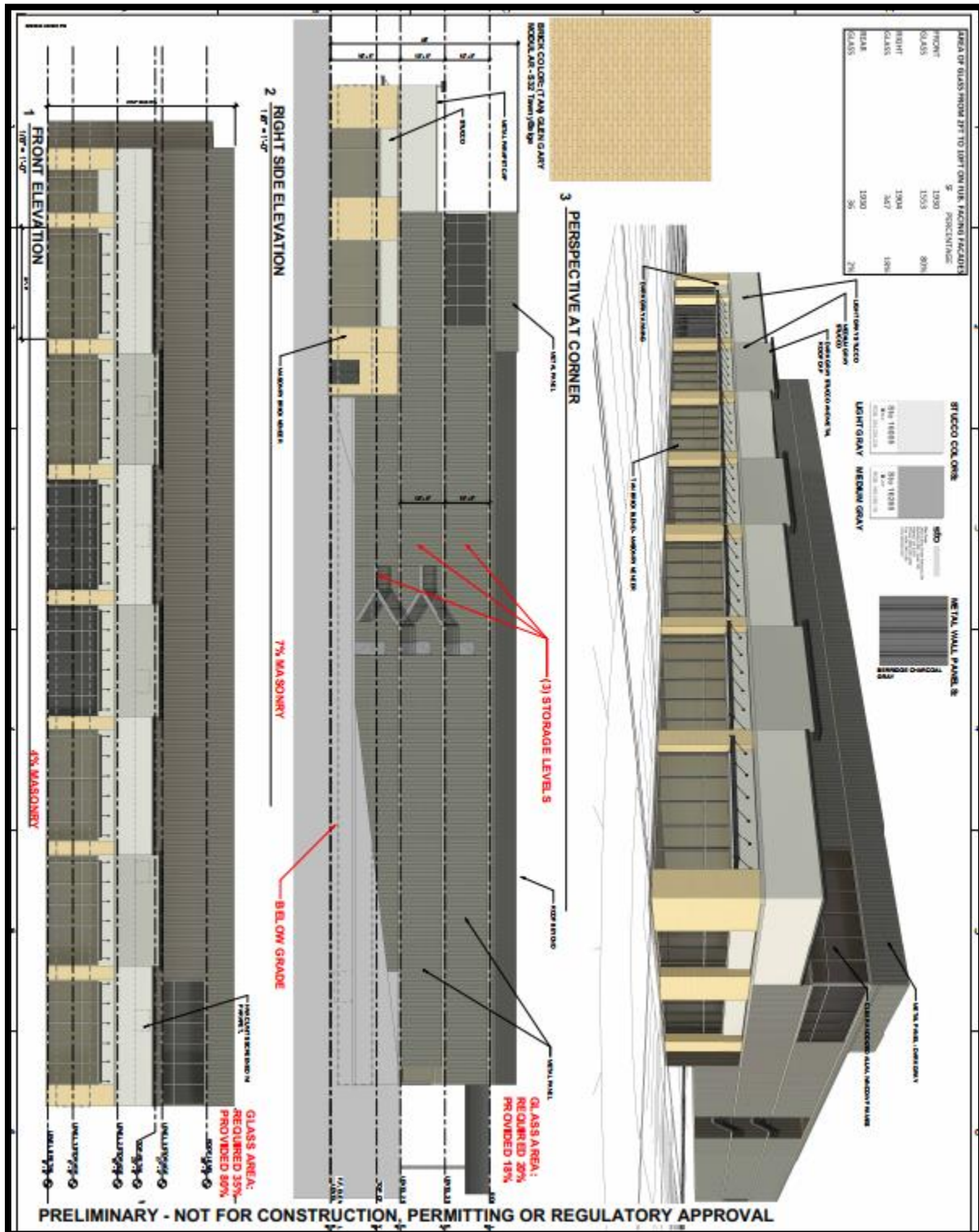
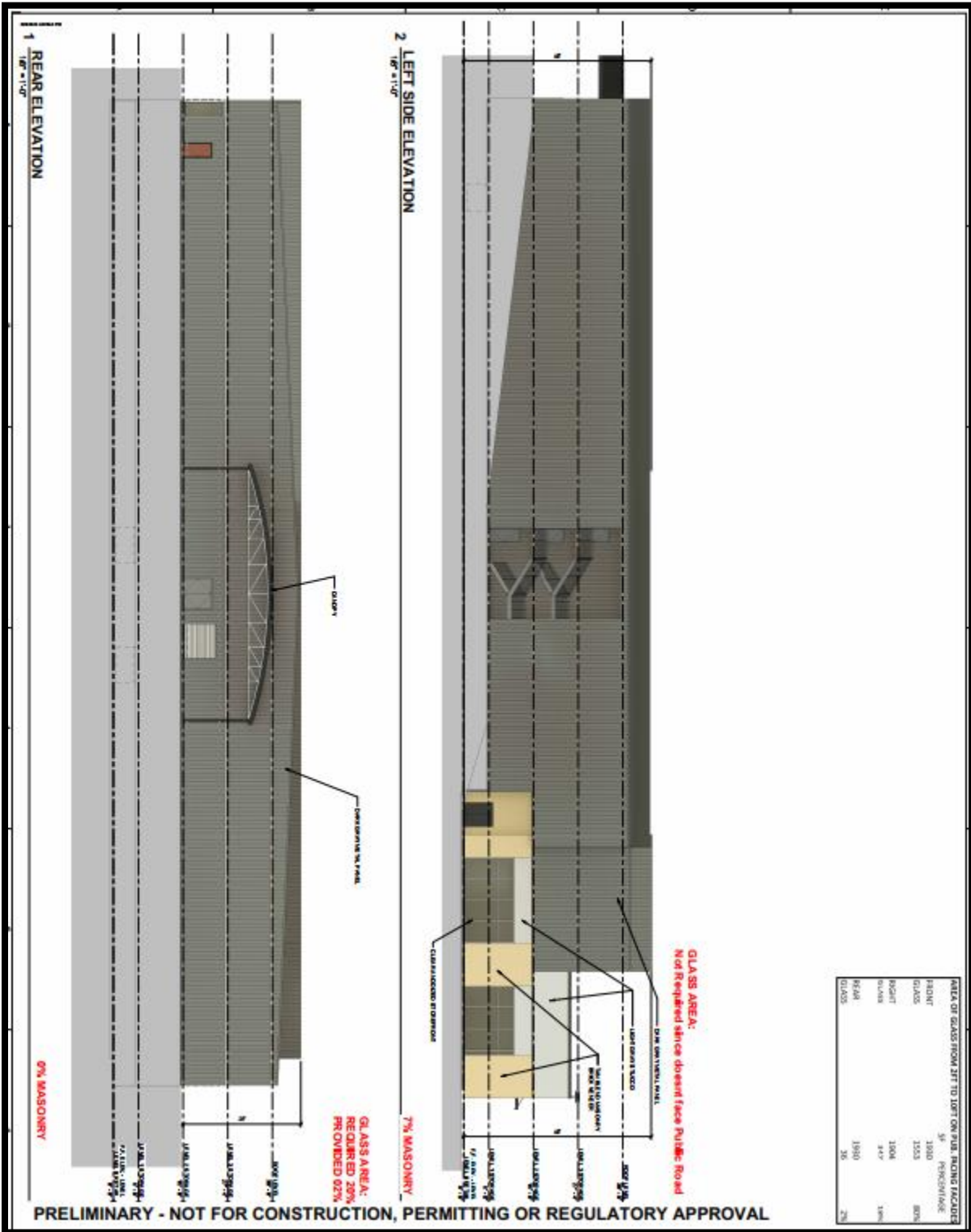
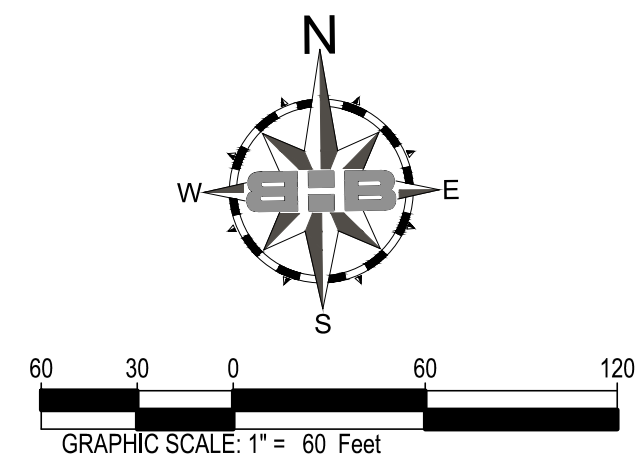


EXHIBIT "B" (continued)





LEGEND

EXIST. MAJOR CONTOUR

EXIST. MINOR CONTOUR

PROPERTY LINE

DRAINAGE DIVIDE

TIME OF CONCENTRATION

FLOW ARROW

DRAINAGE AREA

AREA (ACRES)

RUNOFF COEFFICIENT

860

861




1

1

AREA X

X.XX AC

$C = X.XX$

HYDROLOGIC SOIL GROUP B	
HYDROLOGIC SOIL GROUP C	
HYDROLOGIC SOIL GROUP D	

"C" VALUES PRE-DEVELOPMENT								
Drainage Area	Total Area (acres)	Open Space			Commercial			Composite Runoff "C"
		Soil Group B	Soil Group C	Soil Group D	Soil Group B	Soil Group C	Soil Group D	
		0.37	0.39	0.41	0.96	0.98	1.00	
A	3.85	2.19	1.60	0.06	0.00	0.00	0.00	0.38

