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## City Council Regular Meeting

**DEPARTMENT:** Development Services

**FROM:** Tony McIlwain, Director of Development Services

**MEETING:** July 5, 2022

**SUBJECT:**

**2500 SW Hulen St (TOD Mixed-Use) (Case 22-058):** Hold a public hearing and consider approval of an ordinance for 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.(First and Final Reading) (*Staff Presenter: Tony McIlwain, Development Services Director*) (*The Planning and Zoning Commission recommended disapproval 3 to 2*)

**SUMMARY:**

On April 18, 2022, an application was submitted by Trenton Robertson of Masterplan (applicant), on behalf of Nicholas Balsamo with Kalterra Capital Partners, to rezone approximately 35.20 acres from “PD” Planned Development district, to “PD” Planned Development district to allow for a mixture of commercial, multifamily, and owner-occupied townhome lots within the Transit-Oriented Development (TOD) district. The applicant has proposed a new “PD” for their 35.20-acre parcel, attached as Exhibit “B”.

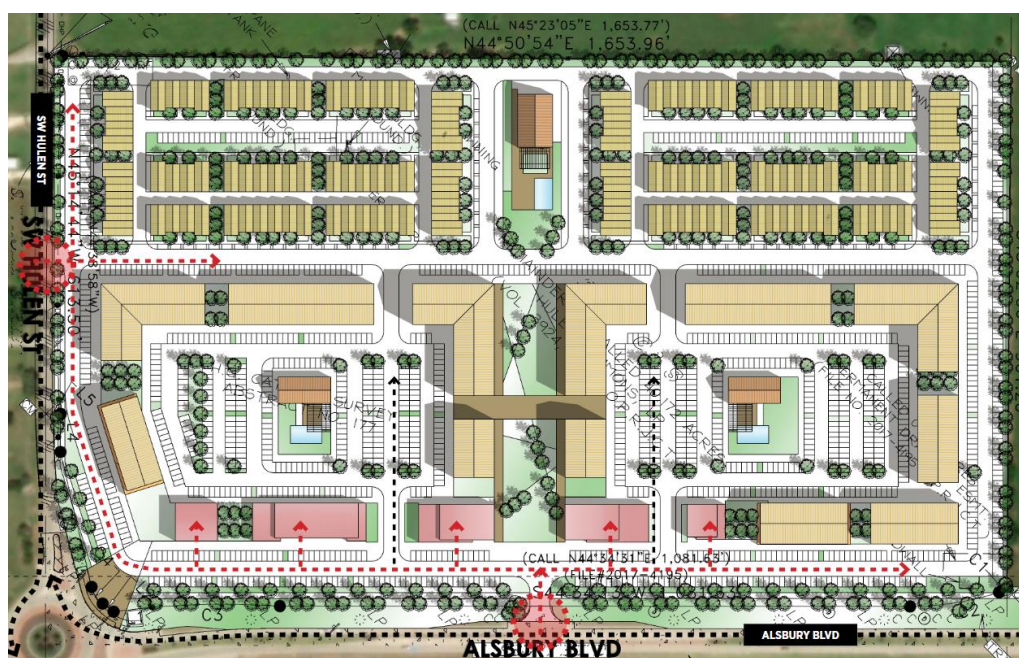
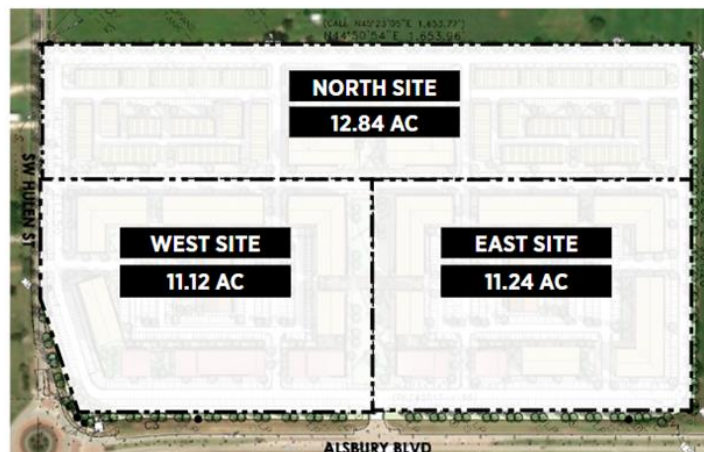
**Planning Analysis**

The applicant is proposing to develop the site as a planned development and has used elements from the previous “PD” zoning outlined in Ordinance D-065-06 (attached as Exhibit C). This request (if approved) would only apply to this 35.20 acre parcel. The original/ current PD zoning would remain intact for the remainder of parcels within the TOD designated area.

