
DEPARTMENT MEMO

DEPARTMENT: Development Services

FROM: Mandy Clark

DATE: July 6, 2020

SUBJECT:

3300 S. Burleson Boulevard located near the intersection of FM 917 and S. Burleson Boulevard (Case 20-008): Hold a public hearing and consider approval of an ordinance amending ordinance B-582, the zoning ordinance of the City of Burleson, Texas by amending the official zoning map and changing the zoning on approximately 9.512 acres of land out of the Stephen Kensey Survey, Abstract No. 475 Johnson County, Texas located at 3300 S. Burleson Boulevard, making this ordinance cumulative of prior ordinances; providing a severability clause; providing a penalty clause; and providing for an effective date. *(First and Final Reading) (Staff Presenter: Mandy Clark, Development Services Director) (The Planning and Zoning Commission recommended approval by a unanimous vote.)*

SUMMARY:

On January 27, 2020, an application was submitted by Michael Langford with Orr and Associates (applicant) on behalf of Lynn Smith (Owner) to rezone this 9.512-acre parcel from SP, site plan zoning district to SP, site plan zoning district (no expiration) with an added use. This application is specifically amending the expiration date placed within the ordinance and adding the use of assembly of conveyors and light manufacturing. A conceptual site plan has been submitted as required with site plan zoning process. A draft ordinance for this zoning change request is included in this packet.

Planning Analysis

The City's Imagine Burleson 2030 Comprehensive Plan (approved in 2010) designates this site as Conventional Freeway Commercial, which provides the following description:

"This land use category is intended for intense, auto-oriented uses with regional emphasis due to the area's high visibility. Uses such as corporate or professional offices, hotels, food establishments and retail centers are encouraged in this category. Mixed-use developments, both horizontal and vertical, with a high-density residential component may also be appropriate within some places in this category. Conventional Freeway Commercial areas may also host regional open space such as golf courses and water parks."

This designation extends the entire length of I35 with the exception of the business parks. In 2007, the IH-35 Corridor Plan Amendment was added to the Comprehensive Plan. This parcel is in the IH-35 Overlay within the 917 Interchange special plan area. The plan for this area is predominantly office, commercial and residential mixed-uses to take advantage of the eventual expansion of FM 917. Based on this

designation alone staff would recommend denial. Nevertheless, the Master Sewer Plan does not prioritize the extension of service to this area, so it will be many years before sewer service is available. Without access to public sanitary sewer the site has limited commercial uses.

On September 11, 2008, the City Council rezoned this property from A, Agricultural to a SP, Site Plan with an expiration of 10-years from the date of adoption. This zoning is currently expired, and the ordinance does not specify a zoning district upon expiration. The applicant is requesting a continuation of the prior SP, Site Plan zoning with the following specifications and no expiration date.

- a. Heavy machinery sales and services.
- b. Outside storage of new equipment and ancillary supporting devices.
- c. The assembly of conveyors and light manufacturing.
- d. Testing of equipment, diagnostic services of machinery similar or identical to the equipment being sold. Outdoor testing on a designated test pad as shown in "Exhibit A" is allowed.

With the anticipated development and limited commercial uses due to public sanitary sewer access, the expectations of the comprehensive plan cannot be fulfilled at this location at this time. The requested site plan zoning can be supported given the sanitary sewer constraint of the site. The property can be rezoned in the future once the extension of public sewer is financially feasible.

OPTIONS:

1. Approve the zoning change request; or
2. Deny the zoning change request.

RECOMMENDATION:

Staff recommends approval of a zoning change from SP, Site Plan to SP, Site Plan (no expiration date) located near the intersection of FM 917 and S. Burlison Boulevard. (Case 20-008).

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

On September 11, 2008, City Council approved a zoning change from A, Agriculture to SP, Site Plan with an expiration date.

The Planning and Zoning Commission recommended approval of this zone change request by unanimous vote on June 9, 2020.

PUBLIC NOTIFICATION:

Notice was mailed to surrounding property owners within 300 feet 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 received no inquiries regarding this case.

Staff has received two calls inquiring about this case but no formal opposition was voiced.

There were no speakers at the Planning and Zoning Commission Public Hearing on June 9, 2020 regarding this case.

FISCAL IMPACT:

None.

STAFF CONTACT:

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