

ZC – Mockingbird LN

Location:

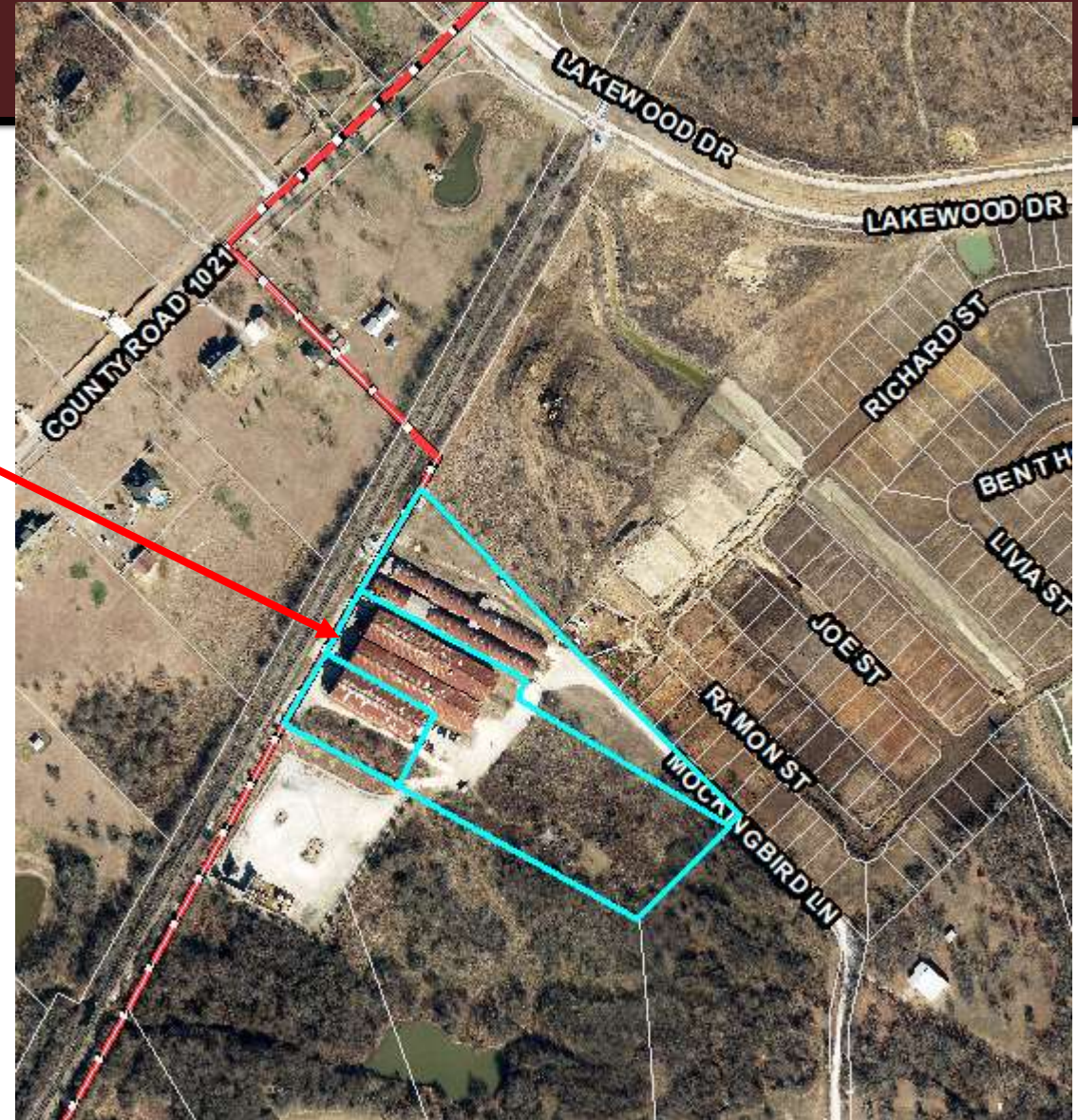
- 625, 631, and 637 Mockingbird LN

Applicant:

Stephen Martin and Jason Tharp (owners)

Item for approval:

Zoning Change from "A", Agricultural to "C" Commercial for existing commercial uses at 625, 631, and 637 Mockingbird LN (Case 23-350)