PRE-DEVELOPMENT TIME OF CONCENTRATION												
		TR-55										
		Overland Flow				Channelized Flow				Tc		
Drainage Area	Area ac	Length ft	n	P2	Slope	Time	Length	Slope	Velocity	Time	Flow Time	Total
				in	%	min	ft	%	fps	min	min	min
A	3.85	50	0.15	4.08	1.00%	6.6	555	5.08%	1.60	5.8	12.36	12.36

PRE-DEVELOPMENT RATIONAL HYDROLOGIC CALCULATIONS													
Atlas 14 Rainfall Intensity $I=b(Tc+d)^e$							5-yr			100-yr			
							b= 58.5103			b= 105.4618			
							d= 10.3756			d= 11.0321			
							e= 0.7799			e= 0.7717			
Incremental Area		Total Area		Rumoff	Incremental CA	Total CA	Tc	Intensity	Incr. Discharge	Total Discharge	Intensity	Incr. Discharge	Total Discharge
Area No.	Acres	Acres	C				min	iph	cfs	cfs		cfs	cfs
A	3.85	3.85	0.38	1.46	1.46		12.36	5.12	7.48	7.48	9.26	13.52	13.52

B=B
BAIRD, HAMPTON & BROWN
engineering and surveying

6300 Ridglea Place, Suite 700 Fort Worth, TX 76116
mail@bhbinc.com • 817.338.1277 • bhbinc.com
FBPELS Firm #44, #10011300, #10011302, #10194146

HURST & RENFRO STORAGE

735 E RENFRO ST, BURLESON, TX

EXISTING DRAINAGE

[illegible]

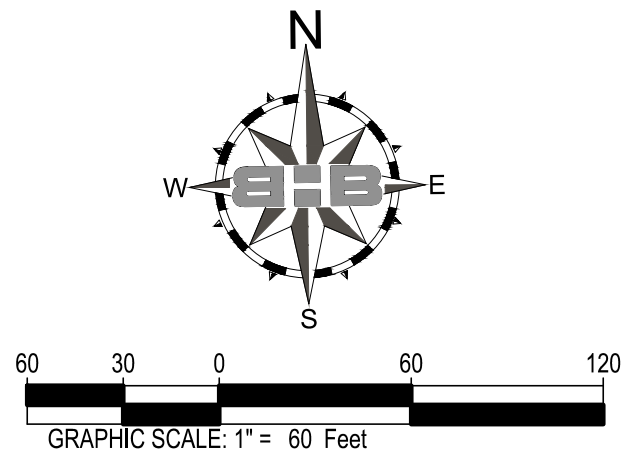
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S. 5/10/23

PROJECT NUMBER:	2022.229.000
DATE: 5/10/2023	DRAWN BY: CEK
DESIGN BY: CEK	CHECKED BY: CW

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2

5/10/2023 12:03PM E:\2022\229.000\2022\229.000 - Burleson Self Storage\01 Design & Drafting\02 Civil\229 PropDrainage.dwg PROPOSED DRAINAGE



LEGEND

EXIST. MAJOR CONTOUR	— 860 —
EXIST. MINOR CONTOUR	— 861 —
PROP. MAJOR CONTOUR	— 860 —
PROP. MINOR CONTOUR	— 861 —
PROPERTY LINE	- - - - -
DRAINAGE DIVIDE	- - - - -
TIME OF CONCENTRATION	- - - - -
FLOW ARROW	→
DRAINAGE AREA	AREA X
AREA (ACRES)	X.XX AC
RUNOFF COEFFICIENT	C = X.XX

HYDROLOGIC SOIL GROUP B	
HYDROLOGIC SOIL GROUP C	
HYDROLOGIC SOIL GROUP D	

"C" VALUES POST-DEVELOPMENT								
Drainage Area	Total Area (acres)	Open Space			Commercial			Composite Runoff "C"
		Soil Group B	Soil Group C	Soil Group D	Soil Group B	Soil Group C	Soil Group D	
A1	3.55	0.00	0.40	0.02	1.88	1.20	0.04	0.90
A2 (BYPASS)	0.31	0.31	0.00	0.00	0.00	0.00	0.00	0.37

POST-DEVELOPMENT TIME OF CONCENTRATION											
TR-55											
Drainage Area	Area	Overland Flow				Channelized Flow				Tc	
		Length	n	P2	Slope	Length	Slope	Velocity	Time	Flow Time	Total
A1	3.55	50	0.15	4.08	1.00%	542	3.75%	3.75	2.4	8.98	8.98
A2 (BYPASS)	0.31	50	0.15	4.08	1.00%	747	3.75%	3.75	3.3	9.90	9.90

POST-DEVELOPMENT RATIONAL HYDROLOGIC CALCULATIONS											
Atlas 14 Rainfall Intensity I=b/(Tc+d)^e						5-yr			100-yr		
						b=	58.5103		b=	105.4618	
						d=	10.3756		d=	11.0321	
						e=	0.7799		e=	0.7717	
Incremental Area	Total Area	Runoff Coefficient	Incremental CA	Total CA	Tc	Intensity	Incr. Discharge	Total Discharge	Intensity	Incr. Discharge	Total Discharge
Area No.	Acres	Acres			min	iph	cfs	cfs	iph	cfs	cfs
A1	3.55	3.55	0.90	3.19	8.98	5.80	18.51	18.51	10.44	33.31	33.31
A2 (BYPASS)	0.31	3.85	0.37	0.11	3.30	5.60	0.64	18.50	10.09	1.15	33.34

DETENTION POND VOLUME:
±0.47 AC-FT

HURST & RENFRO STORAGE

735 E RENFRO ST, BURLESON, TX

PROPOSED DRAINAGE

NO.	DESCRIPTION	DATE

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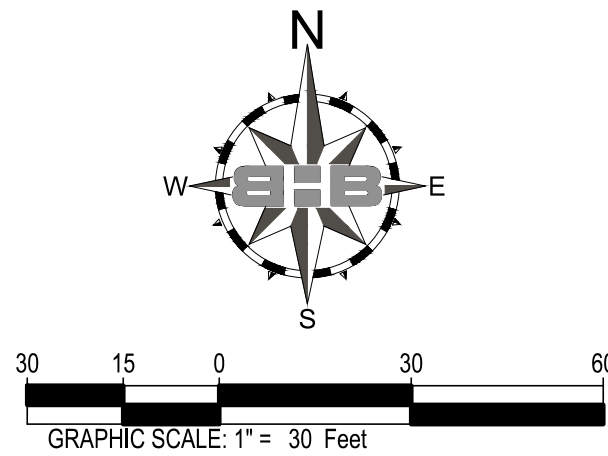
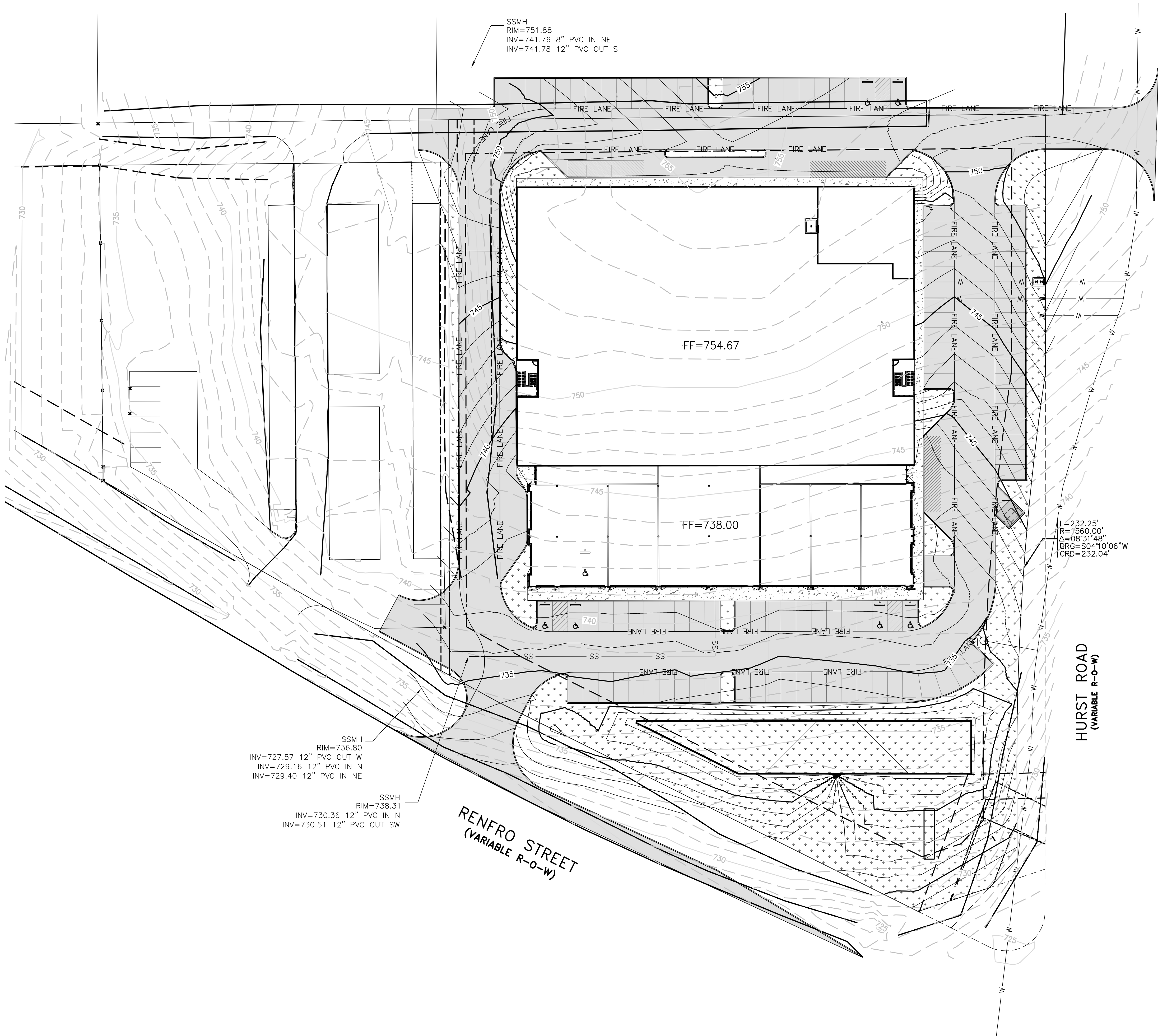
5/10/23

