



Planning & Zoning Commission Agenda

Tuesday, November 14, 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 October 10, 2023 Planning & Zoning Commission meeting.
- B.** McDonald Subdivision; Lot 11R (Case 23-269): Consider approval of a replat for McDonald Subdivision, Lot 11R, addressed as 7816 FM 917. (*Staff Presenter: Lidon Pearce, Senior Planner*)
- C.** Mabe Addition; Lot 16R, Block 1, (Case 23-023): Consider approval of a replat for Mabe Addition, Lot 16R, Block 1, located at 1532 S Burleson Blvd. (*Staff Presenter: Lidon Pearce, Senior Planner*)

4. PUBLIC HEARING

- A.** Burleson Retail Summercrest at 700 Wilshire Blvd (Case 23-252): Hold a public hearing and consider approval of a resolution for a variance to Chapter 36, fencing and screening regulations, allowing for an alternative transitional screening material. *(Staff Presenter: JP Ducay, Senior Planner)*
- B.** 113 N Dobson Street (Case 23-270): Hold a public hearing and consider approval of an ordinance for a zoning change request from "SF7", Single-family dwelling district 7 to "CC", Central Commercial for a 0.15 acre site. *(Staff Presenter: JP Ducay, Senior Planner)*
- C.** 6988 E FM 917 (Case 23-091): Hold a public hearing and consider approval of an ordinance for a zoning change request from "A", Agricultural to "C", Commercial for a 2.8 acre portion of 6988 E FM 917. *(Staff Presenter: JP Ducay, Senior Planner)*
- D.** 3084 S Burleson Blvd (Case 23-254): Hold a public hearing and consider approval of an ordinance for a zoning change request from "SP", Site Plan Ordinance D-091-08 and "A", Agricultural to "PD", Planned Development for a 3.016 acre site. *(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 10th of November 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: October 24, 2023

SUBJECT:

Approve the minutes from October 10, 2023 Regular Session of the Planning & Zoning Commission meeting.

SUMMARY:

Minutes from the October 10, 2023 Regular Session of the Planning & Zoning Commission meeting.

OPTIONS:

Approve as presented

RECOMMENDATION:

Approve the minutes from the October 10, 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

October 10, 2023
MINUTES

Roll Call

Commissioners Present

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

Commissioners Absent

Staff

Matt Ribitzki, City Attorney
Emilio Sanchez, Assistant Director Development Services
Michelle McCullough, Assistant Director Public Works
Lidon Pearce, Planner
Peggy Fisher, Administrative Assistant

REGULAR SESSION

1. Call to Order – 6:00 PM

Invocation – David Hadley

Pledge of Allegiance

2. Citizen Appearance

None

3. Consent Agenda

- A.** Consider approval of the minutes from September 26, 2023 Planning and Zoning Regular Commission meeting. (Staff Contact: Tony McIlwain, Director Development Services).

- B.** Wilshire Square Addition; Lot 7 C-R, Block 2 (Case 23-089): Consider approval of a replat for Wilshire Square Addition , Lot 7 C-R, Block 2, located at 425 SW Wilshire. *(Staff Presenter: Lidon Pearce, Senior Planner)*
- C.** LS Addition; Lot 1, Block 2 (Case 22-166): Consider approval of a final plat for Lot 1, Block 2, of the LS Addition *(Staff Presenter: JP Ducay, Senior Planner)*
- D.** Ridgecrest Estates Addition; Lot 2R, Block 10 (Case 23-223): Consider approval of a replat for Lot 2R, Block 10, of the Ridgecrest Estates Addition *(Staff Presenter: JP Ducay, Senior Planner)*

Motion made by Commissioner David Hadley and second by Commissioner Clint Faram to approve the consent agenda.

Motion passed, 9-0.

4. Public Hearing

- A. The Prairie at Chisholm Trail (Case 23-149):** Hold a public hearing and consider an ordinance for a zoning change request from “A”, Agricultural to “PD” Planned Development for a single-family attached and townhome development with a commercial component located at 6401 CR 910Z. *(Staff Presenter: Lidon Pearce, Senior Planner)*

Lidon Pearce 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 6:06 p.m.

Bill Lawson, 6400 Sundance, addressed the commissioner and asked questions regarding the 300 ft buffer.

Matt Powell, applicant, 1108 S Dobson, addressed the commissioners and made a brief presentation regarding this item and answered questions.

Charles Covey, applicant, addressed the commissioners and made a brief presentation regarding this item and answered questions.

Matt Powell, applicant, 1108 S Dobson, addressed the commissioners and answered questions regarding this item.

Commission Chairman Michael Tune closed the public hearing at 6:44 p.m.

Motion made by Commissioner David Hadley and second by Commissioner Todd Hulsey to disapprove.

Motion passed, 9-0

5. Reports and Presentations

None

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 – 6:45PM

Peggy Fisher
Administrative Assistant
Recording Secretary

Planning & Zoning Commission Meeting

DEPARTMENT: Development Services

FROM: Lidon Pearce, Senior Planner

MEETING: November 14, 2023

SUBJECT:

McDonald Subdivision; Lot 11R (Case 23-269): Consider approval of a replat for McDonald Subdivision, Lot 11R, addressed as 7816 FM 917. (*Staff Presenter: Lidon Pearce, Senior Planner*)

SUMMARY:

On September 18, 2023, an application for a replat was submitted by Ronnie Dean, representing Dean Surveyors, on behalf of Jiten Roy (owner) for approximately 1.734 acres at 7816 FM 917. The property is being replatted into one lot to correct a prior subdivision of the land by deed that contained portions of the originally platted Lots 11 and 12.

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

ENGINEERING:

Utilities:

The subject property will be served water by Bethesda Water Supply and utilize private on-site septic (O.S.S.F.).

This replat does not trigger the need for a traffic impact analysis (TIA).

OPTIONS:

- 1) Approve the replat; or
- 2) Deny the replat.

RECOMMENDATION:

Approve the replat for McDonald Subdivision, Lot 11R (Case 23-269).

FISCAL IMPACT:

None.

STAFF CONTACT:

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



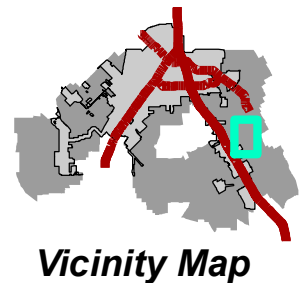
Item B.

Subject
Property



McDonald Subdivision
Lot 11R
Replat
Case 23-269

THE CITY OF
BURLESON
TEXAS



Vicinity Map

Planning & Zoning Commission Meeting

DEPARTMENT: Development Services

FROM: Lidon Pearce, Senior Planner

MEETING: November 14, 2023

SUBJECT:

Mabe Addition; Lot 16R, Block 1, (Case 23-023): Consider approval of a replat for Mabe Addition, Lot 16R, Block 1, located at 1532 S Burleson Blvd. (*Staff Presenter: Lidon Pearce, Senior Planner*)

SUMMARY:

On March 20, 2023, an application for a replat was submitted by Matt Powell, representing DFW Geodesy, on behalf of Justin Bond with RA Development (owner), for approximately 1.202 acres at 1532 S Burleson. The purpose of the plat is to combine Lot 16 of Mabe Addition with the adjacent property to the east to establish common ownership, and a property line consistent with the current ETJ boundary.

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

ENGINEERING:

Utilities:

The subject property is currently served by Bethesda WSC and does not trigger the need for a traffic impact analysis (TIA).

OPTIONS:

- 1) Approve the replat; or
- 2) Deny the replat.

RECOMMENDATION:

Approve the replat for Mabe Addition; Lot 1R, Block 1 (Case 23-023).

FISCAL IMPACT:

None.

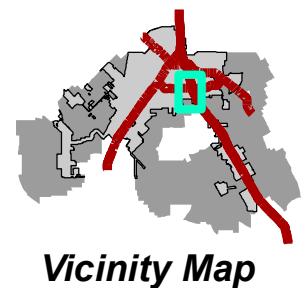
STAFF CONTACT:

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



THE CITY OF
BURLESON
TEXAS

**Lot 16R, Block 1
Mabe Addition
Replat
Case 23-023**



A TRACT OF LAND SITUATED IN THE J.M. CARTWRIGHT SURVEY, ABSTRACT NO. 132, JOHNSON COUNTY, TEXAS, BEING ALL OF THAT TRACT OF LAND CONVEYED TO BRANSOM & BRANSOM, LLC. IN THAT DEED RECORDED IN INSTRUMENT NO. 2022-36057, DEED RECORDS, JOHNSON COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

THENCE N 00°36'32" W ALONG THE WEST LINE OF SAID LOT 16, BLOCK 1, A DISTANCE OF 273.53 FEET TO A 1/2" IRON ROD FOUND IN A TREE AND IN THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF SOUTH BURLESON BOULEVARD (VARIABLE R-O-W) FOR THE NORTHWEST CORNER OF SAID LOT 16, BLOCK 1, AND FOR THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT WITH A RADIUS OF 360.00 FEET AND WHOSE LONG CHORD BEARS S 58°08'11" E, 229.93 FEET;

THENCE S 76°43'47" E CONTINUING ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE AND ALONG THE NORTH LINE OF SAID BRANSOM & BRANSOM, LLC. TRACT, A DISTANCE OF 126.59 FEET TO A 1/2" IRON ROD SET WITH A CAP STAMPED "RPLS 5544":

THENCE N 89°58'06" W ALONG THE SOUTH LINE OF SAID BRANSOM & BRANSOM, L.L.C. TRACT A DISTANCE OF 165.46 FEET TO A 1/2" IRON ROD SET WITH A CAP STAMPED "RPLS 5544" FOR THE SOUTHEAST CORNER OF SAID LOT 16, BLOCK 1:

THAT I, ROCKY BRANSOM, OWNER, HEREBY ADOP THIS REPLAT DESIGNATING THE HEREIN BEFORE DESCRIBED PROPERTY AS LOT 16R, BLOCK 1, WARE SUBDIVISION, AN ADDITION TO THE CITY OF BURLESON, TEXAS, TO BE USED FOR THE PURPOSES OF THE EASEMENTS TO THE PUBLIC USE FOREVER ALL STREETS, RIGHT-OF-WAY, ALLEYS AND EASEMENTS SHOWN THEREON, THE CITY OR ANY PUBLIC UTILITY SHALL HAVE THE RIGHT TO REMOVE AND KEEP THEREON OR PLACED ON ANY BUILDINGS, FENCES, TREES, SHRUBS, OR OTHER MOVEMENTS THEREON WITHIN WHICH ANY EASEMENTS ARE SHOWN FOR THE CONSTRUCTION, MAINTENANCE OR EFFICIENCY OF ITS RESPECTIVE SYSTEMS ON ANY OF THESE EASEMENTS, AND THE CITY, COUNTY OR ANY PUBLIC UTILITY SHALL AT ALL TIMES HAVE THE RIGHT OF ACCESS TO ANY OF THESE EASEMENTS FOR THE PURPOSES OF THE CONSTRUCTION, RECONSTRUCTING, INSPECTING, AND PATROLLING, WITHOUT THE NECESSITY AT ANY TIME OF PROCURING THE PERMISSION OF ANYONE, THIS PLAT APPROVED SUBJECT TO ALL ORDINANCES, RULES, REGULATIONS, AND RESOLUTIONS OF THE CITY OF BURLESON, TEXAS.

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED ROCKY BRANSOM, KNOWN TO ME OR PROVED TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED.

I, MATT POWELL, REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS DO HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON ACCURATELY REPRESENTS THE DESCRIBED PROPERTY AS DETERMINED BY A SURVEY MADE ON THE GROUND, UNDER MY DIRECTION AND SUPERVISION. THE MONUMENTS SET OR FOUND, ARE SUFFICIENT TO ENABLE RETRACEMENT.

REPLAT
LOT 16R, BLOCK 1
MABE SUBDIVISION
1.202 ACRES
CARTWRIGHT SURVEY, ABSTRACT NO.
CITY OF BURLESON ETJ, JOHNSON COUNTY, TEXAS

A TRACT OF LAND SITUATED IN THE J.M. CARTWRIGHT SURVEY, ABSTRACT NO. 132, JOHNSON COUNTY, TEXAS, BEING ALL OF THAT TRACT OF LAND CONVEYED TO BRANSOM & BRANSOM, LLC. IN THAT DEED RECORDED IN INSTRUMENT NO. 2022-36057, DEED RECORDS, JOHNSON COUNTY, TEXAS.

DFW JOB NUMBER

2022061-01



1. THE PURPOSE OF THIS REPLAT IS TO COMBINE LOT 16, MABE SUBDIVISION, WITH THE ADJACENT PROPERTY TO THE EAST WITH COMMON OWNERSHIP AND TO ESTABLISH A PROPERTY LINE CONSISTENT WITH THE CURRENT ETJ BOUNDARY.

WATER: BETHESDA
ELECTRIC: U.C.S.
GAS: ATMOS
FIRE: BURLESON FIRE DEPARTMENT
SEWER: ON-SITE SEPTIC

OWNER:
ROCKY BRANSOM
BRANSOM & BRANSOM, LLC.
817-426-0018

PROPERTY ADDRESS:
1532 SO. BURLESON BLVD.
BURLESON, TX 76028



DFW
Geodesy
1108 SOUTH DOBSON STREET
BURLESON, TX 76028
817-447-4122
mpowell@dfwgeodesy.com
TRIPLE FIRM NO. 100766

LOT 14, BLOCK 1
MABE SUBDIVISION
VOL. 1, PG. 15
P.R.J.C.T.

LOT 15, BLOCK 1
MABE SUBDIVISION
VOL. 1, PG. 15
P.R.J.C.T.

LOT 16, BLOCK 1
MABE SUBDIVISION
VOL. 1, PG. 15
P.R.J.C.T.

BRANSOM & BRANSOM, LLC.
INST. NO. 2022-32196
D.R.J.C.T.

ROCKY BRANSOM
INST. NO. 2022-36057
D.R.J.C.T.

ROCKY BRANSOM
INST. NO. 2022-36057
D.R.J.C.T.

1. THE CITY OF BURLESON RESERVES THE RIGHT TO REQUIRE MINIMUM FINISH FLOOR ELEVATIONS ON ANY LOT WITHIN THIS SUBDIVISION. THE MINIMUM ELEVATIONS SHOWN ARE BASED ON THE MOST CURRENT INFORMATION AVAILABLE AT THE TIME THE PLAT IS FILED AND MAY BE SUBJECT TO CHANGE.

2. BLOCKING THE FLOW OF WATER OR CONSTRUCTING IMPROVEMENTS IN THE DRAINAGE EASEMENTS, AND FILLING OR OBSTRUCTION OF THE FLOODWAY IS PROHIBITED.

3. THE EXISTING CREEKS OR DRAINAGE CHANNELS TRAVERSING ALONG OR ACROSS THIS ADDITION WILL REMAIN AS OPEN CHANNELS AND WILL BE MAINTAINED BY THE INDIVIDUAL OWNERS OF THE LOT OR LOTS THAT ARE TRAVERSED BY OR ADJACENT TO DRAINAGE COURSES ALONG OR ACROSS SAID LOTS.

4. THE JOHNSON COUNTY WILL NOT BE RESPONSIBLE FOR THE MAINTENANCE AND OPERATIONS OF SAID DRAINAGE WAYS OR FOR THE CONTROL OF EROSION.

5. THE JOHNSON COUNTY WILL NOT BE RESPONSIBLE FOR ANY DAMAGE, PERSONAL INJURY OR LOSS OF LIFE OR PROPERTY OCCASIONED BY FLOODING OR FLOOD CONDITIONS.

6. ON-SITE SEWAGE FACILITY PERFORMANCE CANNOT BE GUARANTEED EVEN THOUGH ALL PROVISIONS OF THE RULES OF JOHNSON COUNTY, TEXAS FOR PRIVATE SEWAGE FACILITIES ARE COMPLIED WITH.

7. INSPECTION AND/OR ACCEPTANCE OF A PRIVATE SEWAGE FACILITY BY THE JOHNSON COUNTY COUNTY SHALL INDICATE ONLY THAT THE FACILITY MEETS MINIMUM REQUIREMENTS AND DOES NOT RELIEVE THE OWNER OF THE PROPERTY FROM COMPLYING WITH COUNTY, STATE AND FEDERAL REGULATIONS. PRIVATE SEWAGE FACILITIES, ALTHOUGH APPROVED AS MEETING MINIMUM STANDARDS, MUST BE UPGRADED BY THE OWNER AT THE OWNER'S EXPENSE IF NORMAL OPERATION OF THE FACILITY RESULTS IN OBJECTIONABLE ODORS, IF UNSANITARY CONDITIONS ARE CREATED, OR IF THE FACILITY WHEN USED DOES NOT COMPLY WITH GOVERNMENTAL REGULATIONS.

8. A PROPERLY DESIGNED AND CONSTRUCTED PRIVATE SEWAGE FACILITY SYSTEM, IN SUITABLE SOIL, CAN MALFUNCTION IF THE AMOUNT OF WATER IT IS REQUIRED TO DISPOSE OF IS NOT CONTROLLED. IT WILL BE THE RESPONSIBILITY OF THE LOT OWNER TO MAINTAIN AND OPERATE THE PRIVATE SEWAGE FACILITY IN A SATISFACTORY MANNER.

9. ANY PUBLIC UTILITY, INCLUDING JOHNSON COUNTY, SHALL HAVE THE RIGHT TO MOVE AND KEEP MOVED ALL OR PART OF ANY BUILDINGS, FENCES, TREES, SHRUBS, OTHER GROWTHS OR IMPROVEMENTS WHICH IN ANY WAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION OR MAINTENANCE, OR EFFICIENCY OF ITS RESPECTIVE SYSTEMS IN ANY OF THE EASEMENTS SHOWN ON THE PLAT; AND ANY PUBLIC UTILITY, SHALL HAVE THE RIGHT AT ALL TIMES OF INGRESS AND EGRESS TO AND FROM SAID EASEMENTS FOR THE PURPOSE OF CONSTRUCTION, RECONSTRUCTION, INSPECTION, PATROLLING, MAINTAINING AND ADDING TO OR REMOVING ALL OR PART OF ITS RESPECTIVE SYSTEMS WITHOUT THE NECESSITY AT ANY TIME OF PROCURING THE PERMISSION OF ANYONE.

10. A MINIMUM OF 1 ACRE PER RESIDENTIAL STRUCTURE IS REQUIRED FOR ON-SITE SEWAGE FACILITIES (SEPTIC SYSTEMS). IF MORE THAN ONE STRUCTURE IS PROPOSED FOR CONSTRUCTION ON A LOT IN THE FUTURE, RE-PLATTING MAY BE REQUIRED.

11. FOR ALL SINGLE FAMILY DETACHED AND DUPLEX RESIDENCES, EXCLUDING TOWNHOUSES AND APARTMENTS, FIRE HYDRANTS SHALL BE SPACED TO HAVE A FIRE HOSE LAYING DISTANCE OF NO GREATER THAN 500 FEET. THE FIRE HOSE LAYING DISTANCE IS MEASURED BY THE LAYING OF FIRE APPARATUS HOSE LINES ALONG THE RIGHT-OF-WAY OR ACCESS EASEMENTS FROM THE NEAREST WATER SUPPLY ON A STREET TO THE MAIN ENTRANCE OF THE BUILDING.

12. THE MINIMUM FIRE FLOW REQUIREMENTS FOR ONE- AND TWO-FAMILY DWELLINGS HAVING A FIRE-FLOW CALCULATION AREA WHICH DOES NOT EXCEED 3,600 SQUARE FEET SHALL BE 1,500 GALLONS PER MINUTE. FIRE FLOW AND FLOW DURATION FOR DWELLINGS HAVING A FIRE-FLOW CALCULATION AREA IN EXCESS OF 3,600 SQUARE FEET SHALL NOT BE LESS THAN THAT SPECIFIED IN TABLE B105.1 OF THE 2003 INTERNATIONAL FIRE CODE.

13. ALL FIRE HYDRANTS MUST PROVIDE A MINIMUM OF 35 PSI STATIC PRESSURE AND A 20 PSI RESIDUAL PRESSURE.

14. ALL BUILDINGS OR STRUCTURES SHALL BE CONSTRUCTED SUCH THAT ALL GROUND LEVEL, EXTERIOR SIDES OF THE BUILDING ARE WITHIN 150 FEET OF A DEDICATED STREET OR FIRE LANE. IF THE 150 FEET CANNOT BE REACHED FROM A PUBLIC STREET, A FIRE LANE CAPABLE OF SUPPORTING 80,000 LBS SHALL BE REQUIRED ON SITE AT TIME OF CONSTRUCTION.

15. JOHNSON COUNTY WILL BE RESPONSIBLE FOR ALL FLOODPLAIN REGULATIONS AS IT RELATES TO DEVELOPMENT. IN THE EVENT THE PROPERTY IS EVER ANNEXED INTO THE CITY OF BURLESON, ALL FUTURE PROPOSED DEVELOPMENT SHALL FOLLOW THE CITY OF BURLESON'S FLOODPLAIN REGULATIONS.

16. ALL BUILDING SETBACKS ARE SUBJECT TO CURRENT JOHNSON COUNTY DEVELOPMENT REGULATIONS.

17. THIS PLAT DOES NOT ALTER OR REMOVE EXISTING DEED RESTRICTIONS OR COVENANTS, IF ANY, ON THIS PROPERTY.

18. THE PURPOSE OF THIS PLAT IS TO SATISFY PERMIT REQUIREMENTS.

19. FOR COMMERCIAL BUILDINGS, FIRE HYDRANTS SHALL BE SPACED TO HAVE A FIRE HOSE LAY DISTANCE OF NO GREATER THAN 300 FEET. THE FIRE HOSE LAYING DISTANCE IS MEASURED BY THE LAYING OF FIRE APPARATUS HOSE LINES ALONG THE RIGHT-OF-WAY OF ACCESS EASEMENTS FORM THE NEAREST WATER SUPPLY ON A STREET TO THE MAIN ENTRANCE OF THE BUILDING.

20. THE MINIMUM FIRE FLOW AND FLOW DURATION FOR THE BUILDINGS OTHER THAN ONE-AND TWO-FAMILY DWELLING SHALL BE AS SPECIFIED THE MOST CURRENT ADOPTED INTERNATIONAL FIRE CODE.

21. THE EXISTING USE OF THE SUBJECT PROPERTY IS RESIDENTIAL.

22. THE REQUIREMENT OF PUBLIC INFRASTRUCTURE WAS BASED ON THE UTILITY EXHIBIT THAT WAS SUBMITTED FOR REVIEW WITH THIS

EXISTING WATER LINE TO BE IMPROVED AND FIRE HYDRANT(S) TO BE INSTALLED FOR FIRE PROTECTION.

Planning & Zoning Commission Meeting

DEPARTMENT: Development Services

FROM: JP Duca, Senior Planner

MEETING: November 14, 2023

SUBJECT:

Burleson Retail Summercrest at 700 Wilshire Blvd (Case 23-252): Hold a public hearing and consider approval of a resolution for a variance to Chapter 36, fencing and screening regulations, allowing for an alternative transitional screening material. (*Staff Presenter: JP Duca, Senior Planner*)

SUMMARY:

On September 5, 2023, an application was submitted by Anna Carrillo with Carrillo Engineering, LLC. requesting a variance to allow for an eight foot wooden fence to accommodate the transitional screening requirement in lieu of an eight foot masonry screening wall. Per the fencing and screening regulations, transitional screening shall be required between zoning districts and land uses within the city. In this particular case, when non-residential uses abut residential uses, transitional screening shall be required to separate these districts along the entire property line of the higher intensity district. It is incumbent upon the developer of the more intensively zoned property to screen their property from the less intensive zoning district.

The subject property is zoned GR, General Retail with an associated Commercial Site Plan (23-006) currently in the DAC review process. The site plan is proposing to develop four retail/restaurant tenant spaces on two lots with a drive-thru on each. The subject site immediately abuts five single-family lots zoned SF-7 along the north-west property boundary. It is incumbent upon the developer to screen their property from the residential district along the entire property line. The fencing and screening regulations require that transitional screening shall be eight feet in height and constructed of solid masonry or reinforced concrete. Alternative designs and materials may be proposed and approved provided the screening meets the intent of Transitional Screening section. The applicant is requesting approval to construct an eight foot wooden fence. The DAC denied the alternative fencing proposal during the CSP review process. The applicant has appealed this determination for City Council consideration. Upon recommendation from the Planning and Zoning Commission, the City Council may grant temporary or permanent waivers to transitional screening.

The applicant's justification for approval in granting this variance has been attached as Exhibit 5.

Planning Analysis

Section 36-14 (Transitional screening) of the fencing and screening regulations contains the following requirements:

(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.

(b) When MH, MHP, MF1, MF2 district or multiple family or mobile home uses abuts a 2F, SFA, SFE, SFR, SF7, SF10, SF16 district or single-family 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.

(c) For the purpose of this section, "abut" or "adjacency" is defined as sharing a common property line except for private alleys, public alleys and private access easements.

(d) Shall be located within and along the outer perimeter of a lot or boundary line and entirely on private property. No part of any screening device shall be located in public right-of-way or encroach within the visibility triangle.

(e) Shall be eight feet in height.

(f) Shall serve the purpose of providing a visual barrier between properties.

(g) Shall be incumbent upon the developer of the more intensively zoned property to screen his property from a less intensive zoning district.

(h) The screening wall shall be of consistent color, design and material all through the development.

(i) Shall be constructed of solid masonry or reinforced concrete. All others designs and materials will have to be approved by the development assistance committee provided the screening meets the intent of this section.

(j) If the development assistance committee approves this requirement to be better met by an irrigated, pruned and maintained living screen, the same maybe substituted.

(k) Upon recommendation from the planning and zoning commission, the city council may grant a temporary or permanent waiver until such a time as the screening wall or fence maybe deemed necessary, if this requirement is impractical for immediate construction.

Approval Standards in Granting a Variance.

(Chapter 36-Fencing and Screening Regulations, Section 36-4(b) – Administrative variance):

Consideration
There are special circumstances existing on the property on which the application is made related to size, shape, area, topography, surrounding conditions, and location that do not apply generally to other property in the same area and the same zoning district.

That a **variance is necessary to permit the applicant the same rights in the use of his property that are presently enjoyed**, under the ordinance, by other properties in the vicinity and zone, but which rights are denied to the property on which the application is made.

That the granting of the variance on the specific property **will not adversely affect the land use pattern** as outlined by the land use plan and **will not adversely affect any other feature of the comprehensive plan** of the city.

That the variance, if granted, **will not be materially detrimental to the public welfare** of the use, enjoyment, or value of property within the vicinity.

OPTIONS:

- 1) Recommend approval of the resolution for the requested transitional screening variance with or without conditions; or
- 2) Recommend denial of the resolution for the requested transitional screening variance.

RECOMMENDATION:

The Development Assistance Committee does not support this variance request as it may result in detrimental impacts to the adjacent residential homes. The location of the drive-thru's and dumpster enclosure in proximity to the residential property will likely result in an excessive nuisance of noise if not adequately screened. Staff acknowledges the screening will be located within a ten foot utility easement and future easement accessibility should be considered.

According to the applicant, given the presence of an existing utility easement and overhead electric line, the proposed wooden fence would be less obtrusive than a masonry fence which would require wider columns at close intervals. It is our opinion that the wooden fence satisfies the intent of the ordinance by providing adequate screening from the development to the residential lots and is a significant improvement from the existing condition which consists of a combination of chain link and older wooden fence depending on the lot.

PUBLIC NOTIFICATION:

Notice was mailed to surrounding property owners within 300 feet of the acreage proposed for this zone change and published in the newspaper in accordance with City ordinances and State law. Staff has received one letter from an owner within 300' of the subject property with concerns regarding drainage, privacy and noise impact.

FISCAL IMPACT:

None.

STAFF CONTACT:

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

Burleson Retail Summercrest

Location:

- 700 SW Wilshire Blvd
- 2.64 acres

Applicant:

Anna Carrillo

Carrillo Engineering, LLC.

Item for approval:

Fence Variance (Case 23-252)



Burleson Retail Summercrest

Background

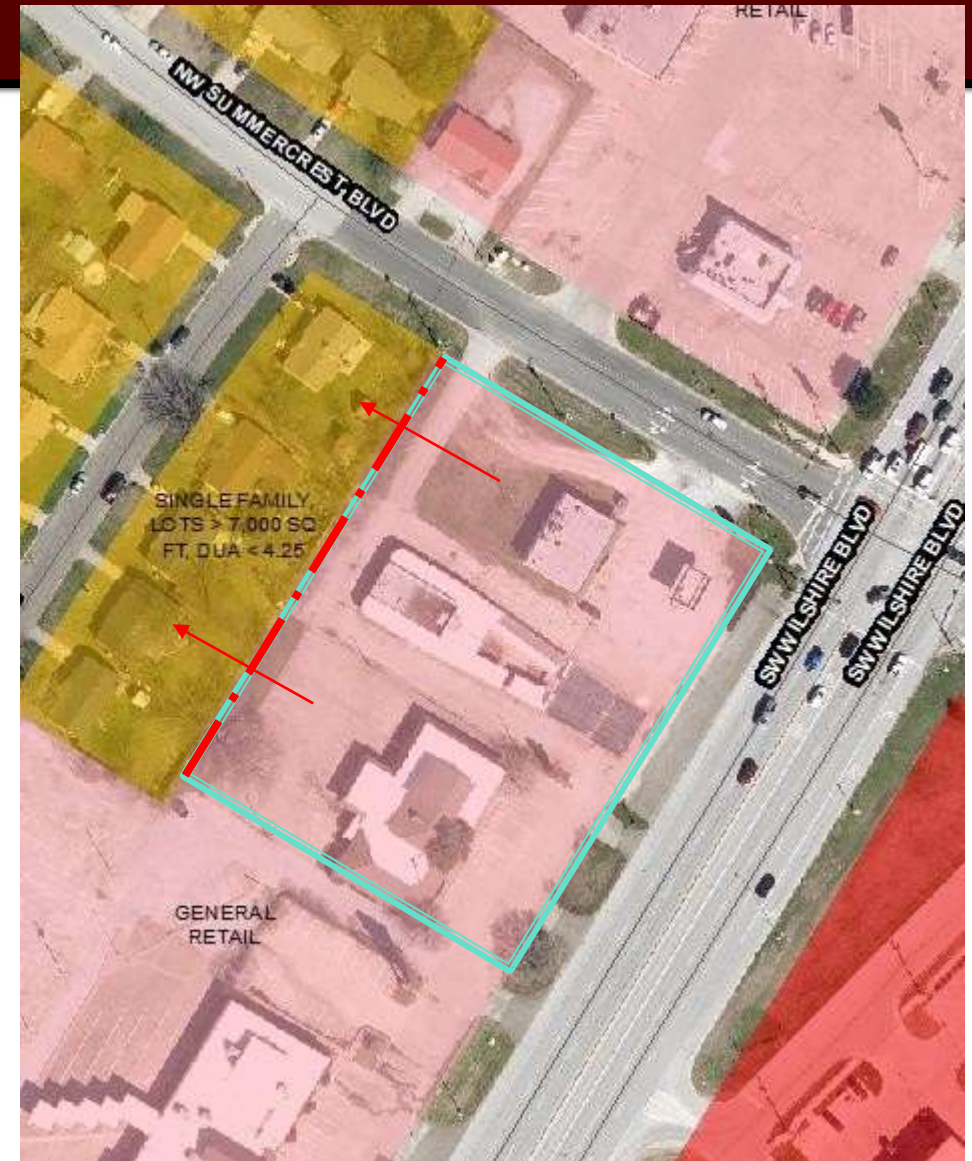
Per the fencing and screening regulations:

- Transitional screening shall be required when non-residential uses abut residential uses.
- It is incumbent upon the developer of the more intensively zoned property to screen their property from the less intensive zoning district.

Subject site: GR, General Retail

- CSP (23-006) in DAC review process
 - Four retail/restaurant tenant spaces on two lots with drive-thru's

Adjacent property: SF7, Single-family dwelling district 7



Burleson Retail Summercrest

Variance Summary:

Section 36-14(i) (Transitional Screening) of the Fencing and Screening regulations contains the following standard:

- Transitional screening shall be constructed of solid masonry or reinforced concrete. **All others designs and materials will have to be approved by the development assistance committee provided the screening meets the intent of this section.**

DAC denied the alternative fencing proposal during CSP review.

The applicant appealed this determination for City Council consideration - upon recommendation from the Planning and Zoning Commission, the City Council may grant temporary or permanent waivers to transitional screening.

Section 36-14 (Transitional screening) of the fencing and screening regulations contains the following requirements:

- (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.
- (b) When MH, MHP, MF1, MF2 district or multiple family or mobile home uses abuts a 2F, SFA, SFE, SFR, SF7, SF10, SF16 district or single-family 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.
- (c) For the purpose of this section, "abut" or "adjacency" is defined as sharing a common property line except for private alleys, public alleys and private access easements.
- (d) Shall be located within and along the outer perimeter of a lot or boundary line and entirely on private property. No part of any screening device shall be located in public right-of-way or encroach within the visibility triangle.
- (e) Shall be eight feet in height.
- (f) Shall serve the purpose of providing a visual barrier between properties.
- (g) Shall be incumbent upon the developer of the more intensively zoned property to screen his property from a less intensive zoning district.
- (h) The screening wall shall be of consistent color, design and material all through the development.
- (i) **Shall be constructed of solid masonry or reinforced concrete. All others designs and materials will have to be approved by the development assistance committee provided the screening meets the intent of this section.**
- (j) If the development assistance committee approves this requirement to be better met by an irrigated, pruned and maintained living screen, the same maybe substituted.
- (k) Upon recommendation from the planning and zoning commission, the city council may grant a temporary or permanent waiver until such a time as the screening wall or fence maybe deemed necessary, if this requirement is impractical for immediate construction.

