

Planning & Zoning Commission Agenda

Tuesday, July 12, 2022 6:30 PM City Hall - 141 W. Renfro Burleson, TX 76028

1. Call to Order

Invocation

Pledge of Allegiance

2. Citizen Appearances

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

3. Consent Agenda

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

- A. Approve the minutes from June 28, 2022 Planning & Zoning Commission meeting.
- B. Replat of Sundance Addition, Lots 3R-1 and 3R-2, Block 3, located west of Sundance Circle with an approximate address of 6505 E Sundance Cir, within the Extraterritorial Jurisdiction of the City of Burleson. (Case 22-069): Consider approval of a Replat for Sundance Addition.
- 4. Public Hearing
- 5. Reports and Presentations

6. Community Interest Items

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

- -Expression of thanks, congratulations, or condolence;
- -Information regarding holiday schedules;
- -Honorary recognitions of city officials, employees, or other citizens;
- -Reminders about upcoming events sponsored by the city or other entity that is scheduled

to be attended by city official or city employee; and

- -Announcements involving imminent public health and safety threats to the city.
- 7. <u>Recess into Executive Session</u>

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

Pursuant to Sec. 551.071 consultation with its Attorney:

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

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

8. <u>Adjourn</u>

<u>Staff Contact</u> Tony McIlwain Director of Development Services 817-426-9684

CERTIFICATE

I hereby certify that the above agenda was posted on this the **6th of July 2022, by 6:00 p.m**., on the official bulletin board at the Burleson City Hall, 141 W. Renfro, Burleson, Texas.

Amanda Campos

Amanda Campos City Secretary



ACCESSIBILITY STATEMENT

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

Memorandum

To: The Burleson Planning and Zoning Commission

From: Peggy Fisher, Senior Administrative Assistant

Date: July 12, 2022

Subject: Minutes from the June 28, 2022 Regular Session Planning and Zoning Commission Meeting.

Commission Action Requested:

Approve the minutes from the June 28, 2022 Regular Session of the Planning and Zoning Commission Meeting.

Background Information:

None

Board/Citizen Input:

None

Financial Considerations:

None

Attachments:

Minutes of the June 28, 2022 Regular Session of the Planning and Zoning Commission.

Staff Contact:

Peggy Fisher Recording Secretary 817-426-9611

PLANNING AND ZONING COMMISSION

June 28, 2022 MINUTES

Roll Call

Commissioners Present

Kason Mobley Dan Taylor Bill Janusch Michael Tune Chris Dyer Commissioners Absent Ava Summerhill Adam Russell Jason Morse

<u>Staff</u>

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

REGULAR SESSION

Call to Order – 6:30 PM

Invocation – Chris Dyer

Pledge of Allegiance

1. Citizen Appearance

None

2. Consent Agenda

- A. Approve the minutes from June 14, 2022 Planning and Zoning Commission meeting.
- B. Replat of Broad Valley Farm, Lots 15R & 15R-1, located directly north of the intersection of Lace Lane and W County Road 714, with the approximate address of 1560 Broad Valley Ct, within the City of

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

- C. Final Plat of Helena Estates, Lots 1, 2 and 3, Block 1, located southwest of Roberts Lane with the approximate address of 6516 Helena Ct, within the Extraterritorial Jurisdiction of the City of Burleson. (Case 21-023): Consider approval of a Final Plat for Helena Estates.
- D. Replat of Space Acres, Lots 7R and 8R, Block 3, located east of Sundance Drive with the approximate address of 7204 N Sundance Dr, within the Extraterritorial Jursidiction of the City of Burleson. (Case 22-061): Consider approval of a Replat for Space Acres.
- E. Consider approval of a minute order finding that the absence of Commissioner Dyer from the April 26, 2002, meeting was due to sickness, and excusing his absences from the April 26, May 10, and May 24, 2022, meetings.

Motion was made by Commissioner Dan Taylor and second by Commissioner Michael Tune to approve the consent agenda.

Motion passed, 5-0. Commissioners Jason Morse, Adam Russell & Ava Summerhill were absent.

3. Public Hearing

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

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

Commission Chairman Kason Mobley opened the public hearing at 6:39 p.m.

Dallas Cothrum, applicant, made a brief presentation regarding this item.

Clint Nolen, applicant, addressed the commissioners regarding this item.

