
Planning & Zoning Commission Meeting

DEPARTMENT: Development Services

FROM: Tony McIlwain, Director of Development Services

MEETING: March 6, 2023

SUBJECT:

Belle Oak Estates (Case 22-169): Hold a public hearing and consider approval of an ordinance for a zoning change request from “A”, Agricultural to “PD”, Planned Development for a 39.696 acre site. *(First and Final Reading) (Staff Presenter, Tony McIlwain, Director of Development Services) (The Planning and Zoning Commission motion for approval passed 6-0).*

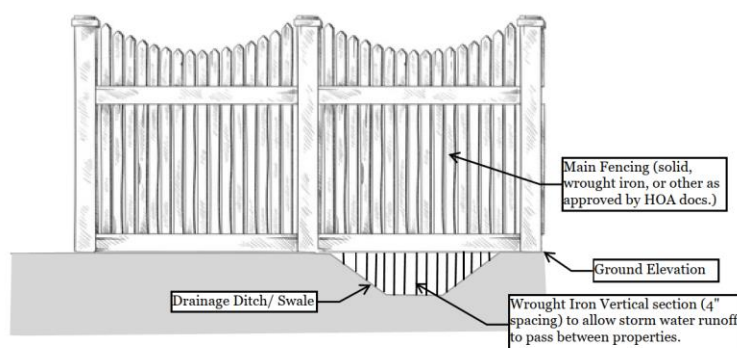
SUMMARY:

On December 27, 2022, an application was submitted by David Reaves (applicant) with Grant Engineering on behalf of William Ware (owner), to rezone approximately 39.696 acres from “A”, Agricultural to “PD”, Planned Development. The Belle Oak Estates development was originally located in the City of Burleson’s Extraterritorial Jurisdiction (ETJ) when it was first platted and subdivided into one acre residential lots in 2006. The Belle Oak Estates development was eventually annexed into the City of Burleson in August of 2016 by ordinance #447-06-2016. According to the zoning ordinance, newly annexed territory is zoned as A, Agricultural district, unless the city council, at the time of annexation, designates other zoning categories for the area. During the annexation process, an alternative zoning district was never proposed and the development remained A, Agricultural.

On November 14, 2022, a replat for Belle Oak Estates was submitted. During the review by city staff, it was determined that the default A, Agricultural zoning designation was inappropriate as the previously platted one acre lots of the Belle Oak Estates development were in direct violation of the 3 acre minimum lot size for Agriculturally zoned lots. The applicant was instructed to submit a zoning change request to rezone the subject site to a more conducive zoning district in compliance with the development.

The applicant has proposed to rezone the subject site to PD, Planned Development with a base zoning of SFE to include the following conditions:

- Minimum Lot Width: (60’)
- Any fences built across a drainage easement must be either open to allow the flow of surface water, or be constructed in a manner that allows water to flow freely underneath it. Acceptable options are depicted below:

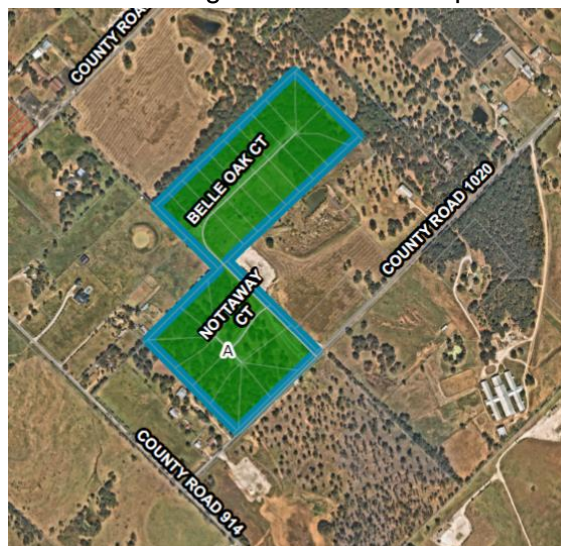


A draft ordinance for this zoning change request is included in this packet.

Planning Analysis

The City's Imagine Burleson 2030 Midpoint Update Comprehensive Plan designates this site as **Neighborhoods** and **Community Commercial**. The Neighborhood designation is generally described as “predominantly residential with traditional development patterns but should allow for a mix of densities, lot sizes, housing types, and styles. The primary uses in this category include single-family residences, including a range of densities from large, agricultural lots to suburban neighborhood lots.” The Community Commercial designation is generally “intended to provide suitable areas for the development of light to medium intensity commercial uses to support surrounding urban development.”

The proposed zoning of a Planned Development containing single-family residential is in complete compliance with the Neighborhoods comp plan designation. The Community Commercial designation does not necessarily conform to the requested PD, however, the Belle Oak Estates development was originally subdivided as residential lots and annexed into the City of Burleson prior to the implementation of the Imagine Burleson Comprehensive Plan 2020 Midpoint Update.



	Zoning	Use
Subject Site	A, Agricultural	Subdivided, Undeveloped
North	ETJ	Developed, Residential
East	ETJ	Developed, Residential
South	ETJ	Developed, Residential
West	ETJ	Developed, Residential

OPTIONS:

- 1) Approve the zoning change request; or
- 2) Approve the zoning request with modifications; or
- 3) Deny the zoning change request.

RECOMMENDATION:

Staff recommends approval of the zoning change request from “A”, Agricultural to “PD”, Planned Development for Belle Oak Estates as proposed by the applicant.

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

February 14, 2023: The Planning and Zoning Commission recommendation to approve the Belle Oak Estates PD was approved by a vote of 6-0.

June 20, 2016: City Council motion to **approve** the request to annex over 1,000 acres of land including Belle Oak Estates was approved by a vote of 7-0.

January 26, 2006: The Final Plat of Belle Oak Estates was approved by the City of Burleson.

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:

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