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DATE: 5/10/2023 DRAWN BY: CEK
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5/10/2023 12:03PM E:\2022\229.000\2022.229.000 - Burlison Self Storage\01 Design & Drafting\02 Civil\229 Grading Plan.dwg GRAADING PLAN



- LEGEND**
- | | |
|----------------------|-------------|
| EXIST. MAJOR CONTOUR | — 860 — |
| EXIST. MINOR CONTOUR | - - 861 - - |
| PROP. MAJOR CONTOUR | — 860 — |
| PROP. MINOR CONTOUR | - - 861 - - |
| PROPERTY LINE | - - - - |
- FF = FINISHED FLOOR

HURST & RENFRO STORAGE

735 E RENFRO ST, BURLESON, TX

GRADING PLAN

NO.	DESCRIPTION	DATE

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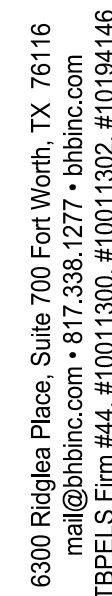
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DATE: 5/10/2023 DRAWN BY: CEK
DESIGN BY: CEK CHECKED BY: CW

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4

B=B
BAIRD, HAMPTON & BROWN
engineering and surveying

6300 Ridgela Place, Suite 700 Fort Worth, TX 76116
mail@bhbnc.com • 817.338.1277 • bhbnc.com
TBPELS Firm #44, #10011300, #10011302, #10194146



735 E RENFRO ST, BURLESON, TX

NO	DESCRIPTION	DATE
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5. 5/10/23

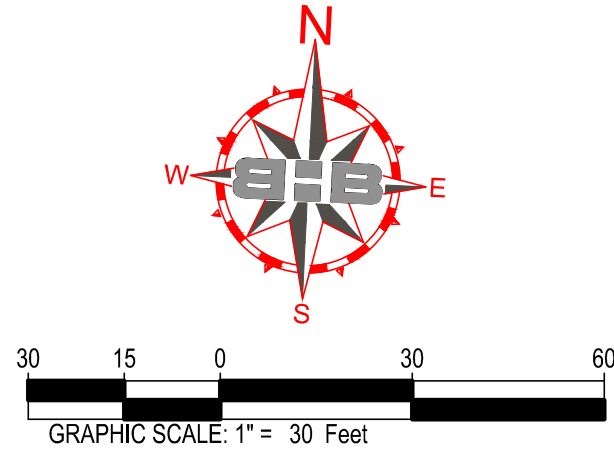
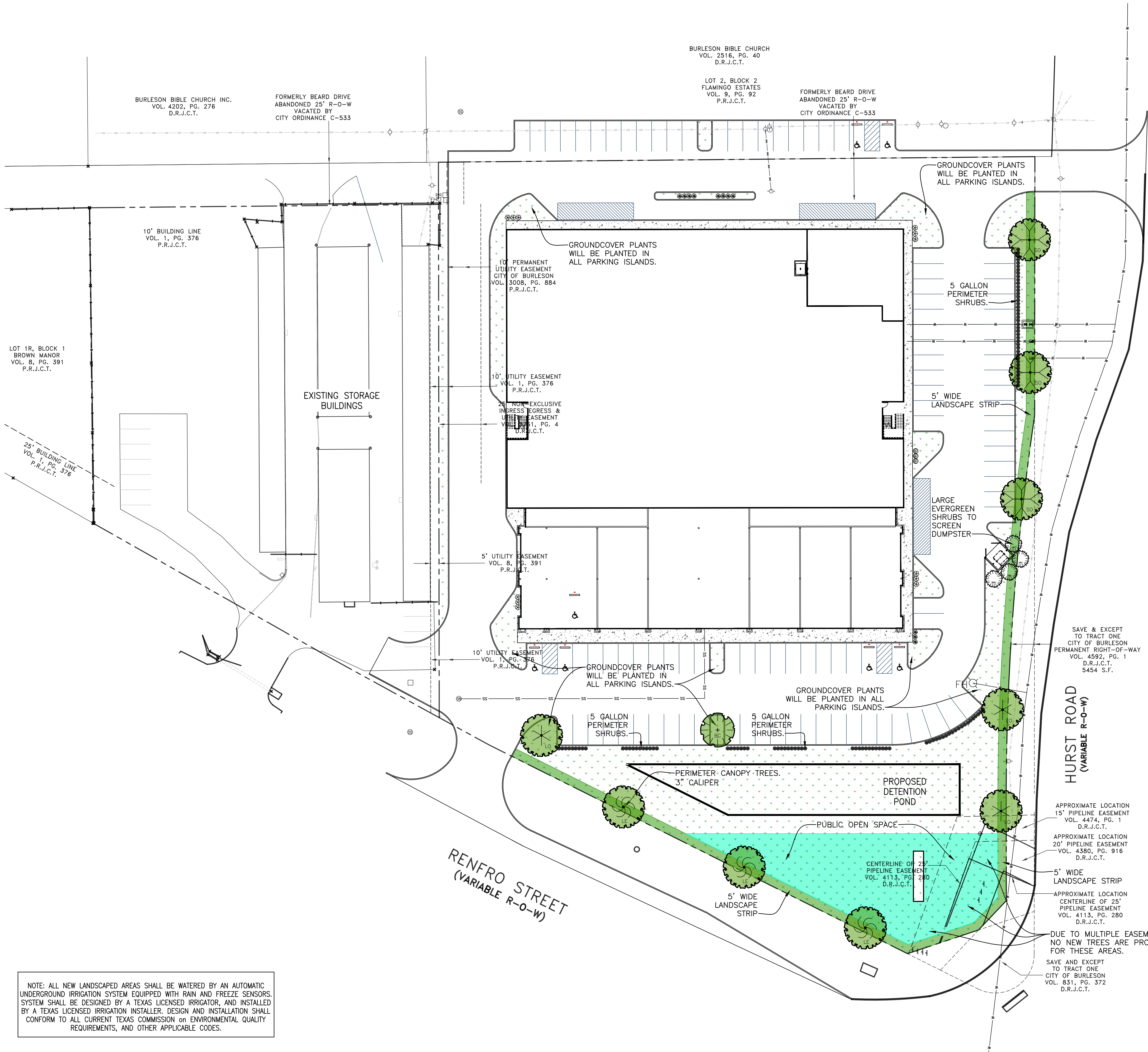
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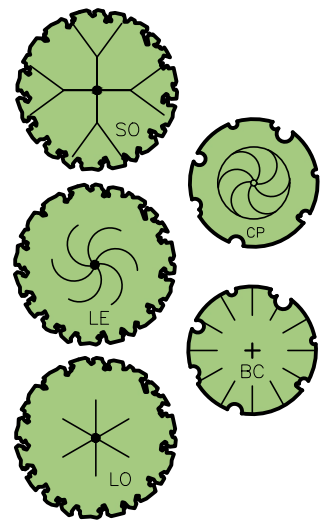


8/30/2023 7:38AM H:\2023\000.000\2023\229.000 - Burleson Self Storage\01 Design & Drafting\04 Landscape Plan.dwg SCHEMATIC LANDSCAPE PLAN

NOTE: ALL NEW LANDSCAPED AREAS SHALL BE WATERED BY AN AUTOMATIC UNDERGROUND IRRIGATION SYSTEM EQUIPPED WITH RAIN AND FREEZE SENSORS. SYSTEM SHALL BE DESIGNED BY A TEXAS LICENSED IRRIGATOR, AND INSTALLED BY A TEXAS LICENSED IRRIGATION INSTALLER. DESIGN AND INSTALLATION SHALL CONFORM TO ALL CURRENT TEXAS COMMISSION ON ENVIRONMENTAL QUALITY REQUIREMENTS, AND OTHER APPLICABLE CODES.



- SITE LANDSCAPE AREA
- 5' WIDE LANDSCAPE STRIP
- PUBLIC OPEN SPACE



PROPOSED 3" CALIPER TREES. A VARIETY OF TREES WILL BE PLANTED. ALL TREES WILL BE SELECTED FROM THE LIST OF PREFERRED TREES.

EXCEPT FOR DWARF VARIETIES, SHRUBS WILL BE 24" HEIGHT AT TIME OF PLANTING. SHRUBS WILL BE EITHER NATIVE OR WELL ADAPTED TO THE NORTH CENTRAL TEXAS CLIMATE.

