AGENDA
BURLESON PLANNING AND ZONING COMMISSION MEETING
April 17, 2012

BURLESON CITY HALL
141 W. RENFRO
BURLESON, TX 76028

Call to Order

WORK SESSION – 6:00 p.m.

1. Presentation/discussion regarding Multifamily Design Standards and Zoning.

2. Executive Session: Pursuant to the Open Meetings Act, Chapter 551, Texas Government Code, Sec. 551.071, Sec. 551.072, Sec. 551.073, Sec. 551.074, Sec. 551.076, Sec. 551.087 and Sec. 418.0183(f) of the Texas Government Code (Texas Disaster Act). Refer to posted list attached hereto and incorporated herein. Executive Session may be held, under these exceptions, at any time during the meeting that a need arises for the Planning & Zoning to seek advice from the City Attorney as to the posted subject matter of this Planning & Zoning meeting.

REGULAR SESSION – 7:00 p.m.

Call to Order

Invocation

All items listed below under “1. Consent Agenda” 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 Community Development Director to place each item on the City Council agenda in accordance with Planning and Zoning Commission’s recommendations.

If a citizen, Commissioner or staff member wishes to request any items to be withdrawn from the consent agenda for separate consideration please let the Planning and Zoning Commission Chair know at this time.
1. Consent Agenda
   A. Minutes from the April 4, 2012 Planning and Zoning Commission Regular Session.
   B. Final Plat of Lot 1, Block 1 of Russell Farm. (Case No. 12-017)
   C. Minor Plat of Lots 1 and 2 in the Diamond Double H Addition. (Case 11-89)

2. Public Hearing
   A. None.

3. Other Items for Consideration
   A. Waiver for Old Town Design Standard entry condition requirement for Burleson Business Leasing located at 141 NW Renfro St. (Case 12-030)
   B. Commercial Site Plan for Burleson Business Leasing located 141 NW Renfro St. (Case 12-016)
   C. Re-plat of a portion of Lot 3, Lot 4, and 5, Block 2, in the GW Cummings Addition located at 141 NW Renfro Street. (Case 12-027)

4. Discussion Items
   A. Items/events of community interest

5. Executive Session
   A. Executive Session: Pursuant to the Open Meetings Act, Chapter 551, Texas Government Code, Sec. 551.071(2), consultation with its Attorney: The Planning and Zoning Commission may conduct private consultations with its attorneys when the Planning and Zoning Commission seeks the advice of its attorney concerning any item on this agenda, about pending and contemplated litigation, or a settlement offer; or a matter in which the duty of the attorney to the Planning and 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. Refer to posted list attached hereto and incorporated here in. Executive Session may be held, under this exception, at any time during the meeting that a need arises for the Planning and Zoning Commission to seek advice from the City Attorney as to the posted subject matter of this Planning and
Zoning Commission meeting.

Reconvene into open session for possible action resulting from any items posted and legally discussed in Executive Session.

Adjourn.

CERTIFICATE

I hereby certify that the above agenda was posted on this the 13th of April 2012, by 5:00 pm, on the official bulletin board at the Burleson City Hall, 141 W. Renfro, Burleson, Texas.

Amanda McCrory

Amanda McCrory
City Secretary

ACCESSIBILITY STATEMENT

The Burleson City Hall is wheelchair accessible. The entry ramp is located in the front of the building. Accessible parking spaces are also available in that area. 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: Joni Parsons, Senior Administrative Secretary
Date: April 17, 2012
Subject: Minutes from the April 3, 2012, Regular Commission Meeting.

Commission Action Requested:
Approve the minutes from the April 3, 2012, Planning Commission Meeting.

Background Information:
None.

Board/Citizen Input:
None.

Financial Considerations:
None.

Attachments:
Minutes of the April 3, 2012, regular Planning and Zoning Commission meeting.

Staff Contact:
Joni Parsons
Senior Administrative Secretary
817-426-9611
The Planning and Zoning Commission met for a regular session on April 3, 2012, in the Burleson City Hall Council Chambers.