Commission Chairman Kason Mobley closed the public hearing at 6:56 p.m.

Dallas Cothrum, applicant, addressed the commissioners regarding this item.

Commission Chairman Kason Mobley reopened the public hearing at 7:18 p.m.

Linda Knight, 2624 SW Hulen, addressed the commissioners regarding this item.

Matt Powell, 1108 S Dobson, addressed the commissioners regarding this item and spoke for it.

Clint Nolen, applicant, addressed the commissioners regarding this item.

Commission Chairman Kason Mobley closed the public hearing at 7:30 p.m.

Tony McIlwain, Director Development Services, addressed the commissioners Regarding this item.

Motion was made by Commissioner Michael Tune and second by Commissioner Bill Janusch to deny.

Motion passed, 3-2. Commissioners Kason Mobley and Dan Taylor were opposed. Commissioners Jason Morse, Adam Russell & Ava Summerhill were absent.

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

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

Commission Chairman Kason Mobley opened the public hearing at 7:43 p.m.

Commission Chairman Kason Mobley closed the public hearing at 7:43 p.m.

Motion was made by Commissioner Chris Dyer and second by Commissioner Dan Taylor to approve.

Motion passed, 5-0. Commissioners Jason Morse, Adam Russell & Ava Summerhill were absent.

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

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

Commission Chairman Kason Mobley opened the public hearing at 7:47p.m.

Commission Chairman Kason Mobley closed the public hearing at 7.47 p.m.

Motion was made by Commissioner Dan Taylor and second by Commissioner Chris Dyer to approve.

Motion passed, 5-0. Commissioners Jason Morse, Adam Russell & Ava Summerhill were absent.

4. <u>Reports and Presentations</u>

None

5. <u>Community Interest Items</u>

None

6. Executive Session

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

1. Pursuant to Sec. 551.071 consultation with its Attorney: The Planning & Zoning Commission may conduct private consultations with its attorneys when the Planning & Zoning Commission seeks the advice of its attorney concerning any item on this agenda or a matter in which the duty of the attorney to the Planning & Zoning Commission under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Government Code. Pursuant to Sec 551.087 Deliberation regarding Economic Development Negotiations The Planning and Zoning Commission may discuss or deliberate regarding commercial or financial information received from a business prospect that the City Of Burleson seeks to have locate, stay or expand in or near the City and which the City is conducting economic development negotiations or to deliberate the offer of a financial or other incentive to a business prospect; particularly, discussion with economic development specialist regarding potential economic incentive agreement for development of real property.

Adjourn.

There being no further business Chair Kason Mobley adjourned the meeting. **Time – 7:47PM**

Peggy Fisher Administrative Assistant Recording Secretary

Item B.



Planning & Zoning Commission Meeting

DEPARTMENT: Development Services

FROM: JP Ducay, Senior Planner

MEETING: July 12, 2022

SUBJECT:

Replat of Sundance Addition, Lots 3R-1 and 3R-2, Block 3, located west of Sundance Circle with an approximate address of 6505 E Sundance Cir, within the Extraterritorial Jurisdiction of the City of Burleson. (Case 22-069): Consider approval of a Replat for Sundance Addition.

SUMMARY:

On May 16, 2022, an application for a replat including 2.427 acres was submitted by Marshall Miller, with Lonestar Land Surveying (applicant) on behalf of Trudie Case (Owner). The purpose of this replat is to subdivide one lot into two lots for single-family development. The application is administratively complete and meets the requirments of Appendix A – Subdivision and Development regulations.

OPTIONS:

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

RECOMMENDATION:

Staff recommends approval of the Replat of Sundance Addition, Lots 3R-1 and 3R-2, Block 3, located west of Sundance Circle with an approximate address of 6505 E Sundance Cir, within the Extraterritorial Jurisdiction of the City of Burleson. (Case 22-069)

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

None

PUBLIC NOTIFICATION:

No public input required for this request.