SITE LANDSCAPE AREA	
Site Area	141,798 SF
Landscape area required (20% of site area)	28,360 SF
Landscape area provided	32,071 SF
Landscape area required in the front yards (40% of 28,360)*	11,344 SF
Landscape area provided in the front yards	28,645 SF
Area of grass/groundcover: 31,000 (96.7% of total landscape area provided).	

*Includes front yards of Renfro Street and Hurst Road totaled together.

PARKING LOT LANDSCAPE	
Number of parking spaces	103
Landscape area required (20 SF per space x 103)	2,060 SF
Landscape area provided	2,747 SF

Note: 66 of the 103 parking spaces are located within 60' of the trunk of a tree.

PERIMETER TREES – RENFRO STREET	
Length of perimeter	262 LF
Trees required (planted approx. 30' on center)	9
Trees provided (3" caliper)	3

PERIMETER TREES – HURST ROAD	
Length of perimeter	420 LF
Trees required (planted approx. 30' on center)	14
Trees provided (3" caliper)	5

PERIMETER SHRUBS – RENFRO STREET	
Length of perimeter adjacent to parking lots	249 LF
Shrubs required (15 for every 30' of perimeter)	125
Shrubs provided (5 gallon)	69

PERIMETER SHRUBS – HURST ROAD	
Length of perimeter adjacent to parking lots	162 LF
Shrubs required (15 for every 30' of perimeter)	81
Shrubs provided (5 gallon)	41

PUBLIC OPEN SPACE	
Public open space required (28,360 x 25%)	7,090 SF
Public open space provided	7,090 SF

FOUNDATION PLANTING	
Gross building area	55,000 SF
Trees required (1 tree for each 7,500 SF of gross building area)	8
Trees provided (3" caliper)	0

BURLESON SAFE STORAGE

BURLESON, TX

SCHEMATIC LANDSCAPE PLAN

NO.	DESCRIPTION	DATE

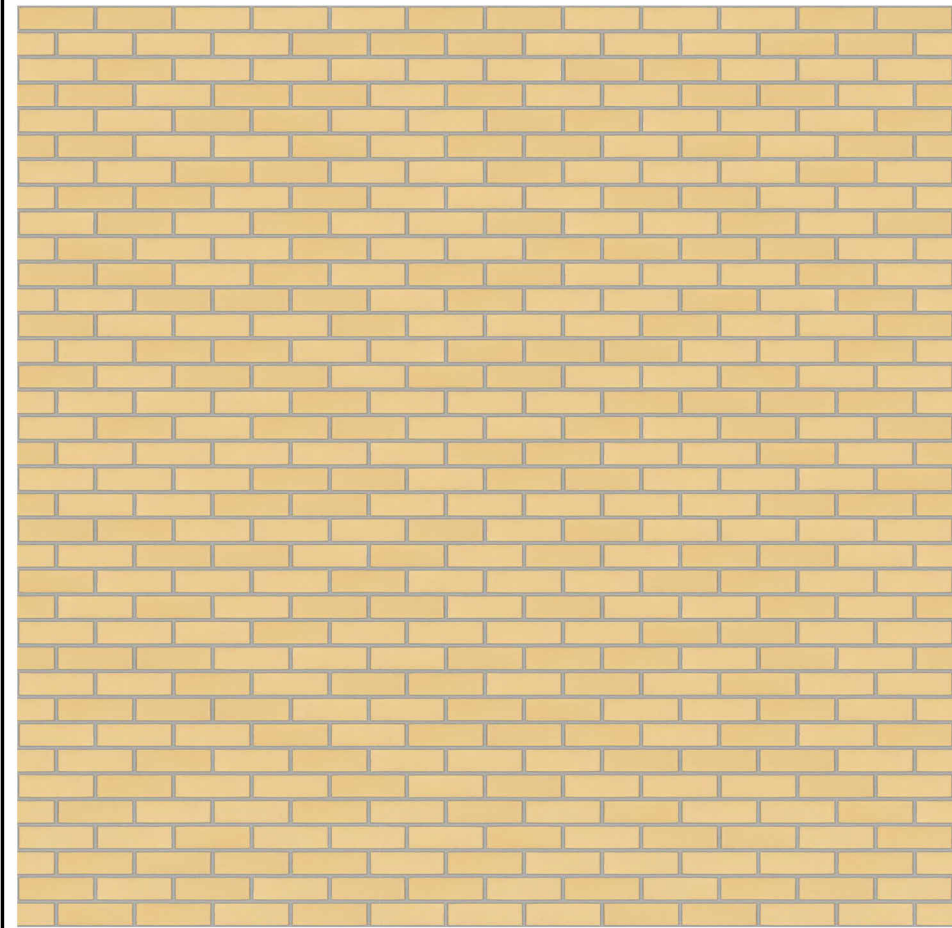
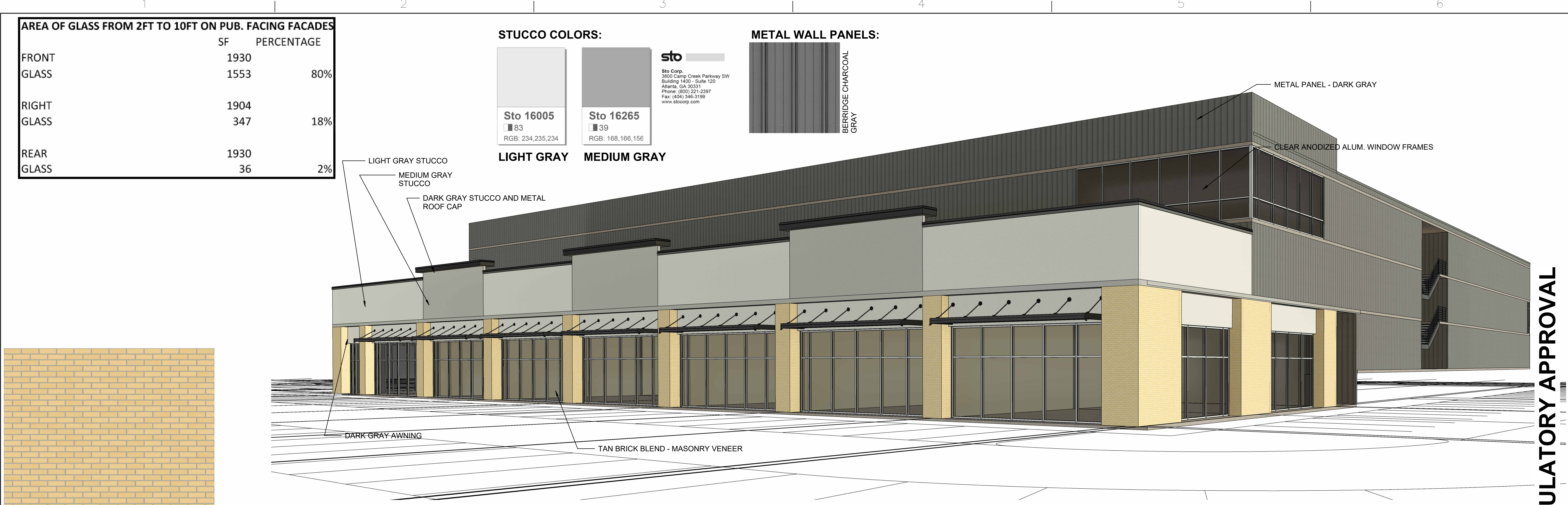
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8/30/2023

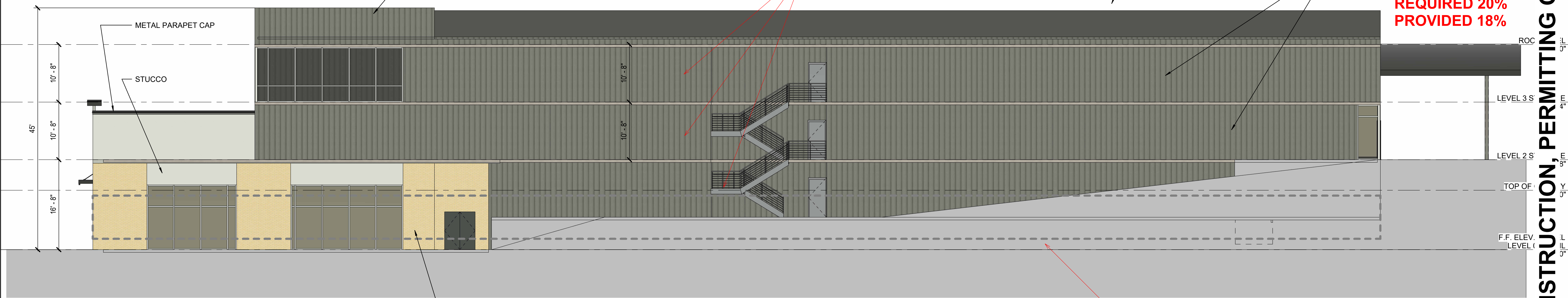
PROJECT NUMBER: 2022.229.000
DATE: 8/30/2023 DRAWN BY: TK
DESIGN BY: TK CHECKED BY: TK