COMMISSIONERS

PRESENT:
Walter Norwood
Nancy Haggerty
Doug Peterson
Glenn Wilson

ABSENT:
Chairman Tom Collett
Brenda Gammon
Stuart Wendell

CITY STAFF

Brian Guenzel, Planning Official
Ryan Ramphul, Planner II
Joni Parsons, Senior Administrative Secretary
Fritz Quast, City Attorney

WORK SESSION

CALL TO ORDER

Acting Chair, Commissioner Walter Norwood called the work session to order at 6:07 PM.

Commissioners convened for executive session at 6:09 p.m.
Commissioners reconvened into open session at 7:08

Commissioner Walter Norwood adjourned the work session at 7:08 PM.

REGULAR SESSION

CALL TO ORDER
Chairman Tom Collett called the meeting to order at 7:12 PM.

**INVOCATION**

Acting Chair, Commissioner Walter Norwood gave the invocation.

**ITEMS TO BE WITHDRAWN FROM THE CONSENT AGENDA FOR SEPARATE DISCUSSION**

None.

**1. CONSENT AGENDA**


   Motion was made by Commissioner Doug Peterson and second by Commissioner Glenn Wilson to approve

   **Motion passed, 4-0.**

**2. PUBLIC HEARINGS**

A. Request for a zoning change from Agricultural (A) zoning district to the Industrial (I) zoning district for the property located at 4200 S IH35W (Case 12-032)

   The following people addressed the Commission on this Agenda item:

   Tony Dauphinot
   Christina Fontanetta

   Motion was made by Commissioner Doug Peterson and second by Commissioner Glenn Wilson to approve

   **Motion passed, 4-0.**
3. OTHER ITEMS FOR CONSIDERATION
   
   A. None.

4. DISCUSSION ITEMS
   
   A. Items/events of community interest.

5. Executive Session
   
   A. **Executive Session:** Pursuant to the Open Meetings Act, Chapter 551, Texas Government Code, Sec. 551.071, Sec. 551.072, 551.073, 551.074, 551.076, 551.087, and Section 418.183(f) of the Texas Government Code (Texas Disaster Act). Refer to posted list attached hereto and incorporated here in. **Executive session may be held, under these exceptions, at any time during the meeting that a need arises for the Planning and Zoning Commission to seek advice from the City Attorney as to the posted subject matter of this Planning and Zoning Commission meeting.**

There being no further business Acting Chair, Commissioner Walter Norwood adjourned the meeting at 7:33 p.m. on April 3, 2012

Joni Parsons
Joni Parsons
Recording Secretary
Memorandum

To: The Chair and Members of the Planning and Zoning Commission

From: Michelle McCullough, Project Engineer
      Engineering Services

Date: April 17, 2012

Subject: Final Plat of Lot 1, Block 1, Russell Farm (Case No 12-017).

Commission Action Requested:

Recommend approval of final plat of Lot 1, Block 1, Russell Farm (Case No 12-017).

Background Information:

Russell Farm is approximately 30 acres of land out of abstract 138, Tract 28, A. Clark Survey, located at 405 W County Road 714 donated to the City of Burleson by Charlie and Louise Boren. In 1977, the property was named by the Texas Department of Agriculture to its Family Land Heritage Program which honors farms and ranches that have been in continuous agricultural operation by the same family for 100 years or more.

Today, the property also serves as home to the Russell Farm Art Center which was created by Mr. Boren who was a well known wood sculptor. He also created a Texas chartered, 501(c)(3) non profit organization dedicated to the development and support of visual arts, cultural awareness and the preservation of historic lands.

The Boren’s donated the property to the City in exchange for the City’s commitment to continue utilization of the property in keeping with it historic agricultural and artistic heritage. The City Council authorized an agreement known as the Russell Farm Use Agreement with Mr. and Mrs. Boren in October of 2011.

County Road 714 is on the City’s Master Thorough Fare to be improved as part of the extension of Hulen Street in the future. Approximately 1.032 acres of right-of-way will be dedicated with the plat for future improvements to Hulen Street.
Two public hearings concerning the voluntary annexation of the Russell Farm property have been held during the Burleson City Council meetings on March 19, 2012 and March 26, 2012. The annexation ordinance requires two readings by the Burleson City Council with a final vote and adoption if approved at the second reading on May 7, 2012. The Planning and Zoning Commissions recommendation will be forwarded to the City Council for consideration on May 7, 2012 concurrently with the second reading of the annexation ordinance.

