
Tuesday, May 14, 2024
6:00 PM

City Hall - 141 W. Renfro
Burleson, TX 76028

1. **CALL TO ORDER**

Invocation

Pledge of Allegiance

Texas Pledge:

Honor the Texas Flag, I pledge allegiance to thee, Texas, one state under God; one and indivisible

2. **CITIZEN APPEARANCES**

Other than public hearings, citizens in attendance who desire to speak to the Planning and Zoning Commission may speak during this section. Each person will be allowed three (3) minutes to speak and will not be interrupted by the Commission or staff. If you would like to speak, please fill out a speaker card and give the completed card to the City staff prior to addressing the Commission. Please note that the Commission may only take action on items posted on the agenda. The Texas Open Meetings Act prohibits the Commission from deliberating or taking action on an item not listed on the agenda. Please also note that speakers who desire to speak on an item listed for public hearing will address the Commission during the public hearing and consideration of that particular agenda item.

3. **CONSENT AGENDA**

All items listed below are considered to be routine by the Planning and Zoning Commission and will be enacted with one motion. There will be no separate discussion of the items unless a Commissioner or citizen so requests, in which event the item will be removed from the consent agenda and considered in its normal sequence. Approval of the consent agenda authorizes the Development Services Director to place each item on the City Council agenda in accordance with the Planning and Zoning Commission's recommendations.

- A.** Consider approval of the minutes from April 23, 2024 Planning & Zoning Commission meeting.
- B.** Turner Estates, Block 1 (Case 24-089): Consider approval of a Final Plat for Turner Estates, Lots 1 & 2, Block 1; addressed as 5400 County Road 704D. (*Staff Contact: Emilio Sanchez, Development Services Assistant Director*)
- C.** J&C Duran Addition, Lots 1-4, Block 1 (Case 24-061): Consider approval of a Final Plat for J&C Duran Addition, Lots 1-4, Block 1; addressed as 3327 FM 731. (*Staff Contact: Emilio Sanchez, Development Services Assistant Director*)

- D. East Park Addition, Lots 1 thru 8, Block 1 (Case 24-087): Consider approval of a Preliminary Plat for East Park Addition, Lots 1 thru 8, Block 1; addressed as 3433 E Renfro Street. *(Staff Contact: Emilio Sanchez, Development Services Assistant Director)*
- E. East Park Addition, Lots 1 thru 8, Block 1 (Case 24-088): Consider approval of a Final Plat for East Park Addition, Lots 1 thru 8, Block 1; addressed as 3433 E Renfro Street. *(Staff Contact: Emilio Sanchez, Development Services Assistant Director)*

4. **PUBLIC HEARING**

- A. 1679 SW Wilshire (Case 24-062): Hold a public hearing and consider a recommendation of approval for an ordinance for a zoning change request from “PD”, Planned Development to “GR” General Retail for a food and beverage sales (grocery) store with retail. *(Staff Contact: Lidon Pearce, Principal Planner)*
- B. 1679 SW Wilshire (Case 24-114): Consider a recommendation of approval for a resolution for a commercial site plan with a variance to Chapter 63, Sign Regulations, Section 63-57; pertaining to multi-tenant pylon signage. *(Staff Contact: Lidon Pearce, Principal Planner)*
- C. 465 Forgotten Ln (Case 24-108): Consider a recommendation of approval for a resolution authorizing a site plan for a cold storage facility with a waiver to Appendix C, Article V, Business Park Design Standards, related to the orientation of the loading area. *(Staff Contact: Lidon Pearce, Principal Planner)*
- D. 1530 Candler Dr (Case 24-064): Hold a public hearing and consider a recommendation of approval for an ordinance for a zoning change request from “PD”, Planned Development to “PD” Planned Development for Lot 3, Block 1, Shannon Creek Development, “The Cottages at Candler Drive”. *(Staff Contact: Lidon Pearce, Principal Planner)*

5. **REPORTS AND PRESENTATIONS**

6. **GENERAL**

7. **COMMUNITY INTERESTS ITEMS**

8. **EXECUTIVE SESSION**

In accordance with Chapter 551 of the Texas Government Code, the Commission may convene in Executive Session in the City Council Workroom in City Hall to conduct a closed meeting to discuss any item listed on this Agenda.

- A. **Pending or Contemplated Litigation or to Seek the Advice of the City of Attorney Pursuant to Section 551.071**

9. **ADJOURN**

Staff Contact
 Tony McIlwain
 Director of Development Services
 817-426-9684

CERTIFICATE

I hereby certify that the above agenda was posted on this the 8th of May 2024, by 5:00 p.m., on the official bulletin board at the Burleson City Hall, 141 W. Renfro, Burleson, Texas.



Amanda Campos

City Secretary

ACCESSIBILITY STATEMENT

The Burleson City Hall is wheelchair accessible. The entry ramp is located in the front of the building, accessible from Warren St. Accessible parking spaces are also available in the Warren St. parking lot. Sign interpretative services for meetings must be made 48 hours in advance of the meeting. Call the A.D.A. Coordinator at 817-426-9600, or TDD 1-800-735-2989.



Department Memo

Planning & Zoning Commission Meeting

DEPARTMENT: Development Services

FROM: Peggy Fisher, Administrative Assistant Sr.

MEETING: May 14, 2024

SUBJECT:

Approve the minutes from April 23, 2024 Regular Session of the Planning & Zoning Commission meeting.

SUMMARY:

Minutes from the April 23, 2024 Regular Session of the Planning & Zoning Commission meeting.

OPTIONS:

Approve as presented

RECOMMENDATION:

Approve the minutes from the April 23, 2024 Regular Session of the Planning & Zoning Commission meeting.

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

None

FISCAL IMPACT:

None

STAFF CONTACT:

Peggy Fisher
Recording Secretary
pfisher@burlesontx.com
817-426-9611

PLANNING AND ZONING COMMISSION

April 23, 2024
MINUTES

Roll Call

Commissioners Present

David Hadley
Dan Taylor
Ashley Brookman
Bill Janusch
Clint Faram
Bobby Reading

Commissioners Absent

Cobi Tittle
Michael Tune
Michael Kurmes

Staff

Emilio Sanchez, Assistant Director Development Services
Peggy Fisher, Administrative Assistant

REGULAR SESSION

1. Call to Order – 6:00 PM

Invocation – David Handley

Pledge of Allegiance

2. Citizen Appearance

None

3. Consent Agenda

- A.** Consider approval of the minutes from April 9, 2024 Planning and Zoning Regular Commission meeting. (Staff Contact: Tony McIlwain, Director Development Services).
- B.** Cervantes Addition, Lots 2R-A & 2R-B, Block 1 (Case 24-005): Consider approval of a replat for Cervantes Addition, Lot 2, Block 1; addressed as 5217 CR 703. (Staff Contact: Lidon Pearce, Principal Planner)
- C.** Veridian Point, Lots 1R & 1X (Case 24-037): Consider approval of a replat for Veridian Point, Lot 1; addressed as 2708 Veridian Point Drive. (Staff Contact: Emilio Sanchez, Development Services Assistant Director)

Motion made by Commissioner Clint Faram and second by Commissioner Ashley Brookman to approve the consent agenda.

Motion passed, 5-0. Commissioners Cobi Tittle, Michael Tune & Michael Kurmes were absent.

4. Public Hearing

None

5. Reports and Presentations

None

6. General

None

7. Community Interest Items

None

8. Executive Session

In accordance with Chapter 551 of the Texas Government Code, the City Commission may convene in Executive Session in the City Council Workroom in City Hall to conduct a closed meeting to discuss any item listed on this Agenda.

A. Pending or Contemplated Litigation or to Seek the Advice of the City of Attorney Pursuant to Section 551.071

9. Adjourn

There being no further business Chair Michael Tune adjourned the meeting.

Time – 6:02PM

Peggy Fisher
Administrative Assistant
Recording Secretary

Planning & Zoning Commission Meeting

DEPARTMENT: Development Services

FROM: Emilio Sanchez, Development Services Assistant Director

MEETING: May 14, 2024

SUBJECT:

Turner Estates, Block 1 (Case 24-089): Consider approval of a Final Plat for Turner Estates, Lots 1 & 2, Block 1; addressed as 5400 County Road 704D. (Staff Contact: Emilio Sanchez, Development Services Assistant Director)

SUMMARY:

On March 4, 2024, an application for a final plat was submitted by Donnie Tucker (applicant) on behalf of Charles Turner and Kelly Turner (owners) for a final plat of approximately 14.31 acres. The property is being platted to create two residential lots.

The plat is administratively complete and meets the requirements of Appendix A – Subdivision and Development Regulations.

RECOMMENDATION:

Approve the Final Plat for Turner Estates, Lots 1 & 2, Block 1.

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

None

REFERENCE:

[City of Burleson, TX PLAT REQUIREMENTS: § 3.6 Replat. \(ecode360.com\)](#)

FISCAL IMPACT:

None

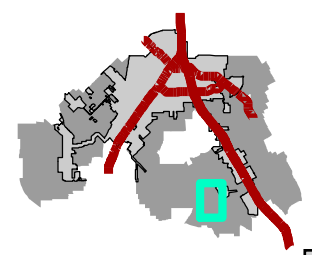
STAFF CONTACT:

Emilio Sanchez
Development Services Assistant Director
esanchez@burlesontx.com
817-426-9686



THE CITY OF
BURLESON
TEXAS

**Final Plat
Lots 1 & 2
Turner Estates
Case 24-089**



Vicinity Map

GRAPHIC SCALE



(IN FEET)
1 inch = 100 ft.

3.50 ACRE
HIGHLAND OAKS - RESERVE #2
CC FILE NO.2022-260, D.R.J.C.T.

(DEED:N77°30'29"E-925.50')
925.09'

FENCE POST FOUND (CM)

Owners Certificate

Item B.

Whereas C. Turner is the owner of a tract or parcel of land situated in Johnson County, Texas, being the same 11.85 acre tract conveyed to C. Turner by deed recorded under County Clerks File No.2014-13869, Deed Records, Johnson County, Texas, and a 0.46 acre tract conveyed to C. Turner by deed recorded in Volume 4498, Page 901, Deed Records, Johnson County, Texas, and a 2.0 acre tract conveyed to C. Turner by deed recorded in Volume 1945, Page 305, Deed Records, Johnson County, Texas, being more particularly described as follows:
Beginning at a 1/2" iron rod found for corner in County Road No.704D, being the southwest corner of said 2.0 acre tract;
Thence North 01°04'45" East with said County Road No.704D a distance of 207.55 feet to a 1/2" iron rod found for corner, being the northwest corner of said 0.46 acre tract and the southwest corner of said 11.85 acre tract;
Thence North 03°35'49" East with the west line of said 11.85 acre tract a distance of 16.93 feet to a 1/2" iron rod found for corner, being a corner of said 11.85 acre tract;
Thence North 01°58'39" East with the west line of said 11.85 acre tract a distance of 191.25 feet to a fence post found for corner, being a corner of said 11.85 acre tract;
Thence North 02°34'52" East with the west line of said 11.85 acre tract a distance of 103.05 feet to a fence post found for corner, being a corner of said 11.85 acre tract;
Thence North 09°10'24" East with the west line of said 11.85 acre tract a distance of 153.53 feet to a fence post found for corner, being the northwest corner of said 11.85 acre tract;
Thence North 79°15'38" East with the north line of said 11.85 acre tract a distance of 925.09 feet to a fence post found for corner, being the northeast corner of said 11.85 acre tract;
Thence South 01°54'01" West with the east line of said 11.85 acre tract a distance of 662.74 feet to a 1/2" iron rod found for corner, being the southeast corner of said 11.85 acre tract;
Thence North 88°17'54" West with the south line of said 11.85 acre tract a distance of 409.39 feet to a 1/2" iron rod found for corner, being the northeast corner of said 2.0 acre tract;
Thence South 01°44'30" West with the east line of said 2.0 acre tract a distance of 208.67 feet to a 1/2" iron rod found for corner, being the southeast corner of said 2.0 acre tract;
Thence North 88°10'17" West with the south line of said 2.0 acre tract a distance of 512.31 feet to the **POINT OF BEGINNING** and containing 14.31 acres of land, more or less as surveyed on the ground March, 2024 by Tucker Surveyors.

Now Therefore, Know All Men By These Presents:

That I, Charles Turner do hereby adopt this plat designating the hereinbefore described property as Lot 1 and Lot 2, Block 1, Turner Estates, an addition to Johnson County, Texas, and do hereby dedicate to the public's use, forever all streets rights-of-way, alleys and easements shown thereon. The City or any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs or improvements or growths in which any way endanger or interfere with the construction, maintenance or efficiency of its respective systems or any of these easements, and the City or any public utility shall at all times have the right of ingress and egress to and from and upon the said easement for the purpose of constructing, reconstructing, inspecting and patrolling, without the necessity at any time of procuring the permission of anyone. This plat approved subject to all platting ordinances, rules, regulations and resolutions of the City of Burleson, Johnson County, Texas.

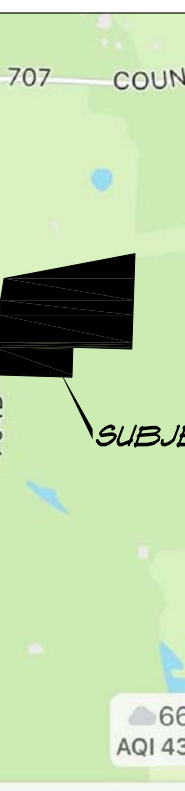
Witness My Hand This _____ day of _____, 2024.

Charles Turner

State of Texas

BEFORE ME, the undersigned, a Notary Public in and for the said County and State, on this day personally appeared Charles Turner known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same purposes and consideration therein expressed and in the capacity therein stated.

Given under my hand and seal of office, this the _____ day of _____, 2024.



NOTARY PUBLIC

PRE DIRECTION	STREET NAME	STREET TYPE	ROW (ACRES)
	CR 704D		0.07

"The right-of-way dedication is granted in fee simple to Johnson County for use as storm water, public utility, pedestrian, or other public purposes."

Plat Filed _____, 20__

INSTRUMENT # _____

DRAWER _____ SLIDE _____

Becky Ivey, Johnson County Clerk

By: _____
Deputy County Clerk



VICINITY MAP (N.T.S.)

SURVEYOR'S CERTIFICATE

I hereby declare that this true and accurate plat made from a survey under my supervision, in March, 2024, correctly shows the relation of the property lines of land covered by this survey, and that there are no protrusions or overlaps onto adjoining property of property indicated hereon, except as shown, noted or described on the survey. This survey is subject to any easements not visible on the ground.

Donnie L. Tucker, RPLS No. 5144

OWNER:
Charles Turner
5400 CR 704D
Cleburne, Texas 76031
Phone: (817) 228-0889
willakheest.net

SURVEYOR:
Tucker Surveyors
Donnie L. Tucker
12350 Oak Grove Road S.
Burleson, Texas 76097
Phone: (817) 295-2999

Final Plat
Lot 1 & Lot 2, Block 1
Turner Estates

Being a of a 14.31 acre tract in the W. E. Jones Survey, Abstract No.450 recorded in Volume 480, Page 757, Deed Records, Johnson County, Texas.
E.T.J. City of Burleson, Johnson County, Texas

Prepared March 1, 2024 CASE NO. MP24-089

LEGEND

---	PROPERTY LINE
----	EASEMENT LINE
	BUILDING
	ASPHALT
	CONCRETE
-X-X-	FENCE LINE
○	POWER POLE
-E-	OVERHEAD POWER
(CM)	CONTROLLING MONUMENT
⇒	DIRECTION OF DRAINAGE

General Notes

- NOTE: Bearings based per GPS-NAD 83.
- NOTE: The property is located in the E.T.J. of the City of Burleson.
- NOTE: Electric - United Cooperative Services
- NOTE: Water provided by Private Well
- NOTE: Sewer provided by private facility.
- NOTE: All Building Setbacks are subject to current Johnson County Development Regulations.
- NOTE: Purpose for this Plat to comply for Building Permit.
- NOTE: Lot does not have a Zoning Designation.
- NOTE: This plat does not alter or remove existing deed restrictions or covenants, if any, on this property.
- NOTE: The City of Burleson reserves the right to require a minimum finish floor on any Lot within this subdivision.
- NOTE: No fences or other structures will be allowed within a Drainage Easement.
- NOTE: The existing creeks or drainage channels traversing along or across this Addition will remain as open channels and will be maintained by the individual owners of the Lot or Lots that are traversed by or adjacent to drainage courses along or across said Lots.
- NOTE: Blocking the flow of water or constructing improvements in the Drainage Easements is prohibited.
- NOTE: On-site sewage facility performance cannot be guaranteed even though all provisions of the rules of Johnson County Health Department for private sewage facilities are complied with.
- NOTE: All buildings or structures shall be constructed such that all ground level, exterior sides of the building are within 150 feet of a dedicated street or fire lane. If the 150 feet cannot be reached from a public street, a fire lane capable of supporting 80,000 lbs. shall be required on site at time of construction.
- NOTE: City of Burleson will not be responsible for the maintenance and operations of said drainage ways or for the control of erosion.
- NOTE: City of Burleson will not be responsible for any damage, personal injury or loss of life or property occasioned by flooding or flood conditions.
- NOTE: A properly designed and constructed private sewage facility system, in suitable soil, can malfunction if the amount of water it is required to dispose of is not controlled. It will be the responsibility of the lot owner to maintain and operate the private sewage facility in a satisfactory manner.
- NOTE: Any public utility, including City of Burleson, shall have the right to move and keep moved all or part of any buildings, fences, trees, shrubs, other growths or improvements which in any way endanger or interfere with the construction or maintenance, or efficiency of its respective systems in any of the easements shown on the plat and any public utility, including City of Burleson, shall have the right at all times of ingress and egress to and from said easements for the purpose of construction, reconstruction, inspection, patrolling, maintaining and adding to or removing all or part of its respective systems without the necessity at any time of procuring the permission of anyone.
- NOTE: For all single-family detached and duplex residences, excluding townhouses and apartments, fire hydrants shall be spaced to have a fire hose laying distance of no greater than 500 feet. The fire hose laying distance is measured by the laying of fire apparatus hose lines along the right-of-way or access easements from the nearest water supply on a street to the main entrance of the building.
- NOTE: For commercial buildings, fire hydrants shall be spaced to have a fire hose laying distance of no greater than 300 feet. The fire hose laying distance is measured by the laying of fire apparatus hose lines along the right-of-way or access easements from the nearest water supply on a street to the main entrance of the building.
- NOTE: The minimum fire flow requirements for one- and two-family dwellings having a fire-flow calculation area, which does not exceed 3,600 square feet, shall be 1,500 gallons per minute. Fire flow and flow duration for dwellings having a fire-flow calculation area in excess of 3,600 square feet shall not be less than that specified in Table B105.1 of the most current adopted International Fire Code.
- NOTE: All fire hydrants must provide a minimum of 35-psi static pressure and a 20-psi residual pressure.
- NOTE: The minimum fire flow and flow duration for buildings other than one- and two-family dwelling shall be as specified the most current adopted International Fire Code.
- NOTE: All buildings or structures shall be constructed such that all ground level, exterior sides of the building are within 150 feet of a dedicated street or fire lane. If the 150 feet cannot be reached from a public street, a fire lane capable of supporting 80,000 lbs shall be required on site at time of construction.
- NOTE: Johnson County will be responsible for all floodplain regulations as it relates to development. In the event the property is ever annexed into the City of Burleson, all future proposed development shall follow the City of Burleson's floodplain regulations.
- NOTE: Blocking the flow of water or constructing improvements in the drainage easements, and filling or obstruction of the floodway is prohibited.
- NOTE: Blocking the flow of water or constructing improvements in the drainage easements, and filling or obstruction of the floodway is prohibited.
- NOTE: Johnson County will not be responsible for the maintenance and operations of said drainage ways or for the control of erosion.
- NOTE: Johnson County will not be responsible for any damage, personal injury or loss of life or property occasioned by flooding or flood conditions.
- NOTE: On-site sewage facility performance cannot be guaranteed even though all provisions of the Rules of Johnson County, Texas for Private Sewage Facilities are complied with.
- NOTE: Inspection and/or acceptance of a private sewage facility by the Johnson County Public Works Department shall indicate only that the facility meets minimum requirements and does not relieve the owner of the property from complying with County, State and Federal regulations. Private sewage facilities, although approved as meeting minimum standards, must be upgraded by the owner at the owner's expense if normal operation of the facility results in objectionable odors, if unsanitary conditions are created, or if the facility when used does not comply with governmental regulations.
- NOTE: Any public utility, including Johnson County, shall have the right to move and keep moved all or part of any buildings, fences, trees, shrubs, other growths or improvements which in any way endanger or interfere with the construction or maintenance, or efficiency of its respective systems in any of the easements shown on the plat; and any public utility, including Johnson County, shall have the right at all times of ingress and egress to and from said easements for the purpose of construction, reconstruction, inspection, patrolling, maintaining and adding to or removing all or part of its respective systems without the necessity at any time of procuring the permission of anyone.

General Notes (Cont.)

- NOTE: A minimum of 1 acre per residential structure is required for on-site sewage facilities (septic systems). If more than one structure is proposed for construction on a lot in the future, re-platting may be required.
- NOTE: Johnson County Public Works shall review and approve proposed location and design of any on-site sewage facilities (septic system)
- NOTE: all building setbacks are subject to current Johnson County development regulations.
- NOTE: All buildings or structures shall be constructed such that all ground level, exterior sides of the building are within 150 feet of a dedicated street or fire lane. If the 150 feet cannot be reached from a public street, a fire lane capable of supporting 80,000 lbs shall be required on site at time of construction.
- NOTE: The fire lane shall be 24 foot in width with 30 foot inside radii and 54' outside radii. The fire lane section shall either follow detail P-11 or 8 inches of concrete on 95% compacted base is acceptable. The developer shall be responsible for all testing and shall provide the results to the city inspectors
- NOTE: A fire hydrant is required within 500 feet of any residential structures (excluding townhomes and apartments as measured by the hose laying distance. For commercial buildings, fire hydrants shall be spaced to have an effective radius of 300 feet or a fire hose lay distance no greater than 300 feet to the front entrance of the building, whichever results in the closer fire hydrant spacing, or as required in the current International Fire Code.
- NOTE: Fire hydrants are required within 300 feet of all exterior portions of a commercial building. The distance shall be equal to the laying distance for fire apparatus hose lines along public streets and fire lanes from the nearest water supply

Flood Statement

According to the Flood Insurance Rate Map for Johnson County, Texas and incorporated areas Community Panel No. 4825(C0200) effective dated December 4, 2012, this property is located in Zone X (Areas determined to be outside the 500-year floodplain - outside 2% chance floodplain)

CITY OF BURLESON
JOHNSON COUNTY, TEXAS

Approved by the Planning and Zoning Commission
City of Burleson, Texas

This the _____ day of _____, 2024.

BY: _____
CHAIRMAN

BY: _____
CITY SECRETARY

TEXAS
FIRM NO.10194218
"LAND SURVEYING"
(ANY WHERE IN TEXAS)

SURVEYORS

P.O. Box 1855
Burleson, Texas 76097
Ph: 817-295-2999
Fax: 817-295-3311
Job No. 202403001

Planning & Zoning Commission Meeting

DEPARTMENT: Development Services
FROM: Emilio Sanchez, Development Services Assistant Director
MEETING: May 14, 2024

SUBJECT:

J&C Duran Addition, Lots 1-4, Block 1 (Case 24-061): Consider approval of a Final Plat for J&C Duran Addition, Lots 1-4, Block 1; addressed as 3327 FM 731. (*Staff Contact: Emilio Sanchez, Development Services Assistant Director*)

SUMMARY:

On February 19, 2024, an application for a final plat was submitted by Matthew Hayden (applicant) on behalf of Jorge L. Duran and Clara G. Duran (owners) for a final plat of approximately 8.62 acres. The property is being platted to create 4 residential lots.

The plat is administratively complete and meets the requirements of Appendix A – Subdivision and Development Regulations.

RECOMMENDATION:

Approve the Final Plat for J&C Duran Addition, Lots 1-4, Block 1.

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

None

REFERENCE:

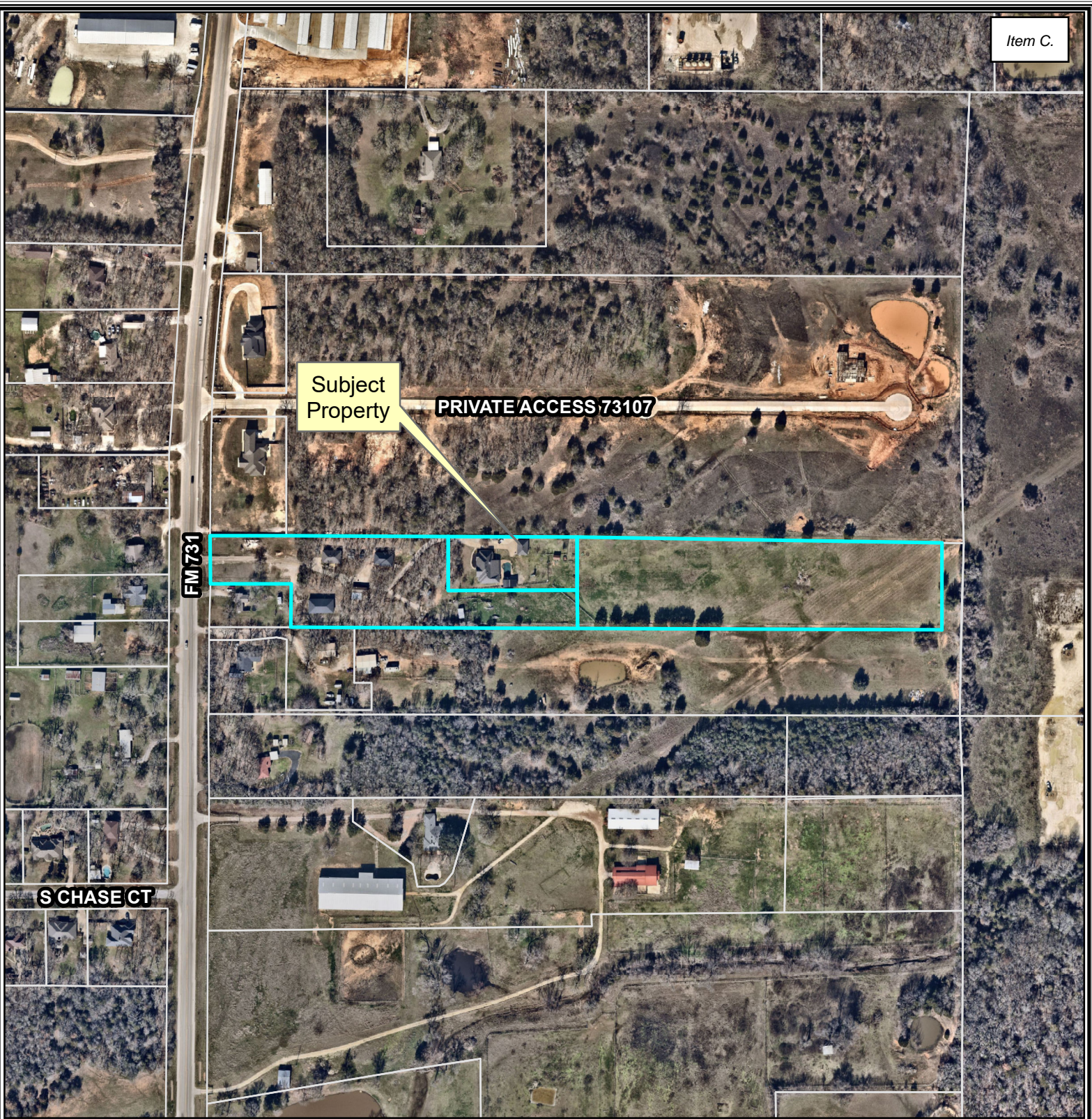
[City of Burleson, TX PLAT REQUIREMENTS: § 3.6 Replat. \(ecode360.com\)](#)

FISCAL IMPACT:

None

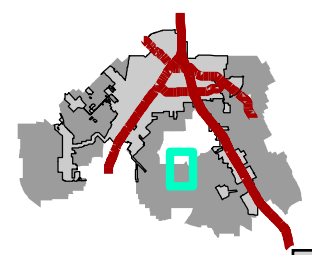
STAFF CONTACT:

Emilio Sanchez
Development Services Assistant Director
esanchez@burlesontx.com
817-426-9686

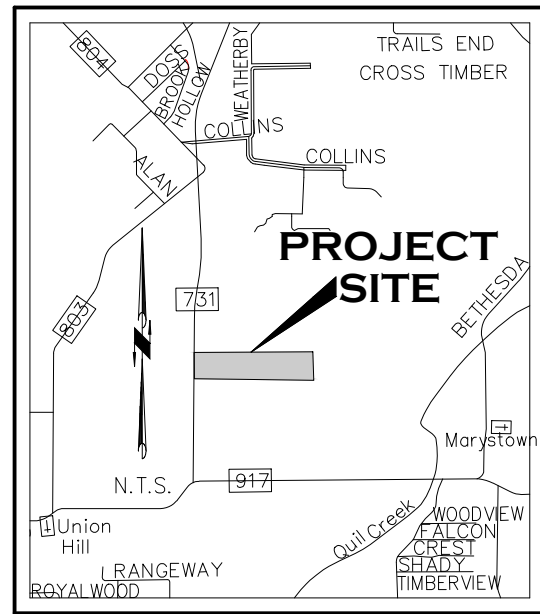
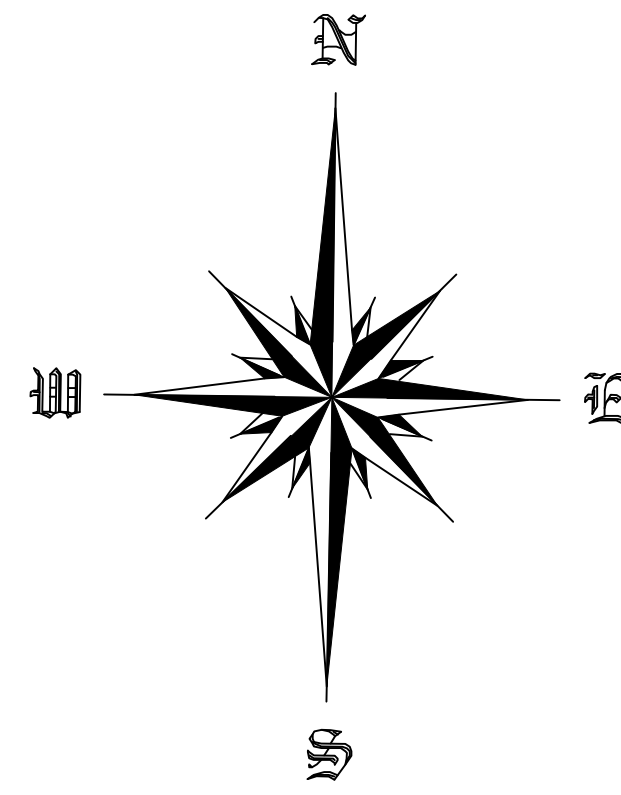


THE CITY OF
BURLESON
TEXAS

Final Plat
Lots 1-4, BLK 1
J&C Duran Addition
Case 24-061



Vicinity Map



VICINITY MAP (NOT TO SCALE)

LEGEND

- IRS IRON ROD SET WITH A CAP STAMPED "TRANS TEXAS SURVEYING"
IRF IRON ROD FOUND
CIRF CAPPED IRON ROD FOUND (C.M.)
CONTROLLING MONUMENT

SURVEYOR'S NOTES:

- 1. ALL BEARINGS AND COORDINATES SHOWN HEREON ARE CORRELATED TO THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE (4202), NAD83 (NA2011).
2. THE SURVEY PERFORMED ON THE GROUND OF THE SUBJECT PROPERTY AND THE PREPARATION OF A DEPICTION OF THE RESULTS THEREOF ON THIS FINAL PLAT AND PROPERTY DESCRIPTION WERE PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE, THEREFORE THERE MAY BE EASEMENTS OR OTHER MATTERS THAT COULD EXIST AND ARE NOT SHOWN.
3. () DENOTES RECORD DATA.