SHEET

L1



BRICK COLOR: (TAN) GLEN GARY MODULAR - S32 TawnyBeige



2 RIGHT SIDE ELEVATION
1/8" = 1'-0"



1 FRONT ELEVATION
1/8" = 1'-0"

8/3/2023 4:23:35 PM

Autodesk Docs://Hurst & Renfro Storage_basden/BUILDING HURST RENFRO STORAGE.rvt



ARCHITECT:
STROHMEYER ARCHITECTS, INC.
2701 SUNSET RIDGE DR.
SUITE 601
ROCKWALL, TEXAS 75032

STRUCTURAL
FRANK W. NEAL & ASSOCIATES
STRUCTURAL ENGINEERING
1015 W. BROADWAY
FORT WORTH, TX 76104

MEP ENGINEERING
CHOICE ENGINEERING
7624 FOREST RIDGE TRAIL
SACHSE, TX 75048

ARCHITECT: PHIL CRADDOCK, AIA

BURLESON
HURST &
REFRO
STORAGE

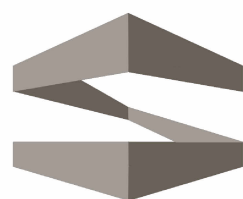
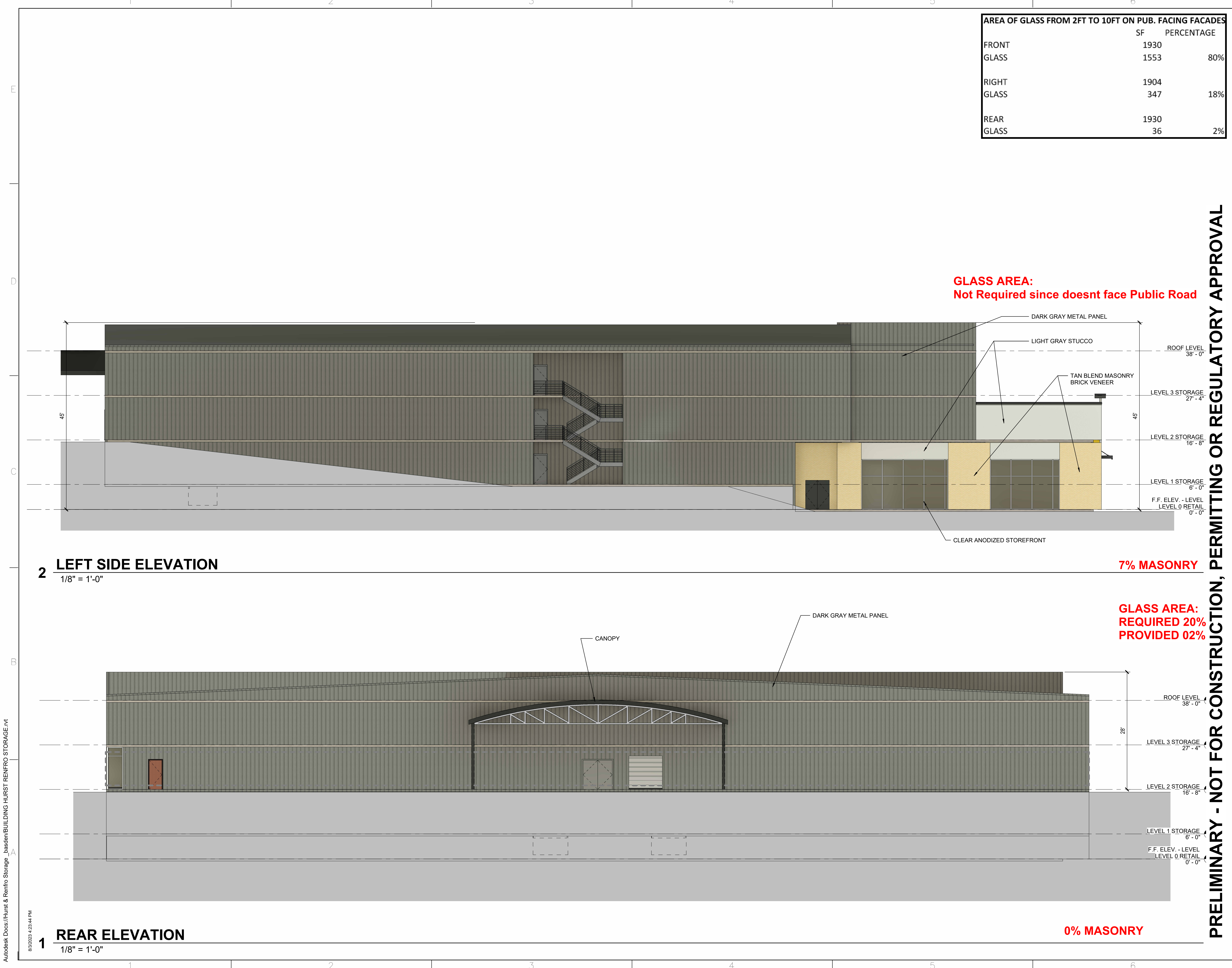
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Revisions:		
#	Revision Date	Revision Description

Sheet Title:
ELEVATIONS -
FRONT AND RIGHT
SIDE

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ARCHITECT
STROHMEYER ARCHITECTS, INC.
2701 SUNSET RIDGE DR.
SUITE 601
ROCKWALL, TEXAS 75032

STRUCTURAL
FRANK W. NEAL & ASSOCIATES
STRUCTURAL ENGINEERING
1015 W. BROADWAY
FORT WORTH, TX 76104

MEP ENGINEERING
CHOICE ENGINEERING
7624 FOREST RIDGE TRAIL
SACHSE, TX 75048

ARCHITECT: PHIL CRADDOCK, AIA

BURLESON HURST & REFRO STORAGE

Project Number: 2022-SAI
Drawing Date: 3/1/2023
Drawn: Author
Checked: Checker
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Revisions:

#	Revision Date	Revision Description

Sheet Title:

ELEVATIONS -
REAR AND LEFT
SIDE

August 8, 2023

JP Ducay
Development
Services City of
Burleson
141 Renfro Street
Burleson, Tx 76028

Re: Hurst & Renfro Storage (Case 23-041)

We are requesting a waivers on the above-referenced project for the following items. Below is the justification for all items we our asking a waiver for. Some items are from the same section/ordinance, but have items have been show separately below so not to confuses the justification. The ordinance/regulation is shown in red and the waiver justification shown in black:

1. I 35 Overlay Section 5-51 (d) Perimeter. All parking areas adjacent to a major or minor arterial street, as shown in the master thoroughfare plan, shall be located a minimum of 25 feet from the right-of-way line. All parking areas adjacent to a major or minor collector street, as shown in the master thoroughfare plan, shall be located a minimum of 15 feet from the right-of-way line. Hurst Rd. has extra-large green space behind the curb to the ROW. There is a distance of 33' which meets the intention of the regulation. Parking is located 5' from ROW line along Hurst. The requirement is met along Renfro
2. I 35 Overlay Section 5-51 Landscaping (d) (1,2,3). One large tree, three-inch caliper minimum shall be planted on 30-foot centers within the required landscaped area. A minimum of 15 five-gallon shrubs shall be planted in the landscaped area for every 30 linear feet of frontage. The shrubs shall be planted in such a way to screen the parking lot from the roadway. The majority of the site is elevated above the roadway. shrubs have been provided in areas adjacent to the site where the road is at a similarly elevations. The site slope from rear to front, and retaining walls will be required. The retaining walls will impede the canopy of the trees. 8 perimeter trees are being requested in lieu of the required 23 trees. 110 shrubs are being requested in lieu of the required 206 shrubs.
3. I 35 Overlay Section 5-51 Landscaping (e) Foundation plantings are required for buildings or groups of buildings have 40,000 square feet of gross building area or larger. One three-inch caliper tree shall be required for each 7,500 square feet of gross building area. The trees shall be located no farther than 30 feet from the face of the building. The plantings are intended to break up the face of the building as well as minimize the visual impact of large areas of impervious cover. The site topography slopes from back to front. Approximately half the building will

be below finished grade. The face of the building is broken up by the retail component on the front. 0 foundation trees are being provided. 8 trees are required.

4. **36-12 Nonresidential Uses (e) Trash/recycling receptable screening (3) Shall not encroach into any required setback.** Waiver is being requested for the proposed location of the dumpster enclosure. The dumpster is intended for the retail component of the project and as such, needs to be located adjacent to the retail areas. At this location the dumpster is 30' feet away from the curb/street. There is an atypical large grass/green area between Hurst Rd. and the proposed site, the dumpster enclosure is clear of any traffic buffer zones. The Dumpster is located 3' from the property line.
5. **86-112 Landscaping for Developed sites (b) (1) Grass and/or groundcovers shall not be allowed to comprise over 90 percent of any required landscape area.** The developer is proposing to provide no more than 96% of the landscape area to be grass in lieu of the 90% requirement due to the reduction of the trees/scrubs.
6. **5-51 Landscaping (c) (4) Landscaped islands shall be located at the terminus of all rows of parking. The islands shall be a minimum five feet in width and extend the entire length of the parking stall. The islands shall contain at least one three-inch caliper tree consistent with the recommended tree list.** The topography of the site slopes from back to front with portions of the building below grade. Root systems of the required trees could possibly damage the foundation walls and retaining walls around the parking area. There are 11 landscape islands of which 5 will contain the required trees. Landscape is not being proposed for the off-site parking since it would require irrigation on someone else property.
7. **5-50 Building Design (c,d) On the building façade facing the principal street, at least 35 percent of the wall area on the first floor between two and ten feet above grade shall consist of windows or similar glazing; and at least 25 percent of the wall area on the second floor (between three and eight feet from the finished floor level) shall consist of windows or similar glazing. The second story glazing requirement shall apply to buildings with a single-story façade taller than 20 feet. On all other publicly visible façades, at least 20 percent of the wall area between two and ten feet above grade shall consist of windows or similar glazing. Façades built up to an interior mid-block property line are not required to meet the glazing requirements if an adjacent building can be constructed.** The owner is requesting to provide 18% of Glazing on the Right Façade (East) in lieu of the required 20%. The owner is requesting to provide 2% of Glazing on the Rear Façade (North) in lieu of the required 20%. The Front Primary Façade (South) Elevation provides 80% Glazing based on the area between 2ft to 10ft AFF. The Front Façade meets the Glazing Requirement due to the Retail Nature of the uses, however the side (east) and rear (north) elevations are primarily storage where glazing is not a desirable architectural element.
8. **5-53 Fencing and Screening (b) Loading docks, truck parking, outdoor storage, waste cans, waste dumpsters, trash compactors and other service functions shall be incorporated into the overall design of the building and landscape so that the visual impacts are contained and out of view from adjacent properties and public streets. This requirement shall not be applicable for service functions located along double- loaded alleys.** Screening will prevent the uses of the shared parking agreement with the neighbor to the north. The loading dock is setback over 250'

from the public street and will be difficult to see.