**Board/Citizen Input:**

The regulation of subdivision development is based upon government's legitimate interest in promoting orderly development, insuring that subdivisions are constructed safely, and protecting future owners from inadequate police and fire protection, inadequate drainage and unsanitary conditions. To achieve this goal the Planning and Zoning Commission appointees and the City Council members have the legislative authority to adopt a subdivision ordinance.

However, approval or denial of a plat is not discretionary authority but a ministerial authority, which means that a plat cannot be denied for a reason other than failure to comply with applicable regulations

**Financial Considerations:**

There is no expenditure of municipal funds associated with this item.

**Attachments:**

1. Location Map
2. Aerial Map
3. Plat

**Staff Contact:**
Michelle McCullough
Project Engineer
Engineering Services
817-426-9616
mmccullough@burlesontx.com
Attachment 2
Aerial Map – Russell Farm

Russell Farm
Attachment 3
Final Plat – Russell Farm

Approximately 1.032 acres right-of-way dedication
Memorandum

To: The Chair and Members of the Planning and Zoning Commission
From: Michelle McCullough, Project Engineer
      Engineering Services
Date: April 17, 2012
Subject: Minor Plat of Lots 1 and 2 in the Double Diamond H Addition (Case No 11-089).

Commission Action Requested:

Recommend approval of Minor Plat of Lots 1 and 2 in the Double Diamond H Addition (Case No 11-089).

Background Information:

Double Diamond H Addition consists of a total of approximately 36 acres of land located in the City’s extraterritorial jurisdiction (ETJ). There is an existing residential structure located on north end of the property. The property owner wishes to subdivide approximately 2.35 acres of land which includes the residential structure in order to convey the land to the current resident.

Water service is provided by Johnson County Special Utility District (JCSUD) and sewer service is provided by on-site sewerage facility for each lot. The property owner is dedicating approximately 0.10 acre of right of way for future improvement to County Road No 910.

Board/Citizen Input:

The regulation of subdivision development is based upon government's legitimate interest in promoting orderly development, insuring that subdivisions are constructed safely, and protecting future owners from inadequate police and fire protection, inadequate drainage and unsanitary conditions. To achieve this goal the Planning and
Zoning Commission appointees and the City Council members have the legislative authority to adopt a subdivision ordinance.

However, approval or denial of a plat is not discretionary authority but a ministerial authority, which means that a plat cannot be denied for a reason other than failure to comply with applicable regulations.

**Financial Considerations:**

There is no expenditure of municipal funds associated with this item.

**Attachments:**

1. Location Map
2. Aerial Map
3. Plat

**Staff Contact:**

Michelle McCullough, P.E., CFM
Project Engineer
Engineering Services
817-426-9616
mmccullough@burlesontx.com
Attachment 1
Location Map – Diamond Double H Addition

City of Burleson
Location Map

Diamond Double H Addition
Lots 1 and 2
Attachment 2
Aerial Map – Diamond Double H Addition

Location of Approximately 2.35 acres to be subdivided and conveyed

Diamond Double H Addition
Memorandum

To: The Chair and Members of the Planning and Zoning Commission
From: Heather Shankle, Community Development Department
Date: April 17, 2012
Subject: Waiver for Old Town Design Standard entry condition requirement for Burleson Business Leasing located at 141 NW Renfro St. (Case 12-0130)

Planning and Zoning Commission Action Requested:
Recommend approval or denial of a Waiver for Old Town Design Standard entry condition requirement for Burleson Business Leasing located at 141 NW Renfro St. (Case 12-0130)