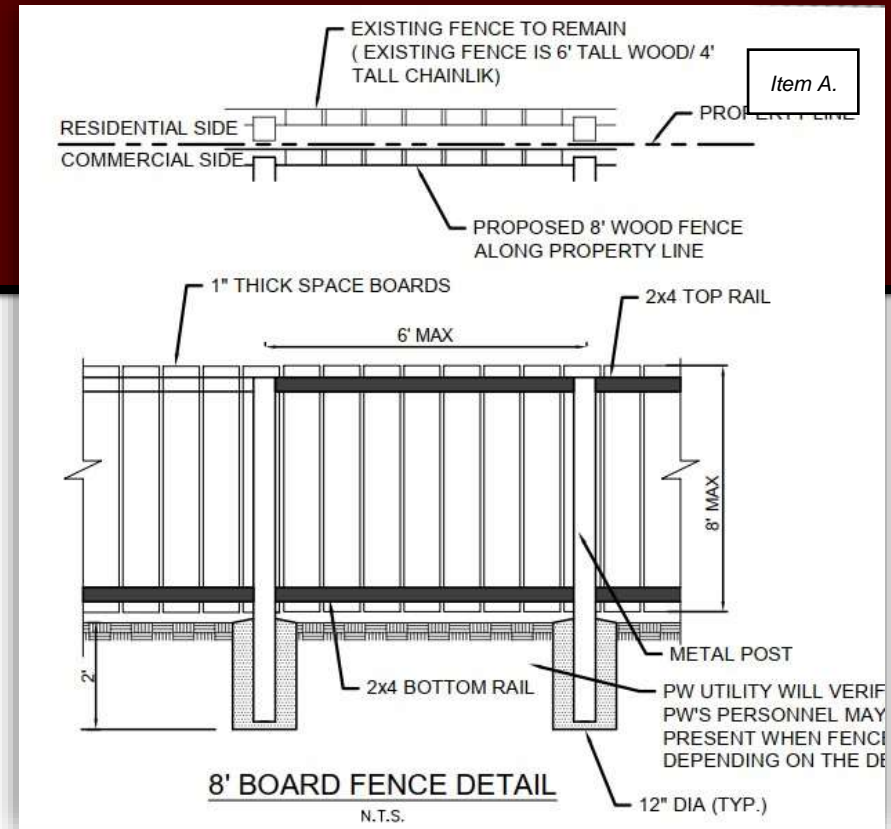
Burleson Retail Summercrest

Request:

- Allow for the transitional screening to be an eight foot wooden fence in lieu of a masonry screening wall.

Applicant's Justification:

- The proposed wooden fence would be less obtrusive than a masonry wall given the presence of an existing utility easement and overhead electric line.
- The wooden fence satisfies the intent of the ordinance by providing adequate screening from the development to the residential lots and is a significant improvement from the existing conditions.



Burleson Retail Summercrest

Fencing and Screening Code Criteria For Variance Approval
There are special circumstances existing on the property on which the application is made related to size, shape, area, topography, surrounding conditions, and location that do not apply generally to other property in the same area and the same zoning district.
That a variance is necessary to permit the applicant the same rights in the use of his property that are presently enjoyed , under the ordinance, by other properties in the vicinity and zone, but which rights are denied to the property on which the application is made.
That the granting of the variance on the specific property will not adversely affect the land use pattern as outlined by the land use plan and will not adversely affect any other feature of the comprehensive plan of the city.
That the variance, if granted, will not be materially detrimental to the public welfare of the use, enjoyment, or value of property within the vicinity.

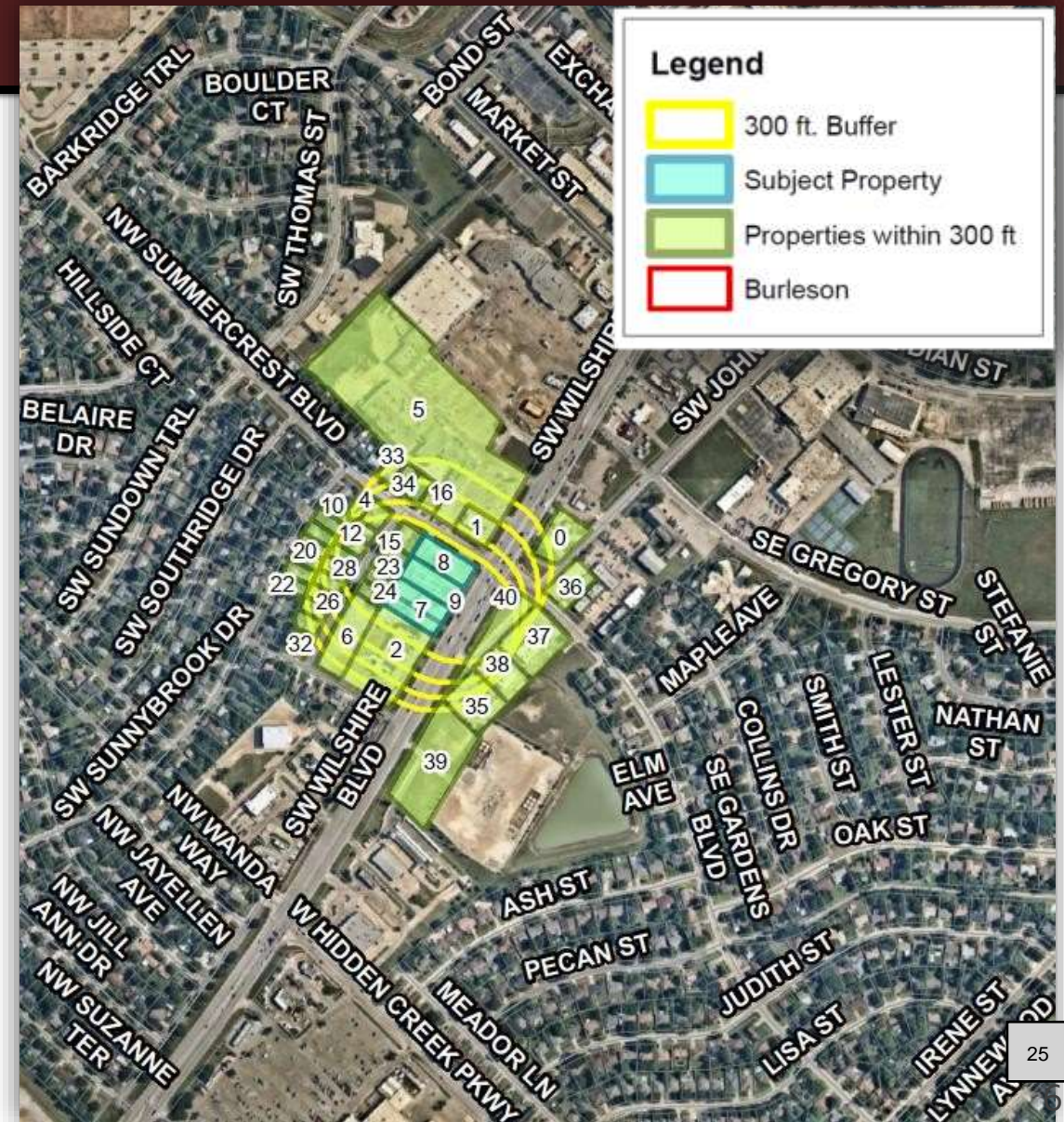
Burleson Retail Summercrest

Item A.

Public Hearing Notice

- Public notices mailed to property owners within 300 feet of subject property.
- Published in newspaper.

Staff has received **one** letter of concern from a property owner within 300' of the subject site with concerns regarding drainage, privacy and noise impact.

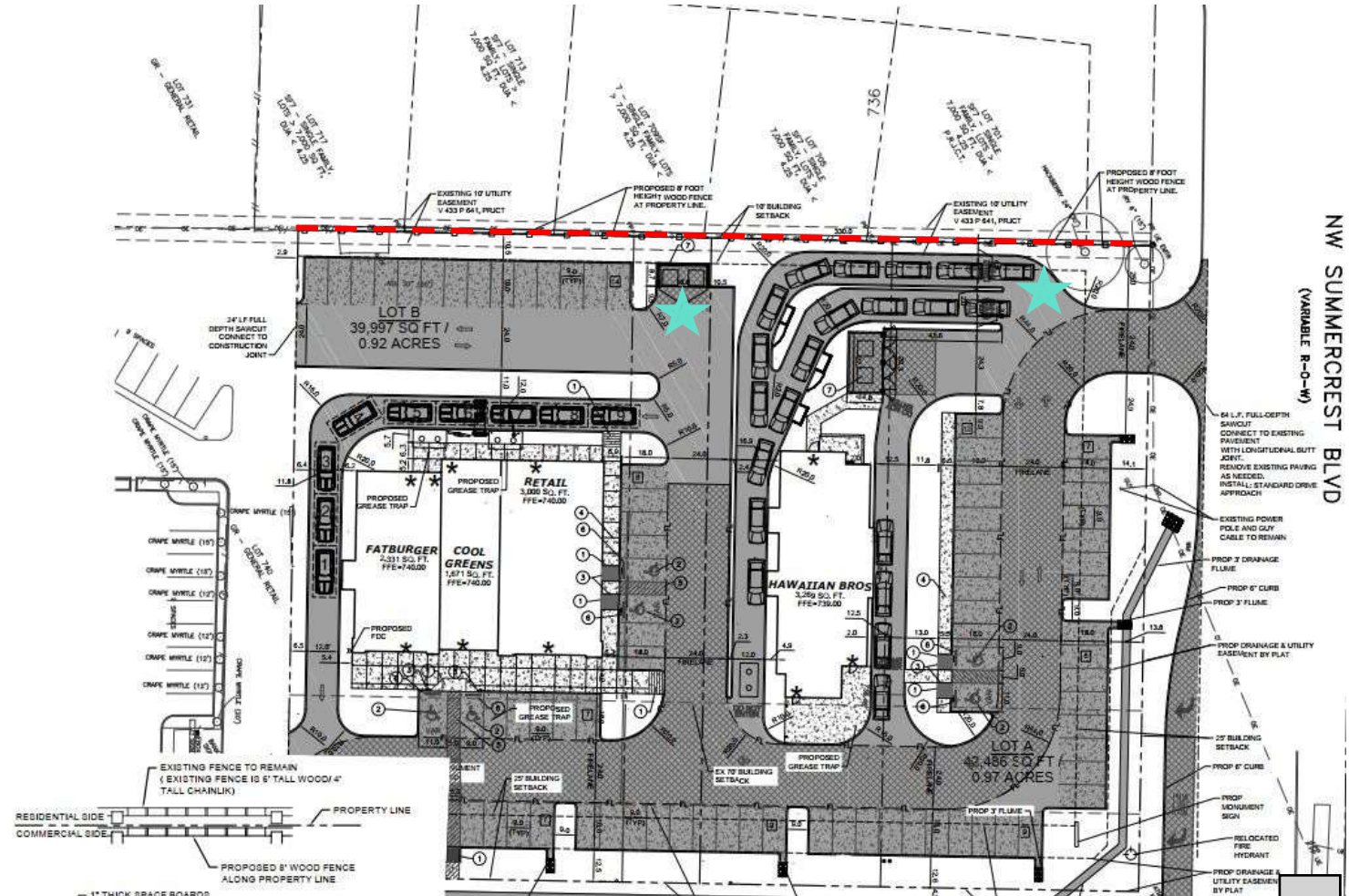


Burleson Retail Summercrest

Staff recommendation

The DAC denied the alternative fencing material based on the potential detrimental impacts to the adjacent residential homes.

- The location of the drive-thru's and dumpster enclosure in proximity to the residential property will likely result in an excessive nuisance of noise and light if not adequately screened.
- Staff acknowledges the screening will be located within a ten foot utility easement and future easement accessibility should be considered.



Setback from property line: Drive-thru = 5' / Dumpster enclosure = 10' / Residences = 40'

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURLESON, TEXAS, FOR A VARIANCE TO CHAPTER 36, FENCING AND SCREENING REGULATIONS, TO ALLOW FOR AN ALTERNATIVE TRANSITIONAL SCREENING MATERIAL AT 700 SW WILSHIRE BOULEVARD.

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, Chapter 36, Fencing and Screening Regulations, of the City of Burleson Code of Ordinances (2005) requires that no fence, wall or outdoor area enclosure structure, may be erected or altered within the city unless the fence, wall, or outdoor area enclosure is in conformance with the provisions of this chapter; and

WHEREAS, on September 5, 2023, an application was submitted by Anna Carillo representing Carillo Engineering LLC, requesting a variance to allow for an eight foot wood fence to accommodate the transitional screening requirement in lieu of an eight foot masonry screening wall, and

WHEREAS, on December 11, 2023, the City Council made an inquiry into the matter and reviewed all the relevant information at a duly called public meeting, and

WHEREAS, the City Council finds and determines that there are special circumstances existing on the property on which the application is made related to size, shape, area, topography, surrounding conditions, and location that do not apply generally to other property in the same area and the same zoning district; and

WHEREAS, City Council finds and determines that a variance is necessary to permit the applicant the same rights in the use of his property that are presently enjoyed, under Chapter 36, by other properties in the vicinity and zone, but which rights are denied to the property on which the application is made; and

WHEREAS, City Council finds and determines that the granting of the variance on the specific property will not adversely affect the land use pattern as outlined by the land use plan and will not adversely affect any other feature of the comprehensive plan of the city; and

WHEREAS, City Council finds and determines that the variance, if granted, will not be materially detrimental to the public welfare of the use, enjoyment, or value of property within the vicinity; and

WHEREAS, the City Council finds and determines the conditions attached to the variance, if any, are necessary to achieve the purpose of Chapter 36.

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

RESOLUTION

PAGE 1 OF 2

Section 1.

City Council hereby grants a variance to Section 36-14(i) of Chapter 36, Fencing and Screening Regulations, of the City of Burleson Code of Ordinances (2005) requiring transitional screening be constructed of solid masonry or reinforced concrete, to allow for an eight foot wooden fence to accommodate the transitional screening requirement.

Except as otherwise specified above, all other conditions, regulations, procedures, and rules of Chapter 36, Fencing and Screening Regulations, of the City of Burleson Code of Ordinances (2005), as amended, shall apply to the transitional screening at 700 SW Wilshire.

Section 2.

This resolution shall take effect immediately from and after its passage.

PASSED, APPROVED, AND SO RESOLVED by the City Council of the City of Burleson, Texas, on the _____ day of _____, 20____.

Chris Fletcher, Mayor
City of Burleson, Texas

ATTEST:

APPROVED AS TO LEGAL FORM:

Amanda Campos, City Secretary

E. Allen Taylor, Jr., City Attorney



9001 Airport Fwy, Ste 700
North Richland Hills, TX 76180
817-697-4996
anna.carrillo@carrilloeng.com

September 20, 2023

Mr. JP Ducay, Case Manager
Department Services
141 W. Renfro Street
Burleson, Texas 76028

RE: Summercrest Screening Variance (Case 23-252)
Screening Variance
DAC Review Comments

Dear Mr. Duncay:

Carrillo Engineering, LLC received the comments provided by The City of Burleson Development Services on September 19, 2023, regarding the proposed Burleson Retail Summercrest and has revised the plans in response to each comment. Each comment below is followed by its corresponding response in bold and italics.

Planning Comments

1. Please include case number 23-252 in all future correspondence related to this waiver.

Response: We will add Case number 23-252 to our exhibit.

2. What material is the existing residential fence made of and what is its height? If approved, how far apart will the proposed fence be from the existing residential fence?

Response: The existing fence(s) consist of chain-link and wood fence – they vary by lot. See the photos below. The proposed fence would be as close to the existing fences as the posts would allow. This would help with not leaving a strip of “no-man’s land” that would be difficult to maintain.



9001 Airport Fwy, Ste 700
North Richland Hills, TX 76180
817-697-4996
anna.carrillo@carrilloeng.com



3. Please provide some language that justifies why this waiver is being pursued and why it should be approved. Why an 8' masonry screening wall is not being constructed, and in your words why an 8' wooden fence makes more sense. It helps to have some reasoning behind a request when staff is preparing the meeting materials (memo / presentation). The language that was provided only states what is being requested not why it is being requested. Is the current drive-thru design only usable if a wooden fence is pursued along the property line? Are there other factors behind this proposal? Please elaborate.



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North Richland Hills, TX 76180
817-697-4996
anna.carrillo@carrilloeng.com

Response: Given the presence of an existing utility easement and overhead electric line, the proposed wooden fence would be less obtrusive than a masonry fence which would require wider columns at close intervals. It is our opinion that the wooden fence satisfies the intent of the ordinance by providing adequate screening from the development to the residential lots and is a significant improvement from the existing condition which consists of a combination of chain link and older wooden fence depending on the lot.

Engineering Comments

4. Please refer to the separate comment sheet for Engineering's comments

Response: Please see the attached revised exhibit.

5. If approved, an easement use agreement will need to be pursued with the City. For any questions or additional information regarding these comments, please reach out to the following contact:

MICHELLE McCULLOUGH, P.E., CFM

Public Works Department

Assistant Director/City Engineer

Development

mmccullough@burlesontx.com

phone: 817.426.9616 | burlesontx.com |

Response: Acknowledged.

Please contact me if you have any questions or need any additional information.

Very truly yours,

CARRILLO ENGINEERING, LLC

Anna L. Carrillo, P.E.



9001 Airport Fwy, Ste 700
North Richland Hills, TX 76180
817-697-4996
anna.carrillo@carrilloeng.com

APPENDIX

Date

Item A.

10-30-2023

CONCERNS OR QUESTIONS

NAME: Georgia Scott

ADDRESS: 705 S.W. Sunset Lane

PHONE: 817-455 8644

CITY: Burleson

STATE: Texas

Is concern or question listed on the agenda? ☒ Yes ☐ No

If yes, what is the item or case number associated with the development application?

Burleson Retail Summercrest at 700 Wilshire Blvd (case 23-252)

Please state the concern or comment:

My main concern is water drainage when it rains, with the old construction everytime it rained my backyard would flood. Please make sure that the drainage is done right. The other concern is privacy and noise barrier.

Thank you for letting voice my concerns
Georgia Scott

Planning & Zoning Commission Meeting

DEPARTMENT: Development Services

FROM: JP Ducay, Senior Planner

MEETING: November 14, 2023

SUBJECT:

113 N Dobson Street (Case 23-270): Hold a public hearing and consider approval of an ordinance for a zoning change request from "SF7", Single-family dwelling district 7 to "CC", Central Commercial for a 0.15 acre site. (*Staff Presenter: JP Ducay, Senior Planner*)

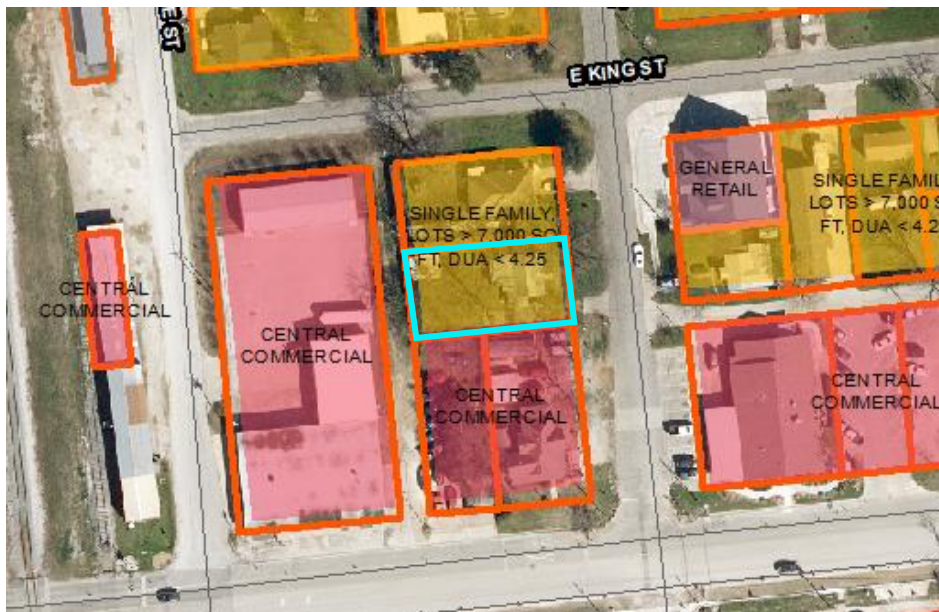
SUMMARY:

On September 18, 2023, an application was submitted by Andrew Milliman (owner/applicant) with Heartland Home Builders to rezone approximately 0.15 acres from "SF7", Single-family dwelling district 7 to "CC", Central Commercial. The subject site was previously utilized as a residence, however, was left vacant for a number of years. The applicant purchased the property in 2022 with the intention of utilizing the space as an office for his residential home building company. Following the purchase, the entire site underwent extensive remodeling to better serve a commercial user. The owner is now requesting to rezone the property from a residential to a non-residential district to allow for the office use. The subject site is located within the Central Core area of the Old Town Overlay and is conveniently situated near other commercial properties. The use of office is allowed by right in the proposed CC, Central Commercial zoning district and the Old Town Overlay. A draft ordinance for this zoning change request is included in this packet.

Planning Analysis

The City's Imagine Burleson 2030 Midpoint Update Comprehensive Plan designates this site as **Old Town**. The Old Town designation is generally described as Burleson's historic and cultural center. Development in this area should further the vision for a social and entertainment destination for the region. Typical uses include restaurants, offices, retail, personal services, community and educational services, and mixed-use residential development. The proposed zoning of a CC, Central Commercial is in complete compliance with the Comprehensive Plan and the vision of the Old Town designation.

	Zoning	Use
Subject Site	SF7, Single-family dwelling district 7	Developed, Res/Com
North	SF7, Single-family dwelling district 7	Demolished, Residential
East	CC, Central Commercial	Developed, Commercial
South	CC, Central Commercial	Developed, Commercial
West	CC & GR	Developed, Commercial

**OPTIONS:**

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

RECOMMENDATION:

Staff recommends approval of the zoning change request from "SF7", Single-family dwelling district 7 to "CC", Central Commercial for 113 N Dobson Street as proposed by the applicant.

PUBLIC NOTIFICATION:

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

FISCAL IMPACT:

None

STAFF CONTACT:

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

113 N Dobson ZC

Location:

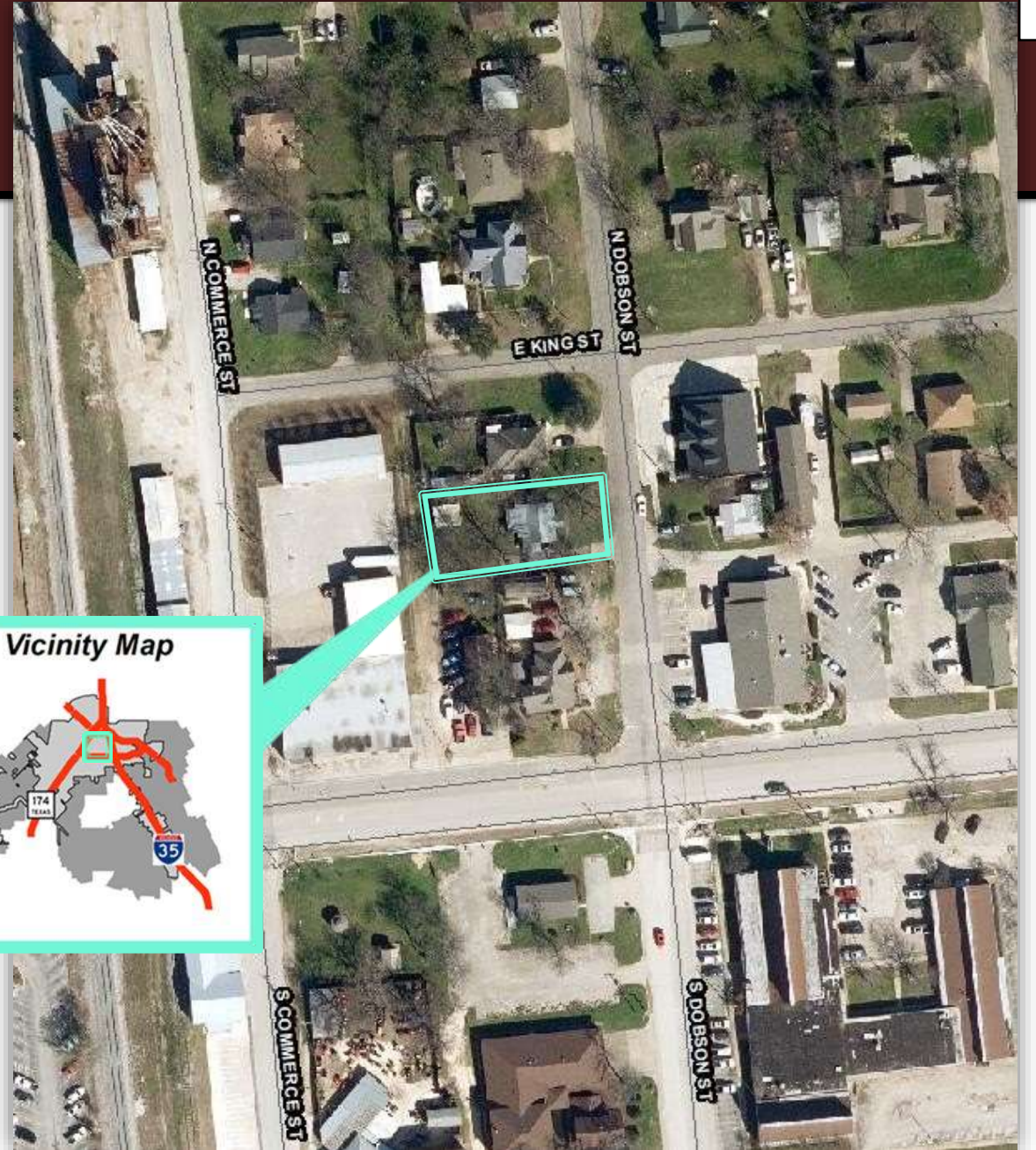
- 0.15 Acres
- 113 N Dobson St.

Applicant/Owner:

Andrew Milliman – Owner/Applicant

Item for approval:

Zoning Change (Case 23-270)



113 N Dobson ZC

Item B.

Zoning Information

Current Zoning: SF7, single-family dwelling 7

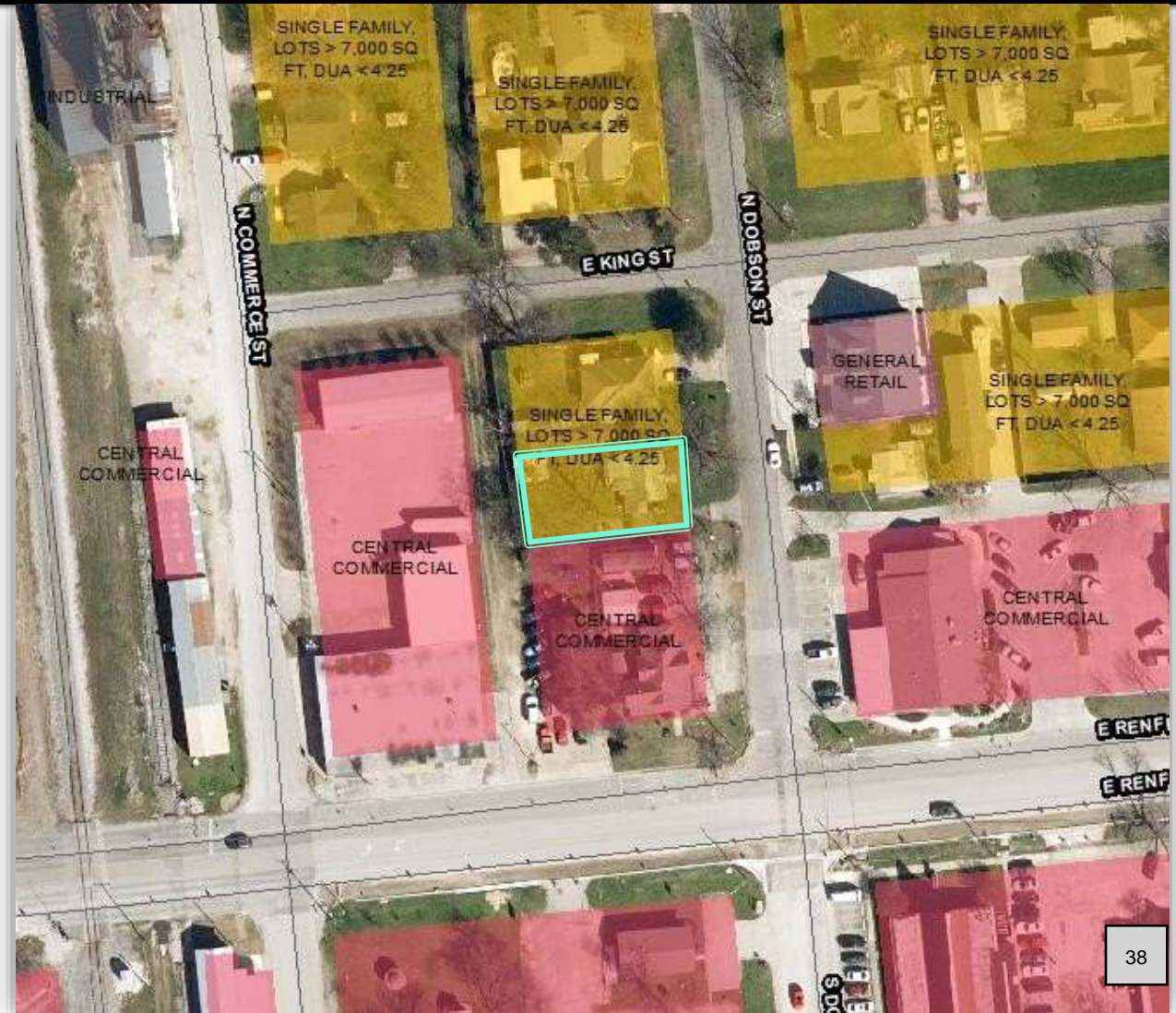
- Previously utilized as residence – has been vacant for a number of years.

2022: The owner purchased the property with the intention of utilizing the space as an office for his home building company.

- Following the purchase, the entire site underwent extensive remodeling to better serve a commercial user.

2023: The owner is requesting to rezone the subject property from SF7 to Central Commercial.

Proposed use of "office" is allowed by right in the CC zoning district and Old Town Overlay



Comprehensive Plan

Old Town



Current Zoning

Single-family 7



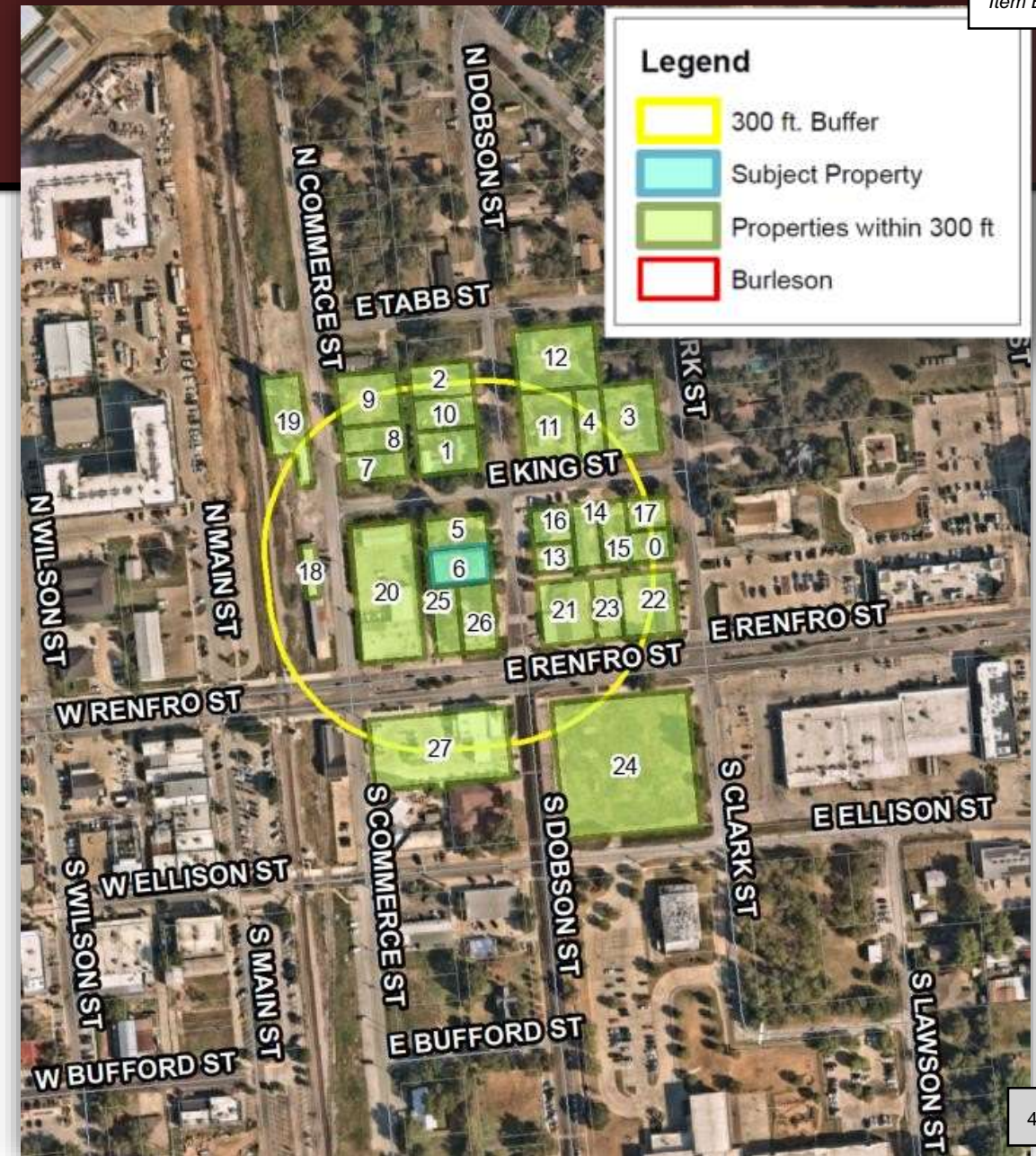
Item B.