9. 36-14 Transitional Screening (a) When NS, GR, C, CC, I districts or nonresidential uses abuts a MH, MHP, MF1, MF2, 2F, SFA, SFE, SFR, SF7, SF10, SF16 district or residential uses, transitional screening shall be required for separating these districts or uses along the entire property line of the higher intensity district or use except where visibility triangles or easements are required. Screening will prevent the uses of the shared parking agreement with the neighbor to the north. Although the property is zoned residential, it is currently used as a church. The church and owner have agreed and submit a joint use agreement for the shared parking.
10. Building Design (j) Columns and piers shall be spaced no farther apart than they are tall. We are requesting a waiver to allow the columns to be spaced approx. 26'-8" apart in lieu of the required 16. The requested spacing allows for the desirable architectural elements of combining the retail portion with the storage portion of the building.
11. Sec.-51 (c)(2) Any portion of each parking space shall be located within 60 feet of the trunk of a tree. Pavement shall not be allowed within three feet of the trunk of a tree. We are requesting that of the total 101 parking spaces only 66 will be located within 60' of the trunk of a tree. Most of the spots not meeting this requirement are located within the shared parking area and irrigation will not be present. Remaining spots are adjacent to the loading zones where large trucks can damage the trees.

Sincerely,

Baird, Hampton & Brown



Chad Wallace, PE
Senior Associate, Civil Engineer

MUTUAL ACCESS EASEMENT AND PARKING AGREEMENT

THIS MUTUAL ACCESS EASEMENT AND PARKING AGREEMENT (this "Agreement") is made as of this 18th day of July, 2023, by and between BURLESON STORAGE, LLC., a Texas limited liability company (hereinafter "BSTORAGE"), and BURLESON BIBLE CHURCH, INC. a Texas non-profit corporation (hereinafter, "BBC"), and with BSTORAGE, each an "Owner" and collectively, the "Owners").

WITNESSETH

RECITALS

A. BSTORAGE is the Owner of a parcel of land located in the City of Burleson, Johnson County, Texas (the "BSTORAGE Parcel"), being more particularly described on Exhibit A attached hereto.

B. BBC is the Owner of a parcel of land located in the City of Burleson, Johnson County, Texas (the "BBC Parcel"), and with the BSTORAGE Parcel, each a "Parcel" and collectively, the "Parcels"), being more particularly described on Exhibit B attached hereto.

C. The parties hereto desire to subject both the BSTORAGE Parcel and the BBC Parcel to the provisions of this Agreement in order to provide for, among other things, parking and

D. access easements over a portion of both the BSTORAGE Parcel and the BBC Parcel for the benefit of both Parcels and (ii) an associated temporary construction easement over a portion of the BBC Parcel for the benefit of the BSTORAGE Parcel for purposes of constructing the Driveway (as hereinafter defined) in the Access Easement Area (as hereinafter defined) to serve both Parcels.

AGREEMENT

IN CONSIDERATION of Ten Dollars (\$10.00) paid by each party to the other and other good and valuable consideration, the receipt and sufficiency of which are hereby mutually acknowledged, the parties hereto agree as follows:

1. Easements.

(a) Access Easement. BBC hereby grants and conveys unto BSTORAGE and its successors, assigns, agents, tenants, tenant assigns, sub-tenants, contractors, employees, licensees and invitees (all of which persons are hereafter called "Permittees") a non-exclusive easement for parking and pedestrian and vehicular access, ingress and egress (the "Access Easement") on, over and across the BBC Parcel in the location shown on attached Exhibit C (the "Easement

Areas”). BSTORAGE hereby grants and conveys unto BBC and its successors, assigns, agents, tenants, tenant assigns, sub-tenants, contractors, employees, licensees and invitees (all of which persons are hereafter called “Permittees”) a non-exclusive easement for parking and pedestrian and vehicular access, ingress and egress (the “Access Easement”) on, over and across the BSTORAGE Parcel in the location shown on attached Exhibit C (the “Easement Areas”)

(b) Construction Easement. BBC hereby grants and conveys unto BSTORAGE and its successors, assigns, agents, contractors, employees, licensees and invitees, a temporary construction easement across the BBC Parcel for the purpose of constructing a fire lane, parking spaces and driveway for vehicular and pedestrian access to both Parcels within the Access Easement Area (the “Driveway”). This temporary construction easement shall automatically terminate upon completion of construction of the Driveway, or in no event later than December 31, 2024. At the termination of the temporary construction easement, BSTORAGE shall restore the property surrounding the Driveway to substantially the same surface condition as immediately prior to such construction and shall remove all personal property and fixtures utilized in the construction of the Driveway. Notwithstanding the foregoing, this temporary construction easement is subject to the restrictions set forth in Paragraph 1(c) below and all construction will be done in accordance with the other terms and provisions of this Agreement, including, without limitation, the provisions of Paragraph 2 (b).

(c) Restrictions. The easements granted in this Section 1 are subject to the following restrictions:

(i) BSTORAGE shall construct the Driveway substantially in accordance with plans and specifications reasonably approved by BBC and by any and all applicable governmental authorities, including, but not limited to Johnson County and the City of Burleson (the “Applicable Authorities”). No construction whatsoever shall be undertaken by BSTORAGE with respect to the Driveway until such time as the plans and specifications with respect thereto have been fully approved in writing by BBC, which approval shall not be unreasonably withheld, conditioned or delayed, and by all Applicable Authorities (the “Approved Plans”) and, in connection therewith, BBC shall have at least five (5) days from the submission of such plans and specifications to BBC to review such proposed plans and specifications with its engineering consultants and the Applicable Authorities. If BBC does not object to such plans and specifications within said five (5) days, they shall be deemed approved by BBC.

(ii) BSTORAGE and BBC acknowledge that BSTORAGE will obtain the necessary permits and approvals from the Applicable Authorities with respect to the construction of the Driveway, and BBC shall cooperate with BSTORAGE in its efforts to obtain such permits and approvals.

(iii) The property benefited by the easements granted in this Section 1 shall be limited to the BSTORAGE Parcel and the BBC Parcel.

(iv) Use of Easement. Both BBC and BSTORAGE specifically reserve the right, at any time, and from time to time, to promulgate such rules and regulations applicable to their parcels as might be reasonably imposed to promote the health, safety, welfare and

security of such parcels, the improvements located thereon and the Permittees of BBC or BSTORAGE.

(v) **Unimpeded Access.** BSTORAGE and BBC agree that no barricade or other divider will be constructed on or over the Driveway and that Owners of both Parcels will do nothing to prohibit or discourage the free and interrupted flow of vehicular and pedestrian traffic on the Driveway.

2. **Construction of Driveway.**

(a) The Driveway is being designed and constructed by BSTORAGE to provide parking and access to the improvements to be constructed on the BSTORAGE Parcel and will be in the approximate location as reflected on the diagram attached as Exhibit C.

(b) BSTORAGE shall bear one hundred percent (100%) of the cost of construction of the Driveway.

3. **Maintenance.** BSTORAGE shall, at its own cost and expense, promptly maintain, repair and replace, as necessary, the Driveway and all associated improvements (including, but not limited to, resurfacing, repaving, restriping, landscaping and maintaining in good working order and condition all lighting and directional signs and signals) and shall keep the Driveway in an attractive, usable, clean and orderly condition, reasonably clear of water, debris, ice and snow, in accordance with the provisions of this Agreement (all such activities constituting "Maintenance"), normal wear and tear excepted. If replacement of the surface of any portion of the Driveway is required in connection with any such Maintenance, BSTORAGE shall replace the surface in the manner required by, and with material approved in accordance with, the plans, specifications, standards and requirements previously approved by the Applicable Authorities and BBC for the initial construction thereof.

4. **UTILITIES.** If BSTORAGE damages any existing utilities during the construction or maintenance of the Driveway BSTORAGE shall assume all responsibility to repair or pay for the repair of all such damages.

5. **Remedies for Failure to Repair or Reconstruct.** If BSTORAGE shall not commence to repair and restore any improvements and complete same pursuant to Paragraph 3 hereof, BBC may make the necessary repairs and BSTORAGE shall promptly reimburse BBC for the reasonable cost of any such repairs made by BBC.

6. **Estoppel Certificate.** Each Owner shall promptly execute and deliver to the other owner within ten business (10) days after receipt of written request therefor an affidavit or an estoppel certificate confirming whether any repairs to the improvements located in the Access Easement Area are required pursuant to the terms and provisions of this Agreement and whether such Owner is entitled to any reimbursement for repairs or reconstruction or Maintenance performed pursuant to the terms and provisions of this Agreement.