### Proposed Dwelling Unit Density

(747 units total – 21.22 DU/acre)

North Residential Site	East Residential Site	West Residential Site
10.28 dwelling units per acre	31.35 dwelling units per acre	23.61 dwelling units per acre



**Conceptual Site Plan.** *Red structures represent commercial/retail units*

### Significant changes from original PD zoning to current zoning proposal:

- Multifamily is not required to have rear loaded parking or structured parking facility.
- Off street parking lots no longer limited to a 65-foot maximum width along Hulen and Alsbury.
- Multifamily apartments (non-endcap or live-work mixed-use apartments) now allowed by right.
- Previously, only apartments were permitted as an end cap with a maximum of 24 units or as a component of mixed use with commercial and a parking structure.
- Multifamily is allowed to have a smaller minimum dwelling unit size than what would be allowed in previous PD, reduced minimum unit size from 750 SF to 600 SF

- Mixed-use and multifamily apartments allowed up to 4 stories by right without a parking structure.
- Increasing maximum lot coverage for multifamily from 70% to 80%
- Added metal as finish option and changed warranty from 50 to 30 years for cementitious-fiber clapboard.
- Increased minimum caliper of trees and landscaping along Hulen and Alsbury.
- Townhomes will be on individually platted lots.

**Proposed phasing:** The applicant has proposed the following phasing. The East Site shall be Phase I and the West Site or North Site shall be developed subsequently as dictated by market demand, however the civic space must be completed prior to receiving a Certificate of Occupancy for any structures in Phase I (North Site).

Staff has included conceptual site plans and exhibits provided by the applicant that show the connectivity for the site, proposed elevations of each development type, as well as overall site layout and open space as Exhibit “D”.

**This site is designated in the Comprehensive Plan as Transit Oriented District.**

This land use category is reserved for higher density development that incorporates public transit access via rail, streetcar, or bus. Mixed use development that provides opportunities to live, work, shop and play within a closely defined area should be prioritized. Development should include a mix of office, retail, cultural facilities, and multi-story housing and townhomes that may be located above retail and office centers to create an interesting ground level that is pedestrian friendly.

#### **Traffic:**

Based on information provided by the developer, the development is anticipated to include approximately 50,000 square feet of commercial space (assumed to be 25,000 square feet of restaurant and 25,000 square feet of general retail), 615 multifamily units, and 144 townhomes. Build-out of the development is anticipated to be completed by 2027. A traffic impact analysis (TIA) has been submitted and is currently being reviewed. The report indicated that access would be provided by four (4) proposed access connections: three (3) connections to Hulen Street and one (1) connection to Alsbury Boulevard, and that northbound right-turn auxiliary lanes should be constructed along Hulen Street (1 drive only) and Alsbury Boulevard. The traffic engineering consultant for the City has not given final approval to the TIA therefore neither has the Development Services Department.

#### **Utilities/ Drainage:**

Detention is required for developments 1 acre in size or larger; however, none is shown on the conceptual site plan. Detention of storm water shall be incorporated into the design of the Development.

Water is provided for a portion of the Development by the City of Burleson and the remainder provided by Johnson County Special Utility District (JCSUD). The development is proposing to have two separate water systems at this time. Sanitary sewer will be extended to the

development from an existing sewer line located adjacent to the intersection of Alsbury Boulevard and Candler Drive.

**OPTIONS:**

- 1) Approve the zoning request; or
- 2) Approve the zoning request with addition PD requirements; or
- 3) Deny the zoning change request.

**RECOMMENDATION:**

Staff recommends denial of the zoning change request due to:

- Proposed density without a proportional increase in the amount of commercial and retail or civic open spaces.
- Lack of vertical mixed-use components, a parking structure, and features that could be considered as a benefit to the public.

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

June 28, 2022 – The Planning and Zoning Commission recommended disapproval by a vote of (3 – 2).

June 14, 2022 –The Planning and Zoning Commission opened the Public Hearing and unanimously approved the applicants request to continue the public hearing at the next Planning and Zoning meeting on June 28, 2022.

March 23, 2006 – City Council approved PD zoning for approximately 373 acres within the TOD district (Ordinance D-065-06).

**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:**

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