113 N Dobson ZC

Public Hearing Notice

- Public notices mailed to property owners within 300 feet of subject property.
- Published in newspaper.
- Sign posted on the property.

Staff has not received any inquiries regarding this request.



113 N Dobson ZC

Staff's Recommendation

Staff recommends approval of the zoning change request from SF7", Single-family dwelling district 7 to "CC", Central Commercial for 113 N Dobson Street as proposed by the applicant.

- Staff supports the proposed zoning as it is in complete compliance with the Comprehensive Plan and furthers the vision of the Old Town designation.



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 0.15 ACRES OF LAND BEING THE SOUTH 1/2 OF LOT 13 AND 14, BLOCK 1, ORIGINAL TOWN OF BURLESON, ACCORDING TO THE MAP OR PLAT RECORDED IN VOLUME 59, PAGE 638 OF THE DEED RECORDS OF JOHNSON COUNTY, AN ADDITION TO THE CITY OF BURLESON, JOHNSON COUNTY, TEXAS FROM (SF7) SINGLE-FAMILY DWELLING DISTRICT 7 TO (CC) CENTRAL COMMERCIAL,** 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 **Andrew Milliman (Owner)** on **September 18, 2023**, under **Case Number 23-270**, 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 changing in zoning of said property from **(SF7) Single-family dwelling district 7 to (CC) Central Commercial**; 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 Zone Change 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 **0 to 0** to recommend to the City Council of Burleson, Texas, that the hereinafter described property be rezoned from its classification of **(SF7) Single-family dwelling district 7 to (CC) Central Commercial**; 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 **(SF7) Single-family dwelling district 7**; 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 **0.15 acres of land being the 1/2 of Lot 13 and 14, Block 1, Original Town of Burleson, situated in the City of Burleson, Johnson County, Texas** as shown on the attached Exhibit A incorporated herein by reference, by allowing for the change in zoning from **(SF7) Single-family dwelling district** to **(CC) Central Commercial**.

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

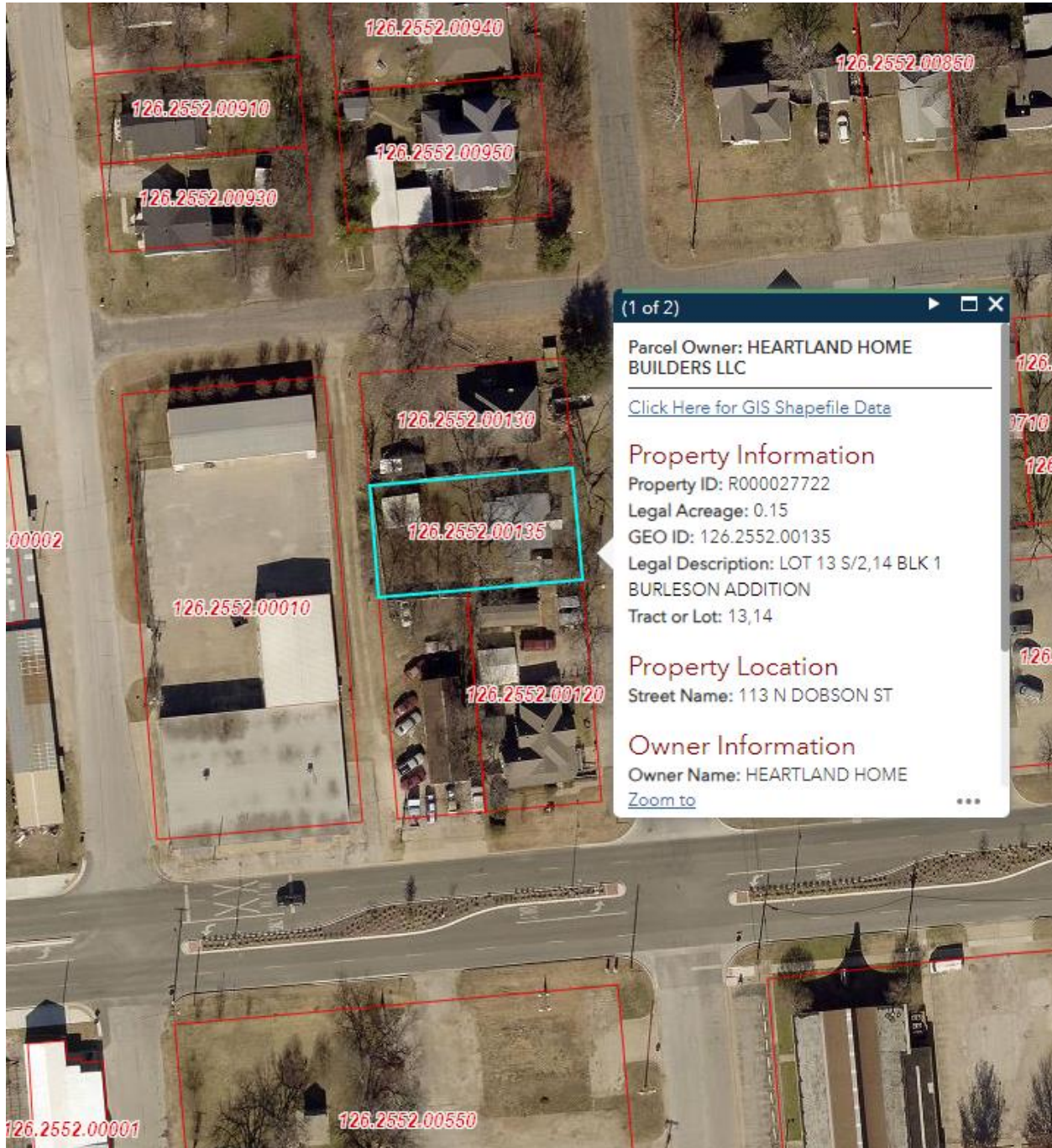
EXHIBIT A
Metes and Bounds

Legal Description of 113 N Dobson St. Burleson, TX 76028

**THE SOUTH 1/2 OF LOT 13 AND 14, BLOCK 1, ORIGINAL TOWN OF BURLESON,
JOHNSON COUNTY TEXAS, ACCORDING TO THE MAP OR PLAT RECORDED IN VOLUME
59, PAGE 638 OF THE DEED RECORDS OF JOHNSON COUNTY, TEXAS.**

EXHIBIT B

Property Details



DATE: September 29, 2023

CASE MANAGER: JP Ducay
Development Services
(817) 426-9648
jducay@burlesontx.com

SUBJECT: 113 N Dobson (Case #: 23-270)
Zone Change Request
Response to DAC Review Comments

Planning Comments

1. Understood. Case number will be included in all future correspondence.
2. Yes, I would be open and agreeable to the proposed CC (Central Commercial) Zoning.
3. Understood. All of the outlined conditions are already met and in compliance.
4. The entire existing structure underwent an extensive remodel in 2022. The entire exterior had new sheathing, windows, board and batten siding, decking and roofing installed. The interior had new subflooring, spray foam insulation, sheetrock, texture, trim, doors, paint and hardwood floors installed. All new mechanical, electrical and plumbing up to current code was installed as well. Additionally, the exterior received all new flatwork, sidewalks and front porch, as well as complete irrigation and sod installation. A new very attractive board on board with top cap cedar fence replaced the existing standing seam metal fence that lacked aesthetic appeal.
5. Andrew Milliman purchased the property in the summer of 2022 for the future use of an office space for his residential home building company, Heartland Home Builders. Prior to Andrew Milliman owning the property, the existing building was owned by a neighbor for many years and left vacant. The property was in a deteriorating state and certainly an eye sore to the surrounding area.

See **response # 4** regarding changes/alterations that have been completed and substantially improved the site. Photo montage of subject property attached.

The property being conveniently located right off of Renfro St. in an already bustling area for business inspired the desire to rezone the property. In addition, a majority of the properties adjoining the subject property are currently zoned CC.

The necessity for parking at the subject property was taken into consideration during the remodel phase and was addressed by installing the new driveway at a width of 17.5' which allows for cars to be parked side by side as well as maneuver in and out of the property with ease.

6. Legal Description of 113 N Dobson St. Burleson, TX 76028

**THE SOUTH 1/2 OF LOT 13 AND 14, BLOCK 1, ORIGINAL TOWN OF BURLESON,
JOHNSON COUNTY TEXAS, ACCORDING TO THE MAP OR PLAT RECORDED IN VOLUME
59, PAGE 638 OF THE DEED RECORDS OF JOHNSON COUNTY, TEXAS.**

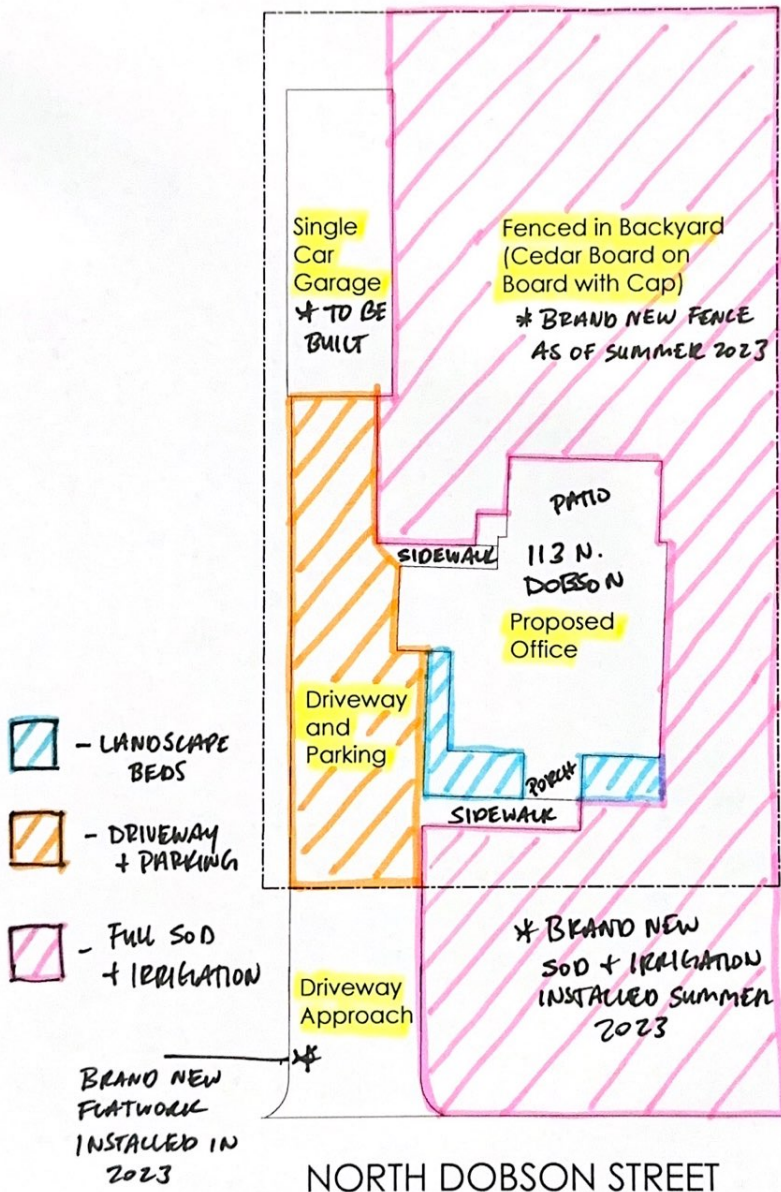
Thank you for your time and consideration.

Regards,

A handwritten signature in black ink that reads "Andrew Milliman". The script is cursive and fluid.

Andrew Milliman
(817) 233-3993

CONCEPTUAL PLAN

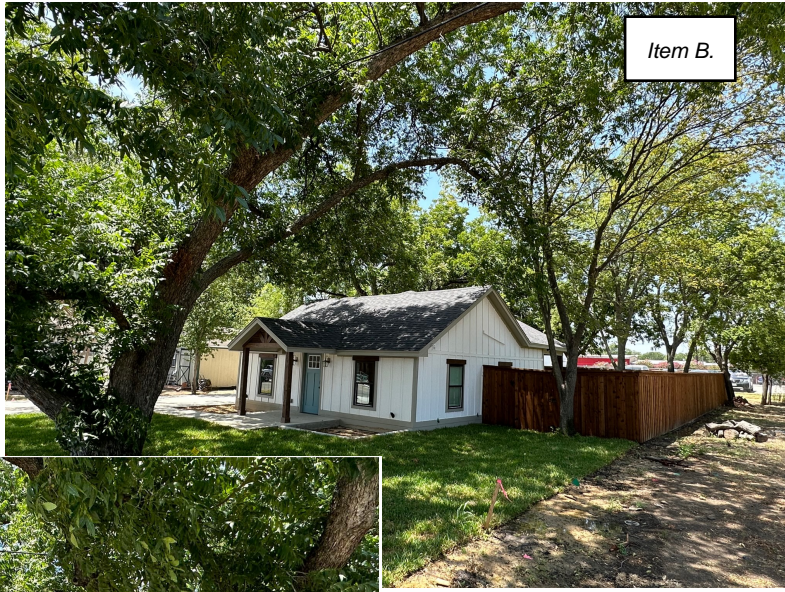


PLAN
OFFICE

ADDRESS:
113 NORTH DOBSON ST
LOT : X X BLOCK : X

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DATE
05-09-2023



Planning & Zoning Commission Meeting

DEPARTMENT: Development Services

FROM: JP Ducay, Senior Planner

MEETING: November 14, 2023

SUBJECT:

6988 E FM 917 (Case 23-091): Hold a public hearing and consider approval of an ordinance for a zoning change request from "A", Agricultural to "C", Commercial for a 2.8 acre portion of 6988 E FM 917. (*Staff Presenter: JP Ducay, Senior Planner*)

SUMMARY:

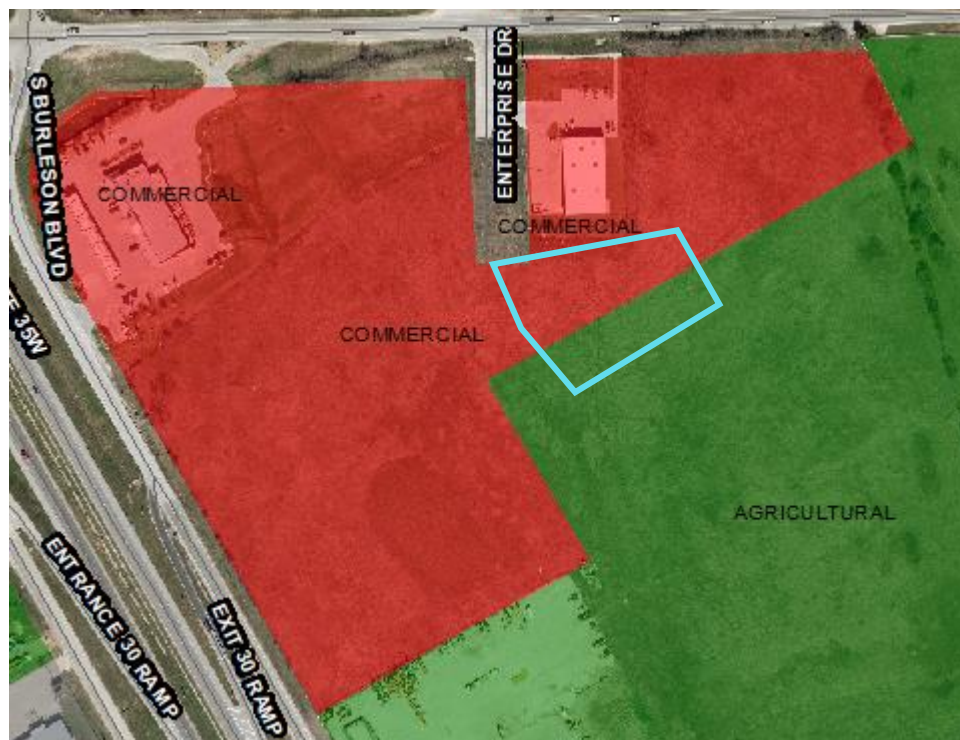
On June 28, 2023, an application was submitted by Shawn Hill (applicant) with Langan Engineering on behalf of Perry Phillips (owner), to rezone a 2.8 acre portion of 6988 E FM 917 from "A", Agricultural to "C", Commercial. The subject 2.8 acre site is a subdivided portion of 6988 E FM 917 that is currently zoned both Agricultural and Commercial. The applicant is requesting to bring the entire site into zoning consistency under the C, Commercial zoning district. The applicant has also submitted an associated Commercial Site Plan (23-090), proposing to develop a Southern Tire Mart on the subject site. The proposed auto repair facility will provide preventative maintenance services to commercial motor vehicles and is intended to service customers from the adjacent Pilot Fuel Center. Pilot Travel Centers and Southern Tire Mart have formed joint ventures across the country in an effort to service Pilot customers. The proposed C, Commercial zoning district allows for auto repair facilities by right. A draft ordinance for this zoning change request is included in this packet.

Planning Analysis

The City's Imagine Burleson 2030 Midpoint Update Comprehensive Plan designates this site 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 in this category. Medium to high density residential may be allowed as part of a mixed-use development.

The proposed zoning of C, Commercial is in compliance with the Comprehensive Plan and if approved, would bring the entire site into zoning consistency. The proposed use of auto repair does not necessarily further the vision of the Regional Office/Commercial designation, however, will be compatible with the surrounding businesses it is intended to serve.

	Zoning	Use
Subject Site	C, Commercial & A, Agricultural	Undeveloped
North	C, Commercial	Developed, Commercial
East	C, Commercial & A, Agricultural	Undeveloped
South	A, Agricultural	Undeveloped
West	C, Commercial	Developed, Commercial



OPTIONS:

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

RECOMMENDATION:

Staff recommends approval of the zoning change request from “A”, Agricultural to “C”, Commercial for a 2.8 acre portion of 6988 E FM 917 as proposed by the applicant.

PUBLIC NOTIFICATION:

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

At this time staff has not received any formal opposition regarding this case.

FISCAL IMPACT:

None

STAFF CONTACT:

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

6988 E FM 917 ZC

Item C.

Location:

- 2.808 acres
- Portion of 6988 E FM 917

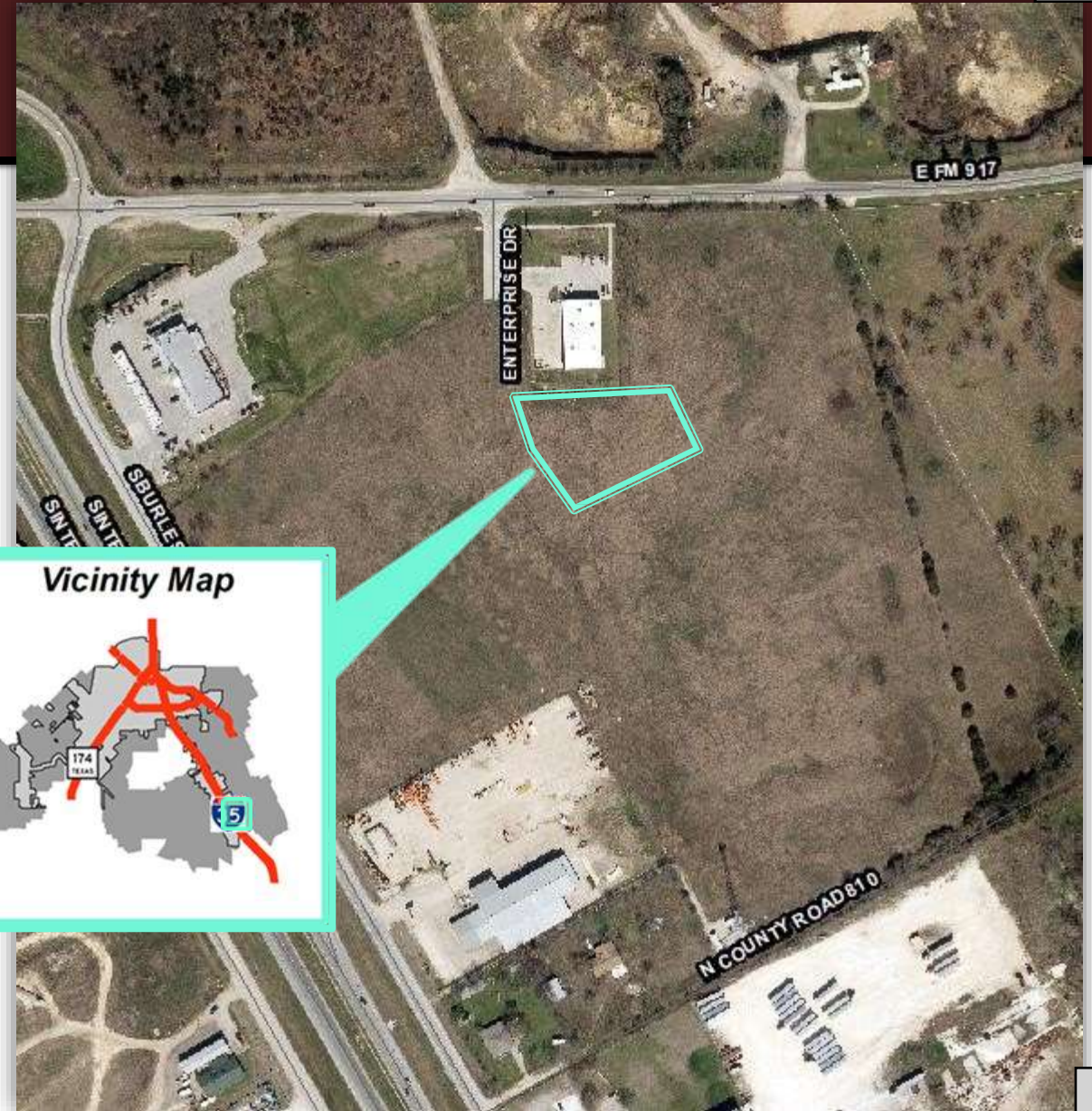
Applicant/Owner:

Shawn Hill – Applicant

Perry Phillips – Owner

Item for approval:

Zoning Change (Case 23-091)



6988 E FM 917 ZC

Item C.

Zoning Information

The applicant is proposing to rezone a 2.8 acre portion of 6988 E FM 917 from (A) to (C)

- **Currently zoned:** Agricultural (A) & Commercial (C)
- If approved, this request would bring the subject site into zoning consistency and conform to the surrounding area.

The applicant has also submitted a Commercial Site Plan (23-090) proposing to develop a Southern Tire Mart

- The proposed auto repair facility will provide preventative maintenance services to commercial motor vehicles - intended to service customers from the adjacent Pilot Fuel Center.
- The proposed (C) Zoning District allows for auto repair by right



Comprehensive Plan

Regional Office/Commercial



Current Zoning

Agricultural & Commercial



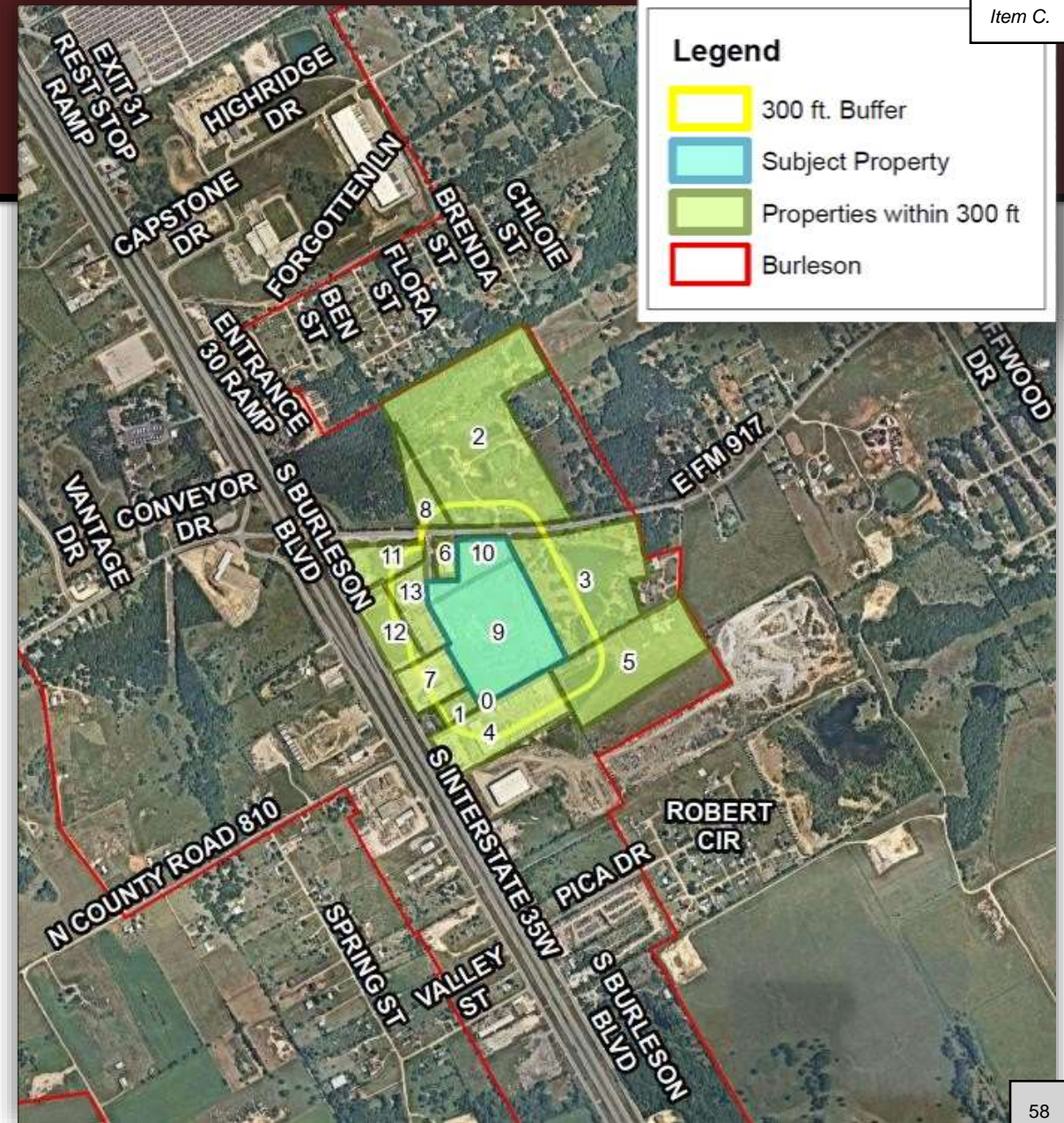
6988 E FM 917 ZC

Item C.

Public Hearing Notice

- Public notices mailed to property owners within 300 feet of subject property.
- Published in newspaper.
- Sign posted on the property.

Staff has not received any inquiries regarding this request.



6988 E FM 917 ZC

Item C.

Staff's Recommendation

Staff recommends approval of the zoning change request from "A", Agricultural to "C", Commercial for a 2.8 acre portion of 6988 E FM 917 as proposed by the applicant.

Items to be considered:

- The proposed zoning of C, Commercial is in compliance with the Comprehensive Plan and if approved, would bring the entire site into zoning consistency.
- The proposed use of auto repair does not necessarily further the vision of the Regional Office/Commercial designation, however, will be compatible with the surrounding businesses it is intended to serve



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 2.808 ACRES OF LAND SITUATED IN WILLIAM G RAY A-731 AND BEING A PART OF LOTS 4 AND 5, BLOCK A, VICTRON BURLESON ADDITION, AN ADDITION TO THE CITY OF BURLESON, JOHNSON COUNTY, TEXAS FROM (A) AGRICULTURAL TO (C) COMMERCIAL**, 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 **Shawn Hill (Applicant)** on behalf of **Perry Phillips (Owner)** on **June 28, 2023**, under **Case Number 23-091**, 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 changing in zoning of said property from **(A) Agricultural to (C) Commercial**; 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 Zone Change 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 **0 to 0** to recommend to the City Council of Burleson, Texas, that the hereinafter described property be rezoned from its classification of **(A) Agricultural to (C) Commercial**; 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 **(A) Agricultural**; 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 **2.808 acres of land situated in William G Ray A-731 and being a part of Lots 4 and 5, Block A, Victron Burleson Addition, an addition to the City of Burleson, Johnson County, Texas** as shown on the attached Exhibit A incorporated herein by reference, by allowing for the change in zoning from **Agricultural (A) to Commercial (C)**.

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
Metes and Bounds

Proposed Lot 6, Victron Burleson Addition
2.808 Acre Tract
City of Burleson, Johnson County, Texas

ALL THAT CERTAIN lot, tract, or parcel of land situated in the William G. Ray A-731, City of Burleson, Johnson County, Texas and being a part of Lots 4 & 5, Block A, Victron Burleson Addition, an addition to the City of Burleson, Texas according to the plat recorded in Document No. 2021-157 in the Official Public Records of Johnson County, Texas, and being part of a called 32.535 acre tract of land recorded in Document No. 2021-31682 in said Official Public Records, and being more completely described as follows:

BEGINNING a 1/2 inch iron rod with cap set for the northwest corner of proposed Lot 6 in the south right of way line of Enterprise Drive (100-foot right of way), from which an 'X' scribed in concrete set for the northernmost northwest corner of said Lot 4 bears South 88 degrees 17 minutes 50 seconds West, a distance of 48.79 feet;

THENCE North 88 degrees 17 minutes 50 seconds East along said north line of Lot 4, said south right of way line of Enterprise Drive, along the south line of Lot 24R, Sparks-Dale Addition, an addition to the City of Burleson according to the plat recorded in Volume 10, Page 621, in said Official Public Records, and being the north line of said proposed Lot 6, passing at a distance of 217.84 feet to an 1/2 inch iron rod with cap set, continuing along said north line of Lot 4 and said south line of Lot 24R, passing at a distance of 354.56 feet a 1/2 inch iron rod capped found for an ell corner of said Lot 4 and the southwest corner of said Lot 24R, continuing across said Lot 4, for a total distance of 404.46 feet a 1/2 inch iron rod with cap set for the northeast corner of proposed Lot 6;

THENCE across said Lots 4 and 5, the following:

South 29 degrees 38 minutes 08 seconds East along the proposed east line of said Lot 6, a distance of 198.37 feet to a 1/2 inch iron rod with cap set for the southeast corner of said proposed Lot 6;

South 60 degrees 21 minutes 52 seconds West along the proposed south line of said Lot 6, a distance of 409.83 feet to a 1/2 inch iron rod with cap set for the southwest corner of said proposed Lot 6;

North 29 degrees 38 minutes 08 seconds West along the proposed west line of said Lot 6, a distance of 270.68 feet to a 1/2 inch iron rod with cap set, said point being the beginning of a curve to the right in same;

Along said curve to the right along said proposed west line of Lot 6, having a Delta of 26 degrees 28 minutes 46 seconds, a Radius of 50.00 feet, an Arc distance of 23.11 feet and a Chord which bears North 16 degrees 23 minutes 45 seconds West, a distance of 22.90 feet to a 1/2 inch iron rod with cap set at the end of said curve in same; and

North 03 degrees 09 minutes 22 seconds West along said proposed west line of Lot 6, a distance of 105.97 feet to the PLACE OF BEGINNING containing 2.808 acres (122,317.46 square feet square feet) of land.



Southern Tire Mart at Pilot Flying J
Corporate
800 Highway 98
Columbia, MS 39429

Item C.

(601) 424-3200
www.stmpilot.com

To whom it may concern:

We formally request that our parcel be zoned Commercial for the following reasons:

- This is a compatible use with the adjacent Commercial zoned parcel that our location is intended to serve.
- The facility will only provide preventative maintenance services (such as oil changes, tire changes, AC recharging) to commercial motor vehicles and will not perform repairs. Your "Auto Repair Garage" definition is appropriate for this facility.
- Pilot Travel Centers and Southern Tire Mart have formed a joint venture to service Pilot customers around the country. In that effort, this location is intended to service customers from the adjacent Pilot fuel center with preventative maintenance services.
- We expect to have 2 shifts from 7 AM to 10 PM with 5-7 employees per shift. Our times could grow to 3 shifts going 24hours/day – 3rd shift usually a little lighter with 3-4 employees.
- This location is also slated to be a training center with 2 trainers conducting 2-3 classes per week.
- Texas Transportation Code, Title 7, Subtitle A, Chapter 502, Subchapter A. Sec. 502.001 (7) defines a Commercial motor vehicle as "a motor vehicle, other than a motorcycle or moped, designed or used primarily to transport property. The term includes a passenger car reconstructed and used primarily for delivery purposes. The term does not include a passenger car used to deliver the United States mail."
- The Texas Department of Public Safety considers a semi-truck a Commercial motor vehicle (not an industrial, or heavy equipment machine) that must be registered with the Texas DMV. Also, a motor vehicle that is required to be titled according to Transportation Code Chapter 501 or registered according to Transportation Code Chapter 502 is NOT considered heavy equipment for the purposes of a special inventory tax.
- These Commercial motor vehicles are NOT heavy machinery or equipment. According to the Texas Tax Code 23.1241(a)(6), "the definition of heavy machinery/equipment is self-propelled, self-powered, or pull-type equipment, including farm equipment or a diesel engine, that weighs at least 1,500 pounds and is intended to be used for agricultural, construction, industrial, maritime, mining, or forestry uses."