7. **Unavoidable Delays.** Each party shall be excused from performing any obligation or undertaking provided for in this Agreement, other than for the payment of money or the granting of easements, for such period as such performance is prevented, delayed, retarded or

hindered by fire, earthquake, flood, explosion, abnormal weather conditions, riot and insurrection, mob violence, sabotage, inability to procure (or general shortage of) labor, equipment, facilities, materials or supplies in the open market, failure of transportation, strike, lockout, action of any labor union, laws or orders of governmental authorities or any other cause not in the reasonable control of the party prevented, delayed, retarded or hindered thereby, which events or conditions are generally referred to as "force majeure" conditions or occurrences.

8. Private Rights. The Access Easement Area is private and shall be maintained exclusively for use by the Owners of the affected Parcels. Nothing contained herein shall be construed as or deemed to create any rights for the benefit of the general public or any other persons or entities other than BSTORAGE, BBC, their successors in title, grantees and assigns, in the parcels, in the Access Easement Area or the Driveway area or any other improvements now or hereafter located on any portion of the parcels.

9. Matters of Record. The conveyances made and rights granted in this Agreement are made subject to all applicable easements, restrictions, covenants and conditions of record in the chain of title to the BSTORAGE Parcel and the BBC Parcel.

10. Successors and Assigns. The terms and provisions of this Agreement shall be deemed to be covenants running with the land and shall be binding upon and shall inure to the benefit of the successors, grantees, devisees and assigns of the parties hereto and any person claiming by, through or under them. Any obligations contained herein shall be construed as covenants and not as conditions and a violation of any said covenants shall not result in a termination of this Agreement, forfeiture or reversion of title to the easements granted by this Agreement. In the event that an Owner shall convey, transfer, assign or otherwise dispose of all of its/their interest in a Parcel, then such Owner shall thereupon be released and discharged from any and all obligations and liabilities with respect to its Parcel from the breach of any covenants arising from and after the date of such conveyance and such liabilities and obligations shall be binding upon the successor-in-title to such Parcel; provided, however, the prior Owner(s) shall remain liable for the breach of any covenant or agreement that arose prior to the date of such conveyance.

11. No Dedication. Nothing contained in this Agreement shall be deemed to constitute a gift or dedication of any portion of the BBC parcel or the BSTORAGE parcel to the general public or for any public purpose whatsoever, it being the intention of the Owners that this Agreement will be strictly limited to the private use of the Owners. This Agreement is intended to benefit the Owners and their respective successors, assigns and mortgagees and is not intended to constitute any person which is not an Owner a third-party beneficiary hereunder or give any such person any rights hereunder.

12. No Partnership or Joint Venture. Nothing contained in this Agreement and no action by the Owners will be deemed or construed by the Owners or by any third person to create the relationship of principal and agent, or a partnership, or a joint venture, or any other association between or among any or all of the Owners.

13. Indemnification. The Owners covenant and agree to indemnify, defend and hold each other harmless from and against any and all claims, actions, loss, damages, liability and expense, including, without limitation, reasonable attorney's fees and costs, to the extent arising out of their respective violations of the rights and denial of any easements granted herein, except to the extent the same arise out of the negligent acts, any breach of, or default under, this Agreement, or willful misconduct of the Owner seeking indemnification or its tenants, employees, agents, contractors, licensees or invitees.

14. Prevailing Party. In the event of any litigation, controversy, claim or dispute between the parties hereto arising out of or relating to this Agreement, or the breach hereof, or the interpretation hereof, the prevailing party, whether by judgment or out-of-court settlement, shall recover from the losing party, reasonable expenses, attorneys' fees and costs incurred in connection therewith, or in the enforcement or collection of any judgment or award rendered therein.

15. Condemnation. In the event the whole, or any part of any Driveway area affected hereby is taken for any public or quasi-public use under any government law, ordinance or regulation, or by right of eminent domain, or by private purchase in lieu of, an Owner benefited by an easement created by this Agreement will share in any award, compensation or other payment made by reason of the taking of a portion of any such property which is subject to such easement. The compensation or other payment will belong entirely to the Owner of that portion of the Driveway Area which is taken, and such Owner shall have no further liability to any other Owner for the loss of the Drive Area, or portion thereof, located on the property so taken.

16. Interpretation. When the context in which words are used in this Agreement indicates that such is the intent, words in the singular number shall include the plural, and vice versa, and words in the masculine gender shall include the feminine and neuter genders, and vice versa. If any parcel is owned by two or more persons or entities at any one time, all of such parties shall be jointly and severally liable for all of the obligations imposed on the owner of such parcel pursuant to this Agreement.

17. Title and Headings; References. Titles and headings to paragraphs herein are inserted for convenience or reference only and are not intended to be a part of or to affect the meaning or interpretation of this Agreement. All paragraph references in this Agreement are to the paragraphs of this Agreement unless expressly stated to the contrary.

18. Insurance. BSTORAGE, or its successors and assigns, if applicable, shall continuously maintain commercial general liability insurance, with single limit coverage of not less than One Million Dollars (\$1,000,000) per occurrence and Two Million Dollars (\$2,000,000) in the aggregate with respect to BSTORAGE Parcel including the portion of the Driveway located on the BSTORAGE Parcel.

19. Entire Agreement; Modification. This Agreement contains the entire agreement between the parties hereto relating to the easements and rights granted herein and supersedes all prior and contemporaneous negotiations, understandings and agreements, written or oral, between the parties hereto. This Agreement shall not be amended or modified and no waiver of

any provision hereof shall be effective unless set forth in a written instrument executed with the same formality as this Agreement by BBC and BSTORAGE.

20. Amendment. This Agreement and any provision herein contained may be terminated, extended, modified or amended only with the express written consent of the Owners of the Parcels. No tenant, licensee, or other person having only a possessory interest in the improvements constructed on a parcel will be required to join in the execution of or consent to any action of the Owners taken pursuant to this Agreement.

21. Enforceability. If any provision of this Agreement shall be unenforceable in whole or in part, such provision shall be limited to the extent necessary to render the same valid, or shall be excised from this Agreement, as circumstances require, and this Agreement shall be construed as if such provision had been incorporated herein as so limited or as if such provision had not been included herein, as the case may be.

22. Further Assurances. BSTORAGE and BBC each agree to provide such further assurances and confirmation of the provisions herein as each may reasonably request of the other, from time to time, at the expense of the party requesting such further assurances.

23. Notices. All notices, requests or other communications permitted or required under this Agreement shall be in writing and shall be communicated by personal delivery, overnight express delivery, telecopier, telex, email or registered mail, return receipt requested, to the parties hereto at the address shown below, or at such other address as any one of them may designate by notice to each of the others.

BSTORAGE: Bruce Basden

D: 817-710-2821

C: 817-991-5009

E:bruce@basdensteel.com

BBC: Jaris Roth

D: 817-295-5600

office@burlesonbiblechurch.org

Such notices, demands and requests will be deemed delivered on the actual date of delivery. Each Owner shall have the right to change its address to any other address within the United States of America by giving notice as provided herein at least ten (10) days prior to the effective date of the change of address. If either of the original Owners no longer owns its applicable Parcel, and such Owner does not provide written notice of change of address in accordance with this section, notice may be given in accordance with this section to the address where property tax bills are being sent.

24. Counterparts. This Agreement may be executed in two or more counterparts, each of which shall constitute an original and all of which taken together shall constitute a fully executed instrument.

25. Waiver of Jury Trial. The parties hereto knowingly and voluntarily waive any right which either or both of them have or might have to receive a trial by jury with respect to any claims, defenses, counter-claims, third Owner claims or controversies, directly or indirectly arising out of, or otherwise related to, this Agreement and the acts or failures to act of the parties hereto.

[SIGNATURE PAGES FOLLOW]

In Witness Whereof, BSTORAGE has caused this Access Easement Agreement to be executed effective as of the _____ day of July 2023.

BURLESON STORAGE, LLC.

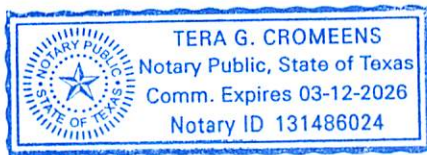
By: Bruce Basden
Name: Bruce Basden, Managing Member

STATE OF TEXAS)
)
COUNTY OF JOHNSON)

Acknowledgment

I, the undersigned notary public, hereby certify that Bruce Basden as Managing Member of BURLESON STORAGE, LLC., a Texas limited liability company, personally came before me this day and acknowledged the execution of the foregoing instrument as BURLESON STORAGE, LLC'S act and deed.

WITNESS my hand and notarial stamp or seal, this 18th day of July 2023.



Lera G Comeens
NOTARY PUBLIC

My Commission Expires: 03-12-2026

In Witness Whereof, BBC has caused this Access Easement Agreement to be executed effective as of the 18th day of July 2023.

BURLESON BIBLE CHURCH, INC.

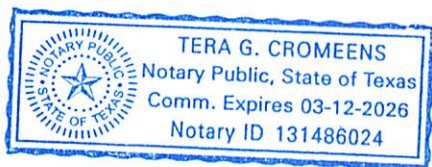
By: Jaris Roth
 Name: Jaris Roth
 Title: Administrator

STATE OF TEXAS)
)
 COUNTY OF JOHNSON)

Acknowledgment

I, the undersigned notary public, hereby certify that
Jaris Roth as Administrator of
 BURLESON BIBLE CHURCH, INC. a Texas nonprofit corporation, personally came before me
 this day and acknowledged the execution of the foregoing instrument as BURLESON BIBLE
 CHURCH INC's act and deed.

