

Planning & Zoning Commission Meeting

DEPARTMENT: Development Services
FROM: Tony McIlwain, Development Services Director
MEETING: February 20, 2024

SUBJECT:

625, 631, and 637 Mockingbird LN (Case 23-350): Hold a public hearing and consider approval of an ordinance for a zoning change request from “A”, Agricultural to “C” Commercial for existing commercial uses at 625, 631, and 637 Mockingbird LN (*Staff Presenter: Tony McIlwain, Development Services Director*) (*Planning and Zoning Commission recommended disapproval unanimously*)

SUMMARY:

On November 13, 2023, a zoning change request was submitted by Stephen Martin and Jason Tharp (owners) to change the zoning of approximately 10.652 acres to C, Commercial to align the zoning with the current uses and certificate of occupancies on-file.

DEVELOPMENT OVERVIEW:

The owners are proposing a C, Commercial zoning. The previous certificate of occupancy allowed for a cabinet shop, warehousing, and fabrication. The current certificate of occupancy with the City allows for residential and commercial remodeling.

Zoning and Land Use Table

	Zoning	Use
Subject Site	A, Agricultural	Commercial
North	Railroad / ETJ	Residential
East	PD, Planned Development	Residential
South	Gas Well and PD, Planned Development	Residential
West	Railroad / ETJ	Residential

This site is designated in the Comprehensive Plan as Neighborhoods.

This category is 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. Supporting and complementary uses, such as open space, schools and other public or civic uses, and limited small-scale neighborhood commercial uses, are also encouraged in this category.

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 is unable to recommend approval based on the request not meeting the Comprehensive Plan. Staff is not opposed to the existing development remaining as-is.

Engineering:

Engineering reviews will be required if the applicant expands or proposes any improvements to the site(s) in the future. At this time the applicant is not proposing any improvements or additions.

RECOMMENDATION:

Deny the zoning change request.

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

January 30, 2023 – The Planning and Zoning Commission recommended disapproval unanimously.

REFERENCE:

[City of Burleson, TX ZONING DISTRICTS \(ecode360.com\)](http://www.burlesontx.com/development-services/zoning-districts)

FISCAL IMPACT:

None

STAFF CONTACT:

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