We believe the Commercial zoning is more in keeping with our proposed facility. We appreciate your favorable consideration of this request.

50105H{5} HEAVY MACHINERY SALES OR REPAIR

A facility for the storage, repair, outside sales or rental of heavy machinery or equipment in conformance with the city's design standards.

50105A{31} AUTO REPAIR GARAGE

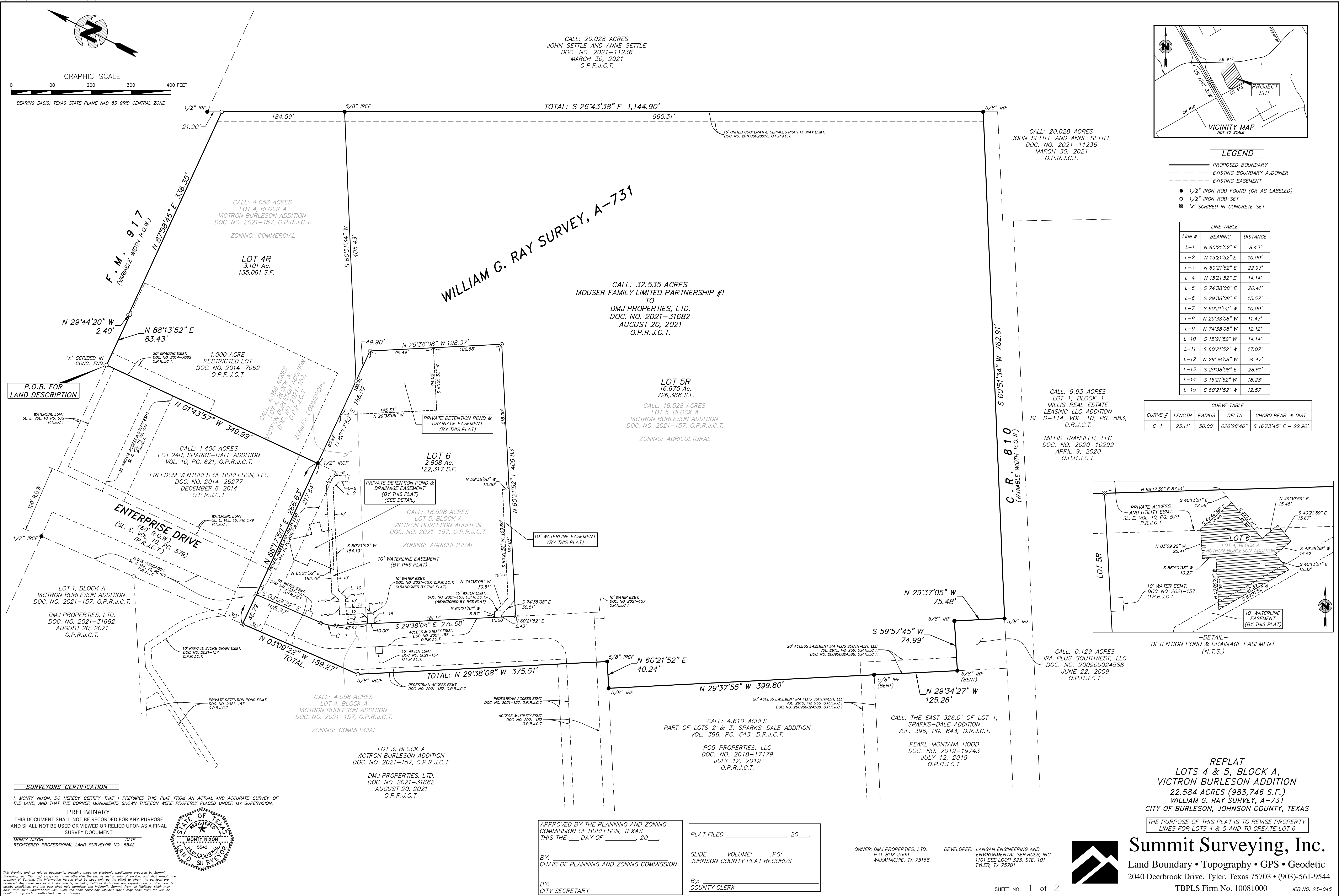
An enclosed facility designed for the repair and maintenance of automobiles, small trucks and vans, with outside storage allowed but not outside repair or maintenance conducted.

Sincerely,

John Boynton | Southern Tire Mart at Pilot Flying J
President

800 Highway 98, Columbia, MS 39429 | C: 513.256.2422 | John.boynton@stmpilot.com





LEGAL DESCRIPTION

ALL THAT CERTAIN lot, tract, or parcel of land situated in the William G. Ray A--731, City of Burleson, Johnson County, Texas and being all of Lots 4 & 5, Block A, Victron Burleson Addition, an addition to the City of Burleson, Texas according to the plat recorded in Document No. 2021-157 in the Official Public Records of Johnson County, Texas, and being part of a called 32.535 acre tract of land recorded in Document No. 2021-31682 in said Official Public Records, and being more completely described as follows:

BEGINNING a 'X' scribed in concrete found in the south right of way line of Farm to Market Road 917 (variable width right of way), and being the northeast corner of Lot 24R, Sparks-Dale Addition, an addition to the City of Burleson, Texas according to the plat recorded in Volume 10, Page 621 in said Official Public Records, and being the northwest corner of said Lot 4;

THENCE along the common line south line of said Farm to Market Road and north line of said Lot 4, the following:

North 88 degrees 13 minutes 52 seconds East, a distance of 83.43 feet to a 1/2 inch iron rod set;
North 29 degrees 44 minutes 20 seconds West, a distance of 2.40 feet to a 1/2 inch iron rod set;
and

North 87 degrees 58 minutes 45 seconds East, a distance of 336.35 feet to a 1/2 inch iron rod set for the northeast corner of said Lot 4, and being in the west line of a called 20.028 acre tract of land described in a deed to John Settle and Anne Settle recorded in Document No. 2021-11236 of said Official Public Records;

THENCE South 26 degrees 43 minutes 38 seconds East departing said south right of way line of Farm to Market Road 917, and along the common east line of said Lot 4 and Lot 5 and the west line of said called 20.028 acre tract, passing at a distance of 184.59 feet to a 5/8 inch iron rod with cap found, continuing along said common line a total distance of 1,144.90 feet to a 5/8 inch iron rod found for the southeast corner of said Lot 5, and being the northeast right-of-way of County Road 810 (variable width right of way);

THENCE South 60 degrees 51 minutes 34 seconds West along the common south line of said Lot 5 and the north right of way line of said County Road 810, a distance of 762.91 feet to a 5/8 inch iron rod found in the easternmost southwest corner of said Lot 5 and the southeast corner of a called 0.129 acre tract of land described in a deed to IRA Plus Southwest, LLC recorded in Document No. 20090024588 in said Official Public Records;

THENCE North 29 degrees 37 minutes 05 seconds West departing said north right of way line of County Road 810 and along the common west line of said Lot 5 and the east line of said called 0.129 acre tract, a distance of 75.48 feet to a 5/8 inch iron rod found in an ell corner of said Lot 5 and the northeast corner of said called 0.129 acre tract;

THENCE South 59 degrees 57 minutes 45 seconds West along the common said west line of Lot 5 and the north line of said called 0.129 acre tract, a distance of 74.99 feet to a 5/8 inch iron rod found (bent) in the northernmost southwest corner of said Lot 5 and the northwest corner of said 0.129 acre tract, and being in the east line of a tract described as the east 326.0 feet of Lot 1, Sparks-Dale Addition, an addition to the City of Burleson, Texas according to the plat recorded in Volume 396, Page 643, Deed Records of Johnson County, Texas;

THENCE North 29 degrees 34 minutes 27 seconds West along the said west line of Lot 5 and the said east line of the called east 326.0 feet of Lot 1, a distance of 125.26 feet to a 5/8 inch iron rod found (bent), and being the southeast corner of a called 4.610 acre tract of land described in and deed to PCS Properties, LLC recorded in Document No. 2018-17179 in said Official Public Records;

THENCE North 29 degrees 37 minutes 55 seconds West along the common west line of said Lot 5 and the east line of said 4.610 acre tract, a distance of 399.80 feet to a 5/8 inch iron rod found for an ell corner in said west line of Lot 5 and the northeast corner of said called 4.610 acre tract, and being in the south line of Lot 3, Block A of said Victron Burleson Addition;

THENCE North 60 degrees 21 minutes 52 seconds East along the common said west line of Lot 5 and the south line of said Lot 3, a distance of 40.24 feet to a 5/8 inch iron rod with cap found for an ell corner in same;

THENCE along the said common west line of Lot 5 and said Lot 4, and the east line of Lot 3, the following:

North 29 degrees 38 minutes 08 seconds West, a distance of 375.51 feet to a 5/8 inch iron rod with cap found for an angle corner in said Lot 4; and

North 03 degrees 09 minutes 22 seconds West, a distance of 189.27 feet to an 'X' scribed in concrete set for the northwest corner of said Lot 4 and on the said east line of Lot 3, and being in the south right-of-way of Enterprise Drive (a 100 foot right of way)

THENCE North 88 degrees 17 minutes 50 seconds East along the common most westerly north line of said Lot 4, the south right-of-way of Enterprise Drive, and the south line of said Lot 24R, a distance of 266.63 feet to a 1/2 inch iron rod capped found for an ell corner of said Lot 4 and being the southeast corner of said Lot 24R;

THENCE North 01 degree 43 minutes 57 seconds West along the common most northerly west line of said Lot 4 and the east line of said Lot 24R, a distance of 349.99 feet to the **PLACE OF BEGINNING** containing 22.584 acres (983,746.24 square feet square feet) of land.

OWNER'S CERTIFICATION

§ STATE OF TEXAS
§ COUNTY OF JOHNSON

KNOW ALL MEN BY THESE PRESENTS
That We, **DMJ Properties, Ltd.**, do hereby adopt this plat designating the hereinbefore described property as **Victron Burleson Addition**, an Addition to the City of Burleson, Johnson County, Texas, and do hereby dedicate to the public use forever all streets, rights-of-way, alleys and easements shown thereon. The City or any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs or other improvements or growths in which any way endanger or interfere with the construction, maintenance or efficiency of its respective systems on any of these easements, and the City or any public utility shall at all times have the right of ingress and egress to and from and upon the said easement for the purpose of constructing, reconstructing, inspecting, and patrolling, without the necessity at any time of procuring the permission of anyone. This plat approved subject to all platting ordinances, rules, regulations, and resolutions of the City of Burleson, Texas.

Guhania Almakdad Sharaf
President of DMJ, LLC &
Managing General Partner of DMJ Properties, LLC

§ STATE OF TEXAS
§ COUNTY OF JOHNSON

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared Guhania Almakdad Sharaf, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein.

WITNESS MY HAND AND SEAL OF OFFICE THIS THE ____ DAY OF _____, 2023.

Notary Public in and for the State of Texas

NOTES

The City of Burleson reserves the right to require minimum finish floor elevation on any lot within this subdivision. The minimum elevations shown are based on the most current information available at the time the plat is filed and may be subject to change.
According to the Flood Insurance Rate Map (FIRM) Community Panel No. 48251C0070J dated December 4, 2012 the subject property is located within the following zones:
Zone X - Areas determined to be outside the 500-year floodplain.
This plat does not alter or remove existing deed restrictions or covenants, if any, on this property. The City of Burleson is not responsible for the design, construction, operation, maintenance or use of any storm water storage facility and associated drainage easements hereinafter referred to as "improvements," to be developed and constructed by developer or successors. Developer will indemnify, defend and hold harmless the City of Burleson, its officers, employees and agents from any direct or indirect loss, damage, liability or expense and attorneys' fees for any negligence whatsoever, arising out of the design, construction, operation, maintenance condition or use of the improvements, including any non-performance of the foregoing. Developer will require any successor in interest to accept full responsibility and liability for the improvements. All of the above shall be covenants running with the land. It is expressly contemplated that developer shall impose these covenants upon Lot 6 abutting, adjacent or served by the improvements the full obligation and responsibility of maintaining and operating said improvements.

SURVEYORS' CERTIFICATION

I, MONTY NIXON, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND, AND THAT THE CORNER MONUMENTS SHOWN THEREON WERE PROPERLY PLACED UNDER MY SUPERVISION.

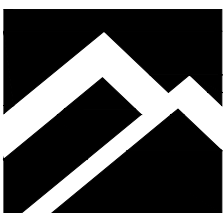
PRELIMINARY
THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE
AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL
SURVEY DOCUMENT

MONTY NIXON DATE
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5542



REPLAT
LOTS 4 & 5, BLOCK A,
VICTRON BURLESON ADDITION
22.584 ACRES (983,746 S.F.)
WILLIAM G. RAY SURVEY, A-731
CITY OF BURLESON, JOHNSON COUNTY, TEXAS

THE PURPOSE OF THIS PLAT IS TO REVISE PROPERTY
LINES FOR LOTS 4 & 5 AND TO CREATE LOT 6



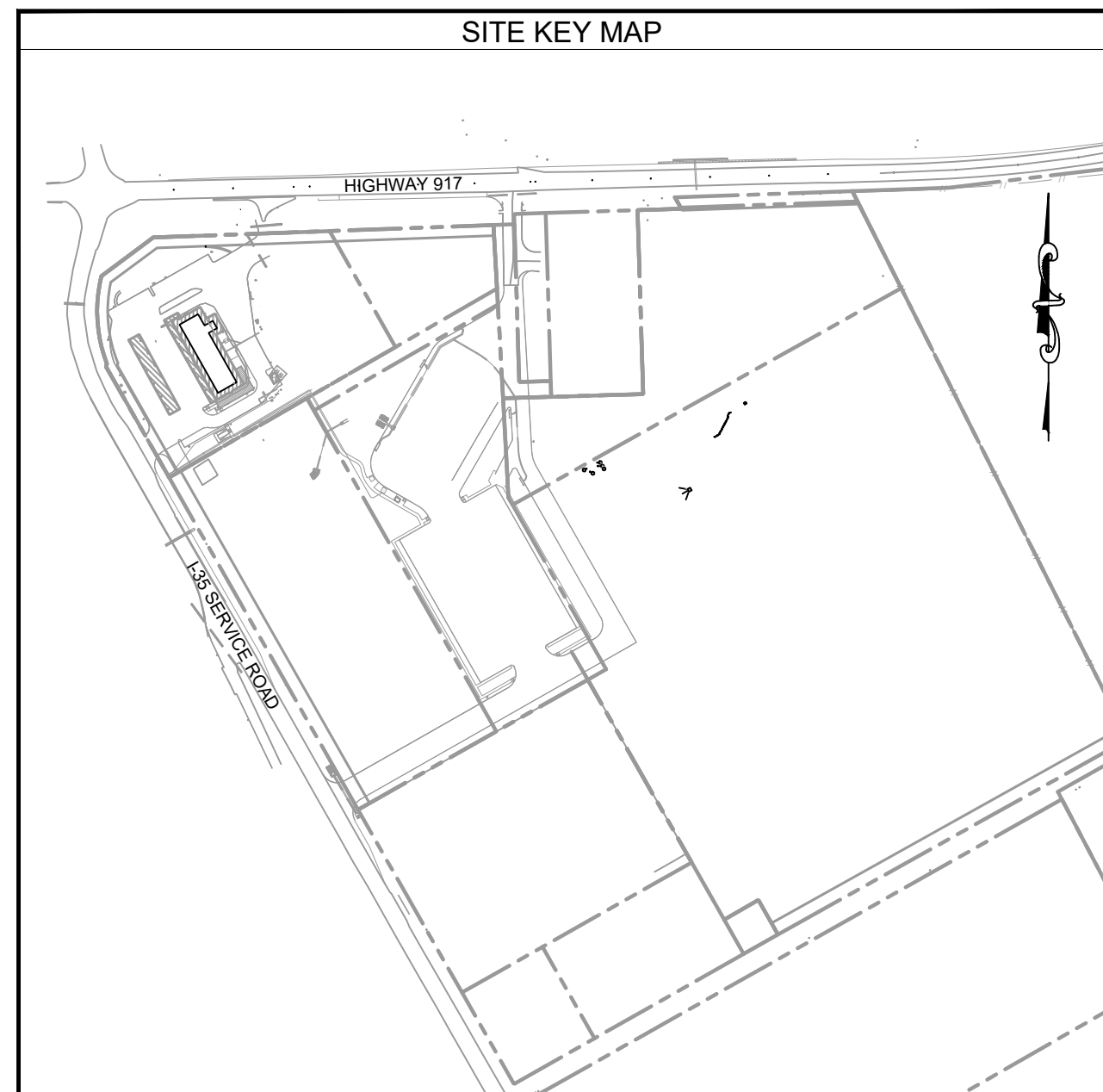
Summit Surveying, Inc.

Land Boundary • Topography • GPS • Geodetic
2040 Deerbrook Drive, Tyler, Texas 75703 • (903)-561-9544

TBPLS Firm No. 10081000

JOB NO. 23-045

SHEET NO. 2 of 2



SITE INFORMATION	
ZONING:	COMMERCIAL
PROPOSED USE:	AUTO MAINTENANCE
PROPOSED BUILDING HEIGHT:	19' - 9 1/2"
TOTAL LOT AREA:	122,317.38 SF (2.81 AC)
TOTAL IMPERVIOUS AREA:	74,727.41 SF (1.72 AC)

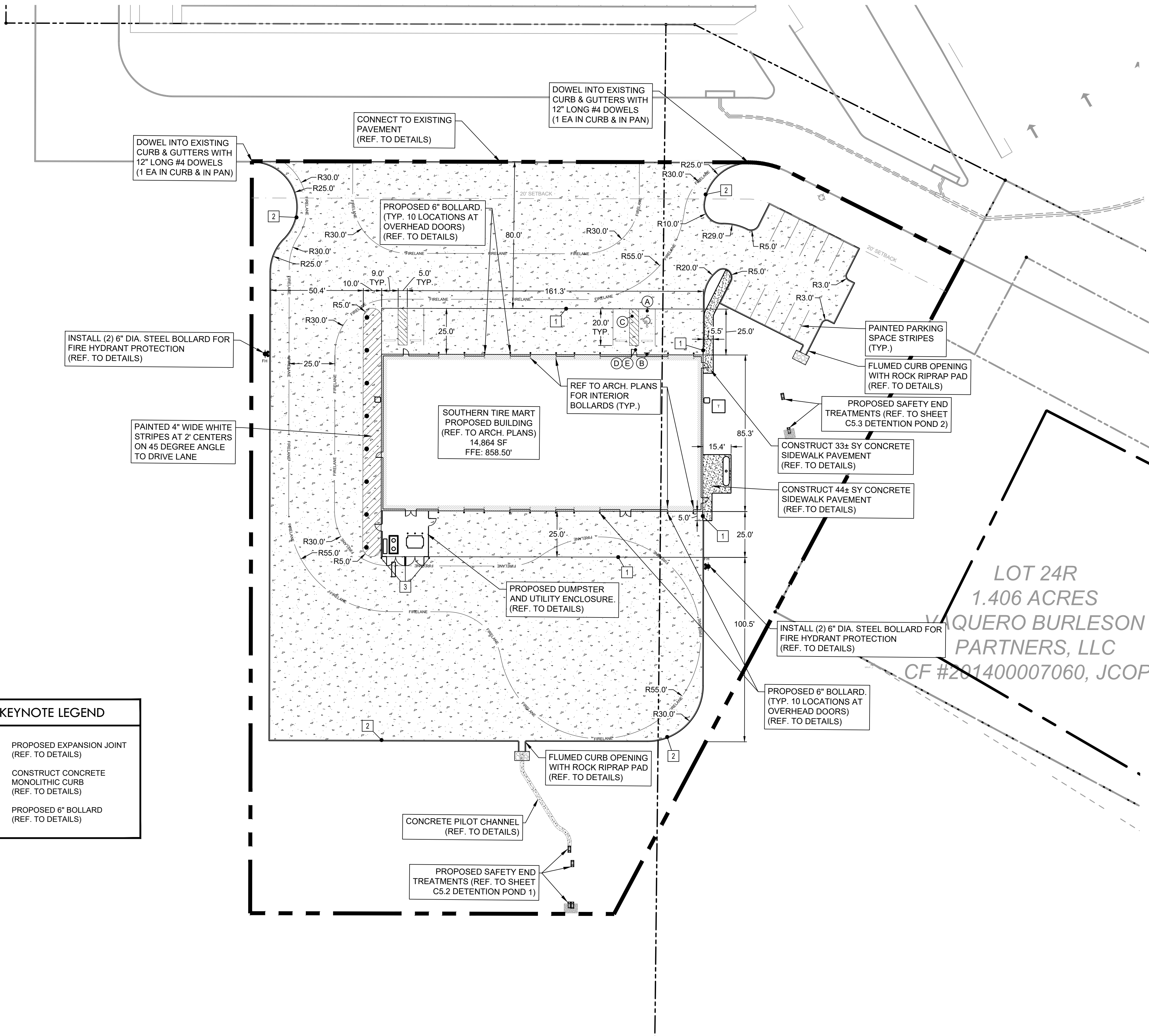
PARKING REQUIREMENTS	
TOTAL BUILDING AREA:	14,864± S.F.
PARKING SPACES REQUIRED:	15 (1 SPACE/1,000 S.F.)
TOTAL SPACES PROVIDED:	16
ACCESSIBLE PARKING SPACES REQUIRED:	1
ACCESSIBLE PARKING SPACES PROVIDED:	1

STANDARD ACCESSIBILITY REQUIREMENTS	
PARKING:	
(A)	ACCESSIBLE PARKING SPACES SHALL BE AS NOTED TO A MIN. 96" WIDE OR A MIN. 132" WIDE FOR VAN DESIGNATED SPACES WITH A MAXIMUM SLOPE OF 2% (IN ALL DIRECTIONS). ALL BUILDINGS SHALL CONTAIN AT LEAST ONE VAN ACCESSIBLE SPACE FOR NO LESS THAN ONE VAN SPACE FOR EVERY 6 ACCESSIBLE SPACES.
(B)	EACH ACCESSIBLE PARKING SPACE SHALL HAVE A WALL MOUNTED SIGN SHOWING THE SYMBOL OF ACCESSIBILITY. APPROPRIATE VAN ACCESSIBLE SPACES MUST INCORPORATE "VAN-ACCESSIBLE" BELOW THE SYMBOL OF ACCESSIBILITY. SIGNS SHALL BE LOCATED AS NOTED TO 80" (MIN.) ABOVE THE ADJACENT PAVED SURFACE TO BOTTOM OF SIGN.
(C)	ALL ACCESS AISLES SERVING ACCESSIBLE PARKING SPACES SHALL BE AS NOTED TO A 60" WIDE MINIMUM.
SIDEWALKS AND ACCESSIBLE ROUTES:	
(D)	SIDEWALKS (ACCESSIBLE ROUTES) MUST BE AT LEAST 36" WIDE WITH 5'X5' CLEAR PASSING OPPORTUNITIES IN INCREMENTS LESS THAN 150 LF SIDEWALK. CROSS SLOPE SHALL NOT EXCEED 1:48 (2%)
(E)	LONGITUDINAL SLOPE OF ANY SIDEWALK (ACCESSIBLE ROUTE) SHALL NOT EXCEED 1:20 (5%)

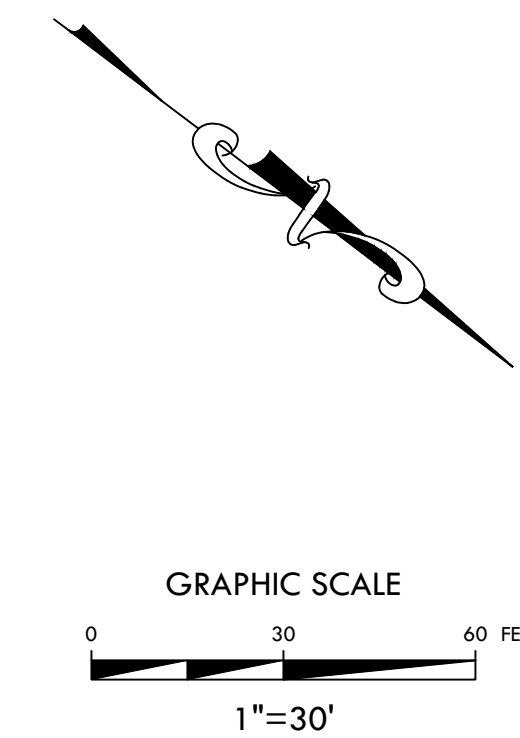
** NOTICE TO CONTRACTORS - TOPOGRAPHIC SURVEY **	
TOPOGRAPHIC INFORMATION TAKEN FROM A TOPOGRAPHIC SURVEY PERFORMED BY 360 SURVEYORS. THE CONTRACTOR SHALL NOTIFY THE ENGINEER IMMEDIATELY, IN WRITING, OF ANY DISCREPANCIES OR OMISSIONS TO THE TOPOGRAPHIC INFORMATION. THE CONTRACTOR(S) SHALL BE RESPONSIBLE FOR CONFIRMING THE LOCATION (HORIZONTAL/VERTICAL) OF ANY BURIED CABLES, CONDUITS, PIPES, AND STRUCTURES (STORM SEWER, SANITARY SEWER, WATER, GAS, TELEVISION, TELEPHONE, ETC.) WHICH IMPACT THE CONSTRUCTION SITE. THE CONTRACTOR(S) SHALL NOTIFY THE OWNER AND ENGINEER IF ANY DISCREPANCIES ARE FOUND BETWEEN THE ACTUAL CONDITIONS VERSUS THE DATA CONTAINED IN THE CONSTRUCTION PLANS. ANY COSTS INCURRED AS THE RESULT OF NOT CONFIRMING THE ACTUAL LOCATION (HORIZONTAL/VERTICAL) OF SAID CABLES, CONDUITS, PIPES, AND STRUCTURES SHALL BE BORNE BY THE CONTRACTOR. ADDITIONALLY, THE CONTRACTOR(S) SHALL NOTIFY THE OWNER AND ENGINEER IF ANY ERRORS OR DISCREPANCIES ARE FOUND ON THE CONSTRUCTION DOCUMENTS (PS&E), WHICH NEGATIVELY IMPACT THE PROJECT. THE ENGINEER AND OWNER SHALL BE INDEMNIFIED OF PROBLEMS AND/OR COST WHICH MAY RESULT FROM CONTRACTOR'S FAILURE TO NOTIFY ENGINEER AND OWNER.	

KEYNOTE LEGEND	
1	PROPOSED EXPANSION JOINT (REF. TO DETAILS)
2	CONSTRUCT CONCRETE MONOLITHIC CURB (REF. TO DETAILS)
3	PROPOSED 6" BOLLARD (REF. TO DETAILS)

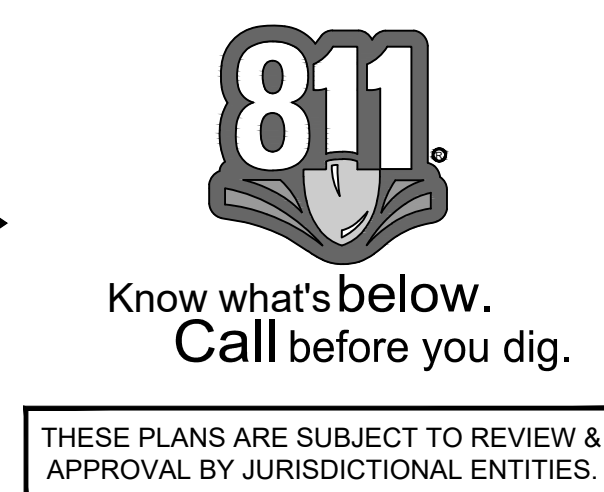
NOTICE TO CONTRACTORS - UTILITIES	
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LEGEND	
PROPOSED FACE AND BACK OF CURB	—————
PROPOSED FIRELANE	————— FIRELANE —————
PROPOSED CONCRETE WHEEL STOP	———
PROPOSED FIRE HYDRANT	⬇️ FH
PROPOSED PROPANE TANK	●
PROPOSED TRANSFORMER PAD	⌈
PROPOSED 24" BOLLARD (8 TOTAL)	●
PROPOSED 7" 4000 PSI PORTLAND CEMENT CONCRETE PAVEMENT	▨
PROPOSED CONCRETE SIDEWALK PAVEMENT (REF. TO DETAILS)	▩










































LOT 24R
1.406 ACRES
V. QUERO BURLESON
PARTNERS, LLC
CF #201400007060, JCOPR

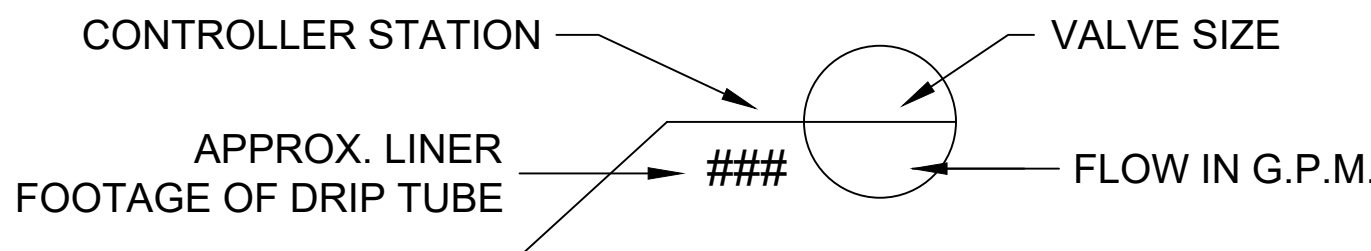


Date	Description	No.
Revisions		
		09/01/2023
LANGAN Langan Engineering and Environmental Services, Inc. 1101 ESE Loop 323, Suite 101 Tyler, TX 75701 T: 903.324.8400 www.langan.com TBPE FIRM REG. #F-13709		
SOUTHERN TIRE MART AT PILOT CITY OF BURLESON JOHNSON COUNTY TEXAS Drawing Title		
SITE PLAN		
Project No.	Drawing No.	
532028801	C3.0	
Date	SEPTEMBER 2023	
Drawn By	ELP	
Checked By	MSH	