PROPERTY DESCRIPTION

BEING A TRACT OF LAND LOCATED IN THE G. FOX SURVEY, ABSTRACT NO. 273, JOHNSON COUNTY, TEXAS AND BEING ALL OF A CALLED 8.62 ACRE TRACT OF LAND AS DESCRIBED IN A DEED RECORDED IN VOLUME 2728, PAGE 843, OFFICIAL PUBLIC RECORDS, JOHNSON COUNTY, TEXAS (O.P.R.J.C.T.), AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT A SQUARE BOLT FOUND IN THE EAST RIGHT-OF-WAY LINE OF F. M. HIGHWAY NO. 731, FOR THE NORTHWEST CORNER OF SAID 8.62 ACRE TRACT AND BEING THE SOUTHWEST CORNER OF A CALLED 1.19 ACRE TRACT OF LAND AS DESCRIBED IN A DEED RECORDED IN INSTRUMENT NO. 2021-46208, O.P.R.J.C.T.;
THENCE, S 89°46'28" E, A DISTANCE OF 1830.89 FEET TO A 1/2" IRON ROD FOUND IN THE SOUTH LINE OF A CALLED 9.451 ACRE TRACT OF LAND DESCRIBED AS TRACT 3 IN A DEED RECORDED IN INSTRUMENT NO. 2021-38105, O.P.R.J.C.T., FOR THE NORTHEAST CORNER OF SAID 8.62 ACRE TRACT AND BEING THE EASTERNMOST NORTHWEST CORNER OF A CALLED 9.62 ACRE TRACT OF LAND AS DESCRIBED IN A DEED RECORDED IN INSTRUMENT NO. 2020-15056, O.P.R.J.C.T.;
THENCE, WITH THE COMMON LINE BETWEEN SAID 8.62 ACRE TRACT AND SAID 9.62 ACRE TRACT, THE FOLLOWING BEARINGS AND DISTANCES:
S 00°47'29" W, A DISTANCE OF 216.79 FEET TO A 5/8" IRON ROD WITH A CAP STAMPED "TRANS TEXAS SURVEYING" SET FOR THE SOUTHEAST CORNER OF SAID 8.62 ACRE TRACT AND BEING AN ELL CORNER OF SAID 9.62 ACRE TRACT;
N 89°53'53" W, A DISTANCE OF 1627.93 FEET TO A 1/2" IRON ROD WITH A CAP STAMPED "TEXAS SURVEYORS" FOUND FOR THE SOUTHWESTERLY CORNER OF SAID 8.62 ACRE TRACT AND BEING THE SOUTHEAST CORNER OF A CALLED 0.5 ACRE TRACT OF LAND AS DESCRIBED IN A DEED RECORDED IN INSTRUMENT NO. 2011-10777, O.P.R.J.C.T.;
THENCE, WITH THE COMMON LINE BETWEEN SAID 8.62 ACRE TRACT AND SAID 0.5 ACRE TRACT, THE FOLLOWING BEARINGS AND DISTANCES:
N 00°27'04" E, A DISTANCE OF 108.07 FEET TO A 2-1/2" STEEL FENCE POST FOUND;
N 88°51'31" W, A DISTANCE OF 201.48 FEET TO A 5/8" IRON ROD FOUND IN THE EAST RIGHT-OF-WAY LINE OF SAID F. M. HIGHWAY NO. 731, FOR A WESTERLY SOUTHWEST CORNER OF SAID 8.62 ACRE TRACT AND BEING THE NORTHWEST CORNER OF SAID 0.5 ACRE TRACT;
THENCE, N 00°20'15" E, WITH THE EAST RIGHT-OF-WAY LINE OF SAID F. M. HIGHWAY NO. 731, A DISTANCE OF 109.00 FEET TO THE PLACE OF BEGINNING AND CONTAINING 8.682 ACRES OF LAND.

NOTES:

- 1. BLOCKING THE FLOW OF WATER OR CONSTRUCTING IMPROVEMENTS IN THE DRAINAGE EASEMENTS, AND FILLING OR OBSTRUCTION OF THE FLOODWAY IS PROHIBITED.
2. THE EXISTING CREEKS OR DRAINAGE CHANNELS TRAVERSING ALONG OR ACROSS THIS ADDITION WILL REMAIN AS OPEN CHANNELS AND WILL BE MAINTAINED BY THE INDIVIDUAL OWNERS OF THE LOT OR LOTS THAT ARE TRAVERSED BY OR ADJACENT TO DRAINAGE COURSES ALONG OR ACROSS SAID LOTS.
3. JOHNSON COUNTY WILL NOT BE RESPONSIBLE FOR THE MAINTENANCE AND OPERATIONS OF SAID DRAINAGE WAYS OR FOR THE CONTROL OF EROSION.
4. JOHNSON COUNTY WILL NOT BE RESPONSIBLE FOR ANY DAMAGE, PERSONAL INJURY OR LOSS OF LIFE OR PROPERTY OCCASIONED BY FLOODING OR FLOOD CONDITIONS.
5. ON-SITE SEWAGE FACILITY PERFORMANCE CANNOT BE GUARANTEED EVEN THOUGH ALL PROVISIONS OF THE RULES OF JOHNSON COUNTY, TEXAS FOR PRIVATE SEWAGE FACILITIES ARE COMPLIED WITH.
6. A MINIMUM OF 1 ACRE PER RESIDENTIAL STRUCTURE IS REQUIRED FOR ON-SITE SEWAGE FACILITIES (SEPTIC SYSTEMS). IF MORE THAN ONE STRUCTURE IS PROPOSED FOR CONSTRUCTION ON A LOT IN THE FUTURE, RE-PLATTING MAY BE REQUIRED. JOHNSON COUNTY PUBLIC WORKS SHALL REVIEW AND APPROVE PROPOSED LOCATIONS AND DESIGN OF ANY ON-SITE SEWAGE FACILITIES (SEPTIC SYSTEM).
7. ANY STRUCTURE(S) LOCATED GREATER THAN 150 FEET FROM A PUBLIC ROADWAY OR FIRE LANE SHALL HAVE AN ALL-WEATHER SURFACE DRIVE THAT WILL SUPPORT 80,000 LBS FOR EMERGENCY VEHICLES TO ACCESS THE STRUCTURE(S).
8. INSPECTION AND/OR ACCEPTANCE OF A PRIVATE SEWAGE FACILITY BY THE JOHNSON COUNTY PUBLIC WORKS DEPARTMENT SHALL INDICATE ONLY THAT THE FACILITY MEETS MINIMUM REQUIREMENTS AND DOES NOT RELIEVE THE OWNER OF THE PROPERTY FROM COMPLYING WITH COUNTY, STATE AND FEDERAL REGULATIONS. PRIVATE SEWAGE FACILITIES, ALTHOUGH APPROVED AS MEETING MINIMUM STANDARDS, MUST BE UPGRADED BY THE OWNER AT THE OWNER'S EXPENSE IF NORMAL OPERATION OF THE FACILITY RESULTS IN OBJECTIONABLE ODORS, IF UNSANITARY CONDITIONS ARE CREATED, OR IF THE FACILITY WHEN USED DOES NOT COMPLY WITH ENVIRONMENTAL REGULATIONS.
9. A PROPERLY DESIGNED AND CONSTRUCTED PRIVATE SEWAGE FACILITY SYSTEM, IN SUITABLE SOIL, CAN MALFUNCTION IF THE AMOUNT OF WATER IT IS REQUIRED TO DISPOSE OF IS NOT CONTROLLED. IT WILL BE THE RESPONSIBILITY OF THE LOT OWNER TO MAINTAIN AND OPERATE THE PRIVATE SEWAGE FACILITY IN A SATISFACTORY MANNER.
10. ANY PUBLIC UTILITY, INCLUDING JOHNSON COUNTY, SHALL HAVE THE RIGHT TO MOVE AND KEEP MOVED ALL OR PART OF ANY BUILDINGS, FENCES, TREES, SHRUBS, OTHER GROWTHS OR IMPROVEMENTS WHICH IN ANY WAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION OR MAINTENANCE, OR EFFICACY OF ITS RESPECTIVE SYSTEMS IN ANY OF THE EASEMENTS SHOWN ON THE PLAT, AND ANY PUBLIC UTILITY, INCLUDING JOHNSON COUNTY, SHALL HAVE THE RIGHT AT ALL TIMES OF INGRESS AND EGRESS TO AND FROM SAID EASEMENTS FOR THE PURPOSE OF CONSTRUCTION, RECONSTRUCTION, INSPECTION, PATROLLING, MAINTAINING AND ADDING TO OR REMOVING ALL OR PART OF ITS RESPECTIVE SYSTEMS WITHOUT THE NECESSITY AT ANY TIME OF PROCURING THE PERMISSION OF ANYONE.
11. THE REQUIREMENT OF PUBLIC INFRASTRUCTURE WAS BASED ON THE UTILITY EXHIBIT DATED MARCH 28, 2024, SUBMITTED WITH THIS PLAT FOR REVIEW TO THE CITY OF BURLESON. ANY ADDITIONAL STRUCTURES PROPOSED ON THIS PROPERTY MAY REQUIRE THE EXISTING WATER LINES TO BE IMPROVED AND A FIRE HYDRANT(S) INSTALLED FOR FIRE PROTECTION. PLEASE CONTACT THE CITY OF BURLESON ENGINEERING SERVICES DEPARTMENT PRIOR TO ANY DEVELOPMENT PERMIT ISSUED.
12. ALL BUILDING SETBACKS ARE SUBJECT TO CURRENT JOHNSON COUNTY SUBDIVISION REGULATIONS.
13. ACCORDING TO THE FLOOD INSURANCE RATE MAP (FIRM) COMMUNITY PANEL NO. 4825C0180J, DATED DECEMBER 4, 2012. THE SUBJECT PROPERTY IS LOCATED WITHIN THE FOLLOWING ZONES:
ZONE X - AREAS DETERMINED TO BE OUTSIDE THE 500-YEAR FLOODPLAIN.
THIS SURVEYOR ASSUMES NO RESPONSIBILITY FOR THE ACCURACY OF SAID FEMA FLOOD INSURANCE RATE MAP.
14. THE RIGHT-OF-WAY DEDICATION IS GRANTED IN FEE SIMPLE TO TXDOT FOR USE AS STORM WATER, PUBLIC UTILITY, PEDESTRIAN, OR OTHER PUBLIC PURPOSES.
15. THIS PLAT DOES NOT ALTER OR REMOVE EXISTING DEED RESTRICTIONS OR COVENANTS, IF ANY, ON THIS PROPERTY.
16. JOHNSON COUNTY WILL BE RESPONSIBLE FOR ALL FLOODPLAIN REGULATIONS AS IT RELATES TO DEVELOPMENT. IN THE EVENT THE PROPERTY IS EVER ANNEXED INTO THE CITY OF BURLESON, ALL FUTURE PROPOSED DEVELOPMENT SHALL FOLLOW THE CITY OF BURLESON'S FLOODPLAIN REGULATIONS.
17. THE CITY OF BURLESON RESERVES THE RIGHT TO REQUIRE MINIMUM FINISH FLOOR ELEVATION ON ANY LOT WITHIN THIS SUBDIVISION. THE MINIMUM ELEVATIONS SHOWN ARE BASED ON THE MOST CURRENT INFORMATION AVAILABLE AT THE TIME THE PLAT IS FILED AND MAY BE SUBJECT TO CHANGE.
18. FOR ALL SINGLE-FAMILY DETACHED AND DUPLEX RESIDENCES, EXCLUDING TOWNHOUSES AND APARTMENTS, FIRE HYDRANTS SHALL BE SPACED TO HAVE A FIRE HOSE LAYING DISTANCE OF NO GREATER THAN 500 FEET. THE FIRE HOSE LAYING DISTANCE IS MEASURED BY THE LAYING OF FIRE APPARATUS HOSE LINES ALONG THE RIGHT-OF-WAY OR ACCESS EASEMENTS FROM THE NEAREST WATER SUPPLY ON A STREET TO THE MAIN ENTRANCE OF THE BUILDING.
19. FOR COMMERCIAL BUILDINGS, FIRE HYDRANTS SHALL BE SPACED TO HAVE A FIRE HOSE LAY DISTANCE OF NO GREATER THAN 300 FEET. THE FIRE HOSE LAYING DISTANCE IS MEASURED BY THE LAYING OF FIRE APPARATUS HOSE LINES ALONG THE RIGHT-OF-WAY OR ACCESS EASEMENTS FROM THE NEAREST WATER SUPPLY ON A STREET TO THE MAIN ENTRANCE OF THE BUILDING.
20. THE MINIMUM FIRE FLOW REQUIREMENTS FOR ONE- AND TWO-FAMILY DWELLINGS HAVING A FIRE-FLOW CALCULATION AREA WHICH DOES NOT EXCEED 3,600 SQUARE FEET SHALL BE 1,500 GALLONS PER MINUTE. FIRE FLOW AND FLOW DURATION FOR DWELLINGS HAVING A FIRE-FLOW CALCULATION AREA IN EXCESS OF 3,600 SQUARE FEET SHALL NOT BE LESS THAN THAT SPECIFIED IN TABLE B105.1 OF THE MOST CURRENT ADOPTED INTERNATIONAL FIRE CODE.
21. ALL FIRE HYDRANTS MUST PROVIDE A MINIMUM OF 35 PSI STATIC PRESSURE AND A 20 PSI RESIDUAL PRESSURE.
22. THE MINIMUM FIRE FLOW AND FLOW DURATION FOR BUILDINGS OTHER THAN ONE- AND TWO-FAMILY DWELLING SHALL BE AS SPECIFIED THE MOST CURRENT ADOPTED INTERNATIONAL FIRE CODE.
23. THE PURPOSE OF THE REPLAT IS FOR SINGLE FAMILY RESIDENTIAL.
24. UTILITY PROVIDERS:
WATER SERVICE PROVIDED BY BETHESDA WATER SUPPLY CORPORATION 817-295-2131.
ELECTRIC SERVICE PROVIDED BY ONCOR ELECTRIC DELIVERY COMPANY LLC. 888-313-4747
25. ALL LOTS WILL BE SERVED BY THE COMMON ACCESS EASEMENT.
26. A FIRE HYDRANT IS REQUIRED WITHIN 500 FT. OF ANY RESIDENTIAL STRUCTURES (EXCLUDING TOWNHOMES AND APARTMENTS AS MEASURED BY THE HOSE LAYING DISTANCE. FOR COMMERCIAL BUILDINGS, FIRE HYDRANTS SHALL BE SPACED TO HAVE AN EFFECTIVE RADIUS OF 300 FEET OR A FIRE HOSE LAY DISTANCE NO GREATER THAN 300 FEET TO THE FRONT ENTRANCE OF THE BUILDING, WHICHEVER RESULTS IN THE CLOSER FIRE HYDRANT SPACING, OR AS REQUIRED IN THE CURRENT INTERNATIONAL FIRE CODE.

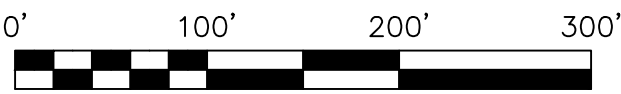
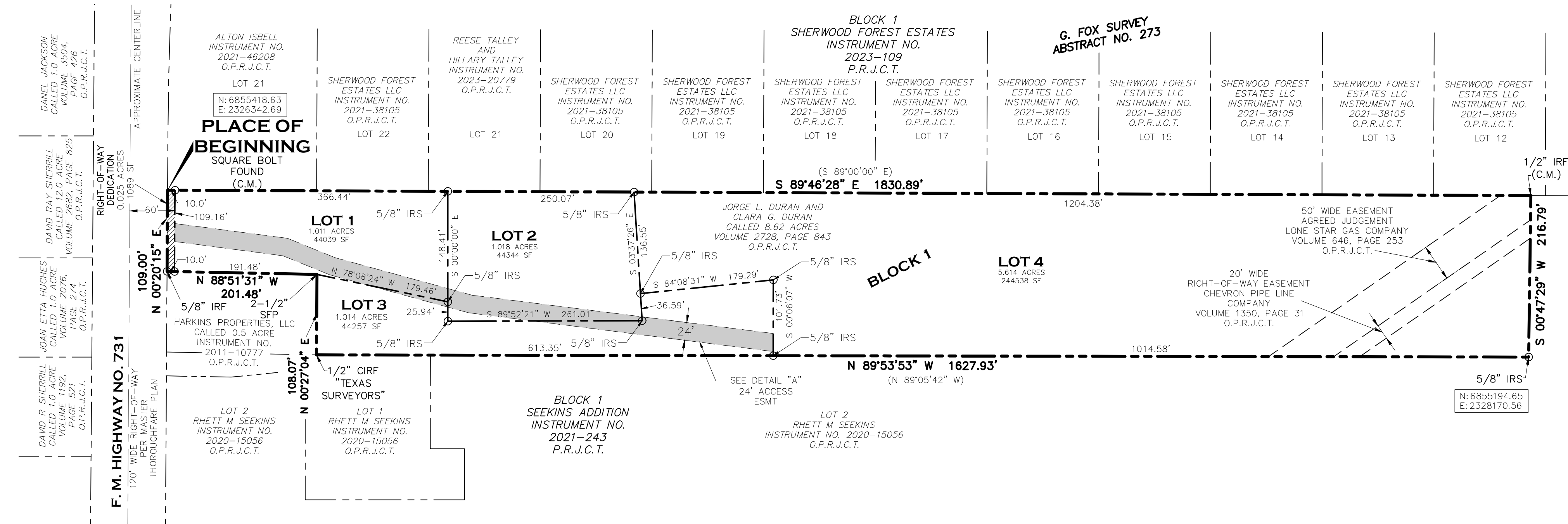


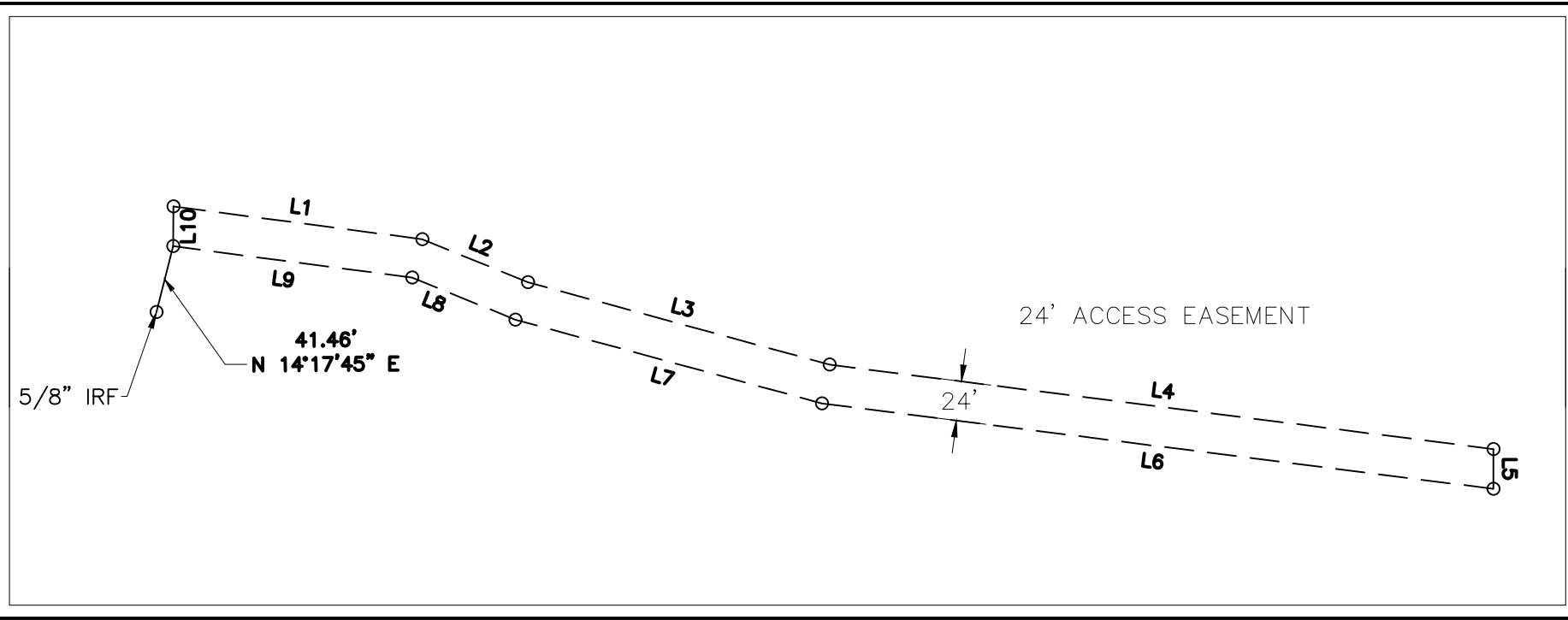
Table with 4 columns: PRE DIRECTION, STREET NAME, STREET TYPE, ROW (ACRES). Row 1: 731, F.M., 0.025



KNOW ALL MEN BY THESE PRESENTS:

THAT JORGE L. DURAN AND CLARA G. DURAN DO HEREBY ADOPT THIS PLAT DESIGNATING THE HEREINBEFORE DESCRIBED PROPERTY AS LOTS 1-4, BLOCK 1, J & C DURAN ADDITION, AN ADDITION TO THE E.T.J. OF THE CITY OF BURLESON, JOHNSON COUNTY, TEXAS, AND DO HEREBY DEDICATE TO THE PUBLIC USE, FOR EVER, ALL STREETS, RIGHTS-OF-WAY, ALLEYS AND EASEMENTS SHOWN THEREON. THE CITY OR ANY PUBLIC UTILITY SHALL HAVE THE RIGHT TO REMOVE AND KEEP REMOVED ALL OR PART OF ANY BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROWTHS IN WHICH ANY WAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE OR EFFICIENCY OF ITS RESPECTIVE SYSTEMS ON ANY OF THESE EASEMENTS, AND THE CITY OR ANY PUBLIC UTILITY SHALL AT ALL TIMES HAVE THE RIGHT OF INGRESS AND EGRESS TO AND FROM AND UPON THE SAID EASEMENT FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, AND PATROLLING, WITHOUT THE NECESSITY AT ANY TIME OF PROCURING THE PERMISSION OF ANYONE. THIS PLAT APPROVED SUBJECT TO ALL PLATTING ORDINANCES, RULES, REGULATIONS, AND RESOLUTIONS OF THE CITY OF BURLESON, TEXAS.

Table with 3 columns: LINE, BEARING, DISTANCE. Lines L1 through L10 with bearings and distances.



DETAIL "A" SCALE: 1"=100'

BY: JORGE L. DURAN
BY: CLARA G. DURAN

STATE OF TEXAS COUNTY OF JOHNSON
BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS DAY PERSONALLY APPEARED JORGE L. DURAN, KNOWN TO ME TO BE THE PERSONS WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN.

WITNESS MY HAND AND SEAL OF OFFICE, THIS ____ DAY OF ____ 2024.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

STATE OF TEXAS COUNTY OF JOHNSON
BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS DAY PERSONALLY APPEARED CLARA G. DURAN, KNOWN TO ME TO BE THE PERSONS WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN.

WITNESS MY HAND AND SEAL OF OFFICE, THIS ____ DAY OF ____ 2024.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

PLAT RECORDED IN
YEAR ____ INSTRUMENT # ____
DRAWER ____ SLIDE ____
DATE ____
COUNTY CLERK, JOHNSON COUNTY, TEXAS
DEPUTY ____

APPROVED BY THE DEVELOPMENT ASSISTANCE COMMITTEE, BURLESON, TEXAS
THIS THE ____ DAY OF ____ 20__
BY: DAC CHAIR
BY: CITY SECRETARY

SURVEYOR'S CERTIFICATION

THAT I, ROBERT L. YOUNG, DO CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND ON AUGUST 02, 2022 AND THAT THE CORNER MONUMENTS SHOWN THEREON AS SET WERE PROPERLY PLACED UNDER MY PERSONAL SUPERVISION IN ACCORDANCE WITH THE SUBDIVISION REQUIREMENTS OF THE CITY OF BURLESON.

PRELIMINARY FOR REVIEW PURPOSES ONLY. NOT TO BE RECORDED FOR ANY REASON.

REGISTERED PROFESSIONAL LAND SURVEYOR TEXAS REGISTRATION NO. 5400

OWNERS: JORGE AND CLARA DURAN 3327 FM. 731, BURLESON, TX, 76028 PHONE: 817-925-9960

CASE FP24-061 FEBRUARY 2024

FINAL PLAT SHOWING LOTS 1 - 4, BLOCK 1, J & C DURAN ADDITION AN ADDITION IN THE CURRENT E.T.J. OF THE CITY OF BURLESON, JOHNSON COUNTY, TEXAS BEING 8.682 ACRES OF LAND LOCATED IN THE G. FOX SURVEY, ABSTRACT NO. 273, JOHNSON COUNTY, TEXAS.



401 N. NOLAN RIVER ROAD CLEBURNE, TEXAS 76033 OFFICE: 817-556-3440 FAX: 817-556-3545 www.transtexasurveying.com

Scale: 1"=100' Date: 04/05/2024 DWG: 20220164-FINAL PLAT Drawn: MLH Checked: LGB Job: 20220164

Planning & Zoning Commission Meeting

DEPARTMENT: Development Services

FROM: Emilio Sanchez, Development Services Assistant Director

MEETING: May 14, 2024

SUBJECT:

East Park Addition, Lots 1 thru 8, Block 1 (Case 24-087): Consider approval of a Preliminary Plat for East Park Addition, Lots 1 thru 8, Block 1; addressed as 3433 E Renfro Street. (Staff Contact: Emilio Sanchez, Development Services Assistant Director)

SUMMARY:

On March 4, 2024, an application for a preliminary and final plat was submitted by Kelly Rickett (applicant) on behalf of Ryan Bowers (owner) for a preliminary and final plat of approximately 35.414 acres. The property is being platted to create 7 residential lots and 1 detention lot.

The plat is administratively complete and meets the requirements of Appendix A – Subdivision and Development Regulations.

RECOMMENDATION:

Approve the Preliminary Plat for East Park Addition, Lots 1 thru 8, Block 1.