Comprehensive Plan

Neighborhoods



Zoning

A, Agricultural

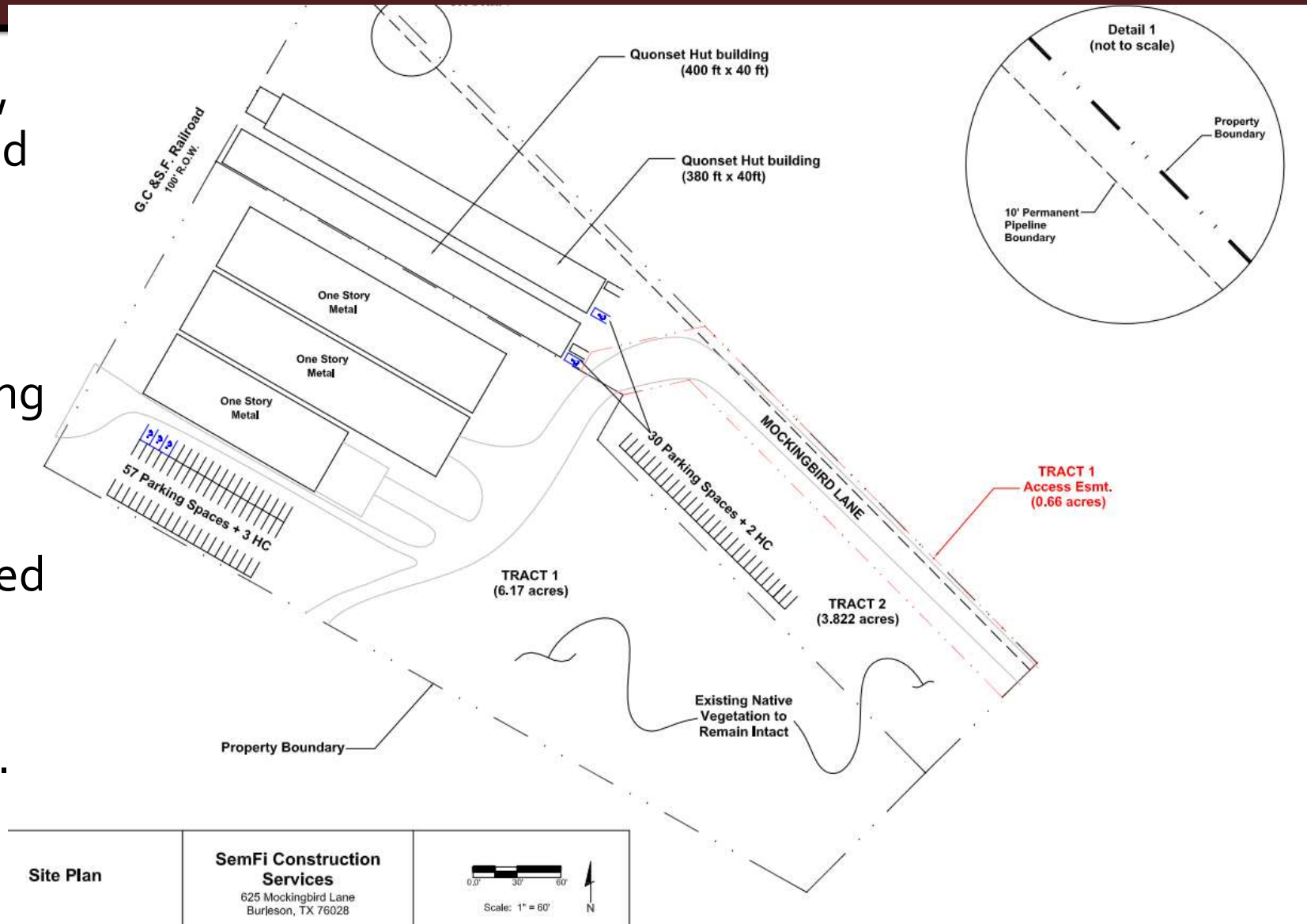


Staff has determined that this request is not in conformance with the Comprehensive Plan and pursuant to Local Gov't Code Section 211.04 an amendment to the Future Land Use Map would be appropriate if rezoned for the applicant's proposal.

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Current uses of construction, fabrication, cabinet shop, and warehousing are legal non-conforming.
Zoning change to "C
"Commercial aligns the zoning with current uses.