IRRIGATION LEGEND

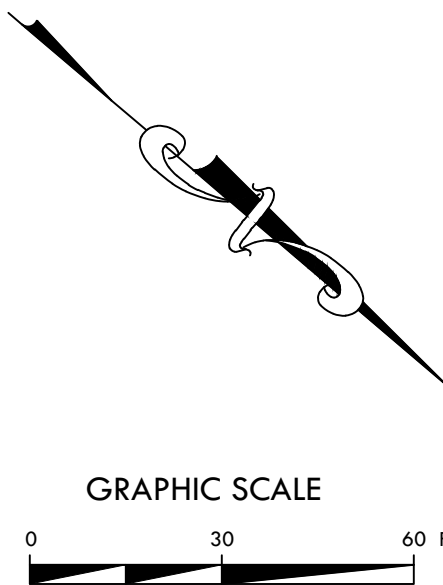
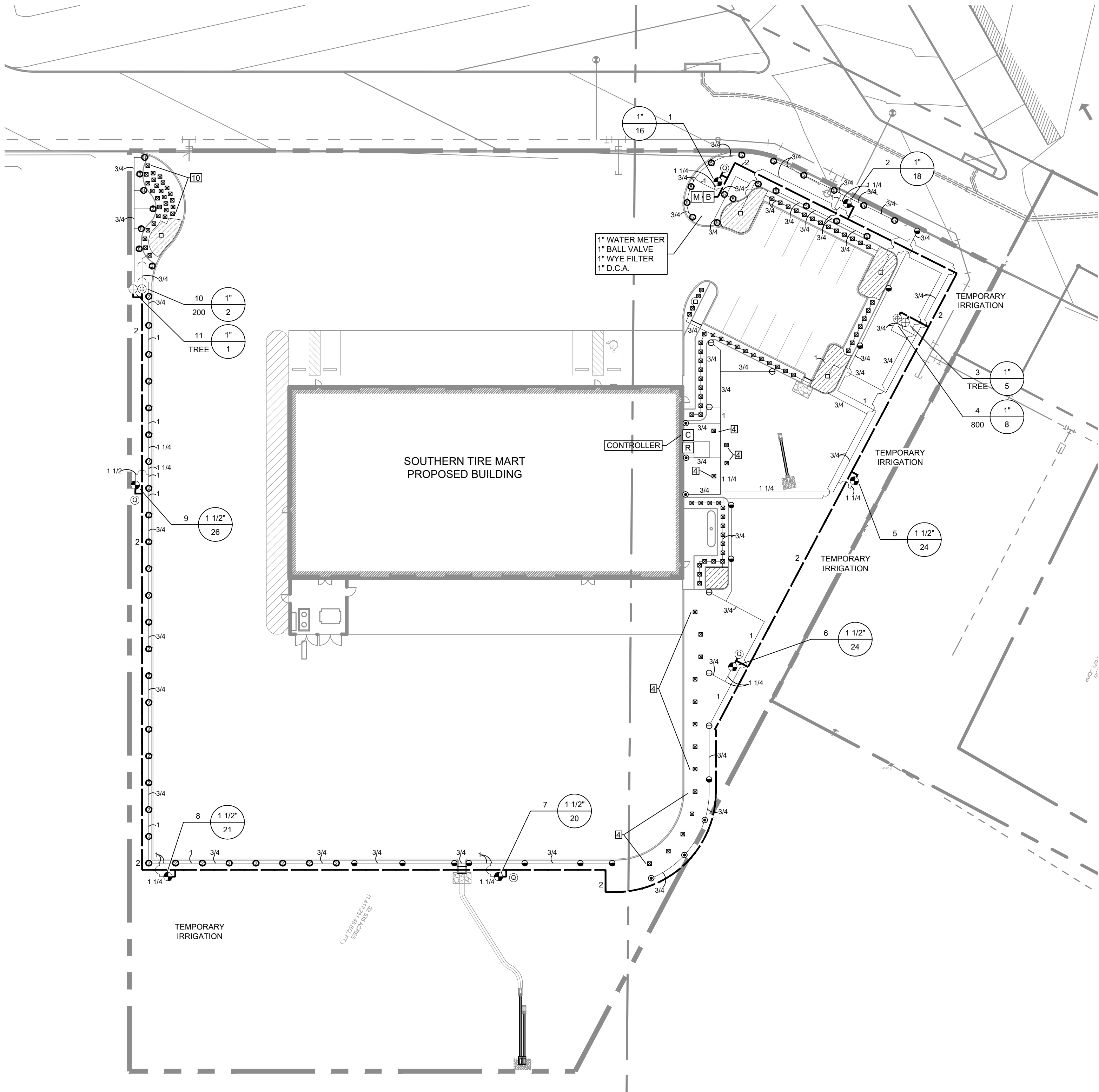
	RAINBIRD XERI-BUG SINGLE / MULTI OUTLET (XB-T-10-PC / XBT-10-6) POINT SOURCE DRIP EMITTERS. SEE INSTALLATION NOTE ABOUT SHRUB DRIP FOR EMITTER LAYOUT AND CONNECTION TO DRIP VALVE ASSEMBLY																
	RAINBIRD 1806-SAM-PRS SERIES POP UP SPRAY HEADS WITH RAINBIRD SQ NOZZLES, MODEL #3QTR, SET TO 2.5' THROW (TWO PER LARGE CANOPY TREE). SEE INSTALLATION NOTE REGARDING TREE BUBBLER LATERAL PIPE																
RAINBIRD 1804-SAM-PRS SERIES POP UP SPRAY HEAD WITH HE VAN-SERIES NOZZLE AS NOTED BELOW																	
<table border="1"><tr><td>ARC/NOZZLE</td><td>5</td><td>8</td><td>10</td><td>12</td><td>15</td><td>EST</td><td>SST</td></tr><tr><td>SYMBOL</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr></table>		ARC/NOZZLE	5	8	10	12	15	EST	SST	SYMBOL							
ARC/NOZZLE	5	8	10	12	15	EST	SST										
SYMBOL																	
	RAINBIRD 5004PCSAMR, ADJUSTABLE ARC 4" POP UP ROTARY HEAD, PART CIRCLE, #1.5 LA NOZZLE																
	RAINBIRD 5004PCSAMR, ADJUSTABLE ARC 4" POP UP ROTARY HEAD, PART CIRCLE, #2.5 NOZZLE																
	RAINBIRD 5004PCSAMR, ADJUSTABLE ARC 4" POP UP ROTARY HEAD, PART CIRCLE, #4.0 NOZZLE																
	NETAFIM TECHLINE TLHCVR5-12 SERIES DRIP TUBE IN SHRUB BED INSTALLED AT 2" DEPTH SEE INSTALLATION NOTE REGARDING DRIP TUBE LAYOUT IN SHRUB BEDS.																
	RAINBIRD PEB SERIES ELECTRIC REMOTE CONTROL VALVE																
	RAINBIRD PEB SERIES ELECTRIC REMOTE CONTROL, "TREE BUBBLER ZONE" VALVE																
	NETAFIM CONTROL ZONE KIT MODEL #NCZ-1S SERIES WITH 50 PSI PRESSURE REGULATOR AND SCREEN FILTER																
	RAINBIRD 33-DNP QUICK COUPLING VALVE WITH LOCKING PURPLE COVER AND 3/4" PVC BALL VALVE																
	ZURN / WILKINS 350 SERIES D.C.A. INSTALLED PER CITY CODE, WITH SAME SIZE ZURN / WILKINS 850 SERIES BRONZE BALL VALVE AND ZURN / WILKINS YB SERIES BRONZE WYE FILTER WITH 20 MESH STAINLESS STEEL SCREEN																
	IRRIGATION WATER METER AND TAP, SIZE AS NOTED ON THE PLAN																
	RAINBIRD ESP12LXME2 SERIES AUTOMATIC CONTROLLER WITH ONE ESPLXMSM12 MODULE AND																
	WR2-RFC RAIN / FREEZE SENSOR, LOCATE SENSOR AS FIELD DIRECTED BY THE LANDSCAPE ARCHITECT																
	CLASS 200 PVC MAINLINE PIPE																
	CLASS 200 (EXCEPT 1/2 INCH #315) PVC LATERAL PIPE																
	ONE 4" CLASS 200 SLEEVE PIPE																
	MAINLINE IN TWO 4" CLASS 200 SLEEVE PIPES																

L.I.C. SHALL SELECT SPRAY NOZZLES FOR "HEAD-TO-HEAD" COVERAGE, ADJUSTED FOR NO OVERSPRAY ONTO WALLS AND WALKS. NO OVERSPRAY INTO STREETS IS PERMITTED.



TEMPORARY IRRIGATION

THE CONTRACTOR SHALL COORDINATE WITH THE PLANTING PLAN AND PROVIDE TEMPORARY IRRIGATION FOR THE ESTABLISHMENT OF ALL PROPOSED PLANT MATERIALS LOCATED OUTSIDE THE LIMITS OF COVERAGE PROVIDED BY THE PERMANENT SYSTEM.



Know what's below.
Call before you dig.

THESE PLANS ARE SUBJECT TO REVIEW & APPROVAL BY JURISDICTIONAL ENTITIES.

Date	Description	No.
Revisions		
<div></div>		
<div><div><div>LANGAN</div><div>Langan Engineering and Environmental Services, Inc.</div><div>1101 ESE Loop 323, Suite 101</div><div>Tyler, TX 75701</div></div><div><div>T: 903.324.8400</div><div>www.langan.com</div><div>TBPE FIRM REG. #F-13709</div></div></div>		
<div><div>SOUTHERN TIRE MART AT PILOT</div><div><div>CITY OF BURLESON</div><div>JOHNSON COUNTY</div><div>TEXAS</div></div><div>Drawing Title</div></div>		
<div><div><div><div>IRRIGATION PLAN</div></div></div></div>		
Project No. <div>532028801</div>		Drawing No. <div>L2.0</div>
Date <div>AUGUST 2023</div>		
Drawn By <div>TD</div>		
Checked By <div>TD</div>		

chatam designs LLC
IRRIGATION DESIGN & CONSULTING

(972) 330-7408 tamaradiggs@chatamdesigns.com L10027095
(972) 998-7013 chrisdiggs@chatamdesigns.com L10010311

IRRIGATION IN TEXAS IS REGULATED BY THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ), (MC-235), P.O. BOX 13087, AUSTIN, TEXAS 78711-3087. T.C.E.Q.'S WEBSITE IS: WWW.TCEQ.TEXAS.GOV.

SOUTHERN TIRE MART at PILOT FLYING J

6988 E.F.M. 917
BURLESON, TX 76009

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CORE STATES

GROUP
CORE STATES, INC.

111 3rd Avenue S.
Suite 400
Minneapolis, MN 55401
612.247.1338
core-states.com

STATE/CITY SPECIFIC STAMP

ISSUE	DATE	DESCRIPTION
1	02/20/2023	Permit Set
2	07/31/2023	PEMB Coordination
3	09/06/2023	GLAZING CHANGES
4	10/05/2023	TOWER ENTRY

PROJECT INFORMATION

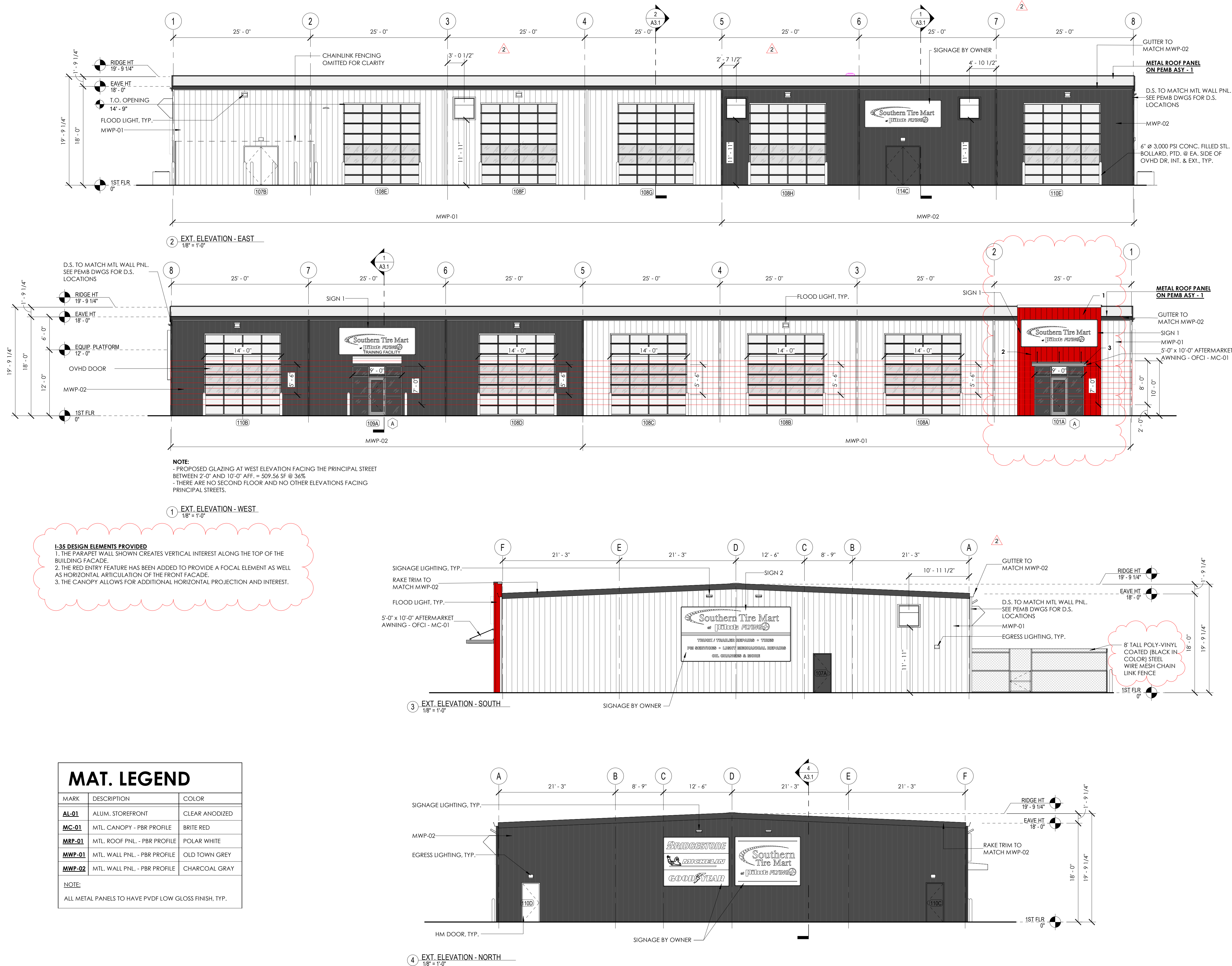
PROJECT NO:	TLW.36330
DATE:	07/26/2023
SCALE:	AS NOTED
DRAWN BY:	R.PATEL
CHECKED BY:	R.PILI

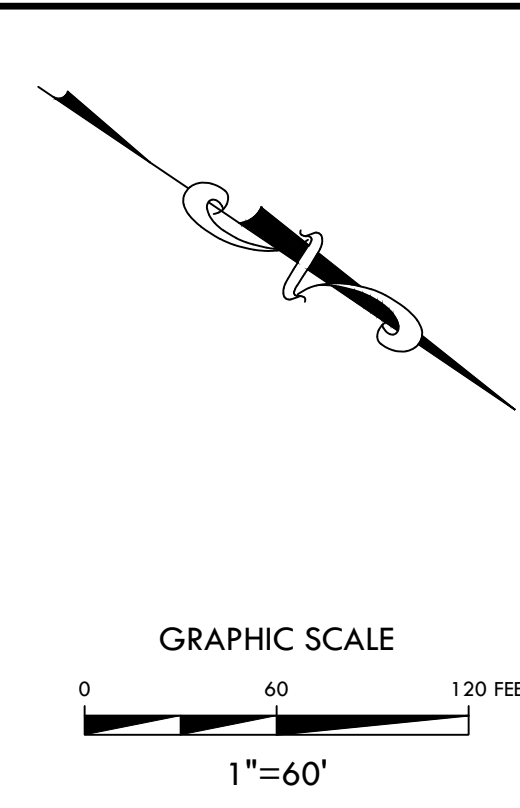
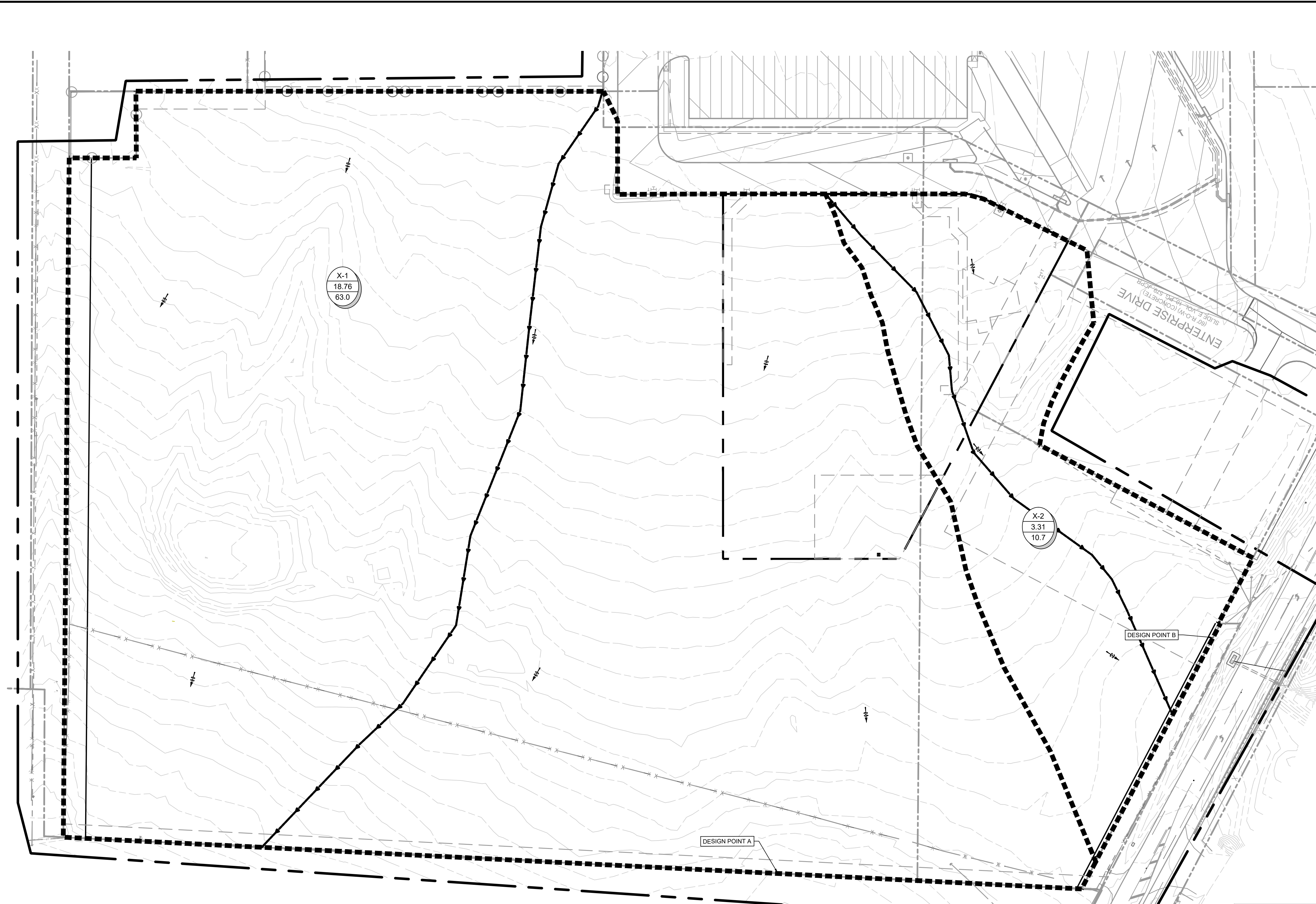
SHEET TITLE

EXTERIOR ELEVATIONS

SHEET NUMBER

A2.1





LEGEND

DRAINAGE BASIN

DRAINAGE AREA


EXISTING FLOW
ARROW

BASIN
NAME

ACRES

100 YR
FLOW (CFS)

The legend defines three symbols used on the map: 1. A circle with a black border and a white center, divided into three horizontal sections. The top section is labeled 'BASIN NAME' and contains the text 'DA-00'. The middle section is labeled 'ACRES' and contains the number '1.00'. The bottom section is labeled '100 YR FLOW (CFS)' and contains the number '5.00'. 2. A horizontal line consisting of ten short, black rectangular dashes. 3. A black arrow pointing to the right, with a small circle at its tail.



!!!CAUTION!!!

EXISTING OVERHEAD & UNDERGROUND UTILITIES IN THE VICINITY.
VERIFY LOCATION OF EXISTING UNDERGROUND UTILITIES
BY VACUUM EXCAVATION OR OTHER POTHOLING TECHNIQUES.



Know what's below.
Call before you dig.

PRE-DEVELOPMENT DRAINAGE AREA CALCULATIONS										
Drainage Area Designation	Drainage Area	Runoff Coefficient	Time of Concentration	5-Year Rainfall Intensity (I5)	5-Year Peak Discharge (Q5)	25-Year Rainfall Intensity (I25)	25-Year Peak Discharge (Q25)	100-Year Rainfall Intensity (I100)	100-Year Peak Discharge (Q100)	Comments
-	(ac)	"C"	(min)	(in/hr)	(cfs)	(in/hr)	(cfs)	(in/hr)	(cfs)	
X-1	18.76	0.30	12	6.22	35.0	9.08	51.1	11.20	63.0	
X-2	3.31	0.30	11	6.46	6.4	8.76	8.7	10.80	10.7	
Total	22.07				41.4		59.8		73.8	
Note: Calculations based on the Rational Method: $Q = C \cdot I \cdot A$. Intensities taken from City of Burleson Design Standards Manual, Appendix H.										

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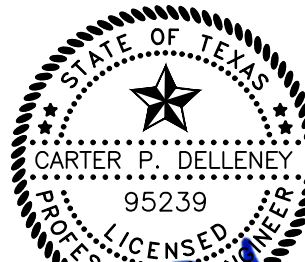
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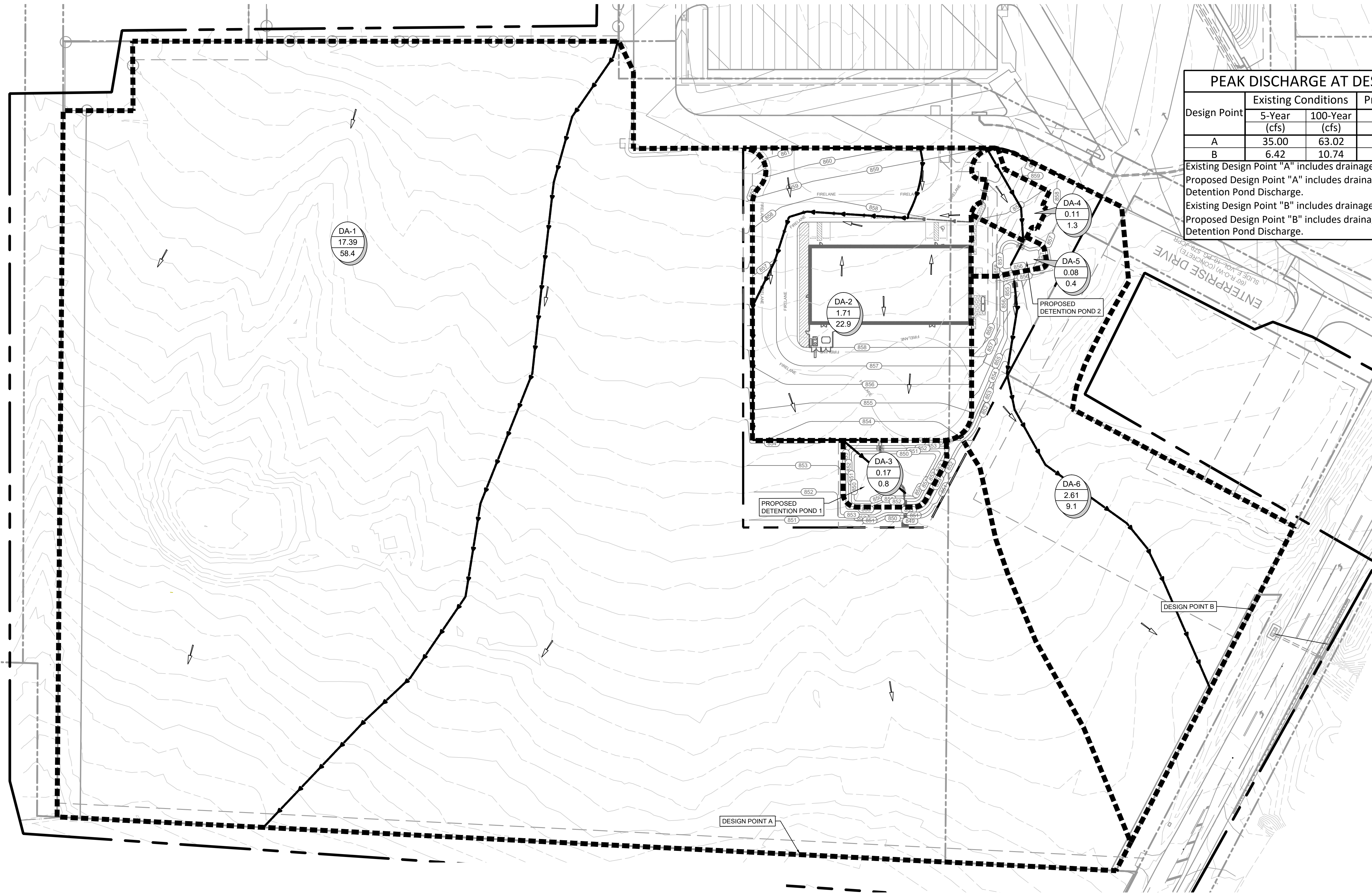
Date	Description	No.
	Revisions	
	 <p>09/01/2023</p> <p><i>Cite Dir</i></p>	
<p>LANGAN</p> <p>Langan Engineering and Environmental Services, Inc.</p> <p>1101 ESE Loop 323, Suite 101 Tyler, TX 75701</p>		
T: 903.324.8400	www.langan.com	
TBPE FIRM REG. #F-13709		

**SOUTHERN TIRE MART
AT PILOT**

CITY OF BURLESON
JOHNSON COUNTY TEXAS

EXISTING DRAINAGE AREA MAP

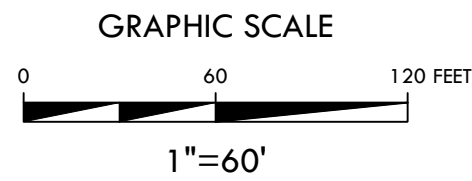
Project No.	Drawing No.
532028801	
Date	
SEPTEMBER 2023	
Drawn By	C5.0
ELP	
Checked By	
MSH	



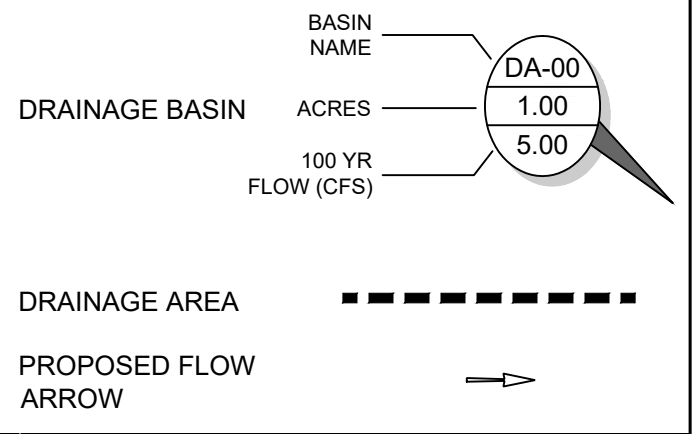
PEAK DISCHARGE AT DESIGN POINT

Design Point	Existing Conditions		Proposed Conditions	
	5-Year (cfs)	100-Year (cfs)	5-Year (cfs)	100-Year (cfs)
A	35.00	63.02	34.78	62.75
B	6.42	10.74	5.65	9.85

Existing Design Point "A" includes drainage area X-1.
Proposed Design Point "A" includes drainage area DA-1 and Detention Pond Discharge.
Existing Design Point "B" includes drainage area X-2.
Proposed Design Point "B" includes drainage area DA-6 and Detention Pond Discharge.



LEGEND



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Revisions		
09/01/2023		
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SOUTHERN TIRE MART
AT PILOT

CITY OF BURLESON
JOHNSON COUNTY TEXAS
Drawing Title

PROPOSED
DRAINAGE AREA
MAP

Project No.	Drawing No.
532028801	C5.1
Date	
SEPTEMBER 2023	
Drawn By	
ELP	
Checked By	
MSH	

POST-DEVELOPMENT DRAINAGE AREA CALCULATIONS

Drainage Area Designation	Drainage Area	Runoff Coefficient	Time of Concentration	5-Year Rainfall Intensity (I5)	5-Year Peak Discharge (Q5)	25-Year Rainfall Intensity (I25)	25-Year Peak Discharge (Q25)	100-Year Rainfall Intensity (I100)	100-Year Peak Discharge (Q100)	Comments
-	(ac)	"C"	(min)	(in/hr)	(cfs)	(in/hr)	(cfs)	(in/hr)	(cfs)	
DA-1	17.39	0.30	12	6.22	32.4	9.08	47.4	11.20	58.4	
DA-2	1.71	0.90	5	8.50	13.1	12.00	18.5	14.90	22.9	
DA-3	0.17	0.30	5	8.50	0.4	12.00	0.6	14.90	0.8	
DA-4	0.11	0.78	5	8.50	0.7	12.00	1.0	14.90	1.3	
DA-5	0.08	0.34	5	8.50	0.2	12.00	0.3	14.90	0.4	
DA-6	2.61	0.30	10	6.70	5.2	9.40	7.4	11.60	9.1	
Total	22.07				52.2		75.1		92.9	

Note: Calculations based on the Rational Method: $Q = C \cdot I \cdot A$. Intensities taken from City of Burleson Design Standards Manual, Appendix H.

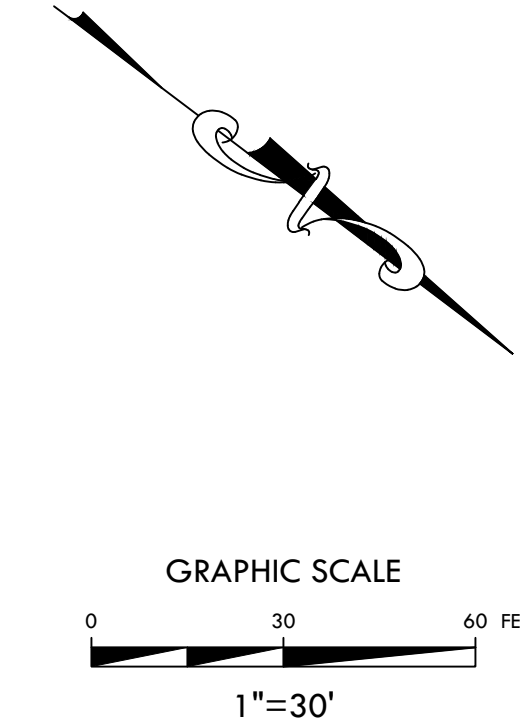
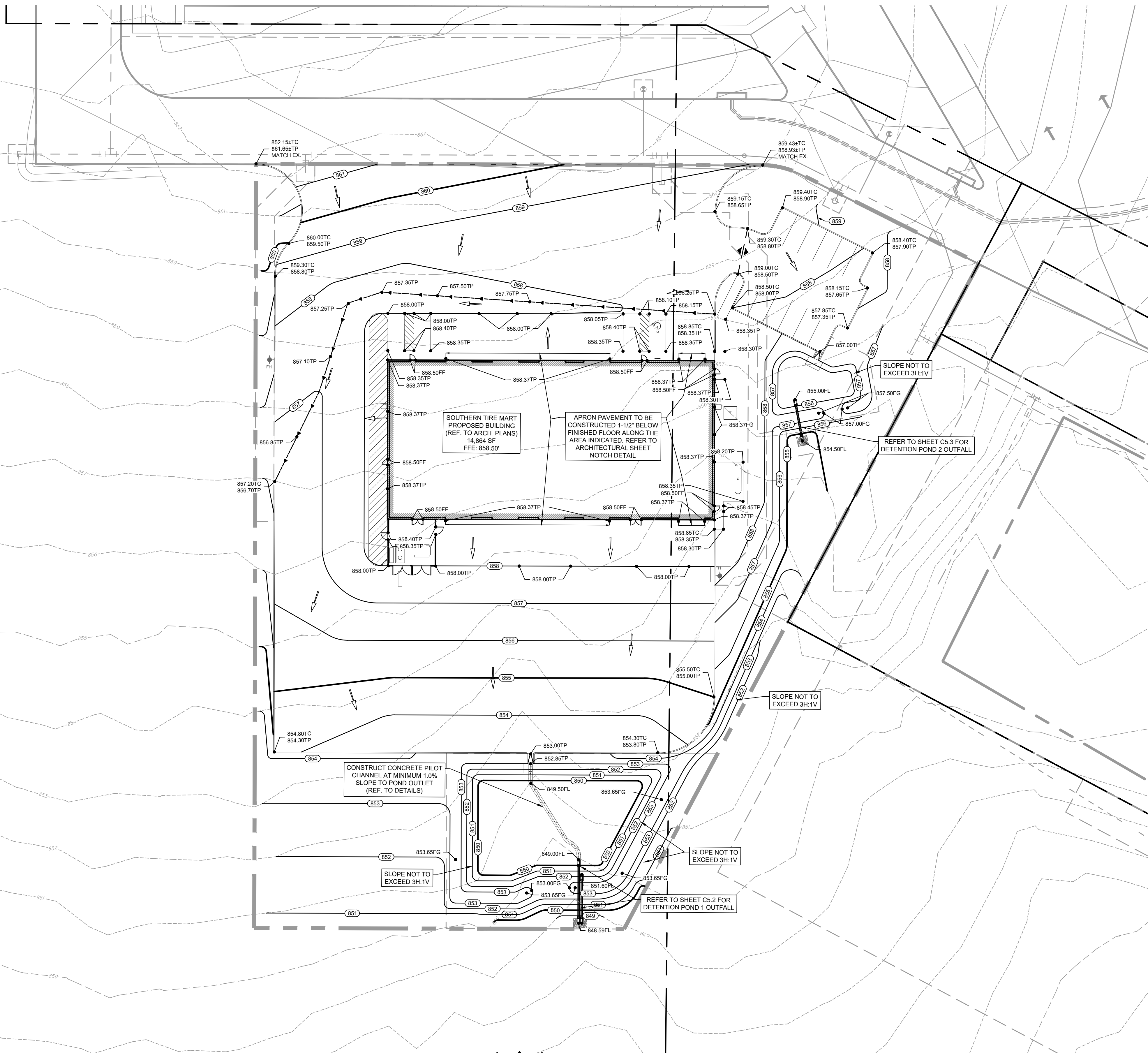
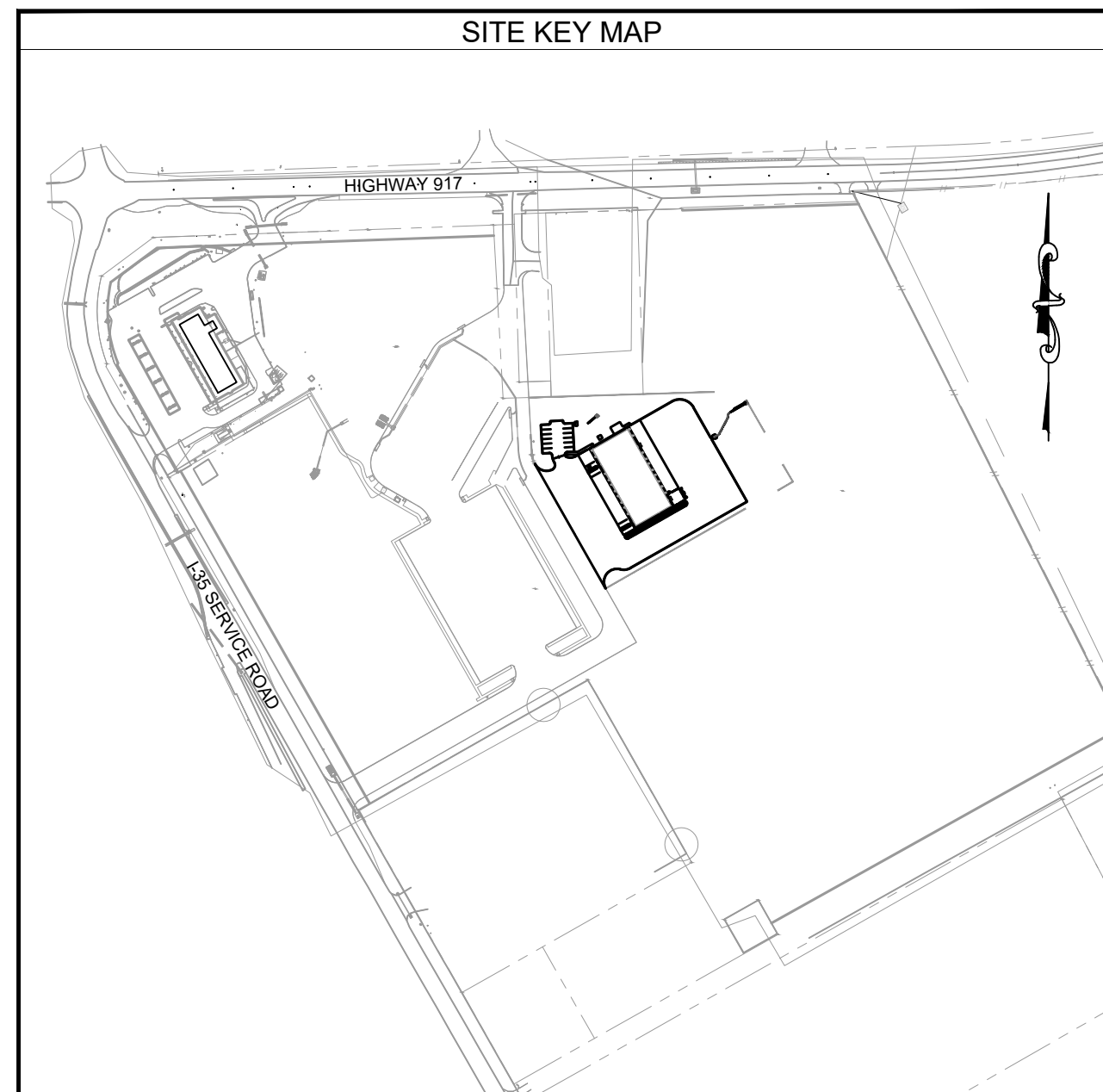
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LEGEND	
PROPOSED CONTOUR	100
EXISTING CONTOUR	400
FLOWLINE	
GRADE BREAK	
SPOT GRADE	100.00 TP
FG	FINISHED GRADE
TC	TOP OF CURB
TP	TOP OF PAVEMENT
FF	FINISHED FLOOR
FL	FLOW LINE
PROPOSED FLOW ARROW	