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

None

REFERENCE:

[City of Burleson, TX PLAT REQUIREMENTS:
§ 3.6 Replat. \(ecode360.com\)](#)

FISCAL IMPACT:

None

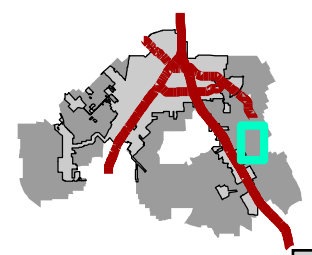
STAFF CONTACT:

Emilio Sanchez
Development Services Assistant Director
esanchez@burlesontx.com
817-426-9686

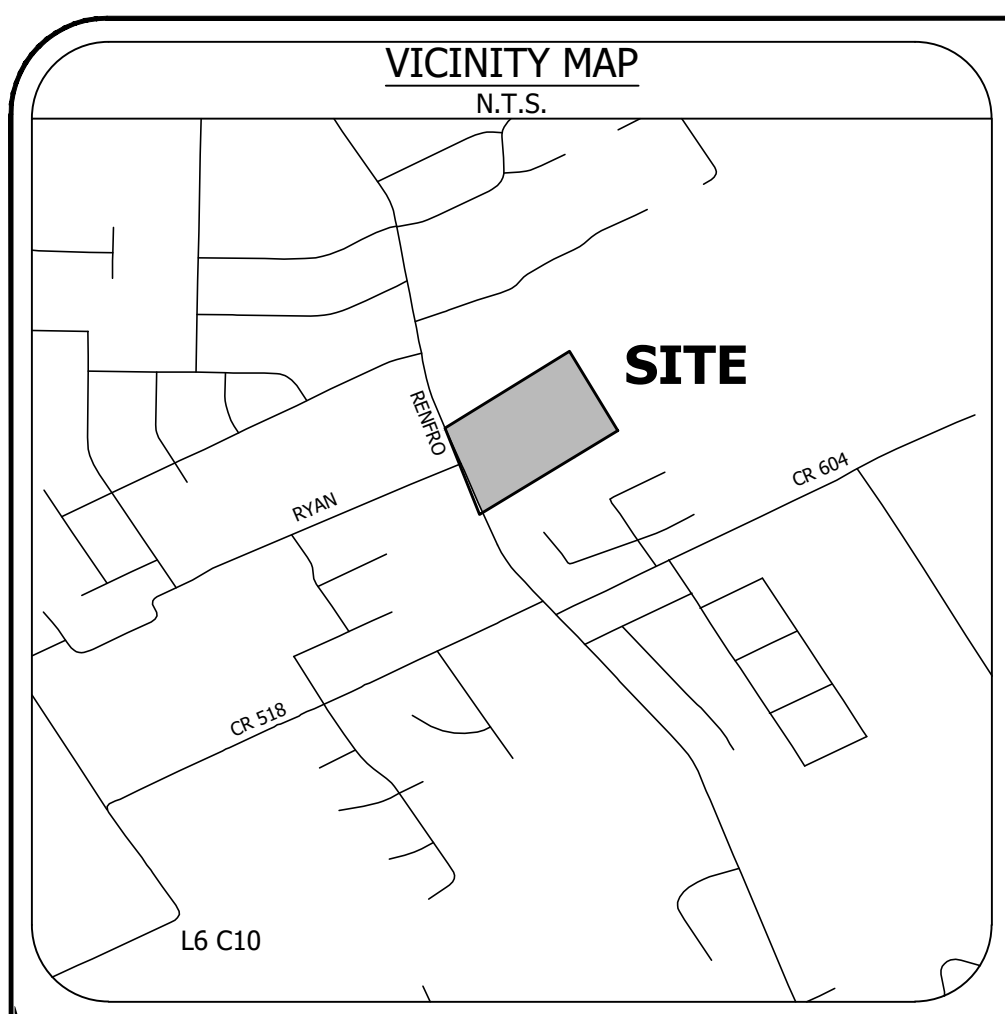


THE CITY OF
BURLESON
 TEXAS

**Preliminary Plat
 Lots 1 Thru 8 BLK 1
 East Park Addition
 Case 24-087**



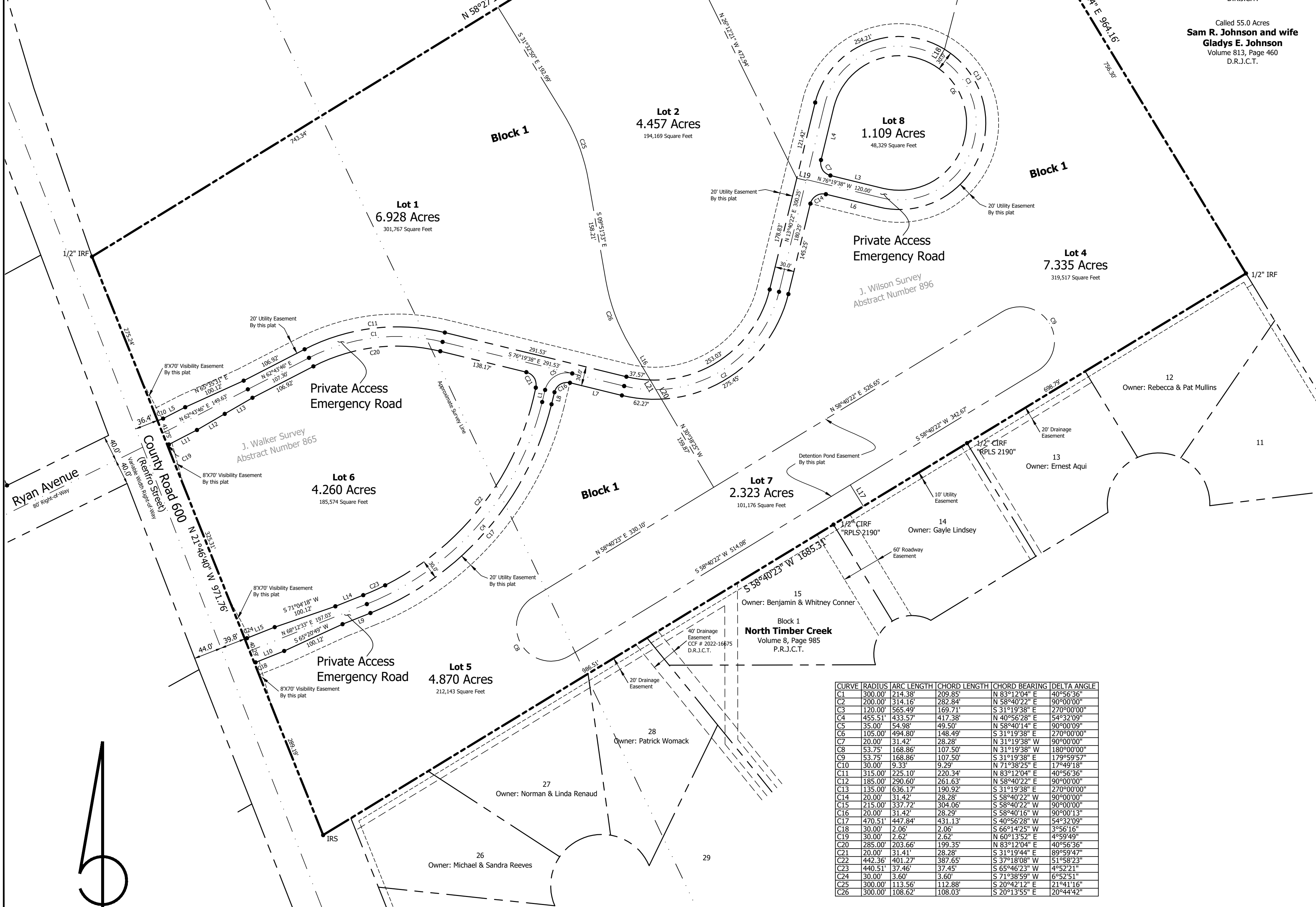
Vicinity Map



Owner/Developer:
East Park Estates of Burleson, LLC
1845 Precinct Line Road
Suite 106
Hurst, Texas 76054

Called 47 Acres
Peggy Sue Wiese Strange
Volume 4490, Page 456
D.R.J.C.T.

LINE	BEARING	DISTANCE
L1	N 13°40'09" E	19.37
L2	N 76°19'38" W	85.00
L3	N 13°40'09" E	85.00
L4	N 13°40'09" E	85.00
L5	N 76°19'38" W	85.00
L6	N 76°19'38" W	85.00
L7	N 76°19'38" W	85.00
L8	N 76°19'38" W	85.00
L9	S 68°17'33" W	46.88
L10	S 68°17'33" W	46.88
L11	N 62°43'46" E	49.32
L12	N 59°27'01" E	50.06
L13	N 59°27'01" E	50.06
L14	S 68°17'33" W	46.88
L15	S 68°17'33" W	46.88
L16	S 30°26'16" E	63.86
L17	S 31°19'38" E	39.16
L18	N 31°33'44" E	15.00
L19	N 76°19'38" W	15.00
L20	N 30°26'16" W	17.09
L21	S 30°26'16" E	17.52



Karen Lanell Spears
Phillip Rann Johnson
Gary Hayden Johnson
CJCF# 2014-15247
D.R.J.C.T.

Called 55.0 Acres
Sam R. Johnson and wife
Gladys E. Johnson
Volume 813, Page 460
D.R.J.C.T.

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	300.00	214.38	209.85	N 83°12'04" E	40°56'36"
C2	200.00	314.16	282.84	N 58°40'22" E	90°00'00"
C3	120.00	565.49	169.71	S 31°19'38" E	270°00'00"
C4	455.51	433.57	417.38	N 40°56'28" E	54°32'09"
C5	35.00	54.88	49.50	N 58°40'14" E	90°00'00"
C6	105.00	494.80	148.49	S 31°19'38" E	270°00'00"
C7	30.00	31.42	28.28	N 31°19'38" W	90°00'00"
C8	53.75	168.86	107.50	N 31°19'38" W	180°00'00"
C9	83.75	168.86	107.50	S 31°19'38" E	179°59'57"
C10	30.00	9.33	9.26	N 71°58'25" E	17°49'18"
C11	315.00	225.10	220.34	N 83°12'04" E	40°56'36"
C12	185.00	290.69	261.63	N 58°40'22" E	90°00'00"
C13	135.00	636.17	190.92	S 31°19'38" E	270°00'00"
C14	20.00	31.42	28.28	S 58°40'22" W	90°00'00"
C15	215.00	137.72	304.86	S 58°40'22" W	90°00'00"
C16	30.00	31.42	28.29	S 58°40'16" W	90°00'13"
C17	470.51	447.84	431.13	S 40°56'28" W	54°32'09"
C18	30.00	12.66	12.66	S 65°14'25" W	3°56'16"
C19	30.00	2.82	2.82	N 60°13'52" E	4°59'49"
C20	285.00	203.66	199.35	N 83°12'04" E	40°56'36"
C21	30.00	31.41	28.36	S 31°19'44" E	89°59'47"
C22	442.36	401.27	387.65	S 37°18'08" W	51°58'23"
C23	440.51	37.46	37.45	S 65°46'23" W	4°52'21"
C24	30.00	13.60	13.60	S 71°38'59" W	6°52'51"
C25	300.00	113.56	112.88	S 20°42'12" E	21°41'16"
C26	300.00	108.62	108.03	S 20°13'55" E	20°44'42"

Surveyor's Certification

I, Jeremy Luke Deal, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed, under my personal supervision, in accordance with the subdivision regulations of the City of Burleson, Texas.

Executed this the ____ day of _____, in the year of our Lord 2024.

Jeremy Luke Deal
Registered Professional Land Surveyor
Texas Registration No. 5696

Pre Direction	Street Name	Street Type/Suffix	ROW (Acres)
N/A	County Road 600 Renfro Street	N/A	0.000 Acres

The right-of-way dedication is granted in fee simple to Johnson County for use as storm water, public utility, pedestrian, or other public purposes.

Standard Notes

- Blocking the flow of water or constructing improvements in the drainage easements, and filling or obstruction of the roadway is prohibited.
- The existing creeks or drainage channels traversing along or across this addition will remain as open channels and will be maintained by the individual owners of the lot or lots that are traversed by or adjacent to drainage courses along or across said lots.
- Johnson County will be responsible for all floodplain regulations as it relates to development. In the event the property is ever annexed into the City of Burleson, all future proposed development shall follow the City of Burleson's floodplain regulations.
- Johnson County will not be responsible for the maintenance and operations of said drainage ways or for the control of erosion.
- Johnson County will not be responsible for any damage, personal injury or loss of life or property occasioned by flooding or flood conditions.
- On-site sewage facility performance cannot be guaranteed even though all provisions of the Rules of Johnson County, Texas for Private Sewage Facilities are complied with.
- Inspection and/or acceptance of a private sewage facility by the Johnson County Public Works Department shall indicate only that the facility meets minimum requirements and does not relieve the owner of the property from complying with County, State and Federal regulations. Private sewage facilities, although approved as meeting minimum standards, must be upgraded by the owner at the owner's expense if normal operation of the facility results in objectionable odors, if unsanitary conditions are created, or if the facility when used does not comply with governmental regulations.
- A properly designed and constructed private sewage facility system, in suitable soil, can malfunction if the amount of water it is required to dispose of is not controlled. It will be the responsibility of the lot owner to maintain and operate the private sewage facility in a satisfactory manner.
- Any public utility, including Johnson County, shall have the right to move and keep moved all or part of any buildings, fences, trees, shrubs, other growths or improvements which in any way endanger or interfere with the construction or maintenance, or efficacy of its respective systems in any of the easements shown on the plat; and any public utility, including Johnson County, shall have the right at all times of ingress and egress to and from said easements for the purpose of construction, reconstruction, inspection, patrolling, maintaining and adding to or removing all or part of its respective systems without the necessity at any time of procuring the permission of anyone.
- All building setbacks are subject to current Johnson County development regulations.
- All buildings or structures shall be constructed such that all ground level, exterior sides of the building are within 150 feet of the Private Access Emergency Road. If the 150 feet cannot be reached from the Private Access Emergency Road, a fire line capable of supporting 80,000 lbs shall be required on site at time of construction.
- Water Provider - Bethesda Water Supply Corporation - (817) 295-2131
Sewer Provider - On-Site Aseptic Systems (1 system per lot)
Electric Provider - United Cooperative Services - (817) 447-9292
- Fire Hydrants:
A. For all single-family detached and duplex residences, excluding townhouses and apartments, fire hydrants shall be spaced to have a fire hose laying distance of no greater than 500 feet. The fire hose laying distance is measured by the laying of fire apparatus hose lines along the right-of-way or access easements from the nearest water supply on a street to the main entrance of the building.
B. The Fire Marshal may waive the requirement for the lay of hose distance or the installation of a hydrant for subdivisions of 2 lots or less when the existing water supply in the area will not support a hydrant. Appeals to the Fire Marshal's decision shall be made to the Planning and Zoning Commission and City Council. If the development is within 100 feet of an 8" water main, the owner must extend the main to and through the development and provide a fire hydrant.
C. The minimum fire flow requirements for one- and two-family dwellings having a fire-flow calculation area which does not exceed 3,600 square feet shall be 1,500 gallons per minute. Fire flow and flow duration for dwellings having a fire-flow calculation area in excess of 3,600 square feet shall not be less than that specified in Table B105.1 of the most current adopted International Fire Code.
D. All fire hydrants must provide a minimum of 35 psi static pressure and a 20 psi residual pressure.
E. A fire hydrant shall be installed at the end of mains on cul-de-sacs. Other fire hydrants shall be located at street intersections and shall align with common lot lines. Additional fire hydrants may be required between intersections to meet the minimum spacing requirements.
F. When a street is designated on the Master Thoroughfare Map as an arterial or larger, fire hydrants shall be required on the same side of the street that the building is to be constructed. All streets with medians shall have a fire hydrant on the same side of the street that the building is to be constructed.
G. Fire hydrants shall be located in accessible protected areas. They shall be located a minimum of 3 feet and no more than 8 feet behind the back of curb. They shall not be located in the sidewalk.
H. Fire hydrants shall be located outside curb returns and at least 4 feet from a driveway.
I. A clear space of three feet shall be maintained around all fire hydrants.
J. Fire hydrant mains shall be placed between 4 feet and 6 feet in depth. Offsets or bends shall be used to bring the fire hydrant up to allowable depths.
K. Private fire protection systems and private fire hydrant locations shall be approved by the Fire Marshal prior to construction. A fire hydrant shall be installed no more than 150 feet from the fire department connection for an automatic sprinkler system.
- Fire Access Requirements:
A. Construction Requirements
a. To provide adequate emergency vehicle access, all required fire lanes and public streets shall be installed and accepted before any construction occurs above the slab.
B. Hose Lay Distance
a. All buildings or structures shall be constructed such that all ground level, exterior sides of the building are within 150 feet of a dedicated street or fire lane. The 150 feet is measured by an approved route around the exterior of the building or facility. If the 150 feet cannot be reached from a public street, a fire lane will be required on site. This distance may be extended to 200 feet for single family dwellings with approval of the Fire Marshal. Except for single or two-family residences, the path of measurement shall be along a minimum of a ten (10) foot wide unobstructed pathway around the exterior walls of the structure.
C. Unusual Conditions
a. When fire lanes cannot be installed due to topography, waterways, non-negotiable grades or other similar conditions, the Fire Marshal may require additional fire protection systems.
D. Surface
a. Fire lanes shall be constructed of a 6" reinforced concrete to provide all-weather driving capabilities, meeting the requirements of the standards contained within this manual and the adopted Fire Code.
E. Vertical Clearance
a. All fire lanes shall have a minimum vertical clearance of 14 feet to allow a fire truck to pass in case of an emergency.
F. Width
a. The minimum unobstructed width of a fire lane shall be 24 feet to allow two fire trucks to pass in case of an emergency. For one single-family dwelling, this width may be reduced with approval of the Fire Marshal.
G. Turning Radius
a. All fire lanes shall have a minimum inside turning radius of 30 feet and an outside turning radius of 54 feet.
H. Grade
a. The maximum grade for a fire lane or street when serving a building not protected throughout by an automatic sprinkler system is 10 percent.
I. Bridges
a. When a bridge is required to be used as access, it shall be constructed and maintained to carry a load of 75,000 pounds.
J. Gates
a. All gates across streets or fire lanes must be approved by the Fire Marshal and DPW. Plans shall be submitted to the Fire Marshal and DPW and approved prior to a permit being issued. All gates across fire lanes shall be equipped with a Knox entry system. A call box shall be required for all gates.
K. Turn-Around Areas
a. Dead-end fire lanes shall not exceed 150 feet in length without an approved turn around. Illustrations of approved turn-around arrangements are as follows:
L. Obstruction
a. The required fire lane width shall not be obstructed by parked vehicles or other obstructions. Speed bumps or similar obstacles that have the effect of slowing or impeding the response or fire apparatus shall be approved by the Fire Marshal prior to installation.
M. Striping
a. In general, residential streets constructed to the standards contained herein are not required to be striped as fire lanes. However, there may be certain instances where narrow roads are constructed or there is a concern with excessive parking on the street, where the Fire Marshal may require fire lane striping. If fire lane striping is required, the fire lane shall be marked by painted lines of red traffic paint six inches (6") in width to show the boundaries of the lane. The words "NO PARKING FIRE LANE - Tow Away Zone" or "FIRE LANE NO PARKING - Tow Away Zone" shall appear in 6" white letters at 25 feet intervals on the red border markings along both sides of the fire lanes. Where a curb is available, the striping shall be on the vertical face of the curb.
N. Signs
a. Signs may be substituted for fire lane striping in residential areas with approval of the Fire Marshal. If signs are required, they shall read "NO PARKING FIRE LANE" or "FIRE LANE NO PARKING" and shall be twelve (12) inches wide and eighteen (18) high. Signs shall be painted on a white background with letters and borders in red, using not less than two (2) inch lettering. Signs shall be permanently affixed to a stationary post and the bottom of the sign shall be six (6) feet, six (6) inches above finished grade. A companion "Tow-Away Zone" sign shall be placed directly under this sign. The sign shall read "Tow-Away Zone" and shall be twelve (12) inches wide and six (6) inches high. Signs shall be painted on a white background with letters and borders in red, using not less than two (2) inch lettering. Signs shall be spaced not more than fifty (50) feet apart. Signs may be installed on permanent buildings or walls as approved by the Fire Marshal.
O. Maintenance
a. All designated fire lanes shall be maintained by the owner or the homeowners association at all times.
- The minimum fire flow and flow duration for buildings other than one- and two-family dwelling shall be as specified the most current adopted International Fire Code.
- No improvements greater than 2 feet in height will be allowed within the visibility easements, including, but not limited to fences, walls, landscaping, signs, etc.
- A minimum of 1 acre per residential structure is required for on-site sewage facilities (septic systems). If more than one structure is proposed for construction on a lot in the future, re-planting may be required. Johnson County Public Works shall review and approve proposed location and design of any on-site sewage facilities (septic system).
- The requirement of public infrastructure was based on the Utility exhibit that was submitted for review with this plat on March 25, 2024 to the City of Burleson. Any additional structures proposed on this property may require the existing water lines to be improved and fire hydrants to be installed for fire protection. Please contact the City of Burleson's Development Services department prior to any development permit being issued.
- According to the Flood Insurance Rate Map (FIRM) Community Panel No. 48251C00701, 48251C02000, 48251C02053 and 48251C01000 dated December 4, 2012 the subject property is located within the following zones:
•Zone X - Areas determined to be outside the 500-year floodplain
- The private access and utility easement provides unrestricted use and maintenance of the property for utilities. This right extends to all utility providers. The easement also provides the City or County with the right of access for any purpose related to the exercise of a governmental service or function including, but not limited to, fire and police protection, inspection and code enforcement. The easement permits the City or County to remove any vehicle or obstacle within the street that impairs emergency access.
- The following public services are not provided within this subdivision:
•Street Maintenance
•Houston Police Patrols
•Enforcement of Traffic and Parking Ordinance
•Preparation of Accident Reports
•Solid Waste Pickup

OWNER'S CERTIFICATION

WHEREAS East Park Estates of Burleson, LLC is the sole owner of a 35.407 acre tract of land situated in the J. Walker Survey, Abstract Number 865 and the J. Wilson Survey, Abstract Number 896, Johnson County, Texas, and being all of a called 35.414 acre tract of land described by deed to R.A. Development, Ltd., recorded in County Clerk's File Number 2018-26931, Deed Records, Johnson County, Texas, and being more particularly described by metes and bounds as follows;

BEGINNING at a 5/8" CAPPED IRON ROD SET STAMPED "REALSEARCH" at the southernmost corner of said called 35.414 acre tract, same being the westernmost corner of a right-of-way dedication as shown on North Timber Creek, an addition to Johnson County, Texas, according to the plat recorded in Volume 8, Page 985, Plat Records, Johnson County, Texas, and being on the East line of Renfro Street (County Road 600) a variable width right-of-way;

THENCE North 21 Degrees 46 Minutes 40 Seconds West, along the West line of said called 35.414 acre tract, a distance of 971.76 feet, to a 1/2" IRON ROD FOUND at the westernmost corner of said called 35.414 acre tract, same being the southernmost corner of a called 47 acre tract of land described by deed to Peggy Sue Wiese Strange, recorded in Volume 4490, Page 456, Deed Records, Johnson County, Texas;

THENCE North 58 Degrees 27 Minutes 10 Seconds East, departing said West line and along the northwest line of said called 35.414 acre tract, being common with the southeast line of said called 47 acre tract, a distance of 1524.31 feet, to a 5/8" CAPPED IRON ROD SET STAMPED "REALSEARCH" at the northernmost corner of said called 35.414 acre tract, same being the westernmost corner of a called 55.0 acre tract of land described by deed to Sam R. Johnson and wife, Gladys E. Johnson, recorded Volume 813, Page 460, Deed Records, Johnson County, Texas;

THENCE South 31 Degrees 18 Minutes 54 Seconds East, departing said common line and along the northeast line of said called 35.414 acre tract, being common with the southwest line of said called 55.0 acre tract, a distance of 964.16 feet, to a 1/2" IRON ROD FOUND at the easternmost corner of said called 35.414 acre tract, same being the northernmost corner of Lot 12, Block 1, said North Timber Creek;

THENCE South 58 Degrees 40 Minutes 23 Seconds West, departing said common line and along the southeast line of said called 35.414 acre tract, being common with the northwest line of said Block 1, a distance of 1685.31 feet, to the POINT OF BEGINNING, and containing 35.407 acres or 1,542,349 square feet of land, more or less.

KNOW ALL MEN BY THESE PRESENTS:

That We, East Park Estates of Burleson, LLC, Owners, do hereby adopt this plat designating the hereinbefore described property as LOTS 1 THRU 8, BLOCK 1, EAST PARK ADDITION, an Addition to Johnson County, Texas, and do hereby dedicate to the public use forever all streets, rights-of-way, alleys and easements shown thereon. The City, County, or any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs or other improvements or growths in any way endanger or interfere with the construction, maintenance or efficiency of its respective systems on any of these easements, and the City, County, or any public utility shall at all times have the right of ingress and egress to and from and upon the said easement for the purpose of constructing, reconstructing, inspecting, and patrolling, without the necessity at any time of procuring the permission of anyone. This plat approved subject to all planning ordinances, rules, regulations and resolutions of the City of Burleson, Texas or Johnson County.

East Park Estates of Burleson, LLC
Name:
Title:
Date: ____/____/____

STATE OF TEXAS
COUNTY OF _____

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein.

WITNESS MY HAND AND SEAL OF OFFICE THIS THE ____ DAY OF _____, 2022.

NOTARY PUBLIC, STATE OF TEXAS

Notes

- The Basis of Bearing is the Texas Coordinate System, North American Datum of 1983, North Central Zone, 4202.
- The subject property lies within the Extra-Territorial Jurisdiction (ETJ) of the City of Burleson.
- The interior "Private Access Emergency Road" will be maintained by the Property Owner's Association.
- The detention pond will be maintained by the property owner.
- All lots extend to the center line of the "Private Access Emergency Road".
- Adjoining ownership information is based on current Johnson County Appraisal District records.
- The private road and common area lots will be maintained by the Property Owner's Association.

Approved by the Planning and Zoning Commission,
Burleson, Texas,

This the ____ Day of _____, 2024.

By: _____
Chair of Planning and Zoning Commission

By: _____
City Secretary

Project Number: 190181 Date: March 25, 2024
Revised Date:
Revision Notes:
Sheet 1 of 1

**PRELIMINARY PLAT OF
LOTS 1 THRU 8, BLOCK 1
EAST PARK ADDITION**
BEING 35.407 acres of land situated in the J. Walker Survey, Abstract Number 896 and the J. Wilson Survey, Abstract Number 865, Johnson County, Texas.
Prepared: March 25, 2024
8 Total Lots located within the ETJ of the City of Burleson, Texas.
Case: PP-24-087

REALSEARCH OF TEXAS, LLC
P.O. Box 1006, Godley, Texas 76044
Ph. 817-937-2655, jdeal@realsearch.org, www.realsearch.org
This shall not remove thy neighbor's landmark Deut. 19:14
TBLS Firm Registration # 17968
© copyright 2021, Realsearch of Texas, LLC

Planning & Zoning Commission Meeting

DEPARTMENT: Development Services
FROM: Emilio Sanchez, Development Services Assistant Director
MEETING: May 14, 2024

SUBJECT:

East Park Addition, Lots 1 thru 8, Block 1 (Case 24-088): Consider approval of a Final Plat for East Park Addition, Lots 1 thru 8, Block 1; addressed as 3433 E Renfro Street. (Staff Contact: Emilio Sanchez, Development Services Assistant Director)

SUMMARY:

On March 4, 2024, an application for a preliminary and final plat was submitted by Kelly Rickett (applicant) on behalf of Ryan Bowers (owner) for a preliminary and final plat of approximately 35.414 acres. The property is being platted to create 7 residential lots and 1 detention lot.

The plat is administratively complete and meets the requirements of Appendix A – Subdivision and Development Regulations.

RECOMMENDATION:

Approve the Final Plat for East Park Addition, Lots 1 thru 8, Block 1.

