

City Council Regular Meeting

DEPARTMENT: Development Services

FROM: Tony McIlwain, Development Services Director

MEETING: November 13, 2023

SUBJECT:

The Prairie at Chisholm Trail (Case 23-149): Hold a public hearing and consider approval of an ordinance for a zoning change request from "A", Agricultural to "PD" Planned Development for a single-family attached and townhome development with a commercial component located at 6401 CR 910Z. *(First and Final Reading) (Staff Presenter: Tony D. McIlwain, Development Services Director) (The Planning and Zoning Commission recommended disapproval by unanimous vote)*

SUMMARY:

On July 24, 2023, an application for a zoning change request was submitted by Matt Powell, representing DFW Geodesy, on behalf of Charles Covey with Landvest Development LLC (the contracted buyer), to change the zoning of approximately 111.948 acres to PD, Planned Development for a single-family attached and townhome residential development with one commercial lot. The subject property is currently owned by the Linda A. Woodward Supplemental Needs Trust and the Estate of Steven Marley Matthews, which are represented by Wade Woodard, a Trustee and Executor (respectively) of the afore-mentioned ownership. Mr. Wade has authorized the rezone application.

Development Overview:

The developer is proposing a PD zoning on 111.98 acres to develop 251 SFA, single-family attached lots, 374 townhome lots, and 1 commercial tract with a walking trail open to the public. The proposed development standards and conceptual layout of the site are attached as Exhibit 4.

Zoning and Land Use Table

	Zoning	Use
Subject Site	A, Agricultural	Undeveloped
North	ETJ	Residential (Walden Estates)
East	Chisholm Trail PKWY	N/A
South	ETJ (Development Agreement)	Undeveloped

West	ETJ	Residential (Sundance Addition)
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This site is designated in the Comprehensive Plan as Chisholm Trail Corridor.

Land uses along the Chisholm Trail Corridor should be **primarily nonresidential**, with the primary use being large-scale professional campuses, such as office parks or medical centers. Complementary large-scale retail will also be appropriate. This area is envisioned to develop in a coordinated manner, with both vehicular and pedestrian connectivity in mind. Development should emphasize quality building and site design and robust landscaping, reflecting a positive image of Burleson to those traveling along the corridor

Staff has determined that this request is not in conformance with the Comprehensive Plan and pursuant to Local Gov't Code Section 211.04 an amendment to the Future Land Use Map would be appropriate if rezoned for the applicant's proposal.

Staff recommends disapproval based on the request not meeting the Comprehensive Plan in addition to the following concerns:

Applicant's PD allows C, Commercial uses on the proposed commercial tract. Several by-right uses in C, Commercial would not be complimentary to the adjacent residential uses. Neighborhood Services or General Retail would align better within a residential development. Additionally, the PD language does not require screening from the C, Commercial tract which could be potentially harmful depending on the commercial use that could ultimately be developed there.

Proposed Townhomes (SF-TH) lots are smaller than what is allowed in the City's current SFA district

	Applicant's proposed Townhomes	City of Burleson SFA, Single-family attached
Minimum Lot size	1,400 SF	2,500 SF
Lot width	20 FT	25 FT
Lot depth	70 FT	100 FT

Proposed lot sizes and density are not complimentary with the adjacent Sundance Addition to the west.

Proposed PD language does not reflect the type of amenities that staff would expect to serve the residents of this type of development. Only amenity mandated in the PD is a walking trail.

Contrary to the Comprehensive Plan, robust landscaping was not provided within the PD. Landscaping standards were not proposed by the applicant and would default to the base landscaping standards from Chapter 86 of the Code of Ordinances.

Engineering:

Engineering reviews will be required during the platting phase.

Planning and Zoning Commission:

The Planning and Zoning Commission considered this case and recommended disapproval by a unanimous vote. The Commission's recommendation of disapproval, however, will not trigger the 3/4ths City Council majority requirement as set forth in the City's zoning ordinance to approve the case. The City Council may approve or deny the case by a simple majority vote.

OPTIONS:

- 1) Approve an ordinance for a zoning change request to "PD" Planned Development with reasoned consideration and acknowledgement that the action is not consistent with the Comprehensive Plan and an explanation why the Council considers the action to be reasonable and in the public's interest; or
- 2) Approve an ordinance for a zoning change request to "PD" Planned Development with changes to the proposed development standards, with reasoned consideration and acknowledgement that the action is not consistent with the Comprehensive Plan and an explanation why the Council considers the action to be reasonable and in the public's interest; or
- 3) Deny the ordinance for a zoning change request.

FISCAL IMPACT:

None.

STAFF CONTACT

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