**** NOTICE TO CONTRACTORS - TOPOGRAPHIC SURVEY ****

TOPOGRAPHIC INFORMATION TAKEN FROM A TOPOGRAPHIC SURVEY PERFORMED BY 360 SURVEYORS. THE CONTRACTOR SHALL NOTIFY THE ENGINEER IMMEDIATELY, IN WRITING, OF ANY DISCREPANCIES OR OMISSIONS TO THE TOPOGRAPHIC INFORMATION. THE CONTRACTOR(S) SHALL BE RESPONSIBLE FOR CONFIRMING THE LOCATION (HORIZONTAL/VERTICAL) OF ANY BURIED CABLES, CONDUITS, PIPES, AND STRUCTURES (STORM SEWER, SANITARY SEWER, WATER, GAS, TELEVISION, TELEPHONE, ETC.) WHICH IMPACT THE CONSTRUCTION SITE. THE CONTRACTOR(S) SHALL NOTIFY THE OWNER AND ENGINEER IF ANY DISCREPANCIES ARE FOUND BETWEEN THE ACTUAL CONDITIONS VERSUS THE DATA CONTAINED IN THE CONSTRUCTION PLANS. ANY COSTS INCURRED AS THE RESULT OF NOT CONFIRMING THE ACTUAL LOCATION (HORIZONTAL/VERTICAL) OF SAID CABLES, CONDUITS, PIPES, AND STRUCTURES SHALL BE BORNE BY THE CONTRACTOR. ADDITIONALLY, THE CONTRACTOR(S) SHALL NOTIFY THE OWNER AND ENGINEER IF ANY ERRORS OR DISCREPANCIES ARE FOUND ON THE CONSTRUCTION DOCUMENTS (PS&E), WHICH NEGATIVELY IMPACT THE PROJECT. THE ENGINEER AND OWNER SHALL BE INDEMNIFIED OF PROBLEMS AND/OR COST WHICH MAY RESULT FROM CONTRACTOR'S FAILURE TO NOTIFY ENGINEER AND OWNER.

****NOTICE TO CONTRACTORS - UTILITIES****

THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR ELEVATION OF ANY EXISTING UTILITIES AS SHOWN ON THESE PLANS ARE BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES, THE GOVERNING MUNICIPALITY, AND WHERE POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD. THE INFORMATION PROVIDED IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CALL THE APPROPRIATE UTILITY COMPANY AT LEAST 48 HOURS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATION OF UTILITIES. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THESE PLANS.

!!!CAUTION!!!

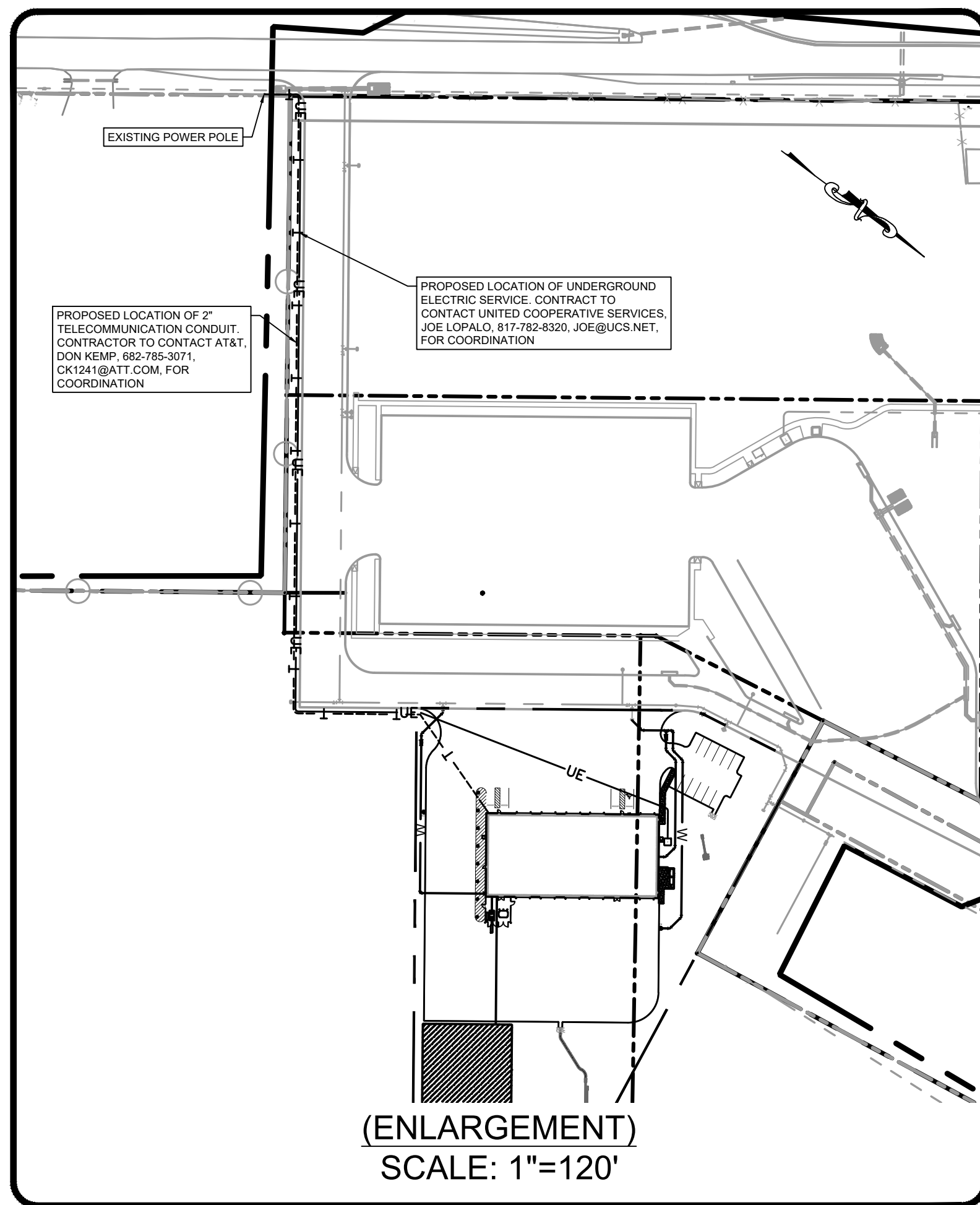
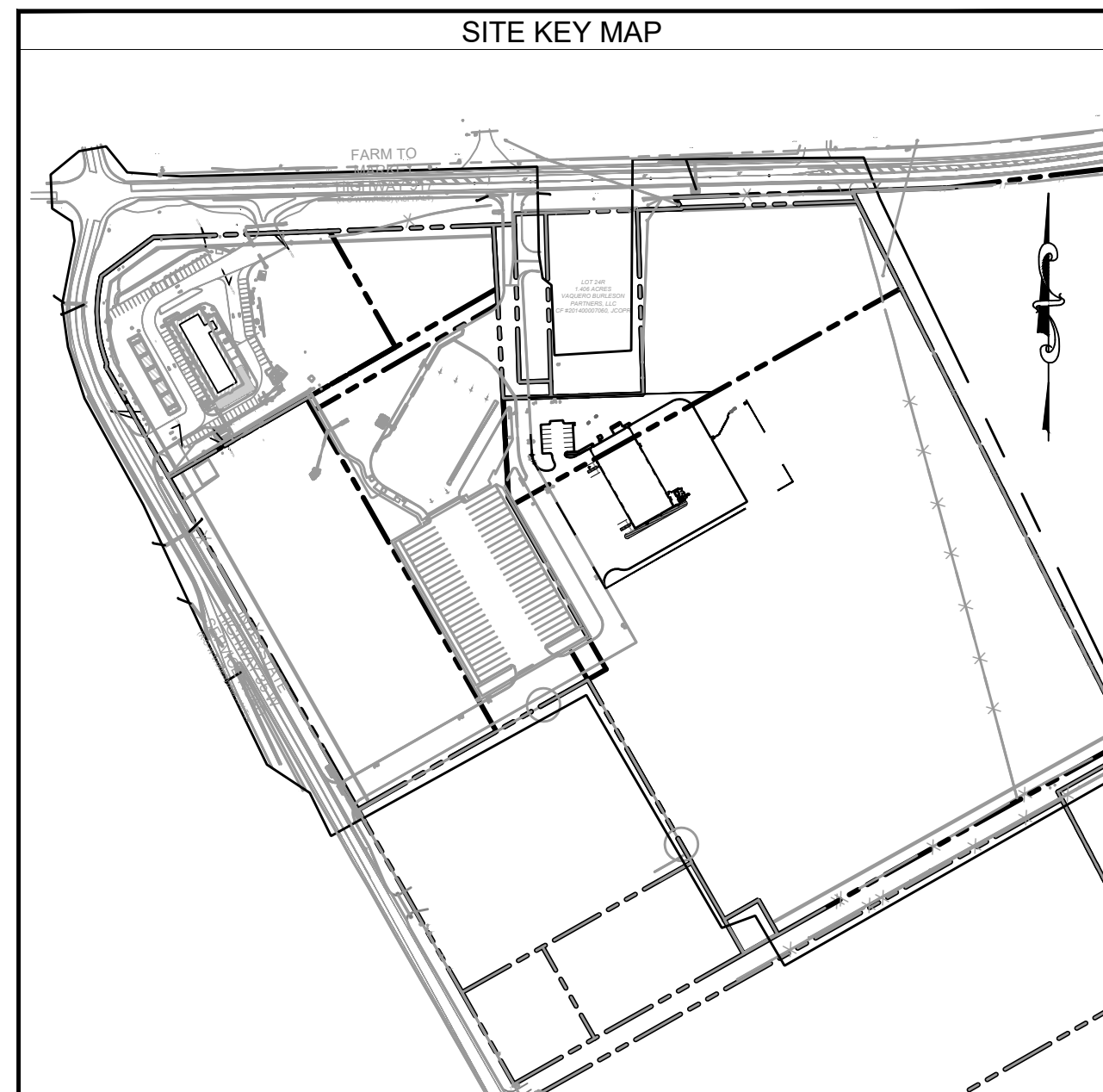
EXISTING OVERHEAD & UNDERGROUND UTILITIES IN THE VICINITY. VERIFY LOCATION OF EXISTING UNDERGROUND UTILITIES BY VACUUM EXCAVATION OR OTHER POTHOLING TECHNIQUES.

811

Know what's below.
Call before you dig.

THESE PLANS ARE SUBJECT TO REVIEW & APPROVAL BY JURISDICTIONAL ENTITIES.

Date	Description	No.
Revisions		
		09/01/2023
LANGAN		
Langan Engineering and Environmental Services, Inc. 1101 ESE Loop 323, Suite 101 Tyler, TX 75701 T: 903.324.8400 www.langan.com TBPE FIRM REG. #F-13709		
SOUTHERN TIRE MART AT PILOT		
CITY OF BURLESON JOHNSON COUNTY TEXAS		
Drawing Title		
GRADING & DRAINAGE PLAN		
Project No.	Drawing No.	
532028801		
Date		
SEPTEMBER 2023		
Drawn By		
ELP		
Checked By		
MSH		

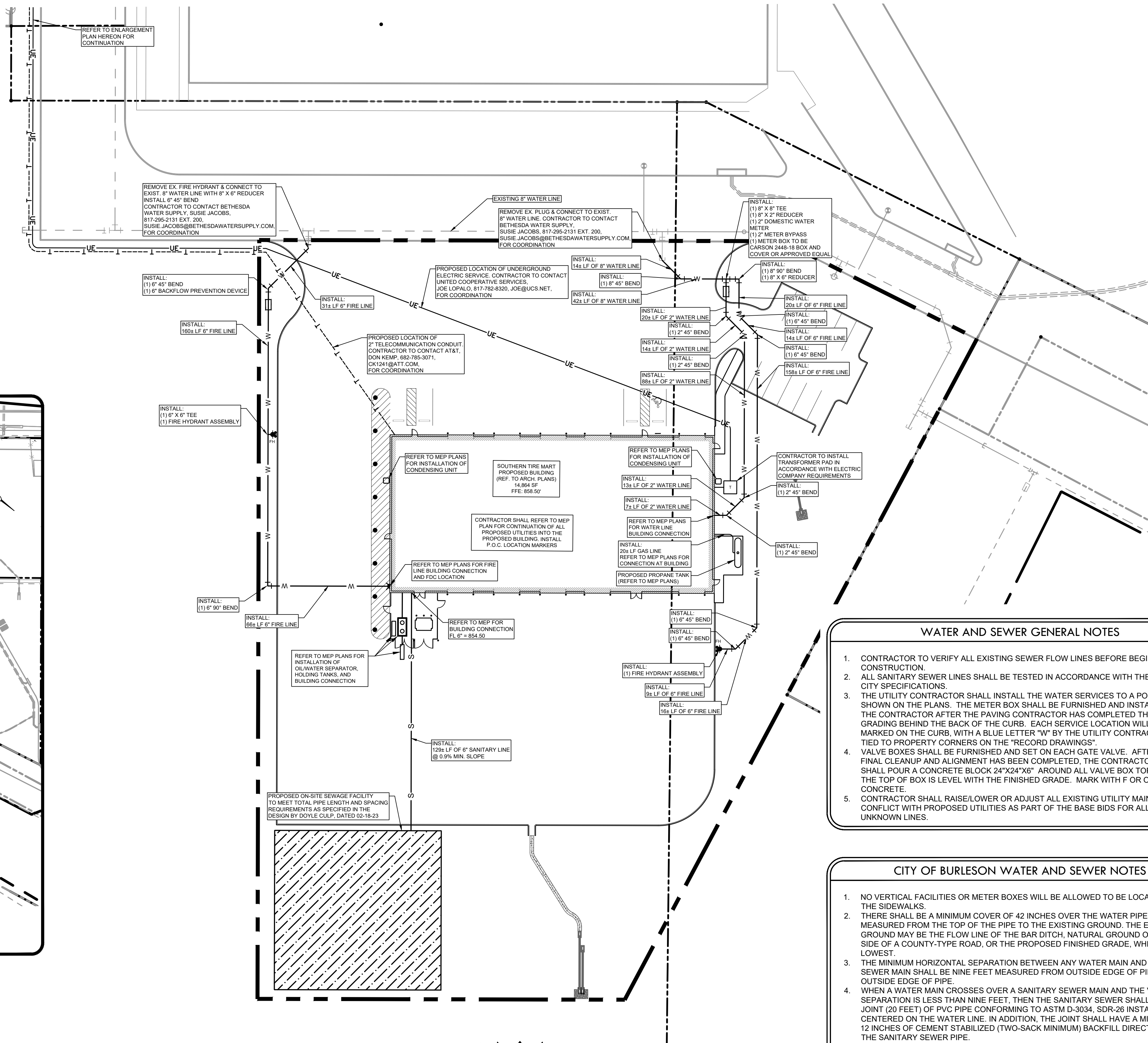


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WATER AND SEWER GENERAL NOTES

1. CONTRACTOR TO VERIFY ALL EXISTING SEWER FLOW LINES BEFORE BEGINNING CONSTRUCTION.
2. ALL SANITARY SEWER LINES SHALL BE TESTED IN ACCORDANCE WITH THE STANDARD CITY SPECIFICATIONS.
3. THE UTILITY CONTRACTOR SHALL INSTALL THE WATER SERVICES TO A POINT AS SHOWN ON THE PLANS. THE METER BOX SHALL BE FURNISHED AND INSTALLED BY THE CONTRACTOR AFTER THE PAVING CONTRACTOR HAS COMPLETED THE FINE GRADING BEHIND THE BACK OF THE CURB. EACH SERVICE LOCATION WILL BE MARKED ON THE CURB, WITH A BLUE LETTER "W" BY THE UTILITY CONTRACTOR AND TIED TO PROPERTY CORNERS ON THE "RECORD DRAWINGS".
4. VALVE BOXES SHALL BE FURNISHED AND SET ON EACH GATE VALVE. AFTER THE FINAL CLEANUP AND ALIGNMENT HAS BEEN COMPLETED, THE CONTRACTOR (UTILITY) SHALL POUR A CONCRETE BLOCK 24"X24"X6" AROUND ALL VALVE BOX TOPS SO THAT THE TOP OF BOX IS LEVEL WITH THE FINISHED GRADE. MARK WITH F OR O OR S IN CONCRETE.
5. CONTRACTOR SHALL RAISE/LOWER OR ADJUST ALL EXISTING UTILITY MAINS IN CONFLICT WITH PROPOSED UTILITIES AS PART OF THE BASE BIDS FOR ALL KNOWN OR UNKNOWN LINES.

CITY OF BURLESON WATER AND SEWER NOTES

1. NO VERTICAL FACILITIES OR METER BOXES WILL BE ALLOWED TO BE LOCATED WITHIN THE SIDEWALKS.
2. THERE SHALL BE A MINIMUM COVER OF 42 INCHES OVER THE WATER PIPE AS MEASURED FROM THE TOP OF THE PIPE TO THE EXISTING GROUND, THE EXISTING GROUND MAY BE THE FLOW LINE OF THE BAR DITCH, NATURAL GROUND ON THE LOW SIDE OF A COUNTY-TYPE ROAD, OR THE PROPOSED FINISHED GRADE, WHICHEVER IS LOWEST.
3. THE MINIMUM HORIZONTAL SEPARATION BETWEEN ANY WATER MAIN AND SANITARY SEWER MAIN SHALL BE NINE FEET MEASURED FROM OUTSIDE EDGE OF PIPE TO OUTSIDE EDGE OF PIPE.
4. WHEN A WATER MAIN CROSSES OVER A SANITARY SEWER MAIN AND THE VERTICAL SEPARATION IS LESS THAN NINE FEET, THEN THE SANITARY SEWER SHALL HAVE ONE JOINT (20 FEET) OF PVC PIPE CONFORMING TO ASTM D-3034, SDR-26 INSTALLED CENTERED ON THE WATER LINE. IN ADDITION, THE JOINT SHALL HAVE A MINIMUM OF 12 INCHES OF CEMENT STABILIZED (TWO-SACK MINIMUM) BACKFILL DIRECTLY ABOVE THE SANITARY SEWER PIPE.
5. WHEN A WATER MAIN MUST CROSS UNDER A SANITARY SEWER MAIN, THE MINIMUM SEPARATION SHALL BE 24 INCHES. IN ADDITION, THE SANITARY SEWER SHALL HAVE ONE JOINT (20 FEET) OF DUCTILE IRON PIPE CENTERED ON THE WATER MAIN.
6. THE MINIMUM HORIZONTAL SEPARATION BETWEEN ANY SANITARY SEWER MAIN AND A STORM DRAIN FACILITY SHALL BE EQUAL TO TWO AND ONE-HALF FEET OR ONE-HALF TIMES THE DEPTH OF THE SANITARY SEWER OR STORM DRAIN, WHICHEVER IS GREATER.
7. ALL WATER LINE FITTINGS SHALL INCORPORATE MEGALUG MECHANICAL JOINT RESTRAINTS OR APPROVED EQUAL.
8. STANDARD SANITARY SEWER PIPE IS SDR 35. IF THE LINE LIES GREATER THAN 12' BELOW THE TOP OF GRADE THEN SDR 26 PIPE IS TO BE INSTALLED.
9. SANITARY SEWER LINES MUST END WITH A MANHOLE UNLESS THE LINE SHALL BE EXTENDED IN THE FUTURE IN WHICH CASE A CLEANOUT WILL BE ALLOWED.
10. FIRE HYDRANT PRESSURE SHOULD BE CHECKED TO ENSURE THE FOLLOWING REQUIREMENTS ARE MET:
 - 10.1. 35 PSI STATIC PRESSURE
 - 10.2. 20 PSI RESIDUAL PRESSURE

!!!CAUTION!!!

EXISTING OVERHEAD & UNDERGROUND UTILITIES IN THE VICINITY. VERIFY LOCATION OF EXISTING UNDERGROUND UTILITIES BY VACUUM EXCAVATION OR OTHER POTHOLING TECHNIQUES.

Date	Description	No.
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Revisions

09/01/2023



LANGAN

Langan Engineering and
Environmental Services, Inc.
1101 ESE Loop 323, Suite 101
Tyler, TX 75701

T: 903.324.8400

www.langan.com

TBPE FIRM REG. #F-13709

SOUTHERN TIRE MART AT PILOT

CITY OF BURLESON

JOHNSON COUNTY

TEXAS

Drawing Title

UTILITY PLAN

Project No.

532028801

Drawing No.

SEPTEMBER 2023

Date

Drawn By

ELP

Checked By

MSH

C6.0

Planning & Zoning Commission Meeting

DEPARTMENT: Development Services

FROM: JP Ducay, Senior Planner

MEETING: November 14, 2023

SUBJECT:

3084 S Burleson Blvd (Case 23-254): Hold a public hearing and consider approval of an ordinance for a zoning change request from "SP", Site Plan Ordinance D-091-08 and "A", Agricultural to "PD", Planned Development for a 3.016 acre site. *(Staff Presenter: JP Ducay, Senior Planner)*

SUMMARY:

On September 5, 2023, an application was submitted by Nathan Olsen (applicant) with OES, INC. on behalf of Deepak Somarajan (owner), to rezone approximately 3.016 acres from "SP", Site Plan Ordinance D-091-08 and "A", Agricultural to "PD", Planned Development. In 2007, American Completion Tools submitted an application to rezone the subject property from A, Agricultural to SP, Site Plan zoning to allow for the construction of a manufacturing and assembly business. The Site Plan zoning ordinance was approved and established its own development criteria. American Completion Tools is still operating at this location and the site contains two structures that include a 20,000 square-foot manufacturing/storage warehouse and a small office building. The owner is now proposing to expand the business by incorporating adjoining land and redeveloping the site.

The redevelopment will include an expansion of the existing office building and two new buildings for warehousing and manufacturing purposes. The existing 20,000 square-foot warehouse will not be renovated and will maintain its existing use. Smaller structures located throughout the site will be removed. Due to the acquisition of new land and site changes, the existing zoning needs to be amended. Rather than amend the existing SP, Site Plan ordinance, the applicant is proposing to rezone the property to PD, Planned Development. The subject site is located within the IH-35 Overlay and would be held to these standards as a result of the substantial alterations being proposed. However, the applicant is proposing to eliminate the applicability of the IH-35 design standards to allow for the redevelopment to be more in line with the previously approved Site Plan zoning development criteria. If approved, any future improvements to the site would be held to baseline development code in lieu of the more intensive IH-35 Design Standards.

The proposed PD will provide a base zoning of I, Industrial that allows for all industrial uses in accordance with the zoning code while prohibiting the following uses from operating at the subject site:

- Auto salvage yards
- Asphalt/concrete batching
- Petroleum or gas well
- Petroleum storage/collection

- Railroad freight terminal
- Railroad passenger terminal
- Railroad team track
- Railroad track or right-of-way
- Sand/gravel/topsoil extraction/storage
- Sexually oriented business (SOB's)

The acting development standards applied to this PD district will include all the regulations contained in the City of Burleson development codes with the exception of Article V. IH-35 Design Standards. A draft ordinance for this zoning change request is included in the packet.

Planning Analysis

The City's Imagine Burleson 2030 Midpoint Update Comprehensive Plan designates this site as **Employment Growth Center**. This land use category should include a mix of low and medium density industrial buildings and industrial yards and have ample surface parking for cars and trucks. The Employment Growth Center area in Burleson should be marketed to industries with potential for upward mobility of skilled workers such as logistics and warehousing.

The proposed zoning of PD, Planned Development with a base zoning of I, Industrial is in compliance with the Comprehensive plan. This zoning request is a result of the need to expand an existing manufacturing and assembly business that has been operating at this location since 2007. The expansion of the existing use and newly proposed zoning will update an outdated zoning classification and further the vision of the Employment Growth Center designation.



	Zoning	Use
Subject Site	SP, Site Plan & A, Agricultural	Developed, Industrial
North	A, Agricultural	Developed, Industrial
East	PD, Planned Development	Developed, Industrial
South	A, Agricultural	Undeveloped
West	I, Industrial	Developed, Industrial

OPTIONS:

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

RECOMMENDATION:

Staff recommends approval of the zoning change request from “SP” Site Plan Zoning and “A”, Agricultural to “PD”, Planned Development for the 3.016 acre site addressed as 3084 S Burleson Blvd as proposed by the applicant.

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

September 11, 2008: City Council approved the SP, Site Plan zoning request for American Completion Tools.

PUBLIC NOTIFICATION:

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

Staff has not received any formal opposition regarding this case at this time.

FISCAL IMPACT:

None

STAFF CONTACT:

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

3084 S Burleson Blvd ZC

Location:

- 3.016
- 3084 S Burleson Blvd

Applicant/Owner:

Nathan Olsen – Applicant

Deepak Somarajan – Owner

Item for approval:

Zoning Change (Case 23-254)



3084 S Burleson Blvd ZC

Item D.

Zoning Information

Current Zoning: Site Plan (SP) & Agricultural (A)

- 2008: SP zoning was approved allowing for a manufacturing and assembly business – American Completion Tools.

Owner is now proposing to expand the business by acquiring adjacent land and redeveloping the site.

- Requesting to rezone the property to PD, Planned Development with a base of (I) Industrial.
- Proposed PD will contain land use restrictions and development standard applicability language.



Zoning Restrictions

Requesting: rezone to PD, Planned Development with a base zoning of (I) Industrial.

- All industrial and IH-35 uses in accordance with the zoning code are permitted by right with the exception of the following prohibited uses:
 - Asphalt/concrete batching
 - Auto salvage yards
 - Petroleum or gas well
 - Petroleum storage/collection
 - Railroad freight terminal
 - Railroad passenger terminal
 - Railroad team track
 - Railroad track or right-of-way
 - Sand/gravel/topsoil extraction storage
 - Sexually oriented businesses (SOB's)

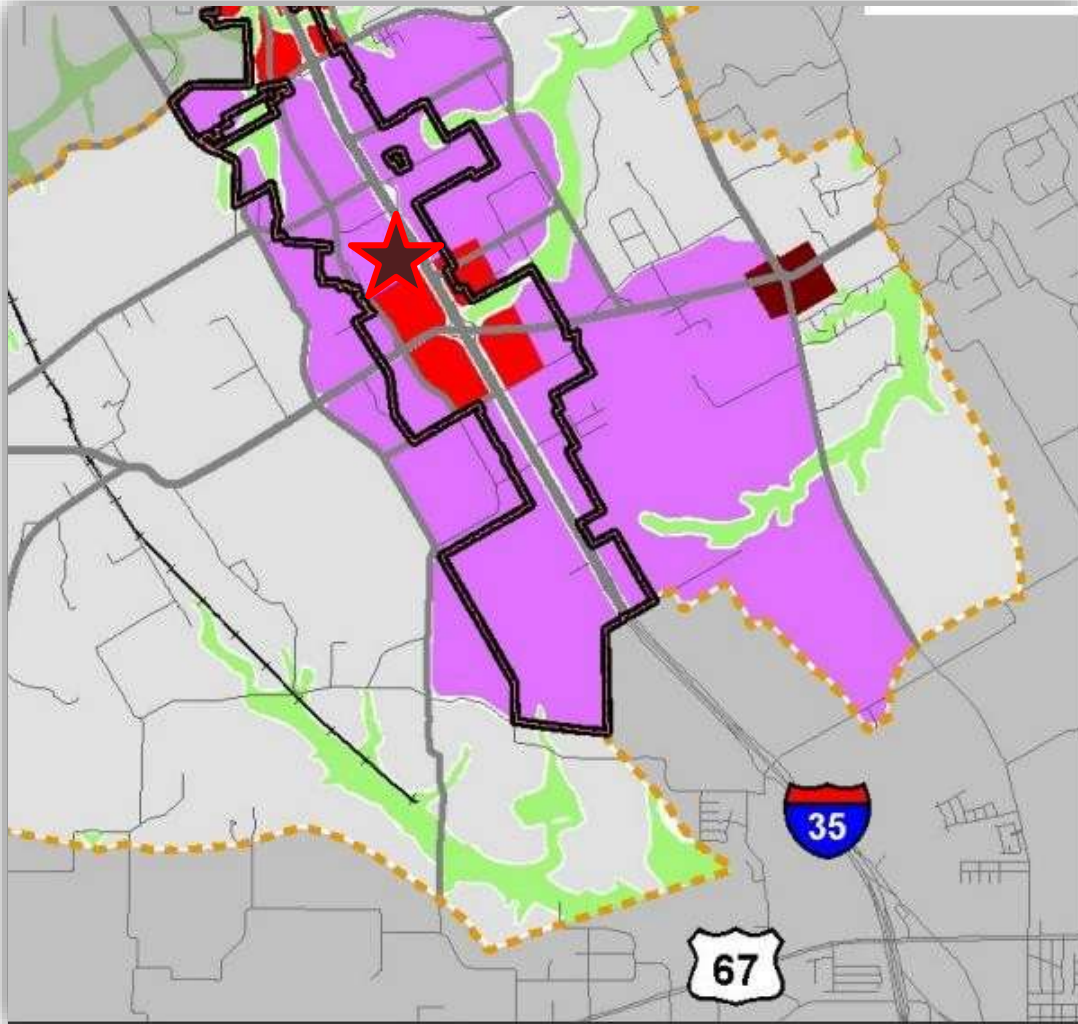
Development Standards

Requesting: eliminate applicability of the IH-35 Design Standards – allow for redevelopment to be more in line with baseline development code.