WITNESS my hand and notarial stamp or seal, this 18th day of July 2023.



Tera G Cromeens
 NOTARY PUBLIC

My Commission Expires: 03-12-2026

Exhibit A

Legal Description of BSTORAGE Parcel

A TRACT OF LAND SITUATED IN THE DAVID ANDERSON SURVEY, ABSTRACT NO. 4, JOHNSON COUNTY, TEXAS, BEING LOT 3R, BLOCK 1, BROWN MANOR, AN ADDITION TO THE CITY OF BURLESON, JOHNSON COUNTY, TEXAS, ACCORDING TO THAT PLAT RECORDED IN VOLUME 11, PAGE 759, PLAT RECORDS, JOHNSON COUNTY, TEXAS.

Exhibit B

Legal Description of BBC Parcel

A TRACT OF LAND SITUATED IN THE DAVID ANDERSON SURVEY, ABSTRACT NO. 4, JOHNSON COUNTY, TEXAS, BEING LOT 2, BLOCK 3, FLAMINGO ESTATES, AN ADDITION TO THE CITY OF BURLESON, JOHNSON COUNTY, TEXAS, ACCORDING TO THAT PLAT RECORDED IN VOLUME 9, PAGE 92, PLAT RECORDS, JOHNSON COUNTY, TEXAS.

A TRACT OF LAND SITUATED IN THE DAVID ANDERSON SURVEY, ABSTRACT NO. 4, JOHNSON COUNTY, TEXAS, BEING A PORTION OF LOT 3R, BLOCK 1, BROWN MANOR, AN ADDITION TO THE CITY OF BURLESON, JOHNSON COUNTY, TEXAS, ACCORDING TO THAT PLAT RECORDED IN VOLUME 11, PAGE 759, PLAT RECORDS, JOHNSON COUNTY, TEXAS (P.R.J.C.T.), TOGETHER WITH A PORTION OF LOT 2, BLOCK 3, FLAMINGO ESTATES, AN ADDITION TO THE CITY OF BURLESON, JOHNSON COUNTY, TEXAS, ACCORDING TO THAT PLAT RECORDED IN VOLUME 9, PAGE 92, P.R.J.C.T., TOGETHER WITH A PORTION OF A TRACT OF LAND CONVEYED TO BURLESON BIBLE CHURCH IN THAT DEED RECORDED IN VOLUME 4202, PAGE 276, DEED RECORDS, JOHNSON COUNTY, TEXAS (D.R.J.C.T.), AND TOGETHER WITH A PORTION OF FORMERLY BEARD DRIVE (25' R-O-W) VACATED BY CITY ORDINANCE C-533, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD FOUND WITH A CAP STAMPED "RPLS 5544" IN THE WESTERLY RIGHT-OF-WAY LINE OF HURST ROAD (VARIABLE R-O-W) FOR THE NORTHEASTERLY CORNER OF SAID LOT 3R, BLOCK 1;

THENCE S 00°02'50" W, A DISTANCE OF 20.48 FEET TO A POINT;

THENCE LEAVING SAID WESTERLY RIGHT-OF-WAY LINE S 89°55'02" W, A DISTANCE OF 293.00 FEET TO A POINT AND THE BEGINNING OF A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 30.00 FEET, WHOSE LONG CHORD BEARS S 69°57'16" W, 20.48 FEET;

THENCE ALONG SAID TANGENT CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 39°55'32", AN ARC LENGTH OF 20.90 FEET TO A POINT;

THENCE S 89°27'50" W, A DISTANCE OF 40.75 FEET TO A 1/2" IRON ROD FOUND WITH A CAP STAMPED "RPLS 5544" IN THE EASTERLY LINE OF SAID LOT 3R, BLOCK 1, FOR THE MOST NORTHEASTERLY CORNER OF LOT 2R, BLOCK 1, ACCORDING TO THAT PLAT RECORDED IN VOLUME 8, PAGE 391, P.R.J.C.T.;

THENCE S 89°27'50" W A DISTANCE OF 1.44 FEET TO A POINT AND THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 23.50 FEET, WHOSE LONG CHORD BEARS N 67°40'43" W, 17.91 FEET;

THENCE ALONG SAID NON-TANGENT CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 44°48'29", AN ARC LENGTH OF 18.38 FEET TO A POINT;

THENCE N 00°04'58" W, A DISTANCE OF 25.00 FEET TO A POINT;

THENCE N 89°55'02" E, A DISTANCE OF 43.21 FEET TO A POINT AND THE BEGINNING OF A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 1.50 FEET, WHOSE LONG CHORD BEARS N 44°55'02" E, 2.12 FEET;

THENCE ALONG SAID TANGENT CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 90°00'00", AN ARC LENGTH OF 2.36 FEET TO A POINT;

THENCE N 00°04'58" W, A DISTANCE OF 16.90 FEET TO A POINT;

THENCE N 89°27'50" E, A DISTANCE OF 244.01 FEET TO A POINT;

THENCE S 00°04'58" E, A DISTANCE OF 17.83 FEET TO A POINT AND THE BEGINNING OF A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 2.50 FEET, WHOSE LONG CHORD BEARS S 45°04'58" E, 3.54 FEET;

THENCE ALONG SAID TANGENT CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 90°00'00", AN ARC LENGTH OF 3.93 FEET TO A POINT;

THENCE N 89°55'02" E, A DISTANCE OF 89.93 FEET TO A POINT IN SAID WESTERLY RIGHT-OF-WAY LINE OF HURST ROAD;

THENCE S 01°45'29" W ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 3.94 FEET TO A POINT FOR THE SOUTHEAST CORNER OF SAID LOT 2, BLOCK 3;

THENCE S 89°25'15" W CONTINUING ALONG SAID RIGHT-OF-WAY LINE AND ALONG THE SOUTHERLY LINE OF SAID LOT 2, BLOCK 3, A DISTANCE OF 9.97 FEET TO THE POINT OF BEGINNING, AND CONTAINING 0.327 ACRES OF LAND, MORE OR LESS.

Legal Description of Access Easement

Exhibit C

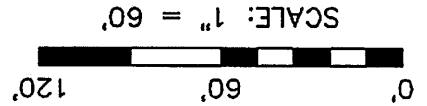
EXHIBIT

AN EXHIBIT OF A
RECIPROCAL ACCESS EASEMENT
CITY OF BURLESON, JOHNSON COUNTY, TEXAS

CURVE	A LENGTH	RADIUS	DELTA ANGLE	C BEARING	C LENGTH
C1	20.90'	30.00'	39.55'32"	S69°57'16"W	20.48'
C2	18.38'	23.50'	44°48'29"	N67°40'43"W	17.91'
C3	2.36'	1.50'	90°00'00"	N44°55'02"E	2.12'
C4	3.93'	2.50'	90°00'00"	S45°04'58"E	3.54'

CURVE TABLE

HURST ROAD
(VARIABLE R-O-W)



0.327 ACRES
EASEMENT
RECIPROCAL ACCESS

LINE	BEARING	DISTANCE
L1	S00°02'50"W	20.48'
L2	S89°27'50"W	40.75'
L3	S89°27'50"W	1.44'
L4	N00°04'58"W	25.00'
L5	N89°55'02"E	43.21'
L6	N00°04'58"W	16.90'
L7	S00°04'58"E	17.83'
L8	N89°55'02"E	89.93'
L9	S01°45'29"W	3.94'
L10	S89°25'15"W	9.97'

LINE TABLE

NOTE:
THIS EXHIBIT HAS BEEN PREPARED WITHOUT THE
BENEFIT OF A TITLE COMMITMENT AND IS SUBJECT
TO ALL EASEMENTS, RIGHTS-OF-WAY AND OTHER
MATTERS OF RECORD THAT MAY AFFECT THE
SUBJECT PROPERTY.
BASIS OF BEARINGS ARE BASED ON NORTH
AMERICAN DATUM OF 1983, TEXAS, NORTH CENTRAL
ZONE, DERIVED FROM GPS OBSERVATIONS.

LEGEND
● 1/2" IRON ROD
FOUND W/CAP
"RPLS 5544"

BURLESON BIBLE
CHURCH INC.
VOL. 4202, PG. 276
D.R.J.C.T.

FORMERLY BEARD DRIVE
25' R-O-W VACATED
BY CITY ORDINANCE C-533

10' UTILITY EASEMENT
VOL. 9, PG. 92
P.R.J.C.T.
10' PRIVATE
ACCESS EASEMENT
VOL. 9, PG. 92
P.R.J.C.T.
25' UTILITY EASEMENT
VOL. 9, PG. 92
P.R.J.C.T.

LOT 3R, BLOCK 1
BROWN MANOR
VOL. 11, PG. 759
P.R.J.C.T.

25' NON-EXCLUSIVE
UTILITY EASEMENT
& CITY OF BURLESON
INGRESS EGRESS
VOL. 3008, PG. 884
P.R.J.C.T.
D.R.J.C.T.

LOT 2R, BLOCK 1
BROWN MANOR
VOL. 8, PG. 391
P.R.J.C.T.

10' UTILITY EASEMENT
VOL. 1, PG. 376
P.R.J.C.T.

LOT LINE

N89°27'50"E 244.01'

S89°55'02"W 293.00'

LOT 2, BLOCK 2
FLAMINGO ESTATES
VOL. 9, PG. 92
P.R.J.C.T.
20' UTILITY EASEMENT
VOL. 9, PG. 92
P.R.J.C.T.