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

None

REFERENCE:

[City of Burleson, TX PLAT REQUIREMENTS:
§ 3.6 Replat. \(ecode360.com\)](#)

FISCAL IMPACT:

None

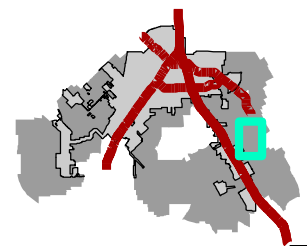
STAFF CONTACT:

Emilio Sanchez
Development Services Assistant Director
esanchez@burlesontx.com
817-426-9686

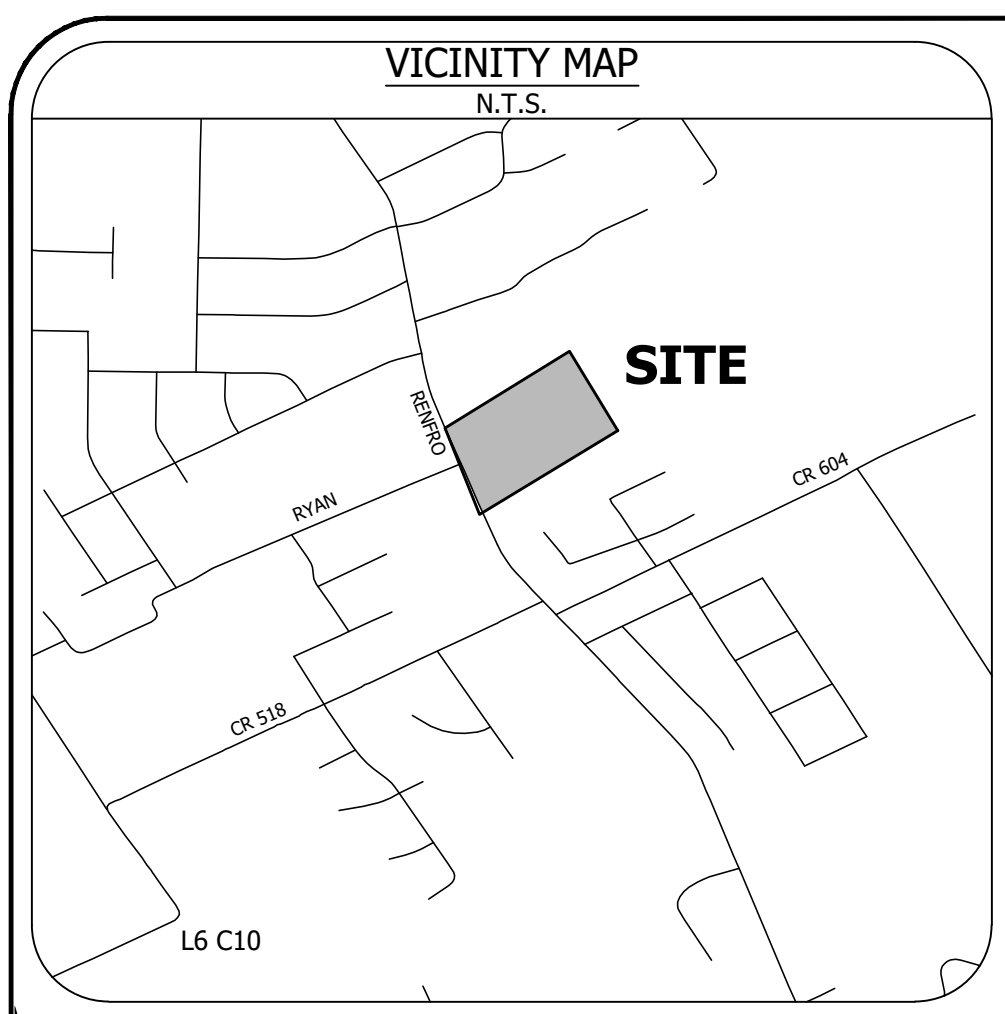


THE CITY OF
BURLESON
TEXAS

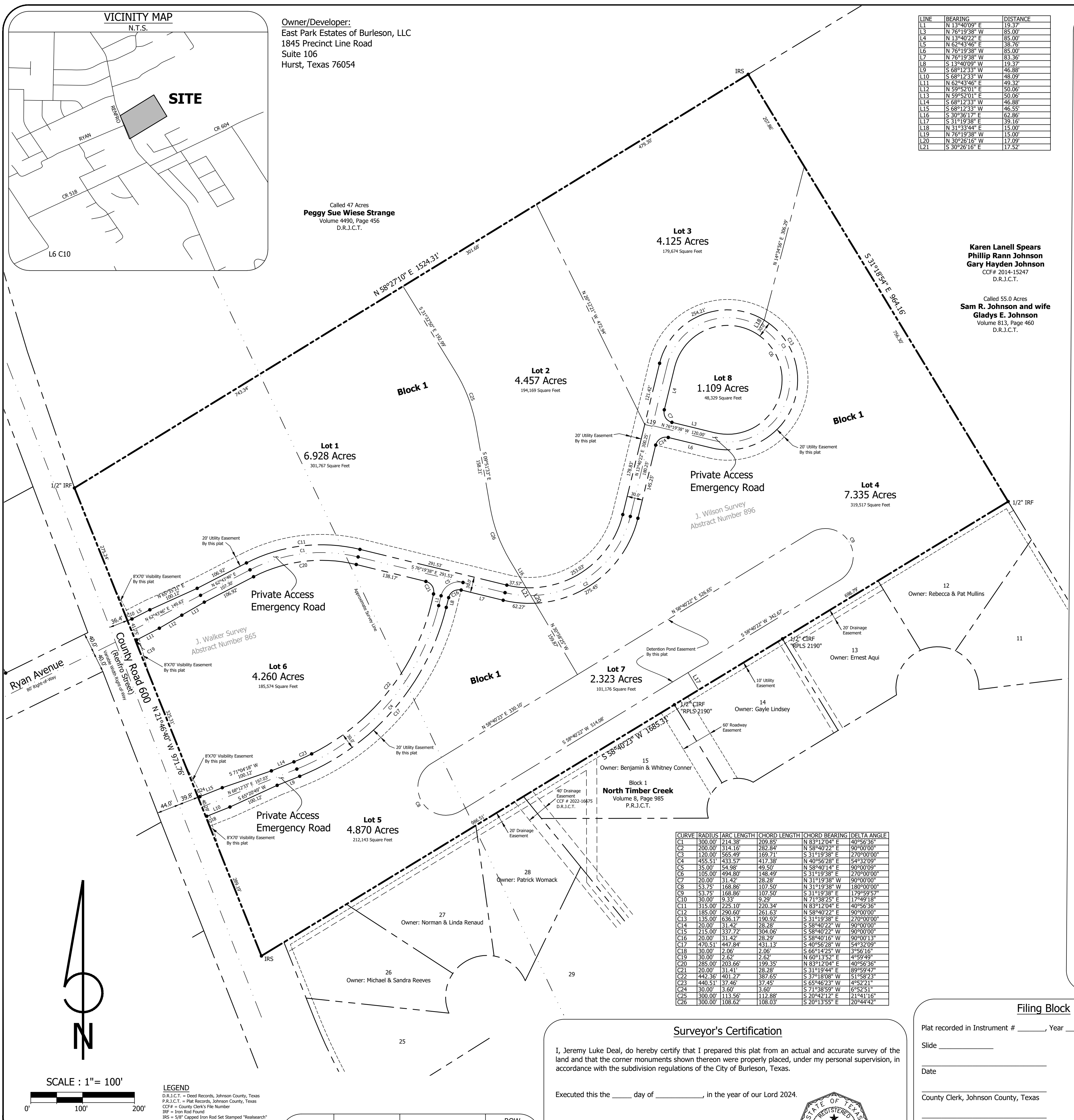
Final Plat
Lots 1 Thru 8 BLK 1
East Park Addition
Case 24-088



Vicinity Map



Owner/Developer:
East Park Estates of Burleson, LLC
1845 Precinct Line Road
Suite 106
Hurst, Texas 76054



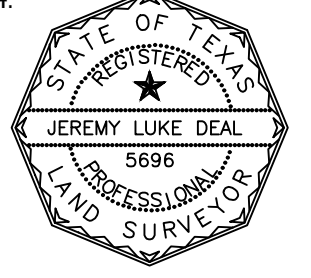
LINE	BEARING	DISTANCE
L1	N 13°40'09" E	19.37
L2	N 76°19'38" W	85.00
L3	N 13°40'22" E	85.00
L4	N 62°43'46" E	38.96
L5	N 76°19'38" W	85.00
L6	N 76°19'38" W	85.00
L7	N 76°19'38" W	85.36
L8	S 15°40'09" W	19.37
L9	S 68°17'33" W	46.88
L10	S 68°17'33" W	46.88
L11	S 68°17'33" W	46.88
L12	S 68°17'33" W	46.88
L13	S 68°17'33" W	46.88
L14	S 68°17'33" W	46.88
L15	S 68°17'33" W	46.88
L16	S 68°17'33" W	46.88
L17	S 31°19'38" E	39.16
L18	N 31°19'38" E	15.00
L19	N 30°26'16" W	17.09
L20	N 30°26'16" W	17.09
L21	S 30°26'16" E	17.52

Karen Lanell Spears
Phillip Rann Johnson
Gary Hayden Johnson
CCF# 2014-15247
D.R.J.C.T.

Called 55.0 Acres
Sam R. Johnson and wife
Gladys E. Johnson
Volume 813, Page 460
D.R.J.C.T.

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	300.00	214.38	209.85	N 83°12'04" E	40°56'36"
C2	200.00	314.16	282.84	N 58°40'22" E	90°00'00"
C3	120.00	565.49	169.71	S 31°19'38" E	270°00'00"
C4	455.51	423.57	447.38	N 40°56'28" E	54°32'09"
C5	35.00	54.88	49.50	N 58°40'14" E	90°00'00"
C6	105.00	494.80	148.49	S 31°19'38" E	270°00'00"
C7	20.00	31.42	28.28	N 31°19'38" W	90°00'00"
C8	53.75	168.86	107.50	N 31°19'38" W	180°00'00"
C9	53.75	168.86	107.50	S 31°19'38" E	179°59'57"
C10	30.00	9.33	9.29	N 71°58'25" E	17°49'18"
C11	315.00	225.10	220.34	N 83°12'04" E	40°56'36"
C12	185.00	290.69	261.63	N 58°40'22" E	90°00'00"
C13	135.00	636.17	190.92	S 31°19'38" E	270°00'00"
C14	20.00	31.42	28.28	S 58°40'22" W	90°00'00"
C15	215.00	157.72	304.86	S 58°40'22" W	90°00'00"
C16	20.00	31.42	28.28	S 58°40'16" W	90°00'13"
C17	470.51	447.84	431.13	S 40°56'28" W	54°32'09"
C18	30.00	12.66	12.66	S 65°14'25" W	35°56'16"
C19	30.00	2.82	2.82	N 60°13'52" E	4°59'49"
C20	285.00	203.66	199.35	N 83°12'04" E	40°56'36"
C21	30.00	31.41	28.28	S 31°19'44" E	89°59'47"
C22	442.36	401.27	387.65	S 37°18'08" W	51°58'23"
C23	440.51	37.46	37.45	S 65°46'23" W	4°52'21"
C24	30.00	13.60	13.60	S 71°38'59" W	6°52'51"
C25	300.00	113.56	112.88	S 20°42'12" E	21°41'16"
C26	300.00	108.62	108.03	S 20°13'55" E	20°44'42"

Surveyor's Certification
I, Jeremy Luke Deal, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed, under my personal supervision, in accordance with the subdivision regulations of the City of Burleson, Texas.
Executed this the ____ day of _____, in the year of our Lord 2024.



Jeremy Luke Deal
Registered Professional Land Surveyor
Texas Registration No. 5696

Pre Direction	Street Name	Street Type/Suffix	ROW (Acres)
N/A	County Road 600 Renfro Street	N/A	0.000 Acres

The right-of-way dedication is granted in fee simple to Johnson County for use as storm water, public utility, pedestrian, or other public purposes.

Standard Notes

Blocking the flow of water or constructing improvements in the drainage easements, and filling or obstruction of the floodway is prohibited.

The existing creeks or drainage channels traversing along or across this addition will remain as open channels and will be maintained by the individual owners of the lot or lots that are traversed by or adjacent to drainage courses along or across said lots.

Johnson County will be responsible for all floodplain regulations as it relates to development. In the event the property is ever annexed into the City of Burleson, all future proposed development shall follow the City of Burleson's floodplain regulations.

Johnson County will not be responsible for the maintenance and operations of said drainage ways or for the control of erosion.

Johnson County will not be responsible for any damage, personal injury or loss of life or property occasioned by flooding or flood conditions.

On-site sewage facility performance cannot be guaranteed even though all provisions of the Rules of Johnson County, Texas for Private Sewage Facilities are complied with.

Inspection and/or acceptance of a private sewage facility by the Johnson County Public Works Department shall indicate only that the facility meets minimum requirements and does not relieve the owner of the property from complying with County, State and Federal regulations. Private sewage facilities, although approved as meeting minimum standards, must be upgraded by the owner at the owner's expense if normal operation of the facility results in objectionable odors, if unsanitary conditions are created, or if the facility when used does not comply with governmental regulations.

A properly designed and constructed private sewage facility system, in suitable soil, can malfunction if the amount of water it is required to dispose of is not controlled. It will be the responsibility of the lot owner to maintain and operate the private sewage facility in a satisfactory manner.

Any public utility, including Johnson County, shall have the right to move and keep moved all or part of any buildings, fences, trees, shrubs, other growths or improvements which in any way endanger or interfere with the construction or maintenance, or efficacy of its respective systems in any of the easements shown on the plat; and any public utility, including Johnson County, shall have the right at all times of ingress and egress to and from said easements for the purpose of construction, reconstruction, inspection, patrolling, maintaining and adding to or removing all or part of its respective systems without the necessity at any time of procuring the permission of anyone.

All building setbacks are subject to current Johnson County development regulations.

All buildings or structures shall be constructed such that all ground level, exterior sides of the building are within 150 feet of the Private Access Emergency Road. If the 150 feet cannot be reached from the Private Access Emergency Road, a fire lane capable of supporting 80,000 lbs shall be required on site at time of construction.

Water Provider - Bethesda Water Supply Corporation - (817) 295-2131
Sewer Provider - On-Site Aerobic Systems (1 system per lot)
Electric Provider - United Cooperative Services - (817) 447-9292

For all single-family detached and duplex residences, excluding townhouses and apartments, fire hydrants shall be spaced to have a fire hose laying distance of no greater than 500 feet. The fire hose laying distance is measured by the laying of fire apparatus hose lines along the right-of-way or access easements from the nearest water supply on a street to the main entrance of the building.

For commercial buildings, fire hydrants shall be spaced to have a fire hose lay distance of no greater than 300 feet. The fire hose laying distance is measured by the laying of fire apparatus hose lines along the right-of-way or access easements from the nearest water supply on a street to the main entrance of the building.

The minimum fire flow requirements for one- and two-family dwellings having a fire-flow calculation area which does not exceed 3,600 square feet shall be 1,500 gallons per minute. Fire flow and flow duration for dwellings having a fire-flow calculation area in excess of 3,600 square feet shall not be less than that specified in Table B105.1 of the most current adopted International Fire Code.

All fire hydrants must provide a minimum of 35 psi static pressure and a 20 psi residual pressure.

The minimum fire flow and flow duration for buildings other than one- and two-family dwelling shall be as specified in the most current adopted International Fire Code.

No improvements greater than 2 feet in height will be allowed within the visibility easements, including, but not limited to fences, walls, landscaping, signs, etc.

A minimum of 1 acre per residential structure is required for on-site sewage facilities (septic systems). If more than one structure is proposed for construction on a lot in the future, re-platting may be required. Johnson County Public Works shall review and approve proposed location and design of any on-site sewage facilities (septic system).

The requirement of public infrastructure was based on the Utility exhibit that was submitted for review with this plat on March 25, 2024 to the City of Burleson. Any additional structures proposed on this property may require the existing water lines to be improved and fire hydrant(s) to be installed for fire protection. Please contact the City of Burleson's Development Services department prior to any development permit being issued.

According to the Flood Insurance Rate Map (FIRM) Community Panel No. 48251C00701, 48251C02001, 48251C02053 and 48251C01003 dated December 4, 2012 the subject property is located within the following zones:
•Zone X - Areas determined to be outside the 500-year floodplain

The private access and utility easement provides unrestricted use and maintenance of the property for utilities. This right extends to all utility providers. The easement also provides the City or County with the right of access for any purpose related to the exercise of a governmental service or function including, but not limited to, fire and police protection, inspection and code enforcement. The easement permits the City or County to remove any vehicle or obstacle within the street that impairs emergency access.

The following public services are not provided within this subdivision:
•Street Maintenance
•Routine Police Patrols
•Enforcement of Traffic and Parking Ordinance
•Preparation of Accident Reports
•Solid Waste Pickup

Filing Block
Plat recorded in Instrument # _____, Year _____
Slide _____
Date _____
County Clerk, Johnson County, Texas
Deputy _____

Approved by the Planning and Zoning Commission,
Burleson, Texas,
This the ____ Day of _____, 2024.
By: _____
Chair of Planning and Zoning Commission
By: _____
City Secretary
Project Number: 190181 Date: March 25, 2024
Revision Notes:
Revision Notes:

OWNER'S CERTIFICATION

WHEREAS East Park Estates of Burleson, LLC is the sole owner of a 35.407 acre tract of land situated in the J. Walker Survey, Abstract Number 865 and the J. Wilson Survey, Abstract Number 896, Johnson County, Texas, and being all of a called 35.414 acre tract of land described by deed to R.A. Development, Ltd., recorded in County Clerk's File Number 2018-26931, Deed Records, Johnson County, Texas, and being more particularly described by metes and bounds as follows;
BEGINNING at a 5/8" CAPPED IRON ROD SET STAMPED "REALSEARCH" at the southernmost corner of said called 35.414 acre tract, same being the westernmost corner of a right-of-way dedication as shown on North Timber Creek, an addition to Johnson County, Texas, according to the plat recorded in Volume 8, Page 985, Plat Records, Johnson County, Texas, and being on the East line of Renfro Street (County Road 600) a variable width right-of-way;
THENCE North 21 Degrees 46 Minutes 40 Seconds West, along the West line of said called 35.414 acre tract, a distance of 971.76 feet, to a 1/2" IRON ROD FOUND at the westernmost corner of said called 35.414 acre tract, same being the southernmost corner of a called 47 acre tract of land described by deed to Peggy Sue Wiese Strange, recorded in Volume 4490, Page 456, Deed Records, Johnson County, Texas;
THENCE North 58 Degrees 27 Minutes 10 Seconds East, departing said West line and along the northwest line of said called 35.414 acre tract, being common with the southeast line of said called 47 acre tract, a distance of 1524.31 feet, to a 5/8" CAPPED IRON ROD SET STAMPED "REALSEARCH" at the northernmost corner of said called 35.414 acre tract, same being the westernmost corner of a called 55.0 acre tract of land described by deed to Sam R. Johnson and wife, Gladys E. Johnson, recorded Volume 813, Page 460, Deed Records, Johnson County, Texas;
THENCE South 31 Degrees 18 Minutes 54 Seconds East, departing said common line and along the northeast line of said called 35.414 acre tract, being common with the southwest line of said called 55.0 acre tract, a distance of 964.16 feet, to a 1/2" IRON ROD FOUND at the easternmost corner of said called 35.414 acre tract, same being the northernmost corner of Lot 12, Block 1, said North Timber Creek;
THENCE South 58 Degrees 40 Minutes 23 Seconds West, departing said common line and along the southeast line of said called 35.414 acre tract, being common with the northwest line of said Block 1, a distance of 1685.31 feet, to the POINT OF BEGINNING, and containing 35.407 acres or 1,542,349 square feet of land, more or less.

KNOW ALL MEN BY THESE PRESENTS:
That We, East Park Estates of Burleson, LLC, Owners, do hereby adopt this plat designating the hereinbefore described property as LOTS 1 THRU 8, BLOCK 1, EAST PARK ADDITION, an Addition to Johnson County, Texas, and do hereby dedicate to the public use forever all streets, rights-of-way, alleys and easements shown thereon. The City, County, or any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs or other improvements or growths in any of these easements, and the City, County, or any public utility shall at all times have the right of ingress and egress to and from and upon the said easement for the purpose of constructing, reconstructing, inspecting, and patrolling, without the necessity at any time of procuring the permission of anyone. This plat approved subject to all platting ordinances, rules, regulations and resolutions of the City of Burleson, Texas or Johnson County.

East Park Estates of Burleson, LLC
Name: _____
Title: _____
Date: ____/____/____
STATE OF TEXAS
COUNTY OF _____
BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein.
WITNESS MY HAND AND SEAL OF OFFICE THIS THE ____ DAY OF _____, 2022.

NOTARY PUBLIC, STATE OF TEXAS

Notes

- The Basis of Bearing is the Texas Coordinate System, North American Datum of 1983, North Central Zone, 4202.
- The subject property lies within the Extra-Territorial Jurisdiction (ETJ) of the City of Burleson.
- The interior "Private Access Emergency Road" will be maintained by the Property Owner's Association.
- The detention pond will be maintained by the property owner.
- All lots extend to the center line of the "Private Access Emergency Road".
- Adjoining ownership information is based on current Johnson County Appraisal District records.
- The private road and common area lots will be maintained by the Property Owner's Association.

**FINAL PLAT OF
LOTS 1 THRU 8, BLOCK 1
EAST PARK ADDITION**
BEING 35.407 acres of land situated in the J. Wilson Survey, Abstract Number 896 and the J. Walker Survey, Abstract Number 865, Johnson County, Texas.
Prepared: March 25, 2024
8 Total Lots located within the ETJ of the City of Burleson, Texas.
Case: FP-24-088

REALSEARCH OF TEXAS, LLC
P.O. Box 1006, Godley, Texas 76044
Ph. 817-937-2655, jdeal@realsearch.org, www.realsearch.org
You shall not remove thy neighbor's landmark Deut. 19:14
TDRS Firm Registration # 10156200 TDRS Firm Registration # 17968
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Planning & Zoning Commission Meeting

DEPARTMENT: Development Services
FROM: Lidon Pearce, Principal Planner
MEETING: May 14, 2024

SUBJECT:

1679 SW Wilshire (Case 24-062): Hold a public hearing and consider a recommendation of approval for an ordinance for a zoning change request from "PD", Planned Development to "GR" General Retail for a food and beverage sales (grocery) store with retail. (*Staff Contact: Lidon Pearce, Principal Planner*)

SUMMARY:

On February 19, 2024, a zoning change request was submitted by Julie Baum representing Kimley-Horn on behalf of Tim Mondello with GBT Realty Corp. (owners) to change the zoning of approximately 6.00 acres to GR, General Retail.

DEVELOPMENT OVERVIEW:

The owners are proposing a GR, General Retail zoning for the development of a Sprout's food and beverage sales store (approx. 23,256 S.F.) and attached retail strip (approx. 18,000 S.F.). The proposed land use would be allowed by-right with a GR, General Retail district zoning. A commercial site plan has been concurrently submitted (Case 24-114) and is attached as part of the amending ordinance in accordance with Appendix B, Zoning, Section 131-120, Site Plan Requirements. The presentation and consideration of the commercial site plan and any requested waivers and variances will occur as a separate action item on the agenda. If the zoning is approved and the commercial site plan is not, then an amendment to the ordinance will be initiated by staff to reflect the approved or disapproved commercial site plan and waivers resolution.

"Site plan approval required by City Council. Any site plan that requires a waiver or variance to City Ordinances or is contingent upon the approval of a zoning district change must receive the approval of City Council upon recommendation of the planning and zoning commission. Council approval of a site plan that accompanies a zoning change request shall become part of the amending ordinance."

Zoning and Land Use Table

	Zoning	Use
Subject Site	PD, Planned Development	Undeveloped
North	C, Commercial	Food and Beverage (Kroger)
East	PD, Planned Development	Multifamily
South	PD, Planned Development	Multifamily
West	Commercial	Retail

This site is designated in the Comprehensive Plan as Urban Mixed Use.

This land use category should include a mix of both nonresidential and higher density residential uses that promote local pedestrian activity and fewer vehicle trips. Corresponding zoning districts may include GR, General Retail.

Staff has determined the requested zoning and use align with the Comprehensive Plan based on the adjacent residential development (Burleson Commons-multifamily) and proposed use at this site.

Engineering:

Engineering civil construction reviews will be required prior to the development of the site.

RECOMMENDATION:

Recommend approval to City Council for an ordinance for the zoning change.

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

April 2, 2018 – Planned Development (CSO #807-04-2018) approved by City Council.

REFERENCE:

[City of Burleson, TX ZONING DISTRICTS \(ecode360.com\)](http://www.ecode360.com)

[City of Burleson, TX SUPPLEMENTAL REGULATIONS \(ecode360.com\)](http://www.ecode360.com)

FISCAL IMPACT:

None

STAFF CONTACT:

Lidon Pearce, CNU-A, AICP
Principal Planner
lpearce@burlesontx.com
817-426-9649

ZC - Sprouts

Location:

- 1679 SW Wilshire

Applicant:

Julie Baum (Kimley-Horn) and
 Tim Mondello (GBT Realty Corp.)

Item for approval:

Zoning Change from "PD" Planned Development to "GR" General Retail for a food and beverage sales (grocery) store with retail (Case 24-062)



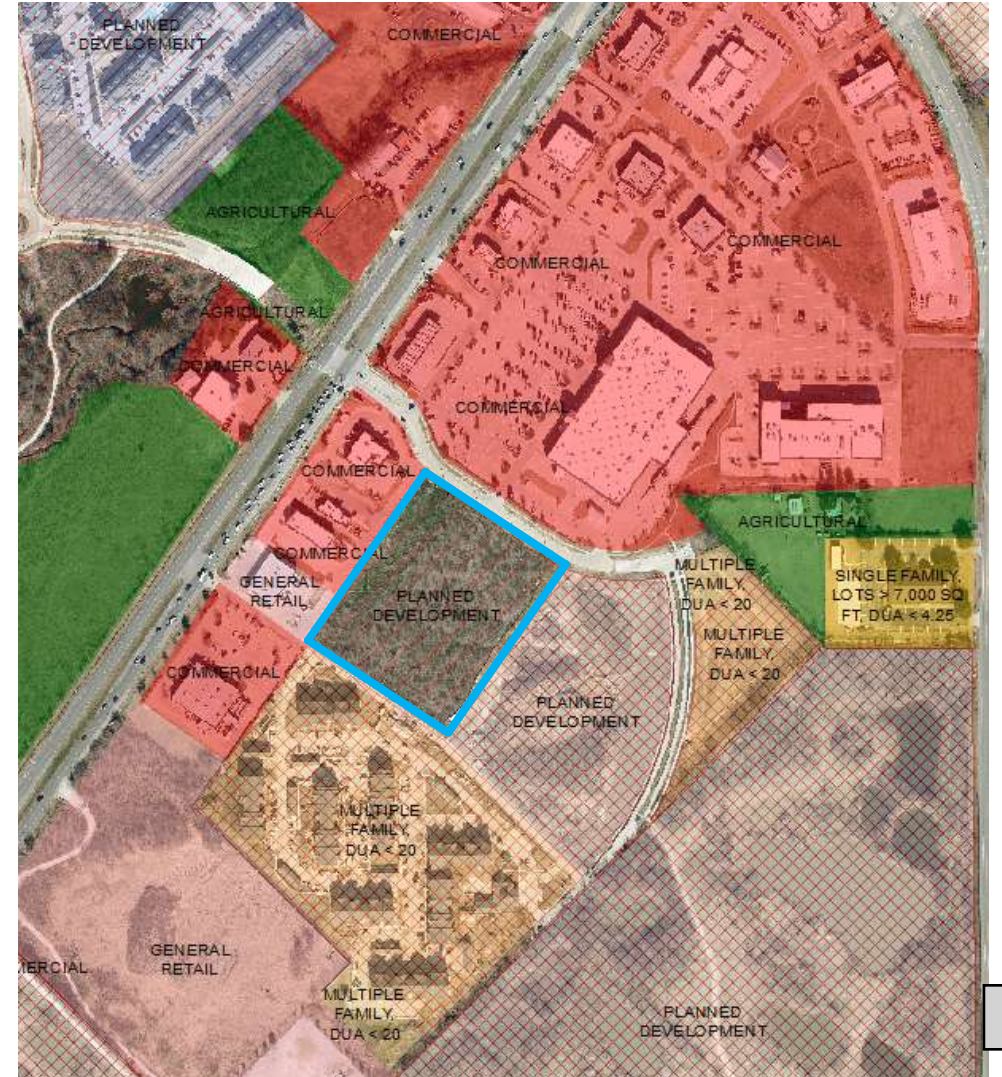
Comprehensive Plan

Urban Mixed Use



Zoning

PD, Planned Development



Item A.

ZC - Sprouts

Proposed Elevations:

- Sprouts: 23,256 SF Building
- Retail: 18,000 SF
- Single-story
- Uses – Food and Beverage Sales and Retail



ZC - Sprouts

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 no formal opposition



Legend

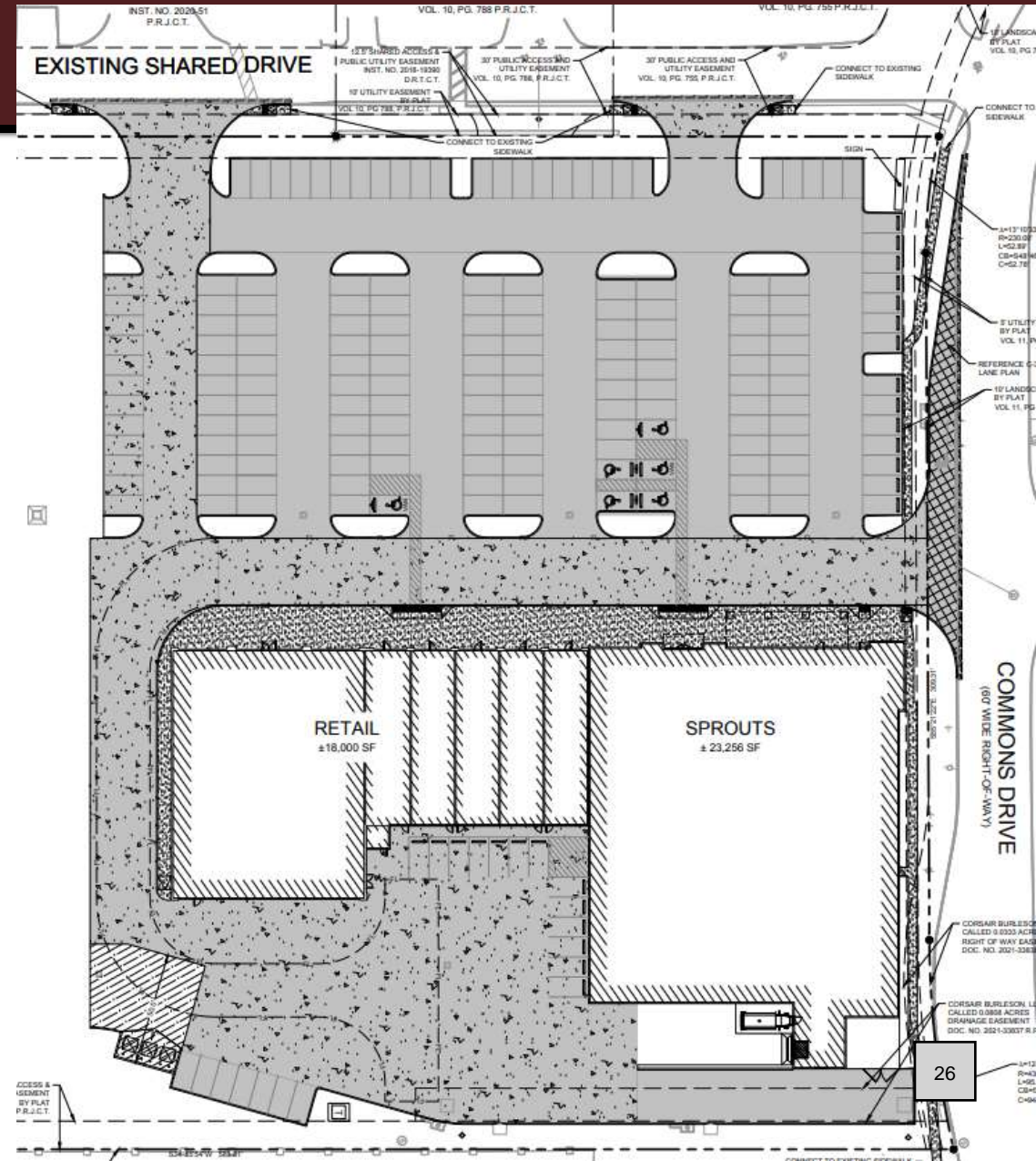
- 300 ft. Buffer
- Subject Property
- Properties within 300 ft.
- Burleson

ZC - Sprouts

Staff's Recommendation

Staff has determined that the requested zoning and use align with the Comprehensive Plan.

Staff recommends approval of the ordinance for a zoning change.