Fiscal IMPACT:

None

STAFF CONTACT:

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



Sundance Addition

BURLESON TEXAS

Replat Case 22-069





SURVEYOR'S CERTIFICATION

I, MARSHALL W. MILLER, 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 PERSONAL SUPERVISION, IN , BURLESON, TEXAS.						
EXECUTED THIS THETH DAY OF MARCH, 20 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.)22.					
MARSHALL W MILLER REGISTERED PROFESSIONAL LAND SURVEYC TEXAS REGISTRATION NO. 6882	R					
	FLOOD STAT	TEMENT				
ACCORDING TO COMMUNITY PANEL N EMERGENCY MANAGEMENT AGENCY, N WITHIN ZONE "X" WHICH IS NOT A SP FLOOD HAZARD AREA WHERE BASE FLO WITHIN A SPECIAL FLOOD HAZARD AREA	IATIONAL FLOO ECIAL FLOOD DOD ELEVATION	D INSURANCE HAZARD AREA NS HAVE NOT	PROGRAM A, AND ZOI BEEN DETE	1 MAP, THIS NE "A" WHI RMINED. IF	S PROPE ICH IS A THIS SIT	RTY LI A SPE E IS I

IES ECIAL WITHIN A SPECIAL FLOOD HAZARD AREA, THIS STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR THE STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. ON RARE OCCASIONS, GREATER FLOODS CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY MAN MADE OR NATURAL CAUSES. THIS STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.

> PROJECT NUMBER: 220368 DATE: JUNE 6, 2022 REVISED DATE: **REVISION NOTES:** Sheet 1 of 1



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



OWNER(S) TRUDIE CHRISTINE CASE BURLESON, TX 76028

DRJCT = DEED RECORDS, JOHNSON COUNTY, TEXAS 6817 WEST SUNDANCE CIRCLE PRJCT = PLAT RECORDS, JOHNSON COUNTY, TEXAS CC# = COUNTY CLERK'S INSTRUMENT NUMBER IRF = IRON ROD FOUNDIRS = 5/8" CAPPED IRON ROD SET STAMPED "LONESTAR RPLS 6882"

WHEREAS, TRUDIE CHRISTINE CASE, IS THE SOLE OWNER OF A 2.427 ACRE TRACT OF LAND SITUATED IN THE J. WEST SURVEY, ABSTRACT NUMBER 855, JOHNSON COUNTY, TEXAS, AND BEING ALL OF LOT 3R, BLOCK 3, SUNDACE, AN ADDITION TO JOHNSON COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 9, PAGE 708, PLAT RECORDS, JOHNSON COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 5/8" CAPPED IRON ROD FOUND STAMPED "RPLS 1598" AT THE NORTHEAST CORNER OF SAID LOT 3R, SAME BEING THE SOUTHEAST CORNER OF LOT 4R, SAID SUNDANCE, AND BEING ON THE WEST RIGHT-OF-WAY LINE OF SUNDANCE DRIVE EAST, A 60' RIGHT-OF-WAY, FROM WHICH A 1/2" IRON ROD FOUND AT THE NORTHEAST CORNER OF SAID LOT 4R BEARS NORTH 00 DEGREES 26 MINUTES 50 SECONDS WEST, A DISTANCE OF 225.58 FEET;

THENCE SOUTH 00 DEGREES 26 MINUTES 50 SECONDS EAST, ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 224.42 FEET, TO A 5/8" CAPPED IRON ROD SET STAMPED "LONESTAR 6882" AT THE SOUTHEAST CORNER OF SAID LOT 3R, SAME BEING THE NORTHEAST CORNER OF THE REMAINING PORTION OF LOT 13, BLOCK 3, SUNDANCE, AN ADDITION TO JOHNSON COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 1, PAGE 13, PLAT RECORDS, JOHNSON COUNTY, TEXAS, FROM WHICH A 5/8" CAPPED IRON ROD FOUND STAMPED "BLUESTAR" BEARS FOR REFERENCE SOUTH 00 DEGREES 26 MINUTES 50 SECONDS EAST, A DISTANCE OF 451.04 FEET;

THENCE NORTH 89 DEGREES 48 MINUTES 03 SECONDS WEST, DEPARTING SAID WEST RIGHT-OF-WAY LINE AND ALONG THE SOUTH LINE OF SAID LOT 3R, A DISTANCE OF 469.60 FEET, TO A 1/2" IRON ROD FOUND AT THE SOUTHWEST CORNER OF SAID LOT 3R, SAME BEING THE NORTHWEST CORNER OF THE REMAINING PORTION OF SAID LOT 3, AND BEING ON THE EAST LINE OF LOT 14, BLOCK 3, SAID