- The following development regulations of the Burleson Code of Ordinances shall not apply within this PD district:
 - Article V. IH-35 Design Standards

Comprehensive Plan

Employment Growth Center



Current Zoning

Site Plan & Agricultural



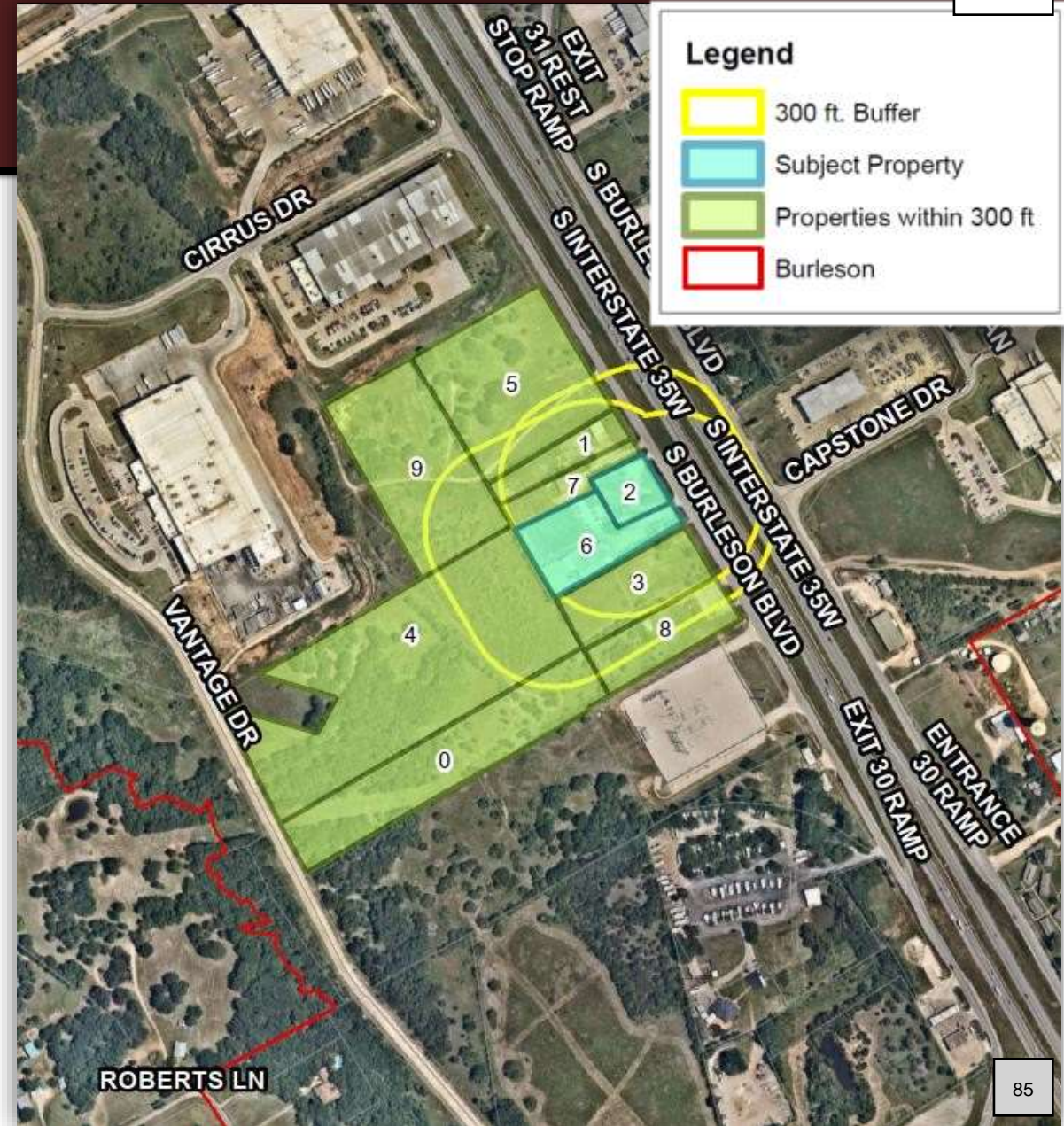
3084 S Burleson Blvd ZC

Item D.

Public Hearing Notice

- Public notices mailed to property owners within 300 feet of subject property.
- Published in newspaper.
- Sign posted on the property.

Staff has received no inquiries concerning this request.



3084 S Burleson Blvd ZC

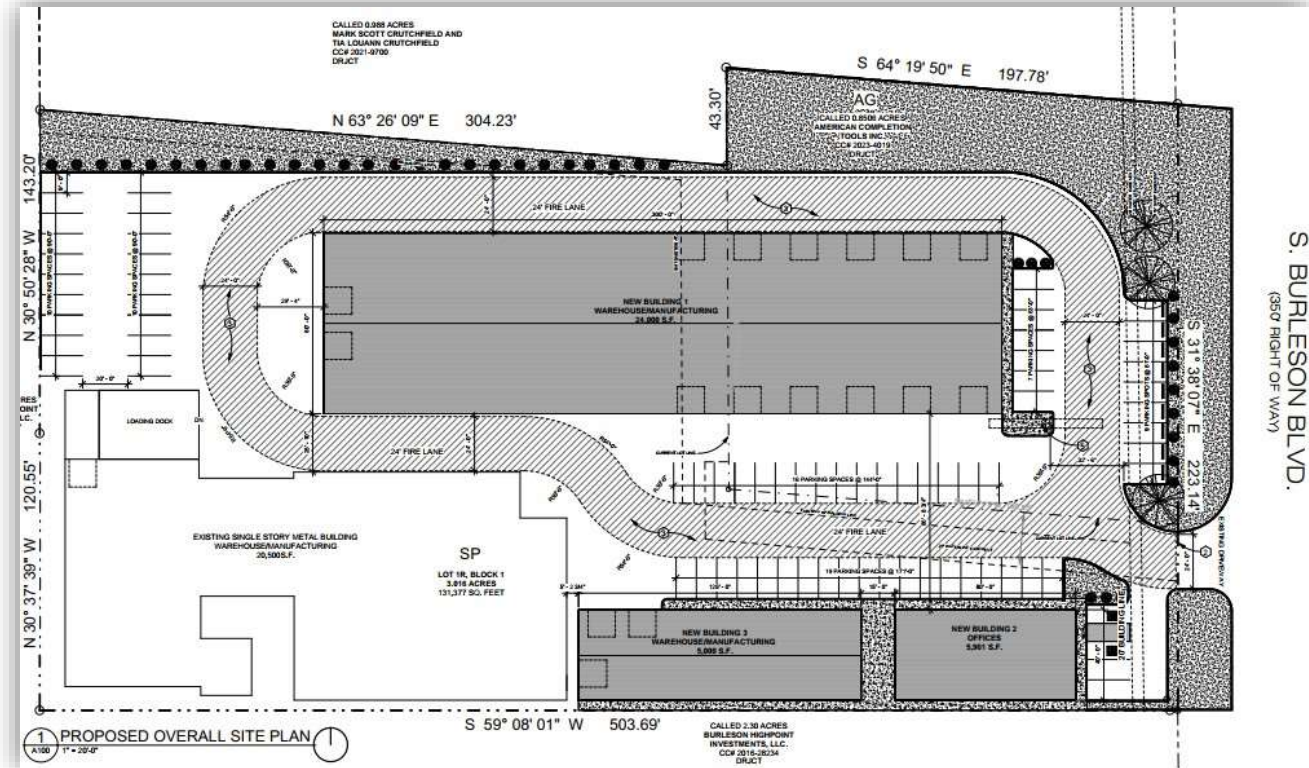
Item D.

Staff's Recommendation

Staff recommends approval of the zoning change request from "SP" Site Plan Zoning and "A", Agricultural to "PD", Planned Development for the 3.016 acre site addressed as 3084 S Burleson Blvd as proposed by the applicant.

Proposed PD will:

- Restrict undesirable uses allowed by right in the Industrial zoning district.
- Eliminate IH-35 Design Standard applicability – alleviate existing business's redevelopment standards and reduce future waiver requests.
- The expansion of the existing business and newly proposed zoning will update an outdated zoning classification and further the vision of the Employment Growth Center designation.



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 3.016 ACRES OF LAND SITUATED IN THE H. LEWIS SURVEY, ABSTRACT NUMBER 517, JOHNSON COUNTY, TEXAS, AND BEING ALL OF LOT 1, BLOCK 1, ALLEN ADDITION, AN ADDITION TO THE CITY OF BURLESON, JOHNSON COUNTY, TEXAS FROM (SP) SITE PLAN ZONING AND (A) AGRICULTURAL TO (PD) PLANNED DEVELOPMENT, 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 **Nathan Olsen (Applicant)** on behalf of **Deepak Somarajan (Owner)** on **September 5, 2023**, under **Case Number 23-254**, 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 changing in zoning of said property from **(SP) Site Plan Zoning** and **(A) Agricultural** to **(PD) Planned Development**; 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 Zone Change 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 **0 to 0** to recommend to the City Council of Burleson, Texas, that the hereinafter described property be rezoned from its classification of **(SP) Site Plan Zoning** and **(A) Agricultural** to **(PD) Planned Development**; 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 **(SP) Site Plan Zoning** and **(A) Agricultural**; 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 **3.016 acres of land situated in the H. Lewis Survey, Abstract number 517, Johnson County, Texas, and being all of Lot 1, Block 1, Allen Addition, an addition to the City of Burleson, Johnson County, Texas** as shown on the attached Exhibit A incorporated herein by reference, by allowing for the change in zoning from **(SP) Site Plan Zoning** and **(A) Agricultural** to **(PD) Planned Development**.

Section 2.

The Planned Development district, as described by Exhibit A and depicted on Exhibit B, shall be subject to the following conditions:

1. GENERAL

This property is subject to all regulations contained in the City of Burleson Development codes, except where amended by this ordinance.

2. **PERMITTED LAND USES:**

Except as otherwise provided herein, land uses shall be permitted within this PD district shown on Exhibit A are limited to the Industrial district (I) and uses permitted within the IH35 overlay district as defined by the City of Burleson Zoning Ordinance.

3. **PROHIBITED LAND USES:**

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

- a) Auto salvage yards
- b) Asphalt/concrete batching
- c) Petroleum or gas well
- d) Petroleum storage/collection
- e) Railroad freight terminal
- f) Railroad passenger terminal
- g) Railroad team track
- h) Railroad track or right-of-way
- i) Sand/gravel/topsoil extraction/storage
- j) Sexually oriented business (SOB's)

4. **DEVELOPMENT STANDARDS:**

Except as otherwise provided herein, the acting development standards applied to this PD district shown on Exhibit A shall include all the regulations contained in the City of Burleson development codes, except where amended by this Ordinance:

- a) The following development regulations of the Burleson Code of Ordinances shall not apply within this PD district:
 - i. Article V. IH-35 Design Standards

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

Metes and Bounds

WHEREAS AMERICAN COMPLETION TOOLS, INC., IS THE SOLE OWNER OF A 3.016 ACRE TRACT OF LAND SITUATED IN THE H. LEWIS SURVEY, ABSTRACT NUMBER 517, JOHNSON COUNTY, TEXAS, AND BEING ALL OF LOT 1, BLOCK 1, ALLEN ADDITION, AN ADDITION TO THE CITY OF BURLESON, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 10, PAGE 65, PLAT RECORDS, JOHNSON COUNTY, TEXAS, AND BEING ALL OF A CALLED 0.8506 ACRE TRACT OF LAND DESCRIBED BY DEED TO AMERICAN COMPLETION TOOLS, INC., RECORDED IN COUNTY CLERK'S INSTRUMENT NUMBER 2023-4019, 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 NORTHERNMOST CORNER OF SAID CALLED 0.8506 ACRE TRACT, SAME BEING THE EASTERNMOST CORNER OF A CALLED 0.988 ACRE TRACT OF LAND DESCRIBED BY DEED TO MARK SCOTT CRUTCHFIELD AND TIA LOUANN CRUTCHFIELD, RECORDED IN COUNTY CLERK'S INSTRUMENT NUMBER 2021-9700, DEED RECORDS, JOHNSON COUNTY, TEXAS, AND BEING ON THE SOUTHWEST RIGHT-OF-WAY LINE OF SOUTH BURLESON BOULEVARD (INTERSTATE HIGHWAY NO. 35), A 350' RIGHT-OF-WAY;

THENCE SOUTH 31 DEGREES 22 MINUTES 46 SECONDS EAST, ALONG SAID SOUTHWEST RIGHT-OF-WAY LINE, A DISTANCE OF 188.66 FEET, TO A 5/8" IRON ROD FOUND AT THE EASTERNMOST CORNER OF SAID CALLED 0.8506 ACRE TRACT, SAME BEING THE LOWER NORTH CORNER OF SAID LOT 1;

THENCE SOUTH 31 DEGREES 38 MINUTES 07 SECONDS EAST, CONTINUING ALONG SAID SOUTHWEST RIGHT-OF-WAY LINE, A DISTANCE OF 79.87 FEET, TO A 1/2" IRON ROD FOUND AT THE EASTERNMOST CORNER OF SAID LOT 1, SAME BEING THE NORTHERNMOST CORNER OF A CALLED 2.30 ACRE TRACT OF LAND DESCRIBED BY DEED TO BURLESON HIGHPOINT INVESTMENTS, LLC., RECORDED IN COUNTY CLERK'S INSTRUMENT NUMBER 2016-28234, DEED RECORDS, JOHNSON COUNTY, TEXAS, FROM WHICH A 1/2" CAPPED IRON ROD FOUND STAMPED "JDZ" AT THE EASTERNMOST CORNER OF SAID CALLED 2.30 ACRE TRACT BEARS SOUTH 31 DEGREES 24 MINUTES 56 SECONDS EAST, A DISTANCE OF 199.87 FEET;

THENCE SOUTH 59 DEGREES 08 MINUTES 01 SECONDS WEST, DEPARTING SAID SOUTHWEST RIGHT-OF-WAY LINE AND ALONG THE SOUTHEAST LINE OF SAID LOT 1, BEING COMMON WITH THE NORTHWEST LINE OF SAID CALLED 2.30 ACRE TRACT, A DISTANCE OF 503.69 FEET, TO A 1/2" CAPPED IRON ROD FOUND STAMPED "JDZ" AT THE SOUTHERNMOST CORNER OF SAID LOT 1, SAME BEING THE WESTERNMOST CORNER OF SAID CALLED 2.30 ACRE TRACT, AND BEING ON THE NORTHEAST LINE OF A CALLED 68.368 ACRE TRACT OF LAND DESCRIBED BY DEED TO BURLESON HIGHPOINT INVESTMENTS, LLC, RECORDED IN COUNTY CLERK'S INSTRUMENT NUMBER 2014-9867, DEED RECORDS, JOHNSON COUNTY, TEXAS, FROM WHICH A 1/2" CAPPED IRON ROD FOUND STAMPED "JDZ" AT THE SOUTHERNMOST CORNER OF SAID CALLED 2.30 ACRE TRACT BEARS SOUTH 30 DEGREES 35 MINUTES 22 SECONDS EAST, A DISTANCE OF 196.14 FEET;

THENCE NORTH 30 DEGREES 37 MINUTES 39 SECONDS WEST, DEPARTING SAID COMMON LINE AND ALONG THE SOUTHWEST LINE OF SAID LOT 1, BEING COMMON WITH THE NORTHEAST LINE OF SAID CALLED 68.368 ACRE TRACT, A DISTANCE OF 120.55 FEET, TO A 5/8" CAPPED IRON ROD SET STAMPED "LONESTAR 6882";

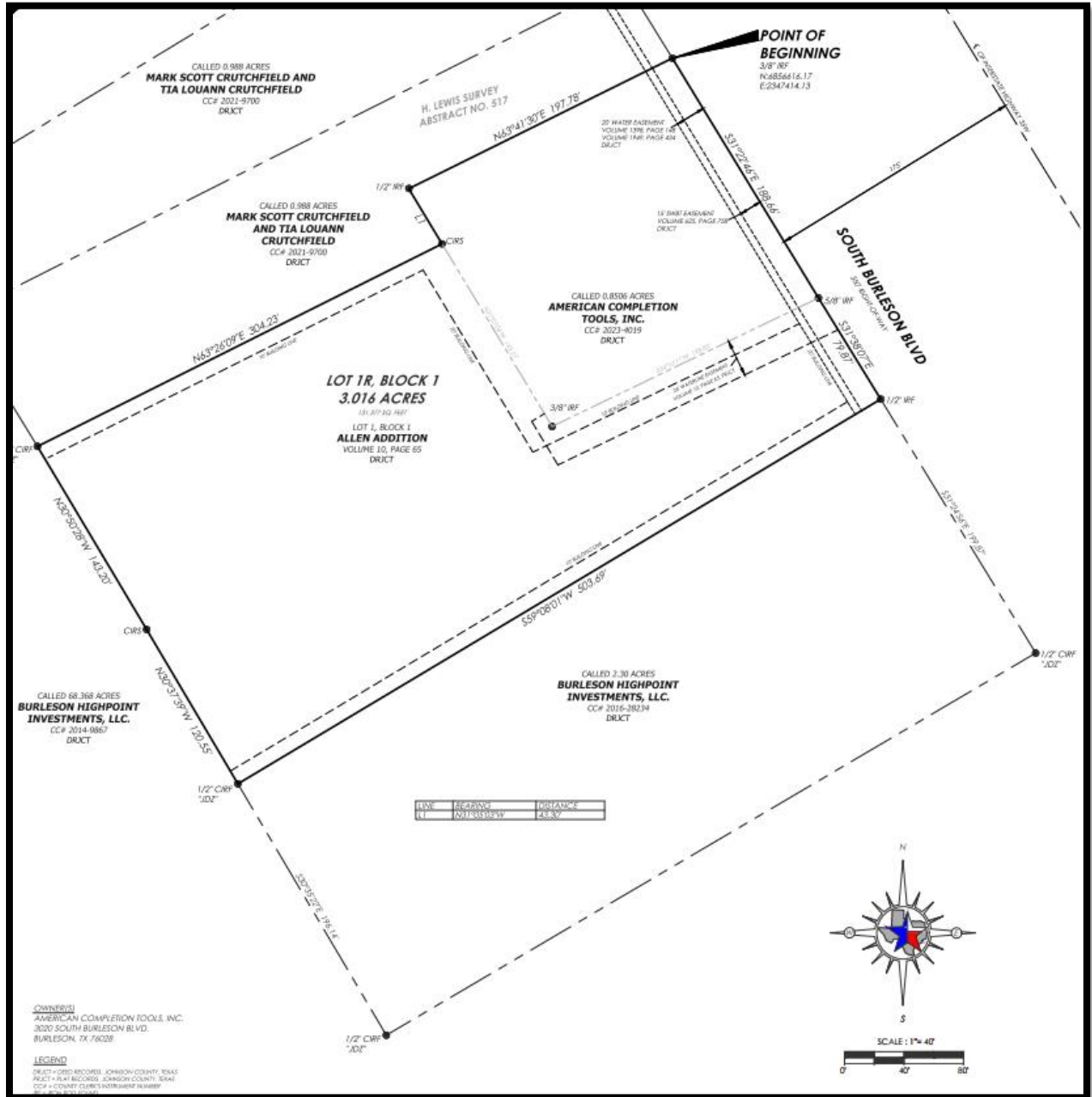
THENCE NORTH 30 DEGREES 50 MINUTES 28 SECONDS WEST, CONTINUING ALONG SAID COMMON LINE, A DISTANCE OF 143.20 FEET, TO A 1/2" CAPPED IRON ROD FOUND STAMPED "JDZ" AT THE WESTERNMOST CORNER OF SAID LOT 1, SAME BEING THE SOUTHERNMOST CORNER OF SAID CALLED 0.988 ACRE TRACT;

THENCE NORTH 63 DEGREES 26 MINUTES 09 SECONDS EAST, DEPARTING SAID COMMON LINE AND ALONG THE NORTHWEST LINE OF SAID LOT 1, BEING COMMON WITH THE SOUTHEAST LINE OF SAID CALLED 0.988 ACRE TRACT, A DISTANCE OF 304.23 FEET, TO A 5/8" CAPPED IRON ROD SET STAMPED "LONESTAR 6882" AT THE NORTHERNMOST CORNER OF SAID LOT 1, SAME BEING AN ANGLE POINT IN THE SOUTHEAST LINE OF SAID CALLED 0.988 ACRE TRACT, AND BEING ON THE SOUTHWEST LINE OF SAID CALLED 0.8506 ACRE TRACT;

THENCE NORTH 31 DEGREES 05 MINUTES 03 SECONDS WEST, DEPARTING SAID COMMON LINE AND ALONG THE SOUTHWEST LINE OF SAID CALLED 0.8506 ACRE TRACT, BEING COMMON WITH THE SOUTHEAST LINE OF SAID CALLED 0.988 ACRE TRACT, A DISTANCE OF 43.30 FEET, TO A 1/2" IRON ROD FOUND AT THE WESTERNMOST CORNER OF SAID CALLED 0.8506 ACRE TRACT, SAME BEING AN ELL CORNER IN SAID SOUTHEAST LINE;

THENCE NORTH 63 DEGREES 41 MINUTES 30 SECONDS EAST, CONTINUING ALONG SAID COMMON LINE, A DISTANCE OF 197.78 FEET, TO THE **POINT OF BEGINNING**, AND CONTAINING 3.016 ACRES OR 131,377 SQUARE FEET OF LAND, MORE OR LESS.

EXHIBIT B **Plat Exhibit**





1201 EVANS AVE.
SUITE 300
FORT WORTH, TX 76104
PHONE: 817 653-3007
matthijs@melarch.com

CONSULTANTS:

Project Status

AMERICAN COMPLETION TOOLS

3084 S. BURLESON BLVD
BURLESON, TEXAS 76028

THIS DOCUMENT IS NOT FOR
REGULATORY APPROVAL,
PERMITTING OR CONSTRUCTION.

REVISIONS

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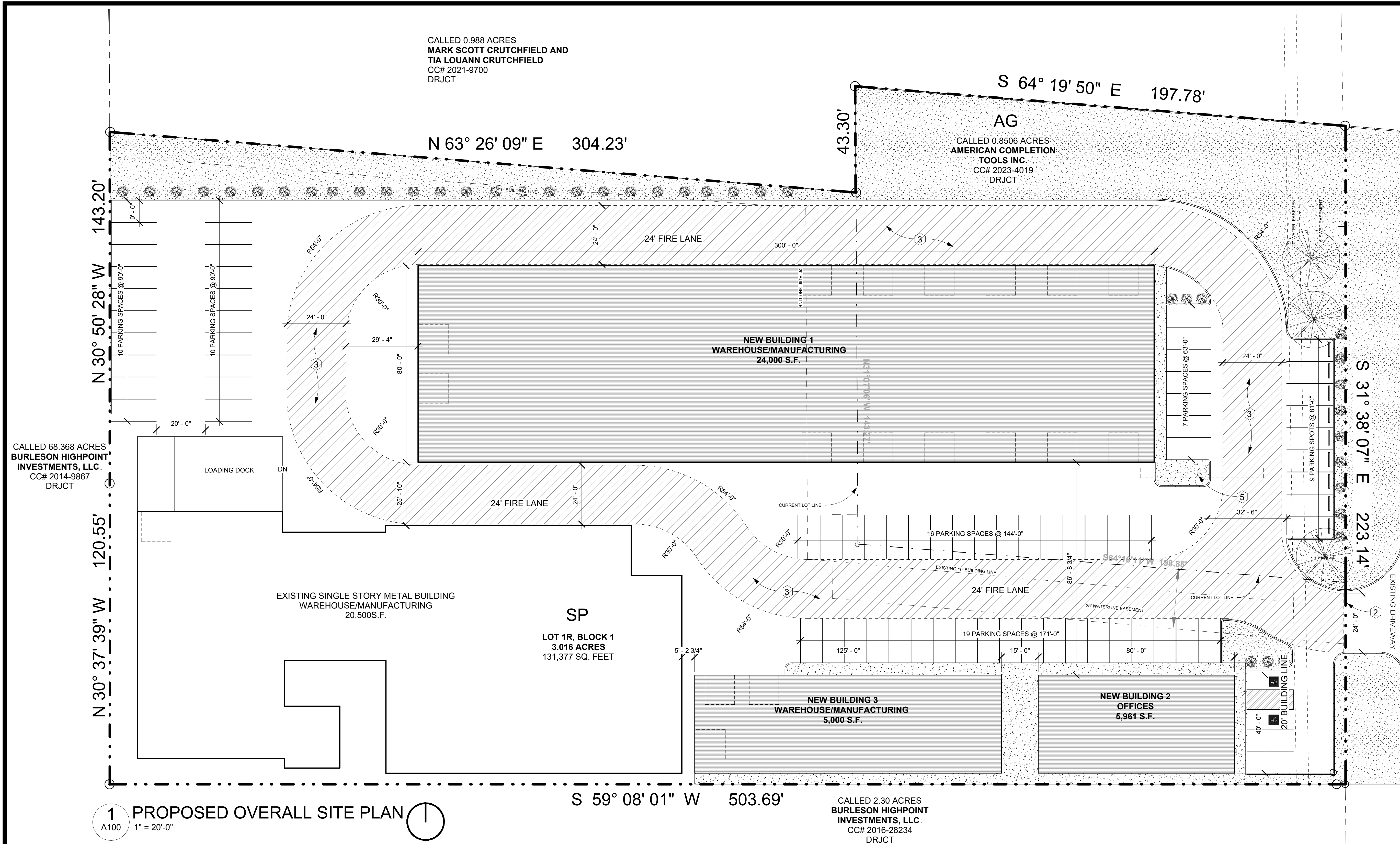
NO:	DATE:	DESCRIPTION:
PROJECT NO:	PC23003	
DATE:	06/22/2023	
DRAWN BY: AL		
CHECKED BY: MM		
ISSUED BY:		

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MELCHIORS ARCHITECTURE, LLC. 2023

SHEET TITLE:

SITE PLAN

A100



GENERAL NOTES




1. CONTRACTOR TO COORDINATE ALL WORK WITH OTHER TRADES INVOLVED IN ORDER TO MINIMIZE CONFLICT AND TO COORDINATE ALL ACTIVITIES.
2. IT IS THE CONTRACTOR'S RESPONSIBILITY TO CONTACT UTILITY COMPANIES PRIOR TO ANY DEMOLITION AS THE LOCATION OF ANY UTILITIES SHOWN IN THESE PLANS ARE APPROXIMATE FOR INFORMATIONAL PURPOSES AND POSSIBLY INCOMPLETE. THE ARCHITECT ASSUMES NO RESPONSIBILITY FOR THE ACCURACY OF THE UTILITY LOCATIONS. THE CONTRACTOR SHALL CALL 1-800-344-8377 (TEXAS 811) FOR OTHER UTILITY LOCATING SERVICES AND EACH AFFECTED UTILITY OWNER 48 HOURS PRIOR TO DEMOLITION OR CONSTRUCTION ACTIVITIES.
3. IT SHALL BE RESPONSIBILITY OF THE GENERAL CONTRACTOR TO FAMILIARIZE HIMSELF/HERSELF WITH EXISTING SITE CONDITIONS AND ALL APPLICABLE FEDERAL, STATE, AND LOCAL LAWS AND REGULATIONS. THE GENERAL CONTRACTOR SHALL FIELD VERIFY ALL PLAN LOCATIONS AND FIELD ELEVATIONS OF EXISTING UTILITIES. IF THERE IS A DISCREPANCY BETWEEN THESE DOCUMENTS AND ALL APPLICABLE LAWS, LOCATIONS, AND FIELD ELEVATIONS, THE CONTRACTOR SHALL NOTIFY THE ARCHITECT IN WRITING PRIOR TO THE COMMENCEMENT OF WORK.
4. THE CONTRACTOR SHALL INSPECT AND VERIFY THE EXISTING SITE CONDITIONS AND DIMENSIONS AS WELL AS THE SURROUNDING AND ADJACENT AREAS TO THE EXTENT NECESSARY, TO BECOME ACQUAINTED WITH ALL EXISTING CONDITIONS WHICH AFFECT ANY AND ALL PHASES OF THE WORK UNDER THIS CONTRACT. THE CONTRACTOR SHALL NOTIFY THE ARCHITECT IMMEDIATELY IN WRITING OF ANY DISCREPANCIES WHICH WILL AFFECT WORK UNDER THIS CONTRACT.
5. ALL ITEMS THAT ARE INDICATED TO BE REMOVED AND ARE NOT NOTED OTHERWISE SHALL BE COMPLETELY REMOVED FROM THE PROJECT SITE BY THE CONTRACTOR, AND SHALL BE PROPERLY DISPOSED OF IN ACCORDANCE WITH ALL APPLICABLE FEDERAL, STATE, AND LOCAL CODES AND REGULATIONS.
6. ALL EXCAVATIONS SHALL BE PROPERLY SHORED, SHEETED AND BRACED TO PREVENT SHIFTING OF MATERIAL WHICH COULD DAMAGE STRUCTURES, UTILITIES OR OTHER WORK.
7. PATCH AND REPAIR ANY PUBLIC UTILITIES DAMAGED DURING THE COURSE OF CONSTRUCTION TO THE SATISFACTION OF THE AUTHORITIES HAVING JURISDICTION.

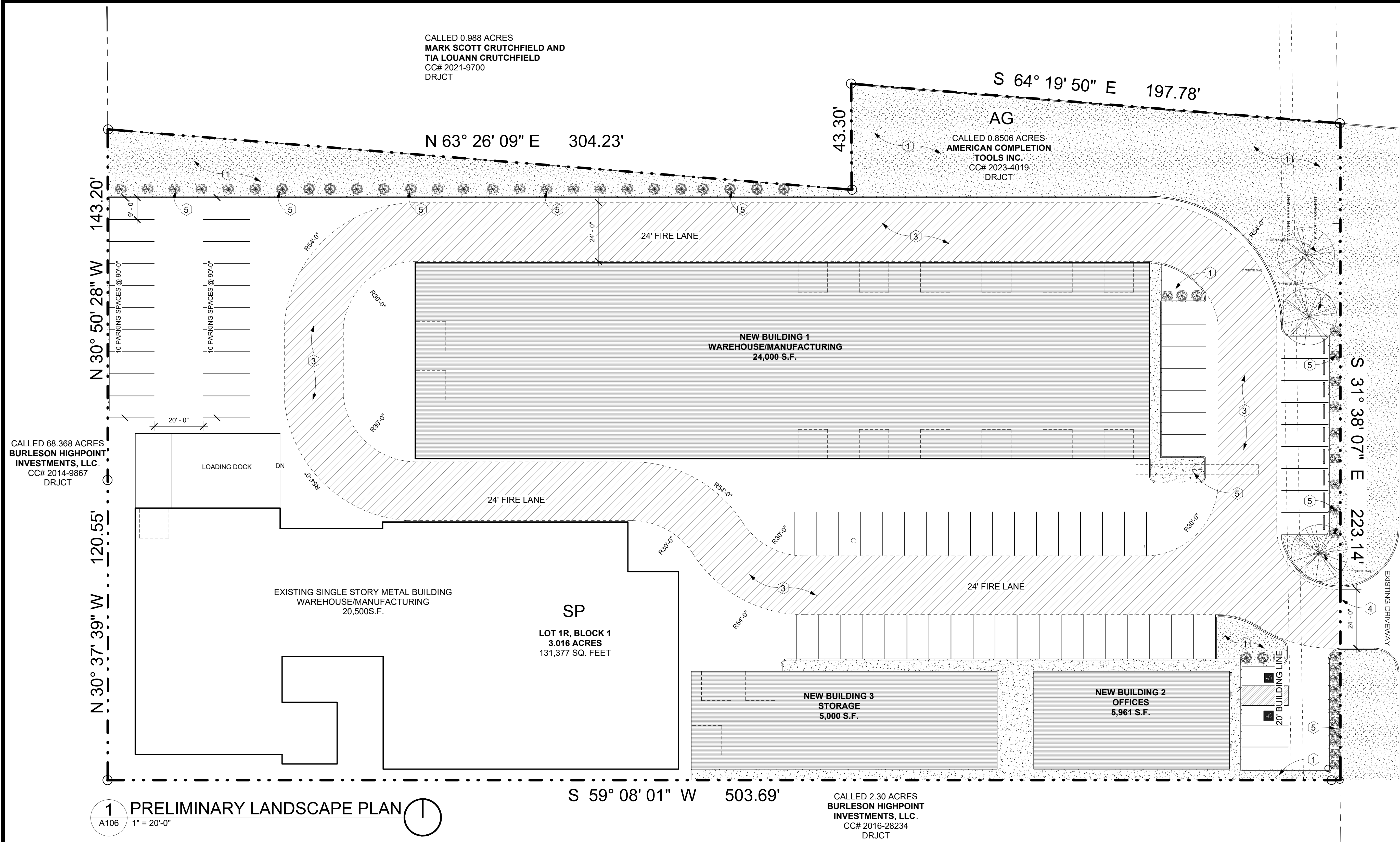
8. THE CONTRACTOR SHALL PROVIDE ALL LABOR, EQUIPMENT, AND MATERIALS UNLESS INDICATED OTHERWISE, AS WELL AS SECURE ALL NECESSARY PERMITS TO PERFORM THE WORK INDICATED WITHIN THESE DOCUMENTS.
9. THESE CONSTRUCTION DRAWINGS DO NOT CONTAIN INFORMATION WITH REGARD TO CONSTRUCTION SAFETY PROCEDURES. THE GENERAL CONTRACTOR IS RESPONSIBLE FOR ALL CONSTRUCTION SAFETY AND SHALL PERFORM ALL WORK IN ACCORDANCE WITH ALL APPLICABLE CONSTRUCTION SAFETY GUIDELINES.
10. UPON COMPLETION OF THE PROJECT, THE GENERAL CONTRACTOR SHALL PRODUCE A CORRECTED "AS-BUILT" DRAWING AND SUBMIT THIS DRAWING TO MELCHORS ARCHITECTURE LLC (MEL/ARCH) TO BE INCLUDED INTO THE PERMANENT RECORD OF THIS SITE FOR THE OWNER.
11. REFER TO CIVIL, LANDSCAPE, STRUCTURAL, MECHANICAL/ELECTRICAL/PLUMBING, AND STEEL BUILDING DRAWINGS FOR ADDITIONAL INFORMATION.