ORDINANCE

AN ORDINANCE AMENDING ORDINANCE B-582, THE ZONING ORDINANCE AND MAP OF THE CITY OF BURLESON, TEXAS, BY AMENDING THE OFFICIAL ZONING MAP AND CHANGING THE ZONING ON APPROXIMATELY 6.00 ACRES OF LAND SITUATED IN THE JOSHUA MINNETTE SURVEY, KNOWN AS LOT 6, BLOCK A, WILSHIRE ADDITION, AS RECORDED IN VOLUME 11, PAGE 556, DRAWER J , PLAT RECORDS JOHNSON COUNTY, TEXAS (P.R.J.C.T); FROM PLANNED DEVELOPMENT (PD) TO GENERAL RETAIL (GR); MAKING THIS ORDINANCE CUMULATIVE OF PRIOR ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING A PENALTY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Burleson, Texas (“City”), is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the City Council passed, approved, and adopted Ordinance B-582, being the Zoning Ordinance and Map of the City of Burleson, Texas, showing the locations and boundaries of certain districts, as amended, and codified in Appendix B of the City of Burleson Code of Ordinances (2005) (the “Zoning Ordinance and Map”); and

WHEREAS, an application for a zoning change was filed by **Julie Baum** on **February 19, 2024**, under **Case Number 24-062**, on property described herein below filed application with the City petitioning an amendment of the Zoning Ordinance and Map so as to rezone and reclassify said property from its current zoning classification; and

WHEREAS, the Planning and Zoning Commission of Burleson, Texas, held a public hearing on said application after at least one sign was erected upon the property on which the change of classification is proposed in accordance with the Zoning Ordinance and Map, and after written notice of such public hearing before the Planning and Zoning Commission on the proposed rezoning had been sent to owners of real property lying within 300 feet of the property on which the change of classification is proposed, said notice having been given not less than ten (10) days before the date set for hearing to all such owners who rendered their said property for City taxes as the ownership appears on the last approved City Tax Roll, and such notice being served by depositing the same, properly addressed and postage paid, in the U.S. mail; and

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Burleson, Texas voted **8 to 0** to recommend to the City Council of Burleson, Texas, that the hereinafter described property be rezoned from its classification of **Planned Development (GR)** to **General Retail**; and

WHEREAS, notice was given of a further public hearing to be held by the City Council of the City of Burleson, Texas, to consider the advisability of amending the Zoning Ordinance and Map as

recommended by the Planning and Zoning Commission, and all citizens and parties at interest were notified that they would have an opportunity to be heard, such notice of the time and place of such hearing having been given at least fifteen (15) days prior to such hearing by publication in the Fort Worth Star Telegram, Fort Worth, Texas, a newspaper of general circulation in such municipality; and

WHEREAS, all citizens and parties at interest have been given an opportunity to be heard on all the matter of the proposed rezoning and the City Council of the City of Burleson, Texas, being informed as to the location and nature of the use proposed on said property, as well as the nature and usability of surrounding property, have found and determined that the property in question, as well as other property within the city limits of the City of Burleson, Texas, has changed in character since the enactment of its classification of **Planned Development (PD)**; and, by reason of changed conditions, does consider and find that this amendatory Ordinance should be enacted since its provisions are in the public interest and will promote the health, safety and welfare of the community; and

WHEREAS, the City Council of the City of Burleson, Texas, may consider and approve certain ordinances or ordinance amendments at only one meeting in accordance with Section 2-4 of the City of Burleson Code of Ordinances (2005); and

WHEREAS, the City Council of the City of Burleson, Texas, finds that this Ordinance may be considered and approved in only one meeting because the provisions of this Ordinance concern an individual zoning case that does not propose a change to the language of the City of Burleson Code of Ordinances.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BURLESON, TEXAS:

Section 1

The Zoning Ordinance and Map is hereby amended insofar as it relates to certain land described as 6.00 acres of land situated in the Joshua Minnette Survey, known as Lot 6, Block A, Wilshire Addition, as recorded in Volume 11, Page 556, Drawer J, Plat Records Johnson County, Texas (P.R.J.C.T); from Planned Development (PD) to General Retail (GR); as **described in Exhibit A**, by changing the zoning of said property from **Planned Development (PD)** to **General Retail** being attached hereto and incorporated herein by reference for all purposes, herein with an associated commercial site plan attached herein as **Exhibit B**.

Section 2.

The findings and recitals set forth above in the preamble of this ordinance are incorporated into the body of this ordinance as if fully set forth herein.

Section 3.

It is hereby officially found and determined that the meeting at which this ordinance is passed is

open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

Section 4.

This ordinance shall be cumulative of all provisions of ordinances of the City of Burleson, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed. To the extent that the provisions of the City of Burleson's various development ordinances conflict with this ordinance, the terms of this ordinance shall control.

Section 5.

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the city council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

Section 6.

An offense committed before the effective date of this ordinance is governed by the prior law and the provisions of the Code of Ordinances, as amended, in effect when the offense was committed, and the former law is continued in effect for that purpose.

Section 7.

Any person, firm, association of persons, company, corporation, or their agents, its servants, or employees violating or failing to comply with any of the provisions of this article shall be fined, upon conviction, not less than one dollar (\$1.00) nor more than two thousand dollars (\$2,000.00), and each day any violation of noncompliance continues shall constitute a separate and distinct offense. The penalty provided herein shall be cumulative of other remedies provided by State Law, and the power of injunction as provided in Texas Local Government Code 54.012 and as may be amended, may be exercised in enforcing this article whether or not there has been a complaint filed.

Section 8.

This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

PASSED AND APPROVED:

First and Final Reading: the _____ day of _____, 20_____.

Chris Fletcher, Mayor
City of Burleson, Texas

ATTEST:

APPROVED AS TO FORM:

Amanda Campos, City Secretary

E. Allen Taylor, Jr., City Attorney

EXHIBIT "A"**DESCRIPTION OF PROPERTY****LEGAL DESCRIPTION:**

A TRACT OF LAND SITUATED IN THE JOSHUA MINNETTE SURVEY, ABSTRACT NO. 548, JOHNSON COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN TRACT OF LAND CONVEYED TO WILSHIRE 174 JV, BY DEED RECORDED IN VOLUME 2433, PAGE 135, DEED RECORDS, JOHNSON COUNTY TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS;

BEGINNING AT A 1/2 INCH IRON ROD FOUND WITH CAP STAMPED "RPLS 5544" IN THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF COMMONS DRIVE (60' R-O-W) AT THE MOST EASTERLY CORNER OF LOT 5, BLOCK A, WILSHIRE WEST ADDITION, ACCORDING TO THAT PLAT RECORDED IN VOLUME 10, PAGE 775, PLAT RECORDS, JOHNSON COUNTY, TEXAS, AND THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT WITH A RADIUS OF 230.00 FEET, WHOSE LONG CHORD BEARS S 48°46'16" E, 52.77 FEET;

THENCE ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE WITH SAID NON-TANGENT CURVE TO THE LEFT THROUGH A CENTRAL ANGLE 13°10'29", AN ARC LENGTH OF 52.89 FEET TO A 1/2" IRON ROD FOUND;

THENCE CONTINUING ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE S 55°21'30" E, A DISTANCE OF 309.31 FEET TO A 1/2 INCH IRON ROD FOUND AND THE BEGINNING OF A TANGENT CURVE TO THE LEFT WITH A RADIUS OF 430.00 FEET, WHOSE LONG CHORD BEARS S 61°41'24" E, 94.87 FEET;

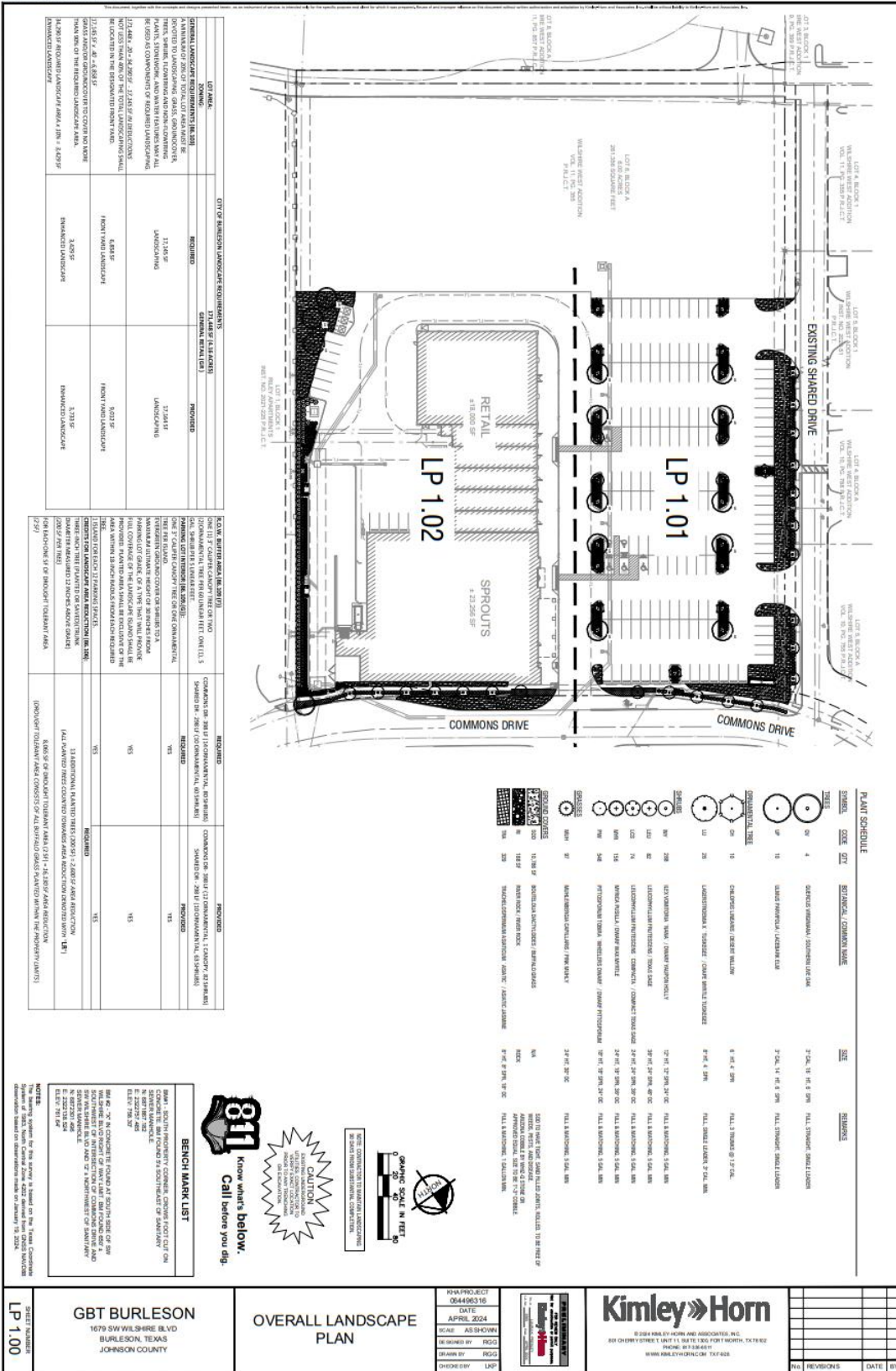
THENCE WITH SAID TANGENT CURVE TO THE LEFT THROUGH A CENTRAL ANGLE 12°40'03", AN ARC LENGTH OF 95.07 FEET TO A 1/2" IRON ROD FOUND;

THENCE S 34°55'46" W, A DISTANCE OF 583.81 FEET TO A 1/2 INCH IRON ROD SET WITH CAP STAMPED "RPLS 5544";

THENCE N 55°04'14" W, A DISTANCE OF 456.00 FEET TO A 5/8 INCH IRON ROD FOUND AT THE MOST EASTERLY CORNER OF LOT 3, BLOCK 1, WILSHIRE 174 ADDITION, AS RECORDED IN VOLUME 9, PAGES 399, PLAT RECORDS, JOHNSON COUNTY, TEXAS;

THENCE N 34°55'46" E, A DISTANCE OF 577.11 FEET TO THE POINT OF BEGINNING AND CONTAINING 6.000 ACRES OF LAND, MORE OR LESS.

EXHIBIT "B"



Planning & Zoning Commission Meeting

DEPARTMENT: Development Services
FROM: Lidon Pearce, Principal Planner
MEETING: May 14, 2024

SUBJECT:

1679 SW Wilshire (Case 24-114): Consider a recommendation of approval for a resolution for a commercial site plan with a variance to Chapter 63, Sign Regulations, Section 63-57; pertaining to multi-tenant pylon signage. *(Staff Contact: Lidon Pearce, Principal Planner)*

SUMMARY:

On February 19, 2024, a commercial site plan with a variance to allow two multi-tenant pylon signs was submitted by Julie Baum representing Kimley-Horn on behalf of Tim Mondello with GBT Realty Corp. (owners).

DEVELOPMENT OVERVIEW:

The owners are proposing the development of a Sprout’s food and beverage sales store (approx. 23,256 S.F.) and attached retail strip (approx. 18,000 S.F.). The commercial site plan has been attached as part of the proposed resolution, “Exhibit 3”. The applicant has concurrently requested a variance to allow two multi-tenant pylon signs, the applicants request and justification are attached as “Exhibit 4”.

If the sign variance is not approved by City Council, then the applicant shall submit a revised commercial site plan to staff reflecting the approved or disapproved resolution(s) related to the requested sign variances. The commercial site plan amendment will not be approved by staff until all conditions relating to all Council approved resolutions have been met.

Site Plan Conformance

<i>Required</i>	<i>Staff’s Findings</i>
<u>Lot Size, Coverage and Setbacks</u> Specific lot information as shown on site plan	Complies. Site plan is in compliance with all development regulations with the exception of the sign variance request.

<u>Landscaping –</u> 20% of Total Site shall be landscaped: 17,145 S.F.	Complies. Landscaping proposed: 17,164 S.F. with credits as listed on landscaping plans.
<u>Parking Requirement –</u> 1 space per 200 SF: 207 spaces (landscape credit reduction to 187 spaces) 6 ADA spaces (2 for vans)	Complies. Parking provided: 187 spaces ADA spaces: 6 spaces (2 for vans)

Engineering:

Engineering civil construction reviews will be required prior to the development of the site.

RECOMMENDATION:

Recommend approval to City Council for an resolution for the commercial site plan with a variance to Chapter 63.

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

April 2, 2018 – Planned Development (CSO #807-04-2018) approved by City Council.

REFERENCE:

[City of Burleson, TX SUPPLEMENTAL REGULATIONS \(ecode360.com\)](http://ecode360.com)

[City of Burleson, TX FREESTANDING SIGNS \(ecode360.com\)](http://ecode360.com)

FISCAL IMPACT:

None

STAFF CONTACT:

Lidon Pearce, CNU-A, AICP
Principal Planner
lpearce@burlesontx.com
817-426-9649

Site Plan - Sprouts

Location:

- 1679 SW Wilshire

Applicant:

Julie Baum (Kimley-Horn) and
 Tim Mondello (GBT Realty Corp.)

Item for approval:

Commercial site plan and sign variance for
 a food and beverage sales (grocery) store
 with retail (Case 24-114).



Site Plan - Sprouts

Site Plan Summary:

- Sprouts: 23,256 SF Building
- Retail: 18,000 SF
- Single-story
- Uses – Food and Beverage Sales and Retail



Site Plan - Sprouts

Site Conformance Table

<i>Required</i>	<i>Staff's Findings</i>
<u>Lot Size, Coverage and Setbacks</u> Specific lot information as shown on site plan	Complies. Site plan is in compliance with all development regulations with the exception of the sign variance request(s).
<u>Landscaping</u> – 20% of Total Site shall be landscaped: 17,145 S.F.	Complies. Landscaping proposed: 17,164 S.F. with credits as listed on landscaping plans.
<u>Parking Requirement</u> – 1 space per 200 SF:207 spaces (landscape credit reduction to 187 spaces) 6 ADA spaces (2 for vans)	Complies. Parking provided: 187 spaces ADA spaces: 6 spaces (2 for vans)

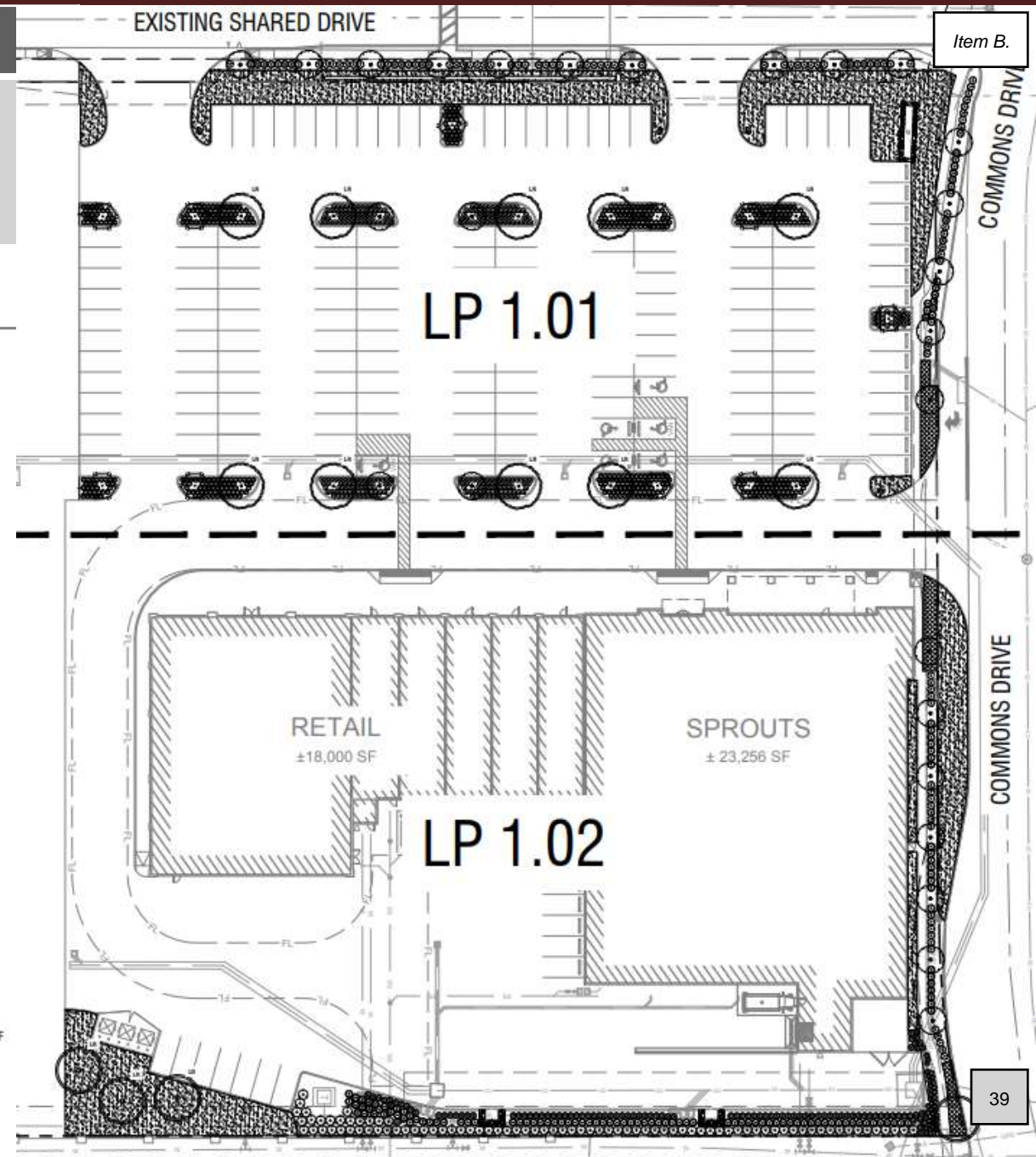
Landscaping

Required 17,145 SF (included 13 additional trees and drought tolerant areas for landscaping credit)

Providing 17,164 SF

PLANT SCHEDULE

SYMBOL	CODE	QTY	BOTANICAL / COMMON NAME	SIZE	REMARKS
TREES					
	QV	4	QUERCUS VIRGINIANA / SOUTHERN LIVE OAK	3" CAL, 16' HT, 6" SPR	FULL, STRAIGHT, SINGLE LEADER
	UP	10	ULMUS PARVIFOLIA / LACEBARK ELM	3" CAL, 14' HT, 6" SPR	FULL, STRAIGHT, SINGLE LEADER
ORNAMENTAL TREE					
	CH	10	CHILOPSIS LINEARIS / DESERT WILLOW	6' HT, 4' SPR	FULL, 3 TRUNKS @ 1.5" CAL.
	LU	26	LAGERSTROEMIA X 'TUSKEGEE' / CRAPE MYRTLE TUSKEGEE	8' HT, 4' SPR	FULL, SINGLE LEADER, 3" CAL. MIN.
SHRUBS					
	INY	288	ILEX VOMITORIA 'NANA' / DWARF YAUPON HOLLY	12" HT, 12" SPR, 24" OC	FULL & MATCHING, 5 GAL. MIN
	LEU	82	LEUCOPHYLLUM FRUTESCENS / TEXAS SAGE	36" HT, 24" SPR, 48" OC	FULL & MATCHING, 5 GAL. MIN
	LCS	74	LEUCOPHYLLUM FRUTESCENS 'COMPACTA' / COMPACT TEXAS SAGE	24" HT, 24" SPR, 36" OC	FULL & MATCHING, 5 GAL. MIN
	MYR	156	MYRICA PUSILLA / DWARF WAX MYRTLE	24" HT, 18" SPR, 36" OC	FULL & MATCHING, 5 GAL. MIN
	PIW	548	PITTOSPORUM TOBIRA 'WHEELERS DWARF' / DWARF PITTOSPORUM	18" HT, 18" SPR, 24" OC	FULL & MATCHING, 5 GAL. MIN
GRASSES					
	MUH	97	MUHLENBERGIA CAPILLARIS / PINK MUHLY	24" HT, 30" OC	FULL & MATCHING, 5 GAL. MIN
GROUND COVERS					
	SOD	10,786 SF	BOUTELOUA DACTYLOIDES / BUFFALO GRASS	N/A	SOD TO HAVE TIGHT, SAND FILLED JOINTS, ROLLED. TO BE FREE OF WEEDS, PESTS, AND DISEASE.
	RI	188 SF	RIVER ROCK / RIVER ROCK	ROCK	ARIZONA COBBLE BY WHIZ-O STONE OR APPROVED EQUAL. SIZE TO BE 1"-3" COBBLE.
	TRA	329	TRACHELOSPERMUM ASIATICUM 'ASIATIC' / ASIATIC JASMINE	8" HT, 8" SPR, 18" OC	FULL & MATCHING, 1 GALLON MIN.



Sign Variance- Sprouts

Variance Requested

Chapter 63, Sign Regulations, Section 63-57 Pylon Sign.

- Requesting 540 square feet
- Requesting 2 pylon signs
- Requesting 30 feet in height

Staff's Findings

City Council action only.

- Maximum 150 square feet for multi-tenant.
- One per premises.
- Maximum 25 feet; except for multi-tenant buildings in which case an additional 18 inches of sign height may be granted for each business but in no event may exceed a maximum sign height of 30 feet.

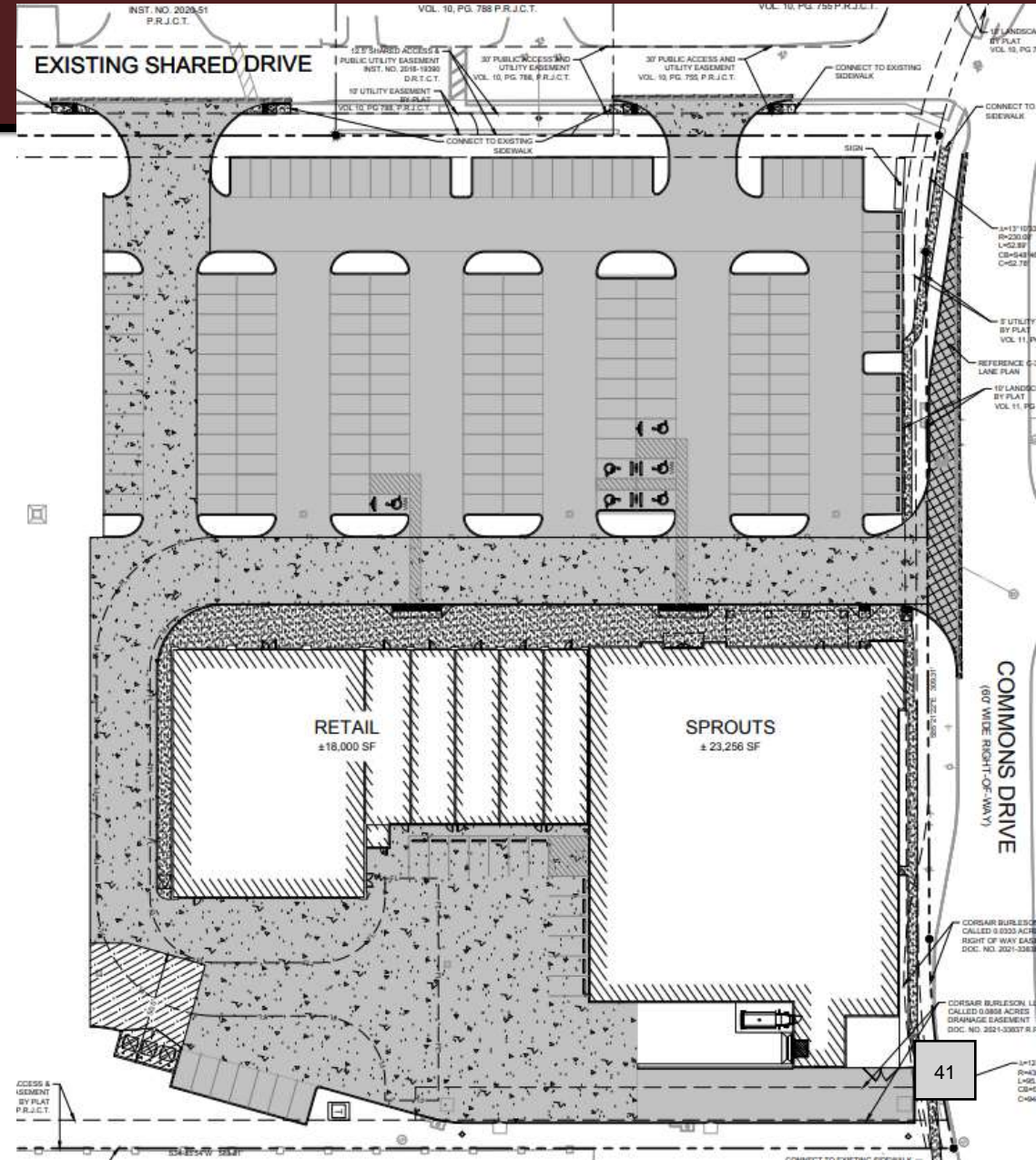


Site Plan - Sprouts

Staff's Recommendation

Staff has determined that the requested zoning and use align with the Comprehensive Plan.

Staff recommends approval of the resolution for the site plan.



RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURLESON, TEXAS, FOR APPROVAL OF A COMMERCIAL SITE PLAN FOR A FOOD AND BEVERAGE SALES STORE WITH A VARIANCE TO CHAPTER 63, SIGN REGULATIONS, RELATING TO PYLON SIGNAGE AT 1679 SW WILSHIRE.

WHEREAS, the City of Burleson, Texas (“City”), is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, an application for commercial site plan with a variance related to pylon signage was filed by Julie Baum on February 19, 2024, under Case Number 24-14, on property described herein below filed application with the City; and

WHEREAS, on June 3, 2024, the City Council made an inquiry into the matter and reviewed all the relevant information, and

WHEREAS, City Council has determined that commercial site plan meets the requirements of Section 131 of Article V of Appendix B, Site Plan Requirements.; and

WHEREAS, Chapter 63, Sign Regulations, of the City of Burleson Code of Ordinances (2005) regulates the location, size, construction, erection, duration, use, and maintenance of signs within the jurisdiction of the City; and

WHEREAS, on June 3, 2024, the City Council made an inquiry into the matter and reviewed all the relevant information, and

WHEREAS, the City Council finds and determines that special conditions exist that are peculiar to the land, structure or building involved and are not applicable to other lands, buildings or structures in the same vicinity; and

WHEREAS, City Council finds and determines that the strict interpretation of Chapter 63 would deprive the applicant of rights commonly enjoyed by other properties in the vicinity under the terms of Chapter 63; and

WHEREAS, City Council finds and determines that the special conditions and circumstances do not result from the actions of the applicant(s) and such conditions and circumstances do not merely constitute pecuniary hardship or inconveniences; and

WHEREAS, City Council finds and determines that granting the variance will meet the objectives of the ordinance and not be injurious to the adjoining property owners or otherwise detrimental to the public welfare; and

WHEREAS, City Council finds and determines that the request will be the minimum variance

necessary to alleviate the special hardship or practical difficulties faced by the applicant in meeting the requirements of Chapter 63; and

WHEREAS, City Council has determined that granting the variance will be in harmony with the spirit and purpose of Chapter 63; and

WHEREAS, the City Council finds and determines the conditions attached to the variance, if any, are necessary to achieve the purpose of Chapter 63.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BURLESON, TEXAS, THAT:

Section 1.

City Council hereby approves a commercial site plan (Case 23-114) for a food and beverage sales store as shown on Exhibit "A"; and

City Council hereby grants a variance to Section 63-57 (a) of Chapter 63, Sign Regulations, of the City of Burleson Code of Ordinances (2005) limiting the maximum square feet of a multi-tenant sign, to 150 square feet, to allow a maximum of 540 square feet per multi-tenant pylon sign as shown on Exhibit "B"; and

City Council hereby grants a variance to Section 63-57 (c) of Chapter 63, Sign Regulations, of the City of Burleson Code of Ordinances (2005) limiting the maximum height of a multi-tenant sign, to 25 feet, to allow a maximum height of 30 feet per multi-tenant pylon sign as shown on Exhibit "B"; and

City Council hereby grants a variance to Section 63-57 (d) of Chapter 63, Sign Regulations, of the City of Burleson Code of Ordinances (2005) limiting the number of pylon signs to one per premises, to allow for two pylon signs as shown Exhibit "B"; and

Except as otherwise specified above or as shown on Exhibit "B", all other conditions, regulations, procedures, and rules of Chapter 63, Sign Regulations, of the City of Burleson Code of Ordinances (2005), as amended, shall apply to the signs at 1679 SW Wilshire Blvd.

Section 2.

This resolution shall take effect immediately from and after its passage.

PASSED, APPROVED, AND SO RESOLVED by the City Council of the City of Burleson, Texas, on the _____ day of _____, 20____.