Background Information:
• Old Town Development Standards Review Committee recommended approval on March 6, 2012 with a unanimous vote of 5-0.
• The applicant submitted a commercial site plan application on January 19, 2012 in preparation for the construction of a shopping center/office building.
• The property is located at 141 NW Renfro Street and is 0.313 acres.
• The property is currently zoned Commercial (C) and is located in the Old Town Overlay District.
• The applicant is proposing constructing a new building that will be approximately 4,969 square feet. A parking lot will be added on the south portion of the lot with 21 parking spaces. The building will be internally divided into 4 separate office/general retail sites.
• Appendix C Urban Design Standards Article IV Old Town Design Standards Section 4-63 Buildings (7) Entry condition calls for the major entry to be placed on the public ROW façade and requires at least one entry into the building for each 50 feet of frontage on the property line.
• The applicant has requested a waiver for the requirement of the entry doors to be located on Renfro Street.
Planning Analysis:
This development does not have main entry doors on the Renfro side, but instead faces the back side where the parking is. Old Town Design Standards calls for the major entry to be placed on the public ROW façade, and the applicant is requesting a waiver regarding this standard. While a goal for Old Town is to promote pedestrian connectivity, the location for a main entry on a building this size would be of minimal impact on connectivity, and most residents are still accustomed to parking. However, the building is designed in such a way that doors could be added in the future where the large windows on Renfro are now should there be demand by customers to enter off the sidewalk along Renfro. There is an inherent adaptability to the development that should serve future tenants and Burleson residents well.

Board/Citizen Input:
There is no public input required for this case.

Financial Considerations:
There is no expenditure of municipal funds associated with this item.

Attachments:
1. Location Map
2. Aerial Map
3. Overlay Map
4. Site Plan
5. Elevations

Staff Contact:
Heather Shankle
Planner II
Community Development
817-426-9610
hshankle@burlesontx.com
Attachment 5
Elevations
Memorandum

To: The Chair and Members of the Planning and Zoning Commission
From: Heather Shankle, Community Development Department
Date: April 17, 2012
Subject: Commercial Site Plan for Burleson Business Leasing located at 141 NW Renfro St. (Case 12-016)

**Planning and Zoning Commission Action Requested:**
Recommend approval or denial of a Commercial Site Plan for Burleson Business Leasing located at 141 NW Renfro St. (Case 12-016)

**Background Information:**
- The applicant submitted a commercial site plan application on January 19, 2012 in preparation for the construction of a shopping center/office building.
- The property is located at 141 NW Renfro Street and is 0.313 acres.
- The property is currently zoned Commercial (C) and is located in the Old Town Overlay District.
- There is currently a home on the property which will be demolished in order for the new construction to take place on the property.
- The applicant is proposing constructing a new building that will be approximately 4,969 square feet. The building will be internally divided into 4 separate office/general retail sites.
- The applicant has provided a site plan that meets the Urban Design Standards for Old Town that are outlined in Appendix C of the City of Burleson’s code of ordinances.
  - The building façade of the entire building is consistent with the requirements for Type A façades.
  - The building will be 100% masonry which will include brick and stone. Metal canopies will be attached over the windows.
- The applicant has provided a site plan that meets the Landscaping Regulations within Appendix C Urban Design Standards. The ordinance requires one tree or 200 sq. ft. of landscaping for each 20 parking spaces and a landscape screen provided along the frontage of the parking lot. The plan provides 3,500 sq. ft. of landscaping.
area not including ground coverings. That total includes credit for 2 existing large pecan trees along with eight new trees along the south property line and two new trees at two corners of the building.

- The applicant has provided a site plan that meets Vehicle Parking Regulations within Section 134-110 (r) Non-Residential Uses required for a site of this size:
  - Ordinance requires 1 space for every 250 square feet of total floor area which would total 20 parking spaces required – 21 parking spaces have been provided which includes 1 handicapped space per the ordinance requirement of 1 space for a parking count between 0 to 25 spaces.

- The proposed site plan has been reviewed by the City’s Development Assistance Committee (DAC) comprised of staff from Planning, Engineering, Building Inspections, Fire, Police, Public Works, Parks and Recreation and Neighborhood Services which has determined that the site plan conforms to the requirements of all applicable City of Burleson development ordinances.

**Planning Analysis:**
The property is located within an area designated as Mixed Use Growth Center area in the Imagine Burleson: Roadmap to 2030 Comprehensive Plan. This category should support a compact mix of office, retail, cultural facilities and housing. It should provide residents with a vibrant blend of opportunities to live, work, shop and play within a closely defined area.

Surrounding land uses include commercial and general retail property to the north and west, and commercial property to the south and east.

The commercial site plan package that the property owner is requesting approval of includes all components that are compatible with the City of Burleson’s vision for a Mixed Use Growth Center.