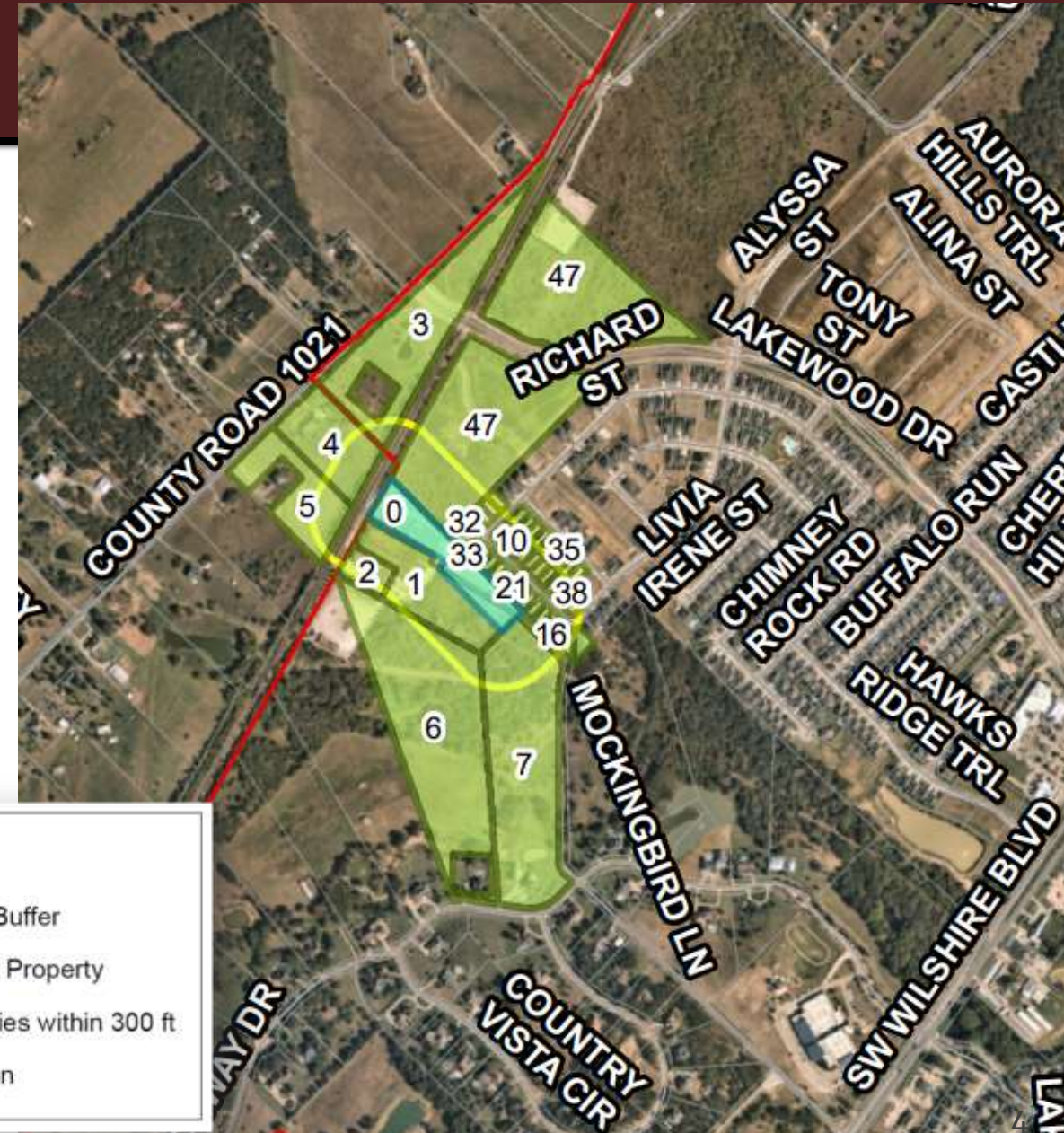
Current uses would be allowed to continue as legal nonconforming if the zoning change request were denied.




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Public Hearing Notice

- Public notices were mailed to property owners (based on current JCAD records) within 300 feet of subject property.
- Published in newspaper.
- Signs posted on the property.
- At this time staff has received 1 letter of formal opposition (attached as Exhibit 4)



Legend

 300 ft. Buffer

 Subject Property

 Properties within 300 ft.

 Burleson

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P&Z Summary

Vote

Recommended disapproval unanimously

Discussion

Commission and staff discussed the timing of adjacent developments in relation to the subject site. Subject site has existed as industrial since around late 1970s/1980s. Willow Creek subdivision (PD zoning) occurred in 1999 and the Willow Creek HOA petitioned Council for a gas well site in 2006. Also discussed access by Mockingbird LN (private access easement).

Speakers

None

From the Willow Creek PD (1999)

- C. **Adjacent Uses:** The property is bounded by Willow Creek to the north and the G.C. & S.F. railroad to the west. A small portion of the adjacent property to the south and east is developed single-family, the rest of the adjacent property in this area consists of large undeveloped tracts with single residences. A small portion of the planned development lies north of Willow Creek and abuts existing industrial uses that are not within the City's limits. A private roadway traverses the property and provides access to the industrial uses from S.H. 174. The Joshua Independent School District owns approximately 23 acres located on either side of an 80 to 100 feet wide strip of land which will serve as the planned development's access to S.H. 174. A proposed school on the J.I.S.D. property will also access S.H. 174 via the road which will be constructed within this same strip of land.

From the HOA petition (2006)



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Staff's Recommendation

Deny the zoning change request; it is inconsistent with the Comprehensive Plan.