Chris Fletcher, Mayor

City of Burleson, Texas

ATTEST:

APPROVED AS TO LEGAL FORM:

Amanda Campos, City Secretary

E. Allen Taylor, Jr., City Attorney

Exhibit "A"

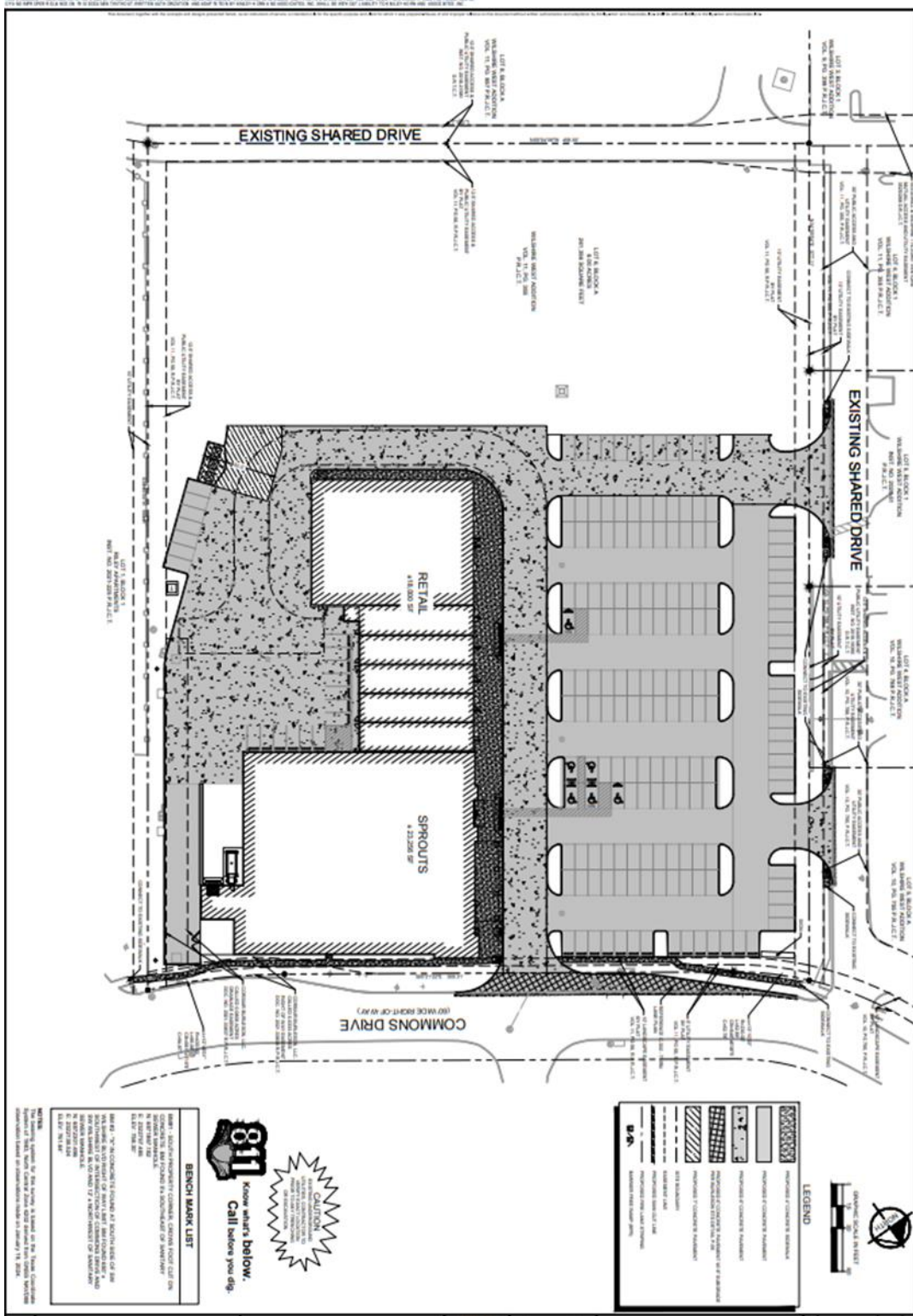
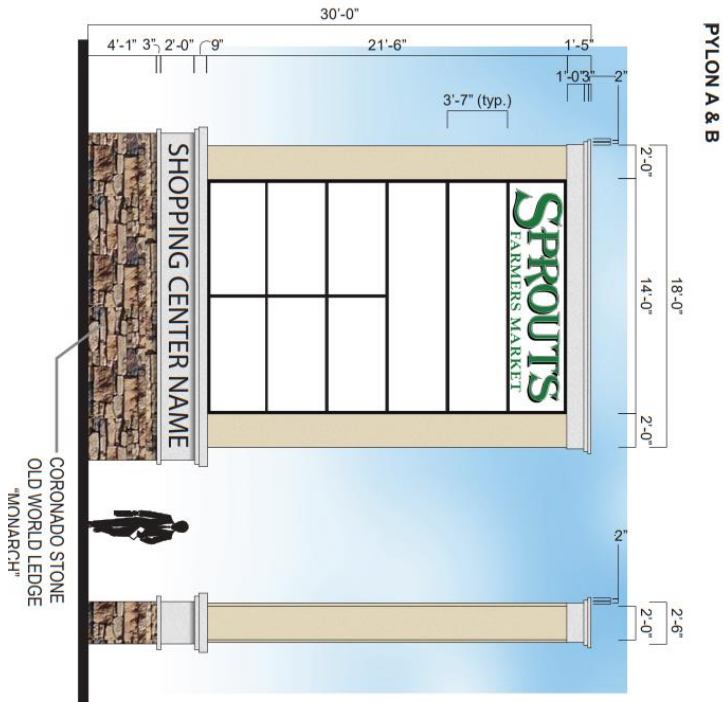


Exhibit "B" Pylon Signage





GBT REALTY CORPORATION

February 9, 2024

Tim Mondello
 GBT Realty Corporation
 9010 Overlook Boulevard
 Brentwood, TN 37027
Tmondello@GBTRealty.com
 615-620-4604

Burleson Planning & Zoning Division
 141 West Renfro Street
 Burleson, TX 76028-4296

Dear Burleson Planning & Zoning Division,

GBT Realty Corporation is planning to develop an approximately forty-one thousand square foot grocery-anchored shopping center at 1679 SW Wilshire Boulevard, to include a twenty-three thousand, two-hundred fifty-six square foot Sprouts Farmers Market, as well as abutting retail shops. The purpose of my writing to Burleson Planning & Zoning is to formally request a variance for the onsite freestanding sign height at this property. Pursuant to Ordinance Number CSO#341-11-2015, § 1(Exh. A), 11-9-2015, the maximum allowable height at this property is 12'-0" Multi-Tenant Monument Signage. However, GBT Realty Corporation is seeking approval for two Multi-Tenant Pylon Signs with a height of 30'-0", at the northeast and northwest corners of the property.

This Pylon Sign Variance Request is predicated upon the unique circumstances adjacent to this property, and the necessity for Sprouts Farmers Market to have enhanced branded visibility and advertising capacity from SW Wilshire Blvd, to be able to successfully operate the grocery store. Please allow me to further outline the justifications for this requested variance below:

1. **Visibility & Location:** 1679 SW Wilshire Boulevard (*LOT 6, Block A Wilshire West Addition*) is a 6-Acre parcel of undeveloped land, approximately three-hundred fifty feet southeast of the intersection of SW Wilshire Blvd and Commons Drive, and approximately 0.7-miles south of Elk Drive, where the North Wilshire Sign Corridor ends. The site is currently zoned Planned Development (*Ordinance Number CSO#807-04-2018*) with a General Retail base zoning, which sits directly behind four existing open and operating retail properties along SW Wilshire Boulevard. Visibility from major arterial roadways is absolutely critical for any Grocer to successfully operate, and with Sprouts setback three-hundred fifty feet from the intersection, as well as the existing retailers obstructing visibility of Sprouts' proposed branded storefront signage from north and south traffic patterns on SW Wilshire Boulevard, it makes the need for a taller pylon sign all the more vital for Sprouts to effectively attract customers.
2. **Code Interpretation:** 1679 SW Wilshire Boulevard is adjacent to the existing Kroger Grocery Store at 1631 SW Wilshire Boulevard, which is approximately .53 miles southwest of Elk Drive, also outside of the North Wilshire Sign Corridor, whereas it appears Kroger was able to construct a 30'-0" Pylon Sign on their property in 2015, just before CSO#341-11-2015, § 1(Exh. A), 11-9-2015 went into effect. With

9010 OVERLOOK BOULEVARD • BRENTWOOD, TENNESSEE 37027
 (615) 370-0670 • (615) 373-3111 FAX • www.gbtrealty.com

**GBT REALTY CORPORATION**

grocery being a highly competitive market, GBT is respectfully requesting that Sprouts be allowed the equal benefit as Kroger, for signage visibility.

3. **Adjoining Properties & Public Welfare:** Sprouts will provide the neighboring residents and abutting businesses a supermarket alternative for their grocery needs, offering an extensive, but not prescriptive mix of natural, organic, and great-tasting mainstream foods with a strong emphasis on value. Granting this Pylon Sign Variance Request will increase foot traffic and overall business in the surrounding community. Sprouts will also increase the utility of the land, which provides nearby residents an organic and natural food grocery option, and also adds appropriately to the mix of uses in the immediate vicinity.
4. **Design Considerations:** The intent is to design and construct the proposed 30'-0" pylon signs to blend in harmoniously with the surrounding residential structures, as well as the proposed Sprouts shopping center. Please find the enclosed Exhibit A - Conceptual Site Plan & Pylon Sign Renderings, outlining the proposed layout and design intent for the Pylon Signs.

Thank you for considering this request. I am available to provide any additional information or answer any questions that may arise during the review process.

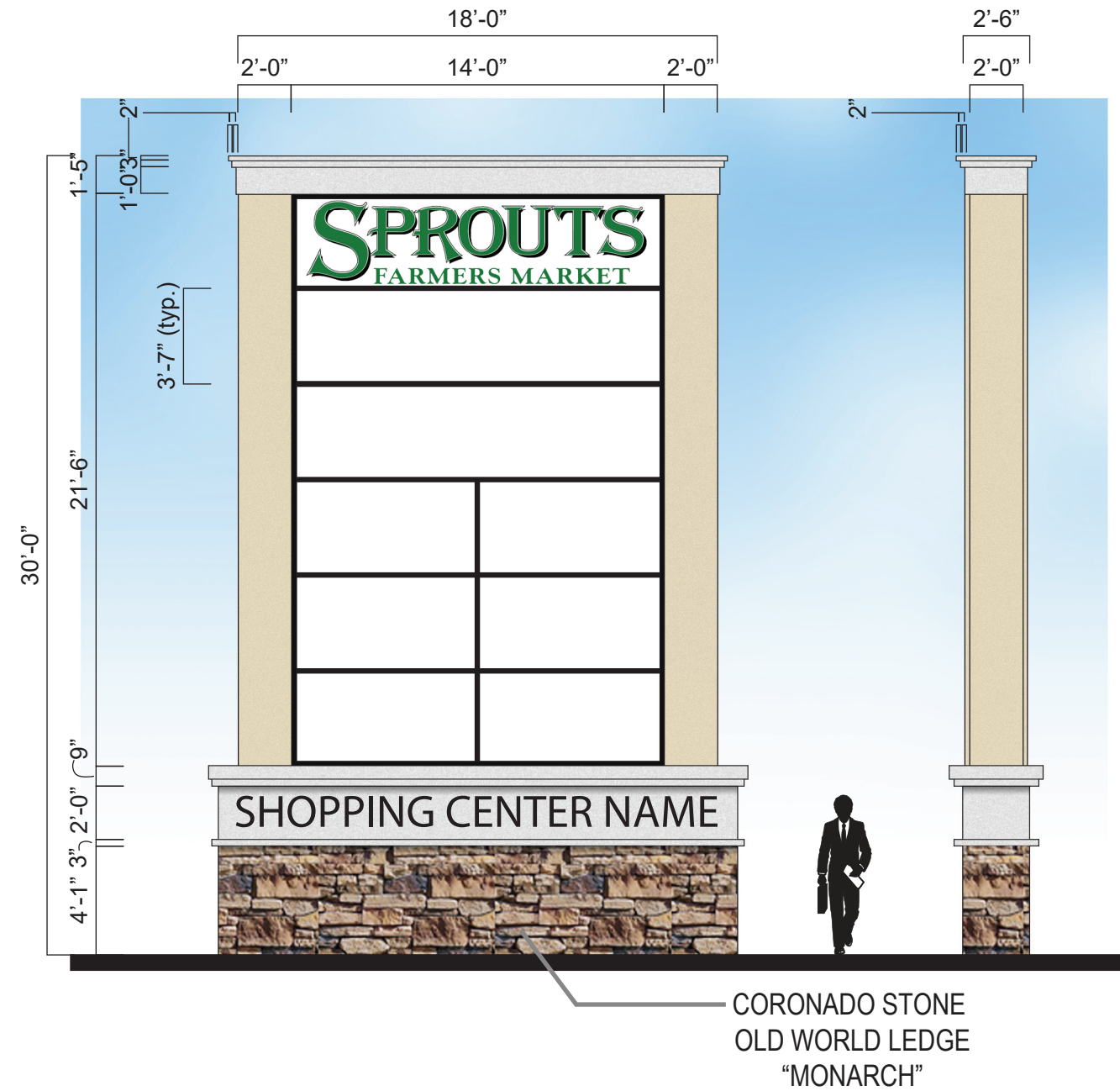
Sincerely,

A handwritten signature in blue ink, appearing to read 'Tim Mondello'.

Tim Mondello, CDP
GBT Realty Corporation
615-620-4604
Tmondello@gbtrealty.com

Enclosures: Exhibit A – Conceptual Site Plan & Pylon Sign Renderings

PYLON A & B



KEYPLAN

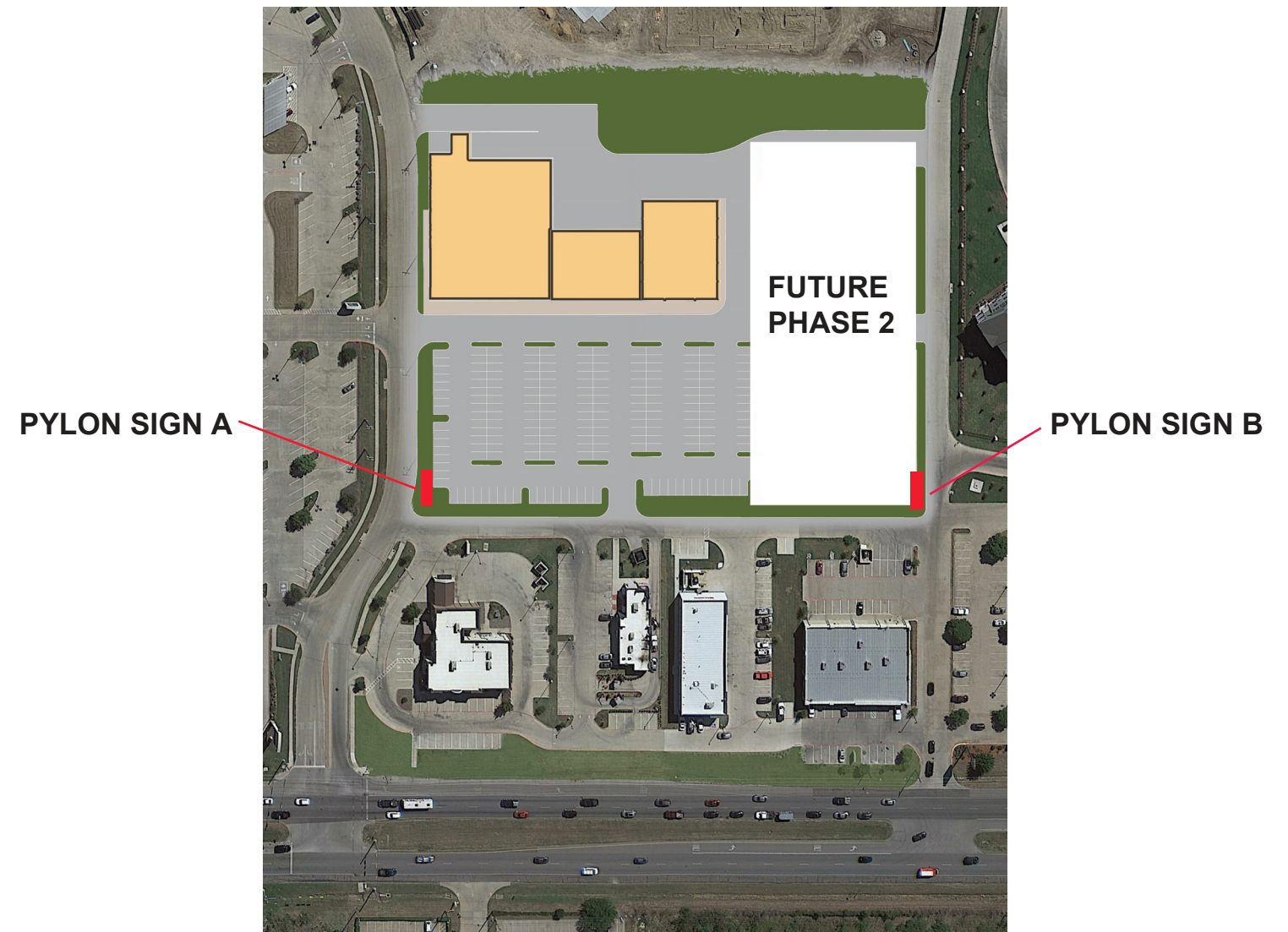


EXHIBIT A - CONCEPTUAL PLAN AND PYLON SIGN RENDERINGS

DEVELOPED BY:



9010 OVERLOOK BOULEVARD
 BRENTWOOD, TENNESSEE 37027
 (615) 370-0670 • (615) 373-3111 FAX

BURLESON, TX
 02/09/24



#22470

Planning & Zoning Commission Meeting

DEPARTMENT: Development Services
FROM: Lidon Pearce, Principal Planner
MEETING: May 14, 2024

SUBJECT:

465 Forgotten LN (Case 24-108): Consider a recommendation of approval for a resolution authorizing a site plan for a cold storage facility with a waiver to Appendix C, Article V, Business Park Design Standards, related to the orientation of the loading area. *(Staff Contact: Lidon Pearce, Principal Planner)*

SUMMARY:

On March 18, 2024, a site plan application was submitted by Zachary Holzem with Kimley-Horn representing Bryce Wegman of ARCO Design/Build (owner) to develop a Cold Storage facility on 13.17 acres at 465 Forgotten LN. The applicant has concurrently requested a waiver to Appendix C, Urban Design Standards, Article V, Business Park Design Standards, Section 7-52, to allow the loading area to face IH-35.

“Site plan approval required by City Council. Any site plan that requires a waiver or variance to City Ordinances or is contingent upon the approval of a zoning district change must receive the approval of City Council upon recommendation of the planning and zoning commission.”

If the waiver request is not approved by City Council, then the applicant shall submit a revised commercial site plan to staff reflecting the approved or disapproved resolution related to the requested waiver. The commercial site plan amendment will not be approved by staff until all conditions relating to all Council approved resolution have been met.

The site plan is attached as part of the resolution (Exhibit “C”) along with the applicant’s justification for the requested waiver (attached as Exhibit “4”). Development of the site is governed by the Planned Development for Highpoint Business Park East (CSO#671-07-2017) attached as Exhibit 5.

Site Conformance Table

<i>Required</i>	<i>Staff’s Findings</i>
Lot Size, Coverage and Setbacks Specific lot information as shown on site plan	Complies. Site plan is in compliance with all development regulations with the exception of the requested waiver to the loading area.

<u>Landscaping –</u> 20% of Total Site shall be landscaped: 114,772 SF	Complies. Landscaping proposed: 167,493 SF
<u>Parking Requirement –</u> Office: 1 per 400 SF (5,270 SF): 14 spaces Warehouse: 1 per 5,000 SF (73,987 SF): 15 spaces 3 ADA spaces	Complies. Parking provided: 58 spaces ADA spaces: 3 spaces

Engineering:

Engineering civil construction reviews will be required prior to the development of the site.

RECOMMENDATION:

Staff supports the requested waiver as the site does not have direct frontage on IH-35 (in excessive of 200 feet from property line), in addition to the existing tree canopy and proposed landscaping.

Recommend approval to City Council for a resolution for a site plan with a waiver.

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

July 17, 2017 – Planned Development for Highpoint Business Park East (CSO#671-07-2017) approved by City Council.

REFERENCE:

[City of Burleson, TX SUPPLEMENTAL REGULATIONS](#)
[\(ecode360.com\)](#)

[City of Burleson, TX BUSINESS PARK DESIGN STANDARDS](#)
[\(ecode360.com\)](#)

FISCAL IMPACT:

None

STAFF CONTACT:

Lidon Pearce, CNU-A, AICP
 Principal Planner
lpearce@burlesontx.com
 817-426-9649

NDCP at 465 Forgotten LN

Location:

- 465 Forgotten LN
- 13.17 acres

Applicant:

Zachary Holzem (Kimley-Horn)
 Bryce Wegman (ARCO)

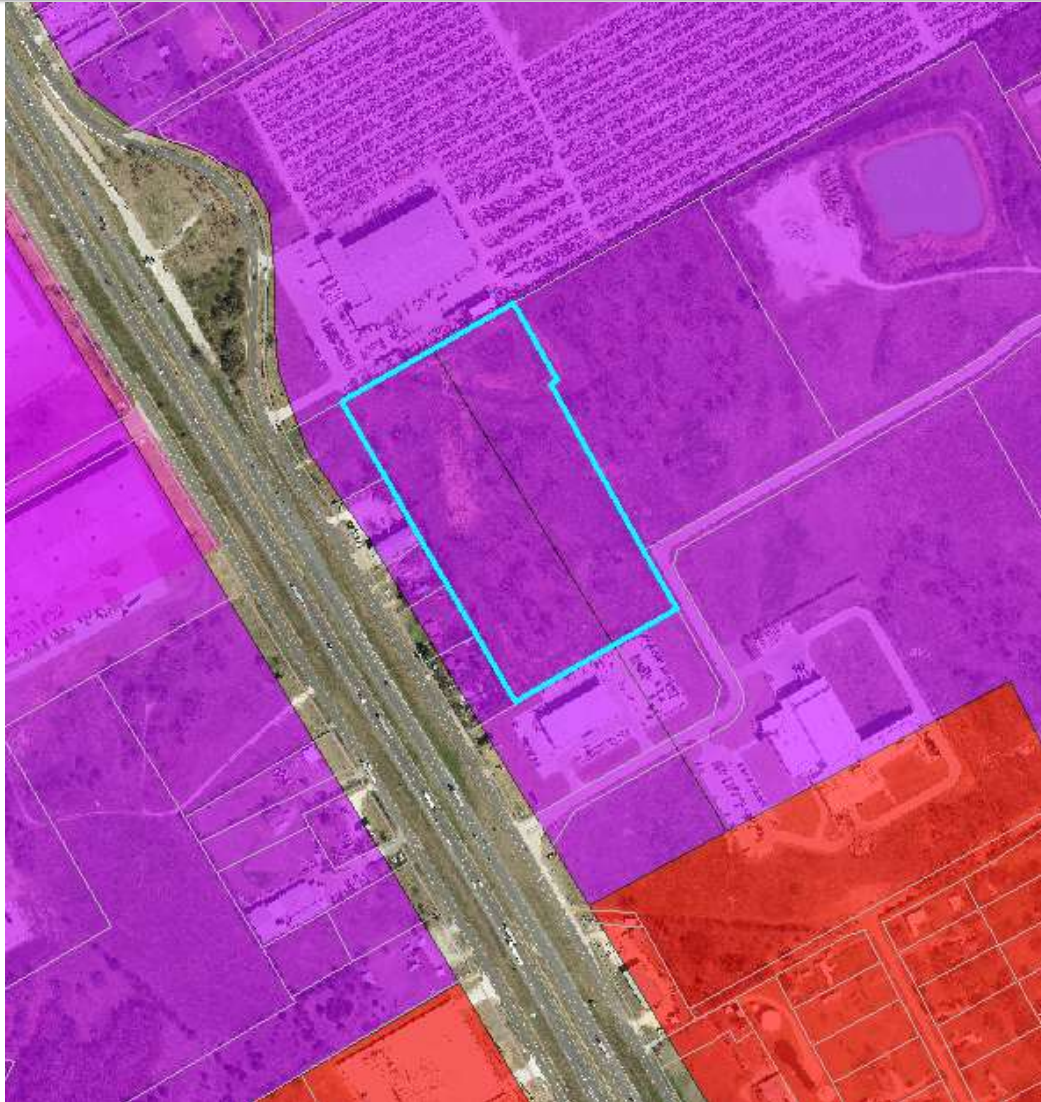
Items for approval:

Commercial Site Plan with
 Waiver



Comprehensive Plan

Employment Growth



Zoning

Item C.

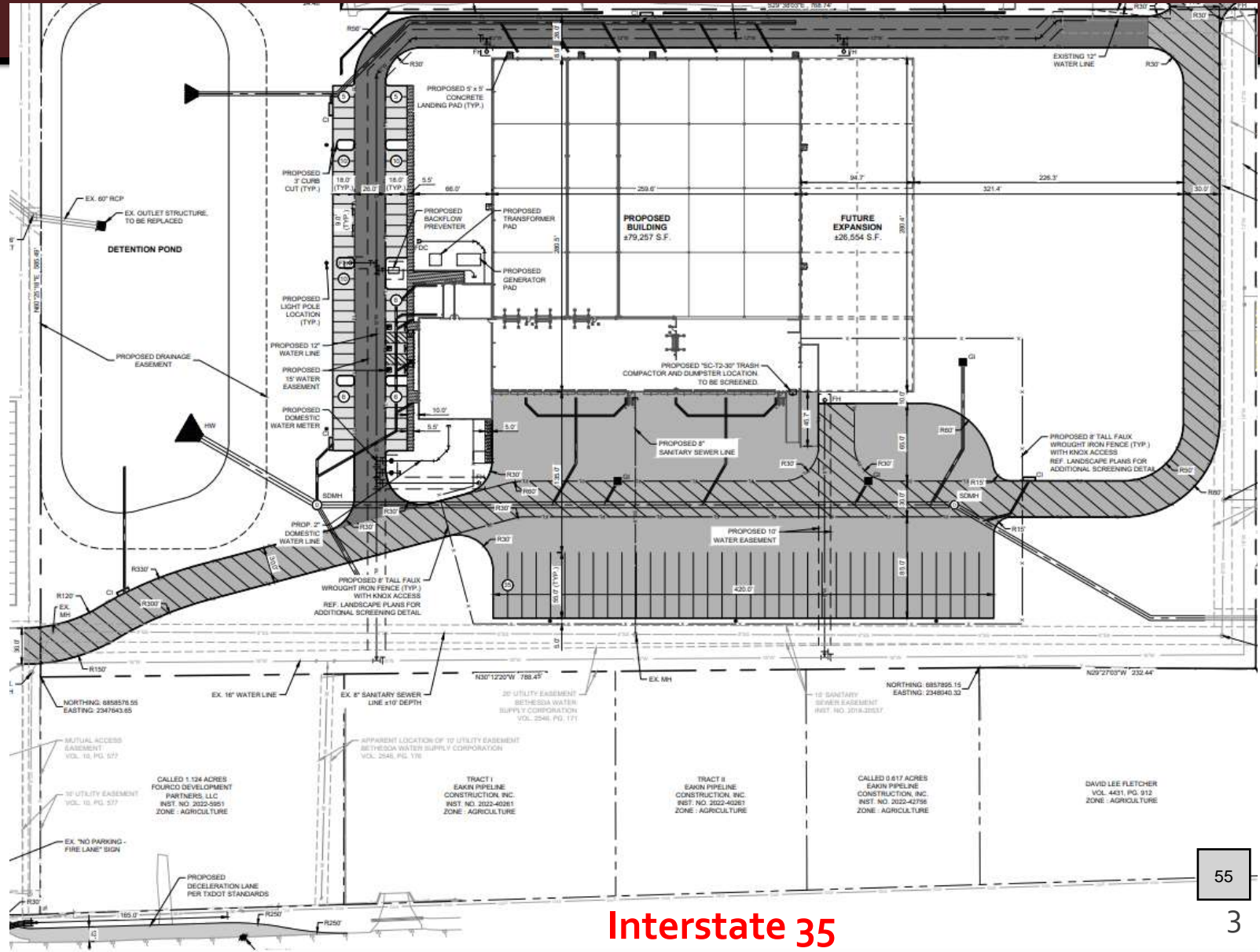
PD, Planned Development



NDCP at 465 Forgotten LN

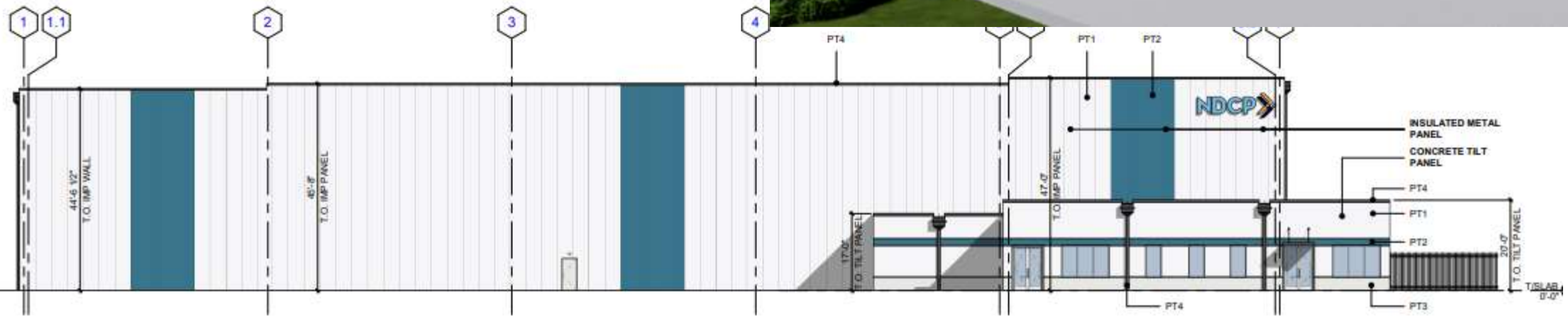
SITE SUMMARY TABLE	
ZONING	PD - PLANNED DEVELOPMENT
PROPOSED USE	WAREHOUSE
TOTAL SITE ACREAGE	13.17 AC.
PROPOSED BUILDING AREA	±79,257 SQ. FT.
FUTURE BUILDING EXPANSION	±26,554 SQ. FT.
BUILDING COVERAGE	13.8%
FUTURE BUILDING COVERAGE	18.4%
IMPERVIOUS COVERAGE	39.5%
FUTURE IMPERVIOUS COVERAGE	44.2%
TOTAL PARKING AREA	9,756 SQ. FT.
PROPOSED AUTO PARKING	58 SPACES
REQUIRED AUTO PARKING	29 SPACES
PROPOSED ACCESSIBLE PARKING	3 SPACES
REQUIRED ACCESSIBLE PARKING	3 SPACES
PROPOSED TRAILER PARKING	35 SPACES