The proposed style of development is also consistent with newer development along Renfro including the Art Brucks State Farm and West Pharmacyremodels. This combination of construction and redevelopment will assist in establishing an anchor for the Old Town area on the Northwest end of Renfro. The development will continue to
achieve the desired effect as stated in the comp plan of an Old Town area where the buildings are closer to the streets and parking is still convenient but the architecture of buildings is more prominently displayed than parking lots.

This development does not have main entry doors on the Renfro side, but instead faces the back side where the parking is. Old Town Design Standards calls for the major entry to be placed on the public ROW façade, and the applicant is requesting a waiver regarding this standard. While a goal for Old Town is to promote pedestrian connectivity, the location for a main entry on a building this size would be of minimal impact on connectivity, and most residents are still accustomed to parking. However, the building is designed in such a way that doors could be added in the future where the large windows on Renfro are now should there be demand by customers to enter off the sidewalk along Renfro. There is an inherent adaptability to the development that should serve future tenants and Burleson residents well.

**Board/Citizen Input:**
There is no public input required for this case.
The Old Town Design Review Committee will meet at 5:30 PM April 17, 2012 prior to the Planning and Zoning Commission meeting and their recommendation will be stated during the staff presentation to the Commission.

**Financial Considerations:**
There is no expenditure of municipal funds associated with this item.

**Attachments:**
1. Location Map
2. Aerial Map
3. Future Land Use Map
4. Overlay Map
5. Site Plan
6. Landscape Plan
7. Elevations

**Staff Contact:**
Heather Shankle
Planner II
Community Development
817-426-9610
hshankle@burlesontx.com
Attachment 1
Location Map

Burleson Business Leasing
Attachment 2
Aerial Map
Attachment 3
Future Land Use Map

Legend
- Rural Residential Neighborhood
- Urban Residential Neighborhood
- Main Street Corridor
- Mixed Use Growth Center
- Business Growth Center
- Campus District
- Commercial Corridor
- Conventional Freeway Commercial
- Industrial/Employment Growth Center
- Parks and Open Space
- Transit Oriented Development
- High Schools
- Burleson City Limits
- Burleson ETJ Boundary

Mixed Use Growth Center
Attachment 4
Overlay Map

City of Burleson

Burleson Leasing
141 NW Renfro
Lot 3 PT, 4, 5 Block 2
Case 12-016
Memorandum

To: The Chair and Members of the Planning and Zoning Commission
From: Michelle McCullough, Project Engineer
       Engineering Services
Date: April 17, 2012
Subject: Re-plat of a portion of Lot 3, Lot 4, and Lot 5, Block 2, in the GW Cummings
         Addition located at 141 NW Renfro Street. (Case 12-027)

Commission Action Requested:

Recommend approval of the re-plat of a portion of Lot 3, Lot 4, and 5, Block 2, in the GW Cummings Addition located at 141 NW Renfro Street (Case 12-027).

Background Information:

The property owner of approximately 0.313 acres of land that consists of a portion of Lot 3, Lot 4, and Lot 5, Block 2 in the GW Cummings Addition has requested that these lots be re-platted into Lot 5R for the purposes of obtaining a building permit to construction a new office building. Currently a residential structure exists on the property and crosses existing property lines. The City’s Subdivision and Development ordinance prohibits constructing any new structures across property lines and therefore requires the re-plat of the existing lots into one. A commercial site plan will be presented concurrently with this re-plat request.

Water and sewer service is provided by the City of Burleson.

Board/Citizen Input:

The regulation of subdivision development is based upon government's legitimate interest in promoting orderly development, insuring that subdivisions are constructed safely, and protecting future owners from inadequate police and fire protection, inadequate drainage and unsanitary conditions. To achieve this goal the Planning and Zoning Commission appointees and the City Council members have the legislative authority to adopt a subdivision ordinance.
However, approval or denial of a plat is not discretionary authority but a ministerial authority, which means that a plat cannot be denied for a reason other than failure to comply with applicable regulations.

**Financial Considerations:**

There is no expenditure of municipal funds associated with this item.

**Attachments:**

1. Location Map
2. Aerial Map
3. Plat

**Staff Contact:**
Michelle McCullough  
Project Engineer  
Engineering Services  
817-426-9616  
mmccullough@burlesontx.com
Attachment 2
Aerial Map – Burleson Leasing

Burleson Leasing