NOTES BY NUMBER

- | | |
|---|--|
| ① | DESIGNATED HANDICAP PARKING. INSTALL STRIPING & ACCESSIBLE SIGNAGE PER TAS REGULATIONS. REFER TO CIVIL DRAWINGS. |
| ② | PROPERTY LINE. |
| ③ | DESIGNATED 24'-0" FIRE LANE. |
| ④ | CONCRETE WHEEL STOP. |
| ⑤ | EXISTING BILLBOARD |

LEGEND

-  PROPOSED BUILDINGS
-  LANDSCAPING AREAS
-  CONCRETE.



S. BURLESON BLVD.
(350' RIGHT OF WAY)

MEL/ARCH
the architectural studio



1201 EVANS AVE.
SUITE 300
FORT WORTH, TX 76104
PHONE: 817 653-3007
matthijs@mearch.com

CONSULTANTS:		

AMERICAN
COMPLETION
TOOLS

3084 S. BURLESON BLVD
BURLESON, TEXAS 76028
THIS DOCUMENT IS NOT FOR
REGULATORY APPROVAL,
PERMITTING OR CONSTRUCTION.

REVISIONS		

NO:	DATE:	DESCRIPTION:
PROJECT NO:	PC23003	
DATE:	06/22/2023	
DRAWN BY:	AL	
CHECKED BY:	MM	
ISSUED BY:		

COPYRIGHT:
MELCHORS ARCHITECTURE, LLC. 2023

SHEET TITLE:

LANDSCAPE PLAN

A106

GENERAL NOTES

1. CONTRACTOR TO COORDINATE ALL WORK WITH OTHER TRADES INVOLVED IN ORDER TO MINIMIZE CONFLICT AND TO COORDINATE ALL ACTIVITIES.

2. IT IS THE CONTRACTOR'S RESPONSIBILITY TO CONTACT UTILITY COMPANIES PRIOR TO ANY DEMOLITION AS THE LOCATION OF ANY UTILITIES SHOWN IN THESE PLANS ARE APPROXIMATE FOR INFORMATIONAL PURPOSES AND POSSIBLY INCOMPLETE. THE ARCHITECT ASSUMES NO RESPONSIBILITY FOR THE ACCURACY OF THE UTILITY LOCATIONS. THE CONTRACTOR SHALL CALL 1-800-344-8377 (TEXAS 811) OR OTHER UTILITY LOCATING SERVICES AND EACH AFFECTED UTILITY OWNER 48 HOURS PRIOR TO DEMOLITION OR CONSTRUCTION ACTIVITIES.

3. IT SHALL BE RESPONSIBILITY OF THE GENERAL CONTRACTOR TO FAMILIARIZE HIMSELF/HERSELF WITH EXISTING SITE CONDITIONS AND ALL APPLICABLE FEDERAL, STATE, AND LOCAL LAWS AND REGULATIONS. THE GENERAL CONTRACTOR SHALL FIELD VERIFY ALL PLAN LOCATIONS AND FIELD ELEVATIONS OF NEW CONSTRUCTION. IF THERE IS A CONFLICT BETWEEN THESE DOCUMENTS AND ALL APPLICABLE LAWS, LOCATIONS, AND FIELD ELEVATIONS, THE CONTRACTOR SHALL NOTIFY THE ARCHITECT IN WRITING PRIOR TO THE COMMENCEMENT OF WORK.

4. THE CONTRACTOR SHALL INSPECT AND VERIFY THE EXISTING SITE CONDITIONS AND DIMENSIONS AS WELL AS THE SURROUNDING AND ADJACENT AREAS TO THE EXTENT NECESSARY. TO BECOME ACQUAINTED WITH ALL EXISTING CONDITIONS WHICH AFFECT ANY AND ALL PHASES OF THE WORK UNDER THIS CONTRACT. THE CONTRACTOR SHALL NOTIFY THE ARCHITECT IMMEDIATELY IN WRITING OF ANY DISCREPANCIES WHICH WILL AFFECT WORK UNDER THIS CONTRACT.

5. ALL ITEMS THAT ARE INDICATED TO BE REMOVED AND ARE NOT NOTED OTHERWISE SHALL BE COMPLETELY REMOVED FROM THE PROJECT SITE BY THE CONTRACTOR, AND SHALL BE PROPERLY DISPOSED OF IN ACCORDANCE WITH ALL APPLICABLE FEDERAL, STATE, AND LOCAL CODES AND REGULATIONS.

6. ALL EXCAVATIONS SHALL BE PROPERLY SHORED, SHEETED AND BRACED TO PREVENT SHIFTING OF MATERIAL WHICH COULD DAMAGE STRUCTURES, UTILITIES OR OTHER WORK.

7. PATCH AND REPAIR ANY PUBLIC UTILITIES DAMAGED DURING THE COURSE OF CONSTRUCTION TO THE SATISFACTION OF THE AUTHORITIES HAVING JURISDICTION.
8. THE CONTRACTOR SHALL PROVIDE ALL LABOR, EQUIPMENT, AND MATERIALS UNLESS INDICATED OTHERWISE, AS WELL AS SECURE ALL NECESSARY PERMITS TO PERFORM THE WORK INDICATED WITHIN THESE DOCUMENTS.

9. THESE CONSTRUCTION DRAWINGS DO NOT CONTAIN INFORMATION WITH REGARD TO CONSTRUCTION SAFETY PROCEDURES. THE GENERAL CONTRACTOR IS RESPONSIBLE FOR ALL CONSTRUCTION SAFETY AND SHALL PERFORM ALL WORK IN ACCORDANCE WITH ALL APPLICABLE CONSTRUCTION SAFETY GUIDELINES.

10. UPON COMPLETION OF THE PROJECT, THE GENERAL CONTRACTOR SHALL PRODUCE A CORRECTED "AS-BUILT" DRAWING AND SUBMIT THIS DRAWING TO MELCHORS ARCHITECTURE LLC (MEL/ARCH) TO BE INCLUDED INTO THE PERMANENT RECORD OF THIS SITE FOR THE OWNER.

11. REFER TO CIVIL, LANDSCAPE, STRUCTURAL, MECHANICAL/ELECTRICAL/PLUMBING, AND STEEL BUILDING DRAWINGS FOR ADDITIONAL INFORMATION.

NOTES BY NUMBER

- ① LANDSCAPE AREAS.
- ② 6" WHITE OAK TREE
- ③ DESIGNATED 24'-0" FIRE LANE.
- ④ PROPERTY LINE.
- ⑤ NATIVE SHRUBS.

LEGEND

- PROPOSED BUILDINGS
- LANDSCAPING AREAS
- CONCRETE.

DETAILS

TOTAL LOT AREA: 132,108 SQ. FEET
TOTAL LANDSCAPE AREA: 21,019 SQ. FEET

NOTES

- ### STANDARD NOTES

11. WATER PROVIDER - BETHESDA WATER SUPPLY CORP. - (817) 295-2131
12. ELECTRIC PROVIDER - UNITED COOPERATIVE SERVICES - (817) 447-9292

- WHEREAS** AMERICAN COMPLETION TOOLS, INC., IS THE SOLE OWNER OF A 3.016 ACRE TRACT OF LAND SITUATED IN THE H. LEWIS SURVEY, ABSTRACT NUMBER 517, JOHNSON COUNTY, TEXAS, AND BEING ALL OF LOT 1, BLOCK 1, ALLEN ADDITION, AN ADDITION TO THE CITY OF BURLESON, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 10, PAGE 65, PLAT RECORDS, JOHNSON COUNTY, TEXAS, AND BEING ALL OF A CALLED 0.8506 ACRE TRACT OF LAND DESCRIBED BY DEED TO JOHNSON COMPLETION TOOLS, INC., RECORDED IN COUNTY CLERK'S INSTRUMENT NUMBER 2023-4019, 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 NORTHERNMOST CORNER OF SAID CALLED 0.8506 ACRE TRACT, SAME BEING THE EASTERNMOST CORNER OF A CALLED 0.988 ACRE TRACT OF LAND DESCRIBED BY DEED TO MARK SCOTT CRUTCHFIELD AND TIA LOUANN CRUTCHFIELD, RECORDED IN COUNTY CLERK'S INSTRUMENT NUMBER 2021-9700, DEED RECORDS, JOHNSON COUNTY, TEXAS, AND BEING ON THE SOUTHWEST RIGHT-OF-WAY LINE OF SOUTH BURLESON BOULEVARD (INTERSTATE HIGHWAY NO. 35), A 35' RIGHT-OF-WAY;

THENCE SOUTH 31 DEGREES 22 MINUTES 46 SECONDS EAST, ALONG SAID SOUTHWEST RIGHT-OF-WAY LINE, A DISTANCE OF 188.66 FEET, TO A 5/8" IRON ROD FOUND AT THE EASTERNMOST CORNER OF SAID CALLED 0.8506 ACRE TRACT, SAME BEING THE LOWER NORTH CORNER OF SAID LOT 1;

DISTANCE SOUTH 31 DEGREES 38 MINUTES 07 SECONDS EAST, CONTINUING ALONG SAID SOUTHWEST RIGHT-OF-WAY LINE, A DISTANCE OF 79.87 FEET, TO A 1/2" IRON ROD FOUND AT THE EASTERNMOST CORNER OF SAID LOT 1, SAME BEING THE NORTHERNMOST CORNER OF A CALLED 2.30 ACRE TRACT OF LAND DESCRIBED BY DEED TO BURLISON HIGHTPOINT INVESTMENTS, LLC, RECORDED IN COUNTY CLERK'S INSTRUMENT NUMBER 214-28234, DEED RECORDS, JOHNSON COUNTY, TEXAS, FROM WHICH A 1/2" CAPPED IRON ROD FOUND STANDS "JD2" AT THE EASTERNMOST CORNER OF SAID CALLED 2.30 ACRE TRACT BEARS SOUTH 31 DEGREES 24 MINUTES 56 SECONDS EAST, A DISTANCE OF 199.87 FEET;

THESE SOUTH 59 DEGREES 08 MINUTES 01 SECONDS WEST, DEPARTING SAID SOUTHWEST RIGHT-OF-WAY LINE AND ALONG THE SOUTHEAST LINE OF SAID LOT 1, BEING COMMON WITH THE NORTHWEST LINE OF SAID CALLED 2.30 ACRE TRACT, A DISTANCE OF 503.69 FEET, TO A 1/2" CAPPED IRON ROD FOUND STAMPED "JD2" AT THE SOUTHERNMOST CORNER OF SAID LOT 1, SAME BEING THE WESTERNMOST CORNER OF SAID CALLED 2.30 ACRE TRACT, AND BEING ON THE NORTHEAST LINE OF A CALLED 68.368 ACRE TRACT OF LAND DESCRIBED BY DEED TO BURLESON HIGHPOINT INVESTMENTS, LLC, RECORDED IN COUNTY CLERK'S INSTRUMENT NUMBER 14-1987, DEED RECORDS, JOHNSON COUNTY, TEXAS, FROM WHICH A 1/2" CAPPED IRON ROD FOUND STAMPED "JD2" AT THE SOUTHERNMOST CORNER OF SAID CALLED 2.30 ACRE TRACT BEARS SOUTH 30 DEGREES 35 MINUTES 22 SECONDS EAST, A DISTANCE OF 196.14 FEET;

THENCE NORTH 30 DEGREES 37 MINUTES 39 SECONDS WEST, DEPARTING SAID COMMON LINE AND ALONG THE SOUTHWEST LINE OF SAID LOT 1, BEING COMMON WITH THE NORTHEAST LINE OF SAID CALLED 68.368 ACRE TRACT, A DISTANCE OF 120.5 FEET, TO A 5/8" CAPPED IRON ROD SET STAMPED "LONESTAR 6882";

THENCE NORTH 30 DEGREES 50 MINUTES 28 SECONDS WEST, CONTINUING ALONG SAID COMMON LINE, A DISTANCE OF 143.20 FEET, TO A 1/2" CAPPED IRON ROD FOUND STAMPED "JDZ" AT THE WESTERNMOST CORNER OF SAID LOT 1, SAME BEING THE SOUTHERNMOST CORNER OF SAID CALLED 0.988 ACRE TRACT;

THENCE NORTH 63 DEGREES 26 MINUTES 09 SECONDS EAST, DEPARTING SAID COMMON LINE AND ALONG THE NORTHWEST LINE OF SAID LOT 1, BEING COMMON WITH THE SOUTHEAST LINE OF SAID CALLED 0.988 ACRE TRACT, A DISTANCE OF 304.2 FEET, TO A 5/8" CAPPED IRON ROD SET STAMPED "LONESTAR 6882" AT THE NORTHERNMOST CORNER OF SAID LOT 1, SAME BEING AN ANGLE POINT IN THE SOUTHEAST LINE OF SAID CALLED 0.988 ACRE TRACT, AND BEING ON THE SOUTHWEST LINE OF SAID CALLED 0.8506 ACRE TRACT;

THENCE NORTH 31 DEGREES 05 MINUTES 03 SECONDS WEST, DEPARTING SAID COMMON LINE AND ALONG THE SOUTHWEST LINE OF SAID CALLED 0.8506 ACRE TRACT, BEING COMMON WITH THE SOUTHEAST LINE OF SAID CALLED 0.988 ACRE TRACT, A DISTANCE OF 43.30 FEET, TO A 1/2" IRON ROD FOUND AT THE WESTERNMOST CORNER OF SAID CALLED 0.8506 ACRE TRACT, SAME BEING AN ELL CORNER IN SAID SOUTHEAST LINE;

THENCE NORTH 63 DEGREES 41 MINUTES 30 SECONDS EAST, CONTINUING ALONG SAID COMMON LINE, A DISTANCE OF 197.78 FEET, TO THE **POINT OF BEGINNING**, AND CONTAINING 3.016 ACRES OR 131,377 SQUARE FEET OF LAND, MORE OR LESS.

THAT AMERICAN COMPLETION TOOLS, INC., OWNER, DO HEREBY ADOPT THIS PLAT DESIGNATING THE HEREIN BEFORE DESCRIBED PROPERTY AS **LOT R, BLOCK 1, ALLEN ADDITION**, AN ADDITION TO THE CITY OF BURLESON, JOHNSON COUNTY, TEXAS, AND DO HEREBY DEDICATE TO THE PUBLIC USE FOREVER ALL STREETS, RIGHTS-OF-WAY, ALLEYS AND EASEMENTS SHOWN THEREON. THE CITY, COUNTY, OR ANY PUBLIC UTILITY SHALL HAVE THE RIGHT TO REMOVE AND KEEP REMOVED ALL OR PART OF ANY BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROUNDS WHICH MAY INTERFERE WITH THE CONSTRUCTION, MAINTENANCE OR EFFICIENCY OF ITS RESPECTIVE SYSTEMS OF DRAINAGE, SEWAGE, EASEMENT, OR WATER SUPPLY. THE CITY, COUNTY, OR ANY PUBLIC UTILITY SHALL HAVE THE RIGHT TO ENTER AND GO TO AND FROM UPON AND USE THE SAID EASEMENT FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, AND PATROLLING, WITHOUT THE NECESSITY AT ANY TIME OF PROCURING THE PERMISSION OF ANYONE, THIS PLAT APPROVED SUBJECT TO ALL PLATTING ORDINANCES, RULES, REGULATIONS, AND RESOLUTIONS OF THE CITY OF BURLESON, TEXAS OR JOHNSON COUNTY.

DATE / /

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

WITNESS MY HAND AND SEAL OF OFFICE THIS THE ____ DAY OF _____, 2023.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

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

This document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document.

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

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

THIS THE _____ DAY OF _____, 2023.

BY: _____
CHAIR OF PLANNING AND ZONING COMMISSION

BY: _____
CITY SECRETARY

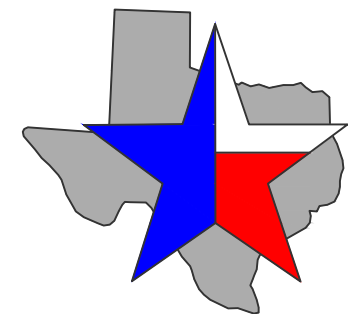
FILING BLOCK

PLAT FILED _____, YEAR _____

SLIDE _____, VOL. _____, PG. _____

JOHNSON COUNTY PLAT RECORDS

COUNTY CLERK, JOHNSON COUNTY, TEXAS



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

PROJECT NUMBER: 230396 DATE: JUNE 5, 2023
REVISED DATE:
REVISION NOTES:

SHEET 1 OF 1

OES, Inc.

Registered Engineering Firm #11001

705 Jones Street

Fort Worth, Texas 76102

Tel. 940.595.0528

info@nate-olson.com

September 27, 2023

Re: Personal Narrative for 3084 S Burleson Blvd (Case 23-254)
Zone Change – PD, DAC Review Comments

Personal Narrative

This personal narrative has been composed utilizing input from the land and business owner, Deepak Somarajan.

The business associated with Case 23-254 and operated at the location conducts Design & Manufacturing of Oil Field Equipment under the business name American Completion Tools, since 2006. Its services and general operations is the manufacturing of oil field equipment, with 17 Employees operating under one Shift from 7.00 AM TO 4.30 PM.

The existing site consists of two buildings contains. The first building is a 20,000 SF structure housing CNC machines for manufacturing and storage of finished oilfield equipment. The second building is a small office for the same business. The owner proposes to rezone and replat to unify two properties, reconstruct the old office into a larger office building and add 2 new buildings for warehousing and manufacturing. The new office will serve administrative purposes for the business. The existing 20,000 SF building will remain for warehousing and manufacturing. Several smaller buildings and structures on site will all be or have been removed from the site. The owner proposes to completely rebuild the entire site save the single 20,000 SF building. The existing billboard sign will remain.

The purpose of the expansion is to bring oil field equipment and new product line manufacturing into contribute positively to the community and local economy and will create more jobs.

Thank you for your consideration of this project.

ORDINANCE D-091-08

AN ORDINANCE AMENDING ORDINANCE B-582, THE ZONING ORDINANCE OF THE CITY OF BURLESON, TEXAS, BY AMENDING THE OFFICIAL ZONING MAP AND CHANGING THE ZONING OF 2.164 ACRES COMPRISED OF TWO TRACTS, A 1.164 ACRE TRACT RECORDED IN VOLUME 4110, PAGE 606, AND A 1.00 ACRE TRACT RECORDED IN VOLUME 4326, PAGE 527, IN THE HIRAM LEWIS SURVEY, ABSTRACT 517, JOHNSON COUNTY, TEXAS FROM THE A AGRICULTURAL DISTRICT TO THE SP SITE PLAN DISTRICT; MAKING THIS ORDINANCE CUMULATIVE OF PRIOR ORDINANCES; PROVIDING FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING A SAVINGS CLAUSE; AUTHORIZING PUBLICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, an application for a zoning change was filed by American Completion Tools on February 15, 2007, under Case Number 07-026; and

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

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

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

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

SECTION 1

The Official Zoning Map is hereby amended insofar as it relates to certain land located in Burleson, Texas, as shown on the Conceptual Site Plan attached as Exhibit A and described by a 1.164 acre tract recorded in volume 4110, page 606, and a 1.00 acre tract recorded in volume 4326, page 527, in the Hiram Lewis Survey, Abstract 517, Johnson County, Texas, by changing the zoning of said property from the (A) Agricultural district to the (SP) Site Plan district.

SECTION 2

The site plan district, as defined by Exhibit A, and more particularly described in metes and bounds in Exhibit C shall be subject to the following conditions:

1. GENERAL

- a. The purpose of this SP district is for a manufacturing and assembly business as specifically stated in this ordinance.

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

2. PERMITTED LAND USES

The following land uses shall be permitted within this SP district provided the layout of the building and uses are consistent with the conceptual site plan as shown on Exhibit A.

- a. An office and sales building
- b. Customer parking
- c. Paved surface for ingress and egress
- d. Storage of materials on paved surfaces
- e. Manufacturing and assembly processes
- f. Gas well as permitted through the City of Burleson under the Gas Well Drilling Ordinance B-775-07 or as amended.

3. CONCEPTUAL SITE PLANS, PLATTING, and PHASING OF DEVELOPMENT

- a. The arrangement, location, and foot print of buildings within this SP district shall be generally as shown on the attached Exhibit A.
- b. The building elevations of the offices and manufacturing buildings shall be generally as shown on the attached Exhibit B.
- c. No development permits for any additional structures or uses within this SP district shall be approved except by a subsequent amendment to this ordinance approved by the City Council in accordance with the procedures and requirements of the City of Burleson Zoning Ordinance.

4. LANDSCAPING AND FENCING

- a. The developer shall construct a landscaped, living screen with a mature height of at least six (6) feet adjacent to and along a portion of the south property line as shown in the conceptual site plan. The screen shall contain evergreen plant material, of five (5) gallons in size, planted on thirty-six (36) inch centers in accordance with Exhibit A.
- b. The developer shall be able to construct chain link fence up to a six (6) foot tall on the perimeter of the property. The new fence shall match the existing fence.

- c. Landscape development on the site shall be in accordance with the Conceptual Site Plan attached as Exhibit "A".

5. GENERAL DEVELOPMENT CRITERIA

- a. One monument sign constructed in accordance with the sign regulations contained in the zoning ordinance may be constructed in the front yard along the highway frontage.
- b. All new buildings and the addition to the office building shall be faced with masonry material in compliance with the City of Burleson Masonry Construction Standards Ordinance B-743-06.
- c. The location and width of all fire lanes shall be approved by the Fire Marshal with the approval of a commercial site plan.
- d. The building setbacks of the existing buildings shall be the required setbacks for those buildings and all new buildings will have a minimum side yard setback of ten (10) feet and all other setbacks will conform to the requirements of the Industrial District requirements.

SECTION 3 CUMULATIVE CLAUSE

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

SECTION 4 SEVERABILITY CLAUSE

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

SECTION 5
PENALTY CLAUSE

Any person, firm, association of persons, company, corporation, or their agents, 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 V.T.C.A. Local Government Code 54.012 and as may be amended, may be exercised in enforcing this article whether or not there has been a complaint filed.

SECTION 6
EFFECTIVE DATE

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

PASSED AND APPROVED this the 11th day of September 2008.



Mayor

ATTEST:



City Secretary

First Reading: 8-28-08

EXHIBIT A –CONCEPTUAL SITE PLAN

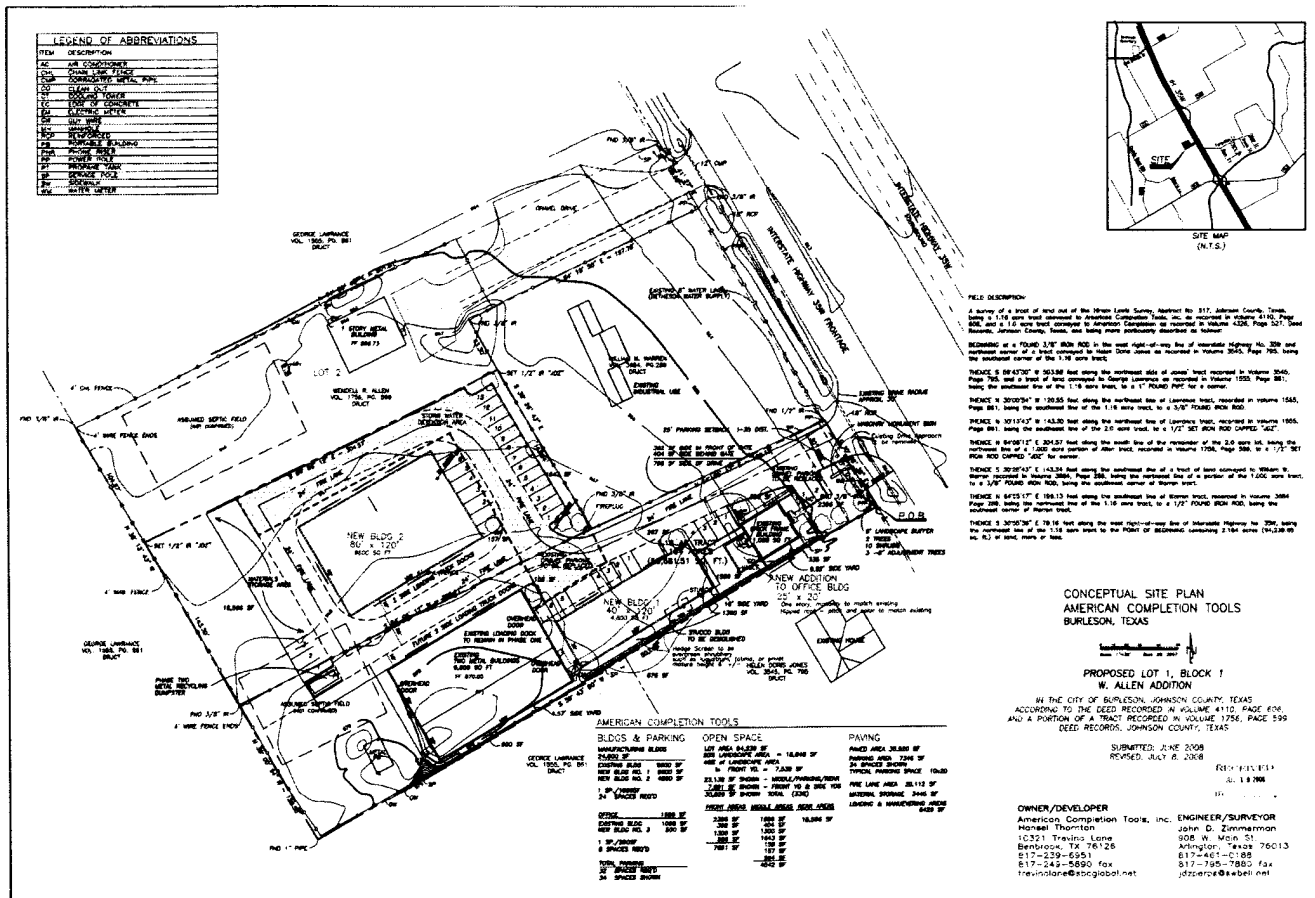
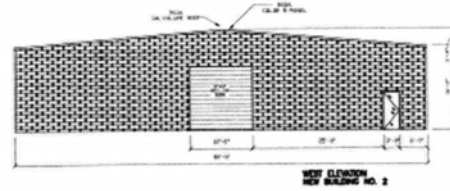
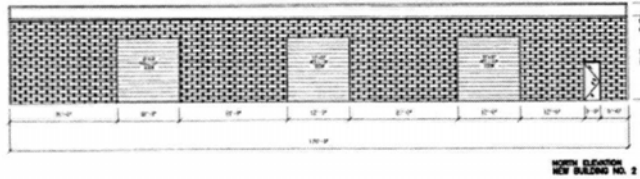
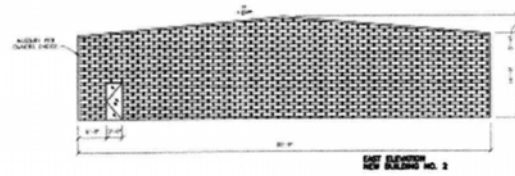
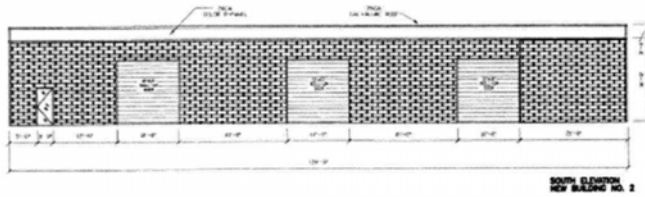
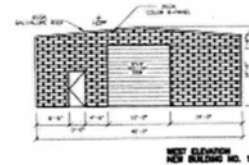
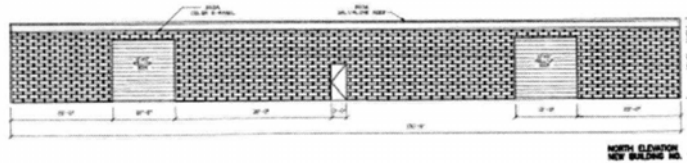
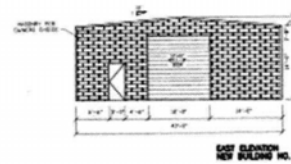
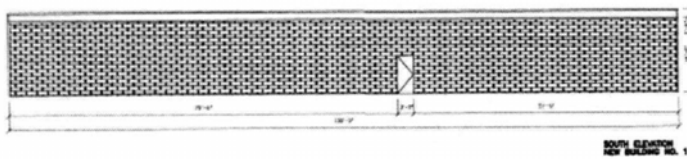


EXHIBIT B BUILDING ELEVATIONS

NEW BUILDING NO. 2



NEW BUILDING NO. 1



ZONING CASE 07-028
BUILDING ELEVATIONS
PROPOSED FUTURE BUILDINGS
REQUIRE BY HENRY BUILDING
BURLISON, TEXAS
AMERICAN COMPLETION TOOLS
BURLISON, TEXAS
NOVEMBER 9, 2007

EXHIBIT C
Metes and Bounds Description

A survey of a tract of land out of the Hiram Lewis Survey, Abstract No. 517, Johnson County, Texas, being a 1.16 acre tract conveyed to American Completion Tools, Inc. as recorded in Volume 4110, Page 606, and a 1.0 acre tract conveyed to American Completion Tools as recorded in Volume 4326, Page 527, Deed Records, Johnson County, Texas, and being more particularly described as follows:

BEGINNING at a Found 3/8" iron rod in the west right-of-way line of Interstate Highway No. 35W and northeast corner of a tract conveyed to Helen Doris Jones as recorded in Volume 3545, Page 795, being the southeast corner of the 1.16 acre tract;

THENCE S 59°43'00" W 503.98 feet along the northwest side of Jones' tract recorded in Volume 3545, Page 795 and a tract of land conveyed to George Lawrance as recorded in Volume 1555, Page 861, being the southeast line of the 1.16 acre tract, to a 1" found pipe for a corner.

THENCE N 30°00'54" W 120.55 feet along the northeast line of Lawrance tract, recorded in Volume 1555, Page 861, being the southwest line of the 1.16 acre tract, to a 3/8" found iron rod.

THENCE N 30°13'43" W 143.30 feet along the northeast line of Lawrance tract, recorded in Volume 1555, page 861, being the southwest line of the 2.0 acre tract, to a 1/2" set iron rod capped "JDZ".

THENCE N 64°06'12" E 304/57 feet along the south line of the remainder of the 2.0 acre lot, being the northwest line of a 1.000 acre portion of Allen tract, recorded in Volume 1756, Page 599, to a 1/2" set iron rod capped "JDZ" for corner.

THENCE S 30° 26'43" E 143.34 feet along the southwest line of a tract of land conveyed to William W. Warren recorded in Volume 3684, Page 289, being the northeast line of a portion of the 1.000 acre tract, to a 3/8" found iron rod, being the southwest corner of the Warren tract.

THENCE N 64°55'17" E 199.13 feet along the southeast line of Warren tract, recorded in Volume 3684, Page 289, being the northwest line of the 1.16 acre tract, to a 1/2" found iron rod, being the southeast corner of the Warren tract.

THENCE S 30°55'38" E 79.16 feet along the west right-of-way line of Interstate Highway No. 35W, being the northeast line of the 1.16 acre tract to the POINT OF BEGINNING containing 2.164 acres (94,239.85 sq. ft) of land more or less.

AFFIDAVIT OF PUBLICATION

THE STATE OF TEXAS
COUNTY OF JOHNSON
CITY OF BURLESON

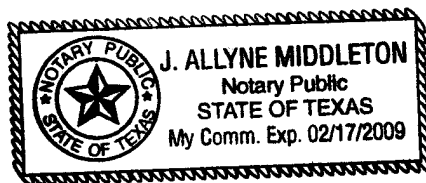
BEFORE ME, a notary public in and for the above named County, on this day personally appeared the person whose name is subscribed below, who having been duly sworn, says upon oath that he or she is a duly authorized officer or employee of the *Burleson Star*, which is a newspaper of general circulation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

SEPTEMBER 21, 2008 AND SEPTEMBER 24, 2008

C. C. K.
Authorized Officer or Employee

SUBSCRIBED AND SWORN TO BEFORE ME on this 16 day of October, 20 08

J. Allyne Middleton
J. Allyne Middleton
Notary Public



ORDINANCE

D-091-08

AN ORDINANCE AMENDING ORDINANCE B-582, THE ZONING ORDINANCE OF THE CITY OF BURLESON, TEXAS, BY AMENDING THE OFFICIAL ZONING MAP AND CHANGING THE ZONING OF 2.164 ACRES COMPRISED OF TWO TRACTS, A 1.164 ACRE TRACT RECORDED IN VOLUME 4110, PAGE 606, AND A 1.00 ACRE TRACT RECORDED IN VOLUME 4326, PAGE 527, IN THE HIRAM LEWIS SURVEY, ABSTRACT 517, JOHNSON COUNTY, TEXAS FROM THE A AGRICULTURAL DISTRICT TO THE SP SITE PLAN DISTRICT; MAKING THIS ORDINANCE CUMULATIVE OF PRIOR ORDINANCES; PROVIDING FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING A SAVINGS CLAUSE; AUTHORIZING PUBLICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, an application for a zoning change was filed by American Completion Tools on February 15, 2007, under Case Number 07-026; and

SECTION 5

P E N A L T Y
CLAUSE

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 V.T.C.A. Local Government Code 54.012 and as may be amended, may be exercised in enforcing this article whether or not there has been a complaint filed.

PASSED AND APPROVED this the 11th day of September 2008.

/s/Mayor, Ken Shetter

Attest: City Secretary, Amanda McCrory

B - sept 21, 24 - Ord D-091-08