PARKING CALCULATIONS
5,270 SF OFFICE / 400 SF PER SPACE = 14 SPACES
73,987 SF WAREHOUSE / 5,000 SF PER SPACE = 15 SPACES
TOTAL REQUIRED SPACES = 14 + 15 = 29 SPACES



NDCP at 465 Forgotten LN

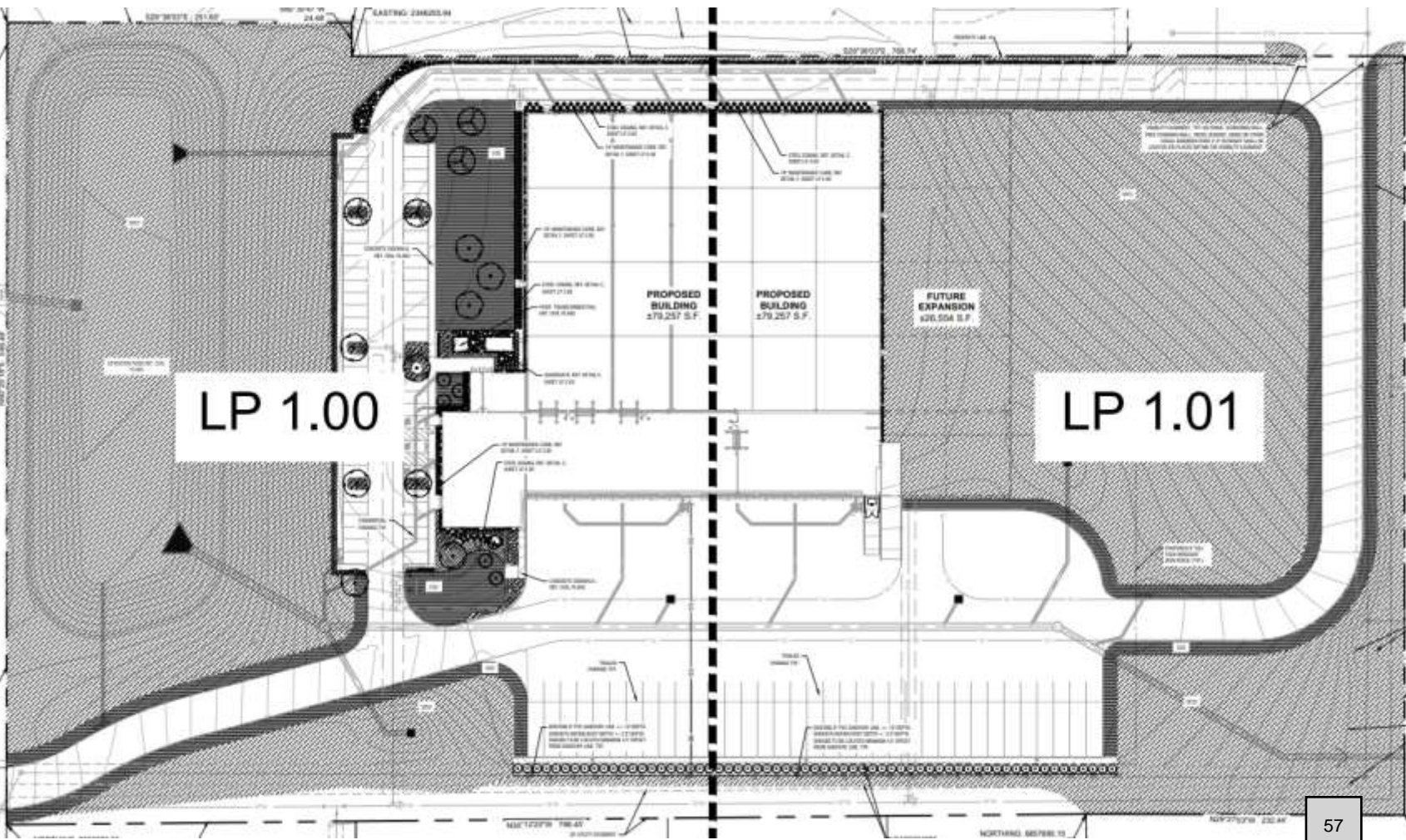
Building Renderings



4 WEST BUILDING ELEVATION
A210 SCALE: 1/16" = 1'-0"

NDCP at 465 Forgotten LN

City of Burlison Landscape Code Table		
Business Park Design Standards		
Site Area: 573,860 SF (13.2 Acres)		
Landscape Requirements for Nonvehicular Open Space	Required	Provided
A minimum of 20 percent of total lot area must be devoted to landscaping. Grass, groundcover, trees, shrubs, flowering and nonflowering plants, stonework, and water features may all be used as components of required landscaping.	114,772 SF	167,493 SF
Grass and/or groundcovers shall not be allowed to comprise over 90 percent of any required landscape area. 114,772 * 90% = 103,295 SF 10% = 11,477 SF required non-grass/groundcover	11,477 SF	11,477 SF
Foundation Planting	Required	Provided
One three-inch caliper tree shall be required for each 7,500 square feet of gross building area. The trees shall be located no farther than 30 feet from the face of the building. 79,257 SF / 7,500 SF = 11 Trees Ornamental trees can be substituted for large trees at a ratio of 3:1	11 Trees	11 Trees
Front Yard	Required	Provided
In the (I) Industrial district only the front yard 40 percent of the total 20 percent shall be required. The rear and side yard landscape requirements may be waived upon submittal of a landscape plan showing other requirements 114,772 SF (20%) 114,772 x 40% = 45,909 SF	45,909 SF	45,909 SF
Landscaping adjacent to public rights-of-way	Required	Provided
A ten-foot landscaped strip shall be provided adjacent to all public and private rights-of-way on lots with an area greater than five acres	Yes	Yes
Parking Lot Landscaping	Required	Provided
A minimum of 20 square feet of landscaping per parking space. 20 SF * 58 spaces = 1,160 SF	1,160 SF	1,160 SF
Any portion of each parking space shall be located within 60 feet of the trunk of a tree. Pavement shall not be allowed within three feet of the trunk.	Yes	Yes
The islands shall be a minimum of five feet in width and extend the entire length of the parking stall. The islands shall contain at least one three-inch caliper tree.	Yes	Yes



NDCP at 465 Forgotten LN

Site Conformance Table

<i>Required</i>	<i>Staff's Findings</i>
<u>Lot Size, Coverage and Setbacks</u> Specific lot information as shown on site plan	Complies. Site plan is in compliance with all development regulations with the exception of the requested waiver to the loading area.
<u>Landscaping</u> – 20% of Total Site shall be landscaped: 114,772 SF	Complies. Landscaping proposed: 167,493 SF
<u>Parking Requirement</u> – Office: 1 per 400 SF (5,270 SF): 14 spaces Warehouse: 1 per 5,000 SF (73,987 SF): 15 spaces 3 ADA spaces	Complies. Parking provided: 58 spaces ADA spaces: 3 spaces

NDCP at 465 Forgotten LN

Waivers Requested

Waiver	Staff's Findings
Appendix C, Urban Design Standards, Article V, Business Park Design Standards, Section 7-52: Loading areas or loading doors shall not: (1) face IH-35 or Type "A" street section.	City Council action only. Staff supports the waiver based on the site not having direct frontage on IH-35 as well as the existing tree canopy and proposed landscaping of the site

NDCP at 465 Forgotten LN

Staff Recommendation

Approve an resolution for a commercial site plan with a waiver to Appendix C, Urban Design Standards, Article V, Business Park Design Standards, Section 7-52 (Case 2-108).



RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURLESON, TEXAS, FOR A COMMERCIAL SITE PLAN WITH A WAIVER TO SECTION APPENDIX C, URBAN DESIGN STANDARDS, ARTICLE V, BUSINESS PARK DESIGN STANDARDS, SECTION 7-52; FOR THE ORIENTATION OF THE LOADING AREA FOR THE NDPC COLD STORAGE SITE PLAN AT 465 FORGOTTEN LN.

WHEREAS, the City of Burleson, Texas (“City”), is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, on March 18, 2024, an application was submitted by Bryce Wegman, for a waiver to the orientation of the loading area as prescribed in Appendix C, Urban Design Standards, Article V, Business Park Design Standards, Section 7-52, to allow the loading area to face IH-35, and

WHEREAS, on May 14, 2024, the Planning and Zoning Commission, made an inquiry into the matter, and reviewed all the relevant information at a duly called public meeting, after which the Commission made a recommendation to the City Council; and

WHEREAS, on June 3, 2024, the City Council held a public meeting, made an inquiry into the matter, and reviewed all the relevant information at a duly called public meeting, and

WHEREAS, the City Council finds and determines that there are special circumstances existing on the property on which the application is made related to size, shape, area, topography, surrounding conditions, and location that do not apply generally to other property in the same area; and

WHEREAS, City Council finds and determines that a waiver is necessary to permit the applicant the same rights in the use of his property that are presently enjoyed, under Section 7-52, by other properties in the vicinity and zone, but which rights are denied to the property on which the application is made; and

WHEREAS, City Council finds and determines that the granting of the waiver on the specific property will not adversely affect the land use pattern as outlined by the land use plan and will not adversely affect any other feature of the comprehensive plan of the city; and

WHEREAS, City Council finds and determines that the waiver, if granted, will not be materially detrimental to the public welfare of the use, enjoyment, or value of property within the vicinity; and

WHEREAS, the City Council finds and determines the conditions attached to the waiver, if any, are necessary to achieve the purpose of Section 7-52; and

WHEREAS, the City Council finds and determines the strict enforcement of Section 7-52 is impractical given the location of the subdivision being within the Extra Territorial Jurisdiction of the City of Burleson and the maintenance practices and standards of county maintained roads within Johnson County.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BURLESON, TEXAS, THAT:

Section 1.

City Council hereby grants a waiver and variance to Appendix C, Urban Design Standards, Article V, Business Park Design Standards, Section 7-52, of the City of Burleson, prohibiting a loading area from facing IH-35, with the following conditions:

- Loading area is allowed to face IH-35 as shown on the commercial site plan attached as Exhibit "A"
- Landscaping must be installed and maintained in accordance with City codes, as shown on the landscaping plan attached as Exhibit "B"

Except as otherwise specified above, all other conditions, regulations, procedures, and rules of the City of Burleson, shall apply.

Section 2.

This resolution shall take effect immediately from and after its passage.

PASSED, APPROVED, AND SO RESOLVED by the City Council of the City of Burleson, Texas, on the _____ day of _____, 20_____.

Chris Fletcher, Mayor
City of Burleson, Texas

ATTEST:

APPROVED AS TO LEGAL FORM:

Amanda Campos, City Secretary

E. Allen Taylor, Jr., City Attorney

**Variance Waiver Summary For
Ord. No. B-582(K1110), § 6, 12-6-2010 / Business Park Design Standards : 7-52, E1**

We are requesting a Variance for “Ord. No. B-582(K1110), § 6, 12-6-2010 / Business Park Design Standards : 7-52, E1” which permits Loading Areas and Loading Doors to be facing IH-35. We believe that the Proposed Loading Area and Doors for NDCP-Cold Storage follows the intentions of the Code. The Site is located on a Parcel that does not abut any ROW, with the Loading Area more than 200’ from the ROW, located behind the neighboring Parcels facing S. Burleson Blvd as seen in the Aerial. The Loading Area and Doors will be screened as shown in the Proposed Landscaping (*LPO.00-LP1.01 in Commercial Site Plan*).



Aerial of Site



Core X Premier

Above is the neighboring property, Core X Premier, which is located at 6501 Highpoint Pkwy. Although it is understood that this development may have been subjected to older code, the dock doors do not face IH35, yet the Loading Area remains visible to passing traffic. What is proposed in NDCP-Cold Storage Landscape Plans (*LPO.00-LP1.01 in Commercial Site Plan*) is a screening of Nellie R Stevens Holly. This Landscape Screening, will prevent visibility from ROW, continuing to promote the purpose and intent of the Business Park Planned Development Design Standards.

ORDINANCE

AN ORDINANCE AMENDING ORDINANCE B-582, THE ZONING ORDINANCE OF THE CITY OF BURLESON, TEXAS, BY AMENDING THE OFFICIAL ZONING MAP AND CHANGING THE ZONING ON APPROXIMATELY 105 ACRES OF LAND SITUATED IN THE A.J. PATTON SURVEY, ABSTRACT NO. 685, CITY OF BURLESON, JOHNSON COUNTY, TEXAS, FROM AGRICULTURAL ZONING DISTRICT (A) TO PLANNED DEVELOPMENT ZONING DISTRICT (PD), MAKING THIS ORDINANCE CUMULATIVE OF PRIOR ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING A PENALTY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, an application for a zoning change was filed by R.A. Development (property owner) on March 20, 2017, under Case Number 17-037, for a development commonly known as HighPoint East Business Park; and

WHEREAS, the City of Burleson has complied with the notification requirements of the Texas Local Government Code and the Burleson Zoning Ordinance; and

WHEREAS, the City Council and Planning and Zoning Commission have held a public hearing and the Planning and Zoning Commission has made a recommendation on the proposed zoning amendment; and

WHEREAS, the City Council has determined that the proposed zoning ordinance amendment is in the best interest of the City of Burleson.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BURLESON, TEXAS:

SECTION 1

The Official Zoning Map is hereby amended insofar as it relates to certain land located in Burleson, Texas, described by the metes and bounds attached as Exhibit A, changing the zoning of said property from the (A) Agricultural district to the (PD) Planned Development district.

SECTION 2

The property shall be developed and used in accordance with the applicable provisions of the City of Burleson, Code of Ordinances, as amended, except to the extent modified by the Development Regulations set forth below:

- A. CONCEPT PLAN:** The Property shall be developed in general conformance with the Concept Plan attached hereto as Exhibit B and incorporated herein by reference. Minor modifications to driveways and lot configurations that do not alter the general alignment and development pattern as shown on the Concept Plan, may be made at the time of plat approval.
- B. BASE ZONING DISTRICT:** The property shall be developed and used in accordance with the base zoning district Industrial (I) and incorporating the following inclusions and exceptions:
1. The purpose and uses in the PD area will be held to the requirements of the "I, Industrial District" standards as given in City of Burleson Code of Ordinances, Appendix B, Article III, Section 79-100, 79-105 and 79-110.
 - a. Additional **prohibited** uses on the property shall include:
 - Animal pound, private
 - Asphalt batching (permanent)
 - Auto laundry/carwash
 - Brick kiln or tile plant
 - Dump or sanitary landfill
 - Go-cart track
 - Hatchery
 - Heliport
 - Helistop
 - Kennel
 - Massage Parlor
 - Miniwarehouse
 - Open Storage of commercial goods (when no primary building is located on site)
 - Parking lot, trucks/trailers
 - Petroleum storage
 - Restaurant or cafeteria (not of drive-in type)

- Restaurant or cafeteria (drive in type)
- Sexually oriented business
- Veterinarian with outside animal pens
- Taxidermy shop
- Tire retreading, recapping and storage

2. Development will be held to the requirements of the "Business Park Design Standards" as given in City of Burleson Code of Ordinances, Appendix C, Article VII, save and except any conflicting requirements with Section 2.B.3 below.
3. Requirements as outlined in the "Business Park Design Standards", City of Burleson Code of Ordinances, Appendix C, Article VII, Section 7-50 shall be substituted with the following:
 - a. Metal building construction shall be allowed with the consideration of the following: consistent with other applicable design standards; avoids continuous vertical seams; avoids stark and uninterrupted panels; painted to compliment the brick or stone colors included in building design; seeks to hide or disguise wall fastening systems and seams; and features elements such as curved metal corners, deep reveals at construction joints or other details to add interest to the architectural design.
 - b. Any building wall that faces a public right-of-way or is determined to be the primary entryway of the building shall have a minimum of eighty (80) percent of the surface area of the exterior walls from the grade to the eave area, excluding doors and windows, constructed from one or more of the following permanent building materials: glass or natural stone; face brick or face tile; concrete; split face concrete masonry units that are colored integrally during manufacturing.
 - c. All building facades shall include the use of one or more of the following: massing of building by varying maximum building depth and/or width; variation in heights of the external wall surfaces; variation in color or materials to emphasize openings and create a pattern in the main body of the building; provide landscaping along the building façade.
 - d. Building design shall be generally consistent with the representations attached hereto as Exhibit C.
 - e. The use of flex base and/or similar hard surface is an acceptable surface material for outside storage areas or employee parking areas located behind screening devices.
 - f. Exceptions may be granted to any of the above design requirements during the Commercial Site Plan review process by a majority vote of the City Council.

SECTION 3 CUMULATIVE CLAUSE

This ordinance shall be cumulative of all provisions of ordinances of the City of Burleson, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed. To the extent that the provisions of the City of Burleson's various development ordinances conflict with this ordinance, the terms of this ordinance shall control.

SECTION 4 SEVERABILITY CLAUSE

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the city council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.


SECTION 5 PENALTY CLAUSE

Any person, firm, association of persons, company, corporation, or their agents, servants, or employees violating or failing to comply with any of the provisions of this article shall be fined, upon conviction, not less than one dollar (\$1.00) nor more than two thousand dollars (\$2,000.00), and each day any violation of noncompliance continues shall constitute a separate and distinct offense. The penalty provided herein shall be cumulative of other remedies provided by State Law, and the power of injunction as provided in Texas Local Government Code 54.012 and as may be amended, may be exercised in enforcing this article whether or not there has been a complaint filed.

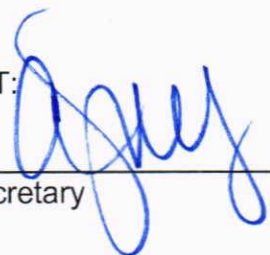
SECTION 6
EFFECTIVE DATE

This Ordinance shall be in full force and effect from and after its passage and publication as provided by law.

PASSED AND APPROVED this the 17th day of July, 2017.



MAYOR

ATTEST: 

City Secretary



EXHIBIT A
Metes and Bounds

LEGAL DESCRIPTION:

A TRACT OF LAND SITUATED IN THE A.J. PATTON SURVEY ABSTRACT NO. 685, JOHNSON COUNTY, TEXAS, BEING ALL OF THAT TRACT OF LAND CONVEYED TO RA DEVELOPMENT IN THAT DEED RECORDED IN VOLUME 3489, PAGE 418, DEED RECORDS, JOHNSON COUNTY, TEXAS, TOGETHER WITH THAT TRACT OF LAND CONVEYED TO RA DEVELOPMENT IN THAT DEED RECORDED IN INSTRUMENT NO. 2016-27365, DEED RECORDS, JOHNSON COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS

BEGINNING AT A 1/2 INCH IRON ROD FOUND AT THE MOST WESTERLY CORNER OF FIRST SAID RA DEVELOPMENT TRACT;

THENCE NORTH 60°00'00" EAST, 2145.97 FEET TO A FOUND POST AT CORNER;

THENCE SOUTH 30°00'00" EAST, 2097.88 FEET TO A 1/2 INCH IRON ROD FOUND "RPLS 5544";

THENCE SOUTH 59°56'39" WEST, 2143.93 FEET TO A 5/8 INCH IRON ROD FOUND;

THENCE NORTH 30°03'21" WEST, 372.09 FEET TO A 5/8 INCH IRON ROD FOUND;

THENCE NORTH 87°25'51" WEST, 181.17 FEET TO A 1/2 INCH IRON ROD FOUND;

THENCE NORTH 30°20'21" WEST, 20.29 FEET TO A 1/2 INCH IRON ROD FOUND THE BEGINNING OF A TANGENT CURVE TO THE LEFT WITH A RADIUS OF 5940.58 FEET, WHOSE LONG CHORD BEARS N 31°16'33" E, 191.62 FEET;

THENCE WITH SAID TANGENT CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 01°50'54", AN ARC LENGTH OF 191.63 FEET TO A TXDOT MONUMENT FOUND;

THENCE NORTH 32°32'05" WEST, 395.62 FEET TO A 1/2 INCH IRON ROD FOUND;

THENCE NORTH 59°12'25" EAST, 173.89 FEET TO A 2 INCH PIPE FOUND;

THENCE NORTH 30°03'21" WEST, 765.05 FEET TO A 1/2 INCH IRON ROD FOUND;

THENCE SOUTH 60°00'00" WEST, 191.81 FEET TO A 1/2 INCH IRON ROD FOUND;

THENCE NORTH 31°22'58" WEST, 255.86 FEET TO A TXDOT MONUMENT FOUND;

THENCE NORTH 60°00'00" EAST, 197.74 FEET TO THE POINT OF BEGINNING AND CONTAINING 106.922 ACRES OF LAND, MORE OR LESS.

EXHIBIT B Concept Plan

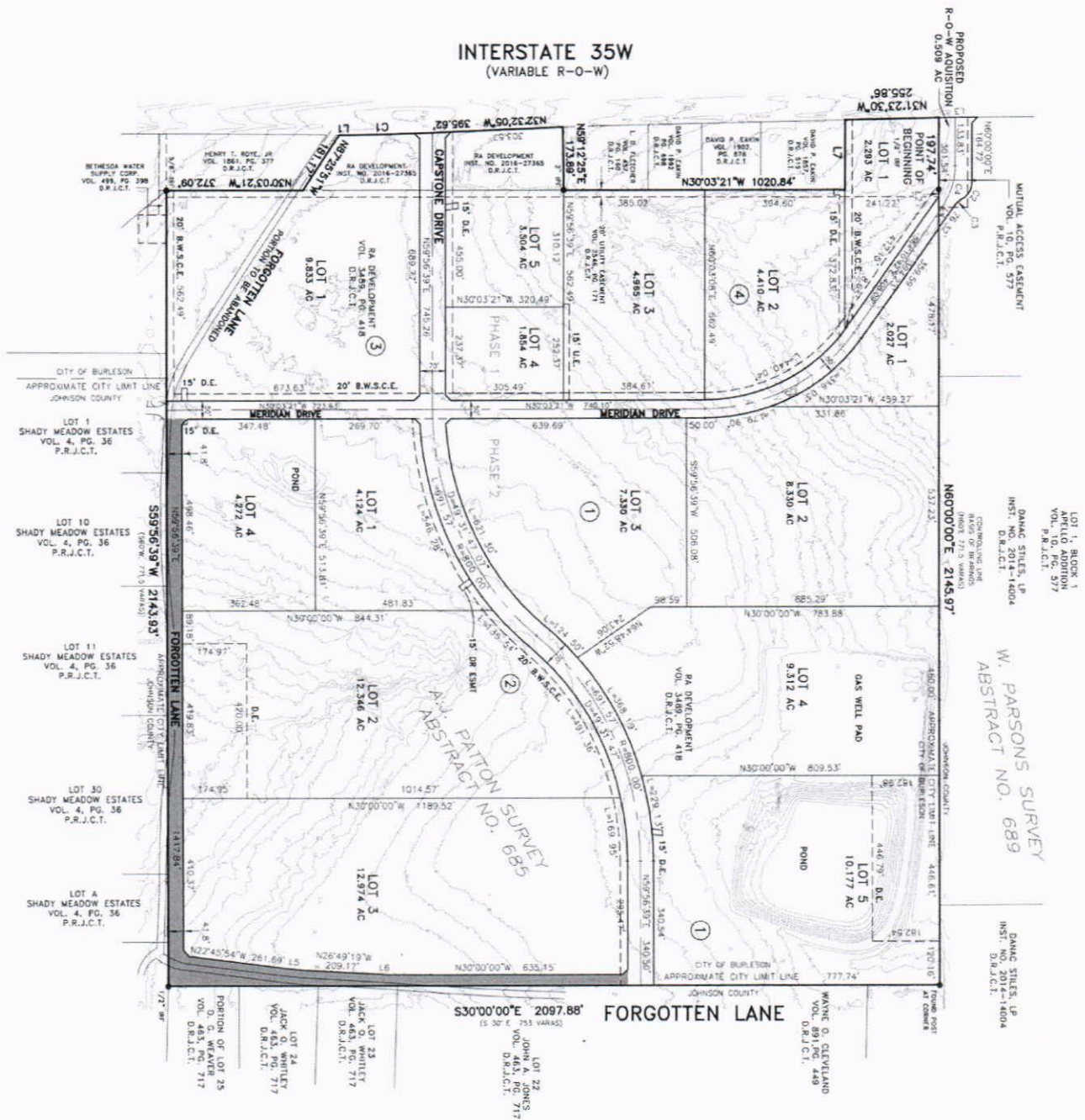


Exhibit C Construction Design Standards

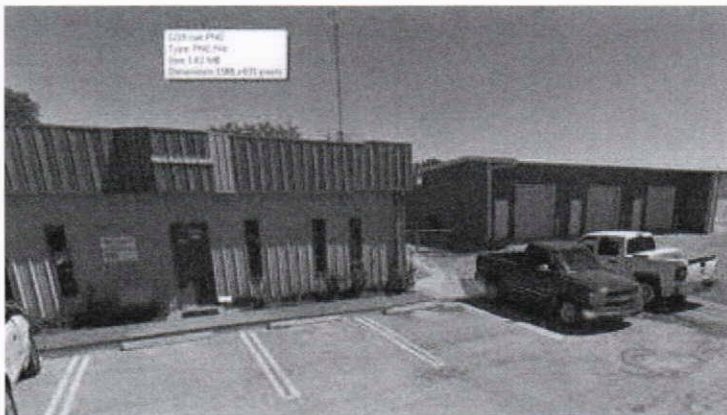
The following is a representation of industrial building designs that should be considered generally acceptable or unacceptable within the Highpoint East Business Park. Design standards and the inclusion of photos similar to these shall be a part of the zoning application referenced in Section 5.01(B) of this Agreement. Images shown here do not constitute the acceptance of any specific building design.

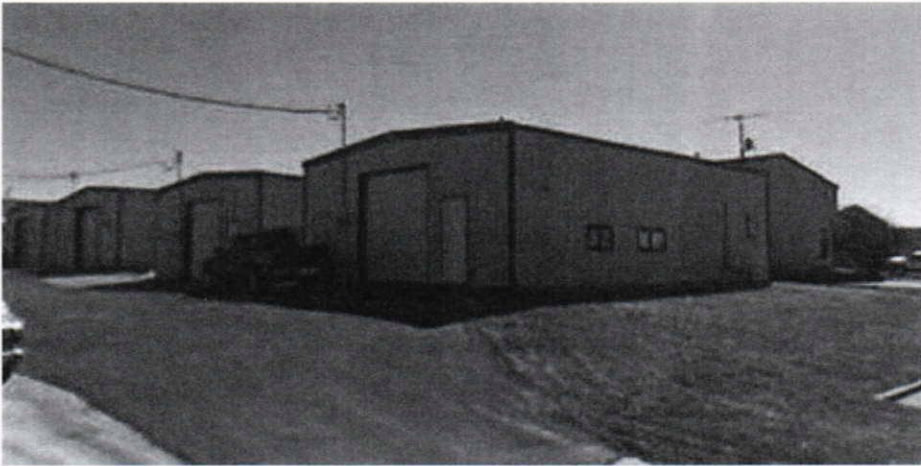
ACCEPTABLE





NOT ACCEPTABLE





Planning & Zoning Commission Meeting

DEPARTMENT: Development Services
FROM: Lidon Pearce, Principal Planner
MEETING: May 14, 2024

SUBJECT:

1530 Candler Dr (Case 24-064): Hold a public hearing and consider a recommendation of approval for an ordinance for a zoning change request from “PD”, Planned Development to “PD” Planned Development for Lot 3, Block 1, Shannon Creek Development, “The Cottages at Candler Drive”. *(Staff Contact: Lidon Pearce, Principal Planner)*

SUMMARY:

On February 19, 2024, a zoning change request was submitted by Drew Wegman representing Silver Leaf Homes (owner) to change the zoning of approximately 9.161 acres to PD, Planned Development.

DEVELOPMENT OVERVIEW:

The owners are proposing a PD, Planned Development zoning for the development of approximately 36 townhome complexes for a total of 140 dwelling units. The original planned development allowed single-story attached or detached cottages and required a revision to the zoning and site exhibit (layout) prior to development of cottages on Tract 3. The applicant’s proposed PD incorporates the original Shannon Creek Development standards with changes to allow two-story cottages, as well as to update the site layout and architectural design elements. The proposed density (9.53 dwelling units per acre) conforms to the original Shannon Creek Development standards of a maximum 12 dwelling units per acre. The preliminary layout for the Cottages at Candler Drive (Exhibit “C” of the Ordinance) includes a clubhouse with a pool, pickle ball court, and dog park.

Zoning and Land Use Table

	Zoning	Use
Subject Site	PD, Planned Development	Undeveloped
North	PD, Planned Development	Undeveloped

East	PD, Planned Development	Single-family
South	PD, Planned Development	Multifamily and Single-family
West	PD, Planned Development	Multifamily

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

This land use category should incorporate a range of building structures and land uses, including multi-story residential above retail and townhomes

Staff has determined the requested zoning and use aligns the previously approved Planned Development standards and expectations for this site.

Engineering:

Engineering civil construction reviews will be required prior to the development of the site.

RECOMMENDATION:

Recommend approval to City Council for an ordinance for the zoning change.

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

September 14, 2006 – Planned Development (Ordinance D-072-06) approved by City Council.