THENCE NORTH 00 DEGREES 23 MINUTES 51 SECONDS WEST, DEPARTING SAID SOUTH LINE AND ALONG THE WEST LINE OF SAID LOT 3R, BEING COMMON WITH THE EAST LINES OF SAID LOT 14 AND LOT 13. BLOCK 3. SAID SUNDANCE (1-13), AT A DISTANCE OF 149.88 FEET, PASSING A 1/2" IRON ROD FOUND AT THE NORTHEAST CORNER OF SAID LOT 14, AND CONITNUING IN ALL 225.97 FEET, TO A 5/8" CAPPED IRON ROD FOUND STAMPED "RPLS 1598" AT THE NORTHWEST CORNER OF SAID LOT 3R, SAME BEING THE SOUTHWEST CORNER OF SAID LOT 4R, FROM WHICH A 1/2" IRON ROD FOUND AT THE NORTHWEST CORNER OF SAID LOT 4R BEARS NORTH 00 DEGREES 23 MINUTES 51 SECONDS WEST,

THENCE SOUTH 89 DEGREES 36 MINUTES 42 SECONDS EAST, DEPARTING SAID COMMON LINE AND ALONG THE NORTH LINE OF SAID LOT 3R, BEING COMMON WITH THE SOUTH LINE OF SAID LOT 4R, A DISTANCE OF 469.43 FEET, TO THE POINT OF BEGINNING, AND CONTAINING 2.427 ACRES OR 105,724

NOW THEREFORE KNOWN ALL MEN BY THESE PRESENTS:

THAT TRUDIE CHRISTINE CASE, OWNER, DOES HEREBY ADOPT THIS PLAT DESIGNATING THE HEREIN BEFORE DESCRIBED PROPERTY AS LOTS 3R-1 AND 3R-2, BLOCK 3, SUNDANCE, AN ADDITION TO JOHNSON COUNTY, TEXAS, AND DOES HEREBY DEDICATE TO THE PUBLIC'S USE FOREVER ALL STREETS, RIGHTS-OF-WAY, ALLEYS AND EASEMENTS SHOWN THEREON. THE CITY, COUNTY, OR ANY PUBLIC UTILITY SHALL HAVE THE RIGHT TO REMOVE AND KEEP REMOVED ALL OR PART OF ANY BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROWTHS IN WHICH ANY WAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE OR EFFICIENCY OF ITS RESPECTIVE SYSTEMS ON ANY OF THESE EASEMENTS, AND THE CITY, COUNTY, OR ANY PUBLIC UTILITY SHALL AT ALL TIMES HAVE THE RIGHT OF INGRESS AND EGRESS TO AND FROM AND UPON THE SAID EASEMENT FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, AND PATROLLING, WITHOUT THE NECESSITY AT ANY TIME OF PROCURING THE PERMISSION OF ANYONE. THIS PLAT APPROVED SUBJECT TO ALL PLATTING ORDINANCES, RULES, REGULATIONS, AND RESOLUTIONS OF THE CITY OF BURLESON,

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

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



REPLAT LOT 3R-1 AND 3R-2, BLOCK 3 **SUNDANCE**

BEING A REPLAT OF LOT 3R, BLOCK 3, SUNDANCE, AN ADDITION TO THE ETJ CITY OF BURLESON, TEXAS. 2.427 ACRES OF LAND PREPARED: JUNE, 2022 2 LOTS LOCATED WITHIN THE ETJ OF BURLESON, TEXAS. CASE: 22-069

JOHNSON COUNTY APPROVAL BLOCK

PLAT FILED YEAR _____, INST. NO. _____, SLIDE_____, VOL. _____, PG. _ JOHNSON COUNTY PLAT RECORDS

COUNTY CLERK, JOHNSON COUNTY, TEXAS

APPROVED BY THE PLANNING AND ZONING COMMISSION OF BURLESON, TEXAS

THIS THE _____ DAY OF _____, 2022.

CHAIR OF PLANNING AND ZONING COMMISSION

CITY SECRETARY



-LONESTAR-LAND SURVEYING, LLC TBPELS FIRM# 10194707 2813 COUNTY ROAD 804A, BURLESON, TX 76028 MARSHALL.MILLER@LONESTARLANDSURVEYING.COM