REFERENCE:

[City of Burleson, TX ZONING DISTRICTS \(ecode360.com\)](http://www.ecode360.com)

FISCAL IMPACT:

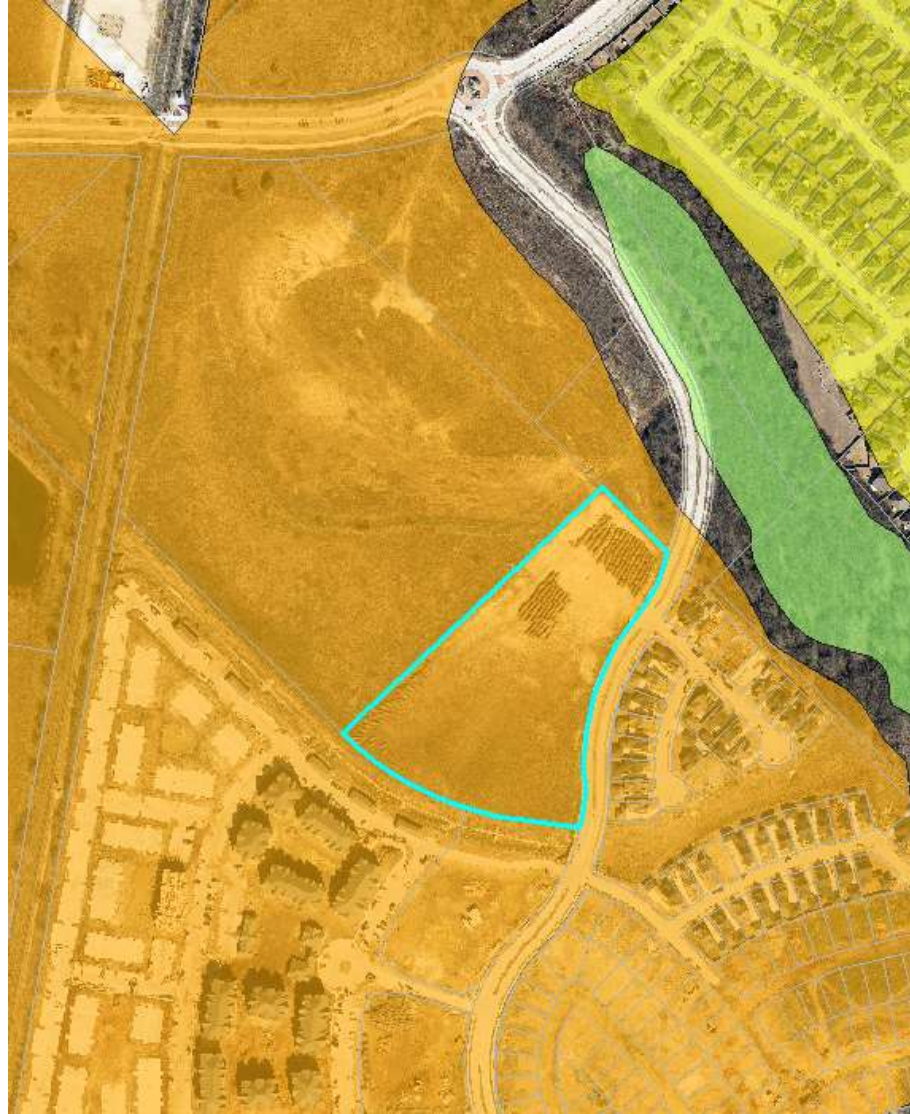
None

STAFF CONTACT:

Lidon Pearce, CNU-A, AICP
Principal Planner
lpearce@burlesontx.com
817-426-9649

Comprehensive Plan

Transit-Oriented District



Zoning

Item D.

PD, Planned Development



Shannon Creek – Tract 3 Cottages at Candler DR



LEGEND

- STYLE A: 2-STORY FRONT ENTRY UNITS EACH WITH 2 OFF-STREET PARKING 20' WIDE X 40' DEEP (48 DWELLING UNITS)
- STYLE B: 1-STORY FRONT ENTRY UNITS EACH WITH 2 OFF-STREET PARKING 22' WIDE X 55' DEEP (26 DWELLING UNITS)
- STYLE C: 2-STORY REAR ENTRY UNITS EACH WITH 2-CAR GARAGE PARKING 24' WIDE X 55' DEEP (66 DWELLING UNITS)
- CONCRETE PAVEMENT
- CONCRETE DRIVEWAY
- CONCRETE SIDEWALK
- PEDESTRIAN TRAIL

GENERAL NOTE

1. THIS PRELIMINARY LAYOUT DEPICTS 36 MULTI-FAMILY TOWNHOME BUILDINGS, WITH A TOTAL OF 140 DWELLING UNITS ON APPROX. 14.89 ACRES (8.90 DUNACS).

TABLE

ARC/CHORD	DELTA	TANGENT
183.80° 22'27.38"	98.42'	
849.24° 41'30.00"	240.22'	
153.74° 05'58.77"	76.00'	
336.11° 30'43.12"	362.42'	

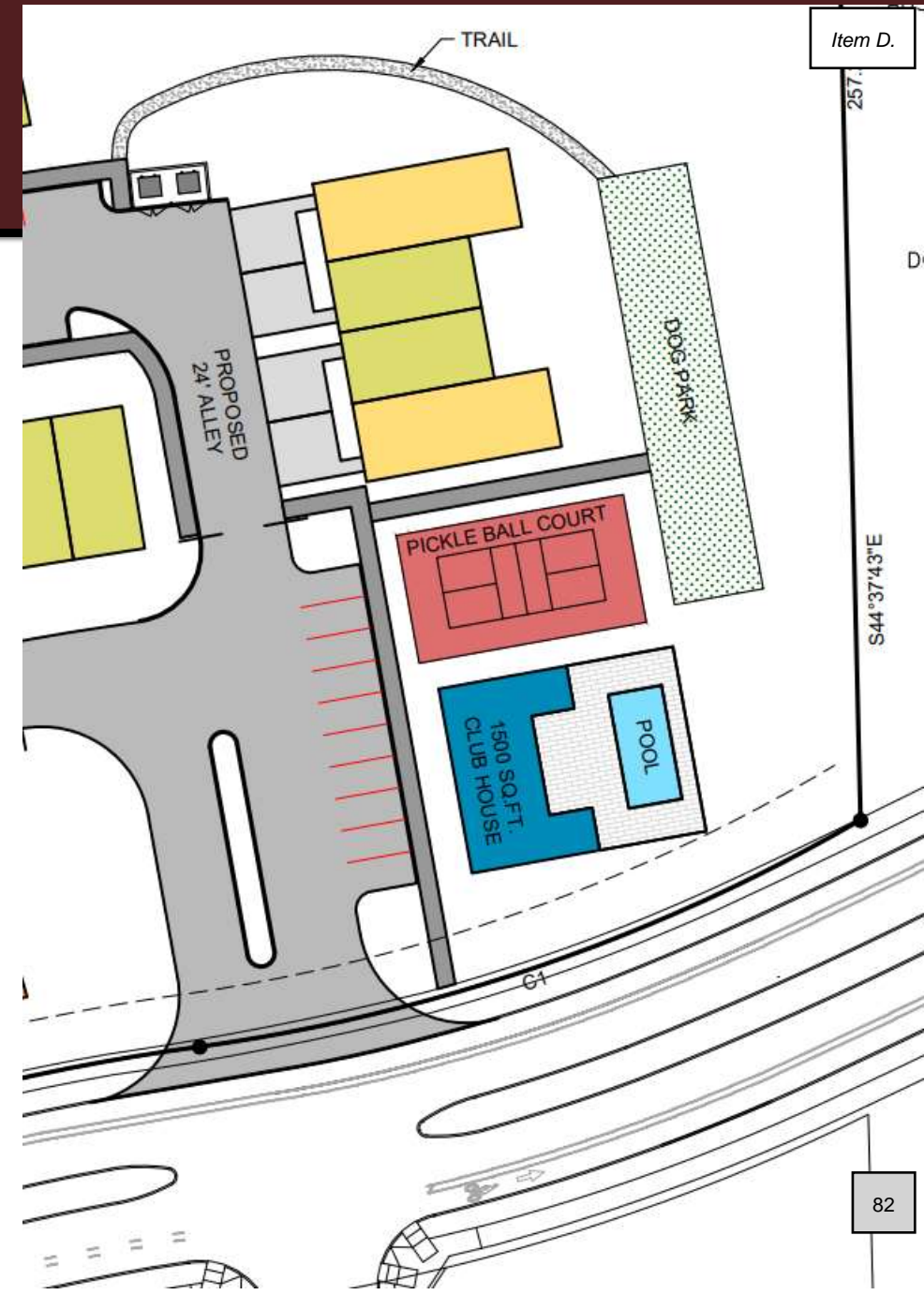
Shannon Creek – Tract 3 Cottages at Candler DR

Park Amenities. Parkland dedication requirements for the City have already been satisfied by parks dedication by the Master Developer but additional open space and parks amenities will be installed within the community and shall include:

- a. Barbeque area – one location
- b. Dog park – minimum of 2,000 SF
- c. Dog cleanup stations – min. 2 along the trail and one in dog park area
- d. Benches – min. 2 along the trail.
- e. Walking Trails - will be provided throughout the community and used in conjunction with sidewalks to connect dwellings to open space and amenities in general accordance with the site plan exhibit.

Clubhouse – minimum 1,500 SF and will include business center, leasing office, fitness area, community game room and gathering areas.

- a. Swimming pool – minimum 1,500 SF of pool, lounge areas and associated decking.



Shannon Creek – Tract 3 Cottages at Candler DR

Sidewalks. The minimum sidewalk width will be 4 feet and shall be located as indicated on the Site Plan Exhibit.

Roof Pitch. A minimum roof pitch of 4:12 will be allowed. No minimum pitch is required for accent or dormer roofs.

Fencing. Fencing along Candler Ave may not exceed 6' in height and will 50% opaque (i.e., wrought iron or picket fences). Privacy fencing along the side and rear perimeter of the development may not exceed 8 feet in height.

Landscaping. An ornamental tree (30 gallon) will be provided at a minimum of one (1) per two (2) dwelling units and 1 canopy tree per six (6) dwelling units. 10 shrubs or bushes with a minimum size of 3 gallons, will be provided per dwelling unit. Landscaping calculations shall be made on a comprehensive basis for the entire site.

Lighting: Street and pedestrian lighting shall be of a decorative nature and have a black powder coat finish and must be on a concrete pedestal.

Off-street parking. 2 parking spaces per dwelling unit will be provided by rear entry two car garage, front entry one car garage & one surface parking space or two surface parking spaces

Detached Garages. Detached garages will be allowed for lease to tenants of the property.

Anti-Monotony Standards. An anti-monotony plan will be enforced to provide for architectural diversity and harmony throughout the community. Units within a building will also have different architectural elements to create more interest with each building design.

- a. No building shall have the same elevation and exterior materials as any building directly adjacent.
- b. The buildings that front Cander Drive shall each have a unique elevation/exterior material combination.

Shannon Creek – Tract 3 Cottages at Candler DR

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 no formal opposition



Legend

- 300 ft. Buffer
- Subject Property
- Properties within 300 ft.
- Burleson

Ordinance

AN ORDINANCE AMENDING ORDINANCE B-582, THE ZONING ORDINANCE AND MAP OF THE CITY OF BURLESON, TEXAS, BY AMENDING THE OFFICIAL ZONING MAP AND CHANGING THE ZONING ON APPROXIMATELY 9.161 ACRES OF LAND KNOWN AS LOT 3, BLOCK 1, SHANNON CREEK DEVELOPMENT, AS DESCRIBED ON THE FINAL PLAT RECORDED IN INSTRUMENT NO.2020-033, ON FEBRUARY 18,2020, JOHNSON COUNTY PLAT RECORDS (J.C.P.R.T.), JOHNSON COUNTY, TEXAS, FROM PLANNED DEVELOPMENT DISTRICT “PD” TO “PD” PLANNED DEVELOPMENT DISTRICT; MAKING THIS ORDINANCE CUMULATIVE OF PRIOR ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING A PENALTY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Burleson, Texas (“City”), is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the City Council passed, approved, and adopted Ordinance B-582, being the Zoning Ordinance and Map of the City of Burleson, Texas, showing the locations and boundaries of certain districts, as amended, and codified in Appendix B of the City of Burleson Code of Ordinances (2005) (the “Zoning Ordinance and Map”); and

WHEREAS, an application for a zoning change was filed by **Drew Wegman representing Silver Leaf Homes** on **February 19, 2024**, under **Case Number 24-064**, on property described herein below filed application with the City petitioning an amendment of the Zoning Ordinance and Map so as to rezone and reclassify said property from its current zoning classification; and

WHEREAS, the Planning and Zoning Commission of Burleson, Texas, held a public hearing on said application after at least one sign was erected upon the property on which the change of classification is proposed in accordance with the Zoning Ordinance and Map, and after written notice of such public hearing before the Planning and Zoning Commission on the proposed rezoning had been sent to owners of real property lying within 300 feet of the property on which the change of classification is proposed, said notice having been given not less than ten (10) days before the date set for hearing to all such owners who rendered their said property for City taxes as the ownership appears on the last approved City Tax Roll, and such notice being served by depositing the same, properly addressed and postage paid, in the U.S. mail; and

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Burleson, Texas voted **X to 0** to recommend approval to the City Council of Burleson, Texas, that the hereinafter described property be rezoned from its classifications of **Planned Development (PD)** to **Planned Development (PD)**; and

WHEREAS, notice was given of a further public hearing to be held by the City Council of the City of Burleson, Texas, to consider the advisability of amending the Zoning Ordinance and Map as recommended by the Planning and Zoning Commission, and all citizens and parties at interest were notified that they would have an opportunity to be heard, such notice of the time and place of such hearing having been given at least fifteen (15) days prior to such hearing by publication in

the Fort Worth Star Telegram, Fort Worth, Texas, a newspaper of general circulation in such municipality; and

WHEREAS, all citizens and parties at interest have been given an opportunity to be heard on all the matter of the proposed rezoning and the City Council of the City of Burleson, Texas, being informed as to the location and nature of the use proposed on said property, as well as the nature and usability of surrounding property, have found and determined that the property in question, as well as other property within the city limits of the City of Burleson, Texas, has changed in character since the enactment of its classification of **Planned Development (PD)**; and, by reason of changed conditions, does consider and find that this amendatory Ordinance should be enacted since its provisions are in the public interest and will promote the health, safety and welfare of the community; and

WHEREAS, the City Council of the City of Burleson, Texas, may consider and approve certain ordinances or ordinance amendments at only one meeting in accordance with Section 2-4 of the City of Burleson Code of Ordinances (2005); and

WHEREAS, the City Council of the City of Burleson, Texas, finds that this Ordinance may be considered and approved in only one meeting because the provisions of this Ordinance concern an individual zoning case that does not propose a change to the language of the City of Burleson Code of Ordinances.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BURLESON, TEXAS:

Section 1 MAP AND ZONING AMENDMENT

The Official Zoning Map is hereby amended insofar as it relates to certain land located in Burleson, Texas, described on the Final Plat attached as **Exhibit A**, by changing the zoning of said property from PD, Planned Development district to the PD, Planned Development district for a cottage style residential development, with the area and location for such uses being depicted as Lot 3, Block1 of the Shannon Creek Development Final Plat (attached as Exhibit A-1) and Tract 3 of the Shannon Creek Development Plan (attached as Exhibit A-2).

Section 2

The property shall be developed and used in accordance with the applicable provisions of the City of Burleson, Code of Ordinances, as amended, except to the extent modified by the Development Standards attached as Exhibit B.

Section 3.

The findings and recitals set forth above in the preamble of this ordinance are incorporated into the body of this ordinance as if fully set forth herein.

Section 4.

It is hereby officially found and determined that the meeting at which this ordinance is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

Section 5.

This ordinance shall be cumulative of all provisions of ordinances of the City of Burleson, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed. To the extent that the provisions of the City of Burleson's various development ordinances conflict with this ordinance, the terms of this ordinance shall control.

Section 6.

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the city council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

Section 7.

An offense committed before the effective date of this ordinance is governed by the prior law and the provisions of the Code of Ordinances, as amended, in effect when the offense was committed, and the former law is continued in effect for that purpose.

Section 8.

Any person, firm, association of persons, company, corporation, or their agents, its servants, or employees violating or failing to comply with any of the provisions of this article shall be fined, upon conviction, not less than one dollar (\$1.00) nor more than two thousand dollars (\$2,000.00), and each day any violation of noncompliance continues shall constitute a separate and distinct offense. The penalty provided herein shall be cumulative of other remedies provided by State Law, and the power of injunction as provided in Texas Local Government Code 54.012 and as may be amended, may be exercised in enforcing this article whether or not there has been a complaint filed.

Section 9.

This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

PASSED AND APPROVED:

First and Final Reading: the _____ day of _____, 20_____.

Chris Fletcher, Mayor
City of Burleson, Texas

ATTEST:

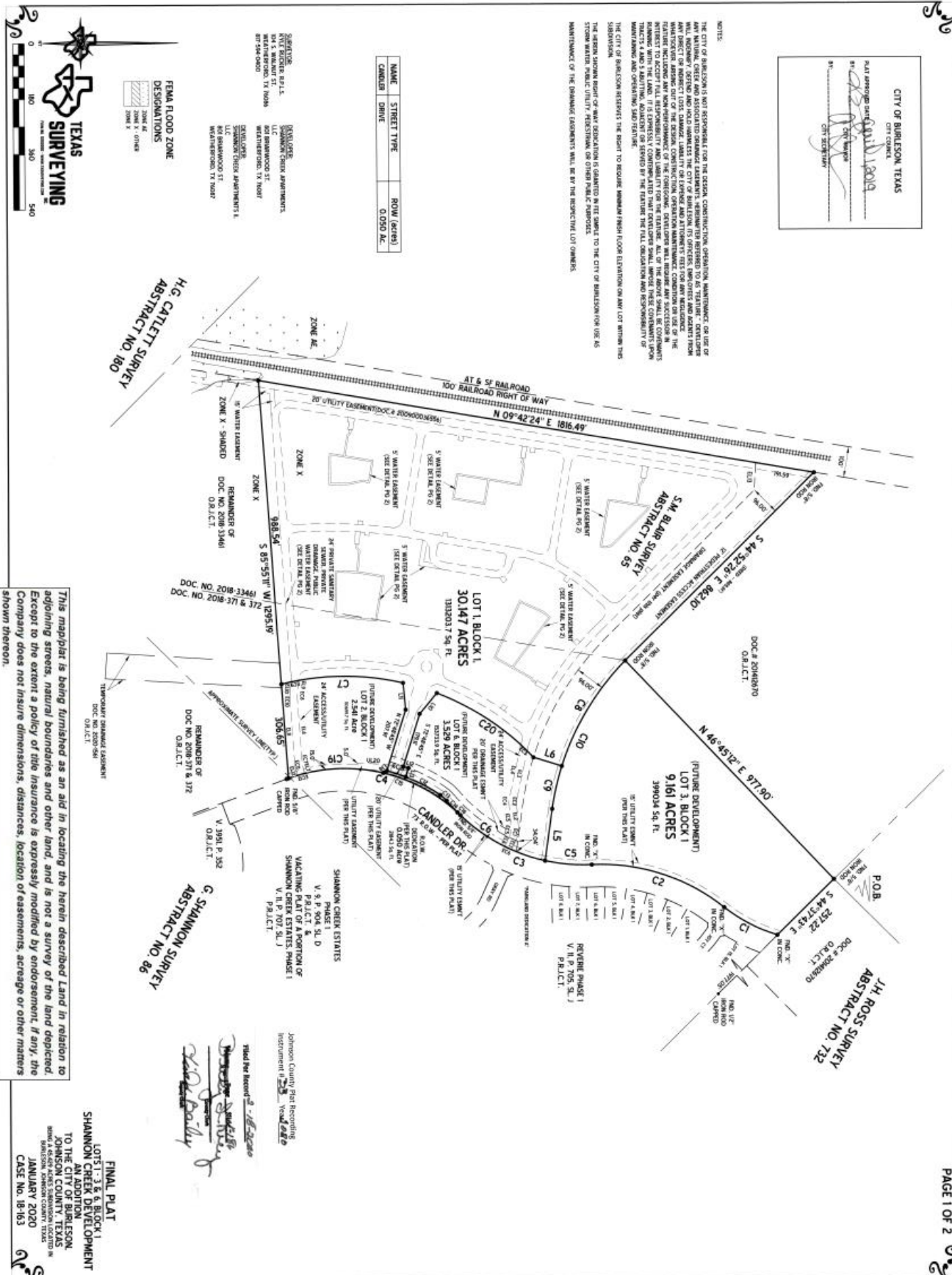
APPROVED AS TO FORM:

Amanda Campos, City Secretary

E. Allen Taylor, Jr., City Attorney

EXHIBIT "A -1"

LOT 3, BLOCK 1, SHANNON CREEK DEVELOPMENT



This map is being furnished as an aid in locating the herein described land in relation to adjoining streets, natural boundaries and other land, and is not a survey of the land depicted. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the Company does not insure dimensions, distances, location of easements, acreage or other matters shown thereon.

FINAL PLAT
 LOTS 1-3 & BLOCK 1
 SHANNON CREEK DEVELOPMENT
 AN ADDITION
 TO THE CITY OF BURLESON
 COUNTY OF BURLESON COUNTY, TEXAS
 JANUARY 2020
 CASE NO. 18-163

EXHIBIT "A-2"

SHANNON CREEK DEVELOPMENT PLAN

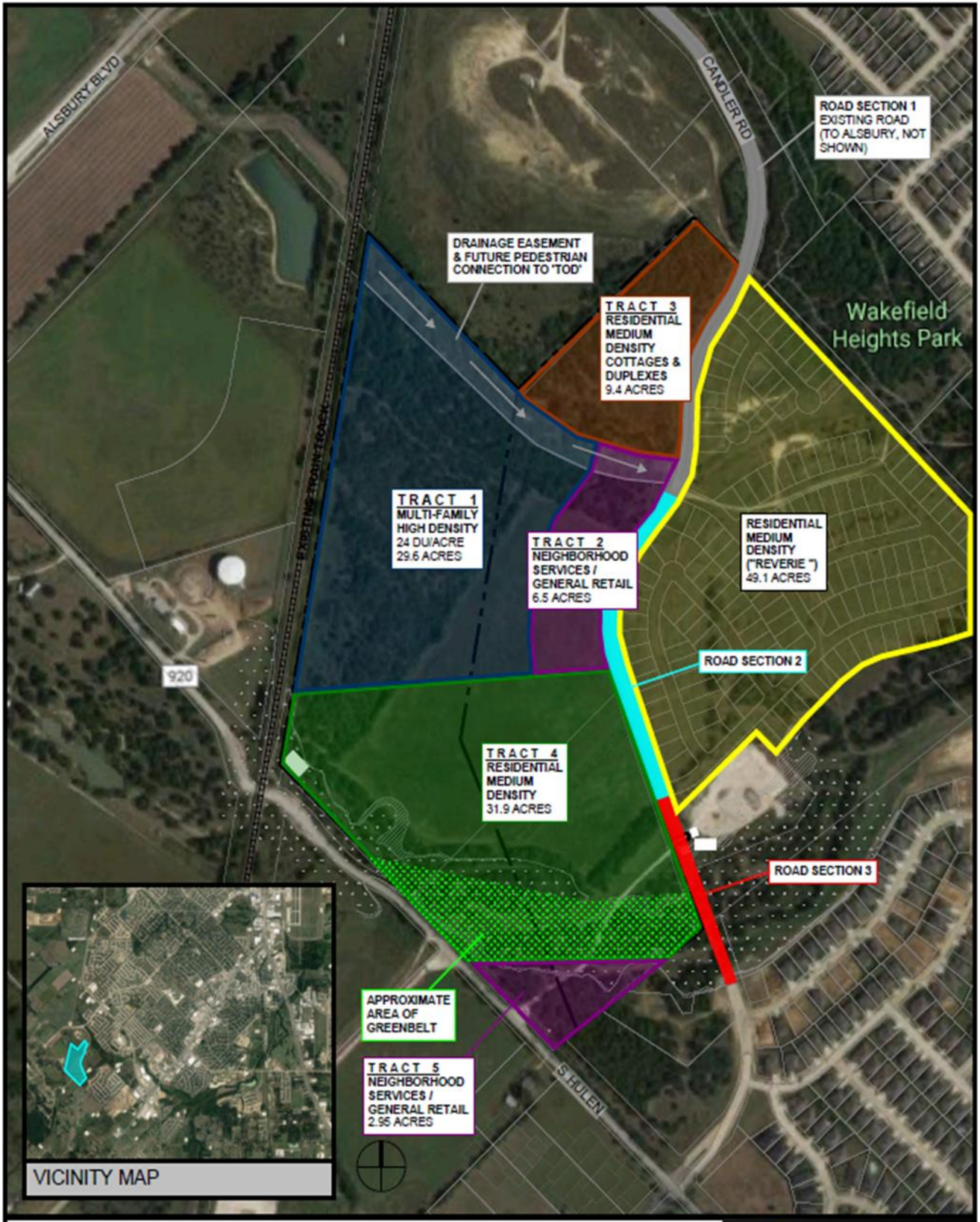


EXHIBIT “B”

SHANNON CREEK TRACT 3 DEVELOPMENT STANDARDS

A. Applicability

All development located within the boundaries of this Planned Development District shall adhere to the rules and regulations set forth in this zoning ordinance. All City of Burleson Engineering standards will be adhered to unless otherwise specified in this document or in the approval process of engineering plans.

B. Concept Plans.

Development of any property within the boundaries of this Planned Development District shall generally conform to the Site Plan Exhibit (attached as Exhibit C) and the Elevation Examples (attached as Exhibit D). If there is any conflict between the text of this ordinance and the concept plan or elevation examples, the text of this article controls.

C. Architectural, Dimensional and Density Standards

1. Concept Elevations. Units shall conform to the attached concept elevations. They are not the final architectural designs but instead are intended to be a concept of the architectural style and form for the community to act as a general guideline in design of the final product.
2. Density. The maximum residential density is 12 dwelling units per acre.
3. Living Area. The minimum living area per unit is 800 square feet
4. Units per Building. Maximum number of units per building is 6 units.
5. Height. The maximum building height is 35 feet; maximum 2 stories.
6. Lot Coverage. The maximum coverage per lot is 70 percent.
7. Yard Area Requirements
 - a. Front of building setback – 10 feet minimum from property line or 5’ minimum from street paving.
 - b. Side yard setback (attached units) – 0 feet.
 - c. Side yard setback (between structures) – 10 feet minimum between structures
 - d. Side yard (exterior lot street or alley corners) – 5 feet minimum.
 - e. Rear yard setback – 10 feet minimum from property line or 5’ minimum from alley paving.
 - f. Fencing within front yard setback will be permitted to within 5 feet of property line. Front yard fencing will be 50% opaque not to exceed 48” in height (i.e., wrought iron or picket fences).
8. Sidewalks. The minimum sidewalk width will be 4 feet and shall be located as indicated on the Site Plan Exhibit.
9. Roof Pitch. A minimum roof pitch of 4:12 will be allowed. No minimum pitch is required for accent or dormer roofs.
10. Fencing. Fencing along Candler Ave may not exceed 6’ in height and will 50% opaque (i.e., wrought iron or picket fences). Privacy fencing along the side and rear perimeter of the development may not exceed 8 feet in height.

11. Landscaping. An ornamental tree (30 gallon) will be provided at a minimum of one (1) per two (2) dwelling units and 1 canopy tree per six (6) dwelling units. 10 shrubs or bushes with a minimum size of 3 gallons, will be provided per dwelling unit. Landscaping calculations shall be made on a comprehensive basis for the entire site.

12. Lighting: Street and pedestrian lighting shall be of a decorative nature and have a black powder coat finish and must be on a concrete pedestal.

13. Park Amenities. Parkland dedication requirements for the City have already been satisfied by parks dedication by the Master Developer but additional open space and parks amenities will be installed within the community and shall include:

- a. Barbeque area – one location
- b. Dog park – minimum of 2,000 SF
- c. Dog cleanup stations – min. 2 along the trail and one in dog park area
- d. Benches – min. 2 along the trail.
- e. Walking Trails - will be provided throughout the community and used in conjunction with sidewalks to connect dwellings to open space and amenities in general accordance with the site plan exhibit.

14. Clubhouse – minimum 1,500 SF and will include business center, leasing office, fitness area, community game room and gathering areas.

- a. Swimming pool – minimum 1,500 SF of pool, lounge areas and associated decking.

15. Off-street parking. 2 parking spaces per dwelling unit will be provided by rear entry two car garage, front entry one car garage & one surface parking space or two surface parking spaces

16. Detached Garages. Detached garages will be allowed for lease to tenants of the property.

17. Anti-Monotony Standards. An anti-monotony plan will be enforced to provide for architectural diversity and harmony throughout the community. Units within a building will also have different architectural elements to create more interest with each building design.

- a. No building shall have the same elevation and exterior materials as any building directly adjacent.
- b. The buildings that front Cander Drive shall each have a unique elevation/exterior material combination.

18. Park Requirements: All regulations related to parkland dedication and development shall be subject to Article 8 of the Subdivision and Development Ordinance.

19. Cross Access: All tracts within this Planned Development shall be designed to allow pedestrian, vehicular and utility cross access to the greatest degree practical and as described below.

- a. In the case where multi-family is adjacent to retail or general office then pedestrian and utility access will be provided via code activated access gates.
- b. Vehicle cross access may be provided between all commercial tracts in addition to pedestrian and utility cross access.
- c. Cross access between the single family use and adjacent uses will be evaluated may be provided in order to eliminate unnecessary trips on Candler Dr.

20. Buffering and Screening Requirements: A buffer is required at any location a non-residential use is adjacent to a residential use. Any of the following or combination may be used to create a minimum eight foot (8') high screen:

- a. Screening Fence
 - i. Fencing shall be made of any combination of masonry, stone or decorative concrete panels. A decorative metal fence in combination with landscaping may only be used with approval of the Development Advisory Committee (DAC). If a decorative metal fence is proposed, the landscape shall be 100% opaque in nature to provide screening as intended.
 - ii. Decorative stone, masonry or stucco pilasters are required at a minimum of 50 foot centers.
 - iii. A cap is required in conjunction with other design elements to modulate the top of the wall.
 - iv. A minimum of ten feet (10') landscaped area with one (1) tree for every thirty (30) linear feet will be required if a wall is proposed.

EXHIBIT D

ELEVATION EXAMPLES (Page 1 of 3)



EXHIBIT D (Page 2 of 3)



EXHIBIT D (Page 3 of 3)



*These are not the actual elevations and plans since the design has not been completed. They are intended to be representation of the architectural style and form for the community to act as a general guideline in design of the final product.